

## HERTSMERE BOROUGH COUNCIL

Meeting name & Date	<b>FULL COUNCIL</b> <b>18 July 2018 (postponed from 11 July 2018)</b>
Agenda item	<b>22</b>
Report title	<b>Commencement of Polling District and Polling Places Review 2018</b>
Report reference no.	C/18/28
Wards affected	All wards
Report author, job title & email	Donald Graham, Returning Officer <a href="mailto:donald.graham@hertsmere.gov.uk">donald.graham@hertsmere.gov.uk</a> Sam Langford, Electoral Services Manager <a href="mailto:sam.langford@hertsmere.gov.uk">sam.langford@hertsmere.gov.uk</a>
List of Appendices	Appendix 1. Review Timetable Appendix 2. Boundaries and Electoral Arrangements Working Party Appendix 3. (current) Polling Districts and Polling Places Scheme Appendix 4. The Hertsmerere Electoral Changes Order 2018
Reason for urgency	Not applicable

**PUBLIC REPORT - this report is available to the public.**

### **1 RECOMMENDATION**

- 1.1 That the report of the Returning Officer be noted.
- 1.2 That the proposed timetable for a Review of Polling Districts and Polling Places in the Borough of Hertsmerere as set out in Appendix 1 to the officers report, be approved.
- 1.3 That a cross-party Member Working Party be established to progress the Review and to make recommendations to Council thereon.
- 1.4 That the Terms of Reference for the cross-party Member Working Party as set out in Appendix 2 to the officer's report, be approved.
- 1.5 That Council receives the nominations of the Group Leaders and appoints those nominees to membership of the Member Working Party.

## **2 PURPOSE OF THIS REPORT**

- 2.1 To inform the Council of the commencement of a Review of Polling Districts and Polling Places during 2018.
- 2.2 To request the establishment of a cross-party Member Working Party to progress the Review and to make recommendations to Council.

## **3 BACKGROUND**

- 3.1 Following Hertsmere's Electoral Review and the subsequent changes to warding arrangements a review of local government polling districts and places must be conducted by the Returning Officer. This is to ensure polling stations are located correctly within the new ward areas. This review must be conducted and concluded by 31<sup>st</sup> January 2019 in time for the all-out borough, parish and town elections in May 2019.
- 3.2 A 'polling district' is a geographical area created by the subdivision a Parliamentary constituency and a 'polling place' is the building or area in which polling stations will be provided by the Returning Officer. A 'polling station' is therefore the room or area within the polling place where voting takes place.
- 3.3 In addition, the Electoral Registration and Administration Act 2013 requires the Council to complete a review of all Parliamentary polling districts and polling places every 5 years. The next review must be completed between October 2018 and January 2020.
- 3.4 From a practical perspective there is no difference between these two reviews as Hertsmere's Borough and Parliamentary boundaries are coterminous. A copy of the current polling district and polling places scheme is attached as Appendix 3. Consequently, to avoid having to duplicate work it is proposed to combine the Parliamentary and local polling district and polling places reviews.
- 3.5 It is the Council that is responsible for approving a Scheme constituting 'polling districts' and designating 'polling places' but it is the Returning Officer for the relevant election who will be responsible for selecting the polling stations, albeit located within the designated polling places. In addition, because the review includes parliamentary constituency polling districts and polling places, the Returning Officer is required to comment on both the existing polling stations and the polling stations that would be likely to be used if any new proposal for a polling place was accepted.
- 3.6 Each parish is required to be designated as a polling district and a polling place must be designated within a polling district in order that polling stations are within easy reach of all electors from across the polling district.
- 3.7 In the case of a Parliamentary election a polling place for any polling district must be within the polling district unless there are special circumstances which make it desirable to designate a building or area wholly or partially outside the polling district. In addition, the Council must exercise its duties to constitute polling districts and designate polling places with a view to giving

all electors such reasonable facilities for voting as are practicable in the circumstances. Similarly, for Local Government elections the Council is under a duty in the designation of a polling place within a polling district to exercise these powers in order that electors from any polling district can, in the absence of special circumstances, be allocated to a polling station within a polling place for that district. The Council is also under a duty to designate as polling places, so far as is reasonable and practicable, only places which are accessible to electors with disabilities.

#### **4 Conduct of the Review**

- 4.1 It is intended that the combined review of Polling Districts and Polling Places will commence on 1 October 2018 and follow the timetable attached at Appendix 1. A report will then be presented to the Council on 23<sup>rd</sup> January 2019 to conclude the review and to seek approval for any proposed changes the current Polling Districts and Polling Places Scheme - in practice by adopting a revised Scheme incorporating the agreed changes. The revised Scheme will take effect at the publication of the revised version of the Electoral Register on 1 February 2019.
- 4.2 It is proposed that a cross-party Member Working Party be established by Council to meet in the meantime to consider any proposed changes to the geographical areas of polling districts and/or the designation of polling places prior to these published for public consultation.
- 4.3 Consultation will run from 1 October to 30 November 2018 and a webpage will be developed detailing the current arrangements and the process for submitting a representations Councillors and other elected representatives, local election agents and political parties will be invited to submit a representation concerning polling districts and polling places and will be provided with the current arrangements for the relevant area in order to make any comments. Local Electors and Identified persons/groups that have a special interest in access for disabled electors will also be invited to comment on both the existing arrangements and to make any representations in respect of any alternative proposals for change. The (Acting) Returning Officer will be invited to submit comments on the existing arrangements and proposed arrangements.
- 4.4 The Working Party will meet in early December 2018 to consider and take into account the consultation responses prior to formulating recommendations to the Council on the adoption of a revised Polling Districts and Polling Places Scheme in time for the Local Government elections in May 2019

#### **5 FINANCIAL AND BUDGET FRAMEWORK IMPLICATIONS**

- 5.1 For the Local Government elections in May 2019 elections costs will, wherever applicable, be shared with the relevant Town/Parish Council. In the event of a Parliamentary, County Council or Police and Crime Commissioner Election, election costs are recoverable in full.

- 5.2 Since Hertsmere Borough Council moved to four yearly local elections, Hertsmere's share of the overall costs are now funded over a four year period with budgeted funding being set aside in a specific reserve each year and then being drawn down in an election year.
- 5.3 The designation of an additional polling place is likely to cost between £1500 - £2000, these being costs (inclusive of venue costs and staff fees) of providing a polling station at the polling place. Any additional polling place would therefore have a budgetary impact and would need to be reflected in the annual revenue budget.

## **6 LEGAL POWERS RELIED ON AND ANY LEGAL IMPLICATIONS**

- 6.1 To comply with Section 17 of the Electoral Administration Act 2013, Hertsmere Borough Council is required to conduct a review of all parliamentary polling districts and polling places within the Hertsmere Parliamentary Constituency by 30<sup>th</sup> January 2020.
- 6.2 The Hertsmere Electoral Changes Order 2018 which came into force on 25 April 2018, gives effect to the recent Borough boundaries review by the Local Government Boundaries Commission for England and a copy of the Order is attached as Appendix 4. This also requires the Council to conduct a review of polling districts and polling places in time for the Local Government elections in May 2019.
- 6.3 When carrying out a review the Council must take the following steps:-
- 6.3.1 Publish a Notice of Holding the Review;
- 6.3.2 Consult the Returning Officer;
- 6.3.3 Publish the representations of the Returning Officer within 30 days of receipt by placing a copy on deposit at the Council's Offices, publishing them on the Council's web site and posting a further copy in a conspicuous location in the Borough.
- 6.3.4 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. Such persons must have an opportunity to make representations and to comment on the representations made by the Returning Officer; and
- 6.3.5 On completion of a review, give reasons for its decisions and publish:
- (i) all correspondence sent to the Returning Officer in connection with a review;
  - (ii) 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;
  - (iii) all representations made by any person in connection with the review
  - (iv) the minutes of any meeting held by the council to consider any revision to the designation of polling districts or polling places within its area as a result of the review;

- (v) details of the designation of polling districts and polling places within the local authority area as a result of the review.

## **7 EFFICIENCY GAINS AND VALUE FOR MONEY**

- 7.1 Not Applicable.

## **8 RISK MANAGEMENT IMPLICATIONS**

- 8.1 There is a risk of a revised Polling Districts and Polling Places Scheme not being adopted by the Council in time for the Local Government elections in May 2019. This risk will be minimised by the adoption of, and adherence to, the timetable at Appendix 1 and by the establishment of the Member Working Party to lead the review and make timely recommendations to full Council.

## **9 PERSONNEL IMPLICATIONS**

- 9.1 The Review and the Member Working Party will be supported by the Head of Legal & Democratic Services, the Electoral Services Manager, a Democratic Services Officer and a member of the GIS team

## **10 EQUALITIES IMPLICATIONS**

- 10.1 The Council must seek to ensure that all the electors in the Borough/Constituency have such reasonable facilities for voting as are practicable in the circumstances and to ensure that so far as is reasonable and practicable, the polling places they are responsible for are accessible to all electors, including those with a disability, and when considering the designation of a polling place, must have regard to the accessibility needs of disabled persons.

## **11 CORPORATE PLAN and POLICY FRAMEWORK IMPLICATIONS**

- 11.1 None for the purposes of this report.

## **12 ASSET MANAGEMENT IMPLICATIONS**

- 12.1 None for the purposes of this report.

## **13 HEALTH AND SAFETY IMPLICATIONS**

- 13.1 None for the purposes of this report.

#### 14 BACKGROUND DOCUMENTS USED TO PREPARE THIS REPORT

<b>Document Title:</b>	<b>Filed at:</b>
None	N/A

#### 15 CONSULTATION ON DRAFT REPORT

15.1 A draft of this report was sent to the following on the following dates:

<b>Consultee</b>	<b>Report sent</b>	<b>Comments rcvd</b>
Chief Executive & Corporate Director (COB)	26/06/18	26/06/18
Head of Finance	26/06/18	27/06/18
Head of Legal & Democratic Services	26/06/18	26/06/18