

Malvern Wells Parish Council

Minutes of full Council Meeting held on Wednesday 27th September 2023 at 7.30pm at Malvern Wells Village Hall.

Present:

- a) Cllrs. P. Stanier (Chair), J. Black [JB], S. Freeman [SF], R. Price [RP], C. Gates [CG], M. Birks [MB], G Turrell [GT].
- b) **Absent:** Council noted no apology received from Cllr. C O'Donnell
- c) **In Attendance** - Dr K Howe (Locum Clerk), Cllr. J. Gallagher (District Councillor).

Public Participation:

8 Members of public (MOP's) in attendance.

MOP spoke to notify council and request:

- Fruitlands notice board not being updated. SF **agreed** to contact MOP regarding keys.
- Statement on gas lamps costs / contract.
- Statement on land at Fruitlands.
- Statement on Locum Clerk costs.

1. Apologies for absence:

- a) Cllr. A. Pitt – **accepted** by Council.
- b) Cllr. C. Wild – **noted**.

2. Declarations of Interest

- a) Council **noted** Cllr. M. Birks has been co-opted onto Malvern Wells Town Council.

3. Minutes of the previous Council meeting held on 26th July 2023. PS proposed, MB seconded, Council unanimously **RESOLVED** to approve.

4. Matters Arising from above:

- a) Cllr. Malcolm Victory to advise on Wyche parking.

5. Malvern Hills Trust presentation

- a) Council **noted** presentation from Duncan Bridges CEO of Malvern Hills Trust.
- b) Q&A session – Council asked and **noted** responses:
 - Cost benefit analysis of £350k spend – how will statute changes provisionally benefit? Charity Commission arrangement to take loan over 20 years. Will open up powers to derive greater income generating opportunities, rather than levy to taxpayers.
 - What would trustees be signing up to?
Trustees asked to sign Code of Conduct, busy responsibility attending board and committee meetings, deal with knotty issues and many regulations to get to grips with. Next year is 140th anniversary.
- c) Chair thanked Duncan Bridges and **requested** he return to Council later in the year with further update.

6 Governance

- a) Election of Vice Chair – Council considered MB proposed, JB seconded, council unanimously **resolved** to appoint Cllr. S. Freeman as Vice Chair.
- b) Election of Chair of Staffing Committee – JB proposed, CG seconded, council unanimously **resolved** to approve appointment Cllr. S. Freeman as Chair of Staffing Committee.

7 Cemetery

- a) Council **noted** Cemetery is currently working group. Ann Dobbins, as consultant, advised Cemetery Working Group should be convened as Committee with delegated authority and new Terms of Reference.
- b) Council **noted** Cemetery Working Group had not met ahead of 27.9 Council meeting. Cemetery meeting date to be agreed.
- c) Council **noted** Ann Dobbins (consultant) supplied new documents for cemetery administration – to be considered at convened Cemetery working group meeting and recommended to council – if convened as Committee.
- d) Council considered and JB proposed, CG seconded, council **resolved** to approve - Cemetery WG be appointed as Committee and Cllr. M. Birks as new member of Cemetery Committee.
- e) **resolved** to approve Cemetery Working Group be convened as Committee with relevant delegated authority and Terms of reference to be approved by Council at future meeting.
- f) Council **noted** Cemetery Committee to **appoint** a councillor as Committee Chair at their next Committee meeting.
- g) Council **noted** cemetery memorial safety check report (circulated) with red alert items identified. Cemetery Committee to consider at their agreed meeting.
- h) Council **noted** Martin Thomas correspondence regarding surgery, recovery and re-start and requested Interim Clerk send 'get well' card from councillors.

8. Gas Lamps Working Group (GSLG)

- a) JB reported and Council **noted** update from Gas Lamps Working Group and contract documents (circulated).
- b) Council **noted** and considered:
 - Lamps 38 & 44 repaired and reinstated – FranklynAir invoice – K8684 - £5,714.95- JB proposed, SF seconded, Council **resolved** to pay.
 - Council **noted** 2 refurbished lanterns re-installed with 4 Braun burners (not 2 burners as previously) - nice and bright – but created more heat – new glass in restored lantern already cracked. Notified to Franklyn Air.
 - Council **noted** – understood previous year contract included onsite contractor training in basic maintenance / oversight to limit call out costs including:
 - Turning lamps on/off
 - Unblock jets/ test batteries.
 - Change batteries / replace mantles.
 - Assess performance issues / potentially rectify in comms. with FranklynAir
 - Confirmed by Gas Lamps Working Group and Steve Maund – that despite best efforts to attend servicing days on site - this did not happen as expected.
 - Post contract Council **noted** - Malvern Wells gas lamps are not SUGG system as advised but Braun. So SUGG training as contract included initially is not applicable.
 - JB assured Council that MWPC onsite working does need to be gas safe certified – as gas lamps are open air / not internal.
 - GLWG recommend council request again that as part of contract and ongoing maintenance on-site contractor is trained in basic oversight and maintenance accordingly – as believed was agreed in previous contract.
 - SF proposed, MB seconded, council unanimously **resolved** new 2023/24 Franklyn Air contract - 1 visit pa £9,550 & VAT.

9. Finance Matters

- a) Council **received** update from Chair of Finance & Governance (F&G) Committee following meeting held 27.9.23 (minutes to be supplied at October Council meeting)

- Council considered, MB proposed, PS seconded, council unanimously **resolved** to approve F&G Committee Amended Terms of Reference (TOR's) as recommended (final version to be circulated).
 - F&G Committee **considered** transfer of reserves from currently held savings to Charities, Churches & Local Authorities Investment Fund (CCLA) – F&G Committee confirmed they have not come to final recommendation for council – will convene meeting with CCLA / consider other opportunities to investigate.
 - Council **noted** all reserve accounts currently only authorised access via previous permanent clerk – Sarah Hart.
 - Council considered and **noted** Finance & Governance meetings as proposed.
- b) Council **noted** the External Audit has been completed with minor matter for consideration (circulated).
 - c) Council **noted** correspondence from External Auditor and Interim Clerk's responses (circulated).
 - d) Council **noted** Interim Clerk and Chair (Cllr. P. Stanier) set up as authorised signatories to Lloyds accounts. Council **noted** there are now 3 current councillors able to authorise payments - P. Stanier, G. Turrell, C. Gates.
 - e) Council **noted** countersigning in meeting of Lloyds Authority Variation form by Chair to remove Barrie Knibb and Dan Preece as signatories / authorities to bank account (resigned councillors).
 - f) Council **noted** countersigning in meeting of Debit Card authorisation (for use by Interim Clerk) by 2 current signatories.
 - g) Council **noted** Lloyd's current acc. bank reconciliation for August 2023 (circulated).
 - h) Council **noted** July duplicate payments now all reimbursed/ Malvern Hills DC £64.03 credited to account against Oct quarterly payment.
 - i) Council **noted** BT £664.50 taken by DD from current account on 24.7.23 (despite Village Hall broadband contract cancellation and modem returned). Interim Clerk has notified BT who have now finally agreed reimbursement.
 - j) Council noted and **approved** budget update quarter 2 as recommended by F&G Committee (circulated).
 - k) Council **resolved** to pay ongoing contract with Parish Online - £172.pa. and queried – how many users covered?
 - l) Council **noted** – ID Mobile contracts can't be transferred to new Clerk – personal contract to Sarah Hart. BGM contract cancelled. SF proposed, RP seconded, council **resolved** to take out business contract with new supplier for Clerk mobile.
 - m) Council **noted** Hugo Fox withdrawn their free service from 4th October. RP proposed, SF seconded, council **resolved** to approve Gold package at £29.99 p.m.
 - n) GT proposed, SF seconded, council unanimously **resolved** to approve August payments made by Interim Clerk by delegated authority of Chair and Clerk / authorised by Cllr. Turrell on 2/9/23 (as payments schedule 31.8.23 circulated).
 - o) SF proposed, JB seconded, council unanimously **resolved** to approve September payments (as payments schedule circulated).
 - p) SF proposed, CG seconded, council unanimously **resolved** to approve action taken on Lloyd's bank current account with transfer of £5,000 from Lloyd's savings to current account.
 - q) Council **noted** Worcs. CC lengthsman payments (April to August) will be paid during September.
 - r) Council note Eon new fixed cost business plan (circulated). RP proposed, SF seconded, council unanimously **resolved** Eon 2 year estimated fixed rate of £350.30 p.a.

- s) Council considered, SF proposed, CG seconded, Council unanimously **resolved** to approve payment of Chair's allowance to Cllr. P. Stanier for May 2023 to April 2024 - £250.
- t) Council **noted** Interim Clerk chased HMRC re. VAT 126 reclaim.

10. Planning Matters

- a) RP proposed, CG seconded, council **resolved** agreed comments on new applications:

- **M/23/00939/HP** Gandolfi House, 211-213 Wells Road, Malvern, WR14 4HF

Extend existing car parking to side of property and move the location of stairs to back garden, front fence and gate on the boundary of the footpath in front of the property.

To **note** – Interim Clerk response by delegate authority - response made 18.08.2023 – **NO**

OBJECTION - but request Highways ensure sufficient space for any vehicle parked within new parking boundary effectively clears pavement for pedestrian access.

- **M/23/01006/HP** - The White Cottage, 260 Wells Road, Malvern, WR14 4HD

Single-storey side extension - **NO OBJECTION**.

- b) Council **noted** MHDC planning decisions notified (circulated):

- **M/23/00123/HP** White Cottage, 96 Wells Road, Malvern, WR14 4PG

Demolition of existing conservatory and single-storey store to side. Erection of single-storey extension to the front and one and half storey extension to side to provide garage with kitchen over. **APPROVED**

- **M/23/00994** 178 Upper Welland Road, Malvern, WR14 4LA

Single-storey rear extension, replacement of window on rear elevation with a door, replacement windows and external doors throughout and new render finish to rear elevation. **APPROVED**

- **M/23/00678/HP** Southcliffe House, 272 Wells Road, Malvern, WR14 4HD

Replacement of three existing kerbstones, one to be an angled kerbstone, and two to be dropped kerbstones.

- **M/23/00827/HP** 151 Upper Welland Road, Malvern, WR14 4LB

New Single Width Dropped Curb **APPROVED**

- **M/23/00840/FUL 21/01894/FUL** Arosfa, Upper Welland Road, Malvern, WR14 4JU

Change of use of former agricultural land to residential garden and single storey extension to rear of dwelling. (Variation of condition 2 Ref.) **APPROVED**

- **M/23/00780/HP** 80 Wyche Rd, Malvern WR14 4EP

Erection of garden annexe and alterations to existing windows and door. **APPROVED**.

- **M/23/00850/HP** Rusland Lodge, 16 Wyche Rd, Malvern WR14 4EG

Alterations to access, resurfacing, including removal of two trees. **APPROVED**.

- c) Council **noted** tree preservation order:

- **708 (2023)** - trees at Fair View, 1 Chase Road, Malvern, WR14 4JY

11 Consultation

- a) Council **noted** Fire & Rescue Community Risk Management Plan 2025-30 (circulated). JB proposed, CG seconded, council **resolved** - MB and AP to look at deadlines and draft formal response.

12 Projects

- a) Council **noted** AONB advised their rebranding as National Landscapes scheduled for 21st November. New logo embargoed until then. Council approved delay until new logo available to produce 2 info boards.

Chair requested and council **resolved** to suspend standing orders at 9.30pm – due to weight of business.

13 Councillor Co-option

- a) Council considered two applications received from potential new councillors via co-option.
 b) Council **resolved** to exclude the public and press and moved item to confidential session.
 c) Council interviewed and considered two applicants in confidential session. SF proposed, RP seconded, council unanimously **resolved** to appoint Gemma Lowe and Paul Merrifield by co-option as new members of Malvern Wells Parish Council

14 Staffing Matters

Permanent Clerk Recruitment

- a) Council **received** update from Staffing Committee on applications and actions.
 b) Council **noted** Staffing Committee notified of all applications received following closing date (21.08.2023).
 c) Council **noted** Staffing Committee met informally 22.9.23 to assess and long-list 6 candidates for interview.
 d) Council **noted** Worcs. CALC recommended Linda Blake (Malvern Town Council) to support Staffing Committee during recruitment process. Council considered and **resolved** Linda Blake remuneration services for recruitment process at £22 p.h.
 e) Council considered and **resolved** to give Staffing Committee delegated authority to shortlist 5 candidates for interview.
 f) Council considered and **resolved** to give Staffing Committee delegated authority to interview shortlisted applicants and select preferred candidate to notify to Council October meeting.

Cemetery contractor notification

- a) Council **noted** correspondence from Steve Maund lengthsmen contractor and Interim Clerk response (circulated) of verbal abuse from member of public. Council **noted** concern but content with advice given from Interim Clerk.

15 Training Bookings

JB proposed, MB seconded, council unanimously **resolved** to approve costs incurred:

- a) CALC Neighbourhood Development Planning training 1.11.2023 booked for Clerk and Chair – cost £40 per participant.
 b) CALC Cemetery training 20.9.23 booked for Interim Clerk – cost £30.
 c) Lengthsmen training for Steve Maund via Worcester Council - no cost.

16 Defibrillators

- a) Council **noted** update from Cllr. M. Birks on registering parish defibrillators, Heartstart training sessions and defib project.
- b) Council **noted** room hire for community defibrillator training by Heartstart. Cllr. J. Gallagher **agreed** to cover costs incurred:
 - 19th October – Wyche Institute (evening) – cost to be notified.
 - 30th October - Malvern Wells Village Hall (afternoon) – cost £15
 - 21st November – Upper Welland Hall (evening) – cost £38
- c) Council **noted** Rothwell Rd telephone kiosk appears to be owned by MWPC. MB proposed, SF seconded, council unanimously **approved** MB will undertake audit with Steve Maund, notify costed proposal for new defib. project / additional defibs. maintenance / new parts and register to MWPC if approved at October council meeting.

17 **Police contract**

- a) Council considered, MB proposed, JB seconded, council **resolved** priorities for Oct-Dec 2023 Police contract (circulated) with speeding as priority:

18 **Neighbourhood Development Plan (NDP)**

- a) Council **noted** NDPWG Chair apologies.
- b) Due to weight of business - council **resolved** to defer consideration of Invitation to Tender for NDP Consultant to October meeting.
- c) Council **noted** NDP questionnaire survey response (circulated) deferred for consideration at October meeting.

19 **Events**

Due to weight of business council **deferred** Events items to October meeting:

20 **Correspondence** (circulated)

- b) Council **noted** Ian Burrage request for Jubilee Gardens – council **resolved** to ask Martin Thomas.
- c) Council **noted**- email regarding dog bins – MB believes should be in DC remit and will investigate.
- d) Council **noted** – email regarding grit bins – John Gallagher and MB will ask County Councillor (Malcolm Victory) to deal with.
- e) Council **noted** – speeding issued advised. MB, John Gallagher/ Malcolm Victory to investigate. MB requested Highways survey key triangle where speeding an issue

21 **District and County Councillor reports:**

Christine Wild (CW) – apologies **noted**. Written report received and **noted** by council:

- a) CW met with MB to discuss installing defibrillator in Rothwell/ Green Lane phone box. Discussed speed restrictions to compare to Hanley Swan and Welland (aware of showground traffic) - investigating.

John Gallagher in attendance – council **noted** his report:

- a) Both he, and county councillor, have Ward councillor budgets available for community projects, ask for Defib projects to be covered.
- b) Residents survey closes 15th Oct.
- c) Benbow Close path is overgrown, could MWPC take on? Council **agreed** contractor to trim.
- d) Concern about footpath between Chase Rd and Assarts Lane. Council **agreed** CG will pass onto Public Rights WG.

- e) St Wulstans Nature Reserve – not currently maintained – will discuss with County Councillor.

22 Matters for future agendas.

- a) Website upgrade
- b) Other communications working group matters.
- c) Fruitlands

23 Next meeting

- a) Council **noted** the date of the next scheduled Council meeting **Wednesday 25th October at Malvern Wells Village Hall 7.30pm.**
- b) Council **noted** all 23/24 Council meetings now confirmed venue is Village Hall.

24 Exclusion of the Public and Press

Under the Public Bodies (Admissions to Meetings) Act 1960 members of the public and press are required to leave the meeting due to the confidential nature of the following item.

- a) It is recommended that Council **resolve** to exclude the public and press.

25 CONFIDENTIAL SESSION

Council considered new councillor Co-options and **resolved** to approve.

Meeting closed at 10.35pm. Chair thanked councillors for their attendance.

Signed

Chair of Council

Date