



# **MALVERN TOWN COUNCIL**

## **FULL COUNCIL MEETING**

### **REPORTS**

**For meeting on Wednesday 14 February 2024  
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



8 February 2024

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[www.malverntowncouncil.org](http://www.malverntowncouncil.org)

## MEETING OPEN TO MEMBERS OF THE PUBLIC

### To all Members of Malvern Town Council:

You are hereby summoned to attend a meeting of Malvern Town Council to be held on Wednesday 14 February 2024 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. Blake'.

Linda Blake  
Town Clerk

No.	Agenda Item
1.	<b>Apologies for Absence</b> <ul style="list-style-type: none"><li>➤ To note apologies for absence.</li></ul>
2.	<b>Declarations of Interest</b> <ul style="list-style-type: none"><li>➤ To receive declarations of disclosable pecuniary interests and other disclosable interests.</li></ul>
3.	<b>Minutes of Previous Meeting</b> <p>To receive and confirm as a correct record the minutes of the previous Full Council meeting:</p> <ul style="list-style-type: none"><li>➤ 13 December 2023 – already issued</li></ul>
<b>Public Participation</b> <p><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></p>	
4.	<b>Presentation by Olha Kraievska and others on proposal/request to twin with Korosten Community in the Ukraine</b>
5.	<b>Mayor's Announcements</b> <ul style="list-style-type: none"><li>➤ Verbal report</li></ul>
6.	<b>Update on Town Council Operations and Activities</b> <ul style="list-style-type: none"><li>➤ Verbal update by the Town Clerk</li></ul>
7.	<b>Reports by County and District Council Representatives in Attendance</b> <ul style="list-style-type: none"><li>➤ Verbal reports or written submissions as appropriate.</li></ul>
8.	<b>Town Council Ward Reports/Representatives on Outside Bodies</b> <ul style="list-style-type: none"><li>➤ Verbal reports</li></ul>

<b>9.</b>	<b>Members Questions</b> <ul style="list-style-type: none"> <li>➤ The Chairman will invite members who have written in with questions to present them to Council.</li> </ul>
<b>10.</b>	<b>Draft calendar of meetings 2024/25</b> <ul style="list-style-type: none"> <li>➤ Report CL01/24 to follow</li> </ul>
<b>11.</b>	<b>Response to Hereford &amp; Worcester Fire and Rescue Service Public Consultation</b> <ul style="list-style-type: none"> <li>➤ Report CL02/24 to follow</li> </ul>
<b>12.</b>	<b>Jenny Lind sculpture in Rose Bank Gardens</b> <ul style="list-style-type: none"> <li>➤ Report CL03/24 to follow</li> </ul>
<b>13.</b>	<b>New community hub at Victoria Park – option to tax</b> <ul style="list-style-type: none"> <li>➤ Report CL04/24 to follow</li> </ul>
<b>14.</b>	<b>New community hub at Victoria Park – loan funding</b> <ul style="list-style-type: none"> <li>➤ Verbal update</li> </ul>
<b>15.</b>	<b>Community engagement consultation</b> <ul style="list-style-type: none"> <li>➤ Report CL05/24 to follow</li> </ul>
<b>16.</b>	<b>Audit Committee Recommendations</b> The Chair of Audit Committee to present any recommendations for approval by Council from the meeting held on 31 January 2024 <ul style="list-style-type: none"> <li>➤ Report CL06/24 to follow</li> </ul>
<b>17.</b>	<b>Policy and Resources Committee Recommendations</b> The Chair of Policy and Resources Committee to present any recommendations for approval by Council from the meeting held on 7 February 2024 <ul style="list-style-type: none"> <li>➤ Report CL07/24 to follow</li> </ul>
<b>18.</b>	<b>Date and Time of Next Meeting</b> <ul style="list-style-type: none"> <li>➤ Wednesday 6 March 2024 at 6.00 pm</li> </ul>

**MINUTES OF FULL COUNCIL MEETING OF  
MALVERN TOWN COUNCIL**

**held in the Council Chamber, Belle Vue Terrace, Malvern  
on Wednesday 13 December 2023, at 6.00 pm**

**Councillors**

**Present**

C Hooper (Chair)  
S Austin  
M Birks  
C Bovey  
A Cherry  
C Fletcher  
J Green  
N Houghton  
M Jones  
J Leibrandt (from 6.05pm)  
J MacLusky  
F Matthews-Jones  
R McLaverty-Head  
D Mead  
K Newbigging  
D Watkins

**Absent**

I Dawson (apologies)  
C Lee  
L Lowton (apologies)  
S Meager (apologies)

**Also in attendance**

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

**105. APOLOGIES FOR ABSENCE**

Apologies for absence were **NOTED** from Councillors Iain Dawson, Lou Lowton and Simon Meager.

**106. DECLARATIONS OF INTEREST**

Agenda item 9 Budget 2024/25 – Cllr Karen Newbigging declared an interest as an allotment holder.

**107. 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 8 November 2023.

**PUBLIC PARTICIPATION**

None.

**108. MAYOR'S ANNOUNCEMENTS**

The Mayor gave a brief report on the following engagements that he had attended since the last meeting:

- Remembrance commemorations
  - Placing a wreath on the train to Paddington station
  - Chairman of Worcestershire County Council's service at County Hall
  - Cross planting at Great Malvern Priory

- Joint service between the Priory and Malvern Town Council followed by laying of wreaths at the war memorial, Great Malvern Library
- Cadet parade through Malvern
- The Mayor thanked all those who helped marshal the event and manage the road closures

***Cllr Josephine Leibrandt joined the meeting at 6.05pm***

- Lighting of the buzzards sculpture in Rose Bank Gardens in purple light for Pancreatic Cancer awareness month
- 17 November - meeting with Cllr Beverley Nielsen and Cllr Mike Rouse regarding local highway issues; Worcestershire County Council would now take action on some of these
- 23 November – visited the Avenue Care Home where they have monthly activities, which on this occasion was packing supplies for homeless people with the Hand on Heart charity
- 25 November – attended the Christmas lights switch on event in Great Malvern. This was a very well attended event and the grotto raised £1,103. The Mayor thanked the two councillors who had acted as Father Christmas and other volunteers and staff who had helped on the day, in particular staff members Linda, Charles and Lyndsey
- 26 November – attended the unveiling of a plaque to mark the restoration of the historic donkey shed in Happy Valley Road (carried out by Malvern Hills Trust)
- 30 November – attended the Worcester Victorian Christmas Fayre
- 1 December – attended the Malvern Link Christmas lights switch on event
- 2 December - attended the opening of the new St Richard's Hospice shop in Barnards Green
- 8 December – visited The Oaks Care Home and enjoyed chatting to staff and residents
- 9 December – attended the Friends of Malvern carol service, and the switching on of lights on the tree in Great Malvern Priory Church
- 12 December – judged the traders' Christmas wreath competition, results to be announced shortly

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

The Town Clerk reported as follows:

Community hub at Victoria Park - the project was now progressing swiftly; two meetings had been held recently with the contractor Modulek and the Chair of the Victoria Park Task and Finish Group to discuss finer details of specifications and sign off some design elements. It was hoped the contractors would be on site in early February 2024, with completion of the building around the end of April to the middle of May.

Pump Track at Adam Lee – the final track design had been agreed, a minor planning issue was still to be resolved and this involved a submission under a certificate of lawful development rather than permitted development, following advice received from officers at Malvern Hills District Council (MHDC).

Christmas Festival – officers felt that the event held this November had the highest attendance ever, although the grotto was perhaps not as busy as last year. However, it still raised a large amount of money for the Mayor's charity.

Malvern Link and Barnards Green - Christmas trees had been erected in these centres and the Christmas event in Malvern Link had been attended by a member of staff to ensure the lights switch on went well.

Electric Vehicle – the new vehicle had finally arrived and was now in use by the Operations Team.

Gas Lamp, Peachfield Common – the insurance claim had now been settled and the repaired lamp would be reinstated the following week.

New litter bin – a new bin had been installed on St Andrews Road near QinetiQ following a request from a member of public.

Belle Vue Terrace – the cellar had been emptied of all old files and paperwork in preparation for moving offices.

The Mayor then made a statement saying that over the past few months a lot of work had been going on in the offices, such as:

- Remembrance Celebrations
- Erection of Christmas Lights and the Christmas Lights switch on event
- Work towards a resolution to the land slippage issue in Rose Bank Gardens
- Sale of Belle Vue Terrace
- Works to progress the new community hub building at Victoria Park which had been time consuming over the last month
- Last but by no means least, the huge amount of work involved in putting the budget together

and he wished to thank Linda, Charles, Lyndsey and other staff for the large amount of very impressive and high-quality work that they had been putting in.

Cllr Houghton emphasised how much work the staff do on a day-to-day basis, something he had witnessed when Mayor, and that the extra projects and problems that had arisen this year would have merited a special team in his line of business, and so it was even more important to acknowledge staff efforts and thank them accordingly.

#### **REPORTS BY COUNTY AND DISTRICT COUNCIL REPRESENTATIVES IN ATTENDANCE**

Written reports had been submitted by Cllr Malcolm Victory and Cllr Fran Victory, and these had been circulated to all Town Councillors prior to the meeting.

Cllr David Mead, Barnards Green Ward, reported that he had attended a meeting with two officers from Worcestershire County Council regarding the relocation of the nursery in the Sunshine Centre. It was hoped that a resolution would be forthcoming.

He also informed the meeting that an enforcement notice had now been served regarding traffic problems at the Old Barrack Stores site at the junction of Court Road and St Andrews Road.

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

Cllr Freya Matthews-Jones, Link Ward – Cllr Matthews-Jones advised councillors that she had been made aware of an article in the press regarding possible future cuts in the number of fire engines at stations across Worcestershire and a public consultation was to be held in early January 2024. She asked councillors to look out for further details and comment as individuals when the occasion arose as there would not be time to bring it back to Full Council.

Although some members felt that the Council should comment as a whole on this important issue, the Town Clerk advised that the next Full Council meeting was 14 February which would be too late.

It was **NOTED** that the Town Clerk would write to Worcestershire Fire Service to say that the Town Council would like to be involved in the public consultation.

**111. MEMBERS QUESTIONS**

None.

**112. BUDGET 2024/25**

Report CL01/23 was received and accepted and in the absence of the Chair of Policy and Resources Committee, Cllr Iain Dawson, the Vice-chair Cllr Clive Fletcher presented the recommendations.

Cllr Fletcher explained that although he had not been present at the previous Policy and Resources Committee meeting when the budget recommendations had been made, he had met with the Town Clerk to discuss the budget and report.

Members had considered the re-forecast for 2023/24 and also the figures presented by the Town Clerk for the budget 2024/25. Members had felt that whilst the proposed increase in precept was high, it was necessary to ensure the continued provision of services and projects.

He acknowledged that there had been a degree of uncertainty in setting the budget not least because of factors such as the move from the building at Belle Vue Terrace to Victoria Park.

The contingency sum had been increased from £20,000 to £60,000 to reflect this uncertainty around costs for the new building at Victoria Park as well as for the resolution of the landslip in Rose Bank Gardens.

Taking all of these factors and input from the Operations and Planning Committee into account, the resulting budget was £828,500, an increase in the precept of 9.4%, based on the current housing stock. If the housing stock increased, it would have the effect of reducing the percentage increase, but the figure was as yet unknown.

The Town Clerk added that it had been the most difficult budget so far to set, and the resulting figures were higher than she would have liked. However, all costs had been considered critically, and projects brought forward where possible. Any further cuts would mean a reduction in the number or quality of services offered and therefore were not advised. The true figures of the tax base were expected to be received shortly.

It was **RESOLVED** to accept the following:

- i. **The re-forecast for 2023/24 which brings expenditure close to the budget, with a small underspend for the year and a balance being put into reserves of £324.**
- ii. **The budget for the financial year 2024/25 – attached as ‘Proposed Budget 2024 – 2025’ This shows a net expenditure of:**  
**£939,280 *not* taking into account any movements in Earmarked Reserves**  
**£828,280 taking into account movements in Earmarked Reserves and other funding**
- iii. **The precept for 2024/25 should be set at £828,500. This reflects an increase of 9.4% from the precept level in 2023/24.**

**113. NOTICE OF MOTION – MALVERN TOURISM SIGNS IN MALVERN LINK AND BARNARDS GREEN**

Cllr Nick Houghton presented his Notice of Motion that proposed installing tourism signs in Malvern Link and Barnards Green. Whilst he was mindful that previous discussions around the budget had included an increase in the precept, he felt that it was important to support the areas of Malvern Link and Barnards Green and initial talks with traders in Malvern Link had shown support for this.

Cllr Ronan McLaverty-Head seconded the Notice of Motion, saying he had seen many of these types of signs in different towns, and they were a popular tourism attraction. He felt it was only fair to the residents and traders of Malvern Link and Barnards Green to have the same opportunity of a sign as Great Malvern had.

The Town Clerk confirmed that there was no provision for this cost in the budget and if it was agreed, funding would need to be taken from reserves.

Councillors agreed that the idea of the signs was a good one that should be investigated further, but that the time was not right for this type of expenditure.

It was **RESOLVED** to defer the notice of motion to install tourism signs in Malvern Link and Barnards Green for twelve months.

**114. NOTICE OF MOTION – “HAPPY TO CHAT” BENCHES**

Cllr Julie MacLusky presented her Notice of Motion to introduce “Happy to Chat” benches in Rose Bank Gardens and Victoria Park by funding and installing one plaque on a bench in each location.

Cllr MacLusky explained that the idea was worldwide now, and she had experienced it first-hand recently when a stranger sat by her on one of these benches and started talking. She felt it was an excellent way to help combat loneliness among all ages.

It was recognised that not all people wanted to chat and therefore there would only be one bench per area. Officers would research designs and these would be brought to a future council meeting.

It was **RESOLVED** that Council would support the introduction of “Happy to Chat” benches in Rose Bank Gardens and Victoria Park by funding and installing a plaque for one bench in each location.

**115. OPERATIONS AND PLANNING COMMITTEE RECOMMENDATIONS**

Report CL02/23 was received and accepted and the Chair of Operations and Planning Committee, Cllr David Mead, presented the recommendations from the meeting held on 29 November:

**Minute 59 Victoria Park Skateboard Park Refurbishment and Consultation**

It was **RESOLVED** to hold a public consultation for the future of the skateboard park in Victoria Park, to be carried out in February/March 2024.

**Minute 61 Lease of Dukes Meadow Pavilion**

It was **RESOLVED** that the offer of a five-year lease to Malvern Youth and Junior Football Club should be removed. The football club would be asked to pay all outstanding bills and to submit a development plan ahead of a review date in August 2024 when a lease would be reconsidered.



**116. VICTORIA PARK TASK AND FINISH GROUP RECOMMENDATIONS**

Report CL03/23 was received and accepted and the Chair of the Victoria Park Task and Finish Group, Cllr David Mead, presented the recommendations from the meeting held on 7 December 2023.

It was **RESOLVED** to carry out works required to remove the hedge alongside the play area, remove the toddler climbing frame and swings and reposition the zip wire as soon as possible ahead of onsite building works due to commence on 12 February 2024.

It was **RESOLVED** that Officers should be delegated to go out to tender for a new café tenant at Victoria Park with recommendations on the tender award being brought back to Full Council in March 2024.

***Cllr Josephine Leibrandt left the meeting at 7.55pm***

**117. HEART OF ENGLAND IN BLOOM/BITAIN IN BLOOM 2024**

Report CL04/23 was received and noted.

The Town Clerk explained that an invitation had been received to enter the National Britain in Bloom finals for 2024. Although this was very prestigious and a recognition of high achievement, officers knew from previous experience that it would necessitate a huge amount of extra work at a time when resources would already be stretched because of other large projects already in progress.

Members agreed that it was not the right time to be taking on extra work and pressures, and supported the Town Clerk and Operations Manager in making their difficult recommendation.

It was **RESOLVED** that the invitation to enter the National Britain in Bloom finals in 2024 be declined.

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

It was agreed that the date of the next meeting would be Wednesday 14 February 2024 at 6.00 pm.

The meeting finished at 8.00 pm

.....  
(Chairman)

**A REPORT OF THE TOWN CLERK TO  
A MEETING OF MALVERN TOWN COUNCIL  
to be held on Wednesday 14 February 2024 at 6.00 pm  
in the Council Chamber, Malvern Town Council, Belle Vue Terrace**

**MALVERN TOWN COUNCIL  
DRAFT CALENDAR OF MEETINGS 2024/25**

2024	
Wednesday 15 May	Annual Council meeting
Wednesday 29 May	Operations and Planning Committee

Wednesday 5 June	Audit Committee
Wednesday 12 June	Policy and Resources Committee (year end accounts)
Wednesday 19 June	Full Council (year end accounts and annual return)

Wednesday 17 July	Operations and Planning Committee
Wednesday 24 July	Audit Committee
Wednesday 31 July	Full Council

Wednesday 7 August	Policy and Resources Committee
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Wednesday 4 September	Full Council
Wednesday 11 September	Operations and Planning Committee
Wednesday 25 September	Audit Committee

Wednesday 2 October	Policy and Resources Committee (grants)
Wednesday 9 October	Full Council
Wednesday 16 October	Operations and Planning Committee

Wednesday 6 November	Policy and Resources Committee
Wednesday 13 November	Full Council
Wednesday 27 November	Policy and Resources Committee (budget)

Wednesday 4 December	Operations and Planning Committee
Wednesday 11 December	Policy and Resources Committee (budget)
Wednesday 18 December	Full Council (final budget)

2025	
Wednesday 29 January	Operations and Planning Committee

Wednesday 5 February	Policy and Resources Committee
Wednesday 12 February	Full Council
Wednesday 19 February	Audit Committee

Wednesday 5 March	Full Council
Wednesday 12 March	Operations and Planning Committee
Wednesday 19 March	Annual Town Meeting
Wednesday 26 March	Policy and Resources Committee (grants)

Wednesday 9 April	Full Council
Wednesday 30 April	Operations and Planning Committee

Wednesday 7 May	Policy and Resources Committee
Wednesday 14 May	Annual Council

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

**to be held on Wednesday 14 February 2024 at 6.00 pm  
in the Council Chamber, Malvern Town Council, Belle Vue Terrace**

**RESPONSE TO HEREFORD AND WORCESTER FIRE AND RESCUE PUBLIC  
CONSULTATION**

**1. Purpose of Report**

- 1.1. For consideration and comment as necessary.

**2. Recommendation**

- 2.1. Council is asked to review and consider the Hereford and Worcester Fire and Rescue Service (HWFRS) Resource Review and to decide if a council response is required and how this should be managed.

**3. Background**

- 3.1. At the Full Council meeting held in December 2023, the issue of possible future cuts in the number of fire engines at stations across Worcestershire was raised under Town Council ward reports. Councillors expressed a wish to be involved in the public consultation.
- 3.2. A full copy of the Resource Review can be accessed at [www.hwfire.org.uk/your-right-to-know/consultation/](http://www.hwfire.org.uk/your-right-to-know/consultation/) and a copy of the questionnaire is attached at Appendix A to this report.
- 3.3. The deadline for completion of the questionnaire is 4 March 2024. Council must therefore decide on how a response should be submitted. Options include councillors submitting their own individual responses, one single response being agreed at the Full Council meeting or delegations being given to a task and finish group to submit a response on behalf of Full Council.

**4. Financial Implications**

- 4.1. None pertaining to this report.

**5. Legal Implications**

- 5.1. None pertaining to this report.

End  
Linda Blake  
Town Clerk



## APPENDIX A

### CONFIDENTIAL WHEN COMPLETE

*Responses will be  
independently  
processed by  
ORS (Opinion  
Research Services)*

## Resource Review Consultation

Hereford & Worcester Fire and Rescue Service (HWFRS) has carried out a Resource Review as part of its duty to ensure it is making best use of its available resources and funding and providing the most effective service possible. As a result of this Review, the Service is proposing changes to some operational fire engines, and this is an opportunity for you to give your views on these proposed changes. No decision will be made until June 2024.

HWFRS aimed to address several challenges through its Resource Review, and the Service believes that its resources could be rebalanced to improve resilience, improve crewing levels and availability on some of its busier fire engines, and enhance its prevention work in the community. Under the proposals, HWFRS would remove eight On-Call fire engines from fire stations with more than one fire engine; change the third (On-Call) fire engine at Wyre Forest to night-only cover and allow firefighters there up to eight minutes to get to the station. The savings made through these proposals would be fully reinvested into supporting some of HWFRS's busiest fire engines by employing more Wholetime firefighters (who are immediately available and on duty during the day and night) at some Wholetime stations and for the first time also on some On-Call stations.

**The review does not propose closing any fire stations, or removing or reducing any 'first responding' fire engines. In fact, it aims to increase crewing and resilience on these first fire engines. All the resources released by the removal of the eight On-Call fire engines would be fully reinvested into other responding fire engines; this is not a budgetary cut or efficiency review. A full copy of the Resource Review can be accessed here (<https://www.hwfire.org.uk/your-right-to-know/consultation/>).**

**There is an online version of this questionnaire which we encourage you to complete. Please visit [www.opinionresearch.co.uk/HWFire](http://www.opinionresearch.co.uk/HWFire) by 4<sup>th</sup> March 2024; or you can complete this paper questionnaire and return it FREEPOST to arrive by the same date. It should take no longer than 10 minutes to complete and we welcome responses from everyone, including members of the public, organisations and HWFRS employees.**

The questionnaire is being administered on behalf of HWFRS by Opinion Research Services (ORS), an independent specialist research practice. All the questions are optional and any information you provide will be processed by ORS in accordance with the latest Data Protection regulations; any personally identifiable information will be kept for no more than 12 months after any decisions have been finalised. ORS will produce an independent consultation report in which feedback from individual respondents will be anonymous, but views from organisations or someone acting in their official capacity may be attributed in full. For further information, please see [www.ors.org.uk/privacy](http://www.ors.org.uk/privacy).

If you have any queries about the consultation, you can email HWFRS on [consultation@hwfire.org.uk](mailto:consultation@hwfire.org.uk) or Catherine Wall at ORS on [catherine.wall@ors.org.uk](mailto:catherine.wall@ors.org.uk).

You can contact the Market Research Society on 0800 975 9596 to confirm that ORS is a genuine research practice.

# Resource Review Consultation Document

We have summarised the main issues in the consultation plan to help you answer the questions. However, you can access the full consultation plan by going to <https://www.hwfire.org.uk/your-right-to-know/consultation/> or you can request a paper copy by emailing [consultation@hwfire.org.uk](mailto:consultation@hwfire.org.uk).

## Background information

*Wholetime firefighters are those whose main employment is with the Fire Service; they work shifts and are immediately available to respond to an emergency, usually from a fire station. On-Call firefighters are those who live or work within five minutes of their local fire station and usually have alternative employment away from the Service. They have an allowance of six minutes to respond to the fire station and mobilise the fire engine.*

*The Service currently has 41 fire engines across 25 fire stations, 11 of those fire stations have more than one fire engine and 14 fire stations have one fire engine only. Seventeen fire stations are solely crewed by On-Call firefighters and the other eight fire stations (in the cities and larger towns) have a mix of fire engines crewed by both Wholetime and On-Call firefighters with 11 fire stations having either two, three, or four fire engines. The first fire engine at each location is the busiest and most used. Virtually all parts of the two counties can receive a fire engine within around 20 minutes, with the most built-up areas usually receiving a fire engine much more quickly. Wholetime staffed fire engines are the most used fire engines in the Service.*

*All 25 fire stations have at least one fire engine that is crewed by On-Call firefighters. A total of 31 fire engines across the 25 stations are crewed solely by On-Call firefighters, with five other fire engines crewed at night by On-Call staff (Wholetime during the day only).*

## A need for change *Please refer to page 16 of the consultation document*

*HWFRS has a number of challenges that it has aimed to address through its Resource Review, namely to:*

- Improve the resilience of the busiest Wholetime fire engines and increase crewing levels*
- Improve the availability of all remaining fire engines*
- Ensure that the On-Call firefighter duty system is more resilient, sustainable and affordable*
- Increase community engagement and capacity to deliver more Prevention activities*
- Explore new ways of working with On-Call staff and further improve support for On-Call fire stations*
- Reduce the need for excessive overtime shifts to be worked on Wholetime fire stations.*

*HWFRS believes that its resources could be rebalanced to employ more Wholetime Firefighters and provide improved resilience and crewing levels on busier fire engines, releasing more resources to improve support for On-Call fire engines, develop new more sustainable ways of On-Call working, and enhance prevention (home and community safety) activities in the community.*

**Q1. To what extent do you agree or disagree that HWFRS should change the way it uses its resources to address the challenges outlined above?**

PLEASE TICK ✓ **ONE BOX ONLY**

Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Don't know
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## Removal of On-Call fire engines *Please refer to page 19 of the consultation document*

***Outline:** The Review, which considered fire stations with more than one fire engine, identified that up to eight On-Call fire engines could be removed and the way On-Call cover is provided from some of these fire stations, could be changed, without negatively affecting HWFRS's ability to respond effectively to incidents.*

*The Review found that, taken together, these eight fire engines per year on average:*

- Attend only a total of 29 emergency response incidents (0.38% of a total of 7,366 incidents) each year as the first or only fire engine when there is no other fire engine available. Across the eight fire engines this is an average of less than four emergencies per fire engine per year*
- Are not used at 47.59% of the incidents they attend*
- Attend a total of 410 incidents each year across the Service, most often as a supporting fire engine, with 325 of those incidents being in their own station areas*
- This equates to 5.57% of all incidents attended by HWFRS, and ranges from 0.31% to 1.14% across the eight fire engines. These are the lowest number of incidents attended by any fire engine. When they are not available (on average 68% of the time) other nearby available fire engines are routinely mobilised instead*
- The eight fire engines have an overall availability of just 31.99% as they often do not have enough or the right mix of skills from the available On-Call firefighters to crew the fire engine at the time required.*

*The Review considered the impact that the loss of eight of the 41 fire engines would have on overall levels of Service resilience, and it is not envisaged that overall engine availability and response times, or overall resilience levels for larger incidents, would be affected in any material way by the removal of the fire engines as proposed.*

***Proposal:** HWFRS is proposing to remove the following eight On-Call fire engines from fire stations with more than one fire engine, reducing overall staffing levels to meet the needs of the fire stations and to allow savings to be reallocated:*

- |  |   |
|--|---|
| <i>• Fourth fire engine at Wyre Forest Station</i> | <i>• Second fire engine at Bromyard</i>   |
| <i>• Third fire engine at Redditch Station</i>     | <i>• Second fire engine at Malvern</i>    |
| <i>• Third fire engine at Hereford</i>             | <i>• Second fire engine at Leominster</i> |
| <i>• Third fire engine at Worcester</i>            | <i>• Second fire engine at Droitwich</i>  |

*These proposals provide savings that would **all** be reinvested in other, busier, fire engines to improve resilience, crewing levels, and support more prevention work within communities.*

**Q2. To what extent do you agree or disagree with the proposal to remove eight On-Call fire engines from stations with two or more fire engines, to release resources for other, busier, fire engines?**

PLEASE TICK ✓ **ONE** BOX ONLY

Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Don't know
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## Changes to the third (On-Call) engine at Wyre Forest Please refer to page 40 of the consultation document

***Outline:** It is proposed that the third (On-Call) fire engine at Wyre Forest fire station would support one Wholetime fire engine (24/7), and one other On-Call fire engine (also available 24/7), hence the proposal for this third fire engine to provide cover at night only. Nearby Droitwich fire station first fire engine is immediately available during the day, but On-Call at night, hence the proposal is for night cover only on the third fire engine at Wyre Forest.*

*On-Call firefighters are currently required to live or work within five minutes of the fire station. For the third fire engine at Wyre Forest, if firefighters were allowed to live or work within eight minutes of the fire station, this would increase the number of households to potentially recruit firefighters from by almost 31,000 (an increase of 207%), making the future recruitment model more sustainable.*

***Proposal:** HWFRS is proposing to change the third (On-Call) fire engine at Wyre Forest to night cover only and allow firefighters up to eight minutes to attend the fire station, providing a much larger recruitment area, but potentially being able to provide 100% availability.*

**Q3a. To what extent do you agree or disagree with the proposal to change the third (On-Call) fire engine at Wyre Forest to night-only cover?**

PLEASE TICK ✓ **ONE** BOX ONLY

Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Don't know
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Q3b. To what extent do you agree or disagree with the proposal to allow On-Call firefighters at Wyre Forest, on the third fire engine only, up to eight minutes (up from five minutes) to attend the fire station?**

PLEASE TICK ✓ **ONE** BOX ONLY

Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Don't know
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



## Reinvesting savings to support the busiest fire engines

Please refer to page 41 of the consultation document

**Outline:** Reinvesting savings into supporting the busiest fire engines would provide much needed additional resilience for many of the first 25 fire engines. This reinvestment would normally see over 50 Wholtime firefighters on duty in the day (up from 40) and 23 firefighters immediately available on duty at night (up from 20). Note: these totals include some additional firefighters (around 2 per day) also being made available as a result of other changes already being made by HWFRS to Droitwich, Malvern and Evesham fire stations.

**Proposal:** HWFRS is proposing to reinvest all the savings made into supporting the busiest fire engines by providing more Wholtime firefighters at some fire stations, who are immediately available and on duty during the day and night, with more Wholtime firefighters available during the daytime when emergency calls are at their highest levels. By improving Wholtime resilience it would release significant resources currently used to address shortfalls in the Wholtime service to support other On-Call fire engines across the Service area.

The table below summarises the proposed reinvestment:

Station	Proposal
Wyre Forest	Wholtime crewing on the first responding fire engines at Wyre Forest, Worcester and Hereford would increase from four to five firefighters on most occasions, providing more firefighters at incidents as quickly as possible. On-Call units would crew their remaining fire engines (night time only at Hereford and Worcester) and crew any special appliances (appliances used for specific types of incidents), provided as required for local need. On-Call staff would also be able to use a dedicated four-wheel drive vehicle to transport any additional available On-Call firefighters to incidents as required.
Worcester	
Hereford	
Malvern	On-Call unit would crew the first appliance when available and special appliances (as required at this location); and use a separate vehicle on station to transport any available additional On-Call firefighters to incidents, as required.
Redditch	On-Call unit would crew one fire engine (24/7) and, where applicable, some special appliances (as required at this location); they would also be able to use a dedicated four-wheeled drive vehicle to transport any available On-Call firefighters to incidents as required.
Leominster	On-Call units would crew one fire engine (24/7) and, where applicable, some special appliances (as required at those locations); and use a dedicated four-wheel drive vehicle (as above).  The stations would also receive an establishment of Wholtime staff to improve the levels of fire cover for the first fire engine during the daytime, reduce response times, and increase the resources available to undertake prevention work in the local communities.
Bromyard	

**Q4. To what extent do you agree or disagree with the proposal to reinvest savings as detailed above into providing more Wholetime firefighters to support the busiest fire engines and provide improved ways of working for the remaining On-Call staff?** PLEASE TICK ✓ **ONE BOX ONLY**

<b>Strongly agree</b> <input type="checkbox"/>	<b>Tend to agree</b> <input type="checkbox"/>	<b>Neither agree nor disagree</b> <input type="checkbox"/>	<b>Tend to disagree</b> <input type="checkbox"/>	<b>Strongly disagree</b> <input type="checkbox"/>	<b>Don't know</b> <input type="checkbox"/>
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## Using alternative, more flexible modes of transport

Please refer to page 46 of the consultation document

Outline: There will be instances where the first On-Call fire engine at a fire station is sent to an incident with a crew of four, five or six, but additional firefighters have responded into the fire station and are available to also go to the incident. If required, these additional available firefighters could travel to that incident in a four-wheel drive vehicle to supplement and support the crew on the first fire engine. The full normal attendance of fire engines would still be sent (termed a Pre-Determined Attendance); the four-wheel drive vehicles would be for transporting additional staff only and would not be a 'response' vehicle with equipment.

Proposal: HWFRS is proposing to provide alternative, more flexible modes of transport (i.e. four-wheel drive vehicles) at some locations where a fire engine has been removed, to fully utilise available firefighters.

**Q5. To what extent do you agree or disagree with the proposal to provide alternative, more flexible modes of transport (i.e. four-wheel drive vehicles) for available additional On-Call firefighters?**

PLEASE TICK ✓ **ONE BOX ONLY**

<b>Strongly agree</b> <input type="checkbox"/>	<b>Tend to agree</b> <input type="checkbox"/>	<b>Neither agree nor disagree</b> <input type="checkbox"/>	<b>Tend to disagree</b> <input type="checkbox"/>	<b>Strongly disagree</b> <input type="checkbox"/>	<b>Don't know</b> <input type="checkbox"/>
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## Implementing a more sustainable On-Call staffing model

Please refer to page 16 of the consultation document

Outline: The Resource Review shows that the current number of On-Call fire engines is not sustainable within the current budget and crewing model due to the increased overall numbers of On-Call staff that would now be required (more On-Call staff are employed but on average providing less hours of cover per week). Additionally, many of these fire engines have very low usage and availability.

It also shows that it may well not be possible to recruit and retain the larger numbers of On-Call firefighters now required in some fire station areas: the challenges of recruiting and retaining On-Call staff is continuous and as proposed in the Review, there are more sustainable and feasible options available to maintain a high level of operational cover with less fire engines.

Proposal: HWFRS is proposing to use the savings generated to provide a more sustainable On-Call staffing model and explore new ways of working within the On-Call service.

■

**Q6. To what extent do you agree or disagree with the proposal to use the savings generated to provide a more sustainable staffing model and explore new ways of working within the On-Call service?**

PLEASE TICK ✓ **ONE** BOX ONLY

<b>Strongly agree</b> <input type="checkbox"/>	<b>Tend to agree</b> <input type="checkbox"/>	<b>Neither agree nor disagree</b> <input type="checkbox"/>	<b>Tend to disagree</b> <input type="checkbox"/>	<b>Strongly disagree</b> <input type="checkbox"/>	<b>Don't know</b> <input type="checkbox"/>
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## Any further comments?

**Q7. Do you have any OTHER COMMENTS about HWFRS's proposed changes to resourcing?**

PLEASE ANSWER IN THE BOX BELOW AND CONTINUE ON A SEPARATE SHEET IF NECESSARY

*As a public body, HWFRS has a duty to take into account the impact of its decisions on human rights, under the Human Rights Act 1998, and also on people with protected characteristics under the Equality Act 2010 (age, disability, sex, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, and sexual orientation).*

**Q8. Are there any positive or negative impacts relating to equalities that you believe should be considered? If so, are you able to provide any supporting evidence and suggest any ways to reduce or remove any potential negative impact and increase any positive impact?**

PLEASE ANSWER IN THE BOX BELOW AND CONTINUE ON A SEPARATE SHEET IF NECESSARY

## Further Research

ORS may wish to contact you to invite you to take part in a small focus group or forum, prior to reporting the findings of this consultation. You would need to provide your name and contact details but there is no obligation to take part at any stage. Personal information provided will be held securely by ORS, will not be passed on to any other party, and kept for no more than 12 months after any decisions have been finalised.

Are you happy for ORS to contact you to invite you to take part in a focus group or forum, and if so, to provide contact details to enable them to do so?

PLEASE TICK ✓ **ONE BOX ONLY**

Yes - I am happy to be contacted by ORS and invited to take part in further research relating to this consultation on the Resource Review Consultation.

☐

No - I would rather not be contacted by ORS about research relating to this consultation on the Resource Review Consultation.

☐

If you happy to be contacted by ORS to invite you to take part in further research, please provide your name and preferred contact details below.

Name

Telephone number

Email address

## Profiling information

### P1. Which of the following best describes you?

PLEASE TICK ✓ ONE BOX ONLY

Member of the public	<input type="checkbox"/>	Representative of a stakeholder organisation	<input type="checkbox"/>
Staff member at HWFRS	<input type="checkbox"/>	Other	<input type="checkbox"/>
Staff member at another Fire and Rescue Service	<input type="checkbox"/>		

### P2. If you are a STAFF MEMBER at HWFRS, are you...?

PLEASE TICK ✓ ONE BOX ONLY

Wholetime	<input type="checkbox"/>	On-Call	<input type="checkbox"/>
Support	<input type="checkbox"/>	Prefer not to say	<input type="checkbox"/>

### P3. If you are a STAFF MEMBER at HWFRS and would like to leave your name to discuss any of the consultation issues in more detail, please provide this below.

### P4. If you are responding on behalf of an ORGANISATION, which organisation do you represent?

*Please name the organisation and any specific group or department. Please also say who the organisation represents, what area it covers, and how you gathered the views of members.*

*PLEASE ANSWER IN THE BOX BELOW AND CONTINUE ON A SEPARATE SHEET IF NECESSARY*

If you are providing your own PERSONAL RESPONSE (including if you are a staff member at HWFRS), please answer the questions below.

*HWFRS has a duty to promote equality and ensure all parts of the community are included in this consultation, but the following questions are optional. All consultation responses will be taken into account regardless of whether you provide your details below.*

PLEASE TICK ✓ ONLY ONE BOX FOR EACH QUESTION

**P5. What is your full postcode?**

*This will help HWFRS understand views in different areas*

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**P6. What was your age on your last birthday?**

- |  |                                     |
|--|-------------------------------------|
| <input type="checkbox"/> Under 25          | <input type="checkbox"/> 55 to 64   |
| <input type="checkbox"/> 25 to 34          | <input type="checkbox"/> 65 to 74   |
| <input type="checkbox"/> 35 to 44          | <input type="checkbox"/> 75 to 84   |
| <input type="checkbox"/> 45 to 54          | <input type="checkbox"/> 85 or over |
| <input type="checkbox"/> Prefer not to say |                                     |

**P8. Do you consider yourself to have a disability?**

- ☐ Yes
- ☐ No
- ☐ Prefer not to say

**P7. What is your gender?**

- ☐ Male
- ☐ Female
- ☐ Non-binary
- ☐ Transgender
- ☐ Other
- ☐ Prefer not to say

**P9. What is your ethnic group?**

- ☐ White British
- ☐ Mixed or multiple ethnic groups
- ☐ Asian or Asian British
- ☐ Black, African, Caribbean or Black British
- ☐ Any other ethnic group
- ☐ Prefer not to say

**THANK YOU FOR YOUR TIME**

Please return the questionnaire to arrive by **4<sup>th</sup> March 2024** to:  
Opinion Research Services • FREEPOST SS1018 • PO Box 530 • Swansea • SA1 1ZL

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

**to be held on Wednesday 14 February 2024 at 6.00 pm  
in the Council Chamber, Malvern Town Council, Belle Vue Terrace**

**JENNY LIND SCULPTURE IN ROSE BANK GARDENS**

**1. Purpose of Report**

- 1.1. For decision.

**2. Recommendation**

- 2.1. Council is asked to consider and agree to a request to remove the Jenny Lind sculpture from its current location so that it can be moved to Priory Park.

**3. Background**

- 3.1. In April 2020, Full Council approved funding to support a project to install a fountain/water feature in Rose Bank Gardens to mark the 200<sup>th</sup> anniversary of Jenny Lind's birth.
- 3.2. As the project developed, it was suggested that a sculpture of Jenny Lind on a pole be incorporated into the project. This sculpture was funded from private donations/sponsors and installed by Town Council staff.
- 3.3. In February 2023, Council agreed to install a Malvern sign in Rose Bank Gardens and a consequence of this was that the Jenny Lind sculpture was moved to a new location adjacent to the 99 steps.
- 3.4. The Town Clerk has recently received a letter from Peter Smith who designed and secured funding for the Jenny Lind sculpture. Peter has written on behalf of the sponsors to request that the sculpture of Jenny Lind is removed from Rose Bank Gardens.
- 3.5. With the agreement of Malvern Hills District Council, the sculpture will be moved to Priory Park. Town Council staff can arrange for the sculpture to be removed ready for it to be collected from Rose Bank Gardens.
- 3.6. The Jenny Lind sculpture was donated to Malvern Town Council as part of the project to install a fountain/water feature. This project has now been abandoned. Council is therefore asked to consider the request for this sculpture to be taken off Town Council land and relocated elsewhere.

**4. Financial Implications**

- 4.1. There are no direct costs to remove the Jenny Lind sculpture from Rose Bank Gardens, only the allocation of staff time.

**5. Legal Implications**

- 5.1. The Town Council is the current legal owner of the Jenny Lind sculpture and insure it within Rose Bank Gardens. The Council is therefore required to make a resolution to dispose of it and informally transfer ownership.

End

Linda Blake  
Town Clerk



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

**to be held on Wednesday 14 February 2024 at 6.00 pm  
in the Council Chamber, Malvern Town Council, Belle Vue Terrace**

**NEW COMMUNITY HUB AT VICTORIA PARK – OPTION TO TAX**

**1. Purpose of Report**

- 1.1. For decision.

**2. Recommendation**

- 2.1. That Council make an option to tax for the area of the new community hub building at Victoria Park.

**3. Background**

- 3.1. The Council has agreed an order to build a single storey community hub building at Victoria Park. Groundworks will begin in mid-February with an estimated completion date of May 2024.
- 3.2. Malvern Town Council is VAT registered and it is important for the Council to consider the VAT implications associated with the new community hub building as well as the best option to maximise VAT recovery.
- 3.3. VAT advice has been taken in respect of this matter as the VAT implications of such a large project can be quite complex in nature. A number of options have been evaluated and one clear viable option recommended.
- 3.4. The proposed option is for the Council to make an option to tax on the site. Opting to tax is a formal decision by the Council that all future use will become taxable. VAT must be charged on any lease or hire, but the Council then has the right to reclaim any VAT incurred on construction and running costs because they relate to taxable business activities.
- 3.5. An option to tax is a decision by the Council that all future supplies of a building or area of land will become taxable supplies. VAT must be charged on all room hire and leases but the Council will also be able to reclaim any VAT incurred as it relates to taxable business activities.
- 3.6. Items to note are as follows:
- The Council may need HMRC's permission to opt to tax if it has made prior use of the site for VAT-exempt purposes, but it should meet the conditions for automatic permission.
  - An option to tax cannot normally be revoked for at least twenty years although the Town Council will have a six-month cooling off period in which to change its mind.
  - If the meeting room is hired to a charity for its non-business activities, then these charges would remain VAT-exempt.
  - The option does not affect services provided by anyone who hires or leases the building from the Council.

- Once the decision has been made, HMRC must be notified within thirty days.

**4. Financial Implications**

- 4.1. By making an option to tax, Council will be able to reclaim VAT on construction costs, running costs and any future refurbishment costs.

**5. Legal Implications**

- 5.1. VAT Notice 742A covers the option to tax.

End  
Linda Blake  
Town Clerk

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

**to be held on Wednesday 14 February 2024 at 6.00 pm  
in the Council Chamber, Malvern Town Council, Belle Vue Terrace**

**NEW COMMUNITY HUB AT VICTORIA PARK – LOAN FUNDING**

**1. Purpose of Report**

- 1.1. For decision.

**2. Recommendation**

- 2.1. Council to agree the following as an update to its existing resolution.  
It is **RESOLVED** to seek the approval of the Secretary of State for Levelling Up, Housing and Communities to apply for a PWLB loan of £310,000 over 25 years as part of the funding for a new community hub building at Victoria Park in Malvern. The annual loan repayments will come to around £22,742.  
It is also intended to increase the council tax precept for the purpose of the loan repayments by 3% which is the equivalent of £2.05 per year.  
*This is update to the Council resolution made on 15 March 2022 due to the increase in interest rates since this time. A precept increase consultation exercise was carried out in January / February 2022 and received 75% of respondents in favour of a precept increase.*

**3. Background**

- 3.1. A resolution to apply for a PWLB loan was made by the Town Council at its meeting held on 15 March 2022.
- 3.2. A public consultation exercise had taken place in January / February 2022. This included three consultation events, information on the Town Council website and a questionnaire was available both online and in hard copy.
- 3.3. Given the time that has elapsed as well as the change in interest rates since this time, a Policy Officer from the Department for Levelling Up, Housing and Communities has advised MTC to update its resolution.

**4. Financial Implications**

- 4.1. There has been no change to the amount that Malvern Town Council wish to borrow from the PWLB at £310,000.

**5. Legal Implications**

- 5.1. Applications to borrow are governed by the Department of Levelling Up, Housing and Communities.

End  
Linda Blake  
Town Clerk

## NEW BUILDING AT VICTORIA PARK

### UPDATED FINANCIAL IMPLICATIONS

Modulek Contract Cost	£1,100,000
Associated Project Costs	£100,000
Total Cost	<u>£1,200,000</u>

#### Funding

Sale of Belle Vue Terrace	£660,000	
Council Reserves		£230,000
Funding from PWLB		£310,000
<b>Total</b>		<b><u>£1,200,000</u></b>

Loan Repayment					
Length	Interest Rate	Annual Repayment	% of Precept	Overall Payment	Total Interest
25	5.41%	£22,742	3.00	£568,550	£258,550

### FINANCIAL IMPLICATIONS

Precept 2023/24	757,000	Precept set for 2024/25	828,500
Annual Loan Repayment	22,742	Increase from 2023/24	9.4%
Loan Repayment as % of precept	3.00%	Loan Repayment	3.0%
Current Taxbase Malvern Town	11,109.58	Salary associated increases	4.6%
Increase in Band D Council Tax	£2.05	Operational Project	1.8%

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

**to be held on Wednesday 14 February 2024 at 6.00 pm  
in the Council Chamber, Malvern Town Council, Belle Vue Terrace**

**COMMUNITY ENGAGEMENT CONSULTATION**

**1. Purpose of Report**

- 1.1. For decision.

**2. Recommendation**

- 2.1. Council is asked to consider setting up a Community Engagement Task and Finish Group to consider the responses received to the Town Council's Community Engagement Consultation, to identify any actions that may need to be taken as a result and report back to Full Council.

**3. Background**

- 3.1. Full Council resolved to adopt a Community Engagement Strategy in April 2023.
- 3.2. The Council already engages in many forms of community engagement as outlined in the strategy document.
- 3.3. In June 2023, Cllr Clive Hooper presented a notice of motion to Council with three proposals relating to development of the Town Council's community engagement, preparation of a draft business plan by a working group of councillors and preparation of an application for the Local Council Award Scheme. The notice of motion was seconded by Cllr David Watkins. Whilst two of the proposals were not adopted, Full Council resolved that the Town Clerk and Mayor 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.
- 3.4. After discussions on the format and content, the Town Clerk and the Mayor agreed that a short letter would be sent out to local groups and partnership organisations. This letter was sent out with a copy of the Council's Community Engagement Strategy and asked for opinions on whether this strategy was appropriate, what the Council could be doing to improve its community engagement and specifically how the Town Council could better engage with each group or organisation contacted.
- 3.5. In August and September 2023, letters were sent by email to approximately 40 groups and organisations within Malvern. They were not sent to individual councillors on other local councils, but one letter was sent to MHDC, WCC and the Malvern Hills Trust and the Council as an organisation asked for a response as appropriate.
- 3.6. The initial hope was that a report would be submitted to the November Full Council meeting and therefore a deadline of the end of September was set. The Town Clerk received four written responses.

- 3.7. The Mayor, being disappointed with the number of responses received, contacted the Town Clerk to say that he intended to send a chasing email to see if any additional groups would like to respond to the consultation. This email included the original letter, but, acting individually, also included six specific questions on issues such as the Town Council website and holding more public meetings. A further eleven people / organisations responded.
- 3.8. Councillors will be aware that the past few months have been very busy with several large projects taking up officer time and hence the opportunity to report back to Full Council has only now taken place.
- 3.9. Given that this consultation has now included two different phases of consultation and that its focus as well as the groups and organisations being consulted have not been the same on each occasion, some work may need to be done to balance this and collate responses.
- 3.10. The setting up of a task and finish group of five members would facilitate the following:
- Review of the consultation responses received to date and consideration of whether any further information should be sought to balance / improve the consultation.
  - Identification of any specific issues raised which may need further consultation before a final recommendation is agreed. An example of this would be that if several respondents have stated that more public meetings would be a good idea, members of the public may also need to be asked if they would attend, to gauge how beneficial this action would be.
  - Submission of an action plan with recommendations back to Full Council.

**4. Financial Implications**

- 4.1. There are no direct financial implications, but officer time will be required.

**5. Legal Implications**

- 5.1. None pertaining to this report.

End  
Linda Blake  
Town Clerk

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

**to be held on Wednesday 14 February 2024 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 31 January 2024 and listed below.

**Minute 25 Business Continuity Policy**

It was **RECOMMENDED** that the draft business continuity plan incorporating changes as agreed by committee and attached at Appendix A to the minutes of the meeting would be presented to Full Council for adoption.

**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 as presented by the Chair or Vice Chair of Audit Committee and to approve, amend or refer back to committee as appropriate.
- 3.3. Councillors are reminded that the relevant reports as considered by committees when making their recommendations can be found within the papers distributed for the meeting and these will not be reissued.
- 3.4. If any councillor has any queries relating to a recommendation, it is suggested that they raise it with either the Town Clerk or Chairman of Committee before the Council meeting.

**4. Financial Implications**

- 4.1. Please see individual committee reports.

**5. Legal Implications**

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

End

Linda Blake  
Town Clerk

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

**to be held on Wednesday 14 February 2024 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 recommendation from the meeting of Policy and Resources Committee held on 7 February 2024 and listed below.

Minute 53 Review of standing orders

Committee **RECOMMENDED** that the amended standing orders as attached to these minutes be forwarded to Full Council for adoption.

The amended standing orders are attached at Appendix A to this report for ease of reference).

Members will note that certain changes have been made to standardise language throughout the document in line with other policies. This includes use of Chair/Vice-Chair and they/their.

**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 as presented by the Chair or Vice-chair of Policy and Resources Committee 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





# **MALVERN TOWN COUNCIL**

## **DRAFT STANDING ORDERS**

**As amended by Policy and Resources Committee 7 February 2024**

<b>1.</b>	<b>RULES OF DEBATE AT MEETINGS</b>
a.	Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the Chair of the meeting.
b.	A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
c.	A motion on the agenda that is not moved by its proposer may be treated by the Chair of the meeting as withdrawn.
d.	If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
e.	An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
f.	If an amendment to the original motion is carried, the original motion (as amended) becomes the substantive motion upon which further amendment(s) may be moved.
g.	This standing order has been deleted from MTC's standing orders.
h.	A councillor may move an amendment to their own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.
i.	If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the Chair of the meeting.
j.	Subject to standing order 1(k), only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chair of the meeting.
k.	One or more amendments may be discussed together if the Chair of the meeting considers this expedient but each amendment shall be voted upon separately.
l.	A councillor may not move more than one amendment to an original or substantive motion.
m.	The mover of an amendment has no right of reply at the end of debate on it.
n.	Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of debate on the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.
o.	Unless permitted by the Chair of the meeting, a councillor may speak once in the debate on a motion except:
	i. to speak on an amendment moved by another councillor;
	ii. to move or speak on another amendment if the motion has been amended since they last spoke;
	iii. to make a point of order;
	iv. to give a personal explanation; or
	v. to exercise a right of reply.
p.	During the debate on a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the standing order which they consider has been breached or specify the other irregularity in the proceedings of the meeting they are concerned by.
q.	A point of order shall be decided by the Chair of the meeting and their decision

	shall be final.
r.	When a motion is under debate, no other motion shall be moved except:
	i. to amend the motion;
	ii. to proceed to the next business;
	iii. to adjourn the debate;
	iv. to put the motion to a vote;
	v. to ask a person to be no longer heard or to leave the meeting;
	vi. to refer a motion to a committee or sub-committee for consideration;
	vii. to exclude the public and press;
	viii. to adjourn the meeting; or
	ix. to suspend particular standing order(s) excepting those which reflect <b>mandatory</b> statutory or legal requirements.
s.	Before an original or substantive motion is put to the vote, the Chair of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived their right of reply.
t.	Excluding motions moved under standing order 1(r), the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed five minutes without the consent of the Chair of the meeting.
<b>2.</b>	<b>DISORDERLY CONDUCT AT MEETINGS</b>
a.	No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the Chair of the meeting shall request such person(s) to moderate or improve their conduct.
b.	If person(s) disregard the request of the Chair of the meeting to moderate or improve their conduct, any councillor or the Chair of the meeting may move that the person be no longer heard or be excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
c.	If a resolution made under standing order 2(b) is ignored, the Chair of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.
<b>3.</b>	<b>MEETINGS GENERALLY</b>
	<div>Full Council meetings ●</div> <div>Committee meetings ●</div> <div>Sub-committee meetings ●</div>
a.	● <b>Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.</b>
b.	● <b>The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.</b>
c.	● <b>The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice.</b>
d.	●● <b>Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to</b>

	<b>be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.</b>
e.	Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda. Public participation will take place following 'Apologies for Absence', 'Declarations of Interest' and 'Approval of the Minutes of the last meeting' (if relevant)
f.	The period of time designated for public participation at a meeting in accordance with standing order 3(e) shall not exceed thirty minutes unless directed by the Chair of the meeting.
g.	Subject to standing order 3(f), a member of the public shall not speak for more than five minutes.
h.	In accordance with standing order 3(e), a question shall not require a response at the meeting nor start a debate on the question. The Chair of the meeting may direct that a written or oral response be given.
i.	<del>A person shall raise their hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort). The Chair of the meeting may at any time permit a person to be seated when speaking.</del> <b>CHANGE: some wording to be deleted as marked</b>
j.	A person who speaks at a meeting shall direct their comments to the Chair of the meeting.
k.	Only one person is permitted to speak at a time. If more than one person wants to speak, the Chair of the meeting shall direct the order of speaking.
l.	<b>●● Subject to standing order 3(m), a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To "report" means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.</b>
m.	<b>●● A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.</b>
n.	<b>●● The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.</b>
o.	<b>● Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chair of the Council may in their absence be done by, to or before the Vice-Chair of the Council (if there is one).</b>
p.	<b>● The Chair of the Council, if present, shall preside at a meeting. If the Chair is absent from a meeting, the Vice-Chair of the Council (if there is one) if present, shall preside. If both the Chair and the Vice-Chair are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.</b>
q.	<b>●●● Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors and non-councillors with voting rights present and voting.</b>

r.	●●● The Chair of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise their casting vote whether or not they gave an original vote.
	<i>See standing orders 5(h) and (i) for the different rules that apply in the election of the Chair of the Council at the annual meeting of the Council.</i>
s.	● Unless standing orders provide otherwise, voting on a question shall be by a show of hands. At the request of a councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave their vote for or against that question. Such a request shall be made before the vote is taken and before moving on to the next item of business on the agenda.
t.	The minutes of a meeting shall include an accurate record of the following:
	i. the time and place of the meeting;
	ii. the names of councillors who are present and the names of councillors who are absent; <del>Apologies for absence submitted by councillors will be considered individually with those absences that are accepted and approved by a resolution being recorded in the minutes.</del> <b>CHANGE: second sentence previously added to MTC's STOs but is not current practice in meetings.</b>
	iii. interests that have been declared by councillors and non-councillors with voting rights;
	iv. the grant of dispensations (if any) to councillors and non-councillors with voting rights;
	v. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
	vi. if there was a public participation session; and
	vii. the resolutions made.
u.	●●● A councillor or a non-councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on their right to participate and vote on that matter.
v.	● No business may be transacted at a meeting unless at least one-third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than three.
	<i>See standing order 4d(viii) for the quorum of a committee or sub-committee meeting.</i>
w.	●●● If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting.
x.	A meeting shall not exceed a period of two hours. At the discretion of the Chair, the council may agree to suspend standing orders and the meeting be extended for a further thirty minutes.
4.	<b>COMMITTEES AND SUB-COMMITTEES</b>
a.	Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.

b.	<b>The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.</b>
c.	<b>Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.</b>
d.	The Council may appoint standing committees or other committees as may be necessary, and:
	i. shall determine their terms of reference;
	ii. shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of the Council;
	iii. shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;
	iv. shall, subject to standing orders 4(b) and (c), appoint and determine the terms of office of members of such a committee;
	v. may, subject to standing orders 4(b) and (c), appoint and determine the terms of office of the substitute members to a committee whose role is to replace the ordinary members at a meeting of a committee if the ordinary members of the committee confirm to the Proper Officer before the meeting that they are unable to attend;
	vi. shall permit the members of a standing committee or committee to appoint the Chair and Vice-Chair of that standing committee or committee at the first meeting of the committee held after the Annual Council in May; <b>CHANGE: added 'or committee' after 'standing committee' in two places.</b>
	vii. this standing order has been deleted from MTC's standing orders;
	viii. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which, in both cases, shall be no fewer than three;
	ix. shall determine if the public may participate at a meeting of a committee;
	x. shall determine if the public and press are permitted to attend the meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee;
	xi. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
	xii. may dissolve a committee or a sub-committee.
<b>5.</b>	<b>ORDINARY COUNCIL MEETINGS</b>
a.	<b>In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the councillors elected take office.</b>
	<i>Note: Elected councillors take office on the fourth day following ordinary elections and in both cases the number of days is calculated disregarding Sundays, bank holidays and days appointed for public thanksgiving.</i>
b.	<b>In a year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council decides.</b>
c.	<b>If no other time is fixed, the annual meeting of the Council shall take place at 6pm.</b>
d.	<b>In addition to the annual meeting of the Council, at least three other</b>

	<b>ordinary meetings shall be held in each year on such dates and times as the Council decides.</b>
e.	<b>The first business conducted at the annual meeting of the Council shall be the election of the Chair and Vice-Chair (if there is one) of the Council. <i>(In the case of Malvern Town Council, this is currently the Mayor and the Deputy Mayor).</i></b>
f.	<b>The Chair of the Council, unless they have resigned or become disqualified, shall continue in office and preside at the annual meeting until their successor is elected at the next annual meeting of the Council.</b>
g.	<b>The Vice-Chair of the Council, if there is one, unless they resign or become disqualified, shall hold office until immediately after the election of the Chair of the Council at the next annual meeting of the Council.</b>
h.	<b>In an election year, if the current Chair of the Council has not been re-elected as a member of the Council, they shall preside at the annual meeting until a successor Chair of the Council has been elected. The current Chair of the Council shall not have an original vote in respect of the election of the new Chair of the Council but shall give a casting vote in the case of an equality of votes.</b>
i.	<b>In an election year, if the current Chair of the Council has been re-elected as a member of the Council, they shall preside at the annual meeting until a new Chair of the Council has been elected. They may exercise an original vote in respect of the election of the new Chair of the Council and shall give a casting vote in the case of an equality of votes.</b>
j.	Following the election of the Chair of the Council and Vice-Chair (if there is one) of the Council at the annual meeting, the business shall include:
	i. <b>in an election year, delivery by the Chair of the Council and councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chair of the Council of their acceptance of office form unless the Council resolves for this to be done at a later date;</b>
	ii. confirmation of the accuracy of the minutes of the last meeting of the Council;
	iii. receipt of the minutes of the last meeting of a committee;
	iv. consideration of the recommendations made by a committee;
	v. review of delegation arrangements to committees, sub-committees, staff and other local authorities;
	vi. review of the terms of reference for committees;
	vii. appointment of members to existing committees;
	viii. appointment of any new committees in accordance with standing order 4;
	ix. review and adoption of appropriate standing orders and financial regulations;
	x. review of arrangements (including legal agreements) with other local authorities, not-for-profit bodies and businesses;
	xi. review of representation on or work with external bodies and arrangements for reporting back;
	xii. in an election year, to make arrangements with a view to the Council becoming eligible to exercise the general power of competence in the

	future;
	xiii. review of inventory of land and other assets including buildings and office equipment;
	xiv. confirmation of arrangements for insurance cover in respect of all insurable risks;
	xv. review of the Council's and/or staff subscriptions to other bodies;
	xvi. review of the Council's complaints procedure;
	xvii. review of the Council's policies, procedures and practices in respect of its obligations under freedom of information and data protection legislation (see also standing orders 11, 20 and 21);
	xviii. review of the Council's policy for dealing with the press/media;
	xix. review of the Council's employment policies and procedures;
	xx. review of the Council's expenditure incurred under s.137 of the Local Government Act 1972 or the general power of competence.
	xxi. determining the time and place of ordinary meetings of the Council up to and including the next annual meeting of the Council.
	<i>Items v. to xxi may be referred to a committee before final ratification by Full Council during the council year.</i>
<b>6.</b>	<b>EXTRAORDINARY MEETINGS OF THE COUNCIL, COMMITTEES AND SUB-COMMITTEES</b>
a.	<b>The Chair of the Council may convene an extraordinary meeting of the Council at any time.</b>
b.	<b>If the Chair of the Council does not call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting shall be signed by the two councillors.</b>
c.	The Chair of a committee or a sub-committee may convene an extraordinary meeting of the committee or the sub-committee at any time.
d.	If the Chair of a committee or a sub-committee does not call an extraordinary meeting within seven days of having been requested to do so by two members of the committee or the sub-committee, any two members of the committee or the sub-committee may convene an extraordinary meeting of the committee or a sub-committee.
<b>7.</b>	<b>PREVIOUS RESOLUTIONS</b>
a.	A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least seven councillors to be given to the Proper Officer in accordance with standing order 9, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.
b.	When a motion moved pursuant to standing order 7(a) has been disposed of, no similar motion may be moved for a further six months.
<b>8.</b>	<b>VOTING ON APPOINTMENTS</b>
a.	<b>Where one position is to be filled:</b> Where more than two persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a



	majority of votes is given in favour of one person. A tie in votes may be settled by the casting vote exercisable by the Chair of the meeting.
b.	<p><b>Where more than one position is to be filled:</b></p> <p>Where there are more nominations than positions available to be filled, each councillor at the meeting shall have the same number of votes as vacancies. A councillor can choose to place fewer votes than vacancies, but cannot place more. A councillor may also only vote for each candidate once. If there is a tie in votes, which does not allow for the election of the required number of candidates, then the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes are given in favour of the required number of people to fill the vacancies</p>
<b>9.</b>	<b>MOTIONS FOR A MEETING THAT REQUIRE WRITTEN NOTICE TO BE GIVEN TO THE PROPER OFFICER</b>
a.	A motion shall relate to the responsibilities of the meeting for which it is tabled and in any event shall relate to the performance of the Council's statutory functions, powers and obligations or an issue which specifically affects the Council's area or its residents.
b.	<p>No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least seven clear days* before the meeting. <del>Clear days do not include the day of the notice or the day of the meeting.</del></p> <p><b>CHANGE: last sentence removed and included in the definition of 'clear days'</b></p>
c.	The Proper Officer may, before including a motion on the agenda received in accordance with standing order 9(b), correct obvious grammatical or typographical errors in the wording of the motion.
d.	If the Proper Officer considers the wording of a motion received in accordance with standing order 9(b) is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it, so that it can be understood, in writing, to the Proper Officer at least five clear days* before the meeting.
e.	If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the Chair of the forthcoming meeting or, as the case may be, the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.
f.	The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
g.	Motions received shall be recorded and numbered in the order that they are received.
h.	Motions rejected shall be recorded with an explanation by the Proper Officer of the reason for rejection.
<b>10.</b>	<b>MOTIONS AT A MEETING THAT DO NOT REQUIRE WRITTEN NOTICE</b>
a.	The following motions may be moved at a meeting without written notice to the Proper Officer:
	i. to correct an inaccuracy in the draft minutes of a meeting;
	ii. to move to a vote;
	iii. to defer consideration of a motion;
	iv. to refer a motion to a particular committee or sub-committee;
	v. to appoint a person to preside at a meeting;

	vi. to change the order of business on the agenda;
	vii. to proceed to the next business on the agenda;
	viii. to require a written report;
	ix. to appoint a committee or sub-committee and their members;
	x. to extend the time limits for speaking;
	xi. to exclude the press and public from a meeting in respect of confidential or other information which is prejudicial to the public interest;
	xii. to not hear further from a councillor or a member of the public;
	xiii. to exclude a councillor or member of the public for disorderly conduct;
	xiv. to temporarily suspend the meeting;
	xv. to suspend a particular standing order (unless it reflects mandatory statutory or legal requirements);
	xvi. to adjourn the meeting;
	xvii. to close the meeting; or
	xviii. to congratulate, thank or encourage an individual or body or to send condolences or best wishes to someone.
<b>10B</b>	<b>QUESTIONS</b>
a.	Councillors' questions regarding any aspect of council business, addressed to a named councillor or officer, must be sent via the Town Clerk, not later than three working days before the Council meeting.
b.	Every question put shall be answered by that named person, either verbally or in writing at the meeting or, in the case of more complex issues, at the earliest possible opportunity.
c.	The questioner shall have the right to ask a supplementary question and receive an answer, either verbally at the meeting or in writing at the earliest possible opportunity thereafter.
d.	No further discussion or debate will be permitted.
<b>11.</b>	<b>MANAGEMENT OF INFORMATION</b>
	<i>See also standing order 20.</i>
a.	<b>The Council shall have in place and keep under review, technical and organisational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.</b>
b.	<b>The Council shall have in place, and keep under review, policies for the retention and safe destruction of all information (including personal data) which it holds in paper and electronic form. The Council's retention policy shall confirm the period for which information (including personal data) shall be retained or if this is not possible the criteria used to determine that period (e.g. the Limitation Act 1980).</b>
c.	<b>The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential information or personal data without legal justification.</b>
d.	<b>Councillors, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.</b>

<b>12.</b>	<b>DRAFT MINUTES</b>
	<div>Full Council meetings ●</div> <div>Committee meetings ●</div> <div>Sub-committee meetings ●</div>
a.	Draft minutes will be confirmed at the next meeting of the relevant Council or committee having been served on Councillors with the agenda to attend the meeting at which they are due to be approved.
b.	There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order 10(a)(i).
c.	The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the Chair of the meeting and stand as an accurate record of the meeting to which the minutes relate.
d.	<p>If the Chair of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, they shall sign the minutes and include a paragraph in the following terms or to the same effect:</p> <p>“The Chair of this meeting does not believe that the minutes of the meeting of the ( ) held on ( ) in respect of ( ) were a correct record but their view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings.”</p>
e.	●●● If the Council's gross annual income or expenditure (whichever is higher) does not exceed £25,000, it shall publish draft minutes on a website which is publicly accessible and free of charge not later than one month after the meeting has taken place.
f.	Subject to the publication of draft minutes in accordance with standing order 12(e) and standing order 20(a) and following a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.
<b>13.</b>	<b>CODE OF CONDUCT AND DISPENSATIONS</b>
	<i>See also standing order 3(u).</i>
a.	All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.
b.	Unless they have been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which they have a disclosable pecuniary interest. They may return to the meeting after it has considered the matter in which they had the interest.
c.	Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which they have another interest if so required by the Council's code of conduct. They may return to the meeting after it has considered the matter in which they had the interest.
d.	<b>Dispensation requests shall be in writing and submitted to the Proper Officer</b> as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
e.	A decision as to whether to grant a dispensation shall be made by a meeting of the Council, or committee or sub-committee for which the dispensation is required and that decision is final.
f.	A dispensation request shall confirm:

	i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
	ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
	iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
	iv. an explanation as to why the dispensation is sought.
g.	Subject to standing orders 13(d) and (f), a dispensation request shall be considered at the beginning of the meeting of the Council, or committee or sub-committee for which the dispensation is required.
h.	<b>A dispensation may be granted in accordance with standing order 13(e) if having regard to all relevant circumstances any of the following apply:</b>
	i. <b>without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business;</b>
	ii. <b>granting the dispensation is in the interests of persons living in the Council's area; or</b>
	iii. <b>it is otherwise appropriate to grant a dispensation.</b>
<b>14.</b>	<b>CODE OF CONDUCT COMPLAINTS</b>
a.	Upon notification by the District or Unitary Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Proper Officer shall, subject to standing order 11, report this to the Council.
b.	Where the notification in standing order 14(a) relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chair of Council of this fact, and the Chair shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the Council has agreed what action, if any, to take in accordance with standing order 14(d).
c.	The Council may:
	i. provide information or evidence where such disclosure is necessary to investigate the complaint or is a legal requirement;
	ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;
d.	<b>Upon notification by the District or Unitary Council that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Council shall consider what, if any, action to take against them. Such action excludes disqualification or suspension from office.</b>
<b>15.</b>	<b>PROPER OFFICER</b>
a.	The Proper Officer shall be either (i) the clerk or (ii) other staff member(s) nominated by the Council to undertake the work of the Proper Officer when the Proper Officer is absent.
b.	The Proper Officer shall:
	i. <b>at least three clear days before a meeting of the Council, a committee or a sub-committee,</b>
	<b>• serve on councillors by delivery or post at their residences or by</b>

	<b>email authenticated in such manner as the Proper Officer thinks fit, a signed summons confirming the time, place and the agenda (provided the councillor has consented to service by email), and</b>
	<ul style="list-style-type: none"> <li><b>Provide, in a conspicuous place, public notice of the time, place and agenda (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).</b></li> </ul>
	<i>See standing order 3(b) for the meaning of clear days for a meeting of a full council and standing order 3(c) for the meaning of clear days for a meeting of a committee;</i>
	ii. subject to standing order 9, include on the agenda all motions in the order received unless a councillor has given written notice at least five clear days* before the meeting confirming their withdrawal of it;
	iii. <b>convene a meeting of the Council for the election of a new Chair of the Council, occasioned by a casual vacancy in their office;</b>
	iv. <b>facilitate inspection of the minute book by local government electors;</b>
	v. <b>receive and retain copies of byelaws made by other local authorities;</b>
	vi. hold acceptance of office forms from councillors;
	vii. hold a copy of every councillor's register of interests;
	viii. assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;
	ix. liaise, as appropriate, with the Council's designated Data Protection Officer; <b>CHANGE: 'designated' added to clause</b>
	x. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
	xi. assist in the organisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the requirements of data protection and freedom of information legislation and other legitimate requirements (e.g. the Limitation Act 1980);
	xii. arrange for legal deeds to be executed; (see also standing order 23).
	xiii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations;
	xiv. record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose;
	xv. refer a planning application received by the Council to the Chair or in their absence Vice-Chair (if there is one) of the Operations and Planning Committee within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the Operations and Planning committee;
	xvi. manage access to information about the Council via the publication scheme; and
	xvii. retain custody of the seal of the Council (if there is one) which shall not be used without a resolution to that effect (see also standing order 23).

<b>16.</b>	<b>RESPONSIBLE FINANCIAL OFFICER</b>
a.	The Council shall appoint appropriate staff member(s) to undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.
<b>17.</b>	<b>ACCOUNTS AND ACCOUNTING STATEMENTS</b>
a.	“Proper practices” in standing orders refer to the most recent version of “Governance and Accountability for Local Councils – a Practitioner’s Guide”.
b.	All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council’s financial regulations.
c.	The Responsible Financial Officer shall supply to each councillor as soon as practicable after 30 June, 30 September, 31 December and 31 March in each year a statement to summarise:
	i. the Council’s receipts and payments (or income and expenditure) for each quarter;
	ii. the Council’s aggregate receipts and payments (or income and expenditure) for the year to date;
	iii. the balances held at the end of the quarter being reported and
	which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.
d.	As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
	i. each councillor with a statement summarising the Council’s receipts and payments (or income and expenditure) for the last quarter and the year to date for information; and
	ii. to the Council the accounting statements for the year in the form of Section 2 of the annual governance and accountability return, as required by proper practices, for consideration and approval.
e.	The year-end accounting statements shall be prepared in accordance with proper practices and apply the form of accounts determined by the Council (receipts and payments, or income and expenditure) for the year to 31 March. A completed draft annual governance and accountability return shall be presented to all councillors at least fourteen days prior to anticipated approval by the Council. The annual governance and accountability return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to the Council for consideration and formal approval before 30 June.
<b>18.</b>	<b>FINANCIAL CONTROLS AND PROCUREMENT</b>
a.	The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
	i. the keeping of accounting records and systems of internal controls;
	ii. the assessment and management of financial risks faced by the Council;
	iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
	iv. the inspection and copying by councillors and local electors of the Council’s accounts and/or orders of payments; and

	v. whether contracts with an estimated value below £25,000 due to special circumstances are exempt from a tendering process or procurement exercise.
b.	Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
c.	<p><b>A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of <u>£30,000</u> but less than the relevant thresholds in standing order 18(f) is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement on the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity, unless it proposes to use an existing list of approved suppliers (framework agreement)</b></p> <p><b>CHANGE: whole clause updated from A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds in standing order 18(f) is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement on the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity.</b></p>
d.	Subject to additional requirements in the financial regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
	i. a specification for the goods, materials, services or the execution of works shall be drawn up;
	ii. an invitation to tender shall be drawn up to confirm (i) the Council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the Council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
	iii. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
	iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
	v. tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;
	vi. tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.
e.	Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
f.	<p><b>A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of <u>£189,330</u> for a public service or supply contract or in excess of <u>£4,733,252</u> for a public works contract (or other thresholds determined by the European Commission every two years and published in the Official Journal of the European Union (OJEU)) shall comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015 which include advertising the contract opportunity on the Contracts Finder website and in OJEU.</b></p> <p><b>CHANGE: Amounts changed by Public Contracts (amendments) Regulation from £181,302 to £189,330 and £4,551,413 to £4,733,252</b></p>

g.	<p><b>A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services, or postal services to the public; or the provision of a port or airport; or the exploration for or extraction of gas, oil or solid fuel with an estimated value in excess of <u>£378,660</u> for a supply, services or design contract; or in excess of <u>£4,733,252</u> for a works contract; or <u>£663,540</u> for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in OJEU) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.</b></p> <p><b>CHANGE: amounts changed by Public Contracts (amendments) Regulation 2022 from £363,424 to £378,660, £4,551,413 to £4,733,252 and £820,370 to £663,540</b></p>
<b>19.</b>	<b>HANDLING STAFF MATTERS</b>
a.	A matter personal to a member of staff that is being considered by a meeting of Council OR the Policy and Resources Committee is subject to standing order 11.
b.	<p>Subject to the Council's policy regarding absences from work, the Town Clerk will ensure that levels of staff absence are reported to Policy and Resources Committee on a quarterly basis.</p> <p><b>CHANGE: rewritten to reflect current practice</b></p>
c.	The Chair of the Policy and Resources Committee or in their absence, the Vice-Chair, along with the Chair of the Council shall upon a resolution conduct a review of the performance and annual appraisals of the work of the Town Clerk and the Operations Manager. The reviews and appraisal shall be reported in writing and are subject to approval by resolution by the Policy and Resources Committee. The Policy and Resources Committee shall also have the responsibility of reviewing annual appraisals of all Town Council employees once they have been completed by the Town Clerk and the Operations Manager.
d.	Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior member of staff (or other members of staff) shall contact the Chair of the Policy and Resources Committee or in their absence, the Vice-Chair of the Policy and Resources Committee in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Policy and Resources Committee.
e.	Subject to the Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by a member of staff relates to the Chair or Vice-Chair of the Policy and Resources Committee, this shall be communicated to another member of the Policy and Resources Committee, which shall be reported back and progressed by resolution of the Council.
f.	Any persons responsible for all or part of the management of staff shall treat as confidential the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters.
g.	In accordance with standing order 11(a), persons with line management responsibilities shall have access to staff records referred to in standing order 19(f).
<b>20.</b>	<b>RESPONSIBILITIES TO PROVIDE INFORMATION</b>
	<i>See also standing order 21.</i>
a.	<b>In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.</b>
b.	<b><i>If gross annual income or expenditure (whichever is the higher) exceeds £200,000 the Council shall publish information in accordance with the requirements</i></b>



	<b>of the Local Government (Transparency Requirements) (England) Regulations 2015.</b>
<b>21.</b>	<b>RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION</b>
	<i>See also standing order 11. (Below is not an exclusive list).</i>
a.	<b>The Council shall appoint a Data Protection Officer, if required.</b>
b.	<b>The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning their personal data.</b>
c.	<b>The Council shall have a written policy in place for responding to and managing a personal data breach.</b>
d.	<b>The Council shall keep a record of all personal data breaches comprising the facts relating to the personal data breach, its effects and the remedial action taken.</b>
e.	<b>The Council shall ensure that information communicated in its privacy notice(s) is in an easily accessible and available form and kept up to date.</b>
f.	<b>The Council shall maintain a written record of its processing activities.</b>
<b>22.</b>	<b>RELATIONS WITH THE PRESS/MEDIA</b>
a.	Requests from the press or other media for an oral or written comment or statement from the Council, its councillors or staff shall be handled in accordance with the Council's policy in respect of dealing with the press and/or other media.
<b>23.</b>	<b>EXECUTION AND SEALING OF LEGAL DEEDS</b>
	<i>See also standing orders 15(b)(xii) and (xvii).</i>
a.	A legal deed shall not be executed on behalf of the Council unless authorised by a resolution or the delegated powers of the Proper Officer.
b.	<b>Subject to standing order 23(a), any two councillors may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.</b>
	<i>The above is applicable to a Council without a common seal.</i>
<b>24.</b>	<b>COMMUNICATING WITH DISTRICT AND COUNTY COUNCILLORS</b>
a.	An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the ward councillor(s) of the District and County Council representing the area of the Council.
b.	Unless the Council determines otherwise, a copy of each correspondence sent to the District and County Council shall be sent to the ward councillor(s) representing the area of the Council.
<b>25.</b>	<b>RESTRICTIONS ON COUNCILLOR ACTIVITIES</b>
a.	Unless duly authorised no councillor shall:
	inspect any land and/or premises which the Council has a right or duty to inspect; or
	issue orders, instructions or directions.
<b>26.</b>	<b>STANDING ORDERS GENERALLY</b>
a.	All or part of a standing order, except one that incorporates mandatory statutory or legal requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
b.	A motion to add to or vary or revoke one or more of the Council's standing orders,

	except one that incorporates mandatory statutory or legal requirements, shall be proposed by a special motion, the written notice by at least seven councillors to be given to the Proper Officer in accordance with standing order 9.
c.	The Proper Officer shall provide a copy of the Council's standing orders to a councillor as soon as possible.
d.	The decision of the Chair of a meeting as to the application of standing orders at the meeting shall be final.

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- \* A 'clear day' does not include the day on which notice was issued, the day of a meeting, a weekend, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.