



Licensing, Health and Safety and General Purposes Committee

Date:	Thursday, 1 February 2018
Time:	5.30 pm
Venue:	Committee Room 1 - Wallasey Town Hall

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AGENDA

1. 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 application on the agenda and state the nature of the interest.

2. MINUTES (Pages 1 - 4)

To approve the accuracy of the minutes of the meeting held on 22 November 2017.

**3. CHANGES TO POLLING PLACES AND POLLING STATIONS
(Pages 5 - 10)**

4. WIRRAL AWARD 2017 (Pages 11 - 14)

**5. INDEPENDENT SURVEY OF THE SUPPLY AND DEMAND FOR
HACKNEY CARRIAGE VEHICLES IN WIRRAL (Pages 15 - 18)**

6. EXEMPT INFORMATION - EXCLUSION OF THE PRESS AND PUBLIC

The following items contain exempt information.

RECOMMENDATION: That, under section 100 (A) (4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following items of business on the grounds that they involve 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 has been applied and favours exclusion.

LICENSING, HEALTH AND SAFETY AND GENERAL PURPOSES COMMITTEE

Wednesday, 22 November 2017

Present: Councillor WJ Davies (Chair)

Councillors J McManus A Hodson
C Meaden T Anderson
P Stuart D Mitchell

12 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 application on the agenda and state the nature of the interest.

Councillor J McManus declared a non pecuniary interest by virtue of being a Ward Councillor in respect of item 3 on the agenda (minute 14 refers).

13 MINUTES

Resolved – That the minutes of the meeting held on 20 September 2017 be approved.

14 CHANGES TO POLLING PLACES AND POLLING STATIONS

The Electoral Services Manager introduced a report which provided details of changes required in relation to polling places and polling stations within the Borough and sought Members' approval of suitable alternatives.

Changes to Polling Station Locations within a Polling Place

New Brighton Ward – Polling District UD

The Electoral Services Manager advised that the current polling station was a temporary unit block in Liscard Primary School, however, the Business Manager of the school had requested that an alternative building within the school complex be considered for use as the polling station in order that the school could remain open.

Members were advised that the alternative building to be considered for use as the polling station was the School Lodge. Further to inspection by the Electoral Services Manager, this had been considered unsuitable due to it being too small and having no adequate disabled access.

A suggestion had been made to hire a mobile porta cabin, however, there would be logistical and financial implications and this would incur a cost of approximately £1,000.

The Electoral Services Manager therefore recommended that the status quo should continue.

On a motion by Councillor Hodson, seconded by Councillor Mitchell, it was –

Resolved – That the current arrangements remain the most suitable for voting purposes and that the status quo continue.

Bidston & St James Ward – Polling District AE

Councillor J McManus declared a non pecuniary interest in this matter by virtue of being Ward Councillor (minute 12 refers).

The Electoral Services Manager advised that the current polling station was the school hall within Our Lady & St Edwards Primary School, however, the Headteacher had requested that an alternative building within the school complex be considered for use as the polling station in order that the school could remain open.

Members were advised that the alternative building to be considered for use as the polling station was a temporary unit block within the school complex. Further to inspection by the Electoral Services Manager, this building was considered to be suitable, therefore it was recommended that the venue be relocated.

On a motion by Councillor Hodson, seconded by Councillor Stuart, it was –

Resolved – That the polling station venue be relocated to the temporary unit block for all future elections/referenda.

Birkenhead & Tranmere Ward – Polling District BD

The Electoral Services Manager advised that the current polling station was the Community Hall in Woodlands Primary School, however, the School Office Manager on behalf of the Headteacher had requested that an alternative room within the school complex be considered for use as the polling station due to reconstruction work being carried out on the Community Hall creating two rooms resulting in them being too small to use as a polling station.

Members were advised that the alternative building to be considered for use as the polling station was the nursery block within the school complex. Further to inspection by the Electoral Services Manager, this building was considered to be suitable, therefore it was recommended that the venue be relocated.

On a motion by Councillor Mitchell, seconded by Councillor Stuart, it was –

Resolved – That the polling station venue be relocated to the nursery block within the school complex of Woodlands Primary School for all future elections/referenda.

Changes to Polling Places within a Polling District

Wallasey Ward

Polling District VB

The Electoral Services Manager advised that the current polling place was New Brighton Day Nursery however during the post-election review it had been determined that the current arrangement was no longer the most suitable venue as the building manager had only allowed the use of a small room rather than the whole building.

Members were advised that the alternative venue was Jubilee Church which had previously been used as a suitable polling place, therefore it was recommended that the polling place be relocated.

On a motion by Councillor Meaden, seconded by Councillor Anderson, it was -

Resolved – That the polling place be relocated to Jubilee Church for all future elections/referenda.

Polling District VF

The Electoral Services Manager advised that the current polling place was St Georges Primary School, however, the Headteacher had requested that an alternative venue be considered in order that the school could remain open.

Members were advised that a suggested alternative building was Wallasey Village Library and this proposal had been supported by two Ward Members.

On a motion by Councillor Hodson, seconded by Councillor McManus, it was –

Resolved – That the polling place be relocated to Wallasey Village Library for all future elections/referenda.

Moreton West & Saughall Massie Ward – Polling District YA

The Electoral Services Manager advised that the current polling place was Christchurch C of E Primary School, however, the Headteacher had requested that an alternative venue be considered for use as the polling station in order that the school could remain open.

Members were advised that a suggested alternative building was Christ Church Parish Centre. This venue was situated approximately 321 metres from the school and was considered suitable for use as a polling place however there would be a cost of approximately £300.

Councillor Chris Blakeley, Ward Councillor, was in attendance at the meeting and raised concerns in respect of the alternative venue as this was sited on the edge of the polling district which he considered may disadvantage voters, in particular the elderly and infirm as they would have further to travel in order to cast their vote. He believed the school could remain open whilst continuing to be used as the polling place and suggested that temporary barriers could be erected in the front play area.

Members discussed the possible alternative venue and considered that there was parking available both at the front and rear of the building, however Councillor Blakeley's concerns were taken into consideration.

The Chair recommended that this matter be deferred for further consideration.

On a motion by Councillor Hodson, seconded by Councillor McManus, it was –

Resolved – That this matter be deferred pending further inspection of the current polling place by the Electoral Services Manager.



Licensing, Health and Safety and General Purposes Committee Thursday, 1 February 2018

REPORT TITLE:	Changes to polling places and polling stations
REPORT OF:	Chief Executive

REPORT SUMMARY

This report provides details of changes in relation to a polling place within the Borough and seeks approval of a suitable alternative.

The relevant changes are contained within the Recommendation set out in Appendix 1 and specifically refers to matters relating to Christchurch C of E Primary School [Upton Road] as called for by Minute 14 Licensing, Health and Safety and General Purposes Committee of 22th November 2017

RECOMMENDATION/S

That the Committee agrees to the recommendations as set out in Appendix 1.

[Starting on a separate page]

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

1.1. The Council has a statutory duty to ensure there is a polling place accessible to all Electors in each of its polling districts.

2.0 OTHER OPTIONS CONSIDERED

2.1 No other options were considered.

3.0 BACKGROUND INFORMATION

3.1 The Council 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.

4.0 FINANCIAL IMPLICATIONS

4.1 The hire cost for using Christ Church Parish Centre as a polling place would be approximately £300 but this is to be confirmed once a decision has been made.

The cost for using Christchurch CofE Primary School remains free of charge to the Returning Officer other than for heating and lighting costs.

5.0 LEGAL IMPLICATIONS

5.1 The legal implications have been set out within the main body of this report.

6.0 RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS

6.1 The resource implications have been set out within Appendix 1.

7.0 RELEVANT RISKS

7.1 The Council is under a statutory duty to ensure a polling place exists in each of its polling districts.

8.0 ENGAGEMENT/CONSULTATION

8.1 Ward Councillors have been consulted previously on this matter.

9.0 EQUALITY IMPLICATIONS

9.1 (c) None as the Review included use of the Electoral Commissions Evaluation Checklist which addresses equality and diversity issues relevant to Polling Districts, Places and Stations.

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APPENDICES

APPENDIX 1: Change to Polling Place within a polling district revisited

REFERENCE MATERIAL

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Licensing, Health and Safety and General Purposes Committee	22 November 2017

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CHANGE TO POLLING PLACE WITHIN A POLLING DISTRICT REVISITED**1. MORETON WEST & SAUGHALL MASSIE WARD****Polling District YA:-**

Minute 14 of the Licensing, Health and Safety and General Purposes Committee held on 22 November 2017 resolved that the decision to move the polling place from Christchurch C of E Primary School [Upton Road] to Christ Church Parish Centre [Upton Road] be adjourned to a future meeting in order that investigations take place between Electoral Services and Christchurch Primary School to enable the school to remain open during polling.

A suggestion was made by Councillor Chris Blakeley that barriers could be erected to provide a separation between voters and pupils.

A visit to the school was made by Electoral Services officers to determine the feasibility of erecting fences.

The current situation is that the school closes on polling day. This allows for the building normally used as classrooms to be used for voting. Access to the building from the public highway is via two wrought iron fences with lockable gates and the entrance is located within the school playing area. During polling, the playing area is used for parking.

To enable the school to remain open on polling day:

As the entrance to the polling station is within the playing area, barriers would need to be erected ensuring a separation of voters and pupils. This would require someone on duty at all times to ensure there was no breach as the playing area would be in use. Also, as the gates would have to remain unlocked, the headteacher is concerned about safeguarding risks due to non-voting members of the public having access to the school grounds.

Parking would only be available on the highway. This is a busy road and spaces around the school are limited during the day especially during peak times at the start and end of the school day.

Pupils would have to be relocated from the classrooms in the building to another area of the school. The headteacher has indicated there isn't anywhere else they can be relocated to.

Conclusion:

If the school is to remain as the designated polling place then the status quo would continue to be the most suitable arrangement on polling day. However, if the school was to remain open on polling day the polling place would no longer be the most suitable venue for voters.

Recommendation:

That the polling place be relocated to Christ Church Parish Centre [Upton Road] for all future elections/referenda.

If the above recommendation is not agreed, then the status quo continue and Christchurch C of E Primary School [Upton Road] would be unable to open on polling day.

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Licensing, Health and Safety and General Purposes Committee

Thursday, 1 February 2018

REPORT TITLE:	WIRRAL AWARD 2017
REPORT OF:	Assistant Director: Law & Governance (Monitoring Officer)

REPORT SUMMARY

The purpose of this report is to request agreement from the Committee that the Wirral Award be conferred on the nominees as recommended by the Wirral Award Working Party.

RECOMMENDATION/S

That the Committee:

- (1) agree to confer the Wirral Award upon those recipients recommended by the Wirral Award Working Party; and**
- (2) make appropriate arrangements for the presentation ceremony to take place as set out in paragraph 3.0 of this report.**

[Starting on a separate page]

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 The Wirral Award is 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.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 None.

3.0 BACKGROUND INFORMATION

3.1 Nominations sought

Thirty-four nominations were received and were considered by the Wirral Award Working Party.

3.2 Wirral Award Working Party

The Wirral Award Working Party, comprising the Mayor and representatives of the political groups met on 14 December, 2017 to consider the nominations submitted. Their recommendations have been circulated to Committee Members for consideration.

3.3 Presentation Ceremony

Once nominations are agreed a presentation ceremony will be arranged to be attended by:

- (i) The Mayor of Wirral
- (ii) Leader of the Council
- (iii) Group Leaders
- (iv) Chair of Licensing, Health and Safety, and General Purposes Committee
- (v) Chief Executive
- (vi) Nominees and one guest each

4.0 FINANCIAL IMPLICATIONS

- 4.1 The costs of the presentation ceremony would be accommodated within existing approved budgets.

5.0 LEGAL IMPLICATIONS

- 5.1 There are no legal implications arising directly out of this report.

6.0 RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS

6.1 There are no such implications arising out of this report.

7.0 RELEVANT RISKS

7.1 There are none arising directly from this report

8.0 ENGAGEMENT/CONSULTATION

8.1 Nominations are sought and accepted from all areas of the local community.

9.0 EQUALITY IMPLICATIONS

9.1 The Wirral Award nominations are open to all residents or organisations resident or located in Wirral.

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APPENDICES

None.

REFERENCE MATERIAL

None.

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Licensing, Health & Safety and General Purposes Committee – Wirral Award 2014	28 January 2015
Licensing, Health & Safety and General Purposes Committee – Wirral Award 2015	27 January 2016
Licensing, Health & Safety and General Purposes Committee – Wirral Award 2016	25 January 2017

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LICENSING HEALTH AND SAFETY AND GENERAL PURPOSES COMMITTEE

1 FEBRUARY 2017

REPORT TITLE	INDEPENDENT SURVEY OF THE SUPPLY AND DEMAND FOR HACKNEY CARRIAGE VEHICLES IN WIRRAL
REPORT OF	MANAGING DIRECTOR FOR DELIVERY

REPORT SUMMARY

The purpose of this report is to present the results of an independent study of the supply and demand for Hackney Carriage Vehicles in Wirral.

Members are requested to consider the conclusions and recommendations contained in the Study Report having regard to the current Policy of having a limit of 289 on the number of Hackney Carriage Vehicle licences issued.

RECOMMENDATION/S

That Members consider the conclusions and recommendations of the independent study of supply and demand for Hackney Carriage Vehicles (taxis) carried out by CTS Traffic and Transportation Ltd.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 Members are asked to give consideration to the findings of the report including the relevant risks and practical implications of the conclusions and recommendations when deciding policy in relation to Hackney Carriages.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 There are no other options to be considered.

3.0 BACKGROUND INFORMATION

- 3.1 On 23 January 2012 Members of this Committee resolved to impose a limit of 289 on the number of Hackney Carriage Vehicle Licences that could be issued by the Council. The limit was set at 289 following recommendations made by Halcrow Group Limited who undertook an independent survey to ascertain the level of demand for Hackney Carriage Vehicles at that time. The purpose of the survey was to identify whether there was any significant demand for Hackney Carriage Vehicles which was unmet.
- 3.2 The primary legislation governing the licensing of Hackney Carriage Vehicles is the Town Police Clauses Act 1847, the Local Government (Miscellaneous Provisions) Act 1976 and The Transport Act 1985.
- 3.3 Until the Transport Act 1985 came into effect Licensing Authorities had an unfettered discretion to limit the number of hackney carriage vehicles that it would license. Section 16 of The Transport Act 1985 removed that unrestricted power to limit the number of hackney carriage vehicles. As a consequence the number of hackney carriage vehicles may be limited but only on the following basis; a licence may be refused, for the purpose of limiting the number of hackney carriages in respect of which licences are granted, if but only if, the person authorised to grant licences is satisfied that there is no significant demand for the services of hackney carriages (within the area to which the licence would apply) which is unmet'.
- 3.4 It is best practice to review the demand for Hackney Carriage Vehicles on a regular basis, it was appropriate therefore that at a meeting of this Committee officers were authorised to tender for an independent company to undertake a survey of the level of demand for Hackney Carriage Vehicles in Wirral.
- 3.5 This Survey has been undertaken by CTS Traffic and Transportation Ltd who have completed their report. The author of the report Ian Millership from CTS will present the findings of survey at the meeting.
- 3.6 The purpose of this Committee Report is for Members to consider the results and recommendations of the CTS Report.

4.0 FINANCIAL IMPLICATIONS

4.1 The cost of the report will be recovered through licence fees.

5.0 LEGAL IMPLICATIONS

5.1 A decision of the Committee may be subject to legal challenge.

6.0 RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS

6.1 There are no specific implications arising from this report.

7.0 RISKS

7.1 There are no specific implications arising from this report.

8.0 ENGAGEMENT/CONSULTATION

8.1 This is not a matter that requires consultation.

9.0 EQUALITY IMPLICATIONS

9.1 There are no specific implications arising from this report.

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APPENDICES

REFERENCE MATERIAL

None

SUBJECT HISTORY (last 3 years)

Council Meeting	Date

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