

NAME OF COMMITTEE	Council
DATE	7 October 2014
REPORT TITLE	Polling Districts/Polling Places Review 2014
REPORT OF	Head of Corporate Services/Electoral Services Officer
WARDS AFFECTED	All

Summary of report:

The Electoral Administration Act 2006 introduced a duty for all polling districts and polling places to be reviewed every 4 years. The Electoral Administration Act 2013 provided that a review must be carried out within 16 months of October 2013 and must be concluded by 1 January 2015. In order that the Register of Electors 2015, to be published by 1 December 2014, incorporates these changes it is necessary for approval to be given by Council prior to that date.

Financial implications:

There are no financial implications arising directly from this report

RECOMMENDATIONS:

That all polling districts and polling places remain unchanged until the publication of the Local Government Boundary review and to delegate the implementation of any changes as a result of that review to the Electoral Registration Officer in consultation with the Chair of the Political Structure Working Group.

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1. BACKGROUND

- 1.1 In order to comply with the Electoral Registration and Administration Act 2013 the Council must carry out a compulsory review of the polling districts and polling places by 1 January 2015.
- 1.2 In legislation the responsibility for the review of polling districts and polling places rests with the local authority while the provision of polling stations lies with the Returning Officer personally.

1.3 Definition of terms.

Polling district: 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.

Polling place: A polling place is a geographical area in which a polling station is located. The geographical area can be defined as tightly as a particular building or as widely as the entire polling district. Where a polling place is not named, by default it is the whole polling district.

If polling places are too specific and the polling place is unavailable at election time then the Returning Officer would be forced to hold the election in a different polling place from that contained in the Order. It would then be necessary to issue an appropriate Notice and make arrangements for a new order to be made. With very tight election timescales and considerably high workloads, the need for additional paperwork would be disruptive to the election process.

A Polling station is the actual location, chosen by the Returning Officer, where the process of voting takes place and must be within the polling place for the particular polling district.

1.4 Consultation for the review has been carried out with:

- a. Borough Councillors
- b. County Councillors
- c. Members of Parliament
- d. Parish Clerks
- e. Political Parties
- f. Disability Groups
- g. Members of the public
- h. Returning Officers

1.5 A press release inviting comment on the review was issued which received wide coverage in the media and details of the review were included on the Council's website

2. ISSUES FOR CONSIDERATION

2.1 A representation was received from Brentor Parish Council who questioned the use of the polling station in Lydford for parish council elections, they thought that Parliamentary elections should be treated differently, suggesting that the electorate (currently 313 people) who go to the Nicholls Hall in Lydford to vote should vote at the Brentor Village Hall. This is impracticable because it would cause confusion and inconvenience for the electorate of Lydford.

3. LEGAL IMPLICATIONS

3.1 The Council has a duty under the Electoral Administration Act 2013 to carry out a compulsory review of all polling districts and polling places.

The compulsory review periods are —

- (a) the period of 16 months beginning with 1st October 2013, and
- (b) the period of 16 months beginning with 1st October of every fifth year after that.

3.2 The decision to approve the outcome of the review can be made only by Council.

4. FINANCIAL IMPLICATIONS

4.1 There are no financial implications arising from this report.

5. RISK MANAGEMENT

5.1 The risk management implications are as indicated at the end of this report.

Corporate priorities engaged:	Community Life
Statutory powers:	The Electoral Administration Acts 2006 & The Electoral Registration and Administration Act 2013
Considerations of equality and human rights:	Equality and Human Rights Legislation
Biodiversity considerations:	None
Sustainability considerations:	None
Crime and disorder implications:	None
Background papers:	Public Notice of the commencement of the review 29 July 2014 The Electoral Administration Act 2006 The Electoral Registration and Administration Act 2013 Review of polling Districts and Polling Places (Parliamentary Elections) Regulations 2006 The West Devon Polling Districts and Polling Places Order 2011 Letters and emails of representation
Appendices attached:	Consultation Document Appendix 1 – List of Polling Districts, Polling Places and Polling Stations Appendix 2 – List of consultees

STRATEGIC RISKS TEMPLATE

No	Risk Title	Risk/Opportunity Description	Inherent risk status				Mitigating & Management actions	Ownership
			Impact of negative outcome	Chance of negative outcome	Risk score and direction of travel			
1	Legislative requirement to review the polling districts / places	To provide the opportunity for polling districts and polling places to meet the needs of electors and reflect the recommendations of the local Government Boundary Commission for England.	3	2	6	↔	Officers consult with the electorate to ensure suitable polling places / polling stations.	Head of Corporate Services / Electoral Administrator
2	Polling places being too specific	If polling places are too specific and the polling place was unavailable, then the Returning Officer would be forced to hold the election in a different polling place from that contained in the Order. It would then be necessary to issue an appropriate Notice and make arrangements for a new Order to be made.	2	1	2	↔	The review will ensure that the polling plans are not too specific.	Head of Corporate Services / Electoral Administrator