

Workington Town Council

Council

28 January 2015 Reports

AGENDA ITEM 7

Changes to the Legislation on Parish Polls

The Government is consulting on proposed changes to the way in which parish polls are governed. Councillors received copies of the consultation document, along with a commentary from the clerk in early January. These are appended to this report.

Action required: The council should consider making a corporate response to the consultation, or delegating such a response.

AGENDA ITEM 8 a)

Licence for Erection of Christmas Lighting columns in Hall Park

The Town Council's Christmas lighting display for 2014 included an additional extension into Hall Park. The Borough Council feels that it is necessary to regularise this for future years by way of a licence. The value of the licence is £1, where collected.

Action Required: The Town Clerk is requesting that the council delegates the power to sign the licence.

AGENDA ITEM 8 b)

Transfer of Allotments Freehold

The council has been negotiating the possession of the freehold of the town's allotments from the Borough Council. The first part of this process, for the sites at Siddick, Newlands Lane, Park Lane, Wesley Street, Annie Pit/Feenans, Cranbourne Street and Rosehill is now ready for completion. The sites have been surveyed, searches have been carried out, boundaries agreed and liabilities assessed. The documentation associated with the transfers is available for inspection at the Town Hall, and prior to and during the council meeting, along with the solicitor's Report on Title.

Action Required: The Town Clerk is requesting that the council delegates the power to sign the contracts for the transfer of the allotments, and all related documents specified in the solicitor's report.

Notes on the Proposed Changes to Parish Poll Legislation

The proposed reforms seem sensible. They are suggesting the times of the poll are made the same as for an ordinary poll, and there will be provision for proxy and postal ballots. The Returning Officer may combine the poll with other polls running at the same time, and polling cards could be issued, at the discretion of the returning officer. The timescale would also be lengthened, to allow sufficient time for arrangements to be made.

Another change proposed is to list three criteria for a poll:

1. The subject needs to have been discussed at a parish meeting
2. The subject directly affects those who live/work in the parish
3. The subject must be something that the parish council can make a decision on, or at least comment upon as a statutory consultee. It may not include a simple declaratory statement on the issue.

So, in our recent experience, the parish poll mechanism would only be allowed to be used to advise the town council on its response to the planning applications for Tesco and the Leisure Centre, since those are the only powers the town council could exercise in this context.

This is a significant narrowing of the Parish Poll criteria. The proposal goes further and mandates the Monitoring Officer to reject a poll if they feel it does not meet the criteria. The Monitoring Officer's involvement is new, but the government suggests is appropriate, because the Monitoring Officer is responsible for legal compliance. One effect would be, I would envisage, to focus community ire on the principal authority, and not use the parish/town as a proxy.

In our context, Allerdale and the County have policies in place relating to community petitions which already outstrip any notice taken of a parish poll – providing the petition is properly presented. When I have a mo, I will put something on our website reflecting this.

Trigger – the government is proposing to increase the trigger for a poll to 60, or 10 per cent of the electorate, whichever is less, attending a parish meeting. Again this would have a considerable effect on our recent polls - requiring a much greater turnout, certainly than the Leisure Centre PM.

There is also provision for the Town Council to produce a short factual guide to any issue being considered, to allow voters to make informed choices. Again the Monitoring Officer would have a role in ensuring any publication was balanced and fair.

Chris Bagshaw, Town Clerk

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