MALDON DISTRICT COUNCIL  
COMMUNITY GOVERNANCE REVIEW 2018  
LITTLE TOTHAM PARISH

**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 a 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?**
The Little Totham Parish Council has requested a review of its electoral arrangements so that it may increase the size of its membership, in other words the number of Parish Councillors. In its request to the District Council, the Parish Council stated the work associated with its existing responsibilities and its future plans and proposals should be shared among a greater number of Councillors. It also stated that the current membership of five Parish Councillors is only two more than the legal quorum for meetings, and that on occasions this presents a difficulty. It is confident that there is sufficient interest in the community to fill two additional seats on the Parish Council.

**What is the area the subject of this Review?**
The parish of Little Totham is located within the Great Totham Ward of Maldon District Council. It is also located within the Heybridge and Tollesbury Electoral Division of Essex County Council and forms part of the Witham 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 Parish Council’s request referred to above, which is -

To increase the number of parish councillors on Little Totham Parish Council from five to seven.

If approved, it is proposed that 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 Parish Council’s justification for the increase in the number of parish councillors is set out in their letter dated 28 November 2017 attached as Annex 3 to this document.

For the purposes of this review, we are also required by law to make recommendations on other related “electoral arrangements” in respect of Little Totham Parish 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, Maldon 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) to (e) above, the introduction of ‘wards’ would mean that each Parish Councillor would be elected by voters living within a particular area (or ward) within the Parish, and they would represent those voters on the Parish Council. The District Council proposes that, irrespective of the outcome of this community governance review, Little Totham Parish Council should continue to be unwarded, i.e. no change be made. The Parish Council has not made any proposal or request on this.

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

(a) increase the number of parish councillors on Little Totham Parish Council from 5 to 7, and
(b) to make no other changes to the electoral arrangements in respect of Little Totham Parish Council

Electorate Forecast
For the purpose of this review, we are required to forecast the expected growth in the Parish of Little Totham for the coming five years. There is no planned growth and minimal growth anticipated such as to be an issue for consideration in this review.

How to let us know your views
Any representations on this matter above must be in writing and should be sent to:

Stuart Jennings
Corporate Governance Project Officer
by no later than **4.30 pm on Friday 24 August 2018**.

Alternatively, you may send your representations by email to: committee.clerk@maldon.gov.uk

Please ensure that you state your name and address clearly on any representations submitted. Please note that any submissions received after 24 August 2018, 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. 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.

**What happens next?**

In arriving at its final recommendations, the District 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 Little Totham Parish Council to publish the same on their website), through general press releases, and by placing key documents on public deposit at the District Council’s offices and with the Parish Council.

If any change to the electoral arrangements for Little Totham Parish 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 which in this instance runs from when the terms of reference of the Review have been published. The Review will be concluded when the District Council publishes its final recommendations. The timetable for this Community Governance Review is as follows:

- **8 February 2018** – District Council agreed the principle of instigating a Review.
- **18 June 2018** - District Council published Terms of Reference and timetable.
- **29 June 2018** - Eight-week consultation period begins with local people and interested parties.
- **24 August 2018** Closing date for consultation period.
- **13 September 2018** Council to consider consultation submissions and publish final recommendations.
Powers and Duties of Parish Councils
The role played by parish councils varies considerably. Smaller parish councils have only limited resources and generally play only a minor role, while some larger parish councils have a role similar to that of a small district council. Parish 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.

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) 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

- 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

- 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
- 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
- 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
- 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.
- Power to provide gymnasiums, playing fields, holiday camps

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

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.
Request for Parish Review to increase the number of Parish Councillors from 5 to 7 on Little Totham Parish Council

Dear Sirs,

At the last meeting of Little Totham Parish Council a motion was passed to request Maldon District Council, to conduct a Parish review. The request is for the Parish review to increase the number of councilors from the minimum of 5 to 7.

The reasons to increase the number of councilors are:

- The number of councilors has not increased since the 1960's and we are currently at the minimum legal size for a council. The village has at least doubled in size since the 1960's.

- As the council is at the minimum legal number of councilors, it means that if a councillor resigns, the council is immediately below the legal minimum. This gives the council no buffer and results in the council having to seek and co-opt a new councillor, in a more pressurised situation. Having the minimum number of councillors allows for no contingency.

- The Parish council needs to increase the number of councillors, so that it can manage the increasing workload of the council. We are implementing several plans which include traffic initiatives, and managing and planning the long term conservation of the village open spaces. This includes the 55 acre Totham Plains.
APPENDIX 1

- As we have no contingency, some of our meetings are conducted with 4 councillors, which is just above the legal minimum for a quorum. At the next Parish meeting there will only be 3 councillors in attendance. One of the councillors will have to declare an interest on one of the agenda items, this will result in the matter being delayed for a month, as we will not have quorum for this agenda item.

- The national association of local councils suggests that the minimum number of councillors should be 7.

- Several of our councillors are retired and elderly. Although this allows them to share their experience on the council, they are less active physically, so therefore it makes it more difficult for them to carry out work on behalf of the council. The other councillor, other than the Chairman works shifts, which makes it difficult for them to commit to council obligations.

I look forward to hearing from you and if you have any questions please let me know.

Yours faithfully

[Signature]

Richard Siddall
Chairman
Little Totham Parish Council