

CHESHIRE EAST COUNCIL

Constitution Committee

Date of Meeting: 1st May 2014
Report of: Head of Governance and Democratic Services
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. In accordance with this legislation the Council conducted its last Review in 2011 and a Polling Arrangements Review Sub-Committee (with delegated powers to undertake the review) was appointed for this purpose.
- 1.3 The Electoral Registration and Administration Act 2013 introduced a change to the timing of compulsory reviews of UK Parliamentary Polling Districts and Polling Places. The next compulsory review must now be completed by 31 January 2015. Subsequent compulsory reviews must then be completed every five years thereafter.

2.0 Recommendations

- 2.1 To authorise the publication of the notice of the Polling Districts and Polling Places Review;
- 2.2 To convene the Polling Arrangements Review Sub-Committee to undertake the Review of Polling Districts and Polling Places as required by the Electoral Administration Act 2013; and
- 2.3 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 27 November 2014.

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 None.

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 the 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 of 31 January 2015.

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 four stages:

Stage 1 – Notification of the review

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 2014. At the same time, all interested parties, including elected members and disability groups, will be notified of the review.

Stage 2 – Consultation

The consultation stage is for representations and comments to be made on the existing and proposed arrangements for Polling Districts and Places. There are two parts to this:

- A compulsory submission from the (Acting) Returning Officer of the Parliamentary Constituencies; and
- Submissions from electors and other interested persons and bodies.

Stage 3 – Concluding the Review

Following the consultation stage, the Authority must make its final decisions on the most appropriate polling districts and polling places, which are approved by the Council. The Electoral Registration Officer must then make any necessary alterations to the electoral register and publish a notice stating that the alterations have been made.

Stage 4 – Publishing the conclusions of the Review

Once the Council has agreed the proposals, details of the new polling districts and polling places must be made available to the public. These should be made available at the local authority offices, in at least one conspicuous place in the constituencies and on the Council's website together with the reasons for choosing each particular polling district and polling place.

- 9.5 In between the compulsory Polling District and Polling Places reviews, Polling Stations are reviewed at election times by the Returning Officer. If any changes are deemed necessary, the usual practice is for Ward Members to be informally consulted and any changes made.
- 9.6 The Polling Arrangements Review Sub Committee is still constituted and comprises of Councillors R Domleo, B Livesley, A Martin, P Whiteley, R Fletcher and B Silvester. The Sub Committee has delegated powers to conduct the Review and to comply with the statutory timescale its recommendations would normally be agreed by Council, for final decision.
- 9.7 The proposed timetable is set out in Appendix A; and the proposed public notice is attached as Appendix B.
- 9.8 It would be expedient for the final decision to be made prior to 1 December 2014, which is the statutory publication date for annual register of electors. As the scheduled Council meeting on 11 December 2014 would be too late for this purpose, it is proposed that Council be recommended to delegate the final decision to the Constitution Committee meeting on 27 November 2014. This would prevent the need for a Special Council meeting to be convened for this purpose. The same course of action was agreed for the last Polling Districts and Polling Places review which took place in 2011.
- 9.9 Examples of the types of issues which could be raised as part of the review include existing polling places no longer being accessible or suitable for polling purposes, or perhaps a more suitable location/ building having recently been identified. In terms of polling districts, the Council must ensure that all electors in the area have such reasonable facilities for voting as are practical in the circumstances. The Council must designate a polling place for every polling district (which should usually be within the boundary of the polling district). As a

full and thorough review was undertaken in 2011, it is envisaged that relatively few changes to existing arrangements should be required at the current time.

10.0 Access to Information

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

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