

GENERAL PURPOSES COMMITTEE

MINUTES AND DECISION RECORD

25 July 2007

The meeting commenced at 10.00 a.m. in the Connexions Centre, Hartlepool

Present:

Councillor: John Marshall (In the Chair)

Councillors: Tim Fleming, Sheila Griffin, Gordon Henery, Dr George Morris,
Jane Shaw and Gerald Wistow.

Officers: Tony Brown, Chief Solicitor
Mike Ward, Chief Financial Officer
Christine Armstrong, Central Services Manager
David Cosgrove, Principal Democratic Services Officer

6. Apologies for Absence

Councillors Akers-Belcher and Wallace.

7. Declarations of interest by members

None.

8. Confirmation of the minutes of the meeting held on 29 June 2007

Members raised a number of issues in relation to the minutes of the meeting held on 29 June 2007. Members were concerned with the note in relation to an amendment to the minutes of the meeting held on 23 March 2007. This reflected the lack of record of a debate in relation to a discussion on the public availability of School Governors details. A series of other detailed amendments to the minutes relating to the 2006/07 Statement of Accounts (min. no. 4 refers) and the Audit Commission Report – Audit and Inspection Plan 2007/08 (min. no. 5 refers) were discussed by the Committee. In light of the detailed amendments being proposed and supported by the Committee, the Principal Democratic Services Officer suggested that the amendments be incorporated into the minutes and that they be resubmitted for Members approval at the next meeting.

Members requested that clarification of the Committee's role be submitted to the next meeting by the Chief Solicitor. This request was in response to a debate on the Committee's consideration of the Statement of Accounts for 2006/07 at the meeting on 29 June 2007. Members considered that it was appropriate that they had a clear understanding of the issues they were being asked to consider and approve. Members acknowledged that other parts of the process relating to the accounts were the responsibility of other Committees of the authority. However, if this Committee was being asked to approve the statement of accounts, it was appropriate for this committee to understand the process that had been undertaken to produce that statement.

The Chief Financial Officer indicated that the questions raised by Councillors in relation to the statement of accounts at the previous meeting were being investigated and a report would be submitted to Members. Some of the points raised had been addressed in a letter from the Assistant Chief Financial Officer following the meeting.

In relation to the publication of school governor details Members requested that the information reported to the South Neighbourhood Forum on school governors information be forwarded to Members of this Committee. Members were concerned that inconsistent information was being given in relation to this issue.

Decision

1. That the minutes of the meeting held on 29 June 2007 be not approved as a correct record of the meeting
2. That the proposed amendments discussed and supported by the Committee be incorporated into the minutes of the meeting of the Committee held on 29 June 2007 and that those amended minutes be resubmitted for approval at the next meeting of the Committee.

9. Review of Polling Districts and Polling Places (*Chief Solicitor*)

The Chief Solicitor reported that the Electoral Administration Act 2006 (EAA 2006) introduced a duty for all polling districts and polling places to be reviewed by the end of 2007. The Electoral Commission have produced a document EC Circular 28/2007 that explained the processes and basis for the review, including a heavy emphasis on public consultation. To meet the requirements of the guidance a timetable that will enable the Council to conclude the review by the end of 2007 would be necessary. The report set out extracts from circular 28/2007 relevant to the process to enable members to focus on the arrangements that needed to be made. The report set out the details of the issues to be considered during the preliminary and proposal stages prior to public consultation. The Chief Solicitor indicated that the Committee might wish to appoint a sub committee to develop the proposals that would be subject to consultation. It was highlighted that there was no requirement to change

polling districts and/or polling stations, though there was a requirement to state the reasons for not doing so and indeed for setting out reasons for any proposed changes.

Members were concerned at the timetable set out in the report that required the whole review, including public consultation to be completed by the end of the year. The Chief Solicitor indicated that this in reality meant by the end of November as the revised electoral register had to be produced early in December. The timetable had been constrained by the late publication of the guidance on 26 June 2007. The Chief Solicitor indicated that he had already had preliminary discussions with the Scrutiny Manager on the inclusion of the review in the scrutiny work programme during the public consultation period. It may also be necessary to include an additional Council meeting in late November to ensure all the statutory deadlines were met for the new electoral register.

Members were concerned that while the government set standards for consultation that recommended a minimum twelve week period for consultation with the public, they frequently set timetables for local authorities that simply made such a requirement unattainable. This unfortunately left the local authority and its elected members open to criticism. Members requested that a letter be forwarded to the Electoral Commission expressing the committee's concerns by the Chief Solicitor, in a form to be approved by the Chair. Members also requested that the costs of the publication of an amended Register of Electors after 1 December 2007 be calculated to allow further consideration of the potential for extending the consultation period.

Members went on to highlight some of the issues that would need to be addressed during the review particularly relating to the most recent elections in May 2007 when there had been a number of problems with polling station access and location.

The Committee agreed that it would be appropriate to establish a sub committee to undertake the detailed work related to the detailed development of proposal for consultation. It was also suggested that a resident representative from each of the Neighbourhood Forums should be included on the sub committee membership. The Committee agreed that should the Neighbourhood Forums wish to appoint another Councillor to the sub committee in addition, they could do so but the focus would be to obtain a resident representative nomination.

Members also raised the potential of a general election being called while the consultation process as required by Electoral Administration Act was on-going. The Chief Solicitor indicated that the Electoral Registration Team was fully able to react to the calling of a general election at any time.

Decision

(a) that the timetable for the review be as follows:-

2007	Event
1st week September	Sub Committee consideration of preliminary proposals
2nd week September	Sub Committee consideration of preliminary proposals
16th September	Returning Officer's report on proposals
16th September	Public consultation/scrutiny commences
8th November	Public consultation/scrutiny concludes
15th November	Committee meeting – final proposals
22nd November	Council meeting
1st December	New register incorporating changes published

(b) That a sub-committee be established to prepare preliminary proposals and undertake any other action considered appropriate and that the following Members be appointed to that sub-committee:-

Councillors J Marshall (Chair), Akers-Belcher, Fleming, Griffin, Dr Morris and Shaw and a resident representative from each of the Neighbourhood Consultative Forums (and any other Councillor that they may nominate).

(c) That the Chief Solicitor be authorised to take any necessary action to implement the review, and the necessary consultations

(d) That Council be requested to call an additional ordinary meeting on 22 November 2007 to consider the final proposals of this Committee in relation to the review of Polling Districts and polling Places as required under the Electoral Administration Act 2006.

10. Any Other Business

The Chairman ruled that the following item should be considered by the Committee as a matter of urgency in accordance with the provisions of Section 100(B)(4)(b) of the Local Government Act 1972 in order that the matter was resolved at the earliest opportunity.

11. Appeals and Staffing Hearings

The Chair reported that following a recent Appeals and Staffing Sub Committee when Members had considered an appeal in relation to a staffing matter, the decision letter sent out to the appellant by staff in the Human Resources Division did not reflect fully the wording of the decision made by the Members of the Sub Committee. The Chair commented that the Members of the sub committee had carefully considered their decision and how they wished it to be conveyed to the appellant. The specific wording of the decision had been agreed by all the Members present and the Chair was unhappy that the decision letter to the appellant had not reflected that decision. The Chair indicated that he had taken the matter

up with the Chief Personnel Officer and a further letter had been sent to the appellant setting out the full decision of the Sub Committee.

The Chair indicated that he did not wish for this situation to arise again. He had, therefore, requested that the Chief Personnel Officer review the appropriate procedures so that the Personnel Officer present at the hearing to advise the Panel, remained with the Panel once the 'hearing' of evidence and submissions had been completed to advise the panel on the decision and the terms of that decision. This would ensure that the decision made by Members was consistent with the Council's approved policies and procedures and that the Officer could include the exact terms of the Sub Committee's decision in the subsequent letter to the appellant. The Chair indicated that he would request that any changes to the procedures would also be reported to this Committee.

CHAIRMAN