

## MALVERN WELLS PARISH COUNCIL

Minutes of the Meeting of Malvern Wells Parish Council duly convened and held in The Village Hall, Wells Road, Malvern Wells on **Wednesday 29<sup>th</sup> October, 2014** commencing at 7.30pm

**Present:** Councillors Mrs H Burrage M Victory  
A Hull Mrs A Bradshaw  
Mrs C O'Donnell B Knibb  
K Wagstaff

**Apologies for absence:** Councillors N Johnson, P Buchanan, J Black, S Atwell, K Hurst, S Freeman, County Cllr Lucy Hodgson

**In attendance:** David Taverner (Clerk and Responsible Finance Officer)

### **78/14 Declarations of Interest**

**a) Register of Interests: Councillors were reminded of the need to update their register of interests:** Cllr S Freeman had previously advised that he would be returning his outstanding register of interests form to the Clerk.

**b) To declare any Disclosable Pecuniary Interests in items on the agenda and their nature:** The Clerk declared a pecuniary interest in *agenda item 11- payment of accounts-* regarding his claim for the reimbursement of administration and fête expenses.

**c) To declare any Other Disclosable Interests in items on the agenda and their nature:** There were none

**79/14 To Consider Requests from Councillors for the Council to Grant a Dispensation (S33 of the Localism Act 2011):** There were none

### **80/14 Minutes of the Parish Council Meeting held on 24<sup>th</sup> September, 2014.**

Members unanimously approved the minutes of the meeting which had been held on 24<sup>th</sup> September and they were then signed by the Chairman as a correct record of those meetings.

### **81/14 Matters arising from the minutes of the Parish Council Meeting held on 24<sup>th</sup> September, 2014.**

*Ref minute 70/14 – Gas lamps maintenance contract -* Cllr Wagstaff asked if the contract for the renewal of the gas lamps maintenance contract should have been brought back to Council for approval before being signed. The Chairman replied that, at the 7th August Council meeting, the gas lamps working group

had been delegated authority to conclude the contract negotiations prior to the contract being signed off.\*\*

Cllr Wagstaff reiterated that he was unhappy with some of the terms contained within the gas lamps maintenance contract and requested that his objections should be clearly recorded in the Council minutes.

**\*\* Clerk's explanatory note**

*Under Section 101 of the Local Government Act 1972 the Parish Council has the power to delegate any of its functions to any committee, a sub-committee or an officer of the authority*

*The Council's financial regulations state that expenditure on revenue items may be authorised up to the amounts included for that class of expenditure in the approved budget. This authority is to be determined by:*

- *the council for all items over £5,000;*
- *a duly delegated committee of the council for items over £1000 or*
- *the Clerk, in conjunction with Chairman of Council or Chairman of the appropriate committee, for any items below £1000.*

*Such authority has to be evidenced by a Council Minute and the 7<sup>th</sup> August minutes refer.*

*The relevant section in the Council's financial regulations relating to contracts reads as follows:*

*"Every contract shall comply with the Council's financial regulations, and no exceptions shall be made otherwise than in an emergency provided that this regulation need not apply to contracts which relate to items (i) to (vi) below:*

- (i) for the supply of gas, electricity, water, sewerage and telephone services;*
- (ii) for specialist services such as are provided by solicitors, accountants, surveyors and planning consultants;*
- (iii) for work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or equipment or plant;*
- (iv) for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the Council – this covers the gas lamps maintenance contract*

**82/14 Community access defibrillator pad scheme (CADP)**

Diane Pearson, representing West Midlands Ambulance Service, gave a presentation on the various types of defibrillator systems which were available for the Council to purchase. Examples of defibrillator housing cabinets were also circulated. It was agreed that the Clerk should approach the British Heart Foundation to make an application for financial support towards the costs of two defibrillators, under the CADP scheme, which would be sited at suitable locations at each of the two Wells Primary Schools.

**83/14 Reports from Council Committees**

The Clerk presented the report of the **Environment Committee** meeting which had been held on **9<sup>th</sup> October, 2014**. All of the Council's footpaths and bridleways were continuing to be very well maintained by the

Council's footpath wardens. The County Council had again congratulated the Parish on the standard of the works which had been undertaken.

The report was **noted and accepted** by the Council

The Clerk then presented the report of the **Finance & General Purposes Committee** meeting which had been held on **16<sup>th</sup> October, 2014**. The committee's **recommendations contained therein** were noted and **approved by the Council** as follows:-

- (a) that an additional £10k should be contributed to the Council's Community Development reserve during 2015/16 taking it to a level of £25K. A further £5k would be added to that particular reserve in the 2016/17 financial year.
- (b) that the 2015/16 Parish Precept should be increased in line with the prevailing CPI rate appertaining on 1st January, 2015
- (c) that an account with the Land Registry should be opened to take advantage of the cheaper charge rates offered by such a facility. This would require the Council to make payment for any charges for reports requested by variable direct debit. Members had agreed that such an account should be opened.

**84/14**      **Report of the St Peters Closed Churchyard working group**

The working group met on 8th October to formulate a response to the request from All Saints Malvern Wells and the Wyche PCC.

The PCC have requested that the Parish Council now takes over responsibility for the maintenance of the churchyard under legislation outlined in section 215 of the Local Government Act 1972.

There is now a three month period from the serving of the PCCC letter whereby the Parish Council either accepts this responsibility or resolves to pass the obligations to the District Council.

Following discussion at the working group had been agreed that the Clerk should reply to the PCC on the basis that the Parish Council cannot accede to the request to take over responsibility for the maintenance of the Churchyard until the following problems have been satisfactorily addressed:-

1. The insufficient access arrangements to the Churchyard for contractors maintenance equipment and machinery

2. Settlement of disputes concerning the legal titles affecting the precise boundaries of the Churchyard land and those of the owners of the adjoining properties.
3. The reinstatement of the stone walls surrounding the Churchyard which will need to be satisfactorily and sympathetically repaired and restored
4. The indiscriminate planting of trees and shrubbery giving rise to concerns relating to tree root damage to the adjoining Village Hall and the need for a tree survey to determine whether any associated safety work may be required
5. The need to ensure that, as some of the memorials within the Churchyard are presently insecure, that reasonable steps are taken to ensure the safety of visitors to the Churchyard, together with that of any contractors working within it.

The working group was due to meet again on 12<sup>th</sup> November to consider the next steps. The Clerk was asked to ascertain whether or not the District Council would pass on maintenance charges to the Parish if it was to take over maintenance responsibilities.

A further report on this issue would be presented to the 26th November Council meeting.

## **85/14      Chairman's Communications**

### **(a)      Complaint re-appearance of the Lower Wyche Road and its surrounding area**

A complaint had been received from a resident regarding the general appearance of the area of land running from Gordon Terrace, down the Old Wyche Road, to its junction with Lower Wyche Road. The Clerk had reported the complaint to the Director of the Conservators who had agreed to send his operations manager to carry out an inspection of the work required.

A copy of this complaint would also be sent to County Cllr Hodgson and the elected Conservator- Cllr S Freeman - for their information

### **(b)      Complaint regarding weed growth on Grundy's Lane**

Cllr Victory reported that excessive weed growth had appeared on the pavement in Grundy's Lane. The Clerk advised that he would ask the District Council's street scene team to carry out remedial action.

**(c) Wells Church of England Primary School - parking restrictions**

A resident had pointed out that the double yellow no parking lines, immediately outside the Microprice computer shop on the A449 Wells Road, had been painted out.

Vehicles parked at this location were having an impact on road safety, especially at school drop off and pick up times, for drivers exiting the Upper Welland Road junction.

The County Council's Highways inspector had carried out an inspection of and was satisfied that the current length of the double yellow lines was in compliance with the relevant traffic regulation order. He was of the view that parking outside the Computer shop is actually beneficial, as it slows south bound vehicles and pushes them out into the sightline of vehicles emerging from Upper Welland Road.

No further action was proposed by the County Council at this stage but The situation would be kept under close review. It was agreed that the school governors should be requested to remind parents to park responsibly when visiting the school.

**(d) Instances of sales "cold calling" within the Parish**

A resident had raised concerns regarding an incident of very aggressive cold calling by a sales representative at his property. The incident had been reported to the local policing team and the Malvern Neighbourhood Watch Coordinator. Police advice was that residents should continue to be vigilant concerning such matters and they should continue to report such incidents to their local policing team.

## 86/14 Financial matters

- (a) **Approval of the payment of accounts** The following accounts were approved for payment:-

Chq	Payee	For:	£ NET	£ VAT	£ GROSS
3169	Steve Maund	Grass Cutting contract	1,500.00	-	1,500.00
3170	Steve Maund	Cemetery and outdoor work sept/oct	1,106.40	-	1,106.40
3171	Steve Maund	Cemetery materials	83.12	5.34	88.46
3172	Brookside Fire Service Ltd	Cemetery chapel fire extinguishers service	57.60	10.72	68.32
3173	British Gas	Gas lamps -Gas - sept qtr.	1,283.88	256.78	1,540.66
3174	Martin Thomas Malvern Wells Village Hall	Cemetery Work - October Room Hire	293.65	-	293.65
3175	Yvonne Scriven	Internal audit fee	46.00	-	46.00
3176	Sight Designs ltd	Gas lamps -annual service PAYE & National	100.00	-	100.00
3177	HMRC	insurance -sept qtr.	1,423.00	284.60	1,707.60
3178	David Taverner	Admin & fete expenses	950.60	-	950.60
3179	David Taverner	Clerk salary October	808.95	-	808.95
s/order			1,396.77	-	1,396.77
					-
	<b>TOTALS</b>		<b>9,049.97</b>	<b>557.44</b>	<b>9,607.41</b>

## (b) **Internal audit report to period ending 30<sup>th</sup> September, 2014**

The Clerk reported that the internal audit of the Council's Accounts for the first half of the 2014/15 financial year had been satisfactorily completed.

## 87/14 **Cemetery matters**

The Clerk reported that a ground scan had been commissioned to check on the availability of apparently unused grave plots within the cemetery. Quotations were being sought to extend the water supply from the cemetery chapel to the new graves area which was now being used.

## **88/14 Parish communications – electronic distribution of meeting notices and agendas**

Following discussion it was agreed that, in the interests of efficiency, future council agenda notices, minutes and reports would be circulated to Members of the Council electronically and distribution in paper form should be discontinued.

Hard copies of the reports and papers would continue to be made available at the respective Council and committee meetings.

Discussions would be held with the Village Hall management committee with a view to the installation of a wireless internet connection in the Village Hall to aid with viewing electronic copies of planning applications and report papers.

## **89/14 Report of the Clerk on actions undertaken since the previous meeting**

### **(a) Preparations for Remembrance Sunday 9<sup>th</sup> November.**

The clerk reported that all preparations for the Remembrance Sunday service at Had now been completed. The local guides and scouts were attending and representatives from the Women's Institute would be joining the parade to the War Memorial to lay their wreath. Cllr Peter Buchanan would be leading the service and light refreshments would be served in the Village Hall at the conclusion of the service.

### **(b) Wells News**

The Clerk advised that he had taken on the editing role for the winter edition and had completed print setting for most of the articles which had been received. The final print deadline date had been set as 7<sup>th</sup> November

Ongoing attempts were being made to find a new magazine editor. Quotations for printing were being obtained as the existing printer had announced his retirement.

### **(c) New play equipment –Assarts Road play area**

Further quotations for new play area equipment were now being sought. Once these had been received a meeting of the Play and Open Spaces group would be convened to decide on the precise nature of the Equipment to be purchased.

The Clerk reiterated that no expenditure commitments would be made until the approval of the District Council to the release of the section 106 funding had been received.

Quotations were also being obtained for hedge maintenance works to the play area surrounds.

## **(d) Christmas illumination schemes – Fruitlands Green and Jubilee Fountain Garden**

Final works to the electricity connection point on Fruitlands Green had been arranged and the possibility of lighting to the Viburnum tree at the Jubilee Garden fountain was being investigated as a short term solution pending a decision on the purchase of a suitable living tree for that site.

Investigatory work would also be undertaken to see if it was possible to re-establish a running water resource from the Jubilee Fountain spring.

### **91/14 Report of County Councillor**

#### **Report to Wells Parish Council from the County Councillor Lucy Hodgson for the meeting on October 29<sup>th</sup> 2014.**

“Firstly please accept my apologies for tonight’s meeting, it is our Parish Conference at County Hall which I am hosting as part of my cabinet role.

#### **Consultation**

Just a reminder that there are two consultations which are due to end at the end of October, firstly the Library at Home Service, the details of which are below:-

[Library Service at Home Questionnaire \(PDF 245 KB\)](#)

<http://www.worcestershire.gov.uk/cms/pdf/LSAH%20Questionnaire.pdf>

[Mobile Library Service and Library Service at Home Proposals \(PDF 320 KB\)](#)

<http://www.worcestershire.gov.uk/cms/pdf/mobile%20and%20LSAH%20proposal%20Aug%202014%20FINAL%20v7.pdf>

Could I urge the parish to comment on this as it will have an impact of resident who in the past have used the service and live within 3 miles of a static library?

The other consultation is on the new Parkway Station and a copy of this consultation has been attached to covering email to the clerk.

#### **Capital Investment in the County**

At the cabinet meeting in October a number of capital projects were announced that will benefit many residents across the county. These include the funding for the Worcester Business Park which now has a number of businesses who have signed up to relocate there. The next stage of the Southern Link Road was also announced and funding has been found to dual the road up to the Whittington Road roundabout. At the same the intent was announced to seek funding for the widening of the Carrington bridge and lobby central government for the necessary funding.

#### **County Council Website**

The county council will be launching a new web site on Thursday 30<sup>th</sup> October. To carry out this work the site will be down from 4.30pm on Wednesday 29<sup>th</sup> October and will be back in service by 6.30am on October 30<sup>th</sup>. From what I have seen the new site will be much easier to navigate and will make searching for county services much easier. Can I remind everyone if you do need to report a highway issue by far the easiest way is

to go to the Web Site and go to REPORT IT where you can report your issue?

### **Hartlebury Castle**

After many months the Trustees of Hartlebury Castle were pleased to announce that they have been successful in getting a Heritage Lottery Grant of £5.5 million to enable them to purchase the Castle from the Church Commissioners and protect the Hurd Library as well as restore the castle and its grounds to its former glory.

### **2015 County Council Budget Process**

This year's County Council Budget Proposals have been announced. The Council needs to save just under £30 million next year and though a number of proposed savings have been identified there is still a gap of over £5 million worth savings that still needs to be identified. This budget is not all about reductions in service, it is also about embedding new ways of delivering services as well as investing in the large projects identified earlier in this report. The Council still has a budget of £300 million and is one of the largest employers in the county. It is very clear that achieving these savings year in year out is becoming much more difficult to achieve. There are also a number of pressures on the council particularly around Children Services where the number of Children going into care has increased dramatically and many of these children have complex needs which are very costly for the Council.

There are to be as usual a number of County Council Road Shows where officers and members will be available to discuss local residents concerns. The Malvern Road Show will be on Saturday 29<sup>th</sup> November at the Malvern Retail Park between 10am and 3pm.

### **Superfast Broad Band Update**

Less than six months after Superfast Worcestershire began laying the new infrastructure, more than 6,800 county premises are now within reach of the new fibre optic network – 1,400 more than originally expected at this stage.

As well as laying 120 kilometers of fibre optic cable underground, 38 new fibre broadband cabinets have been installed. These road-side cabinets are needed to connect local people and businesses onto the new network, enabling them to access download speeds of up to 80 megabits per second and uploads of up to 20Mbps\*.

It's an 'opt in' service, and because the network is being installed by Open reach, Worcestershire people wanting to upgrade can choose from a number of fibre broadband providers. This ensures competitive prices for people, with more than 140 fibre broadband companies now operating across the UK.

Local people wanting updates on the fibre roll-out or information about fibre broadband providers can visit the Superfast Worcestershire website at: [www.superfastworcestershire.com](http://www.superfastworcestershire.com).

Deployment of Superfast Worcestershire continues at pace across the county with details of the next fibre broadband cabinets to 'go live' on the website's [cabinet status page](#).

### **Kingsford Park**

The Countryside Services has announced that they are gifting the Kingsford Forest Park which is near Kinver Edge to the National Trust. It will enable the council to make saving which will cover the cost of sale of the land over three years. The proposal will allow residents to full access to the land and the trust will not be allowed to charge for parking for at least 3 years. It will mean that the National Trust will be responsible for all the land around Kinver Edge.

### **And Finally**

I was lucky enough to visit the House of Commons recently for tea, in my cabinet role at the County Council I am responsible for the Archive and Archaeology Service which is based at the Hive. The Worcestershire Archive Service was one of the first in the country to be an Accredited Archive Service. This is a real example of the hard work of the Council staff to go that bit further to make this county a very special place to live."

## **92/14 Report of District Councillor**

### **Notes for Wells Parish Council meeting**

#### **Wednesday 29th October 2014 from Cllr Chris O'Donnell**

#### **"1. Kler group outline planning application for development on Upper Welland Rd.**

The site is located outside, although adjacent to, the settlement boundary of Upper Welland as defined in the existing Malvern Hills District Local Plan (MHDLP). The site is also within the Malvern Hills Area of Outstanding Natural Beauty and is adjacent to the Great Malvern Conservation Area to the northern side of Upper Welland Road. The site is currently grade 3 agricultural land. Any comments that you as parishioners wish to make in respect of this application should be made in writing and submitted directly to the planning department. This can be emailed to [developmentcontrol@malvern hills.gov.uk](mailto:developmentcontrol@malvern hills.gov.uk) or sent in the post to Planning Services, The Council House, Avenue Road, MALVERN, Worcestershire, WR14 3AF. The case officer dealing with the application will take into account the material issues raised in the determination of the application. As you know I cannot make any comments on applications that might come before the district council as I have to keep an open mind and listen to all comments from planning officers and the public before making a decision.

#### **2. CPR Training**

I've a few flyers showing all the dates and how to sign up. It is open to any resident or anyone working in MHDC. There are 14 places on each course and they are beginning to fill already! However, I've forwarded this to both 'The Wells and Welland Parish Councils' clerks who will also let everyone know about

it. Maybe someone from each of the schools will also attend or ask for training in their schools. I am attending the training on Friday 31st October at the Council offices. Dates on sheets which were emailed out.

### **3. Appointment of the Chief Executive**

Residents are to be assured that it will be 'business as usual' at Malvern Hills District Council following the decision to appoint Managing Director, Jack Hegarty will be shared with neighbouring Wychavon as their Chief Executive. The announcement comes after the decision was taken at both Council meetings on the 14 and 16 October. The appointment will lead to a £60,000 saving annually for both Malvern Hills District Council and Wychavon and will see high performing Jack Hegarty covering the role for both councils with a likely start date of 1 December 2014.

### **4. SWDP**

At the meeting held on 30th September at Bransford and after lots of discussion it was passed with a majority. South Worcestershire residents will be able to make their views known on sites proposed for additional housing in the South Worcestershire Development Plan (SWDP) from October 6th 2014 as it is now in the consultation stage, and then will go to inspectors early next year and if all agreed should be in place this time in 2015. This latest six-week consultation will only be concerned with modifications to the Plan, including the proposed sites for the additional homes, not with the SWDP as a whole. Most of the proposed extra sites are on the edges of the urban area of Worcester or the main towns of Malvern, Evesham, Droitwich Spa, Pershore, Upton upon Severn and Tenbury Wells. A significant number are also brown field sites within Worcester.

### **5. Badger Culling update**

There is to be no badger culling on MHDC land or the conservators land.

### **6. Town & Parish Councils Conference**

Thursday 23rd October at 7pm, very useful and informative. It was interesting to hear from the Deputy Chief Police Commissioner that West Mercia is to amalgamate with Warwickshire to save over £30 million pounds. It was interesting to hear how much benefit we will get from having a Neighbourhood plan. I'm sure David will fill you in on the other items which were all very interesting including talk of getting Wi-Fi in the Village hall.

### **6. Dates for your diary.**

Date of CPR training on sheets provided.

Sunday 9th November at Cenotaph for wreath laying followed by wreath laying at Library at 2pm Tuesday 11th November Cross Laying in Library"

### **93/14 Reports from representative on other bodies**

- (a) Malvern Hills CALC** – Cllr Knibb advised that he and the Clerk had attended the CALC area meeting on 22<sup>nd</sup> October. There had been discussion regarding pension scheme auto enrolment and the possible level of council tax capping for 2015/16.

- (b) Malvern Wells Village Hall Management Committee** – the Chairman had advised that the Management Committee had now received an applicant for their vacant treasurer’s post.
- (c) Malvern Hills CAB** - Cllr Johnson had tendered his apologies and there was nothing to report
- (d) The Wyche Institute** – Cllr Mrs Bradshaw - there was nothing to report.

There being no other business the meeting the Chairman closed the meeting at 9.35pm

Minutes approved - Wednesday 29<sup>th</sup> October

Approved.....

**Cllr Mrs Helen Burrage- Chairman of the Council**