

PLEASE NOTE VENUE

GENERAL PURPOSES COMMITTEE AGENDA



Wednesday 5 December 2007

at 10.00am

**in the Red Room, Avondale Centre,
Dyke House, Hartlepool
(Raby Road entrance)**

MEMBERS: GENERAL PURPOSES COMMITTEE:

Councillors Akers-Belcher, Fleming, Griffin, Henery, J Marshall, Dr Morris, Shaw, Wallace and Wistow.

1. APOLOGIES FOR ABSENCE

2. TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS

3. MINUTES

- 3.1 To confirm the minutes of the meeting held on 28 September (attached) and 16 November 2007 (to follow)

4. ITEMS REQUIRING DECISION / ITEMS FOR INFORMATION

Review of Polling Districts and Polling Places

- 4.1 To receive the minutes of the meetings of the Polling District and Polling Places Sub Committee held on 21 August (attached), 3 September (attached) and 21 November 2007 (to follow).

- 4.2 Review of Polling Districts and Polling Places – Proposals to be submitted to Council – *Chief Solicitor*

Civic Lottery / Civic Regalia

- 4.3 Letter from Chair to the Chief Executive.

5. ANY OTHER ITEMS WHICH THE CHAIRMAN CONSIDERS ARE URGENT

GENERAL PURPOSES COMMITTEE

MINUTES AND DECISION RECORD

28 September 2007

The meeting commenced at 10.00 a.m. at Belle Vue Community, Sports and Youth Centre, Hartlepool

Present:

Councillors: George Morris (in the Chair)
Stephen Akers-Belcher, Sheila Griffin, Gordon Henery, Jane Shaw, Stephen Wallace and Gerald Wistow

Officers: Mike Ward, Chief Financial Officer
Chris Little, Assistant Chief Financial Officer
Angela Hunter, Principal Democratic Services Officer

Also present:
Caroline Tyrrell, District Auditor

16. Apologies for Absence

Apologies were submitted on behalf of Councillors Tim Fleming and John Marshall.

17. Declarations of interest by Members

None.

18. Confirmation of the minutes of the meeting held on 17 August 2007

Confirmed.

19. Final 2006/2007 Statement of Accounts and Audit Commission Annual Governance Report *(Chief Financial Officer)*

The Chief Financial Officer presented a report which enabled Members to approve the final 2006/2007 Statement of Accounts and note the Audit Commission's Annual Governance Report. The District Auditor was in attendance to highlight the key issues identified in the Annual Governance

Report and to answer any questions in relation to this report. The draft final accounts had been approved by this committee on 29 June 2007.

The Audit Commission had completed the review of the draft Statement of Accounts 2006/2007 and related matters and Members were advised that although no significant issues had been identified there had been some changes agreed with the District Auditor and these were incorporated within the final Statement of Accounts 2006/07 attached at Appendix B. Details of the amendments were included in the Annual Governance Report at paragraphs 16-20 and a summary of these changes was provided within the report.

A discussion ensued in which the following issues were raised:

- (i) Members referred to the minutes of the previous meeting of this Committee and advice provided by the Chief Solicitor and sought clarification on what this Committee were able to question in relation to the Statement of Accounts. The Chief Financial Officer informed Members that advice previously given by the Chief Solicitor indicated that this Committee could ask questions which were relevant to the discharge of its function in relation to the accuracy of the accounts. The Committee had been advised previously that the management of the accounts and any policy decisions were within the role of the Executive and the Scrutiny Function. It was noted that in view of previous discussions at this Committee, the suggestion that the responsibility for approving the accounts in the future be transferred to the Audit Committee was currently being pursued.
- (ii) Paragraph 34 of the Annual Governance Report indicated that the Committee were required to reach a conclusion on whether it was satisfied that the Council had proper arrangements in place to secure value for money. Clarification was sought on how the Committee could carry out this requirement without questioning the accounts. The Chief Financial Officer commented that the Committee's role was more of an administrative nature to 'rubber stamp' recommendations and that the function to challenge the accounts rested with Scrutiny. The Chief Solicitor had previously advised that the Committee's role was to consider to the best of their knowledge and ability whether the accounts were accurate and reflected the position of the Council.
- (iii) It was suggested that this discussion be held at an additional meeting at which the Chief Solicitor could be present to provide further clarification on this issue. The Chief Financial Officer advised Members that the deadline for the approval of the final Statement of Accounts for 2006/07 was 30 September 2007 which left insufficient time to reschedule this meeting. Members were asked to note that one of the implications of missing this deadline would be the withdrawal of the Council's Excellent Status as rated under the CPA. Members had concerns about

- the tight timescale and whether their concerns could be answered in this meeting.
- (iv) Members were reminded that the draft Statement of Accounts had been approved by this Committee on 29 June 2007 and that this meeting was to consider the amendments made in light of the Audit Commission's review. Members were concerned that the draft statement of accounts had been approved on the understanding that the Committee were unable to question certain areas. The District Auditor advised Members that if they had any questions about the Annual Governance Report she would answer them at this meeting.
 - (v) Members sought clarification on Appendix 6 of the Annual Governance Report and the 'adequate' conclusions for Value for Money. The District Auditor informed Members that during the Audit it had been proven that there were arrangements in place for all the Value for Money criteria which resulted in the 'adequate' conclusion and added that a more detailed examination would be undertaken as part of the Use of Resources Assessment.
 - (vi) The recent CPA inspection had been critical of the absence of medium term financial and service development planning. Members questioned whether departments had integrated financial and service development strategies in place as referred to in criteria 8. The Chief Financial Officer informed Members that detailed budget plans across two and three years were based on the executive portfolio areas. The District Auditor added that the review of the annual statement of accounts did not look at that level of detail but that this would be picked up within the Use of Resources Review.

COUNCILLOR GEORGE MORRIS HAD TO LEAVE THE MEETING AT THIS POINT AND IT WAS AGREED COUNCILLOR STEPHEN WALLACE TAKE THE CHAIR FOR THE REMAINDER OF THE MEETING.

COUNCILLOR STEPHEN WALLACE IN THE CHAIR

- (vii) Clarification was sought on whether there was any evidence of continuous improvement in relation to proper arrangements being in place to secure the value for money conclusions. The District Auditor confirmed that the Value for Money assessment did not examine continuous improvement although improvement in performance indicator targets were looked at separately.
- (viii) It was questioned whether this audit looked at the financial support for service development plans across their 3-5 year term. The District Auditor responded that this area would be included within this year's audit if it impacted on 2006/07 but that this audit concentrated on the whole authority and not the departmental detail.
- (ix) Members suggested weaknesses in medium term planning

meant there was no adequate framework for deciding spending priorities in accordance with strategic objectives. The cuts in home help provision and approval of tall ships expenditure were referred to as an example of where Members felt such explicit priority setting had not taken place. The District Auditor responded that all financial procedures covered by the Constitution were examined, however this did not include the allocation of reserves.

- (x) The recent CPA inspection was referred to and the District Auditor was asked what arrangements the Authority would be expected to have in place to secure continuous improvement in the allocation of resources and how this fits in with the medium to long term strategy of the Authority. The District Auditor informed Members that the criteria within the Use of Resources assessment could be examined in relation to how it was applied to the decisions made, but there would be a cost associated with undertaking this.
- (xi) It was proposed that an investigation be undertaken to examine the issues of good governance and management of the Council's accounts.
- (xii) In relation to value for money and the use of agency staff, a Member stated that he had been unable to establish the level of cost to the Council with regard to the use of agency staff on a departmental level. The District Auditor informed Members that although the operation of the payroll system was examined, this was not looked at in this level of detail. Members were advised that this was a policy issue and could be raised at a meeting of Council.
- (xiii) In view of the detailed discussion undertaken, it was suggested that the following be included within the recommendations: Members requested that their concerns that they felt constrained in relation to what questions could be asked on the Statement of Accounts and that further clarification be provided in relation to this issue by the Chief Solicitor at the next meeting of this Committee.

In view of the lengthy discussions undertaken at this meeting it was proposed that a vote be taken on the recommendations including the addition of point (xiii) as detailed above.

In light of the discussions undertaken, Members requested that it be noted that this Committee was not prepared to 'rubber stamp' decisions and recommendations and that Members were expected to challenge and question the actions of officers and that all bodies of the Council express the same view.

Decision

- (i) Members noted the report despite their concerns that they felt constrained in relation to what questions could be asked on the Statement of Accounts and that further clarification be provided in relation to this issue by the Chief Solicitor at the next meeting of this Committee.
- (ii) That the final 2006/07 Statement of Accounts as detailed at Appendix B be approved.

Councillor Stephen Akers-Belcher requested that his vote against recommendations (i) and (ii) be noted.

20. Any Other Business

In response to officers comments noted above, the Committee unanimously resolved that it was not prepared to 'rubber stamp' decisions and recommendations. Members were expected to challenge and question the actions of officers and recommended that all bodies of the Council express the same view and that this be reported to the next meeting of Council.

GEORGE MORRIS/STEPHEN WALLACE

CHAIRMAN

GENERAL PURPOSES COMMITTEE

MINUTES AND DECISION RECORD

16 November 2007

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

Present:

Councillor: John Marshall (In the Chair)

Councillors: Sheila Griffin, Gordon Henery, Dr George Morris, Steve Wallace and Gerald Wistow.

Also present: In accordance with Council Procedure Rule 4.2, Councillor Gladys Worthy as substitute for Councillor Stephen Akers-Belcher.

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

25. Apologies for Absence

Councillor Stephen Akers-Belcher.

26. Declarations of interest by members

None.

27. Confirmation of the minutes of the meeting held on 28 September 2007

Councillor Wistow indicated that an item had been raised under 'Any Other Business' at the meeting that had not been recorded in the minutes and reported to Council as had been agreed by the Members present. Members were concerned at the fact that the issue had not been recorded and the Chief Solicitor agreed that if there was a resolution of Members it should be reflected in the minutes. The Chair indicated his strong concern at the omission and requested an explanation as to why this had occurred.

It was suggested that the minutes be amended to reflect the omission and the Chair and Members agreed that that Councillors Wallace and Wistow should contact the Democratic services Team with a view to agreeing an

appropriate amendment. There was concern that the amended minutes would not be resubmitted until the next meeting of the Committee on 18 January 2007. Members did feel that the issue could be forwarded onto Council in the meantime.

Councillor Wistow commented that there were still other concerns in relation to the minutes of the meeting. Members had made comments in relation to the Committee simply 'rubber-stamping' the Council's accounts and which had led to the resolution that had not been included in the minutes. These comments had not been included in the minutes to Councillor Wistow's satisfaction.

The Chief Solicitor referred to the paper submitted with his report to the meeting of the Committee on 17th August 2007 and indicated that there were specific areas of expertise where it was appropriate for the Committee simply to acknowledge the expert advice of the Chief Financial Officer without Members needing that expert knowledge themselves. The Chief Solicitor acknowledged that he may have made reference to the phrase 'rubber-stamping' as a paraphrase but this was to be taken in the context of the advice given on 17th August 2007 which was repeated so far as relevant. The Committee was entitled to take the view that if the Chief Financial Officer had indicated that the accounts fairly reflected the Council's financial position, then they were entitled to rely on that. .

The Chair expressed his concern and indicated that if Members wished to question any issue, then they had the right to do so. Members agreed that if there was reference to 'rubber stamping' the report, then that is what should be recorded. Councillor Wistow was insistent that the reference should be noted in the minutes as an Officer had told the Committee that that was its job. Members expressed their objection to being asked to 'rubber stamp' any report at a meeting. The Chief Solicitor drew attention to the fact that that view was stated in the minutes.

The Chair expressed his dissatisfaction at having to go through minutes item by item looking for mistakes. The Chair indicated that he wanted assurances for the Democratic Services Team that when minutes of meetings are produced they reflect the debate that Members have had as closely as possible. The Chair considered that the minutes being submitted to the Committee were not good enough and needed to be improved.

The Chief Financial Officer stated that he did not ask the Committee to rubber-stamp the accounts but did indicate that he had referred to the Chief Solicitor's previous report.

Councillor Wistow referred to Minute No. 19 (iv) (page 3) in relation to the Council's medium term financial and service strategy. There had been criticisms made by the CPA but the minutes gave the impression that everything was okay; this was not the case. In the absence of a medium term strategy the Council did not have a clear framework for dealing with

difficult activities on a two to three year basis. The Chair was concerned that this was yet another issue of inaccuracy of the minutes.

The Financial Officer commented that five-year plans had been discussed but that in relation to issues of the magnitude discussed, three-year plans were more appropriate. The substance of the comments is recorded.

The Chief Solicitor acknowledged that the minutes were obviously causing Members some difficulty. There had never been an expectation that minutes would be a 'blow by blow' account of discussions. There was not set policy on minutes; they had evolved over the years. The essence of minute taking was to reflect the decisions that had been made and the gist of the meeting's discussion in reaching those decisions. The Chair considered that the minutes needed to be an accurate record of the meeting and he was not happy with the way they were being taken. Democratic Services Officers should ask Members what level of detail they require in minutes. This Committee requires detailed minutes and these are a long way from that. Reference was made by one member to the use of shorthand writers so that a full note of all comments could be taken.

The Chief Solicitor indicated that there would be a resource implication if Members wanted verbatim minutes of meetings. Councillor Wistow accepted that the minutes were not a verbatim account but the sense of what was recorded in (iv) was not an accurate reflection of what was discussed.

The Chair and the Members expressed their concerns in relation to the recording of minutes and questioned if all Democratic Services staff took shorthand notes of the meetings. The Chair considered that the person taking the minutes of the meeting should be competent to do the job so that Members didn't need to go through this constant revisiting of minutes at each meeting. Councillor Wallace did comment that he was not in favour of verbatim minutes as he felt they led to more debate rather than less. The meeting had discussed some very technical issues and the minutes were a fair attempt at reflecting that debate but they did require some fine-tuning.

In light of the concerns expressed by Members and the amendments they required to the minutes of the meeting of 28 September 2007, confirmation of the minutes was deferred until the next meeting.

28. Confirmation of the minutes of the meeting held on 30 October 2007

Confirmed.

29. Local Government Act 1972, Section 5 (*Assistant Chief Executive*)

The Chief Solicitor indicated that Section 85 of the Local Government Act 1972 states that if a member of a local authority fails throughout a period of six consecutive months from the date of his last attendance to attend any meeting of the authority, he shall, unless the failure was due to some reason approved by the authority before the expiry of that period, cease to be a member of the authority. If Councillor Kaiser failed to attend a meeting before 24th November 2007 he would, by virtue of this regulation, be disqualified from continuing to be a Member, unless before that date, the reason for his non-attendance is approved by the Authority.

General Purposes Committee does have the ability to deal with an urgent item that doesn't justify the calling of a full Council meeting. The Committee was therefore requested to approve the absence of Councillor Kaiser due to his recent ill health, until the next meeting of Council on 13 December 2007. A further report would then be submitted to Council on that date. Councillor Kaiser had given an indication that he intended to attend a meeting go the Planning Committee on 21 November 2007. This approval was sought to provide for the event that Councillor Kaiser was unable to attend that meeting.

Members supported the request but commented that the Public Relations Office should be informed of the reasons for Councillors long-term absence from meetings. There had been adverse press comments on Members non-attendance at meetings and there should be correct information available to clarify the situation. The Chief Solicitor indicated that he would pass Members comments on to the Public Relations Officer.

Decision

That approval be given to Councillor Kaiser's non attendance being extended from 24th November to 13th December in the event that Councillor Kaiser is unable, due to circumstances beyond his control, to attend the meeting of the Planning Committee on 24th November 2007.

30. Civic Lottery Fund (*Assistant Chief Executive*)

The Chairman reported that he had requested that this matter be brought back to the General Purposes Committee. When the Committee had examined the Council accounts Members had identified a 'pot of money' that they thought could be used for repair of the Civic Regalia. The Lottery Fund had been showed to have increased by £21,000 during the year. The Committee had asked for a request to be put to the Secretary of State as to what their decision would be in relation to the use of this fund for the repair of the civic regalia. However, when this matter was referred to the Grants Committee, due an apparent error in the Committee reports and minutes, no request had been forwarded to the Secretary of State. The Chair also noted that there was a request to the Grants Committee that the lottery fund be stopped altogether. This Committee had not ask for a

change in how the fund was to be operated. Grants Committee subsequently turned down this Committee's request but the Chair considered that that was because the information presented didn't reflect this meetings discussions. Members were still in a situation where the Civic Regalia Working Party and this Committee were looking for funds to repair the Civic Regalia.

The Chair stated he was very upset that the requests of Members were not being met and more, that they are being changed in between. Members have seen a draft of the letter to the Chief Executive. The Committee would now have to wait for a response to that letter. If it was necessary to bring Members together before the next scheduled meeting, the Chair indicated that he would and apologised to Members for that. The Chair was very concerned that when Members made a decision that what was asked to be done was done. In relation to the letter that Members requested to be sent to the Secretary of State asking that the fund be used to repair Civic Regalia, the Chair indicated that he would like an explanation on how it came about that that wasn't done.

The Chief Solicitor referred to the minutes of the meeting in June, in particular to page 2 and the discussion on earmarked reserves. In terms of the minutes of that meeting, no request was made for the Chief Solicitor to write to the Secretary of State in relation to changes to the Lottery Fund. There is a reference to that being discussed and that was reflected in the minutes. Over a period time, the Grants Committee, as the relevant body, has given consideration as to whether or not to change the scope of the Lottery Fund. It is an historic fact that the Grants Committee had requested the closure of the fund with the Secretary of State and this was done in 2005. The raising of the issue by this Committee brought the matter back on to the agenda of the Grants Committee. The appropriate body to consider this issue is the Grants Committee. The issue was taken to that meeting. There was also reference to the express wishes of this Committee. The Grants Committee is the body that can apply to the Secretary of State for changes to the fund.

The Chair did not consider this relevant; there was no proper record in the minutes of the Committee's request. The Chief Solicitor and the Assistant Chief Financial Officer were present at the meeting and were asked to make a request to the Secretary of State, not the Grants Committee, if that pool of money could be used in the way requested by Members. The way the issues had been presented to the Grants Committee made it look as though the request to close the fund had come from this committee; the report should have been clearer. Councillor Wistow commented that he could recall the Chair's reference to the request to be made to the Secretary of State. Unfortunately, when Members had reviewed the minutes, the error had not been noticed and the minutes had been approved. Councillor considered that is was another episode of imperfect minute taking.

Councillor Wallace indicated that the Committee had taken a decision to

contact the Secretary of State and subsequently Members discovered that this was not done. If the Committee is acting outside of its remit then the Chair should be informed; the explanation may be quite reasonable. The Chair considered that that would have been reasonable but he was still concerned that the report to the Grants Committee made it look as though the request to close the fund had been proposed by this committee.

The Chief Solicitor referred to the report to the Grants Committee, which had been circulated with the agenda papers. Paragraph 2.5 made reference to the previous considerations of the Grants Committee and paragraph 3.2 related to the request from this Committee. It did not imply the request for the closure of the fund came from this Committee. The report reminded the Committee of the previous discussions that took place. The request from this Committee was set in context.

The Chair stated that what did not happen was the request from this committee was not sent to the Secretary of State. The Chair also indicated that he had not been contacted with an explanation of why this had not been done. The Chief Solicitor indicated that he was not at the meeting (contrary to the Chairman's earlier remarks) and the request for him to write to the Secretary of State was not in the minutes. He commented that Members were stating he was requested to write to the Secretary of State but when the minutes are reviewed, it is not recorded there. If it had been there, the Chief Solicitor indicated that he would have clearly stated to this Committee that it could not require an Officer to take an action that was clearly within the role and remit of another, in this case, the Grants Committee. It was regrettable if the views of this Committee had not been appropriately reflected in the minutes; however, the Committee to correspond with the Secretary of State on the Lottery Fund is the Grants Committee.

The Chair considered that this should have been made clear to him. He considered that this was a grey area that had led to this committee's decision being over-turned and he was very unhappy that this had occurred. When Members made a decision that was in relation to another committee it still should be recorded in the minutes for the officer to whom the request had been made could be made aware of the request and could act on it. This issue must be taken to Council for debate. It needed to be clear how debates and decisions were to be recorded in minutes and how those decisions were to be actioned.

Members questioned who had made the decision not to write to the Secretary of State. The Chief Solicitor stated that no decision like that had been made; there was no relevant decision of the Committee to be actioned in that respect. Members considered that such a request had been made and should have been actioned. Again, it called into question how minutes were taken and produced. Councillor Worthy asked the Chief Solicitor who had decided not to tell him about this decision of the Committee. The Chief Solicitor commented that he did not believe there was such a decision by anyone - it appeared to him that the Democratic

Services Officer did not recognise a Members comment that the Chief Solicitor should write to the Secretary of State as a decision but took it as a comment.

Councillor Wistow commented that it had taken three meetings of Council to have a minute clarified and recorded properly. Councillor Wistow considered that guidance on how minutes are prepared needed to be produced. Were minutes circulated to the Chair and/or anyone else?

The Chief Solicitor indicated that minutes go to Officers in draft for any corrections and then back to this body. In the past, Officers resolutely did not action any minute until the minutes were approved by the same body to avoid any conflict. The business of local authorities was seriously slowed down but we had moved on since those times.

Councillor Wistow wanted assurance that the record of this meeting would reflect this debate and the wishes of Members. The Democratic Services Officer assured Members they would. Councillor Wallace commented that accurate minutes were essential, as officers could not be expected to take up decisions that were not clearly recorded. Members had had the minutes submitted to this meeting for a week. If Members had spotted inaccuracies they could have put their concerns to officers and much of the debate at this meeting could have headed off. Officers may disagree with the comments Members may have made and that debate could have been had more concisely at this meeting.

The Chair considered that there needed to be a clear understanding of how this committee wants minutes recorded. This committee requires decisions to be actioned straight away otherwise the whole process of business slows down unnecessarily. If Members don't read things and they get missed, then that does leave us with a problem. If this was an issue that was not appropriate for Council, then it should be discussed at the Constitution Working Party/Committee. Clearly, the situation was not satisfactory at the moment.

Councillor Wallace suggested that officers could contact the chair after a meeting to agree the actions to be taken forward. Councillor Wistow considered that this could only go so far and Members should not have the onus put on them to ensure the minutes were correct. The problem was with the minute taking. Councillor Griffin stated that this was simply down to the decisions of Members not being recorded and acted upon.

Councillor Wallace commented that when he had been Chair of other committees he had had no problems with the minutes he had received and had often suggested other organisations should meet the standards set here in Hartlepool. It appeared that in this case there only needed to be some minor adjustments to meet the requirements of Members.

The Chair considered that the issue needed to be moved forward. The Chief Solicitor should be requested to produce a paper to be submitted to

the Constitution Committee or wherever it should appropriately be referred. The Chief Solicitor indicated that the Chair was quite correct to refer to the Constitution Committee but Members should also note that the management of the Democratic Services Team fell within the remit of the Performance Portfolio Holder. The nature of the representation from the team and how it was administered was for the Portfolio Holder to determine. There was no issue with individual Chair's having their own particular arrangements for their committee. If the desire was to have that looked at on a council-wide basis, it would have resource implications. The Chief Solicitor indicated that if Members would allow him to produce a report on how and who should consider such a report the Committee could then submit a report to Council on this issue. Members considered it was appropriate to allow the Chief Solicitor to produce a paper for consideration by this committee, members could then determine how to move forward from that point.

The Chief Solicitor indicated that he would produce a paper on the other issues to be forwarded to Council in December. A report on minuting would be produced for a future meeting, probably the meeting in January. There was also the issue of the response from the Chief Executive that would also come forward. The Chief Solicitor indicated that he did not feel that it was an appropriate decision of the Committee to request him to write to the Secretary of State in the terms they had set out.

Members considered whether the request for the letter to the secretary of state should go back to the Grants Committee. Members questioned whether this Committee could write to the Secretary of State at all. Could the Committee not simply write asking what the response would be if such a request was put forward. The response to that question could then form part of this committee's case to the Grants Committee. The Chief Solicitor acknowledged the distinction made by Members and indicated that it did not mean the Committee was prevented from writing. The issue was about who was responsible for the fund. The administration of grants was an executive function; this was a council committee. The law was very clear on the determination of such matters being solely within the remit of the executive.

Members suggested that the chair could write as one politician to another, the Secretary of State. The Chief Solicitor suggested that the Committee could have joint meeting with the Grants Committee. The Chair indicated that may be an option for the future when the request came forward. The Chief Solicitor wished it to be recorded that he considered that the Committee was embarking upon work that was not within its remit. The Chair stated that the Committee was only asking for the Secretary of State's opinion. If the response was no, then that was the end of the issue, if it was possible, then a stronger case could be put to the Grants Committee.

The Chief Solicitor was still concerned that the committee was working up proposals to be submitted to the Grants Committee. This was not within

the function of this Committee. The Chair considered that the request would not substantially add to the Chief Solicitor's work and the Committee was only seeking an expression of opinion. Members supported this view.

Decision

1. That the Chief Solicitor writes to the Secretary of State seeking an expression of opinion as to whether the request of this Committee to seek to use the Civic Lottery Fund to fund the repair of the council's civic regalia would be favourably received.
2. That the Chief Solicitor produce a report on the processes in place within the authority and the practice of the Democratic Services Team in the preparation and production of minutes of meetings.

CHAIRMAN

GENERAL PURPOSES (POLLING DISTRICT REVIEW) SUB COMMITTEE

MINUTES RECORD

21 August 2007

The meeting commenced at 2.00 p.m. in the Belle Vue Community, Sports and Youth Centre, Hartlepool

Present:

Councillor: John Marshall (In the Chair)

Councillors: Stephen Akers-Belcher, Tim Fleming, Sheila Griffin,
Dr George Morris, Jane Shaw and Gladys Worthy.

Resident Representatives: Joan Steel, Bob Farrow and Michael McKie.

Officers: Tony Brown, Chief Solicitor
Christine Armstrong, Central Services Manager
Lorraine Bennison, Principal Registration and Members Services
Officer
David Cosgrove, Principal Democratic Services Officer

1. Apologies for Absence

None.

2. Declarations of interest by members

Resident Representative Bob Farrow declared a personal interest through his involvement with the Belle Vue Centre.

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

The Chief Solicitor reported that at their meeting on 25 July 2007, the General Purposes Committee resolved to establish a sub-committee to undertake the work involved in the review of polling districts and polling stations as required by the Electoral Administration Act 2006 (EAA 2006). The committee also approved a timetable for the review but in the light of concerns expressed by members of the committee regarding the time

available for public consultation, further consideration has been given to options to advance the commencement of consultation and to defer the date for implementation of the review. In consequence, it has been agreed with the Chairman that the first meeting of the sub-committee should take place earlier than proposed in the timetable, thereby enabling the second meeting to be advanced to the beginning of September (3 September).

Additionally, an assessment has been made of the latest date by which the review could be completed. In this respect, concerns centre around the timing of the issue of the new registers of electors, which are required to be published on 1st December. Whilst the ideal position would be to incorporate changes in the new register, it is felt to be acceptable that the changes be given effect by republishing the register on 1 January 2008 – but in this case, anyone wishing to have a copy of the register incorporating new district boundaries would have to wait until 1 January. In relation to the review programme, this would enable the changes to be referred to Council on 13 December 2007 (with a fall-back of a special Council meeting before Christmas if approval was not given on that date). In turn, this would extend the consultation period by a further two weeks approximately. Overall, these changes to the programme would build a further three to four weeks into the consultation period.

The Chief Solicitor briefly outlined the appendices circulated with the report which provided the following information/details: -

- 1) Current district boundaries - maps showing location of most recently used polling stations
- 2) List of existing halls/rooms available for public use/hiring (to follow)
- 3) Electorate at existing polling stations
- 4) Turnout at existing polling stations
- 5) Postal vote applications ward by ward
- 6) Any comments received in respect of last used polling stations
- 7) Information relating to future residential development (to follow)
- 8) Draft Hartlepool Borough Council Accessibility Strategy (to follow)
- 9) Future population estimates from Tees Valley Joint Strategy Unit (to follow)
- 10) EC Circular 28/2007

Members discussed some of the figures set out in the appendices and were concerned at some of the population projection figures when there was such significant development both on-going and proposed for the town. Members asked that the accuracy of the Joint Strategy Unit's figures in light of the proposed development was correct.

The Sub Committee went on to discuss the method of review and general matters that would affect it. It was highlighted that presently there were around 68500 electors in 17 wards with 50 polling districts. Some wards were quite small; Greatham for instance had only 1400 electors though the others averaged around 4100 electors. In the polling districts there were

an average of around 1350 electors. This needed to be balanced against recent turnout figures that gave average figures of 390 per polling district. If postal votes were then subtracted, the average number of electors visiting each polling station on polling day was 250, which was less than 20 per hour. The numbers obviously varied quite widely among individual polling stations. Members asked during the meeting for details of the postal votes for individual wards over the recent elections. The Central Services Manager indicated that no figures for postal votes other than those set out in the appendices relating to the most recent elections were available.

It was also necessary to take into account the geographical layout of the ward and polling districts. Busy main roads, walking distances, steep hills, large open spaces, school sites, cemeteries etc. all had an effect on the movement of people which needed to be taken into account.

The Chief Solicitor highlighted that as the Returning Officer he had the facility of using council premises as polling places – schools, community centres etc. However, there were issues of use for many other facilities around the town. Previously, those venues controlled by Housing Hartlepool would have all been readily available for instance. Management Committees and resident now were in some properties, deciding not to allow their use as a polling station. It was essential that the local authority had some reliability of availability of venues for polling places over the next few years, though it was accepted that over the years polling stations would change and move. In those areas where there were no readily available community facilities, portacabins were used, though only as a last resort. Portacabins had many problems, there were access problems for the elderly and disabled, they were costly and also unpopular with staff.

The Chief Solicitor indicated that in line with the requirements of the regulations, public notice of the review had been given. Once the sub committee had made its proposals, they would be open to public consultation. Some Members indicated that there may also be submissions made by the political groups.

The Sub Committee went on to discuss its approach to the review. Many members had comments to make in relation to specific polling stations and problems experienced at recent elections. The Sub Committee agreed to assess initially the number of polling districts for each individual ward. Utilising the maps circulated to Members showing each ward and the polling districts within each, the sub committee considered each ward in turn. The Chief Solicitor highlighted that in relation to parish areas the regulations state that “each parish must be a separate polling district; if this creates too large a district, it should be split into separate districts.” This would be particularly pertinent to the Elwick, Headland and Greatham Parish Councils areas.

The Sub Committee then discussed the seventeen wards in the borough

and considered the polling districts in each as set out on the maps. Members made the following recommendations for each ward.

Brus Ward – 3 polling districts (same as current situation)
Burn Valley Ward – 3 districts (same as current situation)
Dyke House Ward – 3 districts (same as current situation)
Elwick Ward – 8 districts (same as current situation)
Fens Ward – 3 districts (though consideration should be given to potentially combining EA/EB to reduce to 2 polling districts)
Park Ward – 3 districts (same as current situation)
Foggy Furze Ward – 3 districts (same as current situation)
Greatham Ward – 2 districts (same as current situation)
Grange Ward – 3 districts (same as current situation)
Hart Ward – 4 districts (same as current situation)
Owton Ward – 3 districts (same as current situation)
Stranton Ward – 4 districts (same as current situation)
Rift House Ward – 4 districts (increase by 1 by dividing LB)
Rossmere Ward – 4 districts (same as current situation)
Seaton Ward – 3 districts (same as current situation)
St Hilda Ward – 3 districts (same as current situation)
Throston Ward – 3 districts (redraw boundaries between QA and QB north to south)

It was highlighted that there were some detailed changes to be made to the boundaries of some of the polling districts due to recent housing developments. These would be included in the revised maps brought to the next meeting which would include those comments made by Members. The sub committee would then focus on the locations of polling stations within the districts.

The Chair indicated that the next meeting would be held on Monday 3 September at 10.00am. The venue for the meeting would be confirmed to Members shortly.

Decision

1. That the recommendations of the sub committee in relation to the polling districts in the wards are as set out above.
2. That revised ward maps based on the recommendations of the sub committee including any necessary detailed revisions be submitted to the next meeting.

CHAIRMAN

GENERAL PURPOSES (POLLING DISTRICT REVIEW) SUB COMMITTEE

MINUTES RECORD

3 September 2007

The meeting commenced at 10.00 p.m. in the Avondale Centre, Hartlepool

Present:

Councillors: Stephen Akers-Belcher, Tim Fleming, Sheila Griffin, and Gladys Worthy.

Resident Representatives: Joan Steel, Bob Farrow and Michael McKie.

Officers: Tony Brown, Chief Solicitor
Christine Armstrong, Central Services Manager
Lorraine Bennison, Principal Registration and Members Services Officer
David Cosgrove, Principal Democratic Services Officer

4. Appointment of Chair

In the absence of the Chair of the Sub Committee, Councillor Akers-Belcher was appointed Chair for this meeting.

5. Apologies for Absence

Councillors J Marshall, Dr Morris and Shaw.

6. Declarations of interest by members

Resident Representative Bob Farrow declared a personal interest through his involvement with the Belle Vue Centre.

7. Minutes of the meeting held on 21 August 2007

Consideration of the minutes of the previous meeting was deferred.

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

Following Members' discussions at the previous meeting revised polling district plans had been circulated to Members. The Chief Solicitor referred to his report where he had indicated that it was necessary to determine a

certain degree of certainty in relation to suitable premises for polling places. The following factors were relevant: -

- Where suitable premises are in Council ownership, e.g. schools, community centres, libraries, then it would be reasonable to identify such premises as the polling place. It would be unwise to seek to identify a specific room or section of the building as a change in circumstances might render the place unavailable.
- Where Council premises are not available, and it becomes necessary to rely on premises in the control of private persons/organisations, it is unlikely that the owner will be prepared to commit to the use of the premises in the long term. If there are alternative polling stations within an area comprising part of the district but uncertainty whether any of them will be available come an election, the polling place could be the area enclosing all alternative premises. In some instances, it may be possible to enter into a Service Level Agreement (SLA) for premises to be made available over the period until next review and, on that basis to identify the premises as the polling place.
- Where no suitable premises are identifiable, and reliance must be made on e.g. a portable unit, the whole of the district should be identified as the polling place.

It was highlighted that in relation to SLA's that it had not been the Council's previous practice to utilise these agreements. They had only come to the fore following recent discussions with Housing Hartlepool over the use of some of their premises. The Chief Executive had indicated to the Chief Solicitor that she would be happy to enter into such SLA's as long as they residents of the particular premises authorised such an agreement.

The meeting then moved on to consider the revised polling district maps for each of the wards. The revised maps showed in greater detail the layout of estates and housing areas and gave a clearer indication of the location of previous and proposed polling places.

BRUS WARD

There was discussion over the location of the polling place for district AA. Initial preference was for the station to be at the Working Men's Club, if not a portable unit located near the shops was considered the next best option. In light of this, it was decided to declare the whole of AA as the polling place. There were no concerns in relation to the polling places in AB and AC.

BURN VALLEY WARD

The alterations to the boundaries of BA and BB as discussed at the previous meeting were shown on the new plan. The new arrangements

were agreed.

DYKE HOUSE WARD

There was considerable debate over the revised boundaries for CA and CB. Members agreed to reconsider the boundary on a north south basis. Several alternatives were discussed. The final arrangements were suggested for consultation.

CA would remain as originally set out

CB would be reduced but as previously using the Jesmond Road polling place. CB to include Jesmond Road/Jesmond Gardens east across to a line North south along Chatham Gardens and Acclom Street.

CC – to include the part of previous CB east of Chatham Gardens and Acclom Street south of Challoner Road to Hart Lane. On the east side of Raby Road to include part Wharton Terrace, Tumbull, Hurworth, Perth, Gray and Granger Streets and the 'Walks'.

CD – new – the remainder of the previous CC not included in the revised CC above voting at the Library in Wharton Terrace.

ELWICK WARD

Arrangements to remain as present. The whole of the DB, DD, DG/DH (to be proposed as polling district DH) to identified as a polling places.

FENS WARD

The revised plans were agreed. There was some discussion over the polling places. EA was to utilise the Public House on Mowbray Road. EB and EC would both utilise the Fens School, though the arrangements at the school would need to be improved.

FOGGY FURZE WARD

Arrangements to remain as at present. In FC both the Club and the Belle Vue Centre would be designated as polling places. The Chief Solicitor still had concerns in relation to the Belle Vue Centre and the room used. Members did comment that the public had clearly indicated that they preferred the Centre. Members agreed that the Belle Vue Centre be identified as the polling place.

GRANGE WARD

The new arrangements for Grange were set out on the revised plan. GA would vote at the St John's Ambulance Hall on Sandringham Road, GB at the Lynnfield Centre and GC at Walmsley Hall on Osbourne Road.

GREATHAM WARD

Whole HA to be identified as polling place. Potential move of location of portable unit to the end of the black path. Other arrangements to remain.

HART WARD

Minor changes to IB and IC had been incorporated. The whole of ID to be identified as a polling place, though there was the potential to use the Rowntree Trust development as a polling place in the future.

OWTON WARD

Minor amendments had been made to JB. With the potential closure of Brierton Secondary School, Owton Manor Primary would be used as a polling place.

PARK WARD

Some minor changes had been made to KA and KB around Dunston Road.

RIFT HOUSE WARD

The previous LB had now been split as requested at the previous meeting with Oxford Road as the boundary between the two new areas. The polling places would be: LA – Rift House Primary School; LB – Browning Avenue Baptist Church; LC – Kingsley School; and LD – Swinburne House.

ROSSMERE WARD

No changes proposed.

St HILDA WARD

NA – it was proposed that the Phoenix Centre to replace Heronspol Close as the polling place. The whole of the district to be declared the polling place to allow for the arrangements to be clarified.

SEATON WARD

Some minor amendments had been made to the boundary between OB and OC. Polling places: OA – The Schooner PH; OB – Seaton Library; and OC – Seaton Youth Centre.

STRANTON WARD

Members discussed the potential polling places in the ward. A polling

place at the Church of the Nazarene was proposed but it was reported that approaches had been made and refused. There was discussion on the potential move of the polling place for PB to a location on Church Street.

THROSTON WARD

Members had discussed several changes to the boundaries of QA and QB at the previous meeting but on seeing the proposed maps, agreed to the return to the original polling districts. Polling Places to be: QA the polling district, QB– Throston Grange Community Centre; and QC – Jesmond Road Primary School.

DRAFT REVIEW DOCUMENT

The Chief Solicitor submitted a draft of the covering document that would be issued with the consultation documents. The proposals now approved by the Sub-Committee would be incorporated into the document together with the revised maps. Following the consultation period, the comments would be reported to a further meeting of the General Purposes Committee in November.

The Chair commended the sub committee for the detailed work undertaken during the two meetings.

Decision

That the proposed polling districts for Hartlepool approved by the sub committee and incorporating their comments as detailed above form part of the formal consultation documents for the Review of Polling Districts and Polling Places in Hartlepool

CHAIRMAN

GENERAL PURPOSES (POLLING DISTRICT REVIEW) SUB COMMITTEE MINUTES AND DECISION RECORD

21 November 2007

The meeting commenced at 2.00 p.m. in the Avondale Centre, Hartlepool

Present:

Councillors: Stephen Akers-Belcher, Sheila Griffin and Gladys Worthy.

Resident Representative: Bob Farrow.

Officers: Tony Brown, Chief Solicitor
Christine Armstrong, Central Services Manager
Lorraine Bennison, Principal Registration and Members Services
Officer
David Cosgrove, Principal Democratic Services Officer

9. Appointment of Chair

In the absence of the Chair of the Sub Committee, Councillor Akers-Belcher was appointed Chair for this meeting.

Councillor Akers-Belcher in the Chair

10. Apologies for Absence

Councillors Fleming, J Marshall, Dr Morris and Shaw and resident representatives Joan Steel and Michael McKie.

11. Declarations of interest by members

Bob Farrow declared a personal interest as a member of the Belle Vue Community, Sports and Youth Centre.

12. Confirmation of the minutes of the meetings held on 21 August and 3 September 2007

The following amendments were proposed to minute 3 of the meeting held on 21 August 2007 by the Chief Solicitor: -

Owton Ward – 3 Districts (same as current situation).

With that amendment, the minutes of the meeting on 21 August were confirmed.

The following amendments were proposed to minute 8 of the meeting held on 3 September 2007 by the Chief Solicitor: -

Elwick ward - Arrangements to remain as present. The whole of the DB, DD, DG/DH (to be proposed as polling district DH) to identified as a polling places.

Foggy Furze - that the Belle Vue Centre be identified as the polling place.

Hart Ward - The whole of ID to be identified as a polling place.

Stranton Ward - The whole of PB was identified as a Polling Place.

Throston Ward - Polling Places to be: QA the polling district, QB–Throston Grange Community Centre; and QC – Jesmond Road Primary School.

With those amendments, the minutes of the meeting on 3 September 2007 were confirmed.

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

The Chief Solicitor reported on the responses to the consultation received up to the close of the consultation period on 9th November 2007. The sub-committee was invited to agree the proposals (with any changes arising from the consultation) to be recommended to the General Purposes Committee at their meeting on 5th December 2007.

The Chief Solicitor indicated that the proposals had also been reported to the Scrutiny Coordinating Committee on 9 November 2007 and the comments made at the meeting were circulated for Members information. The Scrutiny Coordinating Committee had referred to the use of schools as polling places. A similar comment had also been made through the consultation responses and the Chief Solicitor commented on the use of schools when considering those responses. In relation to the use of public houses, the Chief Solicitor commented that their use had only arisen out of extreme need rather than using portable units.

The Scrutiny Coordinating Committee had also raised the issue of the frequency of elections. This was an issue outside of the scope of this review and would require legislation from the Secretary of State in order to change form the current practice of electing thirds each year.

Responses to the consultation were set out in the report with copies submitted as appendices. The Chief Solicitor indicated that the level of

response was relatively low, in total 13 responses. Of the responses submitted by questionnaire (11), there was overwhelming support for both the polling district boundaries and the polling places. There were several comments, set out in Appendix 1 to the report, raising issues, which members may wish to consider. Of greatest significance in terms of the number of polling places affected is the view expressed by one respondent that schools should not be used. The Chief Solicitor indicated that he was concerned at the suggestion that there should be a policy not to use schools as polling places. As Returning Officer, he was entitled to use any publicly funded building as a polling place. The practice adopted with schools was that the Returning Officer would discuss the issue with a school and if the school could show that hosting a polling station would seriously compromise security then it would not be used.

Members questioned the new portable units that were being used as polling stations. The Central Services Manager commented that the new mobile units were much improved over the previous 'porta-cabins'. Access was much easier and while ramps were needed for disabled access, overall access was much improved. Facilities for staff were also significantly better. The smaller units were still a little tight on space but overall they were a much-improved option, though permanent facilities were always preferred.

Details of the comments made in relation to the individual wards and polling districts were submitted for Members consideration. The Sub Committee considered each ward in turn and made the following comments: -

Brus Ward – as proposed.

Burn Valley – as proposed. Members did consider the appropriateness of the ORB Centre as a polling place and were reassured that it was an appropriate venue.

Dyke House Ward – Housing Hartlepool had confirmed the use of Lime Crescent Flatlets (CA) for the next four years.

Elwick Ward – as proposed.

Fens Ward – a consultation response proposed combining EC and EB into one large district that would then use a single station at Fens Primary School. It was also proposed that Ashby Grove be included in the combined district. Members supported the proposals.

Foggy Furze Ward – The Nursery in the Belle Vue Centre (FC) had been identified as being available for a polling station.

Grange Ward – the sub-committee agreed to reinstate the portable unit at the Supporters Club car park (GA). The use of the Walmsley Hall was agreed (GC). The sub committee agreed to revert to the original district and polling places for the ward.

Greatham Ward – a mobile unit would be situated at the end of Catcote Road (HA).

Hart Ward – as proposed.

Owton Ward – as proposed.

Park Ward – as proposed.

Rift House Ward – as proposed, though Members requested that the use of Swinburne House as a polling place be kept under review.

Rossmere Ward – as proposed.

St Hilda Ward – as proposed. Housing Hartlepool had confirmed the use of the Phoenix Centre (NA) for the next four years.

Seaton Ward – as proposed.

Stranton Ward – as proposed.

Throston Ward – as proposed.

With the final comments made above, the sub committee agreed that the proposals be reported to the General Purposes Committee.

Decision

That the Sub Committees comments and recommendations in relation to the review of polling districts and polling places as set out above and in the supporting documentations submitted to the sub committee be forwarded to the General Purposes Committee as its final proposals.

CHAIRMAN

GENERAL PURPOSES COMMITTEE

5th December 2007



Report of: Chief Solicitor

Subject: REVIEW OF POLLING DISTRICTS AND POLLING PLACES

1. PURPOSE OF REPORT

The purpose of this report is to invite the Committee to approve their report to the Council upon the conclusion of the review of polling districts and polling places.

2. BACKGROUND

Elsewhere on this agenda, members have received the minutes of the General Purposes (Polling District Review) Sub-committee meetings at which the polling districts and polling places have been reviewed and proposals established for changes to be made as set out in the minutes. A consultation exercise has taken place on the proposals which were considered by the sub-committee at their meeting on 21st November 2007. The proposals as approved by the sub-committee are set out in Appendix 1. The draft report to Council on 13th December 2007 attached at Appendix 2 invites the Council to approve the proposals

3. RECOMMENDATIONS

That the committee now submit the proposals to Council for approve in accordance with the draft report Appendix 2

4. BACKGROUND PAPERS

Consultation paper and appendices

5. CONTACT OFFICER

Tony Brown, Chief Solicitor



Report of: General Purposes Committee

Subject: Review of Polling Districts and Polling Places

1. PURPOSE OF REPORT

To invite the Council to approve the proposals for review of the Polling Districts and Polling Places set out in the attached proposals

2. BACKGROUND

In discharge of the requirement for review of polling districts and polling places imposed on all authorities by the Electoral Administration Act 2006 (EAA 2006) by the end of 2007, the General Purposes Committee have produced proposals for review of the polling districts and polling places in the Hartlepool Constituency.

Proposals produced by the General Purposes (Polling District Review) Subcommittee have been the subject of a public consultation exercise from 9th September to 9th November 2007. The proposals have also been examined by the Scrutiny Coordinating Committee. The proposals have been reviewed in the light of the responses received in the consultation exercise.

3. PROPOSALS

Appendix 1 sets out the proposals as approved by the Committee at their meeting on 5th December 2007

4. RECOMMENDATIONS

That Council approve the polling districts and polling places as set out in Appendix 1 and authorise the Electoral Registration Officer to take all necessary steps to implement the changes proposed, including publication of the outcome of the review as required by the Electoral Administration Act.

5. BACKGROUND PAPERS

Consultation Paper and appendices

6. CONTACT OFFICER

Tony Brown, Chief Solicitor and Electoral Registration Officer

PROPOSALS APPROVED BY GENERAL PURPOSES (POLLING DISTRICT REVIEW) SUB-COMMITTEE

POLLING DISTRICT	ELECTORATE (APPROX)	PROPOSED POLLING PLACE(S)
BRUS WARD – No change to Polling Districts		
AA	2027	Area bounded by King Oswy Drive, Fulthorpe Ave, Nicholson Way and Joyce Road*
AB	2327	West View Community Centre, Miers Avenue
AC	383	St. Thomas More's Parish Centre, Easington Road
<p>NOTE: District AA – No suitable polling place identified as available in proposed area. Arrangements to be put in place for the use of a portable unit.</p>		
BURN VALLEY WARD – Minor changes to Polling Districts BA and BB		
BA	1148	Eldon Grove*
BB	1744	St. Matthew's Community Centre*
BC	1355	ORB Centre, Shrewsbury Street*
<p>NOTE: District BA – Eldon Grove identified as Polling Place.</p>		
DYKE HOUSE WARD – Polling Districts increased from 3-4		
CA	1013	Lime Crescent Flatlets
CB	832	Jesmond Road Primary School
CC	1179	Brougham Annexe, Wharton Terrace
CD	781	Parton Street*
<p>NOTE: District CD – No suitable polling place identified as available in proposed area. Arrangements to be put in place for the use of a portable unit.</p>		

PROPOSALS APPROVED BY GENERAL PURPOSES (POLLING DISTRICT REVIEW) SUB-COMMITTEE

POLLING DISTRICT	ELECTORATE (APPROX)	PROPOSED POLLING PLACE(S)
ELWICK WARD – No change to Polling Districts		
DA – Hart Parish	484	Village Hall, Front Street, Hart
DB – Hart Parish	110	Polling District DB
DC – Elwick Parish	529	WI Hall, The Green, Elwick
DD – Elwick Parish	167	Polling District DD
DE/DF – Dalton Piercy and Brierton Parishes	213	Village Hall, Dalton Piercy
DG/DH – Claxton and Newton Bewley Parishes	90	Polling District DH
<p>NOTE: District DB – No suitable polling place identified as available in proposed area. Arrangements to be put in place for the use of a portable unit. District DD – No suitable polling place identified as available in proposed area. Arrangements to be put in place for the use of a portable unit. District DH – No suitable polling place identified as available in proposed area. Arrangements to be put in place for the use of a portable unit.</p>		
FENS WARD – Polling Districts reduced from 3 to 2		
EA	1437	The Vineyard, Mowbray Road*
EB	2638	Fens Primary School
<p>NOTE: Polling Place in Fens School will be a 'super' polling station.</p>		

PROPOSALS APPROVED BY GENERAL PURPOSES (POLLING DISTRICT REVIEW) SUB-COMMITTEE

POLLING DISTRICT	ELECTORATE (APPROX)	PROPOSED POLLING PLACE(S)
FOGGY FURZE – No change to Polling Districts		
FA	1218	Foggy Furze Branch Library
FB	1355	St Cuthbert's Church Hall, Stratford Road
FC	1418	Belle Vue Community Centre*
NOTE: None		
GRANGE WARD – No change to Polling Districts		
GA	1544	Supporters Club Car Park – Portable Unit
GB	1279	Lynnfield Community & Learning Centre
GC	1117	Polling District GC
NOTE: District GC – No suitable polling place identified within district. Propose use of Walmsley Hall, although outside of Ward has been used as polling station for this area for many years.		

* New polling place

PROPOSALS APPROVED BY GENERAL PURPOSES (POLLING DISTRICT REVIEW) SUB-COMMITTEE

POLLING DISTRICT	ELECTORATE (APPROX)	PROPOSED POLLING PLACE(S)
GREATHAM WARD – No change to Polling Districts		
HA	886	Polling District HA
HB	795	Greatham Community Centre, Front Street, Greatham
<p>NOTE: District HA– No suitable polling place identified as available in proposed area. Arrangements to be put in place for the use of a portable unit.</p>		
HART WARD – Minor changes to Polling Districts IB and IC		
IA	994	Barnard Grove Primary School
IB	1594	St Marks Community Centre
IC	1457	Bamburgh Court
ID	539	Polling District ID
<p>NOTE: District ID– No suitable polling place identified as available in proposed area at present time. Arrangements to be put in place for the use of a portable unit until such time as an alternative community venue available.</p>		

PROPOSALS APPROVED BY GENERAL PURPOSES (POLLING DISTRICT REVIEW) SUB-COMMITTEE

POLLING DISTRICT	ELECTORATE (APPROX)	PROPOSED POLLING PLACE(S)
OWTON WARD – Minor changes to Polling Districts JB & JC		
JA	1540	Owton Manor Primary School*
JB	824	Owton Manor Community Centre
JC	1798	Grange Primary School
NOTE: District JA – Owton Manor Primary School identified as Polling Place.		
PARK WARD – Minor changes to Polling Districts KA and KB		
KA	2006	High Tunstall School
KB	1695	Bowls Pavilion, Ward Jackson Park
KC	957	Hartlepool Cricket Club
NOTE: None		

PROPOSALS APPROVED BY GENERAL PURPOSES (POLLING DISTRICT REVIEW) SUB-COMMITTEE

POLLING DISTRICT	ELECTORATE (APPROX)	PROPOSED POLLING PLACE(S)
RIFT HOUSE WARD – Polling Districts increased from 3-4		
LA	823	Rift House Primary School*
LB	993	Browning Avenue Baptist Church*
LC	1213	Kingsley Primary School
LD	1600	Swinburne House, Swinburne Road*
NOTE: District LA – Rift House Primary School identified as Polling Place.		
ROSSMERE WARD – No changes to Polling Districts		
MA	636	Tanfield Road Nursery
MB	1483	Rossmere Centre, Rossmere Way
MC	1341	Rossmere/Ardrossan Community Building
MD	1199	Jutland Road Community Centre
NOTE: None		
SAINT HILDA WARD – Minor changes to Polling Districts NB & NC		
NA	1514	Phoenix Centre*
NB	1510	St Helens Primary School
NC	1301	Constables Lounge, Borough Hall
NOTE: None		

PROPOSALS APPROVED BY GENERAL PURPOSES (POLLING DISTRICT REVIEW) SUB-COMMITTEE

SEATON WARD – Minor changes to Polling Districts OB & OC		
OA	1900	The Schooner, Warrior Drive
OB	1713	Seaton Carew Branch Library
OC	1676	Seaton Carew Youth Centre
NOTE: None		
STRANTON WARD – No changes to Polling Districts		
PA	1065	Mill House Leisure Centre
PB	841	Polling District PB
PC	1124	Central Library, York Road
PD	848	Burbank Community Centre
NOTE: District PB – Old West Quay confirmed availability.		
THROSTON WARD – No changes to Polling Districts		
QA	1732	Polling District QA
QB	1813	Throston Grange Community Centre
QC	1189	Jesmond Road Primary School
NOTE: District QA – No suitable polling place identified as available in proposed area. Arrangements to be put in place for the use of a portable unit.		

GENERAL PURPOSES COMMITTEE

5 December 2007



Report of: Chair of the General Purposes Committee

Subject: Civic Lottery Fund – Letter to Chief Executive

The correspondence between the Chair and the Chief Executive on the issues related to the use of the Civic Lottery fund to repair the civic regalia are attached for members' information and comment. Members should note that the draft letter is the same as the subsequent letter to the Chief Executive dated 21 November 2007.

Councillor John Marshall
22 St Helen's Street
Hartlepool
TS24 0EW

CEMS/JM/OA

2nd November 2007

TO: Councillor Akers-Belcher, Fleming, Griffin, Henery, Morris, Shaw, Wallace and Wistow

Dear Councillor

As discussed at the meeting of the General Purposes Committee on Tuesday 30th October, I have drafted a letter to the Chief Executive outlining the concerns/issues raised by members in the meeting. If you have any comments or amendments to the draft letter, can you respond to me or David Cosgrove in the Democratic Services Team, by 5pm on Monday 5th November 2007.

Yours sincerely

COUNCILLOR JOHN MARSHALL

DRAFT LETTER TO CHIEF EXECUTIVE FROM GP COMMITTEE

Civic Lottery Fund

At the meeting of the General Purposes Committee, held on 30 October 2007, serious concerns were expressed by Members regarding the action/lack of action by Officers following the meeting of the Committee held in June.

At the June meeting of the Committee, Members asked the Chief Solicitor to write to the Secretary of State seeking approval to the proceeds from the Civic Lottery Fund being used to repair Civic Regalia. However this had not been done and instead a report had been submitted to the Grants Committee which referred to the 'future of the Fund' and 're-affirmation of a desire to close the Fund'. This is unacceptable. Had the request been put to the Secretary of State and had subsequently been rejected, Members would have been able to consider another avenue for securing funding for the repairs. The Chief Solicitor gave his opinion to the Grants Committee and this, together with the wording of the report, could have had some bearing on the Grants Committee's decision to refuse the decision of the Committee.

Members have highlighted that the General Purposes Committee considered it important that the town's heritage be safeguarded but the Committee had not asked for the Civic Lottery Fund to cease. Members were very disappointed that the Committee's request had not been implemented and expressed the view that it was not the first time Members had asked for something to be done which had subsequently not been actioned by Officers. Members of the Committee are aware that this happens 'continuously' and have highlighted that they intend to be vigilant. The Committee made a reasonable request and they consider it to be a conduct issue if Officers are not doing what is asked of them.

In view of the grave concerns expressed, it was suggested that the Committee should make recommendations to Council so that the issues raised can be debated openly. However, following discussion the Committee agreed that it was appropriate to first include an item on the agenda for the next meeting of this Committee. In the meantime, Members agreed that I should write to you to convey the concerns of the Committee. Can I clarify that the problem is not that the Grants Committee rejected the request of the Committee; it is that the Committee's request had not been referred to the Secretary of State as requested by members and that the Committee did not request that the Civic Lottery Fund be changed in any way. It was noted that the Assistant Chief Financial Officer understood that request. If there had been a problem regarding writing to the Secretary of State, Officers should have referred back to Members to clarify the request before a report was put to the Grants Committee.

In addition to the concerns detailed above, it was highlighted at the meeting of the Committee that the Assistant Chief Executive's name appeared on the

agenda and report but he was not present to answer Members' queries. It was considered that reports should be presented by those named on the agenda as it is unfair on less senior Officers to be put in potentially difficult positions. The non-attendance of the Chief Solicitor and Assistant Chief Financial Officer was also noted by Members together with the fact that Officers had not apologized for their non-attendance.

I look forward to your receiving your response to the issues highlighted in my letter.

JOHN MARSHALL

CHAIRMAN, GENERAL PURPOSES COMMITTEE

21 November 2007

Councillor John Marshall
22 St Helen's Street
HARTLEPOOL
TS24 0EW

Dear Councillor Marshall

Civic Lottery Fund

I refer to your letter, regarding the above, which I received on 15 November 2007.

Following investigation, I set out below responses to the various issues raised in your letter:-

- Your statement that the Chief Solicitor was requested to write to the Secretary of State is not borne out by the minutes of the relevant meeting. The minutes do record that the arrangements for the Civic Lottery were discussed and that members requested further information which has subsequently been provided, but not that a request to the Secretary of State was requested by the Committee.
- It is the Grants Committee that is responsible for all civic lottery grants and the financial management arrangements of the existing scheme. It was, therefore, appropriate to seek the approval of the Grants Committee prior to sending a letter to the Secretary of State.
- Subsequent to the June meeting, an e-mail was circulated to Officers who attended that meeting, seeking clarification of the responsibilities for communicating with the Secretary of State. In addressing that matter, the officers noted that action previously authorised by the Grants Committee had not been pursued. In e-mail exchanges with other officers, reference was made to a telephone conversation with yourself on 23 August 2007 in which you expressed the desire that the Grants Committee consider the proposal from the General Purposes committee to use the civic lottery fund for repairing Hartlepool Civic regalia, and if they support this view to then seek approval from the Secretary of State. Officers therefore prepared a report which sought to deal with the previous decisions of the Grants Committee, and also the use of the fund as desired by General Purposes Committee.
- The Grant Committee's report referred to the 'future of the Fund' and 'reaffirmation of a desire to close the Fund' related to a previous request made by the Grants Committee for a review of the Lottery Fund with a view to its cessation. The Grants Committee report provided for preliminary discussion on the future of the Lottery Fund.

The report referred separately to the General Purposes Committee's request that consideration be given to an amendment of the current guidelines to include the potential for repair of the town's historic Civic Regalia.

- In terms of the presentation of the Chief Solicitor's 'opinion' to the Grants Committee, it is the duty of Officers to provide advice to Members.

- A long standing protocol exists within this Council, and indeed most Local Authorities, that Officer attendance at meetings is at the discretion of the relevant director or chief officer and takes account of the purpose of the meeting. A Director or Chief Officer will only delegate one of his/her Officers to attend a meeting on their behalf if they are satisfied that that Officer has the expertise and know ledge to be able to deal with Members' questions at the meeting.
- In summary, it is my understanding that no request was made of the Chief Solicitor or any other officer to write to the Secretary of State as suggested in your letter. Officers in attendance at the meeting in question were certainly aware of the Committee's desire to use the lottery fund for the repair of the civic regalia and, commendably took appropriate steps to ensure that the matter was brought before the Grants Committee. I therefore consider that your suggestion that officers have failed to action the decision of the General Purposes Committee is wholly unfounded and, whilst recognising that occasional oversight occurs, I would also reject any suggestion that officers continually fail to take action required by members.

I trust the above is helpful, how ever if I can be of any further assistance, please do not hesitate to contact me.

Yours sincerely

Paul Walker
CHIEF EXECUTIVE

Councillor John Marshall
22 St Helen's Street
Hartlepool
TS24 0EW

CEMS/JM/OA

23rd November 2007

To all Members of General Purposes Committee

Councillors Akers-Belcher, Fleming, Griffin, Henery, J Marshall, Dr Morris, Shaw, Wallace and Wistow

Dear Colleague

CIVIC REGALIA – LOTTERY FUND

You will receive a letter from me through Paul Walker's office along with the letter we sent him in regard to the Civic Regalia and lottery fund. As you can see he has not sent the letter to the General Purposes Committee, just me. I now forward that on with a copy of the original letter sent. It was clear from our last meeting that a request was made by us to contact the Secretary of State about the use of the lottery fund pointed out by the Members at the time of the last meeting.

I had a conversation with Chris Little asking on progress of our request and the meeting and was given (its happening). The Chief Executive however disagrees with our recollection of events at the meeting which brings into question our sincerity over this issue and others, ie minute keeping.

I will put this issue on the agenda for discussion at our next meeting.

Yours sincerely

John Marshall

COUNCILLOR JOHN MARSHALL
CHAIRMAN – GENERAL PURPOSES COMMITTEE



Department for Culture, Media and Sport
Department for Culture Media & Sport
2-4 Cockspur Street
London
SW1Y 5DH

26th November 2007

Dear Sir/Madam

Lotteries and Amusements Act 1976, s. 7 – variation of purposes for use of civic lottery fund

During the period 1977 – 1982, an authority lottery was promoted by Hartlepool Borough to raise funds for leisure, recreational or environmental projects. Following the grant of consent by the Secretary of State on 4th December 1989, the criteria for assistance from the fund currently is –

- Any application must be for either leisure, recreational or environmental projects, and following approval by the Secretary of State in December 1989, it is now also possible for charitable organisations to qualify for assistance.
- Applicants must be based in the Borough of Hartlepool
- Applicants should be either organisations or individuals supported by a club/organisation
- Other criteria limiting the value frequency and take up of and the administration for grants

In recent years the applications for grant funding received and approved by the Council have not been sufficient to take up the whole of the income from the fund which has now risen to a current value of £411,000 (as at 31st March 2007) and it accrues annual interest of £16,000 approx. The Grants Committee has resolved to increase the maximum for each grant with a view to expending the whole of the income, but it remains to be seen whether this has the desired effect.

The General Purposes Committee of the Council (which has no responsibilities for administering the lottery fund) has queried whether some part of the fund and/or income could be made use of for the repair and refurbishment of the Council's civic regalia and historic community regalia e.g from military or ethnic groups which has been placed in the custody of the Council, with a view to its display to the public. The General Purposes Committee consider that display of the regalia would be of considerable interest to the general public, visitors and persons having links with groups whose regalia is held by the

Council. The view is expressed that this would be an appropriate use for some part of the fund.

Before any steps are taken to develop repair and display proposals and quantify the costs involved – and indeed to consider formally seeking variation - I would be grateful if you would kindly clarify the criteria for approval of proposals for authorising variation of the purposes for which a fund created under the Act may be used, and whether purposes such as those described above could be taken to be appropriate for a fund created for leisure, recreational or environmental projects.

A handwritten signature in black ink, appearing to read 'Julian Brown', written in a cursive style.

Chief Solicitor
Hartlepool Borough Council

GENERAL PURPOSES COMMITTEE

5 December 2007



Report of: Chief Solicitor

Subject: Decision Making Process

1. PURPOSE OF REPORT

The purpose of this report is to invite the Committee to consider the report to Council following the Committee's concerns raised in relation to the rubber stamping of decisions at its meeting on 28 September 2007 (Minute No 20 refers)

2. BACKGROUND

The draft report to Council of 13 December 2007 is attached at Appendix 1.

3. RECOMMENDATIONS

That the Committee approve the attached report, subject to any amendments for submission to Council on 13 December 2007.

4. BACKGROUND PAPERS

Minutes – 28 September 2007



Report of: General Purposes Committee

Subject: Decision Making Process

1. PURPOSE OF REPORT

The report is a referral from the General Purposes Committee

2. BACKGROUND

At the meeting of the General Purposes Committee, held on 28th September, 2007, in response to officers comments made at the meeting, the Committee unanimously resolved that it was not prepared to 'rubber stamp' decisions and recommendations. Members were expected to challenge and question the actions of officers and recommended that all bodies of the Council express the same view and that this be reported to the next meeting of Council.

3. PROPOSALS

Appended to the report is a copy of the minutes and decision record of the General Purposes Committee held on 28th September 2007.

4. RECOMMENDATIONS

That Council note the concerns of the General Purposes Committee in relation to rubber stamping of decisions and that Council's views be sought.