

COMMITTEE: FULL COUNCIL REF NO: C/11/14
DATE: 14TH DECEMBER 2011
SUBJECT: IPSWICH BOROUGH COUNCIL POLLING
DISTRICT AND POLLING PLACE REVIEW
2011
CHAIR: COUNCILLOR KNOWLES
DIRECTOR: LAURENCE COLLINS

Short description of report content and the decision requested:

This report sets out for consideration by the Council proposed changes to a number of polling districts and places as part of a review carried out as required by the Electoral Administration Act 2006.

The proposals have taken account of the representations received and tried to ensure that there is a balance of the electorate within each polling district and that polling places are convenient and easily accessible for voters.

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This report was prepared after consultation with:

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Councillor Martin Cook (Portfolio Holder)
Councillor Bill Knowles (Chair of Polling District Working Group)
Councillor Richard Atkins (Member of the Polling District Working Group)

Councillor Alasdair Ross (Member of the Polling District Working Group)
Councillor Paul West (Member of the Polling District Working Group)

The following policies form a context to this report:
(all relevant policies must also be referred to in the body of the report)

This report is not a key decision included in the Forward Plan

LIST OF BACKGROUND PAPERS AS REQUIRED BY LAW

(Papers relied on to write the report but which are not published and do not contain exempt information –

1.

OTHER HELPFUL PAPERS

(Papers which the report author considers might be helpful – this might include published material)

1. Electoral Administration Act 2006
2. Representation of the People Act 1983
3. Review of Polling Districts and Polling Places Regulations (Parliamentary Elections) Regulations 2006

1. Introduction

- 1.1 Under Section 16 of the Electoral Administration Act 2006, the Council is required to carry out a review of polling districts and places at least every four years. The last review was conducted in December 2007.
- 1.2 The Polling District Working Group has now undertaken a full review of all polling districts, places and polling stations in readiness for the next Borough Council elections on 3rd May 2012.
- 1.3 For ease of reference, the definitions of these are as follows:-
- Polling district – This is a geographical sub-division of an electoral area (e.g. a UK Parliamentary constituency, a European Parliamentary electoral region, a Ward or an electoral division. It is the responsibility of the Borough Council to divide its area into polling districts, and for keeping the polling districts under review.
 - Polling place – This is a geographical area in which a polling station is located. However, as there is no legal definition of what a polling place is, the geographical area could be defined as tightly as a particular building or as widely as the entire polling district. It is the responsibility of the Borough Council to designate the polling places, and for keeping the polling places under review.
 - Polling station – This is the actual area where the process of voting takes place, and must be located within the polling place designated for the particular polling district. The Returning Officer for the particular election must provide a sufficient number of polling stations, and allot the electors to those polling stations in a manner as he or she think the most convenient.
- 1.4 The designation of polling districts and polling places is, by law, the responsibility of the Council for the area. The designation of polling stations is a matter for the Returning Officer.
- 1.5 This review must not be confused with changing any Ward boundaries; this review is purely about the administrative subdivision of a Ward into polling districts that are then assigned polling places.

2. Background

(a) Review Procedure

- 2.1 The steps that must be undertaken in carrying out a review, and the persons to be consulted, are determined by legislation:
- (i) A review begins with the Council drawing up its proposals and publishing a notice, at its offices and on its website, that the review is to be held.

- (ii) The Returning Officers for any other parliamentary constituencies partly contained in this Borough must be consulted on the Council's proposals and invited to make comments. Copies of the proposals were therefore sent to the Returning Officer for Central Suffolk and North Ipswich Constituencies, and their response is detailed below.
- (iii) Representations on proposals must be sought from persons having particular expertise in relation to access to premises or facilities for persons who have different forms of disability. Electors also have the right to make representations. To this end, the consultation notice and background information were placed on the Council's website and public notice boards. Furthermore, articles about the review and how people could make comments also featured in the local press.
- (iv) In addition, comments were sought from Members of Parliament for the constituencies affected by the review, from borough and county councillors and local political parties and election agents.
- (v) Once all consultation necessary have been carried out, the Council must consider the responses and decide whether to confirm its proposals with or without modifications. The results of the review must be published.

2.2 The approach taken in carrying out the review of this Council's polling districts and polling places has been based on the electoral team's knowledge of the existing districts and places, informed by the views of local councillors and feedback from Presiding Officers, Poll Clerks and Inspecting Officers in recent elections. These sources have identified a number of issues relating where the current situation is not ideal. Efforts have been made to address some of these in the review.

(b) The Rules and Guidance for Conducting the Review

2.3 There are a number of things, which the Council must take into account in designating polling districts and polling places. These include the following:

- (i) All electors should have such reasonable facilities for voting as are practicable in the circumstances.
- (ii) Polling places should, as far as is reasonable and practicable, be accessible to all electors, including those who are disabled and, when considering the designation of polling places, the Council must have regard to the accessibility needs of disabled persons
- (iii) A polling place should be small enough to be capable of being described sufficiently clearly so that electors can find their polling stations.
- (iv) It is possible to designate a polling place, which is not within the polling district it serves if there are special circumstances.

(c) Accessibility for Person with Physical Disabilities

- 2.4 The advice in paragraph 2.3 (iii) is not new. Returning Officers have been required for some years now to have regard to accessibility issues for people with disabilities when designating polling places. It is probably fair to say that the premises used for polling stations in this Borough are accessible 'so far as is reasonable and practicable'. Sometimes portable ramps are provided, in the case of the portacabins, to assist voters confined to wheelchairs or with child buggies. Polling station staff are also asked to give whatever assistance is possible should this be required. This issue is one upon which feedback is sought from Presiding Officers and the Polling Station Inspectors after each set of elections.
- 2.5 It cannot be said, however, that every polling station is completely accessible to all voters no matter what their degree and kind of disability. For example, adequate parking very close to the entrance may not be available; there may be a ramped entrance but there may still be a lip or threshold to cross; the access path to the station may not be as smooth and even as would be desirable, and so on.
- 2.6 The recent Borough elections in May 2011 and St Margaret's Ward By-Election in September 2011 revealed that there are still several polling stations where access for disabled people is less than satisfactory in various ways. Those stations will be kept under review and the Returning Officer will identify a more appropriate polling station should this prove possible.

(d) Comments Received During Consultation

- 2.7 The comments and suggestions received during the period of consultation on the review's proposals are set out in Appendix 1. The Returning Officer has looked at these comments and reported his findings to the Polling District Working Group when they considered the responses at their meeting on 16th November 2011.

(e) Proposals

- 2.8 The existing arrangements for the Borough are set out in Appendix 2, which also contains the proposed amendments to polling places and polling districts and the reason for the changes.
- 2.9 In summary, the following changes to polling districts are proposed (see appendix 2 for more details of streets involved):
- Bixley (combining FA with FD);
 - Bridge (alter boundary in NA to take in a number of streets from NB);
 - Gainsborough (alter boundary in CE to add two streets from CD);
 - Holywells (alter boundary in BA to take in a number of streets from BB);
 - Priory Heath (alter boundary in DB to add in three streets from DA);

- Sprites (alter boundary in MD to take in a number of streets from MA)
- St Margaret's (alter boundary in HD to take in one street from HC).

2.10 Furthermore, the review also suggests a number of changes to polling stations for the Returning Officer to consider. Where superior ones come to the Returning Officer's knowledge, attempts will be made, if course, to obtain the use of these. Members may be aware that, whilst the Returning Officer has the power to require the use of buildings provided from public funds, he/she has no such powers in respect of private buildings.

3. Policy Context

3.1 It is a statutory duty to carry out a full review of polling districts, polling places and polling stations every four years

4. Performance Monitoring

4.1 The Returning Officer needs to review the locations of polling stations to ensure that these are placed in the most appropriate areas of a polling place to enable electors in that area to cast their vote.

5. Risk Management

Risk	Impact of risk, if it occurred* (Scale of 1-4) 1 – Catastrophic 4 – Negligible	Probability of risk occurring* (Scale A-F) A- Very likely F - almost impossible	What is the council doing (or what has it done) to avoid the risk or reduce its effect?
<p>The law places a duty on the Council to conduct a review of this nature and, specifically within this, to ensure safe and appropriate access arrangements for both voters and staff.</p> <p>Failure to complete this review may adversely effect these arrangements, albeit this could not affect the result of any future election.</p>	3	E	The review has been undertaken within the prescribed timescale and appropriate recommendations are being made to Council for adoption.

*taking account of the proposed mitigation measures.

6. Environmental Impact Assessment

6.1 Not applicable to this report.

7. Equalities and Diversity Implications

- 7.1 The equalities act 2010 requires public bodies when taking decisions, adopting policies reviewing practices and procedures to have **due regard** to the need to eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act, advance equality of opportunity between people who share a protected characteristic and those who do not and foster good relations between people who share a protected characteristic and those who do not.
- 7.2 The purpose of the polling district review is to ensure that all the electors in the constituency have such reasonable facilities for voting as are practicable in the circumstances, and to ensure that so far as is reasonable and practicable, that all polling stations are accessible to all electors, including those who are disabled, and when considering the designation of a polling place, to have regard to the accessibility needs of disabled persons.
- 7.3 In reviewing polling places, the relevant authority is required under the provisions of Paragraph 4 of Schedule A1 to the Representation of the People Act 1983 to actively seek representations from such persons as it thinks have particular expertise in relation to access to premises; or facilities for persons who have different forms of disability. In addition the polling district review has been carried out line with the Electoral Commission's guidance circular EC19 (2010) in relation to the needs of the elderly and the disabled and identified needs have been taken account of during the review. All polling station staff receive equalities training as part of the induction for working on the election.

8. Financial Considerations

- 8.1 The cost of the polling district and polling places has been met from within existing budgets.
- 8.2 The proposals will have minimal effect on the cost of providing future elections.

9. Legal Considerations

- 9.1 In accordance with the Electoral Administration Act 2006, Section 16 requires each authority to carry out a review of polling districts, polling places and polling stations within one year of the Act and every four years after that.
- 9.2 Any comments on this review are to be made available to the public within 30 days of receipt from the Council. Appeals against the review must be lodged with the Electoral Commission within six weeks of publication.

10. Recommendations:-

- 10.1 That the findings of the Polling Districts, Polling Places and Polling Station review 2011 be noted.**
- 10.2 To agree the changes to the polling districts and polling places, as detailed in Appendix 2.**

- 10.3 That all other existing arrangements in respect of polling districts and polling places remain as at present.**
- 10.4 That the Council formally publishes its final report on the Review of Polling Districts and Polling Places, as required by the Electoral Administration Act 2006.**
- 10.5 That the Returning Officer be asked to give consideration to using the new polling stations suggested in Appendix 2 for future elections.**