
GENERAL PURPOSES COMMITTEE

Meeting to be held in Civic Hall, Leeds, LS1 1UR on
Friday, 29th August, 2014 at 11.00 am

MEMBERSHIP

Councillors

D Blackburn	Farnley and Wortley;
J Blake	Middleton Park;
S Golton	Rothwell;
P Gruen	Cross Gates and Whinmoor;
G Latty	Guiseley and Rawdon;
J Lewis	Kippax and Methley;
A Lowe	Armley;
E Nash	City and Hunslet;
J Procter	Wetherby;
M Rafique	Chapel Allerton;
S Varley	Morley South;
K Wakefield (Chair)	Kippax and Methley;

**Agenda compiled by:
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Civic Hall
LEEDS LS1 1UR
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A G E N D A

Item No	Ward/Equal Opportunities	Item Not Open		Page No
1			<p>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</p> <p>To consider any appeals in accordance with Procedure Rule 15.2 of the Access to Information Procedure Rules (in the event of an appeal the press and public will be excluded).</p> <p>(*In accordance with Procedure Rule 15.2, written notice of an appeal must be received by the Head of Governance Services at least 24 hours before the meeting)</p>	
2			<p>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</p> <p>1 To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>2 To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>3 If so, to formally pass the following resolution:-</p> <p>RESOLVED – That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information, as follows:-</p>	

Item No	Ward/Equal Opportunities	Item Not Open		Page No
3			<p>LATE ITEMS</p> <p>To identify items which have been admitted to the agenda by the Chair for consideration</p> <p>(The special circumstances shall be specified in the minutes)</p>	
4			<p>DECLARATION OF DISCLOSABLE PECUNIARY AND OTHER INTERESTS</p> <p>To disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2000 and paragraphs 13-18 of the Members' Code of Conduct. Also to declare any other significant interests which the Member wishes to declare in the public interest, in accordance with paragraphs 19-20 of the Members' Code of Conduct.</p>	
5			<p>APOLOGIES FOR ABSENCE</p> <p>To receive any apologies for absence from the meeting.</p>	
6			<p>MINUTES 29TH JULY 2014</p> <p>To receive the minutes of the meeting held on 29th July 2014. (To Follow)</p>	1 - 2
7			<p>THE OPENNESS OF LOCAL GOVERNMENT BODIES REGULATIONS 2014 - CONSTITUTIONAL AMENDMENTS</p> <p>To receive a report of the City Solicitor which sets out amendments to Article 13 of the Constitution, and to the Access to Information Procedure Rules, made by the City Solicitor to reflect new provisions for the recording of officer decisions in relation to Council Functions as set out in the Openness of Local Government Bodies Regulations 2014.</p>	3 - 40

Item No	Ward/Equal Opportunities	Item Not Open		Page No
8			<p>POLLING DISTRICT REVIEW</p> <p>To receive a report of the Head of Licensing and Registration which requests the Committee to consider initial proposals for the polling district review and to agree the initial proposals to be published on 29 August 2014 for the second consultation period of the review.</p> <p>THIRD PARTY RECORDING</p> <p>Recording of this meeting is allowed to enable those not present to see or hear the proceedings either as they take place (or later) and to enable the reporting of those proceedings. A copy of the recording protocol is available from the contacts named on the front of this agenda.</p> <p>Use of Recordings by Third Parties– code of practice</p> <p>a) Any published recording should be accompanied by a statement of when and where the recording was made, the context of the discussion that took place, and a clear identification of the main speakers and their role or title.</p> <p>b) Those making recordings must not edit the recording in a way that could lead to misinterpretation or misrepresentation of the proceedings or comments made by attendees. In particular there should be no internal editing of published extracts; recordings may start at any point and end at any point but the material between those points must be complete.</p>	41 - 132
2				
a)				
b)				

Agenda Item 6

GENERAL PURPOSES COMMITTEE

TUESDAY, 29TH JULY, 2014

PRESENT: Councillor K Wakefield in the Chair

Councillors S Golton, P Gruen, G Latty,
J Lewis, A Lowe, E Nash, M Rafique and
S Varley

Apologies Councillors D Blackburn, J Blake and
J Procter

1 Appeals against refusal of inspection of documents

There were no appeals against the refusal of inspection of documents.

2 Exempt Information - possible exclusion of the press and public

The Committee considered the designation of Appendix 3 to Agenda item 7 (minute 7 refers) as exempt under the Access to Information Procedure Rules 10.4 (4) and (5).

RESOLVED - That the press and public be excluded from the meeting during consideration of the following part of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business transacted, that if members of the press and public were present there would be disclosure to them of exempt information, as follows:-

Appendix 3 to Agenda item 7 because it contained information relating to negotiations in connection with industrial relations and information in respect of which a claim to legal professional privilege could be maintained in legal proceedings. It was considered in these circumstances that the public interest in maintaining the exemption from publication outweighed the public interest in disclosing the information.

3 Late items

There were no late items submitted to the agenda for consideration.

4 Declaration of Disclosable Pecuniary and Other Interests

No declarations were made.

5 Apologies for absence

Apologies for absence were received from Councillors D Blackburn, J Blake and J Procter.

6 Minutes - 28th May 2014

RESOLVED – That the minutes of the meeting held 28th May 2014 be approved as a correct record.

7 HR Challenges 2014 - Proposed Changes to Terms and Conditions

The Chief Officer HR submitted a report which sought approval from General Purposes Committee to changes to employment terms and conditions as outlined in Appendix 1 of the submitted report.

RESOLVED – Following detailed consideration of the report General Purposes Committee unanimously resolved to:

- (a) Note the contents of this report and consider the detailed legal advice in exempt Appendix 3 of the submitted report;
- (b) Note the continued consultation with the TUs with a view to trying to reach a collective agreement;
- (c) Agree the changes to terms and conditions outlined in paragraph 3.3.3 of the submitted report and detailed in appendix 1 of the submitted report.
- (d) Agree that the new proposals will be put into effect for new starters to the Council as soon as practicable after the 1st August 2014. For current staff offered new contracts following internal changes, the new terms would apply from 1st September 2014;
- (e) Note, in the absence of a collective agreement, for current staff the options available to implement these proposals are: to seek individual consent; to give notice of the changes; or to dismiss and immediately re-engage staff on new terms and conditions of employment. Different options may apply to each proposal and to all or groups of affected staff in scope; and
- (f) Note that authority to implement these changes rests with the Deputy Chief Executive in accordance with the approved delegation scheme.



Report author: Kate Sadler

Tel: 0113 39 51711

Report of City Solicitor

Report to General Purposes Committee

Date: 29th August 2014

Subject: The Openness of Local Government Bodies Regulations 2014 – Constitutional Amendments

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

1. The Openness of Local Government bodies Regulations 2014, which make provision in respect of admission to and reporting of meetings and in relation to records of decisions and access to documents, were made on 5th August 2014 and came into force on 6th August 2014.
2. Whilst existing practice and procedure could accommodate the necessary recording of decisions taken by officers in relation to Council functions, the City Solicitor has made amendments to the Constitution, reflecting the requirements of the regulations and guidance to be issued by the Secretary of State, ensuring that the Constitution remains fully up to date and fit for purpose.

Recommendations

3. The Committee are requested to note the now amended Article 13 of the Constitution as set out at Appendix A attached and the amended Access to Information Procedure Rules as set out at Appendix B attached.

1 Purpose of this report

- 1.1 This report sets out amendments to Article 13 of the Constitution, and to the Access to Information Procedure Rules, made by the City Solicitor to reflect new provisions for the recording of officer decisions in relation to Council Functions as set out in the Openness of Local Government Bodies Regulations 2014.

2 Background information

- 2.1 Section 40 of the Local Audit and Accountability Act 2014, which came into force on 30th March 2014, permits the Secretary of State to make regulations in connection with the attendance at and recording and reporting of meetings of the Council and Executive, and in relation to the recording of officer decisions.
- 2.2 The Committee will recall that on 4th March 2014 the content of a protocol relating to the third party recording of council committee, board and panel meetings was agreed. In accordance with the resolution of Committee at that time the City Solicitor has conducted a review of the protocol (in consultation with group leaders) in the light of the content of regulations and guidance issued by the Secretary of State.
- 2.3 Article 15 of the Constitution permits the City Solicitor to make changes to any part of the Constitution which are required:
- As a result of legislative change or decisions of the Council or Executive to enable him/her to maintain it up to date;
 - Or for the purposes of clarification only.

3 Main issues

- 3.1 On the 5th August 2014 the Government made the Openness of Local Government Bodies Regulations 2014 ("the Regulations"). The Regulations came into force on 6th August 2014.
- 3.2 In addition the Secretary of State has released a Plain English Guide to the Regulations.
- 3.3 On 23rd July, in anticipation of and contingent upon the making of the Regulations, the City Solicitor approved a delegated decision making amendments to the Constitution with effect from 6th August 2014. These amendments, the details of which are set out below, ensure that the Constitution remains up to date and fit for purpose.

Admission to and reporting of meetings

- 3.4 Having reviewed the Council Procedure Rules, Executive and Decision Making Procedure Rules, and the Access to Information Procedure Rules (incorporating the Recording Protocol: Third Party Recording of Committees, Boards and Panels), the City Solicitor is satisfied that the Council's Constitution meets the requirements of the Regulations in relation to the access to and recording of

Council meetings. There have therefore been no amendments to the Constitution made under the City Solicitor's authority under Article 15 in this regard.

- 3.5 Further to the committee's request that the Protocol be reviewed in consultation with Group leaders the City Solicitor has contacted each of the Group Leaders, expressing her view that no amendments are necessary. The Group Leaders have concurred with this view.

Records of Decisions and Access to Documents

- 3.6 Regulation 7 of the Openness of Local Government Bodies Regulations 2014 requires a written record to be made by officers of decisions they have taken in certain categories of Council functions. Decisions affected are those which are taken

- (a) Under a specific express authorisation; or
- (b) Under a general authorisation to officers to take such decisions and, the effect of the decision is to –
 - (i) Grant a permission or licence;
 - (ii) Affect the rights of an individual; or
 - (iii) Award a contract or incur expenditure which, in either case, materially affects that relevant local government body's financial position.

- 3.7 The City Solicitor has therefore approved amendments to Article 13 of the Constitution (As set out in Appendix A attached) to apply the definitions of Significant Operational and Administrative decisions to Council decisions to enable the recording of relevant decisions. Thus a Council decision, taken within established policy and in accordance with existing budgets may be an Administrative decision. On the other hand, Council Decisions which fall outside existing budgets or policy, create new policy, or which involve savings or expenditure in excess of £100,000 will be Significant Operational decisions, as will those which in the opinion of the decision taker (having regard to the Regulations) require a published record in order to ensure transparency and accountability.

- 3.8 Regulation 7 goes on to specify the information which must be included in the written record of the decision, namely;

- (a) The date the decision was taken;
- (b) A record of the decision taken along with reasons for the decision;
- (c) Details of alternative options, if any, considered and rejected; and
- (d) Where the decision is made under an express authorisation the names of any Member who has declared a conflict of interest.

3.9 If there is a separate statutory requirement to record the decision together with the date taken and reasons for the decision, then this will be sufficient to satisfy the requirement.

3.10 The City Solicitor has amended The Access to Information Procedure Rules (as set out in Appendix B attached) to include the requirement to publish a written record of relevant Council decisions taken by officers.

4 Corporate Considerations

4.1 Consultation and Engagement

4.1.1 The Leaders of the Political Groups have been consulted in relation to the Recording Protocol: Third Party Recording of Committees, Boards and Panels and are content that no amendments need be made. Briefings on the new decision recording requirements have also been offered to all Leaders.

4.1.2 Directors have been advised of the new requirements for recording decisions and provided with advice and support to ensure that decisions are identified and recorded in accordance with the new legislative and constitutional provisions.

4.1.3 In addition a guidance note has been provided to all officers that have previously attended training on decision making (by way of update) and the decision making training module has been updated to take account of the new requirements.

4.2 Equality and Diversity / Cohesion and Integration

4.2.1 There are no implications for this report.

4.3 Council policies and City Priorities

4.3.1 The Council includes within its values “being open, honest and trusted”. This has been reflected in the existing requirement to publish a record of a Council decision in appropriate circumstances. The requirements set out in the Regulations simply provide further information in relation to which would be ‘appropriate circumstances’.

4.4 Resources and value for money

4.4.1 The recording of council decisions can continue to happen in accordance with the procedures already established for recording executive decisions on the Council’s modern.gov software. The recording of potentially significant numbers of additional Council decisions will create a demand in relation to officer time. It is anticipated that this demand will be manageable given that each Directorate has a number of staff trained to use the software, and can train further staff who can be given access to the system with relative ease.

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 The regulations do impose additional requirements on the Council in relation to access to and recording of meetings, and in relation to the recording of officer decisions. Although previous arrangements were sufficient to meet these requirements the amendments set out in this report provide for clarity in the Council's Constitution, thus ensuring that it is up to date and fit for purpose.

4.6 Risk Management

- 4.6.1 In amending the Constitution to accommodate the Regulations the City Solicitor has minimised the risk of any failure to comply with the Regulations..

5 Conclusions

- 5.1 The Openness of Local Government Bodies Regulations 2014 impose requirements in relation to access to and recording of meetings, and in relation to the recording of officer decisions. Amendments have been made to the Constitution to provide greater clarity and to ensure compliance with legislation in relation to the recording of Council decisions.

6 Recommendations

- 6.1 The Committee are requested to note the now amended Article 13 of the Constitution as set out at Appendix A attached and the amended Access to Information Procedure Rules as set out at Appendix B attached.

7 Background documents¹

- 7.1 None

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.

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ACCESS TO INFORMATION PROCEDURE RULES

1.0 SCOPE

- 1.1 These rules apply to Council decision making¹ and therefore cover all meetings of the Council, Committees, Scrutiny Boards, and Plans Panels (together called meetings)², and delegated decisions taken by officers under the Officer Delegation Scheme (Council (non-executive) Functions)
- 1.2 These rules also cover public rights of access to information, in relation to both Council and Executive functions, including those under the Freedom of Information Act 2000, and Members' rights of access to information.

2.0 PUBLIC ACCESS TO MEETINGS

- 2.1 Members of the public may attend all meetings subject only to the exceptions in these rules³.

3.0 NOTICE OF MEETINGS

- 3.1 The Council will give at least five clear days notice of any meeting by posting details of the meeting at the Civic Hall (the designated office). The notice will specify the business proposed be transacted at the meeting.
- 3.2 The Council will send by post to, or leave at, the usual place of residence of those Members entitled to attend a meeting, a summons to attend specifying the business proposed to be transacted at the meeting. Except in the case of business required by law to be transacted at the annual meeting, or other business brought before the meeting as a matter of urgency in accordance with the Constitution, no business shall be transacted at a meeting other than that specified in the summons.

4.0 PUBLIC ACCESS TO AGENDA AND REPORTS BEFORE THE MEETING

- 4.1 The Council will make copies of the agenda and reports open to the public available for inspection at the designated office at least 5 clear days before the meeting, except that where a meeting is convened at shorter notice, the copies of the agenda and reports shall be open to inspection from the time the meeting is convened.
- 4.2 Where an item is added to the agenda, and the report is open to the public, copies of any report for the meeting relating to the item, and the revised agenda shall be available for inspection from the time the item is added to the agenda.
- 4.3 Where copies of the agenda and reports open to the public are not made available for inspection in this way, an item of business will not be considered unless by reason of special circumstances, which shall be specified in the minutes, the chair of the meeting

¹ For the distinction between Council and Executive Decisions see Article 13 of this Constitution.

² Except in relation to Licensing Committee and Licensing Sub-Committees conducting licensing hearings, where the Licensing Procedure Rules apply

³ The Recording Protocol: Third Party Recording of Committees, Boards and Panels, set out at Appendix 1 to these Rules applies.

Access to Information Procedure Rules

is of the opinion that the item should be considered at the meeting as a matter of urgency.

5.0 PUBLIC ACCESS TO COPIES

5.1 Copies of those documents and notices which are published on the Council's website in accordance with these rules, and also in accordance with the Executive and Decision Making Procedure Rules, will be made available for inspection by the public on request during office hours at the authority's offices at Civic Hall, Leeds.

5.2 The Council will supply copies of:

- (a) any agenda and reports which are open to public inspection;
- (b) any further statements or particulars necessary to indicate the nature of the items in the agenda; and
- (c) if the Monitoring Officer thinks fit, copies of any other documents supplied to Members in connection with an item to any person on payment of a charge for postage, copying and any other costs.

5.3 The Council will make available for the use of members of the public present at meetings, a reasonable number of copies of the agenda and of those reports which are open to the public.

6.0 PUBLIC ACCESS TO RECORDS OF DECISIONS

6.1 Records of Decisions Taken at Meetings

For six years after a meeting, the Council will make available for inspection, and following a request made on behalf of a newspaper, and on payment being made of postage, copying or any other necessary charge, the Head of Governance Services will arrange to supply copies of the following:

- (a) the minutes of the meeting excluding any part of the minutes of proceedings when the meeting was not open to the public or which disclose exempt or confidential information;
- (b) a summary of any proceedings not open to the public where the minutes open to inspection would not provide a reasonably fair and coherent record;
- (c) the agenda for the meeting; and
- (d) reports relating to items when the meeting was open to the public

6.2 Records of Decisions Taken By Officers⁴

As soon as reasonably practicable after a significant operational decision taken by an officer in relation to a Council Function, the officer will produce a written record of the decision and arrange for its publication on the Council's website together with the report in relation to the decision made. The record will include;

- A record of the decision including the date it was made,
- a statement of the reasons for it,
- details of any alternative options considered and rejected by the officer at the time of making the decision, and
- a record of any interest declared by any Executive Member consulted by the officer who made the decision together with a note of any dispensation granted in respect of that interest.

The written record will be retained and made available for inspection by the public for a period of six years beginning with the date of the decision to which it relates.

Following a request, and on payment being made of postage, copying or any other necessary charge, the Head of Governance Services will arrange to supply a copy of delegated decision notice and report in relation to an officer decision

7.0 PUBLIC ACCESS TO BACKGROUND PAPERS

7.1 List of background papers

The author of a report will set out in every report a list of those documents (called background papers) relating to the subject matter of the report which in his/her opinion:

- (a) disclose any facts or matters on which the report or an important part of the report is based; and
- (b) have been relied on to a material extent in preparing the report

but this does not include published works or those which disclose exempt or confidential information (as defined in Rules 9 and 10), nor in respect of executive reports, does this include the advice of a political advisor, or any draft report or document.

7.2 Public inspection

- (a) A copy of each of the documents listed will be:-
 - i. published on the Council's website at the same time as the report is available for public inspection, and
 - ii. made available to a member of the public during office hours at the authorities offices at Civic Hall, Leeds, on payment of the Council's reasonable fee.

⁴ In accordance with The Openness of Local Government Bodies Regulations 2014, a written record of the decision and the reasons for it, together with the date of the decision, produced in accordance with any other statutory requirement, will be sufficient to satisfy the requirement to produce a written record set out in this rule.

Access to Information Procedure Rules

- (b) The Council will make available for public inspection for four years after the date of the meeting one copy of each of the documents on the list of background papers.

8.0 EXCLUSION OF PUBLIC ACCESS

- 8.1 The Monitoring Officer will exclude access by the public to reports which in his/her opinion contain confidential information, (as defined in Rule 9).
- 8.2 If the Monitoring Officer thinks fit, access by the public may also be excluded in respect of reports which in his/her opinion relate to items during which, in accordance with Rule 10 the meeting is likely not to be open to the public.
- 8.3 Such reports will be marked “Not for publication” together with “confidential information” or the exemption relied upon.
- 8.4 Where an exemption is relied upon, any such report must contain the reasons why, as in all in the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

9.0 CONFIDENTIAL INFORMATION – REQUIREMENT TO EXCLUDE PUBLIC ACCESS

- 9.1 The public must be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that confidential information would be disclosed. Likewise, public access to reports, background papers, and minutes will also be excluded.
- 9.2 Confidential information means
 - (a) information given to the Council by a Government Department on terms which forbid its public disclosure or
 - (b) information the disclosure of which to the public is prohibited by or under another Act or by Court Order. Generally personal information which identifies an individual, must not be disclosed under the data protection and human rights rules.

10.0 EXEMPT INFORMATION – DISCRETION TO EXCLUDE PUBLIC ACCESS

- 10.1 The public may be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that exempt information would be disclosed provided:
 - (a) the meeting resolves so to exclude the public, and that resolution identifies the proceedings or part of the proceedings to which it applies, and
 - (b) that resolution states by reference to the descriptions in Schedule 12A to the Local Government Act 1972 (paragraph 10.4 below) the description of the exempt information giving rise to the exclusion of the public.

Access to Information Procedure Rules

- (c) that resolution states, by reference to reasons given in a relevant report or otherwise, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

- 10.2 In these circumstances, public access to reports, background papers and minutes will also be excluded.
- 10.3 Where the meeting will determine any person's civil rights or obligations, or adversely affect their possessions, Article 6 of the Human Rights Act 1998 establishes a presumption that the meeting will be held in public unless a private hearing is necessary for one of the reasons specified in Article 6.
- 10.4 Exempt information means information falling within the following categories (subject to any condition):

Category	Condition
1. Information relating to any individual.	Information is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information
2. Information which is likely to reveal the identity of an individual.	Information is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).	Information is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information Information within paragraph 3 is not exempt if it must be registered under various statutes, such as the Companies Acts or the Charities Act 2011. "Financial or business affairs" includes contemplated, as well as past or current, activities
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or officer-holders under the authority.	Information is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information "Labour relations matter" are as specified

Category	Condition
	in paragraphs (a) to (g) of section 218(1) of the Trade Unions and Labour Relations (Consolidation) Act 1992, i.e. matters which may be the subject of a trade dispute within the meaning of that Act or any dispute about any such matter
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.	Information is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information
6. Information which reveals that the authority proposes – (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment	Information is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime	Information is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information

Information falling within any of paragraphs 1-7 is not exempt information if it relates to proposed development for which the local planning authority may grant itself planning permission under regulation 3 of the Town and Country Planning General Regulations 1992.

10.5 Disorderly Conduct – discretion to exclude public

The public may also be excluded from meetings, where the meeting so resolves, in the exercise of a lawful power of exclusion in order to maintain orderly conduct or to prevent misbehaviour at a meeting.

11.0 PUBLIC ACCESS TO OTHER INFORMATION - FREEDOM OF INFORMATION

11.1 Where a member of the public makes a request for information under the Freedom of Information (FOI) Act 2000, they will be informed in writing by the Council whether it holds such information, and if that is the case, they will have that information communicated to them, unless an exemption applies.

11.2 An FOI request must be in writing, state the name of the applicant and an address for correspondence, and describe the information requested. A request will be treated as made in writing where the text is transmitted by electronic means (e-mail), is received in legible form, and is capable of being used for subsequent reference.

11.3 FOI requests will be dealt with by the FOI practitioner for the relevant service area.

Access to Information Procedure Rules

- 11.4 FOI requests must generally be dealt with within 20 working days of receipt.
- 11.5 The Council will not comply with FOI requests where one or other of the exemptions applies. These include:
- information which is otherwise reasonably accessible
 - information intended for future publication
 - information where disclosure would be likely to prejudice
 - the national or local economy
 - crime prevention/detection, prosecutions, and certain civil proceedings
 - health and safety
 - commercial interests
 - information provided in confidence
 - personal information
- 11.6 In relation to most of the exemptions, the Council must also apply the 'public interest test. Even where the terms of an exemption seem to apply, the Council is still under a duty to disclose, unless the public interest in maintaining the exemption outweighs the public interest in disclosure.
- 11.7 Further details about FOI, how to make an FOI request and the FOI practitioners are contained in the document 'Freedom of Information Act 2000 – Your Right to Information from Leeds City Council' on the Council's website.

12.0 MEMBERS ACCESS - STATUTORY RIGHTS

12.1 Material relating to forthcoming business

- (a) All Members are entitled to inspect any document which is in the possession or under the control of the Executive or its committees and contains material relating to any business to be transacted at a public meeting unless
- (i) it contains exempt information falling within Rules 10.4.1, 10.4.2, 10.4.4, 10.4.5 and 10.4.7 above; or
 - (ii) it contains exempt information falling within Rule 10.4.3 above to the extent that the information relates to any terms proposed or to be proposed by or to the authority in the course of negotiations for a contract; or
 - (iii) it contains the advice of a political adviser or
 - (iv) it is a draft report or draft background paper
 - (v) it is not a report or a background paper as defined in Rule 7
- (b) All Members are entitled to inspect any document which is in the possession of or under the control of the Council and contains material relating to any

Access to Information Procedure Rules

business to be transacted at a meeting of the Council or any of its committees or sub-committees unless

- (i) it contains exempt information falling within Rules 10.4.1, 10.4.2, 10.4.4, 10.4.5 and 10.4.7 above or
- (ii) it contains exempt information falling within Rule 10.4.3 above to the extent that the information relates to any terms proposed or to be proposed by or to the authority in the course of negotiations for a contract.

12.2 Material relating to Key Decisions by Directors

All Members of the Council will be entitled to inspect any document in the possession or under the control of the Executive or its committees which relates to any Key Decision made by a Director unless any of the exceptions in Rule 16.1(a) applies.

13.0 SCRUTINY MEMBERS ACCESS– ADDITIONAL STATUTORY RIGHTS

13.1 Rights to copies

Subject to the limits below, a member of a Scrutiny Board (including its sub-committees) will be entitled to copies of any document which is in the possession or control of

- (a) the Executive or its committees and which contains material relating to any business transacted at a meeting of the Executive or its committees; or
- (b) a Director and which contains material relating to an officers decision.

13.2 Limit on rights

A Scrutiny member will not be entitled to:

- (a) any document that is in draft form;
- (b) any part of a document that contains exempt or confidential information, unless that information is relevant to an action or decision they are reviewing or scrutinising or intend to scrutinise; or
- (c) the advice of a political adviser or assistant.

14.0 MEMBERS ACCESS – NEED TO KNOW

14.1 Meaning of the Need to Know

Members have the right to seek information, explanation and advice which they may reasonably need in order to assist them in properly discharging their duties as a Member of the Council. This can range from a request for general information about some aspect of the Council's activities to a request for specific information on behalf of a constituent. Such approaches should normally be made to the relevant Director.

14.2 The Nature of Requests

Members should:

- (i) avoid over-involvement in issues raised by individual constituents
- (ii) be particularly careful when having direct contact with relatively junior officers, to avoid the appearance of abusing their position
- (iii) justify the request in specific terms, unless circumstances exist where a Member's need to know will be presumed – for example where a Member is on a committee and wants to inspect documents relating to that committee's business, or where the information requested is already in the public domain
- (iv) only use the information for the purpose for which it was provided, and get the prior agreement of the relevant Director to any disclosures to the press or the public

14.3 Limit on rights

There are a number of factors which may limit or outweigh a Member's need to know, including:

- (i) the need to know does not extend to a 'roving commission' through Council documents
- (ii) the need to know would only extend to personal information in exceptional cases
- (iii) draft documents compiled in the context of emerging Council policies, and draft reports will not usually be disclosed
- (iv) a Member of one party group will not have a need to know in relation to a document prepared for another party group
- (v) documents prepared specifically for one Member will not, unless he/she agrees, normally be provided to another Member
- (vi) documents will not be disclosed where the relevant Director believes that use of those documents by a Member may prejudice the Council's or the public interest.
- (vii) the level of resources required to deal with locating and supplying documents.

14.4 Procedure

- 14.4.1 Whether a Member has a need to know will be determined initially by the Director who holds the document in question (with advice from the Monitoring Officer). The Director must not have regard to party political advantage, nor must the Director's determination have the effect of preventing the Member

concerned from giving evidence in Court, or of penalising the Member for so doing.

- 14.4.2 All internal documents and copies produced to any Member for inspection in accordance with this Rule will be produced on the basis that, in the absence of malice, officers are expressly indemnified in respect of any claim in litigation that may result from such publication.

15.0 RIGHTS OF APPEAL

15.1 Appeals against refusals of FOI requests

If an FOI request is refused by an FOI practitioner, the applicant may invoke the Council's compliments and complaints procedure. FOI requests are dealt with at stage 2 of such procedure, and in the case of requests where the public interest test applies the officer dealing with the complaint will consult with the relevant Executive Member for their service. If the complaint does not result in the disclosure of the relevant information an applicant may then apply to the Information Commissioner for a decision as to whether the Council has complied with the relevant provisions of the Freedom of Information Act 2000.

15.2 Appeals where Public Access is denied to a Report or Background Papers

- 15.2.1 If a member of the public is denied access to a report or background papers under these Rules, they may appeal at the relevant meeting by giving notice in writing to the Head of Governance Services, such notice to be received not less than 24 hours before the relevant meeting is due to be held. Any such appeal will be considered as the first item on the agenda.
- 15.2.2 The person making the appeal may provide written submissions to the Head of Governance Services, who will supply copies of the same to the relevant Director and each member of the meeting before the date of the meeting.
- 15.2.3 The Head of Governance Services will supply each member of the meeting with a copy of the document to which the appeal relates, before the date of the meeting.
- 15.2.4 The Director (or nominee) will be called before the meeting to explain and justify the reasons for withholding inspection, and the meeting may question that officer. The person making the appeal will usually be called before the meeting at the same time, but the meeting may exclude that person at their reasonable discretion, where it appears to them that any of the contents of the document to which the appeal relates may otherwise be revealed to that person.
- 15.2.5 The person making the appeal will then be allowed to make representations to the meeting, and the meeting may question that person. The meeting may exclude the officer at their reasonable discretion.
- 15.2.6 The officer and the person making the appeal (and members of the public, if any) will then be asked to withdraw so that the meeting may consider whether or not to release the document. The meeting will be guided on matters of law and procedure by the

Access to Information Procedure Rules

Monitoring Officer (or nominee) and if necessary may adjourn the proceedings in order to obtain further legal advice.

15.2.7 As soon as the meeting have made their decision, the officer and the person making the appeal (and members of the public, if any) will be recalled, and the decision announced.

15.2.8 Where a member of the public makes an appeal against denial of access to a report or background paper which a Director intends to take into account in making a Key Decision, they must give notice in writing to the Head of Governance Services who will make arrangements for a meeting of a committee of the Executive Board to be convened, to determine the appeal. In such cases, the procedure set out above will apply as if references to 'meeting' were substituted by references to 'committee'.

15.3 Appeals where a Member is denied inspection of a document

15.3.1 If a Member is denied inspection of a document under their statutory rights or their need to know rights, they may appeal to the Executive Board. A decision made by a Director to withhold the inspection of any internal document shall be valid and remain in force unless and until altered on an appeal.

15.3.2 A Member will give notice in writing of an appeal to the Head of Governance Services, who will make arrangements for a meeting of a committee of the Executive Board to be convened to determine the appeal.

15.3.3 The committee of the Board will meet to determine the appeal as soon as reasonably practicable, and in any event within 20 working days of receipt of the notice of appeal.

15.3.4 The Member making the appeal, and the Director who decided to withhold inspection (or nominee) will each submit a written report to the Head of Governance Services, who will supply copies of the same to the Member, the Director and each member of the committee at least 5 working days before the date of the committee meeting.

15.3.5 The Head of Governance Services will supply each member of the committee with a copy of the document to which the appeal relates, before the date of the committee meeting.

15.3.6 The Director (or nominee) will be called before the committee to explain and justify the reasons for withholding inspection, and the committee may question that officer. The Member will usually be called before the committee at the same time, but the committee may exclude the Member at their reasonable discretion where it appears to them that any of the contents of the document to which the appeal relates may otherwise be revealed to the Member.

15.3.7 The Member will then be allowed to make representations to the committee, and the committee may question the Member. The committee may exclude the officer at their reasonable discretion.

15.3.8 The committee may permit the Member to ask questions of the officer, and vice versa at their reasonable discretion.

Access to Information Procedure Rules

- 15.3.9 Both the officer and the Member will then withdraw so that the committee may consider whether or not to release the document. The committee will be guided on matters of law and procedure by the Monitoring Officer (or nominee) and if necessary may adjourn the proceedings in order to obtain further legal advice.
- 15.3.10 As soon as the committee have made their decision, the officer and the Member will be recalled, and the decision announced.
- 15.3.11 All internal documents and copies produced for inspection following a decision of a committee of Executive Board to release the same will be so produced on the basis that, in that absence of malice, Members and officers of the Council are expressly indemnified by the Council in respect of any claims in litigation that may result from such publication.

16.0 LIST OF MEMBERS AND SUMMARY OF PUBLIC ACCESS RIGHTS

- 16.1 The Council will publish and any member of the public may make reasonable inspection of:
- (a) a list stating the name and address of all current Members of the Council and the Ward they represent and the name and address of all current Members of the Executive Board, Scrutiny Boards, other Committees and any sub-groups thereof; and
 - (b) a list of the rights conferred on the public to attend meetings and to inspect, copy and be supplied with documents.

17.0 DISCLOSURE OF CONFIDENTIAL INFORMATION BY MEMBERS

- 17.1 Where a decision has been made under these Rules to exclude public access on the basis that exempt information would otherwise be disclosed, the Council requires a Member who wishes to disclose that information to approach the relevant Director, for a decision whether that information should be disclosed. Disclosure by a Member will only be refused, if the Director decides that in the event the Council received an FOI request at that time, the Council would not be obliged to disclose that information. The Council also requires in every case, so far as reasonably practicable a Member must give the relevant Director reasonable notice of their intention to make such a disclosure.
- 17.2 In deciding whether the Council would be obliged to disclose that information in response to an FOI request, the relevant Director will give particular consideration to the public interest reasons for disclosure proposed by the Member, and to the Member's right of freedom of expression and the particular importance of that right for elected representatives'

Leeds City Council

Recording⁵ Protocol: Third Party Recording of Committees, Boards and Panels

The council wants to be open and transparent in the way in which it conducts its decision-making.

Recording is allowed at all meetings of the authority⁶ to enable those not present to see or hear the proceedings either as they take place (or later) and to enable the reporting of those proceedings.

1. Filming or other recording of all meetings of the authority, whilst those meetings are open to the public, is permitted^{7 8}.
2. Those wishing to record proceedings should, as a courtesy, inform the chair (or clerk) of the committee of their intentions to record prior to the commencement of the meeting.
3. Recordings may only be taken overtly from the area designated for the public and;
 - a. Recording devices must be in silent mode
 - b. No flash or additional lighting is permitted
 - c. Recordings must be taken from one fixed position and must not obstruct others from observing proceedings
4. The chair of a meeting has the authority to instruct that recordings be stopped where⁹:
 - a. The press and public have been excluded from the meeting due to the nature of (exempt or confidential) business being discussed.
 - b. There is public disturbance or a suspension/adjournment of a meeting
 - c. The recording has become disruptive or distracting to the good order and conduct of the meeting.
 - d. Continued recording is against the wishes of an individual¹⁰

Use of Recordings by Third Parties– code of practice

Following representations received from interested third parties, the following code of practice has been drawn up concerning the use of recordings.

⁵ This includes both video and audio recording

⁶ Including full Council, committees (boards and panels) established by full Council (and sub committees appointed by those committees) and Executive Board.

⁷ In accordance with any regulations relating to such matters.

⁸ All agendas will indicate that recordings may be made at the meeting by third parties; signage will also be displayed indicating this

⁹ In all cases recording equipment must be switched off.

¹⁰ Where members of the public raise an objection to being recorded, then those individuals will not be filmed. However continued audio recording will be permitted where the contributions are material to the resolutions to be made.

Access to Information Procedure Rules

- A. Any published recording should be accompanied by a statement of when and where the recording was made, the context of the discussion that took place, and a clear identification of the main speakers and their role or title.

- B. Those making recordings must not edit the recording in a way that could lead to misinterpretation or misrepresentation of the proceedings or comments made by attendees. In particular there should be no internal editing of published extracts; recordings may start at any point and end at any point but the material between those points must be complete.

ARTICLE 13 - DECISION MAKING

COUNCIL DECISIONS

13.1. Council Decisions are made in relation to Council functions, as defined by the Local Government Act 2000 and the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 as amended.

EXECUTIVE DECISIONS

13.2. Executive Decisions are made in relation to Executive functions, as defined by the Local Government Act 2000 and the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 as amended.

RESPONSIBILITY FOR DECISION MAKING

13.3. A record of what part of the Council or individual has responsibility for particular types of decisions or decisions relating to particular areas or functions will be maintained by the City Solicitor. This record is set out in Part 3 of this Constitution.

CATEGORIES OF DECISION

- 13.4. **Key Decision:-** a decision relating to an executive function which is likely
- a. to result in the authority incurring expenditure or making savings (including the receipt or loss of income) over £250,000 pa¹; or
to have a significant effect on communities living or working in an area (including one ward), and
 - b. which is not a decision which is a direct consequence of implementing a previous Key Decision², or in relation to which a further report will be submitted for approval of the proposal before the Council is committed to proceed³; or

¹ Except where this expenditure, saving or income will result from:-

- a) a Treasury Management decision in relation to the making, payment or borrowing of a loan; or
- b) a decision to purchase energy under the terms of an energy supply contract which has been awarded following the appropriate procurement process; or
- c) a decision to approve a care plan which the Council has a duty or power to provide as defined by s46 of National Health Service and Community Care Act 1990 and s2 of the Chronically Sick and Disabled Persons Act 1970. Ss17 and 20 Children Act 1989
- d) the settlement of proceedings to which Leeds City Council is a party.

² Where a scheme or proposal changes following the original decision to the extent that the additional spend or save, or the additional impact of the decision, reaches the threshold for a Key decision it shall be treated as a new Key decision.

³ Under the capital programme, a decision to **authorise expenditure** over £250,000 will be a **key** decision, but a decision to **inject a scheme** into the capital programme, or to **award a contract** over the value of £250,000 will not.

Article 13 - Decision Making

which is not the result of varying a previous Key decision in line with recommendations made by a Scrutiny Board following a Call In of that decision.

- 13.5. **Significant Operational Decision:-** A decision in relation to a Council⁴ or Executive Function which is not a Key decision and which;
- a. Does not fall within the definition of an Administrative decision; or
 - b. Would have been a Key decision but for footnote 1 to Article 13.4a or Article 13.4b above; or
 - c. Results in the authority incurring expenditure or making savings (including the receipt or loss of income) over £100,000 each year; or
 - d. Is, in the opinion of the Director, Chief Officer or Head of Service⁵, of such significance that a published record of the decision would ensure transparency and accountability in relation to decision making within the authority.
- 13.6. **Administrative Decision:-** A decision in relation to a Council or Executive function which is not a Key, or Significant Operational decision and which;
- a. is within an approved budget; and
 - b. is not in conflict with the Budget and Policy Framework or other approved policies approved by the Council; and
 - c. does not raise new issues of policy.

DECISION TAKING

13.7. A decision taker will have regard to the definitions of Key, Significant Operational and Administrative decisions set out above, the provisions of Part 3 of this Constitution in relation to responsibility for functions, and the requirements of the Procedure Rules set out in Part 4 of this Constitution. In particular:-

13.7.1. Making Council Decisions

- Decisions relating to the functions listed in Article 4.2 or detailed in Part 3 of this Constitution as matters reserved to full Council will be made by the full Council and not delegated.

⁴ In accordance with the Openness of Local Government Bodies Regulations 2014, these shall include where appropriate Council decisions taken:-

- a) under a specific express authorisation from Council or one of its committees; or
- b) In accordance with the Officer Delegation Scheme (Council (non-executive) Functions)⁴, where the effect of the decision is to-
 - a. Grant a permission or licence;
 - b. Affect the rights of an individual;
 - c. Or award a contract or incur expenditure which, in either case, materially affects the financial position of the Council

⁵ Having taken into account the provisions of the Constitution together with other policy, procedure and guidance available

Article 13 - Decision Making

- the Council meeting will follow the Council Procedures Rules set out in Part 4 of this Constitution when considering any matter.
- other Council committees and sub-committees will follow those parts of the Council Procedures Rules set out in Part 4 of this Constitution as apply to them.
- Officers will follow the Access to Information Procedure Rules when considering any matter

13.7.2. Making Executive Decisions

- the executive⁶ will follow the Executive and Decision Making Procedure Rules set out in Part 4 of this Constitution when considering any matter.
- Officers will follow the Executive and Decision Making Procedure Rules together with the Access to Information Procedure Rules when considering any matter

13.7.3. Decision Making By Community Committees

- The Executive Board shall determine from time to time the executive functions⁷ that may be exercised by Community Committees. These functions will be exercisable concurrently by the Executive Board and, in accordance with the Officer Delegation Scheme (Executive Functions), by Directors.
- Community Committees will follow the Community Committee Procedure Rules together with the Access to Information Procedure Rules when considering any matter.

PRINCIPLES OF DECISION MAKING

13.8. All decisions of the authority, whether made by Council, Executive Board Councillors collectively⁸ or officers, will be made in accordance with the following principles:-

- Proportionality (i.e. the action must be proportionate to the desired outcome)
- Due consultation and the taking of professional advice from officers
- Respect for human rights
- A presumption in favour of openness
- Clarity of aims and desired outcomes
- An explanation of the options considered and details of the reasons for the decision
- Natural justice
- Positive promotion of equality of opportunity

⁶ The executive may be the Executive Board itself or any other committee or officer acting under authority delegated by the Leader or the Executive Board as set out in Part 3 of this Constitution

⁷ Part 3 Sections 3C and 3D of the Constitution provide details of the extent of the delegation determined by the executive.

⁸ For example in Committees or Sub-Committees

RECORDING DECISIONS

13.9. All Council decisions will be recorded in accordance with the provisions of the Access to Information Procedure Rules set out in this Constitution.

13.10. All Executive decisions will be recorded in accordance with the provisions of the Executive and Decision Making Procedure Rules set out in this Constitution.

DECISION MAKING BY COUNCIL BODIES ACTING AS TRIBUNALS

13.11. The Council or an officer acting as a tribunal or in a quasi-judicial manner or determining/considering (other than for the purpose of giving advice) the civil rights and obligations or the criminal responsibility of any person will follow a proper procedure which accords with the requirements of natural justice and the right to a fair trial contained in Article 6 of the European Convention on Human Rights.

ACCESS TO INFORMATION PROCEDURE RULES

1.0 SCOPE

- 1.1 These rules apply to Council decision making¹ and therefore cover all meetings of the Council, Committees, Scrutiny Boards, and Plans Panels (together called meetings)², and delegated decisions taken by officers under the Officer Delegation Scheme (Council (non-executive) Functions)
- 1.2 These rules also cover public rights of access to information, in relation to both Council and Executive functions, including those under the Freedom of Information Act 2000, and Members' rights of access to information.

2.0 PUBLIC ACCESS TO MEETINGS

- 2.1 Members of the public may attend all meetings subject only to the exceptions in these rules³.

3.0 NOTICE OF MEETINGS

- 3.1 The Council will give at least five clear days notice of any meeting by posting details of the meeting at the Civic Hall (the designated office). The notice will specify the business proposed be transacted at the meeting.
- 3.2 The Council will send by post to, or leave at, the usual place of residence of those Members entitled to attend a meeting, a summons to attend specifying the business proposed to be transacted at the meeting. Except in the case of business required by law to be transacted at the annual meeting, or other business brought before the meeting as a matter of urgency in accordance with the Constitution, no business shall be transacted at a meeting other than that specified in the summons.

4.0 PUBLIC ACCESS TO AGENDA AND REPORTS BEFORE THE MEETING

- 4.1 The Council will make copies of the agenda and reports open to the public available for inspection at the designated office at least 5 clear days before the meeting, except that where a meeting is convened at shorter notice, the copies of the agenda and reports shall be open to inspection from the time the meeting is convened.
- 4.2 Where an item is added to the agenda, and the report is open to the public, copies of any report for the meeting relating to the item, and the revised agenda shall be available for inspection from the time the item is added to the agenda.
- 4.3 Where copies of the agenda and reports open to the public are not made available for inspection in this way, an item of business will not be considered unless by reason of special circumstances, which shall be specified in the minutes, the chair of the meeting

¹ For the distinction between Council and Executive Decisions see Article 13 of this Constitution.

² Except in relation to Licensing Committee and Licensing Sub-Committees conducting licensing hearings, where the Licensing Procedure Rules apply

³ The Recording Protocol: Third Party Recording of Committees, Boards and Panels, set out at Appendix 1 to these Rules applies.

Access to Information Procedure Rules

is of the opinion that the item should be considered at the meeting as a matter of urgency.

5.0 PUBLIC ACCESS TO COPIES

5.1 Copies of those documents and notices which are published on the Council's website in accordance with these rules, and also in accordance with the Executive and Decision Making Procedure Rules, will be made available for inspection by the public on request during office hours at the authority's offices at Civic Hall, Leeds.

5.2 The Council will supply copies of:

- (a) any agenda and reports which are open to public inspection;
- (b) any further statements or particulars necessary to indicate the nature of the items in the agenda; and
- (c) if the Monitoring Officer thinks fit, copies of any other documents supplied to Members in connection with an item to any person on payment of a charge for postage, copying and any other costs.

5.3 The Council will make available for the use of members of the public present at meetings, a reasonable number of copies of the agenda and of those reports which are open to the public.

6.0 PUBLIC ACCESS TO RECORDS OF DECISIONS

6.1 Records of Decisions Taken at Meetings

For six years after a meeting, the Council will make available for inspection, and following a request made on behalf of a newspaper, and on payment being made of postage, copying or any other necessary charge, the Head of Governance Services will arrange to supply copies of the following:

- (a) the minutes of the meeting excluding any part of the minutes of proceedings when the meeting was not open to the public or which disclose exempt or confidential information;
- (b) a summary of any proceedings not open to the public where the minutes open to inspection would not provide a reasonably fair and coherent record;
- (c) the agenda for the meeting; and
- (d) reports relating to items when the meeting was open to the public

6.2 Records of Decisions Taken By Officers⁴

As soon as reasonably practicable, and in any event within 2 working days after a significant operational decision taken by an officer in relation to a Council Function, the officer will produce a written record of the decision and arrange for its publication on the Council's website together with the report in relation to the decision made. The record will include;

- A record of the decision including the date it was made,
- a statement of the reasons for it,
- details of any alternative options considered and rejected by the officer at the time of making the decision, and
- a record of any interest declared by any Executive Member consulted by the officer who made the decision together with a note of any dispensation granted in respect of that interest.

The written record will be retained and made available for inspection by the public for a period of six years beginning with the date of the decision to which it relates.

Following a request, and on payment being made of postage, copying or any other necessary charge, the Head of Governance Services will arrange to supply a copy of delegated decision notice and report in relation to an officer decision

7.0 PUBLIC ACCESS TO BACKGROUND PAPERS

7.1 List of background papers

The author of a report will set out in every report a list of those documents (called background papers) relating to the subject matter of the report which in his/her opinion:

- (a) disclose any facts or matters on which the report or an important part of the report is based; and
- (b) have been relied on to a material extent in preparing the report

but this does not include published works or those which disclose exempt or confidential information (as defined in Rules 9 and 10), nor in respect of executive reports, does this include the advice of a political advisor, or any draft report or document.

7.2 Public inspection

- (a) A copy of each of the documents listed will be:-
 - i. published on the Council's website at the same time as the report is available for public inspection, and
 - ii. made available to a member of the public during office hours at the authorities offices at Civic Hall, Leeds, on payment of the Council's reasonable fee.

⁴ In accordance with The Openness of Local Government Bodies Regulations 2014, a written record of the decision and the reasons for it, together with the date of the decision, produced in accordance with any other statutory requirement, will be sufficient to satisfy the requirement to produce a written record set out in this rule.

Access to Information Procedure Rules

- (b) The Council will make available for public inspection for four years after the date of the meeting one copy of each of the documents on the list of background papers.

8.0 EXCLUSION OF PUBLIC ACCESS

- 8.1 The Monitoring Officer will exclude access by the public to reports which in his/her opinion contain confidential information, (as defined in Rule 9).
- 8.2 If the Monitoring Officer thinks fit, access by the public may also be excluded in respect of reports which in his/her opinion relate to items during which, in accordance with Rule 10 the meeting is likely not to be open to the public.
- 8.3 Such reports will be marked “Not for publication” together with “confidential information” or the exemption relied upon.
- 8.4 Where an exemption is relied upon, any such report must contain the reasons why, as in all in the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

9.0 CONFIDENTIAL INFORMATION – REQUIREMENT TO EXCLUDE PUBLIC ACCESS

- 9.1 The public must be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that confidential information would be disclosed. Likewise, public access to reports, background papers, and minutes will also be excluded.
- 9.2 Confidential information means
 - (a) information given to the Council by a Government Department on terms which forbid its public disclosure or
 - (b) information the disclosure of which to the public is prohibited by or under another Act or by Court Order. Generally personal information which identifies an individual, must not be disclosed under the data protection and human rights rules.

10.0 EXEMPT INFORMATION – DISCRETION TO EXCLUDE PUBLIC ACCESS

- 10. 1 The public may be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that exempt information would be disclosed provided:
 - (a) the meeting resolves so to exclude the public, and that resolution identifies the proceedings or part of the proceedings to which it applies, and
 - (b) that resolution states by reference to the descriptions in Schedule 12A to the Local Government Act 1972 (paragraph 10.4 below) the description of the exempt information giving rise to the exclusion of the public.

Access to Information Procedure Rules

- (c) that resolution states, by reference to reasons given in a relevant report or otherwise, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

- 10.2 In these circumstances, public access to reports, background papers and minutes will also be excluded.
- 10.3 Where the meeting will determine any person's civil rights or obligations, or adversely affect their possessions, Article 6 of the Human Rights Act 1998 establishes a presumption that the meeting will be held in public unless a private hearing is necessary for one of the reasons specified in Article 6.
- 10.4 Exempt information means information falling within the following categories (subject to any condition):

Category	Condition
1. Information relating to any individual.	Information is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information
2. Information which is likely to reveal the identity of an individual.	Information is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).	Information is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information Information within paragraph 3 is not exempt if it must be registered under various statutes, such as the Companies Acts or the Charities Act 2011. "Financial or business affairs" includes contemplated, as well as past or current, activities
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or officer-holders under the authority.	Information is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information "Labour relations matter" are as specified

Category	Condition
	in paragraphs (a) to (g) of section 218(1) of the Trade Unions and Labour Relations (Consolidation) Act 1992, i.e. matters which may be the subject of a trade dispute within the meaning of that Act or any dispute about any such matter
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.	Information is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information
6. Information which reveals that the authority proposes – (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment	Information is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime	Information is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information

Information falling within any of paragraphs 1-7 is not exempt information if it relates to proposed development for which the local planning authority may grant itself planning permission under regulation 3 of the Town and Country Planning General Regulations 1992.

10.5 Disorderly Conduct – discretion to exclude public

The public may also be excluded from meetings, where the meeting so resolves, in the exercise of a lawful power of exclusion in order to maintain orderly conduct or to prevent misbehaviour at a meeting.

11.0 PUBLIC ACCESS TO OTHER INFORMATION - FREEDOM OF INFORMATION

11.1 Where a member of the public makes a request for information under the Freedom of Information (FOI) Act 2000, they will be informed in writing by the Council whether it holds such information, and if that is the case, they will have that information communicated to them, unless an exemption applies.

11.2 An FOI request must be in writing, state the name of the applicant and an address for correspondence, and describe the information requested. A request will be treated as made in writing where the text is transmitted by electronic means (e-mail), is received in legible form, and is capable of being used for subsequent reference.

11.3 FOI requests will be dealt with by the FOI practitioner for the relevant service area.

Access to Information Procedure Rules

- 11.4 FOI requests must generally be dealt with within 20 working days of receipt.
- 11.5 The Council will not comply with FOI requests where one or other of the exemptions applies. These include:
- information which is otherwise reasonably accessible
 - information intended for future publication
 - information where disclosure would be likely to prejudice
 - the national or local economy
 - crime prevention/detection, prosecutions, and certain civil proceedings
 - health and safety
 - commercial interests
 - information provided in confidence
 - personal information
- 11.6 In relation to most of the exemptions, the Council must also apply the 'public interest test. Even where the terms of an exemption seem to apply, the Council is still under a duty to disclose, unless the public interest in maintaining the exemption outweighs the public interest in disclosure.
- 11.7 Further details about FOI, how to make an FOI request and the FOI practitioners are contained in the document 'Freedom of Information Act 2000 – Your Right to Information from Leeds City Council' on the Council's website.

12.0 MEMBERS ACCESS - STATUTORY RIGHTS

12.1 Material relating to forthcoming business

- (a) All Members are entitled to inspect any document which is in the possession or under the control of the Executive or its committees and contains material relating to any business to be transacted at a public meeting unless
- (i) it contains exempt information falling within Rules 10.4.1, 10.4.2, 10.4.4, 10.4.5 and 10.4.7 above; or
 - (ii) it contains exempt information falling within Rule 10.4.3 above to the extent that the information relates to any terms proposed or to be proposed by or to the authority in the course of negotiations for a contract; or
 - (iii) it contains the advice of a political adviser or
 - (iv) it is a draft report or draft background paper
 - (v) it is not a report or a background paper as defined in Rule 7
- (b) All Members are entitled to inspect any document which is in the possession of or under the control of the Council and contains material relating to any

Access to Information Procedure Rules

business to be transacted at a meeting of the Council or any of its committees or sub-committees unless

- (i) it contains exempt information falling within Rules 10.4.1, 10.4.2, 10.4.4, 10.4.5 and 10.4.7 above or
- (ii) it contains exempt information falling within Rule 10.4.3 above to the extent that the information relates to any terms proposed or to be proposed by or to the authority in the course of negotiations for a contract.

12.2 Material relating to Key Decisions by Directors

All Members of the Council will be entitled to inspect any document in the possession or under the control of the Executive or its committees which relates to any Key Decision made by a Director unless any of the exceptions in Rule 16.1(a) applies.

13.0 SCRUTINY MEMBERS ACCESS– ADDITIONAL STATUTORY RIGHTS

13.1 Rights to copies

Subject to the limits below, a member of a Scrutiny Board (including its sub-committees) will be entitled to copies of any document which is in the possession or control of

- (a) the Executive or its committees and which contains material relating to any business transacted at a meeting of the Executive or its committees; or
- (b) a Director and which contains material relating to an officers decision.

13.2 Limit on rights

A Scrutiny member will not be entitled to:

- (a) any document that is in draft form;
- (b) any part of a document that contains exempt or confidential information, unless that information is relevant to an action or decision they are reviewing or scrutinising or intend to scrutinise; or
- (c) the advice of a political adviser or assistant.

14.0 MEMBERS ACCESS – NEED TO KNOW

14.1 Meaning of the Need to Know

Members have the right to seek information, explanation and advice which they may reasonably need in order to assist them in properly discharging their duties as a Member of the Council. This can range from a request for general information about some aspect of the Council's activities to a request for specific information on behalf of a constituent. Such approaches should normally be made to the relevant Director.

14.2 The Nature of Requests

Members should:

- (i) avoid over-involvement in issues raised by individual constituents
- (ii) be particularly careful when having direct contact with relatively junior officers, to avoid the appearance of abusing their position
- (iii) justify the request in specific terms, unless circumstances exist where a Member's need to know will be presumed – for example where a Member is on a committee and wants to inspect documents relating to that committee's business, or where the information requested is already in the public domain
- (iv) only use the information for the purpose for which it was provided, and get the prior agreement of the relevant Director to any disclosures to the press or the public

14.3 Limit on rights

There are a number of factors which may limit or outweigh a Member's need to know, including:

- (i) the need to know does not extend to a 'roving commission' through Council documents
- (ii) the need to know would only extend to personal information in exceptional cases
- (iii) draft documents compiled in the context of emerging Council policies, and draft reports will not usually be disclosed
- (iv) a Member of one party group will not have a need to know in relation to a document prepared for another party group
- (v) documents prepared specifically for one Member will not, unless he/she agrees, normally be provided to another Member
- (vi) documents will not be disclosed where the relevant Director believes that use of those documents by a Member may prejudice the Council's or the public interest.
- (vii) the level of resources required to deal with locating and supplying documents.

14.4 Procedure

- 14.4.1 Whether a Member has a need to know will be determined initially by the Director who holds the document in question (with advice from the Monitoring Officer). The Director must not have regard to party political advantage, nor must the Director's determination have the effect of preventing the Member

concerned from giving evidence in Court, or of penalising the Member for so doing.

- 14.4.2 All internal documents and copies produced to any Member for inspection in accordance with this Rule will be produced on the basis that, in the absence of malice, officers are expressly indemnified in respect of any claim in litigation that may result from such publication.

15.0 RIGHTS OF APPEAL

15.1 Appeals against refusals of FOI requests

If an FOI request is refused by an FOI practitioner, the applicant may invoke the Council's compliments and complaints procedure. FOI requests are dealt with at stage 2 of such procedure, and in the case of requests where the public interest test applies the officer dealing with the complaint will consult with the relevant Executive Member for their service. If the complaint does not result in the disclosure of the relevant information an applicant may then apply to the Information Commissioner for a decision as to whether the Council has complied with the relevant provisions of the Freedom of Information Act 2000.

15.2 Appeals where Public Access is denied to a Report or Background Papers

- 15.2.1 If a member of the public is denied access to a report or background papers under these Rules, they may appeal at the relevant meeting by giving notice in writing to the Head of Governance Services, such notice to be received not less than 24 hours before the relevant meeting is due to be held. Any such appeal will be considered as the first item on the agenda.
- 15.2.2 The person making the appeal may provide written submissions to the Head of Governance Services, who will supply copies of the same to the relevant Director and each member of the meeting before the date of the meeting.
- 15.2.3 The Head of Governance Services will supply each member of the meeting with a copy of the document to which the appeal relates, before the date of the meeting.
- 15.2.4 The Director (or nominee) will be called before the meeting to explain and justify the reasons for withholding inspection, and the meeting may question that officer. The person making the appeal will usually be called before the meeting at the same time, but the meeting may exclude that person at their reasonable discretion, where it appears to them that any of the contents of the document to which the appeal relates may otherwise be revealed to that person.
- 15.2.5 The person making the appeal will then be allowed to make representations to the meeting, and the meeting may question that person. The meeting may exclude the officer at their reasonable discretion.
- 15.2.6 The officer and the person making the appeal (and members of the public, if any) will then be asked to withdraw so that the meeting may consider whether or not to release the document. The meeting will be guided on matters of law and procedure by the

Access to Information Procedure Rules

Monitoring Officer (or nominee) and if necessary may adjourn the proceedings in order to obtain further legal advice.

15.2.7 As soon as the meeting have made their decision, the officer and the person making the appeal (and members of the public, if any) will be recalled, and the decision announced.

15.2.8 Where a member of the public makes an appeal against denial of access to a report or background paper which a Director intends to take into account in making a Key Decision, they must give notice in writing to the Head of Governance Services who will make arrangements for a meeting of a committee of the Executive Board to be convened, to determine the appeal. In such cases, the procedure set out above will apply as if references to 'meeting' were substituted by references to 'committee'.

15.3 Appeals where a Member is denied inspection of a document

15.3.1 If a Member is denied inspection of a document under their statutory rights or their need to know rights, they may appeal to the Executive Board. A decision made by a Director to withhold the inspection of any internal document shall be valid and remain in force unless and until altered on an appeal.

15.3.2 A Member will give notice in writing of an appeal to the Head of Governance Services, who will make arrangements for a meeting of a committee of the Executive Board to be convened to determine the appeal.

15.3.3 The committee of the Board will meet to determine the appeal as soon as reasonably practicable, and in any event within 20 working days of receipt of the notice of appeal.

15.3.4 The Member making the appeal, and the Director who decided to withhold inspection (or nominee) will each submit a written report to the Head of Governance Services, who will supply copies of the same to the Member, the Director and each member of the committee at least 5 working days before the date of the committee meeting.

15.3.5 The Head of Governance Services will supply each member of the committee with a copy of the document to which the appeal relates, before the date of the committee meeting.

15.3.6 The Director (or nominee) will be called before the committee to explain and justify the reasons for withholding inspection, and the committee may question that officer. The Member will usually be called before the committee at the same time, but the committee may exclude the Member at their reasonable discretion where it appears to them that any of the contents of the document to which the appeal relates may otherwise be revealed to the Member.

15.3.7 The Member will then be allowed to make representations to the committee, and the committee may question the Member. The committee may exclude the officer at their reasonable discretion.

15.3.8 The committee may permit the Member to ask questions of the officer, and vice versa at their reasonable discretion.

Access to Information Procedure Rules

- 15.3.9 Both the officer and the Member will then withdraw so that the committee may consider whether or not to release the document. The committee will be guided on matters of law and procedure by the Monitoring Officer (or nominee) and if necessary may adjourn the proceedings in order to obtain further legal advice.
- 15.3.10 As soon as the committee have made their decision, the officer and the Member will be recalled, and the decision announced.
- 15.3.11 All internal documents and copies produced for inspection following a decision of a committee of Executive Board to release the same will be so produced on the basis that, in that absence of malice, Members and officers of the Council are expressly indemnified by the Council in respect of any claims in litigation that may result from such publication.

16.0 LIST OF MEMBERS AND SUMMARY OF PUBLIC ACCESS RIGHTS

- 16.1 The Council will publish and any member of the public may make reasonable inspection of:
- (a) a list stating the name and address of all current Members of the Council and the Ward they represent and the name and address of all current Members of the Executive Board, Scrutiny Boards, other Committees and any sub-groups thereof; and
 - (b) a list of the rights conferred on the public to attend meetings and to inspect, copy and be supplied with documents.

17.0 DISCLOSURE OF CONFIDENTIAL INFORMATION BY MEMBERS

- 17.1 Where a decision has been made under these Rules to exclude public access on the basis that exempt information would otherwise be disclosed, the Council requires a Member who wishes to disclose that information to approach the relevant Director, for a decision whether that information should be disclosed. Disclosure by a Member will only be refused, if the Director decides that in the event the Council received an FOI request at that time, the Council would not be obliged to disclose that information. The Council also requires in every case, so far as reasonably practicable a Member must give the relevant Director reasonable notice of their intention to make such a disclosure.
- 17.2 In deciding whether the Council would be obliged to disclose that information in response to an FOI request, the relevant Director will give particular consideration to the public interest reasons for disclosure proposed by the Member, and to the Member's right of freedom of expression and the particular importance of that right for elected representatives'

Leeds City Council

Recording⁵ Protocol: Third Party Recording of Committees, Boards and Panels

The council wants to be open and transparent in the way in which it conducts its decision-making.

Recording is allowed at all meetings of the authority⁶ to enable those not present to see or hear the proceedings either as they take place (or later) and to enable the reporting of those proceedings.

1. Filming or other recording of all meetings of the authority, whilst those meetings are open to the public, is permitted^{7 8}.
2. Those wishing to record proceedings should, as a courtesy, inform the chair (or clerk) of the committee of their intentions to record prior to the commencement of the meeting.
3. Recordings may only be taken overtly from the area designated for the public and;
 - a. Recording devices must be in silent mode
 - b. No flash or additional lighting is permitted
 - c. Recordings must be taken from one fixed position and must not obstruct others from observing proceedings
4. The chair of a meeting has the authority to instruct that recordings be stopped where⁹:
 - a. The press and public have been excluded from the meeting due to the nature of (exempt or confidential) business being discussed.
 - b. There is public disturbance or a suspension/adjournment of a meeting
 - c. The recording has become disruptive or distracting to the good order and conduct of the meeting.
 - d. Continued recording is against the wishes of an individual¹⁰

Use of Recordings by Third Parties– code of practice

Following representations received from interested third parties, the following code of practice has been drawn up concerning the use of recordings.

⁵ This includes both video and audio recording

⁶ Including full Council, committees (boards and panels) established by full Council (and sub committees appointed by those committees) and Executive Board.

⁷ In accordance with any regulations relating to such matters.

⁸ All agendas will indicate that recordings may be made at the meeting by third parties; signage will also be displayed indicating this

⁹ In all cases recording equipment must be switched off.

¹⁰ Where members of the public raise an objection to being recorded, then those individuals will not be filmed. However continued audio recording will be permitted where the contributions are material to the resolutions to be made.

Access to Information Procedure Rules

- A. Any published recording should be accompanied by a statement of when and where the recording was made, the context of the discussion that took place, and a clear identification of the main speakers and their role or title.

- B. Those making recordings must not edit the recording in a way that could lead to misinterpretation or misrepresentation of the proceedings or comments made by attendees. In particular there should be no internal editing of published extracts; recordings may start at any point and end at any point but the material between those points must be complete.



Report author: Susanna Benton
Tel: 0113 2476727

Report of the Head of Licensing and Registration

Report to General Purposes Committee

Date: 29 August 2014

Subject: Polling District Review

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s):		
Adel & Wharfedale Ardsley & Robin Hood Armley Beeston & Holbeck Burmantofts & Richmond Hill Chapel Allerton Calverley & Farsley Farnley & Wortley Guiseley & Rawdon Garforth & Swillington Gipton & Harehills Horsforth Kirkstall Middleton Park Morley South Otley & Yeadon Rothwell Roundhay		
Are there implications for equality and diversity and cohesion and integration?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, Access to Information Procedure Rule number:		
Appendix number:		

Summary of main issues

- 1 A polling district review commenced in Leeds on 30 May 2014. A full review timetable can be found at Appendix E.

- 2 The first consultation period ended on 27 June 2014.

- 3 Meetings of the Electoral Working Group were held to discuss the representations made during the first consultation stage. This report details the outcome of those meetings and EWG's recommendations for Initial Proposals.

Recommendations

- 4 Members are asked to:
- a) note that the summary of representations set out in Appendix A have cross-party support (by parties who expressed a view) and resolve whether in each case to confirm or revise as an initial proposal;
 - b) consider the summary of representations set out in Appendix B which have been rejected by all parties, and resolve whether in each case to confirm or revise as an initial proposal;
 - c) consider the representations set out in Appendix C, where all parties that expressed a view did not agree, and resolve whether in each case to confirm or revise as an initial proposal (Appendix C)
 - d) approve the revised timetable at Appendix E, which has been amended to change the dates of the second consultation period from 29 August – 26 September to 5 September – 3 October.
 - e) note that the initial proposals agreed today will be published for further consultation from 5 September to 3 October 2014 and will return to General Purposes Committee in November 2014 to agree on the authority's final proposals.

1. Purpose of this report

- 1.1 To consider initial proposals for the polling district review.
- 1.2 To agree the initial proposals to be published on 29 August 2014 for the second consultation period of the review.

2. Background information

- 2.1 The Electoral Registration and Administration Act 2013 introduced a change to the timing of compulsory reviews of UK Parliamentary polling districts and polling places. This change meant a compulsory review was required to be started and completed between 1 October 2013 and 31 January 2015 (inclusive).
- 2.2 Subsequent compulsory reviews must be started and completed within the period of 16 months that starts on 1 October of every fifth year after 1 October 2013.
- 2.3 A 'review' is all the steps set out in Schedule A1 to the Representation of the People Act 1983 (RPA 1983). Further information on what these steps are is included later in this report. The review process, from the publication of the notice of the review until the publication of the documents at the end, must take place within the specified period.
- 2.4 The length of the review process is not prescribed, 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.
- 2.5 It is not anticipated that in view of the requirements in 2.2. above, that the Council will conduct another full review of polling districts and polling places until after 1 October 2018.

3. The review process

- 3.1 Guidance for the conduct of a review has been published by the Electoral Commission. The guidance sets out the review process. The process takes place in a number of stages which are summarised as follows: -
 - a) **A Preliminary Stage** - When notice is given of the review and advises that representations would be welcome, particularly from those with expertise in access for persons with any type of disability. It also sets out the reference documents which should be made available. This stage is now completed.
 - b) **A Proposal Stage** - When the authority's initial proposals are consulted upon. The Returning Officer must comment, at this stage, on all existing polling stations used and any new polling stations which would probably be chosen if the new proposals were accepted by the authority. The Guidance suggests that the review by the authority (of districts and places) should be conducted jointly with the Returning Officer's review (of polling stations). This is the next stage of the process.

- c) **The Consultation Stage** - To receive representations and comments on the authority's initial proposals for polling districts and places. This is in two parts i.e. (i) a compulsory submission from the Returning Officer of the parliamentary constituency with regard to the suitability of the designated pooling stations, and (ii) submissions from other persons and bodies which can be referenced to the Returning Officer's proposed polling stations as well as the authority proposals.
- d) **Conclusion of Review** - When the authority must produce final proposals, taking into consideration the representations made.
- e) **The Decision of the Council** on the proposals. General Purposes Committee will approve the final proposals.
- f) **The Publishing Stage** - When the decision and background material is published.
- g) **Right of Appeal** - Although the final decision is that of the Authority, there is a right of appeal to the Electoral Commission.

The Commission can consider representations that the review process has not been conducted correctly. There are only two grounds on which a representation may state that a local authority has failed to conduct a proper review, namely: -

the local authority has failed to meet the reasonable requirements of the electors in the constituency; or

the local authority has failed to take sufficient account of accessibility to disabled persons of the polling place.

If the appeal is upheld, the Commission can, ultimately, make alterations to the polling places.

- 3.2 General Purposes Committee approved the timetable for the review at their meeting on 28 May 2014. The final review notice is due to be published on 28 November 2014. The corresponding revised register will be published on 1 December 2014 and will be used for the Parliamentary Election, Local Government Elections and Parish/Town Council Elections to be held on 7 May 2015.
- 3.3 The Preliminary Stage is now completed, and this report sets out the results of the public consultation and representations received so that the General Purposes Committee can agree the authority's Initial Proposals for further public consultation during the Proposals Stage.
- 3.4 Due to the change in date of the August General Purposes Committee, it has been necessary to revise the timetable. The second consultation period will therefore start on 5 September and end on 3 October 2014. The original dates were 29 August ending 26 September. The revised timetable is attached at Appendix E.

4. The Review of Polling Districts and Places

- 4.1 A reasonable methodology must be demonstrated if a successful appeal (with its consequential reputational damage) is to be avoided. The Guidance stresses the need for all decisions made to have been consulted upon and to be measured and practical: 'The whole process should be as transparent and open as possible to avoid possible conflict.' The Initial Proposals document set out the considerations taken into account in drawing up the proposals and such an approach reduces the suggestion that decisions may have been politically motivated.
- 4.2 The primary considerations for every review are a requirement of Electoral law, and are: -
- a) The Council must seek to ensure that all electors have such reasonable facilities for voting as are practicable in the circumstances; and
 - b) The Council must seek to ensure that so far as is reasonable and practicable every polling place is accessible to electors who are disabled.
- 4.2 There is no scientific formula or set of rules for the division of a constituency into polling districts, nor for the selection of polling places. The choice will often be a balance between a number of competing considerations, for example between the quality (access, facilities, etc) of a building and the distances between the residents and that building, compared to other options for polling places. Judgment needs to be exercised, e.g. when comparing the potential disturbance to voters as against other factors. However, in carrying out the balancing exercise, the approach should be **voter-centred**.
- 4.3 Officers proposed that the same criteria used for the last polling district review was used again for this review:-
- a) Disparities between polling districts to make them more comparable in terms of number of polling places and number of electors per polling place;
 - b) Current levels of satisfaction / dissatisfaction as expressed by or on behalf of electors;
 - c) The cost / elector ratio of providing a polling place, so there is broad comparability between districts;
 - d) The availability of postal votes on demand;
 - e) Disturbance to electors which would be caused by alteration of polling places which have been used for a long period of time;
 - f) A polling place should be in its own polling district, unless it is not possible to find a suitable place in the district;

- g) There should not be major barriers between the voters and their polling place. Major roads, rivers and the like can therefore be considered as starting points for polling district boundaries unless there is good quality, accessible crossing points;
- h) The polling place should not be difficult to locate and should be close to where most of the electors in the polling district live;
- i) The topography of the area should be taken into account including availability of public transport for electors having to travel distances to the polling place;
- j) Facilities for polling staff, who will be on duty for at least 16 hours and cannot leave the polling place;
- k) That each parish should be a separate polling district save in exceptional circumstances;
- l) If there appears to be a need in all or particular elections (considering, for example, UK Parliamentary elections may have a higher turnout than local government elections) for multiple polling stations in a polling place, it will need to be considered if the polling place can accommodate them; and
- m) Capability of the polling place to cope with peaks of electors allocated to it.

4.4 It should be noted that the considerations are not weighted, as proposals need to be voter-centred and the exercise of judgment and the balancing exercise needs to have this at the forefront of consideration. Each proposal/representation will have circumstances peculiar to it and the differing considerations relating to those circumstances must be balanced to allow the outcome to be voter centred.

5. Results of the preliminary stage

5.1 28 representations were received in response to the authority's Notice of Review published on 30 May 2014. The closing date for receipt of representations was 27 June 2014.

5.2 EWG considered the criteria at section 4. when reviewing all representations made during the preliminary stage.

The representations can be grouped into:

- a) Representations where all parties that expressed a view agreed (Appendix A);
- b) Representations rejected by all parties (Appendix B)
- c) Representations where all parties that expressed a view did not agree (Appendix C)

6. Returning Officers Comments

- 6.1 The Returning Officer is required to make a submission on the initial proposals with regard to the location of polling stations and polling places and has said:-

“At this stage, I am content with the representations, but reserve the right to revise, and/or add to my views on the basis of officer inspections or expressions of support or objection received in response to further consultation during the proposal stage”.

7. Equality and Diversity / Cohesion and Integration

- 7.1 The notice of the review invited representations from stakeholders and in particular from those with expertise in access for persons with any type of disability. According to law, the authority must seek to ensure that so far as is reasonable and practicable every polling place is accessible to electors who are disabled. We have been careful to ensure the review process meets that requirement.
- 7.2 An equality and cohesion screening document has been completed for this review and has concluded that the consultation arrangements will help ensure all people affected by the review are given an opportunity to comment which will address any equality, diversity, cohesion or integration issues raised. The screening document can be found at Appendix D.

8 Council policies and City Priorities

- 8.1 The process for conducting a review of polling districts, places and stations is set out in legislation. It is a requirement that the authority completes its next full polling district review by 31 January 2015.
- 8.2 The review does not affect the council’s budget and policy framework, although ensuring electors have accessible polling places does support the council’s aims to be the best city for communities, and in particular the four year priority to increase a sense of belonging that builds cohesive and harmonious communities.

9. Resources and value for money

- 9.1 There is no separate budget provision for the costs of carrying out any Review of Polling Districts. The costs of carrying out the consultation process will be met from within the existing budget for Electoral Services.
- 9.2 Staff resources are available to conduct this interim review in accordance with the timetable which is available at Appendix E.

10. Legal Implications, Access to Information and Call In

- 10.1 Under the Constitution, the Council has delegated authority to the Chief Executive to discharge the following Council (non executive) functions namely: -

“ ...

- (c) to divide a constituency into polling districts¹
- (d) to divide electoral divisions into polling districts at local government elections”

10.2 If the Chief Executive chooses not to exercise that delegated authority, he may refer the matter to General Purposes Committee, who have authority: -

“to consider and determine Council (non executive) functions delegated to a Director where the Director has decided not to exercise the delegated authority and has referred the matter to the committee.”

10.3 There is no provision similar to that regarding executive functions that allows the relevant Executive Member to require the “Director” to not exercise the delegated authority but to take a matter to Executive Board.

10.4 However, the Chief Executive has the opportunity to consult with the relevant Member(s), before deciding whether to exercise his delegated authority or alternatively himself choose to refer the matter to General Purposes Committee.

10.5 The Chief Executive has chosen to refer the need to undertake a Polling District Review to General Purposes Committee.

11. Risk Management

11.1 On conclusion of any polling district review, the Electoral Commission can consider representations that the review process has not been conducted correctly. There are only two grounds on which a representation may state that a local authority has failed to conduct a proper review, namely: -

- a) the local authority has failed to meet the reasonable requirements of the electors in the constituency; or
- b) the local authority has failed to take sufficient account of accessibility to disabled persons of the polling place.

11.2 If the appeal is upheld, the Commission can, ultimately, make alterations to the polling places.

12. Conclusions

12.1 That the processes being followed by officers meet the statutory requirements for a Review of Polling Districts, Places and Stations.

13. Recommendations

13.1 Members are asked to:

¹ The area created by the division of a constituency, ward or division into smaller parts, within which a polling place can be determined which is convenient to electors

- a) note that the summary of representations set out in Appendix A have cross-party support (by parties who expressed a view) and resolve whether in each case to confirm or revise as an initial proposal;
- b) consider the summary of representations set out in Appendix B which have been rejected by all parties, and resolve whether in each case to confirm or revise as an initial proposal;
- c) consider the representation set out in Appendix C, where all parties that expressed a view did not agree, and confirm or revise as an initial proposal;
- d) approve the revised timetable at Appendix E, which has been amended to change the dates of the second consultation period from 29 August – 26 September to 5 September – 3 October.
- e) note that the initial proposals agreed today will be published for further consultation from 5 September to 3 October and will return to General Purposes Committee in November 2014 to agree on the authority's final proposals.

14. Background documents

- a) Appendix A - Representations where all parties that expressed a view agreed
- b) Appendix B - Representations rejected by all parties
- c) Appendix C – Representations where all parties that expressed a view did not agree
- d) Appendix D - Equality Screening Assessment
- e) Appendix E – Revised review timetable

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Appendix A – Representations where all parties who expressed a view agreed



Proposal Reference	Ward	Proposal detail
AW1.1	Adel & Wharfedale	Establish a new permanent location for polling for AWD at Holt Park Active
AR1.1	Ardsley & Robin Hood	Divide ARI into 2 separate polling districts, new polling station in Tingley Athletics Club
AM1.1	Armley	To move from a portable building into Lilac Common House, Lilac Grove
BH1.1,1.2,1.3,1.4	Beeston & Holbeck	Polling for BHD to return to a portable building in the car park of the Broadway Public House
CF1.1	Calverley & Farsley	Polling to remain in a Portable Building at Woodhall Sports Pavilion as the Pavilion itself is unsuitable
CF2.1	Calverley & Farsley	To move from a portable building into the Conservatory at The Owl Public House
CA1.1	Chapel Allerton	To move from a portable building into Woodhouse Community Sports Club
CA2.1	Chapel Allerton	To merge the polling districts CAJ and CAK with both voting at the location for CAJ
FW1.1	Farnley & Wortley	To merge polling districts FWK and FWM who both already vote at the same polling station
GS1.1, 1.2, 1.3	Garforth & Swillington	Relocate the polling station for GSJ and GSN from the Community Centre to Primrose House on Church Lane
GH1.1	Gipton & Harehills	GHA to vote with GHB at the Dame Fanny Waterman Centre instead of at a portable building on Gipton Approach
KI1.1	Kirkstall	Polling for KIF to remain in a portable building on land at Village Place as suggested alternative not suitable
MI1.1	Middleton Park	To move from a portable building into West Grange Church, West Grange Drive
MS1.1	Morley South	To merge polling districts MSD and MSE with both voting at Morley Town Hall
RL1.1	Rothwell	To correct an error in the registers to enable a group of electors currently in RLI to vote in RLA
RL2.1	Rothwell	To create a new polling district RLK with electors voting at The Tower, Castle Lodge Estate
Proposal Reference	Ward	Proposal detail
RL3.1	Rothwell	Move the polling station for polling district RLG from a Portable Building on

RO1.1	Roundhay	Wordsworth Drive to Rothwell Sports Centre Redraw boundary between ROB and ROC with ROB electors voting at Gledhow Primary School, and ROC electors voting at St Edmunds Parochial Hall
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Polling District Review 2014 Proposal Information



Proposal Reference No.	AW1.1
Ward	Adel & Wharfedale
Polling district(s)	AWD
Polling station(s)	Adel Methodist Church Hall Gainsborough Avenue Adel LS16 7NX
Electorate(s)	2057
Postal Voter(s)	453
Proposal submitted by	Various correspondence from electors and Councillors
Proposal detail	<p>Unhappy with the relocation of this polling station from the now demolished Holt Park Leisure Centre to Adel Methodist Church Hall.</p> <p>General opinion that the station should be located in the newly built Holt Park Active.</p>
Revised electorate(s)	N/A
Officer comments	<p>Officers have inspected a room at Holt Park Active which has been deemed suitable and has all the necessary access and facilities for electors and polling station staff.</p> <p>The room available has a sports flooring which will need temporary cover in part.</p>

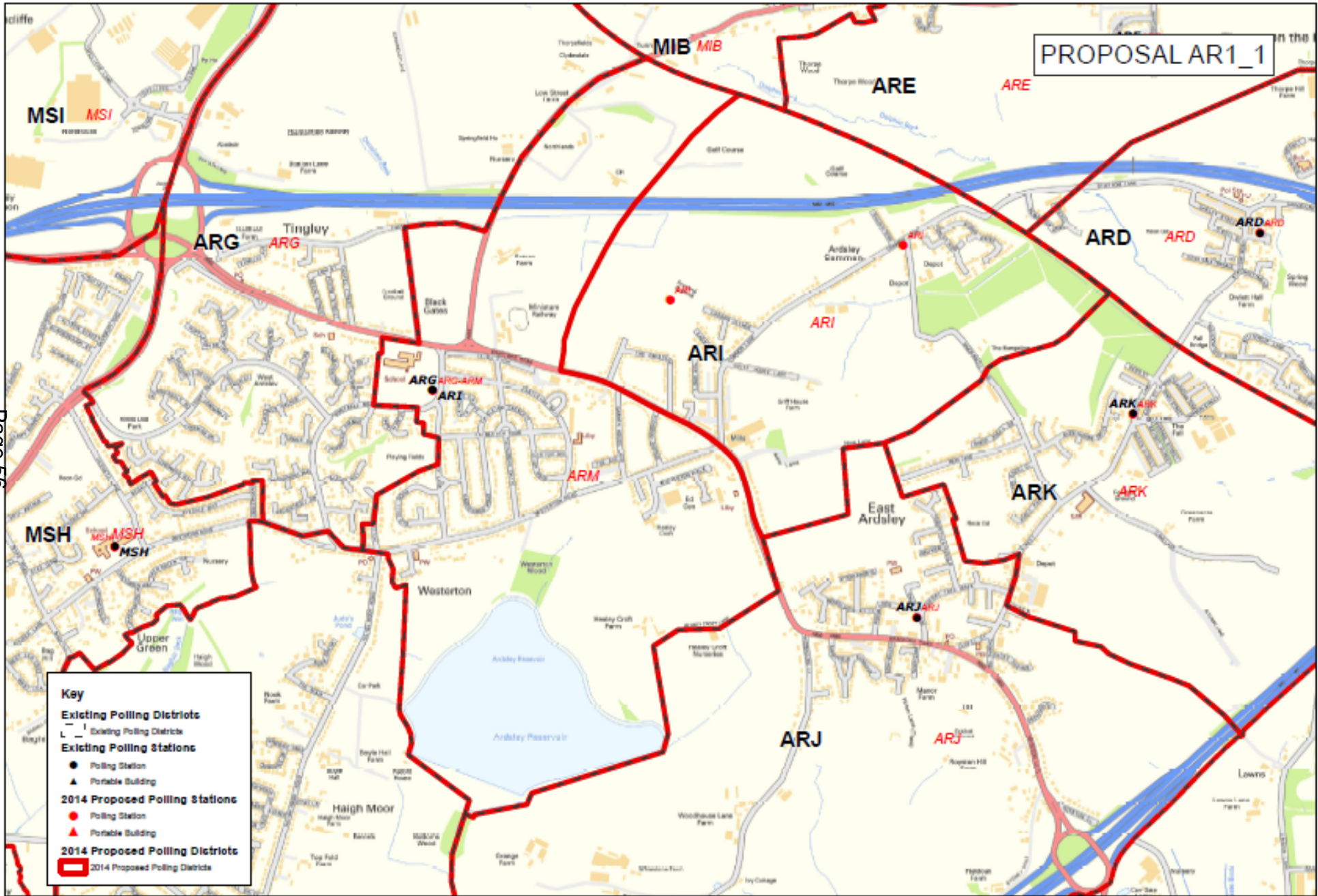
PROPOSAL AW1



Polling District Review 2014 Proposal Information



Proposal Reference No.	AR1.1
Ward	Ardsley & Robin Hood
Polling district(s)	ARI
Polling station(s)	Lower Hall Tingley Activity Centre Smithy Lane West Ardsley WF3 1QQ
Electorate(s)	2620
Postal Voter(s)	475
Proposal submitted by	Cllr Lisa Mulherin (Labour), Ardsley & Robin Hood Ward
Proposal detail	<p>Divide ARI into two separate polling districts</p> <ul style="list-style-type: none"> • Establish new boundary from Bradford Road going north towards and beyond the M62 to split ARI • Possible new polling station at Tingley Athletics Club or the Railway Public House.
Revised electorate(s)	ARI (revised) - 823 ARM (new) - 1797
Officer comments	<p>Officers have visited the Athletics club which has a suitable room for use as a polling station and all the necessary facilities for electors and polling station staff.</p> <p>Access to the station is across a small car park which has adequate lighting.</p>



Polling District Review 2014 Proposal Information



Proposal Reference No.	AM1.1
Ward	Armley
Polling district(s)	AMA
Polling station(s)	Portable Building on grassed area at junction of Victoria Park Grove and Raynville Road Leeds LS13 2RD
Electorate(s)	1718
Postal Voter(s)	262
Proposal submitted by	Lee Wright, Lilac Grove
Proposal detail	<p>I am emailing to make a provisional suggestion about an alternative location for a polling station, which could replace an existing portacabin in the Armley ward.</p> <p>Lilac Common House, Lilac Grove, Victoria Park Avenue, Kirkstall, LS5 2AG (Armley Ward)</p> <p>We are a housing co-operative (Lilac) based on the site of the former Wyther Park Primary School in Bramley</p> <p>In addition to our homes we own and run our own Common House, with accessible ground floor space with the entrance on Victoria Park Avenue. Is there a possibility that you may want to utilise our venue at next year's May elections?</p>
Revised electorate(s)	N/A
Officer comments	Officers have visited the Common House at Lilac Grove which has excellent access and facilities for electors and polling station staff. We fully support a move from the portable building to this new location.

Please note – should this be approved, it will be pending a final decision by the Lilac Residents Committee at their next meeting on 16 September 2014.

Should they take the decision not to agree to use of the Common Room as a polling station, the portable building would continue to be used in the absence of another suitable permanent building within the polling district.



Polling District Review 2014 Proposal Information



Originally brought to EWG on 16 July - updated	
Proposal Reference No.	BH1.1, BH1.2, BH1.3, BH1.4
Ward	Beeston & Holbeck
Polling district(s)	BHD
Polling station(s)	Dewsbury Road Social Club Dewsbury Road Beeston Leeds LS11 5LR
Electorate(s)	2170
Postal Voter(s)	312
Proposal submitted by	Cllr Adam Ogilvie (Lab) Beeston & Holbeck Ward (BH1.1), Supported by: Cllr David Congreve (Lab) Beeston & Holbeck Ward (BH1.2), Cllr Angela Gabriel (Lab) Beeston & Holbeck Ward (BH1.3) Hilary Benn MP (Lab) Leeds Central (BH1.4)
Proposal detail	Change the location of the polling station above to a Portable Building in the car park of the Broadway Pub on Dewsbury Road.
Revised electorate(s)	As above
Officer comments	<p>The Broadway Pub would permit the siting of a portable building in their car park for polling purposes.</p> <p>Officers ask EWG Members to note the current initiative to replace portable polling stations with permanent buildings due to cost incurred to the Council from increasing reluctance from Cabinet Office to fund portable buildings and the poor facilities available to polling station staff and the electorate.</p>

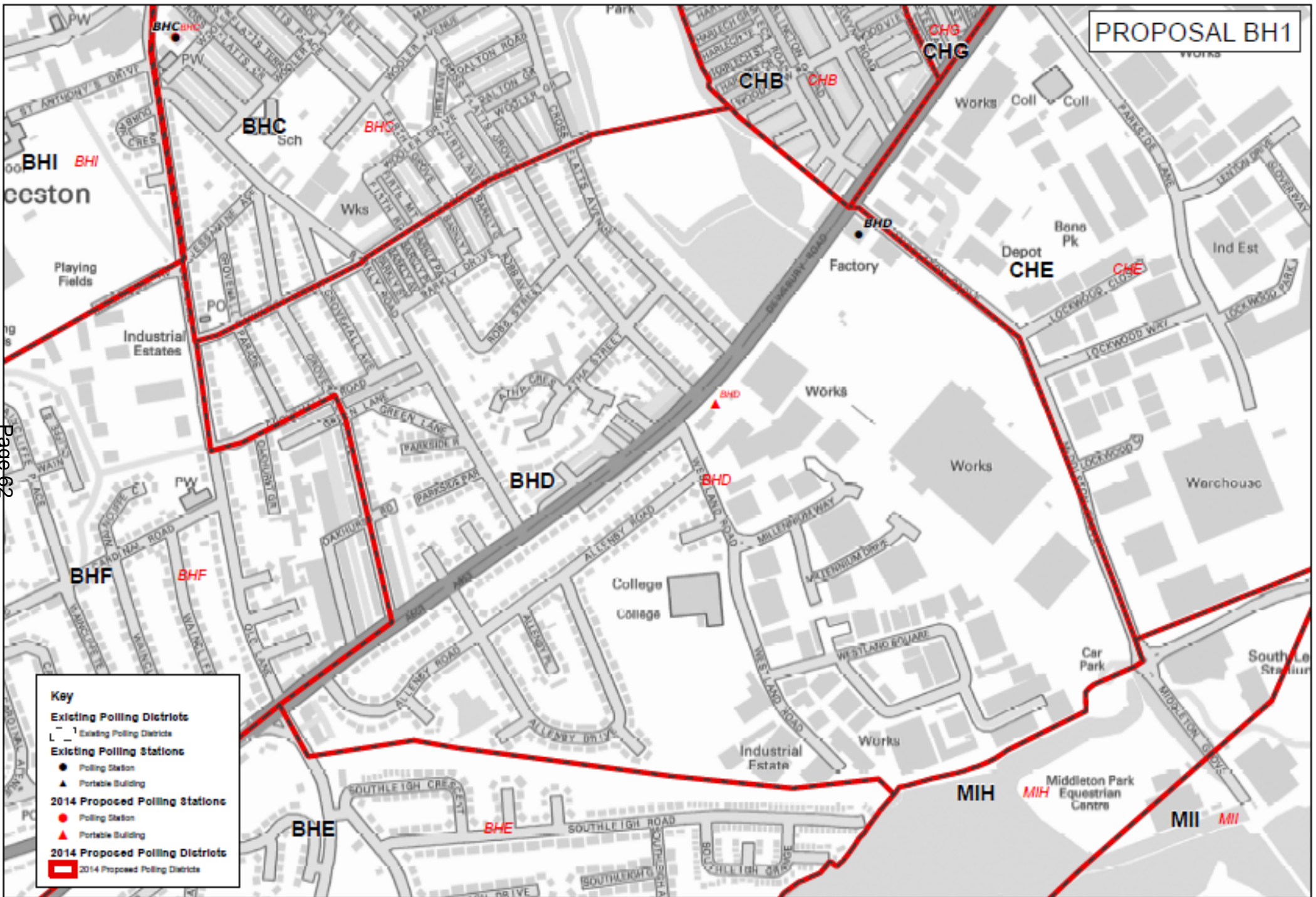
Updated after EWG on 16 July

Officers visited the polling district and were unable to locate a suitable alternative permanent building.

Officers recommend the polling station remains in the Dewsbury Road Social Club.

PROPOSAL BH1

Page 62



Key

- Existing Polling Districts**
- Existing Polling Stations**
- 2014 Proposed Polling Stations**
- 2014 Proposed Polling Districts**

Polling District Review 2014 Proposal Information



Originally brought to EWG on 16 July - updated	
Proposal Reference No.	CF1.1
Ward	Calverley & Farsley
Polling district(s)	CFC
Polling station(s)	Portable Building in car park of Woodhall Sports Ground Woodhall Lane Calverley Pudsey LS28 7TS
Electorate(s)	1430
Postal Voter(s)	281
Proposal submitted by	Cllr Andrew Carter (Con) Calverley & Farsley Ward Cllr Rod Wood (Con) Calverley & Farsley Ward
Proposal detail	Portable Building on Woodhall Lane - 1400 electors use this. They all live on the same side of the A647. The only alternative would be to approach Bradford University to see if we could use the newly refurbished Sports Pavilion, which sits in the grounds of the playing fields, and the portable building is adjacent to it. Failing this, you will have to leave the portable building as is.
Revised electorate(s)	N/A
Officer comments	Bradford University have been contacted and responded as follows: Having looked at this I am afraid we don't feel that we can offer the pavilion as a voting station although we are certainly content with the siting of a mobile unit for the day.

I think I indicated when we spoke that the spaces in there wouldn't in our opinion be conducive to your needs as there are no large rooms (in the manner of a community centre or school hall). The building is comprised of changing rooms and shower/wc facilities with the largest space being no more than 20 sqm. Add to that the labyrinthine nature of the building and I think we consider it simply unsuitable for such a use.

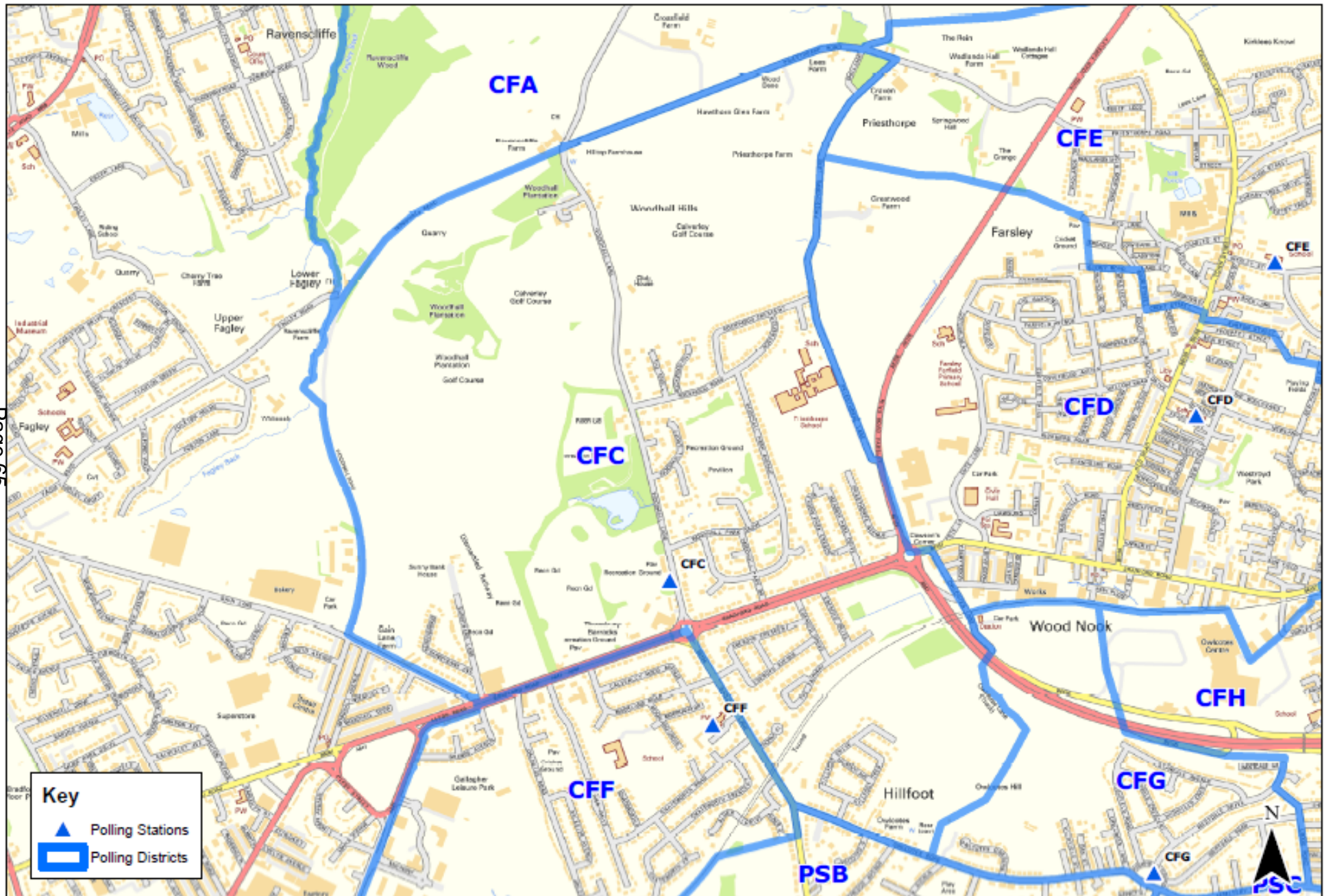
Officers have inspected the polling district and cannot identify another suitable permanent building.

Updated after EWG on 16 July



Officers have inspected the Sports Pavilion which does not have a suitable room for polling.

Cllr Carter was not happy to endorse the use of Calverley Golf Club due to the distance on foot from the majority of the electors in the polling district.

Cllr Carter suggests the Polling Station remains in a portable building at the Sports Pavilion.



Key

-  Polling Stations
-  Polling Districts



Polling District Review 2014 Proposal Information



Proposal Reference No.	CF2.1
Ward	Calverley & Farsley
Polling district(s)	CFB
Polling station(s)	Portable Building on car park of the former Owl Public House 1 Rodley Lane Rodley Leeds LS13 3LB
Electorate(s)	1198
Postal Voter(s)	211
Proposal submitted by	Cllr Andrew Carter (Con) Calverley & Farsley Ward Cllr Rod Wood (Con) Calverley & Farsley Ward
Proposal detail	Try and use the conservatory area of the pub instead now it has been refurbished and reopened.
Revised electorate(s)	N/A
Officer comments	The conservatory has been inspected and is suitable for polling. The owners have agreed to use. This is a good opportunity to remove a portable building from the polling scheme.



Polling District Review 2014 Proposal Information

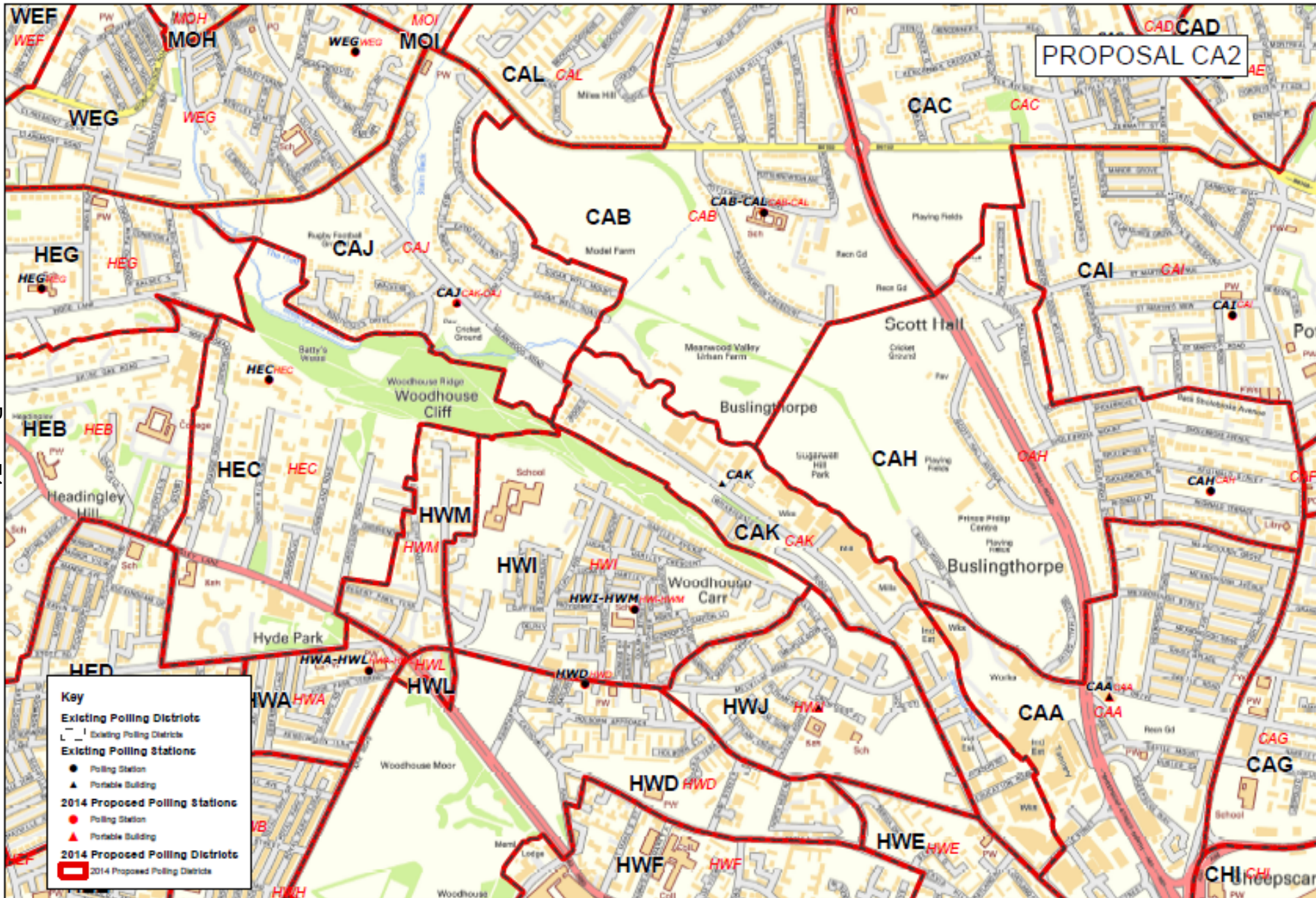


Proposal Reference No.	CA1.1
Ward	Chapel Allerton
Polling district(s)	CAJ
Polling station(s)	Portable Building at Woodhouse Community Sports Club Meanwood Road Leeds LS6 4AW
Electorate(s)	898
Postal Voter(s)	116
Proposal submitted by	Cllr Jane Dowson (Lab) Chapel Allerton Ward
Proposal detail	To move from a portable building at the Sports Club into the Sports Club building itself.
Revised electorate(s)	n/a
Officer comments	Officers visited the Sports Club and have identified a suitable room with the required facilities and access for electors and polling station staff. Officers support a move into the Sports Club.

Polling District Review 2014 Proposal Information



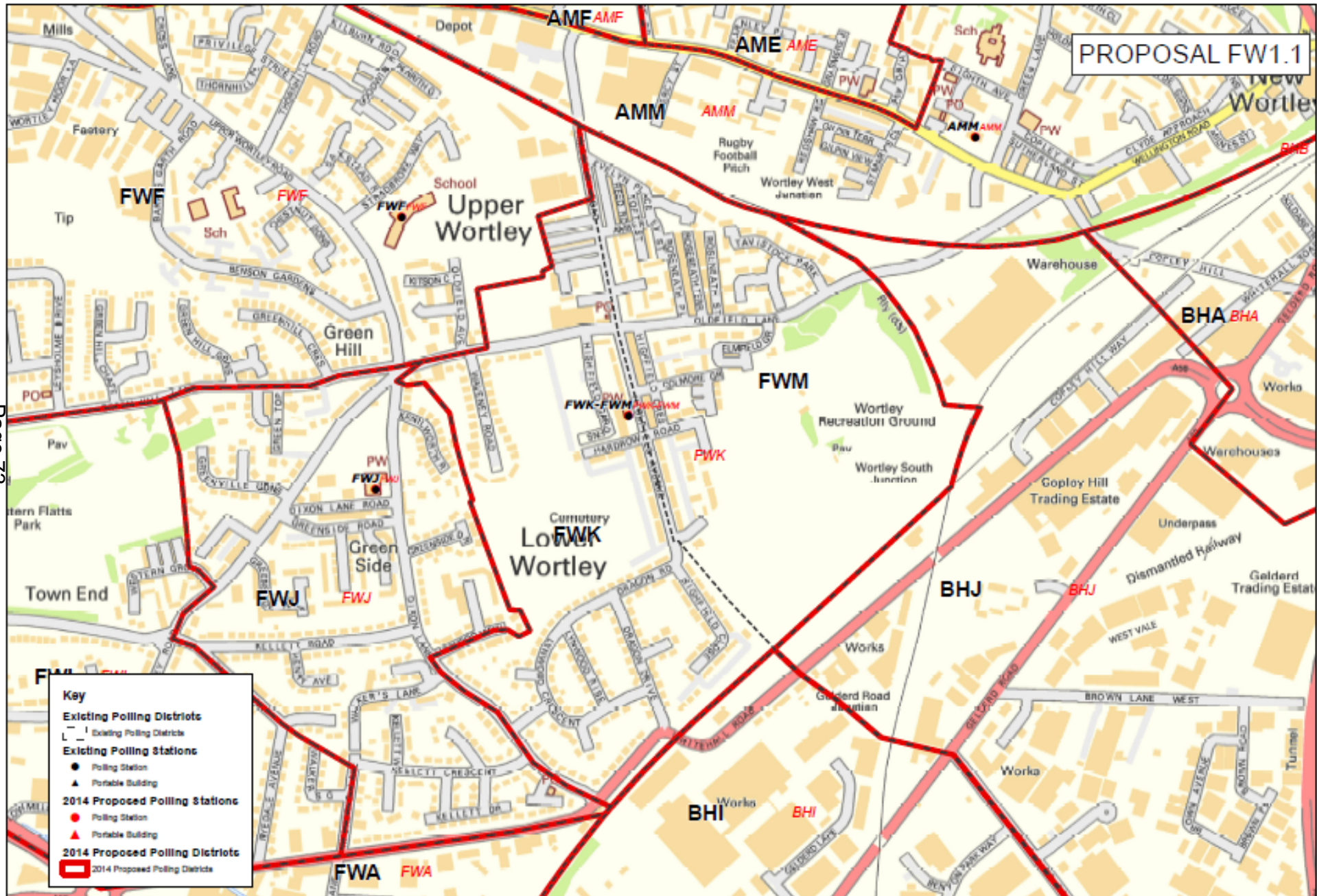
Proposal Reference No.	CA2.1
Ward	Chapel Allerton
Polling district(s)	CAJ CAK
Polling station(s)	CAJ Portable Building at Woodhouse Community Sports Club Meanwood Road Leeds LS6 4AW CAK Portable Building on Meanwood Road (Near Clifdale Road) LS7 2JF
Electorate(s)	CAJ 898 CAK 974
Postal Voter(s)	CAJ 116 CAK 34
Proposal submitted by	Cllr Jane Dowson (Lab) Chapel Allerton Ward
Proposal detail	To merge the polling districts (to be called CAJ) with both voting at the location for CAJ (location subject to result of proposal CA1.1)
Revised electorate(s)	New CAJ 1872
Officer comments	Officers support the move, particularly as it would remove the requirement for a portable building.



Polling District Review 2014 Proposal Information



Proposal Reference No.	FW1.1
Ward	Farnley & Wortley
Polling district(s)	FWK FWM
Polling station(s)	Highfield Methodist Church Highfield Avenue Wortley Leeds LS12 4BU
Electorate(s)	FWK - 811 FWM - 723
Postal Voter(s)	FWK - 107 FWM - 72
Proposal submitted by	Cllr David Blackburn (Green) Farnley & Wortley Ward
Proposal detail	Polling districts FWK and FWM vote at the same polling station and were separate because of previous electoral arrangements – they can now be merged.
Revised electorate(s)	New FWK – 1534
Officer comments	Agreed this makes sense – there is no longer a requirement for this area to be 2 separate polling districts.



PROPOSAL FW1.1

New Wortley

Upper Wortley

Lower Wortley

BHI

BHA

BHJ

FWF

AMM

FWM

FWJ

FWA

AME

AMM

PW

FWK

BHI

Goploy Hill Trading Estate

Town End

Galdard Trading Estate

BHI

Wortley Recreation Ground

Wortley South Junction

Warehouse

WEST VALE

AMF

AME

FWK

BHI

Goploy Hill Trading Estate

Town End

Galdard Trading Estate

BHI

Wortley Recreation Ground

Wortley South Junction

Warehouse

WEST VALE

AMF

AME

FWK

BHI

Goploy Hill Trading Estate

Town End

Galdard Trading Estate

BHI

Wortley Recreation Ground

Wortley South Junction

Warehouse

WEST VALE

AMF

AME

FWK

BHI

Goploy Hill Trading Estate

Town End

Galdard Trading Estate

BHI

Wortley Recreation Ground

Wortley South Junction

Warehouse

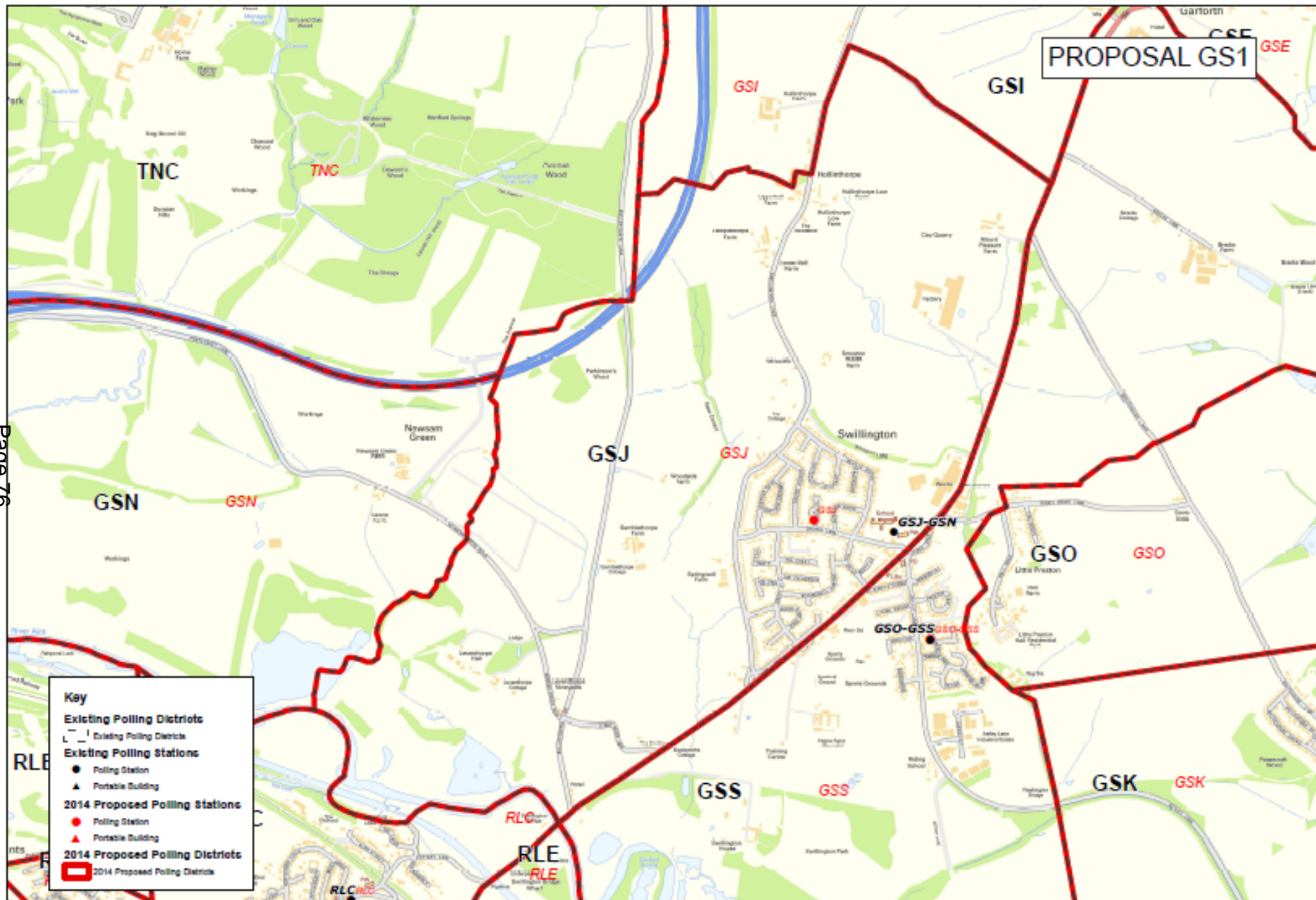
WEST VALE

Polling District Review 2014 Proposal Information



Proposal Reference No.	GS1.1, GS1.2, GS1.3
Ward	Garforth & Swillington
Polling district(s)	GSJ GSN
Polling station(s)	Swillington & District Community Centre Church Lane Swillington LS26 8DX
Electorate(s)	GSJ - 1671 GSN - 3
Postal Voter(s)	GSJ - 364 GSN - 0
Proposal submitted by	Cllr Mark Dobson (Lab) Garforth & Swillington (GS1.1) Cllr Andrea McKenna (Lab) Garforth & Swillington (GS1.2) Diane Brown, Clerk of Swillington Parish Council (GS1.3)
Proposal detail	<p>The current station at the Community Centre has no parking, it's on the busy junction of Church Lane and the A642 and the school, rightly, have issues RE security and shut the gates to their car park (they are adjacent).</p> <p>Many residents have told us they did not vote due to the lack of parking and access.</p> <p>It's our suggestion (the three ward members) that the Polling Station is relocated further up Church Lane into Primrose House on Church Close therefore ensuring that side of Swillington retains a station but in a more accessible position.</p> <p>We have experiences difficulties at this station in 2012 and 2014 and would therefore like to see this change implemented for 2015.</p>

Revised electorate(s)	n/a
Officer comments	<p>Please note GS1.3 is in favour of retaining the polling station at Swillington & District Community Centre.</p> <p>Officers have inspected Primrose House and are satisfied that it meets the relevant requirements for polling staff and the electorate.</p>



Polling District Review 2014 Proposal Information



Originally brought to EWG on 21 July - updated	
Proposal Reference No.	GH1.1
Ward	Gipton & Harehills Ward
Polling district(s)	GHA
Polling station(s)	Portable Building on Car Parking Area outside 58 & 60 Gipton Approach Leeds LS9 6NJ
Electorate(s)	882
Postal Voter(s)	145
Proposal submitted by	Cllr Roger Harington (Lab) Gipton & Harehills Ward
Proposal detail	Box A in Gipton and Harehills is at present a Portable building on Gipton Approach. The flats in Wykebeck Valley Road each have a room that would be big enough for a Polling station. Worth exploring.
Revised electorate(s)	n/a
Officer comments	<p>There are security issues due to the location of the community rooms in these flats. Electors would have to pass several people's front doors to get to the back of the building.</p> <p>Entrance to the blocks are via keypad access so security would be required on the door at all times.</p> <p>The Warden who showed Officers round had major concerns about electors wandering off into the flats themselves as they would pass the lifts and 2 staircases to get to the rooms.</p> <p>There are also parking issues in already busy car parks with residents double-parking.</p> <p>Officers do not feel that this is a suitable location for polling.</p>

Officers would like to recommend the merging of GHB with GHA for the purposes of voting. GHA vote at the Dame Fanny Waterman Community Centre, just over the boundary from GHB (shown on the map)

This would make the combined electorate for the Community Centre 1570 with postal votes taken off.

The combined number of electors who voted at the polling stations GHA and GHB for the May 2014 elections was 325.

The room used in the Community Centre is large enough to facilitate the additional electors.

Updated after EWG on 21 July

The following response was received from Cllr Roger Harington, with Cllrs Hussain and Maqsood copied in:

I appreciate why the flats aren't suitable.

There is also the Wykebeck Valley Day Centre, in Wykebeck Valley Road, but it's very close to the Dame Waterman Centre.

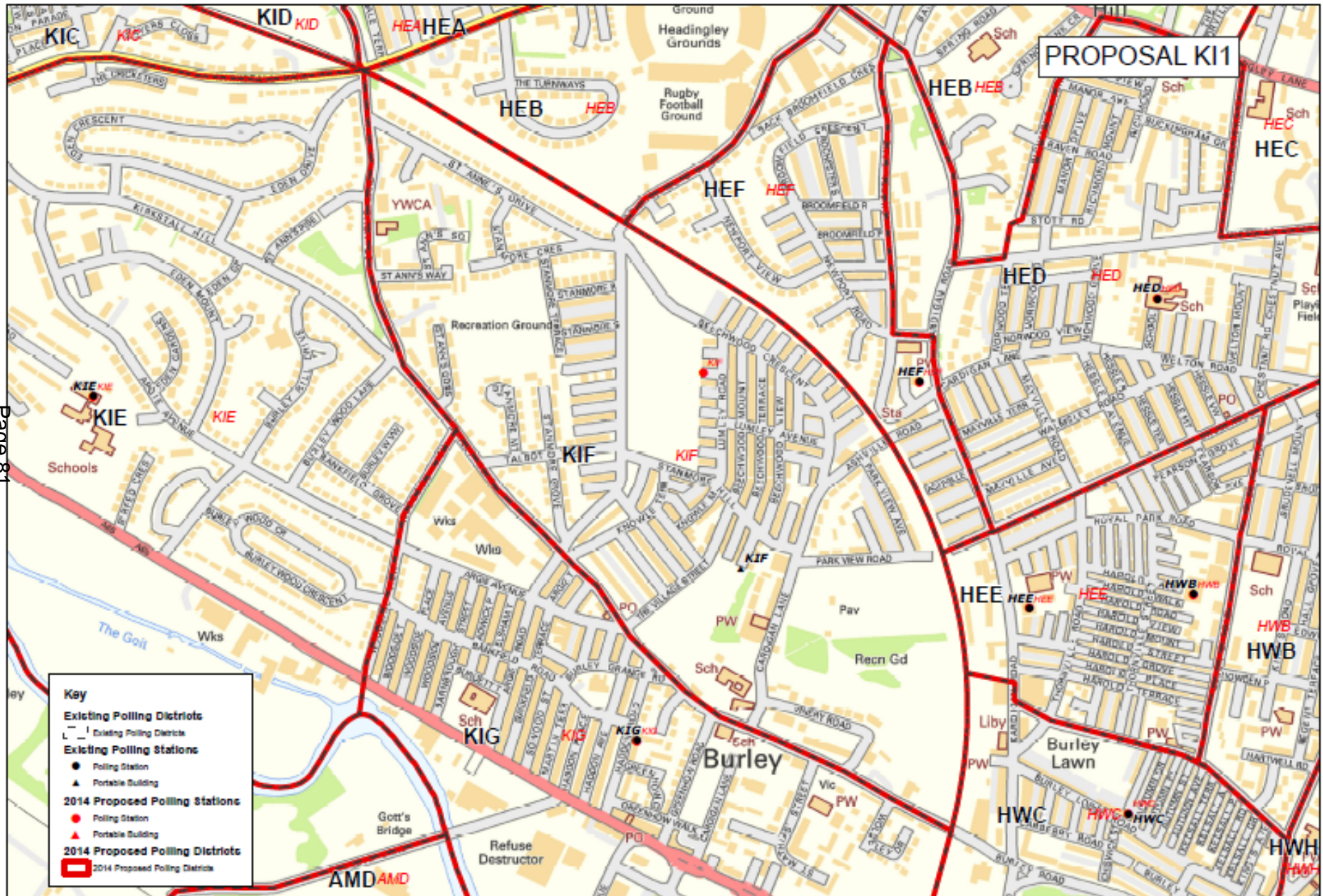
So I guess the latter would be the best option...if you really do have to do without the portacabins?



Polling District Review 2014 Proposal Information



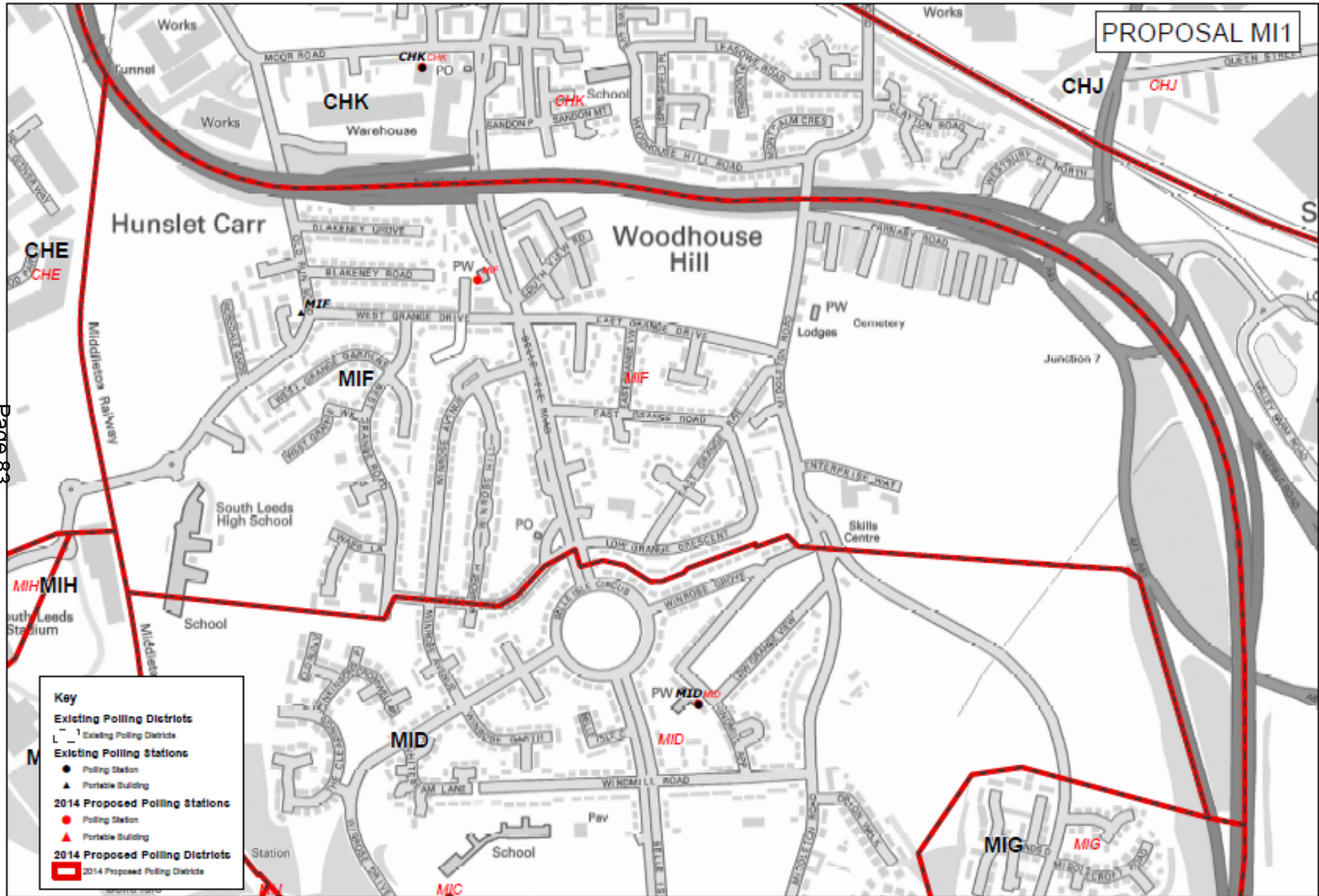
Originally brought to EWG on 21 July – to be updated	
Proposal Reference No.	KI1.1
Ward	Kirkstall
Polling district(s)	KIF
Polling station(s)	Portable Building on land at Village Place Kirkstall Leeds LS4 2NT
Electorate(s)	2091
Postal Voter(s)	183
Proposal submitted by	Cllr Fiona Venner (Lab) Kirkstall Ward Cllr Lucinda Yeadon (Lab) Kirkstall Ward Cllr John Illingworth (Lab) Kirkstall Ward
Proposal detail	Cllrs Yeadon, Illingworth and myself wondered about using Burley Model Allotments building instead of the Portocabin for KIF in Kirkstall.
Revised electorate(s)	n/a
Officer comments	Officers visited the Burley Model Allotments building. The building is a large shed split into 2 very small rooms and is unsuitable for polling. The Allotments are also very difficult to locate as there are several locked entrances on the roads surrounding them. <u>Updated after EWG on 21 July</u> To be updated



Polling District Review 2014 Proposal Information



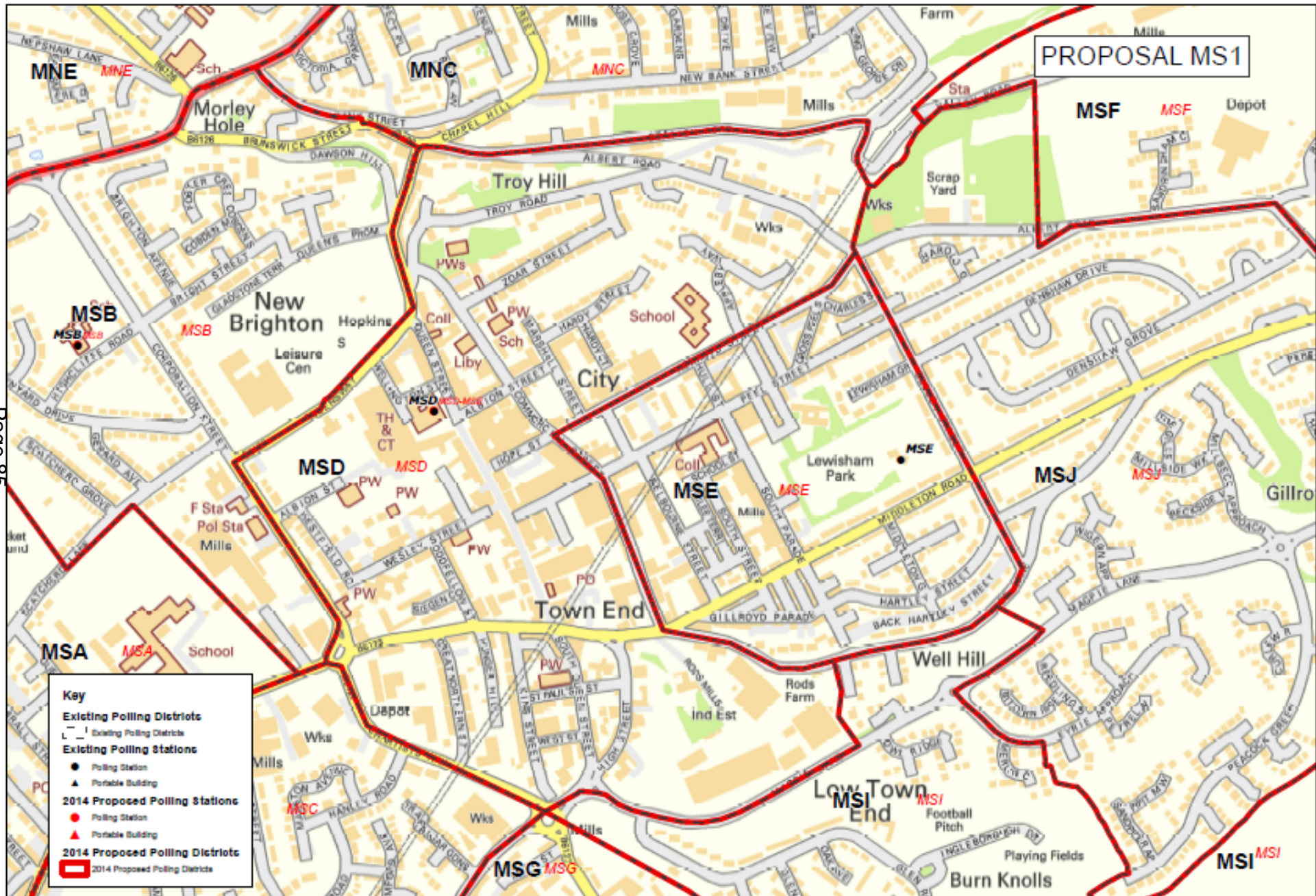
Proposal Reference No.	MI1.1
Ward	Middleton Park
Polling district(s)	MIF
Polling station(s)	Portable Building on grassed area near junction of Old Run Road and West Grange Drive Belle Isle Leeds LS10 3AZ
Electorate(s)	2154
Postal Voter(s)	232
Proposal submitted by	Councillor Paul Truswell (Lab) Middleton Park
Proposal detail	Look at the possibility of using West Grange Church, West Grange Drive, as a polling station for PD MIF (currently served by the portable building on the grassed area at the junction of Old Run Road/West Grange Drive).
Revised electorate(s)	n/a
Officer comments	Officers have visited West Grange Church and identified a suitable room for use with all the necessary access and facilities for electors and polling station staff. Officers support the move from a portable building into the church.



Polling District Review 2014 Proposal Information



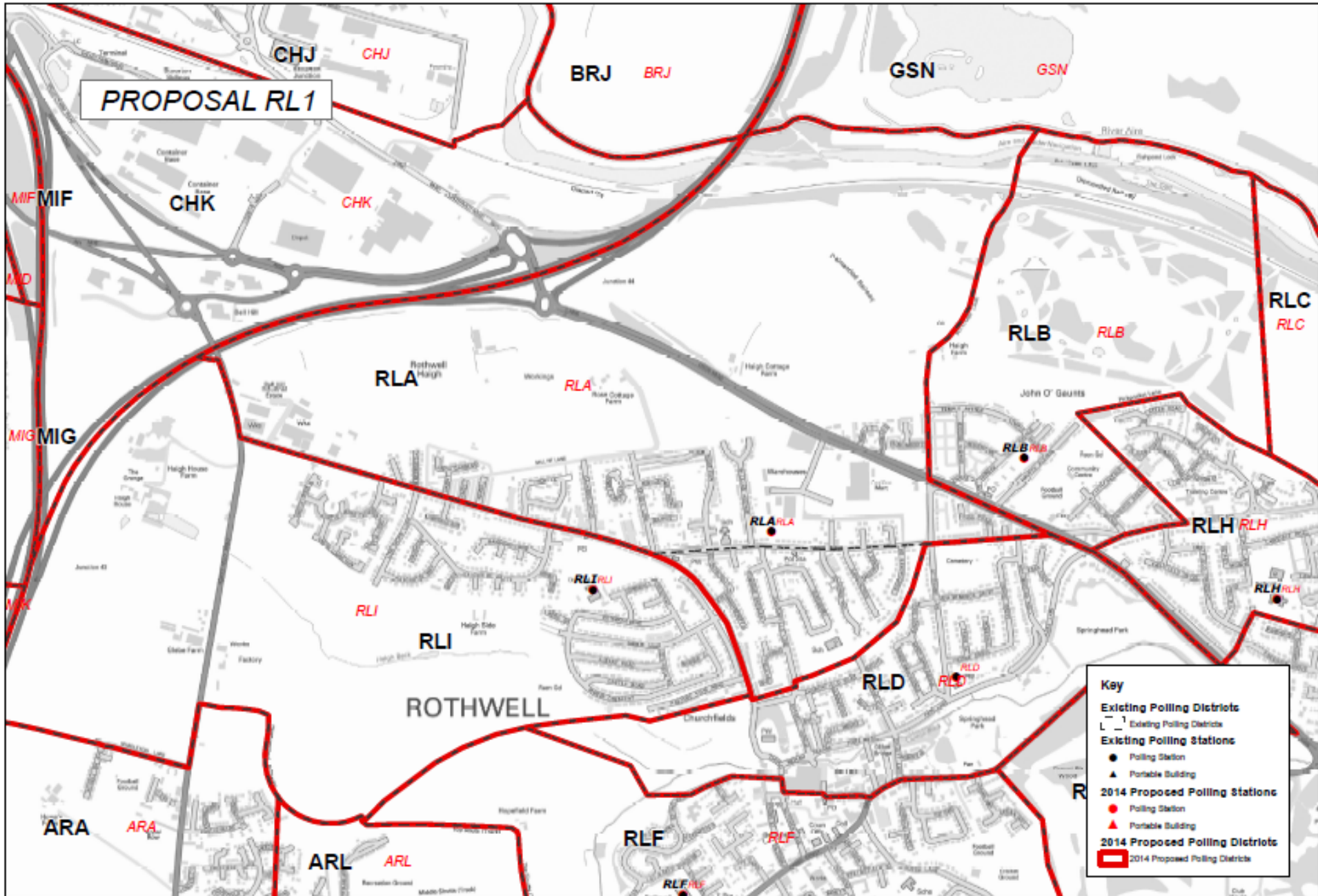
Proposal Reference No.	MS1.1
Ward	Morley South
Polling district(s)	MSE
Polling station(s)	Lewisham Park Youth Centre Clough Street Morley Leeds LS27 8DH
Electorate(s)	1360
Postal Voter(s)	153
Proposal submitted by	Cllr Tom Leadley (MBI) Morley South Ward
Proposal detail	Lewisham Park location unsuitable (see proposal detail) Combine with polling station for MSD at Morley Town Hall.
Revised electorate(s)	MSD and MSE both voting at Morley Town Hall would be an electorate of 2923 (2544 without postal voters).
Officer comments	Officers have inspected Morley Town Hall and the room is suitable to accommodate the additional electors. Polling districts MSD and MSE both voting at the same location is also practical in terms of the Town Council arrangements, as these polling districts make up the Central Ward of Morley Town Council. If agreed – polling districts should also be merged.



Polling District Review 2014 Proposal Information



Proposal Reference No.	RL1.1
Ward	Rothwell
Polling district(s)	RLA RLI
Polling station(s)	RLA – Haigh Road Community Centre, Haigh Road RLI – Rothwell Victoria Junior School, Cornwall Crescent
Electorate(s)	RLA 1772 RLI 2969
Postal Voter(s)	RLA 292 RLI 521
Proposal submitted by	Ward Councillors and electors
Proposal detail	At a recent review it was discovered that there was an anomaly to the boundary of RLA and RLI which was corrected in time for the publication of the revised register on 17 February 2014. Proposals have been received to redraw the boundary to reflect the incorrect arrangements so that the electors affected can return to vote at RLA.
Revised electorate(s)	RLA – 2506 RLI - 2235
Officer comments	Officers are happy for the boundary to be amended to reflect the arrangements that have been incorrectly in place, as this is the wish of all involved.



Polling District Review 2014 Proposal Information



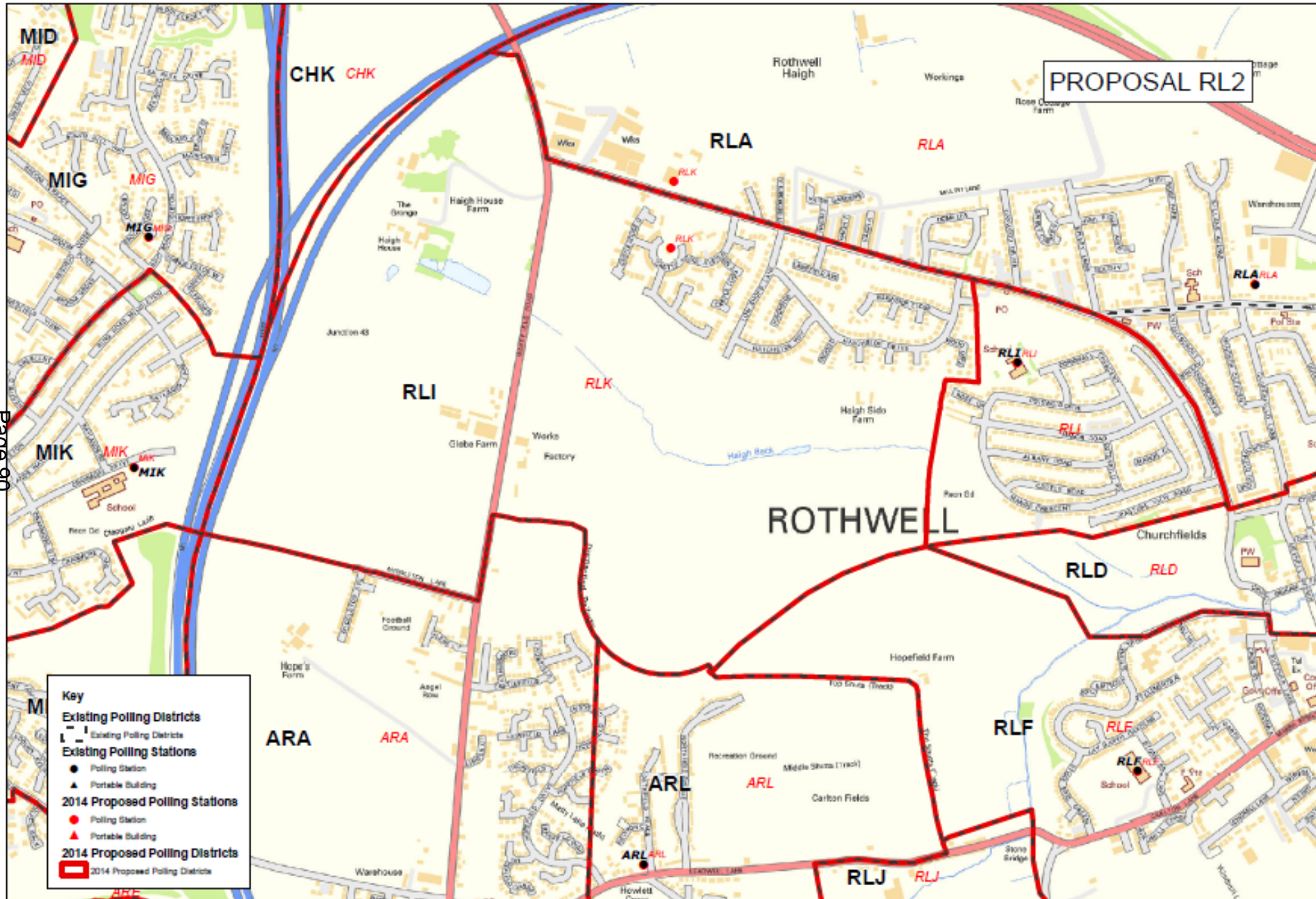
Proposal Reference No.	RL2.1
Ward	Rothwell
Polling district(s)	RLI
Polling station(s)	Rothwell Victoria Junior School Cornwall Crescent Rothwell LS26 0RL
Electorate(s)	2969
Postal Voter(s)	521
Proposal submitted by	Councillor Stewart Golton, Rothwell Ward
Proposal detail	Voters on the Castle Lodge Estate and the Haigh Side Estate are currently associated with Rothwell Victoria School or Haigh Road Community Centre, both of which are inconvenient with insufficient parking available. I would suggest that an alternative polling station is made available. There is a garden centre close by with ample parking and a community room in the tower on the Castle Lodge Estate, these should be investigated as alternative polling station sites, otherwise I would like a porta-cabin option investigated that might be situated at the top of Low Shops Lane.
Revised electorate(s)	RLI 1666 RLK 1303
Officer comments	To divide the polling district so that the above mentioned estates are included in a new polling district RLK. (see map attached). Rothwell Garden Centre is located outside of the polling district. Officers have visited Rothwell Garden Centre and were informed there is no individual room available, however the Centre Manager is prepared to make room available in the

Conservatory, but this would also be open to customers. Electors who do not have transport would need to cross a very busy main road.

Because of these two factors Officers feel that this location is unsuitable.

Officers have inspected a suitable room in The Tower on the Castle Lodge Estate which has all the necessary facilities for electors and polling station staff.

Officers therefore recommend that Members consider a move to The Tower.

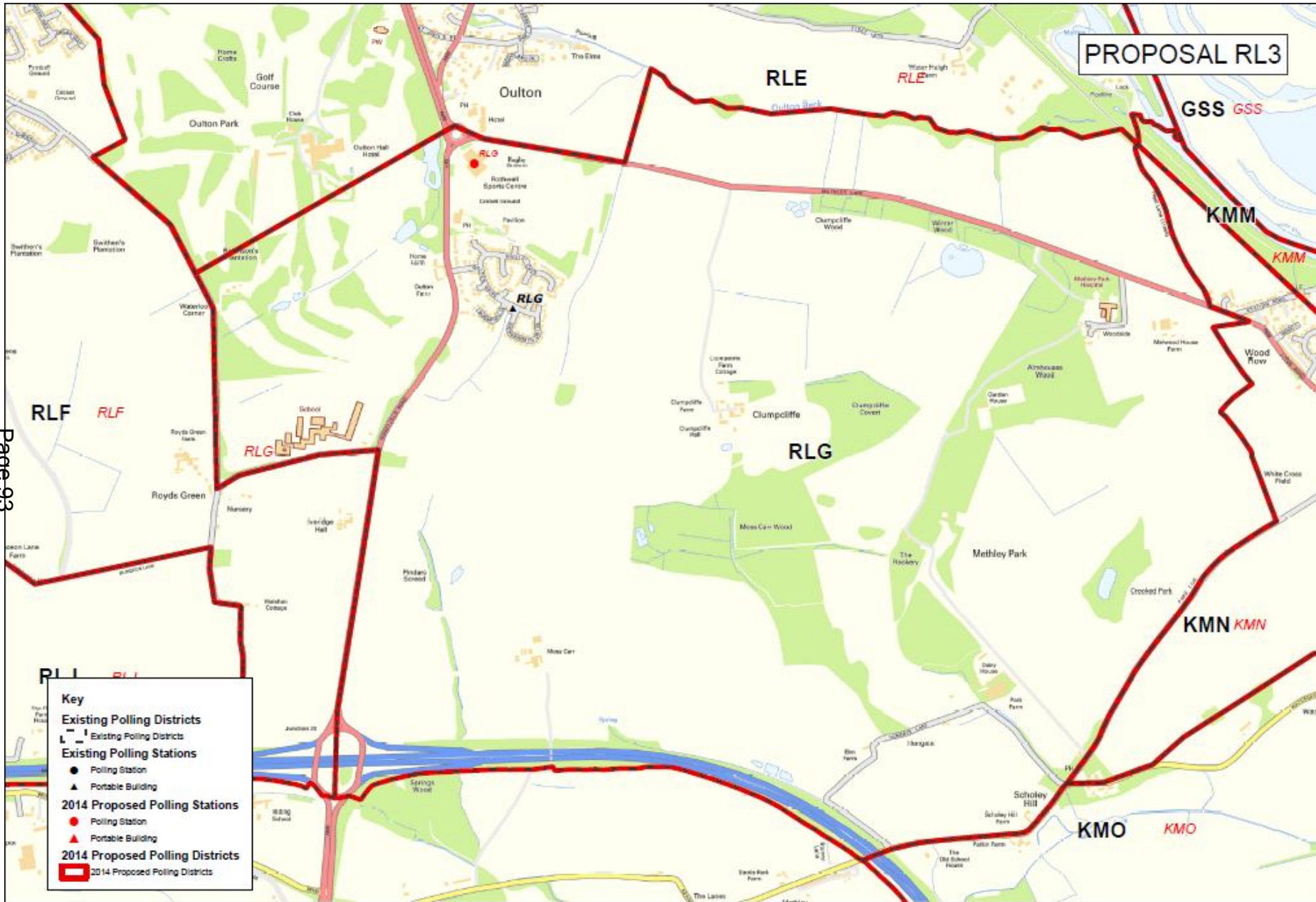


Polling District Review 2014 Proposal Information



Originally brought to EWG on 29 July - updated	
Proposal Reference No.	RL3.1
Ward	Rothwell
Polling district(s)	RLG
Polling station(s)	Portable Building on Wordsworth Drive Oulton Park Leeds LS26 8EP
Electorate(s)	469
Postal Voter(s)	66
Proposal submitted by	Mike Stoddart – Polling Station Inspector at 2014 elections
Proposal detail	The siting of the portable building at Wordsworth Drive due to parked vehicles this year meant it was hidden in the trees and not as visible as usual and there were no toilets provided. A move to Rothwell Sports Centre would certainly be more effective...and cheaper
Revised electorate(s)	469
Officer comments	<p>Officers have visited the sports Centre which has a suitable room available on the ground floor.</p> <p>We support a move which would see the removal of a portable building.</p> <p><u>Updated after EWG on 29 July</u></p> <p>Ward members were emailed to ask for their agreement.</p> <p>Of the responses received 1 was in agreement for the proposal and 1 requires more time to discuss the proposal but</p>

	would prefer the polling station to remain within the housing estate.
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Appendix B – Representations rejected by all parties



Proposal Reference	Ward	Proposal Summary	Rejection reason
BR1.1	Burmantofts & Richmond Hill	Place polling station from Torre Road into multi-storey flats, Appleton Square Community Offices	Appleton Square Community Offices not available. Members agreed to leave the station at Torre Road but revisit under the ad hoc procedure before the next election
BR2.1	Burmantofts & Richmond Hill	Bring back polling station to the top of Hudson Road or in the Asda Car Park	Members suggested the Business Park off Hudson Road but no suitable accommodation was available. Members did not agree with the addition of a portable building so rejected the proposal in favour of the polling station remaining at St Cyprian's Church Hall
GR1.1	Guiseley & Rawdon	For an addition portable building to be situated on the large green space next to Benton Park School / Quaker Lane or in Benton Park School itself	Members did not agree with the addition of a portable building as we are trying to reduce the number of these
HO2.1	Horsforth	For an additional portable building to be placed on the roundabout at the bottom of Drury Avenue	Members did not agree with the addition of a portable building as we are trying to reduce the number of these
MI2.1	Middleton Park	I would like to see the St Georges Centre in Middleton used as a polling station	There are no ground floor rooms available in the St Georges Centre. Members would like to leave arrangements as they are but look at this polling district under the ad hoc arrangements to allow for more time for consultation with Ward Members
OY1.1	Otley & Yeadon	School is out of the way, parking is abysmal, especially in a Land Rover. Would like a replacement for the Civic Centre where polling used to take place.	Members did not agree with this proposal
RO2.1	Roundhay	To move into the Sinai Synagogue Building instead of siting a Portable Building in their car park	The Synagogue will not allow us access for polling

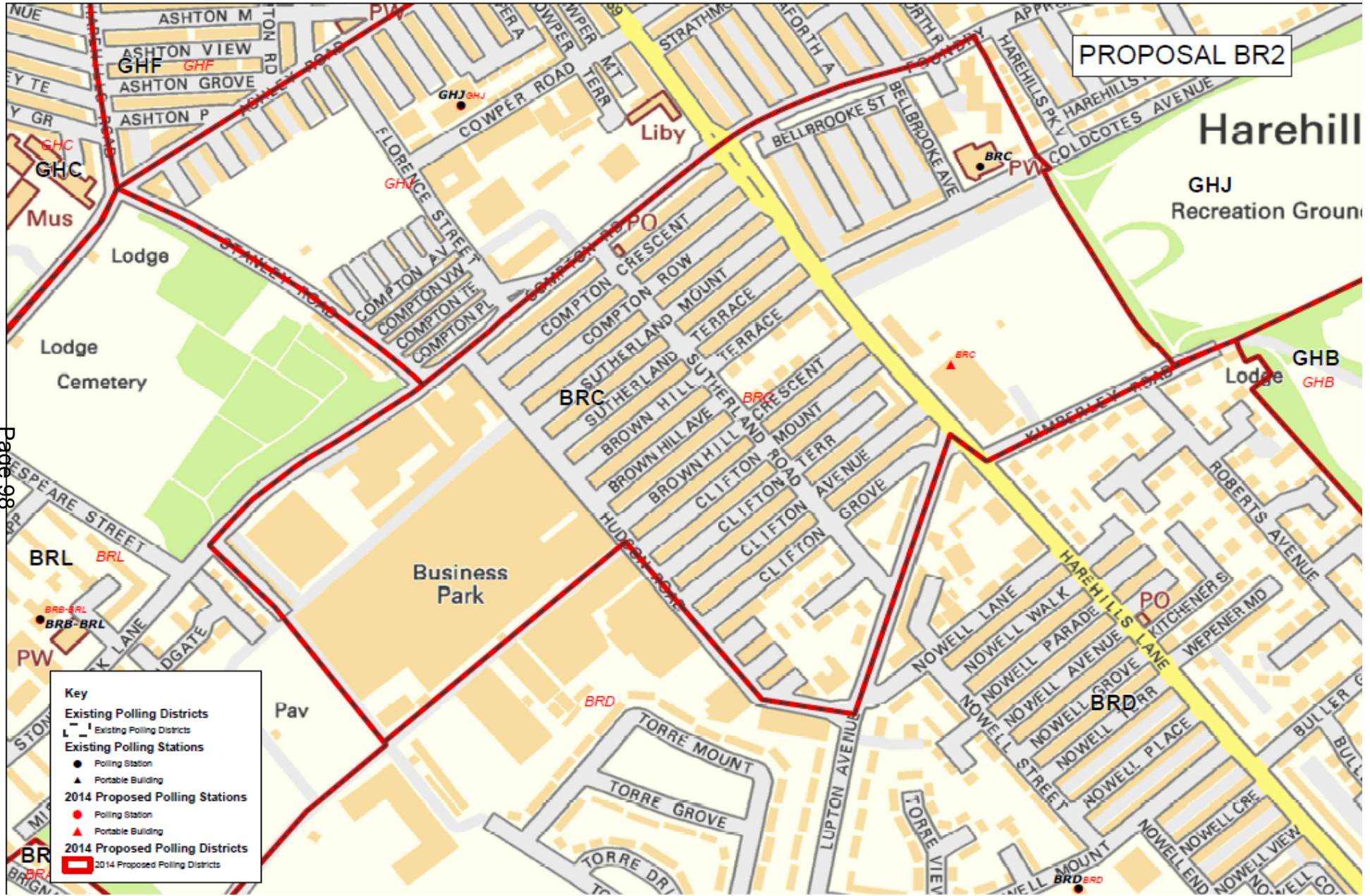
Polling District Review 2014 Proposal Information



Originally brought to EWG on 29 July - updated	
Proposal Reference No.	BR2.1
Ward	Burmantofts & Richmond Hill
Polling district(s)	BRC
Polling station(s)	St Cyprian's Church Hall Bellbrooke Avenue Entrance Harehills Leeds LS9 6AU
Electorate(s)	1298
Postal Voter(s)	164
Proposal submitted by	Cllr Asghar Khan (Lab) Burmantofts & Richmond Hill Ward
Proposal detail	Bring back polling station to the top of Hudson Road or Asda Car Park
Revised electorate(s)	n/a
Officer comments	<p>Officers are unable to locate a suitable location on Hudson Road.</p> <p>The Asda Car Park suggestion was visited in 2013 and not agreed by EWG (see attached).</p> <p>Officers ask EWG Members to note the current initiative to replace portable polling stations with permanent buildings due to cost incurred to the Council from increasing reluctance from Cabinet Office to fund portable buildings and the poor facilities available to polling station staff and the electorate.</p>

Updated after EWG on 29 July

Officers were asked to investigate the suitability of the Hudson Road Business Park. This is a business complex which houses several businesses. However, Officers have received notification that no suitable rooms/accommodation is available.



PROPOSAL BR2

Harehill

GHJ
Recreation Ground

BRC

GHB
Lodge
GHB

Business
Park

BRD

BRD

Key

- Existing Polling Districts
- Existing Polling Stations
- Existing Polling Stations
 - Polling Station
 - ▲ Portable Building
- 2014 Proposed Polling Stations
 - Polling Station
 - ▲ Portable Building
- 2014 Proposed Polling Districts
 - 2014 Proposed Polling Districts

Polling District Review 2014 Proposal Information



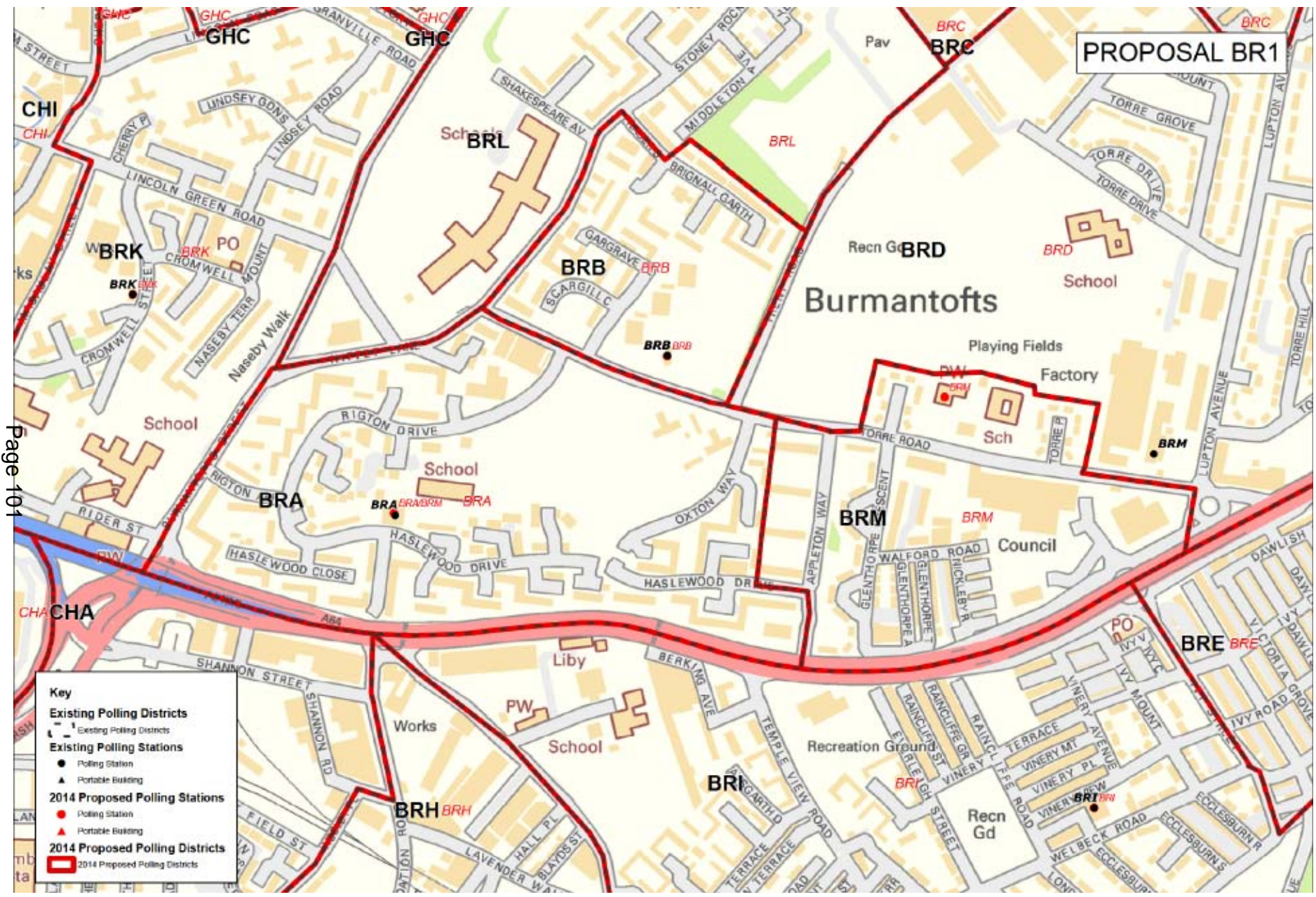
Originally brought to EWG on 29 July - updated	
Proposal Reference No.	BR1.1
Ward	Burmantofts & Richmond Hill
Polling district(s)	BRM
Polling station(s)	The New Torre Torre Road Leeds LS9 7QL
Electorate(s)	515
Postal Voter(s)	99
Proposal submitted by	Cllr Asghar Khan (Lab) Burmantofts & Richmond Hill Ward
Proposal detail	Place polling station from Torre Road into multistory flats, Appleton Square Community Offices.
Revised electorate(s)	n/a
Officer comments	<p>Comments from the Housing Manager:- We do have a small office on the ground floor of these flats which you could gladly use if you think it is suitable. However it is on a list of properties we have been asked to review with an objective of bringing as many former flats back into residential use and therefore may not be available at next years election if conversion back to a flat is feasible.</p> <p><u>Updated after EWG on 29 July</u></p> <p>Officers have contacted St Patrick's Church who have informed us they do not have a suitable room or hall that could be used as a polling station.</p>

Officers suggest the electors within polling district BRM could vote at Ebor Gardens Community Centre which is where electors within BRA poll. Electorate for BRA is 876 (Postal voters 157)

Ward members have been emailed asking for approval and a suggestion received is that BRM could vote with BRB at Scargill Grange as it's closer for electors than the Ebor Gardens Polling Station. Electorate for BRB is 583 (Postal voters 129).

PROPOSAL BR1

Burmantofts

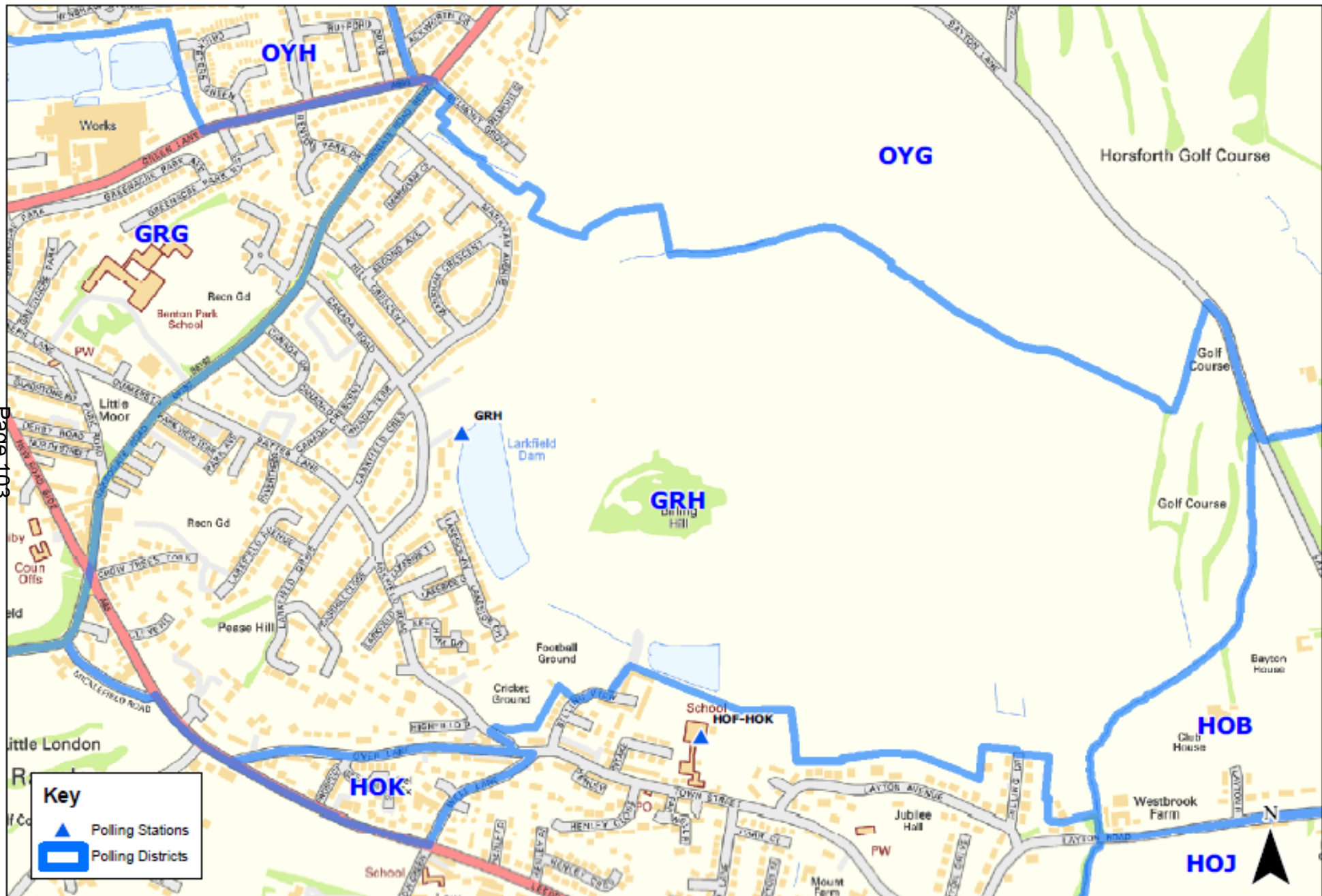


Key	
Existing Polling Districts	(Dashed line)
Existing Polling Stations	(Black dot)
2014 Proposed Polling Stations	(Red dot)
2014 Proposed Polling Districts	(Red outline)
	(Black triangle)
	(Red triangle)
	(Red outline)

Polling District Review 2014 Proposal Information



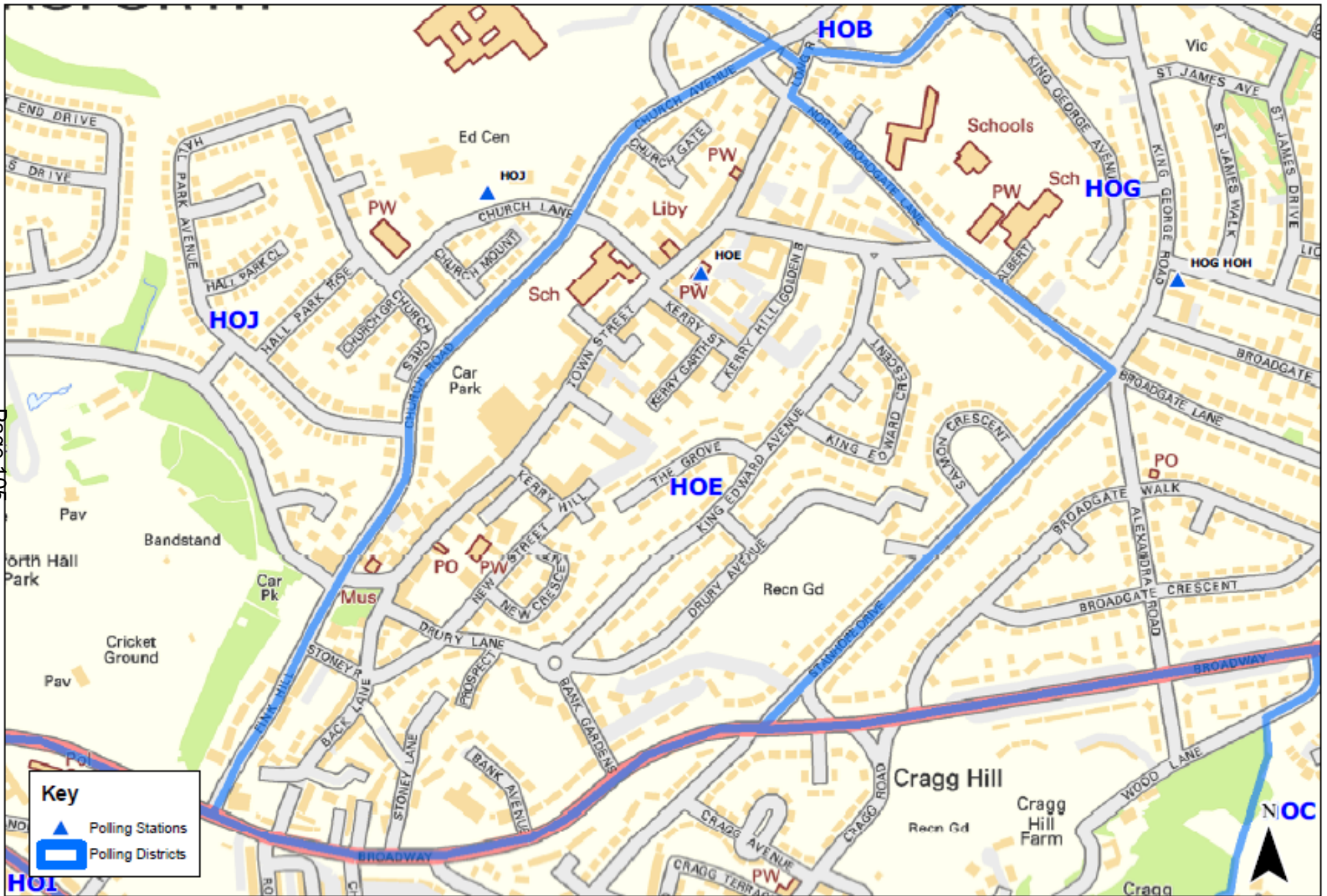
Proposal Reference No.	GR1.1
Ward	Guiseley & Rawdon
Polling district(s)	GRH
Polling station(s)	Rawdon Model Boat Club Larkfield Road Rawdon LS19 6EQ
Electorate(s)	1812
Postal Voter(s)	357
Proposal submitted by	Rob Wilkinson, Secretary, Pudsey Constituency Labour Party
Proposal detail	<p>The model boat club is totally unsuitable as a polling station for all but those who live in the Larkfields. It is at the top of a steep hill for most people in the box and is set back off the main road along a barely accessible dirt track, making it extremely difficult for older and disabled voters.</p> <p>We would recommend an additional/replacement polling station situated either on the large green space next to Benton Park School/Quaker Lane or in School itself.</p>
Revised electorate(s)	n/a
Officer comments	<p>The locations suggested are not within polling district GRH.</p> <p>Officers cannot identify another suitable location within the polling district.</p> <p>Officers have not received any complaints from electors during the period (5 years) that polling has been taking place at this location.</p>



Polling District Review 2014 Proposal Information



Proposal Reference No.	HO2.1
Ward	Horsforth
Polling district(s)	HOE
Polling station(s)	Central Methodist Church Opposite Library Town Street Horsforth LS18 4AP
Electorate(s)	1619
Postal Voter(s)	246
Proposal submitted by	Rob Wilkinson, Secretary, Pudsey Constituency Labour Party
Proposal detail	We would recommend an additional temporary polling station be placed on the roundabout at the bottom of Drury Avenue, as it is quite a trek for many voters, particularly elderly voters, to get to the polling station on Town Street.
Revised electorate(s)	n/a
Officer comments	Officers are not in favour of the addition of a portable building. The electorate minus postal voters is not particularly large, and no complaints have been received from electors in relation to the location of this polling station.



Polling District Review 2014 Proposal Information



Originally brought to EWG on 29 July - updated	
Proposal Reference No.	MI2.1
Ward	Middleton Park
Polling district(s)	MIL
Polling station(s)	Portable Building on grassed verge at South Leeds Family Learning Centre Acre Road Middleton Leeds LS10 4DE
Electorate(s)	1457
Postal Voter(s)	206
Proposal submitted by	Jon Mace
Proposal detail	I would like to see the St Georges Centre in Middleton used as a polling station
Revised electorate(s)	n/a
Officer comments	<p>The St Georges Centre is located in polling district MIL, so is a possible alternative for the portable building at South Leeds Family Learning Centre</p> <p>However, Officers have visited St Georges Centre and found that the only suitable accommodation are located on the first floor and not on the ground floor entry level.</p> <p>Electors who cannot manage the stairs would have use of a lift, but Members should be aware of the risk involved should the lift become out of use on polling day.</p> <p>Officers visited Middleton Leisure Centre in January. They were happy to let us use one of their activity halls but Officers did not obtain the approval of ward Councillors. We would ask that this option is reconsidered.</p>

Updated after EWG on 29 July

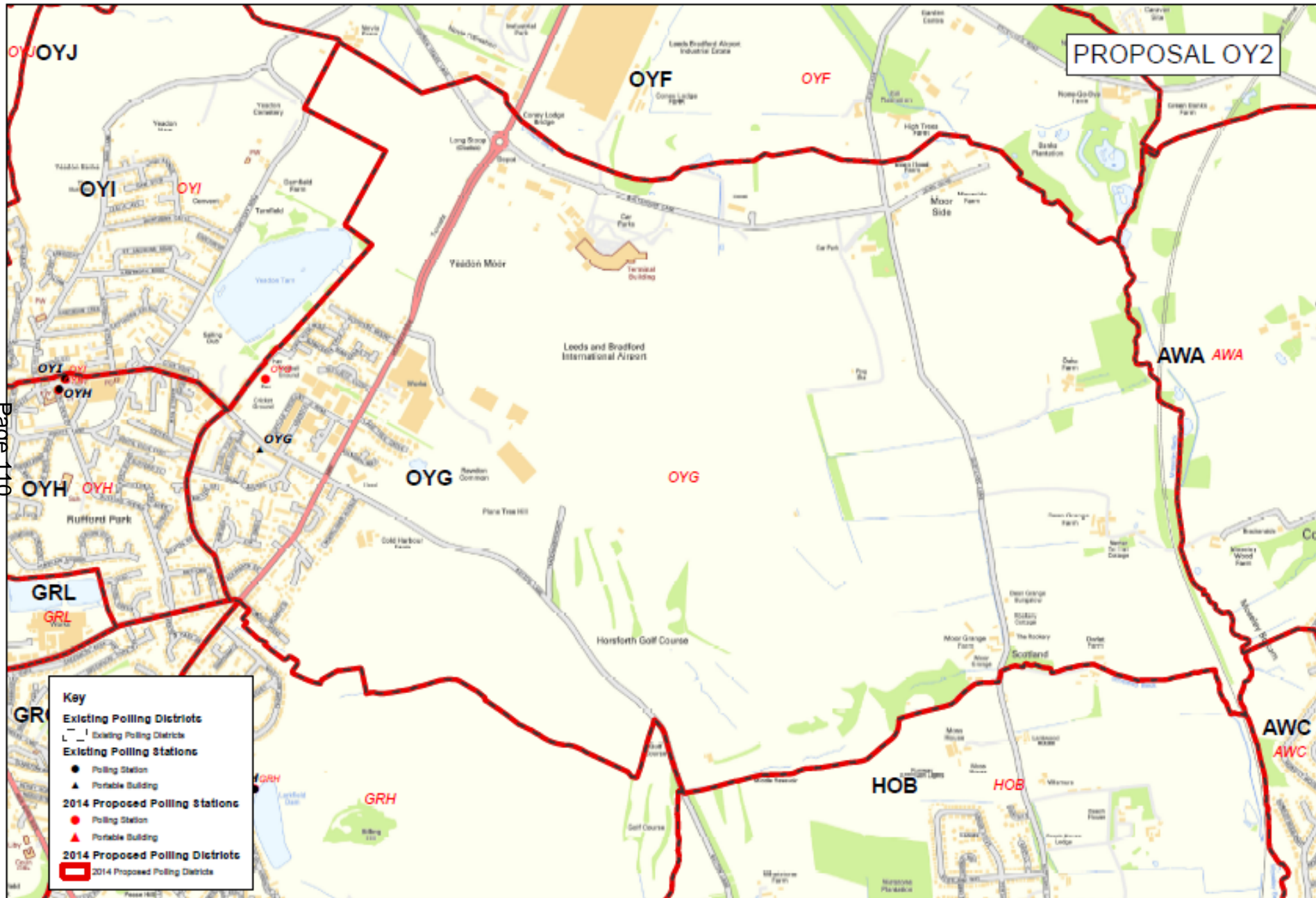
Ward members have been emailed asking them to reconsider the Middleton Leisure Centre and we are awaiting their response.



Polling District Review 2014 Proposal Information



Proposal Reference No.	OY1.1
Ward	Otley & Yeadon
Polling district(s)	OYE OYF
Polling station(s)	Nursery Classroom Otley All Saints C of E Primary School Lisker Drive Otley LS21 1DF
Electorate(s)	OYE - 2257 OYF - 145
Postal Voter(s)	OYE - 471 OYF - 47
Proposal submitted by	Mrs P Sykes, Elector
Proposal detail	The school is out of the way, parking is abysmal, especially in a LandRover. Would like a replacement for the Civic Centre where polling used to take place.
Revised electorate(s)	n/a
Officer comments	<p>The school was chosen as a replacement for the Civic Centre a number of years ago as there was no suitable alternative in the polling district.</p> <p>The Civic Centre was outside of both polling districts – in OYC</p> <p>We have received no other complaints from electors regarding the location of this station.</p>



Polling District Review 2014 Proposal Information



Originally brought to EWG on 29 July - updated	
Proposal Reference No.	RO2.1
Ward	Roundhay
Polling district(s)	ROH
Polling station(s)	Portable Building on grassed area Opposite Sinai Synagogue Roman Avenue Leeds LS8 2AN
Electorate(s)	2397
Postal Voter(s)	390
Proposal submitted by	Councillor Urry
Proposal detail	The ROE Portacabin is opposite the Sinai Synagogue on Roman Avenue. I have often wondered why we cannot use that building instead?
Revised electorate(s)	2397
Officer comments	<p>Officers have approached the Sinai Synagogue who do not wish their premises to be used for polling.</p> <p><u>Updated after EWG on 29 July</u></p> <p>Ward members have been contacted and asked to provide suggestions of other permanent buildings, if any. Officers will update members of the EWG at the next meeting on 4 August.</p>



Appendix C – Representations where all parties who expressed a view did not agree



Proposal Reference	Ward	Proposal Summary	EWG Comments
CF3.1	Calverley & Farsley	To split polling district CFD into two, with part voting at Westroyd Infants School and part voting at Farsley Farfield Primary School	All parties with the exception of the Conservatives agreed with the proposal
HO1.1	Horsforth	Propose an additional temporary polling station be set up on campus at Trinity University (room available within the University Itself)	This would mean splitting polling district HOB which Members are supportive of, but do not agree with the boundary proposed (with the exception of the Conservatives who agree). Members wish to consider this polling district under the ad hoc procedure to allow more time for consultation with ward Members
OY2.1	Otley & Yeadon	Propose that Yeadon Cricket Club is used as a replacement for the Portable Building sited on grassed area in front of 122/124 High Street	All parties with the exception of Conservative agreed with this proposal

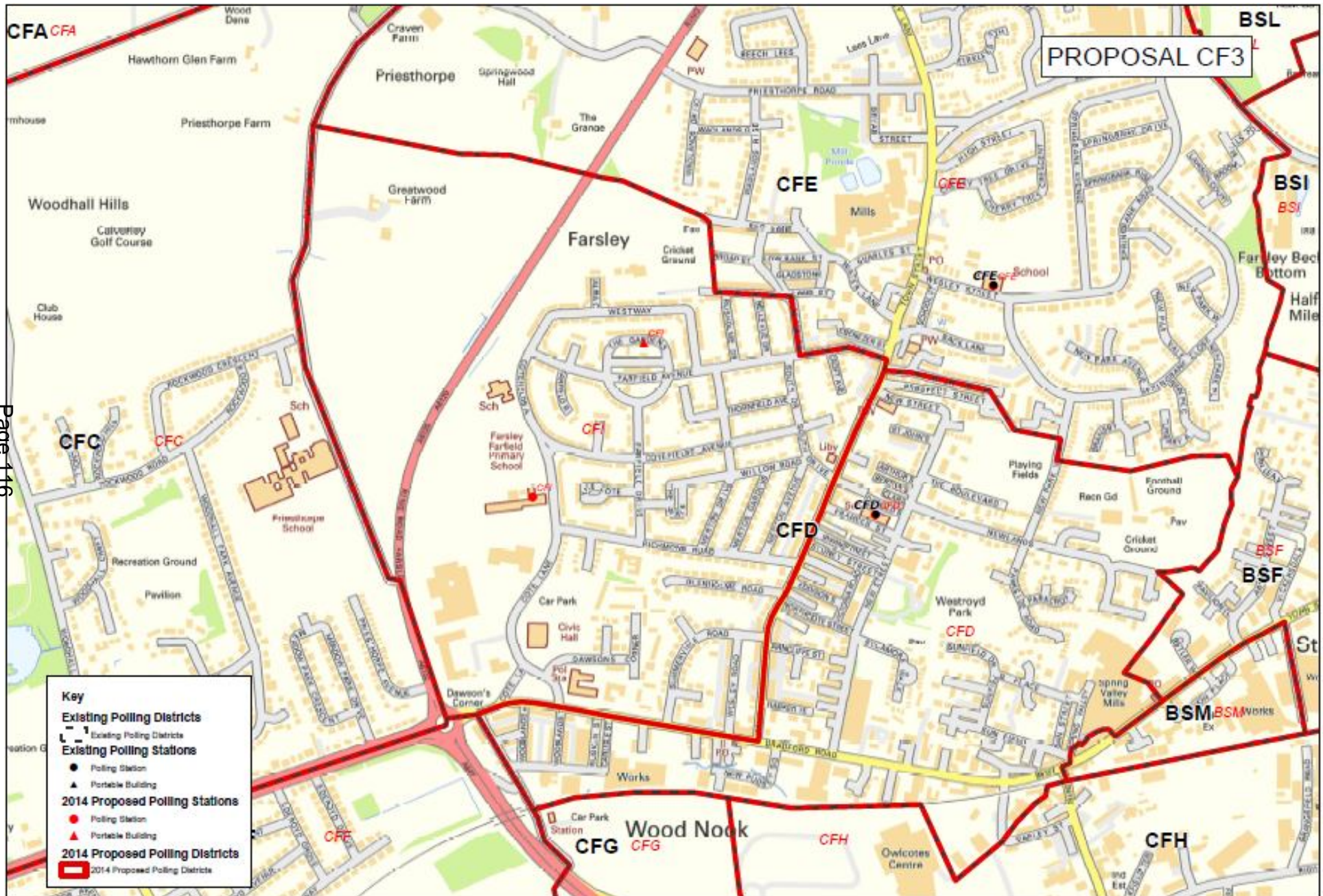
Polling District Review 2014 Proposal Information



Originally brought to EWG on 29 July - updated	
Proposal Reference No.	CF3.1
Ward	Calverley & Farsley
Polling district(s)	CFD
Polling station(s)	Nursery Department Westroyd Infants School New Street Entrance Farsley LS28 5DJ
Electorate(s)	3984
Postal Voter(s)	719
Proposal submitted by	Rob Wilkinson, Secretary, Pudsey Constituency Labour Party
Proposal detail	We would recommend an additional temporary polling station be erected to serve the needs of residents of the Farfields and Town Street. We would recommend it be placed on the green space near The Gardens on the Farfield estate.
Revised electorate(s)	Revised CFD New CFI
Officer comments	<p>This is a large polling district which is served by 2 polling stations located within Westroyd Infants School.</p> <p>We agree that there is a need to revisit arrangements for this polling district, but are reluctant for this to be a portable building as suggested by Mr Wilkinson.</p> <p>In the absence of suggested boundaries in the proposal, Officers propose the attached, creating a separate polling district CFI, and those electors voting at Farsley Farfield Primary School. The school has been visited by Officers and has suitable accommodation.</p>

Updated after EWG on 29 July

Ward members have been contacted to ask for their approval/comments and Officers will update members of the EWG at the next meeting on 4 August.



Polling District Review 2014 Proposal Information



Originally brought to EWG on 29 July - updated	
Proposal Reference No.	HO1.1
Ward	Horsforth
Polling district(s)	HOB
Polling station(s)	Lister Hill Baptist Church 1 Brownberrie Avenue Horsforth Leeds LS18 5PW
Electorate(s)	3344
Postal Voter(s)	576
Proposal submitted by	Rob Wilkinson, Secretary, Pudsey Constituency Labour Party
Proposal detail	<p>Lister Hill Baptist Church is fine for those in the St Margarets, but is hard to get to for those at the other end of the box, especially the students of Trinity University and those who live on Brownberrie Lane itself, hence low turnout among those who live in this part of the box.</p> <p>We would propose an additional temporary polling station be set up on campus at Trinity University for use of both students and those who live nearby.</p>
Revised electorate(s)	Revised HOB - 2517 New HOL - 827
Officer comments	<p>HOB is a large polling district served by 2 polling stations within Lister Hill Baptist Church.</p> <p>Officers agree there is reason to review polling arrangements for this polling district.</p>

In the absence of suggested boundaries, Officers propose those shown on the attached map with a polling station for the newly created HOL in the Trinity Campus itself (in a permanent building). Officers have visited the Campus who have suitable accommodation and are available for use.

Updated after EWG on 29 July

Officers have emailed Ward Members regarding suggestions for a different way of splitting the Polling Districts due to the low turnout normally achieved from a university polling station and are awaiting their responses. Officers will update members of the EWG at the next meeting on 4 August.



Polling District Review 2014 Proposal Information

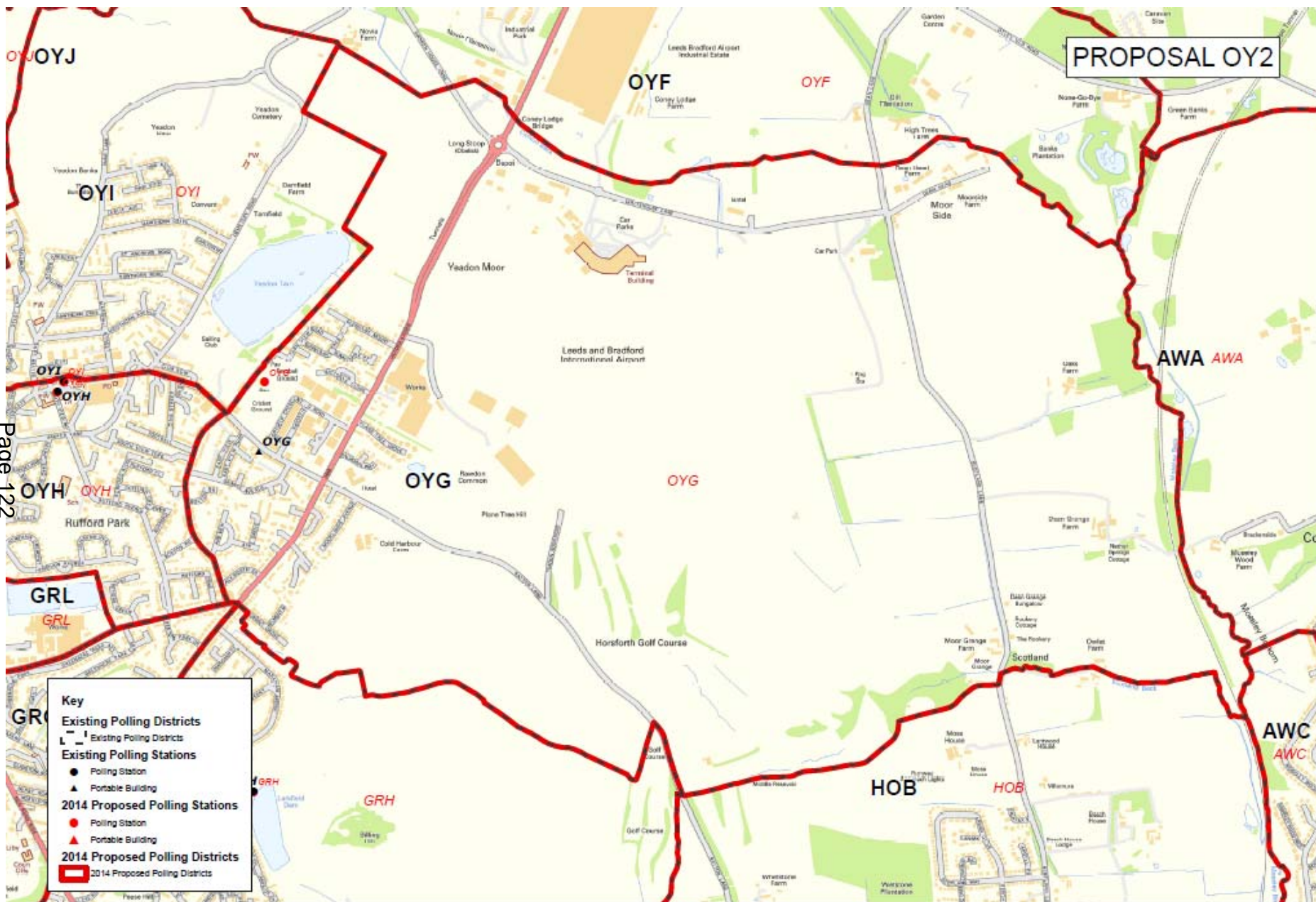


Originally brought to EWG on 29 July - updated	
Proposal Reference No.	OY2.1
Ward	Otley & Yeadon
Polling district(s)	OYG
Polling station(s)	Portable Building on grassed area in front of 122/124 High Street Yeadon LS19 7AB
Electorate(s)	1419
Postal Voter(s)	296
Proposal submitted by	John Eveleigh, Leader of Otley Town Council
Proposal detail	<p>I wonder if we could suggest using the Cricket Club instead of a portakabin- this polling station has always been a portakabin for as long as I can remember (20+ years)</p> <p>There are a few advantages;</p> <ol style="list-style-type: none"> 1 Would give the Cricket Club some income 2 Would mean that electors could park safely <p>And some potential disadvantages</p> <ol style="list-style-type: none"> 1 It isn't quite as central a location as the High Street- but there's little in it 2 Longish walk if you're approaching from the High Street on foot. 3 Elections office may have some issues about having a polling station in a licensed premises 4 The Club would have to guarantee not having any noisy event in the evening of election day/s
Revised electorate(s)	n/a
Officer comments	Officers have visited the cricket club which has a suitable room for polling with all relevant facilities for electors and polling station staff.

Updated after EWG on 29 July

Concern was raised as to the room that would be used and whether it would be separate from the bar/main club room.

When Officers inspected the club they were offered a room to the side of the building which has its own entrance from the car park. Electors do not need to walk through the main club room and bar area and the poll can be kept completely separate.



PROPOSAL OY2

Key

- Existing Polling Districts
- Existing Polling Stations
- Existing Polling Stations
 - Polling Station
 - ▲ Portable Building
- 2014 Proposed Polling Stations
 - Polling Station
 - ▲ Portable Building
- 2014 Proposed Polling Districts
 - ▭ 2014 Proposed Polling Districts

Equality, Diversity, Cohesion and Integration Screening



As a public authority we need to ensure that all our strategies, policies, service and functions, both current and proposed have given proper consideration to equality, diversity, cohesion and integration.

A **screening** process can help judge relevance and provides a record of both the **process** and **decision**. Screening should be a short, sharp exercise that determines relevance for all new and revised strategies, policies, services and functions.

Completed at the earliest opportunity it will help to determine:

- the relevance of proposals and decisions to equality, diversity, cohesion and integration.
- whether or not equality, diversity, cohesion and integration is being/has already been considered, and
- whether or not it is necessary to carry out an impact assessment.

Directorate: Citizens and Communities	Service area: Electoral Services
Lead person: Susanna Benton	Contact number: 24 76727

1. Title: Polling District Review

Is this a:

Strategy / Policy

Service / Function

Other

If other, please specify

2. Please provide a brief description of what you are screening

In accordance with legislation, the Returning Officer must carry out a review of polling districts, polling places and polling stations by the end of 1 February 2015.

A polling district is a small electoral area with a clearly defined boundary. A polling place is a building, plot of land or area within a polling district which is designated as the location for polling to take place. A polling station is a room within the designated building, or, for example, a portable building on a designated plot of land.

This review involves public consultation where interested parties can make representations about an electoral area, or polling station. Examples of this could be a proposal to include a newly built housing estate in an existing polling district, which would allow electors easier access to polling.

3. Relevance to equality, diversity, cohesion and integration

All the council's strategies/policies, services/functions affect service users, employees or the wider community – city wide or more local. These will also have a greater/lesser relevance to equality, diversity, cohesion and integration.

The following questions will help you to identify how relevant your proposals are.

When considering these questions think about age, carers, disability, gender reassignment, race, religion or belief, sex, sexual orientation. Also those areas that impact on or relate to equality: tackling poverty and improving health and well-being.

Questions	Yes	No
Is there an existing or likely differential impact for the different equality characteristics?	✓	
Have there been or likely to be any public concerns about the policy or proposal?	✓	
Could the proposal affect how our services, commissioning or procurement activities are organised, provided, located and by whom?	✓	
Could the proposal affect our workforce or employment practices?		✓
Does the proposal involve or will it have an impact on <ul style="list-style-type: none"> • Eliminating unlawful discrimination, victimisation and harassment • Advancing equality of opportunity • Fostering good relations 	✓	

If you have answered **no** to the questions above please complete **sections 6 and 7**

If you have answered **yes** to any of the above and;

- Believe you have already considered the impact on equality, diversity, cohesion and integration within your proposal please go to **section 4**.
- Are not already considering the impact on equality, diversity, cohesion and integration within your proposal please go to **section 5**.

4. Considering the impact on equality, diversity, cohesion and integration

If you can demonstrate you have considered how your proposals impact on equality, diversity, cohesion and integration you have carried out an impact assessment. Please provide specific details for all three areas below (use the prompts for guidance).

- **How have you considered equality, diversity, cohesion and integration?** (think about the scope of the proposal, who is likely to be affected, equality related information, gaps in information and plans to address, consultation and engagement activities (taken place or planned) with those likely to be affected)

The review will affect all eligible electors in Leeds (all those people registered to vote who are aged 18 or over).

Specifically, the element of the review which relates to equality is the location of polling stations and the accessibility of the premises designated for polling.

The primary considerations for a review of this type are a requirement of electoral law, and are:

- The Council must seek to ensure that all electors have such reasonable facilities for voting as are practicable in the circumstances; and
- The Council must seek to ensure that so far as is reasonable and practicable every polling place is accessible to electors who are disabled

It is also important that we ensure access to the consultation process is available to everyone, and that assistance is provided to those who require it.

The current polling station arrangements have been designated over a number of years, as the result of previous reviews, and local decisions made by consulting the Returning Officer and Ward Councillors.

At each major election, the Returning Officer employs Polling Station Inspectors (PSI's) to visit each polling station. Part of the PSI's duties is to inspect each polling station and provide feedback to the Returning Officer in relation to access for disabled people.

We will also be considering complaints/comments received from electors in relation to their polling station which have been made as a result of elections in 2012.

There are currently 52 polling stations in Leeds which are housed in portable buildings. We will endeavour to relocate these to permanent buildings where possible, with better facilities and access for disabled electors.

We will be publishing a notice of the review which will inform all interested parties of how and when to make representations, and what will happen at each step of the process.

The notice will be published in Council Buildings, on the LCC website, on Talking Point, and will also be supplied to all Councillors, Leeds MPs Parish and Town Council Clerks.

Representations will be accepted via Talking Point, by email, by post or by hand delivery to the Electoral Services Office.

- **Key findings** (think about any potential positive and negative impact on different equality characteristics, potential to promote strong and positive relationships between groups, potential to bring groups/communities into increased contact with each other, perception that the proposal could benefit one group at the expense of another)

We will be taking into account the following key points:

- The comments/feedback from polling station inspectors
- Comments/complaints from electors following the 2012 elections
- The representations submitted at both stages of the consultation process

- **Actions**

(think about how you will promote positive impact and remove/ reduce negative impact)

The information above will inform the review, and assist us in identifying areas of particular concern.

Relocating as many polling stations as possible from portable buildings to suitable permanent premises will also have a positive impact on polling facilities.

The Returning Officer will continue to monitor all polling stations annually through the inspections carried out by PSI's.

5. If you are *not* already considering the impact on equality, diversity, cohesion and integration you *will need to carry out an impact assessment*.

Date to scope and plan your impact assessment:	
Date to complete your impact assessment	
Lead person for your impact assessment (Include name and job title)	

6. Governance, ownership and approval

Please state here who has approved the actions and outcomes of the screening

Name	Job title	Date
John Mulcahy	Head of Licensing and Registration	1 May 2014
Date screening completed		1 May 2014

7. Publishing

Though **all** key decisions are required to give due regard to equality the council **only** publishes those related to **Executive Board, Full Council, Key Delegated Decisions** or a **Significant Operational Decision**.

A copy of this equality screening should be attached as an appendix to the decision making report:

- Governance Services will publish those relating to Executive Board and Full Council.
- The appropriate directorate will publish those relating to Delegated Decisions and Significant Operational Decisions.
- A copy of all other equality screenings that are not to be published should be sent to equalityteam@leeds.gov.uk for record.

Complete the appropriate section below with the date the report and attached screening was sent:

For Executive Board or Full Council – sent to Governance Services	Date sent:
For Delegated Decisions or Significant Operational Decisions – sent to appropriate Directorate	Date sent:
All other decisions – sent to equalityteam@leeds.gov.uk	Date sent: 6 May 2014

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Stage 1: Preliminary Stage

When notice is given of the Review and advises that representations would be welcome, particularly (with regard to polling stations) from those with expertise in access for persons with any type of disability. It also sets out the reference documents which should be made available. This would be the first public consultation period and would last 8 weeks. The council would consider representations received and form Initial Proposals for further consultation.

Task	Date	Notes
Report to General Purposes Committee (GPC) outlining how Review is to be conducted	28 May 2014	Purpose of this report. GPC to agree methodology and role of Elections Working Group
Publication of Notice of Review	30 May 2014	Published in local press including whereabouts of documentation for public inspection and details of representation period.
Representation Period	30 May 2014 to 27 June 2014	Four weeks consultation period. All representations received are logged and cross-referenced to applicable Ward on receipt
Inspection of changes proposed in representations	30 May 2013 to 4 July 2014	Inspections on suitability and availability of any changes proposed in representations received, including disabled access requirements

Stage 2: Proposals Stage

When the council considers representations received and forms its Initial Proposals. The Returning Officer must comment, at this stage, on all existing polling stations used and any new polling stations which would probably be chosen if the new proposals were accepted by the authority. The Guidance suggests that the polling district review by the authority (of districts and places) should be conducted jointly with the Returning Officer's review (of polling stations).

Task	Date	Notes
EWG to consider representations received in Stage 1 and details of any inspections	14 July 2014 to 28 July 2014	EWG make recommendations for Initial Proposals. Officers to draft Initial Proposals.
Initial Proposals go to GPC for approval	August 2014	Date of GPC meeting to be confirmed
Initial Proposals published after approval by GPC	29 August 2014	Further Notice published in local press also detailing Stage 3 consultation period

Stage 3: Consultation Stage

To receive representations and comments on the authority's Initial Proposals for the Review. This would be the second consultation period and will last 4 weeks. This needs to be in two parts: -

- i. a compulsory submission from the Returning Officer of the parliamentary constituency with regard to the suitability of the designated polling stations; and
- ii. submissions from other persons and bodies which can be referenced to the Returning Officer's proposed polling stations as well as the authority's Initial Proposals.

Task	Date	Notes
Consultation commences	5 September 2014	Four weeks consultation period
Returning Officer's comments/recommendations published	By 3 October 2014	RO's comments must be published within 30 days of receipt of proposals ¹ , unless already published as part of Initial Proposals. For past reviews, the Returning Officer has always published any comments as part of the Initial Proposals.
Consultation ends	3 October 2014	All representations received are logged and cross-referenced to applicable Ward on receipt
Inspection of any further changes proposed in representations received.	6 – 10 October 2014	Inspections on suitability and availability of any changes proposed in representations received, including disabled access requirements

Stage 4: Conclusion of the Joint Review

When the authority must produce Final Proposals, taking into consideration any further representations made.

Task	Date	Notes
EWG consider further representations received during Stage 3	13 October 2014 to 27 October 2014	EWG make recommendations for Final Proposals. Officers to draft Final Proposals.

¹ In accordance with the Review of Polling Districts and Polling Places (Parliamentary Elections) Regulations 2006 Regulation 3.

Stage 5: The Decision of the Council

General Purposes Committee will decide the Final Proposals of the Review of Polling Districts, Places and Stations. Once the final decisions are made, the Review documentation must be published before 31st December 2013.

Task	Date	Notes
Final Proposals go to GPC to agree	November 2014	Date of GPC meeting to be confirmed. GPC agrees Final Proposals for Review of Polling Districts, Places and Stations
Final Notice of Review is published	28 November 2014	Details of whereabouts of Review Documentation for public inspection is given

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