



# **MALVERN TOWN COUNCIL**

## **FULL COUNCIL**

### **REPORTS**

**For meeting on Thursday 9 February 2023**

**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



2 February 2023

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[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 on Thursday 9 February 2023 in the Council Chamber, Malvern Hills District Council, Avenue Road, Malvern 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. J. 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 Extraordinary Full Council meeting: ➤ 18 January 2023 (previously issued)
<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 update by the Town Clerk
6.	<b>Reports by County and District Council Representatives in Attendance</b> ➤ Verbal reports or written submissions as appropriate
7.	<b>Town Council Ward Reports/Representatives on Outside Bodies</b> ➤ Verbal Reports

<b>8.</b>	<b>Members Questions</b> ➤ The Chairman will invite members who have written in with questions to present them to Council.
<b>9.</b>	<b>Confirmation of Casual Vacancy in Chase Ward following non-attendance</b> ➤ Report CL01/23 to follow
<b>10.</b>	<b>Victoria Park Task and Finish Group</b> ➤ Report CL02/23 to follow
<b>11.</b>	<b>Malvern Tourism Sign</b> ➤ Report CL03/23 to follow
<b>12.</b>	<b>Public Consultation on land adjacent to Adam Lea play area (Mill Lane)</b> ➤ Report CL04/23 to follow
<b>13.</b>	<b>Support for Low Traffic Neighbourhood in Summerfield Road</b> ➤ Verbal update
<b>14.</b>	<b>Calendar of Meetings 2023/24</b> ➤ Report CL05/23 to follow
<b>15.</b>	<b>Operations and Planning Committee Recommendations</b> The Chairman of Operations and Planning Committee to present any recommendations for approval by Council from the meeting held on 25 January 2023 ➤ Report CL06/23 to follow
<b>16.</b>	<b>Date and Time of Next Meeting</b> ➤ Thursday 2 March 2023 at 6.00 pm
<b>Exclusion of the Press and Public</b> <i>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.</i>	
<b>17.</b>	<b>28-30 Belle Vue Terrace</b> ➤ Verbal update

**UNADOPTED**

**MINUTES OF EXTRAORDINARY COUNCIL MEETING OF  
MALVERN TOWN COUNCIL**

**held in the Council Chamber, Malvern Hills District Council, Avenue Road  
on Wednesday 18 January 2023, at 6.00 pm**

**Minutes will be circulated at the meeting.**

**A REPORT OF THE TOWN CLERK TO  
A MEETING OF MALVERN TOWN COUNCIL  
to be held on Thursday 9 February 2023 at 6.00 pm  
in the Council Chamber, Malvern Hills District Council, Avenue Road**

**CONFIRMATION OF CASUAL VACANCY IN CHASE WARD FOLLOWING  
NON-ATTENDANCE**

**1. Purpose of Report**

- 1.1. For Council resolution.

**2. Recommendation**

- 2.1. Full Council declares a casual vacancy in Chase Ward due to the disqualification of Cllr James O'Donnell following a period of non-attendance exceeding six months.

**3. Background**

- 3.1. Under the terms of the Local Government Act 1972, if a member of a local authority fails throughout a period of six consecutive months from the date of their last attendance to attend any meeting of the authority, they shall unless the failure was due to some reason approved by the authority before the expiry of that period, cease to be a member of the authority.
- 3.2. More than six months has now passed since this councillor has attended any meeting and no reason for absence has been approved by Council.
- 3.3. Malvern Town Council must now declare this seat to be vacant before a Notice of Vacancy for Chase Ward can be declared.
- 3.4. The six-month rule came into effect as from 8 November 2022. From this date the Council must advertise any casual vacancies, but an election cannot be called due to scheduled elections taking place within six months.

**4. Financial Implications**

- 4.1. None pertaining to this report.

**5. Legal Implications**

- 5.1. The declaring of and filling of casual vacancies are governed by The Local Government Act 1972 Sections 87-91 and Section 36 of the Representation of the People Act 1983.
- 5.2. Malvern Hills District Council is the local authority responsible for administering Town Council elections.

End

Linda Blake  
Town Clerk

**A REPORT OF THE TOWN CLERK TO  
A MEETING OF MALVERN TOWN COUNCIL  
to be held on Thursday 9 February 2023 at 6.00 pm  
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**VICTORIA PARK TASK AND FINISH GROUP**

**1. Purpose of Report**

- 1.1. For decision.

**2. Recommendation**

- 2.1. Council is recommended to disband the current task and finish group, review its membership and elect six members to serve on a new Victoria Park Task and Finish Group.
- 2.2. Council should agree terms of reference for the Task and Finish Group as attached at Appendix A.

**3. Background**

- 3.1. The idea for the bold redevelopment of Victoria Park pavilion was first raised in December 2018 and a Task and Finish Group was then formed early in 2019.
- 3.2. Over the last four years, a number of different options for the scope and design of a new building at Victoria Park have been considered and reviewed.
- 3.3. In July 2021, Full Council resolved to build a new two-storey pavilion at Victoria Park with the proposal being that this should include public toilets, a café, a large meeting room as well as the relocation of the Town Council administrative offices.
- 3.4. In December 2021, Full Council appointed Modulek as the chosen supplier for this project and agreed that a public consultation should be carried out in January/February 2022 in order to gain support for the project and funding from the Public Works Loan Board.
- 3.5. Twelve months has elapsed since the positive results from the public consultation, but with difficult economic circumstances putting pressure on costs and financing, no further progress has been made, except for the demolition of the old pavilion in July 2022.
- 3.6. Victoria Park is one of the Council's main assets, having a wide range of leisure facilities on site. Since the demolition of the pavilion, there are no buildings on site and therefore no public toilets or refreshments and this has already started to attract complaints due to the lack of facilities.
- 3.7. Council is asked to form a small task and finish group to review the current proposal for the two-storey building at Victoria Park taking into account the need to provide facilities at Victoria Park, the possible sale of the Town Council offices, financing implications alongside an affordable and feasible scope, and specification for the project.

**4. Financial Implications**

- 4.1. Full Council has resolved to build a two-storey pavilion at Victoria Park within a budget of £1.5 million. This to be funded by the sale of Belle Vue Terrace, General

Reserves, a Public Works Loan Board loan and any other funding that can be sourced.

**5. Legal Implications**

- 5.1. The Town Council is the legal owner of Victoria Park.
- 5.2. The Town Council has specific powers to provide buildings for officers and for public meetings and to manage and control recreation grounds and open spaces. It also has the General Power of Competence to do anything that individuals generally may do.
- 5.3. An order has already been submitted to Modulek for assistance with public consultation, detailed building design and building regulation checks, site surveys and reports, and planning design, submission and consultation works.
- 5.4. Task and Finish Group are advisory only and cannot make decisions. Recommendations must be submitted to Full Council for approval.

End

Linda Blake  
Town Clerk

**DRAFT TERMS OF REFERENCE OF  
VICTORIA PARK TASK AND FINISH GROUP – 9 February 2023**

**1. General**

- 1.1. To evaluate and review the scope and design of the Council-approved new two-storey building at Victoria Park.
- 1.2. To critically evaluate the specifications within the Modulek produced two-storey design alongside the provision of and need for facilities at Victoria Park.
- 1.3. To consider, evaluate and review the costs, funding and affordability associated with the provision of the Council-approved building at Victoria Park.
- 1.4. To report back to Full Council with recommendations for any changes to the specification or design of the Council-approved building at Victoria Park.
- 1.5. The Task and Finish Group will:
  - i. Work with the chosen supplier to facilitate the six stages of the project:
    1. Planning
    2. Building Regulations
    3. Factory Procurement
    4. Delivery and Site Construction of Building
    5. External Finishes
    6. Practical Completion
  - ii. Monitor, review and update as necessary cashflow and financing requirements for the new building to include sale of the Town Council's Belle Vue Terrace premises, use of general reserves and Public Works Loan Board applications.
  - iii. Deal with all relevant requests for information from members outside of the Task and Finish Group and to provide answers as appropriate.

**2. Powers delegated to Town Clerk and Officers**

- 2.1. To undertake any specific reviews in accordance with the above and seek specialist or professional advice when necessary, and advise the Task and Finish Group as appropriate.
- 2.2. To work within Council approved budgets and provide updates to Task and Finish/Council as necessary.
- 2.3. Additional expenditure of up to £2,500 may be authorised as required after consultation with Chairman of Group and Chairman of Council, and to be reported to the Task and Finish Group as soon as practicable thereafter.

**3. Membership**

- 3.1. Membership of the Victoria Park Task and Finish Group shall be six members.

**4. Quorum**

- 4.1. The Victoria Park Task and Finish Group shall be quorate when no fewer than three voting members are present.
- 4.2. If fewer than three voting members are present, the meeting shall stand adjourned.



**5. Chairman**

- 5.1. The Victoria Park Task and Finish Group will elect a Chairman and Vice Chairman from amongst their number in accordance with the procedure as specified in Council's Standing Orders.
- 5.2. If the Chairman is not present, the Vice Chairman will take the meeting. If neither is present, members will elect a Chairman for the meeting from amongst their number.

**6. Frequency and timing of meetings**

- 6.1. The purpose of working parties (panels, forums, groups) is that meetings may be called at relatively short notice at any reasonable time in order that urgent issues can be considered.
- 6.2. A meeting may be held on any day of the week and at any reasonable time of day or evening.
- 6.3. A meeting will proceed as soon as a quorum is confirmed, and cancelled, or postponed, if it is apparent in advance that the meeting will not be quorate.

**7. Standing orders**

- 7.1. The Standing Orders of Malvern Town Council will apply.

**A REPORT OF THE TOWN CLERK TO  
A MEETING OF MALVERN TOWN COUNCIL  
to be held on Thursday 9 February 2023 at 6.00 pm  
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**MALVERN TOURISM SIGN TASK AND FINISH GROUP  
RECOMMENDATIONS TO FULL COUNCIL**

**1. Purpose of Report**

- 1.1. For decision.

**2. Recommendation**

- 2.1. Full Council approves the recommendations from the Malvern Tourism Sign Task and Finish Group following the Full Council resolution to install a “Malvern” sign in Rosebank Gardens.

- i. Location – the seven letters will be installed behind the new wall created as part of the Jenny Lind fountain project and to the left-hand side of the 99 steps (see attached photographs in Appendix A). The letters will be installed on a level piece of ground behind the flower bed in a slightly curved formation.
- ii. Design – letters will be galvanized steel of a 3D, boxed design with reinforcing provided by way of an edge around the letters:



- iii. Size – letters to be 1000mm in height, varying widths in proportion to each letter shape and 10mm thick.
- iv. Cost - £3,800.

**3. Background**

- 3.1. Following a Notice of Motion submitted to the Full Council meeting in October 2022, Full Council resolved to support the installation of a “Malvern” tourism sign in Rosebank Gardens within a working budget of £3,000 to £5,000.

- 3.2. Members were supportive of the idea as the sign would be a tourist attraction and encourage visitors to the town, but it was noted that any installation should be long-lasting, of high quality and a design that is sympathetic to the environment of Rosebank Gardens.
- 3.3. A Task and Finish Group with four members was formed at the Full Council meeting in November to report back to Full Council in December with recommendations for the design and location of this sign in Rosebank Gardens.
- 3.4. Full Council considered this matter in December 2022 and agreed to defer this item until the next council meeting in February 2023 to give councillors more time to review the suggested location.
- 3.5. It should be noted that the identification of possible locations within Rosebank Gardens was not as straightforward as previously thought. Task and Finish Group needed to consider issues such as slope, accessibility, possibility of vandalism, aesthetics including whether the letters would be visible back-to-front in certain locations and the suitability for photo opportunities.
- 3.6. Four locations were considered but the location behind the wall of the Jenny Lind installation was the one thought to be suitable for the following reasons.
- It would allow people to either sit on the bench with the sign behind them, stand next to the letters or stand behind them, for photographs to be taken;
  - The view would not be impeded by the sign, and it would be less intrusive in this section of the gardens;
  - It may be less likely to be vandalised;
  - The vegetation would provide a good backdrop without detracting from the sign.
- 3.7. This location would require the new Jenny Lind sculpture to be moved but the pole could be easily sited adjacent to the commemorative plaque as illustrated in Appendix B.
- 3.8. Galvanized steel was felt to be the most suitable material and each letter would be fitted with two spikes to be concreted into the ground.
- 3.9. Based on the specification, four quotations were submitted for the sign, and the Task and Finish Group chose a contractor based on price, quality and consideration of extra reinforcing to recognise the nature of the location.

#### **4. Financial Implications**

- 4.1. The recommendation for contractor C made at the Task and Finish Group meeting would be at a cost of £3,800. There will be no fitting costs as this will be carried out by the Town Council's Operations Team. It should be noted that the costs of steel may have increased since the original quote was received.
- 4.2. An amount of £5,000 has been included in the Town Council's re-forecast for 2022/23 to cover the costs of this project.

#### **5. Legal Implications**

- 5.1. Rosebank Gardens is on a 99-year lease from Malvern Hills District Council who would need to be informed of this project.

End

Linda Blake  
Town Clerk



*Figure 1 illustration of chosen location*



*Figure 2 Mock-up of possible letter size, although letters would be fitted flush to the ground*



*Figure 3 Comparison of letter size to person*





**A REPORT OF THE TOWN CLERK TO  
A MEETING OF MALVERN TOWN COUNCIL**

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**PUBLIC CONSULTATION ON LAND ADJACENT TO  
ADAM LEA PLAY AREA (MILL LANE)**

**1. Purpose of Report**

- 1.1. For noting and comment where appropriate.

**2. Recommendation**

- 2.1. Council is recommended to note plans for the public consultation on land adjacent to Adam Lea play area (Mill Lane) and to note any suggestions for inclusions as appropriate.

**3. Background**

- 3.1. In December 2022, Full Council approved a public consultation for the future of land adjacent to Adam Lea play area being transferred to the Town Council. This to be carried out in early 2023.
- 3.2. The purpose of the consultation is to consult local residents on the possible uses of this land.
- 3.3. Officers are proposing that the public consultation should consist of the following elements:
- i. A public consultation event to be held on Monday 27 February from 3.30pm until 7pm at Poolbrook Village Hall. This event to allow the public to ask questions and to include noticeboards and questionnaires.
  - ii. A section on the Town Council website to give information as well as access to an online questionnaire.
  - iii. Questionnaire to be distributed to local residents and made available online.

Other suggestions for inclusions to be made at the meeting as appropriate.

- 3.4. The main element of the public consultation will be to gain opinions on how the land should be used to give most benefit to the local community and residents of Malvern. Possible ideas for use of this site include:
- i. A pump track – an idea being put forward and championed by local cycling groups.
  - ii. A wetland area – to help support and reinforce the Town Council's environmental policy.
  - iii. Expansion and improvement of the current play area.
  - iv. A football goal area.

Other suggestions for inclusions to be made at the meeting as appropriate.

**4. Financial Implications**

- 4.1. The Town Council's re-forecast for 2022/23 contains £500 to be used for a public consultation.

**5. Legal Implications**

- 5.1. The Town Council has the power to acquire land for or to provide recreation grounds, public walks, leisure grounds and open space and to manage and control them.

End

Linda Blake  
Town Clerk

**A REPORT OF THE TOWN CLERK TO  
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**MALVERN TOWN COUNCIL  
DRAFT CALENDAR OF MEETINGS 2023/24**

2023	
Thursday 18 May	Annual Council meeting
Wednesday 31 May	Operations and Planning Committee

Wednesday 7 June	Audit Committee
Wednesday 14 June	Policy and Resources Committee (year end accounts)
Wednesday 21 June	Full Council (year end accounts and annual return)

Wednesday 19 July	Operations and Planning Committee
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Wednesday 2 August	Policy and Resources Committee
Wednesday 9 August	Full Council
Wednesday 23 August	Audit Committee

Wednesday 6 September	Full Council
Wednesday 13 September	Operations and Planning Committee
Wednesday 27 September	Audit Committee

Wednesday 4 October	Policy and Resources Committee (grants)
Wednesday 11 October	Full Council
Wednesday 18 October	Operations and Planning Committee



Wednesday 1 November	Policy and Resources Committee
Wednesday 8 November	Full Council
Wednesday 22 November	Policy and Resources Committee (budget)
Wednesday 29 November	Operations and Planning Committee

Wednesday 6 December	Policy and Resources Committee (budget)
Wednesday 13 December	Full Council (final budget)

2024	
Wednesday 24 January	Operations and Planning Committee

Wednesday 7 February	Policy and Resources Committee
Wednesday 14 February	Full Council
Wednesday 21 February	Audit Committee

Wednesday 6 March	Full Council
Wednesday 13 March	Operations and Planning Committee
Wednesday 20 March	Annual Town Meeting
Wednesday 27 March	Policy and Resources Committee (grants)

Wednesday 10 April	Full Council
Wednesday 24 April	Operations and Planning Committee

Wednesday 8 May	Policy and Resources Committee
Wednesday 15 May	Annual Council

**A REPORT OF THE TOWN CLERK TO  
A MEETING OF MALVERN TOWN COUNCIL  
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**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 25 January 2023 and listed below.

i. **Minute 72 Purchase of electric vehicle to replace the 2015 Mitsubishi pick-up**

It was **RECOMMENDED** to award the contract to supply a Corvus Terrain EX4 Utility Vehicle at a cost of £28,769.

**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.
- 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