



Havering

L O N D O N B O R O U G H

GOVERNANCE COMMITTEE AGENDA

7.30 pm	Wednesday 28 August 2019	Committee Room 3B - Town Hall
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Members 11: Quorum 4

COUNCILLORS:

Conservative Group (6)

Robert Benham (Vice-Chair)
Michael White (Chairman)
Joshua Chapman
Roger Ramsey
Damian White
Viddy Persaud

Residents' Group (2)

Ray Morgon
Barry Mugglestone

Upminster & Cranham Residents' Group (1)

Linda Hawthorn

Independent Residents' Group (1)

David Durant

Labour Group (1)

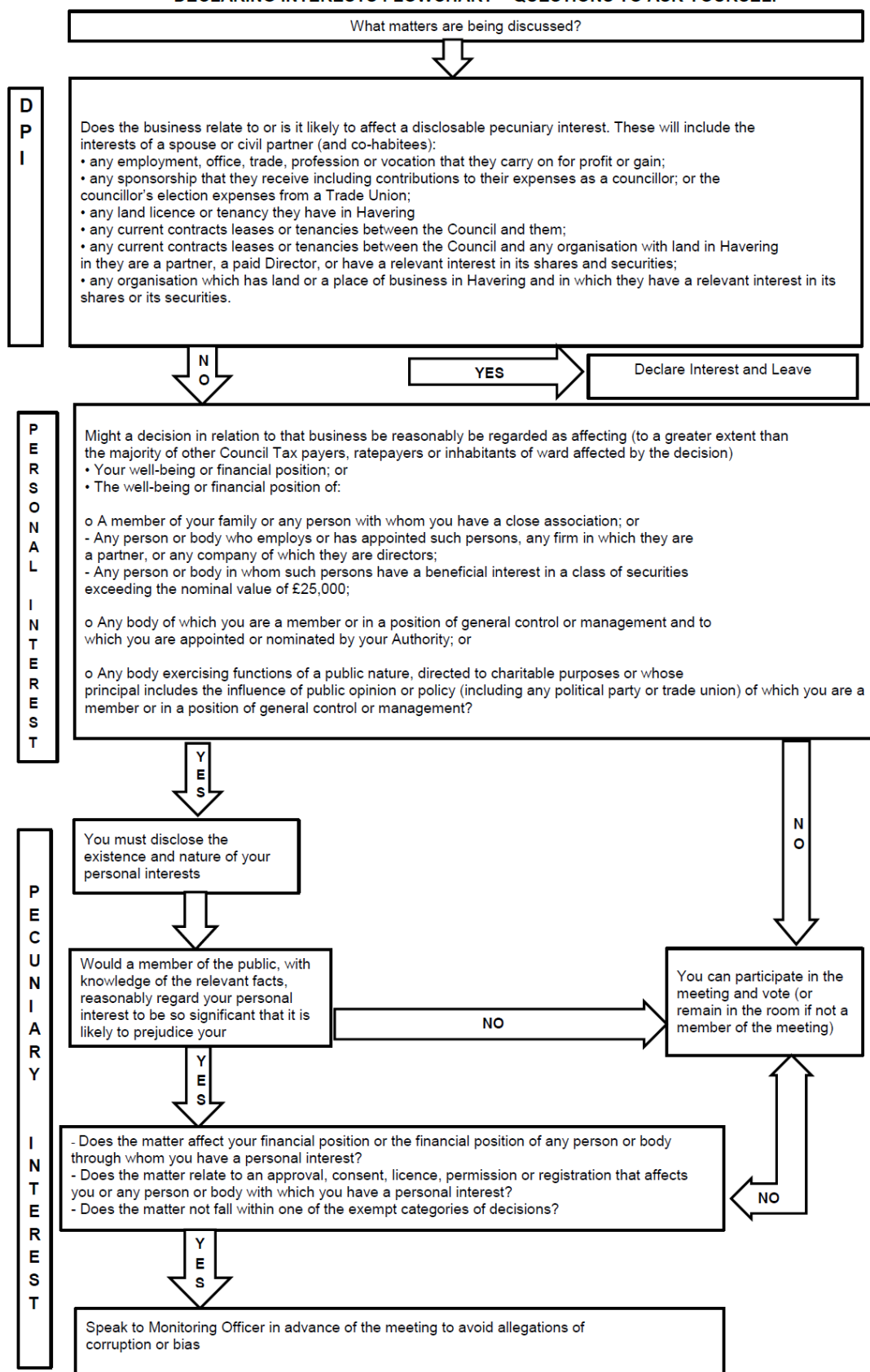
Keith Darvill

North Havering Residents Group (1)

Darren Wise

**For information about the meeting please contact:
Debra Marlow tel: 01708 433091
e-mail: debra.marlow@onesource.co.uk**

DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF



AGENDA ITEMS

1 CHAIRMAN'S ANNOUNCEMENTS

The Chairman will announce details of the arrangements in case of fire or other events that might require the meeting room or building's evacuation.

2 APOLOGIES FOR ABSENCE & SUBSTITUTE MEMBERS

(If any) - receive

3 DISCLOSURE OF INTERESTS

Members are invited to disclose any interest in any of the items on the agenda at this point of the meeting.

Members may still disclose any interest in any item at any time prior to the consideration of the matter.

4 MINUTES (Pages 1 - 6)

To approve as a correct record the minutes of the Committee held on 25 June, 2019 and to authorise the Chairman to sign them.

5 POLLING DISTRICT AND POLLING PLACES REVIEW (Pages 7 - 40)

Andrew Beesley
Head of Democratic Services

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**MINUTES OF A MEETING OF THE
GOVERNANCE COMMITTEE
Committee Room 2 - Town Hall
25 June 2019 (7.30 - 8.35 pm)**

Present:

COUNCILLORS

Conservative Group Robert Benham (Vice-Chair), Michael White (Chairman), Joshua Chapman, Roger Ramsey, Damian White and Jason Frost

Residents' Group Ray Morgon and Barry Mugglestone

Upminster & Cranham Residents' Group Linda Hawthorn

Independent Residents Group

Labour Group Keith Darvill

North Havering Residents Group Darren Wise

Apologies were received for the absence of Councillors David Durant.

Unless otherwise indicated, All decisions were taken with no votes against.

The Chairman reminded Members of the action to be taken in an emergency.

3 DISCLOSURE OF INTERESTS

There were no disclosures of interest.

4 MINUTES

The minutes of the meeting of the Governance Committee meeting held on 21 May 2019 were agreed subject to the following amendments:

1. Add 'Unless indicated otherwise' in front of 'All decisions were taken with no votes against.'; and
2. Councillor Linda Hawthorn voted for Councillor Linda Van den Hende in respect of the contested appointment to the London Road Safety Council.

The minutes were subsequently signed by the Chairman.

5 CHANGES TO THE CONSTITUTION

The committee considered a report by the Monitoring Officer in respect of proposed changes to the Constitution on Members' common law right to access documents on a 'need to know' basis and the rules of procedure relating to budget setting.

The committee were in the main supportive of the proposals subject to some minor amendments. The committee resolved to recommend to Full Council that the following changes be made to the Council's Constitution:

- 1. The Protocol on Member/Officer Relations be amended to authorise the Monitoring Officer to decide, on a case by case basis, a Member's common law right to access documents; with a right of appeal to the Chief Executive in instances where the request is denied.**
- 2. To replace paragraph 2.9 of the Council's Budget and Policy Framework Procedure Rules with the following:**
 - "2.9 If following consideration of the Executive's budget proposals, Council has any objection to them, it must inform the Leader of any objections which it has to the Executive's proposals and must give the Leader instructions requiring the Executive to reconsider, in the light of those objections, those proposals in accordance with Council's requirements.**
 - 2.10 Where Council gives instructions in accordance with paragraph 2.9, it must specify a period of at least five working days beginning on the day after the date on which the Leader receives the instructions on behalf of the Executive within which the Leader may:**
 - 2.10.1 submit a revision of the proposals as amended by the Executive, which have been reconsidered in accordance with Council's requirements, with the Executive's reasons for any amendments made to the proposals, to Council for Council's consideration; or**
 - 2.10.2 inform Council of any disagreement that the Executive has with any of Council's objections and the Executive's reasons for any such disagreement.**

2.11 When the period specified by Council, as referred to in paragraph 2.10, has expired Council must, when setting the budget, take into account:

2.11.1 any amendments to the proposals that are included in any revised proposals;

2.11.2 the Executive's reasons for those amendments;

2.11.3 any disagreement that the Executive has with any of Council's objections; and

2.11.4 the Cabinet's reasons for that disagreement; which the Leader submitted to Council, or informed Council of, within the period specified.

2.12 If the Executive's budget proposals are submitted to Council on or after 8th February in the preceding financial year, rules 2.9 to 2.11 apply subject to the Council's statutory duty to make budget calculations before 11th March in the preceding financial year and the ability to charge council tax from 1st April."

3. Paragraph 2.12 has been added to give effect to the Committee's recommendation that the delay this procedure will inevitably cause does not override the Council's duty to make budget calculations on time and the financial imperative to issue council tax bills well in advance of 1 April. 7 February is the deadline stipulated in the relevant regulations (see paragraph 3.1 and Appendix 1 of the Committee's report).

4. That the Monitoring Officer be authorised to amend the Constitution in accordance with the proposals.

6 REVIEW OF CALL-IN PROVISIONS

The committee considered a report by the Monitoring Officer which reviewed the overview and scrutiny arrangements in respect of call-in.

The report set out Havering's approach to call-in, with examples given as to how other local authorities approached it. The report concentrated on a number of key provisions, namely:

- Which executive decisions can be called-in;
- Who can make a call-in request;
- The time-limit (or standstill period) for call-in requests;
- Call-in validity criteria; and
- Urgency rules

The report also made reference to the recently issued statutory guidance by the Ministry of Housing, Communities & Local Government on “Overview and Scrutiny in Local and Combined Authorities”. The Guidance is concerned with overview and scrutiny as a whole and the very limited references to call-in are in high-level terms only. It advises that the power to call-in should not be viewed as a substitute for early involvement in the decision-making process or a party-political tool. Further, effectively-resourced scrutiny can help policy formulation and so minimise the need for call-in of executive decisions.

Instead the Guidance majors on the broad and general themes of culture, resourcing, committee member selection, access to information and work planning. It was noted that the Guidance would be formally reported to the Overview and Scrutiny Board in the summer for its consideration.

There were a number of contrasting views expressed during the meeting on how call-in should operate and whether it was wise to limit its coverage given the statutory guidance issued by the government department.

A number of suggestions were proposed during the meeting and it was resolved to recommend to Full Council that the following changes to the operation of call-in be made:

1. Key executive decisions only can be subject to call-in;

The vote for the resolution was passed by 7 votes to 4. Councillors Morgon, Mugglestone, Hawthorn and Darvill voted against the resolution.

2. Any requisition submitted must be in writing and must be signed by at least six members representing between them no less than two groups;

The vote for the resolution was passed by 6 votes to 4 with 1 abstention. Councillors Morgon, Mugglestone, Hawthorn and Darvill voted against the resolution. Councillor Wise abstained from voting.

3. Decisions may only be called-in once and that decisions are not eligible for call-in if there has been pre-decision scrutiny;

4. Requisitions must specify the decision to which it relates and must not only set out the grounds or reasons relied upon but, where appropriate, also suggest alternative proposals, actions or resolution of the matter. This will in turn set the parameters within which the decision called-in can be reviewed;

5. Requisitions must not be vexatious, frivolous or repetitive;

6. The Monitoring Officer be authorised to decide whether a call-in is valid as assessed against the agreed criteria and that it is otherwise an appropriate use of the call-in process;
7. The members submitting a call-in requisition or a group representative must attend the meeting of the Overview & Scrutiny Board where the called-in decision is to be reviewed;
8. The provisions relating to “holding” requisitions as set out in paragraph 17(j) of the Overview & Scrutiny procedure rules be deleted.

9. It was also RECOMMENDED to Council that the Monitoring Officer be authorised to amend the Constitution in accordance with Appendix 2 of the suggestions proposed by the Governance Committee and any other consequential changes to the constitution.

Chairman

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GOVERNANCE COMMITTEE

Subject Heading:	Polling District and Polling Places Review
SLT Lead:	Andrew Blake-Herbert
Report Author and contact details:	Zena Smith Election Services Manager, 01708 431 585 zena.smith@havering.gov.uk
Policy context:	There are no direct resource implications.
Financial summary:	There are no direct resource implications.

The subject matter of this report deals with the following Council Objectives

Communities making Havering	<input checked="" type="checkbox"/>
Places making Havering	<input type="checkbox"/>
Opportunities making Havering	<input type="checkbox"/>
Connections making Havering	<input type="checkbox"/>

SUMMARY

The Electoral Registration and Administration Act 2013 introduced a change to the timing of compulsory reviews of UK parliamentary polling districts and polling places. A compulsory review must be started and completed between 1 October 2018 and 31 January 2020. Subsequent compulsory reviews must be started and completed within the period of 16 months and starts on 1 October of every fifth year after 1 October 2018. Interim reviews may be carried out if needed. This review is a requirement and is independent of the Ward Boundary Review. If required, an additional Polling District and Polling Place Review can take place at the conclusion of the Boundary Review to incorporate any ward boundary changes.

Following each election officers review the running of the election and specifically look at any issues that have arisen in relation to the polling places.

The aims of the review are as follows:

To ensure that:-

- (a) As far as possible polling places are accessible to all.
- (b) Polling places fall within the polling district wherever possible.
- (c) Account is taken of justifiable complaints by electors, and any responses received from this consultation.

The list of those consulted, and a summary of responses as a result of the review can be found under “Report Detail”. The full timetable is set out in Appendix A and a copy of all responses is set out in Appendix B.

This report seeks to approve the proposed changes set out in the report and if agreed these changes will be incorporated into the register published on 1 December 2019, and the alternative polling stations will be used at the GLA elections in May 2020. It is however recognised that following the Local Government Boundary Commission review of Havering that a further polling District review may need to take place before the next compulsory review is required.

RECOMMENDATIONS

That the Council is recommended to endorse the changes to polling stations and polling districts set out in the Report Detail.

REPORT DETAIL

Consultation was undertaken as follows:

- All elected representatives, political parties and relevant stakeholders were given notification of the review.
- Copies of the proposals were available for public inspection in all libraries in Havering, and at the Town Hall.
- Notification was sent to Age UK, Tapestry, Alzheimer's Society, Disabled Association, and Havering Association for people with Disabilities, Havering Mind, Sycamore Trust and Havering Voluntary service.
- The Review was advertised on the Councils Website.

It is proposed that no changes are made to the existing polling districts and places in: Cranham, Elm Park, Emerson Park, Gooshays, Hacton, Harold Wood, Heaton, Hylands, Mawneys, Pettits, Romford Town, Rainham & Wennington, Squirrels Heath, South Hornchurch and Upminster wards.

Brooklands Ward

BL2 - The Mawney Foundation School

As part of the consultation process the Head Teacher has written requesting that the school not be used as a polling station, full details can be found in Appendix B. The Head Teacher had requested that the Willow Rooms be approached. Having canvassed the area enquiries were made at both the Willow Rooms and the RUSC club, neither of these venues are available to use.

It is therefore recommended that no changes are made to the existing polling district or polling place. Continued efforts will be made to facilitate the use of the school as a polling station whilst the school remains open.

BL5 - Romford and Gidea Park Rugby and Football Club

The Polling place at Romford and Gidea Park Rugby and Football Club be changed to a double station as the recommended number of electors for a single station is 2500. This station is and will continue to exceed elector numbers.

It is recommended that the above change be agreed.

Cranham Ward

CM1 and CM2 - St Lukes Church and Cranham Social Hall

As part of the consultation process a Ward Councillor raised concerns that the electors at the top end of Moor Lane and roads off of the lane had a long way to walk to either of these stations.

The Church in Moor lane is just outside of the Polling District, as is St Luke's Church, however the majority of voters live closer to St Luke's Church in addition to get to the church in Moor Lane you would need to cross over Moor lane. There are a handful of properties/farms up in Folkes Lane which do have a long distance to travel but unfortunately there is no suitable alternative.

For those electors in CM2 the Moor lane church is at the very top of the Polling District which would result in the same issue for those living at the bottom of the polling district, as in distance to travel. There are no other venues more central to the Polling District.

It is therefore recommended that no changes are made to the existing polling district or polling place.

Gooshays Ward

GS6 - Drapers Pyrgo Priory School

As part of the consultation process, the school requested that we consider using MyPlace as an alternative station; however MyPlace is actually used as a Polling Station for a neighbouring Polling District.

It is therefore recommended that no changes are made to the existing polling district or polling place

Havering Park Ward

HP6 - Dame Tipping School

The current polling place is Dame Tipping School, however there have been elector complaints regarding access and Parking. Polling station staff and the Inspector have also raised concerns regarding access for wheelchair users. The entrance to the station is uneven and poses a potential hazard.

The Pepperell Education centre is situated in the grounds of St Francis hospice, a short distance from the current polling station and is fully accessible with ample parking. The centre has advised that it is known within the local community.

It is recommended that the above change be agreed.

Heaton Ward

HT1 - The Ingrebourne Children Centre

Children's centres are currently part of a joint consultation with libraries; the outcome of this consultation is currently unknown. Having canvassed the area the only possible alternative venue is St Thomas Jacobite Church who has not responded to our enquiries. There is no suitable alternative within the Polling District.

It is therefore recommended that no changes are made to the existing polling district or polling place.

HT2 - St Ursula's Infant School

As part of the consultation process a note was received to advice that the school no longer wished to be used as a polling station after 2020.

The only possible alternative within the polling district St Dominic's Church, however this venue is not suitable for use as a polling station.

It is therefore recommended that no changes are made to the existing polling district or polling place.

Squirrels Heath Ward

SQ1 - The Royal Liberty School

As part of the consultation process, the school requested that we consider using an alternative venue, the full response can be found in Appendix B. Having canvassed the area approaches have been made to St Marys Hare Park School and Scott Lodge neither have responded to our enquiries.

The Dothan House Care home has advised that due to safeguarding issues they would not be able to accommodate a polling station.

It is therefore recommended that no changes are made to the existing polling district or polling place.

It should be noted that Extensive building works are taking place that may render this venue unavailable at the time of any election. These will be kept under constant review by the Head of Electoral Services and if required may mean a temporary build being erected during this period.

St Andrews Ward

ST4 - The Herons

Although there is some difficulty at The Herons, there is a step upon entry into the venue, however staff are visible and on hand to assist. An alternative route can be made available if required. We have not received complaints from electors in relation to this. This still remains the most suitable venue within the Polling District.

ST3 - Olive Academy

At the European Parliamentary Election held in May the Olive Academy was undergoing major refurbishment and therefore unavailable. At previous elections there has been some difficulty with providing a space, whilst allowing the school to remain open and limit causing disruption to the students.

HOPWA house was used as an alternative. This venue is within a minute or 2 walk from Olive Academy and worked well. There were a few comments regarding parking being unavailable, we have now agreed that a couple of spaces be made available at future elections.

It is therefore recommended that HOPWA house be used as the polling station for ST3.

Upminster ward

UP1 - The James Oglethorpe Primary School

As part of the consultation process, the school requested that they are not used as a polling station for elections, the full response can be found in Appendix B.

There are no suitable venues within this polling district. It is therefore recommended that no changes are made to the existing polling district or polling place.

UP4 - Gaynes School

There have been reported difficulties at Gaynes School regarding access. The school is a Secondary school and therefore remains open which can be difficult to manage. A suitable room, within the school, that can be fully segregated with a separate entrance point is not available.

The following venues have been explored:

- Freshfields Residential Home
- Little Gaynes Residential Home
- Haiderian Medical Centre
- Cranston Park Tennis Club

The area around the outside of the Polling District has also been investigated, as well as trying to locate an open space to house a Porto cabin within the Polling District.

Unfortunately no suitable alternative can be found. It is therefore recommended that the School continued to be used as Polling Place. Security Officers will continue to be provided at the venue on Election Day, as well as additional DBS checked staff to assist electors who may have difficulties accessing the premises enabling them to use an alternative entrance.

UP6 - Branfil Primary School

As part of the consultation process, the school requested that they are not used as a polling station for elections, the full response can be found in Appendix B.

There are no suitable venues within this polling district. It is therefore recommended that no changes are made to the existing polling district or polling place.

IMPLICATIONS AND RISKS

Financial implications and risks: Any increase in the amount of polling stations would incur additional costs in terms of building hire, equipment and polling station staff. The cost incurred from using Council maintained buildings is limited to covering heating, lighting and cleaning costs.

These costs are met by the Council only when used for Council elections or by- elections.

Legal implications and risks: There is a legal requirement to complete a full polling district review by 31st January 2020.

The Representation of the People Act 1983 section 18D requires that local authorities designate the polling places within the Parliamentary Constituencies. Under the Representation of the People Act 1983, Returning Officers have the right to use certain public buildings (including schools that receive public funds) for use as polling stations at elections.

Human Resources implications and risks: None.

Equalities implications and risks: One of the main purposes of the review is to ensure that all eligible electors can access a polling station.

Electoral services considered a review of all possible places and used a suitability access checklist this checklist take into account Scope recommendations and Electoral commission guidance.

All existing Polling Stations had an accessibility checklist completed at the European Parliamentary Election held in May 2019.

Polling staff receive equalities training as part of the Staff training undertaken to work on the election.

BACKGROUND PAPERS

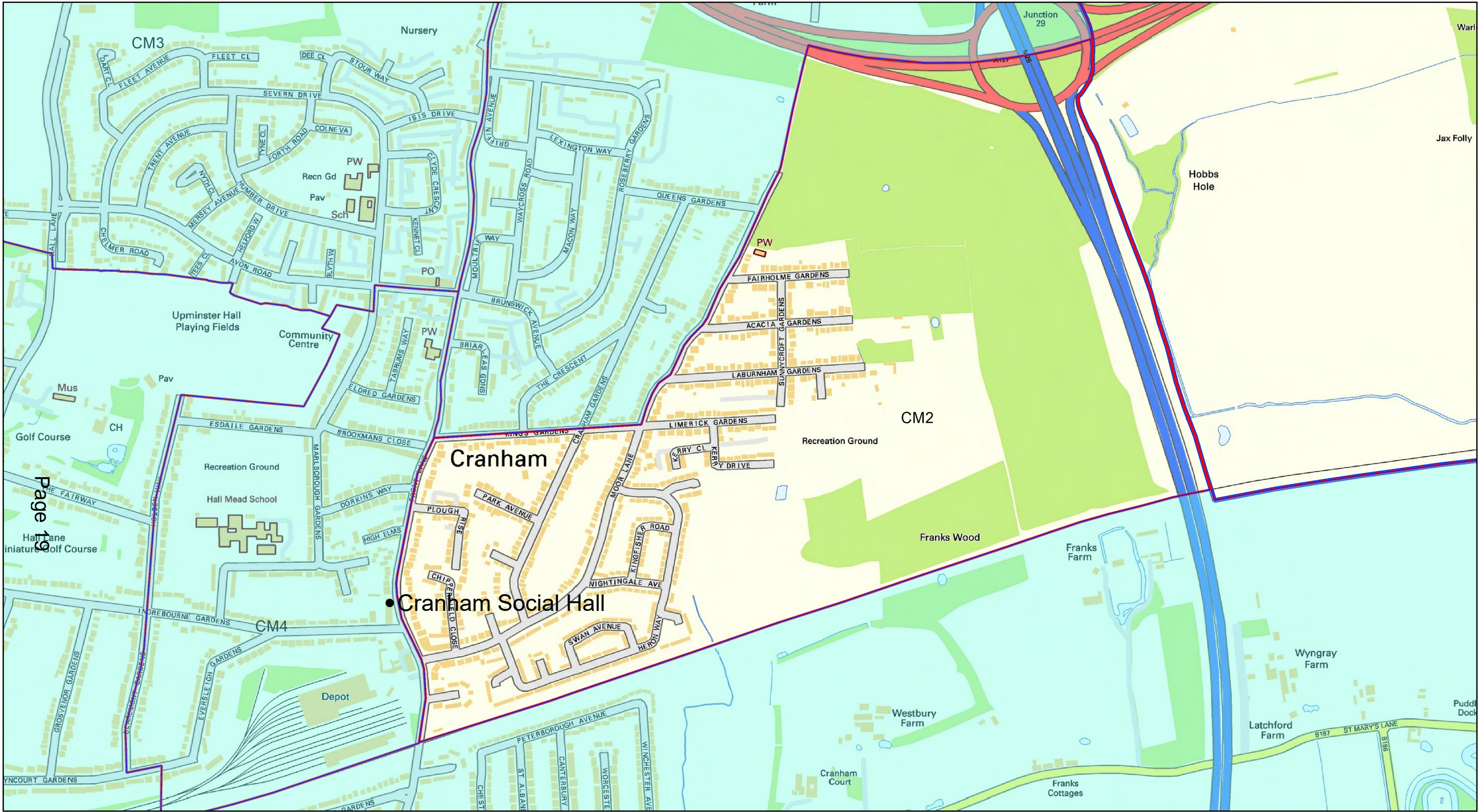
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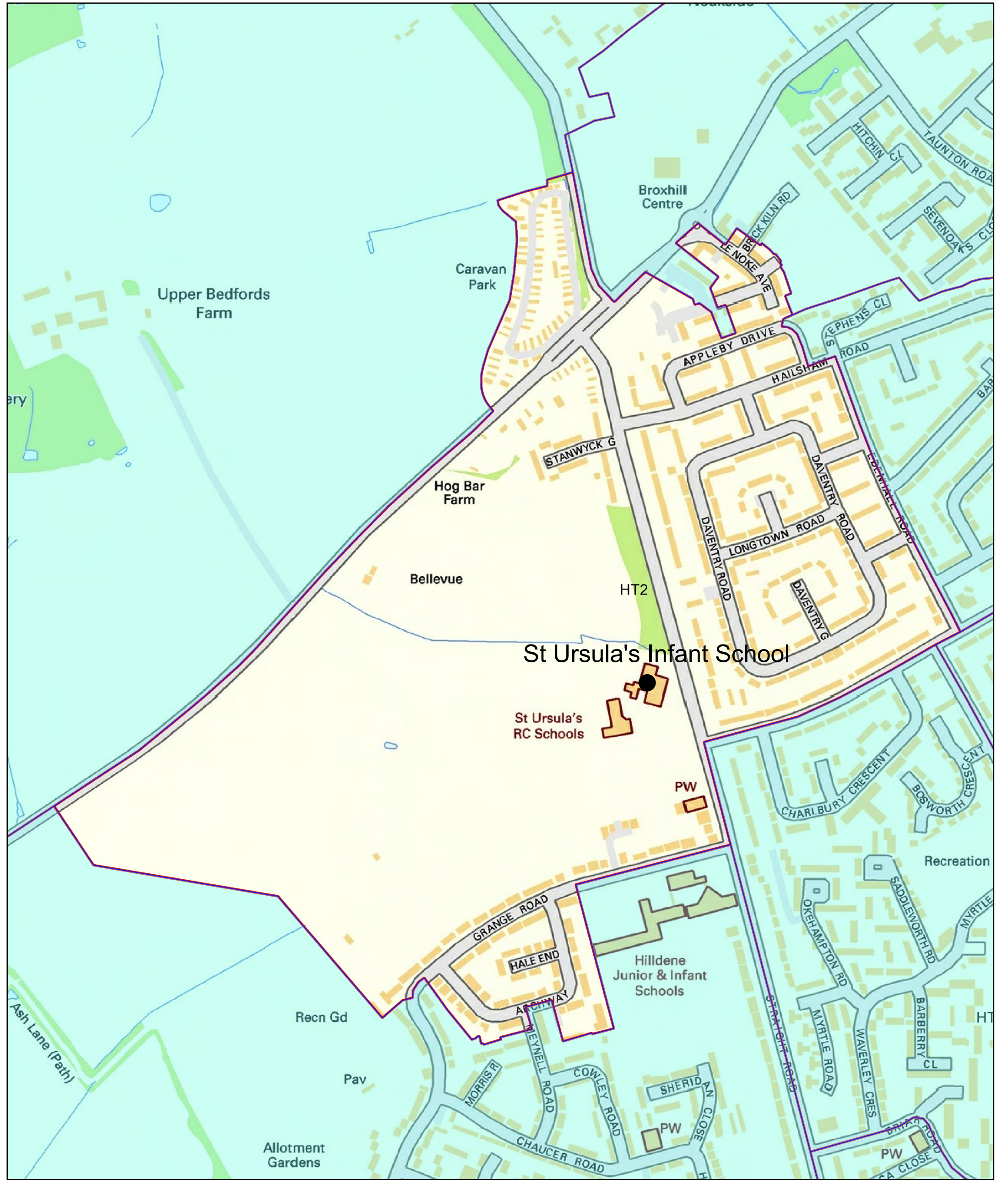


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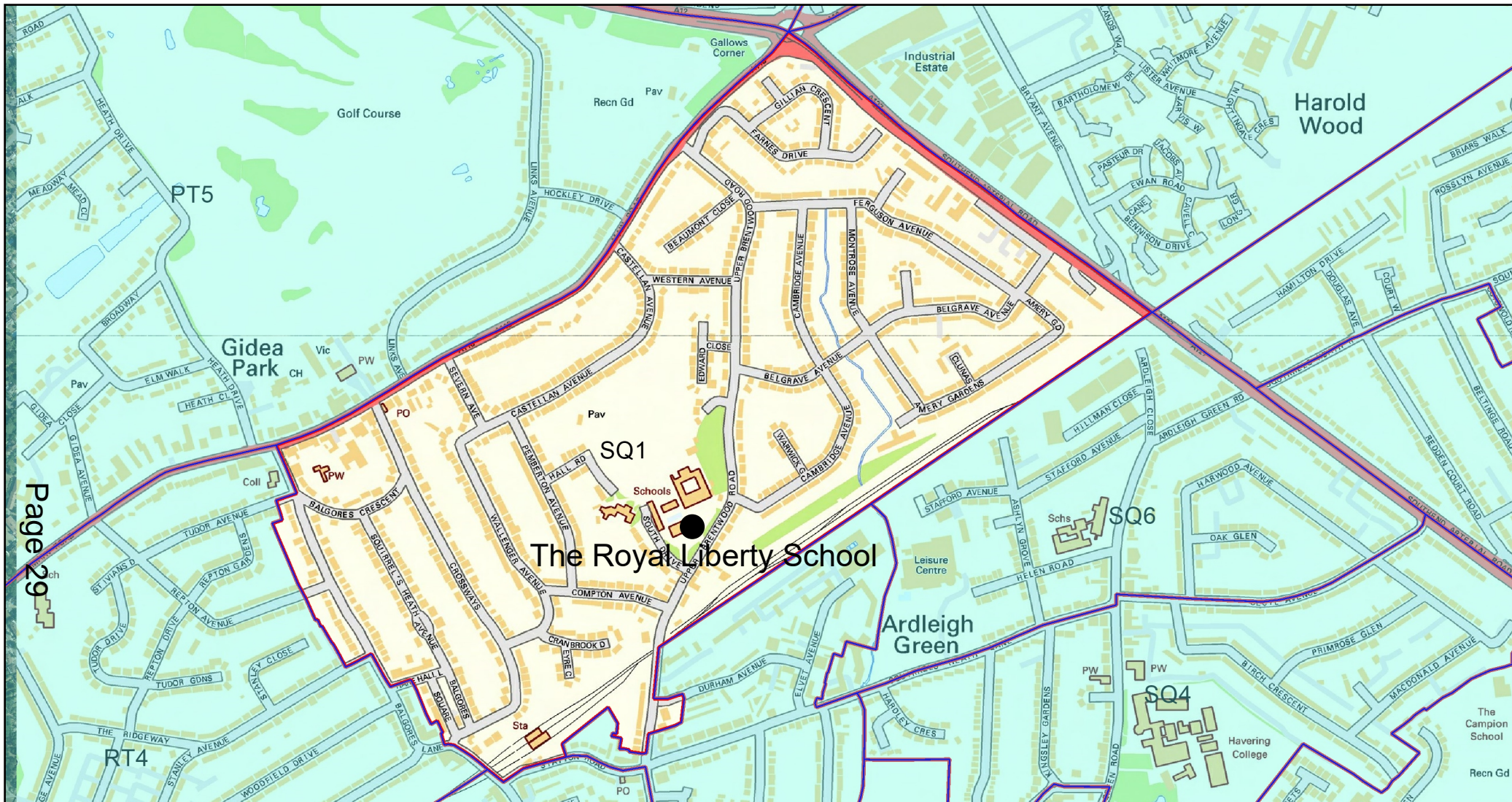
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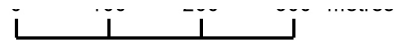


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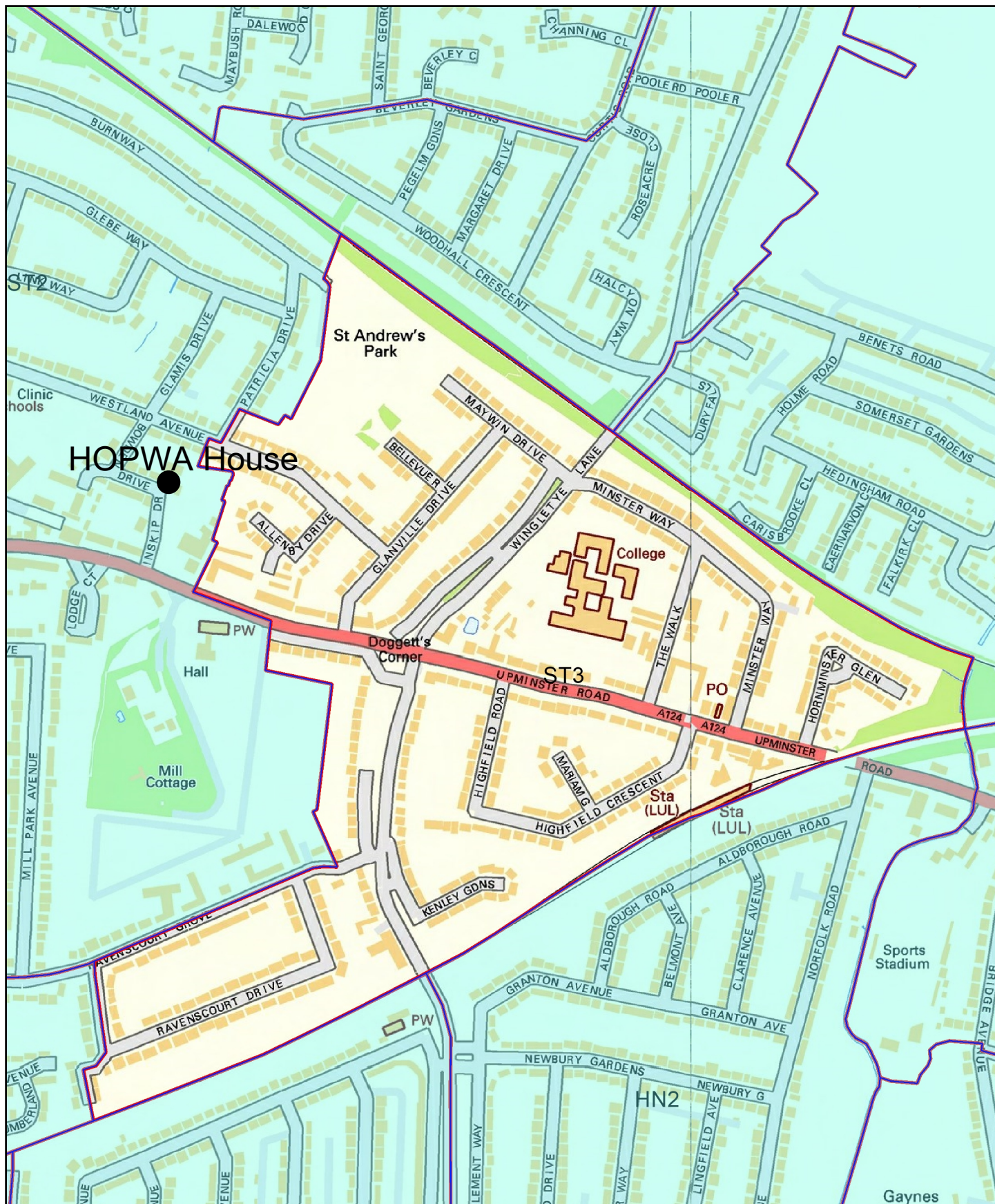


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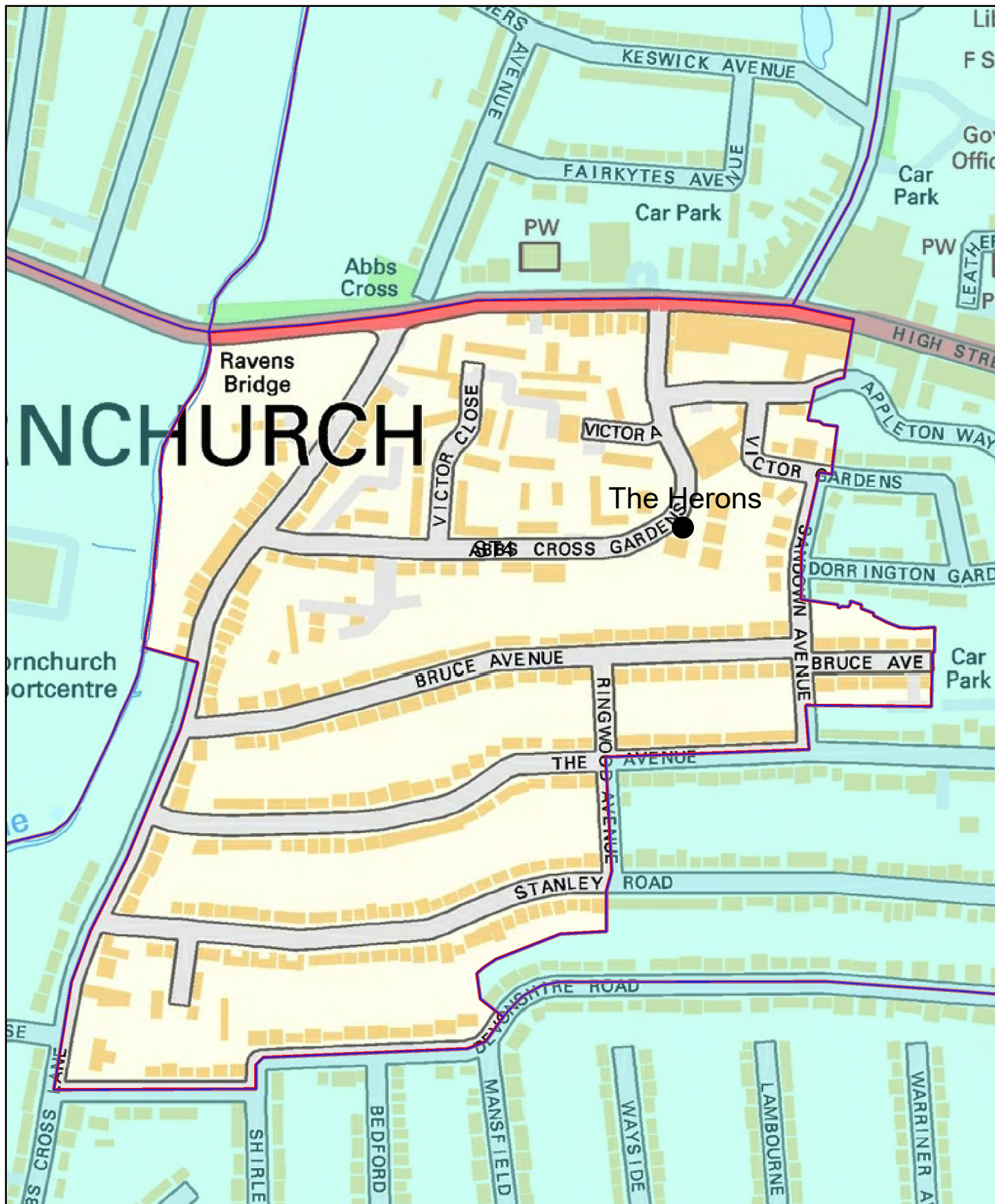




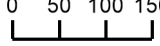

			
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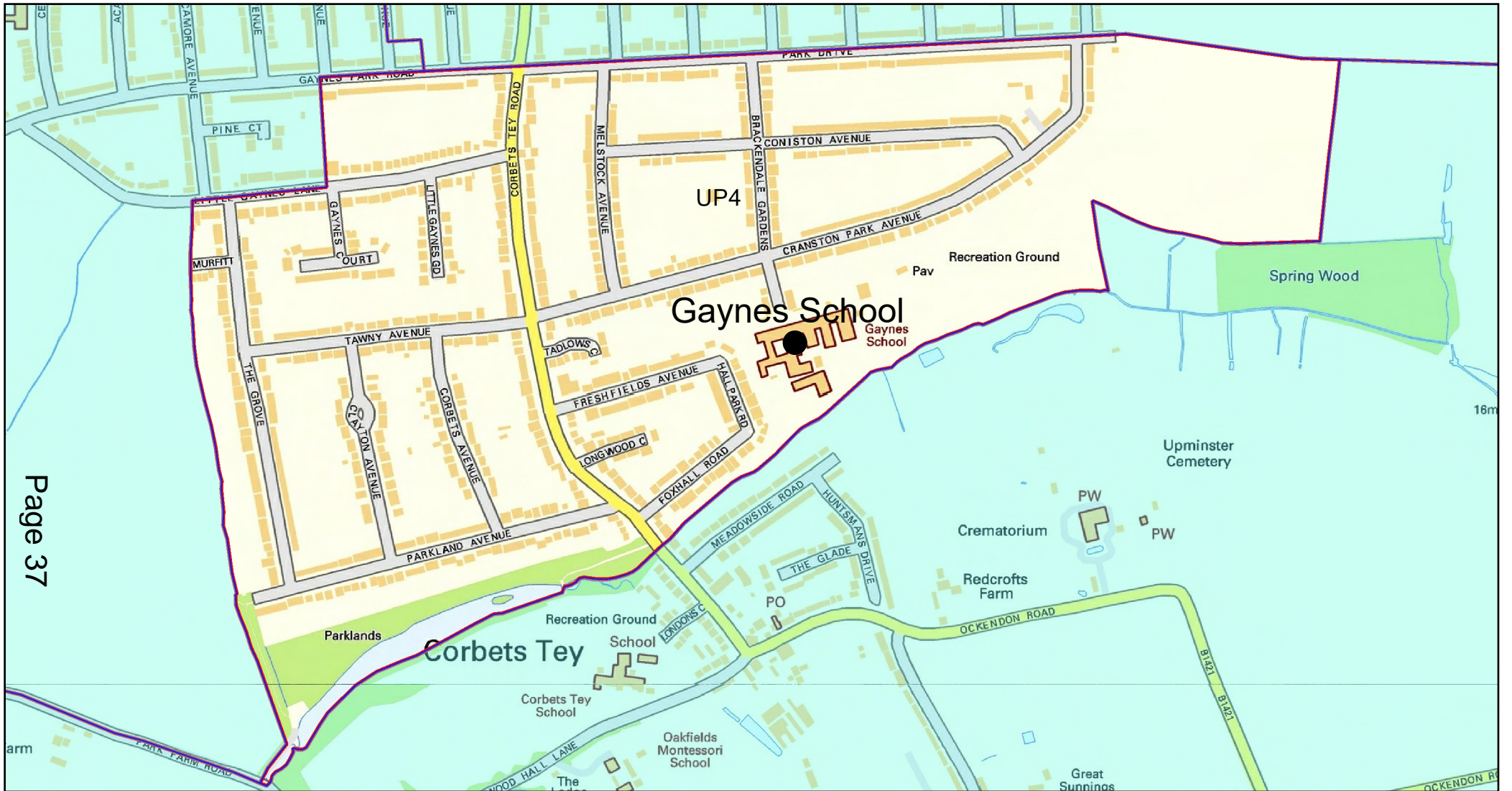
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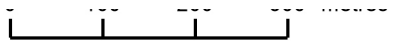


	
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 <p>Havering LONDON BOROUGH</p>	<p>London Borough of Havering Town Hall, Main Road Romford, RM1 3BD Tel: 01708 434343</p> <p>© Crown copyright and database rights 2019 Ordnance Survey 100024327</p>

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