

Sandwell
Metropolitan Borough Council

**General Purposes and Arbitration
Committee**

**Monday 29 October, 2018 at 6.00 pm
in Committee Room 1,
at the Sandwell Council House, Oldbury**

Agenda

(Open to Public and Press)

1. Apologies for absence.
2. Members to declare any interest in matters to be discussed at the meeting.
3. To confirm the minutes of the meeting held 20 August 2018 as a correct record.

Matter Not Delegated to the Committee

4. Changes to Polling Stations to be used for the Local Election 2 May 2019.

**J Britton
Chief Executive**

Sandwell Council House
Freeth Street
Oldbury
West Midlands

Distribution:

Councillor Dhallu (Chair);
Councillor P Davies (Vice-Chair);
Councillors S Crumpton, Davies, S Hosell, Melia and Tagger.

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Apologies

To receive any apologies from members

Declarations of Interest

Members to declare any interests in matters to be discussed at the meeting.

Minutes of the General Purposes and Arbitration Committee

**20th August, 2018 at 6.00 pm
at the Sandwell Council House, Oldbury**

Present: Councillor Dhallu (Chair);
Councillor P Davies (Vice Chair);
Councillors S Crumpton and Melia.

Apologies: Councillors Y Davies, S Hosell and Tagger.

Observer: Councillor Gavan.

6/18 **Minutes**

Resolved that the minutes of the meeting held on 19th March, 2018 be confirmed as a correct record.

Matters not delegated to the Committee

7/18 **Honorary Freeman of the Borough**

In accordance with Section 249 of the Local Government Act 1972, the Council had the authority to admit suitably qualified persons to be Honorary Freemen/Freewomen of the Borough.

The Council had, from time to time, conferred the title of Honorary Freeman/Freewoman on suitably qualified persons in recognition of the service they had given to the Borough.

The Committee considered a proposal to admit Mr David Manners as an Honorary Freeman of the Borough. Councillor Gavan, who had made the nomination, informed the Committee that Mr Manners was born, raised and educated in Smethwick and had been an exemplary employer in the Borough for over 40 years. He had recently won an award for Apprenticeship Company of the Year,

General Purposes and Arbitration Committee – 20th August, 2018

due to the commitment he had shown to young apprentices and had donated significant amounts of money to local charities.

The Council had previously granted Honorary Freeman of the Borough to:-

- Baroness Boothroyd of Sandwell;
- Lord Archer of Sandwell;
- Joseph Adams OBE;
- Christopher Graham Collins (Frank Skinner);
- Cyrille Regis MBE;
- Julie Mary Walters CBE;
- Wilfred Lunn MBE;
- Patrick John Sullivan;
- Dr Hiren Roy;
- Francis Arthur Betteridge MBE;
- Lord King of West Bromwich;
- Lord Snape of Wednesbury;
- Anthony “Bomber” Brown;
- Wendy Mary Lawrence (Josie);
- David Heeley (blind Dave);
- Dr Roy Richardson.

The Committee felt that Mr Manners had demonstrated exceptional innovation and entrepreneurship, which was delivering significant economic growth and prosperity in the borough of Sandwell and should be conferred to the office of Honorary Freeman of the Borough.

Resolved to recommend to the Council:-

- (1) that the office of Honorary Freeman of the Borough be conferred upon Mr David Manners;
- (2) that the Director – Monitoring Officer, in consultation with the Mayor and Leader of the Council, make the appropriate arrangements to implement the decision referred to in Resolution (1) above.

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8/18 Honorary Alderman of the Borough

In order to recognise eminent or notable service rendered to the Borough by former councillors, in 1997, the Council introduced a scheme for the enrolment of Honorary Alderman of the Borough. This scheme was amended in 2008 to reduce the required number of years' service to twelve, and in 2013, to reflect Section 29 of the Local Democracy Economic Development and Construction Act 2009 to the effect that any reference to Honorary Alderman should be followed by the insertion of Honorary Alderman.

The Local Government Act 1972 gave authority to the Council to confer the honour to elected members who had given eminent service to the Borough. Local authorities had defined the operation of the scheme within their council areas.

The Committee was advised that Councillor John Edwards had nominated Mr Gurcharan Sidhu to the office of Honorary Alderman.

Mr Sidhu had been in public office for 32 years representing the Greets Green and Lyng ward, until his retirement from office, due to ill health, in 2018. He was formerly Chairperson of the Council's Education Committee and Audit Committee and was Mayor of Sandwell for the Municipal Year 2007/2008. The Committee felt that Mr Sidhu had given many years of service to the residents of Greets Green and Lyng ward, which was a testament to his commitment and dedication to the borough of Sandwell as a whole and should be conferred to the office of Honorary Alderman of the Borough.

Resolved to recommend to the Council:-

- (1) that the office of Honorary Alderman of the Borough be conferred upon Mr Gurcharan Sidhu;
- (2) that the Director – Monitory Officer, in consultation with the Mayor and Leader of the Council, make the appropriate arrangements to implement the decision referred in Resolution (1) above.

(Meeting ended at 6:17pm)


[ILO: UNCLASSIFIED]

General Purposes and Arbitration Committee – 20th August, 2018

Contact Officer: Andrea Cowley
Democratic Services Unit
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General Purposes and Arbitration Committee

29 October 2018

Subject:	Changes to Polling Stations to be used for the Local Election 2 May 2019
Director:	Director - Monitoring Officer - Surjit Tour
Contribution towards Vision 2030:	
Contact Officer(s):	Tracey Hurst Electoral Services Manager. tracey_hurst@sandwell.gov.uk

DECISION RECOMMENDATIONS

That the Committee:

1. Considers and agrees the proposed changes to polling place/stations in the Newton and Langley Wards as set out in Appendix 1 to this report.
2. Notes that the Council is required to undertake a compulsory review of all polling districts and polling places and stations within the borough between 1 October 2018 and 31 January 2020 (inclusive).

1 PURPOSE OF THE REPORT

- 1.1 The report sets out proposed changes to two polling places/stations in the Newton and Langley wards as the current station(s) is no longer suitable or requires further work to address concerns raised.
- 1.2 To inform the Committee of the need to carry out a review of all existing polling places, stations and polling districts in line with statutory requirements.

2 IMPLICATIONS FOR SANDWELL'S VISION

- 2.1 Ambition 10 - Sandwell now has a national reputation for getting things done, where all local partners are focused on what really matters in people's lives and communities.
- 2.2 The proposals and planned compulsory wider review of polling districts, places and stations helps ensure that the electorate can effectively engage in democracy arrangements and influence the future direction of the Council.

3 BACKGROUND AND MAIN CONSIDERATIONS

- 3.1 Section 18B of the Representation of the People Act (RPA) 1983 states the authority must designate the polling places for the polling districts in its area. Each polling district must have a polling place and it is the duty of the council to designate polling places and keep them under review. The council is required, so far as is reasonable and practicable designate polling places which are accessible to disabled electors.
- 3.2 Paragraph 25 of Schedule 1 to the RPA 1983 states that the Returning Officer must provide a sufficient number of polling stations, shall allocate electors to those polling stations, and those polling stations shall be in the polling place for that district.
- 3.3 Representations have been received in relation to the suitability/availability of two existing polling stations in the Langley and Newton Ward.
- 3.4 Appendix 1 sets out the details of the two polling stations considered unsuitable/unavailable, along with the issues raised, alternative options and recommendations.

THE CURRENT POSITION

Polling Places/Stations for Newton and Langley Wards

- 4.1 Appendix 1 details the proposed changes to Polling Stations in Newton and Langley ward.
- 4.2 Officers are currently carrying out an assessment of the proposed alternative Polling Places/Stations and an update on their suitability and other relevant issues and factors will be provided at the Committee.

Statutory Review of Polling Stations

- 4.3 Section 18C(1) of the Representation of the People Act 1983 (RPA 1983) local authorities must carry out and complete a review of polling districts and polling places in the period specified by section 18C(2)(a) of the RPA 1983.
- 4.4 All local authorities must review their UK Parliamentary polling districts and polling places at least once every four years.
- 4.5 The next compulsory review must be started and completed between 1 October 2018 and 31 January 2020 (inclusive).

5 **CONSULTATION (CUSTOMERS AND OTHER STAKEHOLDERS)**

- 5.1 Relevant Ward Councillors have been consulted in relation to the alternative polling stations/places detailed in Appendix 1.
- 5.2 As part of the statutory polling station review commencing in May 2019 consultations will take place between all of the relevant stakeholders in relation to the existing provision of polling stations as per the statutory requirements of the Schedule A1 steps as detailed in Appendix 4.

6 **ALTERNATIVE OPTIONS**

- 6.1 Alternative options to the existing provision of polling stations are detailed in Appendix 1

7 **STRATEGIC RESOURCE IMPLICATIONS**

- 7.1 The financial implications have been set out in Appendix 1 of this report.

8 **LEGAL AND GOVERNANCE CONSIDERATIONS**

- 8.1 Section 18B of the RPA Act 1983 states the authority must designate the polling places for the polling districts in its area. Paragraph 25 of Schedule 1 to the RPA 1983 states that the Returning Officer must provide a sufficient number of polling stations, shall allocate electors to those polling stations, and those polling stations shall be in the polling place for that district.
- 8.2 A building should not be designated that does not have access for the disabled if another suitable building is available in the polling district. However, a building would not be a more suitable polling place if it were so far removed from most of the electors in the polling district.

- 8.3 Section 18C(1) (RPA 1983) states that local authorities must carry out and complete a review of polling districts and polling places in the period specified by section 18C(2)(a) of the RPA 1983. Paragraph 25(1) of Schedule 1 to the RPA 1983 states that the Returning Officer must provide sufficient numbers of polling stations and allot electors to those polling stations. The next compulsory review must be started and complete between 1 October 2018 and 31 January 2020 (inclusive). The review will undertake all the legislative steps set out in Schedule A1 to the RPA 1983 as detailed in Appendix 4.

9 EQUALITY IMPACT ASSESSMENT

- 9.1 The Review included use of the Electoral Commissions Evaluation Checklist which addresses equality and diversity issues relevant to Polling Districts, Places and Stations. Accessibility for members of minority or disadvantaged groups is a key issue in the selection of suitable Polling Stations.

10 DATA PROTECTION IMPACT ASSESSMENT

- 10.1 The proposals are in line with data protection regulations.

11 CRIME AND DISORDER AND RISK ASSESSMENT

- 11.1 The Council is under a statutory duty to ensure a polling place exists in each of its polling districts.

12 SUSTAINABILITY OF PROPOSALS

- 12.1 Not applicable

13 HEALTH AND WELLBEING IMPLICATIONS (INCLUDING SOCIAL VALUE)

- 13.1 Not applicable

14 IMPACT ON ANY COUNCIL MANAGED PROPERTY OR LAND

- 14.1 Not applicable

15 CONCLUSIONS AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

- 15.1 A verbal update will be presented to the Committee following further investigations to alternative sites and accommodation.

- 15.2 The recommendations will help ensure that elections and referenda held within the borough are conducted effectively.
- 15.3 The planned actions also ensure that the Council complies with its statutory obligations as outlined in the report.

16 **APPENDICES:**

Appendix 1 - Changes to Polling Stations for the Local Elections 2 May 2019.

Appendix 2 – Map of Newton ward highlighting the proposed changes

Appendix 3 – Map of Langley ward highlighting the proposed changes

Appendix 4 - Formal review process (Schedule A1 steps)

Surjit Tour
Director – Monitoring Officer

CHANGES TO POLLING STATION LOCATIONS FOR NEWTON AND LANGLEY WARDS**1. LANGLEY WARD****i. Polling District LAB/LAG (2321)**

The current polling station and the one used at the last local election is the car park at the St Johns ambulance car park. The Electoral Services Manager has been advised that the St Ambulance building has been sold and will no longer be available to be used.

Option 1

A grassed area measuring 198 square feet situated on York Road has been identified as an alternative area to the portable cabin. This area is c.450 meters away from the current polling place which constitutes a five minute walk for electors. The Electoral Services Manager together with the Property services manager has inspected this site and whilst portable cabins offer logistical and financial implications for the Returning Officer the site would be easily accessible for the electorate. This option would not provide any efficiency savings. The cost of the portable building is £1400. There are no additional costs for the use of the land. The location of the proposed site is shown in Appendix 2

Ward members have been consulted on this option and no adverse comments have been received.

Option 2

The use of the Bulls Head public house car park has been suggested by ward members to the Electoral Services Manager. This suggestion has been presented very close to the report being produced. An initial inspection has taken place of the car park and whilst it has been noted as being slightly uneven it is considered to be a suitable alternative site for a portable cabin, the main advantage to this being that it is situated opposite the existing polling place. Officers are waiting for confirmation of the cost implications which would include the cost of the hut itself and the hire of the car park. An update on this will be presented to the General Purposes committee at the meeting on the 29 October 2019. The location of the proposed site is shown in Appendix 2

Option 3

York Road Social and Sports Club.

Further consultation with ward members York Road Social and Sports Club has been identified as an alternative venue. Due to the timing of this information being received by officers, an update on investigations as to the availability and suitability of the Social club will be provided to members at the committee meeting. Securing this provision will offer potential efficiency savings; the use of a permanent fixture will remove the need for a portable building.

Recommendation:

- a) A verbal update will be presented to the Committee following further investigations around alternative provisions.
- b) That subject to no further recommendations being presented to the Committee the polling station be relocated to York Road for the Local Election on the 2 May 2019
- c) That all Parliamentary Constituency polling places and polling districts will be reviewed as part of the statutory review that will commence in May 2019

2. NEWTON WARD.

i. Polling District NEB (1007)

The current Polling Station is situated on a grassed verge on the corner of Meadowside Close as shown in Appendix 3

The Electoral Services Manager has received several communications from a resident of Meadowside Close expressing concerns and objections to the situation of the portable cabin. This is a long standing complaint that both officers and members have sought previous resolutions for.

Alternatives to the use of this site are very limited, officers have investigated this and the following options are presented to the committee for consideration.

Option 1

Status Quo

Keep the provision of the current arrangements at the existing site on Meadowside Close.

When accessing the suitability of Polling Station the Returning Officer needs to ensure that the station is adequately and safely accessed by all of the electorate. Officers would advise that at the Local Election on the 3 May this year one complaint as mentioned above was received in relation to the situation of the portable cabin, no other complaints were reported on Election Day. Presiding Officers did not feedback any adverse comments relating to the position of the portable cabin.

The complaint received is in relation to the Health and Safety implications when the unit is delivered and collected and the fumes and noise as a result of the generator. At the last election on the 3 May additional resources were allocated to supervise and monitor both the delivery and the collection of the unit. Should members decide to keep the status quo, officers would ensure the same provision is arranged for the elections taking place on the May 2019.

Officers are also investigating alternative types of portable units that provide a more suitable option. Furthermore, to mitigate the issues associated with the use of a generator, a site visit is taking place by officers to assess the use of a direct electrical connection to remove the need for a generator.

Ward members have been consulted and support keeping the status quo for the Local Elections taking place on the 2 May 2019

Option 2

Ferndale Primary School.

To merge polling district NEB (1007) with NEC (2000) using Ferndale Primary School as the sole polling place for the merged districts. The distance between Ferndale Primary School and the portable cabin Meadowside Close is c.1.0km. The current maximum distance is c.875m which would increase to c.1.2km for some of the electorate in NEB.

Officers would advise that the school is not always closed by the head teacher for every election, parking and congestion has been raised at previous elections by presiding officers, and this could potentially be more problematic with the introduction of another station in the same Polling Place, particularly if the school take the decision to remain open.

In merging the Polling Districts of NEB and NEC an efficiency saving would be delivered, the cost of the use of the school is £100 to cover the costs of heating and lighting provisions compared to £1500 for the portable cabin.

Ward members have been consulted and are not in support of the use of Ferndale School for the Local Elections 2 May 2019.

No other suitable locations have been currently identified for Newton Ward.

Recommendation:

- a) A verbal update will be presented to the Committee following further investigations into alternative more suitable temporary accommodation.
- b) That subject to no further recommendations being presented to the Committee the Status Quo be adopted and the polling station remain unchanged for the Local Election on the 2 May 2019
- c) That all Parliamentary Constituency polling places and polling districts will be reviewed as part of the statutory review that will commence in May 2019

3 NEXT STEPS

- a) All electors whose Polling Place will change will receive a letter from the electoral services unit notifying them of the change along with information about the new station including a map showing the location.
- b) Adequate signage will be provided at both the new Polling Station and the old Polling Station to ensure voters are informed and fully aware of any changes so it is clear where they need to go to cast their vote.
- c) The changes will also be noted on all Poll Cards that are issued to electors in the Langley and Newton wards.



Appendix 2

1. Existing Temporary Hut
2. Ferndale Primary School

LEGEND

DESCRIPTION

NEWTON WARD
POLLING DISTRICTS
NEB & NEC
PROPOSED REPLACEMENT
POLLING STATION

AREA

PLAN NUMBER
N/A

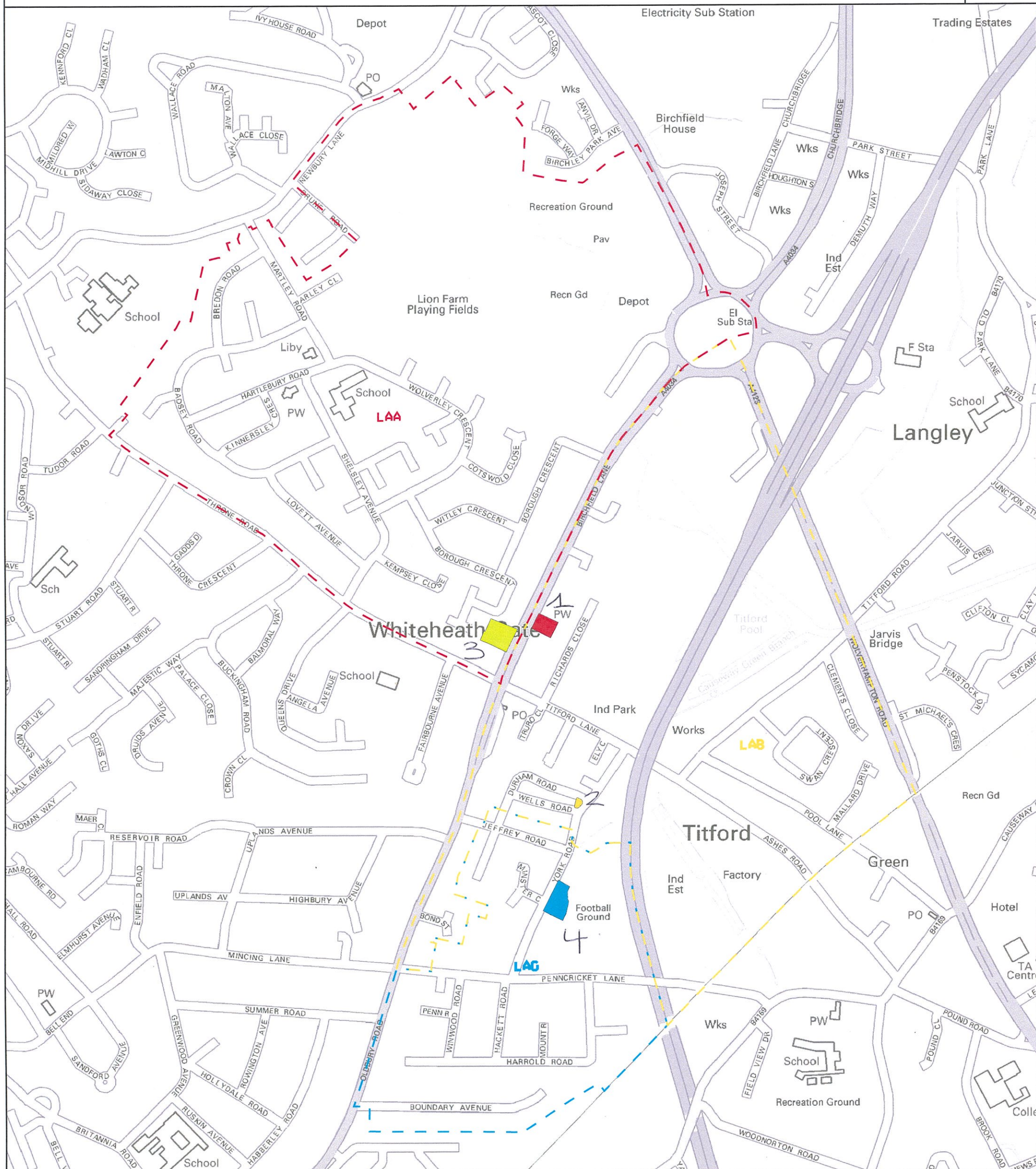
SANDWELL	TERRIER
SP0493NW	108

SCALE	CENTROID
1:4000	404260/293751

DRAWN	DATE
DM	18-OCT-2018

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2018



1. St John's Centre
2. Temporary Hut Site
3. Bulls Head
4. Sports Club

N/A

Formal review process (Schedule A1 steps)

1.1 When carrying out the review, local authorities must:

- publish a notice of the holding of a review
- consult the (Acting) Returning Officer for every parliamentary constituency which is wholly or partly in its area
- publish all representations made by an (Acting) Returning Officer within 30 days of receipt by posting a copy of them at the local authority's office and in at least one conspicuous place in their area and, if the authority maintains a website, by placing a copy on the authority's website
- seek representations from such persons as it thinks have particular expertise in relation to access to premises or facilities for persons who have different forms of disability. Such persons must have an opportunity to make representations and to comment on the representations made by the (Acting) Returning Officer(s).
- on completion of a review, give reasons for its decisions and publish:
 - a. all correspondence sent to an (Acting) Returning Officer in connection with the review
 - b. all correspondence sent to any person whom the authority thinks has particular expertise in relation to access to premises or facilities for persons who have different forms of disability
 - c. all representations made by any person in connection with the review
 - d. 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
 - e. details of the designation of polling districts and polling places within the local authority area as a result of the review
 - f. details of the places where the results of the review have been published