

UNADOPTED

MINUTES OF ANNUAL COUNCIL MEETING OF MALVERN TOWN COUNCIL

held in the Council Chamber, Malvern Hills District Council, Avenue Road
on Wednesday 11 May 2022, at 6.00 pm

Councillors

Present

N Houghton (Chairman)
C Hooper (Vice Chairman)
C Bovey
C Fletcher
L Lambeth
J Leibrandt
L Lowton
N Mills
D Mead
N Morton
J O'Donnell
C Palmer
P Smith
A Stitt
P Tuthill
D Watkins

Absent

J Ashington-Carter (apologies)
R McLaverty-Head (apologies)
J Satterthwaite
S Taylor (apologies)

Also in attendance

L Blake – Town Clerk
C Porter – Operations Manager
L Wall – Minute Clerk

Cllr Natalie McVey, WCC
Member of the press
Ten members of the public

The outgoing Mayor, Cllr Nick Houghton, opened the meeting and thanked everyone for attending.

14. APPOINTMENT OF MAYOR

Only one nomination for the position of Mayor of Malvern Town Council had been received.

It was **RESOLVED** that Cllr Nicholas Houghton be appointed Mayor of Malvern Town Council for 2022/23.

15. MAYOR'S DECLARATION OF OFFICE

The Mayor, Cllr Nick Houghton, signed the Declaration of Office, witnessed by the Town Clerk.

16. APPOINTMENT OF DEPUTY MAYOR

Two nominations had been received for the position of Deputy Mayor of Malvern Town Council. The Mayor informed the meeting that one candidate had now withdrawn.

It was **RESOLVED** that Cllr Clive Hooper be appointed Deputy Mayor of Malvern Town Council for 2022/23.

17. DEPUTY MAYOR'S DECLARATION OF OFFICE

The Deputy Mayor, Cllr Clive Hooper, signed the Declaration of Office, witnessed by the Town Clerk.

18. APOLOGIES FOR ABSENCE

Apologies received from Cllrs Jack Ashington-Carter, Ronan McLaverty-Head and Sharon Taylor were **NOTED**.

UNADOPTED

19. DECLARATIONS OF INTEREST

Cllr David Mead – agenda item 18 Planning Consultations: Cllr Mead lives on the boundary of the land in planning application 21/01513/FUL, 41 Geraldine Road.

20. 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 13 April 2022.

PUBLIC PARTICIPATION

James Yolland spoke on behalf of approximately seventy residents living with half a mile of the site in amended planning application 21/01513/FUL, 41 Geraldine Road. Ten residents attended the meeting, this number being limited due to room constraints

Whilst the residents did not object to a development and agreed there was a need for social housing, they felt the amended application did not address the problems raised previously and were frustrated by the absence of any consultation or communication by Keon Homes Limited.

The residents' group had then been in touch with Platform Housing, who would take ownership of, and manage, the development when finished. Representatives from Platform had been amenable to further discussions and said that they did not consider the most recent, amended planning application to be a final design.

A document listing the key points of contention had been circulated to councillors prior to the meeting; these were identified and summarised by Mr Yolland as follows:

Overdevelopment of the site – despite the number of houses proposed being reduced from 37 to 28, the density of housing would still be almost three times that of the local area. This would be at the detriment of the residents of the new development, the residents in the surrounding areas and the character of the local area. The amended plans are also 130% of the SWDP 13 required average housing density.

Trees – the tree survey is inadequate, contains errors and omissions and miscalculates root protection areas (RPAs). It allows for the removal of two veteran oak trees which are mentioned in records held at Malvern Museum.

Traffic analysis – the transport statement has remained largely unchanged, with no proper analysis having taken place, relying instead on estimated traffic movements based on a large, busy primary school in Birmingham. It misquotes the Worcestershire County Council's Streetscape Design Guide saying there is no need for a full detailed Transport Assessment and Travel Plan because the proposed development is not in conformity with the adopted development plan. The Transport Statement is fundamentally flawed and creates real safety issues for the users of Geraldine Road, particularly at peak times.

Safety and vulnerable residents – the area has a high proportion of elderly and vulnerable residents who have expressed concerns over their safety in the future if the development goes ahead in its current format. Residents feel there could be an opportunity for the two main communities to be joined together, and age restrictions for new residents imposed so that there is a predominant age and needs profile.

In summary, Mr Yolland urged Town Councillors to not support the application.

UNADOPTED

The Chairman announced that he would be altering the order of business so that agenda item 18, Planning Consultations, could be brought forward and discussed.

Councillors agreed that the overdevelopment of the site was not acceptable and that further consultation with Platform Housing was essential, to protect vulnerable local residents and school children from The Chase School. MHDC should be involved in these discussions. It was also very important that no protected trees were removed and members looked forward to hearing comments of Mr Lewis-Farley, Tree Officer at MHDC.

It was **RESOLVED** that the Town Clerk would compose a letter on behalf of Malvern Town Council, to be scrutinised by the Mayor and Deputy Mayor prior to sending, to include the following points:

- Malvern Town Council strongly opposes the amended proposals despite a reduction in housing numbers from 37 to 28.
- Concerns about housing density, inadequate transport statements, impacts on trees and the effect on vulnerable residents should be included along with further points made in document submitted by Jude Gibson.

It was also **RESOLVED** that Cllr Hooper would attend the Southern Area Planning Committee meeting when the planning application was discussed to present the Town Council's objections.

The Mayor then reverted to the original order of the agenda.

Cllr Paul Tuthill announced his resignation from the Town Council and left the meeting at 6.30pm.

21. **MAYOR'S ANNOUNCEMENTS**

The Mayor reported that the Peaks Challenge Walk had been very successful and that Bands in the Park had now made a welcome return to Priory Park on Sunday afternoons, although volunteers were still required for stewarding duties. He was considering his choice of charity for 2022/23 and would announce it shortly.

22. **UPDATE ON TOWN COUNCIL OPERATIONS AND ACTIVITIES**

Demolition of Victoria Park - a prior approval application for the demolition of Victoria Park has now been submitted with an anticipated demolition date of 7 June 2022. A site notice is currently being displayed and needs to stay up for 21 days. Once this time is up MHDC will provide written confirmation of whether they grant prior approval for the demolition.

Flags - Town Council staff have been busy putting up flags and flagpoles across the town and in view of the Jubilee year, there are more this year than ever before hopefully brightening up the three centres of Great Malvern, Barnards Green and Malvern Link.

By-elections - Officers have now received the breakdown of costs for the three by-elections held last year in Chase, Pickersleigh and Dyson Perrins wards. They amount to a little under £20,000. These costs were not anticipated in the annual budget. The Town Clerk pointed out that there would be further costs following resignations at the meeting.

Peaks Walk and Health & Wellbeing Fair - despite some issues with bookings being slow on both these events, both marked a successful return after two years of cancellations. Over 65 walkers took on either the long or short walks and at present over £1700 has been raised for the DEC Ukraine Humanitarian appeal with the

UNADOPTED

figure still rising. Cllrs Watkins and Bovey were congratulated on finishing the long walk.

The Health and Wellbeing event saw a steady flow of visitors during the day with good feedback received.

23. **REPORTS BY COUNTY AND DISTRICT COUNCIL REPRESENTATIVES**

Natalie McVey County Councillor Malvern Trinity Division, District Council West Malvern had not had many meetings to attend since the last Town Council meeting, however, she had visited two schools to discuss mental health issues, and also met with staff at The Cube. Unfortunately, the most recent Highways Officer had been moved to Worcester and a replacement was awaited. Cllr McVey was hoping to receive an explanation for this disruption which she would pass on at a later meeting. Problems with highways, drainage in West Malvern and speeding generally persisted, the latter being demonstrated by two recent serious road incidents. Cllr McVey had also made enquiries as to why the Number 44 bus service had been reduced to finishing at 5.30pm on a Saturday and not running at all on a Sunday, which was a concern.

Cllrs Beverley Nielsen and John Raine had submitted their apologies for non-attendance.

Cllr Cynthia Palmer District Councillor, Priory Ward informed councillors that the Malvern Hills Trust would light a beacon on Worcestershire Beacon at 9.45pm on 2 June in celebration of the Queen's Platinum Jubilee.

- The Queen's Baton Relay will pass through Malvern on 22 July as part of the relay for the Commonwealth Games.
- John Michael has been elected as new Chair of the District Council.

24. **TOWN COUNCIL WARD REPORTS/REPRESENTATIVES ON OUTSIDE BODIES**

There were no reports.

25. **MEMBERS QUESTIONS**

None.

26. **REVIEW OF COMMITTEES, TASK AND FINISH GROUPS AND APPOINTMENT OF MEMBERS FOR THE 2022/23 COUNCIL YEAR**

Report AC01/22 was received and accepted.

Policy and Resources Committee

It was **RESOLVED** that membership of the Policy and Resources Committee be confirmed at nine members with membership as follows:

1. Cllr Ronan McLaverty-Head
2. Cllr Clive Hooper
3. Cllr Neville Mills
4. Cllr Jack Satterthwaite
5. Cllr Jack Ashington-Carter
6. Cllr Aidan Stitt
7. Cllr James O'Donnell
8. Cllr Clive Fletcher
9. Vacancy

UNADOPTED

Operations and Planning Committee

It was **RESOLVED** that membership of the Operations and Planning Committee be confirmed at ten members with membership as follows:

1. Cllr Cynthia Palmer
2. Cllr Peter Smith
3. Cllr Sharon Taylor
4. Cllr David Mead
5. Cllr Josephine Leibrandt
6. Cllr Caroline Bovey
7. Cllr Lou Lowton
8. Cllr Lynne Lambeth
9. Cllr David Watkins
10. Cllr Neil Morton

Audit Committee

It was **RESOLVED** that membership of Audit Committee be confirmed at five members as follows:

1. Cllr Cynthia Palmer
2. Cllr David Watkins
3. Cllr Caroline Bovey
4. Cllr Lynne Lambeth
5. Cllr David Mead

Council should note that Policy and Resources Committee members are precluded from sitting on Audit Committee.

Environmental Panel

It was **RESOLVED** to disband the Environmental Panel with immediate effect and to include all business relating to environmental matters on the Operations and Planning Committee as a standing agenda item.

Emergency Decision Making Group

It was **RESOLVED** to confirm membership of the Council's Emergency Decision Making Group as:

1. Mayor
2. Deputy Mayor
3. Chairman of Policy and Resources Committee
4. Vice-Chairman of Policy and Resources Committee
5. Chairman of Operations and Planning Committee
6. Vice-Chairman of Operations and Planning Committee

The Emergency Decision Making group will be called on if an urgent and time sensitive decision needs to be made and cannot be done within the normal meeting timetable.

UNADOPTED

Any report from a meeting of this group will be sent to the next meeting of Full Council.

Victoria Park Pavilion Task and Finish Group

It was **RESOLVED** to confirm membership of the Victoria Park Pavilion Task and Finish Group at eight members as follows:

1. Cllr Clive Hooper
2. Cllr Lynne Lambeth
3. Cllr Josephine Leibrandt
4. Cllr Neville Mills
5. Cllr Cynthia Palmer
6. Cllr Peter Smith
7. Cllr Sharon Taylor
8. Cllr David Watkins

It was **NOTED** that this group is currently working on the final stages of this project.

Policy Review Task and Finish Group

It was **RESOLVED** to agree continue this Task and Finish group with members as follows:

1. Cllr Aidan Stitt
2. Cllr Clive Fletcher
3. Cllr David Mead
4. Cllr Jack Ashington-Carter
5. Cllr Sharon Taylor

Other

It was **RESOLVED** that all other task and finish groups be suspended, although it was noted that these can be set up at any time during the year either by Council or a committee, to carry out a specific task and report back.

Chairmanship

It was **RESOLVED** that all committees and task and finish groups will elect a Chairman and Vice-Chairman at the first meeting of the new council year. Members were reminded that following a council decision, training for Chairmen and Vice-Chairmen is mandatory and must be completed as soon as is reasonable. Training is only required once in every council term and therefore any members who have already undertaken training are not required to repeat this.

27. **APPOINTMENT OF REPRESENTATIVES ON OUTSIDE BODIES**

Report AC02/22 was received and accepted. It was **RESOLVED** that the appointment of representatives to outside bodies for 2022/23 be determined as below:

Outside Body	Councillor(s) for 2022/23
Malvern Hills Council for Community Action	Cllr Neville Mills

UNADOPTED

Malvern Hills CAB Management Committee	Cllr Cynthia Palmer
Malvern Town Council/Malvern Hills District Council Liaison Group (Mayor and Deputy Mayor)	Cllr Nick Houghton Cllr Clive Hooper
County Association of Local Councils (CALC)	Cllr Clive Hooper Cllr David Mead
Malvern-Mariánské Lázně Community Partnership (MLCP)	Cllr Ronan McLaverty-Head
Malvern-Bagnères de Bigorre Twinning Association (MBTA)	Cllr Cynthia Palmer
Malvern Twinning Steering Group ((Mayor and Deputy Mayor)	Cllr Nick Houghton Cllr Clive Hooper
Malvern Hills College Task Force	Cllr Clive Hooper Cllr Lynne Lambeth
Malvern Hills Youth Action Network	Cllr Josephine Leibrandt
Malvern Hills District Youth Action Parks Group	Cllr Josephine Leibrandt

28. **BANK MANDATE AND PAYMENT SIGNATORIES**

Report AC03/22 was received and accepted.

It was **RESOLVED** to approve the following signatories for the management of the Town Council's bank account in accordance with legal and operations requirements and to approve internet banking schedules and to sign any cheques or other payment authorisations if they are required:

1. Mayor of Malvern Town Council, Cllr Nick Houghton
2. Deputy Mayor of Malvern Town Council, Cllr Clive Hooper
3. Cllr Lynne Lambeth
4. Cllr David Watkins
5. Cllr Peter Smith
6. Cllr Lou Lowton
7. Cllr David Mead

The following ongoing resolutions with respect to its bank accounts were **NOTED**:

- a) Two from the approved signatories in 2.1 above are required to issue instructions for any changes, modifications or additions to the Council's bank accounts.
- b) The key contact for managing the bank account and allocating user permissions is the Town Clerk.
- c) The Town Clerk (or in their absence, the Operations Manager) is fully empowered to act on behalf of the Council to ensure the smooth running of the

UNADOPTED

Council's bank accounts, subject to all previous authorisation permissions being adhered to.

- d) Two from the seven members agreed at 2.1 above are required to sign and approve internet banking schedules and direct debit instructions before payments are made by officers.

Member of the Press left the meeting at 7.10pm

29. **PAYMENT OF ANNUAL SUBSCRIPTIONS/MEMBERSHIP OF ORGANISATIONS**

Report AC04/22 was received and accepted.

It was **RESOLVED** to approve the following subscriptions:

<u>Organisation</u>	<u>Estimated Cost</u> <u>2022/23</u>
Worcestershire CALC/NALC	£2,346
Chartered Institute of Public Finance and Accountancy	£355
Local Government Employers	£468
Institute of Cemetery Management	£95
Cotswold Line Promotion Group	£15
Caring for God's Acre	£100
Rural Market Town Group (from 1 July 2022)	£97
Total	<u>£3,476</u>

30. **ANNUAL REVIEW PROCESS**

Report AC05/22 was received and accepted.

It was **RESOLVED** to delegate a review of the following items, with any recommendations to come back to Full Council for ratification:

- a) Review of delegation arrangements to committees, subcommittees, staff and other local authorities – Policy and Resources Committee.
- b) Review of the Terms of Reference for Committees - Policy and Resources Committee.
- c) Review and adoption of appropriate standing orders and financial regulations - Policy and Resources Committee.
- d) Review of inventory of land and assets including buildings and office equipment – Operations and Planning Committee.
- e) Review and confirmation of arrangements for insurance cover in respect of all insured risks - Policy and Resources Committee.
- f) Review of the Council's Complaints Procedure - Policy and Resources Committee.

UNADOPTED

- g) Review of the Council's policies, procedures and practices in respect of obligations under Freedom of Information and Data Protection legislation - Policy and Resources Committee.
- h) Review of the Council's policy for dealing with the press/media - Policy and Resources Committee.
- i) Review of the Council's Employment policies and procedures - Policy and Resources Committee.
- j) Review of the Council's expenditure incurred under s137 of the Local Government Act 1972 or the General Power of Competence – Policy and Resources Committee as part of the Annual Accounts.
- k) Determining the time and place of ordinary meetings of the Council up to and including the next meeting of Annual Council – next meeting of Full Council.

31. **PURCHASE OF REPLACEMENT JOHN DEERE MOWER**

Report AC07/22 was received and accepted.

It was **RESOLVED** to purchase a replacement John Deere mower as detailed in the report from Company B.

Company B was identified as the Tallis Amos Group.

32. **OPERATIONS AND PLANNING COMMITTEE RECOMMENDATIONS**

Report AC08/22 was received and accepted, and the Chairman of Operations and Planning Committee, Cllr Cynthia Palmer, presented the recommendation from the meeting held on 27 April 2022.

Minute 102 Replacement of Town Council Vehicle

It was **RESOLVED** that the purchase of a new vehicle, included in the budget for 2022/23, be delayed for twelve months, with a review taking place in six months' time as part of the budget process for 2023/24.

33. **VICTORIA PARK PAVILION PROJECT TASK AND FINISH GROUP**

The Town Clerk gave a verbal update on the project, and although not much had changed since the last meeting, the demolition of the existing pavilion was booked to take place at the beginning of June.

34. **REVIEW OF REPORTS SUBMITTED BY GRANT-RECEIVING BODIES 2020/21**

Report AC09/22 was received and noted. All organisations that received grants from Malvern Town Council in 2020/21 had submitted a report as required by the grants policy, and Councillors were urged to read these to understand how grant monies were spent and how they benefitted the residents of Malvern.

35. **DATE AND TIME OF NEXT MEETING**

The Town Clerk asked members to decided the venue for future Full Council meetings. After a short discussion, it was **RESOLVED** that Full council meetings would continue to be held in the District Council's chamber for the next six months.

It was agreed that the date of the next meeting would be Thursday 23 June 2022 at 6.00 pm in Malvern Hills District Council Chamber.

The meeting finished at 7.20 pm.

.....
(Chairman)