



LEDBURY TOWN COUNCIL

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26 July 2023

Dear Councillor

You are summoned to attend an extraordinary meeting of **LEDBURY TOWN COUNCIL** to be held on Wednesday, 2 August 2023 at 7.00 pm in the Burgage Hall, Church Lane, Ledbury for the purpose of transacting the business shown in the agenda below.

Yours faithfully

Angela Price PSLCC, AICCM, MIWFM
Town Clerk

FILMING AND RECORDING OF COUNCIL MEETINGS

Members of the public are permitted to film or record meetings to which they are permitted access, in a non-disruptive manner. Whilst those attending meetings are deemed to have consented to the filming, recording, or broadcasting of meetings, those exercising the rights to film, record or broadcast must respect the rights of other people attending under the Data Protection Act (GDPR) 2018

A G E N D A

1. **Apologies for absence**
2. **Declarations of Interests**

To receive any declarations of interest and written requests for dispensations.

Members are invited to declare disclosable pecuniary interests and other interests in items on the agenda as required by the Ledbury Town Council Code of Conduct for Members and by the Localism Act 2011.

(Note: Members seeking advice on this item are asked to contact the Monitoring officer at least 72 hours prior to the meeting)

3. To approve and sign as a correct record the minutes of the meeting of Full Council held on 13 July 2023 (Pages 516-519)
4. To consider questions/comments from members of the public in accordance with the provisions of Standing orders 3(e) and 3(f)
5. To receive a presentation from co-option candidates in accordance with the Councils Co-option Policy (5 minutes per candidate) (Pages 520-523)
 - i. Julian Stanley William l'Anson – North Ward
 - ii. Stephen Furlonger – North Ward
 - iii. John Newsham – West Ward
 - iv. Donald McAll – West Ward

6. **Exclusion of Press and Public**

In accordance with Section 1(2) of the Public Bodies Admission to Meetings) Act 1960, in view of the confidential nature of the business about to be transacted, it is advisable in the public interest that the press and public are excluded from the remainder of the meeting

7. To consider applications for co-option
8. Reopening of Public Session
9. To nominate candidates for co-option
10. Date of next meeting

To note that the next meeting of Full Council is scheduled to take place on Thursday, 3 August 2023

**Distribution: - Full agenda reports to all Councillors (10)
Plus file copy**

**Agenda reports excluding Confidential items to:
Local Press (2)
Library (1)
Police (1)**

**LEDBURY TOWN COUNCIL
MINUTES OF AN EXTRAORDINARY MEETING OF COUNCIL
HELD ON 13 JULY 2023**

PRESENT: Councillors Eakin, Harvey, Howells, Hughes and l’Anson (Chair)

ALSO PRESENT: Angela Price – Town Clerk

Prior to the formal part of the agenda the Mayor made the following statement:

“People become Councillors for many different reasons, but basically they do it to serve the community and once they become a Councillor there are rules which they have to abide by. Rules set by Government for the whole country. And they then have to abide by those rules and their personal agendas should not be paramount when they are Councillors. We look to upholding that in Ledbury and to move forward on that basis.”

C52. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bradford, Chowns, Morris and Sinclair.

C53. DECLARATIONS OF INTEREST

None received.

C54. TO APPROVE AND SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF FULL COUNCIL HELD ON 29 JUNE 2023

RESOLVED:

That the minutes of the meeting of Full Council held on 29 June 2023 be approved and signed as a correct record subject to the following amendments:

i. Minute no. C32 – The resolution should read:

“That in accordance with Section 1(2) of the Public Bodies Admission to Meetings) Act 1960, in view of the confidential nature of the business about to be transacted, it is advisable in the public interest that the press and public are excluded from the remainder of the meeting.”

ii. Minute no. C46 – That a second resolution should be included as follows:

“That Councillor Howells prepare a report for submission to the July Planning, Economy & Tourism Committee in respect of Affordable Housing in relation to the McCarthy Stone proposals.”

iii. **Minute no. C49 – Resolution should read:**

“To note that the next meeting of Full Council is scheduled for 3 August 2023.”

C55. TO RECEIVE AND NOTE THE MINUTES OF THE RESOURCES COMMITTEE MEETING HELD ON 6 JULY 2023 AND TO GIVE CONSIDERATION TO ANY RECOMMENDATIONS THEREIN

RESOLVED:

That the minutes of the Resources Committee be received and noted.

C56. DATE OF NEXT MEETING

RESOLVED:

That it be noted that the next meeting of Full Council is scheduled for 3 August 2023.

C57. EXCLUSION OF PRESS AND PUBLIC

RESOLVED:

In accordance with Section 1(2) of the Public Bodies (Admission to Meetings) Act 1960, in view of the confidential nature of business about to be transacted, it is advisable in the public interest that the press and public are excluded from the remainder of the meeting.

C58. RECOMMENDATIONS FROM RESOURCES COMMITTEE

Code of Conduct Complaint

Members were requested to give consideration to evidence presented by the Resources Committee in respect of a possible Code of Conduct Complaint to be submitted to the Monitoring Officer at Herefordshire Council in relation to Councillor Sinclair.

Councillors who had been involved in preparing the report and evidence provided an outline on how the report and evidence had been prepared.

Members were asked to consider whether there was any additional information that they felt should be included in the evidence and report provided or whether there were any points within the report that should not be included.

Following the discussions Councillor Howells proposed:

That subject to the amendments being made as per discussions, the report and embedded evidence be submitted to the Monitoring Officer.

It was suggested that the Mayor should take advice from the Council's HR providers, Citation, on what measures can be put in place in relation to the Council's duty of care towards all its staff.

RESOLVED:

- 1. That Councillors Hughes and Harvey be delegated to make the amendments to the report and evidence as discussed.**
- 2. That the final submission be sent to the Mayor by Monday, 17 July 2023 for submission to the Monitoring Officer.**

The meeting ended at 7.03 pm.

Signed Date
(Chair)

LEDBURY TOWN COUNCIL

Councillor Co-option Policy

1. Introduction

This policy sets out the procedure to ensure there is compliance with legislation and continuity of procedures in the co-option of members to Ledbury Town Council (LTC). The Co-option procedure is entirely managed by LTC and this policy will ensure that a fair and equitable process is carried out.

2. Co-option

The Co-option of a Parish Councillor occurs when:-

1. Insufficient Candidates stand for election at a normal election; or
2. A casual vacancy has arisen on the Council and no poll (by-election) has been called.

A casual vacancy occurs when:

- A councillor fails to make his declaration of acceptance of office at the proper time;
- A councillor resigns;
- A councillor dies;
- A councillor becomes disqualified; or
- A councillor fails for six (6) months to attend any meetings of a council committee or subcommittee or to attend as a representative of the Council a meeting of an outside body.

LTC must notify Herefordshire County Council (HCC) of a Casual Vacancy following which the statutory process will then be followed:

<https://www.electoralcommission.org.uk>

If ten residents do not request a ballot within fourteen days of the vacancy notice being posted, as advised by the District Council, LTC is able to co-opt to fill the vacancies.

3. Confirmation of Co-option

On receipt, of written confirmation, from the Electoral Services Office from the HCC, the casual vacancy can be filled by means of Co-option, the Parish Clerk will:

- Advertise the vacancy for four-weeks on the Council notice boards and website
- Advise LTC that the Co-option Policy has been instigated

LTC is not obliged to fill any vacancy. Even if the Council invites applications for co-option, it is not obliged to select anyone from the candidates who apply.

However, it is not desirable that electors in a ward be left partially or fully underrepresented for a significant length of time. Neither does it contribute to effective and efficient working of the Council if there are insufficient councillors to share the workload; equitably; to provide a broad cross-section of skills and interests; or the achieve meeting quorums without difficulty.

Councillors elected by co-option are full members of LTC.

4. **Eligibility of Candidates**

LTC is able to consider any person to fill a vacancy provided that they qualify under the Electoral Commission Criteria as per the following link and eligibility form attached.

<https://www.electoralcommission.org.uk/i-am-a/candidate-or-agent/parish-and-community-council-elections-england>
<https://www.gov.uk/government/publications/the-7-principles-of-public-life>

Candidates found to be offering inducements of any kind will be disqualified.

5. **Applications**

Members may point out the vacancies and the process to any qualifying candidate(s).

Although there is no Statutory Requirement to do so, candidates will be requested to:

- Submit information about themselves, by way of completing a short application form (Appendix A)
- Confirm their eligibility for the position of Councillor within the statutory rules
- That all applicants be required to obtain signatures from ten electors who reside within the ward the applicant wishes to represent

A dedicated Full Council meeting will be arranged to allow for each candidate to give a presentation.

Copies of the candidate's applications will be circulated to all Councillor's by the Clerk at least 3 clear days prior to the meeting, when the Co-option will be considered. All such documents will be treated by the Clerk and all Councillors as Strictly Private and Confidential.

Candidates will be sent a full agenda of the meeting at which they are to be considered for appointment, together with a copy of the Code of Conduct, Standing Orders and Financial Regulations of LTC. Candidates will also be informed that they will be invited to speak about their application at the meeting.

6. **At the Co-option Meeting**

At the co-option meeting, candidates will be given up to five-minutes to introduce themselves to Members, give information on their background and experience and explain why they wish to become a Member of LTC.

Candidates will be asked to leave the room whilst other candidates give their presentation.

The meeting will be held in open session, however, in order to allow discussion on the merits of each candidate, the meeting will be moved into closed session without prejudice.

The public meeting will be re-opened and councillors will proceed to consider whether any of the candidates should be nominated to fill any of the vacancies.

Any candidates considered suitable should be nominated/seconded and then voted upon. Each candidate should receive an absolute majority (50%+1 of the votes available in the meeting) in order to be successfully co-opted.

After the vote has been concluded for all of the vacancies to be filled at the meeting, the Chairman will declare the successful candidate(s) duly elected and ask them to sign their declaration of acceptance of office accordingly.

The Clerk will notify Electoral Services of the new Councillor appointment. The successful candidate(s) must complete the 'registration of interests' within 28 days of being elected. The form should be handed to the Clerk for forwarding to the Monitoring Officer.

Date Adopted: 6 February 2020
Reviewed: 5 February 2022
Next Review: 11 May 2023

