



**CANNOCK CHASE COUNCIL**

**COUNCIL MEETING**

**WEDNESDAY, 23 JANUARY, 2019 AT 4:00 P.M.**

**COUNCIL CHAMBER, CIVIC CENTRE, BEECROFT ROAD, CANNOCK**

**PART 1**

Notice is hereby given of the above mentioned meeting of the Council which you are summoned to attend for the purpose of transacting the business set out below:-

**1. Apologies**

**2. Declarations of Interests of Members in Contracts and Other Matters and Restriction on Voting by Members**

To declare any interests in accordance with the Code of Conduct.

Members should refer to the guidance included as part of this agenda.

**3. Minutes**

To confirm the Minutes of the Meeting held on 28 November, 2018, Minute Nos. 45 – 56; Page Nos. 24 – 33..

**4. The Chairman's Announcements and Correspondence**

**5. Questions Received under Council Procedure Rule 8**

None received.

**6. Changes to Membership of Committees etc. 2018/19**

To receive notification from Group Leaders of changes to Committees' membership which require approval by Council.

**7. Recommendations Referred from Cabinet, Committees etc.**

To consider the following recommendation to Council agreed by Cabinet at its meeting held on 13 December, 2018, in respect of:

20/24 Anson Street, Rugeley (Draft Minute No. 88)

(C) Council, at its meeting to be held on 23 January, 2019, be recommended to allocate £85,000 into the capital programme to fund the necessary works, subject to planning permission, to create office accommodation and interview rooms within Rugeley Market Hall to enable the relocation of the existing Local Taxation and Benefits Service and Housing Options from 20/24 Anson Street, Rugeley.

**8. Motion(s) Received under Council Procedure Rule 6**

To consider the following Motion submitted in accordance with Rule 6 by Councillor F.W.C. Allen, Chairman of the Community Scrutiny Committee:

“That this Council should write to the Secretary of State expressing our concern the H.M. Government have missed the point by considering the imposition of a two pounds (£2) limit on punters using gaming machines in betting offices.

It is our belief that online gambling via mobile phones is out of control, and more of a threat to the more vulnerable element of our society, particularly youngsters, some as young as eleven, who gain access illegally.

Furthermore, to consider with the utmost urgency ways of imposing a levy on firms that deal online in order to try and protect our high streets, and hopefully limit the amount of shop closures in our towns and cities.”

**9. Comments and Questions on Part 1 Minutes of Cabinet, Committees, Sub-Committees and Panels under Rule 9**

To receive any comments or questions submitted under Rule 9 on Part 1 Minutes of meetings of Cabinet, Committees, Sub-Committees or Panels as included in the Minutes Record circulated alongside this agenda.

**10. Calendar of Meetings 2019-20**

Report of the Managing Director (Item 10.1 – 10.11).

**11. Compulsory Review of Polling Districts, Polling Places and Polling Stations**

Report of the Managing Director (Item 11.1 – 11.12).

**12. Exclusion of the Public**

The Chairman to propose the following motion:-

"That the public be excluded for the remainder of the meeting because of the likely disclosure of exempt information as defined in Paragraphs 1, 2 and 3 of Part 1, Schedule 12A, Local Government Act, 1972."

**CANNOCK CHASE COUNCIL**

**COUNCIL MEETING**

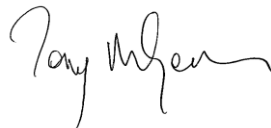
**WEDNESDAY, 23 JANUARY, 2019 AT 4:00 P.M.**

**COUNCIL CHAMBER, CIVIC CENTRE, BEECROFT ROAD, CANNOCK**

**PART 2**

**13. Comments and Questions on Part 2 Minutes of Cabinet, Committees, Sub-Committees and Panels under Rule 9**

To receive any comments or questions submitted under Rule 9 on Part 2 Minutes of meetings of Cabinet, Committees, Sub-Committees or Panels as included in the Minutes Record circulated alongside this agenda.



T. McGovern,  
**Managing Director**

Civic Centre,  
Beecroft Road,  
Cannock  
WS11 1BG

15 January, 2019



## **GUIDANCE ON DECLARING PERSONAL, PECUNIARY AND DISCLOSABLE PECUNIARY INTERESTS AT MEETINGS**

### **DEFINITION OF WHAT IS A PERSONAL, PECUNIARY AND DISCLOSABLE PECUNIARY INTEREST**

**A PERSONAL INTEREST** is one where your well-being or financial position, or those of a member of your family or any person with whom you have a close association would be affected to a greater extent than the majority of Council Tax payers, ratepayers, or inhabitants of the electoral ward(s) affected by the decision. You automatically have a personal interest if you have given notice in the Register of Members' Interests, e.g. if you are appointed to an outside body by the Council.

**A PECUNIARY INTEREST** is a personal interest where the matter

- a) affects your financial position or that of a member of your family or any person with whom you have a close association or a body in which you have registered in the Register of Members Interests or
- b) relates to the determining of any consent, licence, permission or registration in relation to you or any person with whom you have a close association or a body in which you have registered in the Register of Members Interests

and, in either case, where a member of the public knowing the facts would reasonably regard the interest as so significant it is likely to affect your judgement of the public interest

**A DISCLOSABLE PECUNIARY INTEREST** is an interest of yourself or your partner (which means spouse or civil partner, a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners) in respect of employment, office, trade, profession or vocation carried out for profit or gain; sponsorship; contracts; land; licences; corporate tenancies; or securities, as defined with the Localism Act, 2011.

### **PLEASE MAKE IT CLEAR WHETHER IT IS A PERSONAL, PECUNIARY OR DISCLOSABLE PECUNIARY INTEREST.**

It would be helpful if, prior to the commencement of the meeting, Members informed the Monitoring Officer of any declarations of interest, of which you are aware. This will help in the recording of the declarations in the Minutes of the meeting.

### **DECLARING INTERESTS AT FULL COUNCIL**

The Code of Conduct requires that personal interests where you have a personal interest in any business of the Council, and where you are aware or ought reasonably to be aware of the existence of the personal interest, and you attend a meeting of the Council at which the business is considered, you must disclose to that

meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

Some items will be mentioned in the papers for full Council but are not actually being considered by Full Council. In such circumstances the Monitoring Officer's advice to Members is that there is no need to declare an interest unless the particular matter is mentioned or discussed. As a general rule, Members only need to declare an interest at full Council in the following circumstances:

- Where a matter is before the Council for a decision and/or
- Where the matter in which the Member has an interest is specifically mentioned or discussed at the Council meeting.

**CANNOCK CHASE COUNCIL**  
**MINUTES OF THE MEETING OF THE COUNCIL**  
**HELD IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK**  
**AT 4:00 P.M., WEDNESDAY, 28 NOVEMBER, 2018**  
**PART 1**

PRESENT: Councillors:

|   |                     |
|---|---------------------|
| Witton, P.T. (Chairman)                     |                     |
| Stretton, Mrs. P.Z., M.B.E. (Vice-Chairman) |                     |
| Adamson, G.                                 | Johnson, T.B.       |
| Alcott, G.                                  | Kraujalis, J.T.     |
| Allen, F.W.C.                               | Lea, C.I.           |
| Allt, Mrs. A.                               | Lyons, Miss O.      |
| Bennett, C.                                 | Martin, Mrs. C.E.   |
| Bowater, J.L.                               | Mitchell, Mrs. C.   |
| Buttery, M.S.                               | Peake, Mrs. C.L.    |
| Cartwright, Mrs. S.M.                       | Pearson, A.R.       |
| Cooper, Miss J.                             | Preece, J.P.T.L.    |
| Crabtree, S.K.                              | Snape, D.J.         |
| Davis, Mrs. M.A.                            | Snape, P.A.         |
| Dudson, A.                                  | Startin, P.D.       |
| Dudson, Miss M.J.                           | Sutherland, M.      |
| Foley, D.                                   | Sutton, Mrs. H.M.   |
| Freeman, Miss M.A.                          | Tait, Ms. L.        |
| Grice, Mrs. D.                              | Todd, Mrs. D.M.     |
| Hewitt, P.M.                                | Wilkinson, Ms. C.L. |
| Hoare, M.W.A.                               | Woodhead, P.E.      |
| Johnson, J.P.                               |                     |

**45. Apologies**

Apologies for absence were submitted for Councillors P.A. Fisher and C.D. Smith.

**46. Declarations of Interests of Members in Contracts and Other Matters and Restriction on Voting by Members**

Councillor P.A. Snape advised that his wife was a member of USDAW (Item 7(v) 'Freedom from Fear').

A number of other Members advised that they were Hednesford Town Councillors

(Item 9 Hednesford Neighbourhood Plan Adoption report).

No other Declarations of Interests were made in addition to those already confirmed by Members in the Register of Members' Interests.

**47. Minutes**

RESOLVED:

That the Minutes of the meeting held on 26 September, 2018, be approved as a correct record and signed.

**48. Chairman's Announcements and Correspondence**

(i) Chairman's Charity Collection

The Chairman advised that a collection box was circulating for Members to make a donation to support his fundraising. At the meeting held on 26 September, 2018 a total of £30.00 was received, and he thanked Members for their donations.

**49. Questions Received under Council Procedure Rule 8**

No Questions had been submitted under Council Procedure Rule 8.

**50. Recommendations Referred from Cabinet, Committees etc.**

None referred.

**51. Motions Received under Council Procedure Rule 6**

- (i) Consideration was given to the following Motion submitted in accordance with Council Procedure Rule 6 by Councillor A.R. Pearson, Housing Portfolio Leader:

"This Council is opposed to the hidden Treasury statement that is set to slash £2.7 billion off the NHS budget, despite claims that they are pouring in cash.

The Tory Government pledged to cover the cost of the NHS rise next year, but only 'til 2020. And Peter Dowd, the Shadow Chief Secretary to the Treasury claimed that: "Billions of pounds are being quietly cut from our NHS, due to a poisonous cocktail of disastrous economic spiteful behaviour."

Theresa May is set to raid the health budget over a two year period to cover pension costs, because the Tories' economic programme of austerity to reduce government borrowing has been a total failure – Government borrowing has more than doubled, and all frontline services are on the verge of collapse.

The £2.7 billion of cuts is a disgrace and will further starve the NHS of desperately needed funds. This cut could have paid for 61,500 nurses, 360,000 hip replacements and around 3.3 million cataract operations during the same period.

I move that our Managing Director be instructed to write to the Secretary of State and our local Member of Parliament, calling for the spiteful £2.7 billion NHS stealth cut to be scrapped and replaced with a pragmatic plan to protect frontline services and regenerate the economy."



In accordance with Council Procedure Rule 15(4)(b), a named vote was held.

| <b><u>For</u></b>     | <b><u>Against</u></b> | <b><u>Abstain</u></b> |
|-----------------------|-----------------------|-----------------------|
| Adamson, G.           | Allt, Mrs. A.         | Freeman, Miss M.A.    |
| Alcott, G.            | Bowater, J.L.         |                       |
| Allen, F.W.C.         | Buttery, M.S.         |                       |
| Bennett, C.           | Hewitt, P.M.          |                       |
| Cartwright, Mrs. S.M. | Hoare, M.W.A.         |                       |
| Cooper, Miss J.       | Johnson, J.P.         |                       |
| Crabtree, S.K.        | Lea, C.I.             |                       |
| Davis, Mrs. M.A.      | Lyons, Miss O.        |                       |
| Dudson, A.            | Peake, Mrs. C.L.      |                       |
| Dudson, Miss M.J.     | Snape, D.J.           |                       |
| Foley, D.             | Snape, P.A.           |                       |
| Grice, Mrs. D.        | Startin, P.D.         |                       |
| Johnson, T.B.         | Sutherland, M.        |                       |
| Kraujalis, J.T.       | Sutton, Mrs. H.M.     |                       |
| Martin, Mrs. C.E.     |                       |                       |
| Mitchell, Mrs. C.     |                       |                       |
| Pearson, A.R.         |                       |                       |
| Preece, J.P.T.L.      |                       |                       |
| Stretton, Mrs. P.Z.   |                       |                       |
| Tait, Ms. L.          |                       |                       |
| Todd, Mrs. D.M.       |                       |                       |
| Wilkinson, Ms. C.L.   |                       |                       |
| Witton, P.T.          |                       |                       |
| Woodhead, P.E.        |                       |                       |
| <b>24</b>             | <b>14</b>             | <b>1</b>              |

In addition, Councillors P.A. Fisher and C.D. Smith were absent from the meeting.

RESOLVED:

That the Managing Director be instructed to write to the Secretary of State and the Council's local Member of Parliament, calling for the £2.7 billion NHS stealth cut to be scrapped and replaced with a pragmatic plan to protect frontline services and regenerate the economy.

- (ii) Consideration was given to the following Motion submitted in accordance with Council Procedure Rule 6 by Councillor G. Adamson, Leader of the Council:

“Charter Against Modern Slavery

Cannock Chase Council will:

1. Train its corporate procurement team to understand modern slavery through the Chartered Institute of Procurement and Supply’s (CIPS) online course on Ethical Procurement and Supply.
2. Require its contractors to comply fully with the Modern Slavery Act 2015, wherever it applies, with contract termination as a potential sanction for non-compliance.
3. Challenge any abnormally low-cost tenders to ensure they do not rely upon the potential contractor practising modern slavery.
4. Highlight to its suppliers that contracted workers are free to join a trade union and are not to be treated unfairly for belonging to one.
5. Publicise its whistle-blowing system for staff to blow the whistle on any suspected examples of modern slavery.
6. Require its tendered contractors to adopt a whistle-blowing policy which enables their staff to blow the whistle on any suspected examples of modern slavery.
7. Review its contractual spending regularly to identify any potential issues with modern slavery.
8. Highlight for its suppliers any risks identified concerning modern slavery and refer them to the relevant agencies to be addressed.
9. Refer for investigation via the National Crime Agency’s national referral mechanism any of its contractors identified as a cause for concern regarding modern slavery.
10. Report publicly on the implementation of this policy annually.

This Council authorises a budget of up to £7,000 to cover the costs of training and implementation.”

RESOLVED:

That:

- (A) The Charter Against Modern Day Slavery be adopted by the Council.
- (B) A budget of up to £7,000 be authorised to cover the costs of training and implementation of the Charter requirements.

- (iii) Consideration was given to the following Motion submitted in accordance with Council Procedure Rule 6 by Councillor J.T. Kraujalis, Corporate Improvement Portfolio Leader:

“This Council opposes the Chancellor’s plan to slash £1.3 billion from front line council services in 2019.

Local authorities claim that grant funding from central government will be cut 36% in 2019/20. And the Local Government Association claim that 168 councils will not get any grant money at all. The Prime Minister's statement at the Tory Party Conference that austerity has ended is a piece of deceitful electoral cosmetics that is simply not true.

This government's austerity programme is a disgrace, and it is destroying the very fabric of society. This cut is another example of the Tories intent to cut our public services to the bone and put them in danger of collapse. Could it be that this cut is to continue to hand out billions in tax breaks and corporation tax cuts to the rich, in one of the richest countries in the world. And make vicious cuts to the many, in favour of the rich privileged few?

I move that our Managing Director writes to the Secretary of State and our local M.P. calling for the £1.3 billion cut to be reversed, in line with the Prime Minister's statement that austerity is dead and gone."

In accordance with Council Procedure Rule 15(4)(b), a named vote was held.

| <u>For</u>            | <u>Against</u>    | <u>Abstain</u>     |
|-----------------------|-------------------|--------------------|
| Adamson, G.           | Allt, Mrs. A.     | Freeman, Miss M.A. |
| Alcott, G.            | Bowater, J.L.     |                    |
| Allen, F.W.C.         | Buttery, M.S.     |                    |
| Bennett, C.           | Hewitt, P.M.      |                    |
| Cartwright, Mrs. S.M. | Hoare, M.W.A.     |                    |
| Cooper, Miss J.       | Johnson, J.P.     |                    |
| Crabtree, S.K.        | Lea, C.I.         |                    |
| Davis, Mrs. M.A.      | Lyons, Miss O.    |                    |
| Dudson, A.            | Snape, D.J.       |                    |
| Dudson, Miss M.J.     | Snape, P.A.       |                    |
| Foley, D.             | Startin, P.D.     |                    |
| Grice, Mrs. D.        | Sutherland, M.    |                    |
| Johnson, T.B.         | Sutton, Mrs. H.M. |                    |
| Kraujalis, J.T.       |                   |                    |
| Martin, Mrs. C.E.     |                   |                    |
| Mitchell, Mrs. C.     |                   |                    |
| Peake, Mrs. C.L.      |                   |                    |
| Pearson, A.R.         |                   |                    |
| Preece, J.P.T.L.      |                   |                    |
| Stretton, Mrs. P.Z.   |                   |                    |

Tait, Ms. L.

Todd, Mrs. D.M.

Wilkinson, Ms. C.L.

Witton, P.T.

Woodhead, P.E.

**25**

**13**

**1**

In addition, Councillors P.A. Fisher and C.D. Smith were absent from the meeting.

RESOLVED:

That the Managing Director should write to the Secretary of State and the Council's local Member of Parliament calling for the £1.3 billion cut to be reversed, in line with the Prime Minister's statement that austerity was dead and gone.

- (iv) Consideration was given to the following Motion submitted in accordance with Council Procedure Rule 6 by Councillor P.E. Woodhead, Green Party Group Leader:

"This Council notes:

- The Government announcement in July 2018 that Councils could set their own energy efficiency standards for new buildings beyond those set in Part L of the Building Regulations.
- The report from the Intergovernmental Panel on Climate Change highlighting that we only have around 12 years to take serious action to reduce emissions to avoid massive damage to the global environment.

This Council believes:

- At every level of government, urgent steps need to be taken to rapidly reduce carbon emissions, whether produced directly or indirectly.
- That we must take urgent action to improve the energy efficiency standards in new buildings to reduce carbon emissions, save energy and keep money that would go to energy companies circulating in our local economy.
- That improving energy efficiency in new buildings is just one part of a strategy to reduce emissions in our area but is an important step to take that should be part of a wider strategy.

This Council resolves:

- Establish a Working Group, to run for a full year, with a remit to seek advice from experts; to consider systematically each area of the Council's activities; to make recommendations and propose challenging targets including a carbon budget to be presented each year alongside the financial budget.
- Require all report risk assessments to include Carbon Emission Appraisals, including presenting alternative approaches which reduce emissions wherever possible.
- Task a Head of Service officer with responsibility for reducing, as rapidly as

possible, the carbon emissions resulting from the Council's activities.

- To produce Supplementary Planning Guidance at the earliest opportunity calling for higher energy efficiency standards compliant with the internationally recognised Passivhaus Zero Carbon Standard.”

Councillor P.M. Hewitt proposed an amendment to the Motion, which was seconded and voted on. (Councillor P.E. Woodhead advised that he was supportive of the proposed amendment.)

Amended Motion:

That the energy efficiency and carbon emissions reduction matters referred to in the original Motion to Council should be referred to an appropriate Scrutiny Committee for consideration.

RESOLVED:

That the energy efficiency and carbon emissions reduction matters referred to in the original Motion to Council should be referred to an appropriate Scrutiny Committee for consideration.

- (v) Consideration was given to the following Motion submitted in accordance with Council Procedure Rule 6 by Councillor J.P.T.L. Preece, Environment Portfolio Leader:

“Freedom From Fear

This Council notes:

1. That USDAW (Union of Shop, Distributive and Allied Workers) runs an annual Respect For Shopworkers Week as part of their Freedom From Fear campaign.
2. That this is held run in the build-up to Christmas, during which events are put on to engage with the public around the theme ‘Keep Your Cool at Christmas’.
3. The campaign as a whole seeks to highlight the abuse that workers suffer whilst simply going about their jobs.
4. That as part of this campaign USDAW also surveys their 430,000 members in an annual Freedom From Fear Survey.
5. This survey shows that during 2018 6 in 10 shopworkers experienced verbal abuse, 37% were threatened by a customer and over 230 shopworkers were assaulted every day.
6. The British Retail Consortium and the Association of Convenience Stores have both also noted rising abuse, threats and violence against shopworkers.

This Council believes:

1. Violent crime, threats and abuse are very real hazards for retail workers and the harassment of staff by customers is an all too common event.
2. Abuse is not part of the job. Workers should never have to face abuse, threats or violence when doing their jobs
3. Employers have a legal and moral obligation to make the working environment

as safe as possible for employees and staff should be given appropriate training on how to deal with certain situations.

4. Failure to take the necessary steps to protect staff from harassment could result in the company being open to prosecution under health and safety laws and complaints of harassment should always be taken seriously.
5. Good trade union organisation reduces the risk of bad work practices.

This Council resolves:

1. To publicly support USDAW's campaign and shop workers in the area with a statement of support and by posting on Council social media platforms using the hashtags #RespectShopworkers and to encourage individual councillors to do the same.
2. To encourage individual councillors to engage with retail stores in their ward, talk to shopworkers and listen to their experiences.
3. To use links with local police to ensure retail crime is always treated seriously and the often severe impact on victims is appropriately acknowledged.
4. To use links with local business and retail stores to make sure proper workplace procedures are in place and that front-line staff are appropriately supported."

RESOLVED:

That the Council would:

- (A) Publicly support USDAW's campaign and shop workers in the area with a statement of support and by posting on Council social media platforms using the hashtags #RespectShopworkers, and encourage individual councillors to do the same.
- (B) Encourage individual Councillors to engage with retail stores in their ward, talk to shopworkers and listen to their experiences.
- (C) Use links with local police to ensure retail crime was always treated seriously and the often severe impact on victims was appropriately acknowledged.
- (D) Use links with local business and retail stores to make sure proper workplace procedures were in place and that front-line staff were appropriately supported."

**52. Comments and Questions on Part 1 Minutes of Cabinet, Committees, Sub-Committees and Panels under Rule 9**

The following Question on Part 1 Minutes was submitted in accordance with Council Procedure Rule 9 by Councillor P.E. Woodhead:

Promoting Prosperity Scrutiny Committee 23 October, 2018 – Outcome of Working Group to Review the Policy for Commercial Use of the Highway (Minute No. 13)

"Would the Cabinet Member or Committee Chair please update Members in respect to the current situation around the review in to the Commercial Use of the Highway or 'A Boards' Policy."

The following written response was provided by Councillor Mrs. C.E. Martin, Health and Wellbeing Portfolio Leader:

“The Council approved and adopted The Policy for Commercial Use of the Highway on the 18 October, 2017 with the Policy being fully implemented from 1 April, 2018.

At the meeting of the Promoting Prosperity Scrutiny Committee on 4 July, 2018 Members discussed the work programme for the coming year and determined that as part of this a review of the Policy for Commercial Use of the Highway should be carried out. Furthermore, at the meeting of the Council on 25 July, 2018 a Motion was submitted regarding the Policy and its implementation. Members approved ‘That the Motion, as presented, be referred to the Promoting Prosperity Scrutiny Committee for consideration, due to the Committee having agreed to undertake a review of the Commercial Obstructions on the Highway Policy as part of its 2018/19 work programme.’

The Working Group met on 3 occasions and members considered various options for the future of the Policy and its potential application in the District. At the meeting of the Promoting Prosperity Scrutiny Committee on 23 October 2018, the findings of the Working Group were presented to the Committee and five options were considered. The Committee voted on the options and resolved that Option C – ‘The Council provides advice and guidance to businesses only’ - be recommended to Cabinet and then to Council.

This recommendation will be presented and considered at Cabinet at its meeting on 13 December 2018.”

As a supplementary Question, Councillor Woodhead said that he was disappointed that the matter had not been considered on the current cycle of meetings and brought to that day’s meeting of Council to remove the uncertainty faced by traders, particularly in the run up to Christmas. Was there any reason for this?

In response to the supplementary question, Councillor Mrs. Martin advised that the situation had been dictated by the reporting timetable, but reiterated that the matter would be considered at the Cabinet meeting on 13 December, 2018 and then referred on to Council on 23 January, 2019.

### **53. Hednesford Neighbourhood Plan Adoption**

Consideration was given to the Report of the Head of Economic Prosperity (Item 9.1 – 9.123 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The results of the Hednesford Neighbourhood Plan referendum, held on 11 October, 2018 be noted.
- (B) The Hednesford Neighbourhood Plan (as detailed in Appendix 1 of the Report) be adopted under Section 38A(4) of the Planning and Compulsory Purchase Act 2004, including approval of the publication of the Regulation 19 ‘Decision Statement’ (as included at Appendix 2 of the Report).

**54. Gambling Act 2005 – Statement of Principles 2019 to 2021**

Consideration was given to the Report of the Head of Economic Prosperity (Item 10.1 – 10.50 of the Official Minutes of the Council).

RESOLVED:

That the revised Gambling Act 2005 Policy Statement, as detailed at Appendix 1 to the Report, be approved and adopted.

**55. The Animal Welfare (Licensing of Activities Involving Animals)(England) Regulations 2018**

Consideration was given to the Report of the Head of Economic Prosperity (Item 11.1 – 11.6 of the Official Minutes of the Council).

RESOLVED:

That:

- (A) The implementation of the Animal Welfare (Licensing of Activities Involving Animals)(England) Regulations 2018 ('the Regulations') be noted.
- (B) The Head of Economic Prosperity be authorised and instructed to introduce the necessary arrangements to administer and enforce all aspects of the Regulations (including the determination of fees for variations and re-inspections).
- (C) The proposed initial fees as detailed in Appendix 1 of the Report be approved.
- (D) The Constitution Working Group be instructed to update the Scheme of Delegations to reflect the legislative changes in England.

**56. Comments and Questions on Part 2 Minutes of Cabinet, Committees, Sub-Committees and Panels under Rule 9**

No comments or questions on Part 2 Minutes had been submitted in accordance with Council Procedure Rule 9.

The meeting closed at 6:20 p.m.

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CHAIRMAN



|                          |                              |
|--------------------------|------------------------------|
| <b>Report of:</b>        | <b>Managing Director</b>     |
| <b>Contact Officer:</b>  | <b>Matt Berry</b>            |
| <b>Telephone No:</b>     | <b>01543 464 589</b>         |
| <b>Portfolio Leader:</b> | <b>Leader of the Council</b> |
| <b>Key Decision:</b>     | <b>No</b>                    |
| <b>Report Track:</b>     | <b>Council: 23/01/19</b>     |

**COUNCIL**  
**23 JANUARY 2019**  
**CALENDAR OF MEETINGS 2019-20**

**1 Purpose of Report**

- 1.1 To present to Members for approval the Calendar of Meetings for the 2019-20 municipal year.

**2 Recommendations**

That:

- 2.1 The Calendar of Meetings 2019-20, included as Appendix 1 to the report, be approved.
- 2.2 The Managing Director, in consultation with the Chairman of the Council, the relevant Chairmen of Committees and / or Leader of the Council, as appropriate, be authorised to amend the Calendar of Meetings, through convening additional meetings, or the postponement or cancellation of meetings, if required.

**3 Key Issues and Reasons for Recommendations**

Key Issues

- 3.1 The proposed Calendar of Meetings for the 2019-20 municipal year, which sets out dates for meetings of full Council, Cabinet, Committees and other relevant bodies for approval by Council, is attached as Appendix 1 to the report.

Reasons for Recommendations

- 3.2 The Council is required by statute to determine the date and time of any meetings of its Committees, Sub-Committees and Panels. For practical purposes, this is normally carried out in advance of the relevant municipal year. Updates are also provided throughout the year in the form of a 'Notice of Meetings' published on the Council's website.

- 3.3 It may be necessary to convene additional meetings as well as postpone or cancel meetings as required. Accordingly, it is proposed that rather than bringing any proposed changes back to Council for approval, the usual delegation is granted to the Managing Director to consult with the relevant Chairman or the Leader in such circumstances, having regard to any justifiable reasons that may exist.

#### **4 Relationship to Corporate Priorities**

- 4.1 Each year the Council agrees its Calendar of Meetings for the forthcoming year, thereby underpinning the administration of the Council's functions and supporting all of its Corporate Priorities.

#### **5 Report Detail**

- 5.1 Meetings of the Council will be called in accordance with the Council's Constitution and have been scheduled throughout the year. The purpose of certain meetings is referenced in the Calendar.
- 5.2 Full Council had been scheduled to meet eight times during the year. Key dates of Council meetings are:
- Annual meeting – 22 May 2019;
  - Budget setting meeting – 12 February 2020;
  - Precept meeting – 26 February 2020;
  - Annual meeting – 20 May 2020.
- 5.3 Twelve formal Cabinet meetings have been scheduled throughout the year, one of which is a provisional meeting falling between the budget and precept Council meetings. This meeting will only be required in the event that balanced alternative budget proposals are referred from Council for consideration by Cabinet.
- 5.4 The structure of the Scrutiny Committees is unchanged for 2019-20, with each Committee scheduled to meet three times per year, other than the Corporate Scrutiny Committee which has a further meeting scheduled for consultation purposes as part of the annual budget setting process.
- 5.5 The Planning Control Committee has been scheduled to meet generally every three weeks in order to determine planning applications within the required deadlines.
- 5.6 The Audit & Governance Committee has been scheduled to meet four times in order to deal with specific matters at certain times of the year.
- 5.7 The Standards Committee has been scheduled to meet four times, although it should be noted the Committee has not met since June 2013 due to having no business to consider.

- 5.8 The Trade Unions Consultative Forum has been scheduled to meet three times during the year.
- 5.9 Cabinet Briefing and Shadow Cabinet meetings have been scheduled to correspond with planned meetings of the Cabinet.
- 5.10 Meetings of the Constitution Working Group have also been scheduled to allow the annual review of the Constitution to take place.
- 5.11 As with previous years, recesses of meetings have been scheduled during certain periods of the municipal year to coincide with popular holiday periods. It has however been necessary to schedule some meetings during these periods in order that the business of those meetings can still be carried out as required. It may also be necessary to convene meetings of the Licensing and Public Protection Committee, Licensing Sub-Committee and Appeals & Complaints Panel during these periods to consider relevant matters.
- 5.12 All scheduled meetings will start at 4pm, other than meetings of the Planning Control Committee and Trade Unions Consultative Forum, which will start at 3pm and 2pm, respectively.
- 5.13 Dates and times of required training for Members of the Planning Control Committee, Licensing & Public Protection Committee and Audit & Governance Committee have also been scheduled where necessary.

## **6 Implications**

### **6.1 Financial**

There are no direct financial implications arising from this report. Any costs incurred in holding the meetings will be met from within the existing Members' budgets for 2019-20.

### **6.2 Legal**

Under Schedule 12 of the Local Government Act 1972, the Council is required to determine the date and time of any meetings of its Committees, Sub-Committees and Panels. In accordance with the Local Government Act 2000 and subsidiary legislation, the date and time of Cabinet meetings shall be determined by the Leader of the Council.

### **6.3 Human Resources**

Meetings will be 'serviced' by Democratic Services and supported by other Officers from within the Council. Any increase in the number of meetings or a reduction in staffing levels would impact on the Council's ability to support any additional meetings.

### **6.4 Section 17 (Crime Prevention)**

None.

**6.5 Human Rights Act**

None.

**6.6 Data Protection**

None.

**6.7 Risk Management**

None.

**6.8 Equality & Diversity**

None.

**6.9 Best Value**

None.

**7 Appendices to the Report**

Appendix 1: Draft Calendar of Meetings 2019-20

**Previous Consideration**

None

**Background Papers**

None.

**DRAFT CALENDAR OF MEETINGS 2019-20**

**MAY 2019**

| Monday  | Tuesday                            | Wednesday                                   | Thursday  | Friday                             |
|---|------------------------------------|---|---|------------------------------------|
|   |                                    | 1   | 2<br><i>District and Parish Elections</i>                   | 3                                  |
| 6 <i>Bank Holiday</i>                               | 7                                  | 8   | 9   | 10                                 |
| 13  | 14                                 | 15<br><i>3pm Planning Control Committee</i> | 16  | 17                                 |
| 20  | 21                                 | 22<br><i>4pm Annual Council</i>             | 23  | 24                                 |
| 27 <i>Schools Half Term Recess<br/>Bank Holiday</i> | 28 <i>Schools Half Term Recess</i> | 29 <i>Schools Half Term Recess</i>          | 30 <i>Schools Half Term Recess<br/>4pm Cabinet Briefing</i> | 31 <i>Schools Half Term Recess</i> |

**JUNE 2019**

| Monday                          | Tuesday  | Wednesday                                   | Thursday                          | Friday |
|---------------------------------|--|---|-----------------------------------|--------|
| 3                               | 4<br><i>2pm Planning Training</i>                                      | 5<br><i>3pm Planning Control Committee</i>  | 6                                 | 7      |
| 10<br><i>4pm Shadow Cabinet</i> | 11<br><i>10am Licensing Training<br/>(Session 1)</i>                   | 12  | 13<br><i>4pm Cabinet</i>          | 14     |
| 17                              | 18<br><i>10am Licensing Training<br/>(Session 2)</i>                   | 19  | 20                                | 21     |
| 24                              | 25<br><i>2pm Audit Training<br/>4pm Audit and Governance Committee</i> | 26<br><i>3pm Planning Control Committee</i> | 27<br><i>4pm Cabinet Briefing</i> | 28     |

JULY 2019

| Monday  | Tuesday   | Wednesday   | Thursday  | Friday                   |
|---|---|---|---|--------------------------|
| 1   | 2<br><b>4pm Wellbeing Scrutiny Committee</b>                                  | 3<br><b>4pm Promoting Prosperity Scrutiny Committee</b>               | 4   | 5                        |
| 8<br><b>4pm Shadow Cabinet</b>  | 9   | 10<br><b>4pm Council</b>  | 11<br><b>4pm Cabinet</b>                                | 12                       |
| 15<br><b>4pm Standards Committee</b>                                    | 16  | 17<br><b>3pm Planning Control Committee</b>                           | 18<br><b>4pm Corporate Scrutiny Committee</b>           | 19                       |
| 22<br><b>4pm Community Scrutiny Committee</b>                           | 23 Schools Summer Recess<br><i>4pm Audit Training (Statement of Accounts)</i> | 24 Schools Summer Recess<br><b>2pm Trade Union Consultative Forum</b> | 25 Schools Summer Recess<br><b>4pm Cabinet Briefing</b> | 26 Schools Summer Recess |
| 29 Schools Summer Recess<br><b>4pm Audit &amp; Governance Committee</b> | 30 Schools Summer Recess  | 31 Schools Summer Recess  |   |                          |

AUGUST 2019

| Monday  | Tuesday                  | Wednesday   | Thursday  | Friday  |
|---|--------------------------|---|---|---|
|   |                          |   | 1 Schools Summer Recess   | 2 Schools Summer Recess   |
| 5 Schools Summer Recess<br><b>4pm Shadow Cabinet</b>            | 6 Schools Summer Recess  | 7 Schools Summer Recess<br><b>3pm Planning Control Committee</b>  | 8 Schools Summer Recess<br><b>4pm Cabinet</b>                   | 9 Schools Summer Recess   |
| 12 Schools Summer Recess  | 13 Schools Summer Recess | 14 Schools Summer Recess<br><i>(Datteln Festival 16-18 Aug)</i>   | 15 Schools Summer Recess<br><i>(Datteln Festival 16-18 Aug)</i> | 16 Schools Summer Recess<br><i>(Datteln Festival 16-18 Aug)</i> |
| 19 Schools Summer Recess<br><i>(Datteln Festival 16-18 Aug)</i> | 20 Schools Summer Recess | 21 Schools Summer Recess  | 22 Schools Summer Recess  | 23 Schools Summer Recess  |
| 26 Schools Summer Recess<br><b>Summer Bank Holiday</b>          | 27 Schools Summer Recess | 28 Schools Summer Recess<br><b>3pm Planning Control Committee</b> | 29 Schools Summer Recess  | 30 Schools Summer Recess  |

SEPTEMBER 2019

| Monday                                      | Tuesday                               | Wednesday  | Thursday                         | Friday |
|---|---------------------------------------|--|----------------------------------|--------|
| 2 <i>Schools Summer Recess</i>              | 3                                     | 4  | 5<br><b>4pm Cabinet Briefing</b> | 6      |
| 9   | 10                                    | 11   | 12                               | 13     |
| 16<br><b>4pm Shadow Cabinet</b>             | 17                                    | 18<br><b>4pm Council</b>   | 19<br><b>4pm Cabinet</b>         | 20     |
| 23 ( <i>Labour Party Conference</i> )       | 24 ( <i>Labour Party Conference</i> ) | 25 ( <i>Labour Party Conference</i> )<br><b>3pm Planning Control Committee</b> | 26                               | 27     |
| 30 ( <i>Conservative Party Conference</i> ) |                                       |  |                                  |        |

OCTOBER 2019

| Monday                              | Tuesday                                    | Wednesday   | Thursday  | Friday |
|-------------------------------------|--|---|---|--------|
|                                     | 1 ( <i>Conservative Party Conference</i> ) | 2 ( <i>Conservative Party Conference</i> )                                  | 3<br><b>4pm Cabinet Briefing</b>                                  | 4      |
| 7<br><b>4pm Standards Committee</b> | 8  | 9<br><b>3pm Planning Control Committee</b>                                  | 10  | 11     |
| 14<br><b>4pm Shadow Cabinet</b>     | 15   | 16  | 17<br><b>4pm Cabinet</b>  | 18     |
| 21                                  | 22   | 23<br>11am Cannock Bowling Green Trustees Meeting                           | 24  | 25     |
| 28 <i>Schools Half Term Recess</i>  | 29 <i>Schools Half Term Recess</i>         | 30 <i>Schools Half Term Recess</i><br><b>3pm Planning Control Committee</b> | 31 <i>Schools Half Term Recess</i><br><b>4pm Cabinet Briefing</b> |        |

NOVEMBER 2019

| Monday                                   | Tuesday                                | Wednesday   | Thursday                   | Friday                     |
|--|--|---|----------------------------|----------------------------|
|  |  |   |                            | 1 Schools Half Term Recess |
| 4  | 5<br>4pm Wellbeing Scrutiny Committee  | 6<br>4pm Council                                  | 7                          | 8                          |
| 11<br>4pm Shadow Cabinet                 | 12                                     | 13<br>4pm Promoting Prosperity Scrutiny Committee | 14<br>4pm Cabinet          | 15                         |
| 18<br>2pm Trade Union Consultative Forum | 19<br>4pm Corporate Scrutiny Committee | 20<br>3pm Planning Control Committee              | 21                         | 22                         |
| 25                                       | 26<br>4pm Community Scrutiny Committee | 27  | 28<br>4pm Cabinet Briefing | 29                         |

DECEMBER 2019

| Monday                      | Tuesday                                      | Wednesday                                    | Thursday                                  | Friday                      |
|-----------------------------|--|--|---|-----------------------------|
| 2                           | 3<br>4pm Audit and Governance Committee      | 4  | 5   | 6                           |
| 9<br>4pm Shadow Cabinet     | 10   | 11<br>3pm Planning Control Committee         | 12<br>4pm Cabinet                         | 13                          |
| 16                          | 17   | 18   | 19  | 20                          |
| 23 Schools Christmas Recess | 24 Schools Christmas Recess<br>Christmas Eve | 25 Schools Christmas Recess<br>Christmas Day | 26 Schools Christmas Recess<br>Boxing Day | 27 Schools Christmas Recess |
| 30 Schools Christmas Recess | 31 Schools Christmas Recess                  |  |   |                             |



JANUARY 2020

| Monday                        | Tuesday  | Wednesday                                    | Thursday                   | Friday                     |
|-------------------------------|--|--|----------------------------|----------------------------|
|                               |  | 1 Schools Christmas Recess<br>New Year's Day | 2 Schools Christmas Recess | 3 Schools Christmas Recess |
| 6                             | 7  | 8<br>3pm Planning Control<br>Committee       | 9                          | 10                         |
| 13                            | 14<br>4pm Corporate Scrutiny<br>Committee (Budget<br>Consultation) | 15   | 16<br>4pm Cabinet Briefing | 17                         |
| 20<br>4pm Standards Committee | 21   | 22<br>4pm Council                            | 23                         | 24                         |
| 27<br>4pm Shadow Cabinet      | 28   | 29<br>3pm Planning Control<br>Committee      | 30<br>4pm Cabinet          | 31                         |

FEBRUARY 2020

| Monday                                 | Tuesday                     | Wednesday   | Thursday                    | Friday                      |
|--|-----------------------------|---|-----------------------------|-----------------------------|
| 3<br>4pm Constitution Working<br>Group | 4                           | 5   | 6                           | 7                           |
| 10                                     | 11                          | 12<br>4pm Council (Budgets)   | 13<br>4pm Cabinet Briefing  | 14                          |
| 17 Schools Half Term Recess            | 18 Schools Half Term Recess | 19 Schools Half Term Recess<br>3pm Planning Control<br>Committee<br>5pm Cabinet (Only if<br>budget matters referred<br>from 12/02/20 Council) | 20 Schools Half Term Recess | 21 Schools Half Term Recess |
| 24<br>4pm Shadow Cabinet               | 25                          | 26<br>4pm Council (Precepts etc.)   | 27<br>4pm Cabinet           | 28                          |

MARCH 2020

| Monday                               | Tuesday                                  | Wednesday   | Thursday                   | Friday |
|--------------------------------------|--|---|----------------------------|--------|
| 2<br>4pm Constitution Working Group  | 3<br>4pm Wellbeing Scrutiny Committee    | 4<br>3pm Planning Control Committee               | 5                          | 6      |
| 9                                    | 10<br>4pm Corporate Scrutiny Committee   | 11  | 12<br>4pm Cabinet Briefing | 13     |
| 16<br>4pm Standards Committee        | 17<br>2pm Trade Union Consultative Forum | 18<br>4pm Promoting Prosperity Scrutiny Committee | 19                         | 20     |
| 23<br>4pm Shadow Cabinet             | 24<br>4pm Audit and Governance Committee | 25<br>3pm Planning Control Committee              | 26<br>4pm Cabinet          | 27     |
| 30<br>4pm Constitution Working Group | 31<br>4pm Community Scrutiny Committee   |   |                            |        |

APRIL 2020

| Monday                                    | Tuesday                  | Wednesday  | Thursday  | Friday                                  |
|---|--------------------------|--|---|---|
|   |                          | 1  | 2   | 3                                       |
| 6 Schools Easter Recess                   | 7 Schools Easter Recess  | 8 Schools Easter Recess                                    | 9 Schools Easter Recess<br>4pm Cabinet Briefing | 10 Schools Easter Recess<br>Good Friday |
| 13 Schools Easter Recess<br>Easter Monday | 14 Schools Easter Recess | 15 Schools Easter Recess<br>3pm Planning Control Committee | 16 Schools Easter Recess                        | 17 Schools Easter Recess                |
| 20<br>4pm Shadow Cabinet                  | 21                       | 22<br>4pm Council  | 23<br>4pm Cabinet                               | 24                                      |
| 27  | 28                       | 29<br>3pm Planning Control Committee                       | 30  |   |

MAY 2020

| Monday                                      | Tuesday                     | Wednesday                               | Thursday  | Friday                      |
|---|-----------------------------|---|---|-----------------------------|
| 4 Bank Holiday                              | 5                           | 6                                       | 7<br>Staffordshire Commissioner<br>and District elections | 8                           |
| 11  | 12                          | 13<br>3pm Planning Control<br>Committee | 14  | 15                          |
| 18  | 19                          | 20<br>4pm Annual Council                | 21  | 22                          |
| 25 Schools Half Term Recess<br>Bank Holiday | 26 Schools Half Term Recess | 27 Schools Half Term Recess             | 28 Schools Half Term Recess                               | 29 Schools Half Term Recess |

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|--------------------------|------------------------------|
| <b>Report of:</b>        | <b>Managing Director</b>     |
| <b>Contact Officer:</b>  | <b>Steve Partridge</b>       |
| <b>Telephone No:</b>     | <b>01543 464588</b>          |
| <b>Portfolio Leader:</b> | <b>Leader of the Council</b> |
| <b>Key Decision:</b>     | <b>No</b>                    |
| <b>Report Track:</b>     | <b>Council: 23/01/19</b>     |

**COUNCIL**  
**23 JANUARY, 2019**  
**COMPULSORY REVIEW OF POLLING DISTRICTS, POLLING PLACES AND POLLING STATIONS**

**1 Purpose of Report**

- 1.1 Council is requested to note the process for the compulsory review of UK Parliamentary polling districts and polling places, which is required to be started and completed between 1 October, 2018 and 31 January, 2020 (inclusive).

**2 Recommendations**

- 2.1 That the review process be noted.
- 2.2 That a further report be brought back to Council on completion of the review

**3 Key Issues and Reasons for Recommendation**

- 3.1 The Electoral Registration and Administration Act, 2013 introduced a change to the timing of compulsory reviews of UK Parliamentary polling districts and polling places, requiring that they must be started and completed within the period of 16 months of every fifth year after 1 October, 2013. This means that the next compulsory review must be started and completed between 1 October, 2018 and 31 January, 2020 (inclusive).
- 3.2 Although the start and end of the period in which the review must be undertaken and completed is defined, the length of the review process is not prescribed and individual local authorities can start the process at any point within the period provided all the steps required by the legislation can be undertaken within it. However, the time allowed for consultation should be sufficient to enable interested persons and groups to read and understand the proposals, gather comments and respond with any alternative arrangements that they may wish to submit.

- 3.3 Good practice recommends that the Council should also undertake periodic reviews of polling districts and polling places as required for local elections. However, Cannock Chase Council has the benefit that the Parliamentary Constituency and local authority District boundaries are co-terminous and the same polling places are utilised for both national and local elections. Accordingly there is no requirement to conduct a separate local elections review.
- 3.4 This report provides Council with an overview of the processes that will be followed when the formal review is undertaken. A further report will be brought back to Council on conclusion of the review.

#### **4 Relationship to Corporate Priorities**

- 4.1 The Council through its democratic process supports all of the Council's Corporate Priorities.

#### **5 Report Detail**

- 5.1 Section 18 of the Representation of the People Act, 1983, placed a responsibility on local Councils to divide their area into polling districts for the purpose of Parliamentary elections and to designate the polling places for those polling districts. The Electoral Administration Act, 2006 (EAA 2006), introduced a duty on all local authorities to review their UK Parliamentary polling districts and polling places at least once every four years. This requirement was subsequently amended by the Electoral Registration and Administration Act, 2013 (ERAA 2013), which brought the reviews in line with revised five year UK Parliamentary fixed terms.
- 5.2 The new regime required that the first review be completed within the period of 16 months beginning from 1 October, 2013, and ending 31 January, 2015, in time for the May, 2015 Parliamentary elections, and subsequent reviews must then take place every five years thereafter. This means that the next compulsory review must be started and completed between 1 October, 2018 and 31 January, 2020 (inclusive). Unfortunately, an extraordinary ('snap') Parliamentary General Election held in June, 2017, means that the timing of the reviews is no longer synchronous with the ongoing timing of the General Elections, the next of which - subject to no further extraordinary elections - is scheduled for May, 2022.
- 5.3 Section 31 of the Representation of the People Act, 1983, makes similar provisions in respect of reviewing polling places for local government elections. As referred to in 3.3, above, Cannock Chase benefits from having co-terminous Parliamentary Constituency and local authority District boundaries, and undertaking the compulsory review of UK Parliamentary polling districts and polling places also, effectively, satisfies the local review requirements.
- 5.4 The review requires the Council to:
- Seek to ensure that all the electors in the constituency have such reasonable facilities for voting as are practicable in the circumstances.

- Seek to ensure that so far as is reasonable and practicable, the polling places they are responsible for are accessible to all electors, and when considering the designation of a polling place, must have regard to the accessibility needs of disabled persons.

The following is not considered as part of the review:

- The changing of any District ward boundaries (which can only be done by statute following an electoral review carried out by the Local Government Boundary Commission). The review is concerned only with the administrative subdivision of a ward into polling districts which are then assigned polling places; or
- The changing of polling districts in areas which are also aligned with parish boundaries and therefore cannot be amended during this review (these can only be amended during a Community Governance Review).

5.5 The Council has scheduled local elections in May, which are combined with Parish / Town Council elections. Preparatory work for the elections typically commences in late February / early March. It is, therefore, unlikely that the formal review process will start until June, 2019.

5.6 In the interim, some of the associated aspects of the review will be undertaken anyway, i.e. as part of the regular pre-election processes, such as pre-election visits to the current venues to make preliminary assessments in respect of access and basic suitability requirements. Polling station staff will also be asked to assist by completing suitability questionnaires from observations they make on the day of the elections in May.

5.7 This Council elects its Members by thirds, i.e. thirteen or fifteen Members are elected in three out of every four years, and County elections are held in the 'fallow' year, i.e. every fourth year. Additionally, there are planned periodic Parliamentary General Elections; Police, Fire and Crime Commissioner; and Parish elections, which may be combined with the District or County Council elections depending on when the cycles overlap.

This means that there is an ongoing cycle of (informal) review across the duration of every electoral event, taking account of any issues that arise both on the day, and in the pre and post election periods. Consideration is also given to feedback from polling station staff and others, including members of the public.

5.8 The Electoral Services team are already familiar with the polling places that are utilised at elections. On occasion, there might be a requirement to change the locations of polling stations and, more rarely, polling places, to address particular needs between formal reviews. Polling stations can be redesignated within a polling place - e.g. changing which room that is used within a venue - by the (Acting) Returning Officer without further reference. However, the legislation requires that changes to polling places (venues) follow the same process as for a full review, *unless the Council has in place an alternative delegated procedure*.

5.9 The Council has such a procedure in place, which forms part of the Council's Scheme of Delegations and was confirmed by Council at its meeting of 14 January, 2015. The Managing Director, as (Acting) Returning Officer, has

delegated authority (26.3.10) “To make changes to polling districts and polling places, as may be required, in between formal reviews.” In so doing, the Managing Director consults with the local Ward Members and the respective Group Leaders, to make them aware of the reasons for the proposed changes to polling places. This also gives the Ward Members an opportunity to suggest alternative venues for the affected polling places. This process adopts a common sense approach to the matter, avoiding the unnecessarily burdensome and time consuming prescribed procedure.

#### 5.10 Definitions

- **A polling district** is a geographical area created by the sub-division of a UK Parliamentary constituency, an electoral division; or a District ward into smaller parts. In England, each parish is a separate polling district, unless there are special circumstances.
- **A polling place** is the *particular building or area* in which a polling station(s) will be selected by the (Acting) Returning Officer.
- **A polling station** is a *room or area within the polling place* where voting takes place. Unlike polling districts and polling places which are determined by the local authority as part of the review, polling stations are chosen by the (Acting) Returning Officer, and may be redesignated within the polling place by him without the need for further review.

#### 5.11 The Requirements of the Review

Local authorities are required to divide every constituency into polling districts for the purposes of UK Parliamentary elections and to designate a polling place for each polling district. Polling places should be within the polling district unless special circumstances make it desirable to designate an area outside the district. (This does not affect Cannock Chase.)

#### 5.12 Accessibility

Local authorities must also comply with access requirements. As part of the review, they must:

- Seek to ensure that all electors in a constituency in the local authority area have such reasonable facilities for voting as are practicable in the circumstances.
- Seek to ensure that, so far as is reasonable and practicable, every polling place for which it is responsible is accessible to electors who are disabled.

The Council must have regard to the accessibility to disabled persons of potential polling stations in any place which it is considering designating as a polling place or the designation of which as a polling place it is reviewing.

For this reason, the Electoral Services team has been actively working to reduce the number of portable / temporary polling stations in use, and to ensure that where they are used, they are situated in such a way as to minimise access issues. It should also be noted that costs associated with portable / temporary



polling stations are substantially more than those for fixed premises polling stations.

### **5.13 Use of schools**

By law, for the purpose of taking the poll in England and Wales, the (Acting) Returning Officer is entitled to use free of charge schools maintained or assisted by a local authority as well as those schools that receive grants made out of moneys provided by Parliament. This includes academies and free schools. The County Council sends annual reminders to Head teachers and Chairs of Governing Bodies of the rights of (Acting) Returning Officers in this regard.

While this is generally not popular with Head teachers, provision exists for them to use INSET days in order to minimise the impact of the elections, which normally fall on the first Thursday in May. Therefore, this should have been factored in when planning the academic year. Where possible / practicable to do so, a small number of polling places have been relocated from schools. However, there is a shortage of suitable / available alternative facilities in the District, and as a result, schools premises remain one of the default locations. Using alternative venues is also likely to result in additional costs to the Council. Nonetheless, the Electoral Services team continues to work with schools to try to minimise any inconvenience.

The Managing Director, as (Acting) Returning Officer, has requested that use of schools be revisited as part of the process.

### **5.14 Formal Review Process**

There is a prescribed process for conducting the review; a summary of which is included as Appendix 1 to this report. Briefly, the process requires publication of a notice in advance of the start of the review; consultation with a variety of interested parties, including elected Members; consideration of the feedback; and conclusions. The final conclusions and recommendations from the review will subsequently be brought back to Council for approval.

## **6 Implications**

### **6.1 Financial**

Undertaking the review will incur indirect additional costs to the authority in respect of Officer time. It is not possible to quantify these. No additional grant funding is available for this purpose, and the costs will have to be met from existing budgetary provisions.

### **6.2 Legal**

The legal implications are set out in the report.

### **6.3 Human Resources**

None.

**6.4 Section 17 (Crime Prevention)**

None.

**6.5 Human Rights Act**

None.

**6.6 Data Protection**

None.

**6.7 Risk Management**

Council is at risk of not fulfilling its statutory obligations should it fail to undertake the compulsory review of UK Parliamentary polling districts and polling places.

**6.8 Equality & Diversity**

Equality and diversity considerations are embedded within the requirements of the review.

**6.9 Best Value**

None.

**7 Appendices to the Report**

Appendix 1 The Formal Review Process

**Previous Consideration**

|   |         |                  |
|---|---------|------------------|
| Compulsory and Intermediate Reviews of Polling Districts, Polling Places and Polling Stations | Council | 6 November, 2013 |
| Outcome of Compulsory Review of Polling Districts, Polling Places and Polling Stations        | Council | 14 January, 2015 |

**Background Papers**

Representation of the People Act, 1983

The Electoral Administration Act, 2006

The Electoral Registration and Administration Act, 2013

The Electoral Commission Guidance: Reviews of Polling Districts, Polling Places and Polling Stations

**THE FORMAL REVIEW PROCESS**

(Extracted from Sections 6 and 7 of The Electoral Commission Guidance)

**6 The Review Process****Stage 1 – Notification of the review**

6.1 The formal commencement of the review requires the local authority to give notice of the holding of a review. The notice must:

- be displayed at the local authority's office and in at least one conspicuous place within the authority
- be published on the local authority website

6.2 Additionally, the authority could display copies in other public buildings and, in particular, those buildings frequented by disabled residents. The authority's disability officer should be able to give guidance on the most suitable places for reaching disabled residents.

6.3 The content of the notice is not prescribed, but should state:

- that the local authority is conducting a review of polling districts and polling places
- that the (Acting) Returning Officer will make a comment on proposed polling stations, and an indication of when and where the (Acting) Returning Officer's representations will be made available
- that electors within the authority or within a UK Parliamentary constituency which has any part in the authority may make a representation
- that the authority would welcome the views of all residents, particularly disabled residents, on the authority's proposals, the (Acting) Returning Officer's representation or any other matters
- that the authority would welcome any person or body with expertise in access for persons with any type of disability to comment on the authority's proposals, the (Acting) Returning Officer's representation or any other matters
- that persons or bodies making representations should, if possible, give alternative places that may be used as polling places
- the postal address, e-mail address and website address at which documents can be inspected and representations made
- an indication of the timetable of the review and a deadline for representations

- 6.4 The authority should also send a copy of the notice to interested parties such as elected representatives (Councillors, MPs, MEPs, etc.), political parties, disability groups and other stakeholders. Additionally, the authority could issue a press release and use social media feeds to draw attention to the review and the process.

### Stage 2 – Consultation

- 6.5 The consultation stage is for representations and comments to be made on the existing and proposed arrangements for polling districts and polling places. There are two aspects of this stage:
- A compulsory submission from the (Acting) Returning Officer of the UK Parliamentary constituency or constituencies, which must then be published by the local authority.
  - Submissions from electors and other interested persons and bodies, including elected representatives and those with expertise in relation to access to premises or facilities for disabled people.

### The (Acting) Returning Officer's submission

- 6.6 The (Acting) Returning Officer's submission must comment on both the existing polling stations and the polling stations that would likely be used based on any proposed polling places. The (Acting) Returning Officer's report must also contain information as to the location of polling stations within polling places. Completing the templates at Appendix A may help to form a basis for this report.
- 6.7 The local authority must publish the (Acting) Returning Officer's comments within 30 calendar days of receipt. The comments should be published at the local authority offices and in at least one conspicuous place within each UK Parliamentary constituency contained wholly or partly in the local authority area. They should also be published on the local authority's website. Additionally, the (Acting) Returning Officer's response could be copied and made available in council offices, libraries, community centres or other places where residents may visit.

### Consultees

- 6.8 The authority should consult widely on the review and should seek out the views of interested groups or bodies, including electors, candidates and agents, political parties and Members of the Council, as well as other elected representatives (MPs, MEPs, etc.).
- 6.9 It will be particularly important to consult with those who have specific experience of assessing access for persons with different disabilities. These could include disability sections or occupational health departments within the council, as well as local and national disability groups. The authority should give consideration to the different types of disability which may make voting in person more difficult, and should also consider the council's own policy on disabled

access. Consultees should be asked for comment both in general and, if appropriate, about particular buildings or areas within the authority.

- 6.10 Any persons involved in the consultation have the right to comment on the recommendations proposed by the (Acting) Returning Officer.
- 6.11 Any elector for a UK Parliamentary constituency either wholly within or partly within the local authority area may comment on any of the recommendations within the whole local authority area.
- 6.12 Any person or body that makes a comment should be invited to suggest alternative polling districts/polling places and should be encouraged to give a reason for the alternative proposal so that it may be given appropriate consideration. As mentioned above, the notice published by the local authority should provide a deadline for the submission of comments.

#### Stage 3 – Concluding the review

- 6.13 After considering all of the representations, the local authority must decide on the most appropriate polling districts and polling places, which must be approved by the council.
- 6.14 If the review results in the alteration of one or more polling districts, the Electoral Registration Officer must make the necessary alterations to the electoral register. Depending on the timing of the review and the extent of the changes, the ERO has three options to ensure the register reflects the new polling districts:
  - update the register on publication of the revised register following the conclusion of the annual canvass
  - re-publish a revised register at another point in the year
  - publish a notice of alteration
- 6.15 Where the Electoral Registration Officer has decided to revise their register by republishing it to incorporate the changes, the law requires that the ERO publish a notice 14 calendar days before the publication of the revised version of the register in a local newspaper, at their office and at some other conspicuous place or places in the area. The legislation does not allow for a part publication of the register – a revised register can only be published for the whole of the local authority area.
- 6.16 Any alteration is effective on the date on which the Electoral Registration Officer publishes a notice stating that the alterations have been made, which should be published at the same time as the register is revised or a notice of alteration published, as appropriate.

#### Stage 4 – Publishing the conclusions of the review

- 6.17 Once the council has agreed the proposals, details of the new polling districts and polling places must be made available to the public. These should be made

available at the local authority offices, in at least one conspicuous place in the constituency (or constituencies), and on the local authority's website. The reasons for choosing each particular polling district and polling place must be given.

6.18 Along with the reasons for the final decision of the review, the following must also be published:

- all correspondence sent to the (Acting) Returning Officer in connection with the review
- all correspondence sent to any person whom the authority contacted because they had particular expertise in relation to access to premises or facilities for disabled people
- all representations made by any person in connection with the review
- the minutes of any meeting held by the council to consider any revision to the designation of polling districts or polling places within its area as a result of the review
- details of the designation of polling districts and polling places within its area as a result of the review
- details of the places where the results of the review have been published

6.19 It is important that electors are made aware of any changes made to the place they must attend to vote. For example, the poll card for the next election they are entitled to vote at could indicate if their station has changed.

## **7 The Appeals Process**

7.1 Following the conclusion of the local authority's review, certain persons have a right to make representations to the Electoral Commission. If, on receipt of such representations, the Commission find that a local authority's review did not:

- meet the reasonable requirements of the electors in the constituency, or a body of them, or
- take sufficient account of the accessibility for disabled persons of a polling station/ polling stations within a designated polling place

then it may direct the authority to make any alterations to the polling places that the Commission thinks necessary and, if the alterations are not made within two months, the Commission may make the alterations themselves.

Who is entitled to make representations to the Commission?

7.2 The following may make representations:

- in England, any parish council which is wholly or partly situated within each constituency, or parish meeting where there is no such council
- in Wales, any community council which is wholly or partly situated within each constituency

- thirty or more registered electors in each constituency (although electors registered anonymously cannot make a representation)
- a person (except the (Acting) Returning Officer) who made representations to the authority when the review was being undertaken
- any person who is not an elector in a constituency in the authority's area but who the Commission thinks has sufficient interest in the accessibility of disabled persons to polling places in the area or has particular expertise in relation to the access to premises or facilities of disabled persons

7.3 In addition, the (Acting) Returning Officer may make observations on any representations made to the Electoral Commission.

#### Format for all representations

7.4 All representations must be made in writing, either by post, e-mail or fax. The representation must be as specific as possible and should clearly state the manner in which it is alleged that the local authority has failed to properly conduct the review. There are only two grounds on which a representation may be made. These are:

- the local authority has failed to meet the reasonable requirements of the electors in the constituency
- the local authority has failed to take sufficient account of accessibility to disabled persons of the polling station/ polling stations within a polling place.

7.5 Representations based on any other premise will not be considered.

7.6 The representation should include the location of the polling place and any other relevant information regarding the polling place at issue, stating specifically why it is inaccessible or does not meet the reasonable requirements of the electors.

7.7 A representation may also include for consideration specific proposals for changing the place that has been designated as the polling place.

#### The decision-making process of the Commission

7.8 Upon receipt of a representation, the Commission will request all relevant documentation from the local authority and will show the authority the representation.

7.9 The (Acting) Returning Officer is entitled to make observations on the representation submitted to the Commission and should give a report on the polling station(s) which would likely be used should the representation be successful.

7.10 The documentation from the local authority, the observations of the (Acting) Returning Officer and any other relevant information will be taken into consideration, in conjunction with the representation.

- 7.11 The Commission may seek advice from persons with expertise on accessibility issues when making its decision.
- 7.12 The Commission will set out in writing its conclusions and the reasons for its decision. The decision will be issued to the person(s) who made the representation, the local authority and the (Acting) Returning Officer. The decision and related documents will also be published on the Electoral Commission's website. Local authorities are advised to publish the outcome of the appeal in the same way as the results of the review were published.
- 7.13 The Commission may direct the local authority to consider any alterations to the polling places that it deems necessary under the review. After two months, if the local authority has failed to make the alterations, the Commission can itself make the alterations as if the local authority had implemented them.
- 7.14 Representations should be sent to:
- Legal Counsel,  
The Electoral Commission  
3 Bunhill Row  
London EC1Y 8YZ  
Tel: 020 7271 0500  
Fax 020 7271 0505  
Email: [appeals@electoralcommission.org.uk](mailto:appeals@electoralcommission.org.uk)
- 7.15 Further information on previous appeals, including the decisions made by the Commission can be found on its website.