



Northumberland

County Council

CABINET

9 JULY 2019

REVIEW OF POLLING DISTRICTS AND POLLING PLACES 2019

Report of the Returning Officer, Kelly Angus

Cabinet Member: Not applicable: Electoral Arrangements

Purpose of report

To advise Cabinet about the commencement of the review of polling districts and polling places and to note the terms of reference of this review.

Recommendations

Cabinet is asked to:

- (a) Note the commencement of the Review as set out in the report; and
- (b) Note the Terms of Reference as set out in Appendix 1 of the report.

Link to Corporate Plan

This report is relevant to the “we want to be efficient, open and work for everyone” priority included in the NCC Corporate Plan 2018-2021.

Key issues and Background

1. Review of polling districts and polling places

- 1.1 Section 16 of the Electoral Administration Act 2006, which came into force on 1 January 2007, introduced a number of changes in respect of the way in which reviews of polling districts and polling places must be undertaken. These are now

embodied in Sections 18A – 18D of the Representation of the People Act 1983 and the Polling Districts and Polling Places (Parliamentary Elections) Regulations 2006.

2. Frequency of reviews

- 2.1 Although the Council may undertake reviews of all or some of the designated polling districts and polling places at any time (e.g. because of an influx of electors in an area or the non-availability of a building designated as a polling place), the Council must conduct a full review of all polling districts and polling places every five years, within a designated 18-month period. The next review was to be commenced from 1 October 2018 and completed by 31 January 2020.

3. The review process

- 3.1 The focus of the review will be to ensure polling places and polling stations meet set criteria of:
- Location
 - Facilities
 - Health & Safety
 - Capacity and available space
 - Impact of use
- 3.2 Where existing arrangements do not meet these criteria, the review will aim to identify alternative locations.

4. The role of the Returning Officer

- 4.1 The Council is required to consult the Returning Officer for every parliamentary constituency that is wholly or partly within its area.
- 4.2 The Returning Officer is required to make representations to the relevant Council, 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 Council's office;
 - At least one other conspicuous place in the area; and
 - On the Council's website.

5. Other representations

- 5.1 In reviewing polling districts and polling places, the 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.
- 5.2 Such persons must be given the opportunity to make representations by inviting suggestions and reasons for the alternative polling places, and to comment on the representations made by the Returning Officer.

- 5.3 A key factor the Council will have to consider at the outset of the review is the identification of those persons/organisations it feels has particular expertise in accessibility issues.
- 5.4 In addition, any elector in the constituency may make representations to the Council on the designation of polling places.

6. Completion of the review

- 6.1 On completion of the review, the Council is required to give reasons for its decisions in respect of the designation of both polling districts and polling places.
- 6.2 In addition, the Council must publish:
- all correspondence sent to the Returning Officer in connection with the review, and 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;
 - all representations made by any person in connection with the review;
 - the minutes of any meetings held by the authority where details of the review have been considered;
 - details of the actual designations of polling districts and polling places agreed as a result of the review; and
 - details of where the results of the review have been published.

7. What happens next?

- 7.1 Local councillors and appropriate bodies will be invited to submit their views on any proposals they wish the Council to consider. Responses from Ward Councillors, representatives from Parish Councils, access groups and Division electors are to be submitted within 6 weeks of the start of the consultation process.
- 7.2 In respect of this review, final proposals for any changes to the existing scheme will be submitted to the Council on 6 November 2019.
- 7.3 Implementation of any changes to the polling districts and polling places will be made on publication of the Revised Register of Electors on 1st December 2019.

8. Challenge of review

- 8.1 Although the Electoral Commission has no initial role in the review process itself, it has an extremely important role in respect of considering representations and observations made that a Council has not conducted a review so as to:
- 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); or
 - take sufficient account of the accessibility to disabled persons of polling stations within a designated polling place.
- 8.2 Who may make a representation to the Electoral Commission?

Section 18D (1) of the Representation of the People Act 1983, sets out who may make representations to the Electoral Commission, namely:

- in England, any parish council which is wholly or partly situated within the constituency (or parish meeting where there is no such council);
- not less than thirty registered electors in the constituency (although electors registered anonymously cannot make such a representation);
- any person (except the Returning Officer) who made representations to the authority when the review was being undertaken; and
- any person who is not an elector in a 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 access to premises or facilities of disabled persons.

8.3 Also, the Returning Officer may make observations on any representations made to the Commission.

9. Review by the Electoral Commission

9.1 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.

9.2 Should a Council fail to make the alterations within two months of the direction being given, the Commission may make the alterations itself.

10. Terms of Reference

In order to commence the review, the Council is required to publish the 'Terms of Reference' in respect of the review, including on the Council's website.

Implications

Policy	N/A
Finance and value for money	There are no direct financial implications associated with this review apart from officer time which is paid for by the Home Office.
Legal	Electoral Commission Guidance is followed in delivering the Review.
Procurement	N/A
Human Resources	All amendments can be conducted by elections staff.
Property	N/A
Equalities (Impact Assessment attached)	Consultation is distributed to local disability groups. Polling Station surveys are distributed to Presiding Officers to allow focus on access issues.

No	
Risk Assessment	The issues raised pose minimal risk to the organisation.
Crime & Disorder	There are no Crime and Disorder implications
Customer Consideration	The proposals are designed to improve the electoral experience of the local community.
Carbon reduction	N/A
Wards	All

Background papers:

Section 16 of the Electoral Administration Act 2006. Sections 18A – 18D of the Representation of the People Act 1983 and the Polling Districts and Polling Places (Parliamentary Elections) Regulations 2006.

Report sign off.

Authors must ensure that officers and members have agreed the content of the report:

	Full name
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APPENDIX 1

Review of Polling Districts and Polling Places – Terms of Reference

- Designation of polling districts, as prescribed by s18A Representation of the People Act 1983 (RPA 1983);
- The Northumberland County Council area must be divided into polling districts for the purpose of parliamentary elections;
- Keep the polling districts under review;
- The Council must seek to ensure that all electors in its area shall have such reasonable facilities for voting as are practicable in the circumstances;
- Each parish must be in a separate polling district.

The boundaries and names of electoral Divisions are NOT covered by the review.

Designation of polling places, as prescribed by S18B RPA 1983:

- The Council must designate a 'polling place within each of the polling districts and keep them under review. The Council must seek to ensure that so far as is reasonable and practicable, that each polling place is accessible to electors who are disabled and also have regard to the accessibility to disabled persons of potential polling stations it is considering designating as a polling place. A polling place must be within the area of its respective polling district, unless special circumstances make it desirable to designate it wholly or partly outside the district.
- The polling place must be small enough to indicate to electors in different parts of the polling district how they will be able to reach the polling station. If no polling place is designated for a polling district, the polling district itself is to be taken to be the polling place.

Glossary of Terms

Division: A division' is the electoral unit of the first tier of local government. County Divisions combine to make up the Northumberland County Council area.

Parish Ward: Parish councils are the third tier' of local government and some are divided into parish wards. Parishes and parish wards are NOT subject to the review.

Polling district: A polling district is a geographical subdivision of a division or parish area, which is designated by the local authority.

Polling place: A polling place is not defined in legislation but may be a location or building in which a polling station can be situated.