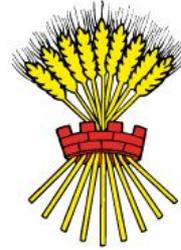


**RYEDALE
DISTRICT
COUNCIL**



**COMMUNITY GOVERNANCE REVIEW 2018
MALTON TOWN COUNCIL
DRAFT TERMS OF REFERENCE**

What is a Community Governance Review?

A Community Governance Review is a review of the whole or part of the District to consider one or more of the following:

- Creating, merging, altering or abolishing parishes;
- The naming of a parish and the style of a new parish (i.e. whether to call it a “village”, “community” or “neighbourhood” with the council similarly named as a “village council”, “community council” or “neighbourhood council”);
- The electoral arrangements for parishes (including council size, the number of councillors to be elected to the council, and parish warding), and
- Grouping parishes under a common parish council or de-grouping parishes.

The District Council is required to ensure that community governance within the area under review will be:

- reflective of the identities and interests of the community in that area; and
- is effective and convenient.

In doing so, the Community Governance Review is required to take into account:

- The impact of community governance arrangements on community cohesion; and
- The size, population and boundaries of a local community or parish.

The government has emphasised that recommendations made in Community Governance Review ought to bring about improved community engagement, more cohesive communities, better local democracy and result in more effective and convenient delivery of local services.

Why are we carrying out this Community Governance Review?

We have received a request from Malton Town Council to increase the number of elected councillors to the Town Council.

The parish of Malton is located within the Malton ward of Ryedale District Council. It is also located within the Malton Division of North Yorkshire County Council and forms part of the Thirsk and Malton Parliamentary Constituency.

A map of the parish area is attached as **Annex 1** to this document.

What do parish councils do?

By way of information, a summary of the general powers and duties of parish councils is attached as **Annex 2**.

What are we consulting on?

We are consulting the public on the request from Malton Town Council, which is

To increase the number of parish councillors on Malton Town Council from ten to twelve.

If approved, the change will come into effect on the date of the next scheduled parish council elections on 2 May 2019.

Why has this request been made?

The Town Council's justification for the increase in the number of town councillors is set out below:

- (a) due to the increased number of new homes built over the past five years.

For the purposes of this review, we are also required by law to make recommendations on other related "electoral arrangements" in respect of Malton Town Council, as follows:

- (a) the year in which ordinary elections of parish councillors are to be held;
- (b) the division (or not) of the parish into wards for the purpose of electing parish councillors;
- (c) the number and boundaries of any such wards;
- (d) the number of parish councillors to be elected for any such ward;
- (e) the name of any such ward.

In relation to (a) above, Ryedale District Council proposes that no change be made to the year of ordinary elections, as they currently coincide with district council elections and elections to other parish councils in the district.

In relation to (b), the introduction of 'wards' within the Town Council (parish area) is generally required when the parish crosses a district council ward boundary. In this case, the parished area is contained entirely within a single district council ward and as such there are no proposals to create any warding within the Malton Town Council area.

In relation to (e), there are no proposals to change the name of the Town Council.

We would therefore like to know what YOU think of the proposals to:

- (a) increase the number of town councillors on Malton Town Council from 10 to 12, and
- (b) to make no other changes to the electoral arrangements in respect of Malton Town Council

Electorate Forecast

At the time Ryedale District Council received the request to increase the number of elected town councillors for Malton the Local Government electorate was 10. For the purpose of this review, we are required to forecast the expected growth in dwellings/traveller pitches for the Parish Malton for the coming five years. None of the draft Local Plan Land Availability Assessment (LAA) or allocated sites fall within the Malton parish area and there are currently no planning permissions for additional homes. Taking this into account, there is no additional growth forecast in the next ten years at this point in time.

How to let us know your views

Any representations on this matter above must be in writing and should be sent to:

Anthony Winship
Council Solicitor and Monitoring Officer
Ryedale District Council
Ryedale House
Malton
YO17 7HH

By no later than 5pm on Friday 18 January 2019.

Alternatively, you may send your representations either;

By email to **XXXXXX** (details to be confirmed)
Via our online form **XXXXXX** (details to be confirmed)

Please ensure that you state your name and address clearly on any representations submitted. Please note that any submissions received after 5pm on Friday 18 January 2019, or any representations submitted anonymously, will not be taken into account.

Please also note that the consultation stages of a Community Governance Review are public consultations. We will not publish your personal information; however, in the interests of openness and transparency, the Council will make available for public inspection full copies of all representations it takes into account as part of this review.

All personal information submitted to us during the course of this consultation will be destroyed once the matter has been determined by the Council.

What happens next?

In arriving at its final recommendations, the Council will take account of the views of local people and any other person or body who appears to have an interest in the Review by judging them against the criteria set out in the Local Government and Public Involvement in Health Act 2007 and associated government guidance.

The District Council will take steps to notify consultees of the outcome of the review by publishing all decisions taken, together with reasons, on the Council's website (and ask Malton Town Council to publish the same on their website), through general press releases, and by placing key documents on public deposit at Ryedale District Council's offices and at the office of Malton Town Council.

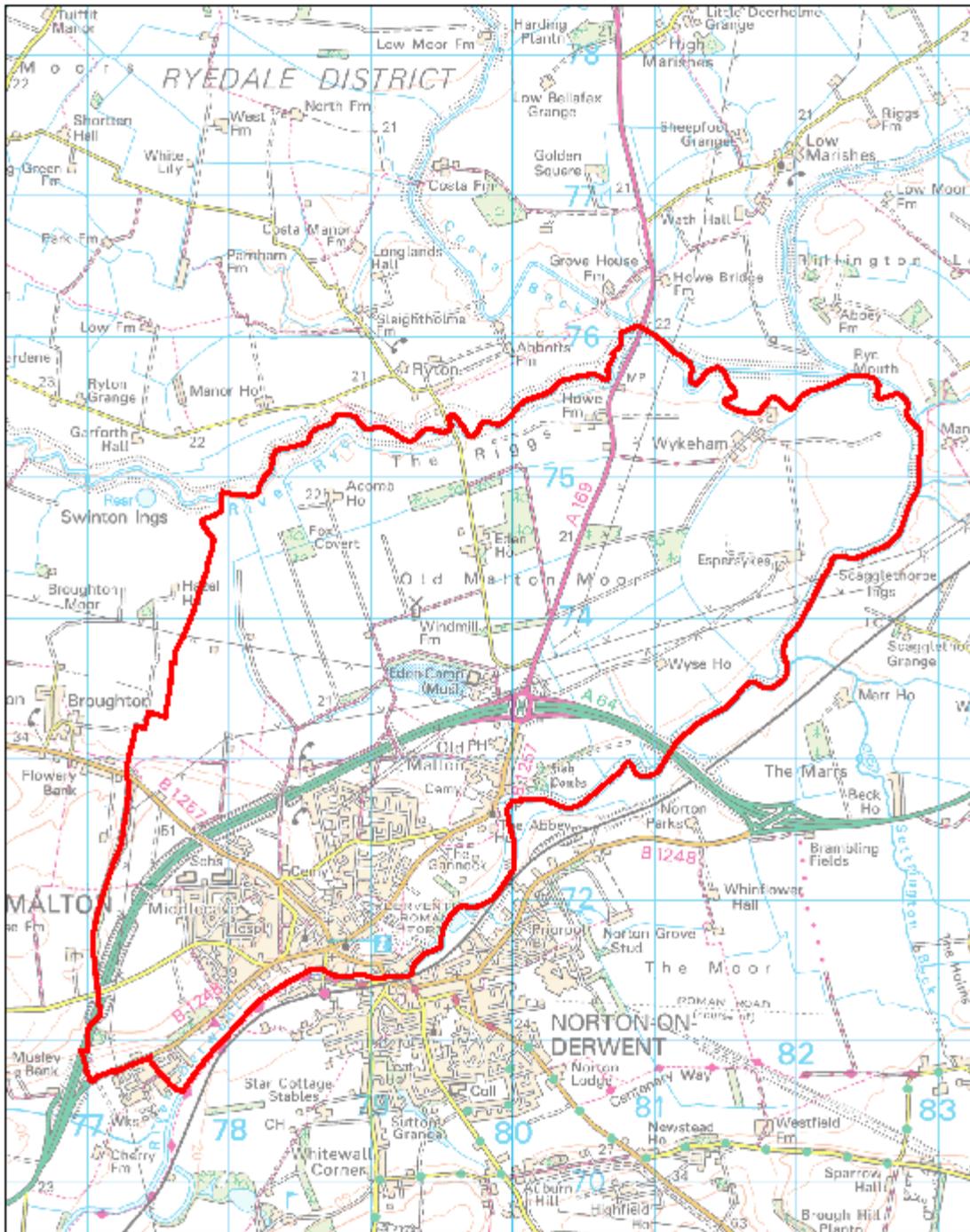
If any change to the electoral arrangements for Malton Town Council is approved, a Community Governance Reorganisation Order will be made to give effect to the change.

A timetable for the Community Governance Review

A Community Governance Review must, by law, be concluded within a 12-month period from the day on which the District Council determines to proceed and agrees the terms of reference and ending on the day on which the Council publishes its final recommendations. The proposed timetable for the Malton Community Governance Review is set out below:

August/September 2018	Request received from Malton Town Council.
15 November 2018	Terms of Reference and Timetable for Review to be approved by the Policy and Resources Committee.
23 November 2018	Council to publish approved Terms of Reference. Eight-week consultation period begins with local people and interested parties.
18 January 2018	Closing date for consultation period
February 2019	Council to consider consultation submissions and publish final recommendations

Malton Parish



Ryedale District Council
Ryedale House
Malton
North Yorkshire
YO17 7BH
Tel: 01853 400000
Fax: 01853 666001
Email: enquiries@ryedale.gov.uk
Website: www.ryedale.gov.uk



Powers and Duties of Town and Parish Councils

The role played by parish and town councils varies considerably. Smaller parish councils have only limited resources and generally play only a minor role, while some larger parish and town councils have a role similar to that of a small district council. Parish and Town Councils receive funding by levying a "precept" on the council tax paid by the residents of the parish.

The list below is intended as a summary of the main functions of parish councils. It is not intended to be a definitive list of such functions. Where a function is marked with an asterisk a parish council also has the power to give financial assistance to another person or body performing the same function.

Functions	Powers And Duties
Allotments	Powers to provide allotments Duty to provide allotment gardens if demand unsatisfied
Bus Shelters and roadside seats	Power to provide and maintain
Bye Laws	Power to make byelaws for public walks and pleasure grounds
Clocks*	Power to provide public clocks
Closed Churchyards	Powers (and sometimes duty) as to maintain
Commons Land and Common Pastures	Powers in relation to inclosure as to regulation and management and as to providing common pasture
Community Centres and Village Halls	<ul style="list-style-type: none"> • Power to provide and equip premises for use of clubs having athletic, social or educational objectives • Power to provide buildings for offices and for public meetings and assemblies
Conference facilities*	Power to provide and encourage the use of facilities
Crime Prevention*	Powers to spend money on various crime prevention measures including
Drainage	Power to deal with ponds/ditches
Education	Right to appoint governors of primary schools
Entertainment and the Arts*	Provision of entertainment and support of the arts
Environment	Power to act for the benefit of the community by tackling and promoting awareness of environmental issues
Flagpoles	Power to erect flagpoles in highways

Highways	<ul style="list-style-type: none"> • Power to repair and maintain footpaths and bridleways • Power to provide lighting of roads and public places • Power to provide parking places for vehicles, bicycles and motorcycles • Power to enter into an agreement as to dedication and widening • Power to provide traffic signs and other notices • Power to plant trees, etc., and to maintain roadside verges • Power to prosecute for unlawful ploughing of a footpath or bridleway • Power to contribute financially to traffic calming schemes
Investments	Power to participate in schemes of collective investment
Land	<ul style="list-style-type: none"> ▪ Power to acquire land by agreement or compulsory purchase, ▪ Power to appropriate land ▪ Power to dispose of land ▪ Power to accept gifts of land ▪ Power to obtain particulars of persons interested in land
Litter bins	Power to provide litter bins including receptacles for dog faeces
Lotteries	Power to promote lotteries
Monuments and memorials	Power to agree to maintain monuments and memorials
Mortuaries and post-mortem rooms	Powers to provide mortuaries and post-mortem rooms
Nature reserves	Power to designate statutory to the nature reserves and marine nature reserves - English Nature can designate sites of specific scientific interest
Nuisances	Power to deal with offensive ditches, ponds and gutters
Open Spaces, Burial Grounds, Cemeteries and Crematoria*	Power to acquire, maintain or contribute towards expenses
Parish Property and Records	<ul style="list-style-type: none"> ▪ Powers to direct as to their custody ▪ Power to collect, exhibit and purchase local records
Parks and pleasure grounds	Power to hire pleasure boats in parks and pleasure grounds
Parochial charities	<ul style="list-style-type: none"> ▪ Power to appoint trustees of parochial charities ▪ Duty to receive accounts of parochial charities

Planning	Right to be notified of and power to respond to planning applications
Postal and telecommunications facilities	Power to pay the Post Office, British Telecommunications or any other public telecommunications operator any loss sustained in providing post or telegraph office or telecommunications facilities
Public Conveniences	Power to provide public conveniences
Raising of Finances	Power to raise money through the parish precept
Recreation*	Power to acquire land for or to provide recreation grounds, public walks, pleasure grounds, and open spaces and to manage and control them.
Swimming pools, bathing places, baths and washhouses	Power to provide
Tourism*	Power to contribute to the encouragement of tourism
Town Status	Power to adopt town status
Transport*	Power to (a) establish car sharing schemes (b) make grants for bus services, (c) provide taxi-fare concessions; (d) investigate public transport, road use and needs; (e) provide information about public transport services (f) Community Transport Schemes
Village greens	Power to maintain, to make bylaws for and to prosecute for interference with village greens
Water Supply	Power to utilise well, spring or stream and to provide facilities for obtaining water therefrom.