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CHILTERN
District Council



Governance and Electoral Arrangements Committee (CDC)

Wednesday, 6th September, 2017 at 6.30 pm

Large Committee Room, King George V House, King George V Road, Amersham

A G E N D A

- 1 Evacuation Procedures
- 2 Apologies for Absence
- 3 Declarations of Interest
- 4 Minutes (*Pages 3 - 6*)
To agree the Minutes of the previous meeting.
- 5 Joint Working - Appointment of a Joint Overview and Scrutiny Committee
(*Pages 7 - 10*)
Appendix 1 (Pages 11 - 12)
Appendix 2 (Pages 13 - 14)
Appendix 3 (Pages 15 - 20)
- 6 Polling District Review (*Pages 21 - 26*)
Appendix 1 - List of Current Polling Places (Pages 27 - 28)
Appendix 2 - Notice of Polling District and Polling Plan Review
(*Pages 29 - 30*)

7 Exclusion of the Public (if required)

To resolve that under Section 100(A)(4) of the Local Government Act 1972 the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part I of Schedule 12A of the Act.

Note: All Reports will be updated orally at the meeting if appropriate and may be supplemented by additional reports at the Chairman's discretion.

Membership: Governance and Electoral Arrangements Committee (CDC)

Councillors: D M Varley (Chairman)
D J Bray
J A Burton
I A Darby
A J Garth
P M Jones
N M Rose
M W Shaw
M J Stannard
H M Wallace
E A Walsh

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CHILTERN DISTRICT COUNCIL

MINUTES of the Meeting of the
GOVERNANCE AND ELECTORAL ARRANGEMENTS COMMITTEE (CDC)
held on **12 APRIL 2017**

PRESENT: Councillor E A Walsh - Chairman

Councillors: I A Darby
A J Garth
P M Jones
N M Rose
M J Stannard
D M Varley
D J Bray

APOLOGIES FOR ABSENCE were received from Councillors J A Burton, M W Shaw and H M Wallace.

ALSO IN ATTENDANCE: Councillors D W Phillips.

38 DECLARATIONS OF INTEREST

There were no declarations of interest.

39 MINUTES

The Minutes of the meeting of Governance and Electoral Arrangements Committee held on 22 February 2017 were agreed by the Committee and signed by the Chairman as a correct record.

40 REVIEW OF THE COUNCIL'S CONSTITUTION

In accordance with the agreed work plan, the Committee reviewed the Scheme of Delegations to Officers and a draft glossary of terms used in the Constitution. The proposed changes were detailed in each appendix as track changes. It was noted that throughout the Constitution, where the Cabinet had been previously referred to as "Executive", this had been amended to Cabinet.

PART 7 Scheme of Delegations to Officers

It was noted that Part 7 Section B contained a general introduction to the Scheme of Delegations to Officers together with details of the delegations to individual named officers. In the methodology, individual delegations are identified as being from either the Council or the Cabinet. The executive delegations would need to be

approved separately by Cabinet and an identical report would go to the meeting of Cabinet on 27 June for approval.

Methodology, General Limitations and General Powers

The Committee noted that this section had been updated to reflect the new joint senior management structure and the delegation numbers themselves will be consecutive and updated after the Committee agrees the detailed delegations to named officers. The General Limitations in paragraph 2 will apply to all delegations and require officers to exercise their powers strictly in accordance with approved council policies, procedures and budgetary provisions. If a delegated decision would be contrary to adopted policies and procedure rules (including for example Contract and Financial Procedure Rules) or outside approved budgets, officers must refer the decision to the Cabinet or the relevant Committee as appropriate.

The General Powers in paragraph 3 had been amended to include powers required for the day to day running of service areas and avoid duplication of certain delegations under each of the named officers. Again, the exercise of these powers must be in accordance with the Council's adopted policies and procedures and any specific conditions listed in the individual delegations.

The Committee proposed additional amendments to wording in subsections 5 and 7 to make clear the point at which Members are consulted when expenditure exceeded or fell short of the figures stated. Subsection 10 was to be amended to state that works on the Council's land would be in consultation with the relevant Cabinet and Local Members.

Detailed Delegations to Named Officers

The detailed delegations were listed by officer and covered each area of responsibility where officers are authorised to exercise delegated powers together with any conditions for exercising that power. To avoid the scheme becoming out of date when legislation changes, some powers had been delegated within overall functional descriptions where this was legally permissible. Elsewhere, it remained necessary to be specific about statutory provisions, for example, in respect of planning and licensing functions.

It was noted that officers would also be expected to consider in what circumstances it might be appropriate to consult Members such as the relevant Cabinet portfolio holder, Committee Chairman or Local Members before taking a decision. If such a Member objects to the proposed decision, the matter must be reported to the Cabinet or relevant decision-making body for consideration unless there is a specific provision for dealing with objections within a particular delegation. Furthermore, the Cabinet or relevant Cabinet Member may reserve a decision about a particular matter to them or require that an officer refrains from exercising delegated authority.

The Head of Legal and Democratic Services asked the Committee to consider whether to continue the current arrangement for Appeals and Complaints Committee to consider appeals against officer decisions on homelessness applications. This was

not a statutory requirement and the process was time consuming. Further, it was noted that at South Bucks District Council (SBDC), these appeals were considered by a senior officer. Following some discussion, Members agreed to retain the current arrangements for hearing homeless persons appeals, so that applicants had the benefit of an independent review.

It was noted that new delegations with regards to the neighbourhood plans were to be completed in consultation with the Chairman of the Governance and Electoral Arrangements Committee.

Delegations to External Bodies/Persons and the Proper Officer

These delegations mainly dealt with functions in respect of communicable diseases (which are now the responsibility of Bucks CC) and where statutes required a proper officer to be designated to act on behalf of the Council. It was noted these had been updated to reflect the current legislative position.

Glossary of Terms

A proposed glossary of terms used in the Constitution for insertion at as a new Part 10 was approved.

It was noted that Councillor A Garth entered the meeting at 6:38pm and Councillor Bray exited the meeting at 7:39pm.

Members thanked the Head of Legal and Democratic Services for the work completed on the review of the Council's Constitution.

RESOLVED

That subject to amendments agreed by the Committee that the proposed changes to the following Appendices 1 to 4, be approved:

- 1. Scheme of Delegations to Officers - Note on Methodology, General Limitations and General Powers at Appendix 1;**
- 2. Delegations to Named Officers at Appendix 2;**
- 3. Delegations to External Bodies/Persons and the Proper Officer at Appendix 3; and**
- 4. Proposed Glossary of Terms at Appendix 4.**

41 REVIEW OF JOINT APPOINTMENTS AND IMPLEMENTATION COMMITTEE AND PERSONNEL COMMITTEE

The report considered a proposal to replace the existing Joint Appointments and Implementation Committee (JAIC) and Personnel Committees at both Chiltern and South Bucks District Councils with a Joint Staffing Committee (JSC), subject to agreement of both Councils. The terms of reference for the proposed Joint Staffing Committee were set out in Appendix A. The two main functions of the JSC would be to appoint the Senior Management Team, and to oversee the joint work force in

respect of policies and procedures at the Councils. Two Sub Committees were to be established to deal with residual employment functions specific to the respective Councils and not delegated to officers.

Members recommended that the resolution state clearly that the JSC would supersede JAIC and the Personnel Committees, if all are disbanded.

RESOLVED:

That subject to Member amendments and the agreement of South Bucks District Council, be approved:

- 1. That pursuant to section 102 of the Local Government Act 1972 the Council agrees to establish a Joint Staffing Committee with South Bucks District Council with authority to exercise the Council's employment functions as set out in the terms of reference at Appendix A to this report;**
- 2. That the rules of procedure for the Joint Staffing Committee be agreed as set out in Appendix A;**
- 3. That the Joint Staffing Committee replaces and supersedes JAIC which is dissolved and the Inter Authority Agreement between the Councils be amended accordingly;**
- 4. That if a Joint Staffing Committee is established to also appoint a Sub Committee comprising the members of each respective Council on the Joint Staffing Committee to discharge employment functions specific to each Council and which are not delegated to officers; and**
- 5. The Council's Constitution be amended to reflect these changes.**

The meeting ended at 7.51 pm

SUBJECT:	Joint Working - Appointment of a Joint Overview and Scrutiny Committee
REPORT OF:	Chief Executive Bob Smith
RESPONSIBLE OFFICER	Jim Burness, Director of Resources
REPORT AUTHOR	Joanna Swift, Head of Legal and Democratic Services
WARD/S AFFECTED	None

1. Purpose of Report

To invite comments on a recommendation from Chiltern and South Bucks Joint Committee that a new joint committee be established with responsibility for discharging overview and scrutiny functions in relation to the functions delegated to the Joint Committee.

RECOMMENDATION

The Committee is invited to consider and make comments on the following recommendation from Chiltern and South Bucks Joint Committee:

Subject to receiving and considering comments from the Councils' respective Governance and Electoral Arrangements Committees and the agreement of both Councils:

- 1. That pursuant to section 102 of the Local Government Act 1972 the Councils agree to appoint a Joint Overview and Scrutiny Committee with authority to discharge the Councils' overview and scrutiny functions in relation to the functions delegated to the Chiltern and South Bucks Joint Committee as set out in the terms of reference at Appendix 1 to this report**
- 2. That the rules of procedure for the Joint Overview and Scrutiny Committee be agreed as set out in Appendix 3**
- 3. The Councils' constitutions and respective Cabinet Procedure , Access to Information and Overview and Scrutiny Procedures Rules be amended to reflect the new Joint Committee**
- 4. That the Head of Legal and Democratic Services be authorised to make the necessary amendments to the IAA to reflect the above decisions in consultation with the Chief Executive and Leaders**

2. Reasons for Recommendation

To ensure the overview and scrutiny function in relation to the next phase of joint working arrangements remains efficient and effective.

3. Content of Report

- 3.1 The Joint Committee (JC) was set up under the Inter-Authority Agreement in January 2012. Its terms of reference were amended in 2015 to include responsibility for making decisions and recommendations in relation to the Chiltern and South Bucks Joint Local Plan. These are attached at Appendix 1. Now that Phase 2 of joint arrangements is nearing completion the JC is tasked with establishing and monitoring performance indicators for the arrangements, as well as taking forward Phase 3 Stronger in Partnership and progressing the joint Local Plan. It is therefore appropriate to consider how the Councils' overview and scrutiny functions are discharged in relation to the joint working arrangements moving forward.
- 3.2 All local authorities with executive (cabinet) arrangements must have at least 1 overview and scrutiny committee with power to review cabinet decisions and make recommendations on the discharge of cabinet functions. Where certain cabinet functions are delegated to a joint committee of both Councils (as it the case for the shared service arrangements at Chiltern and South Bucks), the responsibility for discharging overview and scrutiny functions in respect of these arrangements can become unclear and fragmented. There is, for example, potential for the same JC decision or JC function to be reviewed by 2 separate committees, making different comments and recommendations and reporting back to their respective Councils.
- 3.3 One solution which has been adopted by other authorities implementing shared services is to appoint a joint scrutiny committee with specific authority to scrutinise and make recommendations on decisions taken, and functions discharged, by the Joint Committee. All the other functions discharged by the respective Cabinets at each Council would continue to be scrutinised under existing overview and scrutiny arrangements. Draft terms of reference for such a joint scrutiny committee are attached at Appendix 2. The size of the committee is matter of discretion but the recommendation is suggested that 5 members from each Council is appropriate with a quorum of 2 members from each Council. The committee cannot include members of the cabinet and political balance rules apply. It is proposed that co-Chairman be appointed and chairmanship and meeting venues will alternate.
- 3.4 The procedural rules under which a Joint Overview and Scrutiny Committee works will also need to be agreed and consequential amendments made to the current procedural rules at both Councils. Draft rules of procedure are therefore also attached at Appendix 3 for consideration. These are based on the rules which apply to the existing overview and scrutiny committees but incorporate additional provisions necessary to reflect the joint arrangements.

4. Consultation

The Governance and Electoral Arrangements Committees at both Councils are being consulted on this proposal because of the necessary amendments to both Constitutions.

5. Corporate Implications

Financial – There are no financial implications arising directly from this report

Legal – As set out in the report

Risks issues – None specific

Equalities - None specific

6. Links to Council Policy Objectives

There are no direct links to the policy objectives. But an efficient and effective decision-making process accords with best practice and good governance generally.

7. Next Steps

Comments from both Governance and Electoral Arrangements Committees will be taken account when taking the recommendation to the respective Full Councils for final approval.

Background Papers:	None except those referred to in the report
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APPENDIX 1

Joint Committee “JC”

MEMBERSHIP AND ADMINISTRATION

- The JC is a Joint Executive Committee of the Authorities, comprising six Cabinet members from each Authority.
- The venue for meetings of the JC will alternate between the Authorities’ offices and the Leader of the host Authority will chair each meeting.
- The JC meetings will be considered quorate if at least three elected members from each Authority are present.
- Detailed standing orders will be agreed by each Authority to govern the operation of the JC

RESPONSIBILITIES

The specific responsibilities of the JC are

- To review frequently (and at least on an annual basis as required by this Agreement) the operation of the Inter Authority Agreement between the Authorities and the overall delivery of the Joint Arrangements by the Authorities;
- To consider Business Cases setting out the detail of a Joint Service Proposal;
- To make Joint Decisions on behalf of each Authority following careful consideration of the relevant Business Case. Joint Decisions include:
 - a) Apportionment of the costs of the Joint Arrangements (using the methodology set out at Clause **Error! Reference source not found.**)
 - b) Arrangements for the overall structure and resourcing of the Joint Arrangements
 - c) Agreement on the annual budget for the Joint Arrangements
 - d) Consideration and resolution of any matters disputed between the Authorities
 - e) Approval of any external advisors before appointment by an Authority
- To make recommendations to each Authority in respect of Joint Decisions and on the overall way forward for the Joint Arrangements;

- To establish and monitor appropriate performance indicators for Joint Arrangements including financial and service delivery indicators;
- To consider and address any concerns about the Inter Authority Agreement or about the Joint Arrangements in general raised by each Authority;
- To ensure that members of each Authority are regularly updated on the operation and progress of the Joint Arrangements.
- To make decisions and recommendations in relation to the Chiltern and South Bucks Local Plan

OBJECTIVES

The prime purpose of the JC is to drive forward and oversee the Joint Arrangements between Chiltern and South Bucks. To achieve this overall aim, the JC shall (as part of its responsibilities):

- Oversee the development and subsequent delivery of a business case for the creation of a single senior management team (Chief Executive, Directors and Heads of Service) to serve the districts of Chiltern and South Bucks and present conclusions and recommendations to the Authorities both initially and on an ongoing basis.
- Understand the benefits gained and lessons learned from other similar successful and also failed attempts to integrate District Councils and present the findings to the Authorities.
- Recommend a mechanism/formula for the allocation of associated costs and efficiencies across the two organisations.
- Detail the risks, dependencies and resource and policy implications to the Authorities of taking this step and recommend any mitigating actions.
- Propose a communications plan to inform elected members, staff and managers in the Authorities, the media and (where and when appropriate) to residents in the relevant Districts.

Subsequently, consider the next stages of delivering efficiencies through service integration, make any necessary recommendations on the future governance of that process and if requested identify suitable services and a timetable for integration and report accordingly

APPENDIX 2

Chiltern and South Bucks Joint Overview and Scrutiny Committee (JOSC)

Enabling Powers

This Committee is established under the provisions of Section 102 of the Local Government Act 1972.

1. TERMS OF REFERENCE

The JOSC is authorised to discharge the overview and scrutiny functions of the Councils of Chiltern and South Bucks conferred by section 9E of the Local Government Act 2000 in relation to the functions delegated to the Chiltern and South Bucks Joint Committee (JC).

2. GENERAL ROLE

- a) to perform overview and scrutiny functions on behalf of the two Councils in relation to the functions delegated to the JC
- b) to appoint such Sub-Committee or Working Groups as it considers appropriated to fulfil the overview and scrutiny functions
- c) to receive each Councils' annual overview and scrutiny work programmes
- d) to receive requests from the Joint Staffing Committee and Joint Planning Policy Reference Group to carry out additional work and determine whether to proceed with such requests
- e) to make an annual report to both Councils on work undertaken and recommend the annual work programme for the next municipal year

2. RULES OF PROCEDURE

Membership of the Committee

- 2.1 The Councils shall appoint 5 members to the JOSC (politically balanced), appointed in accordance with the respective Councils local procedure rules including their period of office, vacancies arising and related matters.
- 2.2 The Committee shall be re-constituted at each Council's Annual Meeting as may be required by them
- 2.3 Each Council shall be entitled to change its appointees during the municipal year

Chairman and Vice Chairman

- 2.4 The JOSC shall elect co-Chairman at their first meeting in each municipal year. The Chairmanship of the Committee shall alternate between the Councils each meeting.

Quorum

- 2.5 The quorum of a meeting of the JOSC shall be 4 provided that there shall be 2 members present from each Council.

Venue for Meetings

- 2.6 The venue for meeting of the JOSC shall normally alternate between the Councils' offices

Amendments to the Terms of Reference (Functions and Remit)

- 2.7 The Councils may amend the terms of reference and/or membership of the JOSC from time to time. Any such amendment shall be agreed in writing by reference back to each full Council, taking into account any recommendation from the JOSC.

Application of Procedure Rules

- 2.8 Rules 5, 6, 12, 13, 16 (save for Rule 16(2) the Chairman shall not have a casting vote), 17, 18, 19, 20 and 21 the South Bucks District Council Procedure Rules shall apply to the meetings of the JOSC, and which for the avoidance of doubt are the same as Rules 5, 6, 11, 12, 14 (save for Rule 14(2), the Chairman shall not have a casting vote), 15, 16, 17, 18 and 19 of the Chiltern District Council or in so far as they include additional provisions or more generous provisions i.e. time limits on speeches, the additional and more generous rules shall so apply.

APPENDIX 3

Joint Overview and Scrutiny Procedure Rules

1. Application of Rules

These Rules apply to the Joint Overview and Scrutiny Committee ("JOSC") and any ad hoc Sub-Committees of the JOSC.

2. Terms of Reference and Membership

- 2.1 The Councils' will have a JOSC to discharge the overview and scrutiny functions of both Councils in relation to the functions delegated to the Chiltern and South Bucks Joint Committee ("JC") and appoint members to the JOSC on an annual basis.
- 2.2 The JOSC may appoint such Sub-Committees or Working Groups as it sees fit.
- 2.3 The JOSC will comprise five members from Chiltern District Council and five members from South Bucks District Council and shall not include members of either Council's Cabinet.
- 2.4 Any members (except members of the Cabinet) may be members of the JOSC. However, no members may be involved in scrutinising a decision in which they have been directly involved, for example as a decision-maker or advisor.

3. Meetings

- 3.1 There shall be at least four Ordinary Meetings of the JOSC in each Council year.
- 3.2 In addition, Extraordinary Meetings of the JOSC may be called from time to time as and when appropriate. An Extraordinary Meeting of JOSC may be called by :-
 - a) the Joint Chairman, in agreement, requesting in writing that the Director of Resources call a meeting, or
 - b) any four Committee Members, being at least one from each Council, signing a requisition and presenting it to the Joint Chairmen.If the Joint Chairman fail to call a meeting within 7 calendar days of receiving a requisition under b) above the Committee Members may provide notice in writing to the Director of Resources, who will comply with that request unless he/she considers that the matter can be dealt with at the next Ordinary Meeting.
- 3.3 The quorum for meetings of the JOSC shall be four and include at least two members from each Council.
- 3.4 The JOSC shall elect co-Chairman at their first meeting in each Council year. The Chairmanship of the Committee shall alternate between the Councils each meeting.
- 3.5 The venue for meetings of the JOSC shall normally alternate between the Councils' offices

- 3.6 Meetings will be conducted in accordance with the following Council Procedure Rules :- Rules 5, 6, 12, 13, 16 (save for Rule 16(2) the Chairman shall not have a casting vote), 17, 18, 19, 20 and 21 the South Bucks District Council Procedure Rules shall apply to the meetings of the JOSC, and which for the avoidance of doubt are the same as Rules 5, 6, 11, 12, 14 (save for Rule 14(2), the Chairman shall not have a casting vote), 15, 16, 17, 18 and 19 of the Chiltern District Council or in so far as they include additional provisions or more generous provisions i.e. time limits on speeches, the additional and more generous rules shall so apply
- 3.7 All meetings will be in public in accordance with the Access to Information Rules except when confidential or exempt items of business (as defined in Section 100C of the Local Government Act 1972), are under consideration.

4. Work Programme

- 4.1 The JOSC will be responsible for proposing its own work programme and in so doing shall take into account the views of all members of the Committee regardless of political group.
- 4.2 Approval of the JOSC work programme is the responsibility of the Councils and will be considered and determined by each Council at their May meetings each year, for the following Council year.
- 4.3 Items may be added to the work programme during the year where appropriate. Requests for the inclusion of additional matters will initially be considered by the Joint Chairmen having regard to the Councils' joint strategic objectives and the ability of the JOSC to have influence or add value on the subject. A recommendation on a request will be made to the next JOSC meeting for consideration and determination. Consideration should also be given to the capacity of the Committee and resources available. Any changes to the work programme should be reported to the Councils' mid-year for noting.

5. Agenda Items

- 5.1 A member of the JOSC shall be entitled to request that an item be added to the work programme in accordance with paragraph 4.3 above. Should the Joint Chairmen fail to include the item on the agenda at the next available meeting the member may give written notice to the Director of Resources that they wish an item relevant to the functions of the JOSC to be considered by the Committee. On receipt of such a request the Director of Resources will ensure that it is included on the agenda for the next available meeting.
- 5.2 Any member of the Council who is not a member of the JOSC may, on a maximum of four occasions in any Council year, give written notice to the Director of Resources that they wish an item relevant to the functions of the JOSC to be included on the agenda for the next available meeting of the Committee. On receipt of such a request the Director of Resources shall consult the Joint Chairmen who will follow the procedure in paragraph 4.3 above. Should the Joint Chairmen fail to include the item on the agenda at the next available meeting of the Committee the member may give written notice to the Director of Resources that they wish an item relevant to the functions of the JOSC to be considered by the Committee. On receipt of such a request the Director of Resources will ensure that it is

included on the agenda for the next available meeting. The Committee will then consider whether or not to include the item on the work programme. If the Committee decides not to include the item the member will be notified of the reasons.

- 5.3 The JOSC shall also consider any request from the Councils or the JC to undertake scrutiny review or policy development work on their behalf and shall adjust its work programme to the extent necessary to carry out such a review or development. If the work was requested by the JC, the reporting back of the findings and recommendations will be in accordance with Rule 7 below. If the review was requested by the Councils, the JOSC's report with its findings and recommendations will be provided to the Director of Resources who shall include the report on the agenda for the next available meetings of the respective Councils.
- 5.4 With the prior consent of the Cabinet Leaders the JOSC may consider a report relating to the discharge of a JC function prior to the matter being considered by the JC.
- 5.5 Where a report is considered by the JOSC prior to the matter being considered by the JC in accordance with Rule 5.4 above:
- 1) Rule 10 (Call-In) shall no longer apply to any decision subsequently made by the JC on that report; and
 - 2) Rule 6 below shall not apply and the JC will be notified of the recommendations of the JOSC by the Director of Resources appending a copy of the minutes of the JOSC to the officer's report or tabling a copy of the minutes at the meeting of the JC.

6. Reports from JOSC to the JC

- 6.1 Once the JOSC in exercise of its overview and scrutiny role has formed a recommendation in relation to any matter falling within its terms of reference and which relates to a JC function, the Joint Chairmen will prepare a formal report (called a "Joint Chairmen's Report") and submit it to the Director of Resources for consideration by the JC. The Director of Resources will, subject to Rule 6.3 below, place it on the agenda for the next available meeting of the JC.
- 6.2 The JC will consider the Joint Chairmen's Report at its next scheduled meeting, unless the matter is urgent when the Director of Resources shall convene a meeting of the JC in order that a report on the urgent matter can be considered.
- 6.3 If for any reason the JC fails to consider a Joint Chairmen's Report at the scheduled JC meeting the report will stand referred for discussion at the next Ordinary Meetings of the Councils.
- 6.4 Once a Joint Chairman's Report been considered by the JC, the Cabinet Leaders will respond in writing (called a "JC Response") and provide a copy to the Director of Resources, giving the concluded views of the JC thereon. The Director of Resources will place the JC Response on the agenda for the next available meeting of the JOSC.

7. Rights of Overview Committee Members to Documents

- 7.1 In addition to their rights as Members of the Council, Members of the JOSC will have the additional rights to documents and to notice of meetings of the JC as accorded to members of overview and scrutiny committees described in the Access to Information Rules of the Councils' respective Constitutions.

8. Members and Officers Giving Account

- 8.1 The JOSC may scrutinise and review decisions made or actions taken in connection with the discharge of any JC functions falling within its Terms of Reference. In addition to reviewing documentation, it may require the Cabinet Leaders and any member of the JC, the Head of Paid Service and any Director or Head of Service to attend before it to explain, in relation to matters within their remit :-

- 1) Any particular decision or series of decisions;
- 2) The extent to which the actions taken implement Council policy; and/or their performance;
- 3) And it is the duty of those persons to attend if so required.

- 8.2 Where any Member or officer is required to attend a meeting of the JOSC under this provision, the Joint Chairmen of JOSC will notify the Director of Resources in writing. The Director of Resources will then notify the Member or officer concerned giving at least 7 days' notice of the meeting at which he/she is required to attend. The notice will state the nature of the item on which he/she is required to attend to give account and whether any papers are required to be produced for the Committee. Where the account to be given to the Committee would require the preparation of a report, then the Member or officer concerned will be given sufficient notice to allow for this to be done.

- 8.3 Where, in exceptional circumstances, a Member or officer is unable to attend on the required date, then the JOSC shall in consultation with the Member or officer concerned, arrange an alternative date for attendance to take place within a maximum of six weeks from the date of the original request.

9. Attendance by Others

- 9.1 The JOSC may invite persons other than those referred to in Rule 8 above to address it and/or answer questions. It may for example wish to hear from residents, stakeholders and members and officers in other parts of the public sector. In respect of Council officers this shall not extend to officers below Head of Service level without the agreement of the Head of Paid Service or relevant Director.

10. Call-In of a JC Decision

- 10.1 When a decision is made by the JC and the decision has been published on the Council's website and made available in accordance with the Access to Information Procedure Rules, subject to the provisions of this paragraph, it is subject to call-in.
- 10.2 The record of decision will include the date on which it is published and subject to general exceptions, will specify the date on which the decision will come into force, and may be implemented unless called in.
- 10.3 A decision may be called in:-:
 - 1) If it conflicts with the Councils' joint policies;
 - 2) If it conflicts with the Councils' budget strategy; and
 - 3) There is evidence to suggest the principles of decision-making as set in the Councils' constitutions have not been complied with (for example the absence of consultation).
- 10.4 During the period between a decision being made and coming into force:
 - 1) The Democratic and Electoral Services Manager shall call-in a decision for scrutiny if any three Members in total from either Council, submit to the Democratic and Electoral Services Manager by email to democraticservices@ southbucks.gov.uk, a request for a matter to be called in. Such a request is to be made by 5.00pm on the fifth clear working day from the day on when the record of decision is published. The request must include the reasons for the call-in
 - 2) Upon receipt of the request the Democratic and Electoral Services Manager shall consult with the co-Chairman and shall determine whether or not the call-in is in accordance with the requirements of these rules. The Democratic and Electoral Services Manager shall notify the Members who made the request of the determination within 2 clear working days of the request being received
 - 3) If the call-in is accepted the JC decision will be put on hold pending referral to the JOSC
 - 4) The Director of Resources shall within 10 clear working days of the call-in being accepted, after consultation with the co-Chairman, call a meeting of the JOSC. Such meeting is to be held on such date as the Director of Resources shall determine, but to be held as soon as is reasonably practicable.

11. Call-In and Urgency

- 11.1 The call-in procedure set out in Rule 10 above shall not apply where the decision being taken by the JC is urgent. A decision will be regarded as urgent if a delay in implementation would be highly likely to result in significant loss of income, additional expenditure or reputational damage or prevent the Councils from meeting their legal obligations.

- 11.2 The record of a decision made by the JC shall state why it is reasonable in all the circumstances to treat the decision as an urgent one, and therefore not subject to call in.
- 11.3 Decisions in accordance with this procedural rule must be reported to the next available meetings of each Full Council.

13. Procedure at Overview Committee Meetings

- 13.1 A JOSC meeting shall consider the following business in the following order:
- 1) Minutes of the last meeting;
 - 2) Declarations of interest (including disclosable pecuniary and personal interests);
 - 3) Consideration of any matter referred to the Committee for a decision in relation to call-in of a decision
 - 4) A Cabinet Response to a co- Chairman's Report; and
 - 4) The business otherwise set out on the agenda for the meeting.
- 13.2 JOSC meetings are to be conducted in accordance with the following principles :-
- 1) The scrutiny will be conducted fairly and all members of the Committee will be given the opportunity to ask questions of attendees and to contribute and speak;
 - 2) That those assisting the Committee by giving evidence will be treated with respect and courtesy; and
 - 3) That the meeting will be conducted so as to maximise the efficiency
 - 4) To be constructive and positive, adopting non-confrontational and inquisitorial techniques
- 13.3 A member who has raised a matter referred to the JOSC may attend the meeting of the Committee where the matter is discussed unless the matter to be discussed includes confidential or exempt information. The Committee will in any event notify the relevant member of its decision and the reasons for it – subject the exclusion of confidential or exempt information.
- 13.4 Where the JOSC completes its consideration of a matter it will decide whether to make any recommendations to Cabinet/Council/publish its report.

SUBJECT:	<i>Review of Polling Districts and Polling Places</i>
REPORT OF:	<i>Mike Stannard, Portfolio Holder for Support Services</i>
RESPONSIBLE OFFICER	<i>Joanna Swift, Head of Democratic & Electoral Services</i>
REPORT AUTHOR	<i>Mat Bloxham, Senior Democratic & Electoral Services Officer, mbloxham@chiltern.gov.uk</i>
WARD/S AFFECTED	<i>The recommendations in this report are not ward specific</i>

Purpose of Report

1. To highlight the requirement for the Council to review the polling districts and polling places within the district, and report on the process for undertaking consultation and considering representations received for the next review.

RECOMMENDATIONS

1. **That Members note the requirement for the review of polling districts and polling places.**
2. **That the proposed timetable for carrying out the necessary consultation and consideration of comments and representation is noted.**

Reasons for Recommendations

2. The Council is required by the Electoral and Administration Act 2013 to next review the UK Parliamentary polling districts and polling places in its area between 1 October 2018 and 31 January 2020. Local authorities can also carry out a review of all or some polling districts and polling places at other times.
3. In light of the UKPGE that was held on 8 June 2017 it is considered timely to carry out a review now so that any proposed changes can take effect for future elections.

Content of Report

4. Electors within the District, or within the parliamentary constituency, may make a representation concerning any views regarding the existing structure of polling districts, polling places and access to polling stations.
5. To assist in understanding this report the following definitions may be helpful:

Parliamentary Constituency

6. The area designated by the Boundary Commission which is represented by a Member of Parliament (MP) in the House of Commons. This cannot be changed by

the review – it is the division of the constituency into polling districts and places that is under review.

Wards

7. The District is divided into areas known as “Wards” which are represented by District Ward Councillors. Ward boundaries cannot be changed by this review – it is the division of wards into polling districts and polling places that is under review.

Electoral Divisions

8. Similar to District Wards (see above), but defining the areas represented by County Councillors.

Polling Districts

9. A polling district is the area created by the separation of a ward into smaller parts, within which a polling place can be determined which is most convenient for the electors.

Polling Places

10. A polling place is the area or building in which the number of polling stations will be selected by the (Acting) Returning Officer.

Polling Station

11. A polling station is the room or area in which voting takes place. This must be located within the polling place that has been designated for the particular polling district. The number of polling stations to be accommodated within a polling place is the decision of the (Acting) Returning Officer for the election.

Criteria for Polling Places and Polling Districts

12. As part of the assessment of the suitability of polling district boundaries, the following should be considered:
 - Are the boundaries well defined? For example. Do they follow the natural boundaries of the areas? If not, is it clear which properties belong in the polling district?
 - Are there suitable transport links within the polling district, and how do they relate to the areas of the district that are most highly populated?

- Are there any obstacles to voters crossing the current polling district and reaching the polling place e.g. steep hills, impassable major roads, railway lines, rivers?
13. There are also a number of factors that must be considered when reviewing existing polling places or assessing new polling places, including:
- The location: is it reasonably accessible within the polling district? Does it avoid barriers for the voter such as steep hills, major roads, rivers, etc.? Are there any convenient transport links?
 - Size: if required, can the polling place accommodate more than one polling station? If multiple polling stations are required, is the polling place ample enough to accommodate all voters going into and out of the polling stations, even where there is a high turnout?
 - Suitability: is the building readily available in the event of any unscheduled elections? Is there any possibility that the building may be demolished as part of a new development? Is the building accessible to all those entitled to attend the polling place?
14. The Electoral Commission recognises that the choice of polling station will often be a balance between the quality of the building, in terms of access and facilities, and the proximity of the building to the electors it is intended to serve; and that there may be circumstances where the polling place might fall wholly or partly outside the polling district because suitable alternatives are not available in the relevant area.
15. Although the Council seeks to avoid the use of schools where possible, there may be locations where there are no other suitable premises in the area. For the purposes of elections, the (Acting) Returning Officer is entitled to use free of charge, subject to covering the cost of heating, lighting and caretaking charges, schools maintained or assisted by a local authority as well as those schools that receive grants made up of monies provided by Parliament.
16. In conducting this review, it is proposed that, in order to minimise the risk of long queues at a polling station, as far as possible, that no more than 2500 voters should be assigned to a polling station for local elections. It should be noted that the number of postal voters in each polling district is a relevant consideration in this regard. In the event of a combined and/or Parliamentary Election, given more complex arrangements and higher voter turnout, it may be necessary to review these numbers. In all circumstances, consideration is given to whether a polling place is capable of accommodating more than one polling station if necessary.

The Role of Chief Executive as the (Acting) Returning Officer

17. Whilst it is for the Council to decide on the creation of polling districts and the location of polling places, it is for the (Acting) Returning Officer to decide how many polling stations are required for each polling place. The (Acting) Returning Officer must allocate electors to the polling stations in such manner as he or she thinks most conducive to the smooth running of polling day. The Council must consult the (Acting) Returning Officer as part of the review and the (Acting) Returning Officer must comment during any review on both the existing polling places and polling stations; and on any proposed changes.

Consultation Process

18. Electors in the Constituency and all of the following will be invited to make comments or representations on the designation of polling districts or places.
- The (Acting) Returning Officer for Chesham and Amersham Parliamentary Constituency
 - The Member of Parliament for Chesham & Amersham Parliamentary Constituency
 - Buckinghamshire County Council
 - Buckinghamshire County Councillors representing divisions within Chiltern District
 - Chiltern District Councillors
 - Town and Parish Councils within Chiltern District
 - Registered Political Parties and Election Agents

Proposed Timetable for Completion of the Review

19. The revised Polling District Places Order must be approved and published by 31 January 2020 to meet the legal duty of completing the review every subsequent fifth year.

As detailed in paragraph 2 the proposed timetable is as follows:

Notice of Review published (Review begins) and contact all consultees	19 July 2017
Deadline for receiving public comments and submissions	31 August 2017
Publication of Returning Officer's consultation papers for proposed and existing polling places	25 September
Deadline for receiving public comments and submissions for Returning Officer's consultation papers.	Friday 27 October

Returning Officer's provisional decisions presented to the Governance and Electoral Arrangements Committee	November 2017
The Governance and Electoral Arrangements Committee makes recommendations to Council concerning the outcome of the review	February 2018
Council approves updated Schedules of Polling Districts and Polling Places	February 2018

Challenging the Review

20. The Representation of the People Act 1983 makes provision for the Electoral Commission to consider any representations and observations that a Council has failed to conduct a proper review and may direct the relevant Council to make any alterations it sees necessary to the polling places designated by the review. Should a Council fail to make the alterations within two months of the direction being given, the Commission may make the alterations itself.

Action to date

21. **May-June 2017** – During the County Council elections held on 4 May and the UKPGE held on 8 June Polling Station Inspectors and Presiding Officers completed records to assist the review of polling districts and polling places. The current list of polling stations is attached at **Appendix 1**.
22. **August 2017** – commencement of the Consultation Process and contact with the consultees as listed above. The Notice of Review attached at **Appendix 2** was published on 19 July 2017.

Next Steps

23. Following the public consultation on the review the Returning Officer will then publish the consultation papers for the current and proposed polling places. The Returning Officer's provisional decisions will then be presented to the Governance & Electoral Arrangements Committee in November 2017 for consideration. The Governance and Electoral Arrangements Committee's final recommendations will then be considered by Full Council on 28 February 2018.

Options

24. The Council is not required to start the next review of polling places and polling districts until 1 October 2018 however it is considered timely to carry out the review earlier to enable the consideration of changes that could improve the accessibility of some polling places.

Corporate Implications

25. Financial – The review will be conducted within existing budgets
26. Legal – The Council has the power to review polling districts and polling places at times other than the compulsory review period.

Links to Council Policy Objectives

27. The proposed review of polling districts and polling places supports the Council's Key Objective: delivering cost-effective, customer focused services.

Background Papers:	None, other than those referred to in the report.
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Reference	District(s)	Polling Place	Elector Count	Postal voter electorate
58			71654	
1	CA	Amersham Common Village Hall, 24 White Lion Road, Amersham	1994	
2	CB	St John's Methodist Church Hall, 60 Woodside Road, Amersham	1834	
3	CB	St John's Methodist Church Hall, 60 Woodside Road, Amersham	1825	
4	CC	Royal British Legion Hall, 58 Whielden Street, Amersham	1994	
5	CC1	Royal British Legion Hall, 58 Whielden Street, Amersham	1599	
6	CD	Wallington House, Wallington Road, Chesham	1486	
7	CDA	Chesham Adult Learning Centre, Chiltern Hills Academy, Chartridge Lane	2231	
8	CE	Ashley Green Memorial Hall, Two Dells Lane, Ashley Green	507	
9	CEA	Whelpley Hill Coronation Hall, Grove Lane, Chesham	289	
10	CEB	Chenies Baptist Church Hall, The Manse, Chenies	194	
11	CEC	Ley Hill Memorial Hall, The Green, Ley Hill	538	
12	CED	Latimer Place, Latimer, Nr Chesham	277	
13	CF	All Saints Church Hall, Oval Way, Chalfont St Peter	1725	
14	CG	Chartridge Village Hall, Chartridge Lane, Chartridge	792	
15	CGA	Ballinger War Memorial Hall, Village Road, Ballinger	971	
16	CH	Chalfont St Peter Parish Church Hall, Church Lane, Chalfont St Peter	1747	
17	CH	Chalfont St Peter Parish Church Hall, Church Lane, Chalfont St Peter	1545	
18	CJ	Recreation Hall, Epilepsy Society, Chesham Lane	1671	
19	CJ	Recreation Hall, Epilepsy Society, Chesham Lane	1598	
20	CK	The Memorial Hall, School Lane, Chalfont St Giles	2004	
21	CK	The Memorial Hall, School Lane, Chalfont St Giles	1982	
22	CKA	Jordans Village Hall, Green West Road, Jordans	518	
23	CKB	Little Chalfont Community Library, Cokes Lane, Little Chalfont	930	
24	CL	Hervines Park Pavilion, Hervines Road, Amersham	1625	
25	CLA	St Leonard's Parish Centre, Glebe Way, Chesham Bois	1295	
26	CLA	St Leonard's Parish Centre, Glebe Way, Chesham Bois	1075	
27	CM	Bellingdon and Asheridge Village Hall, Chesham Road, Bellingdon	536	
28	CMA	Cholesbury Village Hall, Cholesbury Common	354	
29	CMB	St Leonards Parish Hall, Jenkins Lane, St Leonards	443	
30	CMC	The Lee Parish Hall, Lee Clump Road, Lee Common	590	
31	CN	Gold Hill Baptist Church Hall, Gold Hill East, Chalfont St Peter	1676	
32	CO	Great Missenden Memorial Centre, Link Road, Great Missenden	1746	
33	CP	Brushwood Junior School, Brushwood Road, Chesham	1422	
34	CPA	Chesham Methodist Church, Bellingdon Road, Chesham	1275	
35	CPB	The White Hill Centre, White Hill, Chesham	828	
36	CQ	The Church Centre, Featherbed Lane, Holmer Green	1828	
37	CQ	The Church Centre, Featherbed Lane, Holmer Green	1514	
38	CR	Little Chalfont Village Hall, Cokes Lane, Little Chalfont	1522	
39	CR	Little Chalfont Village Hall, Cokes Lane, Little Chalfont	1513	
40	CR1	Little Chalfont Primary School, Oakington Avenue, Little Chalfont	907	
41	CS	Little Missenden Village Hall, Village Road, Little Missenden	207	
42	CS	Little Kingshill Village Hall, Windsor Lane, Little Kingshill	895	
43	CSB	Hyde Heath Village Hall, Brays Lane, Hyde Heath	844	
44	CT	Newtown County Infant School & Nursery, Berkhamstead Road, Chesham	1829	
45	CU	Coleshill Village Hall, Barracks Hill, Coleshill	457	
46	CUA	Holy Trinity Church Hall, Church Road, Penn	708	
47	CUB	Knotty Green Cricket Club Pavilion, Forty Green Road, Knotty Green	1793	
48	CUC	Winchmore Hill Memorial Hall, The Common, Winchmore Hill	469	
49	CUD	The Village Hall, Penn Street, Amersham	164	
50	CV	Prestwood Village Hall, 1 Wycombe Road, Prestwood	2170	
51	CV	Prestwood Village Hall, 1 Wycombe Road, Prestwood	2270	
52	CVA	Little Kingshill Baptist Church Hall, Windsor Lane, Little Kingshill	675	
53	CW	Hivings Free Church, Upper Belmont Road, Chesham	1819	
54	CX	Seer Green Baptist Church, Wood Pond Close, Seer Green	1771	
55	CY	Chesham Town Hall, Baines Walk, Chesham	1220	
56	CYA	Christ Church Hall, Waterside, Chesham	1203	
57	CYA	Christ Church Hall, Waterside, Chesham	1230	
58	CZ	Newtown County Infant School & Nursery, Berkhamstead Road, Chesham	1530	



CHILTERN District Council

NOTICE OF REVIEW OF POLLING DISTRICTS AND POLLING PLACES

Pursuant of the Electoral Registration and Administration Act 2013 Chiltern District Council is conducting a review of all polling districts and polling places within the Chiltern District Area in the **Chesham & Amersham** parliamentary constituency.

We are looking for feedback on any aspect of the allocated polling area or polling stations used and invite representation and comments from interested persons. Local political parties and Councillors will be consulted and views are invited from residents as well as such persons as may have particular expertise in relation to access to premises or facilities for persons who have different forms of disability, as well as local community groups.

Any elector in the Council's area can make representation, which may include proposals for specified alternative polling places. Please note this is not a review of District Ward boundaries.

Representations should be sent in writing by 31st August 2017 to:

**Electoral Services
King George V House
King George V Road
Amersham
HP6 5AW**

Or

elections@chiltern.gov.uk

All submissions, correspondence, minutes and decisions relating to the review will be made public on council's website (www.chiltern.gov.uk) as the review progresses. It is expected that the Council's final decisions on the review will be made by November 2017.

Information regarding the current polling districts and places can be found online at www.chiltern.gov.uk/pollingplace2017

Bob Smith, Electoral Registration Officer

