

**Council – 20 December 2007**

## **POLLING DISTRICTS/POLLING PLACES REVIEW**

### **Report of the Head of Corporate Services**

**Statutory Powers:** Section 18 Representation of the People Act 1983  
Section 16 Electoral Administration Act 2006

**Financial Implications:** None

### **Purpose**

The Electoral Administration Act 2006 introduced a duty for all polling districts and polling places to be reviewed by the end of 2007. This links with CP5 – accessible Council.

In order to comply with the Review of polling Districts and Polling Places (Parliamentary Elections) Regulations 2006 made under the above Act, every council in England and Wales has to undertake and complete a review of all the polling districts and polling places within its area by 31 December 2007.

### **RECOMMENDATION**

**That the Council be RECOMMENDED that**

- (i) the revised Polling Districts Places (Appendix A) be approved,**
- (ii) a new Order (the South Hams Polling Districts and Polling Places Order 2007) be made; and**
- (iii) the South Hams Polling Districts and Polling Places Order 1999 be revoked.**

### **Preliminary**

- 1. Parliamentary constituencies:** these cannot be changed by the review. The division of these constituencies into polling districts and places is the subject of the review.
- 2. Polling district:** the area created by the division of a constituency, ward or division into smaller parts, within which a polling place can be determined which is convenient to electors.
- 3. Polling place:** A polling place is a geographical area in which a polling station is located. That geographical area can be defined as tightly as a particular building or as widely as the entire polling district. Where a polling place is not named, by default it is the whole polling district.

4. **A Polling station** is the actual location, chosen by the Returning Officer, where the process of voting takes place and must be within the polling place for the particular polling district.
5. In legislation the responsibility for the review of polling districts and polling places rests with the local authority while the provision of polling stations lies with the Returning Officer personally.

### **Consultation**

6. Public Notice was given of the commencement of the review of polling districts and polling places on 30 July 2007. The opportunity was also taken to receive representations concerning the accessibility of polling stations. The closing date for submissions was 10 September 2007.
7. Notices were sent to Parish Councils, political parties, Members via Bulletin and various organisations having knowledge of accessibility issues
8. No negative representations were received from any persons regarding the changing of polling districts and polling places. Several electors from one area of Kingsbridge made representations which would involve a change in the parish boundary which is not covered by this review. Most representations received were from parishes in favour of existing polling stations and other representations regarding polling stations were as follows:
  - Marldon Parish Council – strongly oppose the use of the village hall as a polling station and wish the local primary school to be used.
  - Thurlestone Parish Council – request to combine Bantham with Thurlestone and use the Village Hall at Thurlestone.
9. The Returning Officers proposals were published on 26 October 2007 and were sent to Parish Councils and organisations who had expressed an interest and posted on the internet – comments were invited by 13 November 2007.
10. One comment was received concerning the possible use of Tearooms at Lukesland Harford as a polling station.
11. Another from the Shaugh Prior Parish Council suggested that as no suitable other venue was available at Wotter that the polling place for Wotter should be either Shaugh or Lee Moor.
12. The Returning Officer will decide upon the polling stations to be used at the next election after further investigations in the areas identified.
13. No further comments have been received.

## **Current Situation**

14. A new Polling Districts, Polling Places Order is required to be made to incorporate revisions with regard to:-

- Bantham – change polling place from Bantham to Thurlestone as no suitable accommodation available.
- Ashprington (Tuckenhay) – change polling place from Tuckenhay to Ashprington – Ashprington Village Hall is used as a polling station as there is no suitable venue at Tuckenhay.
- Shaugh Prior – Wotter – change polling place to Shaugh Prior as no suitable alternative venue within Wotter.
- South Brent (Brentmoor) – change polling place from Didworthy to South Brent – South Brent Village Hall is used.

15. A revised schedule to the proposed new Order is attached (Appendix A)

## **Recent Elections/Polls**

16. As advised, polling places may be designated as buildings rather than the polling district as a whole. This is not considered appropriate for the South Hams district for the following reasons:-

- (i) Polling stations would be restricted to the buildings identified in the Order.
- (ii) There would be a need to make a new Order if the building identified as the polling place was not available.

17. Recently in response to the rumours concerning the possible holding of a Parliamentary election on 1<sup>st</sup> November, polling stations were contacted to reserve them if and when the election was announced. The timescale for holding a parliamentary election can be as little as 17 working days. In respect of the 1 November, 4 out of the 92 polling stations required were unavailable. Likewise with the Newton and Noss Parish Poll (poll to be held 14-25 days from date poll demanded) one of the polling stations usually used was unavailable and the school was used instead – this was possible because currently the polling place is designated as the whole of the polling district and not as a specific building.

## Risk Assessment

Opportunity	Issues / Obstacles	Benefits
<p>To ensure that the polling districts and polling places meet the needs of the electors.</p>	<p>Failure to review the polling districts/places would result in the non compliance of legislation under the Electoral Administration Act 2006.</p> <p>If polling places are too specific and the polling place was unavailable, then the Returning Officer would be forced to hold the election in a different polling place from that contained in the Order. It would then be necessary to issue an appropriate Notice and make arrangements for a new order to be made.</p> <p>Election timescales are very tight and involve considerably high workloads - the need for additional paperwork would be disruptive to the election process.</p>	<p>Effective management of elections within legislative requirements.</p> <p>More flexibility with regard to choice of polling stations within polling places.</p>

## Conclusion

18. In legislation the responsibility for the review of polling districts and polling places rests with the local authority while the provision of polling stations lies with the Returning Officer personally.
19. The current Polling District Polling Places Order needs to be revised slightly to allow more, or some, choice of polling stations.
20. The Returning Officer keeps the location of polling stations under review. A decision to allow polling places to be areas within polling districts will allow the Returning Officer to act without delay in relocating a polling station when it is unavailable or when access issues arise.

Elizabeth Tucker  
Electoral Administrator

Council  
20 December 2007

Kevin Williams  
Head of Corporate Services

**Background Documents:**

Public Notice of the commencement of the review 30 July 2007

The Electoral Administration Act 2006

Review of polling Districts and Polling Places (Parliamentary Elections)  
Regulations 2006

The South Hams Polling Districts and Polling Places Order 1999

The Returning Officers proposals published on 26 October 2007

Letters and emails of representation