

Merton Council

General Purposes Committee

6 November 2014

Supplementary agenda

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Reason for urgency: The Chair has agreed to the submission of this late item in order to comply with the committee's work programme.

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Committee: General Purposes Committee

Date: 6th November 2014

Wards: all

Subject: Review of Polling Districts and Polling Places

Lead officer: Caroline Holland, Director of Corporate Services

Lead member: Councillor Mark Allison

Contact officer: Tim Revell, Interim Head of Electoral Services

Reason for urgency: The Chair has agreed to the submission of this late item in order to comply with the committee's work programme, and to ensure the report can progress to the next Council meeting.

Recommendations:

- A. That the General Purposes Committee recommends that the full Council agrees to the revisions to the polling districts and polling places as set out in the appendix.
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1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 This report is part of the process of reviewing all parliamentary polling districts and polling places in the borough. All London boroughs, district councils and unitary authorities are required to undertake a full review within 16 months of 1st October 2013. The previous full review was completed in November 2011. Further changes to polling stations were agreed by the council in November 2012 and April 2014. The Committee is requested to consider the proposals and to recommend a decision by the full Council.

2 DETAILS

- 2.1 **Context** ; the Electoral Registration and Administration Act 2013 substituted sections 18(1) to (3) into the Representation of the People Act 1983 (RPA83) in place of the previous section 18C. This required each relevant local authority to complete a review of the parliamentary polling districts and polling places within its area within a period of 16 months beginning on 1st October 2013. Further reviews must then take place every fifth year after that in the period beginning 1st October.
- 2.2 **Timing**; the last full review took place in Merton in 2011 in accordance with the previous statutory arrangements. There were further reviews in Abbey, Cannon Hill, Hillside, Pollards Hill and Ravensbury wards (2012) and Cricket Green, Graveney, Merton Park and St Helier wards (2014).
- 2.3 **Review process**; beginning the current review was agreed by the General Purposes Committee on 26th June 2014 and a public notice was issued on 8th July 2014. This invited all residents, particularly disabled residents, to comment on the existing arrangements or any other matters. Persons or bodies making representations were asked, if possible, to give alternative places that could be used as polling places. Details of the existing arrangements including maps

were available on the council's website and in paper from Electoral Services. An on-line survey was set up on the website to facilitate the submission of responses. The consultation period ran from 8th July until 5th September, a period of two months. Details of the consultation process are set out in paragraph 4 below and responses are incorporated into the appendix.

- 2.4 **Definitions;** a ***polling district*** is a geographical area created by the sub-division of a UK parliamentary constituency for the purposes of a UK Parliamentary election. A ***polling place*** is the building or area in which polling stations are selected by the (Acting) Returning Officer. A polling place within a polling district must be designated so that polling stations are within easy reach of all electors from across the polling district. A ***polling station*** is the room or area within the polling place where voting takes place. Unlike polling districts and polling places which are fixed by the council, polling stations are chosen by the relevant Returning Officer.
- 2.5 **Scope;** polling districts and polling places for other elections are not automatically part of the compulsory review. However, as polling districts and polling places for other elections are based on UK Parliamentary polling arrangements, the requirements of any other elections held within the area have been taken into consideration.
- 2.6. **Legislative requirements;** local authorities must comply with the following legislative requirements regarding the designation of polling districts and polling places:
- the council must seek to ensure that all electors have such reasonable facilities for voting as are practicable in the circumstances;
 - the council must seek to ensure that so far as is reasonable and practicable every polling place is accessible to electors who are disabled;
 - the council must designate a polling place for each polling district, unless the size or other circumstances of a polling district are such that the situation of the polling stations does not materially affect the convenience of the electors
 - the polling place must be an area in the district, unless special circumstances make it desirable to designate an area wholly or partly outside the district (for example, if no accessible polling place can be identified in the district)
 - the polling place must be small enough to indicate to electors in different parts of the district how they will be able to reach the polling station
- 2.7 **Guidance;** other guidelines are recognised good practice, but may not always be possible:
- natural, well-defined boundaries are preferred;
 - all properties in a minor road or estate should be in the same polling district (unless the ward or constituency boundary makes this impossible);

- there should be an even spread of polling places;
- the polling district should be the 'catchment area' for the polling place and no elector should have to pass another polling place to get to their own;
- the polling places that voters are familiar with are not changed unless there is a strong need to do so.

3 ALTERNATIVE OPTIONS

- 3.1. This is a statutory review so there was no alternative to carrying it out. The outcome of the review (see appendix) has produced suitable options in some wards so members will need to judge which would be the most appropriate location for a polling place.

4 CONSULTATION UNDERTAKEN AND OUTCOMES

- 4.1. To allow electors and others to submit views as easily as possible an on-line questionnaire was posted on the council's website in early July and all consultees were encouraged to submit views in this way. A paper alternative was available for consultees who were not comfortable with electronic communication. By the close of the consultation period on 5th September 81 responses had been received. Only one of the existing polling places, Pelham Primary School, was the subject of significant dissatisfaction accounting for 22% of all responses. These respondents objected that its use as a polling place meant that the school had to close harming the education of the pupils and in some cases creating childcare problems for parents. These responses, those relating to other polling places and how they should be addressed are set out in the appendix.
- 4.2. At the beginning of the process in early July the MPs for Mitcham & Morden and Wimbledon, the MLA for Wandsworth & Merton, agents for the political parties who contested the borough council elections on 22nd May and all members of the council were formally advised that the review was taking place and invited to submit views. Views received from members of the council are set out in the appendix. No other views have been received from the political sphere.
- 4.3. In conducting such a review it is particularly important to consult those who have experience of assessing access for persons with different disabilities. Meetings therefore took place with Merton Centre for Independent Living (MCiL), Merton Vision and Age UK Merton to engage them in the review. All three organisations circulated information to constituent organisations and members via their newsletters and encouraged them to participate in the review.
- 4.4. To ensure that the review took account of accurate, current information the senior presiding officers (SPOs) at each polling place were asked to complete a detailed evaluation based on their experience on 22nd May covering location, accessibility and facilities. The person responsible for each polling place was also invited to participate although few did so. The general point that emerged from the SPO evaluation concerned the quality of the external signage which suffered during the heavy shower on polling day. In future all external signs outside polling stations will be weather-proof. At some polling stations SPOs reported that there was insufficient signage, inadequate lighting by the polling

booths and identified access issues. Additional signs will be provided where appropriate and MCI, which has expertise in these matters, has been commissioned to undertake access audits at appropriate polling stations to allow issues to be addressed before the parliamentary election in 2015. Issues regarding lighting will be taken up with those responsible for the premises concerned.

- 4.5. The statutory provisions require the Acting Returning Officer to comment on both existing and proposed polling stations. His comments were published on 16th October and his comments on each polling place included in the appendix.

5 TIMETABLE

- 5.1 The Council meeting on 19th November must make the decision on the review. The revised register of electors to be published on 1st December will be amended to reflect any changes to polling districts. A further review must be completed within a period of 16 months beginning on 1st October 2018. This does not preclude any changes being made to polling districts or polling places that may become necessary during the intervening period.

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 6.1 Current electoral registration budgets are covering the costs of this statutory review. Future budgets will need to cover the next full review due in 2018 and any interim reviews needed. It is estimated that the proposals will add under £1,000 extra cost to the local election budget in 2015 (and every four years thereafter, assuming no by-elections). This will consist of additional accommodation costs.

7 LEGAL AND STATUTORY IMPLICATIONS

- 7.1 The Council has a duty under the Representation of the People Act 1983 (RPA 1983) to divide its area into polling districts for parliamentary elections, to designate a polling place for each polling district, and to keep these under review. The Local Authorities (Functions and Responsibilities) (England) Regulations 2000¹ list section 18 of the RPA1983 as one of the functions that are not to be the responsibility of an authority's executive. This function has not been specifically delegated by the Council.
- 7.2 The statutory requirements on the conduct of the review, and on any challenge, are set out in sections 18A to 18E and Schedule A1 of RPA 1983, as amended. Following the completion of a review, the Council must publish all correspondence, representations and minutes of meetings in connection with the review, and the details of the designation of polling districts and polling places as a result of the review (RPA 1983, Schedule A1), and the Review of Polling Districts and Polling Places (Parliamentary Elections) Regulations 2006².

¹ SI 2000/2853

² SI 2006/2965

7.3 The Electoral Registration Officer is required to make the necessary adaptations to his registers of electors and to publish a notice stating that the adaptations to polling districts have been made (RPA, section 18A).

7.4 Following the conclusion of a review certain persons have the right to make representations in writing to the Electoral Commission who may if they find that the review did not meet the reasonable requirements of the electors or did not take sufficient account of disability issues direct the council to make alterations to the polling places.

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

8.1 Under section 149 of the Equality Act 2010 it is the duty of a public authority in the exercise of its functions to have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
- Advance equality of opportunity between people who share a protected characteristic and those who do not;
- Foster good relations between people who share a protected characteristic and those who do not.

Having due regard for advancing equality involves:

- Removing or minimising disadvantages suffered by people due to their protected characteristics;
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people;
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

8.2 In providing services and access to them the Council is required by law to make reasonable adjustments in order to avoid discriminating against disabled persons. When considering what adjustments should be considered as reasonable the council is required to have regard to the relevant code of practice. The following are some of the factors to be taken into account when considering what is reasonable:

- Whether taking any particular steps would be effective in overcoming the substantial disadvantage that disabled people face in accessing the services in question;
- The extent to which it is practicable for the service provider to take the steps;
- The financial and other costs of making the adjustment;
- The extent of any disruption which taking the steps would cause;
- The extent of the service provider's financial and other resources;
- The amount of any resources already spent on making adjustments; and
- The availability of financial and other assistance.

8.3 The right to free elections forms part of Article 3 of Protocol 1 of the Human Rights Act 1998. Any resident is entitled to vote, if qualified by age and nationality, and if not subject to any other legal incapacity.

8.4 As indicated above, the principles have been followed of seeking to ensure that all electors have such reasonable facilities for voting as are practicable in the circumstances, and seeking to ensure that so far as is reasonable and practicable every polling place is accessible to electors who are disabled. There is a commitment to ensure that all polling places are accessible.

8.5 The aim of enhancing community cohesion and engagement would be expected to be achieved by the principles in 8.1 and 8.2 through promoting democratic engagement by seeking to make voting in person as easy as possible for residents of all communities.

9 CRIME AND DISORDER IMPLICATIONS

9.1 Integrity plans are maintained for elections. These involve working closely with Merton Police on operational matters, together with liaising with the Metropolitan Police Service officer specifically delegated with responsibility for potential election offences.

10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

10.1 The authority must complete the review by the end of January 2015. Any challenge to the Electoral Commission would impact on the arrangements being made for the parliamentary elections in May 2015.

10.2 In reviewing polling places, the reasonable facilities for staff at polling stations during elections have been considered. The physical fabric of possible polling places has also been considered to reflect the need for members of the public to visit their polling station.

11 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT

- Details of existing and proposed arrangements, submissions and comments, and maps of Ravensbury, Pollards Hill, Abbey and Merton Park Ward proposals.

12 BACKGROUND PAPERS

- (a) Reports on polling stations made by Electoral Services staff, by presiding officers and polling station inspectors at past elections.
- (b) Detailed responses to consultation.

London Borough of Merton

General Purposes Committee – 6th November 2014

Review of polling districts and polling places

Details of existing and proposed arrangements, and submissions and comments

Each ward is listed separately. The first table shows the existing polling district, the number of all registered electors as at 1st September 2014, the polling place, and whether there is suitable disabled access (indicating where a permanent or temporary ramp is used). The initial proposals – and any necessary comments – are shown after each table.

The submissions are shown following the initial proposals, together with the comments of the Acting Returning Officer. The final proposals – and any additional comments – are in the final table for each ward.

The website at <http://www.merton.gov.uk/council/voting/youraddress.htm> has downloads for ward maps. These show the current polling districts and their polling places. Maps, including a large map of all polling districts, are also held in the Electoral Services office.

Lower Morden (A)

Existing arrangements			
<i>polling district</i>	<i>electors</i>	<i>polling place</i>	<i>disabled access</i>
AA (1)	1,520	St. Martin's Church, Camborne Road, Morden, SM4 4JL	permanent ramp
AB (2 & 3)	3,084	Morden Assembly Hall, Tudor Drive, Morden, SM4 4PG	permanent ramp
AC (4 & 5)	2,396	Emmanuel Church Hall, Dudley Drive, Morden, SM4 4QG	permanent ramp

Initial proposals

No change

Submissions

St Martin's church ; one respondent satisfied with the venue, one concerned that step free access narrow & venue difficult to find.

The Acting Returning Officer's view is that the church is in a fairly prominent location and that the step free access is of a reasonable quality.

Morden Assembly Hall; two 2 responses; both respondents satisfied.

Final proposed arrangements

No change; the existing arrangements are acceptable

St Helier (B)

Existing arrangements

<i>polling district</i>	<i>electors</i>	<i>polling place</i>	<i>disabled access</i>
BA (6 & 7)	2,207	Morden Primary School, London Road, Morden, SM4 5PX	permanent ramp
BB (8)	1,950	Congregational Church Hall, Green Lane, Morden, SM4 6SR	level
BC (9)	2,202	Abbotsbury Primary School, Abbotsbury Road, Morden, SM4 5JS	level
BD (10)	1,493	Abbotsbury Primary School, Abbotsbury Road, Morden, SM4 5JS	level

Initial proposals

No change

Submissions

Morden Primary School; one respondent was dissatisfied with the use of the school as a polling station.

Abbotsbury Primary School; one respondent who was satisfied with the venue.

Final proposed arrangements

No change; the existing arrangements are acceptable

Colliers Wood (C)

Existing arrangements

<i>polling district</i>	<i>electors</i>	<i>polling place</i>	<i>disabled access</i>
CA (11 & 12)	1,994	Colliers Wood Community Centre, 66-72 High Street, Colliers Wood SW19 2BY	level
CB (13)	2,021	St. Joseph's Church Hall, 63 High Street, Colliers Wood, London, SW19 2JF	permanent ramp

CC (14)	1,337	Christ Church Hall, Christchurch Road SW19 2NW	temporary ramp
CD (15)	1,232	Positive Network Centre, Taylor Road, Mitcham, CR4 3JR	level
CE (16)	1,470	Abbey Orchard Community Room, Singleton Close SW17 9JZ	level

Initial proposals

No change

Submissions

Colliers Wood Community Centre; Councillor Draper and two other respondents were satisfied with the venue.

St. Joseph's Church Hall; one respondent who was satisfied with the venue.

Final proposed arrangements

No change; the existing arrangements are acceptable

Lavender Fields (D)

Existing arrangements

<i>polling district</i>	<i>electors</i>	<i>polling place</i>	<i>disabled access</i>
DA (17 & 18)	2,581	South Mitcham Community Centre, Haslemere Avenue, Mitcham, CR4 3PR	level
DB (19 & 20)	3,287	Lavender Park Pavilion, Steers Mead, Mitcham, CR4 3HL	level
DC (21)	1,719	Bond Primary School, Bond Road, Mitcham, CR4 3HG	temporary ramp

Initial proposals

No change

South Mitcham Community Centre is outside of polling district DA and the polling place is shared with polling district EA in Cricket Green Ward. This means that four polling stations have to be accommodated in one hall. Though this arrangement is not ideal, no alternatives would appear to make an overall improvement for the majority of the electors of polling district DA.

Submissions

South Mitcham Community Centre; one respondent who was very satisfied with the venue.

Final proposed arrangements

No change; the existing arrangements are acceptable

Cricket Green (E)

Existing arrangements

<i>polling district</i>	<i>electors</i>	<i>polling place</i>	<i>disabled access</i>
EA (22 & 23)	2,559	South Mitcham Community Centre, Haslemere Avenue, Mitcham, CR4 3PR	level
EB (24)	1,999	Benedict Primary School, Benedict Road, Mitcham, CR4 3BE	permanent ramp
EC (25)	1,514	Age UK Merton, 277 London Road, Mitcham, CR4 3NT	permanent ramp
ED (26)	1,439	11th Mitcham Scout & Guide Headquarters, Mitcham Park, Mitcham, CR4 4EN	temporary ramp
EE (27)	601	Mitcham Garden Village, Mitcham, CR4 4HE	level

Initial proposals

No change

South Mitcham Community Centre is shared with polling district DA in Lavender Fields Ward. The four polling stations in one hall require careful management.

Submissions

South Mitcham Community Centre; one respondent who was very satisfied with the venue.

Final proposed arrangements

No change; the existing arrangements are acceptable

Ravensbury (F)

Existing arrangements

<i>polling district</i>	<i>electors</i>	<i>polling place</i>	<i>disabled access</i>
FA	742	Ravensbury Club Room, Ravensbury Grove,	permanent

(28)		Mitcham, CR4 4DL	ramp
FB (29)	1,487	Communal Tenants' Rooms, 90 Rawsley Avenue, Mitcham, CR4 4BX	level
FC (30 & 31)	2,509	Portacabin, Gifford House, 67C St. Helier Avenue, Morden, SM4 6HY	permanent ramp
FD (32)	1,874	Malmesbury Primary School, Malmesbury Road, Morden, SM4 6HG	permanent ramp
FE (33)	827	Merton & Morden Guild, 34A Aberconway Road, Morden, SM4 5LF	level

Initial proposals

No change

Submissions

Communal Tenants' Rooms; one respondent who was dissatisfied with the venue.

Portacabin, Gifford House; the Acting Returning Officer considers that it is difficult to accommodate two polling stations in this venue particularly in view of the turnout anticipated at a parliamentary election.

Final proposed arrangements (see accompanying map)

Graveney (G)

Existing arrangements			
<i>polling district</i>	<i>electors</i>	<i>polling place</i>	<i>disabled access</i>
GA (34 & 35)	2,468	Links Primary School, Frinton Road SW17 9EH	permanent ramp
GB (36 & 37)	2,833	St. Barnabas Church, Thirsk Road, Mitcham, CR4 2BD	level
GC (38 & 39)	2,018	Beecholme Primary School, Edgehill Road, Mitcham, CR4 2HZ	level

Initial proposals

No change

Submissions

Beecholme Primary School; two respondents both of whom were very satisfied.

Final proposed arrangements

No change; the existing arrangements are acceptable

Figge's Marsh (H)

Existing arrangements

<i>polling district</i>	<i>electors</i>	<i>polling place</i>	<i>disabled access</i>
HA (40)	612	Age UK Merton, 277 London Road, Mitcham, CR4 3NT	permanent ramp
HB (41 & 42)	2,360	Gorringer Park Primary School, Sandy Lane, Mitcham, CR4 2YA	permanent ramp
HC (43 & 44)	3,198	St. Mark's Church Hall, St Mark's Road, Mitcham, CR4 2LF	permanent ramp
HD (45)	2,126	Acacia Centre, 230 Grove Road, Mitcham, CR4 1SD	level

Initial proposals

No change (the use of Age Concern Merton, which is in Cricket Green ward, is acceptable.)

Acacia Centre has its main entrance in Grove Road but also has access from Acacia Road that is more convenient for most electors in polling district HD.

Submissions

Acacia Centre; one respondent who supported the use of centre as it has good disabled access.

Final proposed arrangements

No change; the existing arrangements are acceptable, assuming the use of the Acacia Road entrance for HD as well as the Grove Road entrance.

Longthornton (I)

Existing arrangements

<i>polling district</i>	<i>electors</i>	<i>polling place</i>	<i>disabled access</i>
IA (46)	1,518	Streatham Vale Baptist Hall, Leonard Road, London, SW16 5SY	permanent ramp
IB (47)	1,080	Westminster City School Sports Pavilion, 245A Tamworth Lane, Mitcham, CR4 1DH	temporary ramp
IC (48)	1,592	Stanford Primary School, Chilmark Road, London, SW16 5HB	level

ID (49 & 50)	2,668	St. Olave's Church, Church Walk, London, SW16 5JH	permanent ramp
IE (51)	982	Acacia Centre, 230 Grove Road, Mitcham, CR4 1SD	level

Initial proposals

No change

Submissions

Streatham Vale Baptist Hall; one respondent who was very satisfied with the venue.

Westminster City School Sports Pavilion; one respondent who was very satisfied with the venue.

St Olave's Church; one respondent who was very satisfied with the venue.

Acacia Centre; one respondent who supported the use of the centre as it has good disabled access [see also Figge's Marsh ward above].

Final proposed arrangements

No change; the existing arrangements are acceptable

Pollards Hill (J)

Existing arrangements

<i>polling district</i>	<i>electors</i>	<i>polling place</i>	<i>disabled access</i>
JA (52 & 53)	2,563	New Horizon Centre, South Lodge Avenue, Mitcham, CR4 1LT	level
JB (54)	851	Westminster City School Sports Pavilion, 245A Tamworth Lane, Mitcham, CR4 1DH	temporary ramp
JC (55 & 56)	2,778	Sherwood Primary School, Abbots Road, Mitcham, CR4 1JP	permanent ramp
JD (57)	1,868	Moat Housing Office, 50 Montgomery Close, Mitcham, CR4 1XT	permanent ramp

Initial proposals

No change, the use of Westminster School Sports Pavilion, which is in Longthornton ward, is acceptable.

Submissions

New Horizon Centre; one respondent who was very satisfied with the venue.
Westminster City School Sports Pavilion; one respondent who was very satisfied with the venue [see Longhornton ward above].

Moat Housing Office; Councillor Whelton on behalf on the ward councillors suggested that Kent Close and Lindsey Close be moved from JD to JA as the premises were slightly cramped. The arrangements for the ward were otherwise satisfactory.

The Acting Returning Officer's view is that the experience of electors can be enhanced by reducing the numbers who vote at the Moat Housing Office and transferring them to the New Horizon Centre which has the capacity to cope with larger numbers.

Final proposed arrangements (see accompanying map)			
Move Kent Close and Lindsey Close from JD to JA; otherwise the existing arrangements are acceptable.			
<i>polling district</i>	<i>electors</i>	<i>polling place</i>	<i>disabled access</i>
JA (52 & 53)	2,903	New Horizon Centre, South Lodge Avenue, Mitcham, CR4 1LT	level
JB (54)	851	Westminster City School Sports Pavilion, 245A Tamworth Lane, Mitcham, CR4 1DH	temporary ramp
JC (55 & 56)	2,778	Sherwood Primary School, Abbotts Road, Mitcham, CR4 1JP	permanent ramp
JD (57)	1,528	Moat Housing Office, 50 Montgomery Close, Mitcham, CR4 1XT	permanent ramp

Village (K)

Existing arrangements			
<i>polling district</i>	<i>electors</i>	<i>polling place</i>	<i>disabled access</i>
KA (58)	1,721	St. Mary's Garden Hall, 30 St Mary's Road, London, SW19 7BP	level
KB (59)	1,423	Christ Church Hall, 2 Cottenham Park Road, London, SW20 0RZ	temporary ramp
KC (60 & 61)	2,264	Lecture Hall, Lingfield Road, London, SW19 4QD	separate level entrance
KD (62)	934	St. Matthew's (CoE) Primary School, Cottenham Park Road, London, SW20 0SX	level

Initial proposals

No change

Submissions

Christ Church Hall; one respondent who was very satisfied with the venue.

St. Matthew's (CoE) Primary School; one respondent who was very satisfied with the venue.

Final proposed arrangements

No change; the existing arrangements are acceptable

Raynes Park (L)

Existing arrangements

polling district	electors	polling place	disabled access
LA (63)	889	Christ Church Hall, 2 Cottenham Park Road, London, SW20 0RZ	temporary ramp
LB (64 & 65)	3,011	Raynes Park Methodist Church Hall, Worple Road, London, SW20 8RA	temporary ramp
LC (66)	1,783	Cottenham Park Recreation Ground Pavilion, Melbury Gardens, London, SW20 0DH	temporary ramp
LD (67)	1,677	Raynes Park Sports Ground, Taunton Avenue, London, SW20 0BH	permanent ramp

Initial proposals

No change

Submissions

Christ Church Hall; one respondent who was very satisfied with the venue.

Raynes Park Methodist Church Hall; two respondents, one respondent who was very satisfied with the venue and who was dissatisfied due to the nature of the ramp. If practicable adjustments will be made to the ramp.

Cottenham Park Recreation Ground Pavilion; one respondent who was very satisfied with the venue.

Final proposed arrangements

No change; the existing arrangements are acceptable

Hillside (M)

Existing arrangements

polling district	electors	polling place	disabled access
MA (68 & 69)	2,774	Sacred Heart Parish Hall, Edge Hill, London, SW19 4LP	temporary ramp
MB (70 & 71)	2,154	St. Mark's Hall, Compton Road, London, SW19 7QD	level access
MC (72)	1,759	Drake House, 44 St. George's Road, London, SW19 4ED	permanent ramp

Initial proposals

No change

Submissions

Sacred Heart Parish Hall; one respondent who was neither satisfied nor dissatisfied with the venue.

St. Mark's Hall; one respondent who was very satisfied with the venue.

Drake House; on polling day some electors experienced difficulty in finding this venue. This will be addressed by enhanced signage at this location.

Final proposed arrangements

No change; the existing arrangements are acceptable

Wimbledon Park (N)

Existing arrangements			
polling district	electors	polling place	disabled access
NA (73)	1,881	Wimbledon Park Primary School, Havana Road, London, SW19 8EJ	level access
NB (74 & 75)	3,170	Christ The King Church Hall, The Crescent, London, SW19 8AW	temporary ramp
NC (76 & 77)	2,264	Bethel United Church Hall, Kohat Road, London, SW19 8LD	permanent ramp
ND (78)	847	Marchard Hall, Rear of Coronation Hall, Ashcombe Road, London, SW19 8JR	level access

Initial proposals

No change

Submissions

Wimbledon Park Primary School; one respondent who was very satisfied with the venue.

Marchard Hall; one respondent who was very satisfied with the venue.

Final proposed arrangements

No change; the existing arrangements are acceptable

Trinity (O)

Existing arrangements

<i>polling district</i>	<i>electors</i>	<i>polling place</i>	<i>disabled access</i>
OA (79)	1,006	Holy Trinity Church Hall, The Broadway, London, SW19 1RY	level
OB (80)	1,367	Everyday Church, 28-30 Queen's Road, London, SW19 8LR	level
OC (81 & 82)	2,197	Holy Trinity (CoE) Primary School, Effra Road, London, SW19 8PW	level
OD (83 & 84)	2,775	Garfield Primary School, Garfield Road, London, SW19 8SB	level

Initial proposals

No change

Submissions

Holy Trinity Church Hall; two respondents both of whom were very satisfied with the venue.

Everyday Church; one respondent who was very satisfied with the venue.

Holy Trinity (CoE) Primary School; two respondents both of whom were very satisfied with the venue.

Garfield Primary School; one respondent who was very satisfied with the venue.

Final proposed arrangements

No change; the existing arrangements are acceptable

Dundonald (P)

Existing arrangements			
<i>polling district</i>	<i>electors</i>	<i>polling place</i>	<i>disabled access</i>
PA (85 & 86)	2,115	Dundonald Primary School, Dundonald Road SW19 3QH	level
PB (87)	1,787	St. Andrew's Hall, Herbert Road, London, SW19 3SH	level
PC (88 & 89)	3,040	Dundonald Church, 577 Kingston Road SW20 8SA	level
Initial proposals			

No change

Submissions

Dundonald Primary School; one respondent who was satisfied with the venue.

St. Andrew's Hall; one respondent who was satisfied with the venue.

Final proposed arrangements
No change; the existing arrangements are acceptable

Abbey (Q)

Existing arrangements			
<i>polling district</i>	<i>electors</i>	<i>polling place</i>	<i>disabled access</i>
QA (90 & 91)	2,191	Pelham Primary School, Southey Road SW19 1NU	level
QB (92 & 93)	2,277	All Saints Church Hall, Norman Road SW19 1BT	level
QC (94)	1,260	Merton Hall, 78 Kingston Road SW19 1LA	level
QD (95)	1,863	High Path Community Resource Centre, 63 High Path SW19 2JY	permanent ramp

Initial proposals

No change

Submissions

Pelham Primary School; 18 respondents of whom 7 were very dissatisfied with the venue, 4 were dissatisfied, 6 neither satisfied nor dissatisfied and one satisfied. However, all the respondents objected to the use of the school which required it to be

closed thus affecting their children's education and in some cases causing difficulties for parents' childcare arrangements. The chair of the governing body had also previously voiced her objections to the use of the school. Alternative polling places suggested by respondents were Merton Hall, Kingston Road, Bethel Baptist Church, Wimbledon Broadway and the Salvation Army, Kingston Road.

Councillor Judge, on behalf of Abbey ward councillors, has suggested that either the John Innes Centre, Kingston Road or the Salvation Army, Kingston Road could be used.

The Acting Returning Officer's view is that Pelham Primary School meets all the criteria for use as a polling station and as it is near the centre of the polling district is the most conveniently located. However, it is recognised that the closure of a school can be disruptive and he is happy to look at suitable alternatives which avoid this. Of the alternatives suggested it is recommended that Merton Hall is not used for QA polling district. It is outside the polling district and electors would need to cross a major road to reach it. It is already used as a polling station for QC (94) and would not be able to accommodate two additional stations. Whilst the alternative locations suggested are on the edge of the polling district it is small and compact so that electors are unlikely to be seriously inconvenienced. Following a detailed evaluation the Salvation Army is considered to be a suitable location for the polling place in QA.

Merton Hall; nine respondents all of whom were satisfied with the venue.

High Path Community Resource Centre; one respondent who was satisfied with the venue.

Final proposed arrangements (see accompanying map)			
<i>polling district</i>	<i>electors</i>	<i>polling place</i>	<i>disabled access</i>
QA (90 & 91)	2,191	Salvation Army, 109, Kingston Road SW19 3LT	permanent ramp
QB (92 & 93)	2,277	All Saints Church Hall, Norman Road SW19 1BT	level
QC (94)	1,260	Merton Hall, 78 Kingston Road SW19 1LA	level
QD (95)	1,863	High Path Community Resource Centre, 63 High Path SW19 2JY	permanent ramp

Merton Park (R)

Existing arrangements			
<i>polling district</i>	<i>electors</i>	<i>polling place</i>	<i>disabled access</i>
RA (96 & 97)	1,979	Cricket Pavilion, John Innes Recreation Ground, Hill Lane, London, SW20 9ES	level except slight lip at entrance
RB (98 & 99)	1,927	St. Mary's Church Hall, Church Path, London,	permanent

99)		SW19 3HJ	ramp
RC (100 & 101)	3,186	Morden Baptist Church Hall, 36 Crown Lane, Morden, SM4 5BL	level

Initial proposals

No change

Submissions

Cricket Pavilion; two respondents, one satisfied with the venue and one concerned about parking and step free access.

The Acting Returning Officer's view is that experience has shown that this venue is a little cramped to accommodate two polling stations comfortably and with the higher level of turnout anticipated for a parliamentary election this might prove problematical. This could be addressed by realigning the boundary between RA and RB. The polling place for RB could accommodate a larger number of electors than are currently allocated to it.

Councillor Southgate on behalf of Merton Park ward councillors indicated his support for realigning the boundary between RA and RB as set out on the map.

St. Mary's Church Hall; two respondents both satisfied with the venue and commenting on the good step free access.

Morden Baptist Church Hall; two respondents both satisfied with the venue.

Final proposed arrangements (see accompanying map)

<i>polling district</i>	<i>electors</i>	<i>polling place</i>	<i>disabled access</i>
RA (96)	704	Cricket Pavilion, John Innes Recreation Ground, Cannon Hill Lane, London, SW20 9ES	level except slight lip at entrance
RB (97,98 & 99)	3,250	St. Mary's Church Hall, Church Path, London, SW19 3HJ	permanent ramp
RC (100 & 101)	3,186	Morden Baptist Church Hall, 36 Crown Lane, Morden, SM4 5BL	level

Cannon Hill (S)

Existing arrangements

<i>polling district</i>	<i>electors</i>	<i>polling place</i>	<i>disabled access</i>
SA (102)	1,352	Merton Adult College, Whatley Avenue SW20 9NS	permanent ramp

SB (103)	1,689	Endeavour Club, 190 Martin Way, Morden, SM4 4AJ	level
SC (104 & 105)	1,996	Eastway Day Centre, 44 Eastway, Morden, SM4 4HW	level
SD (106 & 107)	2,187	Hillcross Primary School, Ashridge Way, Morden, SM4 4EE	permanent ramp

Initial proposals

No change

Submissions

Hillcross Primary School; one respondent who was satisfied with the venue but found the ramp steep.

Final proposed arrangements

No change; the existing arrangements are acceptable

West Barnes (T)

Existing arrangements

<i>polling district</i>	<i>electors</i>	<i>polling place</i>	<i>disabled access</i>
TA (108 & 109)	2,238	Sacred Heart (RC) Primary School, Burlington Road, New Malden, KT3 4ND	permanent ramp
TB (110 & 111)	3,104	St. Saviour's Hall, Church Walk, London, SW20 9DL	level
TC (112 & 113)	2,117	Holy Cross Church Hall, Adela Avenue, New Malden, KT3 6HT	permanent ramp

Initial proposals

No change

Submissions

Sacred Heart (RC) Primary School; Councillor Jeanes suggested that West Barnes Library or the Murugaa Temple, Burlington Road could be used as an alternative to the school.

The Acting Returning Officer does not support the use of West Barnes Library as it is outside the polling district and not easily accessible from TA as it is on the other side of a railway embankment. The possible alternatives have been investigated but would not be suitable as polling stations.

St. Saviour's Hall; one respondent who was very satisfied with the venue.

Holy Cross Church Hall; two respondents who were both very satisfied with the venue.

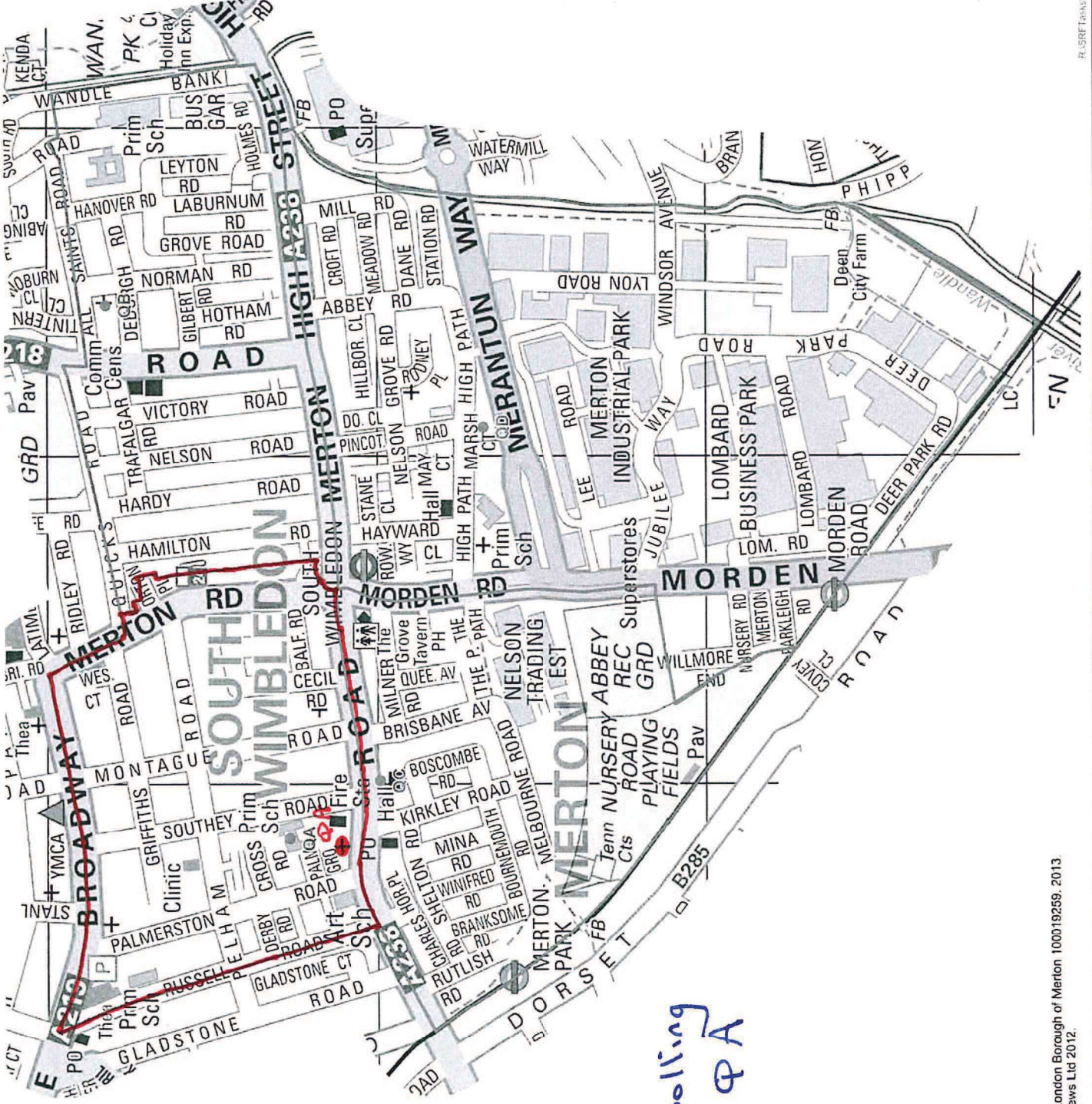
Final proposed arrangements
No change; the existing arrangements are acceptable

Abbey Ward

Scale 1:6,000



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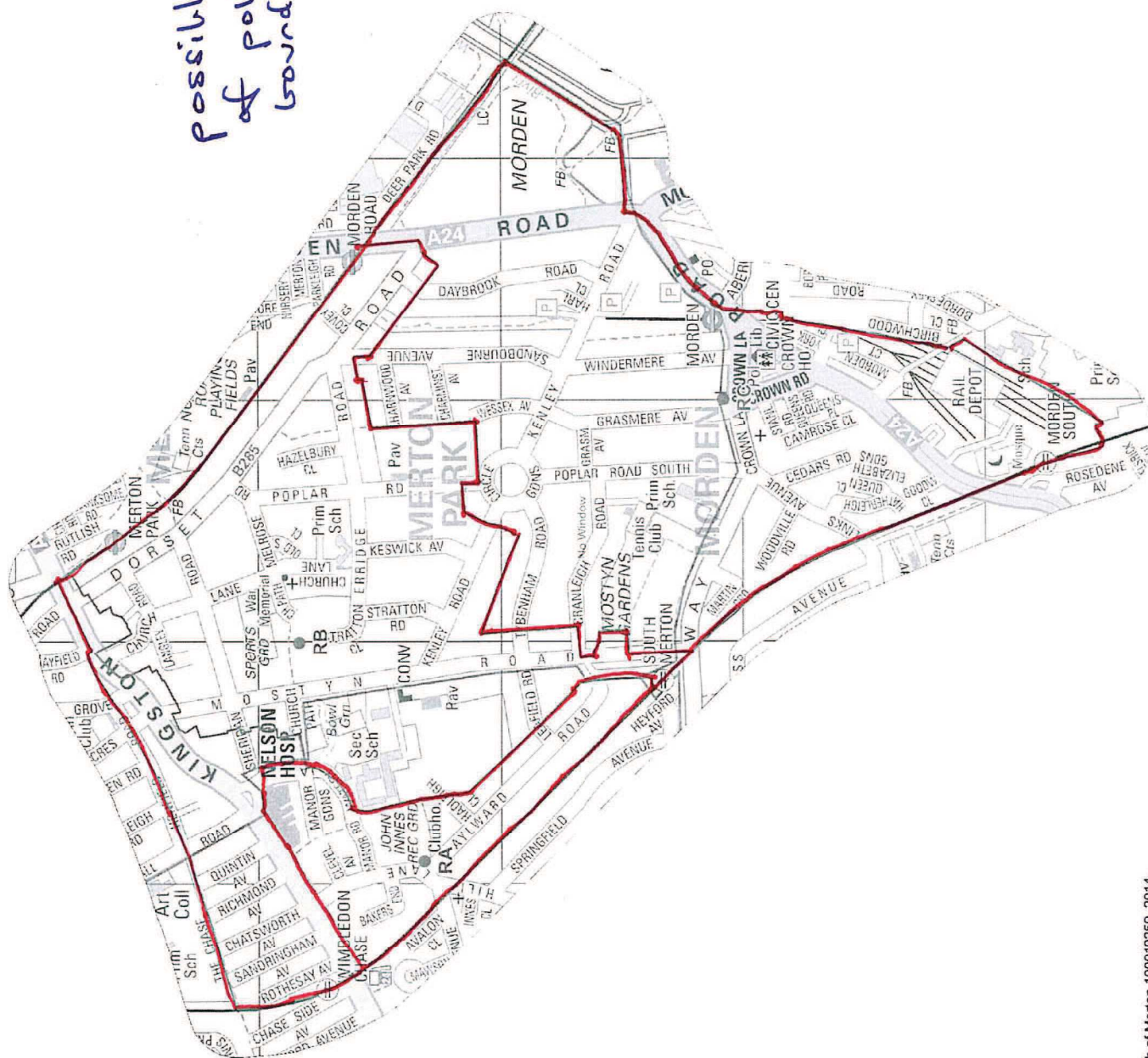
Proposed polling place for PA



Merton Park

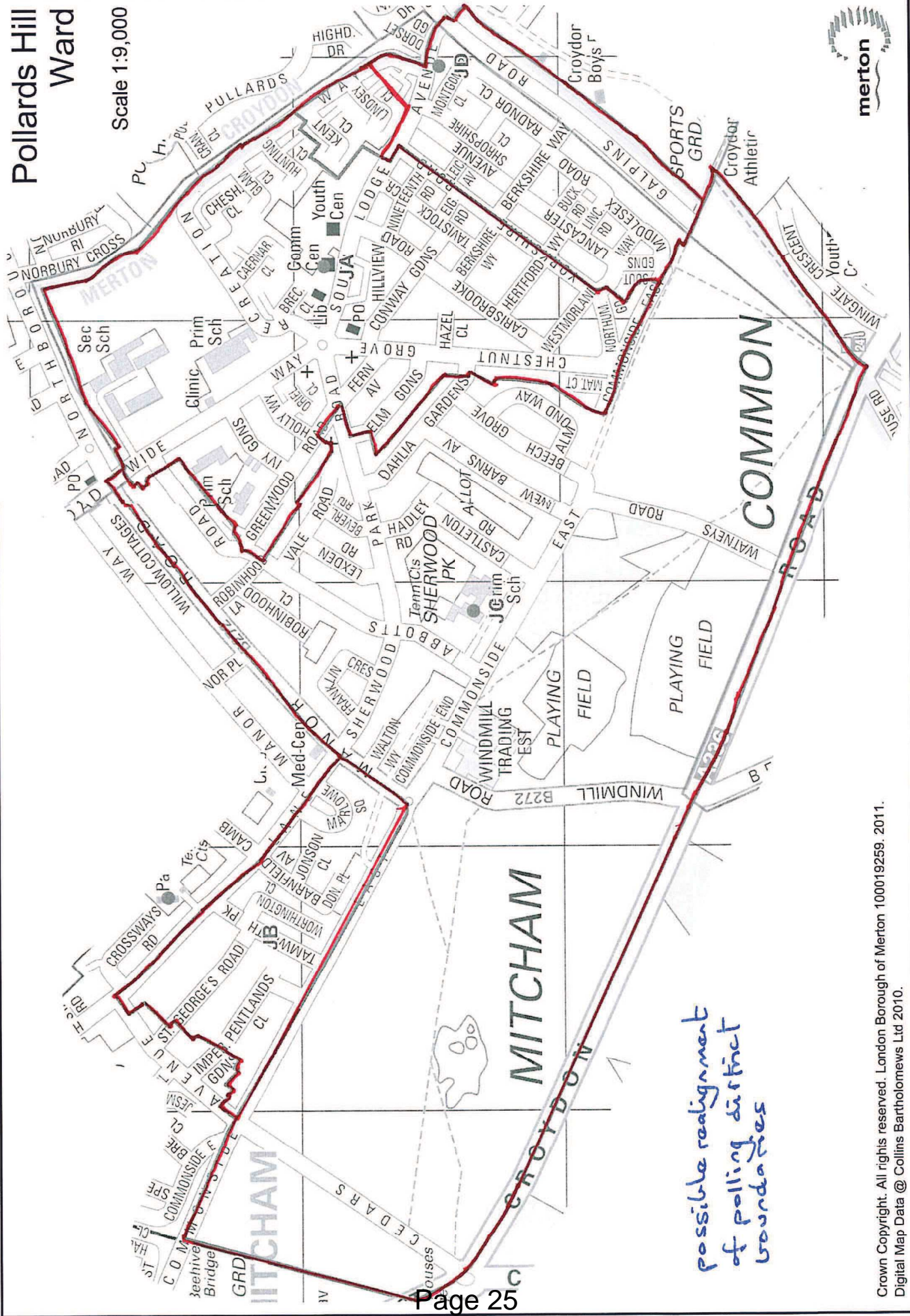
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*possible realignment
of polling district
boundaries*



Pollards Hill Ward

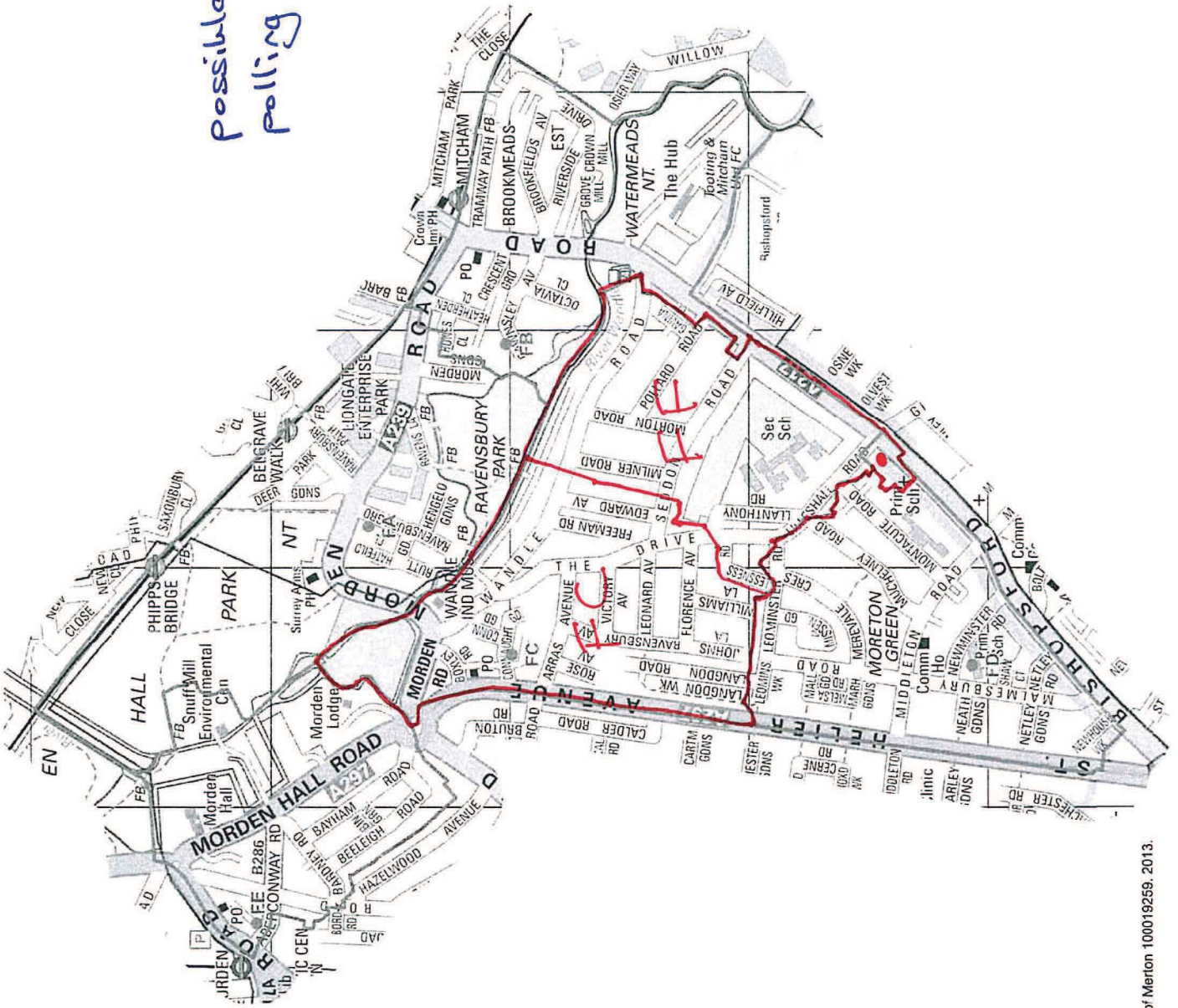
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Ravensbury

Scale 1:9,000

*Possible adjustment of
polling district boundaries*



Committee: General Purposes Committee

Date: 6th November 2014

Wards: all

Subject: Electoral Registration Officer – delegation of powers

Lead officer: Caroline Holland, Director of Corporate Services

Lead member: Councillor Mark Allison

Contact officer: Tim Revell, Interim Head of Electoral Services

Reason for urgency: The Chair has agreed to the submission of this late item in order to comply with the committee's work programme, and to ensure the report can progress to the next Council meeting.

Recommendations:

- A. That the General Purposes Committee recommends that the full Council agrees to authorise the Electoral Registration Officer (ERO) to appoint Deputy Electoral Registration Officers to carry out his powers and duties either in full or in part in accordance with section 52(2) of the Representation of the People Act 1983.
-

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. This report proposes that the ERO should be able to appoint deputies to carry out his functions so that there should always an officer available to deal with those duties which must be carried out by the ERO personally.

2 DETAILS

- 2.1 The Council's responsibilities for the registration of electors are discharged by the ERO and in certain circumstances must be carried out by the ERO personally. Under the system of Individual Electoral Registration (IER) which started on 10th June 2014 there is increased scope for disputes about a registration application to move to a hearing. These could be an appeal against a decision to reject an application to register, an objection by an elector in the area to a person's registration or a request for a hearing following a review whose outcome the elector disagrees with. The hearing is quasi-judicial in nature and there are statutory provisions regarding the timetable. Following a hearing any appeal is to the county court. The hearing must be conducted by the ERO or a properly appointed deputy with full powers to act.
- 2.2 To ensure that there is usually an officer to discharge this function it would be prudent to make arrangements for the ERO to be able to delegate his powers and duties. This would ensure that when it became necessary to hold a hearing it could be dealt with efficiently and effectively without unreasonable delay.
- 2.3 The council can appoint Deputy Electoral Registration Officers (DERO) who can carry out the powers and duties of the ERO and can also formally delegate the appointment of DEROs to the ERO. It is suggested that this

would be the most effective way of dealing with this matter. In their guidance on IER the Electoral Commission (EC) suggested that it may be useful to appoint deputies to undertake quasi-judicial procedures, such as hearings of registration applications, objections and reviews. The EC further advise that the ERO should ensure that deputy arrangements are in place in case they are unable to act personally and that appointments of DEROs and acceptance should be made in writing.

3 ALTERNATIVE OPTIONS

- 3.1. The alternative way of dealing with this matter would be to bring each proposal for the appointment of a DERO to a full council meeting which would be a cumbersome way of dealing with an administrative function.

4 CONSULTATION UNDERTAKEN OR PROPOSED

- 4.1. This is an internal matter dealing with the effective administration of the council's registration functions so no consultation has been undertaken or is proposed.

5 TIMETABLE

- 5.1. Subject to the views of this committee the matters will be considered by the council meeting on 19th November 2014.

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 6.1. There are no financial, resource or property implications.

7 LEGAL AND STATUTORY IMPLICATIONS

- 7.1 The council must appoint an ERO in accordance with section 8(2) (a) of the Representation of the People Act 1983(RPA1983) and under section 52(2) of that Act the ERO's powers and duties may be performed by a duly appointed deputy. The Local Authorities (Functions and Responsibilities) (England) Regulations 2000¹ list section 8(2) of the RPA1983 as one of the functions that are not to be the responsibility of an authority's executive. In accordance with section 101 of the Local Government Act 1972 the council may delegate its functions under section 52(2) of RPA1983 to the ERO.

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 8.1 Under section 149 of the Equality Act 2010 it is the duty of a public authority in the exercise of its functions to have due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
 - Advance equality of opportunity between people who share a protected characteristic and those who do not;
 - Foster good relations between people who share a protected characteristic and those who do not.

Having due regard for advancing equality involves:

¹ SI 2000/2853

- Removing or minimising disadvantages suffered by people due to their protected characteristics;
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people;
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

8.2 In providing services and access to them the Council is required by law to make reasonable adjustments in order to avoid discriminating against disabled persons. When considering what adjustments should be considered as reasonable the council is required to have regard to the relevant code of practice. The following are some of the factors to be taken into account when considering what is reasonable:

- Whether taking any particular steps would be effective in overcoming the substantial disadvantage that disabled people face in accessing the services in question;
- The extent to which it is practicable for the service provider to take the steps;
- The financial and other costs of making the adjustment;
- The extent of any disruption which taking the steps would cause;
- The extent of the service provider's financial and other resources;
- The amount of any resources already spent on making adjustments; and
- The availability of financial and other assistance.

8.3 The right to free elections forms part of Article 3 of Protocol 1 of the Human Rights Act 1998. Any resident is entitled to vote, if qualified by age and nationality, and if not subject to any other legal incapacity. Any question about an individual's right to vote should be resolved as expeditiously as possible

8.4 The aim of enhancing community cohesion and engagement would be expected to be achieved by the principles in 8.1 and 8.2 through promoting democratic engagement by seeking to ensure that issues arising in the voter registration process are capable of being dealt with effectively and in accordance with statute.

9 CRIME AND DISORDER IMPLICATIONS

9.1. There are no crime and disorder implications.

10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

10.1. This report puts forward a proposal to addresses the risk that electoral registration hearings could be delayed which might be perceived as contrary to the principles of natural justice and could be damaging to the council's reputation.

11 BACKGROUND PAPERS

11.1. Only published material has been used in the preparation of this report.

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Committee: GENERAL PURPOSES

Date: 6 November 2014

Wards: All

Subject: **Subject: Review of Part 4F of the Constitution - Financial Regulations**

Lead officer: Caroline Holland – Director of Corporate Services

Lead members: Mark Allison – Deputy Leader and Cabinet Member for Finance

Contact officer: Zoe Church – Head of Business Planning

Telephone: - 0208 545 3451

Recommendation

That General Purposes Committee agrees the revised Financial Regulations for the Authority. This document will replace Part 4F of the Council's Constitution.

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

1.1 This report summarises the main changes to the Financial Regulations of the Authority. These regulations form Part 4F of the Council's Constitution.

2. DETAILS

2.1 Financial Regulations form part 4F of the Constitution and should be revised periodically to ensure they reflect best practice.

2.2 The main changes made to the document are as follows:

- a) Updating reference documentation
- b) Clarifying the wording for virement arrangements (and increasing limits for capital virements)
- c) Removing reference to the Audit Committee as functions are now undertaken by General Purposes Committee

2.3 Attached as Appendix A are the revised Financial Regulations changes are shown in **bold underlined**.

3. CONSULTATION UNDERTAKEN OR PROPOSED

- 3.1 The proposed revisions to the Financial Regulations were reported to the Standards Committee on 23 October 2014. The Standards Committee have requested that the Director of Corporate Services consider what arrangements could be made to increase the transparency of movements in the council's reserves. The reference in paragraph B10 on page 12 of the proposed regulations has been removed and this item will be progressed separately.

4. TIMETABLE

- 4.1 These amendments will be reported to Council on 19 November 2014.

5. FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 5.1 There are no specific financial, resource or property implications from this report

6. LEGAL AND STATUTORY IMPLICATIONS

- 6.1 Section 37 of the Local Government Act 2000 requires authorities to adopt constitutions containing their standing orders, code of conduct for members, any other information they considered appropriate and 'such information as the Secretary of State may direct'. Financial Regulations form part of this constitution.

7. HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 7.1 There are no specific human rights, equalities or community cohesion implications.

8. RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

- 8.1 There are no specific risk management or health and safety implications in this report.

1.1.

9. APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT

- 9.1 Appendix A: Financial Regulations

10. BACKGROUND PAPERS – THE FOLLOWING DOCUMENTS HAVE BEEN RELIED ON IN DRAWING UP THIS REPORT BUT DO NOT FORM PART OF THE REPORT

Relevant Chartered Institute of Public Finance and Accountancy (CIPFA) Guidance etc., Best Practice, Regulation and Legislation

Constitution - Part 4F

Financial Regulations

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Introduction

Financial Regulations

- 1.1 To conduct its business efficiently, the Council needs to ensure that it has sound financial management policies in place and that they are strictly adhered to. Part of this process is the establishment of financial regulations that set out the financial policies of the Authority. A modern Council should also be committed to worthwhile innovation, within the regulatory framework, providing that the necessary risk assessment and approval safeguards are in place.
- 1.2 The financial regulations provide clarity about the financial accountabilities of individuals - the Head of Paid Service, the Monitoring Officer, the Chief Finance Officer, currently Director of Corporate Services and other chief officers (departmental directors). Each of the financial regulations sets out the overarching financial responsibilities.
- 1.3 This document links financial regulations with other internal regulatory documents forming part of the Council's constitution. For example, contract standing orders, schemes of delegation, the role of Overview and Scrutiny committees and employee codes of conduct.

Financial Procedures

- 1.4 Following formal approval and adoption of the financial regulations, it is the responsibility of the Chief Finance Officer to implement those financial regulations by issuing and maintaining detailed financial procedures.
- 1.5 The financial procedures detail the responsibilities of the Chief Finance Officer and other chief officers (directors) and identify key controls. They carry the same importance as financial regulations and are an integral part of the Council's framework of internal control

Status of Financial Regulations

- 2.1 Financial regulations provide the framework for managing the authority's financial affairs.
- They **apply** to every member and officer of the authority and anyone acting on its behalf.
 - They **do not apply** where the Council has agreed separate constitutional arrangements incorporating different Financial Regulations. This is currently relevant only to schools under "The Merton Scheme for Local Management of Schools"
 - They **do not apply** where work is being undertaken by the Council as agent for another public body under an agreement which requires compliance with different procedures incorporated into the agency agreement.

- 2.2 The regulations identify the financial responsibilities of the full Council, Cabinet and Overview and Scrutiny members, the Head of Paid Service, the Monitoring Officer, the Chief Finance Officer and other chief officers (directors). Chief officers (directors) should maintain a written record where decision making has been delegated to members of their staff, including seconded and [temporary staff](#).

Where decisions have been delegated or devolved to other responsible officers, such as school governors, references to the chief officer in the regulations should be read as referring to them. (There are separate regulations for schools based on the authority's financial regulations)

- 2.3 All members and staff have a general responsibility for taking reasonable action to provide for the security of the assets under their control, and for ensuring that the use of these resources is legal, is properly authorised, provides value for money and achieves best value.
- 2.4 The Chief Finance Officer is responsible for maintaining a continuous review of the financial regulations and submitting any additions or changes necessary to the full Council for approval. The Chief Finance Officer is also responsible for reporting, where appropriate, breaches of the financial regulations to the Monitoring Officer, the Council and/or to the Cabinet members.

- 2.5 The authority's detailed financial procedures, setting out how the regulations will be implemented, are contained in a separate document known as Financial Procedures. The financial procedures do, none the less, form an integral part of the financial regulations (Schools operating under the local scheme of delegation will refer to a separate financial procedures document, "On the right track " **(Version 5 being the most up to date at the time of approval)**)
- 2.6 Chief Officers (directors) are responsible for ensuring that all staff in their departments are aware of the existence and content of the authority's financial regulations and other internal regulatory documents and that they comply with them. They must also ensure that an adequate number of copies are available for reference within their departments.
- 2.7 The Chief Finance Officer is responsible for issuing advice and guidance to underpin the financial regulations that members, officers and others acting on behalf of the authority are required to follow.

A: FINANCIAL MANAGEMENT

Introduction

- A.1 Financial management covers all financial accountabilities in relation to the running of the authority, including the policy framework and budget. Where there is any discrepancy or inconsistency between these Financial Regulations and the Constitution, the terms of the constitution will prevail.

The full Council

- A.2 The full Council is responsible for adopting the authority's constitution and members' code of conduct and for approving the policy framework and budget within which the Cabinet operates. It is also responsible for approving and monitoring compliance with the authority's overall framework of accountability and control. The framework is set out in its constitution. The full Council is also responsible for monitoring compliance with the agreed policy and related Cabinet decisions.
- A.3 The constitution and procedure rules require the recording and reporting of decisions taken. This includes those key decisions delegated by and decisions taken by the Council and its committees. These delegations and details of who has responsibility for which decisions are set out in the constitution.

The Cabinet

- A.4 The Cabinet is responsible for proposing the policy framework and budget to the full Council, and for discharging Cabinet functions in accordance with the policy framework and budget.
- A.5 Cabinet decisions can be delegated to a committee of the Cabinet, an individual Cabinet member, an officer or a joint committee.
- A.6 The Cabinet is responsible for establishing protocols to ensure that individual Cabinet members consult with relevant officers before taking a decision within his or her delegated authority. In doing so, the individual member must take account of legal and financial liabilities and risk management issues that may arise from the decision.

Committees of the Council

Overview and Scrutiny Commission and Panels

- A.7 The Overview and Scrutiny Commission is responsible for participating in pre-decision policy formulation and for scrutinising Cabinet decisions after they have been made and for holding the Cabinet to account. The Overview and Scrutiny Commission is also responsible for making recommendations on future policy options and for reviewing the general policy and service delivery of the authority.

Standards Committee

- A.8 The Standards Committee is established by the full Council and is responsible for promoting and maintaining high standards of conduct amongst Councillors. In particular, it is responsible for advising the Council on the adoption and revision of the members' code of conduct, and for monitoring the operation of the code.

General Purposes Committee

- A.9 The General Purposes Committee was established by the full council on 18th May 2005 to fulfill certain functions and responsibilities including; to oversee the Constitution (non-executive functions) and make recommendations to full council; to approve the Statement of Accounts, [Internal and External Audit Matters and Corporate Governance](#) and deal with other specific matters related to finance, [pension](#) and personnel; and to discharge the functions related to Health and Safety, Elections and as Corporate Trustee where appropriate .

This committee is required to consider and make recommendations as appropriate in relation to the activities set out in the agenda item at that meeting concerned with internal and external audit matters and corporate governance and liaison with the Authority's External Auditors

Other regulatory committees

- A.10 Planning, conservation and licensing are not Cabinet functions but are exercised through the multi-party Planning Applications Committee and the Licensing Committee under powers delegated by the full Council. The Planning Applications Committee and the Licensing Committee both report to the full Council.

The statutory officers

Head of Paid Service (Chief Executive)

- A.11 The Head of Paid Service is responsible for the corporate and overall strategic management of the authority as a whole. He or she must report to and provide information for the Cabinet, the full Council, the Overview and Scrutiny Commission and other committees. He or she is responsible for establishing a framework for management direction, style and standards and for monitoring the performance of the organisation. The Head of Paid Service is also responsible, together with the Monitoring Officer, for the system of record keeping in relation to all the full Council's decisions (see below).

Monitoring Officer

- A.12 The Monitoring Officer is responsible for promoting and maintaining high standards of financial conduct and therefore provides support to the Standards Committee. The Monitoring Officer will receive and act on reports made by the Ombudsman and will conduct investigations into such matters and make reports or recommendations in respect of them to the Standards Committee.
- A.13 The Monitoring Officer must ensure that Cabinet decisions and the reasons for them are made public. He or she must also ensure that Council members are aware of decisions made by the Cabinet and of those made by officers who have delegated Cabinet responsibility.
- A.14 The Monitoring Officer is responsible for advising all Councillors and officers about who has authority to take a particular decision.
- A.15 The Monitoring Officer is responsible for advising the Cabinet or full Council about whether a decision is likely to be considered contrary or not wholly in accordance with the policy framework.

- A.16 The Monitoring Officer (together with the Chief Finance Officer) is responsible for advising the Cabinet or full Council about whether decision is likely to be considered contrary or not wholly in accordance with the budget. Actions that may be 'contrary to the budget' include:
- initiating a new policy
 - committing expenditure in future years to above the budget level
 - incurring interdepartmental transfers above virement limits
 - causing the total expenditure financed from Council tax, grants and corporately held reserves to increase, or to increase by more than a specified amount.
- A.17 The Monitoring Officer is responsible for maintaining an up-to-date constitution.

Chief Finance Officer

- A.18 The Chief Finance Officer has statutory duties in relation to the financial administration and stewardship of the authority. This statutory responsibility cannot be overridden. The statutory duties arise from:
- Section 151 of the Local Government Act 1972
 - The Local Government Finance Act 1988
 - The Local Government and Housing Act 1989
 - The Accounts and Audit Regulations 20011
- A.19 The Chief Finance Officer (See "A statement on the role of the Chief Finance Officer in Local Government" (CIPFA [2010](#)))
- [Is a key member of the CMT helping it to develop and implement strategy and to resource and deliver the organisation's strategic objectives sustainably and in the public interest](#)
 - [is actively involved in, and able to bring influence to bear on, all material business decisions to ensure immediate and longer term implications, opportunities and risks are fully considered, and alignment with the organisation's financial strategy](#)

- leads the promotion and delivery by the whole organisation of good financial management so that public money is safeguarded at all times and used appropriately, economically, efficient and effectively
- leads and directs a finance function that is resourced to be fit for purpose
- is professionally qualified and suitably experienced

A.20 **Section 114** of the Local Government Finance Act 1988 requires the Chief Finance Officer to report to the full Council, Cabinet and external auditor if the authority or one of its officers:

- has made, or is about to make, a decision which involves incurring unlawful expenditure
- has taken, or is about to take, an unlawful action which has resulted or would result in a loss or deficiency to the authority
- is about to make an unlawful entry in the authority's accounts .

Section 114 of the 1988 Act also requires:

- the Chief Finance Officer to nominate a properly qualified member of staff to deputise should he or she be unable to perform the duties under section 114 personally
- the authority to provide the Chief Finance Officer with sufficient staff, accommodation and other resources- including legal advice where this is necessary -to carry out the duties under section 114.

Chief officers (Departmental Directors)

A.21 Chief officers (as set out in Article 12.2 of the constitution) are responsible for:

- ensuring that Cabinet members are advised of the financial implications of all proposals and that the financial implications have been agreed by the Chief Finance Officer
- signing contracts on behalf of the authority.

A.22 It is the responsibility of chief officers to consult with the Chief Finance Officer and seek approval on any matter liable to affect the authority's finances materially, before any commitments are incurred.

Other financial accountabilities Virement

- A.23 The full Council is responsible for agreeing procedures for virement of expenditure between budget headings.
- A.24 Chief officers are responsible for agreeing in-year virements within delegated limits, in consultation with the Chief Finance Officer and in accordance with the scheme of virement. They must notify the Chief Finance Officer of all virements. (This is essential even at the lowest level for accounting purposes and budget monitoring) The scheme of virement is attached at Annex 1 (Revenue) and Annex 2 (Capital).

Treatment of year-end balances

- A.25 The full Council is responsible for agreeing procedures for carrying forward under and overspendings on budget headings as part of the scheme of virement.

Accounting policies

- A.26 The Chief Finance Officer is responsible for selecting accounting policies and ensuring that they are applied consistently.

Accounting records and returns

- A.27 The Chief Finance Officer is responsible for determining the accounting procedures and records for the authority.

The annual statement of accounts

- A.28 The Chief Finance Officer is responsible for ensuring that the Annual Statement of Accounts and the Annual Governance Statement are prepared in accordance with the Code of Practice on Local Authority Accounting in the United Kingdom: The General Purposes Committee is responsible for approving the Annual Statement of Accounts and the Annual Governance Statement.
- A.29 The Chief Finance Officer is responsible for ensuring that the annual statement of accounts and the Annual Governance Statement are prepared in accordance with the Code of Practice on Local Authority Accounting in the United Kingdom: A Statement of Recommended Practice (CIPFA/LASAAC). The General Purposes Committee is responsible for approving the Annual Statement of Accounts and the Annual Governance Statement.

B: FINANCIAL PLANNING

Introduction

B.1 The full Council is responsible for agreeing the authority's policy framework and budget, which will be proposed by the Cabinet. In terms of financial planning, the key elements are:

- the business plan
- the budget
- the capital programme.

Policy framework

B.2 The full Council is responsible for approving the policy framework and budget. The policy framework is set out in article 4 of the Constitution and includes a number of plans and strategies approved or to be approved by the Council.

B.3 The full Council is also responsible for approving procedures for agreeing variations to approved budgets, plans and strategies forming the policy framework and for determining the circumstances in which a decision will be deemed to be contrary to the budget or policy framework.

B.4 The full Council is responsible for setting the level at which the Cabinet may reallocate budget funds from one service to another. The Cabinet is responsible for taking in-year decisions on resources and priorities in order to deliver the budget policy framework within the financial limits set by the Council.

Preparation of the business plan

B.5 The Head of Paid Service is responsible for proposing the business plan to the Cabinet for consideration before its submission to the full Council for approval.

Budgeting Budget format

B.6 The general format of the budget will be approved by the full Council and proposed by the Cabinet on the advice of the Chief Finance Officer. The draft budget should include allocation to different services and projects, proposed taxation levels and contingency funds.

Budget preparation

- B.7 Section 25 of the Local Government Act 2003 requires the Chief Finance Officer to report on the robustness of estimates and the adequacy of reserves when considering the budget requirement. The revenue budget is prepared on an annual basis and a general revenue plan on a **four**-yearly basis for consideration by the Cabinet, before submission to the full Council. The full Council may amend the budget or ask the Cabinet to reconsider it before approving it.
- B.8 The Cabinet is responsible for issuing guidance on the general content of the budget in consultation with the Chief Finance Officer as soon as possible following approval by the full Council.
- B.9 It is the responsibility of chief officers to ensure that budget estimates reflecting agreed service plans are submitted to the Cabinet and that these estimates are prepared in line with guidance issued by the Cabinet.

Budget monitoring and control

- B.10 The Chief Finance Officer is responsible for providing appropriate financial information to enable budgets to be monitored effectively. He or she must monitor and control expenditure against budget allocations and report to the Cabinet on the overall position on a regular basis.
- B.11 It is the responsibility of chief officers to control income and expenditure within their area and to monitor performance, taking account of financial information provided by the Chief Finance Officer. They should report on variances within their own areas. They should also take any action necessary to avoid exceeding their budget allocation and alert the Chief Finance Officer to any problems.

Resource allocation

- B.12 The Chief Finance Officer is responsible for developing and maintaining a resource allocation process that ensures due consideration of the full Council's policy framework.

Preparation of the capital programme

- B.13 The Chief Finance Officer is responsible for ensuring that a capital programme is prepared on an annual basis for consideration by the Cabinet before submission to the full Council.
- B.14 The Chief Finance Officer is responsible for ensuring that in setting or revising the Capital Programme that prudential indicators are reported to the full Council, having regard to:
- affordability, e.g. implications for Council Tax
 - prudence and sustainability, e.g. implications for external borrowing
 - value for money, e.g. option appraisal
 - stewardship of assets, eg asset management planning
 - service objectives, e.g. strategic planning for the authority
 - practicality, e.g. achievability of the forward plan.
- B.15 The Chief Finance Officer is required to establish procedures to monitor performance against all forward looking prudential indicators. The Chief Finance Officer will need to establish a measurement and reporting process that highlights significant deviations from expectations.

Guidelines

- B.16 Guidelines on budget preparation are issued to members and chief officers (directors) by the Cabinet following agreement with the Chief Finance Officer. The guidelines will take account of:
- legal requirements
 - medium-term planning prospects
 - the business plan
 - available resources
 - spending pressures
 - best value and other relevant government guidelines
 - other internal policy documents
 - cross-cutting issues (where relevant). Maintenance of reserves
- B.17 It is the responsibility of the Chief Finance Officer to advise the Cabinet and/or the full Council on prudent levels of reserves for the authority.

C: RISK MANAGEMENT AND CONTROL OF RESOURCES

Introduction

- C.1 It is essential that robust, integrated systems are developed and maintained for identifying and evaluating all significant operational risks to the authority. This should include the proactive participation of all those associated with planning and delivering services.

Risk management

- C.2 The Cabinet is responsible for approving the authority's risk management policy statement and strategy and for reviewing the effectiveness of risk management. The Cabinet is responsible for ensuring that proper insurance exists where appropriate.
- C.3 The Chief Finance Officer is responsible for preparing the authority's financial risk management policy statement, for promoting it throughout the authority and for advising the Cabinet on proper insurance cover where appropriate.

Internal control

- C.4 Internal control refers to the systems of control devised by management to help ensure the authority's objectives are achieved in a manner that promotes economical, efficient and effective use of resources and that the authority's assets and interests are safeguarded.
- C.5 The Chief Finance Officer is responsible for advising on effective systems of internal control. These arrangements need to ensure compliance with all applicable statutes and regulations, and other relevant statements of best practice. They should ensure that public funds are properly safeguarded and used economically, efficiently, and in accordance with the statutory and other authorities that govern their use.
- C.6 It is the responsibility of chief officers to establish sound arrangements for planning, appraising, authorising and controlling their operations in order to achieve continuous improvement, economy, efficiency and effectiveness and for achieving their financial performance targets.

Audit requirements

Internal Audit

- C.7 The Accounts and Audit Regulations 2011 issued by the Secretary of State for the Environment require every local authority to undertake an adequate and effective internal audit. Internal audit of its accounting records is an independent appraisal function established by the management of an organisation. It objectively examines, evaluates and reports on the adequacy of internal control as a contribution to the proper, economic, efficient and effective use of resources.

External Audit

- C.8 The Audit Commission is responsible for appointing external auditors to each local authority. The basic duties of the external auditor are governed by section 15 of the Local Government Finance Act 1982, as amended by section 5 of the Audit Commission Act 1998.
- C.9 The authority may, from time to time, be subject to audit, inspection or investigation by external bodies such as HM Revenue and Customs, who have statutory rights of access.

Preventing fraud and corruption

- C.10 The Chief Finance Officer (in consultation with the Monitoring Officer) is responsible for the development and maintenance of an anti-fraud and anti-corruption policy.

Assets

- C.11 Chief Officers should ensure that records and assets are properly maintained and securely held. They should also ensure that contingency plans for the security of assets and continuity of service in the event of disaster or system failure are in place.

Treasury Management

- C.12 The authority has adopted CIPFA's Code of Practice for Treasury Management in Local Authorities.

- C.13 The full Council is responsible for approving the Treasury Management policy statement, [practices and annual strategy in advance of the year](#) setting out the matters detailed in CIPFA's Code of Practice for Treasury Management in Local Authorities. The policy statement is proposed to the full Council by the Cabinet. The Chief Finance Officer has delegated responsibility for implementing and monitoring the statement.
- C.14 All money in the hands of the authority is controlled by the officer designated for the purposes of section 151 of the Local Government Act 1972, referred to in the code as the Chief Finance Officer.
- C.15 The Chief Finance Officer is responsible for reporting to the Cabinet a proposed treasury management strategy for the coming financial year at or before the start of each financial year.

All Cabinet decisions on borrowing, investment or financing shall be delegated to the Chief Finance Officer, (Part 3F Section B of the Constitution, Financial Matters) who is required to act in accordance with CIPFA's Code of Practice for Treasury Management in Local Authorities.

- C.16 The Chief Finance Officer is responsible for reporting to the Cabinet at least once in each financial year on the activities of the treasury management operation and on the exercise of his or her delegated treasury management powers. One such report will comprise an annual report on treasury management for presentation by 30 September of the succeeding financial year.
- C.17 The Chief Finance Officer is responsible for the Council's overall banking arrangements. All arrangements for opening bank accounts and for the banking and withdrawal of money shall be made or approved by the Chief Finance Officer.

Staffing

- C.18 The Head of Paid Service is responsible for determining how officer support for Cabinet and non-Cabinet roles within the authority will be organised.

C.19 The Head of Paid Service will report to full Council on the manner in which the discharge of the Council's functions is co-ordinated, the number and grade of officers required for the discharge of functions and the organisation of officers.

C.20 Chief Officers (directors) are responsible for controlling total staff numbers by:

- advising the Cabinet on the budget necessary in any given year to cover estimated staffing levels
- adjusting the staffing to a level that can be funded within approved budget provision, varying the provision as necessary within that constraint in order to meet changing operational needs
- the proper use of appointment procedures.

D: SYSTEMS AND PROCEDURES

Introduction

D.1 Sound systems and procedures are essential to an effective framework of accountability and control.

General

D.2 The Chief Finance Officer is responsible for the operation of the authority's accounting systems, the form of accounts and the supporting financial records. Any changes made by chief officers (directors) to the existing financial systems or the establishment of new systems must be approved by the Chief Finance Officer. However, chief officers (directors) are responsible for the proper operation of financial processes in their own departments.

D.3 Any changes to agreed procedures by chief officers (directors) to meet their own specific service needs should be agreed with the Chief Finance Officer.

D.4 The Chief Finance Officer is responsible for developing and maintaining the Council's detailed financial procedures

D.5 Chief officers (directors) should ensure that their staff receive relevant financial training that has been approved by the Chief Finance Officer.

D.6 Chief officers (directors) must ensure that, where appropriate, computer and other systems are registered in accordance with data protection legislation. Chief Officers (directors) must ensure that staff are aware of their responsibilities under freedom of information legislation.

Income and expenditure

D.7 It is the responsibility of chief officers (directors) to ensure that a proper scheme of management has been established within their area and is operating effectively. The scheme of management should identify staff authorised to act on the chief officer's (director's) behalf, or on behalf of the Cabinet, in respect of payments, income collection and placing orders, together with the limits of their authority. The Chief Finance Officer is responsible for approving procedures for writing off debts as part of the overall control framework of accountability and control.

Payments to employees and members

- D.8 The Chief Finance Officer is responsible for all payments of salaries and wages to all staff, including payments for overtime, and for payment of allowances to members.

Taxation

- D.9 The Chief Finance Officer is responsible for advising chief officers, in the light of guidance issued by appropriate bodies and relevant legislation as it applies, on all taxation issues that affect the authority.

- D.10 The Chief Finance Officer is responsible for ensuring that the authority's tax records are maintained, that all tax payments are made, that tax credits are received and tax returns are submitted by their due date as appropriate.

Trading accounts/business units

- D.11 It is the responsibility of the Chief Finance Officer to advise on the establishment and operation of trading accounts and business units.

E: EXTERNAL ARRANGEMENTS

Introduction

- E.1 The local authority provides a distinctive leadership role for the community and brings together the contributions of the various stakeholders. It must also act to achieve the promotion or improvement of the economic, social or environmental wellbeing of its area.

Partnerships/[Joint Ventures/Shared Services](#)

- E.2 The Chief Finance Officer is responsible for promoting and maintaining the same high standards of conduct with regard to financial administration in partnerships that apply throughout the authority.
- E.3 The Chief Finance Officer must ensure that the accounting arrangements to be adopted relating to partnerships and joint ventures are satisfactory.
- E.4 The Monitoring Officer must consider the overall corporate governance arrangements and legal issues when arranging contracts/[shared service arrangements](#) with external bodies. He or she must ensure that the risks have been fully appraised before agreements are entered into with external bodies.
- E.5 Chief Officers are responsible for ensuring that appropriate approvals are obtained before any negotiations are concluded in relation to work with external bodies.

External funding

- E.6 The Chief Finance Officer is responsible for ensuring that all funding notified by external bodies is received and properly recorded in the authority's accounts.

[Bibliography – Key Documents](#)

[CIPFA Guidance on Asset Registers and Accounting/Practitioners' Guide to Capital Finance in Local Government/The Prudential Code for Capital Finance in Local Authorities CIPFA](#)

[CIPFA Service Reporting Code of Practice \(SeRCOP\)](#)

[Code of Practice on Local Authority Accounting \(CIPFA/LASAAC\)](#)

[Code of Practice for Internal Audit in Local Government CIPFA](#)

[Public Sector Internal Audit Standards](#)

[CIPFA Treasury Management Code of Practice](#)

1.1 1 -Scheme of Virement - Revenue

Financial limits	
Up to £5,000 paper budget head	Budget holder (for Chief Officer) who shall notify the Chief Finance Officer in writing (This is essential even at the lowest level for accounting purposes and budget monitoring)
£5,000 up to £100,000 pa per budget head	Appropriate Chief Officer who shall obtain the agreement of the Chief Finance Officer.
£100,000 and over	Cabinet

NOTES

1. A “service level budget” represents the budget as presented in the relevant Business Plan and a “budget head” is defined by CIPFA’s Service Expenditure Analysis and Standard Subjective Analysis e.g. Employees and Supplies and Services. A revenue virement is required if a Chief Officer requests a transfer of resources:
 - a) From one service level budget to another; and/or
 - b) From revenue budget head and another.
2. Virements may only be made in respect of DIRECT expenditure or income and excludes capital financing charges and asset rental charges. Direct expenditure budgets created from income, purely to manage internal recharges to direct service budgets e.g. photocopying are also excluded
3. Virement from income to expenditure is allowed in exceptional circumstances only where the additional expenditure will generate the income. Windfall income amounts shall not be used to augment spending power.
4. A request for virement must state explicitly whether the transfer is for the duration of the current financial year only, or whether it reflects a permanent change in policy and consequentially will continue and thus form the Base Budget for future years.
5. New expenditure initiatives require the approval of the Chief Finance Officer up to £100,000 or Cabinet, £100,000 and over.
6. The prior approval of the Cabinet is required for any virement, of whatever amount, where it is proposed to vire between budgets managed by different chief officers.

7. Virement that is likely to impact on the level of service activity of another chief officer should be implemented only after agreement with the relevant chief officer.
8. In cases of major unforeseen emergencies where no provision exists, the authority for immediate expenditure up to a limit of £100,000 is delegated to the Chief Finance Officer. This will be on the advice of the appropriate chief officer and subject to a report being made to the Cabinet as soon as practicable.(This is in accordance with Delegation of Executive Powers).
9. The above virement arrangements do not apply to in year adjustments to budgets that arise due to accounting or technical reasons such as correcting errors, budget restructuring due to internal reorganisation and changes to grant regimes, provided these do not impact on the net budget of the Council.

Treatment of Year End Balances- Revenue

10. Year end balances will be dealt with as part of the closing of accounts arrangements under the guidance of the Chief Finance Officer and following rigorous budget monitoring throughout the year
11. Requests for carry forward of underspends will therefore be considered only in exceptional circumstances.Chief Officers will need to identify the source of the underspend or additional income and to justify why it will be needed in the following year in addition to the annual budget.
12. All internal business unit surpluses shall be retained for the benefit of the authority and their application shall require the approval of the Cabinet.

1.2 - Scheme of Virement- Capital

Financial limits	
Up to £5,000 paper scheme	Scheme's responsible officer, who shall notify the Chief Finance Officer in writing (This is essential even at the lowest level for accounting purposes and budget monitoring)
£5,000 up to £100,000 pa per scheme	Appropriate Chief Officer who shall obtain agreement of the Chief Finance Officer.
£100,000 and over	Cabinet

NOTES

13. A capital virement is required if the responsible officers identify a need to transfer resources between approved schemes in the capital programme
14. Virements by the Responsible Officer alone will be restricted to similar schemes within his/her management, e.g. Traffic Management Schemes, Traffic Calming schemes. Any uncertainty will be referred to the Chief Officer
15. Any virement affecting schemes of a different nature within a department will be referred to the Chief Officer.
16. Virements by a Chief Officer will be restricted to schemes within his/her departmental management
17. Any virement affecting the schemes of different chief officers will be referred to the Chief Finance Officer.
18. Any virement which diverts resources from a scheme not started, resulting in delay to that scheme, will be reported to Cabinet.
19. Where schemes are funded by ring-fenced or restricted use income, Merton's virement regulations will not over-ride these restrictions

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