

## MALVERN WELLS PARISH COUNCIL

Minutes of an extraordinary Meeting of Malvern Wells Parish Council duly convened and held in The Village Hall, Wells Road, Malvern Wells on **Wednesday 18<sup>th</sup> March, 2015** commencing at 7.30pm

**Present:** Councillors Mrs H Burrage (Chairman) S Freeman  
Mrs C O'Donnell B Knibb  
N Johnson K Hurst  
P Buchanan K Wagstaff  
A Hull J Black

**Apologies for absence:** Parish Councillors Mrs A Bradshaw, S Atwell and M Victory

**In attendance:** David Taverner (Clerk and Responsible Finance Officer) and 79 local residents

### **143/15 Declarations of Interest**

**a) Register of Interests: Councillors were reminded of the need to update their register of interests:** No such changes were notified.

**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

### **144/15 To Consider Requests from Councillors for the Council to Grant a Dispensation (S33 of the Localism Act 2011):** There were none

### **145/15 Presentation by the Chairman regarding the potential purchase of land at Holywell park, Wells Road for future amenity use.**

The Chairman gave a detailed presentation to those present as part of the public consultation on the potential purchase by the Council of land being marketed for sale at Holywell Park, Wells road. The site in question comprises some 5.37 acres with the sale guide price having been set as some £150K. The Council is consulting with residents on the purchase of the land for future amenity use.

During the presentation a site plan was displayed, indicating the boundaries of the site, in accordance with the particulars which had been submitted by the vendors' agents. No current planning applications or pre planning guidance applications had been

submitted for the site and the District Council had indicated that it was extremely unlikely that any residential or other development of the site would be permitted.

The site stands in a prominent position in the very centre of Malvern Wells Parish, within the Malvern Hills Conservation area. The site was formerly used as by the former Wells House school as a sports and recreational area with facilities including tennis courts and a swimming pool.

The site is currently very overgrown and uncared for. No maintenance or conservation work has been undertaken there for some years.

The Parish Council had already previously resolved to table an offer to purchase the land but this had been rejected by the vendors' agents. Thus, in order to purchase the land, the Council would have to increase its original offer.

The Chairman advised that there was some difficulty in property assessing the true worth of the land to the Parish council as a community asset.

Recently Grazing land of 13.5 acres, accessed off Wells Rd had sold for about 84K =circa £6k per acre

Grazing land of 1.75 acres on Wells Rd had sold for £32K = circa £18k per acre

The Council's valuer thinks Holywell Park might be worth £12K per acre – which equates to prices paid for paddock land locally.

Building Land in Malvern Wells sells at around £500K per acre. So if the 5.7 acres of land at Holywell park was being sold as development land it would be being marketed at around the £2.7million mark. The site was actually being marketed at £28k per acre –a total figure of some £150K

The Chairman explained that the Council could be allowed to access long term borrowing from the Public Works Loan Board (repayable over periods of up to 50 years) to fund the land purchase price. However, prior to any borrowing application being submitted the Council would have to show the effectiveness of its public consultation on the matter and that it had acted in the best interests of parishioners. A further Council resolution to proceed with any new offer would also be required.

Cllr Burrage emphasised that it was incumbent on all Members of the Council to show due diligence in the stewardship of the Council's financial resources and this would be a key consideration during the ensuing debate on the matter.

In addition to the costs of borrowing, it had been estimated that the initial maintenance works necessary to tidy the site, including tree surgery and the renewal of some fencing, would be in the range of £15k to £20K. An annual

maintenance management plan would need to be established by the Council if it was successful in purchasing the site. Indicative annual maintenance costs had been estimated as in then the range of approximately £5K to £10k per annum.

The estimated borrowing and maintenance costs needed to proceed with the purchase project were highlighted and the estimated impact on a Band D Council tax payer were detailed as follows:-

	£k	£k	£k	£k	£k	£k	£k
Purchase price	100	150	160	170	180	190	200
Estimated Maintenance Costs	7.5	7.5	7.5	7.5	7.5	7.5	7.5
Edtimated Annual borrowing costs	4.3	6.5	6.9	7.3	7.8	8.2	8.6
<b>Estimated total borrowing costs</b>	<b>215.8</b>	<b>323.6</b>	<b>345.2</b>	<b>366.8</b>	<b>380.4</b>	<b>409.9</b>	<b>431.5</b>
Total estimated costs of borrowing & maintenance	11.8	14	14.4	14.8	15.3	15.7	16.1
Council tax Base	1428.62	1428.62	1428.62	1428.62	1428.62	1428.62	1428.62
Original Precept at BAND D	£ 53.06	£ 53.06	£ 53.06	£ 53.06	£ 53.06	£ 53.06	£ 53.06
Additional precept requied at BAND D	£ 8.26	£ 9.80	£ 10.08	£ 10.36	£ 10.71	£ 10.99	£ 11.27
% Precept increase over original (appearing on Council Tax Bills)	15.57%	18.47%	19.00%	19.52%	20.18%	20.71%	21.24%

## 146/15 Public questions and statements

Following the Chairman's presentation members of the public in attendance were given the opportunity to express their views on whether or not the Council should continue to pursue the purchase of the site

Some 15 public speakers gave voice to their support for the project and the Chairman answered various queries that were raised. There were no public speakers directly opposing the potential purchase of the site.

At the conclusion of the public speaking session the Chairman then asked the audience to vote to indicate how important it was, in their opinion, for the Council to buy the land in question.

<b>Level of Importance</b>	<b>Votes Recorded</b>
Unimportant	6
Somewhat important	9
Very important	23
Absolutely essential	25

A second vote was undertaken to ask those present the level of Council Tax increase they would be prepared to pay in order to support the purchase of the land

<b>Amount of Council Tax increase</b>	<b>Votes Recorded</b>
No increase	3
£8 to £9	8
£9 to £10	11
Up to £11.50	35

Councillors Knibb and O'Donnell spoke to register their objections to the proposed purchase on behalf of those residents, living at opposite ends of the Parish, who had indicated that the potential purchase of the site would be of little benefit or interest to them.

Cllr Wagstaff expressed his concern that the Council should not be seen to be making any bid that would be significantly in excess of the valuation which the Council had commissioned.

### **147/15 Closure of the Public part of the meeting**

*The Parish Council then resolved to close the remainder of the meeting to the Public and the Press under the Local Government (Admission to Meetings) Act 1960. The reason being that the Council was about to take part in discussions about the potential land purchase offer which could be commercially sensitive.*

*The Chairman then formally closed the meeting to the public and press at 8.35pm*

### **148/15 Confidential Closed Council session**

*The Council then reconvened in closed session to consider the options before them.*

*Publication of proposals and resolutions restricted to Council members only pending the receipt of a further response to the Council's revised purchase offer*

It was noted that there had been a strong show of support for the Holywell Park land purchase option during the public session. The Council had previously resolved to bid for the land and an offer of 65K had been tabled which had been rejected by the Vendors. In view of the fact that the Council's valuer had valued the land at only £65 k, Members were of the view that that fact should be paramount in their ensuing considerations, whilst paying due heed to the level of public support for the project which had been shown.

Cllr Burrage repeated the advice received from CALC that the Parish Council was required to be "reasonable" in its approach and that we were not bound by the valuation we had been given. There was considerable discussion and much concern over whether paying too large a 'premium' over the valuation would compromise the Council's other projects such as the future possible purchase of Cemetery land.

Following further detailed discussion Cllr Hurst proposed that the Council should not make any further offer for the land over and above the original £71.5k offer which had previously been submitted. This proposal was seconded by Cllr Wagstaff. The proposal was put to the vote and was supported by Cllrs Hurst, Wagstaff, Knibb, and O'Donnell. With the remaining Members present voting against, the proposal was declared lost

Cllr Johnson then proposed that the Council's increased offer for the land should be limited to no more than 20% above the £65k valuation which had been received for the land. Hence it should be limited to a ceiling of £78K. This proposal was seconded by Cllr Buchanan. The proposal was then put to the vote and a named vote was recorded as follows:

**For the proposal:** - Cllrs Johnson, Buchanan and Hull.

**Against the proposal:** - Cllrs Burrage, Black, Freeman, Knibb, O'Donnell, Wagstaff and Hurst

This proposal was thus also declared as lost.

The Clerk advised members that any registered elector could conceivably challenge any financial decision made by the Council. However, the Council could prove that it had undertaken due diligence in coming to any decision it had made by pointing to the careful work that it had undertaken both internally and through the thoroughness of its public consultation on the matter.

Cllr Burrage informed Members that that the valuer had advised that the Council's next offer should be at least £25K higher than its original offer as smaller incremental bids were likely to be dismissed out of hand. Cllr Burrage then proposed that the Council should increase its offer for the land to £100k. This proposal was seconded by Cllr Freeman. The proposal was then put to the vote and a named vote was recorded as follows:

**For the proposal:** - Cllrs Burrage, Freeman and Black.

**Against the proposal:** - Cllrs, Knibb, O'Donnell, Wagstaff, Hurst, Buchanan, Hull and Johnson.

The proposal was thus declared as lost.

Following further debate Cllr Freeman proposed that the Council should increase its offer for the land to a level of £90K in line with the advice received from the Council's agent. This was seconded by Cllr Buchanan.

This proposal was put to the vote and named vote was recorded as follows:

**For the proposal:** Cllrs Burrage, Freeman, Buchanan, Hull and Black.

**Against the proposal:** - Cllrs Knibb, O'Donnell, Wagstaff Johnson and Hurst  
This proposal was declared as carried on the casting vote of the Chairman.

The Council thus **resolved** to contact the vendors' agents to submit a maximum final offer of £90K to secure the purchase of the land at Holywell Park, Wells

Road.

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

Minutes approved - Wednesday 25<sup>th</sup> March, 2015

Approved.....

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