

Malvern Wells Parish Council

Minutes of Council Meeting held on **Wednesday 28th February 2024 at 7.30pm** at Malvern Wells Village Hall.

Present:

- a) Cllrs. P. Stanier (Chair), G. Turrell [GT], R. Price [RP], C. Gates [CG], Andy Pitt [AP], C O'Donnell [CO], P. Merrifield [PM].
- b) **Absent:** none notified.
- c) **In Attendance** - Dr K Howe (Interim Clerk), Cllr. J. Gallagher [JG] (District Councillor), 4 Members of Public (MOP), Janet Baker (for potential co-option in meeting).

Public Participation:

- MOP is childminder near Assarts Playpark. Wanted to say fabulous idea to improve playpark for under 4's, keen plans go ahead. Suggests seesaw and spaceship on spring (or similar). Agrees needs to be more accessible for pushchairs and wheelchair users.
- Young father attending with son nearly two. Local parks equipment all seems provision for over 5's. Regularly visiting parks with no suitable play equipment for under 4's. There are no facilities locally.
- MOP's present reported all happy to take turns monitoring the park for debris / broken glass.
- AP reported he has been informally monitoring Assarts playpark and not witnessed any 'unruly' teenage behaviour or significant concern on rubbish.

1. Apologies for absence:

- a) Cllrs. J. Black, M. Birks, G. Lowe notified – council **accepted** apologies.

2. Declarations of Interest

- a) None further notified. Chair **reminded** councillors of their personal requirement to notify MHDC regarding. Council **noted** Chair advice.

3. Minutes of the previous Council meetings held on:

- a) **29th November 2023**. RP proposed, CO seconded, Council unanimously **resolved**. Chair signed in meeting.
- b) **22nd January 2024**. CG proposed, GT seconded, Council unanimously **resolved**. Chair signed in meeting.

4. Matters Arising from above:

- a) Name badges to be ordered. PS confirmed both she and GT have currently.

Council unanimously **approved** Chair recommendation to move forward items (minuted as agenda):

15. Open Spaces – to allow MOP's present to hear discussion and not be delayed for whole meeting.

19. District Councillor Report – not to detain JG for whole meeting length.

5. Co-option

- a) Council **noted** Janet Baker application for potential co-option.
- b) Chair recommended and Council **resolved** to exclude the public and press during interview, moving item to confidential session.
- c) In confidential session council interviewed and considered. PS proposed, RP seconded, Council unanimously **resolved** to appoint Janet Baker by co-option as new member of Malvern Wells Parish Council.
- d) Council resolved to invite Janet Baker to join Finance & Governance Committee, Cemetery Committee and PROW Working Group. Janet Baker accepted appointments.

6. Governance

- a) Council **noted** Malvern Hills District Council (MHDC) Elections Officer advised four MWPC councillors had not supplied updated / current signed Register of Interest forms. Named councillors

were notified in meeting. Chair formally requested on behalf of Council that relevant councillors supplied to MHDC immediately.

- b) Council **noted** CG approved as Chair of Cemetery Committee 20.2.24 Cemetery meeting.
- c) Council **resolved** to defer item Council Aims & Objectives for 2024-25 to March meeting. Chair believed Chair of F&G should present her paper personally. Council **noted** GL (member of F&G) also not present to explain intention of paper supplied.
- d) CG proposed, PM seconded, Council **resolved** that Cllr. J. Black be appointed trustee to new Malvern Wells Village Hall - Charitable Incorporated Organisation.
- e) Council **noted** Norman Nimmo-Smith had declined. In meeting MOP Gemma Stevens offered to take on the role of Tree Warden. Council **resolved** to appoint her in role.
- f) Council **confirmed** current appointments to Committee / Working Groups / external partners in meeting. PS proposed, CG seconded, council unanimously **approved**:
 - PM appointment to replace GT as member of Appeals Panel.
 - GL appointed to Communications WG.
- g) Council **noted** contractor and councillor had advised of 'abuse' at 'face to face' public meetings this month and registered their concern.
- h) Council **noted** councillor request to redact personal details on MWPC website. Clerk has enacted.

7. Staffing

- a) Council **received** Chair's verbal update on behalf of Staffing Committee and **noted** permanent Clerk contract approval, payroll / pension arrangements made.
- b) Council **noted** Clerk is contracted monthly payment and advice taken no need for council to approve monthly payroll payment.
- c) Council **noted** Chair will 'approve' Clerk timesheet (holidays / time in lieu accruing / travel / expenses) for notification to payroll administered by Kendall Wadley (as previously approved by January 2023 council meeting).

8. Training

- a) Council **noted**:
 - Clerk attended AGAR training 7.2.24 Worcs. CALC.
 - G Lowe attended Councillor training 16.1.24 Worcs. CALC.
 - G Lowe attended Code of Conduct training 18.1.24 Worcs. CALC.
 - Chair & Vice Chair attended Chair training 8.1.24 Worcs. CALC.
- b) Council **noted** PM to attend councillor training in March.

9. Cemetery

- a) Council **noted** Cemetery Committee appointed C G Chair at 20.2.24 meeting.
- b) Council **noted** verbal update from Cemetery Committee Chair. Committee had approved the updated forms produced and requested a standardised format with MWPC logo. Council **approved** local parishioners with expertise / interest in Cemetery management be invited to join Cemetery Committee in advisory role.
- c) Council **noted** minutes of Cemetery Committee 20.2.24.
- d) Council **noted** Clerk's advice on minor wording amendment to new Terms of Reference (TOR) recommended by Cemetery Committee. CG proposed, CO seconded, Council approved new Cemetery TOR's and all committee TOR's be amended to match new wording.
- e) Council **noted** Clerk's report - fees had not been reviewed since 2021-22 and Committee's recommendations were benchmarked against neighbouring cemetery authority fees. Clerk had requested external advice on proposed new fees and been advised fees for memorial seemed quite low. Cemetery Committee recommended council agree fees notified and review fee schedule again next year. CG proposed, RP seconded, Council unanimously **approved** new fee schedule be published and administered from 1.4.24.
- f) Council **noted** Committee reviewed Memorial Safety report considering risk to public, contractors working, council liability, potential to 'lay down' memorials and visual impact on cemetery / cemetery maintenance. Committee recommended notify grave owners of cost (if can contact) to request

recompense. Committee considered red alert item costs quoted £3,700 & VAT and recommended council approve cost. CG proposed, PM seconded, Council **approved** committee recommendation to contract red alert items immediately.

- g) Council **noted** committee considered urgent need for Cemetery Geo Physical mapping project and recommended, if quotes received are within costs allocated in 2024-25 budget, project should go ahead as matter of urgency. Council **noted** Clerk is seeking quotes. Council **considered** committee recommendation, CG proposed, PS seconded, Council agreed to **approve** urgent project is enacted by Clerk / Chair consultation on delegated authority to enact.
- h) Council **noted** cemetery committee members agreed to attend internments at Green Lane Cemetery to limit costs to council.
- i) Council **considered**, CG proposed, CO seconded, council **approved** annual charge increase for cemetery contractor - new cemetery contractor rates notified in meeting and document circulated.
- j) Council **noted** committee reviewed public requests for internments and memorials received since resignation of Burial Ground Manager in July 2023. Council **approved** Clerk / Chair delegated authority taken for urgent burials and ongoing urgent Clerk / Chair delegated authority / committee approvals for memorials and ashes internments as recommended by committee in new TOR's. CO proposed, PM seconded, council unanimously **approved**.
- k) Council **noted** committee approved new Cemetery noticeboard is installed on site urgently by cemetery contractor.
- l) Council **noted** committee recommendation for new Clerk to attend Cemetery Management training. CG proposed, CO seconded, council unanimously **resolved** council to cover necessary costs to be notified by Clerk and approved by cemetery committee.

10. Finance

- a) Council **noted** Finance & Governance Committee (F&G) informal meeting held 31.1.24 and recommendations. Due to weight of agenda, Chair deferred report to March meeting when Chair of F&G can present report in person. Council **noted** no urgent items for immediate approval.
- b) Council **considered** three internal auditor quotes received. CS proposed, PM seconded, council unanimously **resolved** to approve contract for appointment of new internal auditor to Ruth Mullet for 2023-24 year.
- c) Council **noted** and unanimously **approved** retrospective authority for Clerk / Chair (by delegated authority and approved by email Chair F&G) urgent letter to HSBC signed by current signatories requesting updated bank statements evidencing final transfer of funds from 4 x HSBC current and reserve accounts to Lloyd's reserve account for end of year financial statement. Council **noted** request for statements to be handed to Clerk in branch (document circulated).
- d) Council **noted** signing of Nat West bank account amendment forms (in meeting) by current signatories to remove previous resigned council signatories and include newly approved council signatories to access Nat West accounts. To amend mandate from 3 to 2 signatories to authorise, change primary contact to Clerk and postal address to MWPC PO Box. RP proposed, CG seconded, council unanimously **approved** amendments.
- e) Council **noted** payments made by Chair / Clerk delegated authority December 2023.
- f) Council **noted** payments made by Chair / Clerk delegated authority January 2023.
- g) Council **considered** payments notified for February 2024:
 - Council **noted** Gas Lamps WG update, RP had previously notified. PM advised in meeting - batteries should be removed from contractor invoice. Council requested Clerk to respond to contractor. PM will advise Clerk ongoing and will contact contractor tomorrow. Council **noted** invoice 'on hold'.
 - CO proposed, CG seconded, council unanimously **approved** retrospective payment to AP for Survey Monkey invoice supplied (countersigned by Robert Berry). Chair advised and council **noted** this payment to AP **approved** as recognise made with 'best intentions' for Traffic Calming project / funding application evidence. Council **noted** advice in meeting, ALL orders / payments MUST come through the Clerk.
 - Council **noted** Clerk report and request for retrospective delegated authority on payments to Printworks to allow Clerk working during broadband failure (Clerk delegated authority with approval from Chair). PM proposed, RP seconded, council unanimously **resolved**.

- h) Council **noted** duplicate payments made on secondary authorisation 2.2.24 to Village Hall and M. Thomas confirmed by Clerk refunded to Lloyds current account by both recipients.
- i) Council **noted** HMRC VAT 126 payment - £6,611.98 to 31.3.23 received in Lloyds current account.
- j) Council **noted** HMRC VAT 126 payment - £11,502.64 to 30.9.23 received in Lloyds current account.

At 9.30pm Chair requested council approval to **suspend standing orders** and continue meeting due to weight of agenda and urgent matters for resolution. RP proposed, CG seconded, council unanimously **resolved**.

11. Planning

- a) Council **noted** Clerk submitted NO OBJECTION and comments on:
 - **M/23/01785/CU** 60 Old Wyche Road, Malvern, WR14 4EP. The change of use of an existing residential outbuilding to a holiday let.
- b) Council considered, CG proposed, CO seconded, council **resolved** agreed comments on applications received:
 - **M/24/00141/HP** - Fox Hollow, 25B Green Lane, Malvern WR14 4HT. Construction of detached garage. **NO OBJECTION**.
 - **M/23/01590/FUL** - Land at 155 Wells Rd, Malvern. Proposed 2 no. holiday cabins and footpaths. Additional information – access, visibility and speed data supplied.
NO OBJECTION with comments:
 - I. Request hedges are retained.
 - II. Structures proposed do not conserve or enhance character of AONB.
 - III. Re: access two concerns advised:
 - IV. Two double gates and splay lines will degrade semi-rural 'street scene'.
 - V. Vehicles emerging from site will be against site gradient.
- c) Council **noted** Planning decision:
 - **M/23/01378/HP** - 11 The Crescent, Malvern, WR14 4JG. Erection of single storey rear extension and rear dormer. **APPROVED**.
- d) Council **noted** Planning Appeal decision:
 - **APP/J1860/W/23/3320** -184 Benholme, Holywell Road, Malvern, Worcestershire WR14 4LF. New self-build 2-bedroom house. Appeal **DISMISSED**.

12. Projects

Council **noted** Clerks report:

- a) 2 information panels for Assarts and Village Green now delivered to Lengthsman. Being installed this week. Locations agreed and confirmed by AONB.
- b) £1,000 AONB grant invoice raised. Council cost in 2023-24 budget and contractor invoice for approval in February payments.

13. PROW

- a) Council **noted** update from PS, Public Rights of Way Working Group meeting.
- b) Council **noted** PS approached David Armitage for advice on DEFRA funding to replace stiles with accessible gates. PROW suggested stiles round Brick Barn Farm. PS will make funding application. CG proposed, JB seconded, council **approved**.

14. Community Events

- a) Council **noted** update from RP. Community Events Working Group (CEWG) meeting tomorrow. There are four members. Fete is 2nd Sunday in September (8th). Scouts advised they cannot help this year. RP considering approaching Army Cadets to marshal car park. Looking to extend length of day to encourage greater spend for stall holders.
- b) Council **considered** CEWG recommendation appointing Howard Allen as new Chair of WG and members of CEWG. PS proposed, CG seconded, council **approved**.

- c) Council **noted** community events management is excluded from Clerk contract (as externally reviewed) to limit costs to council. Council **considered** how community events will be managed ongoing. CEWG want to set up bank account and request GL takes on financial admin.
- d) Council **noted** Severn Arts Travelling Music Box Bus available.

15. Open Spaces

- a) Council **noted** RP report from community consultation meeting 10.2.24 Assarts Park refurbishment proposals. PS pointed out Assarts Playpark is for all Malvern Wells residents to enjoy, not just for Assarts residents.
- b) Council **noted** RP report from Open Spaces WG on Assarts Playpark Proposals. Safety must be primary focus. Much of equipment is older than RP himself. RP met with contractors and held site visit to consider options available. RP has scheduled meeting with PTA at local school. Met Year 2 pupils at Malvern Wells School to hear what they want. JG confirmed RP query planning permission required for any additional items / changes to park as in a conservation area. Playpark budget for 2024-25 as resolved by council £20k. Applying for funding to District Council through Space Hive for £20k, and National Lottery for £20k. JG asked for sight of any grant applications to MHDC before MWPC submit forms. PS proposed, CO seconded, council unanimously **approved** recommendations.
- c) Council **noted** annual ROSPA Inspection of Assarts playpark booked for March.
- d) RP proposed, PM seconded, council unanimously **approved** cost of site tailored weekly checklist for Lengthsman to report weekly site survey of Assarts play equipment £40 & VAT.
- e) Council **approved** and requested Clerk obtain information on Community Orchard grant from Coronation Living Heritage Fund available with potential for Fruitlands.

16. Parish Assets

- a) Defibrillators
 - Council **agreed** to defer item to March meeting when MB available to report on project, funding applications and costs identified.
- b) Traffic Calming
 - Council **agreed** to defer item to March meeting when MB available to report for Traffic Calming Working Group (TCWG) detailing investigations / recommended actions / proposed costs / funding applications.
 - Council **noted** request from TCWG to reimburse AP £70 Survey Monkey consultation costs from Traffic Calming budget had been **approved** in previous Finance agenda item.
- c) Gas Lamps
 - Council **noted** Gas Lamps WG meeting first week of March to report to council.
 - Council **noted** WG advice on gas lamp contract.
 - Council **noted** item on contract invoices dealt with in previous Finance item.
 - Council **noted** ongoing correspondence from residents, WG to discuss at March meeting.

17. Communications

- a) Council **noted** update from Communications Working Group. RP has meeting booked with Hugo Fox to discuss upgrading website.
- b) Council **noted** recommendation for re-enactment of Zoom contract. Cost £129.90 p.m. to support informal and working groups meetings. RP advised would be unnecessary if council approve Microsoft package as Teams included.
- c) Council **noted** problems with current email provider.
- d) Council **noted** 3 councillors still not using '@malvernwells-pc.gov.uk' email address as required. Chair formally **requested** they work with RP to set up and use ongoing.
- e) RP proposed, CO seconded, council unanimously **approved** WG recommendation for Microsoft business contract (using Outlook for emails). Cost £4.90 & VAT per user per month. Council **noted** and **approved** budget implications. Council **noted** RP will undertake migration, create mailboxes for all councillors.
- f) Council **noted** vulnerability notification from Hugo Fox – notified 'fixed' 9.2.24.
- g) Council **noted** Assarts noticeboard needs to be replaced. CO proposed, JB seconded, council unanimously **resolved** necessary expenditure, Clerk to advise. This additional to current public noticeboards at Village Hall, Morrisons and Fruitlands. Use to publish plans for Assarts Playpark

refurbishment and share with partners – Scouts and others. To be mounted close to Scouts chain link fence to limit ‘cluttering’ area.

- h) Council **agreed** to defer councillor Information Sharing report to March when GL can present.

18. Correspondence

- a) PS proposed, RP seconded, council **approved** public request to ‘dress’ Jubilee Fountain for May well dressing festival.
b) Council **noted** Hedgehog Highways project. Chair requested GL on behalf of Open Spaces WG.

19. District Councillor report - JG reported:

- New Planning Director appointed at MHDC but still short on Planning staff.
- Public toilets upgraded in Malvern, Tenbury, Upton and Barnards Green.
- Full budget agreed last week, all precepts approved.
- Ward councillor allowances increased both John Gallagher & Christine Wild have £1,000. Malcolm Victory has £10,000.

20. Matters for future agendas.

- a) Website upgrade
b) Condition of drains and gullies
c) Maintenance of gas lamps / current contractor / gas to electric / green or Heritage Lottery grants.
d) Traffic calming measures.
e) Defibrillators – funding applications ongoing
f) Land acquisitions (Allotment/ Play Area)
g) Fruitlands – Playpark?
h) Pelican crossing by Wyche School
i) Bridleway issues
j) Councillor co-option
k) Parish Newsletter (insert in "All About"?)
l) Community Orchard (Nature Recovery Strategy) – Fruitlands?
m) Cemetery Committee - invitation to skilled /interested parties.

21. Next meetings - Council noted:

- a) Next scheduled Council meeting is **Wednesday 27th March** at Malvern Wells Village Hall 7.30pm and Chair’s apologies. Vice Chair GT will Chair meeting.
b) Next meeting Finance & Government Committee is **Wednesday 27th March** at Malvern Wells Village Hall 6pm.
c) Council meeting **Wednesday 24th April** at Malvern Wells Village Hall 7.30pm

22. 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) Council **resolved** to exclude the public and press.

23. CONFIDENTIAL SESSION

Clerk notified agenda items to be discussed in confidential session. Council **considered** in confidential session and **approved** notified agenda items as minuted in sequence notified on agenda published:

- a) Co-option – Janet Baker.
b) Staffing – Clerk contract.
c) Gas Lamps contractor invoice.
d) M. Thomas – cemetery contractor rate review.

Meeting closed at 10.15 pm.

Chair thanked councillors for their attendance.

Signed Chair of Council Date