



PART B:	RECOMMENDATIONS TO COUNCIL
REPORT TO:	POLICY AND RESOURCES COMMITTEE
DATE:	10 FEBRUARY 2011
REPORT OF THE:	COUNCIL SOLICITOR AND MONITORING OFFICER ANTHONY WINSHIP
TITLE OF REPORT:	COMMUNITY GOVERNANCE REVIEW – MALTON AND NORTON ON DERWENT
WARDS AFFECTED:	MALTON AND NORTON ON DERWENT

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

1.1 To consider and respond to a community governance petition which has been submitted under the provisions of Section 80 of the Local Government and Public Involvement in Health Act 2007 (The 2007 Act) requesting the District Council to conduct a community governance review to consider:

- Amalgamating the two existing Town Councils of Malton and Norton on Derwent to constitute and create a single Town Council;
- Constitute a new single Parish from the existing two Parishes;
- Making recommendations as to the name of the new Parish

1.2 Ryedale District Council has a duty under section 83 of the 2007 Act to respond to the petition using its powers to undertake a Community Governance Review under section 82 of the 2007 Act.

2.0 RECOMMENDATIONS

2.1 Council is recommended to approve that:

- (a) A Community Governance Review of the areas of Malton Town Council and Norton on Derwent Town Council be undertaken;
- (b) The terms of reference for the review, as attached to this report, be agreed; and
- (c) Either

OPTION A

A local poll be conducted to ascertain the views of the local government

electors of the areas of Malton and Norton on Derwent on the proposed amalgamation of the two existing Town Councils of Malton and Norton on Derwent and the name of the single Town Council such a poll to be conducted on a date to be determined after the local government elections on 5 May 2011.

OPTION B

Consultation of local government electors be conducted by means of a questionnaire by post.

- (d) Other persons or bodies be consulted by mailing the questionnaire. Such persons or bodies to include:
- Malton Town Council
 - Norton Town Council
 - Malton and Norton Area Partnership
 - The Fitzwilliam (Malton) Estate

and any other groups brought to the attention of the Council Solicitor that he considers appropriate.

3.0 REASONS FOR RECOMMENDATIONS

- 3.1 To comply with the statutory duty under section 83 of the 2007 Act to respond to a community governance petition.

4.0 SIGNIFICANT RISKS

- 4.1 No significant risks have been identified in preparing this report. – see Risk Matrix (Annex A).

REPORT

5.0 BACKGROUND AND INTRODUCTION

- 5.1 Malton and Norton-on-Derwent both have a long history and whilst they are in close proximity they have often been separate and distinct for centuries for a number of reasons including separation by the River Derwent, being located in a different county prior to 1974 and a different pattern of land ownership. A brief summary of the historical background is included in the attached Annex B. In recent years there has been a call for the amalgamation of the two town councils to form one town council for Malton and Norton and this has culminated in a community governance petition.
- 5.2 A petition has been submitted under the provisions of Section 80 of the Local Government and Public Involvement in Health Act 2007. The petition requests the Council to conduct a community governance review to consider:
- Amalgamating the two existing Town Councils of Malton and Norton on Derwent to constitute and create a single Town Council;
 - Constitute a new single Parish from the existing two Parishes;
 - Making recommendations as to the name of the new Parish
- 5.3 To be valid a petition requesting a Community Governance Review must contain the signatures of at least 10% of the electors for the area subject to the review whose names appear on the Register of Electors which is in force for the area the subject of

the review at the time the petition is submitted. The petition must also define the area to which it relates and specify one or more proposals for consideration. The petition meets all of these criteria and is therefore valid.

- 5.4 Ryedale District Council has a duty under section 83 of the 2007 Act to respond to the petition using its powers to undertake a Community Governance Review under section 82 of the 2007 Act. In doing so, the Council is required to have regard to Guidance on Community Governance Reviews issued by the Secretary of State for Communities and Local Government.
- 5.5 In relation to the stages of a community governance review a flowchart is attached at Annex C which gives an outline only of the procedure since it is not directly applicable to reviews relating to town and parish council areas.
- 5.6 The review begins when the District Council publishes its terms of reference and ends when it publishes its recommendations – it has a maximum of 12 months to complete the process (section 102(3) and (4) of the 2007 Act).
- 5.7 Section 93 of the 2007 Act sets out the duties the Council must comply with when undertaking a review. These include consulting with local government electors and those who might have an interest in the review, taking account of any representations received and the community identity and effective local government criteria.
- 5.8 However, subject to complying with these duties, section 93 of the 2007 Act confers on principal councils a wide discretion as to how they carry out the review. The District Council can carry out a further consultation exercise during the review period if it so wishes and in any such way that would assist with deciding what recommendations it should make. Once its recommendations are published, this concludes the community governance review.
- 5.9 Following publication of the recommendations, it is then for the District Council to decide to what extent it will give effect to the recommendations. Once it has made that decision the District Council must publish that decision and its reasons for making the decision (see section 96(2) of the 2007 Act).
- 5.10 Finally, the District Council gives effect to the recommendations by approving the making of a reorganisation order.
- 5.11 The order would deal with the following matters:-
 - (i) Amalgamation of existing parishes and the constitution of a new parish;
 - (ii) Establishing and naming a new parish council
 - (iii) Elections for new parish
 - (iv) Numbers of Town Councillors
 - (v) Warding of parishes (if relevant)
 - (vi) Dissolution of Town Councils
 - (vii) Transfer of property rights and liabilities

6.0 POLICY CONTEXT

6.1 The Council has a legal duty to respond to the petition.

7.0 CONSULTATION

7.1 Section 93(3) of the 2007 Act requires the District Council to conduct a consultation exercise of local government electors and other persons or bodies which appears to the principal council to be appropriate. It is proposed that consultation is undertaken after the terms of reference have been approved by Council and the means of consultation has been approved.

8.0 REPORT DETAILS

8.1 A Community Governance Review (CGR) is a review of the whole part of a local authority's area. In this instance the review will be limited to the areas of Malton Town Council and Norton on Derwent Town Council.

8.2 The Council is required to publish the terms on which the review is to be undertaken and the draft Terms of Reference (TOR) is attached as **Annex D**.

8.3 Members are advised that the District Council has a statutory duty under section 93 of the 2007 Act to consult and take into account any representations received in connection with the review.

8.4 Section 93(3) of the 2007 Act provides as follows:-

“(3) The principal council must consult the following:-

- (a) Local Government electors for the area under review;*
- (b) Any other person or body (including a local authority) which appears to the principal council to have an interest in the review.”*

8.5 Local government electors for the area under review must be consulted as well as any other person or body which appears to have an interest in the review. It is considered that there are the following two ways of consulting local government electors:-

- (i) Conducting a local poll in the areas of Malton and Norton on Derwent pursuant to section 116 of the Local Government Act 2003
- (ii) Write to each eligible elector in the review area with a copy of the TOR and a questionnaire seeking their views on their preferred option for community governance arrangements in Malton and Norton on Derwent.

8.6 Council has to consult with others who appear to have an interest in the review which might include local businesses and local public and voluntary organisations.

8.7 It is recommended that a public notice be published in the Gazette & Herald and the Malton and Pickering Mercury and appropriate press releases will be issued to invite any other interested persons or bodies to put forward their views. The TOR and questionnaire will also be available on the Council's website.

8.8 The Council also has to inform North Yorkshire County Council that a review will be undertaken and of the terms of reference of the review and to consult them.

8.9 Any representations received in connection with the review must be taken into

account and the review must be concluded within the period of 12 months starting with the day on which the review begins.

- 8.10 Subject to the duties set out in the Act, it is for Ryedale District Council to decide how to undertake the review.
- 8.11 It is recommended starting the consultation by 5 May 2011 and asking that responses be submitted by 6 June 2011. The TOR includes a timetable for the remainder of the process.
- 8.12 Undertaking a poll is considered to satisfy the wellbeing test since it is important to have the optimum community governance arrangements for Malton and Norton on Derwent.
- 8.13 However guidance from the Electoral Commission indicates that it is impractical to hold a local poll on the same day as the local government elections on 5 May 2011 for the following reasons:
- It would not be possible to run the local poll in combination with the local government elections in May 2011 as this is not a combination which is recognised in law.
 - Election law is very prescriptive about what is legally permissible to happen at a polling station during the period of an election to ensure that the conduct of an election is entirely proper and without the appearance of improper procedures.
 - Rule 30 of the Local Elections (Principal Areas) (England and Wales) Rules 2006 is quite clear about who may attend at the polling station and this excludes anyone conducting a local poll because it is not authorised.
 - Accordingly against this background, Electoral Commission advice is that a second, separate room would have to be used at polling stations.
 - Two polling stations in Malton and Norton do not have a second room.
 - There would be additional costs associated with hiring additional rooms and staffing them.
 - There may be problems with staff availability.
 - The Council's printers may not have capacity to pick up the additional work, which would include preparatory set up work.

9.0 IMPLICATIONS

9.1 The following implications have been identified:

a) Financial

The advice received is that local polls and elections cannot be combined. It is possible to hold a local poll under section 116 of the Local Government Act 2003 on the same day as the local government elections. It will need to be a standalone poll although it is possible to use the same polling venues. The estimated cost of the poll will be £1,000. It is estimated that the cost of printing and distribution of the consultation documents will be in the region of £1,500. That does not include the cost of prepaid envelopes or staff time. It also does not include the cost of any advertising. There is no means for the District Council to recovering the costs of a community governance review and accordingly the District Council bears these costs. Council has a duty to undertake a Community Governance Review and those duties are set out in the Local Government and

Public Involvement in Health Act 2007.

- b) Other (Equalities, Staffing, Planning, Health & Safety, Environmental, Crime & Disorder)

The report has no other significant implications.

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Background Papers:

Local Government and Public Involvement in Health Act 2007
Guidance on Community Governance Reviews published by DCLG and the Electoral Commission in April 2008
Parish and Town Councils in England (HMSO 1992) Research by the Aston Business School
Circular 1126/1988 – Council Size published by the National Association of Local Councils.

Background Papers are available for inspection at:
Ryedale House, Legal Services

COMMUNITY GOVERNANCE REVIEW – RISK MATRIX

Issue/Risk	Consequences if allowed to happen	Likelihood	Impact	Mitigation	Mitigated Likelihood	Mitigated Impact
The District Council fails to comply with the statutory requirements relating to Community Governance Reviews in the 2007 Act.	Complaint and potentially a court order or mandamus.	2	B	There is no mitigation in this case	2	B

Score	Likelihood	Score	Impact
1	Very Low	A	Low
2	Not Likely	B	Minor
3	Likely	C	Medium
4	Very Likely	D	Major
5	Almost Certain	E	Disaster

BRIEF HISTORY OF MALTON AND NORTON-ON-DERWENT

Malton consists of two parts which are still quite independent of each other. There is Old Malton which was originally the village which grew up along the Scarborough road which passed the priory and New Malton which has the principal commercial retail area for the locality.

Pevsner's guide for Yorkshire: York and East Riding published in 1995 describes the history and development of Norton-on-Derwent as being inseparable from that of Malton across the River Derwent and as long playing the role as a residential and industrial suburb of Malton. The guide continues:-

"Between 1841 and 1871 Norton's population rose from 1,644 to 3,170, almost doubling, while that of Malton fell from 5,317 to 4,998. The rise of Norton and the decline of Malton continued up to the mid C20 and by the Second World War the former was the most populous settlement of the two. In 1991 the population of Norton was 6,230, and that of Malton 4,220. Norton's rapid expansion was due to the fact that it was an open community free of the control exercised by the Fitzwilliam family at Malton."

The background to this quote is that the Fitzwilliam (Malton) Estate Company is the principal land owner in Malton and the largest landlord of commercial property. The pattern of land ownership in Norton-on-Derwent has been more diverse and has been predominantly freehold.

Some of the key dates in the history of local government in Malton and Norton are summarised below:-

1888 - Local Government Act 1888 created County Councils.

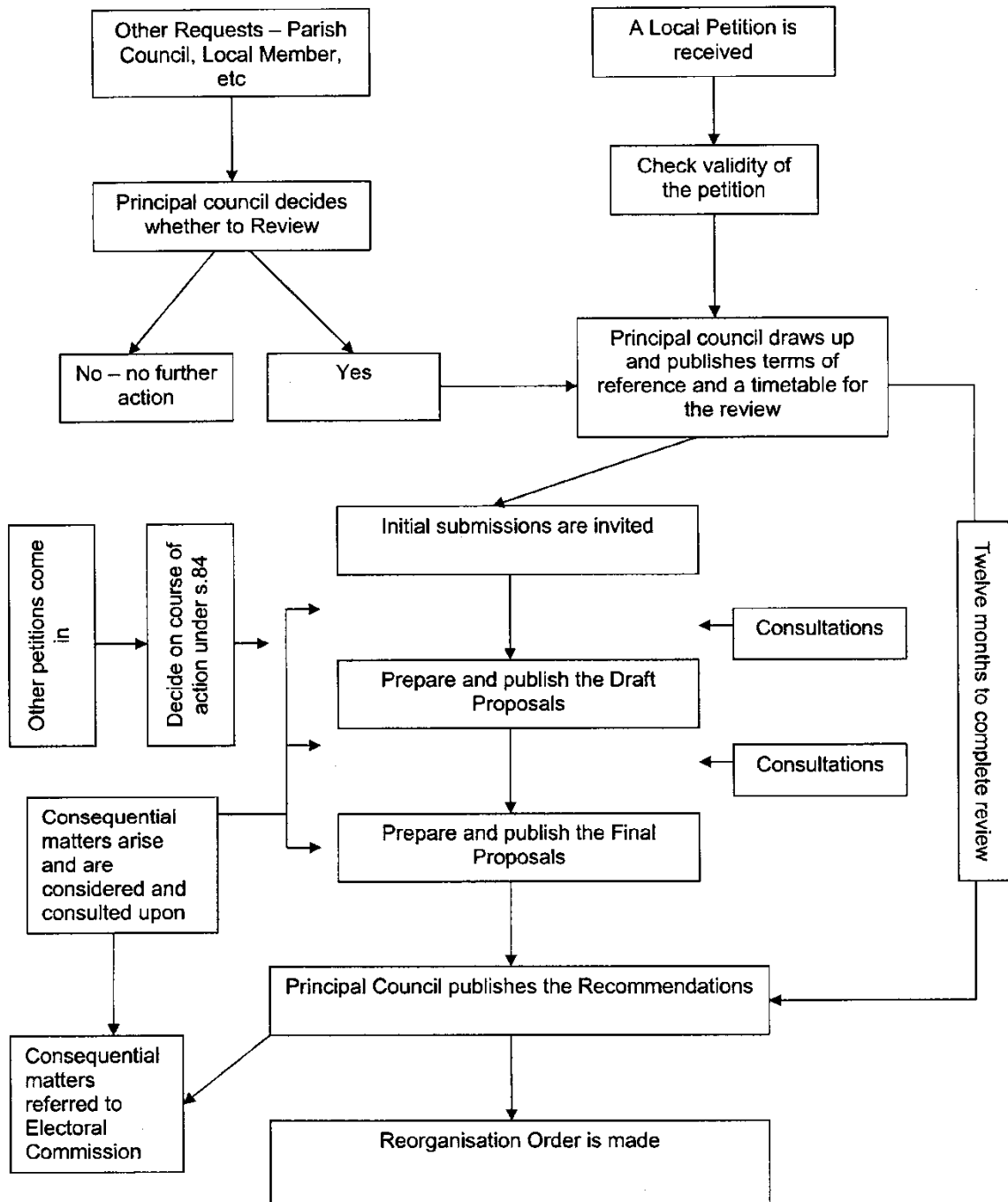
Malton was located in the North Riding of Yorkshire with County Hall at Northallerton. Norton-on-Derwent was located in the East Riding of Yorkshire with County Hall at Beverley.

1894 - Local Government Act 1894 created urban and district councils and established parish councils.

1972/4 - Local Government Act 1972 abolished urban and rural district councils and each county was divided into counties and districts.

Ryedale District Council was formed by the amalgamation of nine Councils including Malton Urban District Council and Norton Urban District Council.

COMMUNITY GOVERNANCE REVIEWS - FLOWCHART



Ryedale District Council

Terms of Reference

For a Community Governance Review in response to a petition submitted under Section 80 of the Local Government and Public Involvement in Health Act, 2007.

Introduction

1. A petition has been submitted under the provisions of Section 80 of the Local Government and Public Involvement in Health Act 2007 (the 2007 Act). The petition requests the Council to:
 - Amalgamate the two existing Town Councils of Malton and Norton-on-Derwent to constitute and create a single town council
 - Constitute a new single Parish from the existing Parishes
 - Make recommendations as to the name of the new parish.
2. To be valid a petition requesting a Community Governance Review must contain the signatures of at least 10% of the electors for the area subject to the review whose names appear on the Register of Electors which is in force for the areas of Malton and Norton-on-Derwent at the time the petition is submitted. The petition which has been submitted contains the required number of valid signatures.
3. The petition must also define the area to which it relates and specify one or more proposals for consideration. The petition meets all of these criteria and is therefore valid.
4. Ryedale District Council has a duty under section 83 of the 2007 Act to respond to the petition using its powers to undertake a Community Governance Review under section 82 of the 2007 Act. In doing so, the Council is required to have regard to Guidance on Community Governance Reviews issued by the Secretary of State for Communities and Local Government.
5. The Council has the power to decide whether or not to amalgamate the parishes of Malton and Norton-on-Derwent. There is currently no provision for any appeal against any decision on a Community Governance Review made by the Council.

What is a Community Governance Review?

6. A Community Governance Review (CGR) is a review of the whole or part of a local authority's area to consider one or more of the following –
 - a. The creation, merger, alteration or abolition of parishes
 - b. The naming of parishes and the style of new parishes
 - c. The electoral arrangements for parishes including -

- The ordinary year of election
 - The number of councillors to be elected
 - The warding (if any) of the parish
7. A CGR should according to the last Government's White Paper *Strong and Prosperous Communities* published in October 2006 -
- a. improve community engagement
 - b. provide for more cohesive communities
 - c. provide better local democracy
 - d. result in more effective and convenient delivery of local services

Parish Governance in Ryedale

8. In the District of Ryedale, there are 116 parishes. 86 have parish or town councils and the other 30 have parish meetings. The size of parish councils ranges from 5 to 12 Councillors. All parish councils are elected together in a four yearly cycle. The next elections are in May 2011.

Who will undertake the Community Governance Review

9. As the principal authority, the District Council is responsible for undertaking any community governance review. The Council Solicitor will lead the review at officer level and the Policy and Resources Committee will make recommendations to Council for final adoption.

How the Council proposes to conduct consultations during the review

10. Under Section 93, the Council has a duty to consult –
- a. Local government electors for the area under review
 - b. Any other person or body (including another local authority) which appears to have an interest in the review
11. The Council proposes to consult with local government electors for the area by EITHER
- OPTION A conducting a poll in the areas of Malton and Norton-on-Derwent pursuant to section 116 of the Local Government Act 2003 to ascertain the views of the local government electors of the areas of Malton and Norton on Derwent on the proposed amalgamation of the two existing Town Councils of Malton and Norton on Derwent and the name of the single Town Council such a poll to be conducted on a date to be determined after the local government elections on 5 May 2011.
- OPTION B conduction a consultation of local government electors by means of a questionnaire by post.

12. The Council also has to consult with others who appear to have an interest in the review which might include local businesses and local public and voluntary organisations. It is recommended that a public notice be published in the Gazette & Herald and Malton & Pickering Mercury and appropriate press releases will be issued to invite any other interested persons or bodies to put forward their views. The Terms of Reference and questionnaire (**Appendix 3**) will also be made available on the Council's website.
13. The Council has a duty under section 79 of the 2007 Act to inform North Yorkshire County Council that the review is to be undertaken and of the terms of the review. The Council will also consult with them on the options contained in the terms of reference and any proposals that are made as a result of the conduct of the review.
14. The Council will also publish the terms of reference of the review, the questionnaire, the options contained in the terms of reference and any proposals that are made as a result of the conduct of the review on its website – www.ryedale.gov.uk
15. The timetable for the conduct of the review including the consultation process is attached as **Appendix 1** to these terms of reference.

Electorate forecast to be used during the review

16. Section 95 of the 2007 Act requires the Council to make electoral recommendations when considering the establishment of any new parish council. It must take into consideration the number of local government electors on the register of electors at the time of the commencement of the review and the projected change to the number of electors in the five years beginning on the day the review starts. The following figures will be used throughout this review. The Council has used the Register of Electors of 2010 to provide the electorate figures. The population projection for the Ryedale District area in 2011 is 54,000 and is expected to increase to 56,500 by 2018. This is approximately a 1% increase. There are no official projected population figures for Malton and Norton on Derwent in five years time. The projected population figures for 2018 bellow are the populations of Malton and Norton on Derwent increased by 1% from the 2009 figures. These figures are estimates only.

Ward	2009 Population (Estimate)	2010 Electorate	Ratio of Electorate to Population	2018 Population (Estimate)	2018 Electorate (Estimate)
Malton	5050	3888	77%	5100	3927
Norton on Derwent	7440	5648	76%	7514	5710
TOTALS	12490	9536		12614	9637

The statistics for the number of local government electors on the register of electors for 2010 are as follows:-

Town Council/Town Ward	No. of Seats	Eligible Electorate	Electors per Seat
Malton	10	3,888	388
Norton-on-Derwent (Norton-on-Derwent East Ward)	6	2,961	493
Norton-on-Derwent (Norton-on-Derwent West Ward)	6	2,687	447

The population statistics for Malton and Norton-on-Derwent based on the 2001 census published by the Office of National Statistics are as follows:-

Malton - 5,023
Norton - 6,943

The 2009 population estimate published by North Yorkshire County Council are as follows:-

Malton - 5,050
Norton - 7,440

Guidance on the optimum number of Town Councillors on Parish/Town Councils'

17. In Guidance on Community Governance Reviews, the Electoral Commission advises that:

"In considering the issue of council size, the Commission is of the view that each area should be considered on its merits, having regard to its population, geography and the pattern of communities"

18. The Aston Business School have published recommendations on the levels of parish council representation. For an area with an electorate up to 10,000 they recommend that the number of councillors should be in a range of between 9 and 16. The figures for an electorate of 10,000–20,000 are 13-27. The National Association of Local Councils recommends that the maximum number of councillors should be 17.
19. There are no statutory guidelines relating to the number of parish councillors that should make up a parish council. There is no maximum number specified but the minimum statutory number is one. The Government's advice is that each person's vote should be of equal weight so far as possible having regard to other legitimate competing factors when it comes to the election of councillors. If this principle were applied, there would be more Town Councillors representing Norton-on-Derwent than Malton.

20. Bearing in mind the recommendations of the National Association of Parish Councils, the likely number of parish councillors for the area of Malton and Norton-on-Derwent if a parish council were to be established is probably 17. This would result in each parish councillor representing an average of 560 electors. For election administration purposes it would be best to divide any parish of this size into parish wards and three would be a sensible number. Match the existing town wards from Malton and Norton-on-Derwent with seven councillors for Malton, five councillors for Norton East and five councillors for Norton West.

Options for consideration

Establishing a single Town Council for Malton and Norton-on-Derwent

21. The petition asks the Council to set up a single town council for Malton and Norton-on-Derwent and the Council must consider this option. There is no difference between a parish council and a town council except in name. The Council has a duty to consider the request because of the submission of a valid petition.
22. To assist you in coming to a view the Council has drafted arguments for and against the establishment of a single parish or town council for Malton and Norton on Derwent and these are set out in **Appendix 2**.
23. **Appendix 4** lists what parish councils can do if they wish to. It is a brief summary of the discretionary powers and duties of a parish council.

Consequential matters

24. When all the required community consultation has been undertaken and the review completed the Council may make a Community Governance Order to bring into effect any decision that it may make. If the Council decide to take no action then it will not be necessary to make such an order.
25. If such an order is made it may be necessary to cover certain consequential matters in that order. These may include –
 - a. the transfer and management or custody of property
 - b. the setting of a precept (council tax levy) for any new parish or parishes
 - c. provision with respect to the transfer of any functions, property, rights and liabilities
 - d. provision for the transfer of staff, compensation for loss of office, pensions and other staffing matters.
26. In considering these matters the Council will be guided by the Local Government (Parishes and Parish Councils) (England) Regulations 2008.
27. The Council will also take into account the requirements of regulation 3 of the Local Government Finance (New Parishes) Regulations 2008 when calculating

the budget requirement of any new parish councils when setting the council tax levy to be charged.

28. Elections for any council that may be established would be held in the ordinary year of elections which in this case is 2015. However, as those elections are some four years after any order could be made the District Council could, under the provisions of Sections 16(3) and 90 of the LGA 1972, resolve to hold the elections earlier with any councillors elected at those elections serving a shortened term to allow the parish electoral cycle to return to that of the District Council.

Adoption and Publication of Terms of Reference

29. The terms of reference were approved, adopted and published by Ryedale District Council at a meeting of the Council held on 10 March 2011.

Process Timetable

Action	When
Petition received	7 April 2010
Petition Validated	June 2010
Terms of reference drafted	By 2 February 2011
Terms of reference agreed by Policy and Resources Committee	10 February 2011
Terms of reference agreed by Council and published	10 March 2011
First consultation period commences	TBC
First consultation Period closes	TBC
Draft proposals prepared	TBC
Draft proposals are agreed by Policy and Resources Committee and recommended to Council.	TBC
Council to agree proposals for publication	TBC
Second consultation period commences	TBC
Second consultation Period closes	TBC
Final proposals prepared	TBC
Final Proposals are recommended by Cabinet	TBC
Council to agree Final Proposals	TBC
Final recommendations are published	TBC
Electoral matters are referred to Electoral Commission if required	TBC
Electoral Commission response	TBC
Review Order made	TBC

**THE CASE FOR AND AGAINST THE AMALGAMATION OF THE TWO EXISTING TOWN COUNCILS OF MALTON
AND NORTON-ON-DERWENT TO CONSTITUTE AND CREATE A SINGLE TOWN COUNCIL**

FOR

AGAINST

1: COSTS

The cost of a single Town Council for Malton and Norton could be minimal, made up of some of the costs which the District Council spends on Malton and Norton. To this will be added employee costs, democratic costs and the usual expenses of being a local authority.

No parish or town council in the District of Ryedale pays its councillors allowances. If they were minded to do so, they would still have to ask the Ryedale District Council's Independent Remuneration Panel for their views.

For the financial year 2010-2011 the council tax levy on a band D property in Malton was £1,855.42 and for Norton-on-Derwent was £2,445.15. It is not possible to estimate what the costs of a single Town Council for Malton and Norton will be as they will be determined by the functions that it performs and its administrative structure.

Ryedale District Council's council tax is currently 'capped' by the Government each year; no such 'cap' is currently in place for parish or town councils.

Town Councillors are able to vote in a scheme of allowances for themselves and if adopted would increase the cost of democracy.

2: INFLUENCE AND RESPONSIBILITIES

A single Town Council for Malton and Norton-on-Derwent could potentially have greater influence on the district and county councils and other government agencies on a range of matters. One particular area would be on planning and development issues where the town council would be consulted on the same basis as all other parish and town councils in the district.

Parish councils provide a useful sounding board of public opinion for district and county councillors because they are closer to the individual communities they represent.

Town/parish Councils have a number of statutory powers although these are mostly minor. It could take over the administration of public toilets and some other functions from the District Council through negotiation.

A single Town Council for Malton and Norton-on-Derwent could give rise to a competitive relationship between the Town Council and the District Council in relation to competing priorities which could cause delay and increase costs.

<p>A single Town Council for Malton and Norton-on-Derwent could be more efficient in many areas of service delivery such as public toilets.</p>	
<p>3: REPRESENTATION & ACCOUNTABILITY</p>	
<p>If a single Town Council was created for Malton and Norton-on-Derwent it would potentially:-</p> <ul style="list-style-type: none"> a. Be accountable to electors and under local control b. Be a local authority in its own right giving representation at grass roots level c. Raise funds and provide local services and facilities d. Encourage a greater sense of community identity and civic pride 	<p>If a single Town Council is created for Malton and Norton it would potentially:-</p> <ul style="list-style-type: none"> a. Add little extra accountability and democratic representation b. Duplicate and increase the costs of the provision of some services c. Levy additional council tax and incur additional costs
<p>4: OTHER ISSUES</p>	
<p>Roles of the existing town, district and county councils are clearly defined and each represents their residents at the different levels. The legal "power of well-being" means that parish councils can now raise and spend money on whatever are their priorities, including businesses, individuals and other areas where they were not previously able to do so.</p> <p>The combined number of Town Councillors for the two separate town councils of Malton and Norton-on-Derwent is 22 (10 seats for Malton and 12 seats for Norton). The recommended number of seats for a single town council for an electorate the size of Malton and Norton is 17. Accordingly the numbers of Town Councillors would be reduced for Malton and Norton if the guidance was followed.</p>	<p>A single town council in Malton and Norton could cause confusion to residents as to which local authority or councillor to approach.</p> <p>Some of Ryedale's current district councillors are parish/town councillors in other areas leading to a possible confusion of roles.</p> <p>A parish council for Malton and Norton could resolve that it takes the style of town council and that its Chairman could take the title of Town Mayor. This could add confusion to the role and responsibilities of the Chairman of the District of Ryedale as the first citizen within the district.</p> <p>The District Council already has a legal power of "well-being" and it does not require an extra layer of bureaucracy to address the needs of the community.</p> <p>Given that the population of Norton-on-Derwent is greater than Malton, Norton-on-Derwent would be entitled to more Town Councillors than Malton. Indications from guidance are that Malton would have seven seats and Norton-on-Derwent would have ten seats on a single town council.</p>

Community Governance Review

You are strongly advised to read the Terms of Reference for the review, or, at the very least, the summary as set out in the accompanying letter, before answering any of the following questions:

Please put X in either the 'Yes' or 'No' column against each question to indicate your response.

		YES	NO
1	Do you support the setting up of a single town council for Malton and Norton-on-Derwent?		
2	Do you support the name of Malton and Norton Town Council for a single Town Council?		

<p>Any comments you would like to make? Please continue on back if necessary</p>

Appendix 4

What can a Parish Council do?

A parish council can, if it decides to do so, provide a number of services. These are summarised in the table below:

Service or Function	What can a Parish Council do?
Allotments	Provide allotments
Baths and Washhouses	Provide public baths and washhouses
Burial grounds, cemeteries and crematoria	Acquire, maintain and provide burial grounds, cemeteries and crematoria. Maintain monuments and memorials and contribute towards the expenses of cemeteries
Bus Shelters	Provide and maintain bus shelters
Bye Laws	Make bye-laws for pleasure grounds, cycle parks, baths and washhouses, open spaces, burial grounds, mortuaries and post-mortem rooms
Charities	Receive accounts of parochial charities
Clocks	Provide public clocks
Commons and common pastures	Enclose, regulate and manage commons and provide common pasture
Conference facilities	Provide and encourage the use of conference facilities
Community centres	Provide and equip buildings for use by athletic, social or educational clubs
Crime Prevention	Spend money on various crime prevention measures
Drainage	Deal with ponds and ditches
Education	Appoint school governors
Entertainment and the arts	Provide entertainment and support for the arts
Gifts	Accept gifts
Highways	Repair and maintain public footpaths and bridle-ways. Light roads and public places. Provide litter bins, parking places for vehicles, bicycles and motor-cycles, roadside seats and shelters, bus shelters, traffic signs and other notices. Plant trees and maintain roadside verges.
Investments	Participate in collective investment schemes
Land	Acquire, appropriate, dispose of and accept gifts of land
Litter	Provide litter bins
Lotteries	Promote lotteries
Mortuaries and post mortem rooms	Provide mortuaries and post mortem rooms
Nuisances	Deal with offensive ditches
Open spaces	Acquire and maintain land used for open spaces
Parish property and documents	Make decisions on the custody of parish property and documents
Public Conveniences	Provide public conveniences
Recreation	Acquire land for and provide recreation grounds, public walks, pleasure grounds and manage and control them. Provide gymnasiums, playing fields, holiday camps and boating pools.
Town and Country Planning	Be notified of planning applications in the parish and submit comments on them to the district council
Tourism	Contribute to organisations encouraging tourism
Traffic Calming	Contribute financially to traffic calming schemes
Transport	Spend money on community transport schemes
War memorials	Maintain, repair, protect and adapt war memorials
Water supply	Provide facilities for obtaining and utilising water from wells, springs or streams.