

Chelmondiston Parish Council

www.chelmondiston.suffolk.gov.uk

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<https://www.gov.uk/government/consultations/parish-polls>

Re: **Parish Polls:** *Consultation on the Government's intentions to modernise parish poll regulations*

Q1. What are your views on the proposed trigger?

The proposal is to provide in regulations that:

No poll shall be taken unless the poll is demanded by the majority of local government electors present at the meeting and the electors demanding a poll constitute not less than –

- 1) 10% of local government electors for the community, or
- 2) 60 electors (if 10% of electors exceeds 60)

It is considered that the trigger for the number of electors needed to call a poll should be increased as suggested, which will help to limit vexatious, unnecessary and otherwise inappropriate use.

It is considered also that the ability for the Chairman of the parish meeting, alone, be able to call a poll should be removed.

A provision should NOT be made, which allows for a poll to be called on an appropriate issue, if the majority of the members (councillors) of a parish council agree, in order to make the process more democratic. Government should note that councillors are not obliged to attend parish meetings!

Q2. What are your views on the Government's proposal to modernise voting arrangements?

The proposal is to provide in regulations:

- that a poll must be open from 7 a.m. to 10 p.m.;
- that the same facilities for disabled people as used in other polls/referendums must be provided (e.g. allow documents to be translated into braille and provided in audio format, and the use of ramps at polling stations to make them accessible for disabled voters);
- that the poll may be conducted in accordance with such rules as applicable to the conduct of other polls, as the Returning Officer considers appropriate, subject to the inclusion of postal and proxy voting for the poll being with the agreement of the parish council;
- that at the discretion of the principle council's Returning Officer, a parish poll may be combined, if timing permits, with another poll. In this situation a parish poll must be conducted according to the rules of the other poll.

It is considered to be more appropriate to have extended 'opening hours' and to have in place disability-friendly measures and a poll could be combined with another poll, if suitable. These proposed amendments will certainly generate more costs. *See final paragraph.*

Q3. Do you consider that the proposed criteria sufficiently tighten the subject matter so that a poll can only be held on a parish issue?

The proposal is to provide in regulations that:

A poll can be called on any question arising at a meeting, which concerns affairs, which relate to a parish council/meetings functions and meets the following criteria:

1. The subject matter was discussed at the parish meeting.
2. The subject matter directly affects those who live and/ or work in the parish; and
3. the parish council/meeting has the capacity to make a decision on the subject matter including any decision as a statutory consultee, but not including a decision simply to agree a declaratory statement on the matter.

It is imperative to ensure that polls are only called on topics that were discussed at the parish meeting and that affect those who live and work in the parish and relate to parish functions. Government is proposing to allow the Monitoring Officer of a principal council to have discretion to reject a poll, which they feel does not meet the legal criteria. It is considered that legislative guidance should be in place to support the district council against a judicial review if the Monitoring Officer rejects a poll which did not meet the legislative requirement. No doubt the costs of the Monitoring Officer will be passed down to the councils.

Q4. What are your views on the proposals to:

A: Calculating the number of electors on the electoral register.

Change the calculation date for the number of electors on the electoral register to 1 December - bringing calculation time in line with other legislation.

Agree.

B: Multiple polls.

Provide that only one poll can be called on the same subject in a 12 month period.

Agree.

C: Announcement of the result.

Provide that principal councils should place the results on their website and also on parish and town council websites, where these are available.

Agree.

D: Poll cost estimates.

Issue guidance and encourage Returning Officers to provide a parish with an estimate of costs once a poll has been called and election arrangements agreed.

This is not considered to be good enough.

Principle local authorities should be able to provide information, as a matter of course, on the costs of running a poll to assist parish councils with their annual budgeting.

E: Informing voters.

Provide that after a poll has been called, the parish council should be able to publish a short, factual, balanced and objective statement about the question of the poll.

It is considered that a parish council 'could' issue a statement if they so wished.

Please note..

All costs of the poll are met by the parish and normally paid from precepts; a poll can have large financial consequences for parish councils and tax payers. These Government proposals, although generally an improvement to the existing system will certainly add to the cost of a poll. Government should be taking this into consideration, especially as councils may incur a referendum, on increasing their precept, in order to cover these costs.

Fran Sewell

Chelmondiston Parish Clerk

Please address all correspondence to the Parish Clerk

e-mailed: 26/01/2015

