



# **MALVERN TOWN COUNCIL**

## **FULL COUNCIL**

### **REPORTS**

**For meeting on Wednesday 13 April 2022 at 6.00 pm  
in the Council Chamber, Malvern Hills District Council, Avenue Road**

# MALVERN TOWN COUNCIL

Town Clerk  
28-30 Belle Vue Terrace  
Malvern  
Worcs  
WR14 4PZ  
Tel: 01684 566667



7 April 2022

[townclerk@malvern-tc.org.uk](mailto:townclerk@malvern-tc.org.uk)  
[www.malverntowncouncil.org](http://www.malverntowncouncil.org)

## MEETING OPEN TO MEMBERS OF THE PUBLIC

### To all Members of Malvern Town Council:

You are hereby summoned to attend a meeting of Malvern Town Council to be held in the Council Chamber, Malvern Hills District Council, Avenue Road, Malvern on Wednesday 13 April 2022 commencing at 6.00 pm for the transaction of the business shown on the Agenda below.

A handwritten signature in black ink, appearing to read 'L. Blake'.

**Linda Blake**  
**Town Clerk**

No.	Agenda Item
1.	<b>Apologies for Absence</b> To note apologies for absence.
2.	<b>Declarations of Interest</b> To receive declarations of disclosable pecuniary interests and other disclosable interests.
3.	<b>Minutes of Previous Meeting</b> To receive and confirm as a correct record the Minutes of the previous Full Council meeting: ➤ Meeting held 15 March 2022
<b>Public Participation</b> <i>The Meeting will be adjourned for public participation when the Chairman will invite members of the public to present their questions, statements or petitions submitted under the Council's Public Participation Procedure.</i>	
4.	<b>Mayor's Announcements</b> ➤ Verbal report
5.	<b>Update on Town Council Operations and Activities</b> ➤ Verbal report by the Town Clerk
6.	<b>Reports by County and District Council Representatives</b> ➤ Verbal report(s) or written submissions as applicable

7.	<b>Town Council Ward Reports/Representatives on Outside Bodies</b> ➤ Verbal reports
8.	<b>Members Questions</b> The Chairman will invite members who have written in with questions to present them to Council.
9.	<b>Demolition of Victoria Park Pavilion</b> ➤ Report CL01/22 with recommendations from Task and Finish group to follow
10.	<b>Operations and Planning Committee Recommendations – meeting held on 22 March 2022</b> ➤ Report CL02/22 to follow
11.	<b>Audit Committee Recommendations – meeting held on 29 March 2022</b> ➤ Report CL03/22 to follow
12.	<b>Policy and Resources Committee Recommendations – meeting held on 30 March 2022</b> ➤ Report CL04/22 to follow
13.	<b>Date and Time of Next Meeting</b> ➤ Wednesday 11 May 2022 at 6.00 pm (Annual Council meeting)

## UNADOPTED

### MINUTES OF A FULL COUNCIL MEETING OF MALVERN TOWN COUNCIL

held in the Council Chamber, Malvern Hills District Council, Avenue Road  
on Tuesday 15 March 2022, at 6.00 pm

#### Councillors

##### Present

N Houghton (Chairman)  
C Hooper (Vice Chairman)  
C Fletcher (from 7.10pm)  
L Lambeth  
J Leibrandt  
R McLaverty-Head  
D Mead  
P Smith  
S Taylor  
P Tuthill  
D Watkins

##### Absent

J Ashington-Carter (apologies)  
C Bovey (apologies)  
L Lowton  
N Mills (apologies)  
N Morton (apologies)  
J O'Donnell  
C Palmer (apologies)  
J Satterthwaite (apologies)  
A Stitt (apologies)

##### Also in attendance

L Blake – Town Clerk  
L Wall – Minute Clerk  
Cllr Beverley Nielsen, WCC  
Cllr Karen Hanks, WCC  
Cllr John Raine, MHDC  
One member of the public

#### 144. APOLOGIES FOR ABSENCE

Apologies received from Cllrs Jack Ashington-Carter, Caroline Bovey, Neville Mills, Neil Morton, Cynthia Palmer, Jack Satterthwaite and Aidan Stitt were **NOTED**.

Apologies received from Cllr Clive Fletcher for lateness were also **NOTED**.

#### 145. DECLARATIONS OF INTEREST

None.

#### 146. MINUTES OF PREVIOUS MEETING

It was **RESOLVED** that the minutes of the following meeting be approved and adopted as a correct record of the proceedings, and they were signed by the Mayor:

- Full Council meeting 3 February 2022.

#### PUBLIC PARTICIPATION

Cllr Beverly Nielsen made a presentation on the Malvern Hills Arts and Community College, explaining that fifteen months ago, a task force had been founded by Cllr Tom Wells to try to keep the college open. The task force comprised many interested parties from all areas of business and the community. The vision was for the college to become a respected centre for learning in expressive arts, crafts, digital and creative industries, providing accessible STEAM courses in lifelong learning and adult education.

The Task Force recognises that apprenticeships are very important in the future of the college as is offering a wide range of different opportunities. The plan is to focus on four key areas:

- Art, design and craft skills
- Adult lifelong learning

## UNADOPTED

- Supported learning
- Small business and entrepreneurship support

There are also a number of opportunities for new income generation.

The covenant connected to the Malvern Hills College site limits use to further educational purposes which can be challenging in terms of funding. Furthermore, any uplift in the value of the buildings must be split between Malvern Hills District Council (as the covenant's originator) and the owner at the time of the sale.

Town Councillors asked a number of questions relating to the plans for the future of the college which were answered by Cllr Nielsen. To sum up, Cllr Nielsen said she hoped the college would be saved as a facility that would transform lives for another 135 years. To get the project off the ground, more funding is needed and councillors were asked if the Town Council would consider donating a sum of money.

### 147. **MAYOR'S ANNOUNCEMENTS**

The Mayor reported that the Mayor's Peaks Challenge event taking place on 30 April, with agreement from his chosen charities, will raise funds for the DEC Red Cross Ukraine appeal. He asked members to share the details of the walk and encourage friends, family and work colleagues to enter.

Members were reminded that the Mayor was holding a joint civic service with Cllr Palmer as Chairman of the district council, and this would be at St Matthias church on Saturday 9 April.

### 148. **UPDATE ON TOWN COUNCIL OPERATIONS AND ACTIVITIES**

#### Victoria Park Community Hub

The Town Clerk reported that three public consultation events had been held for the Victoria Park community hub project, and although generally turnout was low, those people who did attend raised some valuable points and questions.

415 people responded to the survey, of which 80% were in favour of the new hub, and 75% in favour of a small precept rise.

For the purpose of applying to the Public Works Loan Board, the responses were then sorted and 297 were verified as living in Malvern and being on the electoral role. Of these, 80% were in favour of a new building, and 75% in favour of a precept increase. An analysis is now being carried out on the other questions.

#### Bike racks

Bikes racks have been installed in Barnards Green adjacent to the bus shelter with the permission of Malvern Hills Trust. Two further bike racks have been agreed for the area outside Hollands Opticians on Graham Road and two further sites (Malvern Link and Barnards Green) are awaiting permission to be granted by Highways officers.

#### General

There has been a catch up on operational asset refurbish projects in the last month with play area refurbishments taking place at Victoria Park, Lower Howsell and Jamaica Crescent, and new pavilion doors being installed at Lower Howsell pavilion.

#### Rosebank Gardens

Works are ongoing to the Jenny Lind fountain. The refurbishment of the bus shelter outside Rosebank Gardens will commence next week.

### 149. **REPORTS BY COUNTY AND DISTRICT COUNCIL REPRESENTATIVES**

**County Councillor Karen Hanks** reported on several matters as follows:

## UNADOPTED

WCC response to the Ukraine crisis - this had been under discussion at the highest levels and an urgent review of contractual relationships was being carried out to assess if any contracts held directly by WCC or through supplier networks could be with Russian providers, although early indications were that there were none.

The Worcestershire Pension Fund has a small percentage of the overall fund invested in Russia which will be exited as soon as possible.

The Department for Levelling Up, Housing and Communities is working with local partners to plan for possibility of Ukraine refugees being temporarily located in Worcestershire. The economic impact on the county and its services will be assessed.

A meeting had been held with lead contacts in Malvern Link traders' group to discuss allocation of Cllr Hanks' divisional fund to promote the area as a retail and service centre. Further discussions will include the police and focus on improvements to street lighting in the area, to reduce night time accidents, crime and fear of crime. Street lighting has benefited from a £6m upgrade over the past two years.

The community fridge at the Church of the Ascension, supported by funds from Cllr Hanks and Cllr McVey, is now operating.

Upcoming matters include a visit to St Matthias school, joint working with Cllr Aksar to find solutions for parking problems, and pathway improvements at Lower Howsell Road, including a survey for a crossing.

**County Councillor Beverley Nielsen** reported highways issues were dominating her work. Issues with drains and roads were being dealt with and a new Highways Officer was looking at speeding problems and pedestrian crossings/crossing points.

**District Councillor John Raine** said that whilst he was happy with the reduction of numbers of councillors from 38 to 31 in the Boundary Commission report he was disappointed with the proposals relating to Dyson Perrins. Because of covid, the boundary commission had not visited the area and the suggested 'Upper Howsell' ward did not have any obvious centre to it. Therefore, the three councillors from West ward had made a submission to change this and he hoped the Town Council would be supportive.

***Cllr Hanks left the meeting at 7pm.***

### **150. TOWN COUNCIL WARD REPORTS/REPRESENTATIVES ON OUTSIDE BODIES**

Cllr Hooper had attended a CALC meeting at which promotion of a wider range of candidates at elections in 2023 was discussed. A meeting of the area CALC was attended by David Perridge, Operations Manager for West Mercia Safer Roads Partnership.

### **151. MEMBERS QUESTIONS**

None.

### **152. REFRESHMENT TENDERS – VICTORIA PARK AND ROSEBANK GARDENS**

Report CL01/22 was received.

Members were asked to consider two recommendations regarding the provision of refreshments at Victoria Park and Rosebank Gardens over the summer period as follows:

- i. An ice cream and soft drinks tender for Victoria Park
- ii. An ice cream and soft drinks tender for the summer months at Rosebank Gardens

## UNADOPTED

Council **AGREED** an amendment to the first recommendation so that the food provided would be similar to last year, as this had proved popular with members of the public.

It was **RESOLVED** to go out for tender for a mobile refreshment unit supplying a full range of hot and cold beverages and light snacks and ice creams to meet the needs of park users.

It was **RESOLVED** to go out for tender for an ice cream and soft drinks provider for Rosebank Gardens over the summer months.

### **153. LOCAL GOVERNMENT BOUNDARY COMMISSION FOR ENGLAND – MALVERN HILLS DISTRICT COUNCIL**

Report CL02/22 was received and accepted.

It was **RESOLVED** that further comments would be submitted following the draft recommendations report dated January 2022 on the new electoral arrangements for Malvern Hills District Council as follows:

- 1) Relating to the proposed changes to district ward boundaries/councillor numbers within Malvern Town – the proposed and removed Upper Howsell ward should be reverted to Dyson Perrins, and Upper Howsell and West wards to be merged into one ward.
- 2) Relating to the proposed changes to Malvern Town Council wards – no comment.

*Cllr Raine and Cllr Nielson left the meeting.*

### **154. OPERATIONS AND PLANNING COMMITTEE RECOMMENDATIONS**

Report CL03/22 was received and accepted, and in the absence of the Chairman, the Vice-Chairman of Operations and Planning Committee, Cllr David Watkins presented the recommendations from the meeting held on 9 February 2022.

Minute 84 Terms of Reference for the Christmas Committee

It was **RESOLVED** to agree the Terms of Reference for the Christmas Committee.

### **155. POLICY AND RESOURCES COMMITTEE RECOMMENDATIONS**

Report CL04/22 was received and accepted and the Chairman of Policy and Resources Committee, Cllr Clive Hooper, presented the recommendations from the meeting held on 10 March 2022.

Minute 40 Quarterly Accounts – third quarter, October to December 2021

It was **RESOLVED** to approve the Quarterly Accounts for the third quarter ending 31 December 2021.

Minute 42 Town Council Objectives – short and long term

It was **RESOLVED** to accept the Town Council's short and long term aims and objectives for the period 1 April 2022 – 31 March 2023.

Minutes 43 Assessment of Malvern Town Council's significant risks in achieving its objectives, short term and long term

It was **RESOLVED** to accept the significant risks to achieving the Town Council's objectives, both short term and long term.

Minute 44 anti-fraud and corruption policy and minute 45 bullying and harassment policy

## UNADOPTED

The two recommendations were considered together and it was **RESOLVED** to approve and adopt the anti-fraud and corruption policy and the revised bullying and harassment policy.

### 156. **DATE AND TIME OF NEXT MEETING**

It was agreed that the date of the next meeting would be Wednesday 13 April 2022 at 6.00 pm in Malvern Hills District Council chamber.

**It was AGREED to resolve pursuant to Section 1 of the Public Bodies (Admission to Meetings) Act 1960 to exclude the press and public from the meeting on the grounds that publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted.**

Report CL05/22 was handed out at the meeting and Councillors were given time to read it. The Town Clerk reminded that the report was confidential because of figures contained within it.

A discussion followed and Council **RESOLVED** to approve all three recommendations as detailed in the report.

The meeting finished at 7.35 pm.

.....  
(Chairman)



**A REPORT OF THE TOWN CLERK TO  
A MEETING OF MALVERN TOWN COUNCIL  
to be held on Wednesday 13 April 2022 at 6.00 pm  
in the Council Chamber, Malvern Hills District Council, Avenue Road**

**DEMOLITION OF VICTORIA PARK PAVILION**

**1. Purpose of Report**

1.1. For decision.

**2. Recommendation**

2.1. An order is placed with Modulek to demolish the existing pavilion at Victoria Park as soon as possible.

**3. Background**

3.1. Council has agreed to build a new two-storey community hub at Victoria Park and, following public consultation in February 2022, an application for planning permission is currently being prepared.

3.2. Separately to the plans above, the current pavilion at Victoria Park stands empty, boarded up and is no longer fit for use.

- The heating system is out of code. Damage sustained to the flue means that it is no longer in working order.
- The gas supply has been disconnected.
- Changing rooms are no longer used as all football is now played from Lower Howsell.
- The building is damp and is subject both to water ingress and water leakages if the water supply is left on.
- The toilets are not fit for purpose and following vandalism last summer are locked.

3.3. In addition, recent months have brought a resurgence in antisocial behaviour with individuals climbing on the roof of the pavilion, attempting to break into the rear store room and covering external walls with graffiti.

3.4. During the public consultation held on proposals for a new building, a number of residents conveyed their concerns about walking across the park after dusk due to the concealed area to the rear of the pavilion where people gather unseen from the road or car parks.

3.5. The local police have also commented that demolishing the current building will, in their view, open up the park to the local community, neighbouring properties and appropriate users of the park which is a deterrent for antisocial behaviour.

3.6. At their meeting on 4 April, the Victoria Park Pavilion Task and Finish Group considered whether the building should be demolished in the immediate future or as part of the rebuild process. The task and finish group have recommended that the building should be demolished as soon as possible and hopefully ahead of the school summer holidays. The area will be left covered with a layer of crushed and

compacted rubble and safely fenced using Heras fencing, ahead of a new building being built.

- 3.7. Officers have spoken to the chosen contractor for the new building – Modulek – and they would not have an objection to carrying out demolition ahead of any formal order for the new building.
- 3.8. It is therefore recommended that an order be placed with Modulek for the following:
  - Demolition of existing building and removal of foundations including capping off services for future use, at a maximum cost of £30,000. This would be a stand-alone order.

**4. Financial Implications**

- 4.1. The successful tender bid for the new building at Victoria Park contained £30,000 for demolition costs.
- 4.2. Funding for the demolition project would be taken from general reserves.

**5. Legal Implications**

- 5.1. Malvern Town Council is the legal owner of Victoria Park Pavilion.
- 5.2. Planning consent may be needed for demolition and notice would need to be given to the local authority building control before demolition could begin.
- 5.3. Demolition work must comply with the Construction (Design and Management) Regulations 2015, but compliance with these will be the responsibility of Modulek and their chosen contractor.

End

Linda Blake  
Town Clerk

**A REPORT OF THE TOWN CLERK TO  
A MEETING OF MALVERN TOWN COUNCIL  
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in the Council Chamber, Malvern Hills District Council, Avenue Road**

**OPERATIONS AND PLANNING COMMITTEE RECOMMENDATIONS**

**1. Purpose of Report**

- 1.1. For decision.

**2. Recommendation**

- 2.1. Full Council is asked to consider the recommendations from the meeting of Operations and Planning Committee held on 22 March 2022 and listed below.
- 2.2. Recommendations to be presented by the Chairman of the Operations and Planning Committee or, if absent, the Vice-Chairman.

**Minute 92 Queen's Green Canopy – Jubilee Celebrations 2022**

It was **RECOMMENDED** that as part of the Queen's Green Canopy project in 2022, two specimen woodland trees be planted at Yates Hay Road green and open space and that a plaque should mark this area to outline the project.

**3. Background**

- 3.1. At a meeting of Full Council held on 12 September 2018, it was resolved that committees would approve their own minutes for accuracy with any recommendations from committee meetings being taken separately to be accepted by Full Council before being put into effect.
- 3.2. Full Council is therefore asked to consider the recommendations listed above in 2.2 and to approve, amend or refer back to committee as appropriate.
- 3.3. Councillors are reminded that the relevant reports as considered by committees when making their recommendations can be found within the papers distributed for the meeting and these will not be reissued. The Terms of Reference being recommended are within the report at Agenda Item 9 for the meeting held on 9 February 2022.
- 3.4. If any councillor has any queries relating to a recommendation, it is suggested that they raise it with either the Town Clerk or Chairman of Committee before the Council meeting.

**4. Financial Implications**

- 4.1. Please see individual committee reports.

**5. Legal Implications**

- 5.1. Please see individual committee reports for specific details.
- 5.2. Council decisions are supreme and therefore any changes to recommendations can be made with final agreement at Full Council.

End  
Linda Blake  
Town Clerk

**A REPORT OF THE TOWN CLERK TO  
A MEETING OF MALVERN TOWN COUNCIL  
to be held on Wednesday 13 April 2022 at 6.00 pm  
in the Council Chamber, Malvern Hills District Council, Avenue Road**

**AUDIT COMMITTEE RECOMMENDATIONS**

**1. Purpose of Report**

- 1.1. For decision.

**2. Recommendation**

- 2.1. Full Council is asked to consider the recommendations from the meeting of Audit Committee held on 29 March 2022 and listed below.
- 2.2. Recommendations to be presented by the Chairman of the Audit Committee or, if absent, the Vice-Chairman.

**Minute 22 Review of the Council's Credit Control Processes and Controls**

It was **RECOMMENDED** that no changes should be made to the current credit control processes and controls as they were satisfactory.

**Minute 23 Review of the use of SAGE as an Accounting System**

It was **RECOMMENDED** that the SAGE Accounting System should be used for a further twelve months and then reviewed again.

**Minute 24 Review of Payment Terms for Town Council Suppliers**

It was **RECOMMENDED** that no changes should be made to the current payment terms for suppliers as it is satisfactory.

**3. Background**

- 3.1. At a meeting of Full Council held on 12 September 2018, it was resolved that committees would approve their own minutes for accuracy with any recommendations from committee meetings being taken separately to be accepted by Full Council before being put into effect.
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**4. Financial Implications**

- 4.1. Please see individual committee reports.

**5. Legal Implications**

**AGENDA ITEM 11**  
**REPORT CL03/22**

- 5.1. Please see individual committee reports for specific details.
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End

Linda Blake  
Town Clerk

**A REPORT OF THE TOWN CLERK TO  
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**POLICY AND RESOURCES COMMITTEE RECOMMENDATIONS**

**1. Purpose of Report**

- 1.1. For decision.

**2. Recommendation**

- 2.1. Full Council is asked to consider the recommendations from the meeting of Policy and Resources Committee held on 30 March 2022 and listed below.
- 2.2. Recommendations to be presented by the Chairman of the Policy and Resources Committee or, if absent, the Vice-Chairman.

**Minute 49 Minutes of Previous Meeting**

It was **RECOMMENDED** that a Policy Review Working Group be formed, its purpose being to meet a number of times in each council year, to review, discuss and update council policies.

**Minute 52 Review of Earmarked Reserves**

It was **RECOMMENDED** that Council approve the Earmarked Reserves as summarised in the report including the three suggestions detailed and taking reserves to a level of £330,892 on 31 March 2022.

**3. Background**

- 3.1. At a meeting of Full Council held on 12 September 2018, it was resolved that committees would approve their own minutes for accuracy with any recommendations from committee meetings being taken separately to be accepted by Full Council before being put into effect.
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Town Clerk