

Licensing & Regulatory Committee

Monday 8 October 2018

A special meeting of the above Committee will be held at the Town Hall, Royal Leamington Spa on Monday 8 October 2018 at **4.30pm**.

Membership:

	Councillor Illingworth (Chairman)
	Councillor Murphy (Vice-Chairman)
Councillor Ashford	Councillor Heath
Councillor Mrs Cain	Councillor Mrs Hill
Councillor Davies	Councillor Mrs Knight
Councillor Gallagher	Councillor Quinney
Councillor Gifford	Councillor Mrs Redford
Councillor Gill	Councillor Mrs Stevens
Councillor H Grainger	

Emergency Procedure

At the commencement of the meeting, the emergency procedure for the Town Hall will be announced.

Agenda

1. Apologies & Substitutes

- (a) To receive apologies for absence from any Councillor who is unable to attend; and
- (b) To receive the name of any Councillor who is to act as a substitute, notice of which has been given to the Chief Executive, together with the name of the Councillor for whom they are acting

2. Declarations of Interest

Members to declare the existence and nature of interests in items on the agenda in accordance with the adopted Code of Conduct.

Declarations should be entered on the form to be circulated with the attendance sheet and declared during this item. However, the existence and nature of any interest that subsequently becomes apparent during the course of the meeting must be disclosed immediately. If the interest is not registered, Members must notify the Monitoring Officer of the interest within 28 days.

Members are also reminded of the need to declare predetermination on any matter. If Members are unsure about whether or not they have an interest, or about its nature, they are strongly advised to seek advice from officers prior to the meeting.

3. **Community Governance Reviews**

To consider a report from Democratic Services.

(Pages 1 to 8)

4. **Relocation of Polling Stations**

To consider a report from Democratic Services.

(Pages 1 to 4)

Published Friday 28 September 2018

General Enquiries: Please contact Warwick District Council, Riverside House, Milverton Hill, Royal Leamington Spa, Warwickshire, CV32 5HZ.

Telephone: 01926 456114

E-Mail: committee@warwickdc.gov.uk


Enquiries about specific reports: Please contact the officers named in the reports.

**You can e-mail the members of this Committee at
landrcommittee@warwickdc.gov.uk**

Details of all the Council's committees, councillors and agenda papers are available via our website www.warwickdc.gov.uk/committees

Please note that the majority of the meetings are held on the first floor at the Town Hall. If you feel that this may restrict you attending this meeting, please call (01926) 456114 prior to this meeting, so that we can assist you and make any necessary arrangements to help you attend the meeting.

**The agenda is also available in large print, on request, prior to the meeting by calling
01926 456114.**

 Licensing & Regulatory Committee 8 October 2018		Agenda Item No. 3
Title	Community Governance Review	
For further information about this report please contact	Graham Leach Democratic Services Manager & Deputy Monitoring Officer graham.leach@warwickdc.gov.uk 01926 456114	
Wards of the District directly affected	Budbrooke, Kenilworth St John's, Kenilworth Park Hill, Sydenham and Whitnash	
Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?	No	
Date and meeting when issue was last considered and relevant minute number	Licensing & Regulatory Committee 6 August 2018	
Background Papers	The Local Government and Public Involvement in Health Act 2007.	

Contrary to the policy framework:	No
Contrary to the budgetary framework:	No
Key Decision?	No
Included within the Forward Plan? (If yes include reference number)	No
Equality Impact Assessment Undertaken	No

Officer/Councillor Approval		
Officer Approval	Date	Name
Chief Executive/Deputy Chief Executive	1/10/2018	Andrew Jones
Head of Service		
CMT		
Section 151 Officer	1/10/2018	Mike Snow
Monitoring Officer	1/10/2018	Andrew Jones
Finance	1/10/2018	Mike Snow
Portfolio Holder(s)		Andrew Mobbs
Consultation & Community Engagement		
Electoral Services Manager – 28/9/2018		
Final Decision?	No	
Suggested next steps (if not final decision please set out below)		
There will be further reports to come back to the Committee following the consultation.		

1. **Summary**

- 1.1 The report brings forward the recommendations for the Community Governance Reviews following initial consultation as requested by the Licensing & Regulatory Committee at its meeting on 6 August 2018.

2. **Recommendations**

- 2.1 The Licensing & Regulatory Committee agrees the following recommendations:
- (i) That Norton Lindsey Parish Council be increased in size to seven Councillors;
 - (ii) That Kenilworth Town St. John's Ward and Kenilworth Town Park Hill wards are sub divided as defined by Plans 1 to 3 of the report and comprised of St John's (4 Councillors), Borrowell (3 Councillors), Park Hill (4 Councillors) and Dalehouse (4 Councillors); and
 - (iii) That the boundary between Whitnash and Leamington Sydenham in the Campion School area, be as set out at Plan 5 to the report.
- 2.2 That in accordance with the Local Government and Public Involvement in Health Act 2007 the above recommendations be published (on the District Council website, at Riverside House in a local newspaper for two consecutive weeks,); and Warwickshire County Council (WCC) the affected Town/ Parish Council's and District ward Councillors are notified of the recommendations.
- 2.3 That a further report be brought to this Committee on 26 November 2018 for it to consider the recommendations, any comments received and take a final decision on the proposals

3. **Reasons for the Recommendations**

- 3.1 At the 6 August 2018 meeting of the Committee it considered, and approved, the terms of reference for three Community Governance Reviews, under the Local Government and Public Involvement in Health Act 2007, for the a following:
- (i) Amending the boundary of Whitnash and Royal Leamington Spa that runs through Campion School;
 - (ii) Subdividing the Kenilworth Town Council Wards of St John's and Park Hill; and
 - (iii) To increase the size of Norton Lindsey Parish Council from five to seven Councillors.
- 3.2 These were duly consulted on from the 10 August to 21 September 2018 with the relevant Town/Parish Council, Ward Councillors and Warwickshire County Council notified. In addition these were advertised on the District Council's website, published at Riverside House and in the Courier/Kenilworth Weekly News.
- 3.3 There were no responses to the consultation and therefore officers have considered that the original proposals should form the formal recommendations for the review.
- 3.4 There is a requirement for the formal recommendations to be consulted on for one month and the terms of reference stated this would be between the 12 October 2018 and 16 November 2018.

- 3.4 Officers are mindful that this consultation overlaps with the Kenilworth Neighbourhood Plan Referendum, which has been confirmed for 15 November 2018. The potential for elector confusion has been considered and is thought to be minimal and to revise the timetable will require starting again with a fresh terms of reference. If this approach is taken it will not be possible to complete the review in good time to enable the revisions to be made six month ahead of the elections in May 2019. Therefore, officers suggest that it is more appropriate to continue with the proposed timetable.

4. **Policy Framework**

4.1 **Fit for the Future (FFF)**

The Council's FFF Strategy is designed to deliver the Vision for the District of making it a Great Place to Live, Work and Visit. To that end amongst other things the FFF Strategy contains several Key projects.

The FFF Strategy has 3 strands – People, Services and Money and each has an external and internal element to it. The table below illustrates the impact of this proposal if any in relation to the Council's FFF Strategy.

FFF Strands		
People	Services	Money
External		
Health, Homes, Communities	Green, Clean, Safe	Infrastructure, Enterprise, Employment
<u>Intended outcomes:</u> Improved health for all Housing needs for all met Impressive cultural and sports activities Cohesive and active communities	<u>Intended outcomes:</u> Area has well looked after public spaces All communities have access to decent open space Improved air quality Low levels of crime and ASB	<u>Intended outcomes:</u> Dynamic and diverse local economy Vibrant town centres Improved performance/ productivity of local economy Increased employment and income levels
Impacts of Proposal		
The proposals within the Community Governance Reviews are intended to reflect the identities and interests of the community in that area; and are effective and convenient.	None	None

Internal		
Effective Staff	Maintain or Improve Services	Firm Financial Footing over the Longer Term
<u>Intended outcomes:</u> All staff are properly trained All staff have the appropriate tools All staff are engaged, empowered and supported The right people are in the right job with the right skills and right behaviours	<u>Intended outcomes:</u> Focusing on our customers' needs Continuously improve our processes Increase the digital provision of services	<u>Intended outcomes:</u> Better return/use of our assets Full Cost accounting Continued cost management Maximise income earning opportunities Seek best value for money
Impacts of Proposal		
<i>None</i>	<i>None</i>	<i>None</i>

4.2 Supporting Strategies - there are no specific supporting strategies in relationship to this piece of work.

4.3 Changes to Existing Policies

There are no proposed changes to existing policies.

4.3 Impact Assessments – No impact assessments have been undertaken because the proposals must fit within the established national the statutory criteria.

5. Budgetary Framework

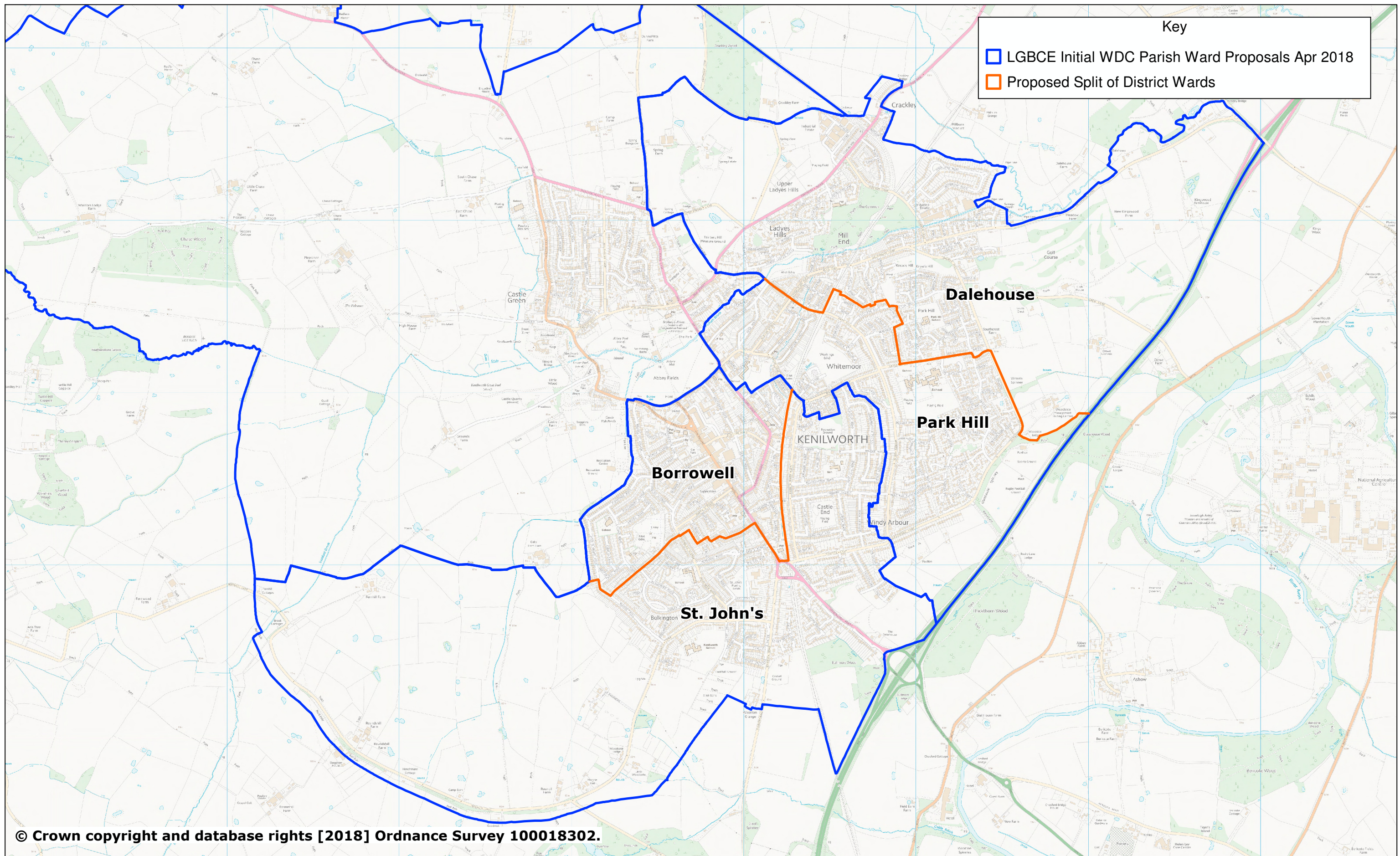
5.1 The report does not have a direct budgetary impact and the costs of the consultations will be met from within existing budgets.

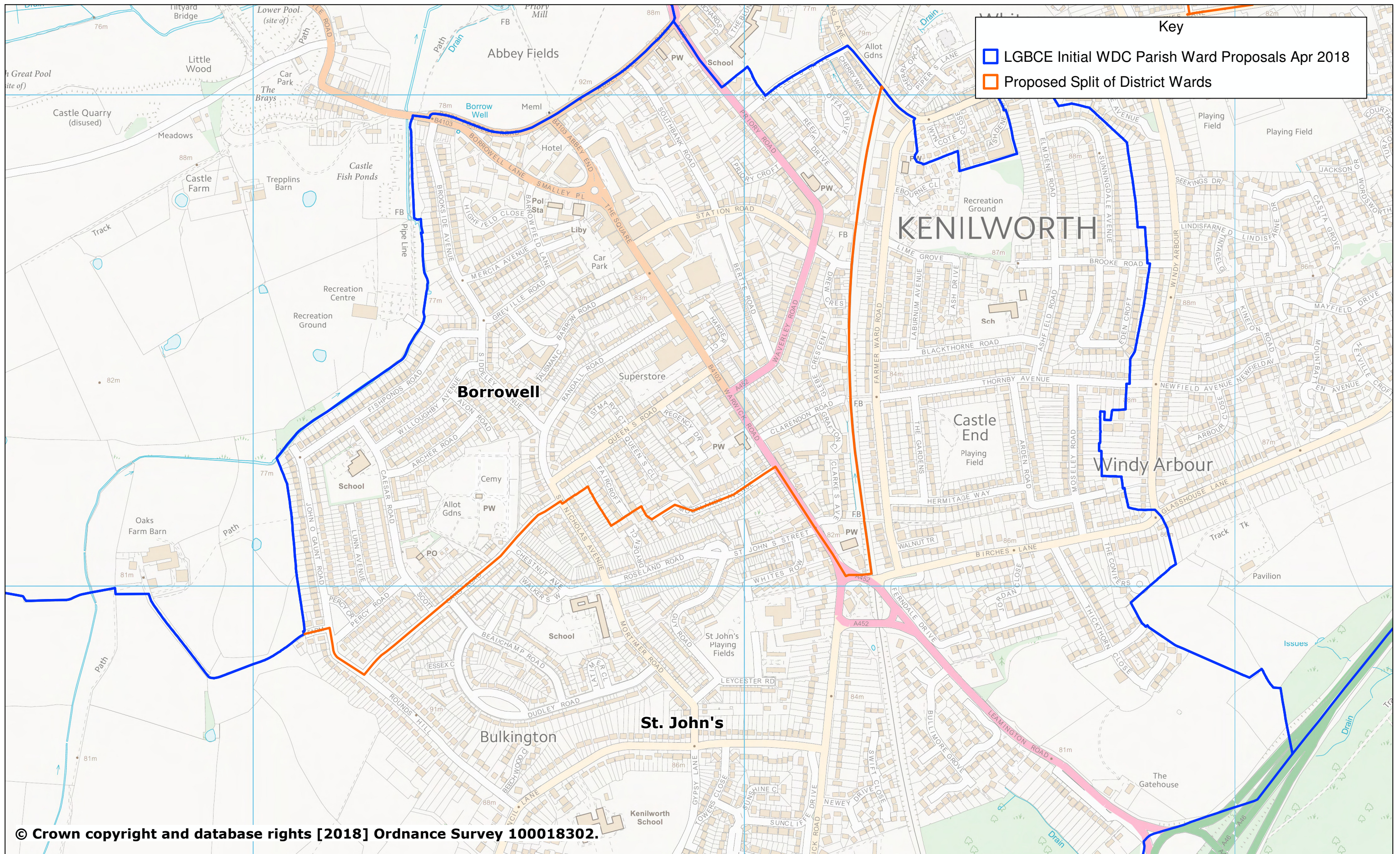
6. Risks

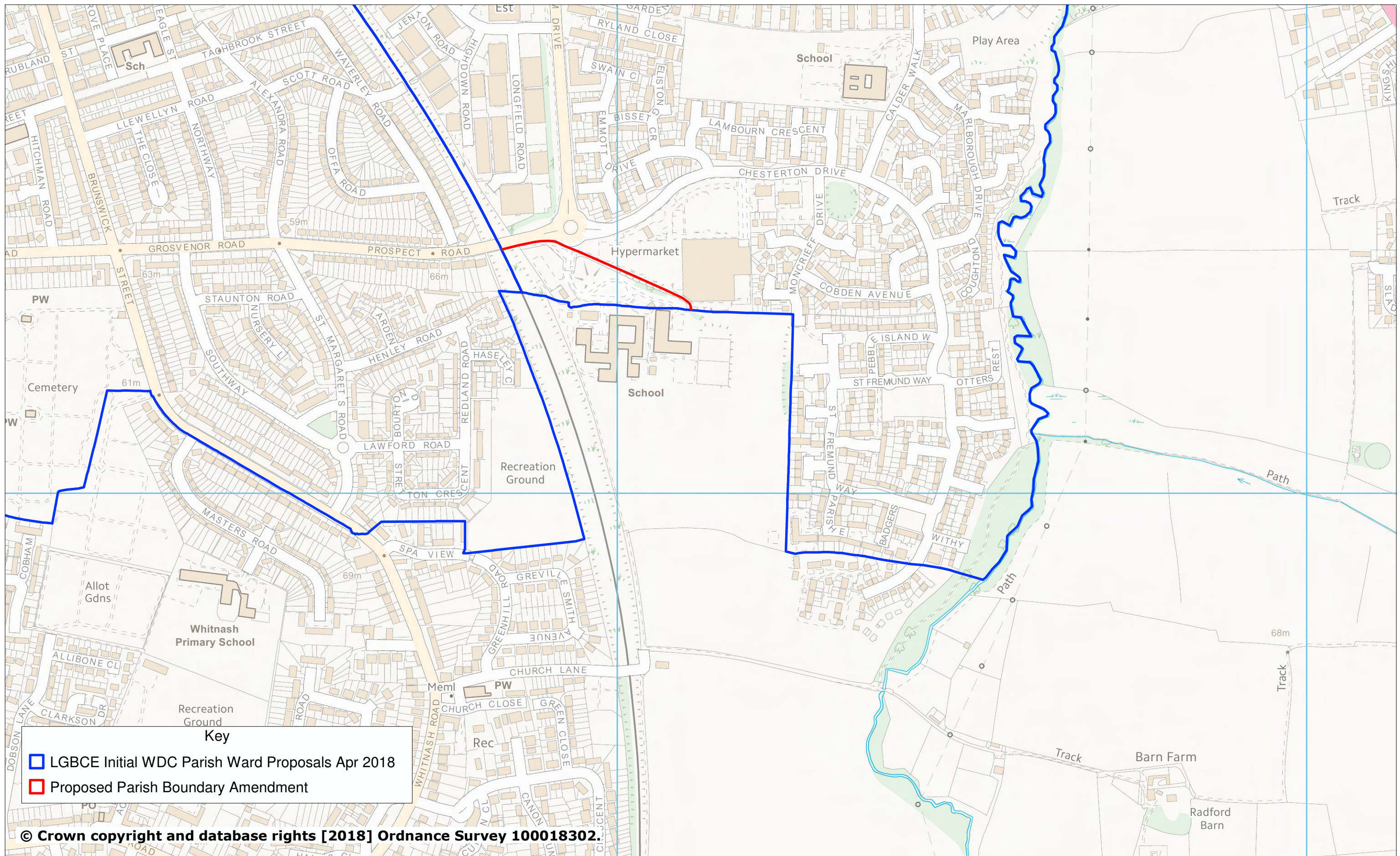
6.1 There are no direct risks associated with this report as the purpose is to seek approval to undertake consultation. This said if the decision approve the recommendations is delayed this will remove the ability to complete the reviews before the May 2019 elections.


7. Alternative Option(s) considered

7.1 No alternative options were considered for the recommendations in this report because there were no responses received to the consultation and therefore it is considered appropriate to follow through on the initial proposals.







 Licensing & Regulatory Committee 8 October 2018		Agenda Item No. 4
Title	Relocation of Polling Stations	
For further information about this report please contact	Graham Leach Democratic Services Manager & Deputy Monitoring Officer 01926 456114 graham.leach@warwickdc.gov.uk	
Wards of the District directly affected	Milverton & Kenilworth Abbey	
Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?	No	
Date and meeting when issue was last considered and relevant minute number		
Background Papers		

Contrary to the policy framework:	No
Contrary to the budgetary framework:	No
Key Decision?	No
Included within the Forward Plan? (If yes include reference number)	No
Equality Impact Assessment Undertaken	No

Officer/Councillor Approval		
Officer Approval	Date	Name
Chief Executive/Deputy Chief Executive	1/10/2018 1/10/2018	Andrew Jones Chris Elliott
Head of Service		
CMT		
Section 151 Officer	28/9/2018	Mike Snow
Monitoring Officer	1/10/2018	Andrew Jones
Finance		
Portfolio Holder(s)		Andrew Mobbs
Consultation & Community Engagement		
None		
Final Decision?		Yes
Suggested next steps (if not final decision please set out below)		

1. **Summary**

- 1.1 The report brings forward proposals to move two polling stations within Warwick District at the request of the current designated sites. The report also seeks delegated authority for any future changes.

2. **Recommendation**

- 2.1 That polling station for Polling District KAB6 in Kenilworth Abbey Ward be moved from Priors Field School on Clinton Lane to a temporary cabin in the car park of the Queen & Castle Public House on Castle Green.
- 2.2 That polling station for Polling Districts KWMV2a, WMV2 and WMV5 be moved from Brookhurst Primary School on Ullswater Avenue to the Gymnasium at Trinity School on Guys Cliffe Avenue.
- 2.3 That Council delegates authority to the Chief Executive (as Returning Officer), in consultation with the respective Ward Councillors and Chairman of Licensing & Regulatory Committee to relocate of Polling Stations in between the five year statutory review.

3. **Reasons for the Recommendation**

- 3.1 The Committee will recall previous discussions that the Chief Executive (as Returning Officer) aims to move polling stations away from schools because of the impact this can have on managing such sites safely and because of the impact on childcare arrangements by parents if the school has to close for the day.
- 3.2 Priors Field School in Kenilworth had been designated as a polling station for many years as it provided the only suitable accommodation within that polling district. This has presented an increasing challenge for the school staff in the requirements for safeguarding the children. Owing to the layout of the school its decision has been to close the school each time an election took place. This was generally accepted by the school for scheduled elections in May as these could be planned for in advance and parents were provided sufficient advance warning. However, following the additional referendum and election in two consecutive years significant protests were made by both the school and parents for a number of reasons. This led at Kenilworth Town Assembly to a motion being passed seeking to have the polling station moved.
- 3.3 Following discussions with the Head Teacher of the School a number of potential options were considered. Following site inspections by officers, and meetings with landlords the best option available is to locate a temporary building in the car park of the Queen & Castle public house. The Management of the premises and brewery are supportive of this proposal and have agreed to enter into a licence to allow the use of part of their site as a Polling Station.
- 3.4 Similarly, Brookhurst School has requested not to be used as a polling station. Brookhurst is not an ideal location and there were complaints at the 2017 General Election about the access used to the site. The Council informally approached Trinity School and it is keen to have the polling station at the school. While this is replacing one school with another it is considered on balance to be a good location but with improved access, the school feels hosting the polling station can be managed safely without the need to close.

- 3.5 These proposals will leave polling stations in the following schools: Telford School, Lillington Nursey, St Mary's Catholic School, Warwick and Woodloes School. All of these present challenges for finding alternative locations within appropriate buildings in the polling district. Officers will continue to review these but without the use of further temporary buildings (for which locations are equally difficult to find in the respective Polling Districts and are costly) or new developments in these areas, a solution is unlikely to be found.
- 3.6 The Council is required by the Electoral Registration and Administration Act 2013 to review its polling stations within a 16 month time period starting in the October after the previous review was completed five years previously. This review is just being started by Warwick District Council with a view to completing no later than February 2020. However the law permits polling stations to be moved in between these reviews as is necessary, so long as they meet the necessary requirements. It is considered that the relocation of polling stations in between this time should be delegated to the Chief Executive as Returning Officer in consultation with the Ward Councillors and the Chairman of the Licensing and Regulatory Committee. This allows for both any temporary moves for a by election or also permanent moves until the next review.

4. **Policy Framework**

4.1 **Fit for the Future (FFF)**

The Council's FFF Strategy is designed to deliver the Vision for the District of making it a Great Place to Live, Work and Visit. To that end amongst other things the FFF Strategy contains several Key projects.

The FFF Strategy has 3 strands – People, Services and Money and each has an external and internal element to it. The table below illustrates the impact of this proposal if any in relation to the Council's FFF Strategy.

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Impacts of Proposal		
None	None	None

Internal		
Effective Staff	Maintain or Improve Services	Firm Financial Footing over the Longer Term
<u>Intended outcomes:</u> All staff are properly trained All staff have the appropriate tools All staff are engaged, empowered and supported The right people are in the right job with the right skills and right behaviours	<u>Intended outcomes:</u> Focusing on our customers' needs Continuously improve our processes Increase the digital provision of services	<u>Intended outcomes:</u> Better return/use of our assets Full Cost accounting Continued cost management Maximise income earning opportunities Seek best value for money
Impacts of Proposal		
None	None	None

4.2 **Supporting Strategies** – The report does not relate to any supporting policies or strategies.

4.3 **Changes to Existing Policies** – The report does not propose any changes to existing policies.

5. Budgetary Framework

5.1 The report does not impact on the budgetary framework for the Council.

5.2 The Committee should be aware that the cost of relocating the polling station in Kenilworth will cost significantly more (circa £3000 per election) than the previous charges incurred when using the school. This is because the licence to use the land at the Queen & Castle will be greater in cost than the rent paid to Priors Field School and in addition to the licence there will be cost of renting the temporary building and associated utilities. However this cost will be recharged to the relevant election.

6. Risks

6.1 There is a risk of using the car park at the Queen & Castle, in that even with the licence agreement in place there may be times when the Council cannot be accommodated, for example if building works are being undertaken on site. However, this should only be a risk for non-scheduled elections and it is anticipated a good working relationship with the premises will mitigate against this risk being realised.

7. Alternative Option(s) considered

7.1 The Returning Officer is entitled by law to mandate public authority schools (this excludes private schools, colleges, universities and academies) to be used as polling stations. However, exercise of this power has been avoided where possible by the Returning Officer as he recognises the impacts of using a school for a polling station.