

AGENDA

GENERAL PURPOSES COMMITTEE MEETING

Date: Tuesday, 25 September 2018

Time: 5.00 pm

Venue: Committee Room, Swale House, East Street, Sittingbourne, Kent, ME10 3HT

Membership:

Councillors Mike Baldock, Bowles (Chairman), Mike Cosgrove, Adrian Crowther, Duncan Dewar-Whalley, Harrison, Alan Horton, Gerry Lewin (Vice-Chairman) and Mike Whiting.

Quorum = 3

Pages

1. Emergency Evacuation Procedure

The Chairman will advise the meeting of the evacuation procedures to follow in the event of an emergency. This is particularly important for visitors and members of the public who will be unfamiliar with the building and procedures.

The Chairman will inform the meeting whether there is a planned evacuation drill due to take place, what the alarm sounds like (i.e. ringing bells), where the closest emergency exit route is, and where the second closest emergency exit route is, in the event that the closest exit or route is blocked.

The Chairman will inform the meeting that:

(a) in the event of the alarm sounding, everybody must leave the building via the nearest safe available exit and gather at the Assembly points at the far side of the Car Park. Nobody must leave the assembly point until everybody can be accounted for and nobody must return to the building until the Chairman has informed them that it is safe to do so; and

(b) the lifts must not be used in the event of an evacuation.

Any officers present at the meeting will aid with the evacuation.

It is important that the Chairman is informed of any person attending who is disabled or unable to use the stairs, so that suitable arrangements may be made in the event of an emergency.

2. Apologies for Absence and Confirmation of Substitutes

3. Minutes

To approve the Minutes of the Meeting held on 8 March 2018 and 14 March 2018 (Minute Nos. 532 – 535 and 536) as correct records.

4. Declarations of Interest

Councillors should not act or take decisions in order to gain financial or other material benefits for themselves or their spouse, civil partner or person with whom they are living with as a spouse or civil partner. They must declare and resolve any interests and relationships.

The Chairman will ask Members if they have any interests to declare in respect of items on this agenda, under the following headings:

(a) Disclosable Pecuniary Interests (DPI) under the Localism Act 2011. The nature as well as the existence of any such interest must be declared. After declaring a DPI, the Member must leave the meeting and not take part in the discussion or vote. This applies even if there is provision for public speaking.

(b) Disclosable Non Pecuniary (DNPI) under the Code of Conduct adopted by the Council in May 2012. The nature as well as the existence of any such interest must be declared. After declaring a DNPI interest, the Member may stay, speak and vote on the matter.

(c) Where it is possible that a fair-minded and informed observer, having considered the facts would conclude that there was a real possibility that the Member might be predetermined or biased the Member should declare their predetermination or bias and then leave the room while that item is considered.

Advice to Members: If any Councillor has any doubt about the existence or nature of any DPI or DNPI which he/she may have in any item on this agenda, he/she should seek advice from the Monitoring Officer, the Head of Legal or from other Solicitors in Legal Services as early as possible, and in advance of the Meeting.

PART A - Reports for recommendation to Council

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Issued on Monday, 17 September 2018

The reports included in Part I of this agenda can be made available in **alternative formats**. For further information about this service, or to arrange for special facilities to be provided at the meeting, **please contact DEMOCRATIC SERVICES on 01795 417330**. To find out more about the work of this Committee, please visit www.swale.gov.uk

**Chief Executive, Swale Borough Council,
Swale House, East Street, Sittingbourne, Kent, ME10 3HT**

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General Purposes Committee	
Meeting Date	25 September 2018
Report Title	Delegation of functions under Criminal Justice and Police Act 2001
Cabinet Member	Cllr Mike Cosgrove, Cabinet Member for Regeneration and Licensing
SMT Lead	Mark Radford
Head of Service	Mark Radford
Lead Officer	Della Fackrell, Resilience & Licensing Manager
Key Decision	Yes/No
Classification	Open
Recommendations	<ol style="list-style-type: none">1. That authority be delegated to the Resilience and Licensing Manager to exercise all powers under sections 19 – 28 of the Criminal Justice and Police Act 2001, with all powers of prosecution and court litigation reserved to Head of Mid Kent Services Legal Partnership2. That the Scheme of Delegations in the Constitution be amended accordingly

1 Purpose of Report and Executive Summary

- 1.1 The Criminal Justice and Police Act 2001 provides powers to the Police and licensing authorities to close premises where unauthorised sales of alcohol take place, due to either there being no Premises Licence in place, or where conditions attached to a Premises Licence are not being complied with. This report seeks delegated authority for officers to use this process

2 Background

- 2.1 The Criminal Police Justice Act 2001 principally relates to provision for combating crime and disorder generally and includes matters such as penalty notices, powers of seizure for the police, terrorism, police training etc.
- 2.2 Included in the Act are powers relating to the closure of premises where there is an unauthorised sale of alcohol. The legislation makes these powers available to police officers and to duly authorised local authority officers.
- 2.3 The legislation was originally applied to the Licensing Act 1964 but was amended and re-applied to the Licensing Act 2003 when the Act came into force.

- 2.4. In this context, unauthorised sale means either the sale or supply of alcohol without a Premises Licence or Club Premises Certificate under the Licensing Act 2003, or where there is a licence or certificate in force where the conditions of the licence/certificate are not being complied with. These provisions only relate to alcohol sales or supplies and do not apply to entertainment or provision of hot food, which are also licensable activities under the Licensing Act 2003.
- 2.5 Swale's current scheme of delegation does not include the authorisation of officers to issue closure notices and so we have to rely on our police colleagues. The Resilience and Licensing Manager would like to have the ability for her officers to be able to serve these notices where appropriate, rather than as now relying on the police.
- 2.6 The police and the Council work in close co-operation with each other on licensing issues. Under the terms of the legislation both may be authorised to exercise Section 19 powers.
- 2.7 It is desirable for the Council to have the ability to use these powers where, for example, the Council can deploy resources more quickly or effectively than the police, or where the Council is already the lead agency in dealing with a particular set of premises. This would be particularly so when pro-active licensing inspections carried out by the licensing team reveal continued breaches of licensing conditions.
- 2.8 To date there has been no need to actually serve a Section 19 notice although a small number of licensees have been advised of the effect on their business that the notice would have and this has in all cases resulted in them taking immediate remedial action as required to avoid such action.

3 Proposals – Closure Process

- 3.1 The closure process comprises two stages, with the service of a Closure Notice first and then an application, if necessary, to a Magistrates' Court for a Closure Order. The Closure Notice does not close the premises. It is, in effect, a notice giving warning of the possibility that the local authority may make an application to the courts for a Closure Order. Once a Closure Notice has been served, a Closure Notice does not necessarily have to be applied for, particularly if the recipient of the Notice complies with it. However, the Magistrates' Closure Order, if granted, does then result in the closure of the premises.
- 3.2 The 2001 Act stipulates that where a constable or a local authority are satisfied that any premises has, within the last 24 hours, been used for the unauthorised sale of alcohol, the a Closure Notice may be served on the person having control or responsibility for the unauthorised sales.

- 3.3 The Closure Notice may be served on a variety of other people, as well as the person responsible for sales, including any other person having control of the activities, any other person occupying the same premises whose right of access may be affected by the closure of the premises, and any other person having an interest in the property, such as a freeholder.
- 3.4 The Closure Notice must specify what steps may be taken to ensure that the use of the premises is regularised e.g. either stopping the sale of alcohol or what needs to be done to comply with a licence condition. The Closure Notice does not physically close the premises; this only comes later with the issue of a Closure Order by the court.
- 3.5 The Closure Notice has immediate effect but, once the irregularity is put right, it can be cancelled or it can be left in place. After six months, though, no further action in respect of that notice can be taken.
- 3.6 At any time between seven days and six months after the Closure Notice has been served, provided it has not been cancelled, an application to the Magistrates' Court can be made for a Closure Order. This process includes the Court serving a summons on the persons responsible, requiring them to attend Court in connection with the hearing that the Court would then hold.
- 3.7 Where the Court is satisfied that the unauthorised activity is still going on at the time of the hearing, or that there is a reasonable likelihood that the premises will be so used in the future, the Court can issue a Closure Order. The effect of the Order is specified and may be to either close the premises completely or to stop the licensable activities. The Court may also order the person against whom the Closure Order has been made, to pay into Court a sum of money that the Court determines, which is not returned until the requirements of the Order are met.
- 3.8 Once the Closure Order has been issued, it is then posted on the premises and the police or the local authority have powers to enter the premises to enforce the Order and this may include securing the premises. Anyone obstructing an officer of the police or local authority is guilty of an offence for which they may be prosecuted. Failure to comply with the Order or opening the premises contrary to the Order, are also offences with a maximum penalty of, in the latter case, a fine of £20,000 and/or a prison sentence of up to 3 months.
- 3.9 Following a Magistrates' Court hearing, there is a right of appeal by anyone issued with a Closure Order, or by the police or local authority if the Closure Order is refused, to the Crown Court, within 21 days.
- 3.10 As stated above, this process is intended to control premises selling alcohol without a Premises Licence or Club Premises Certificate, or those failing to comply with a condition of their licence or certificate which relates to the sale of alcohol.

- 3.11 In both these situations, the offender – i.e. a person illegally selling alcohol – if they can be identified, or a licence holder breaching their licence conditions, can also be prosecuted for those activities that are, in themselves, offences. However, prosecution tends to be a longer process and may not, in practice, ensure that the problem is resolved, even where a conviction is secured. Nevertheless, where a Closure Notice has been served, or an Order applied for, the option of prosecution remains.
- 3.12 The Closure Order is only lifted once the police or authorised officer of the Council are satisfied that all matters are rectified in accordance with their requirements and the court is duly informed.

4 Delegations

- 4.1 The recommended delegation will enable the authorisation of suitably trained and competent officers to exercise all or any of the powers contained under sections 19-28 of the Criminal Justice and Police Act 2001 including:
- serving and cancelling Closure Notices
 - making applications for Closure Orders
 - issuing certificates of termination of Closure Orders
 - defending applications for the discharge of Closure Orders
 - appealing against the refusal to make Closure Orders
 - enforcing Closure Orders

5 Alternative Options

- 5.1 The Council can continue to rely solely on the police to issue Section 19 Notices.

6 Consultation Undertaken or Proposed

- 6.1 None, as it is not necessary.

7 Implications

Issue	Implications
Corporate Plan	Being able to issue S.19 Closure Notices satisfies the corporate objectives of: Keeping Swale safe Ensuring a strong customer focus and delivering quality frontline services
Financial,	The additional powers under the Criminal Justice and Police Act

Resource and Property	2001 are unlikely to result in additional costs unless a Closure Order is obtained from the Magistrates' Court which would require court costs to be paid. Experience from other local authorities indicates this is an unlikely scenario
Legal and Statutory	The legal requirements of this delegation are explained within the main body of the report
Crime and Disorder	<p>An essential component of the Licensing Act 2003 is the promotion of the 4 licensing objectives i.e.</p> <ul style="list-style-type: none"> • Prevention of crime and disorder • Protection of public safety • Prevention of public nuisance • Protection of children from harm <p>The Licensing Act 2003 expands the powers given to local authorities under Sections 19-28 of the Criminal Justice and Police Act 2001. The powers will place licence holders and premises supervisors, who will usually have day to day management control of the premises, under pressure to maintain order and deter disorder and nuisance behaviour. The powers have significant deterrent value in curbing disorder and public nuisance through noise as well as enabling disorder and noise nuisance to be brought to an end when they occur.</p>
Environmental Sustainability	None
Health and Wellbeing	None
Risk Management and Health and Safety	<p>This process provides an additional enforcement option in the continuum between advice and formal action. Each case will be dealt with on its own merits and in accordance with Swale's Enforcement Policy</p> <p>The process of using Closure Notices and Orders is seen as a fast, straightforward and cost effective route than prosecution to securing compliance with the law where contraventions exist. It is anticipated that the vast majority of those persons served with a Closure Notice will then comply, without an application having to be made for a Closure Order.</p> <p>The use of Closure procedures under the Criminal Justice and Police Act 2001 does not preclude subsequent prosecution and/or licence review under the Licensing Act 2003 where deemed appropriate</p>
Equality and Diversity	Closure powers will affect all licensees equally

Privacy and Data Protection	Closure Notices will be served on named persons on Premises Licences
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8 Background Papers

None

General Purposes Committee	Agenda Item
Meeting Date	25/09/18
Report Title	Planning Committee Procedure Notes
Cabinet Member	Cllr Gerry Lewin, Cabinet Member for Planning
SMT Lead	Emma Wiggins
Head of Service	James Freeman
Lead Officer	Andy Jeffers
Key Decision	No
Classification	Open
Recommendations	<ol style="list-style-type: none"> 1. To agree the revised wording for Part 4.12 of the Constitution as presented in Appendix I 2. To change the wording throughout the Constitution to reflect the new revised procedure note.

1 Purpose of Report and Executive Summary

- 1.1 Reviewing the Planning Committee procedures regularly ensures it is fit for purpose and maintains good governance and decision making arrangements. The review of the procedures is an ongoing task and it is timely to look at the items presented in this report. In particular to make clearer the procedures for how members, officers and the general public should conduct themselves when participating at the Council's Planning Committee meetings.
- 1.2 The purpose of this report is to agree the attached revised Planning Committee Procedure Note Part 4.12

2 Background

- 2.1 Over recent months it has been noticeable on several occasions that decisions have been made by the Planning Committee which have not been clear to those observing how the Committee had made that decision . It has also been noted that occasionally visitors in whatever capacity attending the Committee have struggled to easily follow the proceedings of the meetings.
- 2.2 Member discussions and officer inputs have often been "ad hoc" in nature and there appears to be some merit in separating the questions Members ask seeking clarity to understand the planning applications reported to the Planning Committee and to then enable Members of the Planning Committee to debate the merits of a planning application without necessarily needing any further input from officers.

3 Proposals

3.1 The purpose of the proposed changes to the Planning Committee procedure Note are the following:

- To make the proceedings of a Planning Committee more understandable to all visiting members and the general public attending such meetings.
- That there is a clear demarcation between members discussing and asking questions seeking clarity on the planning application submitted and then moving to the debate on the merits of an application with full knowledge of the proposals involved before making a decision.
- To re-emphasise the need to be clear in the decision making process on planning applications that all decisions are based on material planning considerations.

4 Alternative Options

4.1 There is discretion on the proposals set out in the attached paper, matters where there is no discretion in relation to law and statutory guidance do not form part of this report.

4.2 One option is to continue with the existing procedures. Whilst on most occasions this has not caused any major issues in making planning decisions, on occasions it has given rise to confusion both amongst officers, members and the general public.

4.3 Another option would be to be even more prescriptive in terms of procedures as to when officers can provide advice to the Committee, however such a restrictive approach could undermine the ability of the Planning Committee to gain all the relevant information from officers that they may require in order to make a well balanced and sound planning decision.

5 Consultation Undertaken or Proposed

5.1 Preliminary consultations have been carried out with the Chairman of the Planning Committee and the Cabinet Member who raise issues in principle as in 2.1 above. The Cabinet Member has recently in an email also added the following comment:

“ In addition to the benefits to applicants, visitors etc I do believe the changes provide benefits to Members of the Committee as well.”

Any further comments received will be reported verbally at the meeting.

6 Implications

Issue	Implications
Corporate Plan	Having an up to date Procedure Note for the Planning Committee is important for good governance and decision making and is part of the Council to be proud objective.
Financial, Resource and Property	None identified at this stage
Legal, Statutory and Procurement	The Council's Codes of Conduct sets out the minimum standards by which the Council and its staff work .Planning Officers are also required to follow the code of conduct that their professional body the Royal Town Planning Institute sets out. Whereas Legal officers are required to follow a professional code of conduct set out by the Law Society.
Crime and Disorder	None identified at this stage.
Environment and Sustainability	None identified at this stage.
Health and Wellbeing	None identified at this stage.
Risk Management and Health and Safety	None identified at this stage.
Equality and Diversity	None identified at this stage.
Privacy and Data Protection	None identified at this stage.

7 Appendices

7.1 The following documents are to be published with this report and form part of the report:

- Appendix I: Revised wording for Part 4.12 of the Constitution – Planning Committee Procedure Notes .

8 Background Papers

None

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Proposed amendments to PART 4.12 PLANNING COMMITTEE PROCEDURE NOTES

Opening the meeting

1. The Chairman will introduce himself and explain that this is a Planning Committee meeting to be conducted in accordance with the Council's Constitution (including the Procedure Rules) which is available on the Council's Website.
2. The Chairman will remind those present that the meeting has a quasi-judicial role and determines the rights and obligations of the applicant. He will remind Members that they should not vote according to party lines but must consider each application and everything that is said in the meeting concerning the application, and then make their decision based solely on their planning judgment of the information available to them.
3. The Chairman will also explain that following a decision by Members, delegated authority is given to the planning officer to issue the decision notice. Planning permission is not granted until the issue of the decision notice. All the application documents are published on the internet and the decision notice will be available there in due course.
4. The Chairman will explain the role of, and introduce, any visiting Members. Any Member who is not a Member of the Planning Committee may attend as a visiting Member and may speak, provided s/he gives prior notification to the Chairman. Such visiting Members may include ward Members. The Chairman will explain that these visiting Members can speak on an application but cannot vote.
5. The Chairman will welcome any members of the public who are registered to speak on any item. He will inform the meeting that in the event that an item is deferred to a site meeting of the Planning Working Group, members of the public may speak both at this meeting and at the site meeting, but there will be no further opportunity to speak on the matter when it comes back to the Planning Committee for final determination.
6. Any substitute Members will be introduced by name and it will be explained that when acting as a substitute on the Planning Committee the substitute Member must also have undertaken appropriate training.
7. The Chairman will invite any declarations of disclosable pecuniary or disclosable non-pecuniary interests. The Chairman will remind the meeting that where it is possible that a fair-minded and informed observer, having considered the facts, would conclude that there was a real possibility that a Member might be predetermined or biased on any agenda item, the Member should declare this possibility and then leave the room while that item is considered. The Chairman will invite any such declarations.

8. The Chairman will remind the meeting that unless they have a disclosable pecuniary interest or the possibility of predetermination in respect of the item being discussed, Members should remain in the meeting for the whole time that each item is being debated and should not vote on that item unless they have done so.
9. The Chairman will explain that the meeting will follow the order set out in the agenda, except where there is good reason to do otherwise. In particular, the Chairman will explain that the Committee will take any items where a member of the public has registered to speak first, before moving on to the remainder of the agenda, and where this is relevant he will verbally re-order the agenda as appropriate.

Introducing and debating each agenda item

10. The Chairman will introduce each item, setting out the agenda item number, the planning application number and the location.
11. The Chairman will remind any Members who have disclosed a pecuniary interest or declared the possibility of predetermination or bias on the item at hand that they must leave the room while that item is considered and must not speak or vote on that item. Members who have disclosed a non-pecuniary interest in an item may remain in the room and may speak and vote.
12. The Chairman will then invite the Planning Officer to summarise the item. If the Chairman has not stated the agenda item number, the planning application number and the location then the Planning Officer will do so. The Planning Officer will provide a verbal summary of the application, outlining its main proposals. Where relevant the Planning Officer will also provide any necessary verbal updates to the committee report. Following this, Officers will only be invited to speak again on the item in the event that further clarification on the material planning issues raised is required (see 14 below).
13. The Chairman will then invite any members of the public who have registered to speak to do so in accordance with the public participation rules.
14. Following the public speaking, the Chairman will invite clarification questions from members of the Committee for the case officer to respond.
15. The Chairman will then move the officer recommendation, a seconder will be found and the debate will open. The Chairman will remind the meeting that any Member wishing to speak on the item may do so only once.
16. The Chairman will first invite the Ward Member(s), if present, to speak, reminding them that they will have a maximum of three minutes to make their representation.
17. The Chairman will then open the debate to the Planning Committee members.

Voting on each agenda item

18. When a vote is taken the Democratic Services Officer will make a note of the number of votes for and against and the number of abstentions. If this is unclear the meeting will wait until the Democratic Services Officer is satisfied that the vote is clear.

Where the vote is in accordance with the officer recommendation

19. If the vote follows the officer recommendation to approve the application for the reasons given in the report then planning permission will be granted subject to the issue of the decision notice.

20. If the vote follows the officer recommendation to refuse the application for the reasons given in the report then planning permission will be refused subject to the issue of the decision notice.

Where the vote does not follow the officer recommendation to approve:

21. If the vote does not follow the officer recommendation to approve then:

- a. the Chairman will invite the Head of Planning to consider if the application should be deferred in accordance with Part 3 of the Constitution. If the application is deferred to a future meeting, the Head of Planning will advise Members of the prospects of such a decision being challenged on appeal and on the implications of a cost application being made against the Council.
- b. If the decision is not deferred to a next future meeting, a further motion must be made to refuse the application. Before voting on this new motion:
 - i. The Chairman will give the planning officer the opportunity to explain the implications of any decision contrary to his/her recommendation.
 - ii. The Chairman will remind the meeting that the courts have expressed the view that the Committee's reasons for refusal should be clear and convincing, capable of articulation and open to public scrutiny and be material planning reasons. The precise wording of the reasons for refusal must be clearly defined before the Committee votes on the motion. It is preferable for the Chairman to propose a short adjournment of the meeting to allow officers to draft the framework wording rather than leaving the reasons to the offices to draft following the meeting, and to provide delegated authority to the Head of Planning to make any necessary detailed wording changes. A detailed minute of the Planning Committee's reasons (which should be full, clear and relate to material planning considerations) should be made by the Democratic Services Officer and a copy placed on the application file.

If the vote is passed then planning permission will be refused subject to the issue of the decision notice.

Where the vote does not follow the officer recommendation to refuse:

22. If the vote does not follow the officer recommendation to refuse for the reasons given in the report, the Chairman will invite the Head of Planning to consider if the application should be deferred in accordance with Part 3 of the Constitution and reported back to a future meeting.

Clarity on the outcome of the voting

23. The outcome of the voting will be announced by the Chairman before moving on to the next item. If the Chairman fails to do this then the Head of Planning will step in and announce the outcome.

Debating motions to undertake a site visit or defer the item

24. If during the debate on an item a motion is moved to undertake a site visit or to defer the item to a future meeting then a seconder for this motion will be sought and any further debate will be to this new proposal rather than the substantive motion. The new motion will be voted upon following the debate. If this motion is defeated, a further vote will be taken on the substantive motion.

General Purposes Committee		Agenda Item:
Meeting Date	25 September 2018	
Report Title	Review of Polling Districts and Places	
Portfolio Holder	Leader	
SMT Lead	Mark Radford	
Head of Service	Mark Radford	
Lead Officer	Katherine Bescoby	
Key Decision	No	
Classification	Open	
Forward Plan	N/A	
Recommendations	<ol style="list-style-type: none"> 1. That the General Purposes Committee considers the feedback to the consultation and the changes suggested to the polling districts and places as set out in Appendix I and makes recommendations to Council. 2. That the General Purposes Committee asks the Council to note the arrangements which will continue for the May 2019 elections as set out in Appendix II. 	

1. Purpose of Report and Executive Summary

- 1.1 In preparation for the elections in May 2019, a review of polling district and places has been undertaken. This report sets out details of the consultation, and the changes proposed. Some changes are as a result of feedback received, whilst others are as a result of increases in electorate.
- 1.2 Appendix I sets out the wards where feedback has been received and changes are proposed. Appendix II sets out those wards where no changes are proposed, and incorporates feedback where received.
- 1.3 The General Purposes Committee is asked to consider this and make recommendations to Council on 10 October 2018 regarding the arrangements for polling districts and places.

2. Background

- 2.1 The Electoral Administration Act 2006 introduced a requirement for Councils to undertake a review of polling districts and places in 2007 and every four years thereafter. In practice, however, we do monitor this more regularly and have, when necessary, made arrangements for alternative polling places/stations with the agreement of the Council/(Acting) Returning Officer.
- 2.2 It may be useful to clarify that the Council is responsible for setting the polling district (a geographical area of a ward) and polling places (a geographical area within a polling district that the polling station must be located within).

The Returning Officer is responsible for locating the polling station, which must be within the polling place.

- 2.3 There are currently 24 wards and 81 polling districts. If the proposals set out in the report are agreed, there will be 84 polling districts, or 85 if a separate polling district is established for the New Zealand estate. This will have cost implications.
- 2.4 The electoral register will need to be updated to reflect any revisions to polling districts, in time for publication of the revised electoral register, by 1 December 2018. The Council will therefore be asked to agree arrangements at the October Council meeting to ensure that there is sufficient time for this work to be completed.

3. Proposal

- 3.1 The General Purposes Committee considers the feedback to the consultation and the changes suggested to the polling districts and places as set out in Appendix I and makes recommendations to Council.
- 3.2 The General Purposes Committee asks the Council to note the arrangements which will continue for the May 2019 elections as set out in Appendix II.

4. Alternative Options

- 4.1 The Committee may make suggestions for alternative venues; however, consideration does need to be given to practical aspects in terms of venues available within the ward, particularly given the complexities of areas where there are parish councils in parts of wards. Consideration must also be given to the costs and logistics of using mobile venues which also require a generator.

5. Consultation Undertaken or Proposed

- 5.3 A Notice was published to launch the review and a webpage set up inviting people to make comments on the proposals, which has been promoted by the Communications team. The consultation started on 18 May and closed on 27 August 2018, and the review was drawn to the attention of Members. The Appendices set out details of feedback received and the Returning Officer's response. All Ward Members have been made aware of the consultation and have been invited to give feedback. Polling Station Inspectors who visit the stations at each election have also been asked to give feedback for the review. The (Acting) Returning Officer for Faversham and Mid Kent has also been made aware of the review.

6. Implications

Issue	Implications
Corporate Plan	Running elections effectively meets the Council's priority "A Council to be proud of".
Financial,	We are seeking to increase the current number of polling stations

Resource and Property	(which must be located within the polling place) to reflect the increase in electorate and the Electoral Commission requirement that there should be no more than 2500 electors per polling stations. It should be noted that there will be costs as a result of hiring additional venues and employing additional polling station staff. Furthermore, costs will increase if we are required to use portacabins, particularly if generators and equipment are also required, and the logistics and additional work involved in such temporary stations should also be taken into consideration.
Legal and Statutory	The Council has undertaken the review in accordance with the principles in the Electoral Administration Act 2006. The review has been undertaken earlier than required, but is considered necessary to ensure that suitable voter arrangements are in place for the May 2019 elections.
Crime and Disorder	None identified at this time.
Sustainability	None identified at this stage.
Health & Wellbeing	None identified at this stage.
Risk Management and Health and Safety	The purpose of the review is to ensure that all voters have reasonable facilities for voting. It is important that venues meet health and safety requirements so as not to put voters at risk. Polling Station staff are encouraged to give feedback on venues and each station is visited by a Polling Station Inspector on election day.
Equality and Diversity	The purpose of the review is to ensure that all electors in the Borough have reasonable facilities for voting, and that as far as is reasonable and practicable, facilities for voting are accessible for disabled people.

7. Appendices

7.1 The following documents are to be published with this report and form part of the report:

- Appendix I: Polling Districts and Places: feedback and proposals for consideration
- Appendix II: Polling Districts and Places: feedback where no changes are proposed.
- Maps

8. Background Papers

8.1 Details of the documents that were available for public consultation are available to view on our website

<http://www.swale.gov.uk/polling-district-review/>

Previous reports and minutes are also available to view www.swale.gov.uk

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Appendix I – Wards where changes are proposed to polling districts and places.

Ward	Polling District Letters	Polling District	Polling Place	Polling Station (decided by the Returning Officer)	Change proposed to polling district, place or station?
Bobbing, Iwade and Lower Halstow	BB	Bobbing	Polling district	Bobbing Village Hall, Sheppey Way, Bobbing, Sittingbourne, Kent, ME9 8PL	No
	BI	Iwade	Polling district	Iwade Village Hall, Ferry Road, Iwade, Sittingbourne, Kent, ME9 8RG	Yes – splitting this polling district into two
	New name TBC	Iwade	Polling District	Iwade Sports Pavilion	Yes – new polling district and new venue
	BLH	Lower Halstow	Polling district	Memorial Hall, School Lane, Lower Halstow, Sittingbourne, Kent, ME9 7ES	No

Feedback/Update:

Due to the growing electorate in Iwade, and the Electoral Commission threshold of no more than 2500 electors for a polling station, it is suggested that the Iwade polling district is divided into two polling districts. The Ward Members have been consulted and one of the Ward Members has suggested the Pavilion is also used as a polling station. This venue has been visited and is considered to be suitable for this purpose. Revised Map is attached which sets out the proposed polling districts (see maps A and B)

The (Acting) Returning Officer is supportive of the proposal for an additional polling station as outlined above.

Appendix I – Wards where changes are proposed to polling districts and places.

Borden and Grove Park	BGB	Borden	Polling district	Borden Parish Hall, School Lane, Borden Sittingbourne, Kent, ME9 8JS	NO
	BGG	Grove Park	Polling district	Grove Park C.P School, Hilton Drive, Sittingbourne, Kent, ME10 1PT	YES – reduce size if set up New Zealand estate as separate polling district
	BGNZ	Grove Park NZ	Ward	Possible new polling station for the New Zealand Estate or Borden Parish Hall or Grove Park C.P School	YES – new polling district
	BGBP	Grove Park – Bobbing Parish	Ward	Grove Park C.P School, Hilton Drive, Sittingbourne, Kent, ME10 1PT	NO
Feedback/Update:					
<p>We have received feedback from three members of the public on this area, and a member of the public has suggested that The Forge should be used instead of Borden Parish Hall. Ward Members have been consulted and consider that Borden Parish Hall is a better venue in particular for parking. The (Acting) Returning Officer is happy to continue to use the Parish Hall.</p> <p>Ward Members have highlighted an issue in respect of voting arrangements for electors in the New Zealand estate, which is due to the way in which the new boundaries were drawn. Voters currently vote at Grove Park School, and have done for several years now, however, two suggestions have been received regarding this.</p> <ol style="list-style-type: none"> 1) Voters could vote either at Borden Parish Hall (which would need to be carefully managed given that if Borden Parish Council has a contested election, voters in the Borden polling district will also be entitled to a parish ballot paper). 2) Voters could use a temporary building on the New Zealand estate specifically for those voters, however, there are cost and logistical implications to consider as a result of this. The New Zealand estate comprises of 194 houses and 347 electors (approximately 50 of these will be postal voters). 					

The (Acting) Returning Officer is interested to hear views on this, given that voters have voted at Grove Park since 2015 with very few complaints.

A member of the public has suggested that voters in the Grove Park polling district south of the A2 should be allowed to vote at Borden Parish Hall, but this is not supported by the Ward Members.
The (Acting) Returning Officer is happy to continue with the current arrangements.

A map to show the ward and current polling districts is attached (Map C)

Milton Regis	MRN	Milton Regis North	Ward	Milton Court Children’s Centre, Brewery Road, Milton Regis, Sittingbourne, Kent, ME10 2EE	YES – new venue
	MRS	Milton Regis South	Polling District	Milton Court Children’s Centre, Brewery Road, Milton Regis, Sittingbourne, Kent, ME10 2EE	YES – new venue

Feedback/Update:

In response to a suggestion made by one of the Ward Members, it is proposed that the Milton Court Children’s Centre is used instead of Milton Court Primary Academy. Both Ward Members are supportive of this request. There are no proposed changes to the polling district.

The (Acting) Returning Officer is happy that the alternative venue is suitable to be used as a polling station.

Murston	MUN	Murston North	Polling district	Sunny Bank Primary School, Sunny Bank, Murston, Sittingbourne, Kent, ME10 3QN	YES – splitting polling district into two
	New name TBC	New name TBC	Polling District	Lakeview Village Hall, Great Easthall	YES – new polling district and venue
	MUS	Murston	Polling	Lansdowne Primary School, Gladstone Drive,	NO

Appendix I – Wards where changes are proposed to polling districts and places.

		South	district	Sittingbourne, Kent, ME10 3BH	
Feedback/Update:					
<p>It is proposed to split the polling district in the current Murston North area, to reflect the growth in electorate and to establish a new polling station at Great Easthall. Care needs to be taken as to how the area is split to reflect the logistics of voters travelling to the Great Easthall venue. Ward Members have been consulted. A map of the proposed polling districts is attached (Map D)</p>					
Roman	RE	Roman East	Polling district	Sittingbourne Community College, Swanstree Avenue, Sittingbourne, Kent, ME10 4NL	No change
	RW	Roman West	Polling district and new polling district	Net Church, 95 East Street, Sittingbourne, Kent, ME10 4BL	YES splitting into 2
	New name TBC	New name TBC	Polling district and RW	Net Church, 95 East Street, Sittingbourne, Kent, ME10 4BL	YES new polling district
Feedback/Update:					
<p>Due to the size of the electorate in Roman West, we will need to divide the current polling district into two and to have two polling stations in one venue.</p> <p>The (Acting) Returning is happy with this proposal.</p> <p>A revised map setting out the revised polling district is attached (Map E)</p>					

Appendix I – Wards where changes are proposed to polling districts and places.

Sheerness	SEC	Sheerness East Central	Polling district	Freedom Centre, St. George's Avenue, Sheerness, ME12 1QT	NO
	SEE	Sheerness East East	Polling district	Richmond Primary School, Nursery Close, St. Helen's Road, Sheerness, ME12 2ET	NO
	SWS	Sheerness West South	Polling district	West Minster Primary School, St. Georges Avenue, Sheerness, ME12 1ET	YES – move to Weenie Westminster Room
	SWN	Sheerness West North	Polling district	Seashells Children and Families Centre, Rose Street, Sheerness, Kent, ME12 1AW	NO
	SEW	Sheerness East West	Polling district	Sheerness County Youth Club, Broadway, Sheerness, Kent, ME12 1TP	NO

Feedback/Update:

The Head of West Minster Primary School has asked if we can use an alternative room at the school. Ward Members have been consulted and two ward members have confirmed they are happy with this alternative. No changes are proposed to the polling district.

The (Acting) Returning Officer considers that the alternative venue is suitable for voters.

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Appendix II – Polling Districts and Places where no changes are proposed.

Ward	Polling District Letters	Polling District	Polling Place	Polling Station (decided by the Returning Officer)
Abbey	FAE	Abbey East	Ward	St Mary of Charity Primary School, Orchard Place, Faversham, Kent, ME13 8AP
	FAW	Abbey West	Polling district	St Mary of Charity Primary School, Orchard Place, Faversham, Kent, ME13 8AP
Boughton and Courtenay	BBO	Boughton	Polling district	Boughton Village Hall, Boughton, Faversham, Kent, ME13 9AH
	BDU	Dunkirk	Polling district	Dunkirk Village Hall, London Road, Dunkirk, Faversham, Kent, ME13 9LF
	BFW	Faversham Without	Ward	Graveney Village Hall, Sandbanks Lane, Graveney, Faversham, Kent, ME13 9DQ
	BGO	Goodnestone	Ward	Graveney Village Hall, Sandbanks Lane, Graveney, Faversham, Kent, ME13 9DQ
	BGR	Graveney	Polling district	Graveney Village Hall, Sandbanks Lane, Graveney, Faversham, Kent, ME13 9DQ
	BHE	Hernhill	Polling district	Village Hall, Hernhill, Faversham, Kent, ME13 9JG
	BSE	Selling	Polling district	Selling Village Hall, The Street, Selling, Faversham, Kent, ME13 9RQ
	BSH	Sheldwich	Polling district	Village Hall, Sheldwich, Faversham, Kent, ME13 0NG
Chalkwell	C	Chalkwell	Polling district	New House Sports & Youth Centre, Chalkwell Road, Sittingbourne, Kent, ME10 2LP
Consultation Response: The Ward Member is happy with arrangements for voting but has commented on arrangements for tellers elsewhere.				

Appendix II – Polling Districts and Places where no changes are proposed.

East Downs	EBA	Badlesmere	Polling district	Village Hall, Sheldwich, Faversham, Kent, ME13 0NG
	EDO	Doddington	Polling district	Village Hall, Doddington, Sittingbourne, Kent, ME9 0BH
	EE	Eastling	Polling district	Eastling Village Hall, Eastling, Faversham, Kent, ME13 0BA
	ELE	Leaveland	Polling district	Village Hall, Sheldwich, Faversham, Kent ME13 0NG
	ENE	Newnham	Polling district	Newnham Village Hall, The Street, Newnham, Sittingbourne, Kent, ME9 0LW
	EOS	Ospringe	Polling district	The Alma Public House, Eastling Road, Painters Forstal, Faversham, Kent, ME13 0DU
	EST	Stalisfield	Polling district	Memorial Hall, Stalisfield, Faversham, Kent, ME13 0HY
	ETH	Throwley	Polling district	Portacabin On The Green, Throwley Forstal, Faversham, Kent
Hartlip, Newington and Upchurch	HH	Hartlip	Polling district	Hartlip Village Hall, Hartlip, Sittingbourne, Kent, ME9 7TH
	HN	Newington	Polling district	Newington Village Hall, High Street, Newington, Sittingbourne, Kent, ME9 7JJ
	HU	Upchurch	Polling district	Upchurch Village Hall, Upchurch, Sittingbourne, Kent, ME9 7EU

Appendix II – Polling Districts and Places where no changes are proposed.

Homewood	HW	Homewood West	Polling district	Ashdown House (Westlands Primary School), Johnson Road, Sittingbourne, Kent, ME10 1JS
	HC	Homewood Central	Ward	UK Paper Leisure Club, Avenue of Remembrance, Sittingbourne, Kent ME10 4DE
	HE	Homewood East	Polling district	UK Paper Leisure Club, Avenue of Remembrance, Sittingbourne, Kent ME10 4DE
Kemsley	KC	Kemsley Central	Polling district	Kemsley Village Hall, The Square, Ridham Avenue, Kemsley, Sittingbourne, Kent, ME10 2SL
	KN	Kemsley North	Ward	Kemsley Village Hall, The Square, Ridham Avenue, Kemsley, Sittingbourne, Kent, ME10 2SL
	KS	Kemsley South	Polling district	Clock Tower Hall, Adisham Green, Kemsley, Sittingbourne, Kent, ME10 2RQ
Minster Cliffs	MCC	Minster Cliffs Central	Polling district	Minster CP School, Brecon Chase, Minster, Sheerness, Kent, ME12 2HX
	MCE	Minster Cliffs East	Polling district	St. Georges Primary School, Chequers Road, Minster, Sheerness, Kent, ME12 3QU
	MCW	Minster Cliffs West	Ward	Communal Lounge, Invicta Lodge, Kent Avenue, Minster, Sheerness, Kent, ME12 2DZ
Priory	FP	Priory	Polling district	Davington CP School, Priory Row, Faversham, Kent, ME13 7EQ
Consultation response: The Ward Member is happy with current arrangements.				
Queenborough	QHE	Halfway East	Polling districts of	St. Peter's Church Hall, Queenborough Road,

Appendix II – Polling Districts and Places where no changes are proposed.

and Halfway			QHE and QHW	Minster-on-Sea, ME12 3DD
	QHW	Halfway West	Polling districts of QHE and QHW	St. Peter's Church Hall, Queenborough Road, Minster-on-Sea, ME12 3DD
	QQ	Queenborough	Polling district	Castle Connections, Railway Terrace, Well Road, Queenborough, Sheerness, Kent, ME11 5AY
	QR	Rushenden	Polling district	Communal Lounge, Manor Close, Rushenden, Sheerness, Kent, ME11 5NB
<p>Consultation response: One of the Ward Members has repeated a previous objection to the arrangements for Halfway, but acknowledges that there is a lack of suitable venues.</p>				
Sheppey Central	SHCM	Sheppey Central Mid	Polling district	Minster CP School, Minster Road, Minster, Sheerness, Kent, ME12 2HX
	SHCS	Sheppey Central South	Polling district	Thistle Hill Community Centre, 4 Laurel Road, Minster, Sheerness, Kent, ME12 3FG
	SHCW	Sheppey Central West	Polling district	County Library, Minster Road, Minster, Sheerness, Kent, ME12 3NP
Sheppey East	SHEE	Eastchurch	Polling district	Eastchurch Village Hall, Warden Road, Eastchurch, Sheppey, Kent, ME12 4EJ
	SHEL	Leysdown	Polling district	Leysdown Village Hall, Wing Road, Leysdown, Sheerness, Kent, ME12 4QR
	SHEMEP	Minster East Parish	Ward	Eastchurch Village Hall, Warden Road, Eastchurch,

Appendix II – Polling Districts and Places where no changes are proposed.

				Sheppey, Kent, ME12 4EJ
	SHEW	Warden	Polling district	Warden Village Hall, Warden Bay Road, Warden Bay, Sheppey, Kent, ME12 4NB
St Ann's	FSE	St Ann's East	Polling district	St. Jude Welcome Centre, 34 Tanners Street, Faversham, Kent, ME13 7JW
	FSW	St Ann's West	Polling district	West Faversham Community Centre, Bysing Wood Road, Faversham, Kent, ME13 7RH
Teynham and Lynsted	TLL	Luddenham	Polling district	Oare Village Hall, Church Road, Oare, Faversham., Kent, ME13 0QA
	TLO	Oare	Polling district	Oare Village Hall, Church Road, Oare, Faversham., Kent, ME13 0QA
	TLT	Tonge	Polling district	Bapchild Village Hall, School Lane, Bapchild, Sittingbourne, Kent, ME9 9NL
	TLY	Lynsted with Kingsdown	Polling district	Lynsted & Norton School, Lynsted Lane, Lynsted, Sittingbourne, Kent, ME9 0RL
	TNB	Norton, Buckland and Stone	Polling district	Norton Village Hall, Norton, Faversham, Kent, ME13 0SW
	TTN	Teynham North	Polling district for TTN and TTS	Teynham Village Hall, Belle Friday Close, Teynham, Kent, ME9 9TU
	TTS	Teynham South	Polling district for TTN and TTS	Teynham Village Hall, Belle Friday Close, Teynham, Kent, ME9 9TU
The Meads	TM	The Meads	Ward	The Meads Community Centre, Emerald Crescent, Sittingbourne, Kent, ME10 5JL

Appendix II – Polling Districts and Places where no changes are proposed.

	TMBP	The Meads Bobbing Parish	Ward	The Meads Community Centre, Emerald Crescent, Sittingbourne, Kent, ME10 5JL
Watling	FWE	Watling East	Polling district	Preston Schoolroom, Preston Lane, Faversham, Kent, ME13 8LG
	FWW	Watling West	Polling district	Ethelbert Rd Primary School, Ethelbert Road, Faversham, Kent, ME13 8SQ
West Downs	WBA	Bapchild	Polling district	Bapchild Village Hall, School Lane, Bapchild, Sittingbourne, Kent, ME9 9NL
	WBR	Bredgar	Polling district	Bredgar Village Hall, Bexon Lane, Bredgar, Sittingbourne, Kent, ME9 8HB
	WDM	Milstead	Polling district	Milstead Village Hall, Milstead, Sittingbourne, Kent, ME9 OSD
	WDR	Rodmersham	Polling district	Village Hall, Rodmersham Green, Sittingbourne, Kent, ME9 0PL
	WDT	Tunstall Rural Parish	Polling district	Tunstall Village Memorial Hall, Tunstall Road, Tunstall, Sittingbourne, Kent, ME10 1YZ
Woodstock	WOW	Woodstock West	Polling district	Sports Pavilion (UKP), Gore Court Road, Sittingbourne, Kent, ME10 1QN
	WOE	Woodstock East	Polling district	Sports Pavilion (UKP), Gore Court Road, Sittingbourne, Kent, ME10 1QN

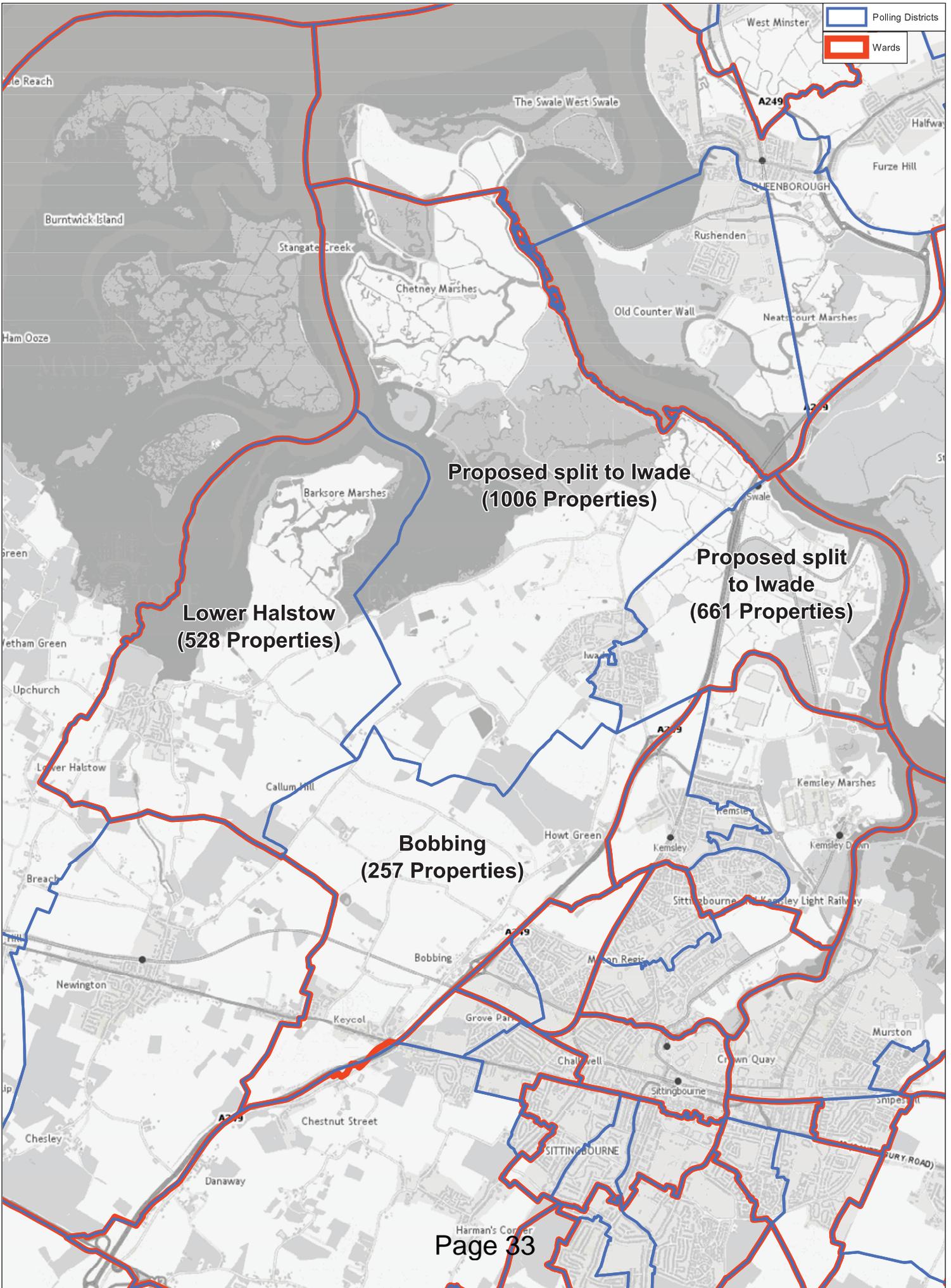
Appendix II – Polling Districts and Places where no changes are proposed.

	WOTUP	Tunstall Urban Parish	Polling district of WDT	<u>Tunstall Village Memorial Hall, Tunstall Road, Tunstall, Sittingbourne, Kent, ME10 1YZ</u>
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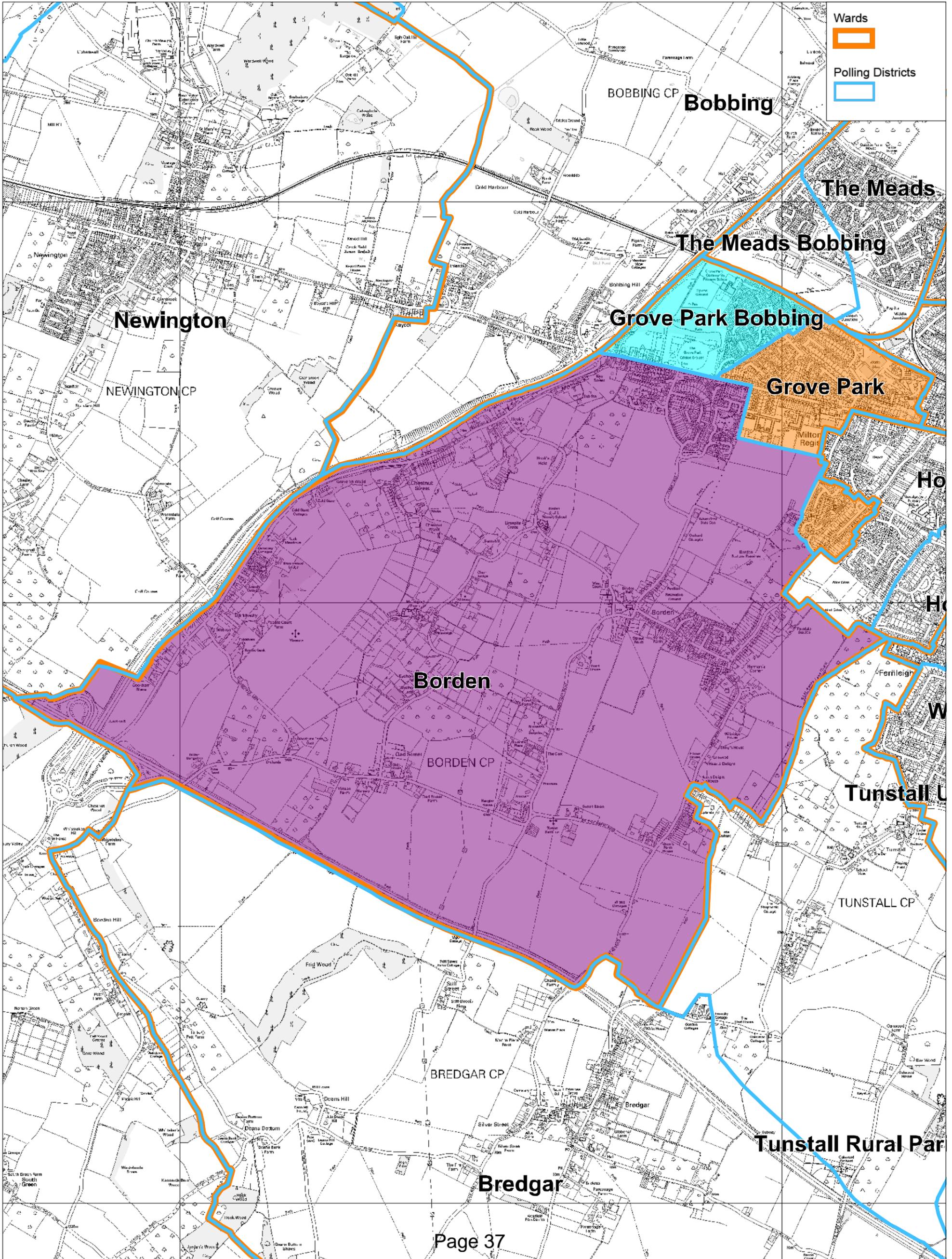
Proposed changes to Bobbing, Iwade and Lower Halstow Ward polling districts



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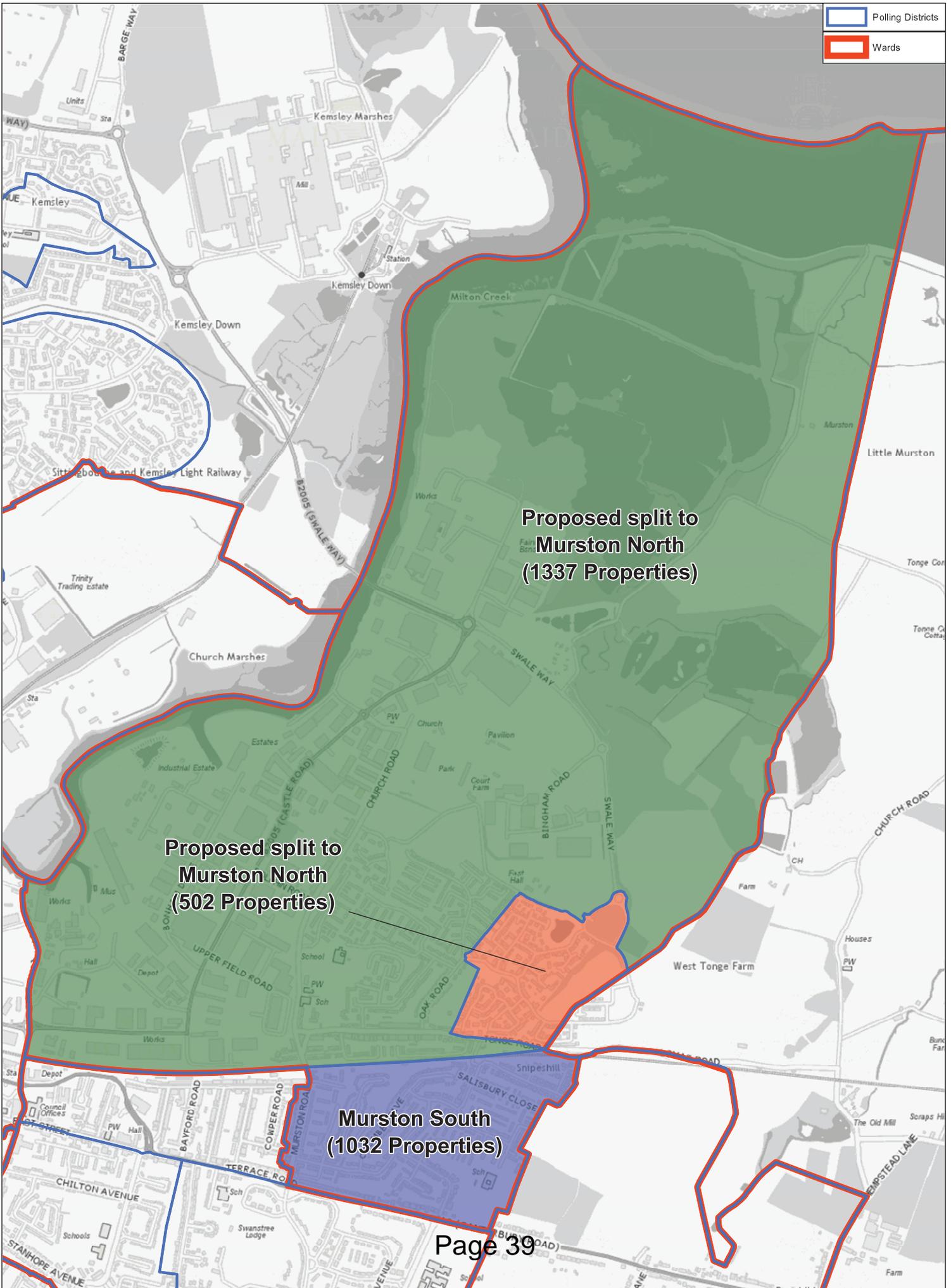
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Borden and Grove Park Ward



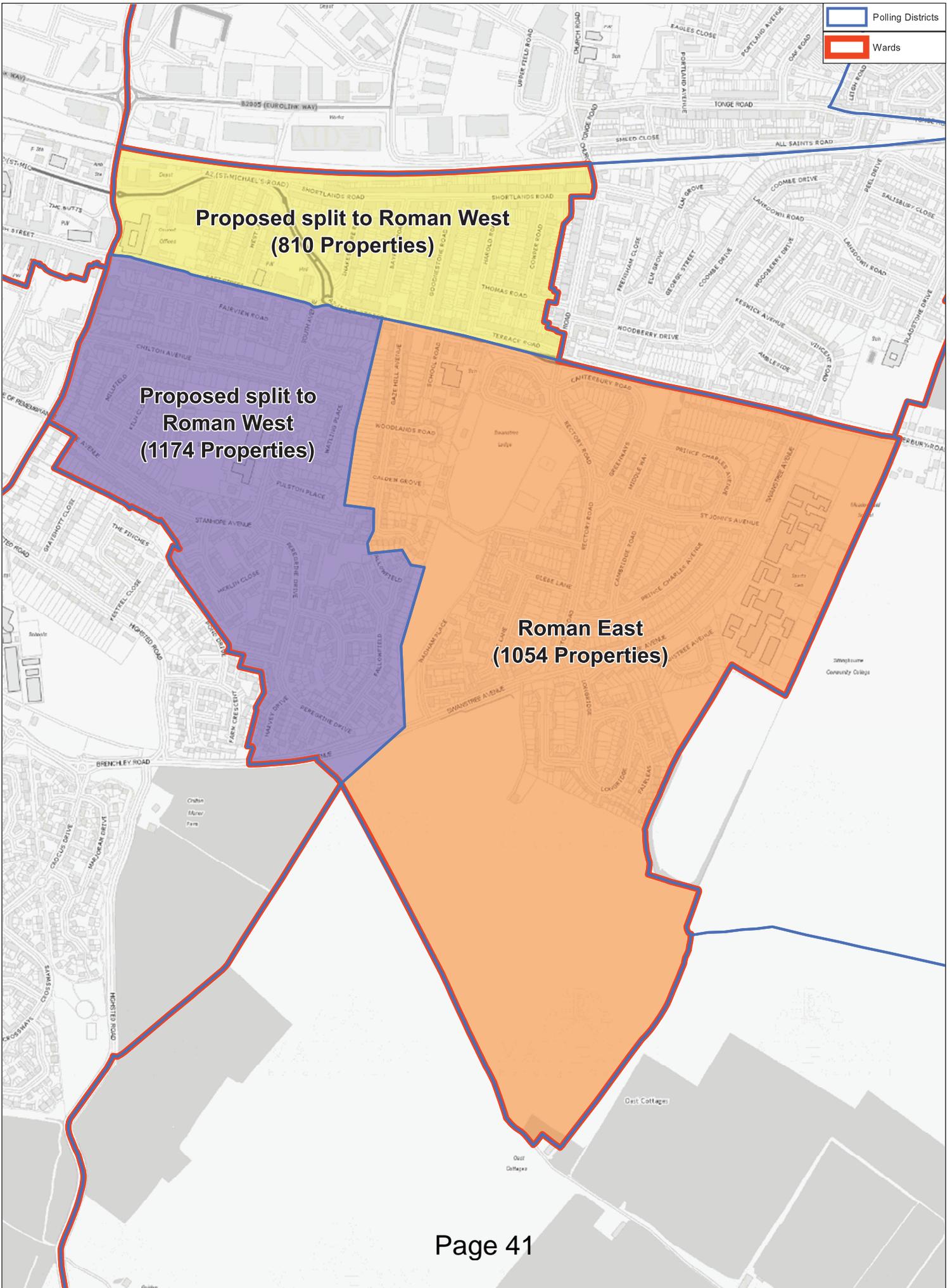
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Proposed changes to Murston Ward polling districts



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Proposed changes to Roman Ward polling districts



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