

NORTH LINCOLNSHIRE COUNCIL

COUNCIL

REVIEW OF POLLING DISTRICTS AND POLLING PLACES

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To report on the requirement to undertake a compulsory review of Parliamentary Polling Districts and Polling Places.

2. BACKGROUND INFORMATION

- 2.1 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 by 31 January 2015. Subsequent compulsory reviews must be started and completed within the period of 16 months that starts on 1 October of every 5th year after 1 October 2013.
- 2.2 A "review" is all the steps set out in Schedule A1 to the Representation of the People Act 1983 (RPA1983). The review process, from the publication of a notice of a review until the publication of the documents at the end, must take place and be completed by 31 January 2015.
- 2.3 The length of the review process is not prescribed within the legislation, provided that all the steps required by it can be undertaken within it. However, the time allowed for consultation should be sufficient to enable interested persons and groups to read and understand the proposals, gather comments and respond with any alternative arrangements that they may wish to submit.
- 2.4 Guidance received from the Electoral Commission indicates that local authorities will need to decide when to carry out the review within the specified period taking into account other statutory duties and processes the (Acting) Returning Officer and his staff will be carrying out in that time period and how the review will fit into these. In particular, in the period leading up to 31 January 2015 (Acting) Returning Officers will need to consider the following -

- **The Canvass** - Members will be aware that this year's annual canvass has been delayed pending the ongoing work around Individual Electoral Registration (IER). The canvass is currently taking place and will end on 17 February 2014.
- **Publication of the Electoral Register** - The potential additional workload resulting from undertaking the review at the same time as carrying out canvass activity needs to be balanced against the benefits of completing a review in time for publication of the revised register. Following the current canvass the new register is due to be published on 17 February 2014. There is clearly insufficient time to carry out the review between now and February, 2014.
- **Scheduled Polls** - During the review period, there will be European Parliamentary Elections across the United Kingdom. These are scheduled to be held on Thursday 22 May with the count taking place on Sunday 25 May 2014.
- **The start of the transition to IER** - There is likely to be some overlap between the work that Electoral Registration Officers will be undertaking on the transition to IER (including the confirmation process and the subsequent write out) and any review. Across the whole of Great Britain, the Government, the Electoral Commission and locally messages on IER will be communicated during the compulsory review period. In England and Wales, messages will be communicated to the public from summer 2014. Returning Officers will therefore need to manage public engagement activities relating both to IER and the review of polling districts and polling places.
- **Scheduling approval of the proposals** - It will be necessary to factor into the timetable the most likely scheduled date of the council meeting where the detailed review proposals will be formally considered and approved.

2.5 The compulsory review relates specifically to the review of polling districts and polling places in relation to parliamentary elections. Polling districts and polling places for other elections are not automatically part of the compulsory review. However, as polling districts and polling places for other elections are based on UK parliamentary polling arrangements, the requirements of any other elections that are held within the local authority area will be taken into consideration as part of the review.

Overview of the Legislative Requirements

2.6 All councils must comply with the following legislative requirements regarding the designation of polling districts and polling places -

- Each parish in England and community in Wales is to be a separate polling district, unless special circumstances apply.
- In Scotland, each electoral ward must be divided into two or more separate polling districts, unless special circumstances apply.
- 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.
- The polling place must be in 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).
- 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.

2.7 Councils must also comply with the following access requirements. As part of the review, they must -

- Seek to ensure that all electors in the 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 accessible to electors who are disabled.

2.8 The council must have regard to the accessibility to disabled persons of potential polling stations in any place which it is considering designating as a polling place or the designation of which as a polling place it is reviewing.

2.9 When carrying out the review, councils must -

- Publish a Notice of the holding of a review.
- Consult the (Acting) Returning Officer for every parliamentary constituency which is wholly or partly in its area.

- Publish all representations made by the (Acting) Returning Officer within 30 days of receipt by posting a copy of them at the council's office and in at least one conspicuous place in their area and, if the authority maintains a website, by placing a copy on the council's website.
- 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. Such persons must have an opportunity to make representations and to comment on the representations made by the (Acting) Returning Officer.
- On completion of the review, give reasons for its decisions and publish -
 - (i) All correspondence sent to the (Acting) Returning Officer in connection with the review.
 - (ii) All correspondence sent to any person whom the authority thinks has particular expertise in relation to access to premises or facilities for persons who have different forms of disability.
 - (iii) All representations made by any person in connection with the review.
 - (iv) The minutes of any meeting held by the council to consider any revision to the designation of polling districts or polling places within its area as a result of the review.
 - (v) Details of the designation of polling districts and polling places within the local authority area as a result of the review.
 - (vi) Details of the places where the results of the review have been published.

2.10 It is clear from the details contained in paragraph 2.4 above, that the next 18/24 months will be an extremely busy period for the Elections Team. The capacity and resources available to deal with all the forthcoming requirements including the review of polling districts and polling places will need to be carefully monitored with other resources from the wider democratic services function being deployed as required. Given that the current canvass will not be completed until the middle of February 2014, that the very detailed and time consuming work in relation to IER will expand and develop following the Government's decision to give the go ahead to it and that preparations

will then be commencing for the European Elections, it is suggested that the review of polling districts and polling places should commence on 1 June, 2014. By then the European Elections will have taken place and the national message about the transition to IER will be starting. Starting the review at this time will give sufficient time for it to be completed within the specified time i.e. by 31 January, 2015.

It is also suggested that some of the necessary preparatory work such as the compilation of statistics and information which will assist during the review should be started in advance of the commencement of the review.

3. OPTIONS FOR CONSIDERATION

3.1 There are no options associated with the requirement to carry out a compulsory review of polling districts and polling places. Any options relate to the timing of the commencement of the review.

4. RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)

Financial

There are no financial implications associated with the review of polling districts and polling places. The work will be carried out in-house with any costs being met from within current budgets.

Staffing

The elections team will be dealing with a number of very demanding separate but related issues over the coming 18/24 months and the capacity of the current staffing arrangements to deal with all these issues will be carefully monitored. Additional resources will be deployed from the wider democratic services function when necessary and appropriate.

Property and IT

There are no IT implications associated with this report. There may however be some property implications in relation to polling stations.

5. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)

5.1 The review of polling districts and polling places is a compulsory statutory requirement arising out of the Electoral Registration and Administration Act 2013. Its impact has been assessed nationally and therefore at a local level it is not necessary to carry out an integrated impact assessment.

6. **OUTCOMES OF CONSULTATION AND CONFLICTS OF INTEREST DECLARED**

6.1 The review of polling districts and polling places is a compulsory statutory requirement and consultations have taken place nationally in relation to its introduction.

7. **RECOMMENDATIONS**

7.1 That council notes the requirement to conduct a compulsory review of parliamentary polling districts and polling places.

7.2 That arrangements be made to commence the review of polling districts and polling places on 1 June 2014 and that a final report on the outcome of the review be submitted to council in December 2014.

7.3 That in the meantime, arrangements be made, subject to other requirements, to carry out any necessary and appropriate preparatory work in advance of the commencement of the review on 1 June 2014.

CHIEF EXECUTIVE

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Background Papers used in the preparation of this report - The Electoral Commission - Guidance on Reviews of Polling Districts, Polling Places and Polling Stations.