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Your ref:**Our ref:****Date:** 09 Jan 2015**E-mail:** Democratic_Services@bathnes.gov.uk**To: All Members of the Council**

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Chief Executive and other appropriate officers
Press and Public

Dear Member

Council: Thursday, 15th January, 2015

Please find attached a **SUPPLEMENTARY AGENDA DESPATCH** of late papers which were not available at the time the agenda was published. Please treat these papers as part of the agenda.

Papers have been included for the following items:

9. **POLLING DISTRICTS & PLACES REVIEW – APPENDIX 2 (Pages 3 - 6)**

NB: Plans in respect of the changes to polling districts in the three wards are being prepared and will be available in Group rooms early next week. Copies will be sent to ward councillors concerned.

11. **MOTION FROM THE LABOUR GROUP - QUALITY CONTRACT SCHEME OFFICER BRIEFING NOTE ADDED (Pages 7 - 8)**

Yours sincerely

Jo Morrison
for Chief Executive

If you need to access this agenda or any of the supporting reports in an alternative accessible format please contact Democratic Services or the relevant report author whose details are listed at the end of each report.

This Agenda and all accompanying reports are printed on recycled paper

REVIEW OF POLLING DISTRICTS AND PLACES

Appendix 2

1. Polling Districts

1.1 Each ward is divided into two or more polling districts. The boundaries of each polling district and the number of electors in each district are as detailed in the Acting Returning Officer's submissions and Polling Districts maps published as part of the review.

1.2 No submissions have been received in respect of the delineation of any of the polling districts other than in 1.3, 1.4 and 1.5 below.

1.3 In Weston the polling station for polling district B WN1 is located outside the district. This can be rectified by using Trafalgar Road and Penn Hill Road as the boundary between B – WN1 and B – WN2 and adjusting the districts accordingly.

1.4 The Returning Officer's published proposals for Newbridge recommended the division of polling district NB1 into two separate polling districts. No adverse comments have been received.

1.5 In Westmorland representations were received that polling districts WM3 and WM1 should be merged, rather than WM3 and WM2. This is a sensible proposal which is recommended.

RECOMMENDATION 1

That there be no change to the polling districts other than in respect of the Newbridge, Westmorland and Weston wards and that the Returning Officer be authorised to allocate properties accordingly and publicise the arrangements once complete.

2. Polling Places

2.1 As outlined in the guidance booklet for the review, the polling place is the geographical area in which a polling station (the actual room, building or area where voting takes place) is situated.

2.2 Most Councils designate as the polling place for each polling district the entirety of the area of that district. This means there is maximum flexibility for the Acting Returning Officer when it comes to the selection of suitable buildings/areas for the location of the polling station.

2.3 All comments received as part of the review related to the suitability or otherwise of particular buildings for use as a polling station, whether that be by way of proposed alternative venues or commentary on individual proposals.

2.4 It would in theory be open to the Council to adjudicate on the merits or otherwise of particular buildings for use as polling stations by making specific

designations of venues as polling places. This however would be inconsistent with the principle that the selection of the actual polling station and the allocation of voters to it is, by law, the personal responsibility of the Acting Returning Officer who is accountable for the integrity and effectiveness of all decisions that need to be made in the conduct of the whole electoral process.

2.5 It is therefore recommend that Council note the comments made and refer them to the Returning Officer to make decisions in respect of the selection of suitable locations, following consideration of any additional comments ward councillors may make.

2.6 For Council's information the issues raised during the review are outlined in brief in section 3 below.

RECOMMENDATION 2

2A That the polling place for each polling district be the whole of that district and

2B That all comments received by the Council during the review be referred to the Returning Officer for consideration and action as part of the preparation for the 2015 Parliamentary, Local and Parish Council Elections (other than those simply agreeing with the proposals).

3. Summary of Representations reviewed

WARD	NATURE OF CONCERN/ISSUE	COMMENT
Keynsham South	Proposal to move polling station from Riverside to Elim Church – alternative of Civic Centre proposed	To be considered
Bathavon South – Monkton Combe	Prefer Village Hall to St Michael's Church	To be assessed in terms of convenience and suitability
Bathavon North - Claverton	Concern about proposed change of polling station (6 respondents)	Returning Officer to reconsider proposed change
Westmorland	Concern about no longer using Twerton Village Hall	To be reconsidered
Lambridge	Suggestion of an alternative polling station	Returning Officer to visit and assess suitability
Westmorland	Concerns about (1) use of Ascension Church and (2) polling district merger	(1) To be assessed (2) See 1.5 above
Walcot	Incorrect name of premises	To be noted and records amended
Weston	Suggested variation of	Agreed – see 1.3

	polling district boundary	
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4. Information about the review

Details of polling districts, current arrangements, the proposed changes and ward and polling district maps are available in the following link;

<http://www.bathnes.gov.uk/consultations/review-polling-districts-and-polling-places-2014>

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Officer Briefing note on Quality Contract Schemes (QCSs)

- Powers granted to local transport authorities (LTAs) under Transport Act 2000 and amended by Local Transport Act 2008;
- The Department for Transport has published statutory guidance on QCSs.
- No LTAs have “made” a QCS yet but North East Combined Authority has submitted its proposal to a QCS Board (see below) and West Yorkshire Combined Authority has done much of the preparatory work;
- Under a QCS, an LTA (or more than one) determines what bus service network should run in a specified area, including routes, frequencies, timetables, fares and ticketing, type of vehicle etc, for maximum period of 10 years;
- LTA carries out competitive tender for contracts for routes (or groups of routes);
- Full Oyster-style ticketing is possible because one body controls the ticketing and revenue;
- No other bus services may be operated in the QCS area except with permission of the LTA – exemptions may be granted for cross-boundary services etc;
- QCS must meet five specific “public interest” criteria as follows
 - (i) it will result in an increase in the use of bus services in the area to which the proposed scheme relates;
 - (ii) it will bring benefits to persons using local services in the area to which the proposed scheme relates, by improving the quality of those services;
 - (iii) it will contribute to the implementation of the local transport policies of the LTA;
 - (iv) it will contribute to the implementation of those policies in a way which is economic, efficient and effective; and
 - (v) any adverse effects of the proposed scheme on operators will be proportionate to the improvement in the well-being of persons living or working in the area to which the proposed scheme relates.
- Consultation must be carried out with bus operators and bus users;
- The detailed QCS proposal must be assessed by an independent board appointed by the Senior Traffic Commissioner. This QCS Board would consider whether the public interest criteria have been met and would publish its opinion. Its findings are not binding on the LTA but would be material in event of an appeal by affected bus operators.
- In certain circumstances, bus operators have a right of appeal to the Upper Tribunal against a decision to make a QCS;
- In both the North East and West Yorkshire, bus operators have proposed voluntary partnerships as an alternative to a QCS.
- There are big risks to LTAs:
 - (i) Incumbent operators may decide not to tender for contracts and close down their operations in the area (as threatened by Stagecoach in NE);
 - (ii) Significant financial risk if fares revenue does not meet target and fails to cover costs of contracts;

- (iii) Contract costs could be high if operators price in the cost of extra resources (staff & vehicles) to meet high punctuality targets;
 - (iv) Set up costs and ongoing management costs to be met (estimated £1m set up and £1m pa management for NECA scheme);
 - (v) Likely legal challenges from big operators.
- In B&NES, there are 117 registered local bus services. Discounting 7 National Express services, 2 tour bus services, 1 racecourse service and 18 school/college services, there are 89 bus services operating on a variety of frequencies between once a month and every six minutes. Most of these cross the B&NES border (17 to Bristol, 8 to South Glos, 5 to N. Somerset, 11 to Somerset and 17 to Wiltshire – note that some serve more than one neighbouring area). There are only 33 bus services that run entirely within B&NES so a viable QCS is likely to require co-operation from at least one neighbouring authority.

Andy Strong
Public Transport Manager
Bath & North East Somerset Council
2 January 2015