

## **CABINET – 5 NOVEMBER 2014**

### **REVIEW OF POLLING DISTRICTS, POLLING PLACES AND POLLING STATIONS**

#### **Report of the Chief Executive**

#### **1. Purpose of the Report**

To consider the Council's draft final proposals for the statutory review of polling districts and polling places.

#### **2. Description of Decision (Recommendations)**

- 2.1 To note the submissions made to the council in respect of the review of polling districts and polling places for Sunderland City Council.
- 2.2 To note the final proposals in respect of the review.
- 2.3 To recommend to the Council the adoption of parliamentary polling districts and parliamentary polling places as set out in Appendix 3.
- 2.4 To recommend to the Council that the scheme contained in Appendix 3 be adopted in relation to local government elections.
- 2.5 To recommend that the Council request that the Electoral Registration Officer make the necessary amendments to polling districts for the register of electors published on 1 December 2014.
- 2.6 To recommend to the Council that authority be delegated to the Chief Executive to make, where necessary, alterations to the designation of any polling place prior to the next full review in consultation with ward councillors and portfolio member.
- 2.7 To recommend to Council that the Electoral Registration Officer create fixed boundaries within local government wards for each polling district.

#### **3. Introduction/Background**

- 3.1 The Electoral Administration Act 2006 introduced a duty for all polling districts and polling places to be reviewed by the end of 2007, and then at least once every four years thereafter. The Electoral Registration and Administration Act 2013 introduced a change to the timing of compulsory reviews of UK Parliamentary polling districts and polling places. This change required that the next compulsory review should be started and completed between 1 October 2013 and 31 January 2015. 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.
- 3.2 Under the Representation of the People Act 1983, the Council may divide the city wards into polling districts and designate at least one polling place for each district. It also has to keep these arrangements under review. The boundaries of local government wards are not covered by this review as they are determined by the Boundary Commission for England.

- 3.3 For the purpose of this review, a polling district is a geographical area created by the sub division of a UK Parliamentary Constituency for the purposes of a UK Parliamentary Election. A polling place is the building or area in which polling stations will be selected by the Acting Returning Officer. A polling station is the room or area within the polling place where voting will take place.
- 3.4 Polling districts and polling places for other elections are not automatically part of the compulsory review. However, as polling districts and polling places for other elections are based on UK Parliamentary polling arrangements, the requirements of any other elections held within the local authority should be taken into consideration as part of the review.
- 3.5 The council has carried out informal reviews of polling districts and polling places each year since the ward boundaries were last reviewed and changed in 2004.
- 3.6 As part of the informal reviews, extensive consultation was held with council members, candidates, election agents and local Members of Parliament. Arising from that, amendments have been made to some polling districts and polling stations to improve access and comply with the requirements of the Disability Discrimination Act.
- 3.7 The Electoral Registration and Administration Act 2013 introduced a number of changes to the RPA 1983 in respect of the way reviews must be undertaken. The most important change is that the Council has to conduct a full review by 31 January 2015 and every five years thereafter. This does not, however, prevent changes being made at any time before the next full review.
- 3.8 Members may recall that Council agreed the current polling districts within the city in November 2011.
- 3.9 It should be noted that the Electoral Commission has no role in the review process itself. However, it can consider comments if people do not think the review has met the reasonable requirements of electors or taken sufficient account of the needs of disabled electors. The following can appeal to the commission:
- 30 or more registered electors
  - any person who made comments during the review
  - any non elector who has expertise in access to premises or facilities for disabled people
- As a result, the Electoral Commission can direct the Council to alter arrangements arising from the review and make these alterations itself if the Council does not do so within two months.

#### **4. Current Position**

- 4.1 In carrying out the consultation process, the Council has followed the advice of the Electoral Commission on how the review should be conducted. In general terms, the Council was required to announce the review would take place. This involved consulting with the Acting Returning Officer, who made representations on existing and proposed polling arrangements. The Council has since published the Acting Returning Officers proposals and invited comments which will be considered before a final decision is made. On 18 August 2014, the Council announced that a review was to take place and invited comments to be submitted by no later than 30 September. The review was advertised on the Council website, in the Customer

Services Centre Fawcett Street, council buildings and libraries throughout the City. A note of review was also sent to all ward councillors, 2014 local government election agents, Members of Parliament for the three Parliamentary constituencies in Sunderland, and various diversity groups.

## **5. Reasons for the Decision**

- 5.1 All comments have been considered, and site visits carried out where appropriate and the Acting Returning Officers final recommendations are contained in Appendix 3.

## **6. Alternative Options**

- 6.1 The Council does not comply with the Electoral Registration and Administration Act 2013.

## **7. Impact Analysis**

**7(a) Equalities** – The proposals have taken into account as far as possible, the requirements of the Disability Discrimination Act.

## **8. Other Relevant Considerations / Consultations**

There are no other considerations.

## **9. List of Appendices**

Appendix 1 – a list of polling stations used at the 2014 Local Government and European Parliamentary Elections setting out the allocation of polling districts and polling places.

Appendix 2 – summary of the representations received and the comments from the Acting Returning Officer

Appendix 3 – proposed changes to polling districts and polling places.

## **10. Background Papers**

Consultee's comments on the Acting Returning Officers recommendations

<http://www.legislation.gov.uk/ukpga/2006/22/contents>

[http://www.legislation.gov.uk/ukpga/2013/6/pdfs/ukpga\\_20130006\\_en.pdf](http://www.legislation.gov.uk/ukpga/2013/6/pdfs/ukpga_20130006_en.pdf)

<http://www.legislation.gov.uk/ukpga/1983/2/contents/enacted>

<http://www.electoralcommission.org.uk/i-am-a/electoral-administrator/polling-place-reviews>

<http://www.legislation.gov.uk/uksi/2006/2965/contents/made>

