

**UNADOPTED**

**MINUTES OF THE ANNUAL MEETING OF  
MALVERN TOWN COUNCIL**

**held on Wednesday 15 May 2024 at 6.00 pm  
in the Council Chamber, Belle Vue Terrace, Malvern**

**Councillors**

Present

S Austin  
M Birks  
C Bovey  
A Cherry  
I Dawson  
C Fletcher  
E Green  
J Green  
C Hooper  
N Houghton  
M Jones  
J Leibrandt  
L Lowton  
F Matthews-Jones  
J MacLusky  
R McLaverty-Head  
D Mead  
S Meager  
K Newbigging  
D Watkins

**Also in attendance**

L Blake – Town Clerk  
L Wall – Minute Clerk

Cllr Fran Victory, MHDC Link ward  
Cllr Malcolm Victory, MHDC Barnards  
Green ward, WCC Malvern Chase division  
Cllr John Raine, MHDC West ward  
Deborah Fox, MHT CEO  
Sheila Wren, MHT

Member of the Press

The Mayor for the 2023/24 council year, Cllr Clive Hooper, opened the meeting and thanked everyone for attending.

**1. APPOINTMENT OF MAYOR**

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

Two separate secret ballots were held, both resulting in a tied vote. The outgoing Mayor used his casting vote.

It was **RESOLVED** that Cllr Marilyn Birks be appointed Mayor of Malvern Town Council for 2024/25.

**2. MAYOR'S DECLARATION OF OFFICE**

The Mayor, Cllr Marilyn Birks, signed the Declaration of Office, witnessed by the Town Clerk.

**3. APPOINTMENT OF DEPUTY MAYOR**

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

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It was **RESOLVED** that Cllr David Mead be appointed Deputy Mayor of Malvern Town Council for 2024/25.

### 4. **DEPUTY MAYOR'S DECLARATION OF OFFICE**

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

### 5. **APOLOGIES FOR ABSENCE**

None.

### 6. **DECLARATIONS OF INTEREST**

Agenda item 12 Appointment of representatives on outside bodies – Cllr Anne Cherry is acting as an interim trustee for Community Action.

### 7. **MINUTES OF PREVIOUS MEETING**

#### Minute 164 Notice of Motion – Staffing Committee

Cllr Newbigging requested that the second paragraph of this minute be amended from:

- Cllr Marilyn Birks seconded the Notice of Motion, saying she supported the establishment of a staffing committee as part of being a responsible employer.

to:

- Cllr Marilyn Birks seconded the Notice of Motion and gave a comprehensive overview of how the establishment of a staffing committee was in line with good practice as recommended by NALC.

This amendment was **AGREED**.

Cllr Lowton requested an additional line be added to paragraph 5:

- At this point, the Town Clerk informed the Mayor that she would need to leave at 8.15pm to attend another meeting.

This amendment was **AGREED**.

#### After minute 165

Cllr Lou Lowton requested that an extra paragraph be inserted but after discussion members were unable to agree on final wording. The Chair stated that everyone had different recollections, it was a contentious issue and important to get it right.

The Town Clerk suggested that the Chair could listen to the recording of the meeting to verify what had been said.

Cllr Hooper said he would very much like to attend the meeting to listen to the recording as there had been allegations made against him in regard to certain aspects, one of which related to the determination of the closing of the meeting.

It was **AGREED** that the Mayor, Deputy Mayor, Town Clerk and Cllr Hooper would listen to the recording of the meeting held on 10 April 2024 and then come to a decision on what was said and how that would be represented in the minutes.

It was **AGREED** to defer approval of the minutes of the meeting held on 10 April 2024 until such time as an agreement had been reached.

### 8. **CO-OPTION OF MEMBER TO FILL VACANCY IN ST JOSEPH'S WARD**

This item was no longer required, the vacancy having been filled at the extraordinary council meeting held immediately before the annual council meeting.

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### **PUBLIC PARTICIPATION**

Deborah Fox, new CEO of Malvern Hills Trust had attended the meeting to introduce herself to councillors and make a short presentation. She has been in the post for two months, following fifteen years working in local government.

She was accompanied by Sheila Wren and together they were touring parish and town councils to talk about proposed governance changes and an upcoming consultation.

They said that the consultation was very complex and it was therefore important to ensure that everyone got the correct information. A link to the consultation would be provided to the council. Online comments should be submitted by 22 July.

### **9. MAYOR'S ANNOUNCEMENTS**

The Mayor did not have any announcements to make having just stepped into the role, and said that she wished to give some thought to which charities she would like to support over the coming year, reporting back at the next full council meeting.

### **10. TOWN CLERK'S REPORT**

The Town Clerk reported as follows:

#### Community Hub Building

- The building and landscaping works are now almost completed with some final snagging works and fencing still to be completed.
- A meeting of Victoria Park Task and Finish Group was the first meeting ever to be held in the building this week.
- The operations team have been extremely busy assisting with groundworks on site and have delivered significant savings for the Council by undertaking levelling, seeding and rolling works to the areas around the building.
- Works now turn to the internal fitting out of furniture, communications, and other services.
- It is now hoped that the café can be let as soon as possible and that the meeting room can be advertised as available for hire from late June / early July.

#### Staffing Vacancy

- The role of Events and Communications Officer on the administration staff has been filled and the new appointment is due to start at the end of May.

#### Events

- Sunday Music in the Park Concerts have now started. Councillors were asked to contact Lyndsey if they could steward at any of the concerts.
- The Peaks Challenge went exceptionally well and was as usual a testament to the hard work of the staff. The Town Clerk, Lyndsey and Charles put out markers for the route in the pouring rain and howling wind on the Friday beforehand, but Saturday was a glorious day and everyone seemed to enjoy themselves. Cllr MacLusky showed off her medal at the meeting and said she hoped that other councillors would join the walk next year.

#### Ops Update

- Land at Adam Lee – Section 106 funding has now been awarded for the pump track subject to planning permission being granted. The planning application and associated reports is currently being prepared and it is hoped this will be submitted in June.

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- Skatepark at Victoria Park – a very positive meeting of the Skatepark Focus group had been held with the first steps being to try and put together a project specification to meet user needs, aided by a very keen group of skatepark users.

### 11. **REVIEW OF COMMITTEES/TASK AND FINISH GROUPS AND APPOINTMENT OF MEMBERS FOR THE 2024/25 COUNCIL YEAR**

Report AC02/24 was received and accepted.

#### **Policy and Resources Committee**

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

1. Cllr Iain Dawson
2. Cllr Clive Fletcher
3. Cllr Emma Green
4. Cllr Clive Hooper
5. Cllr Nick Houghton
6. Cllr Mel Jones
7. Cllr Lou Lowton
8. Cllr Ronan McLaverty-Head
9. Cllr Karen Newbigging

#### **Operations and Planning Committee**

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

1. Cllr Sean Austin
2. Cllr Caroline Bovey
3. Cllr Anne Cherry
4. Cllr Jude Green
5. Cllr Josephine Leibrandt
6. Cllr Julie MacLusky
7. Cllr Freya Matthews-Jones
8. Cllr David Mead
9. Cllr Simon Meager
10. Cllr David Watkins

#### **Audit Committee**

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

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

#### **Emergency Decision Making Group**

It was **RESOLVED** that the Emergency Decision Making Group would comprise:

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

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### 6. Vice-Chair of Operations and Planning Committee

#### **Victoria Park Task and Finish Group**

To was **RESOLVED** that membership of the Victoria Park Task and Finish Group be confirmed at six members with membership as follows:

1. Cllr Anne Cherry
2. Cllr Jude Green
3. Cllr Nick Houghton
4. Cllr Freya Matthews-Jones
5. Cllr David Mead
6. Cllr David Watkins

#### **Aims and Objectives Task and Finish Group**

It was **RESOLVED** that membership of the Aims and Objectives Task and Finish Group be confirmed at four members with membership as follows:

1. Cllr Clive Fletcher
2. Cllr Nick Houghton
3. Cllr Lou Lowton
4. Cllr Mel Jones

#### **Community Engagement Task and Finish Group**

It was **RESOLVED** that membership of the Community Engagement Task and Finish Group be confirmed at six members with membership as follows:

1. Cllr Clive Fletcher
2. Cllr Emma Green
3. Cllr Jude Green
4. Cllr Nick Houghton
5. Cllr Josephine Leibrandt
6. Cllr Karen Newbigging

#### **Staffing Committee Task and Finish Group**

It was **RESOLVED** that membership of the Staffing Committee Task and Finish Group be confirmed at six members with membership as follows:

1. Cllr Sean Austin
2. Cllr Anne Cherry
3. Cllr Jude Green
4. Cllr Nick Houghton
5. Cllr Lou Lowton
6. Cllr Karen Newbigging

***Cllr Julie MacLusky left the meeting, having voted, but before the result was announced, at 7.13pm***

#### **Other**

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

#### **Chairing of meetings**

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

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

***The Chairman announced that under Standing Order 1a She would be altering the order of business so that agenda item 18 “Victoria Park Task and Finish Group Recommendations” would be brought forward.***

### 12. VICTORIA PARK TASK AND FINISH GROUP RECOMMENDATIONS

Report AC09/24 was received and accepted.

The Chair of the Victoria Park Task and Finish Group, Cllr David Mead, presented the recommendations from the meeting held on 13 May 2024.

- i. It was **RESOLVED** that the tender for the operation of the café at Victoria Park be awarded to Candy Harris at a rental of £120,000 over ten years.
- ii. It was **RESOLVED** that the meeting room hire charges should be:
  - £15.00 per hour for private use and
  - £12.00 per hour for community group use.

**Under Standing Order 3(x) the Chair proposed that the meeting be extended until 8.30pm. A vote was taken, and it was agreed to extend the meeting until 8.30pm.**

- iii. It was **RESOLVED** that a part-time caretaker for Victoria Park should be engaged, initially to open and close the building as required.

***Cllr Meager was out of the room when the vote took place.***

***Cllr Jude Green, Cllr Josephine Leibrandt, Cllr Lou Lowton and Cllr Freya Matthews-Jones left the meeting at 8pm.***

### 13. APPOINTMENT OF REPRESENTATIVES ON OUTSIDE BODIES

Report AC03/24 was received and accepted.

It was **RESOLVED** that the appointment of representatives to outside bodies for 2024/25 be determined as below:

<b>Outside Body</b>	<b>Representatives 2024/25</b>
Malvern Hills Council for Community Action	Cllr Nick Houghton
Malvern Hills CAB Management Committee	Cllr David Mead
Malvern Town Council/Malvern Hills District Council Liaison Group ( <i>Mayor and Deputy Mayor</i> )	Cllr Marilyn Birks Cllr David Mead
County Association of Local Councils (CALC) – Executive and Local Area Committees	Cllr Clive Hooper
Malvern-Mariánské Lázně Community Partnership (MLCP)	Cllr Josephine Leibrandt*

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<i>As Cllr Leibrandt had already left the meeting, it was agreed that she would be contacted to confirm her wish to continue as representative</i>	
Malvern-Bagnères de Bigorre Twinning Association (MBTA)	Cllr Anne Cherry Cllr Caroline Bovey
Korosten Community Twinning Steering Group	Cllr Emma Green Cllr Lou Lowton Cllr Ronan McLavery-Head
Malvern Twinning Steering Group ( <i>Mayor and Deputy Mayor</i> )	Cllr Marilyn Birks Cllr David Mead
Malvern Hills District Children and Young People's Partnership	Cllr Lou Lowton* Cllr Mel Jones Cllr Karen Newbigging
<i>As Cllr Lowton had already left the meeting, it was agreed that she would be contacted to confirm her wish to continue as representative. If yes, either Cllr Jones or Cllr Newbigging would step aside.</i>	
Rural Market Town Group	No councillor representative, Town Clerk to report any pertinent issues
Poolbrook Village Hall	Cllr Iain Dawson

### 14. **BANK MANDATE AND PAYMENT SIGNATORIES**

Report AC04/24 was received and accepted.

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

- 1) Cllr Marilyn Birks, Mayor of Malvern
- 2) Cllr David Mead, Deputy Mayor of Malvern
- 3) Cllr Sean Austin
- 4) Cllr Anne Cherry
- 5) Cllr Jude Green
- 6) Cllr Karen Newbigging
- 7) Cllr David Watkins

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

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

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

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

### 15. PAYMENT OF ANNUAL SUBSCRIPTIONS, MEMBERSHIP OF ORGANISATIONS

Report AC05/24 was received and accepted.

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

<u>Organisation</u>	<u>Estimated Cost 2024/25</u>
Worcestershire CALC/NALC	£2,749
Chartered Institute of Public Finance and Accountancy	£400
Local Government Employers	£468
Institute of Cemetery Management	£100
Caring for God's Acre	£100
Rural Market Town Group	£137
<b>Total</b>	<b><u>£3,954</u></b>

It was **AGREED** that as the Cotswold Line Promotion Group magazine was not read by anyone, it would be better to stop the subscription and instead make a donation, thereby continuing the support for a railway link to London whilst saving on paper and printing.

### 16. ANNUAL REVIEW PROCESS

Report AC06/24 was received and accepted.

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

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



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

### 17. **OPERATIONS AND PLANNING COMMITTEE RECOMMENDATIONS**

Report AC07/24 was received and accepted.

The Chair of Operations and Planning Committee, Cllr David Mead, presented the recommendations from the meeting held on 8 May 2024.

#### Minute 12 Environmental Matters

It was **RESOLVED** to adopt the Environmental Policy as required and amended by the Environmental Policy Task and Finish Group at its meeting held on 24 January 2024.

It was **RESOLVED** to accept the updated Town Council's Environmental Achievements for 2023.

### 18. **POLICY AND RESOURCES COMMITTEE RECOMMENDATIONS**

Report AC08/24 was received and accepted.

The Chair of Policy and Resources Committee, Cllr Iain Dawson, presented the recommendations from the meetings held on 28 February, 27 March, and 13 May 2024.

#### 28 February 2024

#### Minute 58 Terms of Reference

It was **RESOLVED** 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 **RESOLVED** 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 **RESOLVED** to award a Community Support Grant to South Worcestershire Citizens Advice Bureau of £18,000 for 2024/25.

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

It was **RESOLVED** to award a large grant of £2,500 to 1<sup>st</sup> Malvern Link Scout Group.

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

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

13 May 2024

Minute 7 CCTV Policy

It was **RESOLVED** that The Town Council adopts the closed-circuit television (CCTV) policy.

Minute 8 Review of Data Protection Policy for Council Employees

It was **RESOLVED** that the Town Council adopts NALC's Data Protection Policy for Employees.

**19. REVIEW OF REPORTS SUBMITTED BY GRANT-RECEIVING BODIES MARCH AND SEPTEMBER 2023**

As it was almost 8.30pm, it was **AGREED** to defer this item until the next meeting.

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

It was agreed that the date of the next meeting would be Wednesday 19 June 2024 at 6.00 pm, venue to be confirmed.

The meeting finished at 8.30 pm.

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(Chairman)