

GENERAL PURPOSES COMMITTEE AGENDA



Tuesday 14th March, 2006

at 9:30 a.m.

in Committee Room 'B'

MEMBERS: GENERAL PURPOSES COMMITTEE:

Councillors Belcher, Flintoff, Hall, Henery, J Marshall, Shaw, Wallace, Wistow, Young.

- 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 15th February, 2006 (*attached*)
- 4. ITEMS FOR DECISION**
 - 4.1 Review of Parish Electoral Arrangements – *Chief Solicitor*
 - 4.2 Parish Council Election Recharges – *Chief Solicitor*
- 5. ANY OTHER ITEMS WHICH THE CHAIRMAN CONSIDERS ARE URGENT**

6. LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

CONFIDENTIAL ITEMS

Under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in the paragraphs referred to below of Part 1 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) Act 1985

7. ITEMS REQUIRING DECISION

7.1 None

8. ANY OTHER CONFIDENTIAL ITEMS WHICH THE CHAIRMAN CONSIDERS ARE URGENT

8.1 None

GENERAL PURPOSES COMMITTEE

MINUTES AND DECISION RECORD

15th February 2006

Present:

Councillor: David Young (In the Chair)

Councillors: Stephen Belcher, Bob Flintoff, Gerard Hall, John Marshall, Jane Shaw and Stephen Wallace

Officers: Anne Turner, Governor Support Officer
Joan Wilkins, Principal Democratic Services Officer
Jan Bentley, Democratic Services Officer

25. Apologies for absence

None.

26. Declarations of interest by members

Councillor Belcher declared a private and personal interest in Minute No. 29 below and left the meeting during consideration of the English Martyrs School item.

27. Confirmation of the minutes of the meeting held on 15th December, 2005

Confirmed.

28. Local Government (Access to Information) Act 1985

Under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in the paragraphs referred to below of Part 1 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) Act 1985.

Minute No. 29 – Appointment of LA Representatives to Serve on School Governing Bodies - (namely information relating to a particular office holder, former office holder or applicant to become an office holder under the Council (para 1)

29. Appointment of Local Authority Representatives to Serve on School Governing Bodies (*Director of Children's Services*)

Purpose of report

To make recommendations for referral to the Cabinet in respect of the appointment of Local Authority (LA) representative governors to serve on school governing bodies where vacancies currently exist and on the expiry of terms of offices of governors in February 2006.

Issue(s) for consideration by the Committee

Members were advised of applications invited from members of the public, elected Members and those governors whose terms of office were about to expire who were interested in serving as a LA representative governor on school governing bodies.

Details of the criteria for the selection of successful applicants were outlined in the report and a detailed schedule of vacancies, copies of each application (not for publication), appended for Members' information.

Decision

That the recommendations for the appointments set out in the confidential section of the minutes, of LA Representative governors be referred to Cabinet on 27th February for approval.

30. Any Other Items Which The Chairman Considers Are Urgent

The Chair informed the Committee that he had received a letter from Councillor Marshall expressing his disappointment that the question of payments for parish elections had not been brought to this meeting. Councillor Marshall also requested that the Chief Solicitor report on this issue at the next scheduled meeting of this Committee.

Decision

That the Chief Solicitor reports on Payments for Parish Elections to the next scheduled meeting of this Committee.

COUNCILLOR DAVID YOUNG

CHAIRMAN

GENERAL PURPOSES COMMITTEE

14th March 2006



Report of: Chief Solicitor

Subject: Review of Parish Electoral Arrangements

1. PURPOSE OF REPORT

The purpose of this report is to invite members to consider further issues arising from their decision On 14th November 2005.

2. BACKGROUND

2.1 At their meeting on 14 November 2005, the Committee resolved to recommend to Council that the parish comprise one ward rather than 2 wards as at present.

2.2 In the light of that decision, there arises for consideration, the number of councillors to represent the ward.

2.3 My report to the committee on 15th June 2005, when consideration was given to the first stage of consultation included the following paragraph

2.6 Members may wish, however, to give particular consideration to the issue of the number of councillors to be elected for Headland Parish Council. The only response which addressed this issue – from a parish councillor – indicated that the number of councillors elected should remain the same i.e. 13. However it should be noted in this regard, that each of the other parishes in their area has 7 councillors – though the populations of the other parishes are in every case significantly less than that of the Headland parish.

2.4 I have been informed by the Chairman of Headland Parish Council that, at their meeting on 28th February 2006 a lengthy discussion took place on the appropriate size of the Parish Council it being concluded that the current number of 13 should be maintained. It is true to say that there appears to be a significant interest on the part of local people to be members of the parish council and a figure reflecting that interest might have the effect of

avoiding the necessity for a poll to fill seats, whereas a lower number might give rise to a greater level of competition, necessitating the holding of a poll at election time.

3. **RECOMMENDATION**

That Members approve a recommendation to Council that the Parish Council consist of 13 members.

GENERAL PURPOSES COMMITTEE

14th March 2006



Report of: Chief Solicitor

Subject: PARISH COUNCIL ELECTION RECHARGES

SUMMARY

1.0 PURPOSE OF REPORT

To agree the arrangements relating to parish council election costs.

2.0 BACKGROUND

Legislation is in place to allow the Council to reclaim the costs of organising and running parish elections from each parish council. At present, the Council reclaims all costs that are incurred, if an election is contested. Where parish elections are combined with borough elections, the costs are shared equally across each election.

Over the last 20 months, 4 by-elections have been held in the Headland Parish. These took place in March, July and August 2004 with a further election being held in March 2005.

The Headland Parish Council were issued with an invoice in respect of the first election that was held in March last year. Following receipt of the invoice the Chairman of the Headland Parish Council, Councillor Derek Allison, requested clarification on some of the items that were included and asked for further details on the costs that had been incurred. The Parish Council were provided with the information requested, following which a meeting was held with Councillor Allison.

3.0 ISSUES FOR CONSIDERATION

At the meeting that was held in December last year, Councillor Allison raised the point that the Council had discretion as to whether election expenses were reclaimed. I advised him that it has always been Council practice to reclaim election expenses from parish councils. Councillor Allison has asked whether the costs of a by-election can be met by the borough council rather than being recharged to the parish council. I agreed to place an item before this Committee for you to

consider this matter again. Section 36(5) of the Representation Act 1983 states that -

‘All expenditure properly incurred by a returning officer in relation to the holding of an election of a parish councillor shall,, be paid by the district council, but any expenditure so incurred shall, if the district council so require, be repaid to that council by the council of the parish for which the election is held.’

I attach a spreadsheet (**Appendix A**) providing details of the relevant costs.

4.0 FINANCIAL IMPLICATIONS

The cost of holding a by-election is in the region of £1000 for a single ward or parish with the actual amount being recharged to the relevant parish council.

The Chief Financial Officer advises that we do not have any budget provision for funding parish council elections. His view, as an accountant, is that the costs of democracy should be borne by the democratic body. He could accept an argument that were the size of the parish was so small that such a burden would fall disproportionately high then discretion would be appropriate. Given that the Headland is the largest of our parishes and would not therefore be deemed to be small, he does not think that this argument is appropriate. Therefore costs should be borne by the relevant democratic body.

5.0 RECOMMENDATION

Members are asked to consider the request.

Parish Council Elections	25-Mar-04	15-Jul-04	12-Aug-04	17-Mar-05	
	2 Wards	1 Ward	1 Ward	1 Ward	
			2 vacancies	2 vacancies	
	£	£	£	£	
STAFFING					
Returning Officer Fee or DRO Fee	359.14	184.65	184.65	184.65	
Polling Station Supervisor Fee	160.65	0.00	0.00	0.00	
Count Supervisor Fee	64.00	0.00	0.00	0.00	
Presiding Officer Fee	224.64	115.90	115.90	115.90	
Poll Clerk Fee	134.40	69.05	69.05	69.05	
Counter Fee	169.60	65.76	87.14	87.14	
DELIVERY					
Delivery of Election Equipment	191.00	73.77	49.18	49.18	
Delivery of Poll Cards	267.40	158.00	120.00	144.70	
Post Notice of Election/Notice of Poll		98.36	73.77	85.00	
PREMISES CHARGES					
Constables Lounge	90.00	N/A	90.00	N/A	
St Helens	40.75	40.75	N/A	40.75	
POSTAGES					
*Postal Votes - Issued @ 28p each	29.96	11.76	16.80	23.80	
*Postal Votes - Returned @ 28.5p	17.10	3.99	4.85	7.69	
PRINTING					
Print Ballot Papers	145.00	64.00	50.00	71.62	
Print and Finish Poll Cards	44.16	51.69	40.20	22.64	
Print Count Sheets	3.48	N/A	N/A	N/A	
					Grand Total
TOTAL	1941.28	937.68	901.54	902.12	4682.62
* Items not included on original invoice	Invoice No CEOSID1/379 in the amount of £1935.62	Invoice to raise	Invoice to raise	Invoice to raise	