



GENERAL PURPOSES COMMITTEE

Meeting to be held in Civic Hall, Leeds, LS1 1UR on
Thursday, 5th January, 2012 at 10.00 am

MEMBERSHIP

Councillors

A Blackburn - Farnley and Wortley;
J Blake - Middleton Park;
R Finnigan - Morley North;
S Golton - Rothwell;
P Gruen - Cross Gates and Whinmoor;
J Lewis - Kippax and Methley;
M Lobley - Roundhay;
A Lowe - Armley;
J Matthews - Headingley;
E Nash - City and Hunslet;
J Procter - Wetherby;
K Wakefield (Chair) - Kippax and Methley;

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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 25 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 25, 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 INTERESTS</p> <p>To declare any personal/prejudicial interests for the purpose of Section 81(3) of the Local Government Act 2000 and paragraphs 8 to 12 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 OF THE PREVIOUS MEETING</p> <p>To confirm as a correct record the minutes of the meeting held on 17th May 2011.</p>	1 - 4
7			<p>INTERIM REVIEW OF POLLING ARRANGEMENTS FOR GARFORTH AND SWILLINGTON WARD AND CALVERLEY AND FARSLEY WARD - INITIAL PROPOSALS REPORT</p> <p>To receive a report of the Head of Licensing and Registration considering the representations received to conduct an interim review of the polling arrangements for Garforth and Swillington and Calverley and Farsley and to agree the process for such a review.</p>	5 - 34
8			<p>WORK PROGRAMME</p> <p>To receive a report of the Director of Resources notifying and inviting comment from the Committee upon the work programme</p>	35 - 38

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Agenda Item 6

GENERAL PURPOSES COMMITTEE

TUESDAY, 17TH MAY, 2011

PRESENT: Councillor K Wakefield in the Chair

Councillors S Bentley, A Blackburn, J Blake, S Golton, P Gruen, A Lowe, J Procter and N Taggart, M Lobley (as substitute for A Carter), G Latty (as substitute for J L Carter) and T Leadley (as substitute for R Finnigan)

Apologies Councillors A Carter, J L Carter and R Finnigan

64 Appeals against refusal of inspection of documents

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

65 Exempt Information - possible exclusion of the press and public

There were no resolutions to exclude the public.

66 Late items

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

67 Declaration of Interests

No declarations of interest were made either under this item or at any stage during the meeting.

68 Apologies for absence

Apologies for absence were received from Councillors J L Carter, A Carter and R Finnigan.

69 Minutes of the Previous Meeting

RESOLVED - That the minutes of the General Purposes Committee meeting held on 30th March 2011 be approved as a correct record.

70 Matters Arising

The Chair raised the proposal for an additional meeting of full Council to that already circulated to be held on 30th November 2011 which would be solely for the purposes of receiving and debating a State of the City Report. The

Chair proposed that this date should be incorporated into the schedule of Council meetings to be agreed at the Annual meeting.

RESOLVED – Members agreed to recommend to full Council that an additional meeting on 30th November 2011 be scheduled to receive and debate a State of the City Report.

71 Annual Review of the Constitution

The City Solicitor presented his report. The report asked the Committee to recommend amendments to the Constitution to full Council.

Members discussed the report in detail and specifically focussed on:

(a) the proposed revisions to the Area Committee Procedure Rules. Members expressed a desire for Area Committee Members to continue to have involvement in the process of electing Chairs for Area Committees. However, it was also noted by Members that the current procedure (whereby Area Chairs are appointed by the Area Committees at the first meeting of the committees in the new municipal year, and contested elections are referred to full Council) was not satisfactory owing to the significant delay in appointments which might arise. Members requested that the proposed amendments be revised to incorporate reference to a nomination process by Area Committee Members, but to allow appointment by full Council at its Annual Meeting where an election is contested.

(b) the proposed revisions to the Council Procedure Rules. In relation to Council Procedure 11.2, Members considered that Whips should continue to confirm the order of questions, but that it would be useful for clarity about the order to be obtained, at an earlier stage in the process. Members considered that the proposed amendment would do this. In relation to Council Procedure 13.1, Members acknowledged difficulties raised by existing time-scales, but raised concerns about delays arising during the process for considering amendments to the Budget Motion before they are submitted to the Chief Executive under the Council Procedure Rules. Members therefore asked for a review of this process to be carried out, in addition to the proposed amendment.

RESOLVED – Members of the General Purposes Committee resolved to recommend to full Council that:

- (a) the revised Article 4 be amended, as set out in Appendix 1 of the report;
- (b) the terms of reference of the General Purposes Committee be amended as set out in Appendix 2 of the report;
- (c) the delegations to the Chief Recreation Officer be withdrawn; and
- (d) the additional function of making a special extinguishment order under Section 118B of the Highways Act 1980 to the Chief Highways and

- Transportation Officer and the Director of City Development be concurrently delegated;
- (e) exception (h) to the delegation to the Chief Planning Officer, be amended to read “the determination of applications submitted in a personal capacity by or on behalf of Members, Directors or any other officer who carried out development management functions”;
 - (f) the Council Procedure Rules 11.2 and 13.1 be amended as set out in Appendix 3 of the report;
 - (g) a review to be conducted into the timescales affecting how amendments to the Budget Motion are dealt with before they are submitted to the Chief Executive under the Council Procedure Rules;
 - (h) the amendments relating to the appointment of Area Committee Chairs to Article 10.6 as shown in Appendix 4 of the report, and to Area Committee Rule 5.1 be not approved;
 - (i) That further proposals for approval at the Annual Council Meeting be brought forward which preserve the role of Area Committees in appointing the Chair whilst also ensuring Area Committees meet in advance of the Annual Council Meeting to appoint chairs and that any deadlock in this respect, is capable of being resolved at the Annual Council meeting; and
 - (j) that the amendment to Area Committee Procedure Rule 6.7 be approved.

(Councillor A Blackburn arrived at 3:07pm during the discussion of this item)

72 Overview and Scrutiny - Proposed Changes and Amendments to the Constitution

The Head of Scrutiny and Member Development presented his report, which set out recommendations in respect of amendments to the Overview and Scrutiny function. The report also detailed a number of minor changes to the Scrutiny Board Procedure Rules and Article 6 to ensure consistency in wording and to provide clarity.

Members discussed the report in detail giving consideration to possible implications for smaller Groups, arising from the proposed amendment to Article 6, to provide that Group spokes persons should not be appointed as Scrutiny Board Chairs. Members considered the proposal should be amended so that it did not apply to groups with a small proportion of Council membership.

Concerns were also raised about full Council solely determining the work programme of the Scrutiny Boards and Members agreed that Scrutiny Boards should retain the authority to determine their own work programme in addition to the topics identified in the proposed terms of reference. It was agreed that amendments to the proposed terms of reference be made to reflect this.

RESOLVED – Members of the General Purposes Committee resolved to recommend to full Council that:

- (a) the following Scrutiny Boards be appointed, with the terms of reference set out in Appendix 1 to the report, subject to those terms of reference being amended to reflect:
 - Scrutiny Board (Children and Families);
 - Scrutiny Board (Safer and Stronger Communities);
 - Scrutiny Board (Sustainable Economy and Culture);
 - Scrutiny Board (Regeneration);
 - Scrutiny Board (Health and Well-being and Adult Social Care); and
 - Scrutiny Board (Resources and Council Services).
- (b) To approve the revised Article 6 as set out in Appendix 2, but subject to amendments to allow Group spokespersons from smaller parties to be appointed to Chair a Scrutiny Board and to reflect the Committee's decision in relation to the Boards' Terms of Reference; and
- (c) the revised Scrutiny Board Procedure Rules be amended as set out in Appendix 3, subject to any further amendments required to reflect the Committee's decision in relation to the Boards Terms of Reference.

(Councillor T Leadley left the meeting at 4:00pm during the discussion of this item)

Report of the Head of Licensing and Registration

Report to General Purposes Committee

Date: 5 January 2011

Subject: Interim Review of Polling Arrangements for Garforth & Swillington and Calverley & Farsley Wards – Initial Proposals Report

Are specific electoral Wards affected? If relevant, name(s) of Ward(s): Garforth & Swillington, Calverley & Farsley	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
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? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

1. Representations have been received from the Clerk to Swillington Parish Council, and the ward Councillors who represent Garforth & Swillington, to alter the existing polling arrangements for the ward.
2. A representation has also been received from one of the Ward Councillors in Calverley & Farsley to alter the existing polling arrangements for the ward.
3. This report outlines the review process officers recommend should be followed to consider and consult on the representations received

Recommendations

3. Members are asked to: –
 - i. Agree the process for the Interim Review for Garforth & Swillington and Calverley & Farsley as set out in this report;
 - ii. Agree the timetable for the Interim Review as set out at Appendix A to this report;

- iii. Agree that the representations received at section 5 and 6 of this report be confirmed as the authority's initial proposals for the interim review of Garforth & Swillington and Calverley & Farsley; and
- iv. Agree that Elections Working Group will be used as a working group to discuss the results of any further representations received in response to any consultation, and provide recommendations for General Purposes Committee's consideration as set out at section 3.2 of this report;

1 Purpose of this report

- 1.1 To consider the representations received to conduct an interim review of the polling arrangements for Garforth & Swillington and Calverley & Farsley.
- 1.2 To agree the process for such a review.

2 Background information

- 2.1 The Council, for a number of years, by virtue of s18 Representation of the People Act 1983, has had a duty to divide the parliamentary constituencies within its area into polling districts¹ and to designate a polling place² for each district. The Returning Officer then nominates a polling station³ within each polling place.
- 2.2 Section 16 of the Electoral Administration Act 2006 introduced a number of changes to the 1983 Act and particularly with regard to the way reviews of polling districts, places and stations must be undertaken. The most important change is that the Council was obliged, by that Act, to conduct a full review in its area within 12 months of the coming into force of the Act, and then complete a further review of each polling district and polling place every four years thereafter.
- 2.3 The 2006 Act came into force on 1 January 2007 and the first review was completed by the Council in November 2007. A further full review was completed in October 2009. It is important to note that the new regime does not prevent changes being made to polling districts at any time before the next full review is due in 2013 (or at any time thereafter).
- 2.4 Officers have now received representations to alter the polling arrangements in Garforth & Swillington and Calverley & Farsley.
- 2.5 The current polling arrangements for Garforth & Swillington were decided by General Purposes Committee at the conclusion of the last full polling district review on 1 October 2009. As the current polling arrangements were agreed by General Purposes Committee as part of the last full polling district review, Legal Services have advised that these representations need to return to General Purposes

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

² The building or area in which polling stations will be selected by the Returning Officer

³ The room or building chosen by the Returning Officer where the poll takes place for each election.

Committee for that committee to reconsider its earlier resolution. This will be carried out as an Interim Polling District Review pending the next full review due in 2013.

- 2.6 The current polling arrangements for Calverley & Farsley were unchanged during the last full polling district review on 1 October 2009. However, the Chief Executive has exercised his discretion to refer the matter to General Purposes Committee for a decision in accordance with section 7.5 of this report.

3 Main issues

- 3.1 Guidance for the conduct of a full polling district review has been published by the Electoral Commission⁴. Legal advice is that an Interim Review should follow the process for a full review as far as it is possible. With that in mind, officers recommend the process for an Interim Review is as follows: -

- 3.1.1 A Proposals Stage - When notice is given of the Interim Review and the authority's initial proposals 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. 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 review by the authority (of districts and places) should be conducted jointly with the Returning Officer's review (of polling stations).
- 3.1.2 The Consultation Stage - To receive representations and comments on the authority's initial proposals for the polling districts and places affected by the initial proposals. This is 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 proposals.
- 3.1.3 Conclusion of Review - When the authority must produce final proposals, taking into consideration the representations made.
- 3.1.4 The Decision of the Council on the proposals. General Purposes Committee will approve the final proposals.
- 3.1.5 The Publishing Stage - When the decision and background material is published.

⁴ Electoral Commission's Guidance EC19/2010 - Review of polling districts, places and stations

3.1.6 Right of Appeal - Although the final decision is that of the Authority, there is a right of appeal to the Electoral Commission (see section 4.6 of this report).

3.2 Involvement of Elections Working Group (EWG) – During the last full polling district review, General Purposes Committee asked EWG to act as a dedicated Working Group for the review, recommending proposals to General Purposes Committee for their consideration. It should be noted that the EWG has an extensive knowledge of electoral procedures and is the main consultation forum for officers and Members to discuss electoral issues. It was proposed that EWG co-ordinate representations from the political Groups, consider representations made by the public or other stakeholders, and be used as a vessel to discuss any contentious representations submitted. The views of EWG were presented to General Purposes Committee for their consideration before any decision was made regarding the Council’s Final Proposals. It is proposed that EWG is used in this manner again for this Interim Review.

3.3 Proposed Timetable for the Interim Review of Garforth & Swillington and Calverley & Farsley – A proposed timetable for the Interim Review is attached at Appendix A.

4 The Selection 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: -

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

4.3 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**.

4.4 Officers propose that the same criteria used for the last full polling district review is used again for this interim review.

4.5 The Corporate Governance and Audit Committee, when it considered the matter of the 2008 Review at its meeting on 6 February 2008, considered Legal Counsel opinion on the criteria used during the first review. Counsel's opinion was: -

"It seems to me that all the considerations were perfectly proper to take into account. They all feed into the overriding question whether all electors have such reasonable facilities for voting as are practicable in the circumstances."

4.6 The Committee also considered Counsel's opinion on how, within electoral law and guidance, the disparities between polling districts can be addressed. Counsel's opinion was: -

"...given that one is seeking to ensure that all electors obtain something, there is a powerful indicator that a degree of comparability may be expected. I use the word degree because it is possible to suppose of an area which is (say) part urban and part rural in which comparability might not so readily be achieved.

"The rule is to seek to ensure that all voters have such reasonable facilities for voting as are practicable in the circumstances. This tends to suggest that in an urban area the facilities are likely, broadly, to be comparable. This is because if for one group the facilities are distinctly easier or better than for another group, then one group is likely to have facilities which could be classified as unreasonable. Accordingly, I suggest that comparability can be used as a guide to whether or not there have been provided such reasonable facilities for voting (for all) as are practicable in the circumstances.

"The preceding approach uses comparability to assist in meeting the requirement of the rule. It appears to me legitimate to do so."

4.7 In addition to the two primary considerations laid out in 4.2, further considerations for this review are proposed below based on the Guidance issued by the Electoral Commission, counsel's opinion as outlined above and officer's views. These considerations were used during the last full polling district review in 2009.

- i. Disparities between polling districts to make them more comparable in terms of number of polling places and number of electors per polling place;
- ii. Current levels of satisfaction / dissatisfaction as expressed by or on behalf of electors;
- iii. The cost / elector ratio of providing a polling place, so there is broad comparability between districts;
- iv. The availability of postal votes on demand;
- v. Disturbance to electors which would be caused by alteration of polling places which have been used for a long period of time;
- vi. A polling place should be in its own polling district, unless it is not possible to find a suitable place in the district;

- vii. 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;
- viii. The polling place should not be difficult to locate and should be close to where most of the electors in the polling district live;
- ix. 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;
- x. Facilities for polling staff, who will be on duty for at least 16 hours and cannot leave the polling place;
- xi. That each parish should be a separate polling district save in exceptional circumstances;
- xii. 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
- xiii. Capability of the polling place to cope with peaks of electors allocated to it.

4.8 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.

4.9 General Purposes Committee agreed the above review criteria at their meeting on 20 November 2008. It is proposed to use the same criteria for the purposes of this Interim Review.

5 Representations received for Garforth & Swillington

5.1 During the 2009 Polling District Review, Elmet & Rothwell Conservative Association submitted the following representations: -

Proposal 15

Merge polling district GSL with polling district GSK to vote at Great and Little Preston Village Hall.

Note: The polling station for polling district GSL at this time was a Portable Building adjacent to 29 Glencoe Gardens, Kippax, Leeds LS25 7QY.

Proposal 17

Merge polling districts GSN & GSO with polling districts GSJ & GSS to vote at Swillington and District Community Centre, Church Lane, Swillington, LS26 8DX.

Note: The polling station for polling districts GSN & GSO at this time was Astley Court Community Centre, Primrose Hill Close, Swillington LS26 8XQ.

- 5.2 At the General Purposes Committee on 1 October 2009, the above proposals were considered as part of a list of proposals where support and objection had been received, and no agreement had been reached at EWG.
- 5.3 After consideration, General Purposes Committee resolved to confirm the above as final proposals. The registers were duly amended and the new arrangements put into place from 1 December 2009.
- 5.4 Officers have now received representations from the Clerk to Swillington Parish Council, and ward Councillors who represent Garforth & Swillington, asking that the arrangements be changed back – i.e. to reinstate the Astley Court and Glencoe Gardens polling stations. Copies of these representations are attached as Appendix B.
- 5.5 To revert back to the old arrangements, the council would need to split the polling districts that were merged as part of the last full polling district review, these are: -
- Split GSJ, creating new polling district GSS (the electors in GSS would vote at Astley Court Community Centre)
- Split GSK creating new polling district GST (the electors in GST would vote at Glencoe Gardens)
- 5.6 This would also mean that the Great & Little Preston and Swillington Parish Councils would both comprise of 3 whole polling districts instead of the current 2 although this would not alter any of their parish arrangements.
- 5.7 Maps showing the current arrangements for Garforth & Swillington and the effects of the representations now received are attached at Appendices C and D respectively.

6 Representation received for Calverley & Farsley

- 6.1 Officers have received the following representation from one of the Ward Councillors for Calverley & Farsley that the current boundary between polling districts CFB and CFE be amended as follows: -

The properties listed below, currently part of polling district CFE, be moved to polling district CFB:

- 11 – 33 Georgian Square, Rodley, Leeds LS13 1PZ
4 – 6 and 23 – 47 Towler Drive, Rodley, Leeds LS13 1PB
1 – 12 Normington House, 8 Towler Drive, Rodley, Leeds LS13 1PB

1 – 6 Pickering House, 10 Towler Drive, Rodley, Leeds LS13 1PB
1 – 6 Towler House, 47 Towler Drive, Rodley, Leeds LS13 1PB

- 6.2 The change will mean the above properties will be able to vote with the rest of the Georgian Square development, at: -

Portable Building
Chapel Street
Rodley
LS13 1LL

- 6.3 This is 0.2 miles away, whereas the current polling station 0.8 miles away at: -

Farsley Springbank Junior School
Wesley Street
Farsley
LS28 5LE

- 6.4 A copy of the representation is included at Appendix B. Maps showing the current arrangements for Calverley & Farsley and the effects of the representation now received are attached at Appendices E and F respectively.

7 Corporate Considerations

7.1 Consultation and Engagement

- 7.1.1 The proposed consultation arrangements are outlined as follows. These arrangements are the same as used for previous reviews and will follow the timetable set out at Appendix A.
- 7.1.2 Full details of the new proposals we have received will be included on the website for inspection. In addition to the website notice we will be writing to all affected ward members, Group Leaders and anyone else who made comment on the original proposals as well as making the information available to relevant Parish Clerks and at local public buildings in the area.
- 7.1.3 As explained previously, the Returning Officer is required to make a submission on the Initial Proposals with regard to the location of polling stations at polling places. The Returning Officer has had the opportunity to consider the representations received and has said: -

“At this stage, the Returning Officer is content with the representations, but reserves the right to revise, and/or to add to his views on the basis of officer inspections or expressions of support or objection received in response to further consultation.”

7.2 Equality and Diversity / Cohesion and Integration

- 7.2.1 As explained previously, the notice of the review will invite 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. The process outlined in this report meets that requirement.

7.3 Council Policies and City Priorities

- 7.3.1 The process for conducting a review of polling districts, places and stations is set out in legislation and the authority is not due to complete another full review until the end of 2013. However, it is important to note that the new regime does not prevent changes being made to polling districts at any time before the next full review is due.
- 7.3.2 Due to this, the review does not affect the council's budget and policy framework, although ensuring electors have accessible polling stations 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.

7.4 Resources and Value for Money

- 7.4.1 The costs of carrying out the consultation process will be met from within the existing budget for Electoral Services.
- 7.4.2 Staff resources will be available to conduct this interim review in accordance with the timetable outlined at Appendix A. If the consultation timetable is delayed then it is unlikely resources will be available to conduct this interim review until after conclusion of the police and crime commissioner elections in November 2012.
- 7.4.3 For the committee's information, with regard to the representations received for Garforth & Swillington, reinstating the Glencoe Gardens polling station would cost around £1,900 extra per election as this was a portable building. The Astley Court polling station would cost around £450 extra per election.
- 7.4.4 The representation received for Calverley & Farsley will have no effect on the cost of an election as it makes use of existing polling stations.

7.5 Legal Implications, Access to Information and Call In

- 7.5.1 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 districts⁵
- (d) to divide electoral divisions into polling districts at local government elections”

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

⁵ 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

“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.”

- 7.5.3 General Purposes Committee can take the decision or alternatively, it can itself choose to refer the decision to Full Council.
- 7.5.4 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.
- 7.5.5 However, the Chief Executive has the usual 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.
- 7.5.6 Therefore a full polling district review under the existing constitutional provisions can be determined by the Chief Executive, or he has the alternative to refer the matter to General Purposes Committee, who themselves have the alternative of making recommendations to Full Council.
- 7.5.7 In all full polling district reviews, the Chief Executive has chosen to refer the matter to General Purposes Committee. Advice received from the City Solicitor is that having considered the October 2009 report to General Purposes Committee and those preceding it; and having regard to what is proposed for Garforth & Swillington (which represents a significant departure from the current arrangements and what was approved by General Purposes Committee in 2009); that a report to General Purposes Committee for them to reconsider their original decision in light of the representations now received is the appropriate course of action.
- 7.5.8 Further to this, the Chief Executive has also decided to refer the representation received for Calverley & Farsley to General Purposes Committee for a decision so all representations can be considered alongside each other for consistency.

7.6 Risk Management

- 7.6.1 On conclusion of any 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: -
- 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.
- 7.6.2 If the appeal is upheld, the Commission can, ultimately, make alterations to the polling places.

8 Conclusions

- 8.1 That the arrangements outlined in this paper meet the statutory requirements for a review of the Garforth & Swillington and Calverley & Farsley polling districts, places and stations and minimises the risk of a successful appeal to the Electoral Commission.

9 Recommendations

- 9.1 Members are asked to: –

- 9.1.1 Agree the process for the Interim Review for Garforth & Swillington and Calverley & Farsley as set out in this report;
- 9.1.2 Agree the timetable for the Interim Review as set out at Appendix A to this report;
- 9.1.3 Agree that the proposals received at section 5 and 6 of this report be confirmed as the authority's initial proposals for the interim review of Garforth & Swillington and Calverley & Farsley; and
- 9.1.4 Agree that EWG will be used as a working group to discuss the results of any representations received in response to any consultation, and provide recommendations for General Purposes Committee's consideration as set out at section 3.2 of this report;

10 Background documents

- 10.1 Electoral Commission's Guidance (EC19/2010) on the conduct of a review of polling districts, places and stations
- 10.2 Papers and minutes to meeting of General Purposes Committee on 1 October 2009
- 10.3 Counsel Opinion on criteria to be considered as part of any review
- 10.4 Equality Screening Assessment

Appendices

- A. Timetable for Interim Review
- B. Representations received
- C. Map of current arrangements for Garforth & Swillington
- D. Map of arrangements incorporating representations received for Garforth & Swillington
- E. Map of current arrangements for Calverley & Farsley
- F. Map of arrangements incorporating the representation received for Calverley & Farsley

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Project Plan Overview – Appendix A

Interim Review of Polling Districts, Places and Stations in Garforth & Swillington and Calverley & Farsley



Stage 1: Proposals Stage

When notice is given of the Interim Review and the authority's initial proposals 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. 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 review by the authority (of districts and places) should be conducted jointly with the Returning Officer's review (of polling stations).

Task	Date	Notes
Report to General Purposes Committee (GPC) outlining how Review is to be conducted	5 January 2012	GPC to agree methodology and role of Elections Working Group
Publication of Notice of Review	6 January 2011	Published on internet including whereabouts of documentation for public inspection and details of representation period

Stage 2: Consultation Stage

To receive representations and comments on the authority's initial proposals for polling districts and places in Garforth & Swillington and Calverley & Farsley. This is in two parts: -

- (i) a compulsory submission from the Returning Officer of the parliamentary constituency; 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.

Task	Date	Notes
Consultation commences	6 January 2012	
Returning Officer's comments/recommendations published	6 January 2012	RO's comments must be published within 30 days of receipt of proposals ¹ , unless

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

		already published as part of Initial Proposals
Consultation ends	27 January 2012	All representations received are logged on receipt
Inspection of any further representations received	As representations are received during January 2012	Inspections on suitability and availability of any new representations received, including disabled access requirements

Stage 3: Conclusion of the Review

When the authority must produce final proposals for Garforth & Swillington and Calverley & Farsley, taking into consideration the representations made.

Task	Date	Notes
EWG consider representations received during Stage 3	Early February (date to be arranged)	EWG make recommendations for Final Proposals. Officers to draft Final Proposals.

Stage 4: The Decision of the Council

Final decision is made, Review documentation published, and Revised Register published.

Task	Date	Notes
Final Proposals go to GPC for decision	16 February 2012	
Final Notice of Review is published	23 February 2012	Details of whereabouts of Review Documentation for public inspection is given
Revised Register is published	By 1 April 2012	Revised Register is published taking account of results of Review



Tuesday, 10 May 2011 10:10:02

41 Glencoe Gardens
Gt. Preston Leeds
LS25 7QY

T: 0113 287 0780
M: 0781 1505 323
E: bpcaulfield@hotmail.com

Mr Tom Riordan
Chief Executive Officer
The Civic Hall
Calverley Street
Leeds
LS1 1UR

Dear Mr Riordan,

Re: Polling Stations:

I have been asked, by members of our community to register their dissatisfaction, if not anger, at the loss of the Astley Court polling station.

Swillington, has quite a large population of elderly citizens; as I am sure you will be aware this can, as it does in Swillington, mean quite large number of people with mobility problems.

The elderly citizens of Swillington tend to take their democratic responsibilities very seriously and will have no truck with such things as postal or proxy votes. Since the Astley Court polling station was discontinued this has meant a long and arduous up hill climb or, still worse a postal vote.

It would be a great help for many people in Swillington (*and indeed for democracy*) - if the voting arrangement could be brought back to something like their post 2010 state.

With very best wishes,

Bernard Caulfield

Bernard Caulfield.

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Garnett, Phil

From: Benton, Susanna
Sent: 02 December 2011 14:19
To: Wolfe, Sue
Subject: FW: Polling arrangements - Garforth & Swillington Ward

**Susanna Benton AEA Cert.
Principal Electoral Services Manager (Acting)
Licensing and Registration
Leeds City Council**

Level 2, Town Hall
The Headrow
Leeds LS1 3AD
Tel: (0113) 2476727
Fax: (0113) 2476732
Email: susanna.benton@leeds.gov.uk
Web: www.leeds.gov.uk/elections

From: Dobson, Cllr Mark
Sent: 22 September 2011 10:58
To: Benton, Susanna; McKenna, Cllr Andrea; Murray, Cllr Thomas
Cc: Lewis, Cllr James; Mulcahy, John; Wolfe, Sue
Subject: RE: Polling arrangements - Garforth & Swillington Ward

Hi Susanna

From my perspective, I have been inundated with complaints from residents as to why this closed in the first place. It serves a large, including many elderly, section of the community on a large housing estate and it means non postal voters have to walk uphill for half a mile and cross over a busy 'A' road to cast a vote. I sincerely hope this well used and valued station is reinstated for the next round of elections.

I also have concerns about the removal of the station on the Glencoe Estate which I am happy to discuss further.

Mark

From: Benton, Susanna
Sent: 22 September 2011 09:41
To: Dobson, Cllr Mark; McKenna, Cllr Andrea; Murray, Cllr Thomas
Cc: Lewis, Cllr James; Mulcahy, John; Wolfe, Sue
Subject: Polling arrangements - Garforth & Swillington Ward

Dear Councillors

I have been asked to look into a matter raised by Bernard Caulfield, Clerk to Swillington Parish Council, regarding polling arrangements at Swillington Community Centre and the former polling station at Astley Court Community Centre.

I believe you have also raised concerns about the arrangements and it is for this reason I am contacting you.

Please be assured that this matter is being addressed and I will be in touch again when I have more information.

Kind regards

Susie

**Susanna Benton AEA Cert.
Principal Electoral Services Manager (Acting)
Licensing and Registration
Leeds City Council**

Level 2, Town Hall
The Headrow
Leeds LS1 3AD
Tel: (0113) 2476727
Fax: (0113) 2476732
Email: susanna.benton@leeds.gov.uk
Web: www.leeds.gov.uk/elections

Garnett, Phil

From: Benton, Susanna
Sent: 02 December 2011 14:20
To: Wolfe, Sue
Subject: FW: Polling arrangements - Garforth & Swillington Ward

**Susanna Benton AEA Cert.
Principal Electoral Services Manager (Acting)
Licensing and Registration
Leeds City Council**

Level 2, Town Hall
The Headrow
Leeds LS1 3AD
Tel: (0113) 2476727
Fax: (0113) 2476732
Email: susanna.benton@leeds.gov.uk
Web: www.leeds.gov.uk/elections

From: McKenna, Cllr Andrea
Sent: 22 September 2011 16:00
To: Benton, Susanna; Dobson, Cllr Mark; Murray, Cllr Thomas
Cc: Lewis, Cllr James; Mulcahy, John; Wolfe, Sue
Subject: RE: Polling arrangements - Garforth & Swillington Ward

I too have received many complaints from Swillington & Glencoe estate, also at a recent parish council me

Sent from my HTC

-----Original Message-----

From: Benton, Susanna <Susanna.Benton@leeds.gov.uk>
Sent: 22 September 2011 09:40
To: Dobson, Cllr Mark <Mark.Dobson@leeds.gov.uk>; McKenna, Cllr Andrea <Andrea.Mckenna@leeds.gov.uk>
Cc: Lewis, Cllr James <James.Lewis@leeds.gov.uk>; Mulcahy, John <John.Mulcahy@leeds.gov.uk>; Wolf
Subject: Polling arrangements - Garforth & Swillington Ward

Dear Councillors

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Please be assured that this matter is being addressed and I will be in touch again when I have more information.

Kind regards

Susie

**Susanna Benton AEA Cert.
Principal Electoral Services Manager (Acting)
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Leeds City Council**

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Proposed changes to polling – Appendix B districts CFB and CFE – Calverley & Farsley Ward



Proposals submitted by Cllr Andrew Carter, Conservative Party.

That the current boundary between polling districts CFB and CFE be amended as follows.

The properties listed below, currently part of polling district CFE, be moved to polling district CFB:

- 11 – 33 Georgian Square, Rodley, Leeds LS13 1PZ
- 4 – 6 and 23 – 47 Towler Drive, Rodley, Leeds LS13 1PB
- 1 – 12 Normington House, 8 Towler Drive, Rodley, Leeds LS13 1PB
- 1 – 6 Pickering House, 10 Towler Drive, Rodley, Leeds LS13 1PB
- 1 – 6 Towler House, 47 Towler Drive, Rodley, Leeds LS13 1PB

The change will mean the above properties will be able to vote with the rest of the Georgian Square development, at:

Portable Building
Chapel Street
Rodley
LS13 1LL

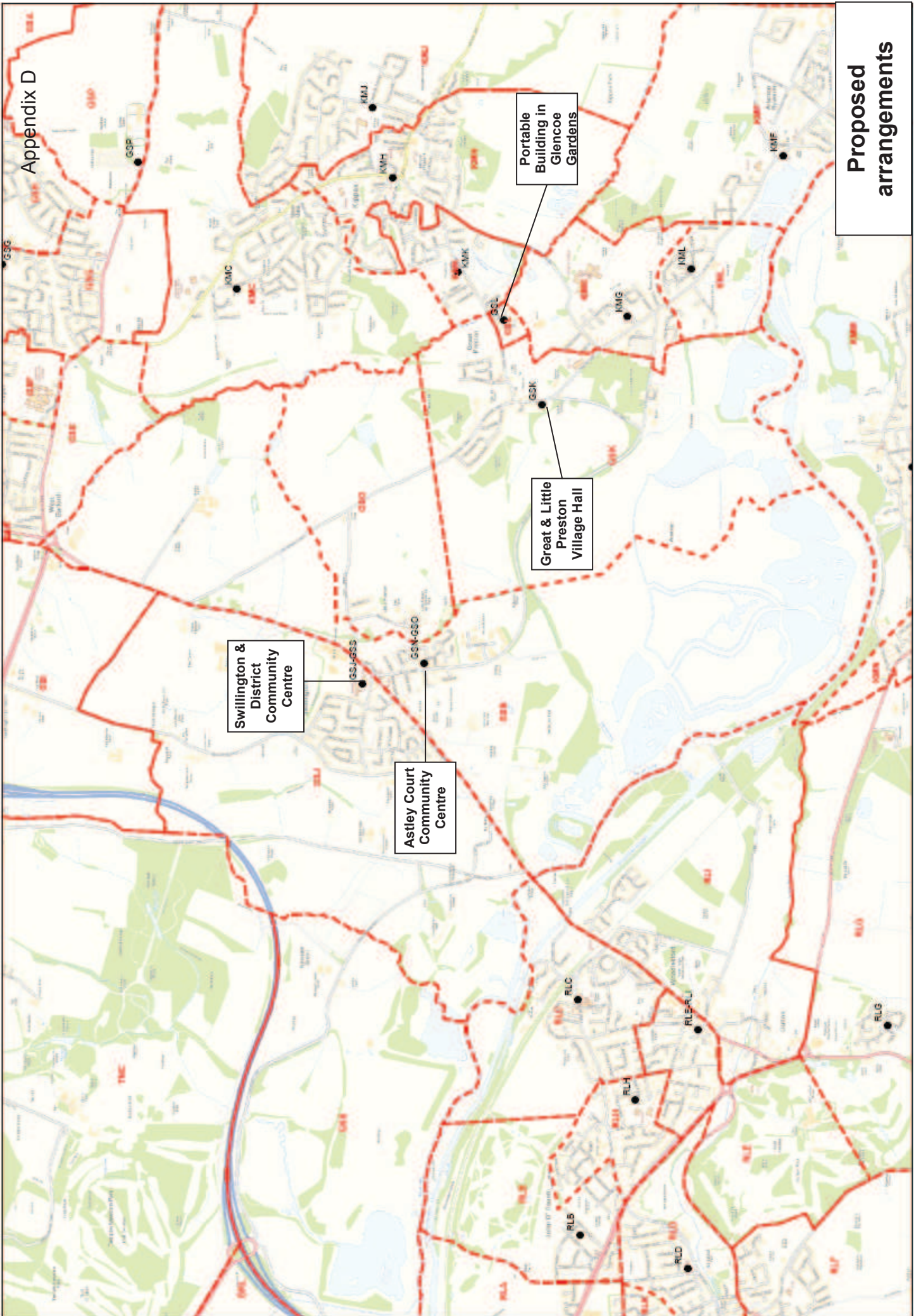
This is 0.2 miles away, whereas the current polling station 0.8 miles away at:

Farsley Springbank Junior School
Wesley Street
Farsley
LS28 5LE

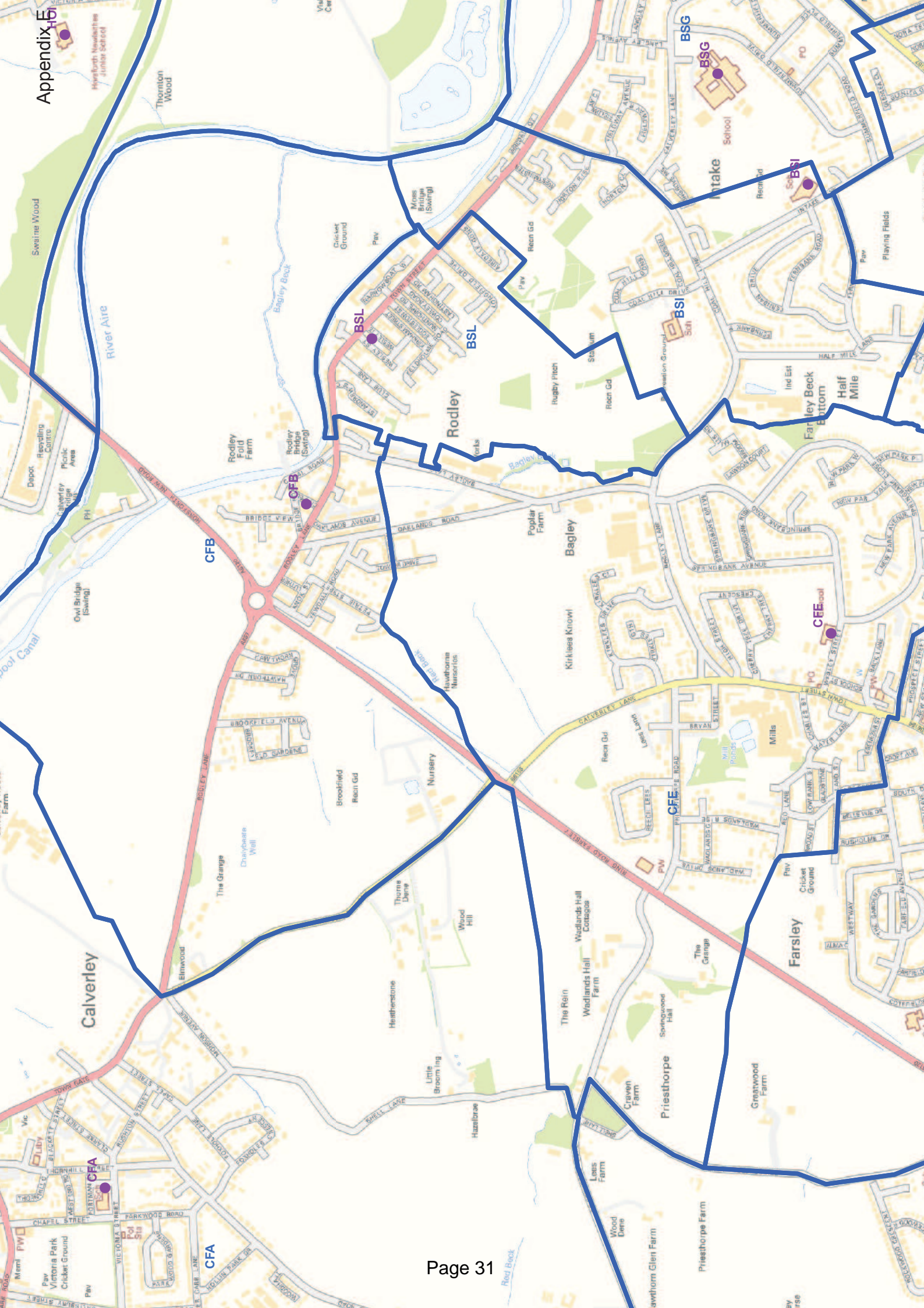
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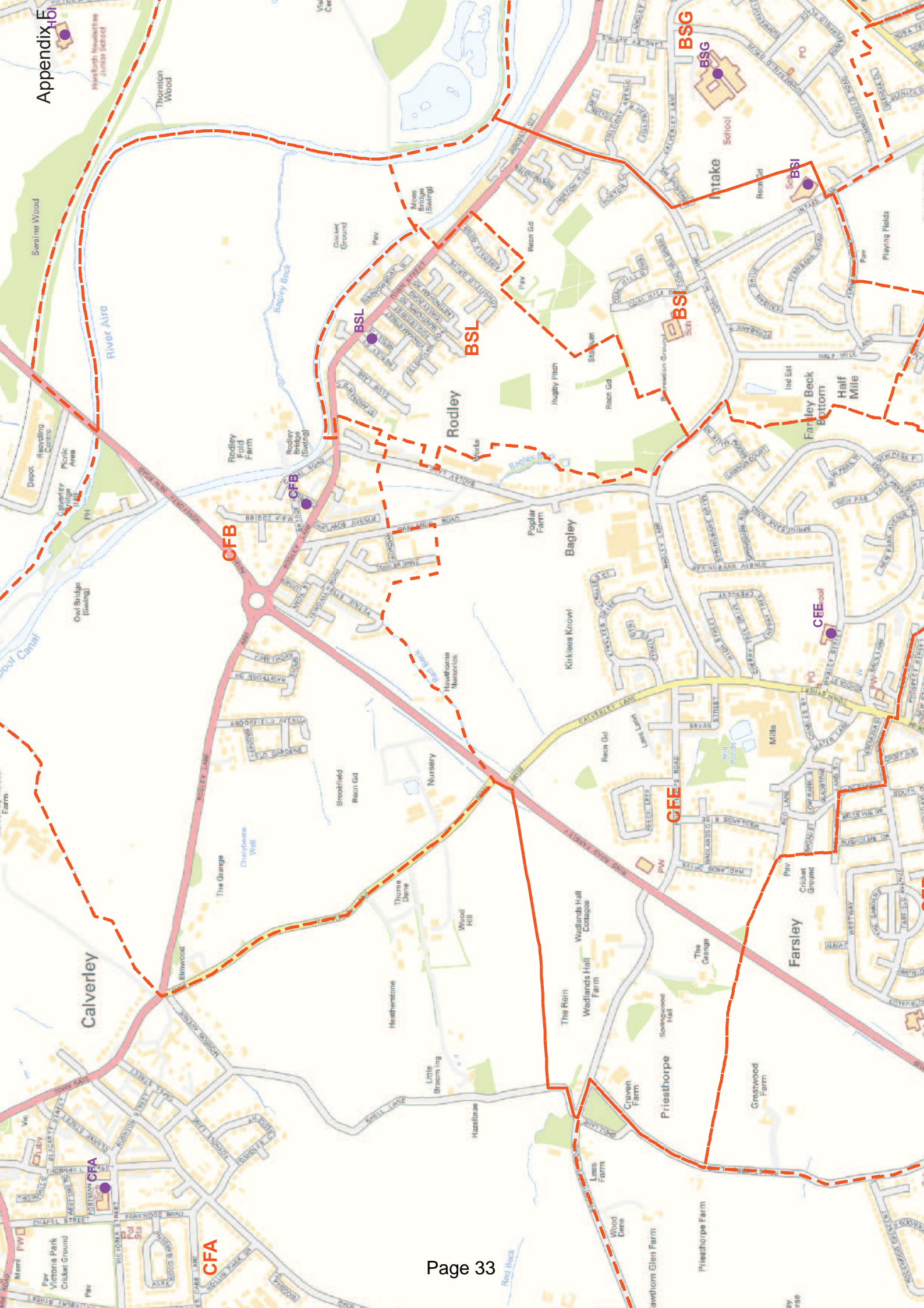
Proposed arrangements



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Report of Director of Resources

Report to General Purposes Committee

Date: 5th January 2012

Subject: Work Programme

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. Members are requested to consider whether they wish to add any items to the work programme.
2. The draft work programme is attached at Appendix 1.

Recommendations

3. Members are asked to note the draft work programme and advise officers of any additional items they wish to add.

1 Purpose of this report

- 1.1 The Purpose of this report is to notify Members of the Committee of the draft work programme. The draft work programme is attached at Appendix 1

2 Background information

- 2.1 The work programme provides information about the future items for the General Purposes Committee agenda, when items will be presented and which officer will be responsible for the item.

3 Main issues

- 3.1 Members are requested to consider whether they wish to add any items to the work programme

3.2 The draft work programme is attached at Appendix 1

4 Corporate Considerations

4.1 Consultation and Engagement

4.1.1 This report consults Members on the content of the work programme of the Committee.

4.2 Equality and Diversity / Cohesion and Integration

4.2.1 No significant issues.

4.3 Council Policies and City Priorities

4.3.1 This report helps support the implementation of amendments to the Council's Constitution.

4.4 Resources and Value for Money

4.4.1 It is in the best interests of the Council to have sound control arrangements in place to ensure effective use of resources, these should be regularly reviewed and monitored as such the work programme directly contributes to this.

4.5 Legal Implications, Access to Information and Call In

4.5.1 This report is not an executive function and is not subject to call in.

4.6 Risk Management

4.6.1 By the Committee being assured that effective controls are in place throughout the Council the work programme promotes the management of risk at the Council.

5 Conclusions

5.1 The work programme of the Committee should be reviewed regularly and be updated appropriately in line with current issues facing the Council.

6 Recommendations

6.1 Members are asked to note the work programme and advise officers of any additional items they wish to add.

GENERAL PURPOSES COMMITTEE WORK PROGRAMME

ITEM	DESCRIPTION	RESPONSIBLE OFFICER
February 2012		
Interim Review of Polling Arrangements	To receive proposals from the Electoral Working Group following the review and consultation undertaken in respect of Garforth & Swillington and Calverley & Farsley polling arrangements	Head of Licensing and Registration John Mulcahy
Police Reform Bill	To receive a report updating the Committee on the latest developments effecting Leeds from the Police reform Bill	Andy Hodson Head of Governance Services
March 2012		
Members Code of Conduct	Consideration of a new Code of Conduct for Members and to make recommendations to full Council	Head of Governance Services Andy Hodson
Standards and Conduct Committee	Consideration of proposals to create a new Standards and Conduct Committee and make recommendations to full Council	Head of Governance Services Andy Hodson
Pay Policy Statement	To consider a draft Pay Policy Statement	Head of HR Alex Watson
May 2012		
No items currently scheduled		
Unscheduled		

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