

Crawley Borough Council

Minutes of General Purposes Committee

1 October 2013 at 7.00pm

Present:

| | |
|-------------|--|
| Councillor | L A M Burke (Chair) |
| Councillor | C A Cheshire (Vice–Chair) |
| Councillors | M L Ayling, R D Burrett, D G Crow, C R Eade, P K Lamb, R A Lanzer, C A Moffatt and L A Walker |

Officers Present:

| | |
|---------------|-----------------------------|
| Andrew Oakley | Electoral Services Manager |
| Mez Matthews | Democratic Services Officer |

Apologies for Absence:

Councillor C Oxlade (and Councillor S J Joyce – substitute)

5. Members' Disclosure of Interests

No disclosures of interests were made by Members.

6. Minutes

The minutes of the meeting of the Committee held on [1 July 2013](#) were approved as a correct record and signed by the Chair.

7. Individual Electoral Registration

The Committee considered report [LDS/073](#) of the Head of Legal and Democratic Services which informed the Committee about the transition to Individual Electoral Registration which would take place in 2014, and the postponed annual canvass for 2013. The Committee's attention was drawn to Paragraphs 3.2 to 3.7 which detailed the transitional arrangements, implementation timetable and an explanation of the data matching techniques which would be used to verify an elector's registration.

Some concern was expressed that the new system could create a significant amount of additional work and could result in a decrease in registration levels. It was noted that the Council would be able to use data from other Government Organisations to invite individuals, such as those nearing the age of 16, to register. It was also noted that the Council would continue to carry out the annual electoral canvass.

The Committee was informed that although the Council already had the ability to prosecute those who failed to provide a response to Electoral Services, the Electoral Administration Act 2013 would give the Council the option to issue a civil penalty for a failure to register. It was acknowledged however, that the decision on whether the Council should issue penalty charges and the criteria the Council should use in its decision to issue a penalty charge would be considered in 2016 once the new system was in place and was not a current consideration for the Committee.

Although it was not a consideration for the Committee, Members debated whether verification of a person's right to vote should also be required when casting their vote on the day of the election.

The Electoral Services Manager was thanked for the interesting and informative report. It was suggested that information regarding Individual Electoral Registration be circulated to all Councillors via the Members' Information Bulletin.

RESOLVED

That the changes to the Electoral Registration process be noted.

8. Review of Polling Districts

The Committee considered report [LDS/067](#) of the Head of Legal and Democratic Services which informed the Committee of the arrangements for the statutory review of Polling Districts that must be undertaken before the next General Election in May 2015.

The report also highlighted the issues relating to polling arrangements at the County Council Elections in May 2014. It was noted that the Committee would have the opportunity to consider the proposed polling arrangements later in the year once the review of polling districts had taken place, and the decision on polling places was not a current consideration for the Committee.

It was suggested that The Holiday Inn on The Square about in Three Bridges also be investigated as a possible polling place for Three Bridges Ward – Pembroke Park due to its central location, possible meeting room vacancies, access and ample parking. It was proposed that the review also investigate whether Polling District LHB (Maidenbower) contained any public land which would be large enough to accommodate a temporary building which could be used as a polling station. It was noted that the review would investigate whether it would be possible for Broadfield South and Broadfield North Wards to be served by two separate polling places.

The Electoral Services Manager agreed that the figures detailed in Appendix B to the report (turnout by polling station voters) would, in future, also include the actual number of people who voted. The Committee's attention was drawn to Paragraph 3.7 of the report, and the significant amount of work which had carried out by the Council's Access Officer was acknowledged.

RESOLVED

That the Review of the Polling Districts be conducted as set out in Paragraph 3 of the report.

9. Changes to the Constitution

The Committee considered report [LDS/072](#) of the Head of Legal and Democratic Services which proposed changes to the Constitution. It was noted that the Localism Act 2011 had made changes to the Local Government Act 2000 and as a result, the section numbers of the Act had been altered. The proposed amendments to the General Purposes Committee functions relating to a change in governance arrangements (specifically functions (c) and (j)) were a result of those changes in section references and did not fundamentally change the responsibilities of the General Purposes Committee.

RESOLVED

That the Full Council be recommended that the amendments to the Constitution proposed in Appendix 1 to these minutes be agreed.

10. Closure of Meeting

With the business of the Committee concluded, the Chair declared the meeting closed at 7.40pm.

L A M BURKE
Chair

APPENDIX 1

CHANGES TO THE CONSTITUTION

| Function | Proposed amendment | Reason for amendment |
|---|---|---|
| Article 7: The Leader and Cabinet– Page 25 (Ann-Maria Brown) | Amend the penultimate paragraph of paragraph 7.3 (Leader) as follows: “In the event of there being a vacancy in the office of Leader, the Council shall elect a new Leader at its next ordinary meeting.” | There is no statutory reason why the Leader must be elected at an ordinary meeting. This amendment will ensure the efficient running of the Council. Deleted wording shown as crossed through. |
| Functions of the General Purposes Committee – Page 130 (Ann-Maria Brown) | Amend function 2 to read as detailed in Appendix 1a. | To reflect legislative changes made by the Localism Act 2011 to the Local Government Act 2000. |

EXCERPT FROM FUNCTIONS OF THE GENERAL PURPOSES COMMITTEE

Functions of the General Purposes Committee

Delegation of Functions (concurrently with the General Purposes Committee)

(2) Functions relating to a change in governance arrangements

~~(a) Take decision whether to make a proposal for a change in governance arrangements (relating to Sections 33A and 33B of the Local Government Act 2000)*~~

~~(b) Duty to consult prior to drawing up proposals (relating to Section 33E(6) of the Local Government Act 2000)~~

~~(c) Duty to draw up proposals (relating to Section 33E(2) of the Local Government Act 2000)*~~

(b) Duty to comply with direction given by the Secretary of State ~~(relating to Section 33I of the Local Government Act 2000)~~

This function is delegated to the Head of Legal and Democratic Services

(c) Take decision whether a change of the kind set out in Sections **9MA and 9MB** ~~33A~~ of the 2000 Act should be subject to approval in a referendum under Section **9M** ~~33E(5)~~ of the Local Government Act 2000 *

(d) Duty to hold referendum ~~(relating to Section 33K(2) of the Local Government Act 2000)~~

This function is delegated to the Head of Legal and Democratic Services

- | | |
|--|---|
| <p>(e) Duty to publish notice if proposals not approved in referendum (relating to Section 33K(6) of the Local Government Act 2000)</p> | <p>This function is delegated to the Head of Legal and Democratic Services</p> |
| <p>(h) Duty to obtain written consent of elected Mayor (relating to Section 33N of the Local Government Act 2000)</p> | <p>This function is delegated to the Head of Legal and Democratic Services</p> |
| <p>(f) Duty to deal with a referendum by Petition *</p> | |
| <p>(g) Duty to implement new governance arrangements (relating to Sections 33G and 33H of the Local Government Act 2000)</p> | <p>This function is delegated to the Head of Legal and Democratic Services</p> |
| <p>(j) To make a change in the form of Executive (relating to Schedule 4 of the Local Government and Public Involvement in Health Act 2007)**</p> | |

*These matters may be considered by the General Purposes Committee but shall be referred to the Council for determination

~~** This matter may be considered by the General Purposes Committee but shall be referred to a meeting of the Full Council specially convened for the purposes of deciding the resolution with notice of the object during the permitted resolution period (Local Government and Public Involvement in Health Act 2007, Schedule 4, paragraph 3(4))~~