

REVIEW OF POLLING DISTRICTS, POLLING PLACES AND POLLING STATIONS

Head of Service/Contact:	Amardip Healy, Chief Legal Officer
Urgent Decision?	No
If yes, reason urgent decision required:	
Annexes/Appendices (attached):	Annex 1 - Public Consultation Document
Other available papers (not attached):	None

Report summary

The Electoral Registration and Administration Act 2013 requires compulsory reviews of UK Parliamentary polling districts and polling places every five years. A compulsory review must be completed by 31st January 2020. A consultation is under way to inform this process. It is recommended that a Working Group of Members is established to consider representations received and for their proposals to be brought back before this Committee on 26 November 2019.

Recommendation (s)

- (1) That a Working Group be established to consider all representations received in respect of the public consultation in respect of Polling Districts, polling Places and Polling Stations;**
- (2) That the Working Group should comprise 5 members with the Chairman of the Residents' Association, the Leader of the Liberal Democrat group and the Leader of the Labour group nominating 3 members, 1 member and 1 member respectively**
- (3) That this Committee considers the proposals of the Working Group at its meeting on 26 November 2019.**

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1 Implications for the Council's Key Priorities, Service Plans and Sustainable Community Strategy

- 1.1 The (Acting) Returning Officer (the Chief Executive) has a duty to provide a sufficient number of polling stations and allot electors to the polling stations in such manner as she thinks most convenient.

2 Background

- 2.1 The Council last conducted a review of polling districts and polling places in November 2011. The Electoral Registration and Administration Act 2013 introduced a change which requires compulsory reviews of UK Parliamentary polling districts and polling places every five years. The next compulsory review must now be started and completed between 1 October 2018 and 31 January 2020.
- 2.2 A polling district is a geographical area which is a sub-division of a ward or constituency and, for each polling district, there must be designated a "polling place". The term is not defined in legislation but could for example, be a public building.
- 2.3 The responsibility to designate a polling place is a matter for the Council. If no polling place is designated, the polling district becomes the polling place. It has been the Council's approach (and recommended best practice) to designate various buildings - Bourne Hall, for example - as polling places. Decisions about polling stations within the polling place are for the (Acting) Returning Officer to make.
- 2.4 A review is all the steps set out in Schedule A1 to the Representation of the People Act 1983. The review process, from the publication of the review until the publication of the documents at the end, must all take place within the specified period.
- 2.5 The Electoral Commission's guidance on Reviews of polling districts, polling places and polling stations prescribes the manner in which representations made by returning officers about the location of polling places are to be published. The regulations also prescribe the information that is to be published upon the completion of a polling place review.

3 Consultation

- 3.1 On 11 September 2019 notice of the review was published on the Council's website. A Consultation document was published on 11 September 2019 and the consultation period will close on 16 October 2019. Any elector in the Constituency was invited to make representations on the designation of polling districts or places. In addition, the Council notified the following groups/individuals about the review:
 - 3.1.1 The Member of Parliament for Epsom and Ewell, Chris Grayling,
 - 3.1.2 Epsom and Ewell Access Group

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- 3.1.3 Surrey Disabled People's Partnership
- 3.1.4 Members of Epsom and Ewell Borough Council
- 3.1.5 Surrey County Councillors representing divisions within the Epsom area
- 3.1.6 Election agents who acted at the 2011 elections
- 3.1.7 Candidates who stood in the 2011 elections
- 3.1.8 Residents Associations
- 3.1.9 Registered political parties who regularly field candidates in local and parliamentary elections in the Borough

3.2 The Public Consultation document is appended at **Annex 1**.

4 Results of Consultation

- 4.1 It is proposed that a Working Group be set up to consider all of the representations received in respect of the Public Consultation. It is suggested that the Working Group be politically balanced and comprise 5 members. Nominations for 3 members are invited from the Chairman of the Residents' Association Group while nominations from the Leaders of Liberal Democrat Group and Labour Group are invited for 1 member each.
- 4.2 The following nominations to the Working Group have been received:
 - Residents' Association Group: Councillor Nigel Collin, Councillor Clive Woodbridge and one Councillor from Nonsuch Ward
 - Labour Group: Councillor Kate Chinn
 - Liberal Democrat Group: Councillor Julie Morris
- 4.3 The Working Group's terms of reference will be to consider all representations received as a result of the public consultation and to recommend proposals in line with those representations.
- 4.4 The review process needs to be concluded by 31 January 2020. It is therefore proposed that the Working Group report back to this Committee with its proposals on implementation of the proposals on 26 November 2019.

5 Financial and Manpower Implications

- 5.1 The cost of the review can be contained within existing budgets.
- 5.2 **Chief Finance Officer's comments:** None for the purposes of this report.

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6 Legal Implications (including implications for matters relating to equality)

- 6.1 The Council must conduct a review of its polling districts and polling places by virtue of the Electoral Registration and Administration Act 2013
- 6.2 The Council must comply with the Public Sector Equality Duty. Polling places need to be accessible to disabled residents. The Council complies with its duties by ensuring that the public consultation includes disability groups
- 6.3 **Monitoring Officer's comments:** The legal implications incorporate the Monitoring Officer's views.

7 Sustainability Policy and Community Safety Implications Partnerships

- 7.1 There are no sustainability issues. Community safety in respect of the adequacy of the polling stations will be considered from representations arising from the public consultation

8 Risk Assessment

- 8.1 There is no risk associated with the administrative process of carrying out this public consultation or from the deliberations of the Working Group.

9 Conclusion and Recommendations

- 9.1 The Council must carry out a review of its polling districts and polling places. This must be completed by 31 January 2020. A public consultation is underway and will finish on 16 October 2019. It is recommended that a politically balanced Working Group be set up to consider those representations and to recommend proposals. Due to the deadline it is recommended that the Working Group report back to this Committee on 26 November 2019 with its proposals.

Ward(s) affected: All Wards.