
REPORT OF CHIEF EXECUTIVE

TO

ELECTORAL MATTERS COMMITTEE
ON
20 AUGUST 2019

TITLE: Compulsory Review of Polling Districts and Polling Places

RECOMMENDATIONS:

1. To note the background to the review and the proposed timetable/process including the consultation arrangements.
 2. To authorise the initiation of the compulsory review of polling districts and polling places within the Council's area.
 3. To delegate authority for undertaking the review to the Chief Executive.
 4. To request that the Chief Executive reports back to the Electoral Matters Committee upon completion of the review, so that the Committee can make final recommendations on polling districts and polling places to the City Council.
 5. To delegate authority to the Chief Executive to make, where necessary, alterations to the designation of any polling place.
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EXECUTIVE SUMMARY:

To seek the approval of the Electoral Matters Committee for the compulsory review of polling districts and polling places within the city.

BACKGROUND DOCUMENTS:

City Council's Constitution
The Electoral Commission Guidance

KEY DECISION: YES-/ NO

DETAILS:

1. Introduction.

1.1 As required by the Electoral Administration and Registration Act 2013, compulsory reviews of parliamentary polling districts and polling places must take place every 5 years, reflecting the Fixed Term Parliament Act 2011.

1.2 The Council undertook its last compulsory review, which was combined with a review of local election arrangements, in 2013 coming into effect in April 2014. The Council is therefore required to undertake the next compulsory review within the 16 month period beginning on 1 October 2018 and concluding by 31 January 2020. This will be subject to approval by the Electoral Matters Committee (a non-executive committee of the council which has the relevant delegations under Salford's constitution).

1.3 It is necessary that this review takes into account the changes to some of the city's ward boundaries, following the conclusion of the Local Government Boundary Commission for England's (LGBCE) Electoral Review of Salford.

1.4 It is felt that the optimum time to conduct the compulsory review is the summer/autumn of 2019. This is to enable learning from the both the local elections in 2018 and 2019 to be taken into account. Learning from the European Parliamentary Election held in May 2019 can also now be considered.

2. Responsibilities and the scope of the review

2.1 In order to deliver elections, wards are sub divided into the polling districts and suitable polling places identified within them, in which electors can cast their vote. The designation of the city's polling districts and places is the responsibility of the Council and the relevant functions are delegated to the Electoral Matters Committee under the Council's Constitution. This includes the Council's duties under the Representation of the People Act 1983 to divide constituencies into polling districts and the power to divide wards into polling districts at local elections. The Electoral Commission advises that polling districts for UK parliamentary and local government elections should always be the same. It therefore follows that any review of parliamentary polling arrangements should be conducted simultaneously with one of local government arrangements, and with those for any other type of election for which provision is made for the designation of polling districts and polling places, for example, the Combined Authority Mayoral election.

2.2 On occasion, it may be necessary to change the designation of a polling place outside the statutory review process or meeting of the Electoral Matters Committee. This usually occurs as a result of premises being closed or unexpectedly becoming unavailable, often at short notice, or if an unscheduled poll takes place as happened with the European Election this year. Therefore it is recommended that authority is delegated to the Chief Executive to make, where necessary, alterations to the designation of any polling place in such circumstances.

2.3 The allocation of polling stations within polling places is not a Council function and is the responsibility of the Returning Officer.

2.4 The review can only consider the internal boundaries of polling districts within wards. Parliamentary constituency boundaries are the responsibility of the Boundary Commission for England (BCE) and are subject to a completely separate review process. Ward boundaries are the responsibility of the LGBCE as already referred to under point 1.3 above.

3. Aim of the proposed Review

3.1 In designating polling places, the Council has an obligation that it will:

(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 it is responsible for are accessible to all electors who are disabled;

(c) have regard to the accessibility of disabled persons to potential polling stations in the polling place;

(d) other than in special circumstances, locate the polling place in the polling district it serves; and

(e) ensure the polling place is small enough to indicate to electors in different parts of the polling district how they will be able to reach the polling station.

3.2 The focus of the Review will be to identify wherever possible polling places which meet criteria, relating to:

- Location
- Facilities
- Accessibility to/and within the polling place/station
- Health and safety, and
- Space

3.3 Although the legislation would seem to suggest the adoption of a top down approach to the review, with polling districts being determined before polling places, in practice a bottom up approach is usually adopted. The reality is that, where good quality polling station sites are identified, it is sensible to build polling places and districts around them and this approach is recognised by the Electoral Commission.

3.4 At the same time, whilst ideally the Council would have the choice of a range of fully accessible buildings, conveniently located for the electors in the area, this is not always the case and there may be little choice available. Ensuring the continuing accessibility of buildings and the location of polling places will be a key factor in developing the final proposals. Where it is not possible to identify polling places which meet the specification exactly, particularly around accessibility, every reasonable adjustment will be undertaken to provide access for all electors. Further details regarding the terminology used in this report can be found in Appendix 1. Draft specifications for polling places/stations can be found in Appendix 2.

4. Preparations for the review

4.1 Following the implementation of the current scheme, officers in the Electoral Services have been actively monitoring the effectiveness of the current arrangements, taking into account the number of electors and turnout at different polls, with the best interests of the elector in mind. In addition, a record has been kept of any comments received from stakeholders, including previous representations made by elected representatives, officers and premises, for consideration once the review is formally underway.

4.2 Officers are also collating information from a variety of sources using the Council's wider knowledge and intelligence in relation to demographics, residential planning and development to understand the future volume and distribution of electors. This is particularly relevant to wards. This work is also taking into account the suitability, availability and accessibility of polling places, including the identification of new premises.

5. The proposed review process and timetable

5.1 It is proposed that the compulsory review takes place between 19 August 2019 and 31 October 2019, although some correspondence has been sent earlier due to the additional workload created by the canvass activity. The timetable set out in Appendix 3 takes account of the three distinct stages, further details of which are outlined overleaf.

Stage 1: Formal notification of the Review

5.2.1 Formal notification of the review process is when the Council publishes a notice of the Review, which will be displayed in each parliamentary constituency and be published on the Council's website. This notice will set out:

- that the Council is conducting a review of polling districts and polling places
- that the (Acting) Returning Officer will make comment on proposed polling stations, and an indication of when and where the (Acting) Returning Officer's representations will be made available
- that electors within the authority or within a UK parliamentary constituency which has any part in the authority may make a representation
- that the Council would welcome the views of all residents, particularly disabled residents, on the authority's proposals, the (Acting) Returning Officer's representations or any other matters
- that the authority would welcome any person or body with expertise in access for persons with any type of disability to comment on the authority's proposals, the (Acting) Returning Officer's representations or any other matters
- 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
- the timetable of the review and a deadline for representations

5.3 Stage 2: Consultation

5.3.1 The consultation period will run from 1 August 2019 until 27 September 2019.

5.3.2 This stage is for representations and comments to be made on the existing arrangements for polling districts and polling places. There are two aspects to this stage:

- A submission from the (Acting) Returning Officer of the UK parliamentary constituency or constituencies, which must then be published by the Council and must include information regarding the location of polling stations within polling places (current or proposed).

The Council will publish the (Acting) Returning Officer's representations during the week commencing 19 August 2019. Any persons involved in the consultation have the right to comment on the (Acting) Returning Officer's submission.

- Submissions from electors and other interested persons and bodies, including elected representatives and those with expertise in relation to access to premises or facilities for disabled people.

5.3.3 Any elector for a UK parliamentary constituency either wholly within or partly within the Salford City Council area may comment on any of the recommendations within the whole local authority area.

5.3.4 By law representations must be sought from such persons as the Council considers as having particular expertise in relation to access to premises or facilities for persons who have different forms of disability. Such persons must also have an opportunity to make representations and comment on the (Acting) Returning Officer's representations.

5.3.5 It is important that any person or body that makes a comment has the opportunity to suggest alternative polling districts/polling places and where possible to give a reason for the alternative proposal so that it may be given appropriate consideration.

5.3.6 A communications strategy has been developed for the review to ensure that stakeholders are aware that it is taking place and have the opportunity to respond to the consultation. This will include:

- Details of the review on the Council's website (linked to from the Elections webpages) to encourage electors to participate
- Raising awareness of the consultation via social media
- Direct contact with Councillors, MPs and other elected representatives,
- Political parties and those with expertise relating to access for disabled people to request their input into the review.

5.3.7 As part of the review will take in to account existing comments and those consultation responses received, in order to inform the development of proposals. Subject to the consideration of submissions received during the consultation process, it is envisaged that where existing arrangements do continue to work effectively, these will be retained for the benefit of electors.

5.4 Stage 3: Concluding the Review

5.4.1 Final draft proposals for polling districts and polling places will be prepared by officers for submission to a special meeting of the Electoral Matters Committee on 20 October 2019, and whilst the Electoral Matters Committee could take the decision itself (it has the relevant delegations under Salford's constitution). It is considered that it would be more transparent to take any substantive review to Full Council on 20 November 2019.

5.4.2 Any changes to the scheme agreed by Council will be reflected in the Electoral Register published by the Electoral Registration Officer on 1 December 2019 and will be in place for the next scheduled elections – the local elections, Elected City Mayor and the Combined Authority Mayoral Election taking place on 7 May 2020.

5.4.3 Once the final proposals are formally approved by the Electoral Matters Committee, the reasons for the decision must be published, along with the following documentation:

- (a) all correspondence sent to an (Acting) Returning Officer in connection with the review;
- (b) all correspondence sent to any person whom the authority thinks has particular expertise in relation to access to premises or facilities for persons who have different forms of disability;
- (c) all representations made by any person in connection with the review;
- (d) 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;
- (e) details of the designation of polling districts or polling places within its areas of as a result of the review; and
- (f) details of the places where the results of the review have been published.

6. Recommendations

6.1 Recommendations to the Committee appear at the front of this report. These are subject to formal approval by the Electoral Matters Committee (a non-executive committee of the council which has the relevant delegations under Salford's constitution).

KEY COUNCIL POLICIES:

EQUALITY IMPACT ASSESSMENT AND IMPLICATIONS:

ASSESSMENT OF RISK: High

LEGAL IMPLICATIONS Supplied by: Stephen Hollard, Group Manager, Democratic Services Legal Team, Manchester City Council and Salford City Council Shared Legal Service – Tel: 0161 234 3336; email: s.hollard@manchester.gov.uk

A review of polling districts and polling places is required to satisfy the Council's obligation to undertake periodic compulsory reviews under Section 18C of the Representation of the People Act 1983. The Council is required to carry out and complete such a review within the period of 1 October 2018 to 31 January 2020.

Aside from the Council's obligation to undertake a compulsory review of polling districts and polling places, a review would in any case be necessitated given the pending changes to ward boundaries resulting from the LGCBE's electoral review of Salford, as implemented by The Salford (Electoral Changes) Order 2019

FINANCIAL IMPLICATIONS Supplied by: Supplied by: Michael Rogerson x2743

Compulsory review to be undertaken by existing staff members so no extra costs to be incurred. As per discussion with Karen Berry it is thought the review will lead to potential savings as a result of reducing the number of temporary polling stations which are a cost to the council.

PROCUREMENT IMPLICATIONS Supplied by: Not applicable

HR IMPLICATIONS Supplied by: Not applicable

OTHER DIRECTORATES CONSULTED:

CONTACT OFFICER: Karen Berry

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WARDS TO WHICH REPORT RELATES: ALL

Terminology used in the Report

Ward: the 20 wards into which the Salford City Council area is sub divided.

Polling district: the area created by the division of a constituency or ward into smaller parts, within which a polling place can be determined, which is convenient to electors. In Salford, each ward is divided into a number of polling districts. Each polling district starts with a two letter code followed by a number.

Polling place: is the building or area in which the polling station(s) will be sited by the Returning Officer.

Polling station: the room where the poll takes place (e.g. community room), which must be located within the polling place. The polling station is chosen by the Returning Officer.

Where possible, every polling district should have its own dedicated polling place and all electors in that polling district are assigned to vote at the polling station located in that place. However, it is possible to have a polling place based in an adjacent polling district where circumstances determine this is the best option.

It should be noted that the terms 'polling place' and 'polling station' are often used interchangeably and most people consider the polling place (such as a community centre) to be the polling station. However, it is possible to have a double polling station in a polling place (e.g. two sets of staff, two ballot boxes, and two electors' registers). Double stations exist where electors may be coming from two different polling districts/wards, in polling districts where there are a large number of electors in person or where there is high turnout expected.

Specification for polling places/stations

A polling place is the geographical area within which polling stations are sited. It is normally a building or group of buildings or in the case of a temporary polling station the area of land on which the temporary station would be sited. The polling station is the actual area where the poll takes place and it must be within the polling place. In order to establish the suitability of a polling place/polling station consideration should be given to the following:

1. Location of the building

- Is it located close to where most of the electors in the polling district live?
- Is it located at the top/bottom of a steep hill?
- Does it have suitable access from a road?
- If there is a pavement does it have a dropped kerb close by?
- Are there convenient public transport links?
- Is it safe and well lit?
- Are there facilities such as toilets and a kitchen area for polling station staff to use?

2. Parking facilities/pathways

- Are there adequate parking facilities close to the to the entrance of the building
- Are there designated disabled parking spaces?
- Is there a dropped kerb from the parking area to the polling station?
- Is the approach from the road/car parking suitable e.g.
 - are there steps?
 - is the surface suitable particularly for wheelchair users?
 - is it well lit?
 - are there any severe gradients?

3. Main Entrance to the building

- Does the building have a level entrance?
- Are there steps to the entrance of the building?
- Is there a hand rail by the steps?
- Is a permanent ramp provided?
- If not could a temporary ramp with a suitable gradient be provided safely, or is there another entrance that disabled people or other electors could use?
- Is the door wide enough for a wheelchair user to gain access?
- How heavy are the doors to open?

4. Inside the building

- Are there any internal steps or barriers for electors to negotiate?
- Are there any trip hazards e.g. uneven door mats?
- Are the floor coverings suitable e.g. would they become slippery when wet?
- Are there any corridors which may be difficult to negotiate for any electors using wheel chairs or those who find walking difficult?
- Are there any security issues inside the building?
- Is the route from the entrance to the polling station room straightforward?

5. Polling station room

- Is there enough space in the polling station room for staff, polling equipment and a
- number of electors, including wheelchair users?
- Is there enough space in the room to have two polling stations (a double station) if
- necessary?
- Is the lighting in the polling station room adequate?
- Is the heating in the polling station room adequate?

**Compulsory Review of Polling Districts and Polling Places 2019
Proposed Timetable.**

Week beginning/Activity:

17 July 2019 and 20 August 2019

Meeting of Electoral Matters Committee

23 July

Stage 1: Formal notification of the Review

23 July 2019

Formal notification of the Review

Stage 2: Start of the Consultation period

24 July 2019

Start of the consultation

19 August .2019

Publication of the (Acting) Returning Officer's representations

27 September 2019

Consultation ends

Stage 3: Concluding the Review

October 2019

Special meeting of Electoral Matters Committee to consider and approve the proposals (exact date to be confirmed)

20 November 2019

Recommendations to Full Council from the Electoral Matters Committee

1 December 2019

ERO to publish Electoral Register