

Report to: **Special Council**

Date: **05 November 2019**

Title: **POLLING DISTRICT AND POLLING PLACES
REVIEW 2019**

Wards Affected: **All**

Urgent Decision: **Y** Approval and clearance obtained: **Y**

Date next steps can be taken: **01 December 2019
– publication of
Register of
Electors 2020**

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RECOMMENDATION

That the Council be RECOMMENDED that the Polling Districts and Polling Places Order 2019 (Appendix A) be made.

1. Executive summary

- 1.1 The Electoral Administration Act 2006 introduced a duty for all polling districts and polling places to be reviewed every four years. The Electoral Administration Act 2013 provided that a review must be carried out within 16 months of October 2018 and must be concluded by 31 January 2020
- 1.2 In order that the Register of Electors 2020 incorporates the recommended changes, it is necessary for approval to be given by Council prior to its publication on 01 December 2019
- 1.3 The review has taken place and identified that the current Polling District Polling Places Order needs slight revision

2. Background

- 2.1 To comply with The Electoral Registration and Administration Act 2013, a compulsory review of the polling districts and polling places must be completed by 31 January 2020

2.2 Responsibility for the review of polling districts and polling places rests with the local authority, while the provision of polling stations lies with the Returning Officer personally

2.3 Definition of terms:-

Polling district 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

Polling place: A polling place is a geographical area in which a polling station is located. The geographical area can be defined as tightly as a particular building or as widely as the entire polling district. Where a polling place is not named, by default it is the whole polling district

If polling places are too specific and the polling place is unavailable at election time then the Returning Officer would be forced to hold the election in a different polling place from that contained in the Order. It would then be necessary to issue an appropriate Notice and make arrangements for a new order to be made. With very tight election timescales and considerably high workloads, the need for additional paperwork would be disruptive to the election process

A Polling station is the actual location, chosen by the Returning Officer, where the process of voting takes place and must be within the polling place for the particular polling district

2.4 Public notice was given of the commencement of the review of polling districts and polling places by the Council on 12 August 2019. The opportunity was also taken to receive representations concerning the accessibility of polling stations. The closing date for submissions was 20 September 2019

2.5 Notices were sent to town and parish councils in the Borough, political parties, Members of the County and Borough Councils and various organisations who have knowledge of accessibility issues

2.6 During this period of the consultation, representation was received from Okehampton Hamlets Parish Council with regard to changing the polling place for two of their polling districts to be within those relevant polling districts (previously the polling place for these two districts was within the Okehampton Town Council polling district)

2.7 On 30 September 2019 the draft Polling District and Polling Places Order 2019 was published and sent to the town and parish councils and Borough Members, and posted on the internet, together with the Returning Officer's proposals regarding the polling stations. Further comments were invited by 18 October 2019

2.8 During this consultation process, a suggestion has been made to relocate the Lifton Polling Station to the new Community Centre, due to

redevelopment plans for the current venue (the Church Hall). Also, an alternative polling station is being sought for Chillaton due to accessibility issues at the current venue (The Old Smithy)

3. Outcomes/outputs

3.1 Following the consultation, if Members agree to the change set out in paragraph 2.6, then the current Polling District and Polling Places Order 2014 would need to be changed as follows : -

- Polling district references to be changed to reflect the relevant parliamentary constituency by prefixing with a T (Torrige and West Devon) or C (Central Devon), ie. AA to become CAA and AD to become TAD
- Central Devon Parliamentary Constituency – change of polling place for CCE (Okehampton Hamlets Little Fatherford) and CCF (Okehampton Hamlets North) from Okehampton to Okehampton Hamlets

3.2 If these recommendations are agreed, the above changes will take effect from the publication of the Register of Electors 2020 on 01 December 2019 (caveat – if a snap General Election is called before the publication of the new register it is proposed to delay the change in polling place for the two Okehampton Hamlets polling districts. This is due to potentially very tight timescales in assessing/arranging the potential new polling station, which would need to be carried out before sending poll cards to the electorate; a task which would need to be done immediately once an election date was announced)

3.3 The Returning Officer keeps the location of polling stations under review and will ask the Polling Station Inspectors, who visit each polling station on each polling day, for their comments on their continued suitability

4. Options available and consideration of risk

4.1 The Council needs to ensure that polling districts and polling places meet the needs of the electors

4.2 Failure to review the polling districts and polling places would result in the non-compliance with a legal obligation

4.3 If the polling place was too specific and the polling place unavailable, then the Returning Officer would be forced to hold the election in a different polling place from that contained in the Order. This would necessitate issuing an appropriate notice and arranging for a new order to be made at a time when timescales are very tight and workloads considerably high

4.4 A consultation has taken place with the Returning Officer's proposals being published on 30 September 2019. No further comments were

made after this date and the options were evaluated by the Returning Officer and Elections Specialist for West Devon

5. Proposed Way Forward

5.1 It is proposed that West Devon Borough Council approves the Polling District and Polling Places Order 2019 as set out in Appendix A

6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance		The legal requirement to carry out a review of polling districts and polling places is set out in the report. Failure to carry out the required review would result in the Council being in breach of its statutory duty.
Financial implications to include reference to value for money		The recommendation will increase the cost of the hire of polling stations due to the requirement of an additional polling place in Okehampton Hamlets for the polling districts of CCE (Okehampton Hamlets Little Fatherford) and CCF (Okehampton Hamlets North), however, this cost would not be significant. This cost will be borne by the relevant tier of government for whom an election is taking place (ie. the government for parliamentary elections, West Devon Borough Council for borough elections etc. – sometimes these costs are split if combined elections are taking place on the same day)
Risk		<ol style="list-style-type: none"> 1. The Council needs to ensure that polling districts and polling places meet the needs of the electors 2. Failure to review the polling districts and polling places would result in the non compliance of legislation 3. If the polling place was too specific and the polling place unavailable, then the Returning Officer would be forced to hold the election in a different polling place from that contained in the Order. This would necessitate issuing an appropriate notice and make arrangements for a new order to be made at a time when timescales are very tight and workloads considerably high
Supporting Corporate Strategy		This report supports the Council and Communities Corporate Strategy themes

Climate Change - Carbon / Biodiversity Impact		These recommendations will put an additional polling place closer to the homes of many of the electorate in the Okehampton Hamlets. This will, therefore, reduce their mileage if travelling to vote by car, or enabling them to walk or cycle
Comprehensive Impact Assessment Implications		
Equality and Diversity		The recommendations endeavour to meet the needs of all the electorate by providing convenient, accessible polling places
Safeguarding		None
Community Safety, Crime and Disorder		None
Health, Safety and Wellbeing		None
Other implications		None

Supporting Information

Appendices:

Appendix A: The Polling Districts and Polling Places Order 2019

Background Papers:

Public Notice of the commencement of the review – 12 August 2019

The Electoral Administration Act 2006

The Electoral Registration and Administration Act 2013

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

The West Devon Polling Districts and Polling Places Order 2014

The Returning Officer's proposals published on 30 September 2019

Emails of representation