

## **Statutory Review of Polling Districts and Polling Places**

### **SUMMARY**

- 1.1 The Council is required under the provisions of the Representation of the People Act 1983 and Section 16 of the Electoral Administration Act 2006 to review all of its polling districts and polling places every four years.
- 1.2 The council's last review was published in 1 December 2011. Section 17 of the Electoral Registration and Administration Act 2013 provides that the next such review must take place in the period of 16 months from 1 October 2013.
- 1.3 The main purpose of the review is to make sure that each polling district and polling place offers 'reasonable facilities for voting for all of its electors as far as is reasonably practical' under the terms of the relevant Acts.

### **RECOMMENDATION**

- 2.1 To approve the publication of a statutory notice on Tuesday 1 October indicating the commencement of the 2013 review of polling districts and polling places.
- 2.2 To authorise the Director of Legal and Democratic Services to carry out the statutory review in accordance with the proposals and timescales set out in this report.
- 2.3 To delegate to the Resources and Governance Board agreement of draft proposals prior to the submission of the final report and recommendations to Council on 29 January 2014.

### **REASONS FOR RECOMMENDATION**

- 3.1 The Council has a duty under Representation of the People Act 1983 and Section 17 of the Electoral Registration and Administration Act 2013 to keep the designation of polling districts and polling places in its area under review. Legislation requires Council to approve both the commencement of the review and its final recommendations.

### **SUPPORTING INFORMATION**

- 4.1 The formal consultation document is attached at Appendix 2 and gives details of the

review process, current polling districts, places and venues, together with electorate numbers for each polling district.

4.2 The formal notice of the commencement of the review is included at Appendix 3 and

will also be published on the council's website, a local newspaper and at the Council House, Corporation Street, Derby DE1 2FS.

4.3 The Electoral Administration Act, 2006 inserted a Schedule A1 into the Representation of the People Act 1983 (RPA) which sets out how a review is to be conducted. The council as the relevant authority must comply with the following requirements:

- publish a notice of the holding of a review
  - consult the (acting) returning officer for every parliamentary constituency, which is wholly or partly in its area
  - every (acting) returning officer must make representations to the authority
  - representations must include information as to the location of polling stations, existing or proposed, within polling places, existing or proposed.
  - the representations must be published in such a manner as is prescribed.
  - representations must be sought from people it thinks to have expertise in relation to access to premises or facilities for people who have different forms of disability.
  - such persons must have an opportunity to make representations and to comment on the returning officers representations.
  - any elector in a constituency situated in whole or in part in the authority's areas may make representations
  - representations may include proposals for specified alternative polling places.
- On completion of the review the Council must give reasons for its decisions and publish such other information as prescribed.

4.4 The Act requires an (Acting) Returning Officer to make representations to the Authority on its proposed scheme. As the review is to be based upon the existing parliamentary constituencies and their boundaries, this means that for City of Derby the (Acting) Returning Officer for Derby North, Derby South and the city wards of the Mid Derbyshire Parliamentary Constituencies must be consulted. The Director of Legal and Democratic Services is the Returning Officer for local elections, but the Mayor is Returning Officer for parliamentary elections, with the Director designated (Acting) Returning Officer.

4.5 It is proposed that a Notice of the Review be published on Tuesday 1 October 2013, with copies of the review document available on request and available on the Council's website. The previous review findings were published on 1 December 2011 and it is proposed to use those findings as the starting position for the current review.

- 4.6 Copies of the notice and supporting documentation will be sent to all stakeholders including Councillors, party agents and the council's disability forum. It is proposed that the closing date for representations will be Friday 22 November 2013. It is intended that all representations received will be published on the Council's website to allow the opportunity for comment.
- 4.7 It is proposed that the representations of the (Acting) Returning Officer will be published on Friday 6 December 2013 with a further period given to allow interested parties to comment on them until Friday 10 January 2014. It is the intention that the final recommendations will be considered by the Resources and Governance Board, prior to the report being put to Council for final approval on Wednesday 29 January 2014.
- 4.8 The review timetable is summarised below:

<b>Activity</b>	<b>Timescale</b>
Publication of notice and consultation document	Tuesday 1 October 2013
Closing date for representations	Friday 22 November 2013
Publication of representations from the (Acting) Returning Officer	Friday 6 December 2013
Final date for comments on the representations of the (Acting) Returning Officer	Friday 10 January 2014
Council approves final scheme	Wednesday 29 January 2014
2014 Electoral Register published in accordance with the new scheme	17 February 2014

- 4.9 The legislation requires that all polling places and districts must be reviewed again within the next four years. However, the council may wish to make alterations to polling districts between reviews. In such cases the Electoral Registration Officer will be required to publish a notice fourteen days before the publication of the revised version of the electoral register in a local newspaper, at the Council House, and on the council's website.

## **OTHER OPTIONS CONSIDERED**

- 5.1 None applicable

**This report has been approved by the following officers:**

<b>Legal officer</b>	Janie Berry – Director of Legal and Democratic Services
<b>Financial officer</b>	Not applicable

<b>Human Resources officer Service Director(s) Other(s)</b>	Not applicable Janie Berry - Director of Legal and Democratic Services Philip O'Brien - Head of Democratic Services
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<b>For more information contact: Background papers: List of appendices:</b>	Name Mick Styne 01332 641663 or e-mail mick.styne@derby.gov.uk None Appendix 1 - Implications Appendix 2 - Review of Polling Districts and Polling Places Consultation Document Appendix 3 - Copy of Notice of Review
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## Appendix 1

### IMPLICATIONS

#### Financial and Value for Money

- 1.1 None directly, however, additional costs or savings may be identified during the review as a result of any specific recommendations contained in the final report.

#### Legal

- 2.1 Section 16 of the Electoral Administration Act 2006 amended the Representation of the People Act 1983 and requires that relevant authorities must carry out periodic reviews of polling places and polling districts.

Section 17 of the Electoral Registration and Administration Act 2013 provides that the next such review must take place in the period of 16 months from 1 October 2013.

#### Personnel

- 3.1 None directly applicable.

#### Equalities Impact

- 4.1 One of the key requirements of the legislation is that polling places are accessible to disabled people so far as is reasonable and practical. The Council's Disabled People's Diversity Forum and other key stakeholders will be consulted as part of the review

#### Health and Safety

- 5.1 Any specific recommendations will take account of Health and Safety considerations.

### **Environmental Sustainability**

- 6.1 None directly applicable

### **Property and Asset Management**

- 7.1 Any premises related issues will be discussed with Property Services and relevant internal stakeholders as part of the review process.

### **Risk Management**

- 8.1 None directly applicable

### **Corporate objectives and priorities for change**

- 9.1 None arising from this report.