



**PLEASE SWITCH ALL ELECTRONIC DEVICES TO SILENT
BEFORE THE START OF THE MEETING**

Witham
town council

Town Hall | 61 Newland Street | Witham | CM8 2FE
01376 520627
witham.gov.uk

AGENDA

WITHAM TOWN COUNCIL

Date: **Monday, 7th July 2025** Time: **7:30 p.m.**

Place: **Council Chamber, Town Hall, Newland Street, Witham, CM8 2FE**

Members are hereby summoned to attend the above Meeting to transact the following business. Members are respectfully reminded that each item on the Agenda should be carefully examined. If you have any interest, it must be duly declared.

To be present:

Councillors:

P. Heath	(Town Mayor)	T. Hewitt
J.C. Coleman	(Deputy Town Mayor)	J. Martin
E. Adelaja		R. Playle
L. Barlow		R. Ramage
P. Barlow		J. Robertson
J.M. Coleman		A. Sloma
B. Fleet		B. Taylor
L. Headley		E. Williams

Nikki Smith
Town Clerk
NS/GK/2.7.2025

1. APOLOGIES FOR ABSENCE

To receive and approve apologies for absence.

2. MINUTES

To receive the Minutes of the Meeting of Town Council held 9th June 2025 (previously circulated).

3. INTERESTS

To receive any declarations of interest that Members may wish to give notice of on matters pertaining to any item on this agenda.

4. QUESTIONS AND STATEMENTS FROM THE PUBLIC

An opportunity to enable members of the press and public present to comment.

Order Note: A maximum of 30 minutes is designated for public participation time with no individual speaker exceeding three minutes unless otherwise granted an extension by the Chairman under Standing Order 3(F) & 3(G)

5. ESSEX COUNTY AND BRAINTREE DISTRICT COUNCIL UPDATE

To receive reports from Essex County and Braintree District Councillors on matters relating to Witham.

6. 20'S PLENTY/TACKLING SPEEDING REPORT

To receive a verbal report from the Planning and Transport Committee.

7. TOWN MAYOR'S ENGAGEMENTS

To receive details of the Town Mayor's engagements attended for period 5th June to 2nd July 2025 attached at page 4.

8. TOWN CLERK'S REPORT

To receive a verbal report from the Town Clerk on matters arising.

9. INTERNAL CONTROL STATEMENT

To receive and consider the Internal Control Statement attached at page 6.

10. CO-OPTION POLICY

To receive and approve the updated Co-Option policy attached at page 9.

11. BUS SERVICES

To receive a verbal report.

12. EXCLUSION OF THE PRESS AND PUBLIC

At this point, the Chair will move the following resolution: Under the Public Bodies (Admissions to Meetings) Act 1960 S.1(2) and in accordance with Standing Order 3(d), the press and public should be excluded from the remainder of the meeting due to the confidential nature of the business to be transacted.

13. BRAINTREE DISTRICT COUNCIL'S ELECTION COSTS

To receive a report attached at page 16.

14. WITHAM COMMUNITY CENTRE

To receive a report attached at page 18.

15. LAND TRANSFER

To receive a report attached at page 22.

16. PUBLIC ART

To receive a report on public art attached at page 23.

17. CHARTER MARKET

To receive a verbal report.



LIST OF MAYOR'S ENGAGEMENTS BETWEEN

5th June to 2nd July 2025

Councillor Paul Heath

Saturday 7th June 2025 – Witham Wombles

Attended litter picking at Gershwin Boulevard with Witham Wombles.

Sunday 8th June 2025 – Great Dunmow

Attended St Mary's Church for the Civic Service of the newly elected Town Mayor.

Monday 9th June 2025 – Witham Town Hall

Attended meeting with Reverend Dr Jonathan Pritchard to discuss joint events during the coming year.

Tuesday 10th June 2025 – Braintree District Council

Attended the Age Well, Live Well event at Causeway House to gather information.

Wednesday 11th June 2025 – Howbridge School

Attended Howbridge School's Careers Afternoon.

Thursday 12th June 2025 – Royal British Legion, Witham

Attended the RBL for their official 'Blind Opening' Ceremony.

Friday 13th June 2025 – Braintree District Council, Sofa Talk

Attended the sofa talk held on Newland Street talking to members of the public.

Saturday 14th June 2025 – United in Music Festival

Attended the music festival, giving a speech during the afternoon.



Thursday 26th June 2025 – Belson & Sons Opticians 40 Year Celebration

Attended Belson & Sons Opticians 40 Year Celebration at Crofters

Friday 27th June 2025 – Witham Industrial Estates BID Business Event

Attended Witham Industrial Estates BID Business Event.

Saturday 28th June 2025 – Witham Medieval Fayre

Attended Witham Mediaeval Fayre

Monday 30th June 2025 – Funeral of Patrick Horner

Represented Witham Town Council at the funeral of former Witham Mayor Patrick Horner.

LIST OF DEPUTY MAYOR'S ENGAGEMENTS BETWEEN

5th June to 2nd July 2025

Councillor Jack Coleman

Monday 16th June 2025 – Maldon & East Essex District Scout Council

Attended Maldon & East Essex District Scout Council AGM.

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Statement of Internal Control for the Year Ending 31st March 2026

Scope of Responsibility

Witham Town Council (The Council) is responsible for ensuring that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently, and effectively. In discharging this overall responsibility, The Council is also responsible for ensuring that there is a sound system of internal control as required by Section 2 of the Annual Return – Annual Governance Statement.

The Purpose of the System of Internal Control

The system of internal control is designed to manage risk to a reasonable level rather than to eliminate all risk of failure to achieve policies, aims and objectives; it can therefore only provide reasonable and not absolute assurance of effectiveness. The system of internal control is based on an ongoing process designed to identify and prioritise the risks to the achievement of the Council's policies, aims and objectives, to evaluate the likelihood of those risks being realised and the impact should they be realised, and to manage them efficiently, effectively and economically.

Identifying and assessing risks:

The authority identifies, assesses and records risks associated with actions and decisions it has taken or considered taking during the year that could have financial or reputational consequences in accordance with Assertion 5, Section 1 of the AGAR.

The Internal Control Environment

The Council:

The Council has appointed a Chairman, who is responsible for the running of meetings and for ensuring that all Council decisions are lawful. The Council reviews its obligations and objectives and approves budgets and sets the level of precept at a full council meeting in the fourth Quarter of the financial year. The Full Council meets at least four times each year and monitors progress against its aims and objectives and actions to achieve them at each meeting. The Council carries out regular reviews of its internal controls, systems, and procedures.



Clerk to the Council/Responsible Financial Officer:

The Council has appointed a Clerk to the Council who acts as the Council's advisor and administrator. The Clerk is the Council's Responsible Financial Officer and is responsible for administering the Council's finances. The Council operates an approved Scheme of Delegation. The Clerk is responsible for the day-to-day compliance with laws and regulations that the Council is subject to and for managing risks. The Clerk also ensures that the Council's procedures, control systems and policies are adhered to.

Payments:

All payments by cheque or BACS are authorised by two or three Members of the Council (depending on the amount) and later reported to the Policy and Resources Committee.

Income:

All income is received and banked in the Councils' name in a timely manner and reported to the Policy and Resources Committee.

Risk Assessments / Risk Management:

The Council carries out regular risk assessments in respect of actions and regularly reviews its systems and controls.

Internal Audit:

The Council has appointed an Independent Internal Auditor who reports to the Council on the adequacy of it's:

- Records
- Procedures
- Systems
- Internal control
- Regulations
- Risk management

Reviews

The effectiveness of the internal audit system is reviewed annually.

External Audit:

The Council's External Auditors, PKF Littlejohn, submit an annual Certificate of Audit, which is presented to the Council.



REVIEW OF EFFECTIVENESS

The Council has responsibility for conducting an annual review of the effectiveness of the system of internal control. The review of the effectiveness of the system of internal control is informed by the work of:

- The Financial Scrutiny Panel;
- The Full Council;
- The Clerk to the Council/Responsible Financial Officer who has responsibility for the development and maintenance of the internal control environment and managing risks;
- The independent Internal Auditor who reviews The Council's system of internal control;
- The Council's external auditors, make the final check using the Annual Return, a form completed and signed by the Responsible Financial Officer, the Chairman and the Internal Auditor, and issue an annual audit certificate. The external auditors for 2025/2026 will be PKF Littlejohn.
- The number of significant issues that are raised during the year.

SIGNIFICANT INTERNAL CONTROL ISSUES

No significant internal control issues were identified during the financial year ended 2024-2025. The internal auditor in their report for the financial year ending 31 March 2025;

- a) To review the level of Fidelity cover.

EXTERNAL AUDIT FINDING

The external auditor in the 2023/2024 certificate stated that :

Except for the matters reported below, on the basis of our review of Sections 1 and 2 of the Annual Governance and Accountability Return (AGAR), in our opinion the information in Sections 1 and 2 of the AGAR is in accordance with Proper Practices and no other matters have come to our attention giving cause for concern that relevant legislation and regulatory requirements have not been met.

APPROVAL

A Statement of Internal Control shall be approved at the Annual Town Meeting each year.

Approved 25th November 2024

Reviewed July 2025

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Witham Town Council: Co-option Policy

Introduction

This policy outlines the procedure for filling casual vacancies on the council through co-option, in accordance with Section 79, 80, 83 and 87(2) of the Local Government Act 1972.

Casual Vacancies

A casual vacancy occurs when a councillor resigns, passes away, becomes disqualified **fails to make their declaration of acceptance of office at the proper time, or fails for six consecutive months to attend meetings of the council, its committees, or as a representative of the council at an outside body.**

The council will promptly declare the casual vacancy and initiate the process of filling the position.

Notice of Vacancy

Witham Town Council will notify the Braintree District Council returning officer of a casual vacancy, who will assist in the preparation of the statutory public notice of vacancies. The notice will be:

- Advertised as soon as practicable after a vacancy occurs;
- Displayed in some conspicuous place or places within the area of Witham Town Council. This includes as a minimum the WTC Notice Board, but may include any convenient and conspicuous location suitable for affixing such a notice;
- **Published on the council's website and social media to ensure maximum transparency and public awareness.**

Election Called by 10 or More Electors in Town

In the event that following the advertisement of casual vacancies an election (properly referred to as a "by-election") is called for by 10 or more electors from the town, no co-options can take place. The remaining councillors will continue until a by-election for the vacancies can be staged.

It should be stressed that if a by-election is called it is ONLY for the vacancies arising from resignations etc., and NOT the entire council; the non-vacant councillor position holders continue in office until the next scheduled full election.

Co-Option in the event of no election being required.

Witham Town Council are required to fill the casual vacancy as soon as practicable after the elapse of the 14 working day (excluding public holidays) notice period, in the event that no by-election is required. Co-Option will normally be conducted at the next planned Town Council meeting, but an Extraordinary Meeting may be called if considered expedient.

Co-Opted councillors remain in office alongside originally elected Councillors until the next scheduled full election, whereupon all seats are vacated and re-competed.

Eligibility of Co-Option Candidates

The eligibility for candidates is identical to that for a candidate in a full election or by-election, as **set out in sections 79 and 80 of the Local Government Act 1972.** On the day of co-option, they must:

- Be over 18;
- Be a United Kingdom, Commonwealth, Republic of Ireland, or European Union Citizen;
- Must Meet One of the following:



- On the Witham electoral roll, or;
- An occupier of land or premises in Witham for at least the whole of 12 months preceding the date of co-option, or;
- Has a principal or only place of work in Witham for at least the whole of 12 months preceding the date of co-option, or;
- A resident of Witham, or within a 3-mile radius of the boundary, for at least the whole of 12 months preceding the date of co-option.
- **Must not** meet any one of the following:
 - They are employed by the town council.
 - They are the subject of a bankruptcy restrictions order or interim order.
 - They have been sentenced to a term of imprisonment of three months or more (including a suspended sentence), without the option of a fine,
 - During the five years before the day of their application.
 - Is otherwise disqualified under Part III of the Representation of the People Act 1983 for corrupt or illegal practices.

All candidates for co-option must complete and sign a written declaration confirming their eligibility under section 79 and that they are not disqualified under section 80 of the Local Government Act 1972.

Co-option

Although the process for co-option is not prescribed in law it is important that all applicants be treated alike so that the arrangements are seen as open and fair. The co-option process adopted by Witham Town Council is as follows:

1. The Town Council will advertise the vacancy (or vacancies) on the Town Council Noticeboards, on the website and social media.
2. The notices will include:
 - A contact point so that people considering putting their names forward for co-option can obtain more information on the role of a town councillor;
 - A description of the co-option process;
 - The closing date for all expressions of interest;
 - The date on which the Town Council intends to make a decision.
 - **A statement that candidates must meet the statutory eligibility criteria and not be disqualified, with reference to the relevant legislation**
 - **Information on where further details and application forms can be obtained electronically.**

It is permissible for Town Councillors (or any parishioner) to approach individuals to suggest that they might wish to consider putting their names forward for co-option. Candidates expressing an interest will be sent an "Information Pack" containing:

- An 'Application for Co-option' form (see Appendix 2) which has on page 1 a declaration of eligibility, and on page 2 space to provide in no more than 200 words a narrative from the candidate explaining why they wish to be a Councillor, and what they consider they can contribute. It may be helpful for the applicant to reference the person specification at Appendix 1.
- A current copy of the WTC adopted Code of Conduct for



councillors, by which councillors will be required to comply and may be subject to investigation by Braintree District Council if a breach is alleged

When an application is received, the Town Clerk will review the application and check that the individual meets the qualification requirements.

The council may require evidence of eligibility if there is any doubt or challenge.

The short submissions on the reverse of the application form will be circulated to Town Councillors before the meeting at which the decision will be made. CVs and other covering letters are not acceptable.

Applicants will be informed of the date of the meeting at which the Town Council will make its decision on the co-option. Applicants may be invited to a meeting before this date to introduce themselves and to provide Councillors with a short (2-minute) pitch, and the opportunity for Councillors to ask questions of them-, or the Town Council can decide to rely on the written submissions alone.

Co-option meeting

Notice of the intention to co-opt should be included in the agenda for the meeting of the Town Council beneath a dedicated heading. If a routine Council meeting, co-option will occur early in the agenda so that new councillors on making a Declaration of Acceptance of Office can join the council and participate with immediate effect.

There is no requirement for co-option Candidates to attend the meeting in person if personal circumstances preclude this.

If applicants are not invited to speak or attend in person at the co-option meeting they are welcome to, but are not required to, attend as members of the public. In such circumstances normal Witham Town Council Public Participation rules apply with regard to speaking.

There are no special reasons which justify excluding the public during a council meeting when it is making decisions about a matter of public interest such as co-option. **The process should be open and transparent.**

Co-option Voting Process

Co-option is a decision of the Council, and should be determined by a majority vote. The person co-opted must receive a majority of the votes of those Councillors present and voting at the meeting where the co-option takes place. So, where there are more applicants than actual vacancies, this rule means that a person must get over 50% of the votes.

If the number of candidates equals the number of vacancies, a separate vote must be held for each candidate, and each must receive an absolute majority of those present and voting.

If no candidate receives a majority, the candidate with the fewest votes is eliminated and voting continues until a majority is achieved.

All councillors must vote for a co-option candidate, abstentions are not permitted.

After the Vote

Successfully co-opted applicants become Councillors in their own right, with immediate effect having signed their Declaration of Acceptance of Office, and are no different from any other member.

The Declaration of Acceptance of Office must be signed either before or at the meeting at which they are co-opted, or as soon as possible thereafter, in accordance with section 83 of the Local Government Act 1972.

If a co-opted member has completed and submitted the declaration form to the Chairman immediately, that member may if they wish join, and should be encouraged to do so, the Council in



voting for subsequent Co-Option candidates.

The Town Clerk will notify Electoral Services of the new councillor appointment, and initiate the Registration of Interests to meet legislative requirements.

Term of Office

Co-Opted Councillor's term of office runs until the next elections for the Town Council. They are not temporary appointments, and other than consideration for the broader Council's eligibility for the General Power of Competence are not in any way subordinate or inferior to an elected member.

Withdrawal of Candidacy

A candidate may withdraw at any time up to the submission of acceptance of office.

Consideration of candidates for co-option formerly unreturned in an election

Although there is no legal obligation upon Witham Town Council to consider a candidate for co-option more favourably if they have previously stood for election and were not returned, in the circumstance that such a candidate presents for co-option the Town Council may consider the indication of community support shown in an election in their favour when considering candidates, however, such consideration should not be disadvantageous to a candidate.

Unsuccessful Co-Option candidates

Where a candidate for co-option is unsuccessful in fulfilling a member vacancy, consideration should be given to their suitability to support the council in another formal role. This may include non-Councillor Membership of committees or subcommittees, either with or without voting rights dependent on role. This may suit candidates who cannot commit fully to the time expected of a Councillor, or if they have particular specialist interests or skills. Eligibility for Non-Councillor Members is identical to that for elected or co-opted members, and they must agree to the WTC adopted Code of Conduct. Candidates may optionally indicate their willingness to fill these roles so on their application form.

Challenge and Appeal

Any person (not just candidates) may challenge the process applied in a co-option meeting by means of the adopted WTC Complaint procedure. However, once a Declaration of Acceptance of Office is made, the candidate becomes a councillor and that cannot be reversed unless the Candidate is subsequently found to have been ineligible. Prior to the Declaration of Office being made, any person present may request a recount or clarification of the vote if it is unclear that a majority has been achieved or it is thought that a vote has not been cast. The only resolution available following an upheld complaint is a review and amendment of policy to prevent a recurrence of the inequity. There is no right of appeal by either unsuccessful candidates or the public.

POLICY NO: WTC/054

ADOPTED: FTC 12.06.2023

REVIEWED : June 2026

NEXT REVIEW: June 2029

WITHAM TOWN COUNCIL

Appendix 1 – Town Councillor Person Specification

Competency	Essential	Desirable
Knowledge & Experience	Demonstrable knowledge and understanding of local affairs and the local community. Proven experience of working with voluntary and or local community groups.	Experience of committee work. Experience of working with or for a public body such as a local authority. Knowledge of the powers and duties of a Town Council (training is available). Awareness of the boundaries of responsibility for District and County Councils. An interest or experience in one or more of the functional areas: • Planning Policy (National Planning Policy Framework; District & local Plans). • Provision of recreational facilities; • Passenger transport; • Finance & Risk Management; • Community engagement & Corporate communications; • Human Resources management; • Environment & Conservation; •
Skills, Aptitude & Abilities	Good communication and Interpersonal skills. Ability and willingness to represent the Council and the local community. Ability and willingness to undertake training. Desire to maintain and improve the quality of life for local residents. Desire to maintain and improve the local environment and services. Ability to analyse problems objectively, and arrive at evidence based decisions.	Computer literate. Presentation/public speaking Skills Willingness to be accountable for decisions to full council and the general public. Chairing skills, or experience of management & leadership.
Circumstances	Ability and willingness to attend meetings of the Council and also its partners, such as the local authority or other local bodies, in the evening and at weekends. Equipped and able to communicate via e-mail. Not employed by the Council in any capacity.	.

WITHAM TOWN COUNCIL

Appendix 2 – Candidate application form

APPLICATION FOR CO-OPTION TO WITHAM TOWN COUNCIL

I [_____] (full name)] of

[_____] (1)]

hereby apply for co-option to Witham Town Council.

I declare that on the date of application shown at (2) below:

- I am at least 18 years old.
- I am a British citizen, an eligible Commonwealth citizen or a citizen of any other member state of the European Union
- I meet at least one of the following four qualifications (tick as appropriate):
 - ☐ I am registered as a local government elector for the parish of Witham in respect of the qualifying address shown at (1) above, or;
 - ☐ I have occupied as owner or tenant any land or other premises in the town during the whole of the 12 months before the day of this application (shown at (2) below) (Show description of land or other premises below)
 - ☐ My main or only place of work during the 12 months prior to the day of this application (shown at (2) below) has been in the town or;
(Show address below of place of work and, where appropriate, name of employer)
 - ☐ I have lived in the town or within three miles of it during the whole of the 12 months before the day of this application (shown at (2) below) Show address in full if different from address shown at (1) above.

I declare that to the best of my knowledge and belief I am not disqualified for being elected by reason of any disqualification set out in, or decision made under, section 80 of the Local Government Act 1972, section 78A of the Local Government Act 2000 or section 34 of the Localism Act 2011.

Applicant's signature _____ Date _____ (2)

WITHAM TOWN COUNCIL

Please explain in no more than 200 words in total why you want to be a Councillor for Witham, and what you think you can contribute :

(Optional) If unsuccessful in selection for one of the available Councillor (member) vacancies, would you consider serving the Council in another capacity, such as a non-Councillor voting member of a Committee?

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