



# **MALVERN TOWN COUNCIL**

## **FULL COUNCIL MEETING**

### **REPORTS**

**For meeting on Wednesday 31 July 2024**

**at 6.00 pm**

**in the Meeting Room, Victoria Park Community Hub, Malvern Link**

# MALVERN TOWN COUNCIL

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

25 July 2024



[townclerk@malvern-tc.org.uk](mailto:townclerk@malvern-tc.org.uk)  
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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 31 July 2024 in the Community Hub Meeting Room, Victoria Park, Malvern Link, WR14 2JY commencing at 6.00 pm for the transaction of the business shown on the Agenda below.

A handwritten signature in black ink, appearing to read 'L. J. Blake'.

Linda Blake  
Town Clerk

No.	Agenda Item
1.	<b>Apologies for Absence</b> To note apologies for absence.
2.	<b>Declarations of Interest</b> To receive declarations of disclosable pecuniary interests and other disclosable interests.
3.	<b>Minutes of Previous Meeting</b> To receive and confirm as a correct record the Minutes of the previous Full Council meeting: ➤ 19 June 2024
<b>Public Participation</b> <i>The Meeting will be adjourned for public participation when the Chairman will invite members of the public to present their questions, statements or petitions submitted under the Council's Public Participation Procedure.</i>	
4.	<b>Mayor's Announcements</b> ➤ The Mayor will make any relevant announcements/written report
5.	<b>Update on Town Council Operations and Activities</b> ➤ Verbal update by the Town Clerk
6.	<b>Reports by County and District Council Representatives in Attendance</b> ➤ Verbal reports or written submissions as appropriate
7.	<b>Town Council Ward Reports/Representatives on Outside Bodies</b> ➤ Verbal reports or written submissions as appropriate
8.	<b>Members Questions</b> ➤ The Chair will invite members who have written in with questions to present them to Council



9.	<b>Town Council Response to Malvern Hills Trust's Public Consultation on a Proposed Parliamentary Bill</b> ➤ Report CL01/24 to follow
10.	<b>Town Council Insurance Contract</b> ➤ Report CL02/24 to follow
11.	<b>Community Engagement Task and Finish Group</b> ➤ The Chair of the Community Engagement Task and Finish Group to present an update from the meeting held on 11 July 2024
12.	<b>Operations and Planning Committee Recommendations</b> The Chair of Operations and Planning Committee to present recommendations for approval by Council from the meeting held on 17 July 2024 ➤ Report CL03/24 to follow
13.	<b>Review of Updated Report submitted by Malvern Rugby Club on Grant Received September 2023</b> ➤ Report CL04/24 to follow
14.	<b>Date and Time of Next Meeting</b> ➤ Wednesday 4 September 2024, at 6pm
<b>Exclusion of the Press and Public</b> <i>To resolve pursuant to section 1 of the Public Bodies (Admission to Meetings) Act 1960 to exclude the press and public from the meeting on the grounds that publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted.</i>	
15.	<b>Rose Bank Gardens</b> ➤ Verbal update

## UNADOPTED

### MINUTES OF THE MEETING OF MALVERN TOWN COUNCIL

held on Wednesday 19 June 2024 at 6.00 pm  
in the Council Chamber, Belle Vue Terrace, Malvern

#### **Councillors**

##### Present

M Birks (Chair)  
S Austin  
C Bovey  
I Dawson  
C Fletcher  
E Green  
J Green  
C Hooper  
N Houghton  
M Jones  
J Leibrandt (from 6.01pm)  
L Lowton (from 6.01pm)  
J MacLusky  
D Mead  
S Meager (from 6.15pm)  
K Newbigging  
D Watkins

##### Absent

A Cherry (apologies)  
F Matthews-Jones (apologies)  
R McLaverty-Head (apologies)  
L Blake, Town Clerk (apologies)

##### **Also in attendance**

C Porter – Deputy Town Clerk  
L Wall – Minute Clerk  
Cllr Beverley Nielsen MHDC and WCC  
11 members of the public

The Mayor welcomed everyone to the meeting and explained that in Linda Blake's absence the meeting would be clerked by Charles Porter, Deputy Clerk.

#### **21. APOLOGIES FOR ABSENCE**

Apologies for absence from Cllr McLaverty-Head, Cllr Matthews-Jones, Cllr Anne Cherry and the Town Clerk were noted.

#### **22. DECLARATIONS OF INTEREST**

##### Agenda item 10 Notice of Motion Malvern Pride 2024

- Cllr Sean Austin is a committee member of Malvern Pride.
- Cllr Nick Houghton is a committee member of Malvern Pride.

*Cllr Lou Lowton and Cllr Josephine Leibrandt joined the meeting at 6.01pm.*

#### **23. MINUTES OF PREVIOUS MEETING**

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

- Full Council meeting 10 April 2024
- Extraordinary meeting 15 May 2024
- Annual Council meeting 15 May 2024

## UNADOPTED

***The Chair announced that she would like to alter the order of the agenda, to bring forward the following items:***

- Item 9 Town Council Response to Malvern Hills Trust's Public Consultation on a Proposed Parliamentary Bill
- Item 17 Policy and Resources Committee Recommendations
- Item 18 Year End Accounts 2023/24
- Item 19 Annual Governance and Accountability Return 2023/24

### **PUBLIC PARTICIPATION**

#### **Malvern Hills Trust's Public Consultation on a Proposed Parliamentary Bill**

Three speakers expressed their thoughts and objections to the proposed Parliamentary Bill. They felt that some of the information provided in the consultation was incorrect and that a consultation should not be run during purdah. They asked Council to take into consideration all of their comments before submitting a response.

#### **Review of Funding Arrangements/Grants for Twinning/Partnership Organisations**

The secretary of the Mariánské Lázně Community Partnership told members how the current partnership had been running for twelve years and was a successful arrangement that he would like to see continue. He noted that the group was not looking for funding from the Town Council but hoped that the Council would continue to support the partnership in other ways.

### **24. TOWN COUNCIL RESPONSE TO MALVERN HILLS TRUST'S PUBLIC CONSULTATION ON A PROPOSED PARLIAMENTARY BILL**

Report CL01/24 was received and accepted.

It was **RESOLVED** to appoint a group of Town Councillors to be given delegations to work with the Town Clerk to prepare and submit a response on proposals by the Malvern Hills Trust for a Parliamentary Bill to update the Malvern Hills Acts.

Five councillors were appointed to the group with a meeting to be arranged during the week commencing 8 July:

- Cllr David Mead
- Cllr Clive Hooper
- Cllr Josephine Leibrandt
- Cllr Karen Newbigging
- Cllr Iain Dawson

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

Report CL09/24 was received and accepted.

The Chair of Policy and Resources Committee, Cllr Iain Dawson, presented the recommendation from the meeting held on 12 June 2024.

#### **Minute 7 Quarterly Accounts – Fourth and Final Quarter 2023/24 January, February, March 2024**

It was **RESOLVED** that Council approve the Quarterly Accounts for the fourth and final quarter, ending 31 March 2024.

### **26. YEAR END ACCOUNTS 2023/24**

Report CL10/24 was received and accepted.

It was **RESOLVED** to approve and adopt the Year End Accounts for 2023/24.

## UNADOPTED

### 27. **ANNUAL GOVERNANCE AND ACCOUNTABILITY RETURN 2023/24**

Report CL11/24 was received and accepted, and the recommendations taken separately:

- i. Council **CONSIDERED** and **APPROVED** Section 1 of the AGAR – Annual Governance Statement 2023/24 and **ENSURED** it was signed and dated by the Chair and Deputy Town Clerk.
- ii. Council **CONSIDERED** and **APPROVED** Section 2 of the AGAR – Accounting Statements 2023/24, **APPROVED** the Accounting Statements by resolution and ensured they were signed and dated by the Chair.
- iii. Council **NOTED** the Annual Internal Audit Report 2023/24 as page 3 of the AGAR.
- iv. Council **AGREED** that the fully completed AGAR for 2023/24 should then be submitted with the appropriate supporting information to the external auditor no later than Monday 1 July 2024.

### 28. **MAYOR'S ANNOUNCEMENTS**

The Mayor thanked Cllr David Watkins for his service as Deputy Mayor over the past year and said that he had acted as a mentor for some new councillors providing support and guidance, which was most appreciated.

In recognition of this and the work he had put into the new community hub project, the Mayor invited Cllr Watkins to take part in the official opening of the building during the Mayor's Bonanza, when a photographer would be on hand to record the event and an official photograph of Cllr Watkins with his family would be taken.

The Mayor then went on to thank Cllr Clive Hooper for his welcome when she joined the council and his enthusiastic support, and acknowledged that Clive had been known for his service to Malvern. The Mayor then presented Cllr Hooper with his official Mayor's portrait.

The Mayor informed members that she did not intend to list all engagements she had attended at each council meeting, but in future would provide a written update to members beforehand. She intended to go to local events where she felt she could be of help in raising the profile of organisations or those that would benefit the council. She felt that a recent informal meeting with MHDC had been a good start to community engagement.

The Mayor then announced that her charities for the coming year would be Heartstart Malvern and Cube Youth. Funds for Heartstart would be raised primarily at the Mayor's Bonanza whilst Cube Youth would be supported by the Christmas Festival and the Mayor's Peaks Challenge Walk.

### 29. **UPDATE ON TOWN COUNCIL OPERATIONS AND ACTIVITIES**

The Deputy Clerk reported that:

- All bedding was now planted out, and 212 hanging baskets put up around the town – with 60 of these being hired by businesses
- New swings were being installed at Victoria Park, and the safety fencing would be taken down soon, opening up a connection between the café and play area
- The new tractor had arrived and the old one sold
- Flower posts had been installed at the new community hub

## UNADOPTED

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

A report from Cllr Malcolm Victory had been circulated prior to the meeting.

Cllr Beverly Nielsen said that although her reporting was restricted by purdah, she was allowed to report on issues in her division that were not related to policy, these mainly being highways issues.

- It was likely that a 20mph limit would be imposed on Church Street but would not be allowed on the Worcester Road.
- There would be a consultation commissioned by MHDC for Edith Walk and Church Street while WCC are holding a safety consultation on Church Street. It was expected that traders and the public would be consulted.
- Double yellow lines and an 'H' bar would be painted by the nursery in Abbey Road.
- A VAS would be installed in Townsend Way to help reduce speeding. It was hoped that the Town Council would assist on position the sign.
- Funding would be made available for the repainting of five lamp posts in Graham Road.
- A petition was collecting signatures in support of a crossing by Splash on Priory Road.

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

Cllr David Mead reported that he and the Mayor would be meeting with residents of Court Road the following week regarding road safety issues.

### 32. **MEMBERS QUESTIONS**

There were no members' questions.

### 33. **NOTICE OF MOTION – MALVERN PRIDE 2024**

Cllr David Watkins presented Report CL02/24 Notice of Motion.

An amendment to the resolution was proposed and agreed to add the word 'original' before 'Pride flag' to distinguish which flag would be flown.

- i. It was **RESOLVED** to promote the event on the Malvern Town Council website and social media and to fly an original Pride Flag on the Council building in Belle Vue Terrace and the library as agreed in the Council's approved Flag Flying policy.
- ii. It was further **RESOLVED** to fly 50 original Pride Flags in Church Street, Belle Vue Terrace and Worcester Road, Barnards Green and Malvern Link (flags to be provided by Malvern Pride). Malvern Town Council Operations Team to undertake the flag swap to fly Pride flags between Monday 22 July until Monday 5 August.

### 34. **SPECIAL MOTION – REVERSAL OF COUNCIL DECISION TO ESTABLISH A STAFFING COMMITTEE**

Cllr Nick Houghton presented Report CL03/24 Special Notice of Motion.

After a short discussion a vote was taken and the Special Notice of Motion fell.

### 35. **REVIEW OF FUNDING ARRANGEMENTS / GRANTS FOR TWINNING / PARTNERSHIP ORGANISATIONS**

Report CL04/24 was received and accepted.

## UNADOPTED

Council reviewed funding arrangements for twinning / partnership organisations.

It was **RESOLVED** that all funding requests for twinning / partnership organisations should be submitted via the Town Council's grants scheme.

### 36. **COMMUNITY ENGAGEMENT TASK AND FINISH GROUP**

Report CL05/24 was received and accepted.

The three recommendations were taken together and

- i. It was **RESOLVED** that the Mayor and Town Clerk should raise the issue of co-operation and collaboration with MHDC at the next liaison group meeting in August, and that district councillors should be invited to form a collaborative community engagement group, to try and understand each other's priorities and develop partnership working.
- ii. It was **RESOLVED** that steps be taken to schedule councillor surgeries in the new building at Victoria Park.
- iii. It was **RESOLVED** that the Town Council has a stall at Malvern Pride event on Saturday 27 July, to be manned by Councillors only.

### 37. **VICTORIA PARK TASK AND FINISH GROUP**

Report CL06/24 was received and accepted.

The report stated that financial implications were to be confirmed and members queried what the cost might be.

Cllr Houghton said that the company he worked for had recently purchased a defibrillator for around £1,500.

Therefore, an amendment was proposed and agreed to include 'up to £1800' in the recommendation.

- i. It was **RESOLVED** to purchase a defibrillator and bleed kit to be installed on the side of the new community hub. This equipment to be donated to Heartstart Malvern who would check and maintain the equipment on a regular basis and register it on the appropriate site so that it was available for all to use.
- ii. It was **RESOLVED** that the official opening of the new community hub would be at the Mayor's Bonanza on Sunday 25 August 2024. The Mayor would welcome everyone and then hand over to Cllr David Watkins to officially open the building.

### 38. **KOROSTEN TWINNING STEERING GROUP**

Report CL07/24 was received and accepted.

- i. It was **RESOLVED** that a Twinning Open Day for the Korosten Community be held at the new community hub from 1pm on Saturday 17 August. This to be advertised using social media, posters, and press coverage. The event would include food and music, with the aim to introduce people to the Korosten Community and recruit interested parties to join the Twinning Association.

### 39. **AUDIT COMMITTEE RECOMMENDATIONS**

Report CL08/24 was received and accepted.

The Chair of Audit Committee, Cllr David Watkins, presented the recommendations from the meeting held on 5 June 2024.



**UNADOPTED**

Minute 6 Annual Internal Audit Report – Financial Year ending 31 March 2024

It was **RESOLVED** that the Internal Audit Report 2023/24 of the Council's Internal Auditor be accepted and forwarded to the next meeting of Full Council for approval.

Minute 7 Review of the Effectiveness of the System of Internal Controls

Committee **NOTED** the work carried out and **RECOMMENDED** that Council should agree a satisfactory review of the system of internal control had been completed during 2023/24.

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

Report CL12/24 was received and **NOTED**.

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

It was agreed that the date of the next meeting would be Wednesday 31 July 2024 at 6.00 pm, venue to be confirmed.

The meeting finished at 8.13 pm.

.....  
(Chairman)

DRAFT

MAYOR'S ANNOUNCEMENTS  
Mayoral engagements

AGENDA ITEM 4

<p>Friday 31 May – Elgar Festival concert, Strings concert, Assembly Room, Guildhall, Worcester</p>	<p>My first engagement as Mayor. Due to funding restrictions the Festival was not able to put on its usual offer of concert/recitals in Malvern. I have suggested to the Festival’s organisers (led by ex Worcester Mayor) that they could make a grant application to the Town Council. As Elgar is synonymous with Malvern, I think we should celebrate his memory.</p>
<p>Sunday 2 June - ‘Pleased to meet you’ an evening by the river, Mayor &amp; Mayoress of Evesham, Hampton Ferry, Boat Lane, Evesham, WR11 4BP</p>	<p>Really useful way to meet other mayors from the area: Worcestershire as well as Ledbury and Tewkesbury. It helped me get to know the Chair of Worcs CC, Tracey Onlsow, who has been helpful in providing me with links to County Council officers and councillors and also to chat to a number of Mayors about how their councils’ approach staffing committees and community engagement - two new areas for our task and finish groups.</p>
<p>Friday 14 June - Opening ceremony and long service awards, lunch in the President’s marquee, Royal Three Counties Showground</p>	<p>A wide range of local dignitaries attended and it gave me the opportunity to meet a number of people who I’d wish to liaise with in relation to collaborative working and sharing of ideas across the Malvern area. I chatted with Chair &amp; CEO MHDC, Chair &amp; CEO Malvern Theatres, Chair and CEO Three Counties, Showground, Harriet Baldwin, several Trust members of Three Counties, NUF regional lead on bio diversity.</p>
<p>Thursday 20 June, Spring Lane, Royal Naval Parade</p>	<p>Local cadets have about 20 young people participating and it is obvious the skills and support they receive in learning and achieving confidence to be ‘on parade’ as it helps build their sense of self esteem. They are looking for more recruits to join them. Girls play an equal role to the Boys and a dedicated team of adults offer their time to engage them in a range of educational and fun activities. The Commander for the South West cadets came to inspect the parade and he was really supportive and positive about our Malvern Cadet’s display of naval procedure and practice. Commander Mills and I found out we shared a Liverpool heritage and had educated our children in Portsmouth.</p>
<p>Sunday 23 June – Day in the Park, Midsummer Malvern week, Great Malvern</p>	<p>Thanks to the Civic Society for organising the event. It was good to meet a range of people who work to celebrate Malvern’s heritage and also to bring back into use neglected buildings. The Donkey Shed is worth a visit! Also, involved were a number of charitable organisations and I spoke with them to see if I can help to promote their work in my role as mayor.</p>

MAYOR'S ANNOUNCEMENTS

AGENDA ITEM 4

<p>Saturday 29 June – Joint concert with the Fontana Choir from Mariánské Lázně and the Hills Singers</p>	<p>There was a morning reception for the singers and the Czech Ambassador attended. She and I spoke of the importance of appreciating each other’s culture and recognising the fragility of our freedoms and how quickly they can be usurped. We discussed how engaging younger people in ‘cultural exchanges’ was important as it tended to be the older generation who participated in ‘twinning’. I have spoken with the organisers to see if there may be ways to open things up in the future. The concerts brought together the Fontana choir (named after the musical fountain in Marienbad) and the local Hills Singers. We contributed to the event through grant funding to the Hills singers.</p>
<p>Sunday 7 July – WCC Chairman’s Family afternoon tea, The Herb Garden Bewdley Museum</p>	<p>Another opportunity to meet the Chair of Worcs. CC, councillors and other mayors. Malcolm and Fran Victory were also present. It was a chance to learn about some of the issues that affect Bewdley and neighbouring areas such as Stourport and the current construction of additional flood defences. Across Worcestershire we share similar problems but some are unique to our geographical location.</p>
<p>Monday 8 July, Malvern Cube</p>	<p>This is one of my mayor’s charities, Cube Youth, and it was a Slam event for the young people who had been taking part in music sessions run by Severn Arts. There is a regular slot where tuition is provided and a chance to explore musicianship and try out different instruments. Hopefully it will continue in the autumn.</p>
<p>Friday 19 July: Royal visit to Three Counties Showground Heart of England in Bloom: Judging</p>	<p>I was part of the welcoming line up when Princess Anne arrived at the Three Counties Showground to open a new hall ( a big shed but cleverly designed for ventilation) . This was another opportunity to build relationships with people I’d met at the Three Counties Show and to talk about issues of concern, one being the MHT consultation.</p> <p>In the afternoon, I joined Council staff &amp; David Watkins (Chair of Malvern in Bloom) and David Mead to welcome the judges of the Heart of England in Bloom to a lunch reception and to thank them for their visit. The two judges, who are known to our team, led by Charles and Lyndsey, were very effusive in their praise for what they had seen and also the accompanying brochure (prepared by Lindsay and Louise) as being excellent. It was a chance to also thank the people whose community gardens had been included and to celebrate the contribution they make.</p>

MAYOR'S ANNOUNCEMENTS

AGENDA ITEM 4

<p>Saturday 27 July, 10am procession: Worcester Guildhall to the Cathedral for the opening service of the Three Choirs Festival.</p> <p>Malvern Pride</p>	<p>Mayoral representatives and the Lord Lieutenant's entourage paraded from the Guildhall to the Cathedral . The Choirs sang outside the Guildhall before the procession moved off and it was really good to see local people stopping to listen. What a great impact it has for people to hear music, it's free and outside in an environment where they are already (shopping), it may be the first time that they've heard the impact of three choirs. The gathered crowd really enjoyed it! Then the formal opening service took place in a packed cathedral. I was privileged to participate as Mayor of Malvern.</p> <p>The afternoon was a contrast from the formality of the morning. A wonderful turn out and lots of interaction on the stalls, people chatting, music and song. The Town Council's stall received a good number of visitors and thanks to colleagues and staff who set it up and gave their time to meeting people. I gave a vote of thanks to our town council and the commitment of us all (council staff and members) to celebrating the diversity of our community.</p>
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The events above are those that I've attended as part of the Mayoral diary but I have also been meeting a number of local associations, charities, and members and officers of a range of organisations across Malvern in my attempt, as Mayor, to get to know their work and their priorities and to explore aspects of mutual interest and benefit.

Note: I did attend the D-day ceremony in the Library Grounds on 6 June at 6.30 in the morning. Organised by the Town Council with the Veterans Breakfast Club and attended by MHDC Chair, Vice Chair and Deputy Leader. Thanks to Linda and staff for ensuring Town Council marked this special occasion in Malvern .

Councillor Marilyn Birks

29 July 2024

**A REPORT OF THE TOWN CLERK TO  
A MEETING OF MALVERN TOWN COUNCIL  
to be held on Wednesday 31 July 2024 at 6.00pm  
in the meeting room, Victoria Park Community Hub, Malvern Link**

**MALVERN TOWN COUNCIL RESPONSE TO MALVERN HILLS TRUST'S PUBLIC  
CONSULTATION ON A PROPOSED PARLIAMENTARY BILL**

**1. Purpose of Report**

1.1. For noting.

**2. Recommendation**

2.1. Full Council is asked to note the response submitted to the Malvern Hills Trust Public Consultation on a proposed parliamentary bill.

**3. Background**

3.1. At the Full Council meeting held on Wednesday 19 June, it was resolved to appoint a group of Town Councillor to be given delegations to work with the Town Clerk to prepare and submit a response on proposals by the Malvern Hills Trust (MHT) for a parliamentary bill to update the Malvern Hills Acts.

3.2. Five Councillors were appointed to the group and three separate meetings were held to consider the consultation document and prepare a response on behalf of the Town Council.

3.3. As part of this process, questions were submitted to the MHT, representatives from the Trust attended part of a meeting to answer queries in more detail and Councillors considered a statement submitted by Malvern Environmental Protection Group.

3.4. Following a deadline extension, due to the number of meetings required the Town Clerk submitted the Town Council's response (attached at Appendix A to this report) on Friday 26 July.

3.5. In addition to the response which was submitted in a tabular format, the task and finish group requested that several general points should also be made on behalf of the Town Council. These are as follows:

- i. Malvern Town Council urges the Malvern Hills Trust to be mindful of the significant cost implications of a parliamentary bill and how these costs may have an effect on the precept payers of Malvern Town
- ii. Has the Malvern Hills Trust actively considered other options to a private bill, such as giving the land to the National Trust, thereby removing the levy payment for local residents?
- iii. The Town Council feels it is important that the Malvern Hills Trust clarifies and publicises the process for further public engagement and comments on the proposed bill during the period between presentation of the bill and its first reading in early 2025. Residents should be informed of what consultation and engagement is available at every stage of this process.

**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

Section/ question	Topic/question	Page number	Malvern Town Council response
S3	OBJECTS	p8	
Q1	Do you agree that the proposed clause accurately sums up the Trust's existing duties and is appropriate for the future?		Yes
	Do you agree that if an unresolvable conflict arises between 1(a) and 1(b), conservation should be given greater weight?		Yes
	Comments (in free text box marked question 2)		None
S4	NEW ARRANGEMENTS FOR APPOINTMENT AND REMOVAL OF BOARD MEMBERS	p11	
Q3	Do you agree there should be a maximum of 12 trustees?		Yes, there should be 12 trustees. This is in line with Charity Commission recommendations
	Do you agree that half the board should be elected, and half selected for their skills and experience?		No, they should all be elected, but if there are any specialist skills areas not held by elected trustees, then advisors should be appointed by the board as required.
	Do you agree that the electoral area should be defined by parish to link the voting area to the levy paying area?		Yes, those who live in the levy paying area should be those who are able to vote and it would be sensible to define this by parish area.
	Given that elected trustees are required to serve the best interests of the charity rather than "represent" an area, do you agree that combining the electoral areas is the most practical way to overcome the current disparities in the size of the electorates?		Yes – the levy payers should be pooled into one overall area and the 12 elected trustees should be elected by all levy payers not just by area. So, every ballot paper would allow levy payers to select candidates by ranking them
	Comments (in free text box marked question 5)		If board members do not have the relevant skills required, then specialist advice in areas such as law, finance, land management and human resources should be sought as necessary.
Q3	Do you agree that people who live in or within 1 mile of the boundary of a parish where the Trust has land under its jurisdiction should be able to stand for election to the board, subject to them being nominated by people living within the electoral area?		Yes
Q4	Rank the options where 1 is your most preferred option and 3 is your least preferred.		Not applicable, given the answers given in 3 above

## APPENDIX A

	If you have any other suggestions for how selected trustees could be appointed, please set them out in the free text section marked question 5		None
Q3	Do you agree that when an interim vacancy is created by the departure of an elected trustee, that vacancy could be temporarily filled until the next scheduled election by a candidate put forward by the selection panel and appointed by the board?		Agree that if an interim vacancy is created then the vacancy should be appointed by the board but do not agree that a selection panel should be used.
S5	MODERNISING THE BOARD'S ADMINISTRATION	P23	
Q6	Do you agree that meetings can be held online so long as they are streamed to the public?		No. But this should be reviewed and kept in line with Local Authority practice.
Q7	Do you agree that the trustees should be able to make urgent decisions by written agreement without the need for a meeting so long as 75% of trustees confirm their support for the decision and the decision is reported at the next meeting?		Yes
Q8	Do you agree that meetings of the Trust should be open to the public when a binding decision is to be made?		Yes, unless there is a confidential item which requires the public to be excluded.
S6	ADMINISTRATIVE POWERS	P27	
	If you have any comments on this section set them out in free text box marked question 12		None
S7	POWER TO SET UP A MEMBERSHIP ORGANISATION	P29	
Q9	Do you agree that the Trust should have a power to set up a membership organisation?		Yes
S8	GENERAL POWER	P30	
Q10	Do you agree that the Trust should have a restricted general power as set out above?		Yes
S9	TRUSTEE PAYMENTS AND BENEFITS	P31	
	No questions on this section		
S10	POWER TO BORROW	P32	
Q11	Do you agree that the Trust's existing powers to borrow money should be consolidated?		Yes
	Do you agree that the Trust should be able to secure borrowings against its ancillary land and against revenues without seeking the consent of the Secretary of State?		No, borrowings should not be secured against its ancillary land and revenues without secretary of state consent.

## APPENDIX A

	Should the Secretary of State's consent be required to secure borrowings against new purpose land?		Yes
S11	THE LEVY	P33	
	No questions on this section		
S12	CONTRIBUTIONS FROM WCC AND HEREFORDSHIRE COUNCIL	P34	
	No questions on the section		
S13	LOOKING AFTER LIVESTOCK ON THE MALVERN HILLS	P35	
Q13	In all cases below the public would continue to have access to the areas in question:		
	Do you agree that the Trust should be able to secure the perimeter of a grazed common, to make it stock proof, subject to the consent of the Secretary of State and any other necessary permissions?		Yes
	Do you agree that the Trust should have a power (subject to a requirement to consult) to put up temporary fences on the common for up to 12 months in the interests of animal health?		Yes
	Please include any comments on the draft clauses in the free text box marked question 14		There should be consultation with the public over the type of fencing to be erected.
S14	SEIZURE OF STRAY ANIMALS	P42	
	No questions on this section		
S15	QUARRYING	P43	
Q15	Do you agree that the Trust should be given a power to take up to 25m <sup>3</sup> of loose rocks and spoil per year for its own use (with a carry forward of up to 25m <sup>3</sup> in any one year if the previous year's allowances was not used)?		Yes
	Should the Trust be required to consult relevant local bodies or organisations about the exercise of this power?		Yes, local bodies or organisations should be consulted if this power is being used regularly.
S16	BARRIERS FOR UNAUTHORISED VEHICLES	P45	
	No questions on this section		
S17	ANCILLARY LAND AND BUILDINGS	P46	
Q17	In order to support the continuation of grazing on the commons, should the Trust have a power to acquire land to provide for the management of livestock?		Yes

Q18	Do you agree that, subject to obtaining planning and other necessary permissions, the Trust should have a power to build in furtherance of its objects, on land which <u>does not</u> form part of the commons for the purposes as set out in the draft clause above?		Yes
S18	POWER TO GRANT LEASES AND LICENCES OF LAND AND BUILDINGS	P50	
Q19	Do you agree that, subject to the public's rights of access, the Trust should have a power to grant licences of land and buildings?		Yes
	Do you agree that the Trust should have a power to grant leases of buildings and of land which is not common land (subject to rights of public access) for a period of up to 10 years?		Yes
	If you have any comments use text box marked question 20		With regards to ancillary land, there should be a list or preferably a map available to the public to specify where this is located.
S19	EASEMENTS AND LICENCES FOR SERVICES	P51	
Q21	Do you agree that in the highly unusual circumstances where services are proposed to be installed overground on the Hills to a domestic property built before 1995, and where planning permission is not required, the Trust should be required to consult the Malvern Hills National Landscape Partnership, rather than seek the views of the local planning authority?		Yes
S20	EASEMENTS AND RIGHTS OF ACCESS	P51	
	No questions on this section		
S21	LICENSING EVENTS	P52	
Q21	Do you agree that the Trust should have an explicit power to issue licences to people or organisations who wish to carry out activities or run businesses on Trust land, with a power to make an administrative charge?		Yes
S22	TEMPORARY FOOD STALLS	P52	
Q21	Do you agree that the Trust should have a power to grant licences for temporary food stalls in association with events for a period of no more than 4 days?		Yes



	If you have any comments, please use box marked question 22		None
S23	MEASURES FOR THE PROTECTION OF THE MALVERN HILLS AND FOR PUBLIC SAFETY	P53	
Q23	Do you agree that the ability of individuals to require personal notices of the exercise of the Trust's power to put up a temporary fence should be removed and a requirement on the Trust to publish notices on its website be added?		Yes
	If you have any comments, please use text box marked question 25		None
S24	LIABILITY TO PEOPLE ON THE HILLS	P55	
	No questions on this section		
S25	BYELAWS AND ENFORCEMENT	P57	
Q24	Do you agree that the Trust should have a power to issue fixed penalty notices as a way of enforcing byelaws?		Yes
S26	REMOVAL OF VEHICLES	P59	
	No questions on this section		
S27	RIGHTS OF COMMON	P60	
Q26	Do you agree that the Trust should no longer have a power to enforce other people's rights of common?		Yes
S28	ESTOVERS	P61	
	No questions on this section		
S29	RIGHTS OF THE CROWN	P62	
	No questions on this section		
S30	THE KING'S THIRD	P63	
	No questions on this section		
S31	THIRD PARTIES	P63	
	No questions on this section		
S32	EXISTING MANORIAL RIGHTS	P68	
	No questions on this section		
S33	CONSENT OF MALVERN HILLS DISTRICT COUNCIL	P69	
	No questions on this section		
S34	CHANGES TO NAMES OF LOCAL AUTHORITIES	P69	
	No questions on this section		
S35	NAME OF THE ORGANISATION	P70	

Q27	Do you agree that the Trust should change its statutory name to Malvern Hills Trust?		Yes
S36	MALVERN ABBEY OR MALVERN PRIORY?	P70	
	No questions on this section		
S37	CONSOLIDATION OF THE EXISTING ACTS	P71	
	No questions on this section		
S38	POWER TO MAKE FUTURE AMENDMENTS	P71	
	No questions on this section		
S39	THE LAND CLAUSES CONSOLIDATION ACTS	P72	
	No questions on this section		
S40	NO SIGNIFICANT CHANGE	P73	
	If you have any comments, use free text box marked question 28		None
S41	OTHER REPEALS AND CHANGES	P74	
Q29	If you think that any of the proposals in the consultation document might conflict with the objectives of the Equality Act please set out details so that the Trust, can consider the issues carefully against relevant law and statutory guidance.		No comments to make
Q31	If you consider there may be unintended consequence arising from any of the Trust's proposals please identify how they may arise, their potential impact and how they might be appropriately mitigated.		No comments to make

**A REPORT OF THE TOWN CLERK TO  
A MEETING OF MALVERN TOWN COUNCIL  
to be held on Wednesday 31 July 2024 at 6.00pm  
in the meeting room, Victoria Park Community Hub, Malvern Link**

**TOWN COUNCIL INSURANCE CONTRACT**

**1. Purpose of Report**

1.1. For decision.

**2. Recommendation**

2.1. Council should award a three-year insurance cover contract for the period 1 August 2024 until 31 July 2027 with Company C.

**3. Background**

3.1. In 2020, the Town Council agreed to a three-year insurance contract with WPS Insurance Brokers which ran from 1 August 2020 until 31 July 2023.

3.2. When this three-year agreement ended in July 2023, it was agreed to take out a one-year contract on the basis that the Council's insurance circumstances would be changing in the next twelve months due both to the sale of Belle Vue Terrace and the new addition of a building at Victoria Park.

3.3. Officers have approached three insurance companies in order to obtain quotations for both a one-year contract and also a three-year contract agreement.

3.4. There is a very specific window of time in which to obtain quotations as brokers will not provide accurate quotations too far in advance as circumstances and the insurance market may change. Quotations have been received as recently as Monday 29 July.

3.5. A summary of the quotations received is as follows:

	One-year contract	Three-year contract Cost per annum
Company A	£25,170.67	£25,170.67 + index linked changes
Company B	£24,063.90	£24,063.90 + index linked changes
Company C	£22,139.95	£20,162.23 + 5% escalator cap and any index linked changes

3.6. All insurance quotes cover the full commercial combined policy, motor/fleet insurance and group personal accident cover.

3.7. Town Council Officers have reviewed the Council's specific insurance requirements for the period from 1 August 2024 to include premises, business risks, business interruption, money, employer's liability, public liability, products liability, fidelity, legal, vehicles and machinery. Quotations are therefore based on the most up-to-date information.

**4. Financial Implications**

- 4.1. The insurance premium for 2023/24 was £17,788.19.
- 4.2. The budget for 2024/25 includes £22,500 for insurance.
- 4.3. If Company C is chosen as recommended, then expenditure will be within budget subject to any claims requiring an excess to be paid.

**5. Legal Implications**

- 5.1. The Town Council must now renew its insurance contract as the current contract ends on 31 July 2023.
- 5.2. The only mandatory insurance cover for councils is employer's liability; however, to hold events, public liability must also be taken out.
- 5.3. A comprehensive and up-to-date insurance policy will protect the Council from any claims that could be lodged against it and any damages sustained.

End  
Linda Blake  
Town Clerk

**A REPORT OF THE TOWN CLERK TO  
A MEETING OF MALVERN TOWN COUNCIL  
to be held on Wednesday 31 July 2024 at 6.00pm  
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**OPERATIONS AND PLANNING COMMITTEE RECOMMENDATIONS**

**1. Purpose of Report**

1.1. For decision.

**2. Recommendation**

2.1. Full Council is asked to consider the recommendations from the meeting of Operations and Planning Committee held on 11 July 2024 and listed below.

**Minute 12 Lease of Land at Queen Elizabeth Road to Malvern Ramblers Cricket Club**

It was **RECOMMENDED** to grant a lease for land at Queen Elizabeth Road to Malvern Ramblers Cricket Club as follows:

- The yearly rent should be increased to £840
- Thereafter, there should be a biennial rent review and increase of the RPI average over two years, but any increase would be capped at 5%.
- The lease should be for thirty years but with a break clause at 15 years.

**Minutes 13 Lease of café at Victoria Park**

It was **RECOMMENDED** that the tenant of the café at Victoria Park be allowed to apply for a licence to serve alcohol, on the condition that if there was an increase in anti-social behaviour as a result of the café serving alcohol, the Town Council reserved the right for permission to be withdrawn.

**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 Operations and Planning 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

Town Clerk  
Malvern Town Council  
28-30 Belle Vue Terrace  
Malvern  
WR14 4PZ

## **MRFC Grant - Report**

Dear Linda,

I am writing on behalf of the Chairman of Malvern Rugby Football Club to report on the activity that has finally been concluded, based on the kind award of the council's large grant scheme.

We bid for a grant to help with the upkeep of our club house patio, as some of the slabs were in disrepair and were not only unsightly but posing a health and safety risk. Malvern RFC were very grateful for the award of the grant and this allowed us to use the money to purchase replacement patio slabs and fit them into the areas that were in the most disrepair.

Here are some pictures to show evidence of the work.



I would like to take this opportunity to thank Malvern Town Council for investing in our club, through the grant scheme.

With kind regards

A handwritten signature in black ink, appearing to read 'M Johnson', with a stylized flourish at the end.

Mark Johnson  
Treasurer  
Malvern Rugby Football Club  
07495 616790  
[treasurer@malvernrfc.co.uk](mailto:treasurer@malvernrfc.co.uk)