



MALVERN TOWN COUNCIL

FULL COUNCIL MEETING

REPORTS

**For meeting on Wednesday 10 April 2024
at 6.00 pm
in the Council Chamber, Belle Vue Terrace,
Malvern**

MALVERN TOWN COUNCIL

Town Clerk
28-30 Belle Vue Terrace
Malvern
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4 April 2024

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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 10 April 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. J. Blake'.

Linda Blake
Town Clerk

No.	Agenda Item
1.	Apologies for Absence ➤ To note apologies for absence.
2.	Declarations of Interest ➤ To receive declarations of disclosable pecuniary interests and other disclosable interests.
3.	Minutes of Previous Meeting To receive and confirm as a correct record the minutes of the previous Full Council meetings: ➤ 14 February 2024 – already issued ➤ 6 March 2024 – already issued
Public Participation <i>The Meeting will be adjourned for public participation when the Chairman will invite members of the public to present their questions, statements or petitions submitted under the Council's Public Participation Procedure.</i>	
4.	Presentation by Annie Robson, Chief Executive Officer of Citizens Advice South Worcestershire on Community Support Grant Application and work of CAB
5.	Mayor's Announcements ➤ Verbal report
6.	Update on Town Council Operations and Activities ➤ Verbal update by the Town Clerk
7.	Reports by County and District Council Representatives in Attendance ➤ Verbal reports or written submissions as appropriate.

8.	Town Council Ward Reports/Representatives on Outside Bodies ➤ Verbal reports
9.	Members Questions ➤ The Chairman will invite members who have written in with questions to present them to Council.
10.	New Community Hub at Victoria Park ➤ Verbal update on works
11.	New Community Hub at Victoria Park - CCTV ➤ Report CL01/24 to follow
12.	Victoria Park Skateboard Park Refurbishment and Consultation ➤ Report CL02/24 to follow
13.	Notice of Motion – Staffing Committee ➤ Cllr Clive Hooper and Cllr Marilyn Birks
14.	Policy and Resources Committee Recommendations The Chair of Policy and Resources Committee to present any recommendations for approval by Council from the meetings held on 28 February and 27 March 2024 ➤ Report CL03/24 to follow
15.	Date and Time of Next Meeting ➤ Wednesday 15 May 2024 at 6.00 pm

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

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

Councillors

Present

C Hooper (Chair)
S Austin
M Birks
A Cherry
I Dawson
C Fletcher
J Green (from 6.05pm)
N Houghton
J Leibrandt (from 6.21pm)
L Lowton (from 6.05pm)
J MacLusky
D Mead
K Newbigging
D Watkins

Absent

C Bovey (apologies)
M Jones (apologies)
F Matthews-Jones (apologies)
R McLaverty-Head (apologies)
S Meager (apologies)

Also in attendance

L Blake – Town Clerk
L Wall – Minute Clerk
Olha Kraievska, MHDC
Elaine Fraser, Community Builder MHDC
Members of the public
Cllr John Raine, MHDC
Cllr Fran Victory, MHDC

The Mayor handed round a short document to members of the Council that he thought may be of interest to them during a later item.

119. APOLOGIES FOR ABSENCE

Apologies for absence were **NOTED** from Councillors C Bovey, M Jones, F Matthews-Jones, R McLaverty-Head and S Meager, and for lateness from Cllr J Leibrandt.

120. DECLARATIONS OF INTEREST

Agenda item 15 Community Engagement Consultation – Cllr Hooper is a past Chair and current Vice-President of Malvern Civic Society.

121. MINUTES OF PREVIOUS MEETING

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

- Full Council meeting 13 December 2023.

Cllrs Jude Green and Lou Lowton joined the meeting at 6.05pm.

PUBLIC PARTICIPATION

Mrs Harris spoke regarding planning application M/22/01823/FUL Land at Guarlford Road in Chase Ward on behalf of Malvern Environment Protection Group, comprising up to 120 households in the local area. The group is concerned that despite the application being live for over a year, two consultation periods and the Town Council being a statutory consultee, no comments have

been made on the application by the Town Council. The group felt the district council planning department could not be expected to make the correct decision regarding this application if the Town Council did not comment in support of the adopted neighbourhood plan.

The group also felt that the proposed development did not meet the criteria for new residential development, being in open countryside and beyond the development boundary.

Mrs Harris questioned why the Town Council had decided to make no comment and urged councillors to reconsider and finally make a comment on this application in line with the neighbourhood plan.

122. PRESENTATION BY OLHA KRAIEVSKA AND OTHERS ON PROPOSAL/ REQUEST TO TWIN WITH KOROSTEN COMMUNITY IN THE UKRAINE

Olha Kraievkska came to Malvern with other families fleeing the war in Ukraine and now works at Malvern Hills District Council in support of the Ukrainian community in Malvern. She attended the meeting to talk about the possibility of twinning between Malvern and Korosten.

Korosten has a population of around 72,500, made up of 43 villages and the administrative hub of the town of Korosten. It is still suffering from the attack by Russia, but they are working hard to restore life as they knew it, despite 304 targets having been partially or completely destroyed. It has a unique cultural heritage and history spanning more than 1,300 years. Mining, food and furniture manufacturing are all industries developing in the area.

Korosten has established partnerships with towns in Moldova, Lithuania, America and Poland. The Mayor of Korosten would now like to establish close friendly ties with Malvern, and hold joint cultural and sports events, cultural exchanges, work experience and joint projects such as exhibitions, providing new opportunities for small and medium sized enterprises.

The Ukrainian community in Malvern is very grateful for the support shown so far, all have found work and there are two students at Worcester University. In total, 300 Ukrainians live here and more continue to seek sanctuary as the war enters another year. Olha then presented a short video to the meeting showing the various aspects of Korosten. The Mayor thanked Olha Kraievkska for her presentation and it was noted that a report on the matter of twinning would be brought to a future council meeting.

123. MAYOR'S ANNOUNCEMENTS

The Mayor reported on the following engagements that he had attended since the last meeting:

- 16 December – St Matthias charity concert with Hills Singers and Malvern Hills District Brass Band
- 18 December – judging of the wreath themed window displays in Malvern
- 20 December - carol service organised by Worcester News in Worcester Cathedral
- 28 December – charity carol concert organised by the Malvern Festival Chorus
- 18 January – attended a presentation by Cllr Fran Victory on her Icon project
- 25 January – liaison meeting with MHDC
- 26 January – official opening of new Community Action premises in Malvern Link
- 31 January – NALC seminar by Zoom on Levelling Up
- 4 February – St Richard's Hospice charity lunch. The Mayor was pleased to report this event had raised £2244.42

- 9 February – Reception at the Bishop's Palace
- 10 February – performance of Elijah by the Malvern Festival Chorus
- 11 February – Redland Road Scout Hut to welcome in second day of Lunar New Year, organised by the Buddhist Campaign of Relief organisation, based in Taiwan, but with outreach around rest of the world
- 13 February – walkabout led by Rebecca Probert of MHDC along with Cllr Watkins and Cllr Fran Victory looking at signage and state of Barnards Green and Malvern Link.

124. UPDATE ON TOWN COUNCIL OPERATIONS AND ACTIVITIES

The Town Clerk reported as follows:

Belle Vue Building

The sale of Belle Vue Building completed on 8 February and the Town Council is now a tenant to the new owners Guthrie Roberts. Work is ongoing to arrange the handover of keys, services, accounts and leases etc.

New Community Hub at Victoria Park

Groundworks started at Victoria Park this week. The skateboard ramps have been taken out of use and relocated by the bowling green for the time being, and the site set up with storage and welfare units and secured with Heras fencing.

Officers have been engaging with the local community to make them aware of the works taking place and to inform them of the possible disruption. The Town Clerk asked councillors to direct to her any queries or feedback from park users or members of the public that they received.

Skatepark Consultation

Officers have been working on the public consultation for the skatepark. Questionnaires have been designed and will be made available in hard copy or online from Friday. A public consultation event is being held on Tuesday 20 February at The United Reformed Church Hall in Malvern Link from 3pm until 7pm. This will be advertised again on social media and on the Council's website in the coming days.

Pump Track at Adam Lee

An application for a certificate of lawful development was submitted before Christmas but planning officers at Malvern Hills District Council have since advised that having reviewed the submission, an application for planning permission would be required as the proposed works would likely be considered engineering works. Therefore, the application for a certificate of lawful development has been withdrawn and preparation of a submission of a full planning application has started.

Town Council Vacancy

Christopher Lee resigned as a town councillor in January. A casual vacancy has been advertised and a by-election will be called if ten electors in St Joseph's Ward request it. Otherwise, the Council will be free to fill the vacancy via co-option.

Town Council Grants Scheme

The Town Council Grants Scheme is now open and full details can be found on the Council's website. The Town Clerk reminded councillors that the closing date for applications is Monday 11 March and therefore if they knew of any groups who could be interested, they should be directed to the Council's website.

Mayor's Peaks Challenge

The Mayor's Peaks Challenge walk scheduled for 4 May is now open for bookings via the Council's website. An early bird discount is currently available at £19 per ticket for the long walk.

Operations Update

- A new clamberstack has been installed at Jamaica Crescent as part of the play area refurbishment; the new slide and zip wire will be installed within the next few weeks.
- The zipwire has been moved at Victoria Park to facilitate and increase safety around the works for the new community hub building.
- Works have taken place to prepare the ground for the delivery of the Council's new storage unit at Great Malvern Cemetery the following week.

125. REPORTS BY COUNTY AND DISTRICT COUNCIL REPRESENTATIVES IN ATTENDANCE

Cllr Fran Victory, Link Ward reported that she has been busy on ward work and will speak on the Icon project when more information has been received from the County Council. She had walked around Barnards Green and Malvern Link the previous day to look at where signage could be improved, such as free parking, footway signs to direct people from the station to the town and on the toilets. She has held some councillor surgeries and other councillors are welcome to attend. Rebecca from MHDC is trying to get funding for a new noticeboard in Malvern Link advertising all the shops.

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 and was making slow progress. Cllr Mead clarified details of occupation at the new houses on the Old Barrack Stores site at the junction of Court Road and St Andrews Road, being that 22 out of the 30 houses could be occupied before road improvements were made.

Written reports had been submitted by Cllr Malcolm Victory, Cllr Karen Hanks and Cllr Natalie McVey, and these had been circulated to all town councillors prior to the meeting.

126. TOWN COUNCIL WARD REPORTS/REPRESENTATIVES ON OUTSIDE BODIES

Cllr Clive Hooper, Worcestershire CALC representative – there had been a meeting of the CALC Malvern Hills Committee and the CALC Executive Committee.

Cllr Iain Dawson, Poolbrook Village Hall Committee – Cllr Dawson had been unable to attend the last meeting but the committee was currently investigating the repaving of the driveway to the hall, and how it would be funded.

127. MEMBERS QUESTIONS

None.

128. DRAFT CALENDAR OF MEETINGS 2024/25

Report CL01/24 was received and accepted.

The Town Clerk explained that certain meetings had to be held at a specific time during the year, such as the year end accounts and agreement of the annual return, but others were movable if required. Full Council had streamlined the calendar previously by agreeing to hold all meetings on a Wednesday.

Cllr Dawson proposed that all meetings in the new calendar should start at 6.30pm rather than 6.00pm.

It was **RESOLVED** to accept the calendar of meetings with a start time of 6.30pm.

129. RESPONSE TO HEREFORD AND WORCESTER FIRE AND RESCUE SERVICE PUBLIC CONSULTATION

Report CL02/24 was received and noted.

Councillors discussed whether it would be best to submit individual responses or a response from the Council as a whole.

It was **RESOLVED** that the Town Clerk would submit the following comment:

“Malvern Town Council urges the fire service to retain its existing provision in Malvern.”

130. JENNY LIND SCULPTURE IN ROSE BANK GARDENS

Report CL03/24 was received and accepted.

Councillors were in favour of the Jenny Lind sculpture being removed from Rose Bank Gardens and relocated in Priory Park, but wished to ensure that all liability was passed onto Malvern Hills District Council when ownership was transferred.

Councillors also felt that it would be sensible to move the sculpture directly from the gardens to Priory Park, rather than store it elsewhere whilst it was awaiting collection.

It was **RESOLVED** that the Jenny Lind sculpture should be removed from its current location in Rose Bank Gardens and moved to Priory Park on a date agreed with Malvern Hills District Council, with ownership and all liability transferred accordingly.

131. NEW COMMUNITY HUB AT VICTORIA PARK – OPTION TO TAX

Report CL04/24 was received and accepted.

It was **RESOLVED** that the Council make an option to tax for the area of the new community hub building at Victoria Park.

132. NEW COMMUNITY HUB AT VICTORIA PARK – LOAN FUNDING

Report CL05/24 was received and accepted.

The report set out an update to the existing resolution regarding loan funding for the new community hub building at Victoria Park, as interest rates had increased since the resolution was made in March 2022.

It was **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 would come to around £22,742. It was also intended to increase the council tax precept for the purpose of the loan repayments by 3% which would be the equivalent of £2.05 per year.

133. COMMUNITY ENGAGEMENT CONSULTATION

Report CL05/24 was received and accepted.

Whilst most councillors agreed it was important to engage with the community, others said previous experience showed that putting it into practice did not always get results.

Under Standing Order 3(x) it was agreed to extend the meeting by a further 30 minutes.

There was a robust discussion around the merits and need for more community engagement, after which,

It was **RESOLVED** to set 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.

It was **RESOLVED** that the Task and Finish Group would have the following members:

- Cllr Marilyn Birks
- Cllr Karen Newbigging
- Cllr Nick Houghton
- Cllr Clive Fletcher
- Cllr Josephine Leibrandt
- Cllr Lou Lowton
- Cllr Jude Green

134. AUDIT COMMITTEE RECOMMENDATIONS

Report CL06/24 was received and accepted and in the absence of Cllr Caroline Bovey, the Chair of Audit Committee, the Vice-chair Cllr Jude Green presented the recommendation.

Minute 25 Business Continuity Policy

It was **RESOLVED** to adopt the draft business continuity plan as attached to the minutes of the Audit Committee meeting held on 31 January 2024.

135. POLICY AND RESOURCES COMMITTEE RECOMMENDATIONS

Report CL07/24 was received and accepted, and the Chair of Policy and Resources Committee, Cllr Iain Dawson, presented the recommendations from the meeting held on 7 February 2024.

Minute 53 Review of Standing Orders

It was **RESOLVED** to adopt the Standing Orders as attached to the report.

136. DATE AND TIME OF NEXT MEETING

It was agreed that the date of the next meeting would be Wednesday 6 March 2024 at 6.00 pm.

The meeting finished at 8.25pm

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(Chairman)

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

**held in the Council Chamber, Belle Vue Terrace, Malvern
on Wednesday 6 March 2024, at 6.00 pm**

Councillors

Present

C Hooper (Chair)
M Birks (from 6.02pm)
A Cherry
C Fletcher
J Green
N Houghton
J Leibrandt (from 6.05pm)
L Lowton
J MacLusky
F Matthews-Jones
R McLaverty-Head
D Mead
D Watkins

Absent

S Austin (apologies)
C Bovey (apologies)
I Dawson (apologies)
M Jones (apologies)
S Meager (apologies)
K Newbigging (apologies)

Also in attendance

L Blake – Town Clerk
L Wall – Minute Clerk

Cllr John Raine, MHDC

137. APOLOGIES FOR ABSENCE

Apologies for absence were **NOTED** from Councillors S Austin, C Bovey, I Dawson, M Jones, S Meager and K Newbigging.

138. DECLARATIONS OF INTEREST

None.

139. MINUTES OF PREVIOUS MEETING

Cllr Marilyn Birks joined the meeting at 6.02pm.

Cllr Birks raised a query over the accuracy of the minutes from public participation during the meeting held on 14 February 2024.

It was **AGREED** that a transcript of the section of the meeting recording covering public participation would be made to check the accuracy of the minutes.

It was **RESOLVED** that approval of the minutes of the meeting held on 14 February 2024 be deferred to the next meeting of Full Council.

PUBLIC PARTICIPATION

Cllr John Raine had conducted a survey of interest in West Malvern which showed support for the return of the local magazine, 'The Hills Echo'. The first issue was due for print in April and a copy would be sent to the Town Clerk.

140. MAYOR'S ANNOUNCEMENTS

The Mayor reported on the following engagements that he had attended since the last meeting:

19 February – Great Malvern Traders Group meeting
20 February – skatepark consultation

- 24 February - Ukrainian Remembrance event with Cllrs Fran and Malcolm Victory
- 25 February - Ross-on-Wye Town Council Civic Service
- 1 March - Christchurch, World Day of Prayer
- 3 March - Pershore Town Council Civic Service

141. UPDATE ON TOWN COUNCIL OPERATIONS AND ACTIVITIES

The Town Clerk reported as follows:

New Community Hub at Victoria Park

The six modules making up the new community hub had been delivered to Victoria Park on the previous day and had been lifted into place. Works would now take place to fit out the interior. Cllr Mead, the Operations Manager and Town Clerk had been able to walk through the building and were pleased to see how spacious it felt inside. Cllr Mead (Chair of the Victoria Park Pavilion Task & Finish Group) thought that it would be a great asset to the community and a much-improved environment for staff.

There had been some negative comments in the press regarding the temporary closure of the play area but this would be addressed with equipment replaced or updated shortly. Any queries regarding this should be referred to the Town Clerk.

Skatepark Consultation

The public consultation event held on Tuesday 20 February was well attended with a number of local residents and some very enthusiastic potential park users. A number of interesting ideas were raised and discussed, and the survey would remain open until 22 March after which the results would be reviewed and possible options and costs investigated. Over 260 responses had been submitted so far.

Jenny Lind

The sculpture of Jenny Lind in Rose Bank Gardens had now been removed and passed on to contractors employed by MHDC who would be relocating it to an area of Priory Park.

Town Council Vacancy

MHDC had confirmed that there had been no request in St Joseph's Ward for a by-election and therefore the Council would advertise the vacancy to be filled by co-option, hopefully by the next council meeting.

Operations Update

- New storage unit at Great Malvern Cemetery had been put into place
- New litter bin installed in Barnards Green
- Apple trees planted in Greenfields Road as part of the Coronation Community Orchard Project
- New signage erected in Great Malvern Cemetery and Rose Bank Gardens

142. REPORTS BY COUNTY AND DISTRICT COUNCIL REPRESENTATIVES IN ATTENDANCE

Written reports had been submitted by Cllr Fran Victory, (MHDC, Link ward) and Cllr Malcolm Victory, (MHDC Barnards Green ward and WCC Malvern Chase division) prior to the meeting, and these had been circulated to members.

143. TOWN COUNCIL WARD REPORTS/REPRESENTATIVES ON OUTSIDE BODIES

Cllr Nick Houghton, Chase ward – reported that he was still involved with ongoing discussions with MHDC over the lack of accessible equipment in the new Priory Park play area. A meeting was due to take place with Cllr Cynthia Palmer and Cllr Beverley Nielsen following a survey of the area, to discuss what could be done to rectify the situation.

144. MEMBERS QUESTIONS

None.

145. REQUEST TO TWIN WITH KOROSTEN COMMUNITY IN THE UKRAINE

Report CL01/24 was received and accepted.

The Town Clerk reminded members that at the previous Full Council meeting, a presentation had been made regarding a proposal to twin with the Korosten community in Ukraine. Support for this twinning association would come from the Ukrainian community in Malvern, Malvern Hills District Council who employ two Ukraine liaison officers and fund a community building post, as well as local host families.

It was **RESOLVED** to support in principle the development of a twinning connection between Malvern and the Korosten community in Ukraine.

It was **RESOLVED** that initial steps would be taken to establish a twinning steering group of interested parties, draft terms of reference and a structure for how a twinning group would work ahead of a final decision by Full Council. Councillors Lou Lowton and Ronan McLaverty-Head were nominated to support this process.

146. DRAFT CALENDAR OF MEETINGS 2024/25 – RECOMMENDATION FROM POLICY AND RESOURCES COMMITTEE

Report CL02/24 was received and noted.

At its meeting on 14 February, Full Council had resolved to start all meetings at 6.30pm but following the meeting a contractual issue had been raised, and therefore to comply with standing orders when reconsidering a decision, the matter had been referred to Policy and Resources Committee.

Policy and Resources Committee has staffing responsibilities and considered the matter at its meeting on 28 February, at which they recommended to reverse the decision made on 14 February to change the start times for 2024/25 in light of legal advice. Meeting times would therefore revert to the usual start time of 6pm.

The Town Clerk had sought legal advice from CALC. The advice, sent from the HR advisor for Worcestershire CALC and NALC stated:

“The question is ‘can the Council move the start time of its meetings back thirty minutes?’

Start and finish times of work do need to be written into the contract and this has been the case since April 2020, the fact that employees started working for the council before then is irrelevant. This is a statutory change affecting all employees including current ones, as such it automatically affects everyone’s contract. The employees in question have a reasonable expectation for the meeting to start at the current times, if the council wishes to change that term of the contract they need to do so by mutual agreement and so the vehicle for that, this may require a process of consultation based on a sound business case, if the employees are not happy to implement the change straight away.”

Members discussed at length whether the decision made at the Full Council meeting on 14 February had been a legal one and agreed that even if councillors were in favour of a later start time for meetings, it had been wrong not to consult with staff first.

The Chair asked for a named vote.

It was **RESOLVED** to reverse the decision made on 14 February to change the start times of meetings for 2024/25 in light of legal advice. Meeting times would therefore revert to the usual start time of 6pm and this matter could be considered again in six months' time in line with standing orders.

For: Cllr Houghton, Cllr Watkins, Cllr Matthews-Jones, Cllr Fletcher, Cllr Mead, Cllr Cherry, Cllr McLaverty Head.

Against: Cllr Lowton, Cllr MacLusky, Cllr Leibrandt, Cllr Green, Cllr Hooper, Cllr Birks.

147. RESPONSE TO DRAFT RECOMMENDATIONS FOR NEW ELECTORAL ARRANGEMENTS – WORCESTERSHIRE COUNTY COUNCIL/MALVERN PARISH

Report CL03/24 was received and accepted.

Members were asked to review and consider the new electoral arrangements for Worcestershire County Council, and in particular the draft recommendations for revised electoral arrangements for Malvern Town. A table in the report showed the proposed changes in each ward. The deadline for responses was 18 March.

It was **RESOLVED** that Cllr Mead, Cllr Hooper and Cllr Birks would formulate a representation by forwarding comments to the Town Clerk for submission on behalf of the Council.

148. NOTICE OF MOTION – ID BADGES TO BE WORN AT TOWN COUNCIL EVENTS/DISPLAY OF TOWN COUNCIL INFORMATION DISPLAY POSTER

Cllr MacLusky presented her notice of motion proposing that ID badges be produced and worn by Town Councillors at events so that members of the public could easily identify individuals as members of the Council. It was also suggested that a large poster be produced showing what the Town Council does, for display at events.

Cllr MacLusky had volunteered at the annual Christmas Festival, when she noticed that many people were not aware of the Town Council's involvement and she felt that steps could be taken to better identify the Council's role in events.

- 1) It was **RESOLVED** that Council supports the production and wearing of ID badges by Town Councillors when supporting events involving public engagement and that these badges should identify individuals as members of the Town Council, including names but not the wards represented.
- 2) It was **RESOLVED** that Council supports the funding and wearing of these badges at events run by the Council.
- 3) It was **RESOLVED** that officers are asked to produce a draft laminated display poster, detailing what the Town Council does/is responsible for, to be situated prominently at public events, e.g. next to the Mayor's charity stall or outside Santa's Grotto at the Christmas Festival, and next to the bandstand at the summer Bands in the Park events.

149. AUDIT COMMITTEE RECOMMENDATIONS

Report CL04/24 was received and accepted.

Full Council **NOTED** that systems and controls were in place to comply with the Council's Health and Safety policy.

150. EMERGENCY DECISION MAKING GROUP

The Town Clerk gave a verbal update to members from the meeting of the Emergency Decision Making Group, held on 15 February 2024.

The group had discussed a response to two complaints received regarding the Council's lack of comment on a planning application. It was agreed that Operations and Planning Committee and Full Council had been correct in its decision making, and there was no further comment to be made. The Town Clerk had responded to the correspondence accordingly.

151. DATE AND TIME OF NEXT MEETING

It was agreed that the date of the next meeting would be Wednesday 10 April 2024 at 6.00 pm.

The meeting finished at 7.42pm

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(Chairman)

DRAFT

**A REPORT OF THE TOWN CLERK TO
A MEETING OF MALVERN TOWN COUNCIL
to be held on Wednesday 10 April 2024 at 6.00 pm
in the Council Chamber, Malvern Town Council, Belle Vue Terrace**

NEW COMMUNITY HUB AT VICTORIA PARK - CCTV

1. Purpose of Report

1.1. For decision.

2. Recommendation

2.1. Full Council is recommended to install CCTV on the new community hub at Victoria Park.

3. Background

3.1. As councillors will be aware, the new community hub at Victoria Park is currently being built. During the building process, there have been a number of attempts to gain access to the site, with some attempts being successful resulting in minor damage to machinery and buildings within the site.

3.2. As part of the building's design, power points were incorporated into the corners, specifically to run CCTV should it be needed. With the experience that officers and the construction company have had during the construction of the building and at Victoria Park over the years, it would now seem prudent to install CCTV to act as a deterrent and to give a record should vandalism take place to the building.

3.3. Officers have approached a local company which already has a CCTV system installed on the basketball courts; this system has proved to be successful in deterring any forms of vandalism as well as a record of usage numbers, and where access has been gained on the odd occasion.

3.4. The proposal is that four cameras will be attached to the corners of the building, to monitor all sides of the building and the surrounding areas. The cameras will record on a thirty-day loop and Town Council staff will have access to the system in order to monitor and/or look back at incidents that may not be noticed straight away.

3.5. Once the building is complete and handed over to the Council, all responsibility for the building will then lie with the Council and therefore officers are proposing that CCTV should be installed in readiness for this.

3.6. If council were to decide to install the CCTV system, installation could take place within the next two weeks.

4. Financial Implications

4.1. No budget has been put aside in the 2023/24 year.

4.2. Approximate costs are £4,000 for CCTV cameras and £200 for CCTV signage.

5. Legal Implications

5.1. If CCTV cameras are to be installed, then the correct signage must be displayed.

- 5.2. The presence of CCTV cameras is likely to reduce the insurance premium though the amount has not been quantified.

End

Linda Blake

Town Clerk

**A REPORT OF THE TOWN CLERK TO
A MEETING OF MALVERN TOWN COUNCIL
to be held on Wednesday 10 April 2024 at 6.00 pm
in the Council Chamber, Malvern Town Council, Belle Vue Terrace**

VICTORIA PARK SKATEPARK REFURBISHMENT AND CONSULTATION

1. Purpose of Report

1.1. For decision.

2. Recommendation

2.1. Council is asked to note the results of the Victoria Park Skatepark Consultation held in February/March 2024.

2.2. Council is asked to approve the setting up of a Skatepark Focus Group to take the next steps in creating a proposal for the new skatepark. This focus group to include town council officers, councillors, and interested parties from the skatepark community.

3. Background

3.1. In December 2023, Full Council approved a public consultation for the future of the skatepark in Victoria Park. The skatepark has been closed since 12 February 2024 due to the commencement of onsite works for the new community hub building at Victoria Park.

3.2. The consultation process took place in February/March 2024 and included an online survey as well as a face-to-face consultation event held in Malvern Link on 20 February.

3.3. The community engagement event was well attended, and resulted in some interesting discussions on the size, layout, location and style of the new facility

3.4. The online survey received 243 responses, the results of which are summarised at Appendix A to this report.

3.5. As a result of the feedback received, officers have noted the following:

- There are a wide range of views on what the style and of the new facility should be, what materials should be used and what features should be included.
- It was apparent that the desired size and material is likely to require a budget above that held by Section 106 funding and therefore additional funding sources would need to be investigated.
- The old skatepark ramps became less frequently used over time because the style was dated, and users have been travelling to other more challenging parks.
- In order to create the right facility for Victoria park and one which will be well-used, user group needs and requirements must be incorporated into the council's plans. If the design is not right, it will not be used.

3.6. Officers are suggesting that a focus group be set up of the Town Clerk, Operations Manager, two councillors and four from the skatepark community. The group

would formulate a proposal which can be submitted to council for approval. This would include design, features, location, costings, and possible funding sources.

4. Financial Implications

4.1. None pertaining to this report.

5. Legal Implications

5.1. None pertaining to this report.

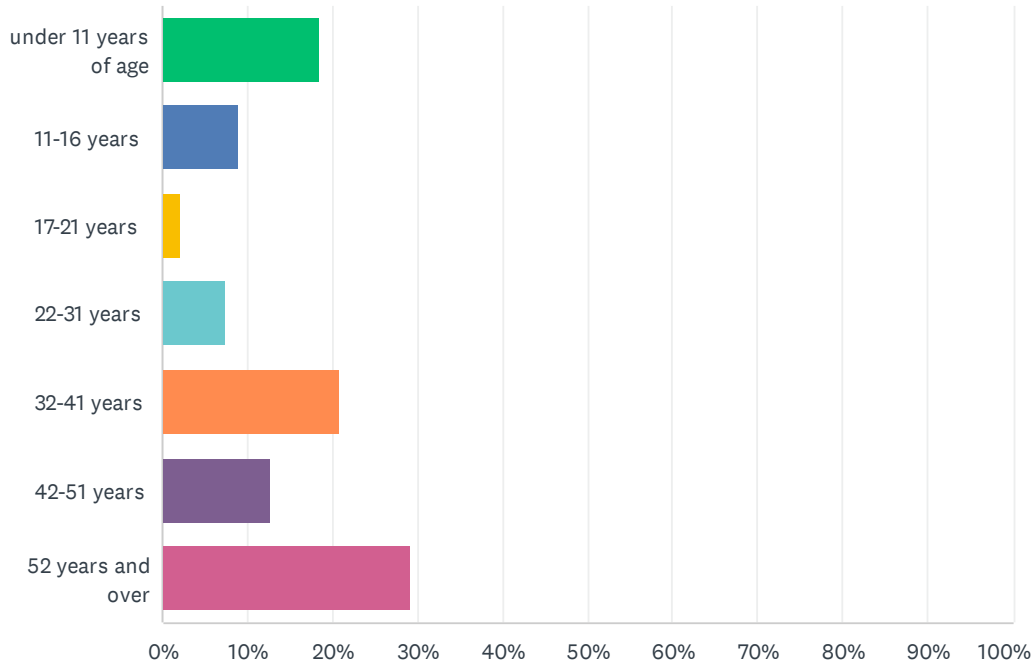
End

Linda Blake

Town Clerk

Q1 How old are you? (if you are completing this survey on behalf of a child, please select their age)

Answered: 243 Skipped: 0

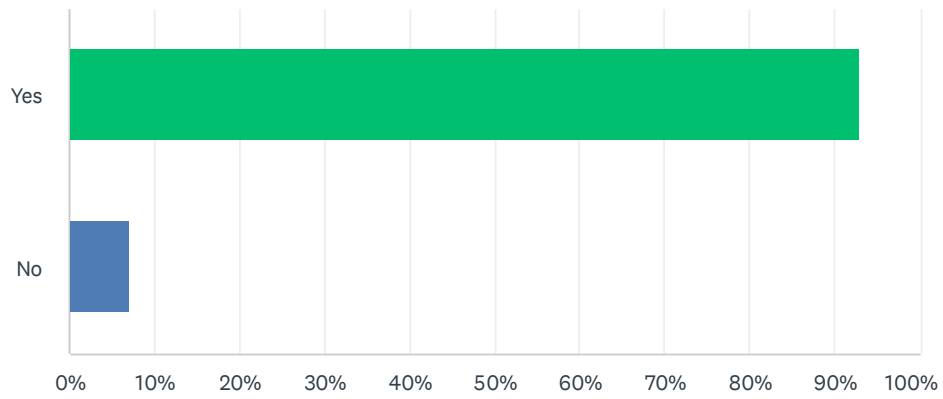


ANSWER CHOICES	RESPONSES
under 11 years of age	18.52% 45
11-16 years	9.05% 22
17-21 years	2.06% 5
22-31 years	7.41% 18
32-41 years	20.99% 51
42-51 years	12.76% 31
52 years and over	29.22% 71
TOTAL	243

QUESTIONS 3, 8 AND 11 WERE OPEN ENDED AND THEREFORE ARE NOT INCLUDED IN THIS REPORT

Q2 Are you a resident of Malvern Town?

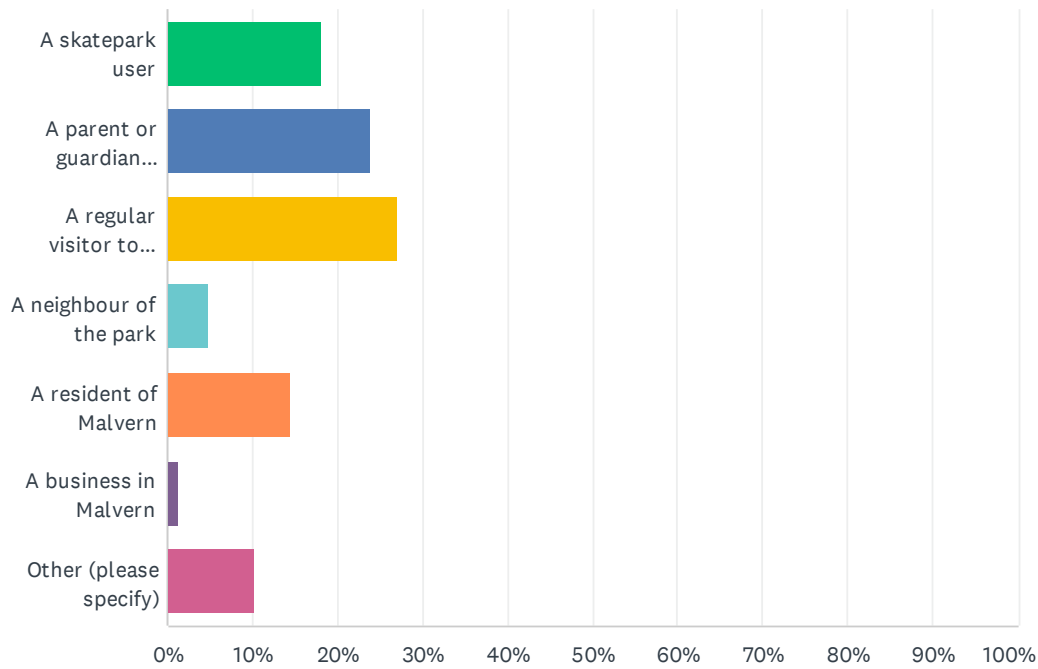
Answered: 243 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	93.00%	226
No	7.00%	17
TOTAL		243

Q4 Please tell us which of the following best describes you

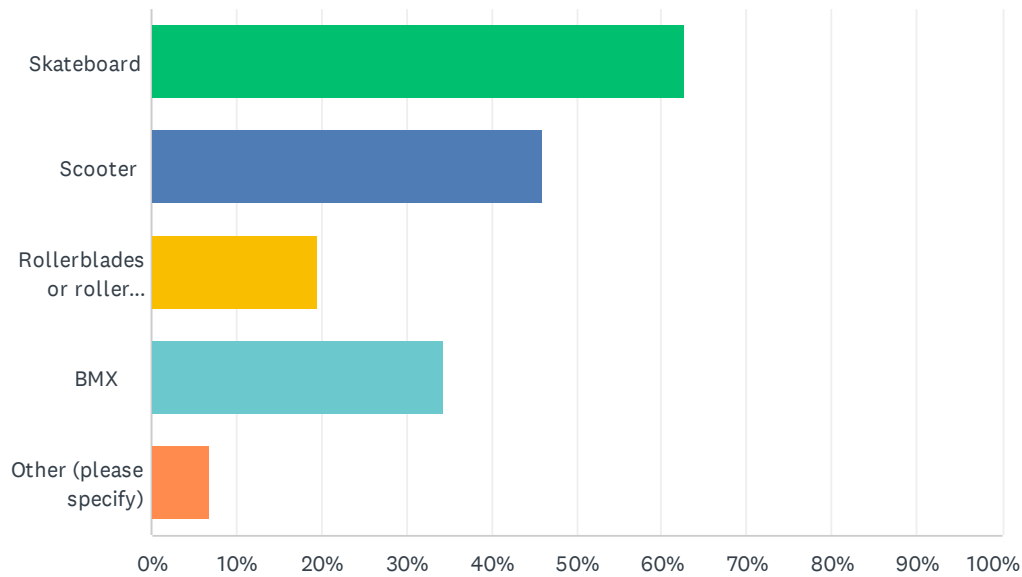
Answered: 243 Skipped: 0



ANSWER CHOICES	RESPONSES	
A skatepark user	18.11%	44
A parent or guardian answering on behalf of a skatepark user	23.87%	58
A regular visitor to Victoria Park	27.16%	66
A neighbour of the park	4.94%	12
A resident of Malvern	14.40%	35
A business in Malvern	1.23%	3
Other (please specify)	10.29%	25
TOTAL		243

Q5 What will you ride at the skatepark? (tick all that apply)

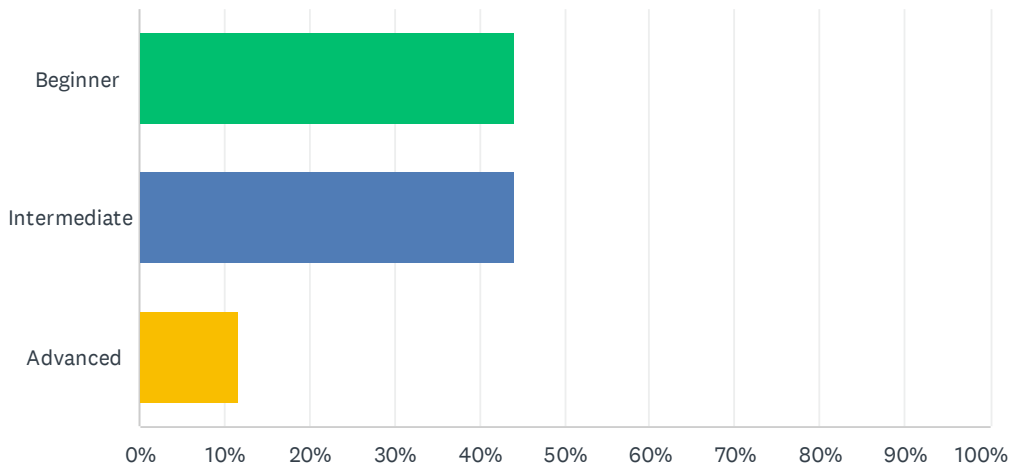
Answered: 102 Skipped: 141



ANSWER CHOICES	RESPONSES
Skateboard	62.75% 64
Scooter	46.08% 47
Rollerblades or roller skates	19.61% 20
BMX	34.31% 35
Other (please specify)	6.86% 7
Total Respondents: 102	

Q6 At what level would you say you are?

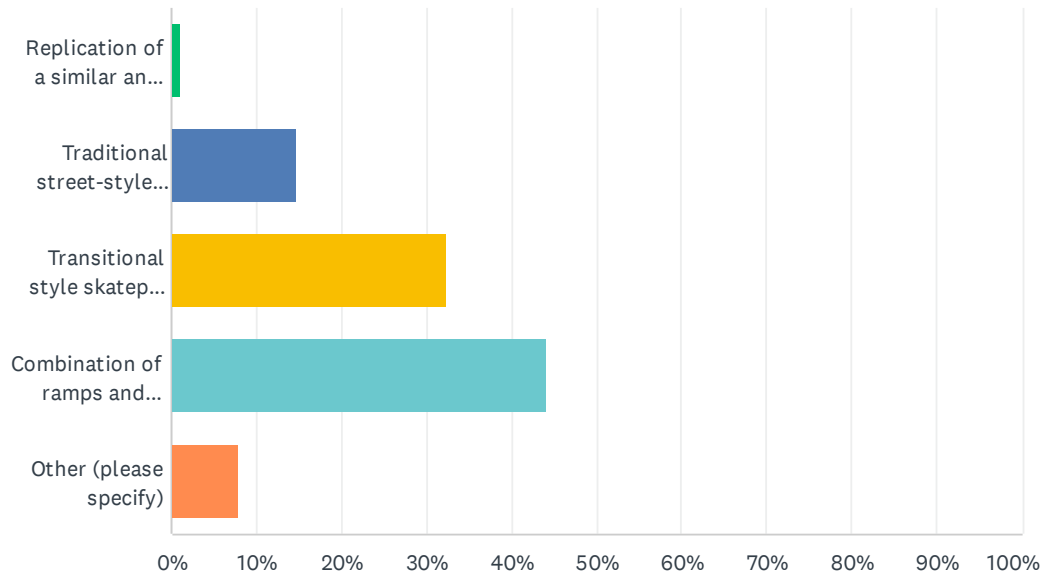
Answered: 102 Skipped: 141



ANSWER CHOICES	RESPONSES	
Beginner	44.12%	45
Intermediate	44.12%	45
Advanced	11.76%	12
TOTAL		102

Q7 Which of the following broad categories of skatepark would you most like to see in Victoria Park?

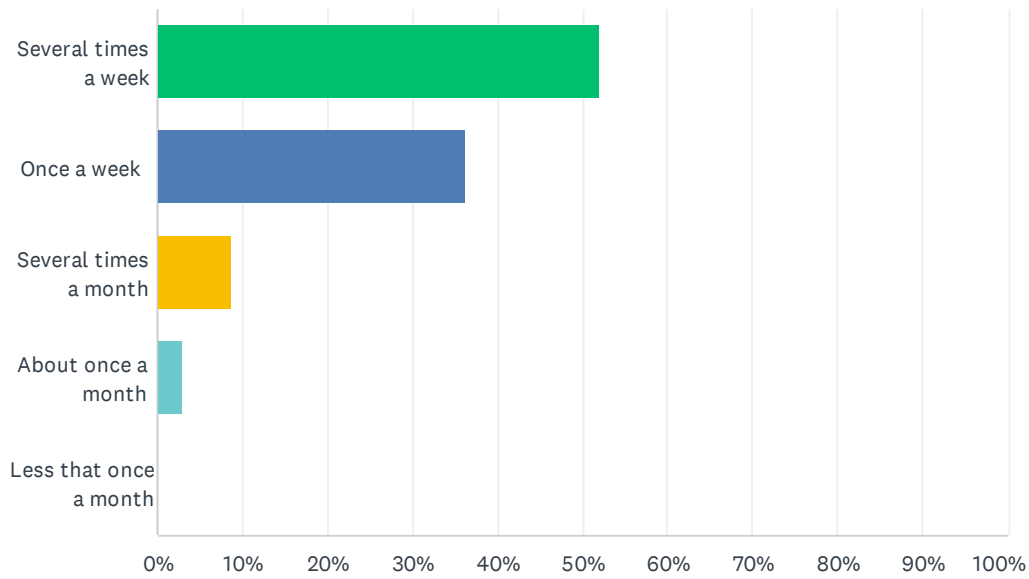
Answered: 102 Skipped: 141



ANSWER CHOICES	RESPONSES	
Replication of a similar and simple modular ramp structure as before, with no obstacles	0.98%	1
Traditional street-style known as 'street plaza', incorporating a range of obstacles like rails, stairs and ledges	14.71%	15
Transitional style skatepark including curvilinear forms such as bowls and half pipe	32.35%	33
Combination of ramps and street obstacles	44.12%	45
Other (please specify)	7.84%	8
TOTAL		102

Q9 How often do you think you will use the skatepark?

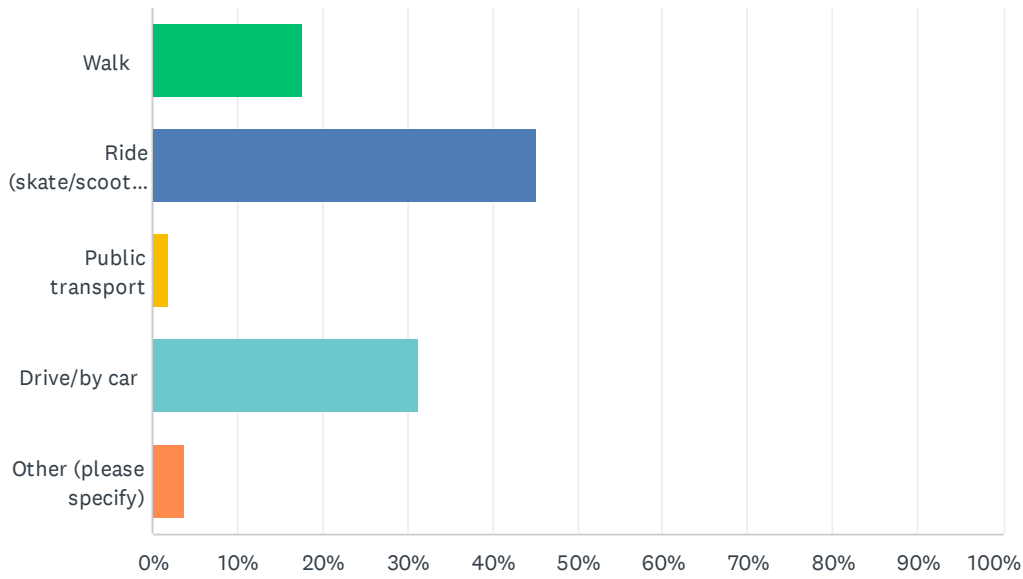
Answered: 102 Skipped: 141



ANSWER CHOICES	RESPONSES	
Several times a week	51.96%	53
Once a week	36.27%	37
Several times a month	8.82%	9
About once a month	2.94%	3
Less that once a month	0.00%	0
TOTAL		102

Q10 How will you travel there? (please select the method you will use the most)

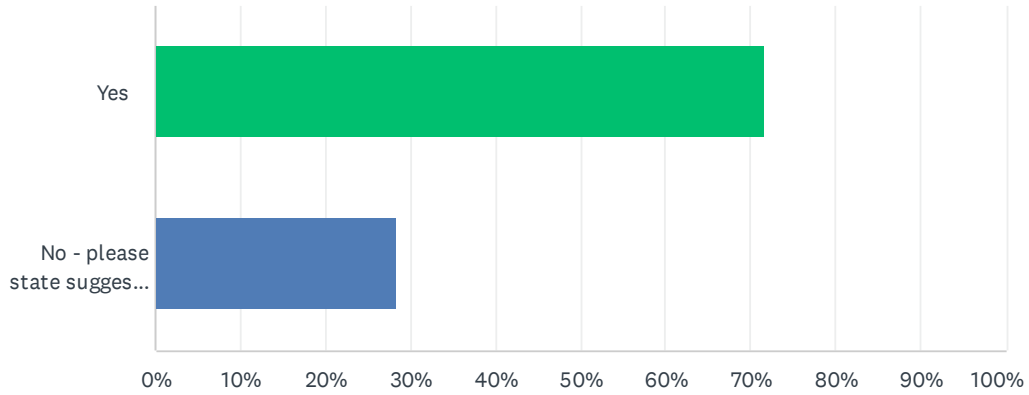
Answered: 102 Skipped: 141



ANSWER CHOICES	RESPONSES	
Walk	17.65%	18
Ride (skate/scoot/cycle)	45.10%	46
Public transport	1.96%	2
Drive/by car	31.37%	32
Other (please specify)	3.92%	4
TOTAL		102

Q12 The location being considered for the new skatepark facility is shown on the map below. Would you support this location?

Answered: 243 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	71.60%	174
No - please state suggested location below (within Victoria Park)	28.40%	69
TOTAL		243



RESOLUTION MOVED ON NOTICE – Standing Order 9
A Meeting of Malvern Town Council
to be held on Wednesday 10 April 2024 at 6.00pm
in the Council Chamber, Malvern Town Council, Belle Vue Terrace

STAFFING COMMITTEE

Proposed Resolution

That the Town Council resolves to consider the establishment of a Staffing Committee and that a report be written by the Town Clerk and submitted to the next ordinary meeting of the Council making appropriate recommendations.

Background

The strong advice from NALC is that local councils (i.e. parish and town councils) should have staffing committees. The terms of reference of three which do have staffing committees, by way of examples, are appended to this notice of motion. Malvern Town Council currently does not have a stand-alone staffing committee, and staffing matters are dealt with by the Policy & Resources Committee.

Albeit that officer delegations at Malvern cover many items relating to staffing, the present arrangements have meant that outside of these, few, if any, of the topics listed in the respective terms of reference in the agenda have been brought to the attention of Policy and Resources Committee and it may be reasonable to assume that this would continue under existing arrangements, with only limited ones being addressed.

There is a strong argument that we do need to be more rigorous in the way in which to deal with these matters, to ensure that relevant standing orders relating to staffing matters are carried out, and particularly to get in place appropriate accountability and due process, which is arguably currently missing. There is the danger is that staffing issues would otherwise continue to get subsumed in other Policy & Resources Committee business, and thereby not be properly addressed.

The effective management of all its employees has benefits for both the Council and the employee and best practice relating to all aspects of employment policy and good line management structures should be in place for all staff. To ensure Malvern Town Council adequately exercises its duty of care for all its employees, approval is sought for the establishment of a staffing committee. With delegated powers, the committee would undertake to give independent assurance of the adequacy of all staffing related matters, by providing a framework of support for staff, promoting training and development opportunities, ensuring inclusion, and providing better line management support for the Town Clerk and her deputy.

Proposer - Cllr Clive Hooper (Great Malvern Ward)

Seconder - Cllr Marilyn Birks (Pickersleigh Ward)

22 March 2024

Appendix

St Stephen in Brannel Parish Council

Staffing Committee Terms of Reference 2022/23

Composition: Seven (7) Elected members (Voting) Two (2) Substitute members (Voting)

Quorum: Three (3) members

Chairmanship: Chairman and Vice-Chairman to be elected by the members at the first committee meeting held in each Council year.

Meetings: 4 times a year (Quarterly). In the event of an item of urgency, an extra ordinary meeting can be called in line with legislation and Council's adopted standing orders.

Timing: 7.00pm

Venue: The Brannel Room, 22 Fore Street, St Stephen, PL26 7NN

Reports to: Full Council.

Administration: Parish Council Office.

Term of Appointment: 4 years

Legal Status: Data Protection Act 2018; Parental Bereavement Leave & Pay Act 2018; General Data Protection Regulations 2018; Immigration Act 2016; Adopted Code of Conduct 2012; Adopted Standing Orders; Adopted Financial Regulations; Working Time Directive 2015; National Minimum Wage Regulations 2015; Rehabilitation of Offenders Act 2014; Localism Act 2011; Additional Paternity Leave Regulations 2010; Equalities Act 2010; Pensions Act 2008; Income Tax Act 2007; Work & Families Act 2006; Transfer of Undertakings (Protection of Employment) (TUPE) Regulations 2006; Information & Consultation of Employees Regulations 2004; Local Government Act 2003; Paternity & Adoption Leave Regulations 2002; Employment Act 2002; Maternity & Parental Leave etc Regulations 1999; Human Rights Act 1998; Working Time Regulations 1998; National Minimum Wage Act 1998; Employment Rights Act 1996; Nolan Principles of Life 1995; Health & Safety at Work Act 1974; Local Government Act 1972; Public Bodies (Admissions to meetings) Act 1960; Relevant case law; (This list is not exhaustive).

Note: All Councillors not elected to the Staffing Committee may attend public sessions and participate in the meeting but have no voting rights.

Terms of Reference including delegated matters:

1.To appoint, from its membership, a recruitment panel when necessary to work with the Clerk and recommend appointments to Full Council.

AGENDA ITEM 13

2. Deal with any staff disciplinary matter in accordance with the Council's Disciplinary Procedure.
3. Deal with any staff grievance in accordance with the Council's Grievance Procedure.
4. To appoint, from its membership, an employment appeals panel when necessary.
5. To assist the Clerk in overseeing any process leading to dismissal of staff (including redundancy)
6. To review staffing structures and levels and make recommendations to Full Council.
7. To bi-annually review and agree contracts of employment, job descriptions and person specifications for all staff.
8. To annually review all staff salaries and make recommendations to Council.
9. To annually review all staffing policies and procedures.
10. To consider and implement any changes which are required to comply with Employment Law, Health & Safety Law and Terms and Conditions of Service as laid by the National Joint Council (NJC) and recommended by National Association of Local Councils (NALC) and Society of Local Council Clerks (SLCC).
11. Approve requests within the training budget for personal development and health & safety requirements.
12. Review staff pension arrangements bi-annually.
13. Manage long term sickness and incidents at work in the lines with the Council's Absence Management Policy.
14. Ensure that all staff, including the Clerk, have an annual appraisal.
15. Ensure that the Clerk has everything required for managing staff.
16. Be aware of sources of expert advice on employment matters and to ensure that the Council uses such sources when there is any doubt about good employment practice.
17. Undertake training support their role as the Council's Staffing Committee
18. To consider and submit to the Finance & General Purposes Committee annual estimates of income & expenditure on the continuing services and capital expenditure for the forthcoming year.
19. To implement the necessary requirements identified by the Health & Safety competent person.
20. To consider the recommendations of sub-committees or working (Advisory) groups under the control of the Staffing Committee.
21. To consider such matters as may be delegated by Full Council from time to time.

22.To review from time to time policy objectives within the committees Terms of Reference for consideration by Full Council.

23.To review strategic plan objectives, on a yearly basis, providing an update to Full Parish Council.

Any resolution made outside these Terms of Reference may be considered ultra vires and open to challenge in a Court of Law.

Wadebridge TC Terms of Reference for the Staffing Committee

Adopted by Full Council

1. Authority The Staffing Committee is appointed by and is solely responsible to the Wadebridge Town Council. The Committee duties are defined and agreed by the Main Council. The committee will meet quarterly but can also be convened to deal with special events as they occur.

2. Membership All members of the Committee will be Councillors. The Committee will consist of five Councillors and the Chairman of the Council will automatically be a member. The Staffing Committee Chair will have a casting vote when required. At its first meeting it will elect a Chairman to preside at its future meetings and will also elect a Vice Chairman if it wishes – to be re-elected each year after the Annual Town Council meeting. A quorum at the Committee meetings will consist of three members. The Vice Chairman of the Council will not automatically be member of the committee and will have no full voting rights unless appointed as committee member.

3. Record of Proceedings Written minutes will be taken to record the Committee’s decisions and will be circulated to all Councillors with recommendations for the next Full Council meeting apart from matters where the Committee has delegated powers. The Town Clerk will be responsible for arranging the recording and distribution of the minutes.

4. Responsibilities Primary Purpose: to ensure the council complies with the requirements of employment law and follows best practice in providing good working conditions for staff, including health and safety. The Committee will have the following duties and has full delegated powers in relation to the defined terms of reference only. The Staffing Committee has the delegated responsibility for:

a) Recruitment and selection of staff, with the exception of the post of Town Clerk/RFO

b) Recruitment and short listing applicants for the post of Town Clerk/RFO. The successful short listed applicants to be interviewed by the Staffing Committee. A recommendation from the Staffing Committee will be submitted to Full council to ratify the appointment of Town Clerk/RFO.

c)Electing a Disciplinary and Grievance hearing Panel from the Staffing Committee made up of mixed gender wherever possible.

d) The Disciplinary and Grievance Hearing Panel who will to be given delegated power to make a decision on Disciplinary and Grievance matters on behalf of the town council reporting the Panel’s decision to the Staffing 2 Committee. All members serving on the

Disciplinary and Grievance Hearing Panel should have undertaken the appropriate training. Full Council to elect an Appeal Hearing Panel (who are not members of the Staffing Committee). All members serving on the Appeal Hearing Panel should have undertaken the appropriate training. The Appeal Hearing Panel to report its final decision to the Staffing Committee.

- e) Reviewing contracts, staffing policies and procedures annually
- f) Considering and implementing any changes, which are required to comply with Employment Law, Health & Safety Law and Terms & Conditions of Service as laid down by the National Joint Council (NJC 'Green book') and recommended by National Association of Local Councils NALC) and Society of Local Council Clerks(SLCC) including the Staff Handbook.
- g) Approving requests within the training budget for personal development training and health and safety requirements.
- h) Reviewing job descriptions, person specification, staff establishment (including promotion re-grading, redundancies and fixed term contracts) and to approve all contracts of employment.
- i) Considering and implementing pay awards, and payroll management.
- j) Reviewing staff pension arrangements with the exception of Employer Discretions as laid out in the Employer Discretions Policy.
- k) Managing long term sickness and incidents at work in line with the council's Sickness Absence Policy
- l) Working to determine the staffing levels necessary to efficiently discharge the work required by the council and to review the workloads periodically
- m) Ensuring that all staff have an annual appraisal
- n) Ensuring that the Clerk has everything required for managing other staff
- o) Ensuring that the Council is kept up to date with developments in employment law via specialist HR support
- p) Awareness of sources of expert advice on employment matters and to ensure that the council uses such sources when there is any doubt about good employment practice.
- q) Undertaking training identified from time to time to support their role as Council's staffing committee
- r) Managing any issues referred to the committee by Full Council

The Town Clerk has delegated powers to

- a. Manage attendance, short term sickness absence, return to work interviews, annual leave, maternity leave, paternity leave, adoption leave, carer's leave, compassionate leave, flexible leave requirements and staff inductions in line with current agreed council policies.

b. Carry out annual staff appraisals, supervision interviews, and training requirements.

The Mayor to carry out the Town Clerk's staff appraisal and report to the Staffing Committee.

c. Undertake staffing interviews accompanied by a Staffing Committee Member for any issued issues where it is deemed necessary.

Hughenden Parish Council

Terms of Reference – Staffing Committee

1 Name & Background Staffing Committee

2 Type Standing Committee governed by Council's Standing Orders, regulations including Local Government Act 1972, Section 106.

3 Purpose 3.1 The committee is appointed to make recommendations to Full Council about all staffing matters, subject to budget and expenditure limits as laid out by the Finance & Services Committee. 3.2 To be the initial point of contact for the Clerk and Councillors to raise questions/concerns relating to staffing levels, performance, pay and contracts. 3.3 To be a point of escalation for staff members other than the Clerk to raise questions/concerns relating to staffing levels, performance, pay and contracts.

4 Scope Matters relating to Officers and employees of Hughenden Parish Council

5 Authority 5.1 The committee may expend up to £1,000 per meeting. 5.2 The committee may make recommendations to Full Council. 5.3 The committee may establish subcommittees and working groups which report to the committee.

6 Membership 6.1 The committee shall consist of a maximum of five members. 6.2 The quorum shall be three members. 6.3 The Clerk as Chief Executive will attend the Staffing Committee to participate in the discussion providing advice as appropriate for the maintenance of good employee relations. The Clerk does not have the right to vote.

7 Meeting Arrangements The Committee shall meet a minimum of three times per civic year.
Terms of Reference – Staffing Committee – July 2021 P a g e | 2 of 2
www.hughendenparishcouncil.org.uk clerk@hughendenpc.org.uk

8 Reporting To report to Full Council.

9 Deliverables 9.1 To establish and review at regular intervals the staffing structure to best meet the Council's responsibilities & workload. 9.2 To review salary paycales for all staff and recommend any changes to Full Council 9.3 Review performance management (annual appraisals) and staff training programmes with the Clerk 9.4 Oversee the recruitment process and appointment of staff 9.5 Oversee any process leading to staff redundancy or dismissal. 9.6 Review staff working conditions including wellbeing, health and safety at work. 9.7 Monitor and address regular or sustained staff absence. 9.8 Consider any appeal against any decision in respect of pay – including overtime. 9.9 Supervise & performance manage the Clerk's work, to administer leave requests, record and monitor absences, and authorise overtime. 9.10 Review and make recommendations on employment contracts 9.11 To draft, review, monitor and revise policies for all staff

AGENDA ITEM 13

10 Staffing Sub-committee: grievance and disciplinary matters 10.1 Purpose Appointed to consider grievance or disciplinary matters (excluding appeals) referred from the Staffing Committee. 10.2 Members There should be three councillors not connected with the grievance or disciplinary matter.

11 Review To review annually in February the policies and Terms of Reference of the committee its subcommittees and working groups.

Date of policy: July 2021 Approving committee: Staffing Committee Date of committee meeting: 12 July 2021 Policy version reference: V1.1 Supersedes: V1.0 Policy effective from: 13 July 2021

**A REPORT OF THE TOWN CLERK TO
A MEETING OF MALVERN TOWN COUNCIL
to be held on Wednesday 10 April 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 recommendations from the meetings of Policy and Resources Committee held on 28 February and 27 March 2024 and listed below.

28 February 2024

Minute 58 Terms of Reference

It was **RECOMMENDED** that Full Council adopts the terms of reference for the three main committees as amended and attached to the minutes of that meeting.

Minute 59 Review of Communications and Publicity Policy – Councillor Guidelines

It was **RECOMMENDED** that Full Council adopts the Town Council's Communications and Publicity Policy with standardisation of terms as used in other policies.

27 March 2024

Minute 65 Malvern Town Community Support Grant – Citizens Advice Bureau (South Worcestershire Citizens Advice)

It was **RECOMMENDED** to award a Community Support Grant of £18,000 for 2024/25.

Minute 67 Large Grants Scheme, 2nd Round 2023/24

It was **RECOMMENDED** to award a large grant of £2,500 to 1st Malvern Link Scout Group.

It was **RECOMMENDED** to award a large grant of £1,400 to Malvern Theatre Players.

It was **RECOMMENDED** to award a large grant of £1,250 to The Hills Singers.

NOTE: it was agreed at the meeting that final determination of large grants would be forwarded to Full Council due to the fact that funding exceeded the available budget of £4,000 and therefore was outside of committee delegations.

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.

**AGENDA ITEM 14
REPORT CL03/24**

- 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