



Regulatory and General Purposes Committee

Date:	Thursday, 7 September 2023
Time:	6.00 p.m.
Venue:	Committee Room 1, Birkenhead Town Hall

Contact Officer: Anne Beauchamp
Tel: 0151 691 8322
e-mail: annebeauchamp@wirral.gov.uk
Website: <http://www.wirral.gov.uk>

Please note that public seating is limited therefore members of the public are encouraged to arrive in good time.

Wirral Council is fully committed to equalities and our obligations under The Equality Act 2010 and Public Sector Equality Duty. If you have any adjustments that would help you attend or participate at this meeting, please let us know as soon as possible and we would be happy to facilitate where possible. Please contact committeeservices@wirral.gov.uk

This meeting will be webcast at
<https://wirral.public-i.tv/core/portal/home>

AGENDA

- 1. WELCOME AND INTRODUCTION**
- 2. APOLOGIES**
- 3. MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST**

Members of the Committee are asked to declare any disclosable pecuniary and non-pecuniary interests, in connection with any item on the agenda and state the nature of the interest.

- 4. PUBLIC AND MEMBER QUESTIONS**

- 4.1 Public Questions**

Notice of question to be given in writing or by email by 12 noon, Monday 4 September 2023 to the Council's Monitoring Officer via this link: [Public Question Form](#) and to be dealt with in accordance with Standing Order 10.

For more information on how your personal information will be used, please see this link: [Document Data Protection Protocol for Public Speakers at Committees | Wirral Council](#)

Please telephone the Committee Services Officer if you have not received an acknowledgement of your question by the deadline for submission.

4.2 Statements and Petitions

Notice of representations to be given in writing or by email by 12 noon, Monday 4 September 2023 to the Council's Monitoring Officer (committeeservices@wirral.gov.uk) and to be dealt with in accordance with Standing Order 11.1.

Petitions may be presented to the Committee if provided to Democratic and Member Services no later than 10 working days before the meeting, at the discretion of the Chair. The person presenting the petition will be allowed to address the meeting briefly (not exceeding three minute) to outline the aims of the petition. The Chair will refer the matter to another appropriate body of the Council within whose terms of reference it falls without discussion, unless a relevant item appears elsewhere on the Agenda. If a petition contains more than 5,000 signatures, it will be debated at a subsequent meeting of Council for up to 15 minutes, at the discretion of the Mayor.

Please telephone the Committee Services Officer if you have not received an acknowledgement of your statement/petition by the deadline for submission.

4.3 Questions by Members

Questions by Members to dealt with in accordance with Standing Orders 12.3 to 12.8.

5. MINUTES (Pages 1 - 6)

To approve the accuracy of the minutes of the meeting held on 7 June 2023.

6. MINUTES OF THE REGULATORY PANEL AND THE LICENSING PANEL (Pages 7 - 26)

To approve the accuracy of the minutes of the meeting of the Regulatory Panel held on 19 May 2023 and the meetings of the Licensing Panel held on 20 June, 28 July and 4 August 2023.

- 7. HONORARY FREEDOM OF THE BOROUGH (POSTHUMOUS AWARD) GLENDA JACKSON (Pages 27 - 32)**
- 8. PARLIAMENTARY POLLING PLACE AND POLLING DISTRICT STATUTORY REVIEW (Pages 33 - 40)**

Terms of Reference

The terms of reference for this committee can be found at the end of this agenda.

This page is intentionally left blank

REGULATORY AND GENERAL PURPOSES COMMITTEE

Wednesday, 7 June 2023

Present:

Councillors	S Bennett (Vice-Chair)	J Stewart Laing
	C Cooke	K Stuart
	G Davies	M Sullivan
	B Hall	E Tomeny
	L Luxon-Kewley	A Gardner (In place of M Jordan)
	C McDonald	D Kenny (In place of R Pitt)
	K Murphy	I Lewis (In place of A Hodson, Chair)
	M Redfern	

Apologies:

Councillors	A Hodson (Chair)
	M Jordan
	R Pitt

Vice-Chair in the Chair

1 WELCOME AND INTRODUCTION

The Vice-Chair welcomed everyone to the meeting and those watching the webcast.

2 APOLOGIES

The Vice-Chair confirmed apologies had been received from Councillors A Hodson (Chair) with Councillor I Lewis deputising, M Jordan with Councillor A Gardner deputising and R Pitt with Councillor D Kenny deputising.

3 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the Committee were asked to declare any disclosable pecuniary and non-pecuniary interests in connection with any item on the agenda and state the nature of the interest.

No such declarations were made.

4 PUBLIC QUESTIONS

The Vice-Chair indicated that one question had been received from John Brace relating to the report in respect of the Honorary Freedom of the

Borough as to why the year had been omitted from the list of past recipients in respect of The Hillsborough 96.

In response, the Civic and Electoral Services Manager explained that this was a typing error and had been noted.

5 **QUESTIONS BY MEMBERS**

The Vice-Chair reported that there had been no statements or petitions received or any questions submitted from Members.

6 **MINUTES**

Resolved – That the accuracy of the minutes of the meeting held on 23 March 2023 be approved.

7 **MINUTES OF THE REGULATORY PANEL**

Resolved – That the accuracy of the minutes of the meetings of the Regulatory Panel (now re-named as the Licensing Panel) held on 3 March 2023, 5 April 2023, 28 April 2023 (am) and 28 April 2023 (pm) be approved.

8 **APPOINTMENT OF MEMBERS TO THE LICENSING PANEL AND THE CHARITABLE TRUSTS SUB-COMMITTEE**

The Director of Law and Governance submitted a report in respect of the appointment of Members to the Licensing Panel and the Charitable Trusts Sub-Committee.

It was reported that the Terms of Reference of the Regulatory and General Purposes Committee as contained in the Council's Constitution (approved by Council on 24 May 2023), required this Committee to appoint five of its members, politically balanced, to the Charitable Trusts Sub-Committee which has responsibility for discharging the Council's functions as corporate trustee of The Wirral Borough Council Mayor's Charity.

It was further reported that the Terms of Reference as amended at Council on 24 May 2023 also allowed for the convening of Licensing Panels of between three and five Members of the Regulatory and General Purposes Committee, exempt from political balance but not formed solely by members of one political Group, with the responsibility for the Council's functions to deal with applications, determinations and reviews of licences or registrations and any related matter, in respect of any licensed activity that is the responsibility of the Authority (other than under the Licensing Act 2003 or the Gambling Act 2005).

Members were advised that to allow effective management of applications, etc within relevant statutory timescales or otherwise in a timely manner, where the required decision was outside of officer delegated powers, a Licensing Panel could be convened consisting of between three and five Members of the Committee to consider and determine the matter. The setting up and running of Panels is an administrative function managed by the Council's Democratic Services Team and it was proposed to Members that they delegate authority to the Director of Law and Governance (Monitoring Officer) to convene such Panels as and when required in consultation with the Chair and Spokespersons.

The allocation of five seats on the Charitable Trusts Sub-Committee would be 2 Labour, 1 Conservative, 1 Green and 1 Liberal Democrat and it would be for the political groups to decide who they wished to nominate to the places on the Charitable Trusts Sub-Committee allocated to their group.

On a motion by Councillor Brenda Hall and seconded by Councillor Chris Cooke it was –

Resolved –

- (1) That the Terms of Reference of the Charitable Trusts Sub-Committee and the Licensing Panel as referred to in paragraphs 1.1 to 1.3 of the report be noted.**
- (2) That the Director of Law and Governance (Monitoring Officer) be authorised to carry out the wishes of the Group Leaders in allocating Members to membership of the Charitable Trusts Sub-Committee and to appoint those Members with effect from the date at which the proper officer is advised of the names of such Members.**
- (3) That the Director of Law and Governance (Monitoring Officer) be given delegated authority, in consultation with the Chair and Spokespersons, to convene Licensing Panels as and when required for the purposes of carrying out the Council's functions to deal with applications, determinations and reviews of licences or registrations, and any related matter, in respect of any licensed activity that is the responsibility of the Authority (other than under the Licensing Act 2003 or the Gambling Act 2005) and that it be agreed that the term of membership be continued until such time as a new Regulatory and General Purposes Committee is appointed.**

The Director of Law and Governance submitted a report requesting that Members of the Committee give consideration as to whether to recommend to Council that the title of Honorary Alderman be conferred on former Councillors Tony Smith and Dave Mitchell.

The Civic and Electoral Services Manager reported that former Councillor Tony Smith had been a Member of the Council from May 1995 representing Bebington Ward as a Labour Party Member and served as the Member for Upton Ward since 2004 until May 2023 and had served as Mayor of Wirral for the Municipal Years 2019-20 and 2020-21. Former Councillor Tony Smith had also been a Cabinet Member for Social Inclusion and Children's Services during his service to Wirral Council.

It was reported that former Councillor Dave Mitchell had been a Member of the Council from May 1983, representing Eastham Ward as Liberal Democrat Member until May 2023. Former Councillor Dave Mitchell had served as Mayor of Wirral for the Municipal Year 2013-14, had been the Chair of Planning Committee when the Wirral Waters development had been approved and was also a Cabinet Member for Highways and Transportation. He was also a member of the Mersey Port Health Authority, the North Western Inshore Fisheries and Conservation Authority and had also served on the Merseytravel Committee.

The Council had previously determined that former Members who had served twenty years on the Council or a predecessor Council were eligible for nomination to this award and therefore former Councillors Tony Smith and Dave Mitchell were eligible to have the title of Honorary Alderman conferred upon them.

On a motion by Councillor Mike Sullivan and seconded by Councillor Andrew Gardner it was –

Resolved – That the conferment of the title of Honorary Alderman on former Councillors Tony Smith and Dave Mitchell be recommended to Council in accordance with Section 249(1) of the Local Government Act 1972.

10 **HONORARY FREEDOM OF THE BOROUGH (POSTHUMOUS AWARD) – PAUL O'GRADY MBE DL**

The Director of Law and Governance submitted a report requesting that Members of the Committee recommend to Council that Paul O'Grady MBE DL be posthumously admitted as Honorary Freeman of this Borough at an Extraordinary Council meeting to be held on 10 July 2023.

The Civic and Electoral Services Manager reported that this was a very significant step for the Council to take. Very few people had been awarded

this status and it should only be awarded to someone who had made an exceptional contribution to the Borough. Paul O'Grady MBE DL, Comedian, Broadcaster, Actor and Writer, who was born and raised in Birkenhead and who sadly passed away on 28th March 2023 aged 67 is considered to be within this category.

In respect of a query raised, it was noted that the year The Hillsborough 96 had been granted the title of Honorary Freeman or Freewoman of the Borough was 2017, which had been inadvertently omitted from the report.

On a motion by Councillor James Stewart Laing and seconded by Councillor Louise Luxon-Kewley it was –

Resolved –

- (1) That in pursuance of the provisions of Section 249(5) of the Local Government Act 1972 and in recognition of his dedicated service to the Borough, that Paul O'Grady MBE DL be posthumously admitted as an Honorary Freeman of this Borough at an Extraordinary Council Meeting to be held on 10 July 2023; and**
- (2) That officers be requested to take the necessary actions associated with (1) above and arrange a small civic reception for family representatives of Paul O'Grady MBE DL and some invited guests on a mutually agreeable date following the Extraordinary Meeting of Council on 10 July 2023.**

This page is intentionally left blank

REGULATORY PANEL

Friday, 19 May 2023

Present: Councillors A Hodson (Chair)
M Booth
C Cooke

162 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the Panel were asked to declare any disclosable pecuniary and non-pecuniary interests in connection with any application on the agenda and state the nature of the interest.

No such declarations were made.

163 PRIVATE HIRE VEHICLE LICENCE REQUEST - VAUXHALL INSIGNIA, REGISTRATION NUMBER DA13 CVP

The Director of Law and Governance reported upon an application received to license a Vauxhall Insignia, registration number DA13 CVP, outside the current age policy for licensing Private Hire Vehicles. The vehicle had first been licensed as a Private Hire Vehicle on 26 January 2022 and the most recent licence expired on 9 May 2023. The date of first registration of the vehicle was 9 May 2013. The vehicle had been examined at one of the Council's authorised testing stations and the MOT and Compliance pass certificates had been provided to Members.

The proprietor of the vehicle was present at the meeting with the vehicle which Members of the Panel inspected.

Resolved – That the application to license the Vauxhall Insignia, registration number DA13 CVP, as a Private Hire Vehicle be granted for six months.

164 HACKNEY CARRIAGE VEHICLE LICENCE REQUEST - PEUGEOT E7, REGISTRATION NUMBER SJ56 MDU

The Director of Law and Governance reported upon an application received to license a Peugeot E7, registration number SJ56 MDU, outside the current age policy for licensing Hackney Carriage Vehicles.

The applicant did not attend the meeting.

Resolved – That the applicant attend a future meeting of this Panel should they wish to pursue their application.

165 **PRIVATE HIRE VEHICLE LICENCE REQUEST - PEUGEOT BOXER, REGISTRATION NUMBER YJ16 GWF**

The Director of Law and Governance reported upon an application received to license a Peugeot Boxer, registration number YJ16 GWF, outside the current criteria which states that Private Hire Vehicles that are wheelchair accessible and rear loading, using a tailgate system, may only be used for home to school contract work.

The current criteria that vehicles must comply with before being granted a Private Hire Vehicle Licence were set out within the report. The date of first registration of the vehicle was 24 March 2016. Should the application be granted, it will be necessary for it to be examined at one of the Council's authorised testing stations in order for it to receive a valid MOT certificate.

The proprietor of the vehicle was present at the meeting with the vehicle which Members of the Panel inspected.

Resolved – That the application to license the Peugeot Boxer, registration number YJ16 GWF, as a Private Hire Vehicle outside the current criteria which states that Private Hire Vehicles that are wheelchair accessible and rear loading, using a tailgate system, may only be used for home to school contract work be granted subject to the following conditions:

- One party member must require a wheelchair accessible vehicle;
- The booking must be made 24 hours in advance;
- All staff must be trained in how to use the equipment.

166 **EXEMPT INFORMATION - EXCLUSION OF THE PRESS AND PUBLIC**

Resolved - That, under section 100 (A) (4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following item of business on the grounds that it involves the likely disclosure of exempt information as defined by paragraph 1 of Part I of Schedule 12A (as amended) to that Act. The Public Interest Test had been applied and favoured exclusion.

167 **PRIVATE HIRE DRIVER LICENCE APPLICATION (SM)**

The Director of Law and Governance reported upon an application received by SM for the grant of a Private Hire Driver Licence.

SM attended the meeting and made representations in respect of the application. SM responded to questions from Members of the Panel and their legal advisor.

Members gave due consideration to the representations made and exercised their right to consider each case on its individual merits in light of the representations made.

In determining the matter Members also gave serious consideration to their overriding responsibility in respect of the protection and safety of the public. The Panel applied the principle of proportionality enshrined within the Human Rights Act 1998.

Resolved - That SM's application for the grant of a Private Hire Driver Licence be refused.

168 PRIVATE HIRE DRIVER LICENCE APPLICATION (LTH)

The Director of Law and Governance submitted a report for Members to consider whether LTH should be granted a Private Hire Driver Licence.

LTH attended the meeting and made representations in respect of the application. LTH responded to questions from Members of the Panel and the legal advisor to the Panel.

Members gave due consideration to the representations made and exercised their rights to consider each case on its individual merits in light of the representations made.

Resolved - That LTH's application for a Private Hire Driver Licence be granted for one year subject to having undergone a medical from their GP and undertaking random drug testing.

This page is intentionally left blank

Public Document Pack

LICENSING PANEL

Tuesday, 20 June 2023

Present: Councillors A Hodson (Chair)
G Davies
B Hall
R Pitt
J Stewart Laing

1 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the Panel were asked to declare any disclosable pecuniary and non-pecuniary interests in connection with any application on the agenda and state the nature of the interest.

The Chair declared a personal interest in Item 3 – Private Hire Vehicle Licence Application – Skoda Superb, Registration Number DF13 GUW by virtue of being acquainted with the applicant (minute 3 refers).

2 PRIVATE HIRE VEHICLE LICENCE APPLICATION - PEUGEOT BOXER, REGISTRATION NUMBER YF13 XTW

The Director of Law and Governance reported upon an application received to license a Peugeot Boxer, registration number YF13 XTW, outside the current age policy for licensing Private Hire Vehicles. The vehicle had first been licensed as a Private Hire Vehicle on 14 November 2022 and the current licence was due to expire on 20 June 2023. The date of first registration of the vehicle was 20 June 2013. It was reported that should a licence be granted, the vehicle would be used to undertake work exclusively under and in strict accordance with the terms and conditions of a contract issued by the Council to transport children to and from educational establishments. The vehicle had been examined at one of the Council's authorised testing stations and the MOT and Compliance pass certificates had been provided to Members.

The brother of the proprietor of the vehicle was present at the meeting with the vehicle which Members of the Panel inspected.

Resolved – That the application to license the Peugeot Boxer, registration number YF13 XTW, as a Private Hire Vehicle be granted for six months subject to documentation being provided to the Licensing Authority confirming that the advisories referred to on the MOT certificate had been carried out and the rear seat armrest on the driver's side had been repaired by 30 June 2023.

3 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - SKODA SUPERB, REGISTRATION NUMBER DF13 GUW**

The Chair declared a personal interest in this matter by virtue of being acquainted with the applicant and left the room during its consideration.

Councillor J Stewart Laing took the chair for this item.

The Director of Law and Governance reported upon an application received to license a Skoda Superb, registration number DF13 GUW, outside the current age policy for licensing Private Hire Vehicles. The vehicle had first been licensed as a Private Hire Vehicle on 12 July 2018 and the current licence was due to expire on 29 June 2023. The date of first registration of the vehicle was 29 June 2013. The vehicle had been examined at one of the Council's authorised testing stations and the MOT and Compliance pass certificates had been provided to Members.

The proprietor of the vehicle was present at the meeting with the vehicle which Members of the Panel inspected.

Resolved – That the application to license the Skoda Superb, registration number DF13 GUW, as a Private Hire Vehicle be granted for six months.

4 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - FORD MONDEO, REGISTRATION NUMBER BK13 BMO**

The Director of Law and Governance reported upon an application received to license a Ford Mondeo, registration number BK13 BMO, outside the current age policy for licensing Private Hire Vehicles. The vehicle had first been licensed as a Private Hire Vehicle on 4 October 2017 and the current licence was due to expire on 12 July 2023. The date of first registration of the vehicle was 12 July 2013. The vehicle had been examined at one of the Council's authorised testing stations and the MOT and Compliance pass certificates had been provided to Members.

The proprietor of the vehicle was present at the meeting with the vehicle which Members of the Panel inspected.

Resolved – That the application to license the Ford Mondeo, registration number BK13 BMO, as a Private Hire Vehicle be granted for six months.

5 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - AUDI A7, REGISTRATION NUMBER BL72 YXX**

The Director of Law and Governance reported upon an application received to license an Audi A7, registration number BL72 YXX, as a Private Hire Vehicle outside the current criteria which states that side and rear windows must allow at least 70% of light to be transmitted through.

The current criteria that vehicles must comply with before being granted a Private Hire Vehicle Licence as set out in the Statement of Hackney Carriage and Private Hire Licensing Policy states that: The front windscreen must let at least 75% of light through and all other windows must let at least 70% of light through.

It was reported that the date of first registration of the vehicle was 7 February 2023 and should a licence be granted, the vehicle would be used to undertake work providing an executive travel service.

It was further reported that should the application be granted it would be necessary for the vehicle to be examined at one of the Council's authorised testing stations in order for it to receive a valid MOT and Compliance certificate.

The applicant attended the meeting with the vehicle which was inspected by Members.

In determining the application, Members took into consideration that the vehicle would be used for executive travel service.

Resolved –

- (1) That due to the restricted use of this vehicle, the application to license the Audi A7, registration number BL72 YXX, as a Private Hire Vehicle be granted.**
- (2) That the following conditions be applied to the Private Hire Vehicle Licence and the Private Hire Operator Licence:**
 - **All bookings must be made at least 24 hours in advance.**
 - **Payment for all bookings must be requested through an invoicing system.**
 - **The operator must communicate with customers for each booking taken, by text or email, with the following information:**
 - **Private Hire Driver name**
 - **Private Hire Driver badge number**
 - **Private Hire Vehicle registration number**

For the avoidance of doubt, the above conditions also apply in respect of drivers and vehicles undertaking work for bookings subcontracted to other private hire companies.

6 **EXEMPT INFORMATION - EXCLUSION OF THE PRESS AND PUBLIC**

Resolved - That, under section 100 (A) (4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following item of business on the grounds that it involves the likely disclosure of exempt information as defined by paragraph 1 of Part I of Schedule 12A (as amended) to that Act. The Public Interest Test had been applied and favoured exclusion.

7 **PRIVATE HIRE DRIVER LICENCE REVIEW (MJL)**

The Director of Law and Governance submitted a report for Members to consider whether MJL should continue to hold a Private Hire Driver Licence.

MJL attended the meeting and made representations. MJL responded to questions from Members and the legal advisor to the Panel.

Members considered carefully the responses made by MJL.

Members gave due consideration to all of the representations made and exercised their rights to consider each case on its individual merits in light of the representations made.

Resolved –

(1) That MJL be allowed to continue to hold a Private Hire Driver Licence subject to the successful completion of both the NVQ and the first available Driver Awareness Course to be arranged by the Licensing Authority.

(2) That MJL be issued with a written warning as to their future conduct.

8 **PRIVATE HIRE DRIVER LICENCE APPLICATION (APJ)**

The Director of Law and Governance submitted a report for Members to consider whether APJ should be granted a Private Hire Driver Licence.

APJ attended the meeting and made representations in respect of the application. APJ responded to questions from Members of the Panel and the legal advisor to the Panel.

Members gave due consideration to the representations made and exercised their rights to consider each case on its individual merits in light of the representations made.

Resolved - That APJ's application for a Private Hire Driver Licence be granted.

9 **PRIVATE HIRE DRIVER LICENCE APPLICATION (JD)**

The Director of Law and Governance submitted a report for Members to consider whether JD should be granted a Private Hire Driver Licence.

JD attended the meeting and made representations in respect of the application. JD responded to questions from Members of the Panel and the legal advisor to the Panel.

Members gave due consideration to the representations made and exercised their rights to consider each case on its individual merits in light of the representations made.

Resolved - That JD's application for a Private Hire Driver Licence be granted.

This page is intentionally left blank

Public Document Pack

LICENSING PANEL

Friday, 28 July 2023

Present: Councillors A Hodson (Chair)
S Bennett
G Davies
L Luxon-Kewley
K Stuart

In attendance: Councillors C McDonald
K Murphy

10 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the Panel were asked to declare any disclosable pecuniary and non-pecuniary interests in connection with any application on the agenda and state the nature of the interest.

The Chair declared a personal interest in Item 12 – Private Hire Vehicle Licence Request – Mercedes-Benz E220, Registration Number V60 RCR by virtue of being acquainted with the applicant (minute 21 refers).

11 PRIVATE HIRE VEHICLE LICENCE APPLICATION - IVECO-FORD DAILY, REGISTRATION NUMBER GN09 MUP

The Director of Law and Governance reported upon an application received to license an Iveco-Ford Daily, registration number GN09 MUP, outside the current age policy for licensing Private Hire Vehicles. The vehicle had first been licensed as a Private Hire Vehicle on 24 January 2019 and the current licence was due to expire on 28 July 2023. The date of first registration of the vehicle was 29 July 2009. It was reported that should a licence be granted, the vehicle would be used to undertake work exclusively under and in strict accordance with the terms and conditions of a contract issued by the Council to transport children to and from educational establishments. The vehicle had been examined at one of the Council's authorised testing stations and the MOT and Compliance pass certificates had been provided to Members.

The proprietor of the vehicle was present at the meeting with the vehicle which Members of the Panel inspected.

Resolved – That delegated authority be given to a Licensing Officer to issue a license in respect of Iveco-Ford Daily, registration number GN09 MUP, subject to a further clear MOT certificate being provided and an inspection of the vehicle to ensure the step is working correctly.

12 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - FORD TRANSIT, REGISTRATION NUMBER GY61 VLL**

The Director of Law and Governance reported upon an application received to license a Ford Transit, registration number GY61 VLL, outside the current age policy for licensing Private Hire Vehicles. The vehicle had first been licensed as a Private Hire Vehicle on 3 September 2020 and the current licence was due to expire on 28 July 2023. The date of first registration of the vehicle was 30 December 2011. It was reported that should a licence be granted, the vehicle would be used to undertake work exclusively under and in strict accordance with the terms and conditions of a contract issued by the Council to transport children to and from educational establishments. The vehicle had been examined at one of the Council's authorised testing stations and the MOT and Compliance pass certificates had been provided to Members.

The proprietor of the vehicle was present at the meeting with the vehicle which Members of the Panel inspected.

Resolved – That delegated authority be given to a Licensing Officer to issue a license in respect of the Ford Transit, registration number GY61 VLL, subject to a further clear MOT certificate being provided.

13 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - IVECO-FORD DAILY, REGISTRATION NUMBER WA60 EWB**

The Director of Law and Governance reported upon an application received to license an Iveco-Ford Daily, registration number WA60 EWB, outside the current age policy for licensing Private Hire Vehicles. The vehicle had first been licensed as a Private Hire Vehicle on 31 October 2018 and the current licence was due to expire on 28 July 2023. The date of first registration of the vehicle was 15 December 2010. It was reported that should a licence be granted, the vehicle would be used to undertake work exclusively under and in strict accordance with the terms and conditions of a contract issued by the Council to transport children to and from educational establishments. The vehicle had been examined at one of the Council's authorised testing stations and the MOT and Compliance pass certificates had been provided to Members.

The proprietor of the vehicle was present at the meeting with the vehicle which Members of the Panel inspected.

Resolved – That the application to license the Iveco-Ford Daily, registration number WA60 EWB, as a Private Hire Vehicle be granted for six months.

14 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - MERCEDES-BENZ E300, REGISTRATION NUMBER KT13 AXO**

The Director of Law and Governance reported upon an application received to license a Mercedes-Benz E300, registration number KT13 AXO, outside the current age policy for licensing Private Hire Vehicles. The vehicle had first been licensed as a Private Hire Vehicle on 14 July 2022 and the current licence was due to expire on 28 July 2023. The date of first registration of the vehicle was 8 July 2013. The vehicle had been examined at one of the Council's authorised testing stations and the MOT and Compliance pass certificates had been provided to Members.

The proprietor of the vehicle was present at the meeting with the vehicle which Members of the Panel inspected.

Resolved – That the application to license the Mercedes-Benz E300, registration number KT13 AXO, as a Private Hire Vehicle be granted for six months.

15 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - TOYOTA AURIS, REGISTRATION NUMBER DF13 KTD**

The Director of Law and Governance reported upon an application received to license a Toyota Auris, registration number DF13 KTD, outside the current age policy for licensing Private Hire Vehicles. The vehicle had first been licensed as a Private Hire Vehicle on 5 October 2017 and the current licence was due to expire on 28 July 2023. The date of first registration of the vehicle was 26 June 2013. The vehicle had been examined at one of the Council's authorised testing stations and the MOT and Compliance pass certificates had been provided to Members.

The proprietor of the vehicle was present at the meeting with the vehicle which Members of the Panel inspected.

Resolved (4:1 Councillor G Davies dissenting) - That the application to license the Toyota Auris, registration number DF13 KTD, as a Private Hire Vehicle be granted for six months.

16 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - FORD MONDEO, REGISTRATION NUMBER DA62 HKY**

The Director of Law and Governance reported upon an application received to license a Ford Mondeo, registration number DA62 HKY, outside the current age policy for licensing Private Hire Vehicles. The vehicle had first been licensed as a Private Hire Vehicle on 13 February 2015 and the current licence was due to expire on 4 August 2023. The date of first registration of the vehicle was 4 February 2013. The vehicle had been examined at one of the Council's authorised testing stations and the MOT and Compliance pass certificates had been provided to Members.

The proprietor of the vehicle was present at the meeting with the vehicle which Members of the Panel inspected.

Resolved – That the application to license the Ford Mondeo, registration number DA62 HKY, as a Private Hire Vehicle be granted for six months.

17 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - RENAULT TRAFIC, REGISTRATION NUMBER LX61 DGE**

The Director of Law and Governance reported upon an application received to license a Renault Trafic, registration number LX61 DGE, outside the current age policy for licensing Private Hire Vehicles.

The proprietor of the vehicle did not attend the meeting.

Resolved – That the applicant attend a future meeting of the Licensing Panel should they wish to pursue the application.

18 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - IVECO-FORD DAILY, REGISTRATION NUMBER WA60 EWG**

The Director of Law and Governance reported upon an application received to license an Iveco-Ford Daily, registration number WA60 EWG, outside the current age policy for licensing Private Hire Vehicles.

The proprietor of the vehicle did not attend the meeting.

Resolved – That the applicant attend a future meeting of the Licensing Panel should they wish to pursue the application.

19 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - MERCEDES-BENZ V220, REGISTRATION NUMBER A22 PEC**

The Director of Law and Governance reported upon an application received to license a Mercedes-Benz V220, registration number A22 PEC, as a Private Hire Vehicle outside the current criteria which states that side and rear windows must allow at least 70% of light to be transmitted through.

The current criteria that vehicles must comply with before being granted a Private Hire Vehicle Licence as set out in the Statement of Hackney Carriage and Private Hire Licensing Policy states that: The front windscreen must let at least 75% of light through and all other windows must let at least 70% of light through.

It was reported that the date of first registration of the vehicle was 31 July 2017 and should a licence be granted, the vehicle would be used to undertake work providing an executive travel service.

The applicant attended the meeting with the vehicle which was inspected by Members.

Resolved – That the application to license the Mercedes-Benz V220, registration number A22 PEC, as a Private Hire Vehicle be refused.

20 **PRIVATE HIRE VEHICLE LICENCE APPLICATION - PEUGEOT INDEPENDENCE, REGISTRATION NUMBER SF65 FKR**

The Director of Law and Governance reported upon an application received to license a Peugeot Independence, registration number SF65 FKR, as a Private Hire Vehicle outside the current criteria which states that side and rear windows must allow at least 70% of light to be transmitted through.

The current criteria that vehicles must comply with before being granted a Private Hire Vehicle Licence as set out in the Statement of Hackney Carriage and Private Hire Licensing Policy states that: The front windscreen must let at least 75% of light through and all other windows must let at least 70% of light through.

It was reported that the date of first registration of the vehicle was 30 January 2016 and should a licence be granted, the vehicle would be used to undertake home to school contract work.

It was further reported that the vehicle had been examined at one of the Council's authorised testing stations and the MOT certificate was distributed to Members.

The applicant attended the meeting with the vehicle which was inspected by Members.

In determining the application, Members took into consideration that the vehicle would be used for home to school contract work with an escort present at all times and that the vehicle had been purpose NHS built for privacy.

Resolved – That the application to license the Peugeot Independence, registration number SF65 FKR, as a Private Hire Vehicle be granted subject to the step being in correct working order, the chevrons/stripes on the vehicle being removed and the following conditions being attached to the licence:

- The vehicle must only be used on the specific home to school contract that will be identified in the licence.
- There must be an escort travelling in the vehicle at all times it is being used under the home to school contract.

21 **PRIVATE HIRE VEHICLE LICENCE REQUEST - MERCEDES-BENZ E220, REGISTRATION NUMBER V60 RCR**

The Chair declared a personal interest in this matter and left the room during its consideration.

Vice-Chair in the Chair.

The Director of Law and Governance reported upon an application received to exempt a Mercedes-Benz E220, registration number V60 RCR from displaying Private Hire Vehicle Licence plates and from displaying door signs which provide details of the Private Hire Operator.

The vehicle was first licensed as a Private Hire Vehicle on 1 December 2021 and the current licence was due to expire on 30 November 2023 and was therefore subject to the conditions attached to that licence. The date of first registration of the vehicle was 1 March 2019.

The proprietor of the vehicle attended the meeting with the vehicle which was inspected by Members.

The proprietor of the vehicle outlined his business model to Members of the Panel in that he provides an executive travel service. He submitted to the Licensing Panel that he considered having an exemption to displaying vehicle licence plates and door signs on the vehicle would enable him to offer a more discreet service to his customers who do not want the vehicle to be identified as a Private Hire Vehicle. He further submitted that having the number displayed on door signs results in him receiving unwanted calls from people wishing to book a Private Hire Vehicle. The proprietor of the vehicle has held a Private Hire Driver Licence since 24 December 2013 which was due to expire on 23 December 2024 and a Private Hire Operator Licence since 6 April 2016 which was due to expire on 19 January 2027.

Resolved – That the application to exempt the Mercedes-Benz E220, registration number V60 RCR from displaying Private Hire Vehicle Licence plates and from displaying door signs which provide details of the Private Hire Operator be granted with the condition that the Private Hire Vehicle Licence plates be kept inside the vehicle.

22 **EXEMPT INFORMATION - EXCLUSION OF THE PRESS AND PUBLIC**

Resolved - That, under section 100 (A) (4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following item of business on the grounds that it involves the likely disclosure of exempt information as defined by paragraph 1 of Part I of Schedule 12A (as amended) to that Act. The Public Interest Test had been applied and favoured exclusion.

23 **PRIVATE HIRE DRIVER LICENCE APPLICATION (ZM)**

The Director of Law and Governance submitted a report for Members to consider whether ZM should be granted a Private Hire Driver Licence.

ZM attended the meeting and made representations in respect of the application. ZM responded to questions from Members of the Panel and the legal assistant to the Panel.

Members gave due consideration to the representations made and exercised their rights to consider each case on its individual merits in light of the representations made.

Resolved - That ZM's application for a Private Hire Driver Licence be granted.

24 **PRIVATE HIRE DRIVER LICENCE APPLICATION (AREW)**

The Director of Law and Governance submitted a report for Members to consider whether AREW should be granted a Private Hire Driver Licence.

AREW attended the meeting and made representations in respect of the application. AREW responded to questions from Members of the Panel and the legal advisor to the Panel.

Members gave due consideration to the representations made and exercised their rights to consider each case on its individual merits in light of the representations made.

Resolved - That AREW's application for a Private Hire Driver Licence be granted.

25 **PRIVATE HIRE DRIVER LICENCE REVIEW (SJMCC)**

The Director of Law and Governance submitted a report for Members to consider whether SJMcC should continue to hold a Private Hire Driver Licence.

SJMcC did not attend the meeting.

Resolved – That SJMcC be instructed to attend a future meeting of the Licensing Panel.

Public Document Pack

LICENSING PANEL

Friday, 4 August 2023

Present: Councillors A Hodson (Chair)
S Bennett
G Davies
B Hall
K Murphy

26 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the Panel were asked to declare any disclosable pecuniary and non-pecuniary interests in connection with any application on the agenda and state the nature of the interest.

The Chair declared a personal interest in Item 4 – Private Hire Operator Licence Application (TH) by virtue of having been contacted directly by the applicant (minute 29 refers).

27 EXEMPT INFORMATION - EXCLUSION OF THE PRESS AND PUBLIC

Resolved - That, under section 100 (A) (4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following item of business on the grounds that it involves the likely disclosure of exempt information as defined by paragraph 1 of Part I of Schedule 12A (as amended) to that Act. The Public Interest Test had been applied and favoured exclusion.

28 PRIVATE HIRE DRIVER LICENCE APPLICATION (CWH)

The Director of Law and Governance submitted a report for Members to consider whether CWH should be granted a Private Hire Driver Licence.

CWH attended the meeting and made representations in respect of the application. CWH responded to questions from Members of the Panel and the legal advisor to the Panel.

Members gave due consideration to the representations made and exercised their rights to consider each case on its individual merits in light of the representations made.

Resolved - That CWH's application for a Private Hire Driver Licence be granted for 6 months.

29 PRIVATE HIRE OPERATOR LICENCE APPLICATION (TH)

The Chair declared a personal interest in this matter and left the room during its consideration.

Vice-Chair in the Chair.

The Director of Law and Governance submitted a report for Members to consider whether TH should be granted a Private Hire Operator Licence.

TH attended the meeting and made representations in respect of the application. TH responded to questions from Members of the Panel and the legal advisor to the Panel.

Members gave due consideration to the representations made and exercised their rights to consider each case on its individual merits in light of the representations made.

Resolved - That TH's application for a Private Hire Operator Licence be granted subject to a Licensing Officer being satisfied TH has everything in place according to the conditions of the Private Hire Operator Licence and that the Licensing Officer is satisfied that there is a correct procedure in place in respect of sub-contracting work.

30 **PRIVATE HIRE DRIVER LICENCE REVIEW (MDFM)**

The Director of Law and Governance submitted a report for Members to consider whether MDFM should continue to hold a Private Hire Driver Licence.

MDFM did not attend the meeting.

Resolved – That MDFM be instructed to attend a future meeting of the Licensing Panel.



REGULATORY & GENERAL PURPOSES COMMITTEE

Thursday 7th September 2023

REPORT TITLE:	HONORARY FREEDOM OF THE BOROUGH (POSTHUMOUS AWARD) – GLENDA JACKSON
REPORT OF:	DIRECTOR OF LAW & GOVERNANCE (MONITORING OFFICER)

REPORT SUMMARY

Under the Local Government Act 1972, the Council has the power to grant the title of Honorary Freeman or Freewoman of the Borough to persons of distinction who have rendered eminent Service to the Borough.

This is a very significant step for the Council to take. Very few people have been awarded this status and, quite rightly, it should only be awarded to someone who has made an exceptional contribution to the Borough. Glenda Jackson of Birkenhead is within this category.

Past recipients of this ward are:

1993 Lt. Commander Ian Fraser, VC
1996 Mr. Joseph Lynch, GC, BEM (GAL)
2005 Mr. Ray Holmes
2006 The Right Reverend David Urquhart
2006 Lord Chan of Oxton
2010 Mr. Stephen Maddox, OBE
2016 PC David Phillips
2017 The Hillsborough 96
2019 Doctor Nunzia Bertali
2019 2nd Lt. Jay Frederick Simpson USAF
2022 Baron Frank Field of Birkenhead
2022 Andrew Devine
2023 Paul O'Grady

A scroll will be presented to a family representative by the Mayor.

This matter affects all Wards within the Borough.

RECOMMENDATION/S

The Regulatory and General Purposes Committee is requested to recommend to Council that:

- (1) in pursuance of the provisions of Section 249 (5) of the Local Government Act 1972 and in recognition of her dedicated service to the Borough, that Glenda Jackson be posthumously admitted as Honorary Freewoman of this Borough at an Extraordinary Council Meeting to be held on 09th October 2023.
- (2) officers be requested to take all the necessary actions associated with (1) above and arrange for a small civic reception for family representatives of Glenda Jackson and some invited guests on a mutually agreeable date following the extraordinary meeting of Council

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 To posthumously honour Glenda Jackson of Birkenhead for her eminent service to the Borough and the people of Wirral.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 The alternative option is not to recommend Glenda Jackson as Honorary Freeman of this Borough.

3.0 BACKGROUND INFORMATION

- 3.1 The origin of the Freedom of the Borough goes back to early medieval times, when with the growth of the great English towns, there emerged a class of citizen known as Freemen, who enjoyed important privileges in the government of their own and in the matter of corporate property, as against strangers and the rest of the inhabitants.
- 3.2 With the passing of the Honorary Freedom of the Boroughs Act 1885 the dignity attached to the Office of Freeman was revived and enhanced. This Act conferred upon all Municipal Corporations the power to admit as Honorary Freeman of the Borough "persons of distinction and any persons who have rendered eminent services to the Borough". This can only be achieved by the Council voting at a specially called meeting.
- 3.3 The Freedom of the Borough is the highest award the Council can bestow.
- 3.4 Glenda May Jackson was born on 09 May 1936 in Birkenhead. Glenda Jackson was the oldest of four daughters and she went to school at Holy Trinity Church of England Primary school. Her secondary education was at West Kirby County Grammar School for Girls. She performed in the Townswomen's Guild Drama group in her teens and made her first acting appearance in J.B Priestley's 'Mystery of Greenfingers' in 1952 for the YMCA Players in Hoylake.
- 3.5 Glenda Jackson left school and obtained a job in Boots the Chemist before winning a scholarship in 1954 to study at the Royal Academy of Dramatic Art (RADA) in London. She moved to London to begin her course early in 1955.
- 3.6 Glenda's early career began while she was studying at 'RADA' and she began appearing in repertory theatre whilst also undertaking a role as a stage manager. She unsuccessfully auditioned for the Royal Shakespeare Company (RSC) and undertook what she later described as "a series of soul-destroying jobs". This included waitressing at a coffee bar, clerical work for a large City of London firm, answering phones for a theatrical agent, and a role at British Home Stores. She also worked as a Bluecoat at Pwllheli where her new husband and fellow actor Roy Hodges was a Redcoat. Glenda eventually returned to repertory theatre in Dundee but worked in bars in between acting jobs.

- 3.7 Glenda went on to star in film and TV productions between 1969 to 1980. There had always been a pull towards a political career for Glenda that ran alongside her acting career. In 1991 she retired from acting to devote herself to politics and was elected as an MP for Hampstead and Highgate in 1992. In July 1996 she became the shadow minister for transport. Following Labour's victory in the 1997 General Election Glenda was re-elected and appointed as a junior minister in the government of Tony Blair with responsibility in the London Regional Transport. She remained as an MP until 2015 when she announced that she would not seek re-election in the scheduled 2015 General Election.
- 3.8 Glenda Jackson is the only British actress to have won two Oscars, for her 1970 role opposite Oliver Reed in *Women in Love* and three years later for *A Touch of Class*.
- 3.9 The Glenda Jackson theatre in Wirral was officially named after her at a ceremony in September 1983.
- 3.10 The theatre was named after Ms Jackson after she reached the pinnacle of her fame. The theatre was demolished in 2005 following the establishment of a purpose-built site for students.
- 3.11 Glenda Jackson died on Thursday 15th June 2023 at her home in London with her family by her side. She was 87 years old.

4.0 FINANCIAL IMPLICATIONS

- 4.1 The modest financial implications can be met from within existing budgets.

5.0 LEGAL IMPLICATIONS

- 5.1 The Council may by a resolution passed by not less than two-thirds of the Members voting thereon at a meeting of the Council specifically convened for the purpose with notice of the purpose, admit Glenda Jackson to be Honorary Freeman or Freewoman of the place or area for which it is the authority persons/organisations of distinction and persons/organisations who have in its opinion rendered eminent services to the Borough. (Section 249(5), of the Local Government Act 1972.)

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

- 6.1 There are no implications associated with staffing, ICT or assets.

7.0 RELEVANT RISKS

- 7.1 There are no known risks associated with this report.

8.0 ENGAGEMENT/CONSULTATION

- 8.1 Political Group Leaders have been consulted and support the proposals.

9.0 EQUALITY IMPLICATIONS

9.1 Wirral Council has a legal requirement to make sure its policies, and the way it carries out its work, do not discriminate against anyone. An Equality Impact Assessment is a tool to help council services identify steps they can take to ensure equality for anyone who might be affected by a particular policy, decision, or activity. Measuring the impact of equality implications and mitigating any negative impact where possible is embedded into the core principles of good governance. There are no equality implications arising from this report.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

10.1 This report is for information purposes and as such, there are no direct environment and climate implications.

11.0 COMMUNITY WEALTH IMPLICATIONS

11.1 This report is for information purposes and as such, there are no direct Community Wealth Implications.

REPORT AUTHOR: Kris Cureton
Civic & Electoral Services Manager
Tel: 0151 691 8507
Email: kriscureton@wirral.gov.uk

APPENDICES

None

BACKGROUND PAPERS

Wirral Council Constitution Part 5, Section 19
Online source: Wikipedia

TERMS OF REFERENCE

This report is being considered by the Regulatory and General Purposes Committee in accordance with Section 8.2 of its Terms of Reference

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Not applicable	

This page is intentionally left blank



REGULATORY AND GENERAL PURPOSES COMMITTEE

07 SEPTEMBER 2023

REPORT TITLE:	PARLIAMENTARY POLLING PLACE AND POLLING DISTRICT STATUTORY REVIEW
REPORT OF:	DIRECTOR OF LAW AND GOVERNANCE

REPORT SUMMARY

The purpose of this report is to advise members of the arrangements for the statutory polling place and polling district statutory review 2023.

The Electoral Registration Officer (ERO) must conduct a statutory review of polling places and polling districts every five years. The statutory review can start no earlier than 1st October 2023 and must be completed within 16 months. It must be completed no later than 31 January 2025.

The statutory responsibility for reviewing UK Parliamentary polling districts and places rests with each relevant local authority in Great Britain for so much of any constituency as is situated in its area.

The recommendations contained within this report meet the objectives in the Wirral Plan 2021 – 26 in respect to the safe and pleasant communities and inclusive economy.

The recommendations in this report do not constitute a key decision.

RECOMMENDATION/S

The Regulatory and General Purposes Committee is recommended to agree that the Polling Place and Polling District review will be undertaken and that any proposed changes to current arrangements will be presented for consideration at the Regulatory and General Purposes Committee meeting on 23 November 2023.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

The Local Authority has a statutory duty to undertake a full review of their Parliamentary polling places and polling districts within the Borough and make such changes as are considered necessary to ensure they remain accessible to all electors.

2.0 OTHER OPTIONS CONSIDERED

2.1 No other options were considered. It is a statutory requirement to undertake the review.

3.0 BACKGROUND INFORMATION

3.1 The Local Authority has a duty under the Representation of the People Act 1983 to divide Wirral Borough into Polling Districts and to designate Polling Places for each Polling District.

3.2 The Electoral Administration Act 2006 placed a duty on all local authorities to undertake a full review of their Parliamentary polling districts and polling places every four years.

3.3 The Electoral Registration and Administration Act 2013 introduced a change to the timing of the reviews to five-yearly and, in line with this legislation, a full review was last undertaken by the local authority in 2019.

3.4 Whilst there is no statutory requirement to review polling districts and polling places in the years between such full reviews, the Council's Electoral Services evaluates the effectiveness and suitability of polling places and stations following each election and reports any issues/changes required to the Regulatory and General Purposes Committee as necessary, thereby ensuring that the Borough's electors continue to have the best facilities for voting which are practicable in the circumstances.

3.5 The next compulsory review must be started and completed between 01st of October 2023 and 31 January 2025 (inclusive).

3.6 The purpose of the review is to principally ensure that:

- all electors in the borough have such reasonable facilities for voting as are practicable in the circumstances; and,
- so far as reasonable and practicable, the polling districts, places and stations are accessible to all electors including those who are disabled and when considering the designation of a polling place to have regard to the accessibility needs of disabled persons; and,
- where there is no fully accessible building conveniently located for the electors in an area, where it is necessary to use a place where the access is not ideal then

every reasonable adjustment must be undertaken to provide access for all Electors.

- 3.7 The specific areas of focus for the review are polling districts and the location of polling places and polling stations within the Borough: -

Polling District is a geographical area created by the sub-division of an electoral area, for example a Parliamentary constituency, or a ward.

Polling Place is a building (for example, a school or community centre) or area in which a polling station is located.

Polling Station is the physical location (for example, the room) in which polling takes place and is designated by the Returning Officer.

- 3.8 Roles and responsibilities

The local authority has the statutory responsibility for reviewing polling districts and places rests with the local authority for so much of any constituency as is situated in its area.

The Electoral Registration Officer must, where there are any alterations to the polling districts within its area, amend the register of electors accordingly. This is done either on a notice of alteration or by publishing a revised register. The changes to the register take effect on the date the Electoral Registration Officer publishes a separate notice stating that the alterations have been made, which should be done to coincide with the publication of a notice of alteration/publication of a revised register.

The (Acting) Returning Officer must comment during any review of polling districts and polling places on both existing polling stations and the polling stations that would probably be used if any new proposal for polling places were accepted.

- 3.9 The length of the review process is not prescribed, provided all the steps required by the legislation can be undertaken within the time limit. The time allowed for consultation should be sufficient to enable interested persons and groups to read and understand the proposals, gather comments, and respond with any alternative arrangements that they may wish to submit.

- 3.10 The review will commence on 02nd of October 2023 and conclude on the 10th of November 2023. This will enable any proposed changes to the Electoral Register to be made and effective upon its publication on 1 December 2023.

- 3.11 There are four stages to the review process and the details are: -

Stage 1 – Notification of the review

The Local Authority is required to give notice of the holding of the review. The notice must be displayed at the local authority's office, in at least one conspicuous place within the authority, and on the local authority's website. Notification of the review and how to participate will be sent to elected representatives, local political party offices and local disability and community groups, and a press release will be issued to provide general notification of the review.

The notice will be published on 02nd of October 2023 and notification has been sent to the interested parties listed above.

Stage 2 – Consultation

There are two aspects of the consultation stage which is for representations and comments to be made on the existing and proposed arrangements.

The (Acting) Returning Officer's compulsory submission must comment on both existing and proposed polling stations. There is no requirement to change any existing arrangements, and any change or decision to make no change must be supported by a reason. The (Acting) Returning Officer's comments must be published within 30 calendar days of receipt to give consultees the opportunity to comment on them.

The (Acting) Returning Officer will publish his comments by 02nd of October 2023. The comments will be published at the local authority's office, in at least one conspicuous place within each constituency, and on the local authority's website.

Consultees – the Authority must consult widely on the review and seek out the views of interested groups, including those with expertise in relation to access to premises or facilities for disabled people, or bodies including electors, political parties, MPs, and members of the council. Consultees will be asked for general comments as well as any on specific buildings or areas. Any person or body which makes a comment will be encouraged to suggest an alternative polling place/station and give a reason for the alternative proposal, so that it may be given appropriate consideration.

The consultation period began on 02nd of October 2023 and will end on 10th of November 2023

Stage 3 – Concluding the review.

Subject to any representations received, the Council's Electoral Services will consider all the representations and make recommendations on the most appropriate polling districts and polling places. A report will be prepared and submitted to the Licensing, Health and Safety and General Purposes Committee meeting on 23rd of November 2023 for the members to consider for approval the recommendations and to allow for any alterations to the polling districts within its area to be effective from the publication of the revised register on 1 December 2023.

Stage 4 – Publishing the conclusions of the review.

Details of the agreed polling districts and polling places, and the reasons for them, must be made available to the public at the local authority office, in at least one conspicuous place in each constituency, and on the council's website. All correspondence, representations, minutes, and details of where to view the results must also be published.

- 3.12 Following the conclusion of the review, individuals have a right to make representations to the Electoral Commission. However, the Commission will only consider representations received indicating that a review has not been conducted correctly.

4.0 FINANCIAL IMPLICATIONS

- 4.1 There are no financial implications arising from this report. If alternative polling places are identified as part of this review, additional resources may need to be identified to fund the consequent building and staffing costs. Any such additional costs will be dealt with in the subsequent report and recommendations to Committee.

5.0 LEGAL IMPLICATIONS

- 5.1 The local authority has a duty under the Representation of the People Act 1983 to divide Wirral Borough into Polling Districts and to designate Polling Places for each Polling District.
- 5.2 The Electoral Administration Act 2006 placed a duty on all local authorities to undertake a full review of their Parliamentary polling districts and polling places every four years.
- 5.3 The Electoral Registration and Administration Act 2013 introduced a change to the timing of the reviews to five-yearly and, in line with this legislation, a full review was last undertaken by the local authority in 2019.
- 5.4 There is a legal duty on the local authority to provide accommodation for polling stations with the Representation of the People Act 1983, Chapter 2, Schedule 1, Part III, paragraph 22.
- 5.5 Polling stations must be accessible to all -Section 20, 29 and 31, Equality Act 2010.
- 5.6 Provision of polling stations. The Returning Officer must provide enough polling stations and, subject to the following provisions of this rule, must allot the electors to the polling stations in such manner as he thinks most convenient - Rule 23(1-4), The Local Elections (Principal Areas) (England and Wales) Rules 2006.

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

- 6.1 Undertaking this review will impact on resources in respect of officer time, particularly as the period of this review traverses the annual canvass of the Electoral Register. It is anticipated that these requirements can be met from within existing resources.

7.0 RELEVANT RISKS

- 7.1 The Council has a statutory duty to complete a Polling Districts and Places Review by 31 January 2025. In addition, the Review provides a further opportunity for the Council to ensure accessibility to all Electors, mitigate any potential hazards and health and safety risks; and ensure that the Council addresses any identified risks affecting any potential Electors, particularly if they have from a disability.

8.0 ENGAGEMENT/CONSULTATION

8.1 The Acting Returning Officer (ARO) will publish notice of this review and consult with interested groups, including those with expertise in relation to access to premises or facilities for disabled people, or bodies including electors, political parties, MPs and members of the council.

9.0 EQUALITY IMPLICATIONS

9.1 Wirral Council has an ongoing responsibility under the Equality Act 2010 and the Public Sector Equality Duty (S149) to take equality implications into consideration in policy decision, implementation, and day to day activities. The impact on those with protected characteristics under the Act will be taken into consideration during this exercise when assessing the overall suitability of a venue. Any changes to venues and or arrangements will be assessed with equality impacts in mind and other voting practices such as proxy and postal voting remains in place for those who wish to use it.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

10.1 There are no known environmental or climate implications arising from this report.

11.0 COMMUNITY WEALTH IMPLICATIONS

11.1 There are no known community wealth implications arising from this report.

REPORT AUTHOR: **Kris Cureton**
 Civic & Electoral Services Manager
 email: kris cureton@wirral.gov.uk

BACKGROUND PAPERS

Electoral Administration Act 2006
Representation of the People Act 1983
The Electoral Registration and Administration Act 2013
Equality Act 2010
The Local Elections (Principal Areas) (England and Wales) Rules 2006.

TERMS OF REFERENCE

This report is presented to Committee in accordance with section 8.2(i) of the Committees terms of reference.

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Regulatory & General Purposes Committee	Thursday 20th Jan 2022
Regulatory & General Purposes Committee	Wednesday 16th Nov 2022
Regulatory & General Purposes Committee	Wednesday 01st Feb 2023

Regulatory and General Purposes Committee – Terms of Reference

The principal role of the Regulatory and General Purposes Committee is as the administrative committee, established as an ordinary committee and acting under delegation pursuant to sections 101 and 102 of the Local Government Act 1972, and responsible for making decisions as licensing and registration authority on all regulatory matters not otherwise delegated to the Planning Committee or reserved to the Licensing Act Committee.

The Committee is charged by full Council to fulfil all of those functions, more particularly described as set out at Schedule 1 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended), and associated matters, including but not limited to:

- (a) functions relating to licensing, registration and ancillary matters other than those falling within the remit of the Licensing Act Committee, including but not limited to:
 - acupuncture, tattooing, ear-piercing and electrolysis;
 - caravan sites;
 - charity collections and street collections;
 - hackney carriage and private hire vehicle licences, drivers and operators;
 - entertainments;
 - market and street trading,
 - pleasure boats and pleasure vessels;
 - scrap yards;
 - sex shops and sex establishments;
 - solemnisation of marriages;
 - theatres and cinemas;
 - zoos, animal trainers and exhibitors and dangerous wild animals;
- (b) functions relating to health and safety at work, to the extent that those functions are discharged otherwise than in the authority's capacity as an employer;
- (c) functions relating to sea fisheries;
- (d) functions relating to statutory nuisance and contaminated land;
- (e) the passing of a resolution that schedule 2 to The Noise and Statutory Nuisance Act 1993 should apply in the authority's area;
- (f) commons regulation and town and village greens, the power to apply for an enforcement order against unlawful works on registered common land, the power to protect unclaimed registered common land and unclaimed town or village greens against unlawful interference and the power to institute proceedings for offences in respect of unclaimed land;
- (g) the power to make a closing order on a takeaway food shop;
- (h) the obtaining of particulars of persons interested in land under section 16 of the Local Government (Miscellaneous Provisions) Act 1976;

- (f) functions relating to elections and electoral registration not otherwise reserved to Full Council, including the making of recommendations to the Council as to recommendations to the Secretary of State on ward boundaries;
- (g) Power to consider and make recommendations to the Council on matters relating to the name and status of the Borough and individuals; and
- (h) making recommendations to Council on the promotion or approval of local bill.