

DECISION-MAKER:	COUNCIL		
SUBJECT:	REVIEW OF POLLING DISTRICTS AND POLLING PLACES		
DATE OF DECISION:	19 NOVEMBER 2014		
REPORT OF:	DIRECTOR OF CORPORATE SERVICES		
<u>CONTACT DETAILS</u>			
AUTHOR:	Name:	Matthew Yeo	Tel: 023 8083 2422
	E-mail:	Matthew.yeo@southampton.gov.uk	
Director	Name:	Mark Heath	Tel: 023 8083 2371
	E-mail:	Mark.heath@southampton.gov.uk	

STATEMENT OF CONFIDENTIALITY
None

BRIEF SUMMARY

The purpose of this report is to place before Council the review of polling districts and polling places carried out in accordance with the obligations under the Electoral Registration and Administration Act 2013. The recommendations to Council have been compiled by the Electoral Registration Officer with input from a panel of Members representing all political groups on the Council. The recommendations together with background information are set out in detail in Appendix 3.

RECOMMENDATIONS:

- (i) That the recommendations in respect of the polling districts and polling places as set out in Appendix 3 be approved.

REASONS FOR REPORT RECOMMENDATIONS

1. There is a statutory obligation to complete this review by the 31st January 2015.
2. The recommendations brought forward following the statutory consultation process take into account the representations made and represent the recommendations of both the Electoral Registration Officer and the informal panel appointed to consider the representations.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

3. There was no alternative to undertaking this review
4. However, there is clearly a range of options in terms of the recommendations and the reason for putting the report to Full Council is that it is a matter for Full Council to determine. Full Council may decide not to agree with the recommendations set out in this report. However, if Full Council does choose to pursue alternative options in respect of any particular polling station, the implications of that may have an impact in, for example, the budget for conduct of local elections.

DETAIL (Including consultation carried out)

5. General Background

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 started and completed between 1 October 2013 and 31 January 2015.

6. Subsequent compulsory reviews must be started and completed within the period of 16 months that starts on 1 October of every fifth year after 1 October 2013

7. The Role of the Returning Officer

The Council is required to consult the Returning Officer for every parliamentary election held in a constituency that is wholly or partly within its area. The Returning Officer is required to make representations to the relevant authority, which must include information as to the location of polling stations (both existing and proposed) within polling places (both existing and proposed). Within thirty calendar days of their receipt, the Council is required to publish the Returning Officer's representations as a minimum:

- at the relevant authority's office;
- at least one other conspicuous place in the area; and
- on the relevant authority's website.

8. Other Representations

In reviewing polling places, Southampton City Council is required to actively seek representations from such persons as it thinks have particular expertise in relation to:

- access to premises; or
- facilities for persons who have different forms of disability.

9. What is the difference between a polling district, a polling place and a polling station?

A polling district is a geographical sub-division of an electoral area, i.e. a UK Parliamentary constituency, a European Parliamentary electoral region, a ward or an electoral division.

10. A polling place is a geographical area in which a polling station is located. However, as there is no legal definition of what a polling place is, the geographical area could be defined as tightly as a particular building or as widely as the entire polling district.

11. A polling station is the actual area where the process of voting takes place, and must be located within the polling place designated for the particular polling district

12. Who is responsible for designating Polling Districts?

SCC, as a "relevant authority" in the UK is responsible for dividing its area into polling districts for UK Parliamentary elections for so much of any constituency as is situated in its area, and for keeping the polling districts under review.

13. For European Parliamentary elections, the same polling districts as designated for UK Parliamentary elections are to be used unless the relevant authority considers that there are special circumstances that make

alternative designations appropriate

14. For local government elections, a local authority may divide its designated electoral areas (i.e. wards or electoral divisions) into polling districts
15. Although there is no requirement to sub-divide local government electoral areas into polling districts, it is recognised good practice to do so. When doing so, every effort must be made to ensure that the polling district scheme for local government elections mirrors as closely as possible that agreed for parliamentary elections
16. Who is responsible for designating Polling Places?

Every relevant authority in the UK must designate a polling place for every polling district in the parliamentary constituency unless the size or other circumstances of the polling district are such that the situation of the polling stations does not materially affect the convenience of the electorate. The relevant authority must also keep the polling places under review.
17. Relevant authorities must:
 - a) seek to ensure that all the electors in the constituency have such reasonable facilities for voting as are practicable in the circumstances;
 - b) seek to ensure that so far as is reasonable and practicable, the polling places they are responsible for are accessible to all electors, including those who are disabled, and when considering the designation of a polling place, must have regard to the accessibility needs of disabled persons.
18. In addition, the polling place for a polling district must be within the area of the district unless special circumstances make it desirable to designate an area either wholly or partly outside of the polling district. The polling place must also be small enough to indicate to electors in different parts of the polling district how they will be able to reach their designated polling station.
19. Should a relevant authority fail to designate a polling place, the entire polling district will be classed as the polling place for that district.
20. Who is responsible for designating Polling Stations?

The Returning Officer for the particular election must provide a sufficient number of polling stations, and allot the electors to those polling stations in such manner as he or she thinks the most convenient.
21. The polling stations must be located within the polling places designated by the relevant authority. The election rules permit the Returning Officer to provide one or more polling stations within the same room, and must supply each with a sufficient number of voting compartments. The Representation of the People Act 1983, Chapter 2, Schedule 1, Part III also gives Returning Officers the right to select schools as venues for polling stations and places a duty on schools to provide the facilities required if asked to do so.
22. Evaluating the suitability of potential polling places

Regardless of the expert advice the relevant authority is required to seek, it is important that the accessibility needs of all voters are considered when designating polling places. There are a number of practical considerations that were taken into account to facilitate this process. They are set out in Appendix 2.
23. The process

In order to aid the process and enable Members to have early input into the recommendations now before Full Council, the Electoral Registration Officer/ Returning Officer recommended to Group Leaders that an informal steering group was established. This was done, and the group has met on a number of occasions to both consider the process, the representations received and the recommendations now contained in summary in Appendix 1, with full considerations in Appendix 3. The minutes of this panel have been placed on the Council's internet site, in accordance with the regulations.

24. The Timetable for the Review

- Statutory notice of the start of the review: 5th August 2014
- Comments from consultation: 16th September 2014
- Report to Council meeting: 19th November 2014
- Arrangements come into force from when the next revised voter's list is published: 1st December 2014

25. The Returning Officer's Representations

The Council is required to consult the Returning Officer in relation to the review, and the Returning Officer is required to make representations to the Council and within 30 days these are required to be published. The Returning Officer's representations were published at the outset of the review and are contained within the table, also incorporating representations and final summary recommendations, set out in Appendix 1, to this report.

26. The following considerations were taken into account by the Returning Officer when drawing up his proposals. Comments made during the consultations needed to keep these in mind, and Members will need to keep these in mind as well. The first two are required by electoral law, the others taken from previous reviews and are guidelines only, not strict rules or obligations:

- a. The Council must seek to ensure that all electors have such reasonable facilities for voting as are practicable in the circumstances.
- b. The Council must seek to ensure that so far as is reasonable and practicable, every polling place is accessible to electors who are disabled.
- c. Ideally, the Polling Place should be in its own polling district.
- d. No polling place should be shared by two wards.
- e. Where possible, "natural" boundaries should be used, e.g., railways, major roads, etc.
- f. All properties in a minor road or estate should ideally be in the same polling district.
- g. Polling Places should be "logical"; that is, electors should not have to pass another polling place to get to their own polling place.

27. The Panel's Recommendations

The panel met and considered the representations and formulated draft recommendations for each polling station. These are set out in the table in detail in Appendix 3.

28. Comments on the Review by the Returning Officer

- The Returning Officer is mindful of the fact that changing polling stations can cause confusion for electors and wishes to make it as simple as possible for every eligible elector to use their vote.
- Polling stations are assessed and steps are taken to improve accessibility for all members of the community. Where problems are drawn to the Returning Officer's attention, every effort is made to resolve them. At each election, polling staff are asked to report back on any difficulties encountered by electors and all such reports made over the last four years have been taken into account in drawing up the proposals.
- The Council should note that before the next periodic review, there is the possibility that electoral imbalances may trigger an electoral review by the Local Government Boundary Commission for England
- The impact of the guidelines from the Electoral Commission as to the numbers of voters that may be allocated to a single polling station means that many stations may over the life of this review reach capacity either as double stations, or as single stations in avenue that cannot be doubled up on. The alternative may well be local schools.

The Returning Officer agrees that the proposals offer the most reasonable and practicable voting facilities available. He is also satisfied that, where there are identified issues or concerns, despite efforts to identify better alternatives, they remain the best available option in their vicinities. However, these (and indeed all) locations will be kept under review, outside this process, and better options will be brought forward as and when they become available.

29. Rights of Appeal

The Electoral Commission's role is to consider representations and observations that a relevant authority has not conducted a review so as to:

- a. meet the reasonable requirements of the electors in the constituency, or a body of them, (i.e., the reasonable requirements of a particular area of the authority have not been satisfactorily met);
- b. or take sufficient account of the accessibility to disabled persons of polling stations within a designated polling place;

30. The Representations of the People Act 1983 sets out who may make those representations, namely:

- a. in England, any parish council which is wholly or partly situated within the constituency;
- b. not less than 30 registered electors in the constituency (although electors registered anonymously cannot make such a representation);
- c. any person (except the Returning Officer) who made representations to the authority when the review was being undertaken; and
- d. any person who is not an elector in the constituency in the authority's area who the Commission feels has sufficient interest in the accessibility of disabled persons to polling places in the area or has particular expertise in relation to the access to premises or facilities of disabled persons.

31. In addition, the Returning Officer may make observations on any representations made to the Commission.

32. The Electoral Commission is required to consider any such representations and observations and after doing so may direct the relevant authority to make any alterations it sees necessary to the polling places designated by the review. Should an authority fail to make the alterations within two months of the direction being given, the Commission may make the alterations itself.

RESOURCE IMPLICATIONS

Capital/Revenue

33. CAPITAL - None
34. REVENUE - There will be no revenue implications of this review based on the recommendations set out in Appendix 3. Should Members choose to pursue other options, e.g., increasing the number of temporary polling stations; that may have a revenue implication on the elections budget, as the cost of providing a temporary polling station is considerably greater than hiring or paying the costs of hiring a suitable hall.

Property/Other

35. None

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

36. Section 17 Electoral Administration and Registrations Act 2013 (and Regulations).

Other Legal Implications:

37. The Representation of the People Act 1983, Chapter 2, Schedule 1, Part III

POLICY FRAMEWORK IMPLICATIONS

38. None

KEY DECISION? No

WARDS/COMMUNITIES AFFECTED: All, however individual impacts in each ward as detailed in Appendix 3

SUPPORTING DOCUMENTATION

Appendices

1. Review Summary Sheet
2. Practical considerations for accessibility
3. Representations & considerations

Documents In Members' Rooms

1. None

Equality Impact Assessment

Do the implications/subject of the report require an Equality Impact Assessment (EIA) to be carried out. No

Other Background Documents

Equality Impact Assessment and Other Background documents available for inspection at:

Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
1. None	