

CITY COUNCIL - 9 MARCH 2015

REPORT OF THE DEPUTY LEADER

ELECTORAL SERVICES: REVIEW OF POLLING DISTRICTS AND PLACES 2014/15

1 SUMMARY

The Electoral Administration Act 2006 placed a duty on the Council to review its parliamentary polling districts and places at least once every four years and the first full review was undertaken in December 2007. There was a further formal review in December 2011 and the Council has maintained regular informal reviews since. As a result of an amendment to the timing of compulsory reviews made by the Electoral Registration and Administration Act 2013 the Council commenced a further formal review of its polling districts and places in 2014. The review process is prescribed and details are set out in appendix 2 to this report. All appendices to the report have been circulated electronically but given their size a small number of copies have also been placed on deposit for inspection in the political group rooms at Loxley House and, for independent councillors and citizens, these are lodged with Democratic Services for inspection.

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.
- 3.2 In determining its scheme of polling districts and places, the Council must seek to address the reasonable needs of electors and disabled people particularly. 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, Beechdale Leisure Centre, which is not wheelchair accessible. As the centre is due for closure it is not appropriate to invest in adaptations to the building at this time. Electors at this polling station will be alerted to the accessibility issues via their poll card so that they can apply to have a postal vote or seek the assistance of the Presiding Officer

on polling day.

3.4 Whilst not a relevant consideration within the provisions of the Electoral Administration Act 2006, the Returning Officer has sought to identify suitable alternative premises to schools so as to limit any impact on the education of children. If the proposed revisions to the scheme are approved, there will be no additional school days lost by children in the City as result of the election.

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 published on 2 February 2015, have taken account of these consultee representations and are identified in appendix 3.

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. 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 Returning Officer's representations, he has referred to his consideration of the proximity to this review of the General and Local Elections in May 2015 and the familiarity of the electorate with the current scheme of polling places derived from the recent European election. He has also commented on the impact that Individual Electoral Registration has had in terms of a significant fall off of electors from the electoral register and, in terms of having suitable capacity at polling stations, the efforts currently being made to encourage registrations before the election. On this basis he has recommended least change including keeping all polling district boundaries unchanged. It should be noted, however, that Electoral Services intend to undertake a further detailed review in 2016/17 which will look more fully at the potential to improve access for electors even further and which may include a review of polling district boundaries. 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.

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 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. 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 2011 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. The polling places and stations used for the European Elections in June 2014 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 his view, the status quo should be maintained or where changes are required, have been circulated to councillors together with electorate detail. Maps showing the location of existing and proposed polling districts and places are available for inspection at Loxley House in the Group Rooms and on request from Democratic Services and will also be available in the Council Chamber.

6 FINANCIAL IMPLICATIONS (INCLUDING VALUE FOR MONEY)

6.1 The advertising and consultation process was administered largely via electronic media but print costs of £465 for consultation documents with individuals and organisations who might have an interest in the review have been incurred along with costs of £560 for the publication of formal notices. These 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, Representation of the People Act 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 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. While not strictly pertinent to the review, some observations received from representatives of the Disability Involvement Group and the Equality and Fairness Commission about procedures at polling stations on election day to better assist disabled electors are being explored so that, wherever possible, access to the electoral process is improved. In addition, the efforts which began in 2011, and which the Returning Officer has continued in this review, 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 school days City wide will be avoided. Detrimental financial impact on all parents and carers who might otherwise have been faced with unexpected additional childcare costs or loss of pay will also 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 Evaluation forms from polling station staff for the European Election June 2014.
- 9.3 Electorate data between 2011 and December 2014 and Absent voter numbers for June 2014.

9.4 Individual representations made.

10 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

10.1 The Representation of the People Act 1983

10.2 The Electoral Administration Act 2006

10.3 The Review of Polling Districts and Places (Parliamentary Elections) Regulations 2006.

10.4 Electoral Commission circulars EC28/2007 and EC19/2010

**COUNCILLOR GRAHAM CHAPMAN
DEPUTY LEADER**

Equality Impact Assessment Form **Polling Districts and Places Review 2015**

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

The Council's designated polling districts and places must be reviewed formally 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 sought/ 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 his 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.

Any representations made by Councillors, MPs, Head Teachers and citizens about existing and proposed polling places (representations received from groups representing disability groups were not relevant to the purpose of this review but rather to procedures onn polling day in polling stations and will be addressed separately by the Electoral Services Manager.)

The representations of the Returning Officer appended to the report detail 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"/>	<p><u>Disabled people</u> – all polling stations proposed for approval by council (bar 1 station) have suitable access.</p> <p><u>Older people-</u> a very small number of existing stations are accessed via an incline /hill but where this is the case there is no other suitable alternative available.</p> <p><u>Young People.</u> Reduction in</p>	<p><u>Disabled people</u> – bar 1 station any residual issues with access are minor and can be addressed via temporary ramping on election day (Electoral Services Manager to action)</p> <p>Poll cards carry maps showing the location of stations and clearly indicate the process and deadlines for applying for a postal vote so elderly electors affected have this option available.</p>
Men, women (including maternity/pregnancy impact), transgender people	<input type="checkbox"/>	<input type="checkbox"/>		
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 partnership, looked after children, cohesion/good	<input checked="" type="checkbox"/>	<input type="checkbox"/>		

Equality Impact Assessment Form **Polling Districts and Places Review 2015**

<p>relations, vulnerable children/adults)</p>		<p>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 all schools (except where there is a planned INSET day)and this 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>	
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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 practice of staff/ elector/ inspector feedback. (Head of Democratic Services/ Electoral Services Manager to action)

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