



BROMSGROVE DISTRICT COUNCIL

MEETING OF THE ELECTORAL MATTERS COMMITTEE

WEDNESDAY 28TH FEBRUARY 2018
AT 6.00 P.M.

COMMITTEE ROOM, PARKSIDE COMMITTEE - PARKSIDE

MEMBERS: Councillors S. J. Baxter, R. J. Deeming, R. L. Dent, M. Glass,
L. C. R. Mallett, L. J. Turner and M. J. A. Webb

AGENDA

1. Election of Chairman
2. Election of Vice Chairman
3. To receive apologies for absence and notification of substitutes
4. Declarations of Interest

To invite Councillors to declare any Disclosable Pecuniary Interests or Other Disclosable Interests they may have in items on the agenda, and to confirm the nature of those interests.
5. To confirm the accuracy of the minutes of the meeting of the Electoral Matters Committee held on 16th February 2017 (Pages 1 - 4)
6. Community Governance Review (Pages 5 - 8)
7. To consider any other business, details of which have been notified to the Head of Legal, Equalities and Democratic Services prior to the commencement of the meeting and which the Chairman considers to be of so urgent a nature that it cannot wait until the next meeting

K. DICKS
Chief Executive

Parkside
Market Street
BROMSGROVE
Worcestershire
B61 8DA

20th February 2018



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BROMSGROVE DISTRICT COUNCIL

MEETING OF THE ELECTORAL MATTERS COMMITTEE

16TH FEBRUARY 2017 AT 6.00 P.M.

PRESENT: Councillors J. M. L. A. Griffiths (Chairman), C. Allen-Jones (Vice-Chairman), M. Glass, M. Thompson, L. J. Turner and M. J. A. Webb

Officers: Mr D. Whitney, Mrs T. Hurst and Ms R. Cole

1/16 **ELECTION OF CHAIRMAN**

RESOLVED that Councillor J.M. L. A. Griffiths be elected Chairman of the Committee for the remainder of the municipal year.

2/16 **ELECTION OF VICE CHAIRMAN**

RESOLVED that Councillor C. Allen-Jones be elected Vice-Chairman of the Committee for the remainder of the ensuing municipal year.

3/16 **APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillor L.C. R. Mallett.

4/16 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

5/16 **MINUTES**

The minutes of the meeting of the Electoral Matters Committee held on 17th March 2016 were submitted.

RESOLVED that the minutes of the meeting of the Electoral Matters Committee held on 17th March 2016 be approved as a correct record.

6/16 **POLLING PLACES ALTERATIONS 2017**

The Committee considered a report relating to the need for changes to be made to a small number of Polling Places in relation to the forthcoming County Council Elections only.

The Electoral Services Manager referred to the report which explained that the County Division Boundaries were not co-terminus in all cases with District Ward boundaries. The effect of this was that Electors from

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Electoral Matters Committee
16th February 2017

two separate County Divisions would be voting at the same Polling Station which could lead to confusion at the Polling Stations concerned.

The report set out three potential options to resolve the matter and these were contained in section 3.5 of the report. The Electoral Services Manager explained the three options and indicated that option 3 was the solution which officers were recommending. This option would involve allocating the electors concerned to a different Polling Place where the same Division is voting. This would be for the County Council Election only.

The changes proposed were as follows:

- Polling District SMB would involve 7 electors voting at The Girl Guide Hut instead of The New Song Church;
- Polling District SSB would involve 8 electors voting at All Saints Church Hall instead of Finstall First School;
- Polling District NTD and NTB would involve 8 electors voting at The Wheel at St Catherine's Church instead of Lickey End First School.

Members considered any increased distances involved for electors attending the revised Polling Place. It was felt that whilst some of the electors in question already had postal votes, and it was open for the others to apply for postal votes should they so wish, it was important to ensure that those who wished to attend to vote in person should not be disadvantaged. Members also had in mind however the need to ensure that any confusion in relation to the Polling Places was minimised.

The Electoral Services Manager displayed a map illustrating the locations concerned and the distance of travel required. In the circumstances Members supported option 3.

It was therefore

RESOLVED:

- (a) that the electors concerned from Polling Districts SMB,SSB,NTD and NTB be moved to a different Polling Place for stand alone County Council elections;
- (b) that the temporary Polling Place for electors in Polling District SMB be the Girl Guide Hut, Kidderminster Road, Bromsgrove;
- (c) that the temporary Polling Place for electors in Polling District SSB be All Saints Church Hall, Burcot lane, Bromsgrove;
- (d) that the temporary Polling Place for electors in Polling Districts NTD and NTB be The Wheel, St Catherine's Church, St Catherine's Road, Blackwell; and
- (e) that the above decisions take effect immediately.

7/16

POLLING PLACES DELEGATION REPORT

The Committee considered a report in respect of a proposed delegation to the (Acting) Returning Officer to alter Polling Places outside the compulsory review period.

The Electoral Services Manager explained that whilst some procedural matters were delegated to the (Acting) Returning Officer, at present the matter the subject of the previous minute was not. If this report was approved, it was intended that the (Acting) Returning Officer would only exercise his delegated powers following consultation with the Ward Members concerned and the Portfolio Holder. If for some reason following consultation the (Acting) Returning Officer felt unable to exercise his delegation on a particular occasion then a meeting of this Committee would be called in the normal way.

Members debated the matter and agreed that it was important that local Ward Members were consulted on any proposed changes as they had detailed local knowledge. In addition, Members were concerned to ensure that any changes to Polling Places took account of the needs of electors with disabilities in terms of ease of access arrangements at the venue. The Electoral Services Manager stressed that the (Acting) Returning Officer would be taking into account the needs of voters with disabilities and was indeed required to do so by legislation.

Members also noted that the compulsory reviews of Polling Districts and Polling Places were matters for this Committee.

It was therefore

RESOLVED:

- (a) that the (Acting) Returning Officer, in consultation with the Ward Members concerned and the Portfolio Holder be authorised to alter Polling Places outside the compulsory review periods; and
- (b) that the above decision take effect immediately.

The meeting closed at 6.30 p.m.

Chairman

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Community Governance Review for the Bromsgrove District Area.

Relevant Portfolio Holder	Cllr Cooper
Portfolio Holder Consulted	Yes
Relevant Head of Service	Claire Felton
Wards Affected	All

1. SUMMARY OF PROPOSALS

- 1.1 To undertake a Community Governance Review of the Bromsgrove District Area in accordance with the provisions of the Local Government and Public Involvement Act 2007.

2. RECOMMENDATIONS

- 2.1 Members are asked to recommend to Council that a Community Governance Review of the Bromsgrove District Area be held in 2018 so changes to Parishes can be made by Council in time for the 2019 Ordinary Parish Elections; and
- 2.2 That Council delegate to the Electoral Matters Committee all stages up to and including the preparation of the Final Proposals.

3. KEY ISSUES

Background

- 3.1 The powers to conduct reviews is made within the Local Government and Public Involvement in Health Act 2007 and updated guidance was provided by DCLG and The Local Government Boundary Commission for England in 2010.
- 3.2 Guidance is that principal councils should keep their area under review, and that it would be good practice for a principal council to consider conducting a review every 10-15 years. It has been over 15 years since a review of Parishes has taken place.
- 3.3 A community governance review is a review of the whole or part of the principal council's area for the purpose of making recommendations with regard to creating, merging or abolishing parishes, the naming of parishes, the electoral arrangements for parishes and grouping arrangements for parishes. The review is to be undertaken in accordance with the Act, being mindful of government guidance and complying with the Terms of Reference.

- 3.4 The government's guidance is a strong presumption against abolishing parishes and in favour of parish creation.
- 3.5 Section 81 of the Act requires the principal council to draw up terms of reference for the review. The principal council "begins" a community governance review when the council publishes the terms of reference of the review and the review must be completed within 12 months of the starting date.
- 3.6 The principal council, part of Section 93 of the Act, must have regard to the need to secure that community governance within the area under review:
- reflects the identities and interests of the community in that area, and
 - is effective and convenient.

In addition, the principal council must take into account any other arrangements that have already been made.

Financial Implications

- 3.7 Since the whole area would be reviewed the introductory stage would be of minimal cost involving information dissemination through newspapers, website, social media and the parishes themselves. Costs would increase where residents need to be consulted on a major change. Here a leaflet and questionnaires may be required. This is difficult to quantify at this stage as it is unknown what submissions will be received. A budget estimate to consult stakeholders by leaflet/questionnaire, holding any public meetings and production of public notices would be approximately £12,100 if 10,000 electors were affected.
- 3.8 At the conclusion of the review there may also be financial implications for adjustments in Parish Council precepts, transfer of assets and other associated changes, such as, changes to Council Tax management.

Legal Implications

- 3.9 A Community Governance Review must be conducted in accordance with the requirements of the Local Government and Public Involvement in Health Act 2007 (Part 4) and the associated DCLG Guidance on Community Governance Reviews, the Local Government (Parishes and Parish Councils) Regulations 2008 and the Local Government Act 1972 (as amended). The Council must, by section 100(4) of the 2007 Act, have regard to the guidance issued by the Secretary of State.

Service / Operational Implications

- 3.10 The principal council will need to follow the following stages
- Introductory stage where submissions are invited
 - Draft Proposals are prepared and published
 - Consultations on Draft Proposals (depending on the proposals made this may involve writing to all household/electors within a Parish or Area where a submission is made)
 - Final Proposals are prepared and published
 - Council makes reorganisation order
- 3.11 Consideration holding a Community Governance Review in 2018 as there are no scheduled elections for Bromsgrove District so spare capacity can be used to reduce costs of a review. The next occasion when there are no scheduled elections is in 2026.
- 3.12 Parishes or those wishing a review of an unparished area can petition the principal council at any time, unless a review has already been held, to hold a review and if the condition are met the principal council must hold a Community Governance Review. Completing a full review of the area will save on resources in the long run as the council will not have to conduct a number of smaller reviews at different times.
- 3.13 The Electoral Services Manager will be responsible for the administration and conduct of the review.
- 3.14 At the conclusion of the review there may be an impact on other Council Officers from the Legal Services Team and Revenues and Benefits.
- 3.15 For any changes to be implemented for the next ordinary elections in 2019, the review will need to be completed by end of December 2018.

Customer / Equalities and Diversity Implications

- 3.16 In conducting the review the Council will ensure that the affected communities are properly consulted.
- 3.17 In conducting the review the Council will ensure that electoral equality is taken into consideration.

4. RISK MANAGEMENT

- 4.1 Review needs to be completed by December 2018 to take effect from May 2019.

5. APPENDICES

None

6. BACKGROUND PAPERS

- 6.1** Local Government and Public Involvement in Health Act 2007
Department of Communities and Local Government - Guidance on
Community Governance review

AUTHOR OF REPORT

Name: Darren Whitney, Electoral Services Manger
email: darren.whitney@bromsgroveandredditch.gov.uk
Tel.: 01527 881650