

**Manchester City Council
Report for Resolution**

Committee: Constitutional and Nomination Committee

Date: 18 June 2010

Subject: Review of Polling Districts and Polling Places

Report of: The Chief Executive

PURPOSE OF REPORT:

To seek the Committee's approval for the initiation of a statutory review ('the Review') of polling districts and polling places within the city.

RECOMMENDATIONS:

1. To note the background to the proposed review and the proposed review process including the consultation arrangements
2. To authorise the initiation of a review of the parliamentary polling districts and parliamentary polling places with the Council's area.
3. To authorise that this be combined with a review of polling districts for local government elections within the Council's area
4. To note the establishment of the member working group to work with the returning officer in formulating a methodology to review polling stations and proposals for the future and to delegate authority for undertaking the Review to the Chief Executive.
5. To request that the Chief Executive submit an interim report to the Committee to approve the Council's initial proposals prior to consultation.
6. To request that the Chief Executive report back to the Committee upon completion of the Review, so that the Committee can make final recommendations on polling districts and places to Full Council.

FINANCIAL CONSEQUENCES FOR REVENUE BUDGET:

Estimated costs of the review - £50,000

FINANCIAL CONSEQUENCES FOR CAPITAL BUDGET:

None

WARDS AFFECTED:

All

IMPLICATIONS FOR:

Antipoverty	Equal Opportunities	Environment	Employment
No	No	No	No

BACKGROUND DOCUMENTS:

Representation of the People Act 1983
The Review of Polling Districts and Polling Places (Parliamentary Elections) Regulations
2006

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1. Background

- 1.1 The Electoral Administration Act 2006, introduced a duty for all parliamentary polling districts and polling places to be reviewed every 4 years. Manchester last conducted such a review in 2007 and the next full review was scheduled to take place in 2011. However, as part of the general review of the 2010 combined elections and of problems at a number of existing polling stations it is proposed that a statutory review should be commenced immediately.

2. Terminology used in this Report

- 2.1 **Polling district:** the area created by the division of a constituency, ward or European Parliamentary electoral region into smaller parts, within which a polling place can be determined which is convenient to electors.
- 2.2 **Polling place:** the geographical area in which polling stations will be sited by the Returning Officer.
- 2.3 **Polling station:** the actual area where the poll takes place and which must be located within the polling place. Chosen by the Returning Officer and publicised in the Notice of Situation of Polling Stations and communicated to electors via their poll cards. As part of a statutory review the Returning Officer must formally comment on both the existing polling stations used and the polling stations that would probably be used based on any newly recommended polling places.

3. Responsibilities and the scope of a statutory review

- 3.1 The designation of the City's polling places and districts is the responsibility of the Council and the relevant functions are delegated to the Constitutional and Nomination Committee.
- 3.2 The allocation of polling stations within polling places is not a Council function and is the responsibility of the Returning Officer.
- 3.3 Although the legislation suggests 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 is recognised by the Electoral Commission.
- 3.4 Although the allocation of polling stations is the responsibility of the Returning Officer for the election concerned, in practice the consideration of the location of likely polling stations will have an important impact on the choice of polling places and the boundaries of polling districts, particularly in some areas of the city where suitable premises have been hard to locate. Consequently, the identification of suitable locations for polling stations will form the basis of the statutory review and the Council's initial proposals for future polling districts and places which will be subject to public consultation in the summer.

- 3.5 A Cross-Party Member Working Group has been established to work with the Returning Officer in formulating a methodology for identifying particular areas where polling station provision requires review taking into account intelligence provided by officers and stakeholders. Membership of this Working Group is Councillors Ashley, Battle and Fender.
- 3.6 Polling districts for local government elections are not automatically part of the statutory review. However, the Electoral Commission advises that reviews of parliamentary polling arrangements should always be conducted simultaneously with a review of local government arrangements and that the polling districts for UK parliamentary and local government elections should always be the same. Consequently, it is recommended that the Committee should bring local government polling districts within the scope of the Review.

4. Aim of the proposed review

- 4.1 In conducting a statutory review the Council must, when designating polling districts, seek to ensure that all electors have such reasonable facilities for voting as are practicable in the circumstances.
- 4.2 In designating polling places it 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 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.
- 4.3 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 particularly in some areas of the City. However, the focus of the review will be to identify wherever possible polling places /polling stations which meet set criteria, relating to :
- Location
 - Facilities
 - Accessibility
 - Health and safety, and
 - Space

- 4.4 Where it is not possible to identify polling places / polling stations that meet these criteria exactly, particularly around accessibility, every reasonable adjustment will be undertaken to provide access for all electors. An evaluation of the possible use of temporary polling stations will also be undertaken to see whether there is increased role for such facilities in any future strategy.

5. The Proposed Review Process

- 5.1 The following is an outline of the proposed statutory review process. It envisages that the review of parliamentary polling districts and places would be combined with that of local polling districts. It is also proposed that the review be conducted by the Chief Executive under delegated authority, with final proposals being subject to the approval of the Committee and Full Council.
- 5.2 Formal initiation of the review process involves the publishing by the Council of a notice of the review, which will be displayed in each parliamentary constituency and published on the Council's website.
- 5.3 Concurrently, the Returning Officer will work with the Member Working Group throughout June and July to gather intelligence from local members, key stakeholders and officers to establish suitable locations for polling stations.
- 5.4 The Council will then publish initial proposals for new polling district and polling place arrangements in late July informed by the Returning Officer's recommendations. These initial proposals will then be subject to public consultation until mid-September and final proposals will be submitted to full Council in October.
- 5.5 Factors that will be considered in producing the initial proposals include:
- (a) the geographical size of polling districts;
 - (b) the size of the electorates of polling districts [however, a large polling district electorate may not itself be an issue, provided that its polling place is such that the required number of polling stations can be properly accommodated];
 - (c) the need for Ringway Parish to have its own polling district;
 - (d) the need for polling districts to have boundaries that enable it to contain a suitable polling place;
 - (e) the distance of the polling place from all areas of the polling district;
 - (f) other features of the polling district's geography that may make reaching a polling place difficult for some or all of its electors;
 - (g) accessibility of the polling place to disabled electors;

- (h) the likely location of any polling station(s) within the polling place, including consideration of their accessibility for disabled electors;
 - (i) the suitability of the polling place in terms of the space required to effectively conduct polling.
- 5.6 As noted, the Returning Officer must make representations to the Council, which must include information as to the location of polling stations (whether existing or proposed) within (existing or proposed) polling places.
- 5.7 During the review any elector in a constituency located in whole or in part in the Council's area may make representations. Also, by law, representations must be sought from such persons as the Council considers to have 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 Returning Officer's representations.
- 5.8 The consultation process will be divided into two separate parts:
- a) June/July: Consultation to inform the Council's initial proposals: This will focus upon the identification of suitable polling stations across the city and will be informed by consultation with Councillors, MPs and local political parties and disability groups.
 - b) Late July/August/September: Consultation on the initial proposals for the designation of polling places and districts and publication of Returning Officer's recommendations on polling stations
- 5.9 Final proposals will be brought to the Committee which take account of the representations which have been made. In reaching those final proposals, the factors identified in para. 5.5 will have again been considered.
- 5.10 Once the final proposals are approved by the Constitutional and Nomination Committee and by the full Council, the Council's reasons for its decisions must be published. The Council must also publish:
- (a) all correspondence sent to a 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.

5.11 Once the review is completed, another review must take place in 4 years time. However, the Council has a discretion to review polling places and polling districts before that time if necessary.

6. Costs of the Review


6.1 It is estimated that the cost of undertaking the review will be £50,000.

7. Recommendations

7.1 Recommendations to the Committee appear at the front of this report.

Date	Activity
Week commencing 14 June	Initial Meeting of Member Working Group to approve terms of reference, methodology and work programme Meeting of Constitutional and Nomination Committee Consultation with key stakeholders to inform initial proposals
Weeks commencing 21 June and 28 June	Site visits to polling stations
Weeks commencing 19 July	Working Group Meeting to consider initial proposals and the Returning Officer's recommendations with regards to polling stations
Weeks commencing 26 July	Constitutional and Nomination Committee consider draft initial proposals Beginning of consultation on Council's Initial Proposals
Weeks commencing 13 September	Closing Date for consultation on the initial proposals
4 October	Publication of the Council's final proposals
12 October	Submission of final proposals to Constitutional and Nomination Committee
13 October	Submission of final proposals to full Council

Appendix 1

STATUTORY REVIEW OF POLING DISTRICTS AND POLLING PLACES	RETURNING OFFICER REVIEW OF POLLING STATIONS
	Establish member working group to work with Returning Officer
Report to Constitutional and Nomination committee to commence statutory review	Gather intelligence on existing polling stations and possible alternatives <ul style="list-style-type: none"> • Feedback from Polling Station Inspectors and Presiding Os • Feedback and comments from members, MPs, political parties, disability groups and other stakeholders to provide suggestions for suitable premises • Work with specialist officers and specialist system to identify suitable premises
Publish statutory notice of Review	Returning Officer provides intelligence and feedback on polling stations and potential polling stations to the Council to inform the formulation of initial proposals for the statutory review of Polling Districts and Polling Places 
Formulate initial proposals on polling districts and polling places	
Interim report to Constitutional and Nomination Committee on initial proposals	
Consultation on the initial proposals on polling districts and polling places. In particular any elector in a constituency located in whole or in part in the Council's area may make representations. Councillors, other relevant elected	

officials and local political parties will be consulted as part of the review	
	Returning Officer must by law make representations to the Council on the location of polling stations (whether existing or proposed) within (existing or proposed) polling places.
Within 30 days of receiving the Returning Officer's representations on polling stations the Council must publish them and specifically representations / comments on the Returning Officers representations must be sought from disability access groups.	
Collate representations and draw up final proposals for polling districts and polling places.	
Report to Constitutional and nomination committee and council on the final proposals	
Publication of the Council's final proposals	