



## GENERAL PURPOSES COMMITTEE

<b>Report Title</b>	<b>REVIEW OF POLLING DISTRICTS AND POLLING PLACES 2015</b>
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**AGENDA STATUS: PUBLIC**

<b>Committee Meeting Date:</b>	7 <sup>th</sup> July 2015
<b>Key Decision:</b>	No
<b>Within Policy:</b>	Yes
<b>Policy Document:</b>	No
<b>Directorate:</b>	Chief Executive
<b>Accountable Cabinet Member:</b>	Not applicable
<b>Ward(s)</b>	All wards

### 1. Purpose

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- 1.1 To present to the Committee work done to date on reviewing the Polling Districts and Polling Places used at Elections and to seek the Committee's guidance on consultation with the public on this.

### 2. Recommendations

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- 2.1 That the Committee notes the Electoral Commission's guidance on the conduct of reviews of Polling Districts and Polling Places and the respective responsibilities of the Council and of the Electoral Registration Officer and Local Returning Officers.
- 2.2 That the Committee notes the work done to date on the current review and the plans to complete the review in good time for the Police and Crime Commissioner elections in May 2016.
- 2.3 That the Committee reviews the consultation proposals contained in the review plan and advise of any additions or amendments that the Committee would wish to be made, bearing in mind the Commission's guidance.

### 3. Issues and Choices

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#### 3.1 Report Background

- 3.1.1 It is a statutory requirement to conduct periodic reviews of polling districts and polling places. Such reviews are required at specific time intervals and also when changes are needed due to other circumstances, such as the results of a Periodic Electoral Review.
- 3.1.2 Polling Districts and Polling Places in Northampton were reviewed in 2010 as a consequence of the Periodic Electoral Review of Northampton Borough Council. A further review was conducted in 2012 as a consequence of the Periodic Electoral Review of Northamptonshire County Council.
- 3.1.3 The Electoral Registration and Administration Act 2013 introduced a change to the timings of compulsory reviews and stated that a review must be started and completed between 1<sup>st</sup> October 2013 and 31<sup>st</sup> January 2015.
- 3.1.4 A review was conducted in 2014. The result of this review was that no changes were to be proposed to the arrangements that have existed since the conclusion of the 2012 review.
- 3.1.5 Representations were made to the Electoral Commission that the review had not been conducted fully in accordance with the guidance issued by the Electoral Commission in that the results of the review had not been formalised and published in accordance with the Commission's guidance. The Commission agreed that that was the case and recommended to the Returning Officer (the Chief Executive) that the Council carry out a further full review as soon as practicable.
- 3.1.6 Whilst this was not a Direction, the Returning Officer has undertaken to the Commission to carry out a complete new review after consulting the Leader of the Council and the Leader of the Opposition.
- 3.1.7 The Commission did not expect a review to be started until after the elections on the 7<sup>th</sup> May 2015. The first meeting of the officer project team was on the 13<sup>th</sup> May 2015.
- 3.1.8 A motion was passed at the Council meeting on the 8<sup>th</sup> June 2015, the relevant portion of which is:
- In our next review of polling stations we must ensure equal access for voters without cars, those who need wheel chair access and those not able to walk very far.*
- The methodology process of consultation of the polling station review needs to be approved by General Purposes Committee before it is carried out.*
- 3.1.9 This report addresses the review that has been started and the Council motion.

## 3.2 Issues

- 3.2.1 The statutory responsibility for reviewing polling districts and polling places rests with the Council for the Borough of Northampton. The General Purposes Committee has the delegated authority to approve the review.
- 3.2.2 The Electoral Registration Officer (ERO) is the Chief Executive and he is responsible for amending the Register to reflect changes in polling districts.
- 3.2.3 It is the responsibility of the Local or Acting Returning Officer to comment during any review of polling districts and polling places on both existing polling stations and the polling stations that would likely be used if any new proposal for polling places were accepted. The election rules require that the Local or Acting Returning Officers decides how many polling stations are required for each polling place and they must allocate electors to the polling stations in such manner as they think most convenient. In Northampton the main LRO/ARO is the Chief Executive, but the ARO for that part of the Borough that falls within South Northamptonshire Constituency is the Chief Executive of South Northamptonshire Council. From now on in this report the term Returning Officer is used to refer to LRO/ARO.
- 3.2.4 A **Polling District** is a geographical area created by the sub-division of a UK Parliamentary constituency for the purposes of a UK Parliamentary election. Each Parish is required to be a separate polling district.
- 3.2.5 A **Polling Place** is the building or area in which polling stations will be selected by the Returning Officer. A polling place within a polling district must be designated so that polling stations are within easy reach of all electors from across the polling district. Polling places should always be defined more specifically than simply the polling district – for example by designating the name of the polling place, normally a particular building or area and its environs.
- 3.2.6 A **Polling Station** is the room or area within the polling place where voting takes place. Unlike polling districts and polling places which are fixed by the local authority, polling stations are chosen by the relevant Returning Officer for the election
- 3.2.7 Whilst technically a compulsory review is concerned only with Parliamentary Elections, the requirements of any other elections that are to be held within the local authority area should be taken into consideration as part of the review. It is practically necessary for arrangements for all elections to work in simple practical terms together.
- 3.2.8 As part of the review the Council must consider access requirements and must:

- Seek to ensure that all electors in a constituency in the local authority area have such reasonable facilities for voting as are practicable in the circumstances
- Seek to ensure that so far as is reasonable and practicable every polling place for which it is responsible is access accessible to electors who are disabled

3.2.9 The Council must have regard to the accessibility to people with disabilities of potential polling stations in any place it is considering designating as a polling place or reviewing the designation of.

3.2.10 The Council must follow a formal process as follows:

- Publish a notice of the holding of a review
- Consult the (Acting) Returning Officer for Northampton North, Northampton South and South Northamptonshire and the LRO
- Publish all representations made by the Returning Officers within 30 days of receipt
- Seek representations from such persons as it thinks have particular expertise in relation to access to premises or facilities for persons with different forms of disability. Such persons must have an opportunity to make representations and to comment on the representations made by the Returning Officers
- On completion of the review the Council must make a decision and give reasons for its decisions and publish all the papers involved in the consultation and in deciding and where the results of the review have been published.

3.2.11 However, the Commission also recommends that the local authority should undertake a preliminary review of the current polling districts and polling places with a view to establishing their suitability and identify any potential alternatives where required. This can be done in advance of the formal review period, but equally can overlap.

3.2.12 Officers have commenced data gathering with regard to existing arrangements, and with regard to future numbers of electors in each part of the Borough and are commissioning a study of premises either currently used for polling places and stations or potentially available.

3.2.13 The Chief Executive will make a powerpoint presentation at this meeting to the Committee on the work undertaken to date and the issues facing the review process in Northampton.

3.2.14 The key dates for this process will be:

- Mid July to mid-September – consultation and analysis stage, leading to preparation of the Returning Officers' proposals. This will include seeking comments from interested parties on existing arrangements.
- Mid-September – Publication of formal Notice of Review
- 6<sup>th</sup> October – General Purposes Committee to review the results of consultation and the Returning Officers' submission
- 7<sup>th</sup> October to 4<sup>th</sup> November – public consultation on the Returning Officers' proposals and the Committee's comments
- 17<sup>th</sup> November – General Purposes Committee to determine the Council's final decision, which is then published.

3.2.15 At all stages responses to consultation and details of proposals will be published on the Council's website.

3.2.16 Consultation is expected to include all interested groups or bodies including:

- Electors
- Candidates
- Agents
- Political Parties
- Councillors
- Other elected representatives
- Local disability groups
- National disability groups

3.2.17 For Northampton, officers would specifically seek to include the relevant members of the Forums, Parish Councils, and Residents Associations.

3.2.18 There is a right for electors to make representations to the Electoral Commission if they feel that the Council's final decision has failed to properly address accessibility or other reasonable requirements.

3.2.19 Members should note that a further compulsory review will be required between the 1<sup>st</sup> October 2018 and 31<sup>st</sup> January 2020 unless legislation changes. It is possible that changes to Parliamentary boundaries, if enacted, could also lead to marginal change.

### **3.3 Choices (Options)**

- 3.3.1 The process for carrying out the review is laid down in some detail by the Electoral Commission. The Committee needs to follow that process but may augment the process, particularly with regard to the extent of consultation, as long as doing so does not affect the balance of the process.

## **4. Implications (including financial implications)**

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### **4.1 Policy**

- 4.1.1 There are no new policy implications

### **4.2 Resources and Risk**

- 4.2.1 The resources necessary to conduct the review will be funded from the base budget

### **4.3 Legal**

- 4.3.1 The Council needs to conduct a review now to ensure compliance with legislation.

### **4.4 Equality and Health**

- 4.4.1 The review will include specific focus on access and disability issues as described in the report.

### **4.5 Consultees (Internal and External)**

- 4.5.1 There has been no consultation on these matters yet.

## **5. Background Papers**

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- 5.1 Electoral Commission “Reviews of Polling Districts, Polling Places and Polling Stations” guidance

**David Kennedy, Chief Executive, 01604 837726**