

Electoral and Polling District Review Sub-Committee

27 January 2025

Cheshire East Borough Polling District Review

Report of: Janet Witkowski, Acting Governance, Compliance, and Monitoring Officer

Report Reference No: EPDR/03/24-25

Wards: All Wards

For Decision or Scrutiny: Decision

Purpose of Report

1. This report informs the Sub-Committee of the responses that have been received during the public consultation period for the polling district review and the outcome of the consultation which the Sub-Committee authorised on 6 November 2024. This report also seeks the approval of the Sub-Committee to adopt the proposal that no changes will be made to the current polling district places and stations at this time. In addition, the report recommends that the consultation responses received will be investigated by officers and be considered further in the next polling district review that will take place after the conclusion of the current review of borough ward boundaries by the Local Government Boundary Commission for England (LGBCE).
2. In conducting a polling district review, the Council has fulfilled its Corporate Plan objective, to be an “open and enabling organisation” by providing strong community leadership and by working transparently with residents, businesses and partners, to deliver the Council’s ambitions within the Borough.

Executive Summary

3. The Council was obliged by statute to undertake a polling district review within the Borough, by the beginning of 2025. Authority was given previously, by the Sub-Committee to commence the review by undertaking a consultation, and to take any other associated actions. The consultation period concluded on 18 December 2024.

RECOMMENDATIONS

The Sub-Committee is recommended to:

1. Resolve that no changes will be made at this time to existing polling districts, place and station arrangements.
2. Agree that all responses received during the consultation period be investigated by officers.
3. Agree that the conclusions of those investigations will be considered further as part of the next detailed Polling District Review that will commence following the conclusion of the Cheshire East Borough Ward Boundary Review, currently being undertaken by the LGBCE.

Background

4. Section 18 C of the Representation of the People Act 1983 requires the Council to undertake a review of polling districts and polling place by the beginning of 2025. However, the legislation also provides for a further such review to be undertaken after this deadline, should the need to do so, arise.
5. On 13 June 2024, the Corporate Policy Committee empowered the Electoral and Polling District Review Sub-Committee to formally determine all matters relating to the Cheshire East Council Polling District Review, without any further reference to the Corporate Policy Committee.
6. On 6 November 2024, the Sub-Committee authorised the commencement of the Review and authorised officers to undertake a consultation upon proposals for the Council's Polling Districts based upon the preferred option of no changes being made to current arrangements.
7. Whilst the Council was required by statute to conduct the Review by the beginning of 2025, the Boundary Commission's current review of Cheshire East Council's electoral arrangements put the Council in a unique and difficult position. The Commission is currently considering the details of consultation responses received to its draft recommendations for the Council's electoral arrangements. The Commission expects to have done this and to have published its final recommendations by 13 May 2025, following which the Parliamentary process will commence, with the final Order being due to be made in the summer of 2025.
8. Only when the final outcome of the Commission's review is known, will the Council be in a position to make an informed judgement upon all of its polling district matters and undertake a full review upon these matters.
9. For this reason, and given that the Council was not aware of any specific polling district issues which were significant enough to justify polling district changes in the context of the ongoing electoral review by the Commission, consultation has taken place upon the preferred option of making no changes at this time to its existing polling district, place and station arrangements. Feedback was sought

on any aspect of the current arrangements and representations were invited from all interested persons, local political parties and Councillors, as well as such persons or bodies as may have particular expertise in relation to access to premises or facilities for persons who have different forms of disability.

Consultation and Engagement

10. As required by legislation, consultation has taken place and the consultation period for the current polling district review has now concluded.
11. During the consultation the Acting Returning Officers (ARO) for each of the Parliamentary constituencies, or part thereof which fall with the Cheshire East Borough boundary, were consulted. Both the ARO for Cheshire East and for Cheshire West and Chester have confirmed that they agree with the proposal for no changes to be made at this time.
12. During the consultation period a total of 4 responses were received from external bodies relating to 4 of the 203 current polling buildings. No responses were received in relation to the other 199 current polling buildings. The responses received are summarised below:
 - a. Chelford Parish Council suggested an alternative building (The Hub on Elmstead Drive, Chelford) as being a more suitable venue to meet the needs of the electors of Chelford, than the current building Chelford Village Hall.
 - b. North Rode Parish Council requested that a building located within the parish of North Rode be identified, rather than the current arrangements, with electors traveling outside of the parish to vote at Eaton Village Hall. Planning permission has been sought for a new Pavilion within North Rode, which, if built, may offer a suitable venue in the future.
 - c. Poynton Town Council requested that a suitable venue 'west of the railway bridge' be identified to prevent electors undertaking a long walk to the current polling buildings. No suggested alternatives were included in the consultation response.
 - d. Somerford Parish Council raised concerns regarding the use of Davenport Methodist Church, which sits outside of the parish area on the west side of the parish, when the majority of electors are from the newer housing estates and reside towards the east of the parish. The response requests consideration of other buildings being used that are currently used for other polling districts.
 - e. Each of these responses will be considered in detail, but due to the fact that potentially 3 out of the 4 are in areas which may ultimately be affected by the review of borough ward boundaries, they will all be investigated and the conclusions drawn from those investigations will be considered further as part of the next review of polling districts and stations following the conclusion of the review of Borough Ward boundaries.
 - f. None of the above consultation responses therefore change the recommendation of officers that there should be no changes to the Council's

polling districts and polling places until such time as the LGBCE review of the Council's Borough ward arrangements has been concluded. This report therefore recommends that there should be no changes to polling districts and polling places but that the representations received as part of the consultation will be taken into account when a full polling districts and polling places review is undertaken once the LGBCE review has been completed.

Reasons for Recommendations

13. To ensure that the Council complies with the requirements of legislation.
14. To ensure that a full and informed polling district and polling places review is undertaken at the optimal time, which will take into account all relevant information, including the outcome of the LGBCE review of Borough ward arrangements.
15. Whilst views have been expressed that some changes should be made to polling districts and polling places, it is very unlikely that any by-elections will take place before the LGBCE review has been completed.
16. Other Options Considered

Option	Impact	Risk
Change the polling stations now.	Investigations would be conducted but then would be required again once the conclusions of the borough ward boundary review are confirmed.	Duplication of work and the potential for the immediate changes being required to be reversed within a relatively short period of time.
Do nothing	The Council would be in breach of the requirements of legislation.	There would be a risk of legal challenge.

Implications and Comments

Monitoring Officer/Legal

17. The consultation has been carried out in accordance with the Representation of the People Act 1983, and in accordance with the principles of consultation set out in R v. Brent London Borough Council, ex parte Gunning (1985) 84 LGR 168 at 169 (commonly referred to as 'Gunning Principles'). Specifically, (i) consultation must take place when the proposal is still at a formative stage; (ii) sufficient reasons must be put forward for the proposal to allow for intelligent consideration and response; (iii) adequate time must be given for consideration and response; and (iv) the product of consultation must be conscientiously taken into account.

Section 151 Officer/Finance

18. There are no financial implications that require an amendment to the Medium-Term Financial Strategy.

Policy

19. In undertaking the polling district review, the Council has adhered to the following policy implications.

An open and enabling organisation

Ensure that there is transparency in all aspects of council decision making.

Equality, Diversity and Inclusion

20. There are no direct equality, diversity and inclusion implications. The consultation has given those who the authority believes have particular expertise in relation to access to premises or facilities for persons who have different forms of disability, the opportunity to make submissions for consideration. Further opportunity will be given at the polling district review which will be undertaken following the conclusion of the ward boundary review.

Human Resources

21. There are no direct human resources implications.

Risk Management

22. There are no direct risk management issues associated with the recommendations of this report.

Rural Communities

23. There are no direct implications for rural communities, but the proposed full review of polling districts will consider issues which have been raised, during the consultation, which are a concern to individuals in rural communities.

Children and Young People including Cared for Children, care leavers and Children with special educational needs and disabilities (SEND)

24. There are no direct implications for children and young people.

Public Health

25. There are no direct implications for public health.

Climate Change

26. There are no direct implications for climate change.

Access to Information	
Contact Officer:	Brian Reed Head of Democratic Services and Governance Brian.reed@cheshireeast.gov.uk
Appendices:	None
Background Papers:	None which are not contained within the main body of this report.