

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 24th September, 2014** commencing at 7.30pm

Present:

Councillors	Mrs H Burrage	K Hurst
	M Victory	J Black
	A Hull	Mrs A Bradshaw
	Mrs C O'Donnell	B Knibb
	S Freeman	S Atwell
	K Wagstaff	

Apologies for absence: Councillors N Johnson and P Buchanan

In attendance: David Taverner (Clerk and Responsible Finance Officer)
County Cllr Lucy Hodgson

65/14 Declarations of Interest

a) Register of Interests: Councillors were reminded of the need to update their register of interests: Updates were recorded by Cllr Mrs C O'Donnell in respect of her election to the District Council and by Cllr Mrs H Burrage in respect of her new address. Cllr B Knibb advised that his registered entry should be amended to reflect the fact that he no longer is employed by the Three Counties Agricultural Society.

Cllr S Freeman 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: There were none

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

66/14 To Consider Requests from Councillors for the Council to Grant a Dispensation (S33 of the Localism Act 2011): There were none

67/14 Minutes of the Parish Council Meetings held on 30th July 2014 and 7th August, 2014.

Members unanimously approved the minutes of the meeting which had been held on 30th July and 7th August they were then signed by the Chairman as a correct record of those meetings.

68/14 Matters arising from the minutes of the Parish Council Meeting held on 30th July, 2014 and 7th August 2014.

There were none.

69/14 Reports from Council Committees

Cllr Hull presented the report of the **Planning Committee** meeting which had been held on **23rd July, 2014** and the extraordinary meeting of the Committee which had been held on **7th August, 2014**

The reports were **noted and accepted** by the Council

70/14 Report of the Gas Lamp working group

Cllr Freeman presented the report of the Gas Lamps working group which had been held on 28th August, 2014 to review the completion of the gas lamps maintenance contract

It had been agreed that the principle underlying any contract with Sight Designs Limited (SDL) should be that it provides absolute clarity to cover any continuing contractual relationship with that company in circumstances where Brian Harper was no longer involved in its management.

With that principle in mind, it was agreed that the version of the new Maintenance Contract to be used should be based on that circulated as the "merged" version by the working group on 9th September, 2014.

The comments made and amendments requested by SDL, to that document, had been considered and the relevant provisions of draft Maintenance Contract examined by the working group.

The requirement by SDL of a 7 year contract term with no break clause was not deemed acceptable on any grounds.

By way of a compromise it had been agreed that a contract performance review would take place on the fifth anniversary of the date of the new contract agreement.

It was also agreed that the unwillingness of SDL to accept any time limit for the submission of invoices was also not acceptable on the grounds that the Council's financial management could be jeopardised by such an arrangement. SDL had subsequently agreed to deliver a monthly bill to the Council showing the maintenance charges and the cost of supplies incurred in respect of the preceding month.

Cllr Black and the Clerk had engaged in prolonged and detailed negotiations with SDL on the terms of the contract which had been drawn up, by the working group, under the delegated powers afforded to it by the Parish Council's resolution dated 7th August, 2014.

The resultant document was signed by the Chairman and Vice-Chairman of the Council on Friday 19th September and by the contractor on Monday 22nd September.

In completing the final contract agreement the Council's future interests had been protected, in that labour charge increases would be limited to the increase in the prevailing CPI rate appertaining on the annual anniversary date of the contract. Increases in the cost of supplies would be limited to any variation in the unit cost of supplies to the company.

The other provisions in the contract were in accordance with the recommendations of the Council which were made on 25th September, 2013.

The Chairman requested that the thanks of the Council for the work undertaken by Cllr Freeman and members of the working group, should be formally recorded. In particular thanks were given to Cllr Black and the Clerk for their efforts, in securing the final contract agreement.

Cllr Wagstaff expressed his concern that the contract which had been agreed covered too long a period and paid little regard to cover arrangements should the contractor fail to deliver any of the services which had been set out. Cllr Freeman advised that this would be covered by the clauses relating to circumstances leading to contract termination.

It was noted that neither West Malvern Parish Council nor the District or Town Councils had any contract arrangements in place covering the maintenance of the lamps under their stewardship. The Council's outdoor contractor had indicated that he would be interested in being trained to cover the maintenance of the Council's lamps, at a future date.

71/14 Chairman's Communications

(a) Election of Cllr Mrs C O'Donnell to Malvern Hills District Council

The Chairman congratulated Cllr Mrs O'Donnell on her recent success in being elected to serve as a member of Malvern Hills District Council. This had meant that Cllr Mrs O'Donnell had had to tender her resignation as a member of the Parish Council's Planning Committee. Following discussion the Council **unanimously resolved** to elect Cllr S Atwell to fill the resultant vacancy on the Committee.

(b) Chairman's new contact details

Cllr Mrs Burrage advised that she had circulated details of her new telephone number, home and e mail addresses and Members were asked to update their contact lists accordingly.

(c) Three Counties Showground noise nuisance

Complaints had been received following noise disturbance caused to residents from recent events held at the Three Counties Showground (TCS).

The Clerk advised that he had been in communication with the TCS liaison officer regarding this issue and it had been agreed that TCS would take steps to attempt to limit such disturbances in the future. If members received further such complaints they should address them

in the first instance to South Worcestershire Regulatory Services noise nuisance officer, who would monitor such occasions and undertake enforcement action if it proved necessary.

(d) Correspondence regarding planning proposals by KLER group for development on Land at Upper Welland

All Members had received copies of objection letters to the above mentioned development proposal. Some residents had sent an identical copy of their own individual letter to every Councillor.

Cllr Black asked what protocol should be followed when such group letters/e mails were received.

The Clerk advised that all correspondence relating to the parish or parish matters should be addressed to the Parish Clerk in the first instance. This is to ensure that the matter is recorded and passed to the Council for attention as required. All correspondence to the Parish Clerk will be acknowledged within five working days of receipt. If email is used then an acknowledgment will be sent by email.

If a parishioner wishes a subject to be raised, and it is appropriate for discussion at a Parish Council meeting, then the Parish Clerk should be notified at least five working days before the publication of the next Council agenda.

On being made aware of the receipt of Council related correspondence the Clerk composes an acknowledgement to the originator on behalf of the Parish Council. These are then sent to each correspondent with a copy also being sent to each Member of the Parish Council where appropriate.

An outline application for the development of the Upper Welland site was imminent although this had not been received at the date of the Council meeting

The site was not included as a preferred option site in the emerging South Worcestershire Development Plan (SWDP). A briefing on the latest stage of the SWDP was being held on 25th September in the Malvern Hills District Council chamber.

(e) St Peters Closed Churchyard

A letter had been received from Rev Paul Finch, on behalf of All Saints Malvern Wells and the Wyche PCC, informing the Parish Council that the Ministry of Justice had confirmed that St Peters Churchyard had now been closed.

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 responsibility to the District Council.

There are several current difficulties with the site which include:-

- Insufficient access to the church yard for maintenance machinery and equipment
- Disputes over legal title affecting the boundaries of the churchyard
- The very poor condition of the stone walls surrounding the churchyard
- Indiscriminate planting of trees and shrubbery giving rise to concerns over tree root damage to the adjoining village hall

It was agreed that a Council working group should be established to review these matters and to make an initial response to the PCC maintenance request.

It was unanimously resolved that the working group should comprise Cllr Burrage (as Chairman), Buchanan, Black, Hull and Freeman. An initial meeting of the group would be held during early October.

(f) Footpath maintenance

The Clerk advised that the Parish Lengthsman had encountered difficulties with local landowner whilst undertaking maintenance work on one of the local footpaths.

The incident had been reported to the local policing team and the County Council's Countryside Access officer

The Clerk had written to the landowner concerned regarding the incident and it was hoped that a more collaborative working approach with the landowner would prevent a recurrence of the problems which had arisen. The situation would continue to be closely monitored.

(g) Election of Cllr S Freeman to the Malvern Hills Conservators Management Board

Cllr Freeman's nomination to serve on Malvern Hills Conservators Management Board had been successful. Members expressed their congratulations to Cllr Freeman who would be formally elected to the Board on 2nd October.

72/14**Financial matters****Approval of the payment of accounts**

The following accounts were approved for payment:-

Chq	Payee	For:	£ NET	£ VAT	£ GROSS
3157	Steve Maund	Cemetery and outdoor work September	774.48	-	774.48
3158	Steve Maund	Cemetery and outdoor work august	885.12	-	885.12
3159	Steve Maund	Cemetery materials	25.07	5.02	30.09
3160	Helen Burrage	Fete prizes	32.60	6.52	39.12
3161	Ken Beecroft	Fete printing	34.40	-	34.40
3162	Nigel Hand Worcester	Fete - reptile stall	90.00	-	90.00
3163	Ukulele band County Building	Fete -Stroke assocn charity	150.00	-	150.00
3164	Supplies	Cemetery materials	6.08	1.22	7.30
3165	N power	Cemetery electricity	31.37	1.57	32.94
3166	Martin Thomas Shaw & Sons	Cemetery Work May - Aug/ Sept	159.16	-	159.16
3167	Ltd	Cemetery Register of grants	98.23	19.65	117.88
3168	David Taverner David	Administration expenses and website renewals	652.71	75.00	727.71
s/order	Taverner	Clerk salary September	1,396.77	-	1,396.77
TOTALS			4,335.99	108.98	4,444.97

Cllr Wagstaff proposed that the payments listed should be approved. Cllr Burrage abstained from voting on the payments as she had a direct pecuniary interest in the reimbursement of her expenditure on the fête prizes (cheque 3160 for £39.12)

** It was noted that the summer fête had achieved a financial surplus of £209.59. Cllr Atwell proposed that the donation to the Ukulele Band for their chosen charity - the Stroke Association- should be increased to £150 to take account of the additional charitable donations received from stallholders. This was unanimously supported and the figure shown on the payment schedule against cheque number 3163 was amended appropriately.

73/14 Cemetery matters

The Clerk reported that the new section of the cemetery had now started to be used and works were due to be undertaken to extend the water supply from the Chapel down to the new area.

A ground scan was also being commissioned to check on the availability of apparently unused grave plots within the cemetery.

74/14 Report of the Clerk on actions undertaken since the previous meeting

(a) Summer Fête

This had been a very successful event having been blessed by glorious weather and had been well attended and enjoyed.

After allowing for expenses, and the receipt of the County Councillors grant, a financial surplus of £209.59 had been achieved on the event. A donation of £150 to the Worcester Ukulele band, following their appearance at the fête, was agreed (minute 72/14 refers). A vote of thanks to Cllr Johnson and the Clerk was proposed, and unanimously supported, in appreciation of their efforts on the organisation of the fête.

(b) Defibrillator quotes

Further information from West Mids Ambulance Service (WMAS) & the British Heart Foundation on the planned defibrillator installations had been received. It was anticipated that the equipment could be installed for a unit price of around the £400-£500 mark.

Representatives from WMAS had agreed to attend the 29th October meeting of the council to outline the procedure for the installation of suitable community public access defibrillator schemes within the Parish.

(c) Wells News

The Clerk advised that deliveries of the Wells News had now been completed. Invoices had now been sent for the various adverts which had been placed. These help to offset the costs of production of the magazine. Ongoing attempts were being made to find a new magazine editor. Quotations for printing were being sought as the existing printer had announced his retirement.

(d) Section 106 funding –Assarts Road play area

Further quotations for new play area equipment were to be obtained. 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 made.

(e) Britain in Bloom entry

The Jubilee Fountain garden had been entered into the RHS Britain in Bloom competition and the entry had been successful in achieving an award being recognised as a "level 2 -improving" garden. This gave formal recognition to the excellent work carried out by the community team led by the Chairman and Jan Bowden who were again thanked for their efforts in coordinating the entry.

It was agreed that attempts should be made to harness the water supply from the Jubilee Fountain to provide a source of water for the garden. It was suggested that contact should be made with David Armitage of the AONB who had dealt with the original fountain renovation scheme who might be able to provide further information in this regard.

Further discussions would take place with Steve Maund, the Council's Outdoor Worker, regarding the potential for a Christmas illumination scheme sited within the garden.

75/14 Report of County Councillor

Cllr Hodgson had submitted the following report:-

Consultation for the future of the Mobile Library Services within Worcestershire.

Launched in August the Library services are looking at how to deliver its mobile library service and the Library Services at Home service. The service will be going from 3 routes down to 1 and has just purchased a new mobile library to accommodate this. They have looked at the criteria for using the service and are looking at ceasing any stops which are within 3 miles of a library. Every user of the current service will be contacted and urged to fill in the questionnaire below. The need to change this service is due to a reduction of over £100,000 from the mobile library budget.

[Library Service at Home Questionnaire \(PDF 245 KB\)](http://www.worcestershire.gov.uk/cms/pdf/LSAH%20Questionnaire.pdf)

<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%20propos)

<http://www.worcestershire.gov.uk/cms/pdf/mobile%20and%20LSAH%20propos>
[al%20Aug%202014%20FINAL%20v7.pdf](http://www.worcestershire.gov.uk/cms/pdf/mobile%20and%20LSAH%20propos)

The Hive hits Two Million Borrowers

Two years since the £60 million Hive opened in Worcester and the public and university library and history Centre has reached another major milestone with two million visits. The average number of visits per day to the iconic building stands at 2,595, an average of 924,877 visits a year, almost three times the average number of visits compared to the old Worcester Library, which stood at 330,694.

This is the second milestone The Hive has achieved in the second half of this year. In July it also issued its two millionth books, a romantic World War Two

novel '*Nine Days*' by Toni Jordan. The new figures are a testament to The Hive's ambition to inspire people to read for enjoyment and for education. The Hive has a quarter of a million books, including University titles, 12 miles of archives and one of the largest children's libraries in the UK. This unique collaboration placed The Hive as the first of its kind in Europe at the time of building.

Green Flag Awards

The county for another year has been award Green Flags for a number of their reserves and country side centers including St Wulstans Nature Reserve for another year.

Provision of Free School Meals

Primary and First schools in Worcestershire are introducing free school meals to all four to seven year olds in state primary schools from September and Worcestershire County Council is supporting them to achieve this.

Across the county, 100 percent of schools will provide a healthy meal and 98 percent will be able to provide a hot meal by the start of the autumn term.

Highways Issues

Work is progressing on the Southern Link Road with the project keeping to its time scale.

Funding has now been found to progress the plans for the Norton Parkway Station with a paper going to cabinet that will start the public consultation on this project. The hope is that work can start next year following the agreed support from the rail companies to introduce this station into their timetables ready for its completion in 2016.

Another project moving forward is the dualing of the southern link road from the ketch roundabout up to the Whittington Roundabout; again a paper is going to cabinet this week seeking approval to start public consultation. The money from these projects has come down from central government following a submission for transport schemes from the Local Enterprise Partnership.

With the publication of the next stage of the SWDP which will be going to the three district councils next week for approval the debate over the widening of the Carrington Bridge has opened again and at the County Council we are starting to lobby central government for the £70 million needed to do this work. As I am sure you will have seen in the local press there is also a debate starting about the building of the northern relief road, something else being considered with the increase in the number of houses in the area off the Martley Road.

Bus Services

I have only received one comment about the new bus services which seem to be working ok. This was from someone who lived outside the parish. The service run by LMS is covering the Fruitlands estate I assume is working ok and the new routes from Upton are settling down. It would be useful if anyone could let me know if they have any comments as I can pass them back.

76/14 Report of District Councillor

District Cllr Mrs C O'Donnell submitted the following report:-

"I was appointed as the Wells Ward District Councillor on the evening of 7th August 2014. The following week I had meetings in Malvern Town Council house to meet the Leader of the Council David Hughes and John Williams, also one of the solicitors Amina Hussain. That week I also had planning training from Duncan Rudge which I found interesting and informative as I was informed that I may have to make comments on applications in the Wells Ward.

I have been appointed to the following committees;
District Council Meetings
SWDP Planning meetings
Audit Committee

Since then I've only attended two meetings of the Council where the following items were discussed;

1. Dress Code – asking councillors to attend meetings neatly dressed.
2. Discussion regarding the sharing of the Chief Executive of the council with Wychavon – as a council we are looking at how the council is structured regarding the two CE posts as it was stated that there is not enough work for one person in each area and we are looking at a new operating model for the Council. This was agreed and is going ahead.
- 3 Badger Culling – both the District Council & the Conservators agreed that no badgers would be killed on their lands.
- 4 WDP briefing to discuss the increase in house numbers across the 3 Counties.
- 5 Defibrillator Units and where they are likely to be placed i.e. the Council are agreeing to buy 3 and they will most likely be placed in the Malvern Splash, The Council House building, and the Cube but no decision of this has been agreed yet. There will also be training for some councillors that want it and Cllr Hannah Campbell is coordinating this.

I have attended one planning meeting and nothing on the agenda related to the Wells Ward. I look forward to reporting future planning meetings relating to the Wells Ward to the council.

I attended the Welland and Little Malvern Parish Council where I was made very welcome and found it very informative. I listened with interest to their debating the large housing site at Lawn Farm which has been given outline planning consent for Bovis to build around 50 houses, and on and the Planning application for 3 dwellings at Wood Farm in an ANOB where no objections were raised. I did not make any comments about either of these applications. They did discuss the bus routes and how long it was taking to get to Worcester, Upton or Malvern. They do not have a planning group or a full complement of councillors.

I attended an Audit meeting where the accounts were discussed. The next meeting is in February as there are only two meetings a year.

Dates for your diary

1. Parish & Town council conference Thursday 16th October 2014
2. SWDP Parish & Town Council Briefings 23rd or 25th September 6-7pm in Council Chambers
3. SWDP meeting at the Bank House in Bransford 30th September 2014

77/14 Reports from representative on other bodies

(a) Malvern Hills CALC – Cllr Knibb advised that the next CALC area meeting was due to be held on 22nd October

(b) Malvern Wells Village Hall Management Committee – Cllr J Black advised that the management committee were looking to appoint a new treasurer and a relevant advertisement had been posted on the parish noticeboards.

The Big Lunch event in 2015 would be taking place on Sunday 7th June.

The Village Hall committee had congratulated the parish council on the success of the summer fete and indicated that they would like a stall at next year's event

In response to a question from the committee, the Chairman advised that this year's Carol Concert would take place on Friday 12th December.

(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. The Clerk passed on the thanks of the Council for the cooperation of the Wyche institute committee in kindly lending chairs and tables for use at the summer fete

There being no other business the meeting the Chairman closed the meeting at 9.15pm

Minutes approved - Wednesday 29th October

Approved.....

Cllr Mrs Helen Burrage- Chairman of the Council