

Report to: **Special Council**

Date: **28 November 2019**

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

Wards Affected: **All**

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

Lead Member: Leader of the Council

Date next steps can be taken: **1 December 2019**

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RECOMMENDATION

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

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 The review has taken place and identified that the current Polling District Polling Places Order needs to be revised

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 and the Returning Officer's proposals were published on 28 August 2019. The closing date for submissions was 20 September 2019
- 2.5 Notices were sent to town and parish councils in the District, political parties, Members of the County and District Councils and various organisations who have knowledge of accessibility issues.
- 2.6 On 30 September 2019 the draft Polling District and Polling Places Order 2019 was published and sent to the town and parish councils and Councillors, and placed on the website. Further comments were invited by 18 October 2019. No further comments were received.
- 2.7 During the consultation period, representations were received from electors of Woodleigh who wished to retain the polling place within Woodleigh for the parish. Electors from North Huish parish who wished to retain the polling place within Avonwick. Bigbury parish council who agreed with the proposal for the Bigbury on Sea polling place to be in Bigbury and to vote at St Ann's Chapel. A request from Brixton Parish Council to create a new polling district for Brixton (Sherford) in readiness for the increase in electors in the future. Stokenham Parish Council who agreed with the proposal for the Huccombe polling place to be in Stokenham and the polling station to be at the Parish Hall. Totnes Town Council No adverse comments were received from Totnes Town Council did not raise any concerns regarding the resiting of the polling station from Methodist Church Hall, Fore Street, Totnes to the Civic Hall.

3. Outcomes/outputs

3.1 Following the consultation, if Members agree to the changes then the current Polling District and Polling Places Order 2014 will need to be changed as follows : -

- To avoid the use of polling district suffixes i.e. LAY1 and to simplify the sequences, to change the South West Devon polling districts references to commence with an H and proceed alphabetically and the Totnes Constituency to commence with an E. i.e. LAA to become HAA and SAA to become EAA.

South West Devon Constituency

- **Bigbury** Combine the existing Bigbury and Bigbury on Sea polling districts and create a Bigbury polling district. The polling station to be St Ann's Chapel, Bigbury.
- **Brixton** Create a new polling district of Brixton (Sherford) in addition to Brixton in readiness for the number of persons who will be registering. The polling place to remain as Brixton.

Totnes Constituency

- **Totnes Town** Combine the existing Riverside and Central polling districts and create a Totnes Town polling district. The polling station to be Civic Hall, Totnes.
- **Stokenham** Combine the existing Stokenham and Huccombe polling districts and create a stokenham polling district. The polling station to be Parish Hall, Stokenham.

3.2 If these recommendations are agreed, the above changes will take effect from 01 December 2019 although due to the General Election being held on 12 December, the Register of Electors will not be published until February 2020.

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

5. Proposed Way Forward

- 5.1 It is proposed that South Hams District 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 reduce the cost of hire of polling stations and staff. Election costs are borne by the relevant tier of government for whom an election is taking place (ie. the government for parliamentary elections, South Hams District Council for District elections etc. |
| 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 | | None |

| 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 South Hams District Polling Districts and Polling Places Order 2014

The Returning Officer's proposals published on 28 August 2019

Emails of representation