

# CHESHIRE EAST COUNCIL

## Constitution Committee

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**Date of Meeting:** 22<sup>nd</sup> September 2011  
**Report of:** Democratic and Registration Services Manager  
**Subject/Title:** Review of Polling Districts and Polling Places

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### 1.0 Report Summary

- 1.1 At its meeting held on 2 June 2011, the Constitution Committee authorised the publication of the notice of the Polling Districts and Polling Places Review and appointed a Sub Committee with delegated powers to undertake the Review of Polling Districts and Polling Places as required by the Electoral Administration Act 2006.
- 1.2 The Electoral Administration Act 2006 introduced a statutory duty for local authorities to carry out a review of their parliamentary Polling Districts and Polling Places by 31 December 2007; and at least every four years thereafter.
- 1.3 The Committee noted the timetable for the review (set out in Appendix A).
- 1.4 The timetable indicates that the final decision needs to be made by the full Council, in accordance with the requirements of the Council's constitution. The final decision also needs to be made before the 1 December 2011, to meet the statutory timescale for the review and also the statutory publication date for the annual register of electors. For these reasons it was proposed that a special meeting of the Council be convened in November 2011.
- 1.5 Following consultation with the Mayor and Leader of the Council, a provisional date for the Special Council meeting was agreed for 18 November 2011. However, as it is now apparent that there are no other items of business requiring decision at that meeting, the Committee may wish to consider an alternative course of action. Upon the recommendation of this Committee, Council could determine to delegate the final decision for the review to the Constitution Committee, at its scheduled meeting on 17 November 2011, thereby removing the need for a Special Council meeting. By making a recommendation on this matter to the Council meeting on 13 October 2011, the Council can determine its preferred course of action. The convening of a Special Council meeting on 18 November could still be arranged if this is the preferred view of members.

## **2.0 Recommendation**

- 2.1 To recommend to Council that the final decision concerning the outcome of the Polling Districts and Polling Places Review be delegated to the Constitution Committee at its meeting on 17 November 2011, as opposed to the requirement for a Special Council meeting to be convened on 18 November 2011.

## **3.0 Wards Affected**

- 3.1 All wards are affected by the review.

## **4.0 Local Ward Members**

- 4.1 As above.

## **5.0 Policy Implications**

- 5.1 None.

## **6.0 Financial Implications**

- 6.1 Costs incurred will be met from existing budgets.

## **7.0 Legal Implications**

- 7.1 The proposed course of action is permissible under the Council's Constitution.

## **8.0 Risk Management**

- 8.1 Undertaking this Review is a statutory duty. Delegating the power to conduct the Review to a Sub Committee of the Constitution Committee was considered the most effective way for the Review to be conducted, and would ensure that representations received could be fully considered. The suggested approach to delegate the final decision to the Constitution Committee would be in keeping with the remit of the Committee as detailed in the Council's constitution and provides for "the overseeing, monitoring, co-ordinating and implementing the Council's administrative business, including electoral matters".

## **9.0 Background**

- 9.1 A **Polling District** is the area created by the division of a constituency, ward or division into smaller parts within which a Polling Place can be determined which is convenient to electors.
- 9.2 A **Polling Place** is the building or area in which Polling Stations will be selected by the Returning Officer.

- 9.3 The **Polling Station** is the room or building where the poll takes place which is chosen by the Returning Officer for the election.
- 9.4 The Review is being conducted in three stages. The Preliminary Stage involves giving notice of the Review which was published at the end of June 2011. During the Proposal Stage the Authority must devise a proposal for the new Polling District and Polling Place arrangements. In making a decision on the proposals, the two key factors which must be addressed are the reasonable requirements of the electors; and the accessibility for disabled persons to the probable Polling Stations within the Polling Place. During the Consultation Stage representations and comments will be invited on the local authority proposals for Polling Districts and Places. This will involve a compulsory submission from the Returning Officer and submissions from other persons and bodies.
- 9.5 Following the consultation stage, the Authority must make its final decisions on the review, taking into account all the representations received.
- 9.6 The function of carrying out this statutory review rests with full Council under the current Constitution. The function is not one which the Cabinet may carry out.

## **10.0 Access to Information**

The background papers relating to this report can be inspected by contacting the report writer:

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