



COUNCIL: 17 JULY 2019

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Report of: Borough Solicitor

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**SUBJECT: REVIEW OF POLLING DISTRICTS AND POLLING PLACES 2018/19 – FINAL PROPOSALS**

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Wards affected: Borough wide

**1.0 PURPOSE OF THE REPORT**

1.1 To enable the Council to comply with its statutory duty to review all Parliamentary Polling Districts and Polling Places and to review all Local Government Polling Districts and Polling Places at the same time.

**2.0 RECOMMENDATIONS**

2.1 That the Final Schedule of Proposals as set out in Appendix 1, be approved.

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**3.0 BACKGROUND**

3.1 Section 18C of the Representation of the People Act 1983 (as amended) (the 1983 Act) makes provision about the timing of reviews of polling districts and places by local authorities in the UK. The 1983 Act, now provides that a local authority must carry out and complete a review of all the polling districts and places in its area within the period of 16 months beginning with 1 October 2013, and the period of 16 months beginning with 1 October of every fifth year after that.

3.2 The Electoral Commission (the Commission) advises that a review of polling districts and places for local government elections should be undertaken at the same time. The last review was commenced in 2013 and completed in 2014.

3.3 The legislation does not prevent a local authority carrying out a review of some or all of the polling districts or polling places in its area at other times and a system for conducting interim reviews is in place and operating.

3.4 To aid understanding of the report and Appendices the following definitions will assist:-

- **Parliamentary constituency:** an area having separate representation in the House of Commons - these cannot be changed by the review. The division of these constituencies into polling districts and places is the subject of the review.
- **Polling district:** a geographical area created by the sub-division of a constituency, ward or division into smaller parts. Each parish is to be a separate polling district (unless there are special circumstances) – this means that a parish must not be in a polling district which either has part in another parish or in an un-parished area;
- **Polling place:** the building or area in which the Returning Officer will select polling stations.
- **Polling station:** Chosen by the Returning Officer for the election, a polling station is the room or building within the polling place where the poll takes place.

3.5 Local authorities are required to divide every constituency into polling districts for UK parliamentary elections and to designate a polling place for each polling district. Polling places should be within the polling district unless special circumstances make it desirable to designate an area outside the district. These must be reviewed every five years.

3.6 Authorities must:

- Seek to ensure that all the electors have such reasonable facilities for voting as are practicable in the circumstances;
- Seek to ensure that so far as is reasonable and practicable polling places are accessible to those who are disabled.
- When considering or reviewing the designation of a polling place, have regard to the accessibility needs of disabled persons.

3.7 The Commission advise that the Review of Polling Districts and Places is a function of the Council and not the Electoral Registration Officer or Returning Officer, so funding should be made available from the Council for the review. The location of polling stations at any particular election is the responsibility of the Returning Officer.

3.8 Prior to the formal start of the 2018/19 Review, the Initial Proposals and timetable for the review were formulated and discussed with the respective appointed representatives of the three groups on West Lancashire Borough Council.

3.9 In West Lancashire the Review formally began on 1 February 2019 with the publication of the Notice of Review and the start of the Public Consultation on the Initial Proposals. These proposals included the views (if any) of the (Acting) Returning Officers for West Lancashire and South Ribble. In formulating proposals regard was had to census data and any large scale housing development planned for the next four years.

3.10 Notice of the Review was issued to all West Lancashire Borough Councillors, West Lancashire County Councillors, the MPs for West Lancashire and South Ribble, political parties and all Parish Clerks, as well as to organisations with

expertise on disability access. Press Releases were also issued at various times during the consultation period.

- 3.11 Following determination of the Review, any changes required to the Electoral Register will take effect from 1 December 2019, when the Revised Register of Electors is published.

#### **4.0 CONSULTATION ON INITIAL PROPOSALS**

- 4.1 The consultation on the Initial Proposals ran from 1 February 2019 until Friday 24 May 2019.

- 4.2 Submissions to the consultation could be made in writing or by email or online via the Council website.

- 4.3 In total 11 completed submissions were made to the consultation;

- 8 were received online
- 3 were received via email.
  
- 1 online submission was discounted as it did not provide the name and address of the person submitting.
  
- 3 submissions came from Councillors of West Lancashire Borough Council.
- 7 submissions came from registered electors within the Borough.

- 4.4 The 10 valid submissions covered 6 wards;

- 1 submission was received for each of Aughton Park, Bickerstaffe, Knowsley and Skelmersdale North Wards.
- 2 submissions were received for Tanhouse Ward.
- 4 submissions were received for Halsall Ward.

- 4.5 Details of each submission can be seen at Appendix 1 under the appropriate ward.

#### **5.0 CURRENT POSITION**

- 5.1 Following the consultation, the Final Proposals, as outlined in Appendix 1, note proposed changes to the Wards of; Ashurst, Digmoor, Knowsley, Moorside, Newburgh, Scott, Skelmersdale North, Skelmersdale South, Tarleton and Up Holland. In regard to Halsall it is not considered appropriate to make the initial changes proposed, albeit this is an area where some future change is considered desirable. For this reason a specific item of work will be taken forward and reported to the District Polling and Polling Places Review Committee. These Final Proposals take account of consultations undertaken and relevant notes in regard to this are included in Appendix 1.

- 5.2 The Council must now decide upon appropriate Polling Districts and Polling Places for the Borough after taking into account the submissions of the (Acting) Returning Officers and all other representations received (Appendix 1).

- 5.3 It must be remembered that the responsibility of the Council is to determine Polling Districts and Polling Places. Whilst it is understandable that Members will consider actual Polling Stations when reaching their determination, responsibility for finalising the location of a Polling Station within a Polling Place rests with the Returning Officer at each election.
- 5.4 Once the Council has agreed its final proposals, whether there are changes or the status quo applies, the proposals will be made available to the public together with the reasons for them in accordance with the legislation. Appendix 1 has been produced to enable Members to consider both the decision and reasons for that decision in each case; where changes are suggested reasons are set out, otherwise it is considered the current arrangements meet requirements having regard to the considerations at paragraph 3.6 above.

## **6.0 RISK ASSESSMENT**

- 6.1 There will be a breach of statutory duty if the authority does not conduct a review of Parliamentary polling districts and polling places with the prescribed timeframe.

## **7.0 SUSTAINABILITY IMPLICATIONS**

- 7.1 As noted earlier in the report the Council must seek to ensure that all the electors have such reasonable facilities for voting as are practicable in the circumstances, and that so far as is reasonable and practicable polling places are accessible to those who are disabled. There is no significant impact on crime and disorder.

## **8.0 FINANCIAL AND RESOURCE IMPLICATIONS**

- 8.1 The costs of the Review have been met from existing resources by the careful prioritisation of workloads. Should the Final Proposals be adopted in full, a saving of approximately £5000 would be achievable against 2019 costs for a Borough-wide electoral event.

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### **Background Documents**

The following background documents (as defined in Section 100D (5) of the Local Government Act 1972) have been relied on to a material extent in preparing this Report.

- Consultation responses and related correspondence – file held in Elections office

### **Equality Impact Assessment**

There is a direct impact on members of the public, employees, elected members and / or stakeholders, therefore an Equality Impact Assessment is required. A formal equality impact assessment is attached as an Appendix to this report, the results of which have been taken into account in the Recommendations contained within this report

### **Appendices**

1. Final Polling Districts and Polling Places Review 2019 Proposals and Consultation comments.
2. Equality Impact Assessment