



Governance and Electoral Arrangements Committee (CDC)

Wednesday, 27 June 2018 at 6.30 pm

**Large & Small Committee Room, King George V House, King George V
Road, Amersham**

A G E N D A

Item

1 Evacuation Procedures

2 Apologies for Absence

3 Minutes (*Pages 3 - 6*)

To approve the minutes of the Governance and Electoral Arrangements Committee held on 30 January and 15 May 2018.

4 Declarations of Interest

5 Polling District & Place Review (*Pages 7 - 10*)

Appendix: Polling District & Polling Places Review (Pages 11 - 14)

Appendix 1 - Proposals (Pages 15 - 32)

Appendix 2: Submissions (Pages 33 - 34)

6 Council Procedure Rules (*Pages 35 - 38*)

Appendix 1: Proposed Council Procedure Rules (Pages 39 - 42)

Appendix 2: Planning Committee Minutes Example (Pages 43 - 46)

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 item(s) of business on the grounds that it involves 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 Varley (Chairman)
D Bray
J Burton
I Darby
P Jones
N Rose
M Shaw
M Stannard
H Wallace
E Walsh
J Waters

Date of next meeting – Tuesday, 29 January 2019

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CHILTERN DISTRICT COUNCIL

MINUTES of the Meeting of the
GOVERNANCE AND ELECTORAL ARRANGEMENTS COMMITTEE (CDC)
held on **30 JANUARY 2018**

PRESENT: Councillor D Varley - Chairman

Councillors: D Bray
J Burton
P Jones
N Rose
M Shaw
H Wallace

APOLOGIES FOR ABSENCE were received from Councillors I Darby, A Garth, M Stannard and E Walsh

5 DECLARATIONS OF INTEREST

There were no declarations of interest.

6 MINUTES

The minutes of the meeting of the Governance & Electoral Arrangements Committee held on 6 September 2017 were agreed as a correct record.

Members were advised that the polling district review referred to at Item 4 of the minutes had not yet been started due to a number of by-elections that had taken place and changes in staffing. It was noted that individual ward Members affected by the review would be contacted, and the Committee would receive an update once the review had commenced.

Note: Councillor M Shaw entered the meeting at 6.37 pm.

7 ANNUAL REVIEW OF THE COUNCIL'S CONSTITUTION

The Committee undertook an annual review of the Council's Constitution to ensure that it remained up to date and fit for purpose. The proposed amendments included references to organisational changes that had taken place since the last review in June 2017 and updates required to clarify provisions. During the discussion the following points were made:

- A concern was raised over the need to formally update the Constitution every time a change was made to Cabinet portfolios or officer titles. Members felt that as Cabinet portfolios were a responsibility of the

Leader, updates to these should not be included in the Constitution. It was suggested that the list of current Cabinet portfolios and officer titles be made available to the public on the Council's website and that this list be updated annually. The Head of Legal and Democratic services agreed to raise this suggestion with the Leader although it was also noted that as the Constitution was now kept electronically it was easier to update.

- With reference to Part 3 Section G Terms of Reference for Standing Committees, a concern was raised over the proposed amendment to the number of planning committees being lowered from 16 to 14. Members felt that as the move to 4 weekly meetings was being carried out on a trial basis the Constitution should not be amended until the change had been agreed on a permanent basis.

Members were advised that on this occasion it was not necessary for the proposed changes to be submitted to Cabinet for approval in addition to Full Council, as set out in the report.

RECOMMENDED that the proposed revisions to the Constitution as set out in the report be agreed subject to the amendments referred to in the minute above.

Note: Councillor H Wallace entered the meeting at 7.01 pm.

The meeting ended at 7.11 pm

CHILTERN DISTRICT COUNCIL

MINUTES of the Meeting of the
GOVERNANCE AND ELECTORAL ARRANGEMENTS COMMITTEE
held on **15 MAY 2018**

PRESENT: Councillors D Varley
D Bray
J Burton
I Darby
P Jones
N Rose
M Stannard
H Wallace
L Walsh
J Waters

APOLOGIES FOR ABSENCE were received from Councillor M Shaw

8 ELECTION OF CHAIRMAN

It was proposed by Councillor D Bray, seconded by Councillor J Burton, and

RESOLVED:

That Councillor D Varley be elected Chairman of the Governance and Electoral Arrangements Committee for the year 2018/19.

The meeting ended at 7.37 pm

SUBJECT	Polling District and Polling Place Review
REPORT OF	Governance & Electoral Arrangements Committee Chairman - Councillor Diana Varley
RESPONSIBLE OFFICER	Head of Legal & Democratic Services, Joanna Swift
REPORT AUTHOR	Mat Bloxham, 01494 732143, mbloxham@chiltern.gov.uk
WARD/S AFFECTED	Gold Hill; Newtown; Little Chalfont; Cholesbury the Lee & Bellingdon; Prestwood & Heath End; and Little Missenden

1. Purpose of Report

A voluntary review of polling district and polling places commenced on 19 July 2017 following comments received at the UK Parliamentary Election held on 8 June 2017. This report sets out the recommendations of the Acting Returning Officer following the review.

RECOMMENDATIONS:

To recommend to Full Council to re-designate:

- 1) Chalfont St Peter Leisure Centre as the polling place for polling district 'CN - Gold Hill'
- 2) Newtown Baptist Church as the polling place for polling district 'CT- Newtown'
- 3) Little Chalfont Methodist Church as the polling place for polling district 'CR1- Little Chalfont North East'
- 4) Cholesbury Village Hall as the polling place for polling districts 'CMA- Hawridge ' and 'CMB- St Leonards'
- 5) Little Kingshill Village Hall as the polling place for polling districts 'CS – Little Kingshill & Little Missenden' 'CVA – Prestwood & Heath End (2)'

2. Reasons for Recommendations

Following the recent review of polling district and polling places the above recommendation aims to ensure that suitable locations are in place for polling purposes.

3. Content of Report

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.

In response to comments received at the UK Parliamentary election that was held on 8 June 2017 it was considered appropriate carry out a review so that proposed changes can take effect in time for future elections.

The Review commenced on 19 July 2017 and the attached report, issued by the Acting Returning Officer (ARO), sets out his recommendations as well as the representations received during the public consultation. The public and interested parties could submit comments and submissions relating to the Acting Returning Officer's recommendations up until 8 June 2018.

Members are asked to consider the recommendation in the attached report, and recommend that this be agreed by Full Council on 24 July 2018.

4. Consultation

The Notice of Review of Polling Districts and Places was published on 19 July 2017 which invited public comments and submissions by 13 March 2018.

Publication of ARO's report for proposed and existing polling places took place on 18 May 2018 and a further opportunity to comment was provided until 8 June 2018.

5. Options

The Committee can decide whether to agree the proposed re-designations as set out in the attach report.

7. Corporate Implications

7.1 Financial

There are no direct financial implications arising from this report.

7.2 Legal

The Review has been carried out in accordance with the Electoral and Administration Act 2013 and Representation of the People Act 1983.

8. Links to Council Policy Objectives

The recommendations in the report support the delivery of the Council's aims and objectives.

9. Next Steps

Subject to agreement by the Governance & Electoral Arrangements Committee and Full Council the required changes will be made to re-designate the polling places referred to in the report.

Background Papers:	None other than those referred to in the report.
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CHILTERN

District Council

Polling District and Place Review 2017/18

Summary

Pursuant of the Electoral Registration and Administration Act 2013, the District Council is required to undertake a review of parliamentary polling districts and places. 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.

The Review commenced on 19 July 2017 and this report, issued by the Acting Returning Officer sets out his recommendations as well as the representations received during the public consultation. The public and interested parties are welcome to submit further comments and submissions relating to the Acting Returning Officer's recommendations set out in this report by 8 June 2018. The Acting Returning Officer's recommendations will be presented to the Governance and Electoral Arrangements Committee on 27 June 2018. The Review will conclude with the Committee making final recommendations at Council on 24 July 2018.

The full timetable is as follows:

Polling District and Place Review 2017-18 Timetable	
Proceedings	Time and Date
Publication of Notice of Review of Polling Districts and Places	19 July 2017
Deadline for receiving public comments and submissions	13 March 2018
Publication of ARO's report for proposed and existing polling places	18 May 2018
Deadline for receiving public comments and submissions relating to the ARO's report	8 June 2018
ARO's provisional decisions presented to the Governance and Electoral Arrangements Committee	27 June 2018
Full Council to consider the Governance and Electoral Arrangements Committee's recommendations concerning the outcome of the Review	24 July 2018

The remit of the Review

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. In response to comments

received at the UK Parliamentary election that was held on 8 June 2017 it is considered appropriate carry out a review so that proposed changes can take effect in time for future elections.

There is an obligation for the Council to ensure that polling stations are suitable and for all electors.

The requirements are that:

1. Electors have such reasonable facilities for voting as are practicable in the circumstances, and
2. As far as is reasonable and practicable, that polling places are accessible to all electors, including those who are disabled, and when designating a polling place, have regard to the accessibility needs of disabled persons.

Recommendations

The Acting Returning Officer's recommendations to the Electoral and Governance Arrangements Committee in June 2018 are as follows:

- 1) To re-designate Chalfont St Peter Leisure Centre as the polling station for polling district 'CN - Gold Hill'
- 2) To re-designate Newtown Baptist Church as the polling station for polling district 'CT- Newtown'
- 3) To re-designate Little Chalfont Methodist Church as the polling station for polling district 'CR1- Little Chalfont North East'
- 4) To re-designate Cholesbury Village Hall as the polling station for polling districts 'CMA- Hawridge ' and 'CMB- St Leonards'
- 5) To re-designate Little Kingshill Village Hall as the polling station for polling districts 'CS – Little Kingshill & Little Missenden' 'CVA – Prestwood & Heath End (2)'

The Acting Returning Officer's proposals and considerations are summarised in *Appendix 1*.

The comments and submissions from the consultation period are summarised in *Appendix 2*.

Definition of Terms

- A polling district is a geographical area created by the sub-division of a parliamentary constituency or ward into smaller parts.
- A polling place is the building or area in which polling stations will be located.
- A polling station is the area within the polling place where voting takes place.

If you have any questions or comments please contact the Elections Office:

Electoral Services

King George V House

King George V Road

Amersham

HP6 5AW

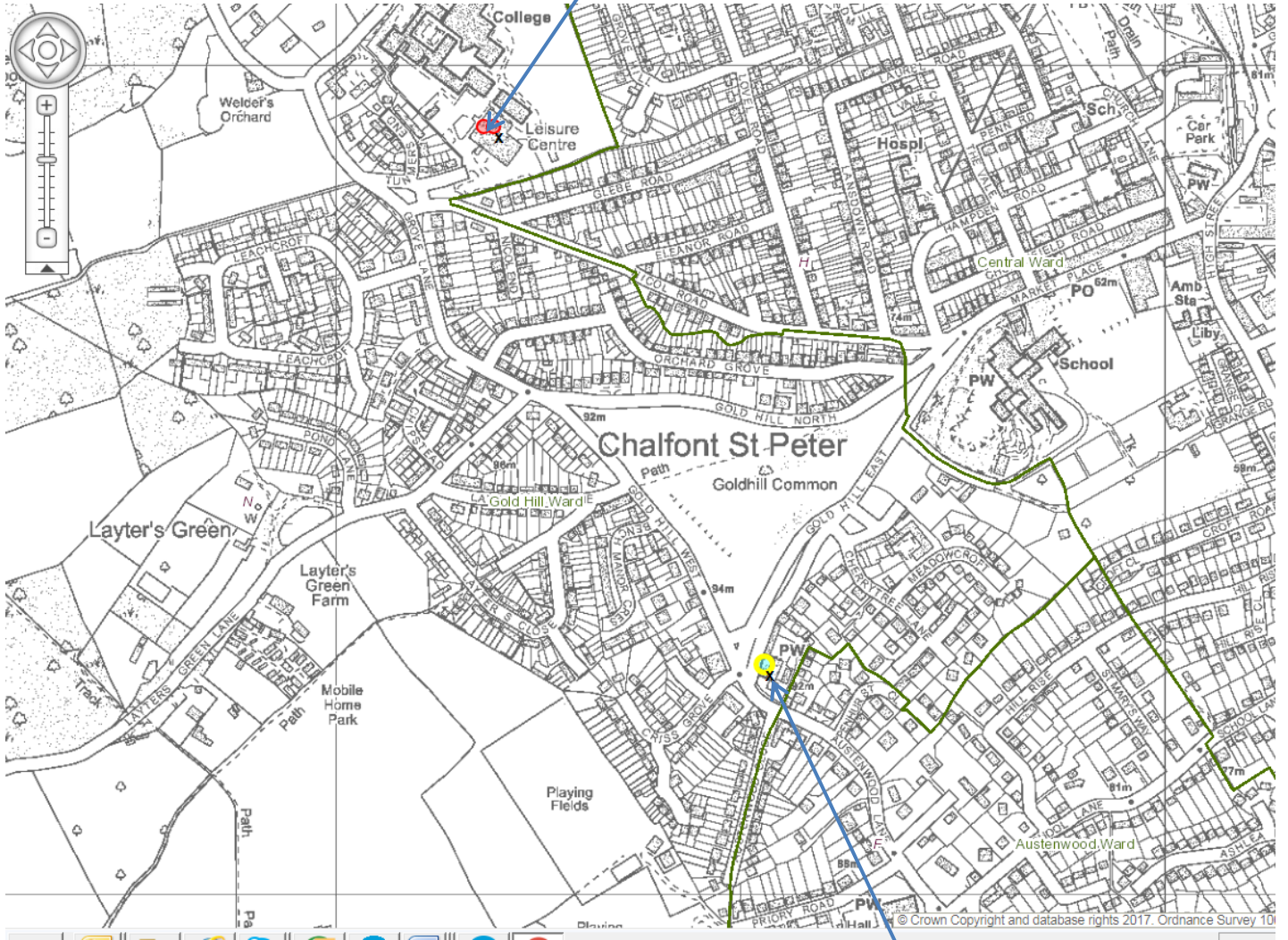
Or

elections@chiltern.gov.uk

Chiltern District Polling District and Place Review 2017-18	
Polling District:	CN – Gold Hill
Polling Place Gold Hill Baptist Church, Gold Hill East, Chalfont St Peter SL9 9DG	The ARO comments: Polling District: No change Polling Place: Change- Chalfont St Peter Leisure Centre, Nicol Road, SL9 9LR
Comments on suitability Due to redevelopment and restricted parking at Gold Hill Baptist Church, it is no longer considered suitable for use as a polling station.	
Representations received None.	
Consideration of alternative polling place (if appropriate) Chalfont St Peter Leisure Centre, Nicol Road- Meets all requirements in terms of ample parking and disability access. The leisure centre is ½ a mile from the Gold Hill Baptist Church.	
<u>Recommendation</u> Re-designate polling station to Chalfont St Peter Leisure Centre for polling district 'CN'	

Polling District CN- Gold Hill

Leisure Centre
(Proposed Polling Place)

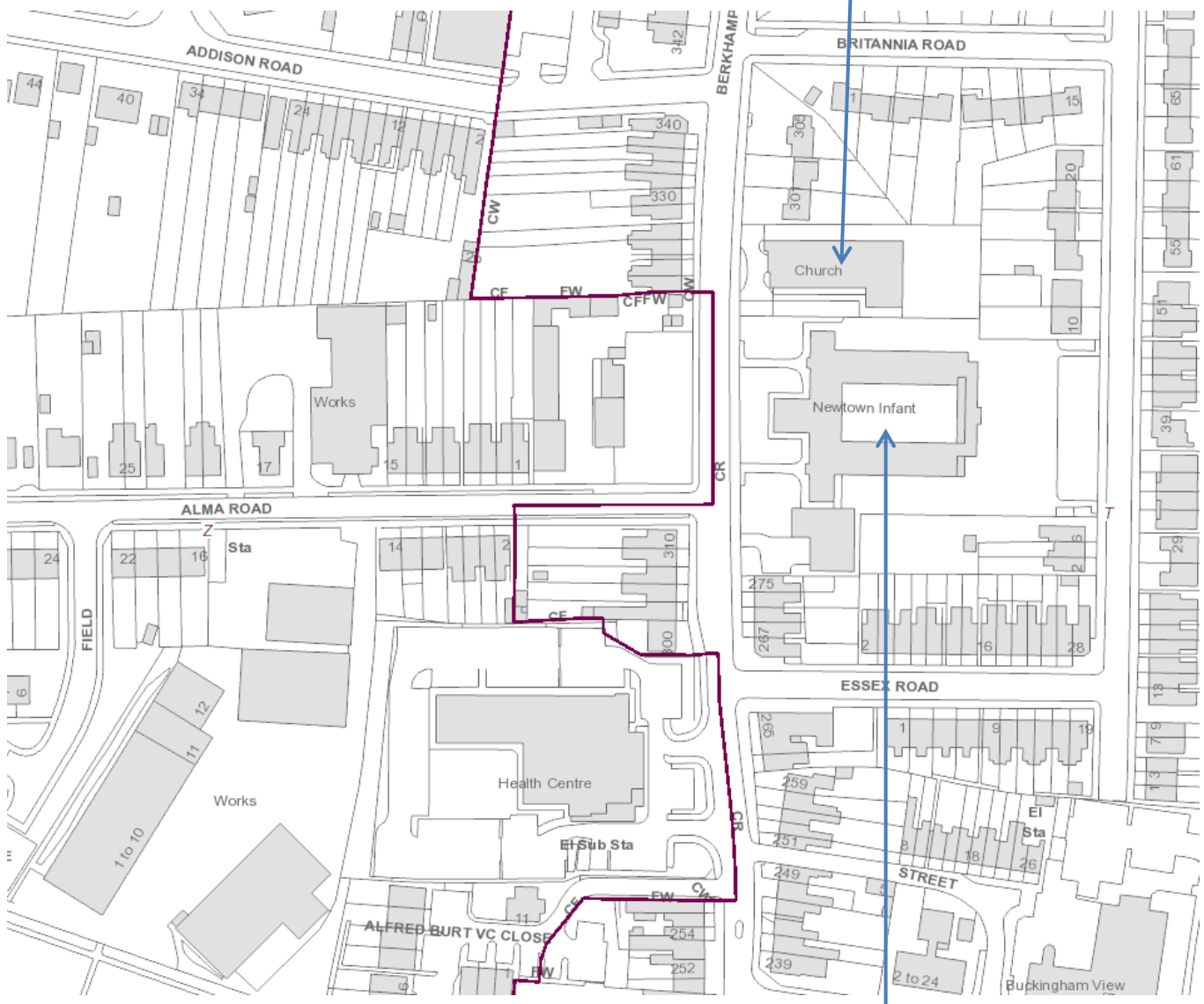


Gold Hill Baptist Church
(Current Polling Place)

Chiltern District Polling District and Place Review 2017-18	
Polling District:	CT- Newtown
Polling Place Newtown County Infant School and Nursery, Berkhampstead Road, Chesham HP5 3AT	The ARO comments: Polling District: No change Polling Place: Change- Newtown Baptist Church, Berkhampstead Road, Chesham, HP5 3AT
Comments on suitability Feedback after the UK Parliamentary General Election 2017 highlighted the inconvenience caused to parents, teachers and pupils having to close the school for a day for use as a polling station.	
Representations received Resident (email) expressed concern that their children's school was used as a polling station and subsequently the children have a day less in school than their peers. Resident (questionnaire)- Recommendation to use Emmanuel Church instead of Newtown School as there is adequate parking and close to the current polling station.	
Consideration of alternative polling place (if appropriate) Newtown Baptist Church, Berkhampstead Road, Chesham- meets all requirements, adequate parking and disabled access. The proposed polling station is next to Newtown School therefore any disruption for electors is minimal.	
<u>Recommendation</u> Re-designate polling station to Newtown Baptist Church for polling district 'CT'	

Polling District CT- Newtown

Newtown Baptist Church
(Proposed Polling Place)



Newtown County Infant School &
Nursery (Current Polling Place)

External areas access and facilities		
Check	✓	Comments
Are there good public transport links to the polling place?	✓	
Is the approach to the building safe and free from obstructions and does it have a dropped kerb?	✓	
Is the building clearly identifiable?	✓	
Is additional signage required between street and entrance?	✓	
Is there the facility to put up the required signage for polling day?	✓	
Are there parking facilities for disabled people?	✓	
Are there parking facilities for polling staff?	✓	
Does the approach to the building have external lighting?	✓	
Does the building have level access? Yes/No. If no – <ul style="list-style-type: none"> • Has a purpose built ramp been installed? • If so, does it have a handrail? • Does the ramp have a gentle slope? Does the building require a temporary ramp or is there an alternative disabled access?	✓	
Is the entrance door wide enough for a disabled person using a motorised wheelchair?	✓	
Are the doors light enough for frail/elderly voters to open?	✓	
Can the 'Guidance for voters' notice be clearly displayed outside the premises, as required by the election rules?	✓	
Are there any external security concerns?	X	
Can tellers be accommodated outside the building?	✓	

Internal areas access and facilities		
Check	✓	Comments
Are all doors easy to open (including by wheelchair users) or do they need to be permanently locked back?	✓	
Are there any internal steps or obstructions/hazards?	X	
Are any doormats level with the floor?	✓	
Is the floor covering non-slip (including in wet weather)?	✓	
Are there any corridors that may cause access problems?	X	
Is there adequate lighting in the corridors?	✓	
Are there toilet facilities?	✓	+ Disabled
Is there a kitchen that staff can use?	✓	
Is the area adequately lit for day and night time?	✓	
Is there adequate space for signage?	✓	
How many polling stations can the building accommodate?	✓	1
Does the building have a telephone available (land line) in the event of mobile network problems?	✓	



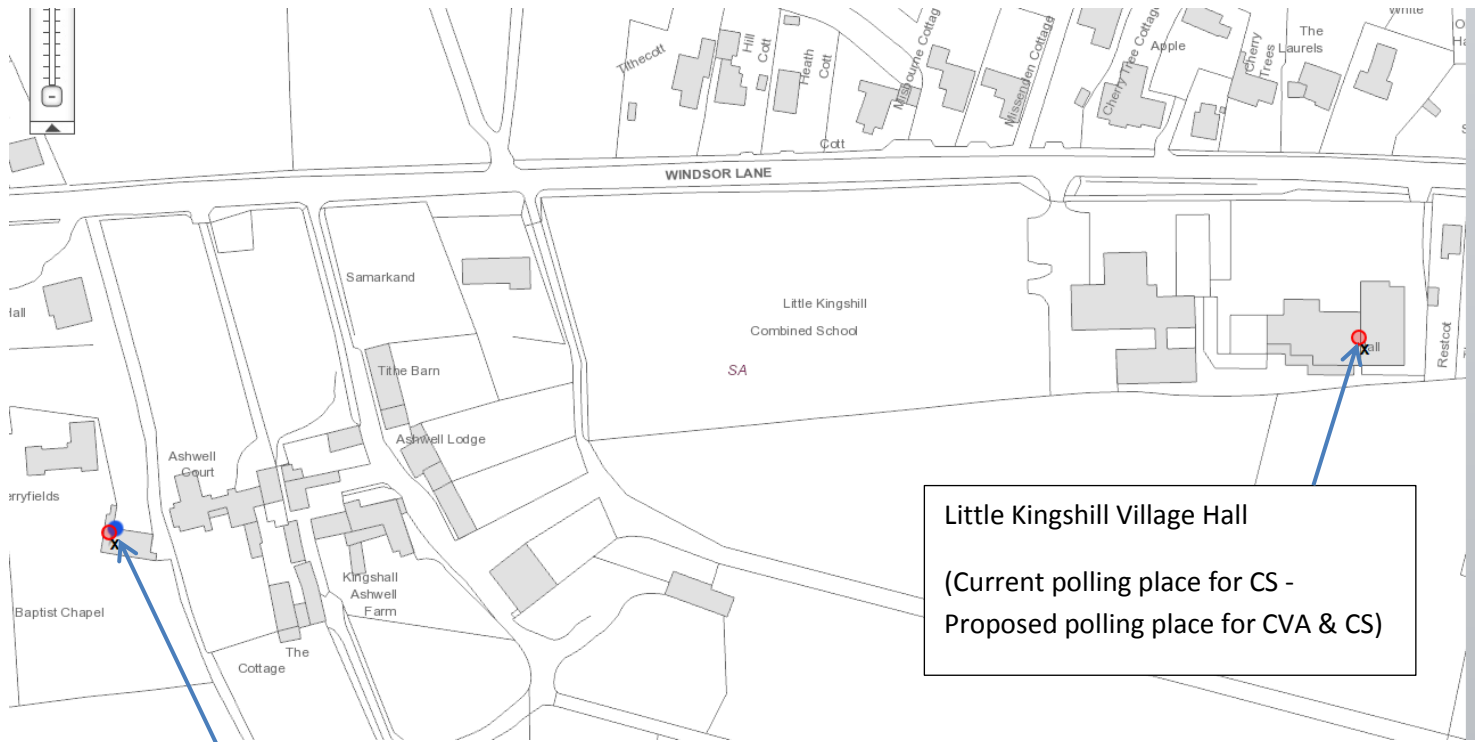
Chiltern District Polling District and Place Review 2017-18	
Polling District:	CS – Little Kingshill & Little Missenden CVA – Prestwood & Heath End (2)
Polling Place CS- Little Kingshill Village Hall, Windsor lane Little Kingshill HP16 0DP CVA- Little Kingshill Baptist Church Hall, Windsor Lane, Little Kingshill HP16 0DZ	The ARO comments: Polling District: No change Polling Place: Change- Combine Little Kingshill Village Hall and Little Kingshill Baptist Church. The new polling place would be Little Kingshill Village Hall.
Comments on suitability Due to the close proximity of these two polling stations it was noted some electors had to pass one to get to the other. There is less than ½ mile between the two polling stations.	
Representations received Cllr Peter Martin commented the close proximity of the two polling stations confused electors as to where they were meant to vote. There was a suggestion to combine the two polling stations as the electorate figures are relatively modest. Cllr Diane Varley confirmed that combining the Baptist Church and Village Hall would be appropriate. Representations were received from electors objecting to polling stations Little Missenden Village Hall and Little Kingshill village hall being combined as one polling district 'CS' There is no recommendation from the ARO to consider this change. This review is recommending polling stations for districts 'CS' and 'CVA' are combined.	
Consideration of alternative polling place (if appropriate) The combined electorate total for Little Kingshill Village Hall (432) and Little Kingshill Baptist Church (547) is 979. It is considered that the Village Hall has sufficient parking and space to accommodate the electorate.	

Recommendation

Combine Little Kingshill Village Hall and Little Kingshill Baptist Church.

The new polling place would be Little Kingshill Village Hall.

Polling Districts CS- Little Kingshill & Little Missenden & CVA Prestwood & Heath End (2)



Little Kingshill Village Hall
(Current polling place for CS -
Proposed polling place for CVA & CS)

Little Kingshill Baptist Church
(Current polling place for CVA)

Chiltern District Polling District and Place Review 2017-18	
Polling District:	CR1– Little Chalfont North East
Polling Place Little Chalfont Primary School, Oakington Avenue, Little Chalfont, HP6 6SX	The ARO comments: Polling District: No change Polling Place: Change- Little Chalfont Methodist Church, Chalfont Avenue, HP6 6RD
Comments on suitability Due to the level of disruption for pupils, parents and teachers caused by closing the school for use as a polling station, an alternative location is preferable. The distance between the school and church is less than half a mile.	
Representations received None.	
Consideration of alternative polling place (if appropriate) Little Chalfont Methodist Church is a suitable alternative with ample parking and disability access.	
<u>Recommendation</u> Re-designate polling station to Little Chalfont Methodist Church for polling district 'CR1'	

Polling District CR1- Little Chalfont North East



Little Chalfont Methodist Church

Little Chalfont Primary School

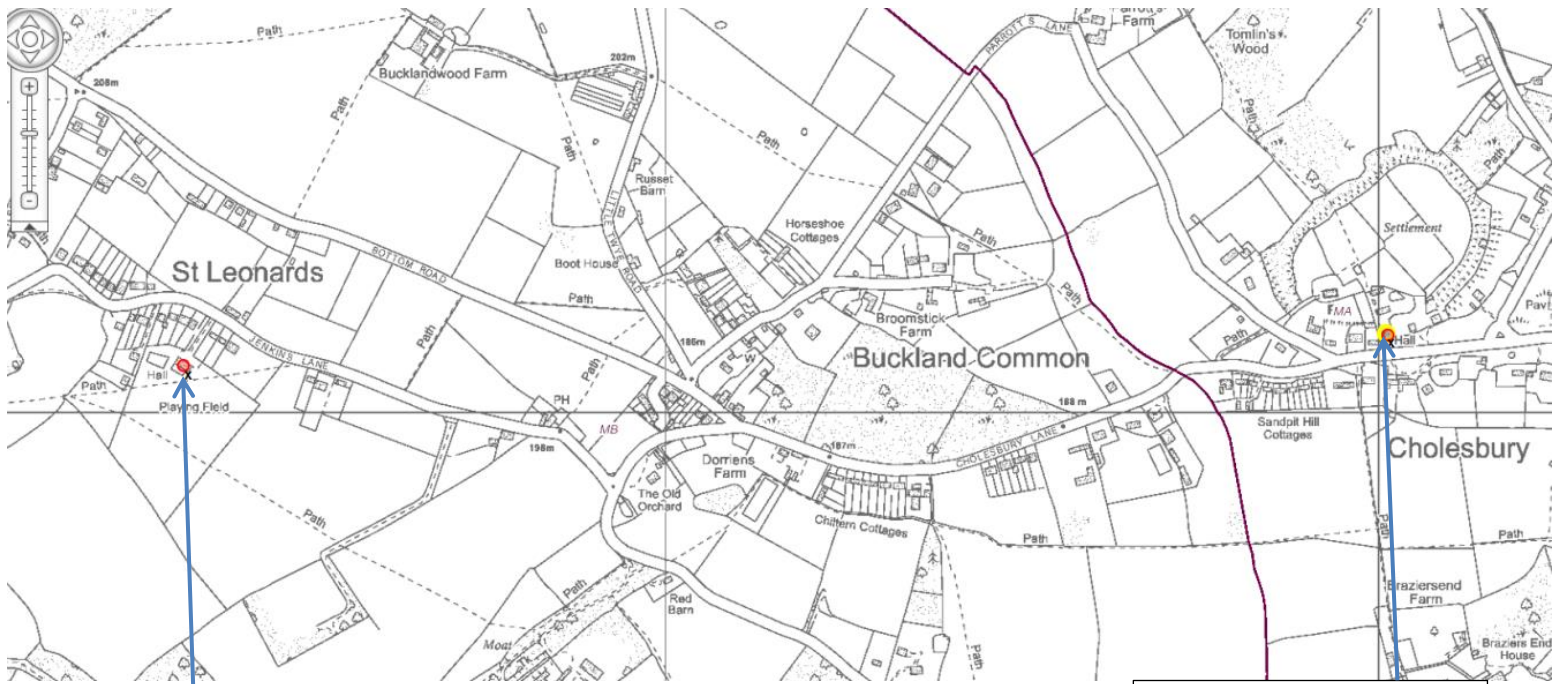
External areas access and facilities		
Check	✓	Comments
Are there good public transport links to the polling place?	✓	
Is the approach to the building safe and free from obstructions and does it have a dropped kerb?	✓	
Is the building clearly identifiable?	✓	
Is additional signage required between street and entrance?	✓	
Is there the facility to put up the required signage for polling day?	✓	
Are there parking facilities for disabled people?	✓	3 spaces
Are there parking facilities for polling staff?	✓	
Does the approach to the building have external lighting?	✓	
Does the building have level access? Yes/No. If no – <ul style="list-style-type: none"> • Has a purpose built ramp been installed? • If so, does it have a handrail? • Does the ramp have a gentle slope? Does the building require a temporary ramp or is there an alternative disabled access?	✓	
Is the entrance door wide enough for a disabled person using a motorised wheelchair?	✓	
Are the doors light enough for frail/elderly voters to open?	✓	
Can the 'Guidance for voters' notice be clearly displayed outside the premises, as required by the election rules?	✓	
Are there any external security concerns?	X	
Can tellers be accommodated outside the building?	✓	

Internal areas access and facilities		
Check	✓	Comments
Are all doors easy to open (including by wheelchair users) or do they need to be permanently locked back?	✓	
Are there any internal steps or obstructions/hazards?	X	
Are any doormats level with the floor?	X	
Is the floor covering non-slip (including in wet weather)?	✓	
Are there any corridors that may cause access problems?	X	
Is there adequate lighting in the corridors?	✓	
Are there toilet facilities?	✓	
Is there a kitchen that staff can use?	✓	
Is the area adequately lit for day and night time?	✓	
Is there adequate space for signage?	✓	
How many polling stations can the building accommodate?	✓	2
Does the building have a telephone available (land line) in the event of mobile network problems?	✓	



Chiltern District Polling District and Place Review 2017-18	
Polling District:	CMA- Hawridge CMB- St Leonards
Polling Place CMA- Cholesbury Village Hall, Cholesbury Common, HP23 6ND CMB- St Leonards Parish hall, Jenkins Lane, St Leonards, HP23 6NW	The ARO comments: Polling District: No change Polling Place: Combine Cholesbury Village Hall and St Leonards Parish hall. The new polling place would be Cholesbury Village Hall
Comments on suitability The village hall can accommodate the combined electorate of 679. There is approximately 1.5 miles between the two polling stations.	
Representations received Cllr Rose requested that these polling stations are combined given the close proximity of the polling stations and the village hall can accommodate the electorate which is relatively modest.	
Consideration of alternative polling place (if appropriate)	
<u>Recommendation</u> To re-designate polling station to Cholesbury Village Hall for polling districts 'CMA' and 'CMB'	

Polling District- CMA Hawridge & CMB St Leonards



St Leonards Parish Hall

Cholesbury Village Hall

External areas access and facilities		
Check	✓	Comments
Are there good public transport links to the polling place?	✓	
Is the approach to the building safe and free from obstructions and does it have a dropped kerb?	X	Ramp is provided
Is the building clearly identifiable?	✓	
Is additional signage required between street and entrance?	✓	
Is there the facility to put up the required signage for polling day?	✓	
Are there parking facilities for disabled people?	X	Ample parking on verge
Are there parking facilities for polling staff?	✓	
Does the approach to the building have external lighting?	✓	
Does the building have level access? Yes/No. If no – <ul style="list-style-type: none"> • Has a purpose built ramp been installed? • If so, does it have a handrail? • Does the ramp have a gentle slope? Does the building require a temporary ramp or is there an alternative disabled access?	✓	
Is the entrance door wide enough for a disabled person using a motorised wheelchair?	✓	
Are the doors light enough for frail/elderly voters to open?	✓	
Can the 'Guidance for voters' notice be clearly displayed outside the premises, as required by the election rules?	✓	
Are there any external security concerns?	X	
Can tellers be accommodated outside the building?	✓	

Internal areas access and facilities		
Check	✓	Comments
Are all doors easy to open (including by wheelchair users) or do they need to be permanently locked back?	✓	
Are there any internal steps or obstructions/hazards?	✓	Yes
Are any doormats level with the floor?	✓	
Is the floor covering non-slip (including in wet weather)?	✓	
Are there any corridors that may cause access problems?	X	
Is there adequate lighting in the corridors?	✓	
Are there toilet facilities?	✓	
Is there a kitchen that staff can use?	✓	
Is the area adequately lit for day and night time?	✓	
Is there adequate space for signage?	✓	
How many polling stations can the building accommodate?	✓	2
Does the building have a telephone available (land line) in the event of mobile network problems?	✓	



Appendix 2- Comments and Submissions from Public Consultation

Chiltern District Council welcomed comments and submissions from the public and interested parties relating to the polling district and place review 2017-18. The consultation period ran from 19th July 2017 to 13th March 2018, summarised below are the comments received.

Individual	Request to change polling station at Brushwood School however, there may be limited options for an alternative polling station.
Individual	Request to change polling stations at Newtown School and Brushwood School as pupils are at a disadvantage when the school closes to accommodate elections.
Individual	Recommendation that the Council stops using schools as polling stations due to the disruption caused to parents, pupils and staff.
Individual	Request to change Newtown School as a polling station with Newtown Baptist Church or Emmanuel Church as suitable alternatives.
Individual	Comment to keep Coronation Hall as the polling station for Whelpley Hill as there is adequate transport links and the station central to the village.
Individual	Request to change polling station at Christ Church Hall, Waterside due to lack of parking with residents having to park on grassland, walk across a busy road and up a dangerous set of stone steps. Waterside School was suggested as an alternative station.
Individual	Request to change polling stations at Newtown School and Brushwood School due to the disruption caused to parents and pupils. Newtown Evangelical Church is suggested as the alternative for Newtown School. Chesham Leisure Centre or Chesham Grammar are suggested as the alternative for Brushwood School.
Councillor for Little Chalfont	Request to combine Little Kingshill Baptist Church and Little Kingshill Village Hall due to the close proximity of the polling stations and relatively low electorate. It was commented that Little Chalfont library and primary school are relatively quiet polling stations and confusion was caused by electors going to the incorrect station
Individual	Request not to combine Little Kingshill Village Hall and Little Missenden Village Hall.
Councillor for Ballinger, South Heath & Chartridge	No issues with polling stations in my ward.
Councillor for Newtown	Commented that parking is sometimes an issue at Newtown School, otherwise no issues.

Councillor for Cholesbury, The Lee and Bellingdon	Request to combine Cholesbury Village Hall and St Leonards Parish Hall. Cholesbury Village Hall is the preferred polling station which can accommodate the extra electorate.
Councillor for Little Kingshill and Little Missenden	Request to combine Little Kingshill Village Hall and Little Kingshill Baptist Church due to the close proximity of the polling stations.

Comments and Submissions received in response to the Returning Officer's consultation papers

Councillor for Newtown	'I have no objection to the proposed change'
Councillor for Little Chalfont	'I agree to the changes'

**Chiltern District Council
Governance & Electoral Arrangements Committee**

SUBJECT:	Council Procedure Rules
REPORT OF:	Monitoring Officer
RESPONSIBLE OFFICER	Jim Burness, Director of Resources
REPORT AUTHOR	Joanna Swift, Head of Legal and Democratic Services and Monitoring Officer
WARD/S AFFECTED	None

1. Purpose of Report

To highlight a discrepancy between the current practice of minuting committee meetings and relevant provisions in the Council Procedure Rules and to propose a revision.

RECOMMENDATION

That the Committee consider and agree a proposed revision to Council Procedure Rule 28.2 as shown in Appendix 1.

2. Reasons for Recommendation

To ensure the format of committee minutes complies with all relevant provisions of the Council Procedure Rules.

Content of Report

- 3.1 The Council's Constitution sets out the rules for the conduct of council meetings, including the minuting of those meetings. The relevant Council Procedure Rules (CPR) are attached at Appendix 1 and were last reviewed in detail by the Committee in January 2017 and approved by Full Council in May 2017.
- 3.2 A discrepancy in our current practice of minuting committee meetings has been brought to the Head of Legal and Democratic Services' attention as a result of a recent complaint about the minutes of the Planning Committee. CPR 17.3 on the form of minutes provides that "Minutes will contain all motions and amendments in the exact form and order in which the Chairman put them". This rule has always been applied to minutes of Full Council meetings, but not for meetings of committees, where the practise has been to record just the decision itself.
- 3.3 Whilst all the CPRs apply to meeting of Full Council, some rules are not relevant to committee meetings e.g. motions on notice or restrictions on the length of speeches. CPR 28.2 specifies which rules apply to committees as well as Full Council and therefore which do not. CPR 17.3 is stated as applying to committees as well as to Full Council.
- 3.4 There is no statutory requirement for the minutes of committee meetings to contain the same level of detail about motions and amendments as would be expected to be included in

Chiltern District Council Governance & Electoral Arrangements Committee

the minutes of Full Council meetings. It is therefore a matter of discretion and good practise for each Council and the approach varies quite considerably. However, the overriding purpose of minutes is to accurately record the outcome of the debate on a particular item of business, i.e. the final decision taken by the committee, and the reasons for that decision where this is not apparent from the accompanying report; rather than to provide a blow by blow account of the debate in reaching that decision. This is considered to be best practise in terms of ensuring minutes do not become voluminous or open to challenge.

- 3.5 The committees meetings to which CPR 17.3 currently applies are Audit and Standards Committee, Governance and Electoral Arrangements Committee, Licensing Committee, the Overview Committees and Planning Committee. An example of the minutes from a recent meeting of the Planning Committee is attached at Appendix 2, incorporating the changes necessary to ensure compliance with CPR 17.3.
- 3.6 To continue with the current practise of minuting the final decision, as opposed to previous motions and amendments, CPR 28.2 can be amended to remove the application of CPR 17.3 to committees and a proposed revision to this effect is shown at Appendix 1 for the Committee's consideration.

3 Consultation

There is no statutory requirement to consult on revision to procedure rules in the Constitution. Any proposed change will require approval by Full Council and therefore be brought to the attention of all members of the Council.

4 Options

The Committee can decide whether to agree the proposed revision as set out in the Appendix and suggest alternatives.

6. Corporate Implications

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

Legal – As set out in the report

Risks issues – Failure to comply with Procedure Rules puts Council decision at risk of legal challenge

Equalities - None specific

7. Links to Council Policy Objectives

There are no direct links to the policy objectives. But the Council has a statutory duty to maintain an up to date Constitution and publish this on the website.

Chiltern District Council
Governance & Electoral Arrangements Committee

8. Next Steps

Any amendments proposed by the Committee would be recommended to Full Council for approval.

Background Papers:	None except those referred to in the report
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PART 4
SECTION A: Extracts from Council Procedure Rules

16.5 Right to require individual vote to be recorded

Where any member requests it immediately after the vote is taken, their vote will be recorded in the minutes to show whether they voted for or against the motion or abstained from voting.

16.6 Voting on appointments

If there are more than two people nominated for any position to be filled and there is not a clear majority of votes in favour of one person, then the name of the person with the least number of votes will be taken off the list and a new vote taken. The process will continue until there is a majority of votes for one person.

17. Minutes

17.1 Signing the minutes

The Chairman will sign the minutes of the proceedings at the next suitable meeting. The Chairman will move that the minutes of the previous meeting be signed as a correct record. Only the accuracy of the minutes can be discussed and then only by Motion.

17.2 No requirement to sign minutes of previous meeting at Extraordinary Meeting

Where in relation to any meeting, the next meeting for the purpose of signing the minutes is an Extraordinary Meeting called under paragraph 3 of Schedule 12 to the Local Government Act 1972, then the next following meeting (being a meeting called otherwise than under that paragraph) will be treated as a suitable meeting for the signing of minutes .

17.3 Form of minutes

Minutes will contain all motions and amendments in the exact form and order in which the Chairman put them.

17.4 Absent Members

If a Member who is unable to attend a meeting wishes to question the accuracy of the minutes of a meeting, he may deliver such question in writing to the proper officer not later than 4.00 pm on the date given in the summons for the meeting at which the minutes are to be approved and the proper officer shall bring the question to the attention of the meeting.

18. Record of Attendance

All Members present during the whole or part of a meeting must sign their names on the attendance sheet before the conclusion of every meeting to assist with the record of attendance.

19. Exclusion of Public

24.6 The Overview Procedure Rules set out in this part of the Constitution shall apply to a joint meeting of the relevant Overview Committees with such modifications or amendments as are necessary to give effect thereto.

25. Petitions

The Chairman of the Council may formally receive – and debate as necessary – a Petition received in accordance with the adopted Petition Scheme in Part 9.

26. Officers Reports

If the Chairman of the Council invites an Officer to present a report, the Council shall resolve itself into a committee to receive and consider such report.

27. Suspension and Amendment of Council Procedure Rules

27.1 Suspension

All of these Council Rules of Procedure except Rule 14.6 and 15.2 may be suspended by motion with or without notice if at least one half of the whole number of members of the Council are present. Suspension can only be for the duration of the meeting.

27.2 Amendment

Any motion to add to, vary or revoke these Council Rules of Procedure will, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

28. Application to Committees and Sub-Committees etc

28.1 Application to Full Council

All of the Council Rules of Procedure (except Rule 24) apply to meetings of full Council.

28.2 Application to Committees and Sub-Committees

- (1) All of the Council rules of procedure apply to meetings of Full Council. Only Rules 4 to 8, 13, 14 (but not 14.4, 14.5 or 14.9), 16, 17 (but not 17.3), 18 to 23 and 27.2 of these Procedural Rules apply to meetings of committees and sub-committees including the Overview Committees. Rule 9 also applies save that the quorum for any Committee or Sub Committee shall be determined by the relevant Terms of Reference set out in this Constitution.
- (2) In the case of Overview Committees Rule 14 will apply with such modifications as are necessary to give effect to any protocols adopted by the Committees for the conduct of investigative reviews.
- (3) In the case of the Appeals and Complaints, Licensing & Regulation, Licensing 3Sub Committee and Taxi and Private Hire Licensing Sub-Committee Rule 14 will apply with such

modifications as are necessary to give effect to any protocol or procedural rules adopted for the conduct of appeals or any relevant legislation applying thereto.

- (4) Rule 24 applies only to a joint meeting of an Overview Committee.

28.3 Application to the Cabinet

These Procedural Rules will only apply to meetings of the Cabinet to the extent specified in the Cabinet Procedure Rules set out in this part of the Constitution, but not further or otherwise.

Appendix 2

CHILTERN DISTRICT COUNCIL**MINUTES** of the Meeting of the
PLANNING COMMITTEE (CDC)
held on **26 APRIL 2018**

PRESENT: Councillor D Phillips - Chairman
" M Titterington - Vice Chairman

Councillors: J Burton
J Cook
J Gladwin
M Harrold
C Jones
P Jones
J MacBean
S Patel
J Rush
C Wertheim

APOLOGIES FOR ABSENCE were received from Councillor N Rose

ALSO IN ATTENDANCE: Councillor I Darby

87 MINUTES

The Minutes of the meeting of the Committee held on 15 March 2018, copies of which had been previously circulated, were agreed by the Committee and signed by the Chairman as a correct record.

88 DECLARATIONS OF INTEREST

There were no declarations of interest.

89 DEFERRED APPLICATIONS - CH/2017/1824/FA & CH/2017/2015/RC

Rowanlinden, 70 Long Park, Chesham Bois, Buckinghamshire, HP6 5LF

It was reported at the meeting that since the report had been written, the Tree and Landscaping Officer had advised that the plans did not show the correct location of a spruce tree within the curtilage of No. 66 Long Park which overhangs the application site. The large spruce tree and a Hornbeam near plot 2 would be harmed by the proposed building work. Officers shared these concerns, with the resulting adverse impact the loss of these trees would have

on the character of the area. It was therefore verbally recommended to Members that the application be deferred to allow Officers to negotiate further changes to plots 1 and 2, to avoid a harmful impact on these trees.

A proposal to defer and delegate to enable further negotiation on amended plans, any decision to be subject to consultation with the Chairman, was put to the Committee and agreed unanimously at a vote.

RESOLVED

Defer – minded to approve subject to amended plans being received which allowed for the protection of the spruce and hornbeam trees and providing there were no material changes. The Director of Services in consultation with the Chairman of the Planning Committee be authorised to determine the application and include in the decision notice such Planning Conditions and reasons for approval, or reasons for refusal as appropriate, bearing in mind the recommendations in the officer’s report, the Committee discussion and amended plans received.

CH/2017/2015/RC – Item Withdrawn

90 ENFORCEMENT NOTICES - 1994/0687/EN & 1994/0688/EN

Land at Owlets, Old Farm Lane, London Road East, Amersham
(Previously known as Land at Westrow Mushroom Farm, London Road East)

RESOLVED

The Planning Committee authorises the withdrawal of Enforcement Notice(s) 1994/0684/EN and 1994/0688/EN, issued on 05/04/1994.

91 ENFORCEMENT NOTICE - 1999/0826/EN

Land and Buildings at 67 Woodside Road, Amersham, Buckinghamshire.

RESOLVED

The Planning Committee authorises the withdrawal of Enforcement Notice 1998/0826/EN, issued on 05/02/1999.

92 ITEMS FOR NOTING

RESOLVED -

That the reports be noted.

93 REPORT ON MAIN LIST OF APPLICATIONS**RESOLVED -**

- 1. That the planning applications be determined in the manner indicated below.**
- 2. That the Director of Services be authorised to include in the decision notices such Planning Conditions and reasons for approval, or reasons for refusal as appropriate, bearing in mind the recommendations in the officer's report and the Committee discussion.**

APPLICATIONS

CH/2017/2270/FA Dorleigh, 18 Deancroft Road, Chalfont St Peter, Buckinghamshire, SL9 0HF.

Speaking for the Parish Council, Councillor Shinnor
 Speaking for the Objectors, Mr R Borwick
 Speaking for the applicant, Mrs D Kriel

The officer recommendation to grant conditional permission was put to the Committee and agreed at a vote

RESOLVED:**Conditional Permission**

Councillor M Harrold entered the meeting during the above application at 7.19 pm and consequently did not vote on the application.

Councillor I Darby left the meeting at 7.25 pm.

CH/2018/0265/FA The Nags Head Public House, London Road, Little Kingshill, Buckinghamshire, HP16 0DG.

Speaking as the applicant, Mr Michaels

The officer's recommendation to refuse permission was put to the Committee and voted against. Following a proposal to grant permission it was noted that the National Planning Policy Framework (NPPF) sets out that for inappropriate development in the Green Belt, very special circumstances need to be demonstrated by the applicant which are sufficient to outweigh the harm to the Green Belt and any other harm. The Members also noted the harm to the Green Belt, AONB and the listed building, as a heritage asset identified in the officer's report. The Chairman therefore proposed an amendment to defer consideration to allow the applicant more time to obtain documentary evidence to demonstrate that very special circumstances exist for this site, which are sufficient to overcome the harm identified. The amendment for deferral was agreed by the Committee.

RESOLVED

Application Deferred.

CH/2018/0266/HB

The Nags Head Public House, London Road, Little Kingshill, Buckinghamshire, HP16 0DG.

Speaking as the applicant, Mr Michaels.

RESOLVED

Application Deferred – see above.

The meeting ended at 7.55 pm