

# GENERAL PURPOSES COMMITTEE AGENDA



**Thursday 16 June 2011**

**at 2.00 pm**

**in Committee Room C**

**MEMBERS: GENERAL PURPOSES COMMITTEE:**

Councillors Aiken, C Akers-Belcher, S Akers-Belcher, Cook, Gibbon, Lawton, Simmons, Thomas and Wells.

- 1. APOLOGIES FOR ABSENCE**
- 2. TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS**
- 3. MINUTES**
  - 3.1 To confirm the minutes of the meeting held on 18 April 2011 (*to follow*).
- 4. ITEMS REQUIRING DECISION**
  - 4.1 Business Report – *Democratic Services Team Manager (to follow)*
  - 4.2 Financial Implications of General Purposes Decisions – *Chief Customer and Workforce Services Officer*
  - 4.3 Reviewing the Arrangements to Manage the Staffing Implications of the 2010/11 Budget – *Chief Customer and Workforce Services Officer*
  - 4.4 Review of Polling Districts and Polling Places – *Legal Services Manager*

# **GENERAL PURPOSES COMMITTEE**

## **MINUTES AND DECISION RECORD**

18 April 2011

The meeting commenced at 4.00 pm in the Civic Centre, Hartlepool

**Present:**

Councillor: Marjorie James (In the Chair)

Councillors: Christopher Akers-Belcher, Stephen Akers-Belcher, Chris Simmons and Ray Wells.

Officers: Alyson Caman, Legal Services Manager  
Lorraine Bennison, Principal Registration and Members' Services Officer  
Ann Turner, Governor Support Officer  
Jo Wilson, Democratic Services Officer

### **33. Apologies for Absence**

Apologies for absence were received from Councillors Martyn Aiken, Mary Fleet and Steve Gibbon.

### **34. Declarations of interest by Members**

None

### **35. Confirmation of the minutes of the meeting held on 1 February 2011**

Confirmed.

### **36. Appointment of Local Authority Representatives to Service on School Governing Bodies** (*Director of Child and Adult Services*)

The Governor Support Officer updated members in respect of vacancies that currently existed for Local Authority (LA) representative governors, and to request members to make recommendations to the Children's Services Portfolio Holder in respect of the appointment of Local Authority representative governors to serve on school governing bodies. A schedule set out as an appendix to the report gave details of vacancies which currently existed for LA representative governors, together with

applications received in respect of the vacancies. The applications included at appendix 2 to the report contained exempt information under Schedule 12A of the Local Government Act 1972, (as amended by the Local Government (Access to Information)(Variation) Order 2006) namely, information relating to any individual (para 1).

Members considered the applications submitted. They referred to their previous recommendation that Councillor Paul Thompson be appointed to the governing body of Seaton Carew Nursery which had subsequently been overturned by the Children's Services Portfolio Holder. Members had spent a great deal of time discussing the options for Seaton Carew Nursery and found a practical and positive solution only for this to be ignored by the Portfolio Holder. There was some discussion as to whether a report should be sent to the Portfolio Holder without any member recommendations however it was agreed that this would set a precedent and might become common practice. The Chair highlighted the 2 vacancies for Grange Primary School, saying that she had previously volunteered to be a governor for Grange Primary School and Owton Manor Primary School. However she had only been placed on the Governing Body of Grange Primary School while an applicant from the Park Ward had been placed on Owton Manor Primary School. The Chair had therefore refused her place on Grange Primary School. The Governor Support Officer however had understood that the Chair had been offered both governorships but was unable to confirm this presently. The Chair indicated that if this was the case and she was a governor of Owton Manor Primary School then she would be happy to accept a place on the Governing Body of Grange Primary School also. Members approved this subject to the Chair completing the required application form

The remaining applications were considered suitable and were supported for submission to the Children's Services Portfolio Holder. The Chair suggested Resident Representative Angie Wilcox as being suitable for a place on the Governing Body of Grange Primary School. The Governor Support Officer indicated that a schedule of vacancies would be given to all councillors following the election as part of the induction process

Members also discussed the need for all newly elected members to be given an enhanced CRB check as soon as possible. Concerns were raised that members were being given multiple CRB checks depending on which organisation was requesting the check. They felt that the initial enhanced CRB check should cover all these groups and that multiple checks were a waste of money. The Governor Support Officer advised that the offer letter for a Governorship of a school clearly stated that applicants should advise if they were already in receipt of CRB clearance. She would then verify this with Human Resources. If she were not informed of this she would not make the check as this would mean checking every application which came in.

Members referred to recent legislation allowing schools to apply for

academy status. The Governor Support Officer reported that the detail in respect of the constitution of governing bodies in this case was still pending but it would certainly involve reconstitution.

### **Decision**

That the Children's Services Portfolio Holder be advised that this Committee's recommendations on the applications received is as follows:-

- i. Brougham Primary School – Miss A J Swann's application be supported
- ii. Catcote School – Mr S Wallace's application be supported
- iii. English Martyrs School and Sixth Form College – Councillor Cook's application be supported
- iv. Grange Primary School – Councillor James' application be supported
- v. Throston Primary School – Councillor Barclay's application be supported

## **37. Further Electoral Review – Hartlepool Borough Council** *(Legal Services Manager)*

On 29<sup>th</sup> March 2011 the Local Government Boundary Commission for England (LGBCE) had published its draft recommendations on Hartlepool's future electoral arrangements. A 12 week stage 3 consultation period had commenced at that time and was due for completion on 19<sup>th</sup> June 2011. It had been stressed that the conclusions were not finalised and could be amended following the consultation, however any opposition should suggest evidence-based alternatives. A copy of the draft recommendations was appended to the report.

The Legal Services Manager advised that the Electoral Review Working Group had met the previous week and had been happy to accept the recommendations in relation to boundaries. However there had been some alternative ward names suggested than those in the report as follows:

- East Ward to be Seaton Ward (given the proximity of Seaton Carew)
- South Ward to be Jubilee Ward (in order to avoid parochialism on the part of the current Fens and Rossmere wards and in celebration of the diamond jubilee in 2012. There could also be a link to potential funding in Jubilee year)

- West Ward to be Park & Parish Ward (to acknowledge the existing ward and the urban areas and villages)
- Warren Grange Ward to be Hart Ward (to retain the Hart ward identity and acknowledge the inclusion of Hart Village)
- De Bruce Ward to be King Oswy Ward (historic connotations)

Members highlighted that these were suggestions which Council might decide to confirm or reject. It was also noted that a ward name was purely an electoral label for electoral purposes.

### **Decision**

That the LGBCE's draft recommendations be noted

That the recommendations in relation to ward boundaries be recommended for approval to Council

That the following suggested amendments in relation to ward names be put forward to Council for consideration:

- East Ward – Seaton Ward
- South Ward – Jubilee Ward
- West Ward – Park and Parish Ward
- Warren Grange Ward – Hart Ward
- De Bruce Ward – King Oswy Ward

That all other ward names be recommended for approval to Council

## **38. Review of Polling Districts, Polling Places and Polling Stations** *(Legal Services Manager)*

Under Section 18 of the Electoral Administration Act 2006 local authorities were required to review their polling districts and polling places on a 4 yearly cycle. The last review was agreed by Council in December 2007 meaning the next scheduled review must be completed by December 2011. In addition, each Council was required to keep their polling districts and places under review during the intervening period. An interim review was undertaken in February 2009 with a number of changes to Polling Places being approved in March 2009.

The Electoral Commission had produced a document explaining the processes and basis for the review which was appended to the report. Heavy emphasis was placed on public consultation. In order to meet the requirements of the guidance it would be necessary to conclude the review by the end of 2011. Given the current electoral review taking place the Legal Services Manager had requested that the review of polling districts be postponed to a later date. However this request had been denied as this review was based on Parliamentary boundaries rather than

Local Authority. The Chair asked that the review be considered by a General Purposes Working Group during the summer months following the local elections for consideration by Council no later than October 2011. Members also suggested that the consultation be included on the first round of Neighbourhood Consultative Forums of the new municipal year. The Chair asked the officer to formulate a timetable of the process for the committee's consideration. Members also asked that large laminated maps be provided of each ward showing the existing polling stations and possible alternative locations. The Chair also commented that the use of mobile units should be minimised as much as possible.

### **Decision**

- i. That the report be noted
- ii. That Officers devise a timetable enabling the review of polling districts, polling places and polling stations to be given final consideration by Council no later than October 2011.
- iii. That a Working Group be formed to consider the review following the elections on 5<sup>th</sup> May 2011.

### **39. Any Other Items which the Chairman Considers are Urgent**

None.

The meeting concluded at 4:50 pm

CHAIR

# GENERAL PURPOSES COMMITTEE

16 June 2011



**Report of:** Democratic Services Team Manager

**Subject:** Business Report

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## 1. BACKGROUND

- 1.1 To provide an update to the General Purposes Committee on a number of issues raised by Members in the previous municipal year and consider the implementation of a training programme for Committee Members as well as the scheduling of the General Purposes (Appeals and Staffing) Committees.

## 2. ISSUES FOR CONSIDERATION

### 2.1 Training Programme

In 2010/11 the Chief Customer and Workforce Services Officer provided a number of training sessions for Members of the General Purposes Committee covering the different types of appeals to be heard by the Appeals and Staffing Committee, **Appendix 1** details the training delivered.

Members are requested to give consideration to the content and scheduling of a similar training programme for 2011/12.

### 2.2 Scheduling of General Purposes (Appeals and Staffing) Committee

Meetings of the above Committee are currently held on an ad hoc basis and include Members of the General Purposes Committee on a rota basis, taking into account the balance of proportionality and gender wherever possible. Due to the nature and timing of Council's decision on the budget, there is inevitably a number of appeals submitted during January to March and more frequent meetings are required.

Towards the end of 2010/11 in view of the number of appeals received, a schedule of dates, one per month, was agreed with the Chair and Vice Chair of the Committee and checked against the availability of all Members of the Committee. As and when appeals were received, the appropriate Members were contacted and the meeting dates were confirmed.

Members views are sought on whether they wish this practice to continue and at what regularity they feel the meetings should be scheduled.

### 2.3 General Purposes (Appeals and Staffing) Committee – meeting procedure

At the meeting of the above Committee on 11 April 2011, Members were concerned that the meeting procedure had little flexibility to allow further questions and clarification and requested that the General Purposes Committee review this procedure. A copy of the guide for the format of Appeals and Staffing Committees is attached at Appendix 1.

The current appeals hearing process is designed to follow the rules of natural justice and the final internal appeals hearing is designed to be formal so that all parties are able to present their case equally and fairly.

Members' views are sought.

### 2.4 Timescales of Redundancy Appeals

During the deliberations at a meeting of the General Purposes (Appeals and Staffing) Committee on 25 May 2011, Members had concerns over hearing appeals against redundancy dismissal once the employee had left the authority and the decision making options available to Members. It was suggested that these concerns be forwarded to the General Purposes Committee for further discussion.

Members' views are sought.

### 2.5 Redundancy Selection Criteria

At the meeting of the General Purposes (Appeals and Staffing) Committee held on 12 May 2011, Members sought clarification on the Council's policy for bereavement/carers' leave and the use of appraisal/sickness records in the redundancy criteria process.

Members' views are sought.

## 3. **RECOMMENDATIONS**

- 3.1 Members are requested to give consideration to the content and scheduling of a training programme for 2011/12.
- 3.2 Members views are sought on whether they wish the scheduling of Appeals and Staffing Committees to continue and at what regularity they feel the meetings should be scheduled.
- 3.3 Members' views are sought on the guide to the format of Appeals and Staffing Committees.

- 3.4 Members' views are sought on the timescales of redundancy appeals.
- 3.5 Members' views are sought on the implementation of the redundancy selection criteria in relation to bereavement and carer's leave.

**4. CONTACT OFFICER**

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# GENERAL PURPOSES COMMITTEE

23 August 2010



**Report of:** Chief Customer & Workforce Services Officer

**Subject:** TRAINING FOR GENERAL PURPOSES (APPEALS & STAFFING) COMMITTEE

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## 1. PURPOSE OF REPORT

- 1.1 In August the General Purposes Committee agreed a programme of training to clarify for Committee members relevant workforce policies and procedures and the duties of Elected Members in relation to appeals and associated matters. This report confirms the training provided and seeks guidance on any further training requirements.

## 2. BACKGROUND

- 2.1 The functions of the General Purposes Committee are quite broad in respect of determining appeals and other related issues. Additionally in order to give proper consideration to the broad range of issues Members are required to have some depth of knowledge to ensure fairness and consistency in their decision-making.

- 2.2 The aims and objectives of the sessions were to:

- explain the range of issues which the Committee may be required to consider and determine a decision;
- clarify the statutory framework and Authority policies and procedures which must be followed in determining any decision
- help members of the Committee develop understanding and specific techniques for giving proper consideration to issues presented for their consideration
- highlight where further training may be required

- 2.3 It was recognised that a balance in content would be needed to reflect the various levels of knowledge and experience of individual members and to achieve a reasonable level of understanding and confidence at the end of the session.

### 3. TRAINING DELIVERED

- 3.1 A programme of sessions was agreed and delivered between September and November as follows:

**SESSION 1 4.00pm – 5.00pm Thursday 23 September 2010 – Committee Room A - Final Stage Grievance Attendees ????**

Final stage grievance  
Grievance procedure  
Roles and responsibilities at General Purposes – w ho does what  
Deliberations and the internal/external implications  
Officer advice and guidance  
How to ask the right question in the right w ay  
Examples/scenario/case studies

**SESSION 2 4.00pm – 5.00pm Tuesday 26 October 2010 – Committee Room A Employee Pension Arrangements Attendees ????**

Discretionary release of deferred benefits  
- Pension regulations explained  
- How costs are calculated  
- Process developed by last Committee  
- Financial implications  
- Examples

Release of pension benefits for those covered by Officer Employment Rules (CEX/Cos)  
- Pension regulations explained  
- How costs are calculated and presented,  
- Internal processes for inviting/receiving applications  
- Financial implications  
- Links to redundancy  
- Examples

Delegation of decisions to Chief Customer & Workforce Services Officer with agreement of Chief Finance Officer and relevant Director  
- How costs are calculated and presented  
- Internal process for inviting/receiving applications,  
- Links to redundancy  
- Examples

**SESSION 3 4.00pm-5.00pm Monday 15 November 2010 – Committee Room A Appeals Against Dismissal Attendees ??????**

Power to consider and determine Appeals against dismissal  
Disciplinary procedure  
Roles and responsibilities at GP – w ho does what  
Hearing preparation and process on the day  
Your deliberations and the internal/external implications  
Advice and guidance  
Quick quiz on w hat's relevant and irrelevant  
How to ask the right question in the right w ay  
Examples/scenario/case studies

#### **4. NEXT STEPS**

4.1 It is proposed to undertake an evaluation of the sessions delivered. Informal comments at the end of each session indicated that the stated aims and objectives were will satisfied. A more structured evaluation process is recommended in two stages:

- a workshop type session to review case studies and enable Members to comment on their likely responses and reflect in light of a range of reasonable responses. Due to pressures on the Workforce Services Team during December and January it is unlikely that this session could take place until February
- A questionnaire – could be undertaken immediately

This evaluation will help identify whether there is a need for further / more detailed training.

4.2 A significant amount of information was provided before and during the sessions in the form of pre-reading materials, presentation slides and handouts on the day to supplement the presentation. It is proposed to make all the materials available to all elected members.

4.3 Some members did not attend the training sessions and guidance is needed as to how any on-going training needs they may have might be met.

4.4 The original training proposal included other aspects of General Purposes (Appeals & Staffing) Committee's responsibility as listed below and guidance is needed as to whether those areas need to be addressed and if so, how?

Disputes arising from staffing reviews / re-structures

Appeals against grading – 15 minutes

Corporate complaints procedure and role of Portfolio Holders and General Purposes.

Powers to determine appeals from individuals relating to the execution of executive functions which are not delegated to another decision-maker and which are not subject to other statutory appeals arrangements

#### **5. RECOMMENDATION**

The Committee are requested to note the report and identify next steps.

#### **6. CONTACT OFFICER**

Joanne Machers

Chief Customer & Workforce Services Officer

01429 52 3003

# GENERAL PURPOSES COMMITTEE

16 June 2011



**Report of:** Chief Customer and Workforce Services Officer

**Subject:** FINANCIAL IMPLICATIONS OF GENERAL PURPOSES DECISIONS

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## 1. BACKGROUND

- 1.1 The General Purposes Committee has the power to make decisions which have a financial impact. In previous years it has been possible to incorporate any additional costs into departmental budgets.
- 1.2 In response to the local government settlement for 2011/12 departments have identified and will deliver significant savings. Further significant budget reductions will need to be made over the next 3 years. As a result current budgets will be unable to fund unbudgeted costs.

## 2. FINANCIAL IMPLICATIONS OF GENERAL PURPOSES

- 2.1 No budgets provision is to be made within departmental budgets for costs associated within General Purposes Committee decisions. On the advice of the Chief Finance Officer in his capacity as the Council Section 151 Officer and the Acting Chief Solicitor the following advice and guidance is now incorporated into reports which may result in additional costs being incurred.

In the event that the General Purposes (Appeals & Staffing) Committee uphold this request, Members are formally advised that there is no specific funding within the overall 2011/12 budget approved by Council in February to meet the resulting costs.

In accordance with the Council's Constitution this would therefore be a departure from the approved Budget and Policy Framework. A report will therefore need to be submitted to Council under confidential cover confirming the decision of the General Purposes (Appeals & Staffing) Committee and requesting that this cost is either funded from the current year's outturn if resources are available, or if this is not possible from General Fund Balances.

- 2.2 Members of the General Purposes (A&S) Committee which met on 19<sup>th</sup> May 2011 to consider a request for payment of deferred pension benefits expressed concern that:
- i) the process may cause a delay to the release of deferred pensions
  - ii) check officers were able to confirm that all such an early stage in the financial year, that there would not be any outturn resources accountable from departmental budgets to meet these costs.
- 2.3 Members decided that given their concerns around recommendations and procedures in place the mechanisms and procedures in place for the of any decisions for the early release of deferred pensions be referred to General Purposes Committee for further decision.
- 2.4 Members are advised that there may be other circumstances which may be presented to General Purposes Committee for a decision besides deferred pension benefit release applications and therefore any decisions need to be mindful of the wider implications.

### **3. RECOMMENDATIONS**

- 3.1 That General Purposes Committee members consider the concerns of the General Purpose (A&S) Committee and the advice and guidance of the Chief Finance Officer and Chief Solicitor.

### **4. CONTACT OFFICER**

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# GENERAL PURPOSES COMMITTEE

16 June 2011



**Report of:** Chief Customer and Workforce Services Officer

**Subject:** REVIEWING THE ARRANGEMENTS TO MANAGE  
THE STAFFING IMPLICATIONS OF THE 2010/11  
BUDGET

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## 1. INTRODUCTION

The Council has a well established process for implementing change and the impact on staff. A revised policy for reorganisation, redundancy and redeployment was introduced in 2009 which incorporated a number of different policies into one, to create a cohesive and joined up process. The policy is published on the intranet and staff are referred to it in the formal stages of consultations and implementation.

The preparation for the 2011/12 budget resulted in a complex and wide-ranging set of proposals across all departments and various locations across Hartlepool. The speed of impact and extent of the savings required created a pressure on the organisation, leading officers and support teams, trade unions as well as employees whilst at the same time providing services as usual with no additional resources. This was the first time all departments of the organisation had been required to respond so quickly and to such an extent and with such a huge impact on employees.

## 2. REVIEW OF ARRANGMENTS FOR 2010/11

A review is being undertaken to look constructively at what:

- worked well and should be acknowledged, protected and repeated
- added no value or worse served to confuse, delay or detrimentally impact on what was trying to be achieved should be identified, changed or not used again.
- might need to be developed and introduced as there was a “gap” in what was provided.

A range of officers, members, trade union representatives will be asked for comments during June and recommendations and an action plan will be developed in response.

Attached as **Appendix 1** is a template to systematically record the views of General Purposes Committee, particularly from those Members who heard appeals against redundancy dismissal.

Please feel free to comment in any or all of the areas of activity, however it would be very much appreciated if you provide some feedback if you comments are specifically requested. It is expected that some actions may be administrative or process in nature and implemented quite quickly and simply others may require policy change through a formal procedure.

Change, and its impact on staff and jobs, is unfortunately an aspect of the public sector which will become more difficult to manage. The human factor makes it difficult to ensure consistency and fairness. This review aims to improve both the perception of fairness and the reality.

### **3. RECOMMENDATION**

That General Purposes Committee members consider and respond to the review questions so that a response can be given by 1 July 2011.

### **7. CONTACT OFFICER**

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## APPENDIX 1

## PLEASE NOTE:

Do not feel obliged to respond to every question topic unless you are specifically requested to comment (*please see italics*).

If you would prefer not to complete the template electronically please ensure your written response identifies clearly which number/area of activity you are commenting upon and then give your “general comments” and “what should be done?”: this will help with the analysis of all responses.

Area of activity	General comments	What should be done?
1. Preparing staffing proposals  <i>Specifically request comments from chief officers, CMT, DMTs, Business Partners in respect of current structures, developing new structures, changing terms &amp; conditions</i>		
2. Assessing equality impact  <i>Specifically request comments from chief officers, Business Partners</i>		
3. Consultation process  <i>Specifically request comments from chief officers, Business Partners, Trade Unions</i>		
4. Decision-making process following consultation and feedback  <i>Specifically request comments from DMTs, Business Partners and Trade Unions</i>		
5. Redundancy Selection Panels (RSP) and criteria  <i>Specifically request comments from RSP members, Business Partners and Trade Unions</i>		
6. Decision-making process for compulsory redundancy  <i>Specifically request comments from Performance Portfolio holder, Business Partners, Trade Unions</i>		

<p>7. Appeals against RSP and dismissal decisions</p> <p><i>Specifically request comments from Hearing Officers, General Purposes Panel members, Business Partners, Trade Unions</i></p>		
<p>8. Documentation e.g. master letters, scripts, reports, estimates, etc,</p> <p><i>Specifically request comments from Business Partners, chief officers and their support teams, Trade Unions</i></p>		
<p>9. Vacancies management</p> <p><i>Specifically request comments from CMT, DMTs, Business Partners, Trade Unions</i></p>		
<p>10. Redeployment Process</p> <p><i>Specifically request comments from recruiting managers, Business Partners, Trade Unions</i></p>		
<p>11. Encouraging voluntary redundancy</p> <p><i>Specifically request comments from chief officers, Trade Unions</i></p>		
<p>12. Support to compulsory redundant employees</p> <p><i>Specifically request comments from chief officers, Business Partners, Trade Unions, Next Steps</i></p>		
<p>13. Provision of management / finance information</p> <p><i>Specifically request comments from CMT, DMT, Business Partners, Shared Services Manager, Corporate Finance</i></p>		
<p>14. Timetable</p> <p><i>Specifically request comments from chief officers, Business Partners, Trade Unions, General Purposes Panel members</i></p>		

15. Employee Communications  <i>Specifically request comments from Trade Unions</i>		
16. Trade Union Communications  <i>Specifically request comments from Trade Unions</i>		
17. Information to CMT/DMT  <i>Specifically request comments from CMT, DMTs, chief officers</i>		
18. Communications within Workforce Services  <i>Specifically request comments from Workforce Services staff</i>		
19. Information to other audiences  <i>Specifically request comments from Elected Members, Press Office,</i>		
20. Support to other officers  <i>Specifically request comments from chief officers, Workforce Services staff</i>		
21. On-going support to the remaining workforce  <i>Specifically request comments from chief officers, Workforce Services staff and Trade Union representatives</i>		
22. Any other comments		

**Please return by Friday 1 July 2011 to Joanne Machers, Chief Customer & Workforce Services Officer via email [CEMPA@hartlepool.gov.uk](mailto:CEMPA@hartlepool.gov.uk) or send to Joanne Machers, Chief Customer & Workforce Services Officer, Chief Executive's Department, Civic Centre, Hartlepool TS24 8AY.**

**Many thanks**

# GENERAL PURPOSES COMMITTEE

16 June 2011



**Report of:** Legal Services Manager

**Subject:** REVIEW OF POLLING DISTRICTS AND POLLING PLACES

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## 1. PURPOSE OF REPORT

To invite the Committee to embark upon a review of polling districts, polling places and polling stations and to determine a strategy and timetable for the review.

## 2. BACKGROUND

The Electoral Administration Act 2006 (EAA 2006) introduced a duty for all polling districts and polling places to be reviewed by the end of 2007 and at least every 4 years thereafter.

At the previous meeting of General Purposes Committee on 18 April 2011 a report on the review of polling districts, polling places and polling stations attached as **Appendix 1** was made. On the basis of that report, the committee recommended the following actions:-

- (a) That officers devise a timetable enabling the review of polling districts, polling places and polling stations to be given final consideration by Council no later than October 2011.
- (b) That a Working Group be formed to consider the review.

## 3. PROPOSED TIMETABLE

The Electoral Commission has produced a document EC Circular 19/2010 (attached at **Appendix 1**) which explains the processes and basis for such reviews. To meet the requirements of the guidance it will be necessary for a timetable to be produced which will enable the Council to conclude the review by the end of 2011

A timetable reflecting the above considerations would therefore be –

<u>2011</u>	<u>Event</u>
16 June	Meeting of General Purposes Committee to approve timetabling and formation of working group.
27 June	Meeting of General Purposes Working Group – preliminary proposals
11 July	Returning Officer report on proposals
18 July	Public consultation /scrutiny commences
30 September	Public Consultation concludes
7 October	GP meeting – final proposals
27 October	Council meeting

#### **4. RECOMMENDATIONS**

That the Committee:

- (a) consider and determine the timetable for the review, and
- (b) consider the appointment of a working group to prepare preliminary proposals and undertake any other action considered appropriate
- (c) authorise the Chief Solicitor to take any necessary action to implement the review, and the necessary consultations

# GENERAL PURPOSES COMMITTEE

18<sup>TH</sup> APRIL 2011



**Report of:** Legal Services Manager

**Subject:** REVIEW OF POLLING DISTRICTS, POLLING PLACES AND POLLING STATIONS

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## 1. PURPOSE OF REPORT

- 1.1 To invite the Committee to embark upon a review of polling districts, polling places and polling stations and to determine a strategy and timetable for the review.

## 2. BACKGROUND

- 2.1 The Electoral Administration Act 2006 (EAA 2006) introduced a duty for all polling districts, polling places and polling stations to be reviewed by the end of 2007 and at least every four years after that.
- 2.2 The Electoral Commission have produced a document EC Circular 19/2010 (attached at **Appendix 1**) which explains the processes and basis for such reviews. Members will note that a heavy emphasis is placed on public consultation. To meet the requirements of the guidance a timetable which will enable the Council to conclude the review by the end of 2011 will be necessary.
- 2.3 In aiming to reduce the requirement of a full review, the Council has, following each year's elections, conducted a mini review of polling places, resulting in a number of changes to polling places.
- 2.4 As members are aware, the Council is currently undertaking a further electoral review which, if approved by Parliament, will be effective from elections in 2012.
- 2.5 Accordingly, at the time of writing this report, guidance is being sought from the Electoral Commission regarding the timing of the review of polling districts, places and polling stations. This is due to the likelihood of changes to warding arrangements from 2012, which may well impact on such a

review. The following paragraphs set out for the Committee's information the aims and process of the review..

### **3. AIMS OF THE REVIEW**

- 3.1 Local authorities are required to divide their area into polling districts for the purposes of parliamentary elections and to designate polling places for these polling districts and polling stations, and to keep these under review.
- 3.2 By conducting this statutory review of polling places, local authorities must demonstrate that they have, as far as is practicable, met the criteria set out in legislation.
- 3.3 The authority must:
  - (a) seek to ensure that all the electors in the constituency have such reasonable facilities for voting as are practicable in the circumstances
  - (b) seek to ensure that so far as is reasonable and practicable, the polling places they are responsible for are accessible to all electors, including those who are disabled, and when considering the designation of a polling place, must have regard to the accessibility needs of disabled persons
- 3.4 The key points to bear in mind when conducting the review is that all decisions made must be consulted upon, measured, and practical. The whole process should be as transparent and open as possible to avoid possible conflict.

### **4. PRELIMINARY STAGE**

- 4.1 The first stage of the review process involves giving notice of the review. It is recommended that notice be given at least at the Council office and on the Council website. The contents of the notice should state:
  - That the authority is conducting a review of polling districts and polling places;
  - That the Returning Officer will make a comment on proposed polling Stations;
  - That electors within the authority or within a parliamentary constituency which has any part in the authority may make a representation;
  - That the authority would welcome any person or body with expertise in access for persons with any type of disability to make a representation or to comment on the authorities proposals, the Returning Officer's representation or any other matter;
  - That persons or bodies making representations should, if possible, give alternative places that may be used as polling places;
  - The postal address, email address and website address at which documents can be inspected and representations made;
  - An indication of the timetable of the review and a deadline for representations.

Notable is reference to the ability of electors to make representations, the importance of comments on access issues, where relevant documentation can be inspected and the anticipated timetable.

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- 5.1 The authority must devise a proposal for the new polling district and polling place arrangements.
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- 7.1 The council must produce final proposals for the new polling districts and places. The final proposals must be made after taking into consideration all of the representations made. The proposals then need to be approved by the Council.

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- 8.1 Once the Council has agreed on the proposals, the new polling districts and polling places must be made available to the public. The reasons for the choice of every polling district and polling place must be given; these do not have to be too detailed but should show how accessibility issues were considered. Along with the reasons for the final decision of the review, a suite of further information must be published.

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- 9.1 There are two principal issues for the committee at this stage. The first is timetabling the conduct of the review in order to achieve the required deadline, whilst respecting also a variety of critical dates in the process leading to conclusion of the review. The second issue is in relation to which warding arrangements the review should be based, respecting that any recommendations of the LGBCE are subject to approval by Parliament and any statistics used will be provisional. However, if the current warding arrangements are used, there will be a requirement for a full further review prior to the elections in 2012.
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**Returning Officer's report**

The Returning Officer's report would be available within 1 week of the conclusion of preliminary proposals.

**Public Consultation**

Production of the Returning Officer's report would enable public consultation to commence.

**Final proposals**

Final proposals will need to be made by the committee (sub-committee) following the public consultation exercise and scrutiny. A period of, say 2 weeks would be a minimum for preparation of a report and convening of the meeting.

**Council resolution**

Consideration and approval of final proposals.

Members are asked to bear in mind that the process cannot commence until after the elections on 5 May 2011 and it is proposed that the review commence in June 2011.

## **10. RECOMMENDATIONS**

That the Committee note and discuss.

# GENERAL PURPOSES COMMITTEE

18<sup>TH</sup> APRIL 2011



**Report of:** Legal Services Manager

**Subject:** REVIEW OF POLLING DISTRICTS, POLLING PLACES AND POLLING STATIONS

---

## 1. PURPOSE OF REPORT

- 1.1 To invite the Committee to embark upon a review of polling districts, polling places and polling stations and to determine a strategy and timetable for the review.

## 2. BACKGROUND

- 2.1 The Electoral Administration Act 2006 (EAA 2006) introduced a duty for all polling districts, polling places and polling stations to be reviewed by the end of 2007 and at least every four years after that.
- 2.2 The Electoral Commission have produced a document EC Circular 19/2010 (attached at **Appendix 1**) which explains the processes and basis for such reviews. Members will note that a heavy emphasis is placed on public consultation. To meet the requirements of the guidance a timetable which will enable the Council to conclude the review by the end of 2011 will be necessary.
- 2.3 In aiming to reduce the requirement of a full review, the Council has, following each year's elections, conducted a mini review of polling places, resulting in a number of changes to polling places.
- 2.4 As members are aware, the Council is currently undertaking a further electoral review which, if approved by Parliament, will be effective from elections in 2012.
- 2.5 Accordingly, at the time of writing this report, guidance is being sought from the Electoral Commission regarding the timing of the review of polling districts, places and polling stations. This is due to the likelihood of changes to warding arrangements from 2012, which may well impact on such a

review. The following paragraphs set out for the Committee's information the aims and process of the review..

### **3. AIMS OF THE REVIEW**

- 3.1 Local authorities are required to divide their area into polling districts for the purposes of parliamentary elections and to designate polling places for these polling districts and polling stations, and to keep these under review.
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**Council resolution**

Consideration and approval of final proposals.

Members are asked to bear in mind that the process cannot commence until after the elections on 5 May 2011 and it is proposed that the review commence in June 2011.

## **10. RECOMMENDATIONS**

That the Committee note and discuss.

# GENERAL PURPOSES COMMITTEE

18<sup>TH</sup> APRIL 2011



**Report of:** Legal Services Manager

**Subject:** REVIEW OF POLLING DISTRICTS, POLLING PLACES AND POLLING STATIONS

---

## 1. PURPOSE OF REPORT

- 1.1 To invite the Committee to embark upon a review of polling districts, polling places and polling stations and to determine a strategy and timetable for the review.

## 2. BACKGROUND

- 2.1 The Electoral Administration Act 2006 (EAA 2006) introduced a duty for all polling districts, polling places and polling stations to be reviewed by the end of 2007 and at least every four years after that.
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## **10. RECOMMENDATIONS**

That the Committee note and discuss.

# GENERAL PURPOSES COMMITTEE

18<sup>TH</sup> APRIL 2011



**Report of:** Legal Services Manager

**Subject:** REVIEW OF POLLING DISTRICTS, POLLING PLACES AND POLLING STATIONS

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# GENERAL PURPOSES COMMITTEE

18<sup>TH</sup> APRIL 2011



**Report of:** Legal Services Manager

**Subject:** REVIEW OF POLLING DISTRICTS, POLLING PLACES AND POLLING STATIONS

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- 3.1 Local authorities are required to divide their area into polling districts for the purposes of parliamentary elections and to designate polling places for these polling districts and polling stations, and to keep these under review.
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  - That persons or bodies making representations should, if possible, give alternative places that may be used as polling places;
  - The postal address, email address and website address at which documents can be inspected and representations made;
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**Final proposals**

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**Council resolution**

Consideration and approval of final proposals.

Members are asked to bear in mind that the process cannot commence until after the elections on 5 May 2011 and it is proposed that the review commence in June 2011.

## **10. RECOMMENDATIONS**

That the Committee note and discuss.

# GENERAL PURPOSES COMMITTEE

18<sup>TH</sup> APRIL 2011



**Report of:** Legal Services Manager

**Subject:** REVIEW OF POLLING DISTRICTS, POLLING PLACES AND POLLING STATIONS

---

## 1. PURPOSE OF REPORT

- 1.1 To invite the Committee to embark upon a review of polling districts, polling places and polling stations and to determine a strategy and timetable for the review.

## 2. BACKGROUND

- 2.1 The Electoral Administration Act 2006 (EAA 2006) introduced a duty for all polling districts, polling places and polling stations to be reviewed by the end of 2007 and at least every four years after that.
- 2.2 The Electoral Commission have produced a document EC Circular 19/2010 (attached at **Appendix 1**) which explains the processes and basis for such reviews. Members will note that a heavy emphasis is placed on public consultation. To meet the requirements of the guidance a timetable which will enable the Council to conclude the review by the end of 2011 will be necessary.
- 2.3 In aiming to reduce the requirement of a full review, the Council has, following each year's elections, conducted a mini review of polling places, resulting in a number of changes to polling places.
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## **10. RECOMMENDATIONS**

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# GENERAL PURPOSES COMMITTEE

18<sup>TH</sup> APRIL 2011



**Report of:** Legal Services Manager

**Subject:** REVIEW OF POLLING DISTRICTS, POLLING PLACES AND POLLING STATIONS

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## 1. PURPOSE OF REPORT

- 1.1 To invite the Committee to embark upon a review of polling districts, polling places and polling stations and to determine a strategy and timetable for the review.

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# GENERAL PURPOSES COMMITTEE

18<sup>TH</sup> APRIL 2011



**Report of:** Legal Services Manager

**Subject:** REVIEW OF POLLING DISTRICTS, POLLING PLACES AND POLLING STATIONS

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Consideration and approval of final proposals.

Members are asked to bear in mind that the process cannot commence until after the elections on 5 May 2011 and it is proposed that the review commence in June 2011.

## **10. RECOMMENDATIONS**

That the Committee note and discuss.

# GENERAL PURPOSES COMMITTEE

18<sup>TH</sup> APRIL 2011



**Report of:** Legal Services Manager

**Subject:** REVIEW OF POLLING DISTRICTS, POLLING PLACES AND POLLING STATIONS

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## 1. PURPOSE OF REPORT

- 1.1 To invite the Committee to embark upon a review of polling districts, polling places and polling stations and to determine a strategy and timetable for the review.

## 2. BACKGROUND

- 2.1 The Electoral Administration Act 2006 (EAA 2006) introduced a duty for all polling districts, polling places and polling stations to be reviewed by the end of 2007 and at least every four years after that.
- 2.2 The Electoral Commission have produced a document EC Circular 19/2010 (attached at **Appendix 1**) which explains the processes and basis for such reviews. Members will note that a heavy emphasis is placed on public consultation. To meet the requirements of the guidance a timetable which will enable the Council to conclude the review by the end of 2011 will be necessary.
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### **3. AIMS OF THE REVIEW**

- 3.1 Local authorities are required to divide their area into polling districts for the purposes of parliamentary elections and to designate polling places for these polling districts and polling stations, and to keep these under review.
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# GENERAL PURPOSES COMMITTEE

18<sup>TH</sup> APRIL 2011



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**Subject:** REVIEW OF POLLING DISTRICTS, POLLING PLACES AND POLLING STATIONS

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# GENERAL PURPOSES COMMITTEE

18<sup>TH</sup> APRIL 2011



**Report of:** Legal Services Manager

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Consideration and approval of final proposals.

Members are asked to bear in mind that the process cannot commence until after the elections on 5 May 2011 and it is proposed that the review commence in June 2011.

## **10. RECOMMENDATIONS**

That the Committee note and discuss.

# GENERAL PURPOSES COMMITTEE

18<sup>TH</sup> APRIL 2011



**Report of:** Legal Services Manager

**Subject:** REVIEW OF POLLING DISTRICTS, POLLING PLACES AND POLLING STATIONS

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## 1. PURPOSE OF REPORT

- 1.1 To invite the Committee to embark upon a review of polling districts, polling places and polling stations and to determine a strategy and timetable for the review.

## 2. BACKGROUND

- 2.1 The Electoral Administration Act 2006 (EAA 2006) introduced a duty for all polling districts, polling places and polling stations to be reviewed by the end of 2007 and at least every four years after that.
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- 3.1 Local authorities are required to divide their area into polling districts for the purposes of parliamentary elections and to designate polling places for these polling districts and polling stations, and to keep these under review.
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# GENERAL PURPOSES COMMITTEE

18<sup>TH</sup> APRIL 2011



**Report of:** Legal Services Manager

**Subject:** REVIEW OF POLLING DISTRICTS, POLLING PLACES AND POLLING STATIONS

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# GENERAL PURPOSES COMMITTEE

18<sup>TH</sup> APRIL 2011



**Report of:** Legal Services Manager

**Subject:** REVIEW OF POLLING DISTRICTS, POLLING PLACES AND POLLING STATIONS

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- 8.1 Once the Council has agreed on the proposals, the new polling districts and polling places must be made available to the public. The reasons for the choice of every polling district and polling place must be given; these do not have to be too detailed but should show how accessibility issues were considered. Along with the reasons for the final decision of the review, a suite of further information must be published.

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**Council resolution**

Consideration and approval of final proposals.

Members are asked to bear in mind that the process cannot commence until after the elections on 5 May 2011 and it is proposed that the review commence in June 2011.

## **10. RECOMMENDATIONS**

That the Committee note and discuss.

# GENERAL PURPOSES COMMITTEE

18<sup>TH</sup> APRIL 2011



**Report of:** Legal Services Manager

**Subject:** REVIEW OF POLLING DISTRICTS, POLLING PLACES AND POLLING STATIONS

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## 1. PURPOSE OF REPORT

- 1.1 To invite the Committee to embark upon a review of polling districts, polling places and polling stations and to determine a strategy and timetable for the review.

## 2. BACKGROUND

- 2.1 The Electoral Administration Act 2006 (EAA 2006) introduced a duty for all polling districts, polling places and polling stations to be reviewed by the end of 2007 and at least every four years after that.
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- 2.4 As members are aware, the Council is currently undertaking a further electoral review which, if approved by Parliament, will be effective from elections in 2012.
- 2.5 Accordingly, at the time of writing this report, guidance is being sought from the Electoral Commission regarding the timing of the review of polling districts, places and polling stations. This is due to the likelihood of changes to warding arrangements from 2012, which may well impact on such a

review. The following paragraphs set out for the Committee's information the aims and process of the review..

### **3. AIMS OF THE REVIEW**

- 3.1 Local authorities are required to divide their area into polling districts for the purposes of parliamentary elections and to designate polling places for these polling districts and polling stations, and to keep these under review.
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  - The postal address, email address and website address at which documents can be inspected and representations made;
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Consideration and approval of final proposals.

Members are asked to bear in mind that the process cannot commence until after the elections on 5 May 2011 and it is proposed that the review commence in June 2011.

## **10. RECOMMENDATIONS**

That the Committee note and discuss.

# GENERAL PURPOSES COMMITTEE

18<sup>TH</sup> APRIL 2011



**Report of:** Legal Services Manager

**Subject:** REVIEW OF POLLING DISTRICTS, POLLING PLACES AND POLLING STATIONS

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## 1. PURPOSE OF REPORT

- 1.1 To invite the Committee to embark upon a review of polling districts, polling places and polling stations and to determine a strategy and timetable for the review.

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- 2.1 The Electoral Administration Act 2006 (EAA 2006) introduced a duty for all polling districts, polling places and polling stations to be reviewed by the end of 2007 and at least every four years after that.
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# GENERAL PURPOSES COMMITTEE

18<sup>TH</sup> APRIL 2011



**Report of:** Legal Services Manager

**Subject:** REVIEW OF POLLING DISTRICTS, POLLING PLACES AND POLLING STATIONS

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# GENERAL PURPOSES COMMITTEE

18<sup>TH</sup> APRIL 2011



**Report of:** Legal Services Manager

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  - That electors within the authority or within a parliamentary constituency which has any part in the authority may make a representation;
  - That the authority would welcome any person or body with expertise in access for persons with any type of disability to make a representation or to comment on the authorities proposals, the Returning Officer's representation or any other matter;
  - That persons or bodies making representations should, if possible, give alternative places that may be used as polling places;
  - The postal address, email address and website address at which documents can be inspected and representations made;
  - An indication of the timetable of the review and a deadline for representations.

Notable is reference to the ability of electors to make representations, the importance of comments on access issues, where relevant documentation can be inspected and the anticipated timetable.

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- 5.1 The authority must devise a proposal for the new polling district and polling place arrangements.
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- 8.1 Once the Council has agreed on the proposals, the new polling districts and polling places must be made available to the public. The reasons for the choice of every polling district and polling place must be given; these do not have to be too detailed but should show how accessibility issues were considered. Along with the reasons for the final decision of the review, a suite of further information must be published.

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- 9.1 There are two principal issues for the committee at this stage. The first is timetabling the conduct of the review in order to achieve the required deadline, whilst respecting also a variety of critical dates in the process leading to conclusion of the review. The second issue is in relation to which warding arrangements the review should be based, respecting that any recommendations of the LGBCE are subject to approval by Parliament and any statistics used will be provisional. However, if the current warding arrangements are used, there will be a requirement for a full further review prior to the elections in 2012.
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**Public Consultation**

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**Final proposals**

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**Council resolution**

Consideration and approval of final proposals.

Members are asked to bear in mind that the process cannot commence until after the elections on 5 May 2011 and it is proposed that the review commence in June 2011.

## **10. RECOMMENDATIONS**

That the Committee note and discuss.

# GENERAL PURPOSES COMMITTEE

18<sup>TH</sup> APRIL 2011



**Report of:** Legal Services Manager

**Subject:** REVIEW OF POLLING DISTRICTS, POLLING PLACES AND POLLING STATIONS

---

## 1. PURPOSE OF REPORT

- 1.1 To invite the Committee to embark upon a review of polling districts, polling places and polling stations and to determine a strategy and timetable for the review.

## 2. BACKGROUND

- 2.1 The Electoral Administration Act 2006 (EAA 2006) introduced a duty for all polling districts, polling places and polling stations to be reviewed by the end of 2007 and at least every four years after that.
- 2.2 The Electoral Commission have produced a document EC Circular 19/2010 (attached at **Appendix 1**) which explains the processes and basis for such reviews. Members will note that a heavy emphasis is placed on public consultation. To meet the requirements of the guidance a timetable which will enable the Council to conclude the review by the end of 2011 will be necessary.
- 2.3 In aiming to reduce the requirement of a full review, the Council has, following each year's elections, conducted a mini review of polling places, resulting in a number of changes to polling places.
- 2.4 As members are aware, the Council is currently undertaking a further electoral review which, if approved by Parliament, will be effective from elections in 2012.
- 2.5 Accordingly, at the time of writing this report, guidance is being sought from the Electoral Commission regarding the timing of the review of polling districts, places and polling stations. This is due to the likelihood of changes to warding arrangements from 2012, which may well impact on such a

review. The following paragraphs set out for the Committee's information the aims and process of the review..

### **3. AIMS OF THE REVIEW**

- 3.1 Local authorities are required to divide their area into polling districts for the purposes of parliamentary elections and to designate polling places for these polling districts and polling stations, and to keep these under review.
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- 8.1 Once the Council has agreed on the proposals, the new polling districts and polling places must be made available to the public. The reasons for the choice of every polling district and polling place must be given; these do not have to be too detailed but should show how accessibility issues were considered. Along with the reasons for the final decision of the review, a suite of further information must be published.

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**Council resolution**

Consideration and approval of final proposals.

Members are asked to bear in mind that the process cannot commence until after the elections on 5 May 2011 and it is proposed that the review commence in June 2011.

## **10. RECOMMENDATIONS**

That the Committee note and discuss.

# GENERAL PURPOSES COMMITTEE

18<sup>TH</sup> APRIL 2011



**Report of:** Legal Services Manager

**Subject:** REVIEW OF POLLING DISTRICTS, POLLING PLACES AND POLLING STATIONS

---

## 1. PURPOSE OF REPORT

- 1.1 To invite the Committee to embark upon a review of polling districts, polling places and polling stations and to determine a strategy and timetable for the review.

## 2. BACKGROUND

- 2.1 The Electoral Administration Act 2006 (EAA 2006) introduced a duty for all polling districts, polling places and polling stations to be reviewed by the end of 2007 and at least every four years after that.
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- 2.5 Accordingly, at the time of writing this report, guidance is being sought from the Electoral Commission regarding the timing of the review of polling districts, places and polling stations. This is due to the likelihood of changes to warding arrangements from 2012, which may well impact on such a

review. The following paragraphs set out for the Committee's information the aims and process of the review..

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- 3.1 Local authorities are required to divide their area into polling districts for the purposes of parliamentary elections and to designate polling places for these polling districts and polling stations, and to keep these under review.
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# GENERAL PURPOSES COMMITTEE

18<sup>TH</sup> APRIL 2011



**Report of:** Legal Services Manager

**Subject:** REVIEW OF POLLING DISTRICTS, POLLING PLACES AND POLLING STATIONS

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# GENERAL PURPOSES COMMITTEE

18<sup>TH</sup> APRIL 2011



**Report of:** Legal Services Manager

**Subject:** REVIEW OF POLLING DISTRICTS, POLLING PLACES AND POLLING STATIONS

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## 2. BACKGROUND

- 2.1 The Electoral Administration Act 2006 (EAA 2006) introduced a duty for all polling districts, polling places and polling stations to be reviewed by the end of 2007 and at least every four years after that.
- 2.2 The Electoral Commission have produced a document EC Circular 19/2010 (attached at **Appendix 1**) which explains the processes and basis for such reviews. Members will note that a heavy emphasis is placed on public consultation. To meet the requirements of the guidance a timetable which will enable the Council to conclude the review by the end of 2011 will be necessary.
- 2.3 In aiming to reduce the requirement of a full review, the Council has, following each year's elections, conducted a mini review of polling places, resulting in a number of changes to polling places.
- 2.4 As members are aware, the Council is currently undertaking a further electoral review which, if approved by Parliament, will be effective from elections in 2012.
- 2.5 Accordingly, at the time of writing this report, guidance is being sought from the Electoral Commission regarding the timing of the review of polling districts, places and polling stations. This is due to the likelihood of changes to warding arrangements from 2012, which may well impact on such a

review. The following paragraphs set out for the Committee's information the aims and process of the review..

### **3. AIMS OF THE REVIEW**

- 3.1 Local authorities are required to divide their area into polling districts for the purposes of parliamentary elections and to designate polling places for these polling districts and polling stations, and to keep these under review.
- 3.2 By conducting this statutory review of polling places, local authorities must demonstrate that they have, as far as is practicable, met the criteria set out in legislation.
- 3.3 The authority must:
- (a) seek to ensure that all the electors in the constituency have such reasonable facilities for voting as are practicable in the circumstances
  - (b) seek to ensure that so far as is reasonable and practicable, the polling places they are responsible for are accessible to all electors, including those who are disabled, and when considering the designation of a polling place, must have regard to the accessibility needs of disabled persons
- 3.4 The key points to bear in mind when conducting the review is that all decisions made must be consulted upon, measured, and practical. The whole process should be as transparent and open as possible to avoid possible conflict.

### **4. PRELIMINARY STAGE**

- 4.1 The first stage of the review process involves giving notice of the review. It is recommended that notice be given at least at the Council office and on the Council website. The contents of the notice should state:
- That the authority is conducting a review of polling districts and polling places;
  - That the Returning Officer will make a comment on proposed polling Stations;
  - That electors within the authority or within a parliamentary constituency which has any part in the authority may make a representation;
  - That the authority would welcome any person or body with expertise in access for persons with any type of disability to make a representation or to comment on the authorities proposals, the Returning Officer's representation or any other matter;
  - That persons or bodies making representations should, if possible, give alternative places that may be used as polling places;
  - The postal address, email address and website address at which documents can be inspected and representations made;
  - An indication of the timetable of the review and a deadline for representations.

Notable is reference to the ability of electors to make representations, the importance of comments on access issues, where relevant documentation can be inspected and the anticipated timetable.

- 4.2 The authority should consider sending a copy of the notice to potentially interested parties such as councillors, disability groups and other stakeholders. It may be useful to include details of the review in any council newsletter and possibly a note in a local newspaper.
- 4.3 A set of reference documents should be gained from the various parts of the council to assist with the review. Naturally, maps of the proposed wards based on the LGBCE warding arrangements showing residential areas will be necessary. Material commenting on the merits of existing polling stations and as to the availability of those and other buildings should also be available

## **5. PROPOSAL STAGE**

- 5.1 The authority must devise a proposal for the new polling district and polling place arrangements.
- 5.2 The Returning Officer for each parliamentary constituency either wholly or partly within the local authority area must be consulted. The Returning Officer must comment on all existing polling stations used at elections and any new polling stations which would probably be chosen if the new proposals were accepted by the authority and should focus on the access and staff accommodation features of locations.
- 5.3 The location of the proposed polling districts and places are the responsibility of the local authority and the locations of the polling stations are the responsibility of the Returning Officer.
- 5.4 It may be practicable to again set up a sub-committee (as in 2007) involving members of the council to work with the proposals before they reach full council. Alternatively the proposals could be sent to the leadership of the different groups on the council and meetings arranged to discuss any issues. This should ensure the proper scrutiny of and confidence in the proposals in an efficient manner. Authorities may find it useful to have such a group involved throughout the review so that any possibly contentious decisions are managed throughout the process with no stakeholder believing there has been insufficient consultation or due process given to a decision.

## **6. CONSULTATION STAGE**

- 6.1 The consultation stage is for representations and comments on the local authority proposals for polling districts and places. There are two parts to this:
  - A compulsory submission from the Returning Officer of the parliamentary constituency

- Submissions from other persons and bodies. These can be referenced to the Returning Officer's proposed polling stations as well as the authority proposals
- 6.2 The Returning Officer's report is based on deciding on the probable polling places due to the new proposals and analysing those polling places. Once the RO has made his comments, they must be published in accordance with the guidance.
- 6.3 The authority must consult widely on the review and seek out the views of interested groups or bodies including electors, candidates and agents, political parties and members of the council. Consultees should be asked for comment both in general and if appropriate about the particular buildings within the authority.

## **7. CONCLUSION OF REVIEW**

- 7.1 The council must produce final proposals for the new polling districts and places. The final proposals must be made after taking into consideration all of the representations made. The proposals then need to be approved by the Council.

## **8. PUBLISHING STAGE**

- 8.1 Once the Council has agreed on the proposals, the new polling districts and polling places must be made available to the public. The reasons for the choice of every polling district and polling place must be given; these do not have to be too detailed but should show how accessibility issues were considered. Along with the reasons for the final decision of the review, a suite of further information must be published.

## **9. ISSUES**

- 9.1 There are two principal issues for the committee at this stage. The first is timetabling the conduct of the review in order to achieve the required deadline, whilst respecting also a variety of critical dates in the process leading to conclusion of the review. The second issue is in relation to which warding arrangements the review should be based, respecting that any recommendations of the LGBCE are subject to approval by Parliament and any statistics used will be provisional. However, if the current warding arrangements are used, there will be a requirement for a full further review prior to the elections in 2012.
- 9.2 The timetable will be influenced by the following features of the process -
- Preparation of documentation  
The documentation referred above will need to be prepared and collated.  
Some is readily available, some does not exist and some will need to be

prepared for the purpose of the review. The documentation will need to be available to inform the preparation of proposals.

**Preparation of proposals**

When the documentation referred to above is available, a meeting of the committee (or a sub-committee if the suggestion made in para 5.4 is taken up) will be necessary to consider and draw up preliminary proposals. It is likely that subsequent meetings will be required if the pattern of 2007 is repeated.

**Returning Officer's report**

The Returning Officer's report would be available within 1 week of the conclusion of preliminary proposals.

**Public Consultation**

Production of the Returning Officer's report would enable public consultation to commence.

**Final proposals**

Final proposals will need to be made by the committee (sub-committee) following the public consultation exercise and scrutiny. A period of, say 2 weeks would be a minimum for preparation of a report and convening of the meeting.

**Council resolution**

Consideration and approval of final proposals.

Members are asked to bear in mind that the process cannot commence until after the elections on 5 May 2011 and it is proposed that the review commence in June 2011.

## **10. RECOMMENDATIONS**

That the Committee note and discuss.

# GENERAL PURPOSES COMMITTEE

18<sup>TH</sup> APRIL 2011



**Report of:** Legal Services Manager

**Subject:** REVIEW OF POLLING DISTRICTS, POLLING PLACES AND POLLING STATIONS

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## 1. PURPOSE OF REPORT

- 1.1 To invite the Committee to embark upon a review of polling districts, polling places and polling stations and to determine a strategy and timetable for the review.

## 2. BACKGROUND

- 2.1 The Electoral Administration Act 2006 (EAA 2006) introduced a duty for all polling districts, polling places and polling stations to be reviewed by the end of 2007 and at least every four years after that.
- 2.2 The Electoral Commission have produced a document EC Circular 19/2010 (attached at **Appendix 1**) which explains the processes and basis for such reviews. Members will note that a heavy emphasis is placed on public consultation. To meet the requirements of the guidance a timetable which will enable the Council to conclude the review by the end of 2011 will be necessary.
- 2.3 In aiming to reduce the requirement of a full review, the Council has, following each year's elections, conducted a mini review of polling places, resulting in a number of changes to polling places.
- 2.4 As members are aware, the Council is currently undertaking a further electoral review which, if approved by Parliament, will be effective from elections in 2012.
- 2.5 Accordingly, at the time of writing this report, guidance is being sought from the Electoral Commission regarding the timing of the review of polling districts, places and polling stations. This is due to the likelihood of changes to warding arrangements from 2012, which may well impact on such a

review. The following paragraphs set out for the Committee's information the aims and process of the review..

### **3. AIMS OF THE REVIEW**

- 3.1 Local authorities are required to divide their area into polling districts for the purposes of parliamentary elections and to designate polling places for these polling districts and polling stations, and to keep these under review.
- 3.2 By conducting this statutory review of polling places, local authorities must demonstrate that they have, as far as is practicable, met the criteria set out in legislation.
- 3.3 The authority must:
  - (a) seek to ensure that all the electors in the constituency have such reasonable facilities for voting as are practicable in the circumstances
  - (b) seek to ensure that so far as is reasonable and practicable, the polling places they are responsible for are accessible to all electors, including those who are disabled, and when considering the designation of a polling place, must have regard to the accessibility needs of disabled persons
- 3.4 The key points to bear in mind when conducting the review is that all decisions made must be consulted upon, measured, and practical. The whole process should be as transparent and open as possible to avoid possible conflict.

### **4. PRELIMINARY STAGE**

- 4.1 The first stage of the review process involves giving notice of the review. It is recommended that notice be given at least at the Council office and on the Council website. The contents of the notice should state:
  - That the authority is conducting a review of polling districts and polling places;
  - That the Returning Officer will make a comment on proposed polling Stations;
  - That electors within the authority or within a parliamentary constituency which has any part in the authority may make a representation;
  - That the authority would welcome any person or body with expertise in access for persons with any type of disability to make a representation or to comment on the authorities proposals, the Returning Officer's representation or any other matter;
  - That persons or bodies making representations should, if possible, give alternative places that may be used as polling places;
  - The postal address, email address and website address at which documents can be inspected and representations made;
  - An indication of the timetable of the review and a deadline for representations.

Notable is reference to the ability of electors to make representations, the importance of comments on access issues, where relevant documentation can be inspected and the anticipated timetable.

- 4.2 The authority should consider sending a copy of the notice to potentially interested parties such as councillors, disability groups and other stakeholders. It may be useful to include details of the review in any council newsletter and possibly a note in a local newspaper.
- 4.3 A set of reference documents should be gained from the various parts of the council to assist with the review. Naturally, maps of the proposed wards based on the LGBCE warding arrangements showing residential areas will be necessary. Material commenting on the merits of existing polling stations and as to the availability of those and other buildings should also be available

## **5. PROPOSAL STAGE**

- 5.1 The authority must devise a proposal for the new polling district and polling place arrangements.
- 5.2 The Returning Officer for each parliamentary constituency either wholly or partly within the local authority area must be consulted. The Returning Officer must comment on all existing polling stations used at elections and any new polling stations which would probably be chosen if the new proposals were accepted by the authority and should focus on the access and staff accommodation features of locations.
- 5.3 The location of the proposed polling districts and places are the responsibility of the local authority and the locations of the polling stations are the responsibility of the Returning Officer.
- 5.4 It may be practicable to again set up a sub-committee (as in 2007) involving members of the council to work with the proposals before they reach full council. Alternatively the proposals could be sent to the leadership of the different groups on the council and meetings arranged to discuss any issues. This should ensure the proper scrutiny of and confidence in the proposals in an efficient manner. Authorities may find it useful to have such a group involved throughout the review so that any possibly contentious decisions are managed throughout the process with no stakeholder believing there has been insufficient consultation or due process given to a decision.

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  - A compulsory submission from the Returning Officer of the parliamentary constituency

- Submissions from other persons and bodies. These can be referenced to the Returning Officer's proposed polling stations as well as the authority proposals
- 6.2 The Returning Officer's report is based on deciding on the probable polling places due to the new proposals and analysing those polling places. Once the RO has made his comments, they must be published in accordance with the guidance.
- 6.3 The authority must consult widely on the review and seek out the views of interested groups or bodies including electors, candidates and agents, political parties and members of the council. Consultees should be asked for comment both in general and if appropriate about the particular buildings within the authority.

## **7. CONCLUSION OF REVIEW**

- 7.1 The council must produce final proposals for the new polling districts and places. The final proposals must be made after taking into consideration all of the representations made. The proposals then need to be approved by the Council.

## **8. PUBLISHING STAGE**

- 8.1 Once the Council has agreed on the proposals, the new polling districts and polling places must be made available to the public. The reasons for the choice of every polling district and polling place must be given; these do not have to be too detailed but should show how accessibility issues were considered. Along with the reasons for the final decision of the review, a suite of further information must be published.

## **9. ISSUES**

- 9.1 There are two principal issues for the committee at this stage. The first is timetabling the conduct of the review in order to achieve the required deadline, whilst respecting also a variety of critical dates in the process leading to conclusion of the review. The second issue is in relation to which warding arrangements the review should be based, respecting that any recommendations of the LGBCE are subject to approval by Parliament and any statistics used will be provisional. However, if the current warding arrangements are used, there will be a requirement for a full further review prior to the elections in 2012.
- 9.2 The timetable will be influenced by the following features of the process -
- Preparation of documentation  
The documentation referred above will need to be prepared and collated.  
Some is readily available, some does not exist and some will need to be

prepared for the purpose of the review. The documentation will need to be available to inform the preparation of proposals.

**Preparation of proposals**

When the documentation referred to above is available, a meeting of the committee (or a sub-committee if the suggestion made in para 5.4 is taken up) will be necessary to consider and draw up preliminary proposals. It is likely that subsequent meetings will be required if the pattern of 2007 is repeated.

**Returning Officer's report**

The Returning Officer's report would be available within 1 week of the conclusion of preliminary proposals.

**Public Consultation**

Production of the Returning Officer's report would enable public consultation to commence.

**Final proposals**

Final proposals will need to be made by the committee (sub-committee) following the public consultation exercise and scrutiny. A period of, say 2 weeks would be a minimum for preparation of a report and convening of the meeting.

**Council resolution**

Consideration and approval of final proposals.

Members are asked to bear in mind that the process cannot commence until after the elections on 5 May 2011 and it is proposed that the review commence in June 2011.

## **10. RECOMMENDATIONS**

That the Committee note and discuss.

Priority	Medium
Event specific	No
Action required	Yes
Area	Great Britain
Retain	Until replaced
Circular reference	<b>EC19(2010)</b>

## Review of polling districts, polling places and polling stations

30 July 2010

### Purpose

1. The purpose of this circular is to provide local authorities and (Acting) Returning Officers in England, Scotland and Wales with guidance in relation to carrying out a review of UK Parliamentary polling districts and polling places.
2. Reviews of parliamentary polling districts must be undertaken at least once every four years. However, in the Commission's interim report on the problems experienced at some polling stations at the close of poll at the 6 May 2010 elections, we recommended that all local authorities take steps immediately to begin the process of conducting reviews of polling districts and polling places, reflecting on the problems identified in some areas at the May 2010 elections.
3. This guidance builds upon that issued in 2007 on the commencement of the relevant provisions introduced by the Electoral Administration Act 2006.
4. This circular replaces circular EC28/2007.

### Background

5. Section 18C(1) of the Representation of the People Act 1983<sup>1</sup> places a duty on all local authorities to review their UK Parliamentary polling districts and polling places every four years.
6. As part of this review process, (Acting) Returning Officers are required to make representations to the local authority on the existing polling stations and

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<sup>1</sup> As inserted by Section 16 of the Electoral Administration Act 2006.

the polling stations that would likely be used based on the proposed arrangements for polling places.

7. Other persons, including electors, community groups and other bodies with particular expertise in access to premises for disabled people, may submit proposals to the local authority during the review process.
8. Polling districts and polling places for local government elections are not automatically part of the review<sup>2</sup>. However, given that in practice polling districts and polling places for local government elections are based on UK Parliamentary polling arrangements, it is recommended that the local government Returning Officer become involved in the UK Parliamentary review, and that a review of local government polling arrangements is conducted simultaneously.

## The review process

9. The main guidance document in Appendix A sets out a staged approach for conducting the review in line with the relevant legislation.
10. Appendix B includes templates that can be used to assess the suitability of polling places and polling stations.
11. Appendix C covers the step-by-step process for changing the name of an electoral area in England and Wales.

## Contact

12. Your Electoral Commission contact points for any further information are:

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### **Eastern and South East Office**

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Email: [jsteele@electoralcommission.org.uk](mailto:jsteele@electoralcommission.org.uk)

### **London Office**

Peter Dawson

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<sup>2</sup> Local government polling districts and polling places are covered separately in Section 31, Representation of the People Act 1983.

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South West

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This circular is for the attention of:

**The Acting Returning Officer**

Parliamentary constituencies in England and Wales

**The Returning Officer**

Parliamentary constituencies in Scotland

District, metropolitan borough and London borough authorities in England

Unitary authorities in England and Wales

This circular is for the information of:

**The Electoral Registration Officer**

District, metropolitan borough and London borough authorities in England

Unitary authorities in England and Wales

Unitary authorities and joint boards in Scotland

**The Chief Electoral Officer**

Northern Ireland

This circular was approved by Andrew Scallan, Director of Electoral Administration.

## Circular EC19/2010 – Appendix A

### Review of polling districts, polling places and polling stations

#### 1 Introduction

##### Legislation

1.1 The Electoral Administration Act 2006 (EAA 2006) introduced a duty on all local authorities in Great Britain to review their UK Parliamentary polling districts and polling places at least once every four years.<sup>1</sup> The first such review had to be completed by the end of 2007.<sup>2</sup>

1.2 Polling districts and places for local government elections, including mayoral elections and elections to the Greater London Authority, are not automatically part of this review as they are provided for separately in Section 31 of the Representation of the People Act 1983 (RPA 1983). However, reviews of local government polling arrangements should nevertheless be conducted simultaneously with a review of UK Parliamentary arrangements. Local authorities, the (Acting) Returning Officer and the local government Returning Officer should, therefore, liaise closely with each other throughout the review process.

1.3 However, it is the (Acting) Returning Officer who will retain the responsibility for any actions arising from the UK Parliamentary review.

1.4 The polling districts and places for European Parliamentary and Welsh Assembly elections are to be the same as those used for UK Parliamentary elections.<sup>3</sup> However, different arrangements may be used at these elections if there are special circumstances.

1.5 The polling districts and places for Scottish Parliamentary elections are those used at the previous Scottish Parliamentary election.<sup>4</sup>

1.6 This guidance provides a staged approach to conducting the review according to the relevant legislative requirements. It expands on guidance issued by the Commission in 2007, and has benefited from the experiences of people carrying out their initial reviews following the commencement of the relevant provisions of the EAA 2006.

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<sup>1</sup> Section 18C(4), RPA 1983.

<sup>2</sup> Section 18C(1), RPA 1983, as inserted by Section 16, EAA 2006.

<sup>3</sup> Regulation 8, European Parliamentary Elections Regulations 2004; Article 6, National Assembly for Wales (Representation of the People) Order 2007.

<sup>4</sup> Article 6, Scottish Parliament (Elections etc.) Order 2007.

## Definition of terms

### UK Parliamentary constituencies

1.7 The Parliamentary Constituencies Act 1986 states:<sup>5</sup>

‘There shall for the purpose of parliamentary elections be the county and borough constituencies (or in Scotland the county and burgh constituencies), each returning a single member, which are described in Orders in Council made under this Act’

‘In this Act and, except where the context otherwise requires, in any Act passed after the Representation of the People Act 1948, “constituency” means an area having separate representation in the House of Commons.’

1.8 UK Parliamentary constituency boundaries cannot be changed by the review.

### Polling district

1.9 A polling district is a geographical area created by the sub-division of a constituency, ward or division into smaller parts.

1.10 In England, each parish is to be a separate polling district and, in Wales, each community should be a separate polling district unless there are special circumstances.<sup>6</sup> This means that a parish or community must not be in a polling district which has a part of either a different parish or community within it, or any unparished part of the local authority area within it.

1.11 In Scotland, each electoral ward<sup>7</sup> must be divided into two or more polling districts unless there are special circumstances.<sup>8</sup> However, given the size of wards in Scotland, it is difficult to envisage what those specific circumstances might be.

1.12 When a parish or community is not a separate polling district or a Scottish electoral ward is not split into two or more polling districts, the special circumstances and the recommendation resulting from these should be clearly set in the review document for the council to consider.

1.13 The Commission is aware that some authorities designate the entire polling district as the polling place. However, Section 18B(4)(e) of the RPA 1983 states that ‘the polling place must be small enough to indicate to electors in different parts of the district how they will be able to reach the polling station’.<sup>9</sup> The Commission therefore recommends that polling places always be defined.

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<sup>5</sup> Section 1, Parliamentary Constituencies Act 1986.

<sup>6</sup> Section 18A(3), RPA 1983.

<sup>7</sup> Within the meaning of Section 1, Local Governance (Scotland) Act 2004.

<sup>8</sup> Section 18A, RPA 1983.

<sup>9</sup> Note, however, that Section 18B(5) states that if the polling place is not designated, it will by default be taken to be the polling district.

## Polling place

1.14 A polling place is the building or area in which polling stations will be selected by the (Acting) Returning Officer.

## Polling stations

1.15 A polling station is the room or area within the polling place where voting takes place. Unlike polling districts and polling places which are fixed by the local authority, polling stations are chosen by the (Acting) Returning Officer for the election.

## Roles and responsibilities

### The local authority

1.16 Every relevant local authority in Great Britain is responsible for dividing its area into polling districts for UK Parliamentary elections for so much of any constituency as is situated in its area, and for reviewing the polling districts and polling places at least once every four years.<sup>10</sup> A relevant local authority is, in England, the council of a district or London borough, in Scotland, a local authority, and, in Wales, the council of a county or county borough.<sup>11</sup>

1.17 Depending on the structure of the council, it may be the full council or the executive who will make the decisions on any changes to polling districts or polling places. Some local authorities may have decided to delegate that function to a committee, in which case the decision on polling districts and polling places becomes the responsibility of that committee.

### The Electoral Registration Officer

1.18 Where a local authority makes any alterations to the polling districts within its area, the Electoral Registration Officer must amend the register of electors accordingly. The changes to the register take effect on the date that the Electoral Registration Officer publishes a notice stating that the alterations have been made.<sup>12</sup>

### The (Acting) Returning Officer

1.19 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.<sup>13</sup> The election rules require the (Acting) Returning Officer to decide how many polling stations are required for each polling place and must allocate electors to the polling stations in such manner as he or she thinks most convenient.<sup>14</sup> The location, size and layout of any polling place/polling station must be a key consideration when deciding on the number of electors to be allocated to a polling station.

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<sup>10</sup> Section 18A(2), RPA 1983.

<sup>11</sup> Section 18E(3), RPA 1983.

<sup>12</sup> Section 18A(5), RPA 1983.

<sup>13</sup> Paragraph 3, Schedule A1, RPA 1983.

<sup>14</sup> Rule 25, Schedule 1, RPA 1983.

## The Electoral Commission

1.20 While legislation provides no role for the Commission in the review process, it does provide a role for the Commission after the conclusion of the review.

1.21 Once the local authority has published the results of its review, specified interested parties – including any group of 30 or more electors – may make representations to the Commission to reconsider any polling districts and polling places.

1.22 If, on receipt of such representations, the Commission finds that a local authority's review did not:

- meet the reasonable requirements of the electors in the constituency, or a body of them, or
- take sufficient account of the accessibility for disabled persons of polling stations within a designated polling place<sup>15</sup>

then it may direct the authority to make any alterations to the polling places that the Commission thinks necessary and, if the alterations are not made within two months, may make the alterations itself.<sup>16</sup>

## 2 The requirements of the review

2.1 Local authorities are required to divide every constituency into polling districts for the purposes of UK Parliamentary elections, to designate a polling place for each polling district, and to review these at least once every four years.<sup>17</sup> Polling places should be within the polling district unless special circumstances make it desirable to designate an area outside the district.

2.2 In conducting the statutory review, local authorities must follow the rules set out in legislation, which are:<sup>18</sup>

- The authority must publish notice of the holding of a review
- The authority must consult the (Acting) Returning Officer in a constituency which is wholly or partly in its area
- The (Acting) Returning Officer must make representations to the authority which must include information as to the location of polling stations (existing or proposed) within polling places (existing or proposed)
- The local authority must publish the (Acting) Returning Officer's representations within 30 calendar days of receipt, in such manner as is prescribed
- The authority must seek representations from such persons as it thinks have particular expertise in relation to access to premises or facilities for persons

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<sup>15</sup> Section 18D(2), RPA 1983.

<sup>16</sup> Section 18D(4), RPA 1983 and Regulation 4, Review of Polling Districts and Polling Places (Parliamentary Elections) Regulations 2006.

<sup>17</sup> Unless the size or other circumstances of a polling district are such that the situation of the polling stations does not materially affect the convenience of electors, in which case there is no requirement to designate a polling place (Section 18B(2), RPA 1983).

<sup>18</sup> Section 18C and Schedule A1, RPA 1983 and Regulation 3, Review of Polling Districts and Polling Places (Parliamentary Elections) Regulations 2006.

who have different forms of disability. Such persons must have an opportunity to make representations and to comment on the returning officer's representations

- Any elector in a constituency situated in whole or in part in the authority's area may make representations
- Representations made by any person in connection with a review of polling places may include proposals for specified alternative polling places
- On completion of a review, the authority must give reasons for its decisions in the review and publish such other information as is prescribed

2.3 As part of the review process, local authorities must:<sup>19</sup>

- Seek to ensure that all electors in the constituency have such reasonable facilities for voting as are practicable in the circumstances
- Seek to ensure that so far as is reasonable and practicable the polling places are accessible to those who are disabled, and
- When considering or reviewing the designation of a polling place, have regard to the accessibility needs of disabled persons.

### 3 Preparation and scoping for the review

3.1 The local authority will need to identify who will lead and support the review, drawing personnel not just from electoral services but also from other parts of the authority who may have expertise to assist.

3.2 Prior to commencing the review, the local authority will also need to set out the terms of reference and the criteria for assessing the suitability of the current/proposed arrangements. The following statistics and information will assist with this process:

- Electorate figures, broken down to street level within wards and existing polling districts.
- Any local authority or national statistics that estimate population change within the area.
- A report from the authority's planning section detailing any proposed areas of new development and the approximate number of dwellings and expected population numbers for the areas.
- Detailed up-to-date maps of a scale that will assist in the designation of polling district boundaries.
- Details of current polling places and an indication as to their overall suitability for purpose (including, for example, any surveys, diagrams or photographs completed with assistance of Presiding Officers or polling station inspectors or as part of a previous review).
- Any comments or complaints regarding the current arrangements from the public, elected members or other bodies.
- Up-to-date information gained from the existing and possible future polling station venue managers as to continued availability (highlighting, for example, planned renovation work or other future plans).

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<sup>19</sup> Section 18B, RPA 1983.

- Details of potential alternative buildings (public, private or temporary type constructions) that might appear suitable.
- Advice and guidance from local disability groups and disability organisations (such as, for example, Scope or Capability Scotland), and any expert help from officers within the council who are responsible for equality schemes.

3.3 The systems, data, maps and other support documentation should be identified as early as possible so that they can be made available to those carrying out the review.

## Timing of the review

3.4 As part of the planning process, it is important to factor into the timetable the most likely scheduled date of the council/ executive/committee meeting where the detailed review proposals would be formally considered and approved. The review officers should work closely with the lead officer in charge of these meetings to ensure that the deadline is factored into the review timescale.

3.5 Sufficient time should be allowed to deal with all of the necessary site visits and completion of templates in Appendix B.

3.6 The time allowed for consultation should be sufficient to enable all stakeholders to absorb the proposals, gather comments from their own groups, and respond with any alternative arrangements that they may wish to submit.

## 4 The review process

### Stage 1 – Notification of the review

4.1 The formal commencement of the review requires the local authority to give notice of the holding of a review.<sup>20</sup> The notice must be published using the following methods:

- notice to be displayed at the council's office and in at least one conspicuous place within the authority
- on the council website

4.2 Additionally, the authority could publish the notice in a council newsletter and display copies in other public buildings.

4.3 It is recommended that the notice should state:

- that the local authority is conducting a review of polling districts and polling places
- that the (Acting) Returning Officer will make a comment on proposed polling stations
- that electors within the authority or within a UK Parliamentary constituency which has any part in the authority may make a representation
- that the authority would welcome any person or body with expertise in access for persons with any type of disability to make a representation or to comment

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<sup>20</sup> Schedule A1, RPA 1983.

on the authority's proposals, the (Acting) Returning Officer's representation or any other matter

- that persons or bodies making representations should, if possible, give alternative places that may be used as polling places
- the postal address, e-mail address and website address at which documents can be inspected and representations made
- an indication of the timetable of the review and a deadline for representations

4.4 The authority should also send a copy of the notice to interested parties such as councillors, disability groups and other stakeholders. Additionally, the authority could include details of the review in any council newsletter and issue a press release drawing attention to the review and the process. The council's website is also a useful source for disseminating information.

## Stage 2 – Administering the review

4.5 Initially, the local authority should undertake a preliminary review of the current polling districts and polling places with a view to establishing their suitability. There is no requirement to change any of these districts and polling places but any 'no change' decision must be fully justified as part of the overall proposals.

4.6 The review process should be structured, and must be conducted formally with supporting documentation. This will ensure that there is a complete audit trail for all decisions taken and will contribute to the transparency of the process.

4.7 Close liaison with other departments of the council will help to increase the efficiency of the overall review process.

4.8 The local authority planning and property services departments, for example, will be able to provide guidance on the availability of locations and premises and details of any residential developments that might have an impact on future electorate figures.

4.9 Modelling possible options where changes are deemed necessary can be achieved by using mapping and planning tools available within the local authority, particularly as most authorities will now have access to GIS mapping services which can pull data from a variety of sources.

4.10 Local authorities should determine the most appropriate method of involving relevant council staff and other interested groups as appropriate. Regular meetings may be appropriate to enable consideration of all aspects of the review prior to the submission of the final recommendations. In adopting this approach, stakeholders can be involved in the process in a timely and efficient way which may help to deliver the proper scrutiny of and confidence in the proposals.

4.11 The legislation suggests an approach starting with polling districts, followed by choosing polling places and then considering polling stations. In practice, however, it is important that good quality polling places are identified first, which can then be used as part of the process of defining suitable polling district arrangements that comply with the requirements set out in the legislation. Appendix B provides template checklists to assist with the evaluation of current/proposed polling places and stations.

## **Assessing the current arrangements and proposals for change**

4.12 The following should be considered as part of the assessment of the suitability of polling district boundaries:

- Boundaries: Are they well defined? For example, do they follow the natural boundaries of the area? If not, is it clear which properties belong in the polling district?
- Location: Are there suitable transport links within the polling district, and how do they relate to the areas of the district that are most highly populated? Are there any obstacles to voters crossing the current polling district and reaching the polling place e.g., steep hills, impassable major roads, railway lines, rivers?

4.13 There are a number of factors that must be considered when reviewing existing polling places or when assessing new polling places, including:

- The location: Is it reasonably accessible within the polling district? Does it avoid barriers for the voter such as steep hills, major roads, rivers, etc.? Are there any convenient transport links?
- Size: Can it accommodate more than one polling station if required? If multiple polling stations are required, is the polling place ample enough to accommodate all voters going into and out of the polling stations, even where there is a high turnout?
- Suitability: Is the building readily available in the event of any unscheduled elections? Is there any possibility that the building may be demolished as part of a new development? Is the building accessible to all those entitled to attend the polling place?

4.14 Appendix B contains templates to evaluate the suitability of buildings as polling places/polling stations based on these key factors, which can be completed as part of the review process.

4.15 Ideally, there would be the choice of a range of fully accessible buildings, conveniently located for electors in the area within which to establish polling stations. In practice, however, the choice of polling places will often be a balance between the quality of a building (access, facilities, etc.) and the proximity of the building to the electors. When making a decision, all factors will need to be considered and the authority will need to be able to demonstrate their reasoning behind the decision.

4.16 Where, because of local circumstances, a polling place has been selected that is not fully accessible, then reasonable adjustments must be undertaken to provide access for all electors. Alternatively, the local authority should consider whether it would be appropriate to designate a polling place that falls wholly or partly outside the polling district.

4.17 It should be noted that for the purpose of taking the poll in England and Wales, the (Acting) Returning Officer is entitled to use free of charge schools maintained or assisted by a local authority as well as those schools that receive grants made out of moneys provided by Parliament. In Scotland, the rooms in schools that can be used free of charge for the taking of the poll are those in schools that are not independent schools within the meaning of the Education (Scotland) Act 1980.

4.18 Part of the decision-making process involves assessing if the polling place is capable of accommodating more than one polling station together with the necessary staff and equipment, particularly in circumstances where the number of electors allocated to a polling place is high. For example, in instances where there may be a higher turnout, such as at a UK Parliamentary election, (Acting) Returning Officers may wish to set up multiple polling stations within the polling place. Consideration will need to be given to whether the area or building can accommodate such arrangements.

4.19 When assessing the suitability of a room or area for use as a polling station, the (Acting) Returning Officer should consider how the size and layout would allow for the most effective throughput of voters, including in those instances where there is a high number of electors in the polling station at any one time on polling day. Each polling station should be designed to provide suitable conditions for the elector to vote in private, for staff to conduct elections in an efficient and effective manner and for those entitled to observe the voting process to do so without compromising the secrecy of the ballot.

### Stage 3 – Consultation

4.20 The consultation stage is for representations and comments on the existing and proposed arrangements for polling districts and places. There are two parts to this stage:

- A compulsory submission from the (Acting) Returning Officer of the UK Parliamentary constituency, which must then be published by the local authority.
- Any submissions from electors and other persons and bodies, including those with expertise in relation to access to premises or facilities for disabled people.

4.21 The (Acting) Returning Officer's submission must comment on both the existing polling stations and the polling stations that would likely be used based on any proposed polling places. The (Acting) Returning Officer's report must also contain information as to the location of polling stations within polling places. The completion of the templates at Appendix B may help to form a basis for this report.

4.22 The local authority must publish the (Acting) Returning Officer's comments within 30 calendar days of receipt.<sup>21</sup> The comments should be published at the local authority offices and in at least one conspicuous place within each UK Parliamentary constituency. They should also be published on the council website. Additionally, the (Acting) Returning Officer's response could be copied and bound or joined into a booklet for ease of reading and made available in council offices, libraries, community centres or other places where residents may visit.

4.23 The authority should consult widely on the review and should seek out the views of interested groups or bodies including electors, candidates and agents, political parties and members of the council. Consultees should be asked for comment both in general and, if appropriate, about particular buildings or areas within the authority.

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<sup>21</sup> Regulation 3, Review of Polling Districts and Polling Places (Parliamentary Elections) Regulations 2006.

4.24 It will be particularly important to consult with those who have specific experience of assessing access for persons with different disabilities. These could include disability sections or occupational health departments within the council, as well as local and national disability groups. The authority should give consideration to the different types of disability which may make voting in person more difficult, and should also consider the council's own policy on disabled access.

4.25 Any persons involved in the consultation have the right to comment on the recommendations proposed by the (Acting) Returning Officer, and should be invited to consider the implications of these.

4.26 Any elector for a UK Parliamentary constituency either wholly within or partly within the local authority area may comment on any of the recommendations within the whole local authority area.

4.27 Any person or body that makes a comment should be invited to suggest alternative polling districts/polling places and should be encouraged to give a reason for the alternative proposal so that it may be given appropriate consideration. As mentioned above, the notice published by the local authority should provide a deadline for the submission of comments.

## Stage 4 – Concluding the review

4.28 After considering all of the representations, the local authority must decide on the most appropriate polling districts and polling places. Depending on the council structure, this may be a matter for full council, the executive or a committee to which the review function has been delegated.

4.29 If the review results in the alteration of polling districts, the Electoral Registration Officer must make the necessary alterations to the electoral register. Any alteration is effective on the date on which the Electoral Registration Officer publishes a notice stating that the alterations have been made.<sup>22</sup> If the review is concluded before publication of the annual revised register, the changes can be incorporated in the revised register to be published by 1 December. Otherwise, alterations can be made by the publication of another revised register or on a notice of alteration.

4.30 Where the Electoral Registration Officer has decided to republish to incorporate the changes, they will need to publish a notice fourteen calendar days before the publication of the revised version of the register in a local newspaper, at his or her office and at some other conspicuous place or places in the area.<sup>23</sup>

## 5 Publishing the conclusions of the review

5.1 Once the local authority has agreed on the proposals, details of the new polling districts and polling places must be made available to the public. These should be made available at the local authority offices, in at least one conspicuous place in the constituency, and on the council's website. The reasons for choosing a particular polling district and polling place must be given.

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<sup>22</sup> Section 18A(5), RPA 1983.

<sup>23</sup> Section 13(3), RPA 1983 and Regulation 36(1), Representation of the People Regulations 2001.

5.2 Along with the reasons for the final decision of the review, the following must also be published:<sup>24</sup>

- all correspondence sent to the (Acting) Returning Officer in connection with the review
- all correspondence sent to any person whom the authority contacted because they had particular expertise in relation to access to premises or facilities for disabled people
- all representations made by any person in connection with the review
- the minutes of any meeting held by the authority to consider any revision to the designation of polling districts or polling places within its area as a result of the review
- details of the designation of polling districts or polling places within its area as a result of the review
- details of the places where the results of the review have been published

## 6 The appeals process

6.1 Following the conclusion of the local authority's review, certain persons have a right to make representations to the Commission.

### Who is entitled to make representation to the Electoral Commission?

6.2 Section 18D(1) of the RPA 1983 sets out who may make representations to the Electoral Commission, namely:

- in England, any parish council which is wholly or partly situated within the constituency, or parish meeting where there is no such council
- in Wales, any community council which is wholly or partly situated within the constituency
- not less than thirty registered electors in the constituency (although electors registered anonymously cannot make a representation)<sup>25</sup>
- a person (except the (Acting) Returning Officer) who made representations to the authority when the review was being undertaken
- any person who is not an elector in a constituency in the authority's area but who the Commission thinks has sufficient interest in the accessibility of disabled persons to polling places in the area or has particular expertise in relation to the access to premises or facilities of disabled persons

6.3 In addition, the (Acting) Returning Officer may make observations on any representations made to the Commission.<sup>26</sup>

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<sup>24</sup> Regulation 4, Review of Polling Districts and Polling Places (Parliamentary Elections) Regulations 2006.

<sup>25</sup> Section 18D(7), RPA 1983.

<sup>26</sup> Section 18D(3), RPA 1983.

## Format for all representations

6.4 All representations made to the Commission must be in writing, either by post, e-mail or fax. The representation must be as specific as possible. The representation should clearly state the manner in which it is alleged that the local authority has failed to properly conduct the review. There are only two grounds on which a representation may state that a local authority has failed to conduct a proper review. These are:

- the local authority has failed to meet the reasonable requirements of the electors in the constituency
- the local authority has failed to take sufficient account of accessibility to disabled persons of the polling stations within a polling place.

6.5 Representations based on any other premise will not be considered.

6.6 The representation should include the location and any other relevant information regarding the polling place at issue, stating specifically why it is inaccessible or does not meet the reasonable requirements of the electors.

6.7 A representation may also include for consideration specific proposals for alterations to the polling place.

## The decision-making process of the Commission

6.8 Upon receipt of a representation, the Commission will request all relevant documentation from the local authority and will show the authority the representation.

6.9 The (Acting) Returning Officer is entitled to make observations on the representation submitted to the Commission and should give a report on the probable polling stations which would be used should the representation be successful.

6.10 The documentation from the local authority, the observations of the (Acting) Returning Officer and any other relevant information will be taken into consideration, in conjunction with the representation.

6.11 The Commission may seek advice from persons with expertise on accessibility issues when making its decision.

6.12 The Commission will set out in writing its conclusions and the reasons for its decision. The Commission's decision will be issued to the person(s) who made the representation, the local authority and the (Acting) Returning Officer. The decision and related documents will also be published on the Commission's website. Local authorities are advised to publish the outcome of the appeal in the same way as the results of the review are published.

6.13 The Commission may direct the local authority to consider any alterations to the polling places that the Commission deems necessary under the review.<sup>27</sup> After two

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<sup>27</sup> Part 1, Section 18D(4), RPA 1983.

months, if the local authority has failed to make the alterations, the Commission can itself make the alterations as if the local authority had implemented them.

6.14 Representations should be sent to:

Legal Counsel  
The Electoral Commission  
Trevelyan House  
Great Peter Street  
London SW1P 2HW

Tel: 020 7271 0500

Fax 020 7271 0505

Email: [appeals@electoralcommission.org.uk](mailto:appeals@electoralcommission.org.uk)

## 7 Making amendments to polling places outside of the formal review

7.1 If a polling station becomes unavailable, the (Acting) Returning Officer should consider whether another polling station could be designated within the polling place. Changing the polling station within the polling place would not require a review.

7.2 If a building becomes unavailable before an election, the polling place can be changed by the local authority and council agreement will be required. If delegation procedures are in place, these should be followed as set out in the council's constitution and the person or persons who are entitled to make changes to polling places should be contacted.

7.3 Between formal reviews, all polling places and stations used should be kept under consideration, and an evaluation of their suitability carried out after each election. If any changes are identified as being desirable, the same principles behind conducting the formal review should be applied. Should any changes to polling places be required, then they could be implemented as described above.

## 8 Making changes to the names of electoral areas in England and Wales

8.1 Local authorities in England and Wales can change the name of an electoral area e.g. a ward by resolution. The process involved is attached as Appendix C. Local authorities in Scotland would need to ask the Local Government Boundary Commission for Scotland to begin a review of a ward name.

## Circular EC19/2010 – Appendix B

### Review of polling districts, polling places and polling stations

The following templates have been designed for use in evaluating the suitability of buildings as polling places/polling stations.

**Part A** – to be completed by the local authority with the details of the current polling places.

**Part B** – to be completed by the local authority to evaluate external access and facilities both outside the perimeter of the building and within the boundary of the building itself.

**Part C** – to be completed by the local authority to assess internal access to the polling station, but excluding the polling station itself (ie. covering the corridors leading to the polling station accommodation and facilities available, but not the area in which polling will be carried out). Should the proposed building, room or area to be used as the polling station have direct access to the road/pavement or external parts, Part C can be excluded from this assessment.

**Part D** – to be completed by the (Acting) Returning Officer with the details of the area that is, or is likely to be, used as the polling station(s).

*(If local authorities already have up-to-date detailed information to assist with the completion of Parts B, C and D, this can be inserted into the individual templates together with any diagrams and/or photographs to enable the building to be re-assessed on a site visit. The information should be verified as part of the visit.)*

**Part E** – to be completed by the local authority and should be used to add any comments or complaints received from stakeholders as part of the consultation exercise. Completion can provide evidence that the review considered the submissions as part of the formal evaluation process.

Any alternative proposals or suggestions put forward for new polling places/stations should be evaluated using the templates, and the results should be collated to provide appropriate feedback.

Date reviewed	Officer initials

## Polling place – evaluation checklist

Part A – Current polling place details		
Polling place identifier		
Polling place name		
Polling place address		
Number of electors (If more than one polling station within the polling place, identify split of electors)		
Building availability for future elections/referendums		
Polling place review		
Check	√	Comment
<ul style="list-style-type: none"> <li>Are there suitable transport links?</li> </ul>		
<ul style="list-style-type: none"> <li>Are there any access issues regarding main/busy roads, railways, rivers, etc?</li> </ul>		
<ul style="list-style-type: none"> <li>Is the polling place capable of accommodating more than one polling station together with the necessary staff and equipment? If so, could it accommodate all voters going in and out of the polling stations, even where there is a high turnout?</li> </ul>		
<ul style="list-style-type: none"> <li>Is the building readily available in the event of any unscheduled elections?</li> <li>Is there any possibility that the building may be demolished as part of a new development?</li> </ul>		

***Identify any complaints/comments received from stakeholders at previous electoral events***

Date reviewed	Officer initials

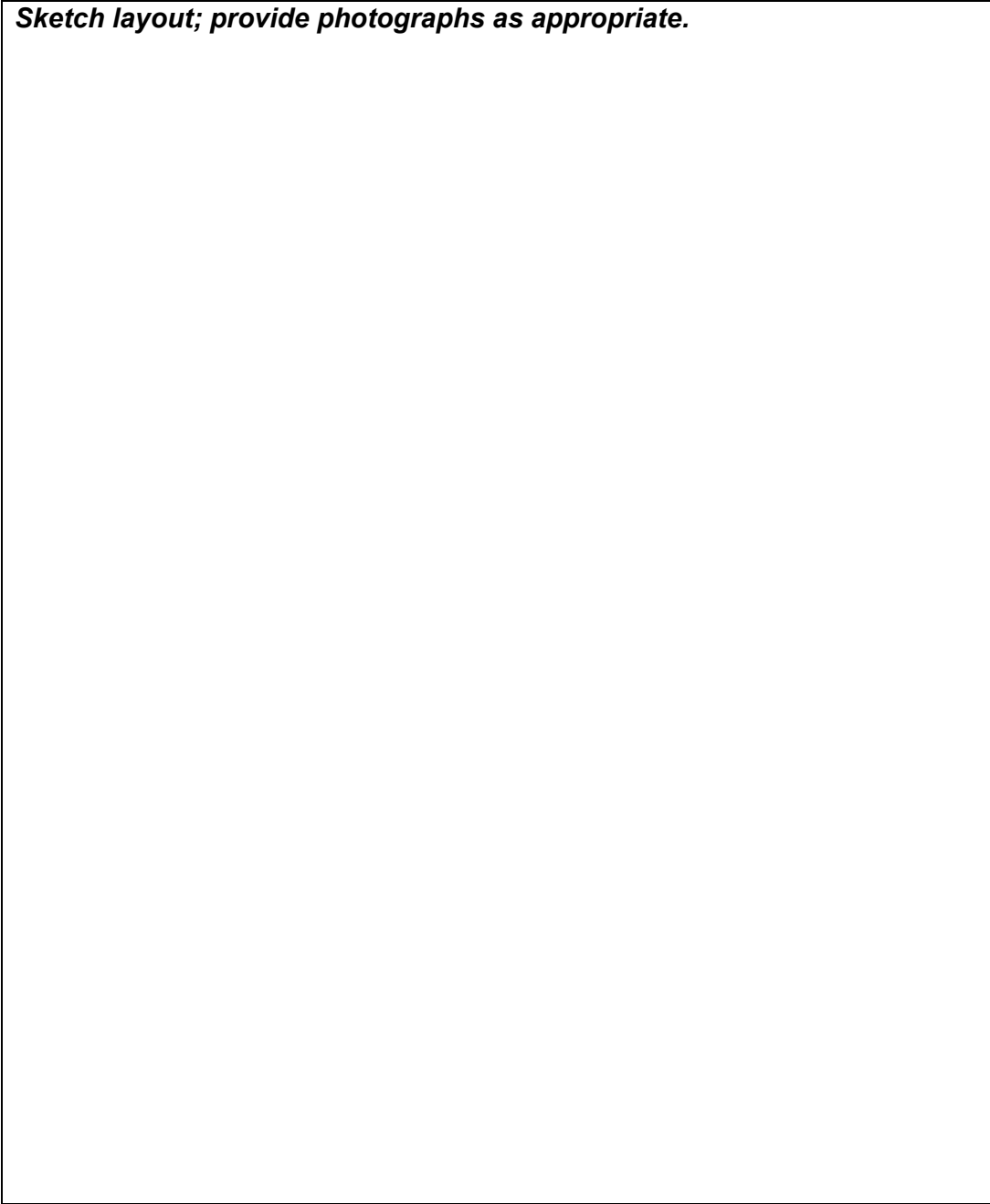
Part B – External areas access and facilities		
Check	(√)	Comments
• Are there good public transport links to the polling place?		
• Is the approach to the building safe and free from obstructions and does it have a dropped kerb?		
• Is the building clearly identifiable?		
• Is additional signage required between street and entrance?		
• Is there the facility to put up the required signage for polling day?		
• Are there parking facilities for disabled people?		
• Are there parking facilities for polling staff?		
• Does the approach to the building have external lighting?		
• Does the building have level access? Yes/No. If no -		
• Has a purpose built ramp been installed?		
• If so, does it have a handrail?		
• Does the ramp have a gentle slope?		
• Does the building require a temporary ramp or is there an alternative disabled route?		
• Is the entrance door wide enough for a disabled person using a motorised wheelchair?		
• Are the doors light enough for frail/elderly voters to open?		
• Can the 'Guidance for voters' notice be clearly displayed outside the premises, as required by the election rules?		
• Are there any external security concerns?		
• Can tellers be accommodated outside the building?		

***Please complete template B1 showing external layout, street names, car parking, ramps, steps, lighting and appropriate places for signage.***

## External plan – B1

Show external layout, street name(s), car parking (including disabled car parking), ramps, steps, lighting, appropriate places for signage, etc.

***Sketch layout; provide photographs as appropriate.***



Date reviewed	Officer initials

Part C – Internal areas access and facilities		
Check	(√)	Comments
• Are all doors easy to open (including by wheelchair users) or do they need to be permanently locked back?		
• Are there any internal steps or obstructions/hazards?		
• Are any doormats level with the floor?		
• Is the floor covering non-slip (especially in wet weather)?		
• Are there any corridors that may cause access problems?		
• Is there adequate lighting in the corridors?		
• Are there toilet facilities?		
• Is there a kitchen that staff can use?		
• Is the area adequately lit for day and night time?		
• Is there adequate space for signage?		
• How many polling stations can the building accommodate?		
• Does the building have a telephone available (land line) in the event of mobile network problems?		

***Please complete template C1 below showing internal areas including corridors, internal doors, kitchen, toilets and highlighting any possible signage requirements and potential hazards in relation to access to the polling station itself.***

## Internal access leading to polling station(s) – C1

Show internal areas of the building, excluding the actual polling station where voting will take place, including corridors that link to the polling station, kitchen, toilets and highlighting any possible signage requirements and potential hazards. Also indicate any areas of poor lighting, door swing direction and ease of opening, and areas of uneven floor, etc.

***Sketch layout; provide photographs as appropriate.***



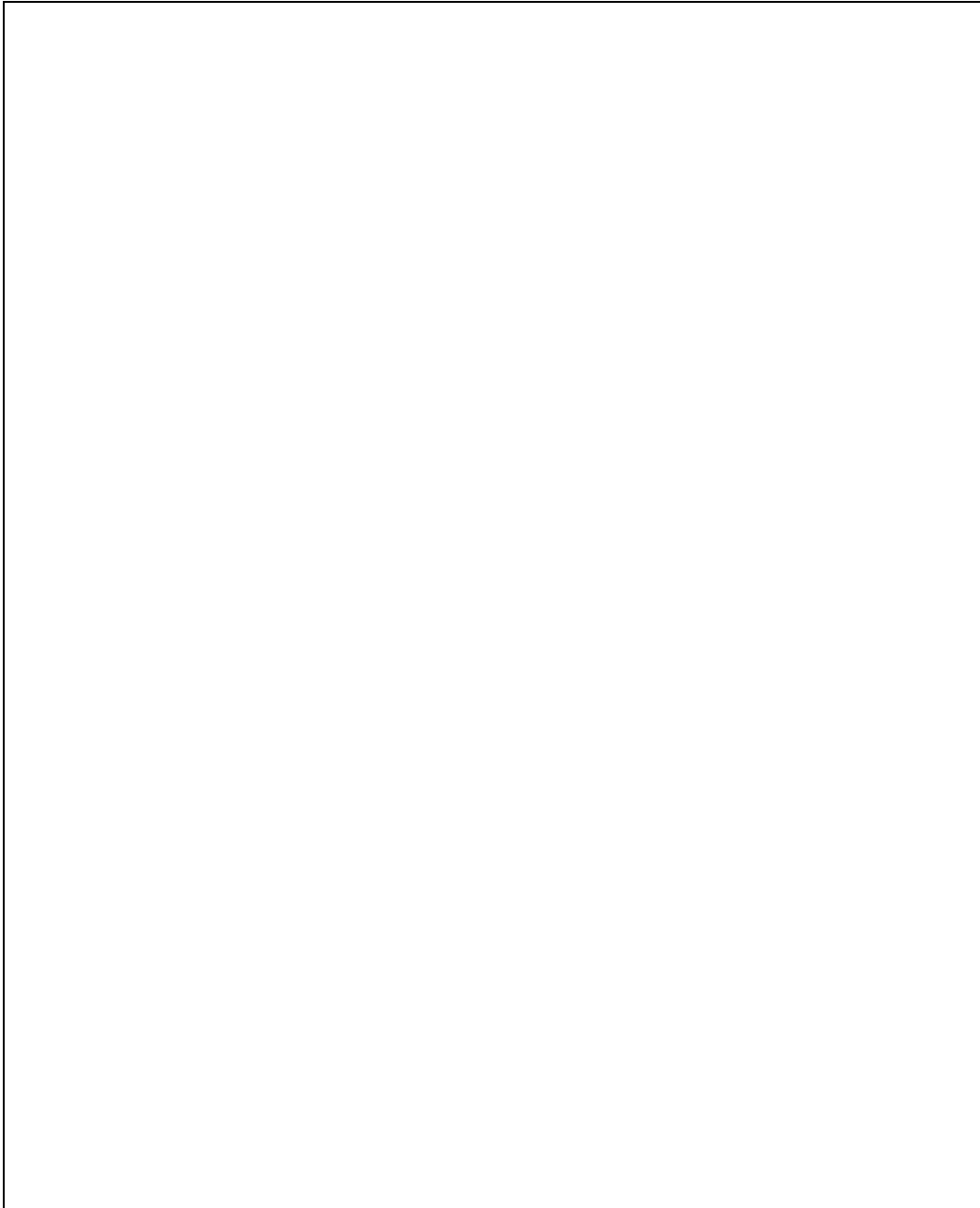
Date reviewed	Officer initials

Part D – The polling station(s)		
Check	(√)	Comments
• Is there sufficient space inside the polling station to comfortably accommodate staff, voters, polling agents and observers?		
• Is there sufficient space for administering all types of elections, including combined elections?		
• If multiple polling stations need to be provided, are there other rooms available, or can the space be divided to provide adequate room for more than one polling station?		
• In case of high turnout, is there sufficient space for managing the flow and accommodating a high volume of electors? If yes, could ballot booths be positioned in a way that would preserve the secrecy of the ballot?		
• Is there adequate lighting for day and night time?		
• Is there suitable furniture (tables and chairs) available for all types of election for polling staff and those voters who may need to rest?		
• Can the official notices be clearly displayed, including the large-print version of the ballot paper(s)?		

***Please complete template D1 indicating how the polling station should be laid out to accommodate all those entitled to be inside the polling station, taking into account access requirements for all voters, including those in wheelchairs, and demonstrating how the space should be used to ensure the most efficient flow of voters and the effective administration of the voting process.***

## Internal – The polling station(s) – D1

Identify the space and shape of the area available for polling.  
Include the position of the door(s), any windows and how the  
furniture and equipment should be laid out to ensure the effective  
administration of and best possible access to the voting process.



Date reviewed	Officer initials

**Part E – Comments from stakeholders during consultation**

<b>Comment</b>	<b>Name/organisation</b>

***Comment from (A)RO***

## Circular EC19/2010 – Appendix C

### Changing the name of an electoral area in England and Wales

A local authority in England and Wales may change the name of any of its electoral area<sup>1</sup> by resolution. In order to do this, the local authority must take all reasonable steps to consult such persons as it considers appropriate on the proposed name or names. The resolution must be passed:<sup>2</sup>

- at a specially convened meeting with notice of its purpose, and
- by a majority of at least two thirds of the members voting on it.

If, however, the name of the electoral area is protected, the resolution may not be passed unless the Electoral Commission has first agreed to the proposed change.<sup>3</sup>

A local authority can change the name of a parish or community situated within the authority at the request of the parish/community council (or, where there is no parish/community council, at the request of a parish/community meeting).<sup>4</sup> The local authority should consider such a request and make a resolution as to whether the name should be changed. If it is agreed to change the name of a parish/community, the law states that notice of the name change must be sent to the Secretary of State, the Director of Ordnance Survey and the Registrar General.<sup>5</sup> The notice must also be published in the parish/community and elsewhere as the authority considers appropriate.

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<sup>1</sup> “electoral area” means any area for which councillors are elected to the authority.

<sup>2</sup> Section 59, Local Government and Public in Health Act 2007.

<sup>3</sup> Section 59(5), Local Government and Public in Health Act 2007.

<sup>4</sup> Sections 75 and 76, Local Government Act 1972.

<sup>5</sup> Section 75(2)(a) and 76(2)(a), Local Government Act 1972.