

GENERAL PURPOSES COMMITTEE AGENDA



Friday 13 February 2009

at 10.00am

in

Committee Room A, Civic Centre

MEMBERS: GENERAL PURPOSES COMMITTEE:

Councillors Akers-Belcher, Atkinson, Flintoff, Griffin, G Lilley, Morris, Shaw, Sutheran and 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 14 November 2008
4. **ITEMS REQUIRING DECISION / ITEMS FOR INFORMATION**
 - 4.1 Council Election by Thirds – *Chief Solicitor*
 - 4.2 Review of Polling Places – *Chief Solicitor*
5. **ANY OTHER ITEMS WHICH THE CHAIRMAN CONSIDERS ARE URGENT**

GENERAL PURPOSES COMMITTEE

MINUTES AND DECISION RECORD

14 November 2008

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

Present:

Councillors: Bob Flintoff (in the Chair)
Reuben Atkinson, Sheila Griffin, Geoff Lilley, Jane Shaw and
David Young

In accordance with Paragraph 4.2 (ii) of the Council Procedure Rules
Councillor Chris McKenna attended as substitute for Councillor
George Morris

Officers: Peter Devlin, Chief Solicitor
Christine Armstrong, Central Services Manager
Ann Turner, Governor Support Officer
Denise Wimpenny, Principal Democratic Services Officer

15. Apologies for Absence

Apologies for absence were submitted on behalf of Councillors Akers-Belcher and Dr Morris.

16. Declarations of interest by Members

Councillor Chris McKenna declared a prejudicial interest in minute No 19 and indicated his intention to leave the meeting during consideration of this item of business.

17. Confirmation of the minutes of the meeting held on 22 August 2008

Confirmed.

18. Council Elections by Thirds *(Chief Solicitor)*

The Chief Solicitor referred to previous reports submitted to this Committee in relation to Council Elections by Thirds and, in particular, relating to the approximate costs of consulting with registered electors on the most appropriate electoral scheme. The Committee requested on 22 August that Cabinet's views be sought on the proposed consultation with electors together with the possible identification of an appropriate budget.

The report included background information to this issue which concentrated upon the provisions of the Local Government and Public Involvement in Health Act 2007 which allowed for changes to Council electoral schemes. The indicative costs of consultation considered by this Committee on 22 August were attached at Appendix 1.

For the further information of Members the content of previous report on this subject had been replicated in the report.

At the meeting of General Purposes Committee on 22 August 2008 Members discussed the additional costs that could be incurred at an “all out” election and asked for a breakdown of the costs of both types of election. In addition to the costs identified in paragraph 2.2 of the report additional expenditure of around £27,000 would be incurred in respect of staffing, election staff training, count staff and electoral participation, (advertising and information to electors).

With regard to Cabinet discussions, Cabinet endorsed the view of the Committee that any consultation “needed to reach everyone”. Consequently, on the likely expenditure of costs, the pertinent indication of costs related to that which involved consulting with “all electors” approximately 69,000 individuals. However, Cabinet were concerned of the level of costs associated with such an exercise when the existing system of election “by thirds” did not appear to warrant change. It was indicated through the Assistant Financial Officer, that such a consultation exercise could be assimilated with the normal billing arrangements, although this would need to be explored and likely cost savings identified.

It was also suggested (although) not within the remit of the matter before General Purposes) that any consultation on changes to the electoral system should cover the issue of whether there should be ‘Single Member Wards’. Given the views expressed of Cabinet, no specific budget provision had been identified in relation to undertaking any form of consultation.

Discussion ensued on the feedback from Cabinet and Members were of the view that the issue should be referred to Council for debate. In relation to the suggestion that any consultation on changes to the electoral system should cover the issue of whether there should be ‘Single Member Wards’ the disadvantages of a reduction to Single Member Wards was highlighted. In response to a query as to how a boundary review could be launched, Members were advised that any boundary review could be initiated by the Boundary Commission on the basis of observation and identifying such a need.

A Member expressed concern regarding the suggestion of such a consultation exercise being assimilated with the normal billing arrangements and highlighted that this arrangement would not reach everyone.

Decision

- (i) That the contents of the report and the comments of Cabinet, be noted.
- (ii) Agreed that consultation on any changes to the electoral scheme should involve consulting with all registered electors, subject to a budget provision being identified.
- (iii) This matter be referred to Council for debate.

PRIOR TO CONSIDERATION OF THE FOLLOWING ITEM OF BUSINESS COUNCILLOR CHRISTOPHER McKENNA DECLARED A PREJUCIAL INTEREST AND LEFT THE MEETING

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

Members were advised that applications had been invited from members of the general public, Elected Members and those governors whose term of office was about to expire and who were interested in serving or wished to continue to serve as a LA representative governor on school governing bodies. The criteria agreed by the Council for the recruitment of LA representative governors in 2000 was outlined in the report.

A schedule, attached at Appendix 1, was circulated, which set out details of vacancies which existed for LA representative governors together with applications received in respect of the vacancies, attached as a confidential appendix to the report. Following agreement with the Chair, two additional applications were tabled at the meeting.

Decision

That the following recommendations for the appointments of Local Authority representative governors be referred to the Children's Services Portfolio Holder for approval:

Barnard Grove Primary School – Councillor Robert Cook
Brougham Primary School – Sylvia Marshall
Jesmond Road Primary School – Sandra Saint
Lynnfield Primary School – Councillor Robert Payne
Rossmere Primary School – Councillor Ann Marshall
Throston Primary School – Kevin Shears and Councillor Christopher John McKenna
Ward Jackson Primary School – Olwyn Little

The meeting concluded at 10.20 am

CHAIRMAN

GENERAL PURPOSES COMMITTEE

13 February 2009



Report of: Chief Solicitor

Subject: COUNCIL ELECTION BY THIRDS

1. PURPOSE OF REPORT

- 1.1 To up-date Members, following their meeting on the 14 November, 2008, of the Council decision on 11 December, 2008, “that no further action be taken” in relation to the Council’s electoral scheme. At a meeting of the General Purposes Committee held on 22 August, 2008, a report was presented by the Chief Solicitor, which allows for changes to Council electoral schemes as part of the provisions of the Local Government and Public Involvement in Health Act 2007. This report covers the basis of the information contained within that earlier report and appraises Committee members of the outcome of the debate held at Council.

2. BACKGROUND

- 2.1 The General Purposes Committee, at its meeting held on 4 July 2008, considered a report of the Chief Solicitor, which concentrated upon the provisions of the Local Government and Public Involvement in Health Act, 2007, which allows for changes to Council electoral schemes. Members in noting the contents of the report, requested “that the costs of consulting with all registered electors on the most appropriate electoral scheme” be provided through a further report to the Committee. A further report was submitted to the General Purposes Committee held on 22 August 2008 that included some indicative costs of consultation.
- 2.2 Since 1974, following local government reorganisation, elections in Hartlepool had taken place by thirds. Local government reorganisation in 1996, arising from the provisions of the Local Government Act, 1994, confirmed the holding of elections by thirds through the Cleveland (Structural Change) Order, 1995, which provided all out elections in 1995, but for elections then to revert to election by thirds. A report had been presented to the Council’s Unitary Status Committee on 11 January, 1995, informing the Committee of the intended provisions of the Order. It is indicated, in the requisite minute from that Committee, that the report was duly noted, but without further comment. The Chief Solicitor, in his report to the General Purposes Committee on 18th

January, 2008, indicated a total of 137 authorities, currently elect by thirds, with one third of Members retiring each year and their seats up for fresh election. Seven authorities elected by halves, whilst 234 held whole Council elections once every four years. Although, indicative costs were supplied as to the holding of an election, a number of factors could influence such a consideration, not least, having a combined poll such as a Parliamentary and European election. For the elections in 2008, the direct elections costs are approximated at £75,000. These recent elections covered 15 wards as opposed to 17 and did not include the rural wards of Greatham and Elwick, which can have a profound effect on the issue of costs. The average cost of organising and staffing a polling station is £1000 which would take the costs of an election in all wards of the borough to around £83000 under the current electoral arrangements.

- 2.3 At the meeting of the General Purposes Committee on 22 August 2008, Members discussed the additional costs that could be incurred at an “all out” election and asked for a breakdown of the costs of both types of election. In addition to the costs identified above, additional expenditure of around £27000 would be incurred in the following areas at an “all out” election:

Staffing (admin support in relation to dealing with extra candidates)
 Election staff training
 Count staff
 Electoral Participation/Advertising/Information to electors

- 2.4 A further area of consideration is in relation to by-elections. Consultation with other Councils who currently hold “all out” elections has indicated that around 3-4 by-elections occur during the intervening period between elections. The average cost of any by-election would be £6000 but is dependent upon the number of polling stations in the ward in question.
- 2.5 Further, it was clearly noted, that any move to alter the current arrangements, would require considerations other than matters of cost. Indeed, the Chief Solicitor, noted issues such as community engagement, staff skills and training and a “democratic deficit issue”, to consider.

3. THE LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT, 2007

- 3.1 This legislation enables a local authority to change their electoral scheme. However, the provisions require a process of consultation to be followed. There is also the stipulation of certain periods during which a resolution may be passed and at which point a resolution will be capable of implementation, so as to ensure that the implementation fell in line with the ordinary day of elections for authorities of the type to which the change was made. Accordingly, in the case of Hartlepool, the decision to change from current arrangements made prior to 31 December, 2010; take effect at the elections immediately following that date ie May, 2011. Thereafter, such a decision could be made in 2014 and in each fourth year thereafter between the date of Annual Council and 31 December and would be implemented at the date of elections in the following year.

- 3.2 Of particular note, any change needs to be approved by Council at a meeting specially convened for that purpose and be carried by a two thirds majority.
- 3.3 It is a requirement under the Act that before a Council can proceed to a resolution for whole Council elections it must have *“taken reasonable steps to consult such persons as it thinks appropriate on the proposed change”*. (Section 34(2) of the Act refers). Although, the extent of any consultation is not prescribed within the Act, the Cabinet Office has issued a “Code of Practice on consultations”. Within that consultation document, are six consultation criteria, as follows;
1. Consult widely throughout the process, allowing a minimum of 12 weeks for written consultation at least once during the development of the policy.
 2. Be clear about what your proposals are, who may be affected, what questions are being asked and the timescale for responses.
 3. Ensure that your consultation is clear, concise and widely accessible.
 4. Give feedback regarding the responses received and how the consultation process influenced the policy.
 5. Monitor your department’s effectiveness at consultation, including through the use of a designated Consultation Co-ordinator.
 6. Ensure your consultation follows better regulation best practice, including carrying out a Regulatory Impact Assessment if appropriate.
- 3.4 It should be noted that this Cabinet Office document does not have legal force, and therefore cannot prevail over statutory or mandatory requirements. That said, its use and application is encouraged on aspects of consultation by public authorities. The Electoral Commission have indicated, although as indicated the same is not prescribed, that consultation should be “all encompassing”, a view endorsed by Members of the General Purposes Committee at their meeting on 4 July, 2008.

4. CABINET DISCUSSION

- 4.1 In their discussions, Cabinet endorsed the view of the Committee that any consultation “needed to reach everyone”. Consequently, on the likely expenditure of costs, the pertinent indication of costs related to that which involved consulting with “all electors”, approximately 69,000 individuals. However, Cabinet were concerned of the level of costs associated with such an exercise, when the existing system of election “by thirds” did not appear to warrant .

5 COUNCIL DEBATE

5.1 On 11 December, 2008, Council had regard to the report and recommendations of the General Purposes Committee and to an earlier Motion on Notice, which had come before Council in February, 2008, which led to a referral to the Committee. Following a debate, it was moved and seconded “that no further action be taken”. Twenty eight members voted in favour of that motion with ten against, a recorded vote having been taken.

6 RECOMMENDATION

1. That the Committee note the contents of this report.

CONTACT OFFICER

Peter Devlin, Chief Solicitor

GENERAL PURPOSES COMMITTEE

13 February 2009



Report of: Chief Solicitor

Subject: REVIEW OF POLLING PLACES

1. PURPOSE OF REPORT

1.1 To consider and review the suggestions for alternative polling places to be used at future elections.

2. BACKGROUND

2.1 Under Section 18 of the Electoral Administration Act 2006, local authorities are required to review their polling districts and polling places on a 4 yearly cycle. The last review of polling districts and polling places was undertaken in autumn 2007 and agreed by Council in December 2007. The next scheduled review must be completed by December 2011.

2.2 In addition to the above, each Council is required to keep their polling districts and places under review during the intervening period.

2.3 Attached at **Appendix A** is a table detailing the existing polling districts and places. No adverse comments or complaints were received regarding any of the venues used at the elections in May 2008.

3. PROPOSALS

3.1 Currently we have 59 polling districts which reflect local areas and communities. There are no plans to review polling districts and therefore it is will not be necessary to revise and republish the Electoral Register.

3.2 However, of our 57 polling places, 5 may not available for use at the combined Mayoral and European elections to be held in June 2009. Attached at **Appendix B** are details of the affected polling districts together with the existing and proposed polling places.

3.3 For the majority of the polling districts, at the time of preparing this report, no suitable building has yet been identified and/or confirmed as available for use as a polling station in June this year. Therefore, the polling district is

suggested as the polling place. This will ensure that, if necessary, a portable unit can be sited within the polling district.

- 3.4 Following changes to polling places, there is a requirement to publish the revised details. Public notice is usually given at council buildings including the Civic Centre, branch libraries and community buildings. Notice is also published on the Council's website.

4. EQUALITY AND DIVERSITY CONSIDERATIONS

- 4.1 An access audit will be undertaken at all proposed locations to ensure that buildings or portable units are fully accessible.

5. RECOMMENDATIONS

- 5.1 That Members consider and agree the alternative venues or polling districts that have been identified as possible polling places as detailed in Appendix B.

6. BACKGROUND PAPERS

General Purposes Committee Minutes – 5 December 2007
Council minutes – 13 December 2007

7. CONTACT OFFICER

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EXISTING POLLING DISTRICTS AND PLACES 2007

POLLING DISTRICT	POLLING PLACE
BRUS WARD	
AA	Area bounded by King Oswy Drive, Fulthorpe Ave, Nicholson Way & Joyce Road
AB	West View Community Centre, Miers Avenue
AC	St Thomas More's Parish Centre, Easington Road
BURN VALLEY WARD	
BA	Eldon Grove
BB	St Matthew's Community Centre
BC	ORB Centre, Shrewsbury Street
DYKE HOUSE WARD	
CA	Lime Crescent Flatlets
CB	Jesmond Road Primary School
CC	Brougham Annexe, Wharton Terrace
CD	Parton Street
ELWICK WARD	
DA	Village Hall, Front Street, Hart
DB	Polling District DB
DC	WI Hall, The Green, Elwick
DD	Polling District DD
DE/DF	Village Hall, Dalton Piercy
DG/DH	Polling District DH
FENS WARD	
EA	The Vineyard, Mowbray Road
EB	Fens Primary School
FOGGY FURZE WARD	
FA	Foggy Furze Branch Library
FB	St Cuthbert's Church Hall, Stratford Road
FC	Belle Vue Community Centre
GRANGE WARD	
GA	Supporters Club Car Park – Portable Unit
GB	Lynnfield Community & Learning Centre
GC	Polling District GC
GREATHAM WARD	
HA	Polling District HA
HB	Greatham Community Centre, Front Street, Greatham
HART WARD	
IA	Barnard Grove Primary School
IB	St Marks Community Centre
IC	Bamburgh Court
ID	Polling District ID
OWTON WARD	
JA	Owton Manor Primary School
JB	Owton Manor Community Centre
JC	Grange Primary School
PARK WARD	
KA	High Tunstall School
KB	Bowls Pavilion, Ward Jackson Park
KC	Hartlepool Cricket Club

POLLING DISTRICT	POLLING PLACE
RIFT HOUSE WARD	
LA	Rift House Primary School
LB	Browning Avenue Baptist Church
LC	Kingsley Primary School
LD	Swinburne House, Swinburne Road
ROSSMERE WARD	
MA	Tanfield Road Nursery
MB	Rossmere Centre, Rossmere Way
MC	Rossmere/Ardrossan Community Building
MD	Jutland Road Community Centre
SAINT HILDA WARD	
NA	Phoenix Centre
NB	St Helens Primary School
NC	Constables Lounge, Borough Hall
SEATON WARD	
OA	The Schooner, Warrior Drive
OB	Seaton Carew Branch Library
OC	Seaton Carew Youth Centre
STRANTON WARD	
PA	Mill House Leisure Centre
PB	Polling District PB
PC	Central Library, York Road
PD	Burbank Community Centre
THROSTON WARD	
QA	Polling District QA
QB	Throston Grange Community Centre
QC	Jesmond Road Primary School

Jan 2007

PROPOSAL FOR REVIEWING POLLING PLACES

POLLING DISTRICT	ELECTORATE (APPROX)	EXISTING POLLING PLACE	PROPOSED POLLING PLACE
BURN VALLEY WARD			
BC	1355	ORB Centre, Shrewsbury Street	Polling District BC
Polling District BC identified as Polling Place. ORB Centre no longer available for use. Currently investigating possibility of using Epilepsy Outlook shop at 104 Oxford Road as polling station.			
FOGGY FURZE			
FA	1218	Foggy Furze Branch Library	Polling District FA
Polling District FA identified as Polling Place in response to the possible closure of some branch libraries. St Aidan's Primary School and sites for portable unit being investigated in case branch library is not available.			
RIFT HOUSE WARD			
LD	1600	Sw inburne House, Sw inburne Road	Polling District LD
Polling District LD identified as Polling Place. Sw inburne House is no longer available for use. Church of the Latter Day Saints currently being investigated for use as potential polling place.			
SEATON WARD			
OB	1713	Seaton Carew Branch Library	Polling District OB
OC	1676	Seaton Carew Youth Centre	Polling District OC
Polling Districts OB & OC identified as Polling Places in response to the possible closure of some branch libraries and youth centres. Currently investigating suitable alternative venues and sites for portable units in case branch library not available.			