

TENBURY TOWN COUNCIL 2024/25 MEETING TC09

Minutes of the meeting of TENBURY TOWN COUNCIL held on
Monday 13th January 2025 at 7.00 pm
in The Pump Rooms, off Teme Street, Tenbury Wells, WR15 8BA

PRESENT: Cllrs S. Bowkett, E. Bunting, L. Davies, M. Davies, A. Gould, D. Ingram, F. Knight, D. Patrick, R. Perrin (Chair), S. Russell and B. Smith.

IN ATTENDANCE: The Town Clerk, the Assistant to the Town Clerk, Worcestershire County Council, Cllr. D. Chambers, Malvern Hills District Councillors, Cllr. L. Bruton and Cllr. A. Wilmott, representative of the Environment Agency and nine members of the public.

C24.183 APOLOGIES FOR ABSENCE

Members received apologies for absence from Cllr. R. Connolly due to a planned holiday.

C24.184 DECLARATIONS OF INTEREST

Declarations of interest were made, under the Code of Conduct pursuant to the Localism Act 2011 in respect of items on the agenda, by **Cllr. F. Knight C24.192 Public Consultation and C24.193 Borrowing**. Cllr. Knight is a volunteer at The Regal.

C24.185 DISPENSATIONS

The Town Clerk stated that there had been no requests for dispensation.

C24.186 PUBLIC PARTICIPATION

(i) Public Question Time – General

Three members of public requested to speak.

A Member of the public asked several questions on items on the agenda. The Chair noted the questions to answer once he had taken advice.

A member of the public spoke with regards the public consultation, stating that not everyone had received the letter.

The Chair stated that every effort had been made to ensure the information and survey was available to all householders, including letterbox drops, the Town Council Website, social media and the Press.

A third member of public spoke with regards historical works carried out at The Regal asking whether the works had been carried out correctly, was money refunded to the Town Council from Malvern Hills District Council because of this, which she was informed the Town Council did not use and had no contingency plan been put in place for when more works would need to be done.

The Chair stated that the previous works had not been carried out satisfactorily resulting in further works now being required.

The Town Clerk stated that Malvern Hills District Council had never been involved in the previous project and no monies had been refunded to the Town Council. Monies are set-a-side every year in an Earmarked Reserve however the balance is not sufficient to fund the required repairs.

(ii) Safer Neighbourhood Police Team Appendix A

Report received and circulated.



TENBURY TOWN COUNCIL 2024/25 MEETING TC09

(iii) Worcestershire County Council

Cllr. Chambers report had been circulated.

Cllr. Chambers wished to highlight, from his report, the Government's White Paper, in which, major changes to local government are being proposed. This may be in two stages with the first being the devolution of the current tiered system with the District Councils and County Councils amalgamated to form a Unitary Authority. The Government wishes to then create Strategic Authorities made up of two or more Unitary Councils, headed by an elected Mayor.

Cllr. Chambers stated that although it is the Town Council's decision, that once a Strategic Authority is in place then the elected Mayor would be head of planning with the two planning directives being The National Planning Policy Framework and Neighbourhood Plans.

(iv) Malvern Hills District Council

Appendix B and C

Cllr. Bruton and Cllr. Wilmott submitted reports, which had been circulated.

Cllr. Wilmott carried on from Cllr. Chambers comments regarding the Governments plans for devolution of the current two-tiered council system and therefore the importance of the town having a Neighbourhood Plan.

Cllr. Bruton stated that she had firsthand experience of the transition to a Unitary Authority and that it was a very difficult process, which does have an impact on Town and Parish Council's with services being transferred to this tier.

Cllr. Bruton also stated that a Neighbourhood Plans does not override development plans such as the South Worcestershire Development Plan or the Shropshire Local Plan. The National Planning Policy Framework only protects up to date neighbourhood plans. Neighbourhood Plans are about allocating land for development.

C24.187 TENBURY FLOOD RISK MANAGEMENT SCHEME

Appendix D

Members received an update from the Environment Agency's Flood and Coastal Risk Management Advisor.

Following the presentation the representative explained that currently there is a lower threshold for flood alerts and warnings for the Kyre Brook at Tenbury due to the collapse of the wall.

A Member asked what was the total sum of the Risk Contingency that is built into the project cost. The representative stated that he could not give the exact figure, however it was a substantial amount as there is always unexpected costs during construction and highlighted an issue on the Bewdley scheme.

The Chair stated that residents are asking when or if this project will go ahead.

The representative stated that the funding situation had not changed and if the funds cannot be secured then the project would not go ahead. A decision will be made by the end of this financial year.

A Member asked if the scheme does not go ahead would the funds already secured be available for property resilience measures. The representative stated that not directly, however they would look again at what they can offer.

A Member asked which official body the Town Council should be lobbying for funding. The representative stated central government

The representative left the meeting at 7.59pm.



TENBURY TOWN COUNCIL 2024/25 MEETING TC09

C24.188 MINUTES

To approve and sign the minutes of the meeting of Tenbury Town Council held on 9th December 2024.

It was proposed by Cllr. L. Davies seconded by Cllr. M. Davies and unanimously

RESOLVED:

The minutes of the meeting of Tenbury Town Council held on 9th December 2024 were confirmed as a true and accurate account of the meeting. The minutes were duly signed by the Chair as a true and accurate record of the proceedings.

C24.189 DRAFT MINUTES OF COMMITTEE MEETINGS

Members received and noted the draft minutes of the following Committee meeting:

- (i) Planning Committee – 16th December 2024
- (ii) Finance & Staffing Committee – 16th December 2024

It was proposed by Cllr. E. Bunting seconded by Cllr. A. Gould and unanimously

RESOLVED:

To note the draft minutes of the following Committee meeting:

- (i) Planning Committee – 16th December 2024
- (ii) Finance & Staffing Committee – 16th December 2024

C24.190 TENBURY SCOUTS – COMMUNITY IMPACT BADGE

It was proposed by Cllr. R. Perrin seconded by Cllr. L. Davies and unanimously

RESOLVED:

To agree the request from Tenbury Scouts group to support their Community Impact Badge.

C24.191 NEIGHBOURHOOD PLAN

Members considered the option to undertake a Neighbourhood Plan.

Following a lengthy discussion, where Members detailed the research and sessions undertaken, it was proposed by Cllr. L. Davies seconded by Cllr. D. Patrick and unanimously

RESOLVED:

The Town Council resolved not to undertake a Neighbourhood Plan.

C24.192 PUBLIC CONSULTATION

Public consultation was carried out for a period of a month on a proposed Council Tax increase of 5.79%, equivalent to £12,713.84 a year for the purpose of a loan repayment. This was based on £130,000 over 15 years. The purpose of the loan would be to undertake repairs to The Regal roof.

Members considered the results from the public consultation on the proposal to borrow from the Public Works Loan Board Lending Facility.



TENBURY TOWN COUNCIL 2024/25 MEETING TC09

The Town Clerk stated that there was a total of 244 returns via online or hard copy. Of these, 16 had not answered the questions on the survey form, two forms had no name or address, 12 were duplicated returns (one return per household permitted) and five were out of the area (not eligible to complete the survey). This left a total of 209 responses. It should be noted that both questions were not answered on all the survey forms returned.

Question 1

Are you in favour of The Tenbury Town Council going ahead with the repairs to The Regal roof?

Yes 161 or 83.4%
No 32 or 16.6%
Blank 16

Question 2

Are you in favour of The Town Council going ahead with the repairs to The Regal roof if it includes a Council Tax Precept increase of 5.79% (equivalent to £12,713.84 a year) for the purpose of the loan repayments?

Yes 125 or 60.7%
No 81 or 39.3%
Blank 3

C24.193 BORROWING

Members considered the business case to seek approval, from the Secretary of State, for borrowing to fund roof repairs to The Regal.

It is a requirement of the Public Works Loan Board that public support for the project and borrowing is evidenced. 83.4% of those who responded were in favour of the Town Council going ahead with the repairs to the roof. 60.7% were in favour of a Council Tax increase of 5.79% for the purpose of a loan repayment. This was based on a loan of £130,000.

Borrow carries risk for any organisation however borrowing from the Public Works Loan Board is at a fixed interest rate therefore the payments will remain unchanged throughout the term.

Members considered other sources of funding, which included a contribution of £40,000 from the General Fund Balance and £40,000 from The Regal Earmarked Reserve. In addition, it was considered that grant funding should be sought, if possible, however it was noted that it is not guaranteed applications will be successful.

Following discussion it was proposed by Cllr. L. Davies seconded by Cllr. E. Bunting and

RESOLVED: (10 For, 1 Against)

- (i) **It was RESOLVED to seek approval of the Secretary of State for Communities and Local Government to apply for a Public Works Loan Board (PWLb) loan of £50,000 over the borrowing term of 10 years for the**



TENBURY TOWN COUNCIL 2024/25 MEETING TC09

repairs to The Regal roof. The annual loan repayments will come to around £6,280.00.

- (ii) It is also intended to increase the Council Tax Precept for the purpose of the loan repayments by 2.73%, which is the equivalent of an additional £5.13 a year. This which has been subject to a precept increase consultation.
- (iii) The Precept to be increased by the loan repayments in the financial year 2026/2027, with any loan repayments in 2025/2026 funded from the General Fund Balance.
- (iv) If approval is granted, an application is submitted to the Public Works Loan Board if other sources of funding are unsuccessful.
- (v) That the schedule of works is carried out in phases and initially funded from a £40,000 contribution from the General Fund Balance and a £40,000 contribution from The Regal Reserve.

C24.194 REVENUE BUDGET AND PRECEPT REQUIREMENT 2025/2026

The Town Clerk presented her report on the proposed revenue estimates for 2025/2026. The projected net revenue budget amounts to £229,978 an increase of £10,563 or approximately 4.81% on the current year's budget of £219,415.

The Council sets its budget on many assumptions and it is inevitable that these budget priorities will change over time due to various reasons. It was noted that the current budgets have been reviewed and reduced or increased where it is seen to be appropriate. The variances were highlighted in the revenue budget report.

The Town Clerk stated that the revised taxbase has not been confirmed by Malvern Hills District Council.

It was proposed by Cllr. S. Russell seconded by Cllr. D. Patick and unanimously

RESOLVED:

- (i) To agree the proposed allocation of the Revenue Estimates to service areas set out in Appendix 'A' and section 7 of the report.
- (ii) To agree recommendations on the allocation of the Revenue Estimates.
- (iii) To agree the level of Reserves and Balances and recommended transfer between reserves.
- (iv) To agree a budget and Precept requirement for 2025/2026 of £229,978.

C24.195 CONSULTATION ON DRAFT POLICY ON PAVEMENT LICENSING

Members noted the draft Pavement Licensing Policy and were requested to complete the Pavement Licensing Policy Survey by 29th January 2025. Comments to be submitted online.



TENBURY TOWN COUNCIL 2024/25 MEETING TC09

C24.196 CONSULTATION ON MANDATORY SAFEGUARDING AWARENESS TRAINING FOR HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS

RESOLVED:

- (i) **Members noted the consultation on plans to introduce training for all licenced drivers.**
- (ii) **The Town Clerk to complete the survey on mandatory safeguarding training on behalf of the Council.**

C24.197 COMMUNICATION

Members consider methods of communication with residents, which included a mayor's surgery to be held in the library.

C24.198 FLOODING ISSUES

(i) **The Pavilion**

The Town Clerk updated Members on the flood damage to the Pavilion. The Loss Adjuster has been onsite and engaged a drying company. The flooring is damaged and will require replacing, also the kitchen unit kick boards and two tables. The wooden panelling will be assessed after drying. A structural engineer will carry out an assessment of the damage to the step.

(ii) **Market Street – Collapsed Wall**

Highways have stated that subject to a meeting for approval; to be held on Tuesday 14th January, a replacement wall will be constructed in Market Street. This will not be a full flood defence wall however it will be stronger and slightly higher than the previous wall.

The Town Clerk was requested to contact Highways for details of the specifications and to clarify what will happen with the wall should the Environment Agency's flood defences not go ahead.

C24.199 REPRESENTATIVES ON OUTSIDE BODIES

- (i) **Members appointed Cllr. D. Ingram as representative on the Philip Baylies Trust.**
- (ii) **To receive reports from the representatives on outside bodies:**
 - a) **CALC Area Meeting** – Mayor & Deputy Mayor – No report.
 - b) **Regal Tenbury Trust Ltd** – Mayor & Town Clerk – A meeting was held with the Trust, who voiced concerns that the roof repairs would cause issues to the offices and the foyer works will be disruptive to the daily running of the theatre.
 - c) **Tenbury Area Partnership** – Deputy Mayor – Main topic was the proposed devolution of the current local government system.
 - d) **Tenbury Museum** – Cllr Patrick – The sale of the methodist church will now be by informal tender, which the museum intends to submit an offer. Currently seeking funding from the National Heritage Lottery Fund.
 - e) **Chamber of Trade** – Mayor – no report.
 - f) **Philip Baylies Trust** – No report.
 - g) **Tenbury French Twinning Association** – Cllr L. Davies – No report.
 - h) **Tenbury Blooms** – Cllr L. Davies – No report.



TENBURY TOWN COUNCIL 2024/25 MEETING TC09

- i) **Malvern Hills District Youth Action Network** – Cllr F. Knight – No report.

C24.200 EXCLUSION OF PRESS AND PUBLIC

Members agreed the exclusion of Press and Public on the grounds that the consideration of the following items may involve the likely disclosure of confidential information Section 1 (2) of the Public Bodies (Admissions to Meetings) Act 1960.

C24.201 SALARIES BUDGET

Members noted and agreed the proposed salaries and on-cost budgets included in the 2025/2026 revenue estimates.

RESOLVED:

To agree the proposed salaries and on-cost budgets included in the 2025/26 revenue estimates.

C24.202 STAFFING MATTERS

Following a discussion it was proposed by Cllr. S. Russell seconded by Cllr. M. Davies and unanimously

RESOLVED:

To agree Cllr. L. Davies to act on behalf of the Council in an employee support role to the Town Clerk.

C24.203 RE-ADMISSION OF PRESS AND PUBLIC

There being no further confidential business, Members agreed a motion to readmit the press and public for the remainder of the meeting.

C24.204 COUNCILLORS' REPORTS AND ITEMS FOR FUTURE AGENDA

None

C24.205 DATE AND TIME OF NEXT MEETING

Monday 10th February 2025

Meeting closed at 8.26 pm

Signed

Date



County Councillor's Report – January 2025

I hope everyone had a very enjoyable Christmas and wish you all a very happy New Year.

1. I will continue to urge the construction of a replacement wall/permanent defence wall in Market Street, Tenbury, following the collapse of the original wall last year. WCC are obliged to liaise with the EA regarding its replacement.

I am concerned that the EA has not been entirely honest with us regarding progress of the Tenbury Flood Defence Scheme. I am working closely with the Cabinet Member for the Environment at WCC, who I hope will be able to give me a more detailed assessment of the actual situation, following a meeting due to take place this month. I will update you in next month's report, of any information I receive.

There appears to be a number of anomalies in terms of what we have been led to believe is the current situation and quite frankly, enough is enough. It is time we had the facts, good or bad.

2. Prior to Christmas the government announced major changes to how local government will operate in the years to come, following the publication of its White Paper. Nothing has been decided but the government's intent seems to be clear, and I would suggest these changes will happen.

I will try to outline the proposed changes and how these changes are likely to affect Worcestershire.

- a. The government wants to abolish District Councils and County Councils and replace them with one Unitary Council. This would mean that the six District Councils and the County Council in Worcestershire would all disappear to be replaced with one Unitary Council. Town Councils and Parish Councils will not be affected.
- b. The timeline for this is very short. The government want "letters of interest" by interested parties by 10th January 2025. It is my understanding that the government will make its decision early in March as to which counties will proceed in "the first tranche". If Worcestershire was in "the first tranche", it is likely that elections in May 2025 to the County Council will be cancelled and elections to the new Unitary Council may be held in May 2026.
- c. The above is further complicated because this is the first phase of the government's proposed changes. Once the counties have become Unitary Councils, the government then wishes to create Strategic Authorities. It is

proposed that each Unitary Council will represent approximately 500,000 people; Worcestershire has 600,000. Strategic Authorities will be made up of a number of Unitary Councils (2 or 3), headed by an elected Mayor.

It is clear that there will be mixed views as to whether this is a positive change or a negative change. The government are not seeking any consultation period, at this stage, they are simply asking for “letters of interest” by 10th January. I cannot tell you what the views of the six District Council are or those of other Parties, but I am happy to share with you, the view of the Conservative Members of the County Council.

- a. The Cabinet met to discuss the government’s proposals and we decided it was clear that these were not really proposals, they were changes which the government intends to implement. With the “majority” which the government has, then of course, any legislation would pass through Parliament with ease.
- b. We decided that if Worcestershire was to have any say in shaping its future, it is imperative that Worcestershire is in “the first tranche”.
- c. The Conservatives then held a Group meeting immediately prior to the Christmas break where the Group agreed with the views of the Cabinet.
- d. As a consequence, (I am writing this on 6th January), “a letter of interest” will be submitted to the government by the Conservative Group on or before 10th January.
- e. I am not aware if any other Groups within the County Council will do the same.

I hope you find the above helpful because I am conscious that any changes will affect us all.

The information above is impartial and as I understand the facts to be. My own personal view however, regarding Unitary Councils is a positive one. I have advocated for a number of years that Worcestershire would be better served by its excellent Town and Parish Councils at a local level, and by one Unitary Council (rather than 7 councils), at a more strategic level.

David Chambers

County Councillor for the Tenbury Division

Malvern Hills District Council Report (January 2025)

Cllr Lesley Bruton (Tenbury Ward)

Devolution and Local Government Reform for Worcestershire

Following the issue of the English Devolution White Paper, Worcestershire County Council have written to the Minister of State for Local Government informing the Government that the Authority is keen to move at pace to deliver devolution. Therefore, the Authority has requested the Minister to postpone the County Council elections, which are due to be held in May 2025. This will allow the Authority time to put together proposals for local government reform.

Devolution will see the District Council's dissolved and a Unitary Authority formed for Worcestershire. Town and parishes councils will remain however there may be implications for town councils with certain services being passed down such as public conveniences or car parks that the Unitary Authority would not wish to takeover.

UK Shared Prosperity Fund

On Friday 13th December it was announced that all areas of the UK are receiving a further allocation of UK Shared Prosperity Fund.

Malvern Hills District Council have received an allocation of £830,918 for 2025/2026.

Market Street Wall and Flood Defences

At the last Malvern Hills District Council meeting, held on 26 November 2024, I requested that the Administration consider allocation of the £1m Infrastructure Reserve towards Tenbury's flood defences following recent events.

National Planning Policy Framework (NPPF)

The Government has now published the revised NPPF as well as its response to the consultation on proposed reforms to the NPPF and other changes to the planning system.

The NPPF came into effect on 12th December 2024, applying to all pending applications and appeals.

The Planning Inspectorate is expected to invite representatives on appeals where the new NPPF is relevant, although Malvern Hills District Council are unlikely to face significant impacts given the recent acceptance of a lack of 5 Year Housing Land Supply in appeals.

- Housing targets are now mandatory again, reversing the 2023 amendment that made them advisory. This aligns with the Government's goal of delivering 1.5million homes over five years.
- The Standard Method for calculation housing need has been revised, which has resulted in a much larger housing need figure. Malvern Hills increased from 368 to 651 (77% increase).
- The ability to show a four rather than five-year housing land supply has been removed.
- The requirement for local planning authorities to include a buffer of 5% on top of their five-year housing land supply is reintroduced.
- Additionally, from 1 July 2026 this buffer will increase to 20% because the annual housing figure will be less than 80% of local housing need under the new Standard Method.

Under the transitional arrangements, the SWDPR examination can continue, and the Inspectors will still be testing the Plan against the September 2023 NPPF. On adoption of the SWDPR the South Worcestershire Council's will be able to use the housing requirements in the plan as the basis for demonstrating a five-year housing land supply for five years, rather than the new Standard Method.

The updated NPPF says that Plans at examination would continue to be examined under the version of the NPPF they were submitted under. However, if the adopted housing need figure is less than 80% of the figure in the Standard Method the Local Planning Authority would be required to begin preparation of a plan under the new system as soon as possible. The SWDPR as submitted to the Planning Inspectorate uses an annual housing target of 1,193. This is only 55% of the housing need under the new method, so the requirement would apply to the SWC's. As part of the examination process, officers have forecasted what the five-year housing land supply position will be when the SWDPR is likely to be adopted at the end of 2025. If a 20% buffer is included in those calculations, then there would still be more than a five-year supply. Maintaining a five-year supply under the SWDPR will therefore be challenging but achievable.

The framework aims to deliver the most significant boost to affordable and social housing in a generation. Green Belt developments are expected to include a higher proportion of affordable housing.

There is protection for up-to-date Neighbourhood Plans, if the plans are less than five years old and includes allocations to meet housing needs.

Andrew Willmott

District Councillor

Tenbury Ward

Items of interest

13 January 2025

Flood Defences, Tenbury Wells

The Market Street wall is down, and the Town is open to flooding from Kyre Brook. Yesterday afternoon I urged the Chief Executive and Leader of the Council at MHDC, again, to act urgently, with whatever agencies are necessary, to allow a replacement wall to be built now to prevent the further evisceration of our Town by traders being forced to leave. We continue to press Government to come clean on their intent for the Environment Agency Flood Relief Scheme.

Local Government Reorganisation

The Government White Paper, technically a proposal before an Act, was published just before Christmas and is drafted, I suggest, as an instruction, without an Impact Assessment, to delete District Councils. A reply stating intent by County was required by January 10th. Worcestershire County's intent is to be unitary in the "First Tranche". At the time of writing, the stance of MHDC councillors and indeed Worcestershire District Councils generally are yet to be stated. However, I believe that the writing is clearly on the wall.

Neighbourhood Planning

The White Paper leaves parish councils in place, including towns. My view is that our towns and parishes need all the statutory protection they can get for when Government Devolution, described in the White Paper, eventually makes the layer of administration above the parish/town, a central mayoral structure covering a target 1,500,000 citizens. I have pressed for these protections to be an objective in the MHDC 5 Year Plan, currently under review.

MHDC Strategy, Post White Paper

MHDC is in a strong financial position with good reserves funded by the citizens and businesses of our district and successfully husbanded by MHDC Officers. My view is that MHDC should do all it can to put the citizens, businesses and institutions of our district in the strongest position possible to enter the devolved regime. Worcestershire County Council have advised that they cannot balance their 2025/6 budget and without help will have to issue a section 114 notice effectively declaring bankruptcy.

Tenbury Town Council – Jan 2025

Appendix D



Agenda

- Recent Flooding
- Cost Assessment
- Funding
- Questions

Recent Flooding

- Update from Liz Fowler
- Tenbury Drop-in event 16th December
- New Temporary Flood Warning thresholds
 - Recovery team
 - Wall collapse
 - Assessment long term of threshold levels

Cost Assessment

- **Internal staff costs** - (Project Management, Legal, Estates, Cost Manager, ECC PM, NEAS, Procurement, Comms)
- **Design Consultants** - Arup
 - strategic options assessment
 - modelling
 - surveys (ecological, historical, GPR, topo, GI, water assessment, PFR, asset assessments)
 - outline design
 - design changes – Church Street, Church House, Kyre Brook Bridge, Bridge Cottage
 - detailed design
 - consent applications
 - Environmental Statement – ecology/biodiversity, heritage, landscape, water, other issues (e.g. transport)
 - planning
 - faculty – main scheme (wall), graves, PFR
 - listed building consent
 - highways – S278, Road Safety Audit, Public Right of Way, asset impact approval
 - construction support

Cost Assessment cont....

- **Constructors - Jacksons**
 - Early supplier engagement inc surveys
 - Pre-construction activities
 - Compound set up
 - Vegetation
 - Temporary works
 - Traffic Management and closures
 - Construction
- **Other**
 - Service diversions
 - BNG
 - Bus diversion
 - Compensation
 - Other additional works

Risk Allowance

- Further design changes and consent application additional
- FBC contract additional
- Compensation
- Construction
- Risk assessment in line with Green Book guidance

How & Who

- Project Management team and Cost Manager (Chartered Quantity Surveyor) – whole scheme
- Delivery partners (Arup, Jacksons)
- Midlands Cost Lead (internal costing specialist) – bottom-up construction assessment based on design, or design cost based on contract.
- National Benchmarking Team – standalone from team, separate assessment, bottom-up assessment, compared to scheme's Nationally and industry wide.

Funding

- £60m of benefits.
- OBC cost forecast was £13m-£14m
- Potentially the scheme could access £17.2m of funding.
- We have received the updated costs estimate since we last met: £25m - £30m, leaving a PF gap of £8m - £13m
- No update on the status of the funding gap

Questions.....