



Licensing, Health and Safety and General Purposes Committee (Special Meeting)

Date:	Thursday, 8 March 2012
Time:	6.15 pm
Venue:	Committee Room 1 - Wallasey Town Hall

Contact Officer: Anne Beauchamp
Tel: 0151 691 8608
e-mail: annebeauchamp@wirral.gov.uk
Website: <http://www.wirral.gov.uk>

AGENDA

1. MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members are asked to consider whether they have personal or prejudicial interests in connection with any item(s) on this agenda and, if so, to declare them and state what they are.

2. MINUTES (Pages 1 - 6)

To receive the minutes of the meeting held on 23 January 2012.

3. POLLING STATIONS: FURTHER UPDATE (Pages 7 - 14)

4. ANY OTHER URGENT BUSINESS ACCEPTED BY THE CHAIR

To consider any other business that the Chair accepts as being urgent.

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LICENSING, HEALTH AND SAFETY AND GENERAL PURPOSES COMMITTEE

Monday, 23 January 2012

Present: Councillor WJ Davies (Chair)

Councillors T Anderson S Niblock
P Glasman S Taylor
C Jones K Wood
I Lewis I Williams

Apologies: Councillor R Wilkins

21 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members were asked to consider whether they had any personal or prejudicial interests in connection with any item on the agenda and, if so, to declare them and state what they were.

Councillor S Niblock declared a personal interest in Item 5, Wirral Award 2011 (see minute 25 post) by virtue of him being acquainted with a nominator and a nominee of the Award.

Councillor I Lewis declared a personal interest in Item 3, Polling Districts and Polling Places Updates, Leasowe and Moreton East Ward (see minute 23 post) by virtue of him being Ward Councillor.

Councillor I Lewis declared a personal interest in Item 5, Wirral Award 2011 (see minute 25 post) by virtue of him being known to a nominee of the Award.

Councillor P Glasman declared a personal interest in Item 3, Polling Districts and Polling Places Updates, Liscard Ward (see minute 23 post) by virtue of being a Ward Councillor for New Brighton due to the polling station being currently situated in New Brighton.

Councillor S Taylor declared a personal interest in Item 3, Polling Districts and Polling Places Updates, Liscard Ward (see minute 23 post) by virtue of being a Ward Councillor for New Brighton due to the polling station being currently situated in New Brighton.

Councillor S Taylor declared a personal interest in Item 5, Wirral Award 2011 (see minute 25 post) by virtue of being acquainted with a nominee of the Award.

22 MINUTES

Resolved -That the minutes of the meeting held on Thursday 10 November 2011 be approved.

23 POLLING DISTRICTS AND POLLING PLACES UPDATES

Councillor I Lewis declared an interest declared a personal interest in this matter by virtue of him being Ward Councillor.

Councillor P Glasman declared a personal interest in this matter by virtue of being a Ward Councillor for New Brighton due to the polling station being currently situated in New Brighton.

Councillor S Taylor declared a personal interest in this matter by virtue of being a Ward Councillor for New Brighton due to the polling station being currently situated in New Brighton.

The Head of Legal and Member Services (on behalf of the Director of Law, HR and Asset Management) reported upon the results of the further investigations carried out in relation to alternative Polling Places/Stations for Polling Districts WE and TC further to the Licensing, Health and Safety and General Purposes Committee meeting held on 10 November 2011.

Members were requested to consider which premises should be designated as the Polling Places/Station for Polling Districts TC and WE.

1. Leasowe and Moreton East Ward

Polling District TC

The Head of Legal and Member Services reported that the Yew Tree Online Centre had been re-visited and provided details of the changes undergone since the last visit had been made in 2004.

It was moved by Councillor Steve Niblock, seconded by Councillor Chris Jones and

Resolved (9:0) - That the Yew Tree Online Centre be used as the Polling Station for District TC.

2. Liscard Ward

Polling District WE

The Head of Legal and Members Services reported on further investigations that considered options for possible Polling Places/Station venues in District WE as requested by the Committee at its last meeting. Options Members were asked to consider were:

- (i) Between2Worlds, Guilford Street
- (ii) Wallasey Masonic Hall, Manor Road

Correspondence had been received and distributed to Members from Councillor D Dodd in support of the use of Between2Worlds as the Polling Place/Station for Liscard Ward.

Councillor J Keeley addressed the meeting to express support for the use of the Masonic Hall in Liscard Ward as Polling Place/Station for Polling District WE.

The Chair requested that in the event of a problem arising with the use of the Masonic Hall as the Polling Place/Station, Between2Worlds be used as the alternative. He requested that Party Spokespersons be consulted if this were to occur.

It was moved by Councillor S Niblock and seconded by Councillor C Jones that -

“Between2Worlds, Guilford Street be used as Polling Place/Station for District WE.”

It was moved as an amendment by Councillor S Taylor and seconded by Councillor K Wood that -

“The Masonic Hall, Manor Road be used as Polling Place/Station for Polling District WE.”

The amendment was put and carried (5:4).

Resolved (5:4) - That the Masonic Hall, Manor Road, Wallasey be used as Polling Place/Station for District WE.

24 **HACKNEY CARRIAGE VEHICLE SUPPLY AND DEMAND SURVEY - OUTCOME OF PUBLIC CONSULTATION**

The Director of Law, HR and Asset Management presented the recommendations of an independent study carried out by Halcrow Group Limited of supply and demand for Hackney Carriage Vehicles in Wirral and the outcome of a public consultation exercise on the four options set out within the independent report.

Members were requested to consider the conclusions and recommendations of the independent study of supply and demand for Hackney Carriage Vehicles carried out by the Halcrow Group Limited having regard to the outcome of the public consultation.

Mr D Cummins, Unite Union, made representations to the Committee on behalf of the trade. He informed Members that the trade had favoured the managed growth option, however on reviewing statistics provided by Licensing relating to the recent history of licences granted and surrendered, he now considered Option 2 of the report (that a limit be introduced at 289 or higher) to be more appropriate in order to see the trade stabilise.

The Chair gave thanks to all concerned for their hard work regarding this matter.

It was moved by Councillor S Taylor and seconded by Councillor S Niblock that -

“(1) After considering all the evidence before it, the Licensing, Health and Safety and General Purposes Committee agree to implement Option 2 of the Halcrow

Report. Accordingly, a limit of 289 Hackney Carriage Driver Licences shall be set, consistent with the Halcrow recommendation.

(2) The Director of Law, HR and Asset Management be asked to report to the next meeting of this Committee with options for the allocation of available licenses.

(3) No further licenses shall be issued pending the further consideration of an allocation policy at that meeting.”

Resolved (9:0) -

(1) That, after considering all the evidence before it, the Licensing, Health and Safety and General Purposes Committee agrees to implement Option 2 of the Halcrow Report. Accordingly, a limit of 289 Hackney Carriage Driver Licences shall be set, consistent with the Halcrow recommendation.

(2) That the Director of Law, HR and Asset Management report to the next meeting of this Committee with options for the allocation of available licenses.

(3) That no further licenses shall be issued pending the further consideration of an allocation policy at that meeting.

25 **WIRRAL AWARD 2011**

Councillor S Niblock declared a personal interest in this matter by virtue of him being acquainted with a nominator and a nominee of the Award.

Councillor I Lewis declared a personal interest in this matter by virtue of him being known to a nominee of the Award.

Councillor S Taylor declared a personal interest in this matter by virtue of being acquainted with a nominee of the Award.

The Director of Law, HR and Asset Management presented for consideration the recommendations of the Wirral Award Working Party held on 5 December 2011. The Wirral Award was intended to confer civic recognition upon individuals or organisations resident or located in Wirral for an outstanding achievement within the previous twelve months, or for distinguished service to the Borough over a period of twenty years or more.

It was reported that once nominations were agreed, a presentation ceremony and formal dinner would be held.

The recommendations of the Wirral Award Working Party were provided in the Appendix to the report (minute 27 refers) which was not for publication by virtue of paragraph 1 of part 1 of Schedule 12A of the Local Government Act 1972.

Resolved - That the Wirral Award 2011 be conferred on the following recipients recommended by the Wirral Award Working Party, and the suggested arrangements be agreed:

- Maria DeBever
- Les Jones
- Diane Hill
- Eileen Slattery
- Reverend Roy Cullen
- Ken McDermott

26 **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 the relevant paragraphs of Part I of Schedule 12A (as amended) to that Act. The Public Interest test had been applied and favours exclusion.

27 **WIRRAL AWARD 2011 - APPENDIX**

Members noted the details of the exempt appendix that provided details of the nominees of the Wirral Award 2011. (Minute 25 refers).

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WIRRAL COUNCIL

LICENSING, HEALTH AND SAFETY AND GENERAL PURPOSES COMMITTEE (SPECIAL MEETING)

8 MARCH 2012

SUBJECT:	POLLING STATIONS: FURTHER UPDATE
WARD/S AFFECTED:	<i>LISCARD WARD</i>
REPORT OF:	REPORT OF THE DIRECTOR OF LAW, HR & ASSET MANAGEMENT
KEY DECISION?	NO

1.0 EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to determine the polling station for polling district WE from two options: -
- (i) Between2Worlds, Guilford Street
 - (ii) Wallasey Masonic Hall, Manor Road
- 1.2 Details of the two options are set out in Appendix 1.

2.0 BACKGROUND AND KEY ISSUES

- 3.1 The Electoral Administration Act 2006 introduced a duty on authorities to review polling districts and stations on a four yearly basis.
- 3.2 The results of the review, the second review undertaken in accordance with the provisions of the Electoral Administration Act 2006 following the first review of polling districts and stations in 2007, was reported to this Committee on the 10th November 2011.
- 3.3 A few days before the Committee meeting (10 November 2011) a Council officer suggested that the 'Between2Worlds' premises (formerly the Mission) located on the corner of Guildford Street (off Union Street) could be a suitable polling place/station for Polling District WE. The premises were within the WE Polling District boundary, whereas the one proposed following the review, namely the Liscard Primary School, fell outside the boundary. The Council's Electoral Services evaluated the premises and concluded that the premises were a suitable venue for electoral purposes (subject to the Committee's approval).
- 3.4 Details of this potential option (Between2Worlds premises) were communicated to all three Liscard Ward Councillors prior to the Committee meeting on 10 November. Councillor Keeley subsequently raised some concerns over the suitability of the premises and accordingly the option was not formally considered by the Committee; however, the Head of Legal & Member Services advised that a possible option was being explored but some issues had been raised that had yet to be investigated/considered.

- 3.5 The Committee acknowledged that it was preferable for all polling stations to fall within their respective Polling Districts and accordingly instructed that Electoral Services should review the WE Polling District area again and present all potentially suitable premises to the Committee.
- 3.6 Enquiries were duly made into the 'Between2Worlds' premises and consideration was given to the representations made by Councillor Keeley. Officers concluded that these premises were suitable to be used as a Polling Station. Accordingly, the Agenda for the Committee meeting to be held on 23 January 2012 included an item relating to "Polling Districts and Polling Places Updates" which reported the only alternative venue found for Polling District WE (namely, the 'Between2Worlds' premises) and the representations that had been received in relation to it.
- 3.7 In the afternoon of 23 January (the day of the previous Committee meeting), Councillor Keeley suggested to an officer within the Electoral Services that the Masonic Hall on Manor Road may also be a suitable polling place/station for the WE Polling District. The Electoral Services team undertook an assessment that afternoon and concluded that the Masonic Hall was a suitable venue. With agreement of the Chairperson of the Committee, the Masonic Hall was introduced when this item was considered by the Committee.
- 3.8 The Committee considered both the Between2Worlds and the Masonic Hall premises at its meeting on 23 January.
- 3.9 Councillor J Keeley addressed the Committee expressing support for the use of the Masonic Hall.
- 3.10 It was moved by Councillor S Niblock and seconded by Councillor C Jones that:- "Between2Worlds, Guilford Street be used as Polling Place/Station for District WE."
- 3.11 It was moved as an amendment by Councillor S Taylor and seconded by Councillor K Wood that:- "The Masonic Hall, Manor Road be used as Polling Place/Station for Polling District WE.
- 3.12 The amendment was carried (5:4).
- 3.13 The Chair requested that in the event of a problem arising with the use of the Masonic Hall as the Polling Place/Station, Between2Worlds be used as the alternative. He requested that Party Spokespersons be consulted if this were to occur.
- 3.14 Unfortunately, it was only after the Committee meeting that it became aware that Councillors Dodd and Mooney had not (as the Ward Councillors) been informed or consulted about the Masonic Hall being proposed as a possible alternative Polling Place/Station. This was an unintended oversight – which is of course regretted. In the past, where changes have been proposed to any Polling Place/Station, all relevant Ward Councillors have always been consulted and their views canvassed.

- 3.15 In order to for this issue to be addressed, the Head of Legal & Member Services suggested (to the Committee Chairperson) that this particular matter be brought back to the Committee for consideration again and all three Ward Councillors be afforded the opportunity to make representations to the Committee (whether in writing or orally) on the possible premises available for use as a Polling Station for the WE Polling District. This would enable the Committee to make an informed decision after considering all relevant representations.
- 3.16 This matter needed to be considered and addressed as soon as possible so that key information could be provided to the Council's external printers to progress requisite elections work. An extraordinary meeting was necessary given that the next scheduled meeting of the Committee is 19 March and the aforementioned information needing to be provided prior to that date.
- 3.17 Appendix 1 details the two suitable premises within the Polling District WE that the Committee needs to consider. The Ward Councillors, with agreement of the Chairperson, will also be afforded the opportunity to address the Committee at the meeting.
- 3.18 Written representations received from Councillors Dodd and Mooney are attached at Appendix 2. Councillor Dodd has indicated that he will make oral representations at the meeting.

4.0 RELEVANT RISKS

- 4.1 In order to ensure that the forthcoming local elections can be run, the Council must ensure all polling districts have suitable polling stations available on the day of poll.

5.0 OTHER OPTIONS CONSIDERED

- 5.1 All options considered in relation to possible alternative polling stations for polling district We are detailed within Appendix 1 to this report.

6.0 CONSULTATION

- 6.1 Liscard Ward Councillors have been consulted in relation to the suitable polling stations available for use for polling district WE.

7.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

- 7.1 There are no such implications arising.

8.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

- 8.1 There are no such implications arising.

9.0 LEGAL IMPLICATIONS

- 9.1 Such implications are set out in this report.

10.0 EQUALITIES IMPLICATIONS

- 10.1 Has the potential impact of your proposal(s) been reviewed with regard to equality?

Yes and can be viewed by clicking the following link:

<http://www.wirral.gov.uk/my-services/community-and-living/equality-diversity-cohesion/equality-impact-assessments/eias-2010/law-hr-asset-management>

10.0 CARBON REDUCTION IMPLICATIONS

10.1 There are no such implications arising.

11.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

11.1 There are no such implications arising.

12.0 RECOMMENDATION/S

12.1 That the Committee determines which premises (from those detailed in Appendix 1 to this report) are to be designated and used as the polling station for polling district WE.

13.0 REASON/S FOR RECOMMENDATION/S

13.1 The Council must designate and have available for use at the forthcoming local elections (and future elections) a suitable polling station for polling district WE.

REPORT AUTHOR: *Surjit Tour*
Head of Legal & Member Services
Telephone: (0151 691 8569
email: surjittour@wirral.gov.uk

APPENDICES

Appendix 1 – Polling Station Options for Polling District WE

REFERENCE MATERIAL

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Licensing, Health and Safety and General Purposes Committee	10th November 2011
Licensing, Health and Safety and General Purposes Committee	23rd January 2012

POLLING STATION OPTIONS FOR POLLING DISTRICT WE

1. **Liscard Ward**

Polling District WE

i. Between2Worlds, Guildford Street – (former mission building)

This building is a former mission and is situated within polling district WE. It is currently let by a local businessman to a group of individuals who run an independent spiritual and holistic centre called "Between 2 Worlds". They have been in occupation since early September 2011.

The premises were inspected on Wednesday 2nd November 2011 and found to be renovated to a high standard, having formerly been a Sure Start venue.

The premises will be suitable for use as a polling station and will provide cover for the tellers in the vestibule and more than adequate accommodation for four staff in the lounge/coffee bar area that leads from the vestibule. There was no overtly 'religious' iconography displayed at the time of the electoral inspection. There is adequate off street parking with a dropped kerb so wheelchair access will be improved.

The premises are leased to Mr and Mrs Boyd early September this year. The tenants are keen for the premises to be used as a polling place/station as it will boost their income. The cost of hire will be in the region of £500 (although this may be negotiable).

Further enquiries have been made with regard to the tenants reliability following concerns raised by a Ward member with regards to whether the premises provided a sufficiently reliable alternative given that the building has been closed for considerable periods of time and the nature of the business has also changed a number of times.

The tenants have confirmed that they have only used the premises as a church since September onwards. They are open for business 6 days a week but do not keep the hours 9 till 5. They open on a flexible basis when their clients/congregation are able to attend i.e. weekends and evenings as well as some daytime sessions.

They are interested in securing a source of income and fully understand the requirements for the opening of the building for polling purposes and are willing to honour those obligations. They are no different to any other private hall owner who agrees that we can use premises.

At the time of inspection, there was no sign of any political activity or indeed any political sign or emblem on display. The tenants fully understood that no activity could take place that would prejudice or otherwise undermine polling.

ii. Wallasey Masonic Hall, Manor Road

Councillor Keeley, suggested that the Wallasey Masonic Hall be considered as a polling station. The premises were inspected with a view to establishing its suitability for use as a polling station.

The building is situated on Manor Road and is approximately 200 yards from the YMCA if you were heading towards Liscard.

There is a large room at the rear of the premises that provides suitable accommodation, however, access would be down the left-hand side of the building rather than the front as this entrance is accessed via some very steep steps and the angle of any ramp supplied to allow disabled access would be too severe and potentially dangerous.

Entrance into the large room is gained directly from the path and provides level access for disabled users whilst avoiding electors having to pass through the main body of the building considerably reducing security issues. Unfortunately, there is no provision for tellers.

The room is well lit, warm and spacious and there are adequate catering and toilet facilities for the staff.

To the front and side of the building there is extensive car parking.

Whilst the price has not been agreed, the booking secretary has given an indicative price of £500.00.

Representations made by Councillor Dodd and Councillor Mooney

First of all I would like to make a note of thanks to the Chair and Committee members for agreeing to hold this meeting to once again discuss the location for a polling station in WE. This meeting has been organised at our request after some serious concerns were raised about the last meeting.

As far as the two Labour Councillors were concerned the decision at the last meeting was between Liscard Primary School and Between2Worlds. Written representations were sent to the committee, after discussions with the legal department, to this effect. It was only after the meeting that it became apparent that a third location, the Masonic Lodge, had been investigated in secret without the knowledge of Labour Councillors. This was presented to the Committee on the night with committee members not being told that 2 out of 3 ward Councillors had no knowledge of this and had not been invited to make representations on the suitability of the Masonic Lodge.

I am pleased that the Committee is now able to look again at this in a way that is fair to all three Ward Councillors.

I was pleased to see that an untruth about the Between2Worlds property was dispelled by a proper inspection of the site. It had been suggested that the owners of the site were Labour Party Members – a claim that has been disproven by both myself and by the owners themselves.

The Between2Worlds property is situated right in the middle of the Polling District in a Densely Populated part of WE. It is easily accessible on foot and by car by everyone in WE. There is sufficient parking for anyone who wishes to drive.

In my experience the majority of people in this area walk to the Polling Station. The Between2Worlds location is much more suited to this than the Masonic Lodge. The location of the Masonic Lodge is tucked away in the top corner of what is a long and narrow Ward – making it much more difficult for many people to walk to it. I know this because I had to give more lifts to the Polls in WE than anywhere else in Wallasey in both 2010 and 2011. Moving the Polling station to the Masonic Lodge will make it much harder for people to walk there than at the YMCA.

I appreciate that the Committee may have been swayed by the fact that the Masonic Lodge is only 100 Metres up the hill from the previous location (the YMCA). I understand that this may have been a deciding factor for some committee members. However I believe that the YMCA was already unsuitable as a location given its geographic location. I would have been raising these same issues if the Polling Station was still located there.

It seems clear to me that the Between2Worlds is better located; is in a densely populated area; is easier to access; has sufficient parking and is the much better choice than the Masonic Lodge.

I would urge the Committee to use Between2Worlds as the Polling Station for WE.

Cllr Darren Dodd

Cllr Bernie Mooney