



MALVERN TOWN COUNCIL

FULL COUNCIL MEETING

REPORTS

**For meeting on Wednesday 21 June 2023
at 6.00 pm
in the Council Chamber, Belle Vue Terrace,
Malvern**

MALVERN TOWN COUNCIL

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

15 June 2023



townclerk@malvern-tc.org.uk
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 Wednesday 21 June 2023 in the Council Chamber, Belle Vue Terrace, 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.	Apologies for Absence To note apologies for absence.
2.	Declarations of Interest To receive declarations of disclosable pecuniary interests and other disclosable interests.
3.	Minutes of Previous Meeting To receive and confirm as a correct record the minutes of the previous Full Council meeting: ➤ 18 May 2023 (already issued)
Public Participation <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.	Mayor's Announcements ➤ Verbal report
5.	Update on Town Council Operations and Activities ➤ Verbal update by the Town Clerk
6.	Reports by County and District Council Representatives in Attendance ➤ Verbal reports or written submissions as appropriate.
7.	Town Council Ward Reports/Representatives on Outside Bodies ➤ Verbal reports

8.	Members Questions <ul style="list-style-type: none"> ➤ The Chairman will invite members who have written in with questions to present them to Council.
9.	Pump Track for Land at Adam Lea <ul style="list-style-type: none"> ➤ Report CL01/23 to follow
10.	Notice of Motion – Malvern Pride 2023 <ul style="list-style-type: none"> ➤ Cllr Cherry and Cllr Matthews-Jones
11.	Notice of Motion – Community Engagement and Business Plan <ul style="list-style-type: none"> ➤ Cllr Hooper and Cllr Watkins
12.	Audit Committee Recommendations The Chair of Audit Committee to present any recommendations for approval by Council from the meeting held on 7 June 2023 <ul style="list-style-type: none"> ➤ Report CL02/23 to follow
13.	Policy and Resources Committee Recommendations The Chair of Policy and Resources Committee to present any recommendations for approval by Council from the meeting held on 14 June 2023 <ul style="list-style-type: none"> ➤ Report CL03/23 to follow
14.	Year End Accounts 2022/23 <ul style="list-style-type: none"> ➤ Report CL04/23 to follow
15.	Annual Governance and Accountability Return 2022/23 <ul style="list-style-type: none"> ➤ Section 1 Annual Governance Statement 2022/23 ➤ Section 2 Accounting Statements 2022/23 ➤ Annual Internal Audit Report 2022/23 ➤ Report CL05/23 to follow
16.	Victoria Park Task and Finish Group (to include the future of Belle Vue Terrace) <ul style="list-style-type: none"> ➤ Report CL06/23 to follow
17.	Date and Time of Next Meeting <ul style="list-style-type: none"> ➤ Wednesday 9 August 2023 at 6.00 pm

UNADOPTED

MINUTES OF THE ANNUAL MEETING OF MALVERN TOWN COUNCIL

held in the Council Chamber, Malvern Hills District Council, Avenue Road
on Thursday 18 May 2023, at 6.00 pm

Councillors

Present

S Austin
A Cherry
I Dawson
C Fletcher
J Green
C Hooper
N Houghton
M Jones
J Leibrandt
L Lowton
F Matthews-Jones
D Mead
D Watkins

Absent

C Bovey (Apologies)

Also in attendance

L Blake – Town Clerk
L Wall – Minute Clerk

Member of the Press

The Mayor for the 2022/23 council year, Cllr Nick Houghton, opened the meeting and thanked everyone for attending.

1. APPOINTMENT OF MAYOR

Two nominations had been received for the position of Mayor of Malvern Town Council. It was agreed that the vote should be in the form of a secret ballot.

It was **RESOLVED** that Cllr Clive Hooper be appointed Mayor of Malvern Town Council for 2023/24.

2. MAYOR'S DECLARATION OF OFFICE

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

3. APPOINTMENT OF DEPUTY MAYOR

Two nominations had been received for the position of Deputy Mayor of Malvern Town Council. It was agreed that the vote should be in the form of a secret ballot.

It was **RESOLVED** that Cllr David Watkins be appointed Deputy Mayor of Malvern Town Council for 2023/24.

4. DEPUTY MAYOR'S DECLARATION OF OFFICE

The Deputy Mayor, Cllr David Watkins, signed the Declaration of Office, witnessed by the Town Clerk.

5. APOLOGIES FOR ABSENCE

Apologies from Councillor Caroline Bovey were **NOTED**.

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6. **DECLARATIONS OF INTEREST**

None.

7. **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 2023.

PUBLIC PARTICIPATION

None.

8. **MAYOR'S ANNOUNCEMENTS**

The Mayor reported that he had enjoyed a splendid afternoon at the Coronation Bands in the Park event on 7 May.

9. **TOWN CLERK'S REPORT**

The Town Clerk reported as follows:

Town Council Asset Tour

The Operations Manager and Town Clerk will be leading a minibus tour open to all councillors to visit some of the Town Council's assets on Tuesday 30 May at 5.30pm.

Bands in the Park

The Bands in the Park programme started last weekend but there are still fourteen more Sundays in Priory Park where bands will be playing a variety of music styles from Brass to Rock and from Country to Jazz. Councillors are needed to steward these events and are asked to volunteer.

Elections

Fourteen councillors have been elected to the Town Council, with six vacancies remaining to be filled. This will be done by co-option, and it is hoped that a special Council meeting can be called in July to achieve this.

Councillor Training

Councillors were reminded that if they took on the role of chair or vice-chair of the council or a committee, they will be required to undertake specific training. Details of courses will be posted on the councillor weekly memo.

Operations Update

The Operations Team have been busy cutting grass with electric trimmers from the new electric tool package being put to good use. They have also installed the Malvern Sign in Rosebank Gardens and put up flags throughout town. The remaining sections of cladding for the bus shelter outside Rosebank Gardens have now been fitted.

Mayoral Charity

The Town Clerk was delighted to announce that the most recent figure for charity funds raised for the Mayor's chosen charity in 2022/23, Guide Dogs, now stood at £12,066, which is the highest amount ever.

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Town Council website

There is a new members section on the website for councillors to access the member's handbook and other useful documents. Log in details will be issued to everyone next week.

10. **REPORTS BY COUNTY AND DISTRICT COUNCIL REPRESENTATIVES IN ATTENDANCE**

District Councillor David Mead, Barnards Green Ward - reported that he had attended two training sessions recently but did not have a specific report to make at this meeting.

District Councillor Natalie McVey, West Ward – reported that the District Council was holding its annual council meeting next week when portfolio holders and other posts would be formalised.

County Councillor Natalie McVey, Malvern Trinity Division – reported that she had attended a Council meeting earlier in the day where the Green and Independent Alliance Group proposed a notice of motion regarding Safer Streets, calling for a number of safety measures outside schools; however, this was voted down.

11. **REVIEW OF COMMITTEES/TASK AND FINISH GROUPS AND APPOINTMENT OF MEMBERS FOR THE 2023/24 COUNCIL YEAR**

Report AC01/23 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 Iain Dawson
2. Cllr Clive Fletcher
3. Cllr Nicholas Houghton
4. Cllr Melanie Jones
5. Cllr Lou Lowton
6. To be filled by co-option
7. To be filled by co-option
8. To be filled by co-option
9. To be filled by co-option

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 Sean Austin
2. Cllr Caroline Bovey
3. Cllr Anne Cherry
4. Cllr Judith Green
5. Cllr Josephine Leibrandt
6. Cllr Freya Matthews-Jones
7. Cllr David Mead

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8. Cllr David Watkins
9. To be filled by co-option
10. To be filled by co-option

Audit Committee

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

1. Cllr Caroline Bovey
2. Cllr David Mead
3. Cllr Josephine Leibrandt
4. Cllr David Watkins
5. Cllr Jude Green

Emergency Decision Making Group

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

Other

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

Chairing of meetings

It was **RESOLVED** that all committees and task and finish groups will elect a chair and vice-chair at the first meeting of the new council year.

Members were reminded that following a council decision, training for chairs and vice-chairs is mandatory and must be completed as soon as is reasonable. Training is only required once in every council term and therefore all members who wish to be a chair or vice-chair of a committee will need to repeat this even if already undertaken.

12. APPOINTMENT OF REPRESENTATIVES ON OUTSIDE BODIES

Report AC02/23 was received and accepted.

It was **RESOLVED** that the appointment of representatives to outside bodies for 2023/24 be determined as below:

Outside Body	Representatives 2023/24
Malvern Hills Council for Community Action	Cllr Anne Cherry

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Malvern Hills CAB Management Committee	Cllr David Mead
Malvern Town Council/Malvern Hills District Council Liaison Group (<i>Mayor and Deputy Mayor</i>)	Cllr Clive Hooper Cllr David Watkins
County Association of Local Councils (CALC)	Cllr Clive Hooper Cllr Clive Fletcher
Malvern-Mariánské Lázně Community Partnership (MLCP)	Cllr Josephine Leibrandt
Malvern-Bagnères de Bigorre Twinning Association (MBTA)	Cllr Iain Dawson
Malvern Twinning Steering Group (<i>Mayor and Deputy Mayor</i>)	Cllr Clive Hooper Cllr David Watkins
Malvern Hills District Children and Young People's Partnership	Cllr Lou Lowton
Rural Market Town Group	Cllr Clive Hooper

13. **BANK MANDATE AND PAYMENT SIGNATORIES**

Report AC03/23 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 operational requirements AND to approve internet banking schedules and to sign any cheques or other payment authorisations if they were required:

- 1) Cllr Clive Hooper, Mayor of Malvern
- 2) Cllr David Watkins, Deputy Mayor of Malvern
- 3) Cllr Jude Green
- 4) Cllr David Mead
- 5) Cllr Clive Fletcher
- 6) Cllr Sean Austin
- 7) Cllr Anne Cherry

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

- a) Two from the approved signatories 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

UNADOPTED

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

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

14. **PAYMENT OF ANNUAL SUBSCRIPTIONS, MEMBERSHIP OF ORGANISATIONS**

Report AC04/23 was received and accepted.

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

<u>Organisation</u>	<u>Estimated Cost 2023/24</u>
Worcestershire CALC/NALC	£2,649
Chartered Institute of Public Finance and Accountancy	£380
Local Government Employers	£468
Institute of Cemetery Management	£100
Cotswold Line Promotion Group	£15
Caring for God's Acre	£100
Rural Market Town Group	£133
Total	<u>£3,845</u>

15. **ANNUAL REVIEW PROCESS**

Report AC05/23 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.

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- 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 – completed by Full Council in February 2023.

16. **GENERAL POWER OF COMPETENCE**

Report AC06/23 was received and accepted.

It was **RESOLVED** that from 18 May 2023 until the next Annual Council Meeting after Ordinary Elections that having met the conditions of eligibility as defined in the Localism Act 2011, to adopt The General Power of Competence (GPC).

17. **PLANNING CONSULTATIONS**

Report AC07/23 was received and noted.

The Town Clerk explained that although this was a regular item on the agenda of Operations and Planning Committee meetings, as there were no meetings of that committee in the near future, current planning applications were presented at the meeting for comment as applicable.

There were no comments made on the planning applications listed at Appendix A to the report.

18. **POLICY AND RESOURCES COMMITTEE RECOMMENDATIONS**

Report AC08/23 was received and accepted.

The Chair of Policy and Resources Committee, Cllr Clive Hooper, presented the recommendations from the meeting held on 3 May 2023.

i. **Minute 61 Review of Health and Safety Policy**

It was **RESOLVED** to approve and adopt the Health and Safety Policy as amended by Policy and Resources Committee.

ii. **Minute 62 Approval of Draft Policies (1st draft from Policy Review Task and Finish Group**

It was **RESOLVED** that the following four policies as amended by the Policy Review Task and Finish Group, and Policy and Resources Committee be approved and adopted:

- Social media policy
- Privacy policy for users of Malvern Town Council's website
- Whistleblowing at work policy
- Anti-harassment and abuse policy (councillors)

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19. **REVIEW OF REPORTS SUBMITTED BY GRANT-RECEIVING BODIES MARCH 2022**

Report AC09/23 was received.

The Town Clerk explained that any organisation awarded a grant in the Town Council's grants scheme was required to submit a short report within a year, explaining how the grant was used; it also ensured that the grant was used for the stated purpose.

Malvern Theatre Players had asked for permission to delay their grant for several reasons but had since confirmed the production of The Wind in the Willows would take place from 17-22 July.

Members **NOTED** the reports received from groups and organisations who were awarded a grant from the Town Council in March 2022.

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

It was agreed that the date of the next meeting would be Wednesday 21 June 2023 at 6.00 pm.

It was **AGREED** that the meeting will be held in the Town Council chamber at Belle Vue Terrace.

EXCLUSION OF THE PRESS AND PUBLIC

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.

21. **BELLE VUE BUILDING/VICTORIA PARK PAVILION**

The Town Clerk updated members on the Belle Vue Building/Victoria Park Pavilion project.

The meeting finished at 7.30 pm.

.....
(Chairman)

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

**to be held on Wednesday 21 June 2023 at 6.00 pm
in the Council Chamber, Malvern Town Council, Belle Vue Terrace**

PUMP TRACK FOR LAND AT ADAM LEA

1. Purpose of Report

1.1. For decision.

2. Recommendation

2.1. Full Council is recommended to appoint Company C to design and construct a pump track on land at Adam Lea.

3. Background

3.1. In August 2019, Full Council resolved to take ownership of recreational land adjacent to Adam Lea play area. This land was finally transferred to the Town Council in March 2023 along with a reverse premium of £50,000.

3.2. Following a public consultation asking local residents how they would like to see this area of land used under Town Council ownership, there was overwhelming support (83%) of respondents in favour of a pump track being located on this site.

3.3. At the Full Council meeting held on 13 April, Council resolved to approve locating a bike pump track on part of this land and an invitation to tender was sent out to five companies who undertake this area of work.

3.4. The tender document outlined details about the site, the proposed budget, a specification of works and criteria for submission and evaluation.

3.5. Four tender bids were returned, opened by the Mayor and Deputy Mayor and then evaluated by the Town Clerk and Operations Manager according to the following:

- 50 per cent cost
- 35 per cent quality and design
- 15 per cent innovation and sustainability
- An additional mark out of ten was awarded in respect of how well each bid had met the tender specifications

3.6. The tender evaluation results are as follows, scores being averaged:

	Cost (out of 50)	Quality (out of 35)	Innovation and sustainability (out of 15)	Total	Meeting tender specifications (out of 10)
Company A - £84,747	45	31	12	88	7
Company B - £85,000	45	30	10.5	85.5	6
Company C - £79,995	50	33.5	12	95.5	8.5
Company D - £84,910	45	32.5	12	89.5	8.5

- 3.7. Based on the scores awarded, officers are recommending that the contract to design and construct a pump track at Adam Lea is awarded to Company C. Two possible design ideas submitted by this company are attached at Appendix A, although these can be adjusted as necessary.
- 3.8. Additional points to note:
- Company C were the only business to arrange a site visit with officers and therefore displayed the best understanding of the site location and needs
 - The quotation includes a user group consultation to work with the local community to develop the design and layout of the track
 - An opening event package has been included
 - A 12-month maintenance period would be included from installation and this would include two separate visits to resolve any problem areas
 - A tarmac warranty of 10 years
 - A build time of 4-5 weeks
 - Company C installed the charity Brook Farm pump track in Evesham
 - No subcontractors are used and labour is provided by employees of the company
- 3.9. It is the view of officers that company C provided the best tender bid both in terms of price, quality and understanding of the project. Company D did match C in terms of innovation and sustainability but with 50% of the award based on cost, company C received the highest overall mark.
- 3.10. Once agreed by Full Council, a planning application will need to be submitted alongside an order for this contract.
- 3.11. It is hoped that subject to planning timescale, work will commence in the autumn.

4. Financial Implications

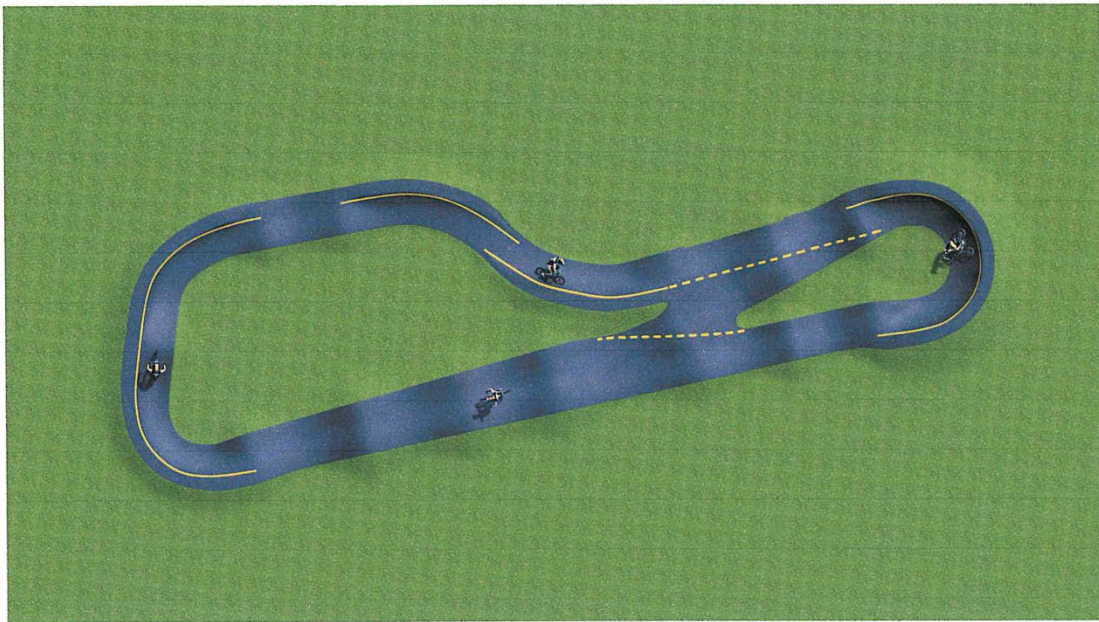
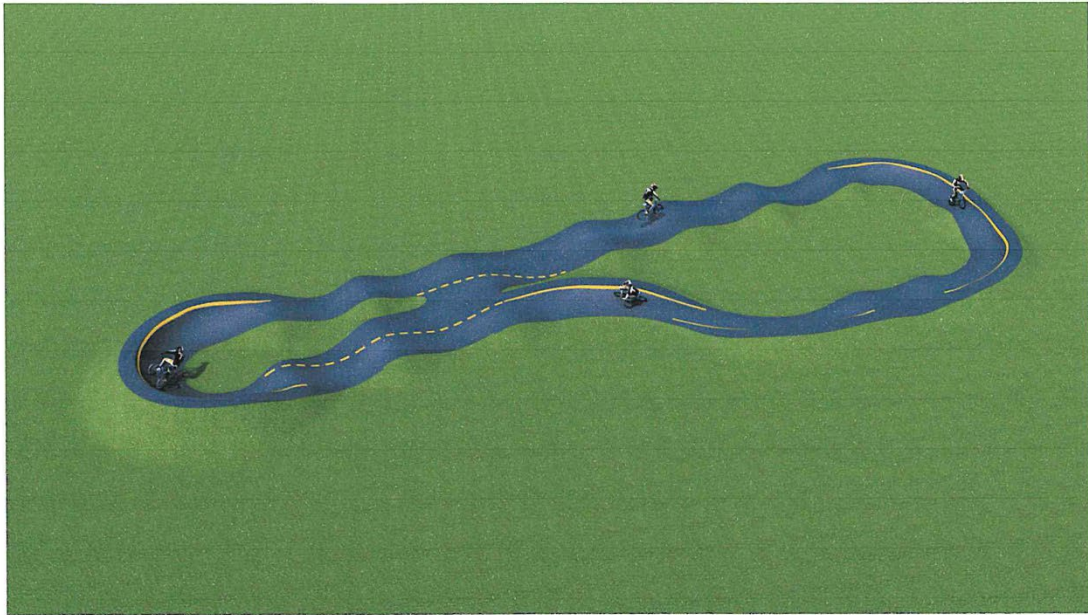
- 4.1. Company C have quoted £79,995 for this work against an anticipated budget of £85,000.
- 4.2. Funding for the installation of this track will mainly come from section 106 funding specifically allocated to this area of land.
- 4.3. Malvern Cycle Sport have secured £4,000 of funding for this project.
- 4.4. Ongoing maintenance of this area will be funded by the reverse premium gifted by the developer as part of the land transfer.

5. Legal Implications

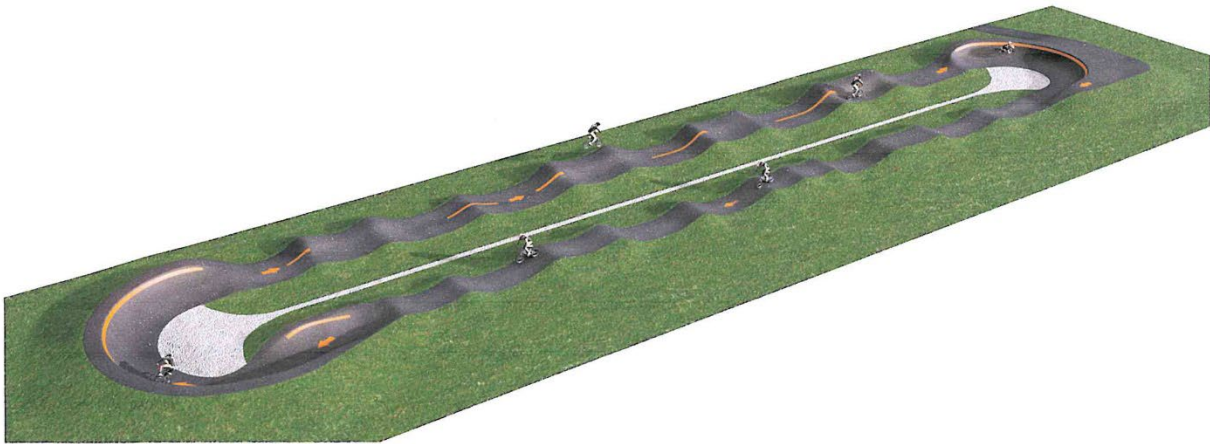
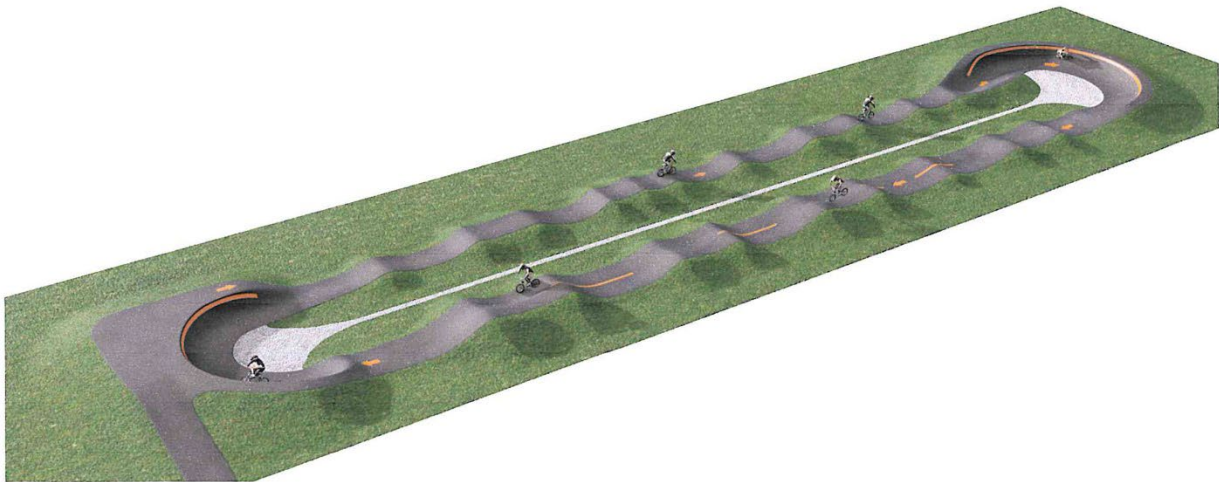
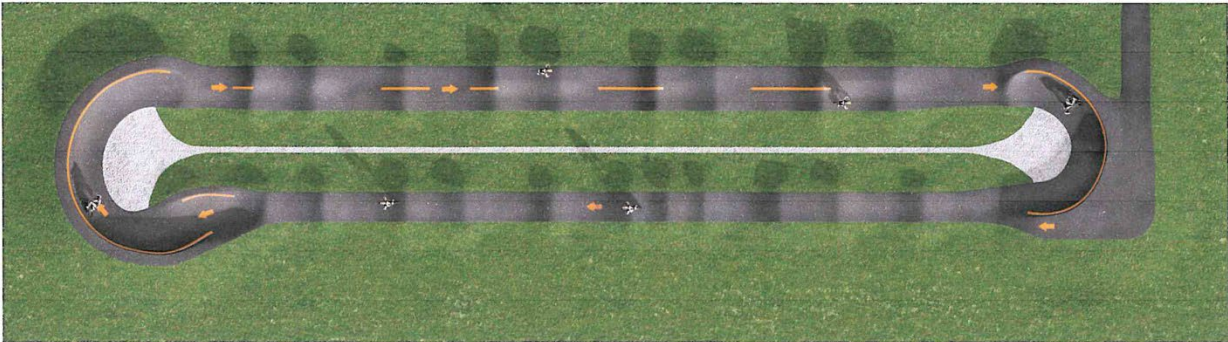
- 5.1. The Town Council is the legal owner of this area of land.
- 5.2. The Town Council has powers to acquire land for, or to provide recreation grounds, public walks, pleasure grounds and open space and to manage and control them.
- 5.3. A planning application will need to be submitted to Malvern Hills District Council for approval before works can commence.

End
Linda Blake
Town Clerk

OPTION 1



OPTION 2





RESOLUTION MOVED ON NOTICE – Standing Order 9

A Meeting of Malvern Town Council

to be held on Wednesday 21 June 2023 at 6.00pm

in the Council Chamber, Belle Vue Terrace, Malvern, at 6.00 pm

NOTICE OF MOTION – MALVERN PRIDE 2023

Proposed Resolution

Malvern Town Council should support the Malvern Pride event to be held in Priory Park on Saturday 29 July 2023 by:

- i. Promoting the event on the Malvern Town Council website and social media
- ii. Flying Pride flags on every other flagpole in Church Street, Belle Vue Terrace and Worcester Road, this being the main part of town in respect of the Pride event being held in Priory Park (flags to be provided by Malvern Pride). Malvern Town Council operations team will change flags over on Monday 24 July and then back again on Monday 7 August.

Background

Malvern Pride aims to celebrate the LGBTQ+ community in and around Malvern and promote a sense of inclusivity and equality within the town. We hope that anyone identifying as LGBTQ+ will come together with their friends, families and the whole community in a spirit of celebration and acceptance to enjoy a day of festivities aimed at highlighting what joins us together rather than what might divide us. This event benefits Malvern and provides an opportunity for unity and bringing local people and local business together. The flying of the Pride flag clearly demonstrates the commitment Malvern Town Council and its Councillors have for inclusion and diversity.

Financial Implication

Estimated costs for the Operations Team to change flags over to Pride flags and then return them to Union/St George flags is circa £500.

Proposer - Cllr Anne Cherry (Link Ward)

Seconder – Cllr Freya Matthews-Jones (Link Ward)

31 May 2023



RESOLUTION MOVED ON NOTICE – Standing Order 9

A Meeting of Malvern Town Council

to be held on Wednesday 21 June 2023 at 6.00pm

in the Council Chamber, Belle Vue Terrace, Malvern, at 6.00 pm

NOTICE OF MOTION – COMMUNITY ENGAGEMENT AND BUSINESS PLAN

Proposed Resolution

Recommendations:

- i. That the Mayor and Town Clerk be authorised to explore the scope for developing the Town Council's community engagement, by inviting discussions with other organisations, including community groups, its principal authorities and other agencies, and then to report back to the Town Council on findings, with accompanying recommendations on how further to proceed. [See paragraphs 3, 4 and 5 and the appendix below.]
- ii. That the Council establish a small working group of councillors to prepare a draft business plan for consideration by the Council at an early meeting. [See paragraphs 6 and 7 below.]
- iii. That the officers be authorised to prepare at an early stage an application for the Local Council Award Scheme (LCAS) Quality Gold Award, with such an application to include a business plan for the Council. [See paragraphs 1 and 2 below.]

Background

1. The National Association of Local Councils (NALC) is the national body that represents the interests of 10,000 local (parish and town) councils in England. NALC works in partnership with county associations to support, promote and improve local councils. It operates a Local Council Award Scheme (LCAS) that has been designed to celebrate the successes of the very best local councils and to provide a framework to support all local councils to improve and develop to meet their full potential. The highest category to be achieved under the scheme is a Quality Gold Award. This requires a council to demonstrate that it is at the forefront of best practice by achieving an excellent standard in community governance, community leadership and performance management.
2. During the period when I chaired the Policy and Resources Committee in the 2019-2023 Council, I raised the possibility of Malvern Town Council achieving the Quality Gold Award, and an internal review was undertaken to assess this with a favourable conclusion, but no action has hitherto been taken to pursue this through NALC. It is accepted, however, that there are some areas where some more work may be required to demonstrate that relevant criteria are being met, principally with regard to the establishment of a business plan, community engagement, and aspects of personnel management. (See the appendix for details.)

3. I submitted a written question to the Council at its meeting on 2 February 2023 regarding progress on the formation of a community engagement strategy, in line with agreed aims and objectives established almost two years prior to this. As a result, the Policy and Resources Committee considered a report at its meeting following this and the Council then duly adopted and approved its strategy on 13 April 2023. That strategy now needs to be unfolded.
4. As is noted in the appendix with regard to community engagement, there should be evidence that the council identifies local needs and views through community engagement that are then addressed in constructive council action; that there is evidence that community engagement is at the heart of determining council priorities; that the council is co-operating with other organisations, including community groups, its principal authorities and other agencies to provide an effective service to the community; and that co-operation includes but is not limited to partnerships.
5. I should like, in conjunction with the Town Clerk and her staff, to explore the scope for developing such community engagement (as set out in paragraph 4 above), by inviting discussions with the relevant groups and then reporting back to the Town Council on our findings, with accompanying recommendations on how further to proceed.
6. At its last meeting, the Audit Committee considered the report of the internal auditor for the financial year 2022-2023. His recommendations, which the Audit Committee has endorsed, are before the Council elsewhere on this agenda. The auditor notes in particular that “The Council may need to moderate the number of aims and objectives and therefore performance targets, focusing on the areas of greatest importance, to ensure they are challenging but achievable, and to set some over a number of years where delivery is longer term. In addition, performance targets may need to be varied or realigned each year if affected by budget decisions.”
7. If the Council accepts the internal auditor’s comments, it will need to identify suitable aims and objectives, and this would form what I have termed its business plan. I suggest that this should be in line with LCAS requirements and incorporate, amongst other items, clear targets on community engagement issues (to be informed by the work proposed in paragraph 5 above. It may be appropriate for the Council to set up a small group to prepare a complete draft business plan for consideration by the Council. [A good example of a business plan is the one produced by Malton Town Council in North Yorkshire: the link is [Microsoft Word - BusinessPlan.2022-2026.docx \(malton-tc.gov.uk\)](https://www.malton-tc.gov.uk/businessplan.2022-2026.docx) (It should be noted that the action plan in the document is currently under review.)]
8. It is recognised that these proposals, if endorsed, will result in some additional staffing resources being required, at least for the period in which they are actioned. The Town Clerk has indicated that these costs would be in the region of £7,000 and would cover temporary agency staff to support existing staff members. In addition, due to several important projects needing to take priority over the next few months, it would be prudent to schedule commencement of work towards this scheme for late September/early October.

Proposer - Cllr Clive Hooper (Great Malvern Ward)

Seconder – Cllr David Watkins (Link Ward)

12 June 2023

Some requirements which need to be fulfilled to achieve the LCAS Quality Gold Award

- The council should work to a forward plan (or business plan) created for at least three years even if this takes the council beyond the next election.
- This plan explicitly responds to community engagement.
- It sets out the council's aims and objectives for both the council and the community and shows how they will be achieved including financial forecasts for both revenue and capital for the duration of the plan.
- The annual report, web material and news bulletins publicise the work and achievements of the council and contain substantial evidence that the council takes the lead in actively representing and serving all parts of its local community. The council therefore addresses the diversity of its community, including, for example, different age groups, service users, physical locations, housing types, language, employment status and skills.
- These sources of information also show that the council seeks out and responds to views and ideas expressed by its community. The council uses a variety of ways (at least four) of consulting and involving local people to understand their views. There should be evidence that the council identifies local needs and views through community engagement that are then addressed in constructive council action. These sources also show that the council promotes local democracy.
- The panel seeks evidence that community engagement is at the heart of determining council priorities. Evidence shows this engagement leads to actions and projects within the council that deliver positive outcomes for the community. The council is innovative; this is the case if the council undertakes actions that are still relatively new or unusual for that council. There is evidence that the council embraces new ideas and trying new projects. The panel also checks that the council is co-operating with other organisations, including community groups, its principal authorities and other agencies to provide an effective service to the community. Co-operation includes but is not limited to partnerships.
- There should be documentation setting out the formal appraisal process that must be in place for all staff. The council should have a training budget and a general training policy for staff and councillors with a detailed record of all training undertaken by staff and councillors in the last year. The council can show that a training culture is embedded in the council, with the clerk being expected to achieve at least 12 Continuous Professional Development Points every year.

Appendices: PERSHORE MALTON

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

**to be held on Wednesday 21 June 2023 at 6.00 pm
in the Council Chamber, Malvern Town Council, Belle Vue Terrace**

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 7 June 2023 and listed below.

- 2.2. Recommendations to be presented by the Chair of the Audit Committee or, if absent, the Vice-Chair.

i. **Minute 6 Annual Internal Audit Report – Financial Year Ending 31 March 2023**

It was **RECOMMENDED** that the Internal Audit Report 2022/23 of the Council's Internal Auditor be accepted and forwarded to the next meeting of Full council for approval.

ii. **Minute 7 Review of the Effectiveness of the System of Internal Control**

It was **RECOMMENDED** that Council should note and agree that a satisfactory review of the system of internal control had been completed during 2022/23.

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 Chair 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 21 June 2023 at 6.00 pm
in the Council Chamber, Malvern Town Council, Belle Vue Terrace**

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 Operations and Planning Committee held on 14 June 2023 and listed below.

- 2.2. Recommendations to be presented by the Chair of the Policy and Resources Committee or, if absent, the Vice-Chair.

i. **Minute 6 Quarterly Accounts – fourth and final quarter 2022/23 January, February, March 2023**

It was **RECOMMENDED** that Council approves the Quarterly Accounts for the fourth and final quarter, ending 31 March 2023.

ii. **Minute 8 Review of flag flying policy**

It was **RECOMMENDED** that with the amendment (to change 'Rainbow' to 'Pride'), Full Council adopts the Malvern Town Council Flag Flying Policy for council-owned flag poles.

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 Chair 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 21 June 2023 at 6.00 pm
in the Council Chamber, Malvern Town Council, Belle Vue Terrace**

YEAR END ACCOUNTS 2022/23

1. Purpose of Report

- 1.1. The purpose of this report is to present to Full Council the Year End Accounts for the Financial Year 2022/23 for approval and adoption.

2. Recommendation

- 2.1. Council is recommended to approve and adopt the Year End Accounts for 2022/23 as attached at Appendix A.

3. Background

- 3.1. Although not a statutory requirement, the Town Council adopted the current Year End Accounts format in April 2010 to detail the Council's activities in a briefer format more in line with its quarterly management accounts. These accounts allow Councillors to see more detailed income and expenditure headings than those on the Annual Governance and Accountability Return Annual (AGAR). It also ensures that full and complete year end records are kept and that year end accounts are produced in a format more consistent with the quarterly format.
- 3.2. The Accounts and Audit Regulations 2015 state that a Council with gross income and/or gross expenditure over £200,000 but less than £6.5 million per annum is subject to an Intermediate Level Review by the External Auditor. The Council is required to prepare accounting statements for the year ending 31 March 2023 along with supporting working papers. A meeting of the full authority must be held to consider, approve and sign the Annual Governance Statement and Accounting Statements (Sections 1 and 2 of the Annual Governance and Accountability Return). The AGAR along with all other information requested must be submitted to the external auditors, PKF Littlejohn LLP by 3 July 2023.
- 3.3. The Year End Accounts consist of a Summary Actual/Budget Comparison for the year, an Income and Expenditure Account, Balance Sheet and notes to the Accounts. The details from these accounts are then used to calculate the figures required to complete section 2 of the AGAR.

4. Key Financial Implications

- 4.1. There has been a surplus of £44,342 for the financial year ending 31 March 2023.
- 4.2. The budget for 2022/23 forecast a small surplus of £248. There has, therefore, been a surplus against budget in 2022/23 of £44,094. Councillors will note that the table below shows the variance after figures for depreciation and deferred grants have been removed and therefore adds correctly to the year-end variance of £44,094 under budget for the financial year.

Income	(£89,162) surplus
Administration	£19,897 overspend
Operations	(£5,381) underspend
Discretionary Costs	(£16,691) underspend
Special Expenditure	(£21,563) underspend
Earmarked Reserves	£68,806 overspend
<u>Total Variance</u>	<u>£44,094 surplus</u>

There has been a surplus in income received during the year due to the £50,000 reverse premium being received from the developer as part of the land transfer at Adam Lea. Rental income has also continued to be received from tenants in Belle Vue Terrace, whereas the budget assumed that this building would be sold during the first quarter of the financial year.

The overspend against administration costs largely relates to costs for utilities, business rates and maintenance being incurred for the Council building on Belle Vue Terrace against a budget which assumed it would have been sold during the first quarter of the year. Salary costs are also above that budgeted due to a larger than expected inflationary increase agreed by the National Joint Council for Local Government Services as well as the agreement of a winter payment allowance for employees.

Staffing costs for Operations have been slightly under budget during the 2022/23 financial year as a result of two vacancies on the operational team during the final months of the year. Discretionary costs have also been under budget with lower-than-expected expenditure against both grants and events.

Special Expenditure is approximately £20,000 underspent for the year. There have been numerous underspends and overspends against a variety of projects and the budget contingency fund of £20,000 has not been used during the year. Several additions to Earmarked Reserves during the year have resulted in an overspend against this category of expenditure, this relates to the earmarking of the reverse premium for the land at Adam Lea as well as the need to carry some funding over for projects delayed into the next financial year.

- 4.3. The surplus for the year has increased the balance on the Council's Income and Expenditure Account from £505,300 at 31 March 2022 to £549,642 at 31 March 2023.
- 4.4. General Reserves at the Year End should equate to some 25% of the following year's annual precept in order to provide sufficient reserves pending receipt of the first instalment of that year's precept. In the Council's case, the precept for 2023/24 was increased to £757,000 and 25% of this amount is £189,250. Members should note that General Reserves at 31 March 2023 were well above the level considered as sufficient.
- 4.5. Earmarked and Special Reserves at the year-end stood at £366,055, an increase of £36,806 from 31 March 2022, due to the earmarking of funds for projects such as Land at Adam Lea, the Bus Shelter outside of Rose Bank Gardens, The Malvern Sign and landscaping works for the new building at Victoria Park being carried forward into the 2023/24 financial year.

- 4.6. Cash in hand and at bank amounts to £514,278, which is a decrease of £38,006 from 2022. The level of long-term investments in 2022/23 increased by £50,000 to during the year reflect the receipt of the reverse premium which will be used for ongoing maintenance for the land at Adam Lea. The long term investment amount includes an investment of £66,484 in the Local Authorities Properties Fund and long-term Earmarked Reserves of £231,393.

5. Legal Implications

- 5.1. There is no statutory requirement for the Town Council to produce financial accounts in the full format that it does, only to submit Accounting Statements in the form required by proper practices and now known as the Annual Governance and Accountability Return. However, it is considered good practice for year-end financial accounts to be produced and submitted as these support the statutory returns required by the external audit regulations.

End.

Linda Blake
Town Clerk

MALVERN TOWN COUNCIL



STATEMENT OF ACCOUNTS **FOR THE YEAR ENDED 31 MARCH 2023**

MALVERN TOWN COUNCIL
STATEMENT OF ACCOUNTS
FOR THE YEAR ENDED 31 MARCH 2023

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MALVERN TOWN COUNCIL

2022/2023

COUNCIL INFORMATION

The following schedule sets out details of Members of the Council during the year ended 31 March 2023.

Mayor:	Cllr N Houghton (appointed 11/05/22)
Deputy Mayor:	Cllr C Hooper (appointed 11/05/22)

Members of the Council

Cllr K Aksar (elected uncontested 11/08/23)	Cllr D Mead
Cllr J Ashington-Carter (resigned 17/12/22)	Cllr N Mills
Cllr C Bovey	Cllr N Morton (resigned 01/06/22)
Cllr C Fletcher	Cllr J O'Donnell (non-attendance 15/02/23)
Cllr C Hooper	Cllr C Palmer
Cllr N Houghton	Cllr J Satterthwaite
Cllr L Lambeth	Cllr A Stitt
Cllr J Leibrandt	Cllr P Smith (resigned 19/12/22)
Cllr L Lowton	Cllr S Taylor (resigned 01/06/22)
Cllr F Matthews-Jones (elected uncontested 11/08/23)	Cllr P Tuthill (resigned 01/06/22)
Cllr R McLaverty-Head	Cllr D Watkins
	Cllr J Wilkinson (elected 11/08/22)

MALVERN TOWN COUNCIL

2022/2023

COUNCIL INFORMATION

Accounts Prepared by

Linda Blake ACMA CPFA

Internal Auditor

Duncan Edwards – DKE Audit Services

External Auditor

PFK Littlejohn LLP

MALVERN TOWN COUNCIL

STATEMENT OF ACCOUNTS FOR THE YEAR ENDED 31 MARCH 2021

EXPLANATORY FOREWORD

The Accounts and Audit Regulations 2015 state that a Council with gross income and/or gross expenditure over £200,000 but less than £6.5 million per annum is subject to an Intermediate Level Review by the External Auditor and must Complete the Annual Governance and Accountability Return 2022/23 Form 3.

As a smaller authority, Malvern Town Council is required by law to:

- a) Complete the Annual Governance and Accountability Return 2022/23 Form 3. This comprises:
 - Annual Internal Audit Report 2022/23, page 3 which is completed by the Council's Internal Auditor, Duncan Edwards.
 - Section 1 – Annual Governance Statement (AGS) 2022/23, page 4
 - Section 2 – Accounting Statements 2022/23, page 5
 - Section 3 – External Auditor Report and Certificate 2022/23, page 6Sections 1 and 2 must be completed and approved by the authority.
- b) To prepare Accounting Statements for the year ended 31 March 2023 in the form required by proper practice.
- c) Certify the Accounting Statements.
- d) Consider and approve the Internal Audit work which has been carried out during the year and ensure the Internal Auditor completes page 3 of the AGAR.
- e) Consider the findings of the Council's review of the effectiveness of the system of Internal Control.
- f) Review the effectiveness of the Council's system of Internal Control and prepare the Annual Governance Statement.
- g) At a meeting of Full Council, sign and approve the AGAR Sections 1 and 2. At the meeting where these are approved, the Council must in the following order:
 - Approve Section 1 of the AGAR, the Annual Governance Statement.
 - Consider the Accounting Statements.
 - Approve Section 2 of the AGAR, the Accounting Statements by Resolution.
 - Ensure the Accounting Statements are signed and dated by the person presiding at the meeting at which the approval is given.
- h) Publish on a public website the approved sections of the AGAR and the completed notice of Public Rights and Publication of Unaudited Annual Governance and Accountability Return along with its accompanying notes

- i) Ensure arrangements are in place for the exercise of public rights with an inspection period of 30 working days. This will take place from Monday 3 July until Friday 11 August 2023.
- j) Submit the approved and signed AGAR along with the list of items required for an intermediate level review to the External Auditor no later than Monday 3 July 2023.
- k) Publish or display the certified Governance and Accountability Return by 30 September 2023, including the signed external auditor report.

The Town Council still publishes its own format of accounts in addition to the AGAR. These accounts are in line with the format of the quarterly accounts subject to Year End Financial reporting adjustments and allow councillors to see more detail in the Council's Year End Accounting statements.

Council approved a simplified format for its statement of accounts in April 2010 and Malvern Town Council's financial statements for the year ended 31 March 2023 are set out in the following pages.

Summary Budget / Actual Comparison for the Year

This compares current year income and expenditure with the previous year and also with the current year's budget. Explanations of the major variances are explained within the accounts.

The Income and Expenditure Account

This illustrates the Council's revenue account, covering income and expenditure and allocating them across the departmental headings. Movements on the general fund are detailed at the bottom of the Consolidated Revenue Account in order to reconcile the net surplus or deficit from expenditure against services to the council's spending against council tax raised, taking into account the use of reserves built up in the past and contributions to funds and reserves.

The Balance Sheet

This sets out the financial position of the Council at 31 March 2023 i.e. its assets and liabilities at that date. Local authorities are required to include capital reserves on their balance sheet which are used to account for the financing of fixed assets. These reserves do not have equivalents in other sectors.

Notes to the Financial Statements

These include supporting notes on:

Fixed Assets	Stocks, Debtors and Cash in Hand and at Bank
Creditors	Borrowings
Movements in Reserves	Earmarked and Special Reserves
Staffing Structure	Section 137 Expenditure
Publicity	

MALVERN TOWN COUNCIL 2022/23 ACCOUNTS

SUMMARY BUDGET / ACTUAL COMPARISON FOR THE YEAR 2022/23

	2022/23 Budget	2022/23 Actual	2021/22 Actual
<u>Gross Income</u>			
Rental Income	14,661	48,940	51,396
Other Administration / Event related	3,450	2,988	3,068
Allotments	5,851	5,874	5,775
Cemetery	65,000	70,829	53,880
Grounds Maintenance	8,200	11,359	7,810
Leisure and Recreation	17,660	8,521	10,948
Reverse Premium Income	-	50,000	50,000
Interest Receivable	2,750	8,223	2,662
Deferred Grants *	-	8,893	8,893
	<u>117,572</u>	<u>215,627</u>	<u>194,432</u>
<u>Administration</u>			
Paycost	221,009	230,308	216,333
Utilities	4,081	13,717	10,036
Rates	4,492	10,374	9,723
Maintenance of Buildings	9,098	10,091	10,462
Communication Costs	11,032	11,502	12,987
Insurance	18,000	18,200	17,520
Professional and Consultancy Fees	9,250	4,877	27,419
IT Expenses	8,320	10,633	8,232
Leasing	1,400	1,369	1,429
Depreciation *	-	7,913	7,408
Miscellaneous	17,945	13,453	15,970
	<u>304,627</u>	<u>332,437</u>	<u>337,519</u>
<u>Operations</u>			
Paycost	257,279	248,004	246,494
Utilities	8,358	13,662	11,117
Rates	8,640	10,192	11,352
Maintenance of Buildings	1,770	1,017	706
Communication Costs	2,250	1,996	1,797
Maintenance of Grounds	33,290	33,655	29,240
Equipment and Vehicle Running Costs	17,224	15,361	19,464
Depreciation *	-	77,287	92,304
Miscellaneous	2,258	1,801	2,122
	<u>331,069</u>	<u>402,975</u>	<u>414,596</u>
<u>Discretionary Costs</u>			
Grants, Donations and Community Projects	45,550	36,811	47,586
Events	56,675	48,723	39,992
Depreciation *	-	4,015	5,515
	<u>102,225</u>	<u>89,549</u>	<u>93,093</u>

* These items are not currently included within the budget, but form part of the year end financial reporting adjustments.

MALVERN TOWN COUNCIL 2022/23 ACCOUNTS

SUMMARY BUDGET / ACTUAL COMPARISON FOR THE YEAR 2022/23

	2022/23 Budget	2022/23 Actual	2021/22 Actual
<u>Asset Renewal and Refurbishment</u>			
Litter Bins	-	-	2,159
Replacement of Trim Trail - Victoria Park	10,000	-	-
Replacement of Two Springers Victoria Park Play Area	-	-	995
Replacement of Two Springers Lower Howsell Play Area	-	-	1,680
Fencing at Lower Howsell	-	-	4,095
Replacement Pavilion Doors at Lower Howsell	-	-	4,750
Replacement Fencing at Townsend Way	-	-	3,960
Refurbishment of Michael Crescent Play Area	15,000	-	-
Refurbishment of Bus Shelter Outside Rose Bank Gardens	-	9,724	-
Jenny Lind Fountain in Rose Bank Gardens	-	2,000	-
Installation of New Basketball Courts at Victoria Park	-	-	1,757
Victoria Park New Pavilion Project	-	30,252	13,068
Tarmacking of Pathway at Dukes Meadow	8,000	3,905	-
Fencing and Footpath Works - Western Boundary of Rose Bank Gardens	12,000	6,950	-
Path Edging Works in Rose Bank Gardens	-	-	2,906
Works to investigate land slippage	-	2,350	9,695
Refurbishment of Barnards Green Bus Shelter	-	-	1,026
Repairs to Roof at Great Malvern Cemetery	-	-	1,000
Repairs and resurfacing of roads at Great Malvern Cemetery	-	10,973	-
Replacement Sleepers for Compost Heap at Cemetery	-	-	1,167
Replacement Vehicle	22,000	-	-
New John Deere Mower	12,500	-	-
New Christmas Lights	-	-	-
Contingency Fund	20,000	-	-
<u>Special Expenditure</u>			
Early Retirement Costs	7,629	7,722	7,495
Loan Repayments	5,774	-	-
Special Expenditure Total	112,903	73,876	52,239
Gross Expenditure Total	850,824	898,837	897,447
Net Cost of Services	733,252	683,210	703,015
Add Movements to Reserves	15,000	86,690	66,580
Less Movements from Reserves	(47,000)	(49,884)	(25,229)
Reversal of Depreciation	-	(89,215)	(105,227)
Reversal of Deferred Contributions	-	8,893	8,893
Capital Financed from Revenue	-	17,464	51,675
Adjusted Net Expenditure for the Year	701,252	657,158	699,707
Precept on the District Council	701,500	701,500	682,890
(Surplus) / Deficit for the year	(248)	(44,342)	16,817

MALVERN TOWN COUNCIL 2022/23 ACCOUNTS

INCOME AND EXPENDITURE ACCOUNT FOR THE YEAR ENDED 31 MARCH 2023

	-----2023-----			2022
Cost of Services	Gross expend- iture £	Gross income £	Net expend- iture £	Net expend- iture £
Cemetery	134,678	70,829	63,849	72,132
Allotments	11,890	5,874	6,016	11,130
Maintenance of other Town Council grounds	188,331	11,359	176,972	133,138
Leisure and recreation services	140,181	8,521	131,660	137,099
Miscellaneous services	22,156	-	22,156	15,793
Other services provided to the public	163,172	2,473	160,699	135,737
Administration - Corporate and democratic support	180,233	99,455	80,778	120,963
Administration - Professional support	21,385	-	21,385	40,992
Grants to local bodies	36,811	-	36,811	47,586
NET COST OF SERVICES	898,837	198,511	700,326	714,570
Interest, deferred grants and investment income			(17,116)	(11,555)
NET OPERATING EXPENDITURE			683,210	703,015
Precept on District Council			(701,500)	(682,890)
(SURPLUS) / DEFICIT FOR THE YEAR			(18,290)	20,125
<u>Reconciliation of Items for Movement on General Fund</u>				
Removal of depreciation and deferred contributions to avoid impact on precept			(80,322)	(96,334)
Movement on Earmarked Reserves			36,806	41,351
Capital Financed from Revenue			17,464	51,675
Removal of Income from Sale of Land to Reserves			-	-
Deficit for the Year Ended 31 March 2023 after movements on General Fund			(44,342)	16,817

MALVERN TOWN COUNCIL 2022/23 ACCOUNTS
CONSOLIDATED BALANCE SHEET AS AT 31 MARCH 2023

	Notes	2023 £	2022 £
FIXED ASSETS	1		
Operational assets			
Land and buildings		1,313,318	1,721,347
Plant, vehicles and equipment		102,887	110,590
Infrastructure		-	-
Non-operational assets		-	-
		<u>1,416,205</u>	<u>1,831,937</u>
Long Term Investments	2	297,877	247,877
CURRENT ASSETS			
Stocks	3	-	-
VAT recoverable		8,559	11,232
Debtors	4	11,454	10,489
Payments in advance		7,977	8,944
Cash in hand and at bank	5	514,278	552,284
		<u>542,268</u>	<u>582,949</u>
CURRENT LIABILITIES			
Creditors	6	(66,076)	(123,694)
Receipts in advance		(6,106)	(5,630)
Short term borrowing	7	-	-
		<u>(72,182)</u>	<u>(129,324)</u>
TOTAL ASSETS LESS CURRENT LIABILITIES		2,184,168	2,533,439
LONG TERM BORROWING	7	-	-
DEFERRED GRANTS AND CONTRIBUTIONS		(95,678)	(104,570)
TOTAL ASSETS LESS LIABILITIES		<u>2,088,491</u>	<u>2,428,869</u>
REPRESENTED BY:			
Fixed asset restatement account	8	924,769	1,321,192
Capital financing account	8	248,025	273,128
Earmarked and special reserves	9	366,055	329,249
Balance on income and expenditure account		549,642	505,300
		<u>2,088,491</u>	<u>2,428,869</u>

These financial statements were approved by the Council on 21 June 2023 and signed on its behalf:

.....
Town Mayor

.....
Town Clerk

MALVERN TOWN COUNCIL 2022/23 ACCOUNTS

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2023

1. FIXED ASSETS

1.1 Movements in fixed assets

	Operational property £	Vehicles, plant & machinery £	Infra- structure £	Totals 2023 £	2022 £
Cost					
At 1 April 2022	1,850,489	675,486	8,608	2,534,583	2,453,158
Additions	-	32,151	-	32,151	61,425
Revaluation	(180,433)	-	-	(180,433)	20,000
Disposals	(215,990)	(9,540)	-	(225,530)	-
At 31 March 2023	<u>1,454,066</u>	<u>698,098</u>	<u>8,608</u>	<u>2,160,771</u>	<u>2,534,583</u>
Depreciation					
At 1 April 2022	129,142	564,896	8,608	702,646	716,168
Charge in year	49,361	39,855	-	89,215	105,228
Revaluation	-	-	-	-	-
Eliminated on disposals / revaluation	(37,755)	(9,540)	-	(47,295)	(118,750)
At 31 March 2023	<u>140,748</u>	<u>595,211</u>	<u>8,608</u>	<u>744,567</u>	<u>702,646</u>
Net Book Value					
At 31 March 2023	<u>1,313,318</u>	<u>102,887</u>	<u>-</u>	<u>1,416,205</u>	<u>1,831,937</u>
At 31 March 2022	<u>1,721,347</u>	<u>110,590</u>	<u>-</u>	<u>1,831,937</u>	<u>1,736,989</u>

1.2. Valuation of fixed assets

The Code of Practice on Local Authority Accounting in Great Britain requires that all assets are re-valued at least once every five years.

A valuation of the Council's Offices on Belle Vue Terrace was carried out by the Valuation Agency as at 1 April 2021, the next valuation is therefore due on 1 April 2026.

The Council's Operational Properties were valued as at 1 April 2020 by the Valuation Agency. These properties therefore next become due for valuation on 1 April 2025.

1.3. Note on Rose Bank Gardens

The Council began a 99 year lease of Rose Bank Gardens on 15 February 2012. CIPFA SORP states that Community Assets should be included at their historical cost which is nil as the gardens were gifted to Malvern Hills District Council (the lessor) and are being leased on a peppercorn rent. Therefore a nil value has been assumed.

2. LONG TERM INVESTMENTS

2023 2022

Long term investments represent the funds held by the Council in a Local Authorities Property Fund as well as Earmarked Reserves which are held on a long term basis.

Local Authorities Property Fund	66,484	66,484
Long Term Earmarked Reserves	231,393	181,393
	<u>297,877</u>	<u>247,877</u>

3. STOCKS

The Council has resolved that stocks with a value of less than £2,500 are not material to the accounts. There is, accordingly, no stock shown in the balance sheet.

4. DEBTORS

An analysis of debtors is as follows:

	2023	2022
Interest receivable on investments and bank accounts	1,536	701
Sundry debtors	9,918	9,788
	<u>11,454</u>	<u>10,489</u>

MALVERN TOWN COUNCIL 2022/23 ACCOUNTS

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2023

5. CASH IN HAND AND AT BANK

	2023	2022
Current Account	486,882	475,157
Public Sector Deposit Account	258,516	258,516
less Long Term Earmarked Reserves	(231,393)	(181,393)
Petty Cash	441	68
Unity Credit Card	(168)	(64)
Cheques Received not Banked	-	-
	<u>514,278</u>	<u>552,284</u>

6. CREDITORS

An analysis of creditors is as follows:

	2023	2022
HM Revenue & Customs	12,089	11,941
Creditors	32,585	67,174
Accruals	21,402	44,579
	<u>66,076</u>	<u>123,694</u>

7. BORROWINGS

At 31 March 2023, the Council had no loans outstanding.

8. STATEMENT OF TOTAL MOVEMENT IN RESERVES

	Capital accounts Fixed asset restatement £	Capital financing £	Revenue reserves General £	Earmarked and special £	Totals 2023 £	Totals 2022 £
Balance at 1 April 2022	(1,321,192)	(273,128)	(505,300)	(329,249)	(2,428,869)	(2,310,244)
Net (surplus)/deficit for year	-	-	(44,342)	-	(44,342)	16,817
Disposal of fixed assets	-	-	-	-	-	-
Revaluation / Impairment	396,423	(37,755)	-	-	358,668	(137,750)
Release of retentions	-	-	-	-	-	-
Movements on EM reserves	-	-	-	(36,806)	(36,806)	(41,351)
Net depreciation of fixed assets	-	80,322	-	-	80,322	96,334
Financing of fixed assets	-	(17,464)	-	-	(17,464)	(51,675)
Balance at 31 March 2023	<u>(924,769)</u>	<u>(248,025)</u>	<u>(549,642)</u>	<u>(366,055)</u>	<u>(2,088,491)</u>	<u>(2,428,869)</u>

9. EARMARKED AND SPECIAL RESERVES

The Council has adopted, as a key element of its financial strategy, a policy of developing reserve funds against future known or anticipated commitments. The policy includes a recognition of the need to maintain assets in a fit and proper condition such that their value, both operational and financial, will remain the same over time.

The reserves also include two perpetuity funds: that is funds where the capital amount is required to be maintained intact and invested, with the income generated being applied for maintenance purposes. In one case, the fund is in respect of a section 106 payment from Malvern Hills District Council.

A Vehicle and Machinery Reserve also exists to smooth the impact of the purchase of these larger items against the annual precept. Funds are built up annually and then released only when Vehicles and or Machinery are required.

A new Reserve has been created in the 2022/23 financial year with funds received alongside the transfer of land at Adam Lea being set aside for future maintenance.

Details of movements on individual reserves are set out below:

Name of Reserve	Year ended 31 March 2023			Balance as at 31 March 2023 £
	Balance as at 1 April 2022 £	Addition to reserves £	Contributions from reserves £	
Elections	9,310	3,190	-	12,500
Cemetery extension	16,659	-	-	16,659
Asset Repair and Development Reserve	36,491	18,500	(22,697)	32,294
Events and Grants	12,500	-	(12,500)	-
Vehicle and Machinery Replacement Fund	52,889	15,000	(14,687)	53,202
Allotment Reserve	50,000	-	-	50,000
Capital Receipts Reserve	48,250	-	-	48,250
CIL Reserve - Brookfarm Drive	36,666	-	-	36,666
Premium for Land at Mill Lane	-	50,000	-	50,000
Graves perpetuity	5,284	-	-	5,284
Townsend Way - s106 perpetuity	61,200	-	-	61,200
	<u>329,249</u>	<u>86,690</u>	<u>(49,884)</u>	<u>366,055</u>

MALVERN TOWN COUNCIL 2022/23 ACCOUNTS

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2023

10. STAFFING STRUCTURE

The Council's approved and actual establishment at the year end was:

	2023	2022
Operations management	1.0	1.0
Operations Staff	8.0	8.0
Total Operations Staff	9.0	9.0
Administrative and Corporate support	3.6	3.6
Town Clerk	1.0	1.0
Total numbers:	13.6	13.6
Full time equivalents	13.6	13.6

11 SECTION 137 EXPENDITURE

Section 137 of the Local Government Act 1972 (as amended) enables the Council to spend, in any single year, up to a specified product per head for each registered elector in Malvern Town, on activities and projects which are not authorised specifically by any other statute. All such expenditure must be declared by the Council to be for the benefit of all or some of the inhabitants of the Town.

	2022	2022
Annual product per head	8.82	8.41
Number of registered electors	22,864	22,864
Maximum permissible amount under section 137	201,660	190,228
Expenditure during the year comprised the following:		
Remembrance Observation	1,387	409
Other grants and donations	9,596	20,667
Citizen's Advice Bureau Grant	16,000	16,000
Community Action Grant	10,900	10,900
	37,883	47,976

12. PUBLICITY

The Local Government Act 1986 requires the Council to disclose expenditure on publicity. Gross expenditure on publicity and advertising during the year was as follows:

	2023	2022
Public consultation	1,901	1,901
Council Newsletter	2,778	3,147
Statutory and public notices	813	413
Availability of grants	315	610
Events Publicity	798	630
Employment Vacancies	25	-
	6,630	6,701

MALVERN TOWN COUNCIL

SUMMARY OF MAJOR VARIANCES - FINANCIAL YEAR 2022/23

A Summary of the major points contributing to the variance of actual from budget for the YEAR, is as follows:

Comments have been made where variances are greater than 10% of the budgeted amount

INCOME - surplus income is shown in brackets

Rental Income

The budget for 2022/23 assumed that the Council building on Belle Vue Terrace would only be occupied for the first quarter of the year and that no further rental income would then be received until some room hire income began to be received from a new building at Victoria Park in the final quarter. These assumptions have been incorrect due to delays in selling the building and agreeing the specification for the new building. Income has continued to be received from tenants at Belle Vue throughout the financial year causing a surplus in income. (34,279)

Other Administration income / event related

Income from the sale of hanging baskets has been slightly lower than anticipated and sponsorship levels have fallen with many businesses no longer able to meet these costs. 462

Cemetery Income

It is very difficult to accurately predict the level of cemetery income each year, but following a deficit last year, income in 2022/23 has been 9% higher than anticipated, (5,829)

Grounds Maintenance

Income was received from the sale of a John Deere Tractor which achieved a gain on disposal (2,000)
Surplus income was received from the sale of scrap metal during the financial year. (602)

Leisure and Recreation

An amount of £10,000 was included in the budget for income received from the new café tenants at Victoria Park and from an ice cream licence for the summer months. With works delayed on the new community building, no income has been received for the café and there were no parties interested in an ice cream licence. 10,000

Transfer of Land Premium

The transfer of land at Adam Lea to Malvern Town Council finally happened in March 2023 and the reverse premium funds attached to this land were also received. These will now form part of the Council's Earmarked Reserves. (50,000)

Interest Receivable

The Council now has investments with both the Public Sector Deposit Fund and the CCLA's Property Investment Fund. The effects of the Covid-19 pandemic resulted in a reduction in both dividends and interest paid, but the recent rises in interest rates have seen income increase more quickly than the budget assumed. (5,473)

Deferred Grants

This item is not included in the annual budget and is an adjustment required in the Year End Accounts. (8,893)

COSTS - Expenditure below budget and therefore causing a surplus is shown in brackets

ADMINISTRATION

Utility Charges at Belle Vue Building

The budget for 2022/23 assumed that Belle Vue Terrace building would be sold and vacated by the end of the first quarter and that utility costs would only be paid for this period. This overspend of 336% relates to utility costs being incurred for the entire financial year and that these charges have seen large inflationary increases since the budget was set. 9,636

Rates

The budget included payment of business rates for a Council owned building in both the first and final quarters. An overspend has occurred as rates have been payable on Belle Vue building for the whole year. 5,882

Maintenance of Buildings - rental costs

An amount to cover rental costs for temporary office space during the second and third quarter has not been required. (3,000)

Maintenance of Buildings

Maintenance works on the Belle Vue Terrace building have been undertaken as required during the entire 2022/23 financial year, resulting in costs above those included in the budget. 993

Professional - Elections

Funds accrued for election costs have been released at the end of the 2022/23 financial year. These funds had been put aside to cover the potential costs of Town Council by-elections but following invoices received in the third quarter of the year, these funds are now unlikely to be required and have been released back into general funds, resulting in an underspend for the year. (11,406)

Professional - Legal Fees

The review of legal fees incurred and pending carried out at year end resulted in the need for an adjustment and overspend to cover ongoing legal fees relating to Rose Bank Gardens. 8,403

Professional - Planning Fees

None incurred during the year (750)

MALVERN TOWN COUNCIL

SUMMARY OF MAJOR VARIANCES - FINANCIAL YEAR 2022/23

COSTS - Expenditure below budget and therefore causing a surplus is shown in brackets

IT Software Expenses

An overspend against IT expenses has been caused by increasing costs for the Council's SAGE support as well as charges for packages such as SurveyMonkey, Canva and Creative Cloud purchased during the year. 2,313

Other Costs - Mayoral Allowance

The Mayoral allowance was increased to £5,000 as part of the 2018/19 budget. Costs in the year have been low and this is the result of the Mayor submitting limited expense claims. (3,267)

Other Costs - Health and Safety Protective Clothing

Clothing has been purchased as required but savings have still been made against budget. (910)

Depreciation

This item is currently not included in the budget and forms part of the year end adjustments. 7,913

OPERATIONS

Utilities

Costs for electricity and gas at Great Malvern Cemetery have been above budget for the financial year. This is as a result of the large rises in energy prices seen in 2022 which exceeded the 10% inflationary increase included in the budget. 1,386

Although there is currently no water being supplied at Victoria Park, the Council still have to pay drainage costs for the tarmaced car parking areas. This was not included in the budget and therefore is an overspend against the annual budget. 2,509

Electricity charges for the bus shelters at Barnards Green and outside of Rose Bank Gardens have been higher than anticipated both due to rising electricity charges and the implementation of standing charges. 1,652

Rates

The 2022/23 budget had anticipated that NNDR would still be payable for the car park at Victoria Park in line with business rates rules, but the charges incurred have been higher than expected resulting in an overspend. 1,680

Maintenance of Buildings

Repair and maintenance costs have been low at all sports pavilions and this is due to low usage at all sites. (443)

Repairs were required to the chapel roof during the year but otherwise, costs have remained low. (333)

Communication Costs

The cost of operational mobile phones has been lower than budgeted due to the decision by staff during the second half of the year to use their own mobile phones for work purposes. (294)

EQUIPMENT RUNNING COSTS

Machinery

There has been an underspend against repairs to operational machinery during the year. Machinery has been serviced and repaired as necessary throughout the year, but costs are often reduced as operational staff are able to undertake some general maintenance themselves. (2,168)

Vehicles

Fuel costs for operational vehicles have been above budget for the financial year as a whole. This is due to the rises in fuel prices which have been above the 8% inflationary increase included in the budget. 577

Depreciation

This item is currently not included in the budget and forms part of the year end adjustments. 77,287

Other Costs - Staff Training

Costs for staff training have been below budget. A training plan is scheduled with operational staff receiving appropriate training as required. 595

DISCRETIONARY COSTS

Small and Large Grants

The budget for grants in 2022/23 was £18,000. Grants were awarded over two rounds during the financial year, but there were underspends of £6,600 against large grants and £3,054 against small grants. (9,654)

Emergency Grants

The final payment of a three year Special Grant to The Autumn in Malvern Festival was paid during the fourth quarter. As a result of cancellations caused by Covid, the claim for this third year grant had been delayed and therefore this amount had been omitted from the original budget. 1,250

Events

The budget for the Bands in the Park had been increased to £9,500 for the 2022/23 year to allow for a wide range of bands playing an assortment of music genres over an 18 week period. Costs have been much lower than budgeted due to work by officers to source good quality bands at a reasonable fee. (5,665)

Costs for Malvern in Bloom across summer 2022 were lower than budgeted. (729)

Costs for the Christmas Light Switch On were lower than budgeted, largely due to Barnards Green (1,206)

Traders not holding an event and thus not claiming grant funding.

Depreciation

This item is currently not included in the budget and forms part of the year end adjustments. 4,015

MALVERN TOWN COUNCIL

SUMMARY OF MAJOR VARIANCES - FINANCIAL YEAR 2022/23

COSTS - Expenditure below budget and therefore causing a surplus is shown in brackets

ASSET REFURBISHMENT / RENEWAL

Replacement of Trim Trail at Victoria Park

This project has been deferred for the present time whilst other projects at Victoria Park are being reviewed and completed. The new community building and the relocation of the skatepark will be completed first after which, Council will be in a better position to review the location and scale of a new trim trail. (10,000)

Refurbishment of Michael Crescent Play Area

Although included in the budget for 2022/23, the cost of the play area refurbishment was capitalised as part of the Year End Accounting Process. (15,000)

Refurbishment of Bus Shelter outside of Rose Bank Gardens

Works commenced on this refurbishment project in December 2022 with works to install the polycarbonate glazing being completed in the fourth quarter. Although this project appears as an overspend, it has been carried forward from the previous financial year and therefore costs will be offset by a release from earmarked reserves. Final works relate to the installation of cladding on the rear wall and this will be completed in the first quarter of the 2023/24 year. 9,724

Fountain Project in Rose Bank Gardens

Some initial groundwork costs which formed phase one of this project have now been paid for. Although this is an overspend against budget, an earmarked reserve exists for this work and funds have been released accordingly. A tender has been issued for the second stage of the project but this will require a further Council decision due to budget constraints. 2,000

Victoria Park - New Pavilion Project

Costs relate to the demolition of the old pavilion which was carried out in July 2022. The building had fallen into a poor state of repair and was unsuitable for any form of refurbishment. Demolition costs were agreed by Full Council although not included in the original budget. 30,252

Tarmacching of Pathway at Dukes Meadow

This project was completed with savings of approximately 50% against the original budget. (4,095)

Fencing and Footpath Works - Western Boundary of Rose Bank Gardens

Works to replace the fencing and repair the footpath were completed with significant savings against budget being achieved. (5,050)

Works to Investigate Land Slippage

Investigatory works have taken place during the year in respect of the slippage of land in Rose Bank Gardens. 2,350

Repairs and Resurfacing of Roads at Great Malvern Cemetery

Contractor delays meant that this project was carried forward from the previous financial year and an earmarked reserve was created. The first stage of works took place in the 2022/23 financial year with some residual works yet to be completed. 10,973

Replacement Vehicle

Due to the availability of suitable vehicles, this purchase has been deferred into the 2023/24 financial year. (22,000)

New John Deere Mower

Although included in the budget for 2022/23, the cost of the new John Deere mower was capitalised as part of the Year End Accounting Process. (12,500)

Contingency Fund

Although included in the budget for 2022/23, Council have not agreed any specific use for the contingency fund in 2022/23 (20,000)

Budget 2022/23	(248)
Year End Surplus	(44,342)
Variance against Budget	(44,094)

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

to be held on Wednesday 21 June 2023 at 6.00 pm

in the Council Chamber, Malvern Hills District Council, Avenue Road, Malvern

ANNUAL GOVERNANCE AND ACCOUNTABILITY RETURN 2022/23

1. Purpose of Report

- 1.1. The purpose of this report is to present to Full Council the Statutory Annual Governance and Accountability Return Form 3 (AGAR) for 2022/23, as attached at Appendix A.

2. Recommendation

- 2.1. Council is recommended to consider and approve Section 1 of the AGAR – Annual Governance Statement 2022/23 and ensure it is signed and dated by the Chairman and Town Clerk.
- 2.2. Council is recommended to consider and approve Section 2 of the AGAR – Accounting Statements 2022/23, approve the Accounting Statements by resolution and ensure they are signed and dated by the Chairman.
- 2.3. Council is recommended to note the Annual Internal Audit Report 2022/23 as page 3 of the AGAR.
- 2.4. Council should agree that the fully completed AGAR for 2022/23 will be submitted with the appropriate supporting information to the external auditor no later than Monday 3 July 2023. Sections 1 and 2 of the AGAR along with the Notice of the period for the exercise of public rights and a declaration that the accounts are as yet unaudited must also be published on the Town Council website by Monday 3 July 2023.

3. Background

- 3.1. Malvern Town Council has gross income and/or gross expenditure over £200,000 but less than £6.5 million per annum and is therefore subject to an Intermediate Level Review by the External Auditor. PKF Littlejohn LLP has been appointed by Public Sector Audit Appointments Limited as the Town Council's Auditors under the Local Audit and Accountability Act 2014 to carry out the external audit review.
- 3.2. Malvern Town Council is required to prepare Accounting Statements for the year ended 31 March 2023 in the form required by proper practices and a meeting of the Full Authority must be held to consider, approve and sign the Annual Governance Statement and the Accounting Statements in order (sections 1 and 2 of the Annual Return).
- 3.3. The Town Clerk has agreed with PKF Littlejohn LLP that the AGAR and list of required intermediate level review documents will be submitted no later than Monday 3 July 2023.
- 3.4. Arrangements are also in place for the exercise of public rights and accounts inspection period and the Town Clerk will make the appropriate arrangements to ensure that this is done in the period 3 July until 11 August 2023. The notice to be displayed is attached at Appendix B.
- 3.5. The publication date for final audited accounts which must be published on the Town Council website is Saturday 30 September 2023.

4. Key Financial Implications

- 4.1. Council is asked to note that the Accounting Statements for 2022/23 do not show any major variances from the previous financial year and that the Council continues to be a secure financial position with adequate reserves.

5. Legal Implications

- 5.1. The Accounts and Audit Regulations state that all smaller authorities, where either the higher of gross income or gross expenditure exceeded £200,000 but did not exceed £6.5 million per annum, are subject to a Smaller Authorities Limited Assurance Review by the External Auditor and must submit an Annual Governance and Accountability Return – Part 3.
- 5.2. As a smaller authority, the Town Council is required by law to:
- a) Carry out a review of the effectiveness of the Council's system of internal control and prepare the Annual Governance Statement, Section 1 of the AGAR. The Annual Governance Statement should be approved by resolution and signed in advance of approving the accounting statements.
 - b) Prepare Accounting Statements for the year ended 31 March 2023 in the form required by proper practices. In the case of Malvern Town Council, this is the AGAR, Section 2.
 - c) At a meeting of Full Council, to sign and approve the AGAR Section 2. At the meeting where these are approved, the Council must in the following order:
 - Consider the Accounting Statements
 - Approve the Accounting Statements by Resolution
 - Ensure the Accounting Statements are signed and dated by the person presiding at the meeting at which the approval is given
 - d) Consider the Internal Audit work that has been done during the year and ensure the Internal Auditor completes page 3 of the AGAR. This has been done under Agenda Item 12 at this meeting.
 - e) Publish on a public website the approved sections of the AGAR and the completed notice of Public Rights and Publication of Unaudited Annual Governance and Accountability Return along with its accompanying notes.
 - f) Make arrangements for the exercise of public rights and publish the Notice of Public Rights and Publication of unaudited Annual Governance and Accountability return and sections one and two of the Annual Return the day before the statutory 30-day period for the public to inspect the accounts begins. The chosen period for the Exercise of Public Rights will be Monday 3 July until Friday 11 August 2023 providing that the AGAR has been approved by Council before this period.
 - g) Submit the approved and signed AGAR along with the list of items required for an intermediate level review to the External Auditor no later than Monday 3 July 2023.
 - h) Publish or display the certified Annual Return by Saturday 30 September 2023 including the signed external auditor report.

End
Linda Blake
Town Clerk

Annual Governance and Accountability Return 2022/23 Form 3

To be completed by Local Councils, Internal Drainage Boards and other Smaller Authorities*:

- where the higher of gross income or gross expenditure exceeded £25,000 but did not exceed £6.5 million; or
- where the higher of gross income or gross expenditure was £25,000 or less but that:
 - are unable to certify themselves as exempt (fee payable); or
 - have requested a limited assurance review (fee payable)

Guidance notes on completing Form 3 of the Annual Governance and Accountability Return 2022/23

1. Every smaller authority in England that either received gross income or incurred gross expenditure exceeding £25,000 **must** complete Form 3 of the Annual Governance and Accountability Return at the end of each financial year in accordance with *Proper Practices*.
2. **The Annual Governance and Accountability Return is made up of three parts, pages 3 to 6:**
 - The **Annual Internal Audit Report** must be completed by the authority's internal auditor.
 - **Sections 1 and 2** must be completed and approved by the authority.
 - **Section 3** is completed by the external auditor and will be returned to the authority.
3. The authority **must** approve Section 1, Annual Governance Statement, before approving Section 2, Accounting Statements, and both **must** be approved and published on the authority website/webpage **before 1 July 2023**.
4. An authority with either gross income or gross expenditure exceeding £25,000 or an authority with neither income nor expenditure exceeding £25,000, but which is unable to certify itself as exempt, or is requesting a limited assurance review, **must** return to the external auditor by email or post (not both) **no later than 30 June 2023**. Reminder letters will incur a charge of £40 +VAT:
 - the Annual Governance and Accountability Return Sections 1 and 2, together with
 - a bank reconciliation as at 31 March 2023
 - an explanation of any significant year on year variances in the accounting statements
 - notification of the commencement date of the period for the exercise of public rights
 - Annual Internal Audit Report 2022/23

Unless requested, do not send any additional documents to your external auditor. Your external auditor will ask for any additional documents needed.

Once the external auditor has completed the limited assurance review and is able to give an opinion, the Annual Governance and Accountability **Section 1, Section 2 and Section 3 – External Auditor Report and Certificate** will be returned to the authority by email or post.

Publication Requirements

Under the Accounts and Audit Regulations 2015, authorities must publish the following information on the authority website/webpage:

Before 1 July 2023 authorities **must** publish:

- Notice of the period for the exercise of public rights and a declaration that the accounting statements are as yet unaudited;
- **Section 1 - Annual Governance Statement 2022/23**, approved and signed, page 4
- **Section 2 - Accounting Statements 2022/23**, approved and signed, page 5

Not later than 30 September 2023 authorities **must** publish:

- Notice of conclusion of audit
- **Section 3 - External Auditor Report and Certificate**
- **Sections 1 and 2 of AGAR** including any amendments as a result of the limited assurance review.

It is recommended as best practice, to avoid any potential confusion by local electors and interested parties, that you also publish the Annual Internal Audit Report, page 3.

The Annual Governance and Accountability Return constitutes the annual return referred to in the Accounts and Audit Regulations 2015. Throughout, the words 'external auditor' have the same meaning as the words 'local auditor' in the Accounts and Audit Regulations 2015.

*for a complete list of bodies that may be smaller authorities refer to schedule 2 to the Local Audit and Accountability Act 2014.

Guidance notes on completing Form 3 of the Annual Governance and Accountability Return (AGAR) 2022/23

- The authority **must** comply with *Proper Practices* in completing Sections 1 and 2 of this AGAR. *Proper Practices* are found in the *Practitioners' Guide** which is updated from time to time and contains everything needed to prepare successfully for the financial year-end and the subsequent work by the external auditor.
- Make sure that the AGAR is complete (no highlighted boxes left empty) and is properly signed and dated. Any amendments must be approved by the authority and properly initialled.
- The authority **should** receive and note the Annual Internal Audit Report before approving the Annual Governance Statement and the accounts.
- Use the checklist provided below to review the AGAR for completeness before returning it to the external auditor by email or post (not both) no later than 30 June 2023.
- The Annual Governance Statement (Section 1) must be approved on the same day or before the Accounting Statements (Section 2) and evidenced by the agenda or minute references.
- The Responsible Financial Officer (RFO) must certify the accounts (Section 2) before they are presented to the authority for approval. The authority must in this order; consider, approve and sign the accounts.
- The RFO is required to commence the public rights period as soon as practical after the date of the AGAR approval.
- You must inform your external auditor about any change of Clerk, Responsible Financial Officer or Chairman, and provide relevant authority owned generic email addresses and telephone numbers.**
- Make sure that the copy of the bank reconciliation to be sent to your external auditor with the AGAR covers all the bank accounts. If the authority holds any short-term investments, note their value on the bank reconciliation. The external auditor must be able to agree the bank reconciliation to Box 8 on the accounting statements (**Section 2, page 5**). An explanation **must** be provided of any difference between Box 7 and Box 8. More help on bank reconciliation is available in the *Practitioners' Guide**.
- Explain fully significant variances in the accounting statements on **page 5**. Do not just send a copy of the detailed accounting records instead of this explanation. The external auditor wants to know that you understand the reasons for all variances. Include complete numerical and narrative analysis to support the full variance.
- If the bank reconciliation is incomplete or variances not **fully** explained then additional costs may be incurred.
- Make sure that the accounting statements add up and that the balance carried forward from the previous year (Box 7 of 2022) equals the balance brought forward in the current year (Box 1 of 2023).
- The Responsible Financial Officer (RFO), on behalf of the authority, **must** set the commencement date for the exercise of public rights of 30 consecutive working days which **must** include the first ten working days of July.
- The authority **must** publish on the authority website/webpage the information required by Regulation 15 (2), Accounts and Audit Regulations 2015, including the period for the exercise of public rights and the name and address of the external auditor **before 1 July 2023**.

Completion checklist – 'No' answers mean you may not have met requirements		Yes	No
All sections	Have all highlighted boxes have been completed?		
	Has all additional information requested, including the dates set for the period for the exercise of public rights , been provided for the external auditor?		
Internal Audit Report	Have all highlighted boxes been completed by the internal auditor and explanations provided?		
Section 1	For any statement to which the response is 'no', has an explanation been published?		
Section 2	Has the Responsible Financial Officer signed the accounting statements before presentation to the authority for approval?		
	Has the authority's approval of the accounting statements been confirmed by the signature of the Chairman of the approval meeting?		
	Has an explanation of significant variations been published where required?		
	Has the bank reconciliation as at 31 March 2023 been reconciled to Box 8?		
	Has an explanation of any difference between Box 7 and Box 8 been provided?		
Sections 1 and 2	Trust funds – have all disclosures been made if the authority as a body corporate is a sole managing trustee? NB: do not send trust accounting statements unless requested.		

**Governance and Accountability for Smaller Authorities in England – a Practitioners' Guide to Proper Practices*, can be downloaded from www.nalc.gov.uk or from www.ada.org.uk

Annual Internal Audit Report 2022/23

Malvern Town Council

www.malverntowncouncil.org

During the financial year ended 31 March 2023, this authority's internal auditor acting independently and on the basis of an assessment of risk, carried out a selective assessment of compliance with the relevant procedures and controls in operation and obtained appropriate evidence from the authority.

The internal audit for 2022/23 has been carried out in accordance with this authority's needs and planned coverage. On the basis of the findings in the areas examined, the internal audit conclusions are summarised in this table. Set out below are the objectives of internal control and alongside are the internal audit conclusions on whether, in all significant respects, the control objectives were being achieved throughout the financial year to a standard adequate to meet the needs of this authority.

Internal control objective	Yes	No*	Not covered**
A. Appropriate accounting records have been properly kept throughout the financial year.	✓		
B. This authority complied with its financial regulations, payments were supported by invoices, all expenditure was approved and VAT was appropriately accounted for.	✓		
C. This authority assessed the significant risks to achieving its objectives and reviewed the adequacy of arrangements to manage these.	✓		
D. The precept or rates requirement resulted from an adequate budgetary process; progress against the budget was regularly monitored; and reserves were appropriate.	✓		
E. Expected income was fully received, based on correct prices, properly recorded and promptly banked; and VAT was appropriately accounted for.	✓		
F. Petty cash payments were properly supported by receipts, all petty cash expenditure was approved and VAT appropriately accounted for.	✓		
G. Salaries to employees and allowances to members were paid in accordance with this authority's approvals, and PAYE and NI requirements were properly applied.	✓		
H. Asset and investments registers were complete and accurate and properly maintained.	✓		
I. Periodic bank account reconciliations were properly carried out during the year.	✓		
J. Accounting statements prepared during the year were prepared on the correct accounting basis (receipts and payments or income and expenditure), agreed to the cash book, supported by an adequate audit trail from underlying records and where appropriate debtors and creditors were properly recorded.	✓		
K. If the authority certified itself as exempt from a limited assurance review in 2021/22, it met the exemption criteria and correctly declared itself exempt. (If the authority had a limited assurance review of its 2021/22 AGAR tick "not covered")			✓
L. The authority published the required information on a website/webpage up to date at the time of the internal audit in accordance with the relevant legislation.	✓		
M. In the year covered by this AGAR, the authority correctly provided for a period for the exercise of public rights as required by the Accounts and Audit Regulations (during the 2022-23 AGAR period, were public rights in relation to the 2021-22 AGAR evidenced by a notice on the website and/or authority approved minutes confirming the dates set).	✓		
N. The authority has complied with the publication requirements for 2021/22 AGAR (see AGAR Page 1 Guidance Notes).	✓		
O. (For local councils only) Trust funds (including charitable) – The council met its responsibilities as a trustee.	Yes	No	Not applicable
			✓

For any other risk areas identified by this authority adequate controls existed (list any other risk areas on separate sheets if needed).

Date(s) internal audit undertaken
22/11/2022 24/01/2023

Name of person who carried out the internal audit
Duncan Edwards (DKE Audit Services)

Signature of person who
carried out the internal audit



Date
05/05/2023

*If the response is 'no' please state the implications and action being taken to address any weakness in control identified (add separate sheets if needed).

**Note: If the response is 'not covered' please state when the most recent internal audit work was done in this area and when it is next planned; or, if coverage is not required, the annual internal audit report must explain why not (add separate sheets if needed).

Section 1 – Annual Governance Statement 2022/23

We acknowledge as the members of:

MALVERN TOWN COUNCIL

our responsibility for ensuring that there is a sound system of internal control, including arrangements for the preparation of the Accounting Statements. We confirm, to the best of our knowledge and belief, with respect to the Accounting Statements for the year ended 31 March 2023, that:

	Agreed		
	Yes	No*	
1. We have put in place arrangements for effective financial management during the year, and for the preparation of the accounting statements.	✓		<i>prepared its accounting statements in accordance with the Accounts and Audit Regulations.</i>
2. We maintained an adequate system of internal control including measures designed to prevent and detect fraud and corruption and reviewed its effectiveness.	✓		<i>made proper arrangements and accepted responsibility for safeguarding the public money and resources in its charge.</i>
3. We took all reasonable steps to assure ourselves that there are no matters of actual or potential non-compliance with laws, regulations and Proper Practices that could have a significant financial effect on the ability of this authority to conduct its business or manage its finances.	✓		<i>has only done what it has the legal power to do and has complied with Proper Practices in doing so.</i>
4. We provided proper opportunity during the year for the exercise of electors' rights in accordance with the requirements of the Accounts and Audit Regulations.	✓		<i>during the year gave all persons interested the opportunity to inspect and ask questions about this authority's accounts.</i>
5. We carried out an assessment of the risks facing this authority and took appropriate steps to manage those risks, including the introduction of internal controls and/or external insurance cover where required.	✓		<i>considered and documented the financial and other risks it faces and dealt with them properly.</i>
6. We maintained throughout the year an adequate and effective system of internal audit of the accounting records and control systems.	✓		<i>arranged for a competent person, independent of the financial controls and procedures, to give an objective view on whether internal controls meet the needs of this smaller authority.</i>
7. We took appropriate action on all matters raised in reports from internal and external audit.	✓		<i>responded to matters brought to its attention by internal and external audit.</i>
8. We considered whether any litigation, liabilities or commitments, events or transactions, occurring either during or after the year-end, have a financial impact on this authority and, where appropriate, have included them in the accounting statements.	✓		<i>disclosed everything it should have about its business activity during the year including events taking place after the year end if relevant.</i>
9. (For local councils only) Trust funds including charitable. In our capacity as the sole managing trustee we discharged our accountability responsibilities for the fund(s)/assets, including financial reporting and, if required, independent examination or audit.	Yes	No	N/A
			✓

***Please provide explanations to the external auditor on a separate sheet for each 'No' response and describe how the authority will address the weaknesses identified. These sheets must be published with the Annual Governance Statement.**

This Annual Governance Statement was approved at a meeting of the authority on:

21/06/2023

and recorded as minute reference:

Signed by the Chairman and Clerk of the meeting where approval was given:

Chairman

Clerk

www.malverntowncouncil.org

Section 2 – Accounting Statements 2022/23 for

MALVERN TOWN COUNCIL

	Year ending		Notes and guidance
	31 March 2022 £	31 March 2023 £	
1. Balances brought forward	438,841	453,625	<i>Total balances and reserves at the beginning of the year as recorded in the financial records. Value must agree to Box 7 of previous year.</i>
2. (+) Precept or Rates and Levies	682,890	701,500	<i>Total amount of precept (or for IDBs rates and levies) received or receivable in the year. Exclude any grants received.</i>
3. (+) Total other receipts	185,539	206,734	<i>Total income or receipts as recorded in the cashbook less the precept or rates/levies received (line 2). Include any grants received.</i>
4. (-) Staff costs	463,650	484,605	<i>Total expenditure or payments made to and on behalf of all employees. Include gross salaries and wages, employers NI contributions, employers pension contributions, gratuities and severance payments.</i>
5. (-) Loan interest/capital repayments	0	0	<i>Total expenditure or payments of capital and interest made during the year on the authority's borrowings (if any).</i>
6. (-) All other payments	389,995	407,168	<i>Total expenditure or payments as recorded in the cash-book less staff costs (line 4) and loan interest/capital repayments (line 5).</i>
7. (=) Balances carried forward	453,625	470,086	<i>Total balances and reserves at the end of the year. Must equal (1+2+3) - (4+5+6).</i>
8. Total value of cash and short term investments	552,284	514,278	<i>The sum of all current and deposit bank accounts, cash holdings and short term investments held as at 31 March – To agree with bank reconciliation.</i>
9. Total fixed assets plus long term investments and assets	2,638,223	2,494,844	<i>The value of all the property the authority owns – it is made up of all its fixed assets and long term investments as at 31 March.</i>
10. Total borrowings	0	0	<i>The outstanding capital balance as at 31 March of all loans from third parties (including PWLB).</i>

For Local Councils Only	Yes	No	N/A	
11a. Disclosure note re Trust funds (including charitable)		✓		<i>The Council, as a body corporate, acts as sole trustee and is responsible for managing Trust funds or assets.</i>
11b. Disclosure note re Trust funds (including charitable)			✓	<i>The figures in the accounting statements above do not include any Trust transactions.</i>

I certify that for the year ended 31 March 2023 the Accounting Statements in this Annual Governance and Accountability Return have been prepared on either a receipts and payments or income and expenditure basis following the guidance in Governance and Accountability for Smaller Authorities – a Practitioners' Guide to Proper Practices and present fairly the financial position of this authority.

Signed by Responsible Financial Officer before being presented to the authority for approval



Date 16/06/2023

I confirm that these Accounting Statements were approved by this authority on this date:

21/06/2023

as recorded in minute reference:

Signed by Chairman of the meeting where the Accounting Statements were approved

Section 3 – External Auditor's Report and Certificate 2022/23

In respect of **MALVERN TOWN COUNCIL**

1 Respective responsibilities of the auditor and the authority

Our responsibility as auditors to complete a **limited assurance review** is set out by the National Audit Office (NAO). A limited assurance review is **not a full statutory audit**, it does not constitute an audit carried out in accordance with International Standards on Auditing (UK & Ireland) and hence it **does not** provide the same level of assurance that such an audit would. The UK Government has determined that a lower level of assurance than that provided by a full statutory audit is appropriate for those local public bodies with the lowest levels of spending.

Under a limited assurance review, the auditor is responsible for reviewing Sections 1 and 2 of the Annual Governance and Accountability Return in accordance with NAO Auditor Guidance Note 02 (AGN 02) as issued by the NAO on behalf of the Comptroller and Auditor General. AGN 02 is available from the NAO website – <https://www.nao.org.uk/code-audit-practice/guidance-and-information-for-auditors/> .

This authority is responsible for ensuring that its financial management is adequate and effective and that it has a sound system of internal control. The authority prepares an Annual Governance and Accountability Return in accordance with *Proper Practices* which:

- summarises the accounting records for the year ended 31 March 2023; and
- confirms and provides assurance on those matters that are relevant to our duties and responsibilities as external auditors.

2 External auditor's limited assurance opinion 2022/23

(Except for the matters reported below)* on the basis of our review of Sections 1 and 2 of the Annual Governance and Accountability Return, in our opinion the information in Sections 1 and 2 of the Annual Governance and Accountability Return is in accordance with Proper Practices and no other matters have come to our attention giving cause for concern that relevant legislation and regulatory requirements have not been met. (*delete as appropriate).

(continue on a separate sheet if required)

Other matters not affecting our opinion which we draw to the attention of the authority:

(continue on a separate sheet if required)

3 External auditor certificate 2022/23

We certify/do not certify* that we have completed our review of Sections 1 and 2 of the Annual Governance and Accountability Return, and discharged our responsibilities under the Local Audit and Accountability Act 2014, for the year ended 31 March 2023.

*We do not certify completion because:

External Auditor Name

External Auditor Signature

Date

Smaller authority name: **MALVERN TOWN COUNCIL**

**NOTICE OF PUBLIC RIGHTS AND PUBLICATION
OF UNAUDITED ANNUAL GOVERNANCE &
ACCOUNTABILITY RETURN**

ACCOUNTS FOR THE YEAR ENDED 31 MARCH 2023

**Local Audit and Accountability Act 2014 Sections 26 and 27
The Accounts and Audit Regulations 2015 (SI 2015/234)**

NOTICE	NOTES
<p>1. Date of announcement Friday 30 June 2023 (a)</p> <p>2. Each year the smaller authority's Annual Governance and Accountability Return (AGAR) needs to be reviewed by an external auditor appointed by Smaller Authorities' Audit Appointments Ltd. The unaudited AGAR has been published with this notice. As it has yet to be reviewed by the appointed auditor, it is subject to change as a result of that review.</p> <p>Any person interested has the right to inspect and make copies of the accounting records for the financial year to which the audit relates and all books, deeds, contracts, bills, vouchers, receipts and other documents relating to those records must be made available for inspection by any person interested. For the year ended 31 March 2023, these documents will be available on reasonable notice by application to:</p> <p>(b) Linda Blake, Town Clerk.</p> <p>01684 566667</p> <p>or email townclerk@malvern-tc.org.uk</p> <p>commencing on (c) Monday 3 July 2023</p> <p>and ending on (d) Friday 11 August 2023</p> <p>3. Local government electors and their representatives also have:</p> <ul style="list-style-type: none"> • The opportunity to question the appointed auditor about the accounting records; and • The right to make an objection which concerns a matter in respect of which the appointed auditor could either make a public interest report or apply to the court for a declaration that an item of account is unlawful. Written notice of an objection must first be given to the auditor and a copy sent to the smaller authority. <p>The appointed auditor can be contacted at the address in paragraph 4 below for this purpose between the above dates only.</p> <p>4. The smaller authority's AGAR is subject to review by the appointed auditor under the provisions of the Local Audit and Accountability Act 2014, the Accounts and Audit Regulations 2015 and the NAO's Code of Audit Practice 2015. The appointed auditor is:</p> <p>PKF Littlejohn LLP (Ref: SBA Team) 15 Westferry Circus Canary Wharf London E14 4HD sba@pkf-l.com</p> <p>5. This announcement is made by (e) Linda Blake, Town Clerk</p>	<p>(a) Insert date of placing of the notice which must be not less than 1 day before the date in (c) below</p> <p>(b) Insert name, position and address/telephone number/ email address, as appropriate, of the Clerk or other person to which any person may apply to inspect the accounts</p> <p>(c) Insert date, which must be at least 1 day after the date of announcement in (a) above and at least 30 working days before the date appointed in (d) below</p> <p>(d) The inspection period between (c) and (d) must be 30 working days inclusive and must include the first 10 working days of July.</p> <p>(e) Insert name and position of person placing the notice – this person must be the responsible financial officer for the smaller authority</p>

LOCAL AUTHORITY ACCOUNTS: A SUMMARY OF YOUR RIGHTS

Please note that this summary applies to all relevant smaller authorities, including local councils, internal drainage boards and 'other' smaller authorities.

The basic position

The Local Audit and Accountability Act 2014 (the Act) governs the work of auditors appointed to smaller authorities. This summary explains the provisions contained in Sections 26 and 27 of the Act. The Act and the Accounts and Audit Regulations 2015 also cover the duties, responsibilities and rights of smaller authorities, other organisations and the public concerning the accounts being audited.

As a local elector, or an interested person, you have certain legal rights in respect of the accounting records of smaller authorities. As an interested person you can inspect accounting records and related documents. If you are a local government elector for the area to which the accounts relate you can also ask questions about the accounts and object to them. You do not have to pay directly for exercising your rights. However, any resulting costs incurred by the smaller authority form part of its running costs. Therefore, indirectly, local residents pay for the cost of you exercising your rights through their council tax.

The right to inspect the accounting records

Any interested person can inspect the accounting records, which includes but is not limited to local electors. You can inspect the accounting records for the financial year to which the audit relates and all books, deeds, contracts, bills, vouchers, receipts and other documents relating to those records. You can copy all, or part, of these records or documents. Your inspection must be about the accounts, or relate to an item in the accounts. You cannot, for example, inspect or copy documents unrelated to the accounts, or that include personal information (Section 26 (6) – (10) of the Act explains what is meant by personal information). You cannot inspect information which is protected by commercial confidentiality. This is information which would prejudice commercial confidentiality if it was released to the public and there is not, set against this, a very strong reason in the public interest why it should nevertheless be disclosed.

When smaller authorities have finished preparing accounts for the financial year and approved them, they must publish them (including on a website). There must be a 30 working day period, called the 'period for the exercise of public rights', during which you can exercise your statutory right to inspect the accounting records. Smaller authorities must tell the public, including advertising this on their website, that the accounting records and related documents are available to inspect. By arrangement you will then have 30 working days to inspect and make copies of the accounting records. You may have to pay a copying charge. The 30 working day period must include a common period of inspection during which all smaller authorities' accounting records are available to inspect. This will be 3-14 July 2023 for 2022/23 accounts. The advertisement must set out the dates of the period for the exercise of public rights, how you can communicate to the smaller authority that you wish to inspect the accounting records and related documents, the name and address of the auditor, and the relevant legislation that governs the inspection of accounts and objections.

The right to ask the auditor questions about the accounting records

You should first ask your smaller authority about the accounting records, since they hold all the details. If you are a local elector, your right to ask questions of the external auditor is enshrined in law. However, while the auditor will answer your questions where possible, they are not always obliged to do so. For example, the question might be better answered by another organisation, require investigation beyond the auditor's remit, or involve disproportionate cost (which is borne by the local taxpayer). Give your smaller authority the opportunity first to explain anything in the accounting records that you are unsure about. If you are not satisfied with their explanation, you can question the external auditor about the accounting records.

The law limits the time available for you formally to ask questions. This must be done in the period for the exercise of public rights, so let the external auditor know your concern as soon as possible. The advertisement or notice that tells you the accounting records are available to inspect will also give the period for the exercise of public rights during which you may ask the auditor questions, which here means formally asking questions under the Act. You can ask someone to represent you when asking the external auditor questions.

APPENDIX B

Before you ask the external auditor any questions, inspect the accounting records fully, so you know what they contain. Please remember that you cannot formally ask questions, under the Act, after the end of the period for the exercise of public rights. You may ask your smaller authority other questions about their accounts for any year, at any time. But these are not questions under the Act.

You can ask the external auditor questions about an item in the accounting records for the financial year being audited. However, your right to ask the external auditor questions is limited. The external auditor can only answer 'what' questions, not 'why' questions. The external auditor cannot answer questions about policies, finances, procedures or anything else unless it is directly relevant to an item in the accounting records. Remember that your questions must always be about facts, not opinions. To avoid misunderstanding, we recommend that you always put your questions in writing.

The right to make objections at audit

You have inspected the accounting records and asked your questions of the smaller authority. Now you may wish to object to the accounts on the basis that an item in them is in your view unlawful or there are matters of wider concern arising from the smaller authority's finances. A local government elector can ask the external auditor to apply to the High Court for a declaration that an item of account is unlawful, or to issue a report on matters which are in the public interest. You must tell the external auditor which specific item in the accounts you object to and why you think the item is unlawful, or why you think that a public interest report should be made about it. You must provide the external auditor with the evidence you have to support your objection. Disagreeing with income or spending does not make it unlawful. To object to the accounts you must write to the external auditor stating you want to make an objection, including the information and evidence below and you must send a copy to the smaller authority. The notice must include:

- confirmation that you are an elector in the smaller authority's area;
- why you are objecting to the accounts and the facts on which you rely;
- details of any item in the accounts that you think is unlawful; and
- details of any matter about which you think the external auditor should make a public interest report.

Other than it must be in writing, there is no set format for objecting. You can only ask the external auditor to act within the powers available under the [Local Audit and Accountability Act 2014](#).

A final word

You may not use this 'right to object' to make a personal complaint or claim against your smaller authority. You should take such complaints to your local Citizens' Advice Bureau, local Law Centre or to your solicitor. Smaller authorities, and so local taxpayers, meet the costs of dealing with questions and objections. In deciding whether to take your objection forward, one of a series of factors the auditor must take into account is the cost that will be involved, they will only continue with the objection if it is in the public interest to do so. They may also decide not to consider an objection if they think that it is frivolous or vexatious, or if it repeats an objection already considered. If you appeal to the courts against an auditor's decision not to apply to the courts for a declaration that an item of account is unlawful, you will have to pay for the action yourself.

For more detailed guidance on public rights and the special powers of auditors, copies of the publication [Local authority accounts: A guide to your rights](#) are available from the NAO website.

If you wish to contact your authority's appointed external auditor please write to the address in paragraph 4 of the *Notice of Public Rights and Publication of Unaudited Annual Governance & Accountability Return*.

**A REPORT OF THE TOWN CLERK TO
A MEETING OF MALVERN TOWN COUNCIL
to be held on Wednesday 21 June 2023 at 6.00 pm
in the Council Chamber, Malvern Town Council, Belle Vue Terrace**

VICTORIA PARK TASK AND FINISH GROUP

1. Purpose of Report

- 1.1. For decision.

2. Recommendation

- 2.1. Council is recommended to elect six members to serve on a new Victoria Park Task and Finish Group.
- 2.2. Council should review and agree new 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 alongside the financing options for this project.
- 3.3. The key points to note are as follows:

July 2021	Full Council agreed to build a new two-storey building at Victoria Park to replace the existing building and with a maximum budget of £1.5 million.
November 2021	Full Council resolved that the buildings at Belle Vue Terrace should be sold to part-fund the new building at Victoria Park.
December 2021	Modulek were appointed by Full Council as the chosen supplier for the project.
January/February 2022	A public consultation was carried out which established support for this project and agreement that funding should be sourced from the Public Works Loan Board.
July 2022	Victoria Park Pavilion was demolished.
February 2023	A new task and finish group was set up to evaluate and review the costs, affordability, design and scope of the new building. The financial position had changed over the past year with construction costs increasing and the sale price of Belle Vue Terrace being lower than anticipated.

March 2023	Full Council agreed that due to changing financial circumstances, a single-storey building should be built at Victoria Park.
April 2023	The final set of specifications for the new building at Victoria Park were agreed.
May 2023	Latest offer for sale of Belle Vue building was withdrawn.
June 2023	Planning permission submitted to Malvern Hills District Council for the new building at Victoria Park.

3.4. The new task and finish group will be tasked with reviewing the sale of Belle Vue building alongside the financing options for the new building at Victoria Park.

3.5. The group will also be asked to look at the future of Belle Vue Terrace and in particular the leases to tenants in the building. The tenant of our ground floor shop has written to the Town Clerk requesting that the Council provides security of tenure longer than six months, following the expiry of their current lease in December 2023.

4. Financial Implications

4.1. Full Council agreed in March 2023 to build a single-storey building at Victoria Park with an approximate cost of £1 million.

4.2. The Town Council has agreed to use funds from the sale of Belle Vue Terrace along with £300,000 available from reserves and a Public Works Loan Board loan of up to £310,000.

5. Legal Implications

5.1. The Town Council is the legal owner of 28-30 Belle Vue Terrace and Victoria Park.

End
Linda Blake
Town Clerk

**DRAFT TERMS OF REFERENCE OF
VICTORIA PARK TASK AND FINISH GROUP**

1. General

- 1.1. To consider, evaluate and review the costs, funding and affordability associated with the provision of the Council-approved building at Victoria Park.
- 1.2. To review the current arrangements for the sale of 28-30 Belle Vue Terrace.
- 1.3. To review the current lease arrangements for the tenants of Belle Vue Terrace and make recommendations.
- 1.4. To monitor, review and update as necessary cashflow and financing options/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.
- 1.5. To 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 Chair of Group and Chair 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. Chair

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