



AGENDA ITEM (9)

REVIEW OF POLLING DISTRICTS AND POLLING PLACES

Accountable Officer	Nigel Adams Head of Democratic Services 01285 623202 nigel.adams@cotswold.gov.uk
Purpose of Report	The Council has a duty to carry out a statutory review of all polling districts and places. This report sets out progress to date, and a way forward to ensure that the statutory requirements are met.
Recommendations	(a) That, subject to recommendation (b) below, the polling districts and polling places set out at Appendix 'A' be approved; (b) that the Head of Democratic Services, in consultation with the relevant Ward Member(s), be given delegated authority to allocate alternative polling places within the identified polling districts as is necessary to enable the efficient and effective conduct of elections in the light of any representations received by the consultation deadline; (c) that, if necessary, an additional review be undertaken in advance of the next compulsory review.
Reason(s) for Recommendation(s)	To ensure that the statutory provisions are met.
Ward(s) Affected	All
Key Decision	No
Recommendation to Council	N/A
Financial Implications	The largest resource requirement relates to Officer time, although a number of formal notices will need to be published. However, these costs can be met from within existing budgets.
Legal and Human Rights Implications	The review will be conducted in accordance with statutory provisions and associated guidance. By virtue of the Electoral Registration and Administration Act 2013, this compulsory review must be completed by 31 st January 2015.

	Subsequent compulsory reviews must then be started and completed within the period of 16 months that starts on 1 st October of every fifth year after 1 st October 2013.
Environmental and Sustainability Implications	None
Human Resource Implications	The conduct of the review will be met from existing resources.
Key Risks	Completion of this review is a statutory requirement. Failure to complete the work would result in the Council being in breach of the legislation.
Equalities Impact Assessment	<p>Polling stations are reviewed as and when required to maintain accessibility, and various methods of voting ensure equality in voting.</p> <p>The review seeks to ensure that electors are given such reasonable facilities for voting as are practicable in the circumstances - this includes such issues as accessibility for the disabled.</p>

Related Decisions	None
Background Documents	None
Appendices	Appendix 'A' - Suggested Polling Districts and Polling Places (subject to completion of consultation)

Performance Management Follow Up	Implement Council decision(s).
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Options for Joint Working	This review relates solely to the Cotswold District, and cannot look beyond the District boundary.
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Background Information	
1. <u>General</u>	
1.1 The Electoral Registration and Administration Act 2013 introduced changes to the timing of compulsory reviews of UK Parliamentary polling districts and polling places. As a result, a review has to be undertaken between 31 st October 2013 and 31 st January 2015. Future compulsory reviews must be carried out every five years. The Council can, however, undertake additional reviews, during the period between compulsory reviews, if it thinks fit.	
1.2 The timing of the review for the Cotswold District has been impacted by the Community Governance Review of Parish Arrangements carried out between August 2012 and February 2014; and the more recent District Electoral Review, which started in November 2012 and has recently been finalised by way of an Order being laid in Parliament to bring into effect the recommended changes in time for the elections in May 2015.	

1.3 In short, it was premature to start this review until both the Community Governance Review and the District Electoral Review had been concluded, in order that this review could be based on definitive information in respect of District and Parish Ward boundaries. However, the review deadline of 31st January 2015 must still be met.

1.4 The review is being carried out in accordance with the requirements of the Representation of the People Act 1983 and the Electoral Registration and Administration Act 2013. Regard will also be had to the guidance on such reviews issued by the Electoral Commission.

1.5 The Parliamentary Acting Returning Officer must comment during any review of UK Parliamentary 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 was to be accepted. The Returning Officer of the District should also be consulted. It should be noted that, for Cotswold, these designations are held by the same person.

2. The Review

2.1 The aims of the review are as follows:-

- to ensure that all electors have such reasonable facilities for voting as are practicable in the circumstances;
- to ensure that so far as is reasonable and practicable every polling place for which it is responsible is accessible to electors who are disabled.

2.2 In accordance with statute, every parliamentary constituency must be divided into polling districts; and for each polling district there must be a designated 'polling place' and a designated 'polling station'.

2.3 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. In England, each parish is to be a separate polling district. This means that a parish must not be in a polling district which has a part of either a different parish within it, unless special circumstances apply. Those special circumstances could arise if, for example, the parish has only a small number of electors and it is not practicable for the parish to be its own polling district. Within Cotswold District, we have traditionally used a Parish or Parish Ward area as the polling district.

2.4 A **polling place** is the building or area in which polling stations will be selected by the (Acting) 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. While some authorities have, in the past, designated the entire polling district as the polling place, relevant legislation states that 'the polling place must be small enough to indicate to electors in different parts of the district how they will be able to reach the polling station'. As a result, it is considered that 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).

2.5 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.

2.6 In summary, the following legislative requirements apply regarding the designation of polling districts and polling places:-

- (i) each parish in England is to be a separate polling district, unless special circumstances apply;
- (ii) the council must designate a polling place for each polling district, unless the size or other circumstances of a polling district are such that the situation of the polling stations does not materially affect the convenience of the electors;
- (iii) the polling place must be an area in the district, unless special circumstances make it desirable to designate an area wholly or partly outside the district (for example, if no accessible polling place can be identified in the district);
- (iv) the polling place must be small enough to indicate to electors in different parts of the district how they will be able to reach the polling station.

3. Consultation

3.1 Consultation is currently underway, and the deadline for responses is 16th January 2015.

3.2 The process involves consultation with electors, community groups, political parties, councillors and other elected representatives, parish and town councils, and the Returning Officer. We are also consulting with those who have specific experience of assessing access for persons with different disabilities.

3.3 Any person who, or body that, makes a comment is also invited to suggest alternative polling districts/polling places and encouraged to give a reason for the alternative proposal so that it may be given appropriate consideration.

3.4 It should also be noted that, as part of every major election that is carried out, Officers who act as polling station visitors undertake a personal inspection of all polling stations in use, and take a view as to the facilities provided and accessibility issues. The Elections Team also seek to address any issues that occur between elections.

4. The Suggested Way Forward

4.1 For the reasons previously stated (see paragraphs 1.2 and 1.3), the timescales for this review are shorter than would normally be the case, particularly given the completion deadline of 31st January 2015.

4.2 Due to the on-going review process that has been adopted, it is considered that, by and large, all of the existing polling places and stations remain fit for purpose.

4.3 Officers believe that, wherever possible, change should be kept to a minimum in respect of the 2015 elections, given the national and local significance/importance of those elections; and also the fact that the District Council elections will be conducted on new ward boundaries. This view is supported by a number of Members.

4.4 With particular regard to the District elections, the retention of existing polling places would mean that a higher number of electors would be voting outside their own wards (primarily in the larger towns which have been split between two or more wards - Cirencester, Bourton-on-the-Water, Fairford, Moreton-in-Marsh, South Cerney, and Tetbury) but this is legally permissible and would mean that electors would use the polling station that they know. That said, if an acceptable alternative comes forward as part of the consultation process, then that could be considered.

4.6 The Council will also seek to minimise the use of temporary polling stations/portacabins, although there needs to be a balance between locality and accessibility.

4.7 Insofar as polling districts are concerned, it is suggested that the Council continues to designate every parish/parish ward as a polling district.

4.8 If changes are made to a polling district, the Electoral Registration Officer must make the necessary alteration to the electoral register. While changes to polling station locations will be notified via poll cards as part of the election process, we are aiming to notify all electors of their election polling station location as part of a write-out connected to the new electoral register.

4.9 In the light of the above, a list of the proposed polling districts and polling places (subject to the consultation outcome) is attached at **Appendix 'A'**. This document reflects the existing Parish Wards; the new Parish Wards identified by way of consequential amendments arising out of the District Electoral Review; and those polling places which are located outside of the relevant polling district.

4.10 If any major issues are identified as part of the review, which cannot be addressed fully in time for the 2015 elections, it is suggested that an additional review be undertaken in advance of the next compulsory review (to be timed so that it is effective in advance of the County Council elections in 2017).

5. Conclusions

5.1 The Council must complete a compulsory review of its UK Parliamentary polling districts and polling places by 31st January 2015.

5.2 The timing of the review has been impacted by the recent Community Governance Review of Parish Arrangements and District Electoral Review, which has constrained the available time to conduct the review.

5.3 The suggested way forward represents a pragmatic approach that balances the ability to address real issues of concern against the desire to minimise change in advance of major national and local elections in May 2015.

(END)