

# Malvern Wells Parish Council

From the Locum Clerk, Kate Howe

Email: [clerk@malvernwells-pc.gov.uk](mailto:clerk@malvernwells-pc.gov.uk) Tel: 07988 427 507 Website: [www.malvernwells-pc.gov.uk](http://www.malvernwells-pc.gov.uk)

Notice is hereby given that the **Annual General Meeting** of the Council will be held on **Wednesday 17<sup>th</sup> May 2023 at 7:30pm at Malvern Wells Village Hall.**

## **Public participation**

Residents are invited to give their views and ask questions on the agenda, or to raise issues for future consideration. The time allowed will be at the discretion of the Chairman.

## **Agenda**

### **1. Election of chair.**

- a) To elect a chair for the forthcoming year. (The newly elected Chair will make a declaration of acceptance of office and will assume the Chair).

### **2. Signing of acceptance of office.**

- a) New chair to **sign** Declaration of Acceptance of Office (this can be deferred to another date by resolution of the Council).
- b) Newly elected councillors to **sign** Declaration of Acceptance of Office forms.

### **3. Election of vice chair.**

- a) To **elect** a vice-chair.

### **4. To receive and consider **apologies** for absence.**

## **2. Declarations of Interest**

- a) Councillors are reminded of the need to update their **register of interests**.
- b) To declare any **Disclosable Pecuniary Interests** in items on the agenda and their nature.
- c) To declare any **Other Disclosable Interests** in items on the agenda and their nature.
- d) To Consider Written Requests from Councillors for the Council to Grant a **Dispensation (S33 of the Localism Act 2011)**

*Councillors who have declared a Disclosable Pecuniary Interest, or another Disclosable Interest which falls within the terms of paragraph 12(4)(b) of the Code of Conduct, **must leave the room for the relevant items unless a Dispensation has been requested/granted.***

*Failure to register or declare a Disclosable Pecuniary Interest may result in the commission of a criminal offence.*

### **3. To **approve** the minutes of the previous Council meeting held on **26<sup>th</sup> April 2023.****

## **4. Co-option of Members**

Section 21 of the Representation of the People Act 1985 gives the Parish Council the power of co-option to fill vacancies remaining unfilled following an ordinary election.

- a) Council to **note** there are total 13 seats on Malvern Wells Parish Council.
  - All Saints Ward - 6 seats – 4 elected uncontested – S. Freeman, D. Preece, R. Price, P. Stanier.
  - St. Peters Ward – 7 seats – 4 elected uncontested – J. Black, C. Gates, C. O'Donnell, A. Pitt.
  - Total of 8 councillors elected – with 5 vacancies.
- b) Council to consider and if agreed **resolve** to co-opt Geoff Turrell and Marilyn Birks (previous Councillors for Malvern Wells Parish Council 2022-23).

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c) Council to **note** there will remain 3 vacancies. Recommended Council **resolve**:

- (i) That the Council believes that it is in the interests of the parish that the vacancies on the Council are filled, and that this be achieved by co-option.
- (ii) That persons eligible to become co-opted be encouraged to put their names forward to the Chair.
- (iii) That consideration be given to advertising vacancies and a process of selection at the next meeting scheduled for **28<sup>th</sup> June 2023** or as soon as possible thereafter.

Council to **note**:

*Eligibility for co-option, is as follows:*

**(a)** 21 years of age, **and**

**(b) either:**

- Be a local government elector for the parish, or
- Be an occupier (owner or tenant) of land or premises in the parish for the previous 12 months, or
- Have their place of work in the parish for the previous 12 months, or
- Have resided in the parish for the previous 12 months, or
- Have resided within three miles of the parish boundary for the previous 12 months.

## 4. Meeting dates

- a) To **resolve** Council meeting dates as approved 26<sup>th</sup> April 2023 Council meeting for new Council year.
- b) Council to **note** all Council meeting bookings with Village Hall booked except 25<sup>th</sup> October – clash with long standing booking – Council to consider / **resolve** to approve new scheduled meeting date for October.

## 5. General Power of Competence

Council to review and **affirm** eligibility for General Powers of Competence. (If a Council has General Powers of Competence – which replaces the Power of Well Being - and it is an election year).

## 6. Governance

- a) To approve and **adopt** the Standing Orders for Malvern Wells Parish Council.
- b) To approve and **adopt** the Financial Regulations for Malvern Wells Parish Council.
- c) To approve and **adopt** the Complaints Policy for Malvern Wells Parish Council.
- d) Council to **note** Register of Interests forms - document circulated. Every Councillor (new and returning) **MUST** complete the form supplied and return to the Monitoring Officer by the end of May.

## 7. Appointments to parish council committees

- a) To **appoint** 5 members to the Finance and General Purposes Committee. To **note** (Chair and Vice Chair are ex officio members to bring membership to 7)
- b) To **appoint** a chair to the Finance and General Purposes Committee.
- c) To **appoint** 3 members to the Staffing Committee (Chair and Vice Chair are ex officio members to bring membership to 5)
- d) To **appoint** 3 members to the Appeals Committee (not appointed to serve on Staffing Committee).

## 8. Appointments to Working Groups

- a. To **appoint** members to the following working groups
  - i. Neighbourhood Development Plan – maximum of 12; up to 6 residents/locals and 6 cllrs.
  - ii. Cemetery – 3
  - iii. Gas Lamps – 4
  - iv. Play and Open Spaces – 6
  - v. Public Rights of Way - 3

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- vi. Events - 3
- vii. Fete Car Parking – 2

## 9. Appointments to external committees

- a) To **appoint** members to represent the council on the following external committees:
  - i. Malvern Wells Village Hall Management Committee – 1
  - ii. Monitoring Group of the Three Counties Showground – 1
  - iii. CALC Malvern Hills Area Committee – 2
  - iv. Worcestershire CALC Executive Committee – 1
  - v. Wyche Institute Committee – 1

## 10. Financial Matters

- a) To **approve** the payment of **accounts for 15<sup>th</sup> May** – Schedule circulated.
- b) To **note** the final March 2023 quarterly budget – if available.
- c) To **approve** both Chair and Vice Chair sign signature final copy Scouts Hut lease. Both councillors to sign lease on behalf of MWPC in meeting. Document circulated.
- d) Precept payment 2023-24 – Council to **note** £45,709.60 payment notified 1<sup>st</sup> May 2023.
- e) BHIB Insurance - renewal date 1.6.23. Council to note Locum Clerk has requested comparative quote from Zurich Insurance – Council to consider and if appropriate **resolve** to approve BHIB renewal premium due for payment £1,907.54.
- f) BT Broadband - Council to **note** Village Hall Broadband disconnected by BT 5<sup>th</sup> April. Council to consider Cllr. Preece verbal update on Broadband provision and if appropriate **resolve** to approve any delegated action agreed due to urgent business need by Locum Clerk, Cllr. Preece and Sarah Hart.
- g) Council to **note** Locum Clerk verbal report - signatory and payment issues impact on year end.
- h) Council to **note** Locum Clerk verbal report on delay to internal audit.
- i) Council to **note** and **resolve** to approve by delegated authority (on advice of Internal Auditor and Worcester CALC) Locum Clerk requested from PKF Littlejohn (External Auditor) request for extended submission for MWPC External review to 31<sup>st</sup> July 2023 – latest legal date – due to year end and internal audit issues impacting – PKF Littlejohn confirmation of extension approved 10.5.23 (see document circulated).
- j) Council to **resolve** to appoint signatories to make payments on behalf of parish council.
- k) Council to **note** Q4 bank reconciliation – if available.

## 11. Planning

- a) To consider and **resolve** agreed comments on the following new application and any others received between agenda circulation and meeting:
  - **M/23/00449/HP** - 46 Lower Wyche Road, Malvern, WR14 4ET  
Construction of a Summerhouse/Shed at the topmost level of the terraced garden within the curtilage of 46 Lower Wyche Road.
- b) To **note** Malvern Hills Planning Decisions

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- **M/22/01715/FUL** - First Floor Flat, Bernard Lodge, 262 Wells Road, Malvern, WR14 4HD  
Replacement window units within existing stone surrounds – APPROVED.
- **M/22/01609/HP** - 20 Jasmine Road, Malvern, Worcestershire, WR14 4XD  
Two storey rear extension – APPROVED.

## 12. Staffing Matters

To **note** Locum Clerk requested WALC (WALC advised HR consultant) assess required SCP for newly combined role.

## 13. Meeting Management

Council working practices – Council to **consider** how decisions can be moved more quickly than can be achieved by monthly Council meetings.

## 14. NDP Working Group

Council to **note** verbal report from Cllr. Pitt.

## 15. Communications

Council to **note** verbal report Cllr. Pitt on following items:

- Website update
- Newsletter
- Information boards
- 'Other' locations for Council meetings – broadband access

## 16. Correspondence

- a) **Email 4.5.23.** Gas lamp protection being demolished by lorries.
- b) **Email 4.5.23.** Gas lamp outside Rock House and the Holy Well on Holywell Road not been working for over a year.
- c) **Email 27.4.23** Via Hugo Fox telegraph pole installation corner of Wells Road and Upper Welland Road.
- d) **Email 24.4.23** Via Hugo Fox. Malvern Wells School defibrillator

17. District and County Councillor reports – if present to **note**.

18. Matters to report for future agendas.

19. To confirm the date of the next scheduled Council meeting **Wednesday 28<sup>th</sup> June 7.30pm.**