

**A REPORT OF THE TOWN CLERK TO
A MEETING OF MALVERN TOWN COUNCIL
to be held remotely via Zoom on
Wednesday 5 August 2020, at 6.00 pm**

VACANCY IN PICKERSLEIGH WARD

1. Purpose of Report

1.1. For decision.

2. Recommendation

2.1. The Council is recommended to consider and co-opt one suitable person from those who have put themselves forward for co-option to represent the Town Council in Pickersleigh Ward.

3. Background

3.1. Further to the resignation of Cllr Jeremy Thomas, there is one vacancy for a Town Councillor in Pickersleigh Ward.

3.2. Residents of Pickersleigh Ward did not request a by-election and therefore, the Town Council, having eighteen 'elected' councillors, may now fill this vacancy by co-option. The vacancy was advertised in the local press and on the Town Council website.

3.3. The following five candidates have come forward as prospective co-optees:

1. Alan Cowpe
2. Siobhan Flannigan-Hope
3. Elizabeth Mills
4. Jack Satterthwaite
5. Sarah Stefanou

and their application forms are attached at Appendix A to this report.

3.4. The Town Clerk has verified that all applicants are eligible to stand for office, subject to their declaration that they are not aware of any possible disqualification.

3.5. All candidates have been asked to attend the Council meeting via Zoom and to give a short presentation. Due to the meeting being held via Zoom, if members have questions they would like to put to the candidates, they should submit these to the Town Clerk by 5pm on Monday 3 August after which the Town Clerk and the Mayor will select questions to ask candidates on behalf of the Council.

3.6. The Council's Standing Orders section 8 covers voting on appointments. As more than two persons have put themselves forward to be co-opted, an absolute majority i.e. more than half of the votes, is required for the position to be filled. If none of the candidates receive an absolute majority, the name of the person with the least number of votes will be struck off and a fresh vote taken. This process will continue until a majority of votes is given in favour of one person. A tie in votes may be settled by the casting vote exercisable by the Chairman of the meeting.

3.7. The secret ballot will take place through the use of the private chat facility on Zoom. Councillors are asked to make themselves familiar with this tool ahead of

the meeting and to contact the Town Clerk if alternative arrangements need to be made.

3.8. Each Councillor can only vote for one candidate during any round of the ballot.

4. Financial Implications

4.1. None pertaining to this report.

5. Legal Implications

5.1. Section 21 of the Representation of the People Act 1985 applies where at an ordinary election, an insufficient number of persons have been nominated to fill the vacancies in respect of which the election is held. Providing that the number of newly-elected members for the council is more than that to constitute a quorum for meetings, these members may co-opt a person or persons to fill the vacancy or vacancies remaining unfilled.

5.2. If there is more than one candidate for each seat the Council must hold a ballot amongst its members. A successful candidate must have received an absolute majority vote of those present and voting (LGA 1972, sch 12).

5.3. The successful candidates become members of the Council upon signing the Declaration of Office. This may be done immediately.

5.4. To stand for election to a parish or town council you must:

- ✓ be a UK or Commonwealth citizen; or
- ✓ be a citizen of the Republic of Ireland; or
- ✓ be a citizen of another Member State of the European Union; and
- ✓ be aged 18 or over.

To be eligible to stand for an election for a particular parish you must:

- ✓ be registered as a local government elector for the parish; or
- ✓ in the past 12 months have occupied (as owner or tenant) land or other premises in the parish; or
- ✓ work in the parish (as your principal or only place of work); or
- ✓ live within three miles of the parish boundary.

However, you should not have been:

- × declared bankrupt; or
- × be a paid employee of the council that you are standing for; or
- × convicted of a crime and sentenced to a term of imprisonment of not less than three months within five years before the date of the election; or
- × disqualified under any enactment relating to corrupt or illegal practices.

End

Linda Blake
Town Clerk

APPLICATION FOR CO-OPTION

N4

MALVERN TOWN COUNCIL

PICKERSLEIGH WARD

APPLICATION FOR CO-OPTION TO THE ABOVE COUNCIL TO FILL A CASUAL VACANCY FOR A COUNCILLOR

Please complete this form and return to the Clerk by Monday 20 July 2020.

Town Clerk: Linda Blake

Address: Malvern Town Council, 28 – 30 Belle Vue Terrace, Malvern WR14 4PZ.
lblake@malvern-tc.org.uk

If successful, you will be required to complete an entry in the Town Council’s Register of Members’ Interests. This involves putting your address, employment, relevant major shareholdings and membership of charities, pressure groups, political parties etc on public record.

Full name of candidate	Mr First name Alan Other names Surname Cowpe
Address of candidate	Beacons Lea Brockhill Road West Malvern WR14 4DL
Will you be at least 18 years old on the date of co-option?	Yes
In order for your eligibility to be confirmed, please tick any of the following that apply to you.	2. I have lived in the parish or within 3 miles/4.8kms of the town boundary (as the crow flies) for at least 12 months.
Please indicate in no more than 100 words why you would like to join the Town Council.	I have lived in West Malvern since 1997, working for MOD in MOD in Gloucester and London. It is a privilege to live in such an attractive and historical town, with beautiful

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	<p>surroundings, and to enjoy the benefits of its varied facilities</p> <p>Now retired, I am a member of the Civic Society's Committee, and see the Town Council as an opportunity to contribute further to the work of ensuring that Malvern continues to develop as a thriving community and to be a place where bu people want to work.</p>
Signed	I am not aware of any disqualification to my serving as a Councillor.

Please note that this form will be circulated as part of the Council papers and all candidates will be asked to give a short presentation at the Council meeting to be held Via Zoom at 6pm on Wednesday 5 August 2020.

Supporting and Informing Local Councils

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Full name of candidate	Mr / Mrs / Ms - MRS First name - SIOBHAN Other names Surname - FLANNIGAN-HOPE
Address of candidate	48 Charles Way, Malvern, WR14 2NB
Will you be at least 18 years old on the date of co-option?	Yes / No - YES
In order for your eligibility to be confirmed, please tick any of the following that apply to you.	1. My name is on the current electoral register. (The Clerk can verify this for you.) Y 2. I have lived in the parish or within 3 miles/4.8kms of the town boundary (as the crow flies) for at least 12 months. - Y 3. My main place of business is based in the town. 4. I own property within the town. - Y
Please indicate in no more than 100 words why you would like to join the Town Council.	I would like to be more involved with my local community, and understand how decisions are made locally. I'd like to represent the interests of the area I live in and help shape the future of the area and make

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	<p>improvements for the benefit of my ward neighbours and community. I'd like to use my position to encourage others to Become involved in local decision making.</p>
Signed	<p>I am not aware of any disqualification to my serving as a Councillor.</p> <p>.....</p>

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Full name of candidate	Mr / Mrs / Ms First name ELIZABETH Other names ROSE Surname MILLS
Address of candidate	91 GANFIELD RD MALVERN WORCS WR14 1DF
Will you be at least 18 years old on the date of co-option?	Yes / <u>No</u>
In order for your eligibility to be confirmed, please tick any of the following that apply to you.	1. My name is on the current electoral register. ✓ (The Clerk can verify this for you.) 2. I have lived in the parish or within 3 miles/4.8kms of the town boundary (as the crow flies) for at least 12 months. ✓ 3. My main place of business is based in the town. 4. I own property within the town. ✓

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Please indicate in no more than 100 words why you would like to join the Town Council.

I WAS BORN IN MALVERN AND HAVE BEEN A RESIDENT FOR 52 YEARS.
AS A NURSE AND HEALTH VISITOR I WAS HELPING AND SUPPORTING PEOPLE.
FOR THE LAST TEN YEARS I HAVE BEEN A CASEWORKER FOR SSFA, WORKING WITH THOSE IN NEED. I SO ENJOY THAT WORK.
AS A MEMBER OF THE TOWN COUNCIL I WOULD BE SUPPORTING THOSE IN PICKERSLEIGH TO OBTAIN FOR THEIR AREA WHAT THEY NEED. I KNOW THE AREA WELL AS I HAVE HAD SEVERAL CLIENTS THERE AND AM AWARE OF THE MANY SOCIAL PROBLEMS.
RGN. RHY. BA HONS. SOCIAL SCIENCE

Signed

I am not aware of any disqualification to my serving as a Councillor

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Full name of candidate	Jack Allan Satterthwaite
Address of candidate	Apartment 1, 123 Barnards Green Road, Malvern, WR14 3L
Will you be at least 18 years old on the date of co-option?	Yes
In order for your eligibility to be confirmed, please tick any of the following that apply to you.	<ol style="list-style-type: none"> 1. My name is on the current electoral register. (The Clerk can verify this for you.) 2. I have lived in the parish or within 3 miles/4.8kms of the town boundary (as the crow flies) for at least 12 months. 3. My main place of business is based in the town. 4. I own property within the town. <p>Number 1 Applies</p>
Please indicate in no more than 100 words why you would like to join the Town Council.	<p>I'm keen to get involved in and contribute to my local community. I'd love to work with councillors to achieve results on the challenges we face during difficult times. The recent issues you've debated community transport and the town centre motivate me to participate.</p> <p>I enjoyed serving as a parish councillor for two years where I used to live. During that time, we worked together to save the local football pitch, set up a £10k community</p>

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	fund and preserve the AONB site in the parish. It's projects similar to this that I want to get stuck into again in Malvern.
Signed	I am not aware of any disqualification to my serving as a Councillor.

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Full name of candidate	Ms Sarah Georgina Stefanou
Address of candidate	48 Alexandra Road Malvern WR14 1HF
Will you be at least 18 years old on the date of co-option?	Yes
In order for your eligibility to be confirmed, please tick any of the following that apply to you.	1. My name is on the current electoral register. ✓ (The Clerk can verify this for you.) 2. I have lived in the parish or within 3 miles/4.8kms of the town boundary (as the crow flies) for at least 12 months. ✓ 3. My main place of business is based in the town. 4. I own property within the town. ✓
Please indicate in no more than 100 words why you would like to join the Town Council.	

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	<p>Malvern is a special and lovely place to live. It is here that I have brought up my son and we have benefitted so much from everything that our town offers.</p> <p>Now, as we move out of lockdown, our town council is key to our recovery and future prosperity. I would like to play a small part this process by serving as a town councillor. I am hard working and diligent; I will also reach out to and work with other councillors and officers. Only by making good and timely decisions will our community continue to thrive.</p>
Signed	I am not aware of any disqualification to my serving as a Councillor

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TOWN COUNCIL EXPENDITURE UPDATE

1. Purpose of Report

1.1. For noting.

2. Recommendation

2.1. Full Council is asked to note the change to expenditure on fencing for the new basketball courts from £7,783 to £9,930.

2.2. Council is also asked to note forthcoming expenditure in the cemetery relating to costs to rectify a grave digging error.

3. Background

3.1. Works to install the new basketball courts at Victoria Park have now commenced. These courts will require fencing around their perimeter in order to secure and protect them when not in use.

3.2. A report submitted to Operations and Planning Committee on 1 July stated that the cost to install 2.4m high fencing was £7,783.

3.3. Fencing height of 2.4m has been included in the project specification from the beginning. However, it appears that this had been a communication error between Hoops campaigners and Town Council Officers, as standard fencing for basketball courts is 3.05m (10 feet).

3.4. As a result, the Town Clerk called a meeting of the emergency decision making panel to amend the specification to 10 ft high fencing at a cost of £9,930, which is £815 above the fencing budget for this project. An amended order has now been placed to ensure no further delays to this project.

3.5. Council also need to be advised of some upcoming expenditure in relation to the cemetery. A grave digging error made before the cemetery was transferred over to the Town Council has resulted in the need for specialised works. More details will be given at the meeting but costs are likely to be in the region of £3,000 to £4,000.

4. Financial Implications

4.1. The increase in costs in relation to basketball fencing represents an overspend of £815 against the original budget. These funds will be taken from general reserves.

4.2. Cemetery expenditure as now required relates to essential works. These funds will be taken from the budget contingency fund for 2020/21.

5. Legal Implications

5.1. Malvern Town Council own and manage Great Malvern Cemetery, it having been transferred over with all assets and liabilities when the Town Council was created in 1996.

End

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Town Clerk

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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 1 July 2020 and listed below.

2.2. Recommendations to be presented by the Chairman of the Operations and Planning Committee or, if absent, the Vice-Chairman.

i. It was **RECOMMENDED** that the following events be held in 2021:

22 April 2021	Earth Day event
1 May 2021	Health and Wellbeing Fair and Mayor's Peaks Challenge
May to September 2021	17-week Bands in the Park programme
27 June 2021	Armed Forces Day event in Priory Park
July to August 2021	Alternative Bands in the Park performances
1 August 2021	The Mayor's Bonanza

ii. It was **RECOMMENDED** that the purchase of new play equipment from Company A at a cost of £31,915 be approved as per their quotation.

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 in 2.2 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

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POLICY AND RESOURCES COMMITTEE RECOMMENDATIONS

1. Purpose of Report

1.1. For decision.

2. Recommendation

2.1. Full Council is asked to consider the recommendations from the meeting of Policy and Resources Committee held on 29 July 2020 and listed below.

2.2. Recommendations to be presented by the Chairman of the Policy and Resources Committee or, if absent, the Vice-Chairman.

- i. It was **RECOMMENDED** that Policy and Resources Committee review and scrutinise applications to the Emergency Grant scheme to decide which awards should be made before asking Full Council to approve the necessary expenditure.
- ii. It was **RECOMMENDED** that with the changes made as suggested at the meeting, Full Council adopts the Town Council grants scheme application forms, marking criteria and timetable.
- iii. It was **RECOMMENDED** that with the changes made as suggested at the meeting, Full Council adopts the “Malvern Town Council Zero Tolerance Policy on Harassment and Abuse of Councillors”.
- iv. It was **RECOMMENDED** that with the change made as suggested at the meeting, Full Council adopts the Malvern Town Council Information Technology Users Policy.
- v. It was **RECOMMENDED** that with the changes made as suggested at the meeting, Full Council adopts the Malvern Town Council Equality and Diversity Policy.

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 in 2.2 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