

<b>Decision maker:</b>	<b>Chief Executive</b>
<b>Decision date:</b>	<b>Friday 11 October 2019</b>
<b>Title of report:</b>	<b>Review of Polling Districts, Polling Places and Polling Stations</b>
<b>Report by:</b>	<b>(Acting) Returning Officer</b>

## **Classification**

Open

## **Decision type**

This is not an executive decision

## **Wards affected**

All Wards

## **Purpose and summary**

To approve a new scheme of polling districts, polling places and polling stations.

The council has a duty to divide its area into Polling Districts and to designate Polling Places for each district and review these every 5 years.

The review is designed to see if the polling districts and polling places in Herefordshire are arranged to suit the needs of voters and covers the following:

- the polling district boundaries within each ward in the borough
- the location of the polling places and stations in each polling district
- the access to each polling station

The council cannot review the ward boundaries or the constituency boundaries.

As a result of the review we are not proposing changes to polling districts or places but there are some changes to polling stations proposed.

## **Recommendation(s)**

**That:**

- 1) no changes be made to the existing Polling Districts as set out in appendix A;**
- 2) each entire Polling District continues to be designated as the Polling Place for that Polling District; and**
- 3) Changes to the following polling stations (as detailed at appendix A) be approved:**

The Whitehouse Community Hub  
Garway Community Centre  
Westfields Hall  
The Kinnersley Arms  
Winforton Community Hall  
The Forge  
The Gateway Centre  
Riverside Primary School  
Kington Town Football Club  
Ledbury Community Hall  
Christ Church  
Holy Trinity Church  
Eastnor Cricket Club  
Ledbury Swimming Pool  
The Garron Centre  
The Belmont Community Centre  
The Three Counties Hotel  
Weston-under-Penyard Village Hall  
Larruperz Community Centre  
Ross Swimming Pool  
Ross-on-Wye Rugby Club

## **Alternative options**

The decision maker can, if they wish, approve alternative options for polling districts, polling places and polling stations, but in doing so they would need to comply with statutory guidance and decisions would also need to be supported by demonstrable evidence.

## **Key considerations**

The Representation of the People Act 1983 makes every relevant council in the UK responsible for dividing its area into polling districts for UK parliamentary elections and for keeping the polling districts, polling places and polling stations under review.

Herefordshire's last review took place throughout 2014 and ensured that any proposals were approved in readiness for the UK Parliamentary General Election which took place on Thursday 7<sup>th</sup> May 2015.

The following statutory considerations have been taken into account when drawing up the proposals:

- The council must seek to ensure that all electors have such reasonable facilities for voting as are practicable in the circumstances.
- The council must seek to ensure that so far as reasonable and practicable every polling place is accessible to electors who are disabled.
- Every parish shall be a separate polling district.
- Ideally the polling place should be in its own polling district.

This report and the appendices set out the council's final proposals for Polling Districts, Polling Places and Polling Stations as a result of this review. We have suggested some changes to our polling stations following responses received during our consultation period where various individuals and organisations were notified of the review. We have undertaken site visits to review all new venues which will either better accommodate the number of electors in the particular area, replace a venue which is no longer available for our use, or will provide improved facilities.

## **Community impact**

Legislation stipulates that ideally there should be no more than 2,500 electors to each polling place.

The council is also required by law to ensure that all electors have access to such reasonable facilities for voting as practicable in the circumstances. The review has aimed to ensure that this requirement has been complied with as far as possible.

The proposals have been mindful of further development in the county.

## **Equality duty**

Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to –

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

It is a statutory requirement that as far as it is reasonable and practicable every polling place is accessible to electors who are disabled. This review has taken this requirement into account. However, due to the ages of some of the buildings used and their location, disabled access is not always as effective as the council would normally require and whilst we ensure that there are adequate parking facilities in as many venues as possible, some special measures have had to be put in place when the building is used as a polling place, an example of which is the provision of wheel chairs and mobile ramps.

## **Resource implications**

There are no direct financial implications arising from the review. The costs of hiring and equipping venues for voting are met from within existing budget provision. Costs incurred in relation to European, General, Parish, Police and Crime Commissioner elections and Neighbourhood Planning Referendums are recouped from the relevant funding body; where elections/referendums are running concurrently the costs are apportioned as appropriate.

## **Legal implications**

The Electoral Administration Act 2013 introduced a change to the timing of compulsory reviews of UK Parliamentary polling districts and places. This review must have been started and must be completed between 1 October 2018 and 31 January 2020 (inclusive).

Schedule A1 to the Representation of the Peoples Act 1983 sets out the steps the council must follow in undertaking any review. The Consultation period took place between 15 July 2019 and 23 September 2019 and details of those consulted are attached as appendix A to this report. The council was required to seek representations from such persons it thought had particular expertise in relation to:

- Access to premises or
- Facilities for persons who have different forms of disability.

Such persons must have been given the opportunity to make representations and to comment on the proposals being put forward. Disability awareness groups were therefore, invited to take part in this review. In addition, any elector could make proposals to the council.

## **Risk management**

Failure to agree a polling scheme would mean that the council would be in breach of its statutory duty and electors would be disadvantaged. The Electoral Commission could intervene and direct the council to alter any polling arrangements that arise from the review and the commission could make these alterations itself if the council failed to respond.

## **Consultees**

During the review any elector in a constituency located in wholly or partly in the council's area may make representations. By law, representations must also 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 (Acting) Returning Officer's representations. The council invited responses via email from Hereford Disability United, ECHO Hereford, Herefordshire Scope, Royal National College (for the blind) and services for independent living.

Copies of the council's proposals and the (Acting) Returning Officer's representations were published on the elections section of the council's website with the option to complete an online survey. The link to these proposals was distributed via the council's social media and they were also available for inspection at Hereford Town Hall and libraries in Hereford, Ledbury, Leominster, Kington, Ross-on-wye and Bromyard, where an email and postal address was provided to submit comments.

The council also sought representations on its proposals and the (Acting) Returning Officer's representations via email from a number of groups. The following were offered the opportunity to respond via email or by using the online survey on our website:

- Members of Parliament
- Members of European Parliament
- Local Political Party Agents
- Herefordshire Councillors
- Parish Clerks
- Parish Councils (via parish clerks)
- Herefordshire Association of Local Councils
- Herefordshire MOD
- Herefordshire Council, Hoople Ltd, Balfour Beatty and South West Audit employees (via Herefordshire Council's internal newsletter)

Details of the responses received during the consultation period are listed in Appendix B, Electoral Services have provided comment where necessary.

## **Appendices**

Appendix A – Final recommendations

Appendix B – Representations / summary of consultation responses

## **Background papers**

None identified.