

Extraordinary Meeting of Grimley Parish Council

Monday 4th September 2023
7.30pm, St Bartholomew's Church, Grimley

Councillors, Notice is hereby given that a Meeting of Grimley Parish Council will be held on **Monday 4th September 2023 at 7.30pm at St Bartholomew's Church, Grimley Village** Your attendance at the meeting is requested. The press and public are also cordially invited to attend to observe proceedings. Lisa Stevens, Parish Clerk and RFO, clerkgrimleypc@gmail.com 07950256363.

Date of publication of this notice: 29/08/2023



Scan for our website
Select 'G' for Grimley
Access all documents
including this agenda

- The press and public are invited to attend to address Councillors on matters concerning the Parish (allotted point in the agenda), observe or inspect draft documents.
- Whilst social distancing is no longer in place, occasionally safety considerations may mean that we close the meeting and reschedule.
- The Register of Electors may be inspected in order to ascertain attendee residency.
- Names are recorded in the meeting minutes, unless individuals ask for this not to occur.
- With some restrictions, meetings may be filmed or recorded. We are happy to provide guidance on what is permitted. Advice should be sought in advance to avoid disruption.
- Persons attending this meeting can prior note the document 'Information provided at the beginning of each parish council meeting' (QR code to the right).



Scan with your phone to
directly access the information
provided at the beginning of
each parish council meeting.

1. Election of Chair and Deputy Chair of the Parish Council

- a. To note that a casual vacancy has arisen in the Office of Councillor for Grimley Parish Council following the resignation on 18th August 2023 of Chair Allan J Bretherton. If by Tuesday 19 September a request for an election to fill said vacancy is made in writing to the Returning Officer at the address below by TEN electors for the said Parish, an election will be held to fill the said vacancy, otherwise the vacancy will be filled by co-option. If an election is called, it will take place not later than 22/11/2023. Returning Officer: Andy Baldwin, Council House, Avenue Road, Malvern, WR14 3AF. The Clerk notes that the resignation of a Cllr who is Chair results in separate processes for these two separate matters.
- b. To note that Cllr Collett as current Deputy Chair is acting as Interim Chair.
- c. Election of Chair upon the resignation notified above
 - i. Nominations
(Seconders not required by Standing Orders) (Nominated persons are not required to be present IF it is further resolved to permit and accept declarations of acceptance of office at a later date).
 - ii. Vote by show of hands.
 - iii. Signature on Declaration of Acceptance of Office where applicable (see above).
- d. Election of Deputy Chair, process as above.
- e. To note that current parish council standing orders do not address the scenario of the resignation of a Cllr who is Chair and that therefore the above process has been prescribed and supported by Worcestershire County Association of Local Councils. The Clerk notes that Standing Orders and the Cllr Code of Conduct are in the process of being reviewed and that this matter can be addressed as part of that review.

2.	<p>Welcome, points of order, apologies for absence and declarations of interest.</p> <p>a. To note updates received to Register of Interests/dispensations. Cllrs are reminded to update their register of interests.</p> <p>b. To declare Disclosable Pecuniary Interests relevant to agenda. Cllrs who have declared a Disclosable Pecuniary Interest/ other Disclosable Interest (para 12(4)(b) Code of Conduct) must leave for the relevant items only, unless a dispensation has been granted.</p> <p>c. To declare any Other Disclosable Interests relevant to the agenda.</p> <p>d. To declare any additions to the Register of Gifts & Hospitality.</p> <p>e. To consider written requests for the granting of a Dispensation (S33 Localism Act 2011). Motion to approve requests.</p> <p>2f To thank the church council for accommodating this meeting in the church – the Peace Hall not being available as such short notice for this extra-ordinary meeting.</p> <p>g To consider any adjustments required to encourage or allow public participation.</p>
<p>Public Open Forum. Please refer to 'information provided at beginning of meeting' for further guidance.</p>	
3	<p>Infrastructure, services, highway matters, drainage and flooding Updates & formulate Motions not requiring written notice. Highways (roads/pavements) & byways (bridleways/footpaths).</p> <p>a Councillors to note extent of parish council ownership of Sinton Green village green and at resident request to discuss purpose and maintenance of existing features. Including,</p> <ul style="list-style-type: none"> - update on July item - BP exploratory quotation for Sinton Green (and Monkwood Green) ditch clearance as part of previously approved timetable (roughly a five year routine). - to further plan inspection of Sinton Green pond and next dredging of this flood control sump. - Motion for budget and delegated powers to Clerk as required and response to resident. <p>b To receive resident correspondence and request for signage on parish council owned land to remind residents of the presence of flood management ditches and other features.</p> <ul style="list-style-type: none"> - Motion for debate - additional signage to be appended to existing signs prohibiting vehicles on the green/common and/or for additional signage to be installed on other features as debated at this meeting (Noticeboard, bins, bench, pond rescue buoy, bus shelters for eg). - Motion for budget and delegated powers to Clerk as required and response to resident. <p>c Memorial benches and trees (WCC grant and resident cost covered). Located at St Bartholomew's Churchyard and Grimley lower triangle.</p> <ul style="list-style-type: none"> - Motion for debate - Resident request for hard wood pressure treated benches to be stained a darker colour more appropriate to the surroundings and to have iron feet caps fitted to prevent rot. - Motion for budget and delegated powers to Clerk as required and response to resident.
4	<p>Administration, legal and finance</p> <p>a General correspondence for administration, legal and finance and Motion for response as required.</p> <p>b Inspection and consideration of the By-Laws for Sinton Green village green and Monkwood Green Common and SSSI as part of 5 year plan. Appendix 1.</p> <ul style="list-style-type: none"> - Motion for a committee with delegated powers to be formed to further examine this matter if required. - Motion for MHDC to receive amendments as duly considered either at this meeting or subsequently via a committee. Including consideration in relation to self-propelled/ electric/battery operated methods of transport including scooters, hoverboards and go-karts. Also, drones, metal detecting, geocaching, fireworks and decorations for national celebrations. - Motion for budget and delegated powers to Clerk as required.

5 a	<p>Planning - to consider, comment and resolve to respond to the following applications.</p> <p>Standing Item: To consider and arrange an extra ordinary parish council meeting for planning applications received after date of publication of this agenda. <i>Including.</i></p> <ul style="list-style-type: none"> - Birchall Green Solar farm appeal if forthcoming. - Solar farm preliminary screening application in Hallow parish. <p>https://plan.malvern hills.gov.uk/Planning/Display/M/23/00707/SCR</p>
6	<p>Staffing Committee</p> <p>Confidential session Staffing Matters – motion and resolution to move into a closed session without prejudice to discuss staffing matters. To exclude members of the press and public on the grounds that publicity would be prejudicial to the public interest because of the confidential nature of the business to be transacted. <i>Public Bodies (Admission to Meetings) Act 1960 Sec 1 (2) and Schedule 12 of the Local Gov Act 1972.</i></p>
7	<p>AOB, correspondence, dates for diary, items for future agenda.</p>
8	<p>Date of next scheduled meetings:</p> <p>The press and public are cordially invited to attend these meetings and should note Standing Orders in advance please.</p> <ul style="list-style-type: none"> Monday 25th September, 7.30pm - At St Bartholomew’s Church Grimley CONFIRMED booking. Monday 23rd October, 7.30pm - At Peace Hall. Monday 27th November, 7.30pm – At Peace Hall.

Appendix 1 – Current Bylaws for Sinton Green village green.

1. BYELAWS made under Section 15 of the Open Spaces Act 1906 by the Parish Council of GRIMLEY with respect to a VILLAGE GREEN.
2. Throughout these byelaws, the expression "the Council" means the Parish Council of Grimley and the expression "the ground" means the areas of land known as Sinton Green.
3. An act necessary to the proper execution of his duty on the ground by an officer of the Council, or by any person or servant of any person employed by the Council, shall not be deemed an offence against these byelaws.
4. A person shall not, except in the exercise of any lawful right or privilege, bring or cause to be brought on to the ground, any barrow, truck, machine or vehicle other than:
 - (a) a wheeled bicycle or other similar machine:
 - (b) a wheel-chair or perambulator, drawn or propelled by hand and used solely for the conveyance of a child or children or an invalid.

- (i) Where the infraction of the byelaw is committed within the view of such officer or constable, and the name and residence of the person infringing the byelaw are unknown to and cannot be readily ascertained by such officer or constable.
- (ii) Where the infraction of the byelaw is committed within the view of such officer or constable and, from the nature of such infraction, or from any other fact of which such officer or constable may have knowledge or of which he may be credibly informed, there may be reasonable ground for belief that the continuance on the ground of the person infringing the byelaw may result in another infraction of a byelaw, or that the removal of such person from the ground is otherwise necessary as a security for the proper use and regulation thereof.

8. Every person who shall offend against any of the foregoing byelaws shall be liable on summary conviction to a fine not exceeding one hundred pounds.

GIVEN UNDER OUR HANDS AND SEALS THIS 14th day of January, 1987.

Desmond Hales..... (Chairman)



Current Bylaws for Monkwood Green Common and SSSI:

Malvern Hills District Council - Byelaws as relating to MONKWOOD GREEN

Byelaws - made by Malvern Hills District Council in respect of the areas of common land listed in the attached schedule.

- 1 Throughout these byelaws:
- "the Council" means Malvern Hills District Council
 - "the commons" means the areas of common land listed in the attached schedule, all in the county of Hereford and Worcester.
 - "the schemes" means the schemes of management for each common listed in the schedule.
 - "model aircraft" means an aircraft which either weighs not more than 5 kilogrammes without its fuel or is for the time being exempted (as a model aircraft) from provisions of the Air Navigation Order.
 - "power-driven" means driven by the combustion of petrol vapour or other combustible vapour or other combustible substances or by one or more electric motors or by compressed gas.
 - "jet-propelled or rocket-propelled" means driven by jet propulsion or by means of a rocket, other than by means of a small reaction motor powered by a solid fuel pellet not exceeding one inch in length.

- 2 No person shall, except in the exercise of any lawful right or privilege, remove or displace any soil or plant.
- 3 No person shall dig or take turf, sods, gravel, sand, clay, or other substance, or cut, fell, or take trees or underwood on or from any part of the Common which is temporarily enclosed by the Council for the revival of the turf, shrubs, trees, plants, or grass thereon, or set apart for games if similar turf or other such respective substances or products as aforesaid can conveniently be dug or taken or cut or felled from some other part of the common.
- 4 A person shall not, without reasonable excuse, remove or displace any barrier, railing, post or seat or any part of any erection or ornament or any implement provided for use in the laying out or maintenance of the common.
- 5 (a) No person shall without lawful excuse on the common, except in the exercise of any lawful right or privilege, kill, molest or intentionally disturb any animal, bird or fish or engage in hunting, shooting or fishing or the setting of traps or nets or the laying of snares.
 (b) This byelaw shall not prohibit any fishing that may be authorised by the Council.
- 2 No person shall, except in the exercise of any lawful right or privilege, remove or displace any soil or plant.
- 3 No person shall dig or take turf, sods, gravel, sand, clay, or other substance, or cut, fell, or take trees or underwood on or from any part of the Common which is temporarily enclosed by the Council for the revival of the turf, shrubs, trees, plants, or grass thereon, or set apart for games if similar turf or other such respective substances or products as aforesaid can conveniently be dug or taken or cut or felled from some other part of the common.
- 4 A person shall not, without reasonable excuse, remove or displace any barrier, railing, post or seat or any part of any erection or ornament or any implement provided for use in the laying out or maintenance of the common.
- 5 (a) No person shall without lawful excuse on the common, except in the exercise of any lawful right or privilege, kill, molest or intentionally disturb any animal, bird or fish or engage in hunting, shooting or fishing or the setting of traps or nets or the laying of snares.
 (b) This byelaw shall not prohibit any fishing that may be authorised by the Council.
- 6 A person shall not, except in the exercise of any lawful right or privilege, bring or cause to be brought onto the common any barrow, truck, machine, or vehicle other than -
- (a) a wheeled bicycle or other similar machine
 (b) a wheel-chair or perambulator drawn or propelled by hand and used solely for the conveyance of a child or children or an invalid.

Provided that where the Council set apart a space on the common for the use of any class of vehicle this byelaw shall not be deemed to prohibit the driving in or to that space by a direct route from the entrance to the common of any vehicle of the class for which it is set apart.

- 7 (a) No person shall light a fire on the common or place or throw or let fall a lighted match or any thing so as to be likely to cause a fire.
 (b) The byelaw shall not prevent the lighting or use of a properly constructed camping stove or cooker in any area set aside for the purpose, in such a manner as not to cause danger of or damage by fire.

- 8 No person shall erect a tent or use any vehicle, including a caravan or any other structure for the purpose of camping on the common except on any area which may be set apart and indicated by notice as a place where camping is permitted.
- 9 Where any part of the common has, by a notice conspicuously exhibited in the commons been set apart by the Council for the flying of power-driven model aircraft, no person in any other part of the commons shall release any such aircraft for flight, or control the flight of such an aircraft, and no person shall -
- a) cause such an aircraft to take off; or
 - b) without reasonable excuse, cause such an aircraft to land, in such other part of the commons.

Where an area within a part of the commons so set apart for the flying of power-driven model aircraft is designated by the Council as an area from which aircraft may be launched and is described in a notice affixed or set up in some conspicuous position on the commons a person shall not release such an aircraft for flight, or cause such an aircraft to take off, in any part of the commons other than that area.

- 10 No person shall (except in the case of a Fair lawfully held) place on the commons any show, exhibition, swing, roundabout or other like thing.
- 11 No person shall without lawful authority fire or discharge any firearm, or to the danger of any person throw or discharge any missile on the commons.
- 12 Where the Council set apart any part of the commons as may be fixed by the Council, and described in a notice board affixed or set up in some conspicuous position on the commons for the purpose of any game specified in the notice board, which, by reason of the rules or manner of playing, or for the prevention of damage, danger or discomfort to any person on the commons may necessitate, at any time during the continuance of the game, the exclusive use by the player or players of any space in such part of the commons - a person shall not in any space elsewhere on the commons play or take part in any game so specified in such a manner as to exclude persons not playing, or taking part in the game from the use of such space.
- 13 A person resorting to the commons and playing or taking part in any game for which the exclusive use of any space on the commons has been set apart shall -
- (a) not play on the space any game other than the game for which it is set apart;
 - (b) in preparing for playing and in playing, use reasonable care to prevent undue interference with the proper use of the commons by other persons;
 - (c) when the space is already occupied by other players not begin to play thereon without their permission;
 - (d) where the exclusive use of the space has been granted by the Council for the playing of a match, not play on that space later than a quarter of an hour before the time fixed for the beginning of the match unless he is taking part therein;
 - (e) except where the exclusive use of the space has been granted by the Council for the playing of a match in which he is taking part, not use the space for a longer time than two hours continuously, if any other player or players make known to him a wish to use the space.

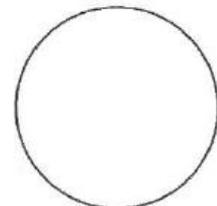
- 14 No person shall on any part of the commons which may have been set apart by the Council for any game play or take part in any game when the state of the ground or other cause makes it unfit for use and a notice is set up in some conspicuous position prohibiting play on that part of the common.
- 15 No person shall without lawful authority -
- (a) break in any horse on the commons;
 - (b) drive or exercise any horse on the commons to the danger or annoyance of any other person.
- 16 No person shall, without lawful authority, turn out or permit to graze on the commons any cattle, sheep or other animals. And it shall be lawful for any officer of the Council or person authorised by them to remove from the Common any cattle, sheep, or other animal being upon the common in contravention of this Byelaw.
- 17 A person shall not in the ground intentionally obstruct, disturb or annoy any other person in the proper use of the common, or intentionally obstruct or disturb any officer of the Council in the proper execution of his duty, or any person or servant of any person employed by the Council in the proper execution of his duty.
- 18 No person shall, by operating or causing or suffering to be operated any wireless set, gramophone, amplifier, tape recorder or similar instrument, make, cause or suffer to be made any noise which is so loud or so continuous or repeated as to give reasonable cause for annoyance to other persons on the common.
- 19 An officer of the Council or person authorised by them, may, after due warning, remove or exclude from the commons, any vehicle or animal drawn, driven or placed upon the commons, or any structure (which shall include a caravan) erected or placed thereon in contravention of the Scheme or of any of the foregoing byelaws, and may remove from the commons any person who within his view infringes any such byelaw or any provision of the Vagrancy Acts.
- 20 Every person who shall offend against any of the foregoing byelaws shall be liable on summary conviction to a fine not exceeding one hundred pounds.

Monkwood Green

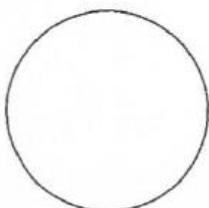
Grimley

The common seal of Malvern Hills District Council was hereunto affixed on the Thirteenth day of April 1988 in the presence of

P Graham
Secretary and Solicitor



The foregoing byelaws are hereby confirmed by the Secretary of State and shall come into operation on 12 August 1988.



Signed by authority of the Secretary of State 15 July 1988

Q J Thomas
Assistant Under-Secretary at the Home Office