

Agenda

General Purposes and Arbitration Committee

22 February 2021 at 6:00pm

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[General Purposes and Arbitration Committee](#)

- 1 Apologies for Absence**
- 2 Members to declare any interests in matters to be discussed at the meeting**
- 3 To confirm the minutes of the meeting held on 7 December 2020 as a correct record**

Matters not delegated to Committee

- 4 Changes to Polling Places for the Local Police and Crime Commissioner and Combined Authority Mayoral Elections on 6 May 2021**
- 5 Nominations for the Offices of Civic Mayor and Deputy Civic Mayor of Sandwell for the 2021/22 Municipal Year**



D Stevens

Chief Executive

Sandwell Council House
Freeth Street
Oldbury
West Midlands

Distribution

Councillor Dhallu (Chair)

Councillor Z Hussain (Vice Chair)

Councillors Allen, E A Giles, P M Hughes, Melia and Millar

Contact: democratic_services@sandwell.gov.uk

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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.

General Purposes and Arbitration Committee

7 December 2020 at 6.00 pm

Present: Councillor Dhallu (Chair)
Councillor Z Hussain (Vice Chair)
Councillors E A Giles, Melia and Millar

Officers: Neil Cox, Director Prevention and Protection, Stuart Hall, Home Improvement Manager, Shane Parkes, Democratic Services Officer and Deborah Breedon, Democratic Services Officer.

Present: The Appellants - Mrs R & Mrs O.

4/20 **Apologies for Absence**

Apologies for absence were received from Councillor P M Hughes.

5/20 **Minutes**

The minutes of the meeting held on 30 June 2020 were agreed as a correct record.

6/20 **Exclusion of the Public and Press**

The Chair moved that the public and press be excluded from the rest of the meeting to avoid the possible disclosure of exempt information under Schedule 12A to the Local Government Act 1972 as amended by the Local Government (Access to information) (Variation) Order 2006, for the reasons set out in the reports'.

Matter Delegated to the Committee

7/20 **Appeal Against a Decision not to waive repayment conditions attached to a Disabled Facilities Grant**

A decision was sought regarding an appeal against the decision of the Director – Adult Social Care in respect of the repayment conditions attached to Disabled Facilities Grants.



General Purposes and Arbitration Committee – 7 December 2020

The Director of Prevention and Protection advised the Committee that on 12 July 2013 Mrs G applied for a Disabled Facilities Grant to carry out adaptations to her home. The grant award was £17,040.00 and after all submitted invoices were paid the revised grant award was £16,648.40.

10-year repayment conditions were attached to the grant award and were secured as a local land charge. This meant that if the property were to be sold within 10 years of the grant certification date, part of the grant award was required to be repaid to the Council. If the property was sold before 17 December 2023 the amount of £10,000 was to be repaid.

The Council was advised that the Mrs G had passed away in 2016 and her husband had passed away in September 2019. The beneficiaries of the estate had decided to sell the property and stated that the sale price was £140,000.

The beneficiaries of the estate appealed the repayment of the grant in August 2020. The reason for the appeal was that the family thought that Mrs G did not understand the grant and the repayment conditions due to possible issues with dementia and that there was only three years left till the expiry of the 10 year repayment conditions.

On 15 September 2020 the Director of Adult Social Care rejected the appeal to waive the repayment conditions and provided the following explanation.

- Based on the information provided, the Director of Adult Social Care had considered the extent the recipients of the grant, the beneficiaries, would suffer financial hardship if they were required to repay all or any of the grant and was satisfied that it was reasonable to require the payment. The appeal was therefore refused.

On 15 October 2020 the Council received an email confirming that the beneficiaries of the estate wished to appeal the decision of the Director of Adult Social Care.

The Committee heard that at the time the application was made the occupational therapist stated that there was no formal diagnosis of dementia. If Mrs G had been diagnosed with having dementia a Power of Attorney would be needed and the signatory would have had to sign the application.

The Committee was advised that the application was a long form and a case worker usually went through the application form with the applicant explaining it in full.

General Purposes and Arbitration Committee – 7 December 2020

The beneficiaries commented that Mr G had been present when the application was made, however he had never mentioned to the family that there would be anything to be repaid.

The Committee adjourned to make the decision.

Having considered all the information before them, the General Purposes and Arbitration Committee were minded to reject the appeal and uphold the decision of the Director of Adults Social Care.

The Committee was satisfied that the correct procedure had been followed at the time of the application and that the beneficiaries of the estate would not suffer financial hardship if required to repay all of the grant.

Agreed that the General Purposes and Arbitration Committee reject the appeal and uphold the decision of the Director of Adults Social Care.

Meeting ended at 6.53 pm with adjournment between 6.40 – 6.48 pm

[To view the meeting click here](#)

Democratic_services@sandwell.gov.uk

Report to General Purposes and Arbitration Committee

22 February 2021

Subject:	Changes to Polling Places for the Local, Police and Crime Commissioner and Combined Authority Mayoral Elections on 6 May 2021
Director:	Director of Law and Governance and Monitoring Officer, Surjit Tour
Contact Officer:	Electoral Services Manager, Tracey Hurst tracey_hurst@sandwell.gov.uk

1 Recommendations


- 1.1 That approval is given to changes to particular Polling Places and Polling Stations in the Blackheath, Langley, Smethwick, Soho and Victoria and West Bromwich Central Wards for the Local, Police and Crime Commissioner and Combined Authority Mayoral Elections on 6 May 2021, as set out in the Appendix to this report.
- 1.2 To agree to delegate authority for making any future changes to Polling Places as a result of unforeseen safety concerns, to the Returning Officer, subject to consultation with relevant Ward members.
- 1.3 That the Director of Law and Governance and Monitoring Officer implement the changes recommended in this report.



2 Reasons for Recommendations

- 2.1 The Council has been informed that a number of venues used as Polling Stations for the most recent elections in the Borough are not available for use for the Local, Police and Crime Commissioner and Combined Authority Mayoral elections in May 2021, or indeed, in other cases, not available to be used for any future elections, at all.
- 2.2. This report deals with this information and recommends suitable alternative places in which electors in relevant districts in the Borough can exercise their right to vote, in person.
- 2.3. In view of current concerns surrounding Covid-19, and the sudden, potential disruption of plans to the use of particular Polling Stations, it is being recommended that approval for making any “late” changes to Polling Places or Stations is delegated to the Returning Officer, subject to consultation with relevant Ward members.

3 How does this deliver objectives of the Corporate Plan?

	Strong resilient communities The recommendations detailed in this report will enable voters living in Sandwell opportunities to engage in the democratic process by being able to vote, in person, at their appropriate Polling Station. Electors will continue to have the right to apply to vote by post or by proxy too.
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4 Context and Key Issues

- 4.1 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 to designate polling places which are accessible to disabled electors.



- 4.2 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.
- 4.3 The appendix to this report sets out the details of existing Polling Places that are unavailable for use on the 6 May 2021 along with the alternative proposals and recommendations.
- 4.4 The RPA also requires local authorities to, periodically, conduct and complete a review of Polling Districts and Polling Places. The next compulsory review of all polling places must be completed between October 2023 and January 2025.

5 Alternative Options

- 5.1 As members will appreciate, where a previously-used Polling Station/Place is not able to be used for a forthcoming election, the council still has a legal obligation to identify and find suitable alternative, venues in which voters can exercise their right to vote, in person, should they wish to do so.
- 5.2. In making the recommendations outlined in this report, officers have considered a number of alternative sites in each of the affected Polling districts and concluded that, for reasons based on availability, location, size and ease of access, the locations detailed in the appendix are the most suitable in each case
- 5.3. These recommendations have been shared with relevant Ward members and, in some instances, amended to produce an outcome, which, it is considered, is better for the electorate, given the above criteria.



6 Implications

Resources:	Any costs associated with making the essential changes to Polling Places/Stations are shared between the council, and the offices of the Police and Crime Commissioner and the Combined Authority. Any expenditure needing to be incurred as a consequence of Covid-19 will be met from the dedicated emergency funding budget.
Legal and Governance:	Please see Section 4 above
Risk:	<p>The authority is obliged to make alternative provisions for voters in Wards where their Polling Station and/or Place is not available the forthcoming elections.</p> <p>The alternative venues recommended will be managed and made as safe and Covid-secure as possible, as will all other Polling Stations in the Borough.</p> <p>In the event that any further, hitherto unforeseen, changes need to be made, the recommendations in this report enable the Returning Officer and the Council to have the necessary delegated authority to effect any such changes, and thereby manage the risk.</p> <p>To minimise risk of electors going to the incorrect (i.e. “old”) Polling Station, Poll Cards will specify details of the elector’s new Polling Station, the Sandwell internet site will be updated to reflect the change and temporary signs placed at each former location, advising electors of their “new” Polling Station for these elections.</p>
Equality:	Details of the proposed recommendations have been shared, through Sandwell Council of Voluntary Organisations, with disability groups in the Borough.



	No objections to the recommendations have been received to date and any comments received subsequent to the production of this report will be shared verbally with members at the Committee.
Health and Wellbeing:	The recommendations contained within this report enable voters, living in Polling districts with enforced changes, to be able to vote, at a Polling Station, in person in the forthcoming elections, should they wish to do to so.
Social Value	Not applicable

7. Appendices

Recommended Polling Place and Polling Station changes for Local, Police and Crime Commissioner and Combined Authority Mayoral elections in May 2021.

8. Background Papers

- 8.1. Reviews of polling districts, polling places and polling stations – published by the Electoral Commission.
- 8.2. Do I need to undertake a Polling District review to change polling places for local elections in 2021? – published by the Association of Electoral Administrators
- 8.3. Key Considerations for planning for the delivery of the May 2021 polls – published by the Electoral Commission



Proposed Polling Places Changes for May 2021 Elections

1. Blackheath Central Methodist Church, High Street, Blackheath (BLA and BLH)

This Polling Place is situated in the BLA district of the Blackheath Ward and has, in recent years, served not only voters from that district but also voters who live in the neighbouring BLH area.

However, the Council has been informed by the Church that they do not anticipate being open at the time of the election and therefore will not be available to be used as a Polling Station for use in May 2021.

Consideration has therefore been given to alternative venues within the Blackheath town centre area and beyond.

Following a discussion with the council's Principal Libraries Officer about the possible suitability of using Blackheath Library as a Polling Station, it is felt that the building would be suitable on the accessible ground floor area of the building. The Library is situated less than 100 metres away from the Central Methodist Church.

There are also some on-street and off-street car parking spaces available for those who choose to drive to the Polling Place and spaces for disabled staff and visitors are immediately adjacent to the Library.

However, following consultation with Ward members, it was felt that, whilst this is a suitable a move for electors in BLA ward, there could be a better, more accessible Polling Place for electors in the BLH Ward and so an alternative venue was sought, for electors living in this District.

The BLH district is very limited in terms of having suitable buildings and/or suitable land on which to position a Temporary Hut that could act as a Polling Station.

Research has therefore looked at suitable places in immediately-adjacent Polling Districts and it is felt that relocation of the Polling Station to Temple Meadow Primary School in the neighbouring Cradley Heath and Old Hill Ward is the best option. This school currently serves a Polling Station for the CRF District and so is used to hosting elections. There would therefore be two Polling Stations in one Polling Place and there would be clear signage and safeguards in place for voters to ensure that they vote in the correct Ward, as well as additional Covid-safeguards in place (as in all double stations) given the increased footfall.

According to Google Maps, the distance from the mid-point of the BLH Polling District to Temple Meadow School is 0.3 miles and a 4-minute walk closer than it is from the same mid-point to Blackheath Library. Also, for electors who choose to walk to their polling station, the route is far less hilly.

Ward members have been consulted on these proposals and have assisted in arriving at the recommendation below.

Recommendation:

In the knowledge that the Blackheath Central Methodist Church is not available for use in 2021, it is recommended that for the forthcoming and future elections, residents living in

- a) the BLA Polling District go to vote at Blackheath Library, High Street, Blackheath and
- b) the BLH Polling District are invited to vote at Temple Meadow Primary School, Wrights Lane, Cradley Heath.

2. Smethwick Fire Station,

Entrance in Green Street, Smethwick (SMC)

This Polling Place is situated in the Community Room of the Fire Station and lies within the Smethwick Ward.

The Council has been informed that, owing to restrictions associated with Covid-19 this Polling Place will not be available for use in 2021.

In looking for a suitable alternative location, officers initially sought to gain permission to erect a Temporary hut on the Fire Station car park, but after further correspondence with the Station Commander, he advised he was not certain he would be able to gain permission to site the hut in the grounds of the Fire Station, it was decided to seek an alternative proposal for the 2021 elections. The Returning Officer would very much like to be able to use the Community Room at Smethwick Fire Station for election purposes again in the future, as soon as circumstances permit.

Therefore, in view of the likely temporary nature of a change away from the Fire Station, it is proposed to re-locate to an existing Polling Station facility in a neighbouring Polling District in the Smethwick Ward for 2021, rather than trying to identify a brand new Polling Place.

Having spoken to the Presiding Officer at the Polling Station for SMD, Holy Trinity Church in Church Hill Street, and the Minister at the Church, additional floor space can be used at this building to cater for the increased footfall. According to Google maps, this site is 0.3 miles or 5 minutes' walk away from the Fire Station.

Despite the increase of voters at this location, there are not considered to be any on-street car parking issues.

Ward members have been consulted on this proposal and have not raised any objections to the recommendation below.

It is recommended that, for elections in May 2021, the Polling Station previously housed in Community Room at Smethwick Fire Service is re-located Holy Trinity Church in Church Hill Street, Smethwick.

3. Akrill Memorial Methodist Church, The Uplands,

Entrance from Taylors Lane, Smethwick (SMG and SME)

The Council has been informed that this Polling Place, which serves as the Polling Station for two Polling Districts (SMG and SME) in the Smethwick Ward is unable to commit to being open in May 2021 and therefore alternative sites have had to be considered.

Having considered alternative options, the most practicable is to re-locate to the Dance Studio in the nearby Harry Mitchell Leisure Centre, situated in Broomfield, approximately 300 metres from the entrance to the existing Polling Place.

The facility enjoys ample on-site car parking, and, like the Akrill Memorial Church, is situated in the SMG District. The site is on level ground and is not considered to have any accessibility issues. Ward members have been consulted on this proposal and have not expressed any objections to this recommendation.

Assuming this re-location proves successful, there is no reason why the new location could not become a permanent Polling Place for these Districts.

Recommendation:

It is recommended that the Polling Station for SME and SMG Polling Districts is relocated from the Akrill Memorial Methodist Church to the Dance Studio at Harry Mitchell Leisure Centre, Broomfield, Smethwick for the foreseeable future.

4. Brandhall Golf Course (Coffee shop)

Heron Road, Oldbury (LAE)

The Polling Station is situated in the Langley Ward.

Members will be aware that the Council permanently closed this Golf Course in summer 2020 and therefore the Club House/Coffee Shop is no longer available for use as a Polling Station.

Having considered a number of alternative options, and having consulted Ward members, it is thought that the most desirable option is for a temporary hut to be

positioned on council-owned land, a short walk away from the previous site at the junction of Heron Road and Brook Road, Oldbury.

Officers from Property Services and Housing have also been consulted and have advised that they have no objections to this proposal and have confirmed that, subject the Council granting approval to this proposal, they will notify shopkeepers and residents in the immediate locality of some possible minor disruption on the day of the election, as a result of a Polling Station being positioned on this land.

According to Google maps, the proposed new site is less than 100 metres away from the entrance to the Club house at the Golf course.

Assuming this re-location proves successful, the new location would become the permanent Polling Place for the District.

Recommendation:

That, as a result of the permanent closure of Brandhall Golf course, and the consequential loss of the venue as a Polling Station, approval is granted to the positioning of a hut on land at the corner of Heron Road and Brook Road, Oldbury as a replacement for the Station. This arrangement shall continue for all future elections, until further notice.

5. Temporary hut on the Car Park of

Ron Davis Family Education and Training Centre

Ballot Street, Smethwick (SVD)

This Polling Place is situated in the Soho and Victoria Ward and has one of the smallest of all electorates in the Borough, currently with 789 electors.

The Council has been informed that this Centre could, at the time of the election in May 2021, be undergoing extensive refurbishment work and therefore cannot commit to the car park being available to house a Polling Station, in the form of a temporary hut, as has previously been the practice.

Investigations have therefore taken place to establish a suitable alternative venue.

The SVD district is immediately adjacent to the neighbouring area of SVC where electors go to vote at the Community Action Project (CAP) in Windmill Lane, Smethwick.

Following a site visit it was clear that, by moving to a larger room within the CAP Centre than is currently used, this Polling Place could easily accommodate additional voters.

There is a good -sized car park at the rear of the building with an entrance in Windmill Precinct. The building is accessible for voters with mobility difficulties.

According to Google maps, this venue is situated within a five-minute walk and 0.2 miles away from the Ron Davis Centre.

In the event that experience proves that this enforced re-location is successful, then this change will continue beyond 2021.

Members have been consulted on these proposals and have not raised any objections.

Recommendation:

That approval is granted to the re-location of the Polling Station for voters in the SVD Polling District from a Temporary hut on the Car park of the Ron Davis Family Education and Training Centre to the Community Action Project in Windmill Lane, Smethwick for elections in 2021 and thereafter.

6. Committee Room A, West Bromwich Town Hall,

Entrance from Lodge Road, West Bromwich (WBG)

Members will be aware that Committee Room A, inside West Bromwich Town Hall, has been used as a Polling Station for many years.

Members will also be aware that the ground floor of the Town Hall is currently being used a Covid-19 testing site.

The need to continue to use the Town Hall for this important function is likely to continue until at least the Spring of 2021, and therefore means it is unlikely it can be used as a Polling Station for the elections on 6th May 2021.

It is proposed, therefore, that for these elections, the Polling Station for the WBG Polling District is transferred to the Ground Floor of the council's premises at 1, Providence Place, West Bromwich. This building remains within the boundaries of the WBG district and is accessible for voters with mobility difficulties.

Clearly, it is hoped that this will be a "one-off" alteration and that, for future elections, the Polling Station for the WBG district can revert back to West Bromwich Town Hall.

Members have been consulted on these proposals and have not raised any objections.

Recommendation:

That approval is granted to the re-location of the Polling Station for voters in the WBG Polling District from Committee Room A in West Bromwich Town Hall to the Ground Floor of 1, Providence Place, West Bromwich for the elections in May 2021.

For information only

Langley Swimming Centre,

Vicarage Road, Oldbury (BRA, BRB and BRC)

The Council has, in recent years, used small rooms inside the Langley Swimming Centre to enable voting to take place in the Bristnall Ward and, in particular, in the BRA, BRB and BRC Polling districts.

In view of the need to maintain, as far as possible, safe working distances in Polling Places, it is not considered advisable to continue to use these facilities.

It is therefore being planned to move the exact location where people vote in the 2021 elections from these small rooms to temporary huts - to be located on the car park at the rear of the Swimming Centre – i.e. with access from Brookfields Road.

The huts will be brand new and will be larger than those used for previous elections at various other locations in the Borough and will be accessible for voters with mobility difficulties.

Report to General Purposes and Arbitration Committee

22 February 2021

Subject:	Nominations for the Offices of Civic Mayor and Deputy Civic Mayor of Sandwell for the 2021/22 Municipal Year
Director:	Director of Law and Governance and Monitoring Officer – Surjit Tour
Contact Officer:	Trisha Newton Senior Democratic Services Officer Trisha_newton@sandwell.gov.uk

1 Recommendations







- 1.1 That the Committee recommends to Council the nominations for the offices of the Civic Mayor and Deputy Civic Mayor of Sandwell for the Municipal year 2021/22

2 Reasons for Recommendations

- 2.1 The Committee is invited to consider the nomination of Elected Members to the offices of Civic Mayor and Deputy Civic Mayor of Sandwell for the Municipal Year 2021/2022.



3 How does this deliver objectives of the Corporate Plan?

 	As the first citizen of Sandwell, the Civic Mayor and Deputy Civic Mayor are ambassadors of the Council, thus promoting and thereby contributing to all of the Council's ambitions.
 	
 	

4 Context and Key Issues

4.1 The Council, at its meeting on 8 January 2013, approved the process for the selection of Civic Mayor based on the following criteria:-

- nominees shall be serving members of Sandwell Council who have not previously served as Civic Mayor;
- nominees shall have given notable service to the Borough of Sandwell as a councillor and/or within the local community;
- each nomination shall be submitted by a serving member of the Council supported by five other serving members of the Council, regardless of political party.

4.2 All members of the Council have been invited to submit nominations for the office of Civic Mayor and a valid nomination has been received in respect of:-

Councillor M Hussain

4.3 The nomination for the office of Deputy Civic Mayor will also be reported at the meeting.

5 Alternative Options

5.1 The Council is legally required to appoint a Civic Mayor and Deputy Mayor for the 2021/2022 municipal year.



6 Implications

Resources:	The Council makes financial provision annually to enable the functions of the Mayoralty to be undertaken. Staff support is provided by the Mayor's Office.
Legal and Governance:	The Council is legally required to appoint a Civic Mayor and Deputy Mayor for the 2020/2021 municipal year. The General Purposes and Arbitration Committee has the responsibility under its terms of reference to make recommendations to the Council on nominations for the Civic Mayor of the Council. The role and responsibilities of the Civic Mayor are contained within Article 5 of the Council's Constitution.
Risk:	There are no risk implications arising from this report
Equality:	An equality impact assessment is not required
Health and Wellbeing:	There are no health and wellbeing implications arising from this report.
Social Value	There are no implications arising directly from this report.

7. Appendices

None

8. Background Papers

None

