



**Licensing, Health and Safety and General Purposes Committee
Wednesday, 18 September 2019**

REPORT TITLE:	REVIEW OF POLLING DISTRICTS AND PLACES 2019
REPORT OF:	Director: Governance and Assurance (Monitoring Officer)

REPORT SUMMARY

The purpose of this report is to advise Members of the arrangements for the statutory polling district and polling place review that is currently being undertaken within the Borough. The review commenced on 19 August 2019 and will conclude on 18 October 2019.

Proposed changes pursuant to the review will be presented for approval at the Licensing, Health and Safety and General Purposes Committee meeting on 20 November 2019.

RECOMMENDATION/S

That the Committee note the review is being undertaken and that any changes to current arrangements will be presented for approval at the Licensing, Health and Safety and General Purposes Committee meeting on 20 November 2019.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

1.1 The Local Authority has a statutory duty to undertake a full review of their Parliamentary polling districts and polling places within the Borough and make such changes as are considered necessary to ensure they remain accessible to all electors.

2.0 OTHER OPTIONS CONSIDERED

2.1 No other options were considered. It is a statutory requirement to undertake the review.

3.0 BACKGROUND INFORMATION

3.1 The Local Authority 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.

3.2 The Electoral Administration Act 2006 placed a duty on all local authorities to undertake a full review of their Parliamentary polling districts and polling places every four years.

3.3 The Electoral Registration and Administration Act 2013 introduced a change to the timing of the reviews to five-yearly and, in line with this legislation, a full review was last undertaken by the Local Authority in 2013.

3.4 Whilst there is no statutory requirement to review polling districts and polling places in the years between such full reviews, the Council's Electoral Services evaluates the effectiveness and suitability of polling places and stations following each election and reports any issues/changes required to the Licensing, Health and Safety and General Purposes Committee as necessary, thereby ensuring that the Borough's electors continue to have the best facilities for voting which are practicable in the circumstances.

3.5 The next compulsory review must be started and completed between 1 October 2018 and 31 January 2020 (inclusive).

3.6 Local Government election arrangements are not automatically part of this review, however, as they are the same for both Parliamentary and local government elections within the Wirral area, it is considered sensible to conduct both reviews together.

3.7 The purpose of the review is to principally ensure that:

- all electors in the borough have such reasonable facilities for voting as are practicable in the circumstances; and,
- 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,

- 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.

3.8 The specific areas of focus for the review are polling districts and the location of polling places and polling stations within the Borough:-

- **Polling District** – is a geographical area created by the subdivision of an electoral area, i.e. a Parliamentary constituency, a European Parliamentary electoral region, or a ward;
- **Polling Place** – is a building (e.g. a school or community centre) or area in which a polling station is located;
- **Polling Station** – is the physical location (i.e. the room) in which polling takes place and is designated by the Returning Officer.

3.9 Roles and responsibilities

The Local Authority – the statutory responsibility for reviewing polling districts and places rests with the Local Authority for so much of any constituency as is situated in its area.

The Electoral Registration Officer – where there are any alterations to the polling districts within its area, the Electoral Registration Officer must amend the register of electors accordingly – either on a notice of alteration or by publishing a revised register. The changes to the register take effect on the date the Electoral Registration Officer publishes a separate notice stating that the alterations have been made, which should be done to coincide with the publication of a notice of alteration/publication of a revised register.

The (Acting) Returning Officer – must comment during any review of polling districts and polling places on both existing polling stations and the polling stations that would probably be used if any new proposal for polling places were accepted.

3.10 The length of the review process is not prescribed, provided all the steps required by the legislation can be undertaken within the time limit. However, the time allowed for consultation should be sufficient to enable interested persons and groups to read and understand the proposals, gather comments and respond with any alternative arrangements that they may wish to submit.

3.11 The Review commenced on 19 August and will conclude on 18 October 2019. This would enable any proposed changes to the Electoral Register to be made and effective upon its publication on 1 December 2019.

3.12 There are four stages to the review process and the details are:-

Stage 1 – Notification of the review

The Local Authority is required to give notice of the holding of the review. The notice must be displayed at the Local Authority's office, in at least one conspicuous place within the authority, and on the Local Authority's website. Notification of the review and how to participate will be sent to elected representatives, local political party offices and local disability and community groups, and a press release will be issued to provide general notification of the review.

The notice was published on **19 August 2019** and notification has been sent to the interested parties listed above.

Stage 2 – Consultation

There are two aspects of the consultation stage which is for representations and comments to be made on the existing and proposed arrangements.

- **The (Acting) Returning Officer's compulsory submission** – which must comment on both existing and proposed polling stations. There is no requirement to change any existing arrangements, and any change or decision to make no change must be supported by a reason. The (Acting) Returning Officer's comments must be published within 30 calendar days of receipt to give consultees the opportunity to comment on them.

The (Acting) Returning Officer provided their comments by the **30 August 2019** and these were published on **2 September 2019**. The comments will be published at the Local Authority's office, in at least one conspicuous place within each constituency, and on the Local Authority's website.

- **Consultees** – the Authority must consult widely on the review and seek out the views of interested groups, including those with expertise in relation to access to premises or facilities for disabled people, or bodies including electors, political parties, MPs and Members of the Council. Consultees will be asked for general comments as well as any on specific buildings or areas. Any person or body which makes a comment will be encouraged to suggest an alternative polling place/station and give a reason for the alternative proposal, so that it may be given appropriate consideration.

The consultation period began on **19 August 2019** and will end on **18 October 2019**.

Stage 3 – Concluding the review

Subject to any representations received, the Council's Electoral Services will consider all of the representations and make recommendations on the most appropriate polling districts and polling places. A report will be prepared and submitted to the Licensing, Health and Safety and General

Purposes Committee meeting on **20 November 2019** for the Members to consider for approval the recommendations and to allow for any alterations to the polling districts within its area to be effective from the publication of the revised register on 1 December 2019.

Stage 4 – Publishing the conclusions of the review

Details of the agreed polling districts and polling places, and the reasons for them, must be made available to the public at the Local Authority offices, in at least one conspicuous place in each constituency, and on the Council's website. All correspondence, representations, minutes, and details of where to view the results must also be published.

3.13 Following the conclusion of the review, individuals have a right to make representations to the Electoral Commission. However, the Commission will only consider representations received indicating that a review has not been conducted correctly.

4.0 FINANCIAL IMPLICATIONS

4.1 There are no financial implications arising from this report. However, should alternative polling places be identified as part of this review, additional resources would need to be identified to fund the consequent building and staffing costs. Any such additional costs will be dealt with in the subsequent report and recommendations to Committee.

5.0 LEGAL IMPLICATIONS

5.1 The Council is under a statutory duty to complete a Polling Districts and Places Review by 31 January 2020 as set out in paragraph 3.1 of this report.

6.0 RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS

6.1 Undertaking this review will impact on resources in respect of officer time, particularly as the period of this review traverses the annual canvass of the Electoral Register. It is anticipated that these requirements will be met from within existing resources.

7.0 RELEVANT RISKS

7.1 The Review provides an 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.

8.0 ENGAGEMENT/CONSULTATION

8.1 Details of the consultation are set out within this report.

9.0 EQUALITY IMPLICATIONS

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

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APPENDICES

None

BACKGROUND PAPERS

None

SUBJECT HISTORY (last 3 years)

Council Meeting	Date