

CHESHIRE EAST COUNCIL

Constitution Committee

Date of Meeting: 2nd June 2011
Report of: Democratic Services Manager
Subject/Title: Review of Polling Districts and Polling Places

1.0 Report Summary

- 1.1 Local authorities have always been required to divide their area into Polling Districts for the purposes of elections, to designate Polling Places for these Polling Districts, and to keep these under review.
- 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.

2.0 Recommendations

- 2.1 That the Committee
 - (1) authorise the publication of the notice of the Polling Districts and Polling Places Review; and
 - (2) appoint a Sub-Committee of 6 Members (4 Con :1 Lab :1 Ind) with delegated powers to undertake the Review of Polling Districts and Polling Places as required by the Electoral Administration Act 2006.

3.0 Wards Affected

- 3.1 All wards are affected.

4.0 Local Ward Members

- 4.1 As above.

5.0 Policy Implications

- 5.1 Recent implementation of the Cheshire East Boundary Review and the conduct of local Elections based on the new ward boundaries in May 2011 means that this is now an opportune time to conduct the Review.

6.0 Financial Implications

- 6.1 Costs incurred will be met from existing budgets.

7.0 Legal Implications

7.1 None.

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 is considered the most effective way for the Review to be conducted, and will ensure that representations received can be fully considered. This approach will also ensure sufficient flexibility to ensure that the process is completed by the statutory deadline.

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 has three stages:-

9.4.1 The Preliminary Stage

The first stage of the process involves giving notice of the Review. It is intended that this will be published at the end of June 2011. At the same time, all interested parties, including elected members and disability groups, will be notified of the review and invited to make representations.

9.4.2 The Proposal Stage

The Authority must devise a proposal for the new Polling District and Polling Place arrangements. There is no requirement to change any existing arrangements, however, any change or decision to make no change must be supported by a reason.

In practical terms, it is ideal to identify good quality Polling Stations first so that these can be used to build Polling Places and then Polling Districts. A review of existing Polling Stations, to assist both the Authority in drawing up its proposals and the Returning Officer in commenting on the proposals, will be published at the end of June 2011.

In making a decision on the proposals, there are two key factors which must be addressed:

- The reasonable requirements of the electors

- The accessibility for disabled persons to the probable Polling Stations within the Polling Place.

9.4.3 The Consultation Stage

The consultation stage is for representations and comments on the local authority proposals for Polling Districts and Places. There are two parts to this:

- A compulsory submission from the Returning Officer
- 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 last formal review of Polling Districts and Polling Places was undertaken by the three former district councils in 2007. Since that time, Polling Stations have been reviewed at election times by the Returning Officer. If any changes have been deemed necessary, Ward Members have usually been informally consulted and any changes made.
- 9.7 The function of carrying out this statutory review rests with full Council under the Constitution. The function is not one which the Cabinet may carry out.
- 9.8 Given the nature of the review and the imminent timescale, delegating power to a Sub -Committee to undertake this Review would ensure that the final decision could be made and published prior to publication of the Register of Electors on 1 December 2011. The final decision would be made by full Council in November.
- 9.9 The proposed timetable is set out in Appendix A.

10.0 Access to Information

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

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