

**Manchester City Council
Report for Resolution**

Report to: Constitutional and Nomination Committee – 11 September 2013

Subject: Statutory Review of Polling Districts and Polling Places

Report of: The Chief Executive

Purpose of the report

To seek the Committee's approval for the initiation of a statutory review ('the review') of polling districts and polling places within the city.

Recommendations

1. To note the background to the review and the proposed timetable / process including the consultation arrangements.
 2. To authorise the initiation of a review of the parliamentary polling districts and parliamentary polling places within the Council's area and that this be combined with a review of polling districts for local government elections within the Council's area from 1 October 2013.
 3. To note the establishment of a Member Working Group to assist the Returning Officer to develop his detailed proposals for the location of polling stations that will be submitted and published during the review's consultation period.
 4. To delegate authority for undertaking the review to the Chief Executive.
 5. To request that the Chief Executive reports back to the Committee upon completion of the review, so that the Committee can make final recommendations on polling districts and places to the City Council.
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Wards affected:

All

Financial consequences for revenue budget:

The costs of conducting the review will be in the region of £5,000 to include the cost of publishing statutory notices, polling place / station visits and consultation materials. This will be funded from within the existing Electoral Services budget.

If implemented in full the Review would result in an annual saving of £30,000 to the Electoral Services Budget.

Financial consequences for capital budget:

None

Implications for:

Equal Opportunities	Risk Management	Legal Considerations
Yes	No	See report

Equal Opportunities Implications

The City Council has a statutory obligation to ensure that polling places are accessible to all electors. The accessibility of buildings and location of polling places will be a key factor in developing the final proposals.

Background documents:

Representation of the People Act 1983
The Review of Polling Districts and Polling Places (Parliamentary Elections) Regulations 2006
The Electoral Administration and Registration Act 2013

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1. Background

- 1.1 The Electoral Administration and Registration Act 2013 included a new provision altering the timing of statutory reviews of Parliamentary polling districts and polling places. This means that all local authorities have a duty to complete a statutory review of their polling districts and polling places between 1 October 2013 and 31 January 2015. These reviews will then take place on a five yearly cycle, reflecting the move to fixed term parliaments. Given that Local Government and European Parliamentary Elections are due to be held in May 2014 followed directly by the transition to IER from July 2014 onwards, the review needs to take as soon as possible within the new cycle so changes can be put in place in advance of the 2014 elections.

2. Proposed timing of the review

- 2.1 It is therefore proposed that in Manchester, this statutory review of polling districts / places commences on 1 October 2013 and finishes in January 2014. This will allow any changes in polling districts to be reflected in the Electoral Register when it is published on 17 February 2014. A timetable for the review process is attached at Appendix 1.

3. Terminology used in this Report

- 3.1 **Polling district:** the area created by the division of a constituency, ward or European Parliamentary electoral region into smaller parts, within which a polling place can be determined, which is convenient to electors. In Manchester, each ward is divided into a number of polling districts which each have a three letter code e.g. ACA, BDB etc. It should be noted that Ringway Parish must have its own polling district.
- 3.2 **Polling place:** the location (normally the building) in which polling stations will be sited by the Returning Officer.
- 3.3 **Polling station:** the room where the poll takes place (e.g. community room), which must be located within the polling place. The polling station is chosen by the Returning Officer.
- 3.4 Where possible, every polling district should have its own dedicated polling place and all electors in that polling district are assigned to vote at the polling station located in that place.
- 3.5 It should be noted that the terms 'polling place' and 'polling station' are often used interchangeably and most people consider the polling place (such as a community centre) to be the polling station. However, it is possible to have more than one polling station per polling place (e.g. two sets of staff, two ballot boxes, two electors registers) and these double stations are often provided in polling districts with a large number of electors in person or where there is a high turnout or a large number of people voting at certain times of the day. At
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the May 2012 combined local elections and referendum, there were 210 polling places and 244 polling stations in the city.

4. Responsibilities and the scope of a statutory review

- 4.1 The designation of the City's polling places and districts is the responsibility of the Council and the relevant functions are delegated to the Constitutional and Nomination Committee, including the Council's duties under the Representation of the People Act 1983 to divide constituencies into polling districts and the power to divide wards into polling districts at local government elections. It is also proposed that the review of parliamentary polling districts and places would be combined with that of local polling districts. This will ensure that polling districts for local elections are the same as for parliamentary elections.
 - 4.2 The allocation of polling stations within polling places is not a Council function and is the responsibility of the Returning Officer.
 - 4.3 Although the legislation would seem to suggest the adoption of a top down approach to the review, with polling districts being determined before polling places, in practice a bottom up approach is usually adopted. The reality is that, where good quality polling station sites are identified, it is sensible to build polling places and districts around them and this is recognised by the Electoral Commission.
 - 4.4 Whilst the allocation of polling stations is the responsibility of the Returning Officer for the election concerned, in practice the consideration of the location of likely polling stations will have an important impact on the choice of polling places and the boundaries of polling districts, particularly in some areas of the city where suitable premises have been hard to locate, such as in Burnage ward. The (Acting) Returning Officer for parliamentary elections has therefore established a cross party member working group (Councillors Chamberlain, Fender and Sue Murphy) to work with elections staff to review current polling arrangements and to identify any suitable alternative polling stations where appropriate. This work will inform the (Acting) Returning Officer's compulsory response to the review consultation (see section 6.3.1 below).
 - 4.5 Polling districts for local government elections are not automatically part of the statutory review. However, the Electoral Commission advises that the polling districts for UK parliamentary and local government elections should always be the same, and it therefore follows that any review of parliamentary polling arrangements should be conducted simultaneously with one of local government arrangements. As a result it is recommended that the Constitutional and Nomination Committee should bring local government polling arrangements into the scope of the review.
 - 4.6 The scope of the review does not include ward or constituency boundaries which are the responsibility of the Local Government and Parliamentary Boundary Commissions respectively. This review can therefore only consider the internal boundaries of polling districts within wards.
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5. Aim of the proposed review

5.1 In designating polling places the Council must:

(a) seek to ensure that all the electors in the constituency have such reasonable facilities for voting as are practicable in the circumstances;

(b) seek to ensure that so far as is reasonable and practicable, the polling places it is responsible for are accessible to all electors who are disabled;

(c) have regard to the accessibility of disabled persons to potential polling stations in the polling place;

(d) other than in special circumstances, locate the polling place in the polling district it serves; and

(e) ensure the polling place is small enough to indicate to electors in different parts of the polling district how they will be able to reach the polling station.

5.3 The focus of the review will be to identify wherever possible polling places / polling stations which meet set criteria, relating to:

- Location
- Facilities
- Accessibility to / and within the polling place / station
- Health and safety, and
- Space

5.5 The review should also include an evaluation of temporary polling stations to see whether their continued use and location provide the best option going forwards.

5.6 Whilst ideally the Council would have the choice of a range of fully accessible buildings, conveniently located for the electors in the area, this is not always the case and there may be little choice available. Where it is not possible to identify polling stations which meet the specification exactly, particularly around accessibility, every reasonable adjustment will be undertaken to provide access for all electors. Draft specifications for polling places / stations are attached at Appendix 2.

5.7 The average costs of each polling place is in the region of £1,000 which includes staffing, premises hire, equipment and any adaptations e.g. temporary ramps, barriers and security. Taking into account the fact that polling station costs at combined national and local polls are apportioned between central government and the council, a reduction of approximately fifty polling stations would therefore be required in order to achieve annual savings of £30,000.

- 5.8 In drawing up recommendations consideration will also need to be given to the number of polling stations allocated for a given electorate. The Electoral Commission (EC) recommends that there is a minimum of one polling station e.g. Presiding Officer and Poll Clerks for every 2,500 electors in person. Electors in person are the number of registered electors within a polling district minus the number of postal voters. Taking into account the EC's guidance it is suggested that an average electorate of between 1,500 – 2,500 electors would maintain the level of service provided to electors in polling stations while providing optimum value for money by reducing current operating costs. However, it is recognised that there are some instances where this average cannot be achieved, usually because of the physical geography of a ward, for example railway lines, dual carriageways, hills, or due to the shape of the ward itself. There is also a need to consider the situation of polling places / stations in relation to wider amenities and the main transport routes within a ward. This is particularly relevant in areas of the city where district centres may have improved or been developed since the last review, and may now be more convenient for voters than existing polling place / station locations.
- 5.9 In order to predict the likely number of electors in person in the future, figures from elections in 2010, 2011 and 2012 have been considered. Figures from the general election in 2010 are of particular importance, as this is generally when the turnout is the highest, and given that the arrangements arising out of this current review will be in place for the 2015 general election. Generally, where elector numbers are a concern, the best solution is the addition of a further polling station within the same polling place. This applies in polling districts where there has been more than 2,500 electors in person on average and where the turnout may be high, even if the elector threshold has not previously been met. Ideally therefore there should be sufficient space to locate additional stations in polling places across the city where this may be required.
- 5.10 At the current time there is a large variation between the numbers of polling places / stations in wards across the city, ranging from four at the lowest end to eleven at the highest. At the same time there is a large variation in the number of electors in person ranging from less than 100 electors in small districts to over 3,000 in larger districts particularly where there are significant student populations.

6. The proposed review process

- 6.1 The proposed approach to the review comprises three stages: the formal notification of the review, the consultation process and the conclusion of the review.
- 6.2 Stage 1: Formal Notification of the Review
- 6.2.1 Formal notification of the review process is when the Council publishes a notice of the review, which will be displayed in each parliamentary constituency and published on the Council's website. Subject to the
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Committee's approval, this notice would be published on 1 October 2013 and will set out:

- that the Council is conducting a review of polling districts and polling places
- that the (Acting) Returning Officer will make a comment on proposed polling stations, and an indication of when and where the (Acting) Returning Officer's representations will be made available
- that electors within the authority or within a UK Parliamentary constituency which has any part in the authority may make a representation
- that the Council would welcome the views of all residents, particularly disabled residents, on the authority's proposals, the (Acting) Returning Officer's representation or any other matters
- that the authority would welcome any person or body with expertise in access for persons with any type of disability to comment on the authority's proposals, the (Acting) Returning Officer's representation or any other matters
- that persons or bodies making representations should, if possible, give alternative places that may be used as polling places
- the postal address, e-mail address and website address at which documents can be inspected and representations made
- the timetable of the review and a deadline for representations

6.2.2 As part of the review process, officers will collate information from a variety of sources to inform the Council's decision regarding the new scheme. This includes future development activity, the availability and accessibility of polling places, previous representations made by candidates, agents and polling station staff as well as turnout at previous elections.

6.3 Stage 2: Consultation

6.3.1 The consultation stage is for representations and comments to be made on the existing and proposed arrangements for polling districts and polling places. There are two aspects of this stage:

- A compulsory submission from the (Acting) Returning Officer of the UK Parliamentary constituency or constituencies, which must then be published by the Council which must include information regarding the location of polling stations within polling places (current or proposed). The Council will publish the (Acting) Returning Officer's representations during the week commencing 6 October. Any persons involved in the consultation have the right to comment on the recommendations proposed by the (Acting) Returning Officer.
 - Submissions from electors and other interested persons and bodies, including elected representatives and those with expertise in relation to access to premises or facilities for disabled people.
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- 6.3.2 Any elector for a UK Parliamentary constituency either wholly within or partly within the Manchester City Council area may comment on any of the recommendations within the whole local authority area.
- 6.3.3 By law representations must be sought from such persons as the Council considers as having 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 Returning Officer's representations.
- 6.3.4 It is important that any person or body that makes a comment has the opportunity to suggest alternative polling districts/polling places and where possible to give a reason for the alternative proposal so that it may be given appropriate consideration.
- 6.3.5 A short consultation questionnaire is being developed to enable consultees to provide as much information as possible about their thoughts on current polling arrangements, including alternatives.
- 6.3.6 The consultation process has been designed to be as long as possible within the limitations of the available timetable and will run from 1 October 2013 – until 10 December (10 weeks). A communications strategy has been developed for the review to ensure that interested parties are aware that it is taking place and have the opportunity to respond to the consultation. This strategy will be aligned with communications and public awareness around the annual canvass of electors which also begins on 1st October and will include:
- notification of the review, the (Acting) Returning Officers representations and invitations to comment to Councillors, MPs, candidates, agents and those with expertise relating to access for disabled people
 - A dedicated page on the Council's Consultation and Surveys section of the website (linked to from the elections pages)
 - raising awareness of the consultation via social media, information provided to community groups and through e bulletins
 - Media releases
- 6.3.7 Hard copies of all documentation will be available for inspection in each of the five parliamentary constituencies which are wholly or partly within the city's boundaries.
- 6.3.8 Concurrently, the Returning Officer will work with the Member Working Group to gather intelligence from local members, key stakeholders and officers to establish suitable locations for polling stations. The Returning Officer's proposals will then be published as part of the review's formal consultation process. The review concludes with the publication of final proposals which will be happen at the end of January 2014 in time for the publication of the Electoral Register on 17 February 2014.
- 6.4 Stage 3: Concluding the Review
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- 6.4.1 Final draft proposals for polling places and polling districts will be prepared by officers for submission to the Committee in January. These proposals will take into account information as listed in 6.2.2, any representations made as part of the consultation process and will also take into account the statutory considerations detailed in section 5. The Committee's final recommendations on polling districts and places will be submitted to the City Council at the end of January.
- 6.4.2 Once the final proposals are approved by the Constitutional and Nomination Committee and by the City Council, the reasons for the City Council's decisions must be published, along with the following documentation:
- (a) all correspondence sent to a Returning Officer in connection with the review;
 - (b) all correspondence sent to any person whom the authority thinks has particular expertise in relation to access to premises or facilities for persons who have different forms of disability;
 - (c) all representations made by any person in connection with the review;
 - (d) the minutes of any meeting held by the authority to consider any revision to the designation of polling districts or polling places within its area as a result of the review;
 - (e) details of the designation of polling districts or polling places within its areas of as a result of the review; and
 - (f) details of the places where the results of the review have been published.
- 6.5 Once the review is completed, another review must take place within the next five years. However, the Council has discretion to review polling places and polling districts before that time if necessary.

7. Recommendations

- 7.1 Recommendations to the Committee appear at the front of this report.
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Statutory Review of Polling Districts and Polling Places 2013 /14

TIMETABLE		
Week no.	Week beginning	Activity
	9 September	Extraordinary meeting of Constitutional and Nomination Committee 11 September
1	30 September	1 October 2013 : Notification of Review Consultation Begins
2	7 October	Publication of submission from (Acting) Returning Officer 15 October
11	9 December	Consultation ends 10 December
15	6 January	7 January submission of the Council's proposals to Constitutional and Nomination Committee
16	13 January	Special meeting of Constitutional and Nomination Committee Wednesday 15 January
17	20 January	21 January Publication of Council's final proposals
18	27 January	29 January Full Council – submission of final proposals to Full Council
	17 February	Publication of new register

Specification for Polling Places/Stations

A polling place is the geographical area within which polling stations are sited. It is normally a building or group of buildings or in the case of a temporary polling station the area of land on which the temporary station would be sited. The polling station is the actual area where the poll takes place and it must be within the polling place. So for example a polling place could be a school whilst the polling station might be the gymnasium or assembly hall with the school.

In order to establish the suitability of a polling place / polling station consideration should be given to the following:

1. Location of the building

Is it located close to where most of the electors in the polling district live?

Is it located at the top / bottom of a steep hill?

Does it have suitable access from a road?

If there is a pavement does it have a dropped kerb close by?

Are there convenient public transport links?

Is it safe and well lit?

Are there facilities such as toilets and a kitchen area for polling station staff to use?

2. Parking facilities / pathways

Are there adequate parking facilities close to the to the entrance of the building

Are there designated disabled parking spaces?

Is there a dropped kerb from the parking area to the polling station?

Is the approach from the road / car parking suitable e.g.

- are there steps?
- is the surface suitable particularly for wheelchair users?
- is it well lit?
- are there any severe gradients?

3. Main Entrance to the building

Does the building have a level entrance?

Are there steps to the entrance of the building?

Is there a hand rail by the steps?

Is a permanent ramp provided?

If not could a temporary ramp with a suitable gradient be provided safely, or is there another entrance that disabled people or other electors could use?

Is the door wide enough for a wheelchair user to gain access?

How heavy are the doors to open?

4. Inside the building

Are there any internal steps or barriers for electors to negotiate?

Are there any trip hazards e.g. uneven door mats?

Are the floor coverings suitable e.g. would they become slippery when wet?

Are there any corridors which may be difficult to negotiate for any electors using

wheel chairs or those who find walking difficult?

Are there any security issues inside the building?

Is the route from the entrance to the polling station room straightforward?

5. Polling station room

Is there enough space in the polling station room for staff, polling equipment and a number of electors, including wheelchair user?

Is there enough space in the polling station room to have two polling stations if necessary?

Is the lighting in the polling station room adequate?

Is the heating in the polling station room adequate?
