

CITY COUNCIL - 12 DECEMBER 2011

REPORT OF THE DEPUTY LEADER

ELECTORAL SERVICES: REVIEW OF POLLING DISTRICTS AND PLACES 2011

1 SUMMARY

The Electoral Administration Act 2006 placed a duty on the Council to review its parliamentary polling districts and places at least every four years. The first full review was undertaken in December 2007 and Council is now required before the end of December 2011 to consider the findings from the most recent review process and to agree its scheme of polling districts and places. The review process is prescribed and details are set out in appendix 2 to this report. The appendices to the report have been circulated separately.

2 RECOMMENDATIONS

IT IS RECOMMENDED that the City Council's current scheme of polling districts and places be amended by the revisions set out in Appendix 1 and for the reasons stated in each case.

3 REASONS FOR RECOMMENDATIONS (INCLUDING OUTCOMES OF CONSULTATION)

3.1 The determination of polling districts and places is a responsibility of Council and to comply with the provisions of the Electoral Administration Act 2006 the review must be completed after appropriate consultation, and a new scheme of polling districts and places agreed, by 31 December 2011.

3.2 In determining its scheme of polling districts and places, the Council must seek to address the reasonable needs of electors and the needs of disabled people. The proposals in this report represent the most suitable options currently available to the Council to comply with this duty. Failure to address the needs of the electorate and the needs of disabled people in accordance with legislation may result in appeals to the Electoral Commission and a direction from them that changes are made to polling

places.

- 3.3 Each polling district and place in the current scheme has been assessed against the review's overall purpose and criteria set out in paragraphs 5.2 and 5.3 below and in the light of representations received. Polling places have also been assessed with regard to the safety of electors and elections staff either in terms of their location in the polling district, the immediate environment, access and the fabric or layout of each building. (There is just one polling place where some disabled access improvements remain desirable and an assessment of the works required is being undertaken with the owners of these premises. It is anticipated that minor costs will be involved and that these will be met by the premises' owners).
- 3.4 Whilst not a relevant consideration within the provisions of the Electoral Administration Act 2006, the Returning Officer has also sought to identify suitable alternative premises to schools in an effort to limit any impact on the education of children within the City. If the proposed revisions to the scheme are approved, there will be just 4 schools which will need to close on polling day as opposed to the 32 schools which were impacted at the Parliamentary Election in May 2010.
- 3.5 Public representations during the review have been few and are set out in Appendix 2 together with a response. The Returning Officer's detailed representations on the scheme which were issued on 30 September 2011 have been annotated now to identify how consultees' representations have been explored and addressed. This bulky document has been circulated to councillors electronically and forms appendix 3 to this report.

4 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 4.1 The Council would be in breach of its statutory duty if it did not review its scheme of polling districts and places in accordance with the statutory timetable and guidance and, therefore, inaction or disregard of the criteria/ consultation process against which the review is required to be conducted is not an option.
- 4.2 In the representations of the Returning Officer, she has

commented in respect of a small number of polling places that there is an option to combine some polling districts and have a single polling place where two previously existed. As in each case the Returning Officer is satisfied as to the suitability of polling arrangements and places under current boundaries and, because any change would require incurring additional costs through the re-publication of the electoral register in January 2012, it is proposed that all polling district boundaries should remain unchanged, it being noted that Electoral Services will keep polling places under regular review. Council should note also that where any polling place becomes unavailable before an election and where there is no time to conduct a formal review to choose a new one, the Returning Officer may designate a new polling place by issuing a public notice.

- 4.3 As identified in the Returning Officer's representations, in a few instances consultees have made appropriate suggestions for alternative polling places but the Returning Officer has proposed that they should not be approved in place of existing and equally suitable polling places on the grounds of the electorate's familiarity with current arrangements.

5 BACKGROUND

5.1 Polling Districts and Places Review

5.2 The Council's area is divided into Polling Districts and Polling Places for electoral purposes. The Electoral Administration Act 2006 introduced a duty for councils to review these by the end of 2007 for parliamentary elections and then every four years after. This does not preclude the Council from conducting a review of all or some of its polling districts and places at any other time. In conducting the review, the Council is required to:

- seek to ensure that all electors in the constituency have such reasonable facilities for voting as are practicable in the circumstances;
- seek to ensure that so far as is reasonable and practicable the polling places are accessible to those who are disabled; and
- when considering or reviewing the designation of a polling place, have regard to the accessibility needs of disabled

persons;

- locate a polling place in its polling district unless special circumstances apply; and
- choose a polling place for a polling district which is small enough to indicate to electors throughout that district how they will be able to reach the polling station.

5.3 Electoral Commission guidance on this matter also recommends that regard should be given to the following:

- any significant barriers between electors and their polling stations e.g. major roads and rivers;
- the number of electors per polling station and place, the numbers who vote by post and turn out;
- the balance between the quality of a polling place (for electors, elections staff and the conduct of the ballot) and the distance between residents and the venue.

5.4 The review process has been undertaken as prescribed by regulations and is described in Appendix 2.

5.5 Polling districts are areas created by the partition of a constituency, ward or division into smaller parts, within which a polling place can be determined which is convenient to electors. The location of polling districts and places is the responsibility of Council and the location of polling stations the responsibility of the Returning Officer.

5.6 In accordance with Section 18 (4) (e) of the Representation of the People Act 1983, the polling places detailed in the consultation document and also in this report refer to specific buildings identified for use (many councils once designated the whole polling district as the polling place but the legislation now discourages this). The polling station is the specific room(s) within the polling place which the Returning Officer has identified as fit for purpose.

5.7 The City Council last reviewed polling districts and places formally in 2007 and since then the Returning Officer has made adjustments to polling places and stations to take account of access issues, availability of venues or changes in local circumstances. In addition, at the request of the Returning Officer,

efforts were made prior to the local elections in May 2011, to find alternative polling places wherever possible when existing arrangements would mean the closure of a school on election day and the resultant loss of education for pupils. The polling places and stations used for the local elections in May 2011 constitute the existing 'scheme' upon which the consultation process and review has been based.

- 5.8 Details of the existing scheme of polling districts and places, including the formal representations of the Returning Officer identifying where, in her view, the status quo should be maintained or where changes are required, have been circulated electronically to councillors together with electorate details, and have been made available for inspection in the political group offices at Loxley House (and also in the Members' Room on the day of the meeting) and on the Council's website with the full agenda for this meeting. Maps showing the location of existing and proposed polling districts and places are available for inspection at Loxley House in the Group rooms.

6 FINANCIAL IMPLICATIONS (INCLUDING VALUE FOR MONEY)

- 6.1 The cost of minor works to improve access for disabled persons to a proposed polling place in the Bulwell Forest Ward will be met by the owners of the premises. There will be no cost to the City Council.
- 6.2 Additional staff and mileage costs in the sum of £2,225 have been incurred in the course of locating and inspecting alternative Polling places. The advertising and consultation process was administered largely via electronic media and only minimal costs incurred. All of these additional costs will be met from existing revenue budgets allocated to Electoral Services.

7 RISK MANAGEMENT ISSUES (INCLUDING LEGAL IMPLICATIONS, CRIME AND DISORDER ACT IMPLICATIONS AND EQUALITY AND DIVERSITY IMPLICATIONS)

- 7.1 The review has been undertaken in accordance with the provisions of Section 18C and Schedule A1, RPA 1983 and Regulation 3, Review of Polling Districts and Polling Places (Parliamentary Elections) Regulations 2006. In concluding the

review and agreeing a scheme of polling districts and places, Council must give reasons for any changes made. The details of new polling districts and places must then be published at the Council's offices, in the constituencies and on the website.

- 7.2 To mitigate risks to individuals, each proposed polling station has been assessed in terms of safety and access both from the perspective of electors and colleagues who will be using the polling station on election day. Safeguarding issues have also been discussed and addressed with Head Teachers. With regard to ensuring the efficient and lawful conduct of elections, consideration has been given in particular to the capacity of each station, both now and in the future, to accommodate adequately the numbers of electors resident in each polling district and allow for the most effective throughput of voters, including in those instances where there is a high number of electors in the polling station at any one time on polling day.
- 7.3 With regard to equality and diversity, the whole review has been focussed, in line with legislation and Electoral Commission guidance, on the need to ensure that as far as is practicable, there is equality of access to the electoral process through the carefully considered location of polling places. The impact of site access and building design on elderly people, disabled people and carers in particular has been addressed. In addition, the efforts made to avoid closure of schools on election day will contribute to the educational attainment and prospects of all children in City schools given that the loss of some 6,000 to 8,000 school days City wide will be avoided. In addition, detrimental financial impact on all parents and carers who might otherwise have been faced with unexpected additional childcare costs or loss of pay will be avoided.

8 EQUALITY IMPACT ASSESSMENT (EIA)

An equality impact assessment has been undertaken and is appended.

9 LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION

- 9.1 Sites with 10 or more housing completions planned between 2011-12 and 2015-16 (for the Polling Districts Review)", City Council Development Department, July 2011- reference document from City Development detailing numbers of properties under construction or with planning permission over a projected period of 4 years.
- 9.2 Evaluation forms from polling station staff for the May 2011 local elections.
- 9.3 Absent voters numbers for May 2011.
- 9.4 Individual representations made via email

10 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

- 10.1 The Electoral Administration Act 2006
- 10.2 The Review of Polling Districts and Places (Parliamentary Elections) Regulations 2006.
- 10.3 Electoral Commission circulars EC28/2007 and EC19/2010

**COUNCILLOR GRAHAM CHAPMAN
DEPUTY LEADER**

Equality Impact Assessment Form **Polling Districts and Places Review 2011**

Name and brief description of proposal / policy / service being assessed

The Council's designated polling districts and places must be reviewed formally on a 4 year cycle under the provisions of the Electoral Administration Act 2006. Assessment and consideration of the reasonable needs of the electorate and, in particular, the needs of disabled people are integral to and prescribed under the statutory review process. The designation of polling districts and places must seek to ensure that all electors have such reasonable facilities for voting as are practicable and seek to ensure that so far as is reasonable and practicable the polling places are accessible to those who are disabled. Equality considerations have been integral to the review process.

Information used to analyse the effects on equality

The following information has been gathered/considered during the review and consultation process to which due regard has been given in formulating both the Returning Officer's initial representations to Council about proposed changes to the Scheme of Polling Districts and Places and her final recommendations:
 Records of site inspections including specific assessments of access issues e.g. approach access, building level access, door access, disabled parking, lighting levels
 Feedback forms from presiding officers and inspectors following recent elections in the City.
 Representations made by Councillors, MPs and citizens about existing and proposed polling places (no representations received, though invited, from groups representing disability groups.)

Assessments from Children and Families Department of impact on schools of their closure on election days

The attached representations of the Returning Officer which details the condition / assessment of each proposed location, any representations received and the response to those representations tracks the regard that has been given to relevant equality impact issues.

	Could particularly benefit (X)	May adversely impact (X)	How different groups could be affected: Summary of impacts	Details of actions to reduce negative or increase positive impact (or why action not possible)
People from different ethnic groups	<input type="checkbox"/>	<input type="checkbox"/>	<u>Disabled people</u> – all polling stations proposed for approval by council (bar 3 stations) have suitable access.	<u>Disabled people</u> - it is anticipated that any residual issues with access are minor and can be addressed either via temporary ramping on election day or via minor remedial works (Electoral Services Manager to action)
Men, women (including maternity/pregnancy impact), transgender people	<input type="checkbox"/>	<input type="checkbox"/>	<u>Older people</u> - a number of existing stations located at the top of steep inclines are proposed for replacement by alternative accessible venues which have good disabled access, parking	
Disabled people or carers	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
People from different faith groups	<input type="checkbox"/>	<input type="checkbox"/>		
Lesbian, gay or bisexual people	<input type="checkbox"/>	<input type="checkbox"/>		
Older or younger people	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Other (e.g. marriage/civil	<input checked="" type="checkbox"/>	<input type="checkbox"/>		

Equality Impact Assessment Form **Polling Districts and Places Review 2011**

<p>partnership, looked after children, cohesion/good relations, vulnerable children/adults)</p>		<p>and lighting will make access to the electoral process easier and safer for older people. <u>Younger people</u> Reduction in loss of school days and reduction in negative impact on teaching and learning. Alternative venues or arrangements agreed with Head teachers have resulted in proposals for polling stations that will avoid the closure on polling day of a significant number of schools or which will ensure the safeguarding of children. . <u>Other</u> Fewer parents and carers of school age children will be impacted financially as a result of the closure of schools on election day (either through increased child care costs / loss of earnings)</p>	<p><u>Younger people-</u> Polling stations will be kept under continuous informal review so that alternative suitable venues if found can be used instead of the few remaining schools affected by election day (Electoral Services Manager to action)</p> <p><u>Other</u> Polling stations will be kept under continuous informal review so that alternative suitable venues if found can be used instead of schools (Electoral Services Manager to action)</p>
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Outcome(s) of equality impact assessment:

No major change needed Adjust the policy Adverse impact but continue Stop and remove the policy/proposal
 The proposals to Council represent an improvement overall in terms of addressing equality of access and in terms of addressing the negative impact on individual children, parents and carers of the closure of schools both in terms of educational opportunity and disadvantage.
Arrangements for future monitoring of equality impact of this proposal / policy / service: The overall scheme of polling districts and places must be reviewed every 4 years but Electoral Services will keep individual locations under review / assess equality impact as and when changes to the agreed scheme are necessary (eg where an approved premise becomes unavailable) . This process is facilitated at all elections by the

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practice of staff/ elector/ inspector feedback. (Head of Democratic Services/ Electoral Services Manager to action)

Approved by (manager signature): Debra La Mola

Date: 23 November 2011