

# REPORT TO COUNCIL

**REPORT OF: CHIEF EXECUTIVE**

**REPORT NO: DEM038**

**DATE: 21ST JANUARY 2010**

<b>TITLE:</b>	<b>Review of Polling Places</b>	
<b>KEY DECISION OR POLICY FRAMEWORK PROPOSAL:</b>	N/A	
<b>PORTFOLIO HOLDER: NAME AND DESIGNATION:</b>	Access and Engagement portfolio: Councillor Ray Auger	
<b>CONTACT OFFICER:</b>	Lena Shuttlewood, Democracy Service Manager <a href="mailto:l.shuttlewood@southkesteven.gov.uk">l.shuttlewood@southkesteven.gov.uk</a>	
<b>INITIAL IMPACT ASSESSMENT:</b>	Referred to in paragraph (7) below:	
<b>Equality and Diversity</b>		
<b>FREEDOM OF INFORMATION ACT:</b>	This report is publicly available via the Your Council and Democracy link on the Council's website: <a href="http://www.southkesteven.gov.uk">www.southkesteven.gov.uk</a>	
<b>BACKGROUND PAPERS</b>	List of current polling places as appended to report	

## **1. RECOMMENDATIONS**

- 1 That the Chief Executive, as Returning Officer for South Kesteven, be granted delegated authority in consultation with Ward Councillors to determine Polling Places in accordance with Section 16 of the Electoral Administration Act, 2006.
- 2 That members are provided with location maps detailing the Polling Districts within their Ward and highlighting existing Polling Places for any views and comments.

## **2. PURPOSE OF THE REPORT**

The recommendations in the report would allow for contingency arrangements to be put in place if required, to ensure availability of adequate Polling Stations and would enable a co-ordinated approach to the update and review of Polling Places and Polling Stations – particularly at short notice to cover unforeseen circumstances and allow for adequate alternative arrangements to be put in place during the course of election preparation.

### **3. DETAILS OF REPORT**

The Returning Officer at an election is responsible for identifying and making arrangements with regard to Polling Stations to be used at an election. The identification of Polling Places, which are the areas within a Polling District where a Polling Station should be located, is the responsibility of the Council.

It is important that members are involved in the determination of polling places however there is an anomaly in that the Chief Executive recommends the Polling Places to the Council following a review and separately, in the role of Returning Officer, identifies Polling Stations in a further review (effectively the same buildings) and is not required to notify the relevant Local Authority.

There is a second more practical difficulty that when Polling Stations become unavailable through a prior booking, or are subject to refurbishment at short notice at a particular election, there is generally insufficient time for a report to be considered by the Council in respect of approval of a revised Polling Place and there could be a subsequent delay in implementing revised administrative arrangements. This is particularly true at a Parliamentary election when the date of the election is unknown and firm bookings of Polling Stations cannot be made early.

Given that both functions are undertaken by the same Officer, it may be appropriate to consider delegation of Polling Places to the Chief Executive so that a joint review of Polling Places and Polling Stations can be undertaken simultaneously to reduce the duplication of work and also to allow any unavailability of a Polling Station to be addressed when required.

The views of Councillors are very relevant to the reviews of both Polling Places and Polling Stations and it is suggested that any review should be undertaken in consultation with Councillors in respect of their Wards and reviewed periodically by Council. The views of Election Agents and other appropriate third parties such as organisations representing people with disabilities can also be considered by the Chief Executive prior to determining the most suitable location having regard to all factors and any guidance from the Electoral Commission.

In anticipation of this report and to assist Ward Councillors, location maps are in the process of being prepared the existing Polling Places within each Polling District. It is likely that the vast majority will remain unchanged but in a few cases, there may be the need to consider arrangements for example, where additional housing has been developed since the last review. To help with this it is suggested that Councillors be provided with the relevant location maps for their Ward to enable views to be submitted to the Chief Executive.

### **4. OTHER OPTIONS CONSIDERED**

There are no other options available other than the existing arrangement of the review of Polling Places and Polling Stations separately.

## **5. RESOURCE IMPLICATIONS**

No additional costs but there will be marginal savings in time by avoiding the duplication involved in two similar reviews.

## **6. RISK AND MITIGATION (INCLUDING HEALTH AND SAFETY AND DATA QUALITY)**

Section 16 of the Electoral Administration Act sets out the scope of consultation and the methodology of a Polling Place Review. The only health and safety risks relate to the fitting out of the Polling Stations themselves which are the responsibility of the Returning Officer. This is carried out separately.

## **7. ISSUES ARISING FROM EQUALITY IMPACT ASSESSMENT**

Equality Impact Assessments are undertaken at the review stage for each Polling Place to ensure compliance with the DDA requirements and directions from the Electoral Commission.

## **8. CRIME AND DISORDER IMPLICATIONS**

None

## **9. COMMENTS OF SECTION 151 OFFICER**

There are no budget implications associated with the recommendations contained within this report and it is likely to result in a more efficient use of officer time should difficulties with securing preferred polling stations arise.
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## **10. COMMENTS OF MONITORING OFFICER**

It is appropriate that the Chief Executive has the delegated authority of this Council to determine individual polling places when required to ensure the efficient running of an election. It is not effective to require Council to meet to determine a change to polling place in the run up to an election. It may well be that a particular polling place cannot be used on the date determined for an election. If no council meeting is planned in sufficient time before that election is due to be held, the Chairman of the Council would be required to call an extraordinary meeting of the Council to determine a new polling place.
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## **11. COMMENTS OF OTHER RELEVANT SERVICE MANAGER**

<i>It is important, when writing your report, to think about the consequences of your recommendations to the whole organisation and to consult extensively with other managers, where you consider that such potential exists.</i>
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## **12. APPENDICES:**

A schedule of existing Polling Places for each of the Wards is attached at appendix 1.