



MALVERN TOWN COUNCIL

EXTRAORDINARY MEETING OF FULL COUNCIL

REPORTS

**For meeting on Wednesday 24 September 2025 at 6.00 pm
In the Park View Meeting Room, Community Hub, Victoria Park Road,
Malvern Link**

MALVERN TOWN COUNCIL

Town Clerk
Community Hub
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17 September 2025

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MEETING OPEN TO MEMBERS OF THE PUBLIC

To all Members of Malvern Town Council:

You are hereby summoned to attend an **Extraordinary Meeting of Malvern Town Council** to be held on Wednesday 24 September 2025 in the Park View Meeting Room, Community Hub, Victoria Park Road, 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 'Marilyn Birks'.

Cllr Marilyn Birks
Mayor of Malvern

No.	Agenda Item
1.	Apologies for Absence To note apologies for absence.
2.	Declarations of Interest To receive declarations of disclosable pecuniary interests and other disclosable interests.
Public Participation <i>The Meeting will be adjourned for public participation when the Chairman will invite members of the public to present their questions, statements or petitions submitted under the Council's Public Participation Procedure.</i>	
3.	Co-option of Members to fill Vacancies on Malvern Town Council Link Ward (1) and Pound Bank Ward (1) <ul style="list-style-type: none">➤ Report CL01/25 attached (Candidates will address Council or have a statement read out)
4.	Illegal Encampments/Trespassing on Town Council Land <ul style="list-style-type: none">➤ Discussion document attached
5.	Date of Next Meeting <ul style="list-style-type: none">➤ 15 October 2025 at 6.00pm
Exclusion of the Press and Public <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>	
6.	Rose Bank Gardens Update <ul style="list-style-type: none">➤ Report CL02/25 to be circulated at meeting

**A REPORT OF THE TOWN CLERK TO
A MEETING OF MALVERN TOWN COUNCIL
to be held on Wednesday 24 September 2025 at 6.00 pm
in the Park View Meeting Room, Victoria Park Road, Malvern Link**

CO-OPTION OF MEMBERS TO FILL VACANCIES ON MALVERN TOWN COUNCIL

1. Purpose of Report

- 1.1. For decision.

2. Recommendation

- 2.1. Full Council is recommended to consider and co-opt two candidates to fill the existing vacancies on Malvern Town Council:

- Link ward - 1 vacancy
- Pound Bank ward - 1 vacancy

Each ward to be considered individually in turn, in line with the procedure for elections and by-elections.

3. Background

- 3.1. Further to the resignation of Cllr Freya Matthews-Jones, the disqualification through non-attendance of Cllr Simon Meager there are two casual vacancies on Malvern Town Council.
- 3.2. Each vacancy has been advertised with electors being given the opportunity to call an election by making a request to the returning officer within 14 working days. No such requests have been made and therefore the Town Council are now able to fill these vacancies by co-option.
- 3.3. The co-option vacancies have been advertised on the Town Council's website, on social media and on Town Council noticeboards.
- 3.4. Applicants were asked to complete a form, provide information to confirm their eligibility for co-option and to give some details about themselves and their reasons for wanting to become a Town Councillor.
- 3.5. Applicants were asked to select a ward in which they wished to stand in line with the application procedure for elections. The following four candidates have submitted applications as follows:
- Maria Knight – Pound Bank
 - Cynthia Palmer – Link Ward
 - Wayne Whittaker – Link ward
 - Deborah Ward – Link Ward
- 3.6. A summary of the applications along with the co-opted councillor person specification is attached at Appendix A to this report.
- 3.7. All applicants have been invited to attend the meeting and to give a three-minute presentation; councillors will then be given the opportunity to ask questions should they wish.

- 3.8. Applicants in each ward will be considered in turn, with a resolution required for each co-option. Where there is more than one applicant per ward, a vote will take place and Council's standing order 8a will apply.
- 3.9. Ballot papers will be made available at the meeting, and all elected councillors present may vote for one candidate in each ward.
- 3.10. Councillors should note that there is a requirement to consider each application, but council does not have to fill each vacancy should there be fair reasons not to do so.

4. Financial Implications

- 4.1. None pertaining to this report.

5. Legal Implications

- 5.1. The declaring of and filling of casual vacancies are governed by The Local Government Act 1972 Sections 87-91 and Section 36 of the Representation of the People Act 1983.
- 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. All co-options must be made by resolution.
- 5.4. The successful candidates become members of the Town Council immediately after signing the declaration of acceptance of office.
- 5.5. All candidates have declared that they meet the conditions of eligibility for the role of Town Councillor.

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

Maria Naomi Knight – Pound Bank Ward

About me:

I am a recently retired teacher, having worked in a range of secondary schools and leading the English Department, before moving here permanently in 2020; my brother and sister live here, my parents are buried in Great Malvern Cemetery – I have been coming here for years.

In the past I have worked for a London Council, worked in a range of businesses from managing McDonalds in London to working in health care recruitment and am a qualified nurse. I have been a teacher governor as well as a parish clerk and feel all this has given me a valuable insight into how local services operate and the challenges.

After settling here, I found work at Dyson Perrins School as lead exam invigilator, am a poll clerk for the elections, volunteer as a team leader for a regular shift with Malvern Food Bank, help out at the animal rescue centre and do a regular shift at Malvern Theatre.

Reasons for applying:

Having spent 5 years in Malvern, I now would like to be involved more in making sure a range of voices are heard and represented; I would like to give back to the community, basically. I feel I have, with my varied background, a good insight into how local services operate and the challenges people face in this community.

Issues I am interested in for this area are encouraging housing which reflects the needs of the area more effectively as well as adequate infrastructure and protecting green spaces, working on keeping public areas litter free and welcoming, encouraging more bike/ebike usage alongside road safety and better public transport, and working on better community engagement – to hear a range of voices.

I am a good listener, work well within a team, am a practical problem solver and also able to make decisions. The ability to communicate clearly individually, in a group or publicly is another skill, honed over years of teaching teenagers and running training sessions for my peers. I feel strongly that good local transparent representation is important for democracy, and I have the skills, enthusiasm and time to contribute.

Eligibility criteria met - ✓

Cynthia Marjorie Palmer, Link ward

About me:

I would like to put my name forward to represent the Link ward, where I have lived for the past 19 years.

I have been an independent councillor on Malvern Hills District Council, representing Great Malvern ward, for the past 6 years, previous to that I served on the Town Council for 6 years and was mayor from 2016-2019.

Reasons for applying:

I believe that the biggest question that local government is facing, at the present time, is "Devolution". Worcestershire is due to be decided in Parliament in 2027/28. Worcestershire County Council is proposing one large Unitary authority, whereas Wychavon, Malvern Hills and Worcester City would prefer to make up a South Worcs Unitary with Wyre Forest, Redditch and Bromsgrove creating a Northern Unitary council. Districts have until the end of November to submit their preferences to Parliament.

Whatever happens MTC will need to discuss which extra services they can deliver, and at what cost, and which assets will be passed down to them from the District. So it is important that MTC are involved in the discussions. I have an interest in, and working knowledge of the process.

I am also a nominated trustee on Malvern Hills Trust. I, like MTC, petitioned against the Private Bill. There were 50 petitions lodged with Parliament, the most that have been received since 2000. I resigned as Chair of the Trust in July 2023, but I was nominated to serve again for the District in May 2025.

Eligibility criteria met - ✓

Wayne Whittaker – Link Ward

About me:

My name is Wayne Whittaker, and I was born in Birmingham in 1973. I'm 52 years old with 2 grown up children Billy and Grace who are 23 and 21 years of age respectively and currently live in Bristol. My children both attended Northleigh School and then The Chase, both of which are excellent schools. I moved to Malvern in 2006 for work, as I was opening a new care home for adults with dual sensory loss and associated learning and physical disabilities for a company called Sense who I had worked for since 1993. I managed Tanglewood until I left in 2012 having achieved the highest rating for a care home in Worcestershire with CQC. I then cared for my partner who was registered disabled and needed more intensive care at home. I did this until I separated with my partner in 2018. Unfortunately due to ill health myself having been diagnosed with M.E (Chronic Fatigue Syndrome) I have not worked since 2018.

In the time that I have been in Malvern I have been a Cub Scout Leader for 7th & 2nd Malvern which I began in 2010. I did this for approximately 9 years and had hundreds of children within my pack and camped all over England and Wales with them, whilst a Cub Leader I undertook the training to be a Rock-Climbing Instructor and Air Rifle Instructor both of which I did for mine and other Scout groups within the Malvern area. I absolutely loved being a Cub Scout Leader and was never more satisfied when passing on life skills to the children within my care, I also became a fully licensed Football Coach in 2010 coaching my sons U8s football team for Newtown Sports junior Football Club. I did this for 5 years where in 2015 when my son stopped playing football I became a coach for Newtown's Saturday Morning Coaching for Reception, Year 1 and Year 2 children. Whilst at Newtown I was instrumental in the setup of the new clubhouse at Greenhill Drive working closely with Mark Hammond from the council to ensure the smooth handover of the clubhouse to Newtown Sports. I then became the facilities manager for the club ensuring that the grounds and clubhouse was always operational, fit for purpose and above all safe for those who used or visited the site. Whilst doing this and also being the clubs FA Mentor for new coaches I helped set up the Cerebral Palsy Football team in 2014 with a local Dad who's son had Cerebral Palsy, having worked with people with disabilities it was extremely satisfying to be able to set up the first disabled Grassroots football team in the local area. I left the club in 2022. I briefly helped coach as Leigh & Brandsford Football Club for a season and moved to Welland Junior Football Club in 2023.

I currently co-coach an U15 football team which I still love to this day even though my coaching journey started way back in 2010. This season helped move the Disability football team from Newtown Sports to Welland after a problematic season for them last year. This has been especially satisfying as this is the evolution of the team I helped start back in 2014 and have since become the Disability Football Officer for Welland Junior Football Club.

Personally back in 2018 as I had many links within Malvern due to my involvement with both Scouts and Football, after seeing a moving and inspirational post on Facebook of a woman in Michigan, USA who set up a coat rail for people who were either homeless or could not afford a coat for themselves or a member of their family. I decided to do something similar in Malvern and put out a message to all of my friends on Facebook that I was going to collect unwanted coats and offer them to whoever needed one in Malvern. Within weeks I had hundreds of coats and after football on a Saturday morning,

I would set up 4 rails in Edith Walk in Malvern town centre for people to either come along and take what they needed or drop off coats to me to put on my rail. This was an unmitigated success and I was handing out coats every Saturday from the cold November that I started in Edith Walk. Before long I had hats, scarves, gloves, shoes, personal hygiene kits, sleeping bags and tents that I would regularly hand out to this that needed it even getting calls from the Council and Maggs to help newly found homeless people in Malvern have somewhere to stay where they were at least warm and dry in a tent and sleeping bag.

Whilst doing my coat rail in Malvern I was asked to attend a meeting regarding homelessness in Malvern by Samatha Fenoulhet nee Charles who was a councillor at the time in Malvern. After this meeting we set up Malvern Against Homelessness with Samantha, Myself, Natalie McVey(also a councillor at the time), Tina Evans and Bek Mayner. This proved to be very active and we staged a few events around Malvern to highlight homelessness. Shortly after in 2019 we teamed up with Worcestershire Homeless Appeal to form the Malvern Street Cafe where we would provide hot meals for the local homeless community in Malvern. By 2020 and with lockdown we carried on this by delivering meals to homeless people in Malvern every Wednesday night until 2021 when I had to stop helping the group for personal reasons.

Reasons for applying:

I have always had a keen interest in national and local politics and with the experiences I have gained either through working with disabled people, being a Cub Scout leader, being a Football Coach or helping those that need it via either Malvern Against Homelessness or Malvern Street Cafe, I have a unique understanding of Malvern and the people that live, work or visit it. From under privileged families, low income families, people who are homeless, people who have addiction issues I feel that I have managed to work with and support people from a huge variety of backgrounds and usually with positive results. I have a very caring nature and try my best to support friends and family where I can with issues I have a knowledge or understanding of and feel that people should be treated equally, regardless of your background, religion or ethnicity.

I am also very much concerned with issues that we are currently facing on the world stage and closer to home in England and Malvern alike. I feel currently there is a clear rise in far right rhetoric and division between individuals within our own country. I feel the media and social media have an enormous part to play in our current state of division and will always try to educate people with verifiable and trusted facts from reliable sources. This does not mean that I preach a gospel to people but more that I will try to engage them in a healthy debate in which I hope that we can both learn and take away different points of view. I also feel that Malvern needs people with a balanced and knowledgeable viewpoint when discussing issues on their behalf that will have a direct effect on that person's life. I feel that with the knowledge that I have gained since I moved to Malvern in 2006 and the hundreds of families and individuals I have had direct contact with gives me a very unique and multi-faceted approach to working through and formulating solutions to complex and difficult issues within our community. I apologise for being unable to attend the meeting on the 3rd September, as I am on a family holiday. Also although I have applied for the Link Ward for Councillor, I would be more than happy to represent any of the Wards within Malvern. I very much look forward to hearing from you.

Eligibility criteria met - ✓

Deborah Julie Ward, Link Ward

About me:

I was brought up in Worcestershire, left to go to polytechnic, returned in 2012 and moved to Malvern in 2018.

I have worked in public services for 39 years and currently manage a safeguarding partnership in a West Midlands local authority.

I believe I have a good range of communication skills, both written and verbal. I am a forward thinker and like to get involved and problem solve. I am keen to work with people and engage citizens in key decision making. I support partnership working and have done that in paid roles and consider myself to be a good team player.

I enjoy being part of my neighbourhood and keeping up to date with local affairs and the community. I am known to organise get-togethers to ensure a sense of community and to get to know people local to me socially.

I enjoy lots of different music genres and regularly go to local festivals. I have a passion for collecting vintage items including jewellery and I am also interested in local history, particularly Malvern's music history and the bands that played at the Winter Gardens during the 70's.

Reasons for applying:

I believe my experience gained working within the public sector for the past 39 years provides me with the right skills to become a great Town Councillor and represent my local community.

I have a keen interest in understanding local matters that I would like to develop, and this opportunity would enable me to do that. I am passionate about systems and structures being representative of their local communities and my personal and professional experience will enable me to reflect that in my contributions, should I be successful.

I enjoy spending time with people, and I am interested in ensuring that local decisions are relevant and understood by local people.

A good, proactive listener, I am committed to ensuring all voices are heard and will challenge where appropriate. I have a wealth of experience in working alongside multiple agencies and I am able to use my skills to prioritise a range of tasks, working both independently and as part of a team to develop projects with clear outcomes. I pride myself on maintaining good working relationships with everyone to achieve the desired outcomes.

I also have the ability and willingness to work with the Council's partners and am confident in putting together and delivering presentations. I am available evenings and weekends to attend council meetings and events.

Eligibility criteria met - ✓

AGENDA ITEM 3

APPENDIX A – CO-OPTED COUNCILLOR PERSON SPECIFICATION

CO-OPTED COUNCILLOR PERSON SPECIFICATION

COMPETENCY	ESSENTIAL	DESIRABLE
Personal attributes	<ul style="list-style-type: none"> • Sound knowledge and understanding of local affairs and the local community. • Forward thinking 	<ul style="list-style-type: none"> • Can bring a new skill, expertise, or key local knowledge to the Council
Experience, skills, knowledge and ability	<ul style="list-style-type: none"> • Ability to listen constructively • A good team player • Ability to pick up and run with a variety of projects • Solid Interest in local matters • Ability and willingness to represent the Council and their community. • Good interpersonal skills and able to contribute opinions at meetings whilst willing to see others' views and accept majority decisions • Ability to communicate succinctly and clearly • Ability and willingness to work closely with other members and to maintain good working relationships with all members and staff • Ability and willingness to work with the Council's partners (e.g. voluntary groups, other parish councils, principal authority, charities) • Ability and willingness to undertake induction training and other relevant training 	<ul style="list-style-type: none"> • Experience of working or being a member in a local authority or other public body • Experience of working with voluntary and/or local community/interest groups. • Basic knowledge of legal issues relating to town and parish councils or local authorities • Experience of delivering presentations
Circumstances	<ul style="list-style-type: none"> • Ability and willingness to attend meetings of the Council (or meetings of other local authorities and local bodies) at any time, and events in the evening and at weekends 	

Illegal Encampments/Trespassing on Town Council Land

Discussion Paper

Possible Items for discussion:

- 1) Adoption of a formal protocol for Town Council management of unauthorised encampments of Gypsies and Travellers on Town Council land.
- 2) Review of any measures that can be taken to secure Town Council land.

Formal Protocol?

The Town Council recently had an illegal encampment on its land at Victoria Park. This encampment lasted for five days and resulted in considerable disruption to the land and facilities within the park.

One issue currently faced by MTC is that Section 77 of the Criminal Justice and Public Order Act 1994 does not apply as a Town Council are not a Local Authority, as defined under this act, this only applies to District and County Councils.

The Police have powers to move travellers on if they feel that the threshold of criminality has been met.

The Town Council were encouraged to use common law powers to move the travellers on but in effect the notice served to leave had no real force behind it as it would only allow reasonable force to be used.

Steps to be considered

1. Police to be notified immediately.
2. Assessment of level of nuisance and options available. Where, how many, impact on surrounding area?
3. Approach local Police Commander (normally the Duty Inspector) to ascertain whether they would be prepared to exercise powers under Section 60/61/62A-E of the Criminal Justice and Public Order Act 1994 as amended by the Police, Crime, Sentencing and Courts Act 2022.
4. Welfare check – are their welfare issues to be considered and does MTC have a duty to carry this out?
5. Consider immediate use of Common Law Powers Notice to Vacate.
6. Meeting of Emergency Decision Making Group to be scheduled within 24 – 48 hours.
7. Communication strategy to be agreed.
8. If no Police action, instruct solicitors to serve papers to the County or High Court, dependent on nuisance level to issue an eviction notice.

9. Serve the order on the occupants, it will state they have 24 hours to leave.
Consider use of bailiffs.
10. If they fail to leave, instruct private bailiff to enforce the order.
11. Immediate action to secure and clear site after it is vacated.

Measures to secure land

Is a review of sites needed to see if there are measures that can be taken to protect land?

If Town Council vehicles can get in, so can others.

Should there be any prioritisation of Town Council assets in this respect?

Budget, costs, feasibility, consultation with other organisations.