

WIRRAL COUNCIL

LICENSING, HEALTH AND SAFETY AND GENERAL PURPOSES COMMITTEE

22 JANUARY 2014

SUBJECT:	REVIEW OF WIRRAL POLLING DISTRICTS AND PLACES 2013
WARD/S AFFECTED:	ALL
REPORT OF:	CHIEF EXECUTIVE
RESPONSIBLE PORTFOLIO HOLDER:	COUNCILLOR ADRIAN JONES (CORPORATE RESOURCES)
KEY DECISION?	NO

1.0 EXECUTIVE SUMMARY

- 1.1 The purpose of this report is provide details of the review undertaken in relation to the current polling districts and places within the Borough and seek approval of suitable alternatives and changes.
- 1.2 For the avoidance of any doubt, the responsibility to determine polling stations within a polling place rests with the (Acting) Returning Officer. The (Acting Returning Officer has (through Electoral Services) carried out a review of the polling stations. Any relevant changes and representations are included within the Summary of Responses and Recommendations set out at Appendix 1
- 1.3 The Electoral Administration Act 2006 introduced a duty on all local authorities to review polling districts and places within their boundaries every four years. The Electoral Registration and Administration Act 2013 has now amended this duty as detailed in paragraph 4.2 and 4.7 below. The Council in practice constantly keeps polling places and stations under review.
- 1.4 Subsequent compulsory reviews must be started and completed within the period of 16 months that starts on 1 October of every fifth year after 1 October 2013.

2.0 RECOMMENDATION/S

- 2.1 That the Committee agrees to all the recommendations made pursuant to the Polling Districts and Places Review 2013 and detailed in the Summary of Responses and Recommendations set out at Appendix 1.

- 2.2 That the (Acting) Returning Officer be authorised to amend, vary and change all necessary official Polling District and Places records held by the Council in order to give effect to paragraph 2.1 above.

3.0 REASON/S FOR RECOMMENDATION/S

- 3.1 The Council has a statutory duty to undertake a review of all Polling Districts and Places within the Borough and make such changes as are considered necessary to ensure they remain accessible to all Electors.

4.0 BACKGROUND AND KEY ISSUES

- 4.1 The Council has a duty under the Representation of the People Act 1983 to divide Wirral Borough into Polling Districts and to designate Polling Places for each Polling District.
- 4.2 The Electoral Administration Act 2006 then placed a duty on all Councils to undertake a review every four years of all Polling Districts and Places.
- 4.3 This was amended by the Electoral Registration and Administration Act 2013, which provides that there must be a review of all “polling districts” and “polling places” within each “compulsory period”. “Compulsory period” is defined as:-
- a) The period of 16 months beginning with the 1st October 2013, and
 - b) The period of 16 months beginning with the 1st October of every fifth year after that.

This provision is to align polling district and polling place reviews with the 5 year fixed term Parliaments and UK Parliamentary boundary reviews. Nothing in the 2013 Act prevents the Council carrying out an earlier review of some or all of it's polling districts or places.

- 4.4 The term ‘Polling District’ refers to 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.
- 4.5 The term ‘Polling Place’ refers to the building or area in which polling stations will be selected by the (Acting) Returning Officer.
- 4.6 The term ‘Polling Station’ refers to the room or building where the poll takes place for each election.
- 4.7 The first Polling District and Place review was undertaken in 2007. A further such review was completed in 2011 in time for the publication of the Register of Electors on 1 December 2011.
- 4.8 In practice, the Council’s Electoral Services evaluates the effectiveness and suitability of polling places and stations following each election and report any issues/changes required to the Licensing, Health and Safety and General Purposes Committee as necessary.

- 4.9 The purpose of the review is to principally ensure that:
- a. all electors in the constituency have such reasonable facilities for voting as are practicable in the circumstances;
 - b. so far as reasonable and practicable, the polling districts, places and stations are accessible to all electors including those who are disabled and when considering the designation of a polling place to have regard to the accessibility needs of disabled persons; and
 - c. where there is no fully accessible building conveniently located for the electors in an area, where it is necessary to use a place where the access is not ideal then every reasonable adjustment must be undertaken to provide access for all Electors.
- 4.10 The 2013 Polling District and Place Review formally commenced on 1st October 2013 with the publication of a formal notice on the Council's Notice Board, Council's website, and notices circulated to all Council One-Stop Shops.
- 4.11 Proposals to improve Polling Districts and Places were sought from Electors, Councillors, MPs, Presiding Officers and Polling Station Inspectors with regards to existing Polling Districts and Places. The consultation ended on 3rd January 2014.
- 4.12 The Council's (Acting) Returning Officer has, as required by legislation, duly considered all proposals received (including representations) during the consultation period.
- 4.13 A summary of responses received in relation to Polling Districts and Places and the (Acting) Returning Officer's responses and recommendations to this Committee are set out at Appendix 1 (Summary of Responses and Recommendations).
- 4.14 For the avoidance of any doubt, where no reference is made to an existing Polling District or Place in the Summary of Responses and Recommendations, the (Acting) Returning Officer has still undertaken a review of those Polling Districts and Places. These Polling Districts and Places have not been included because no comments were received in relation to them and the (Acting) Returning Officer is of the view that the status quo should continue.

5.0 RELEVANT RISKS

- 5.1 The Council is under a statutory duty to complete a Polling Districts and Places Review within each "compulsory period". "Compulsory period" is defined as:-
- a) The period of 16 months beginning with the 1st October 2013, and
 - b) The period of 16 months beginning with the 1st October of every fifth year after that.

5.2 The Review provides a further opportunity for the Council to ensure accessibility to all Electors, mitigate any potential hazards and health and safety risks; and ensure that the Council addresses any identified risks affecting any potential Electors, particularly if they suffer from a disability.

6.0 OTHER OPTIONS CONSIDERED

6.1 No other options were considered. The Review has been undertaken as required by legislation.

7.0 CONSULTATION

7.1 Details of the consultation are set out within this report. All stakeholders, interested parties and persons have been consulted.

8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

8.1 There are no such implications arising out of this report.

9.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

9.1 There are no staffing implications arising out of this report.

9.2 All financial implications have been detailed within the Summary of Responses and Recommendations set out at Appendix 1 to this report.

10.0 LEGAL IMPLICATIONS

10.1 The legal implications have been set out within the main body of this report.

11.0 EQUALITIES IMPLICATIONS

11.1 The Review has been conducted consistently with the Council equality and diversity obligations.

11.2 The Review included use of the Electoral Commissions Evaluation Checklist which addresses equality and diversity issues relevant to Polling Districts, Places and Stations.

11.3 Equality Impact Assessment (EIA)

(a) Is an EIA required? No – see paragraph 11.2 above.

(b) If 'yes', has one been completed?

12.0 CARBON REDUCTION IMPLICATIONS

12.1 There are no such implications.

13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

13.1 There are no such obligations.

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APPENDICES

Appendix 1 – Summary of Responses and Recommendations

REFERENCE MATERIAL

None

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Minute 16 – Licensing, Health and Safety and General Purposes Committee	11th October 2012
Minute 30 – Licensing, Health and Safety and General Purposes Committee	8th March 2012
Minute 23 – Licensing, Health and Safety and General Purposes Committee	23rd January 2012
Minute 18 – Licensing, Health and Safety and General Purposes Committee	10th November 2011