

**REPORT FOR: Licensing & General
 Purposes Committee**

Date of Meeting: 12 September 2011

Subject: **Review of Polling Districts and
Polling Stations**

Responsible Officer: Hugh Peart – Director of Legal &
Governance Services

Exempt: No

Enclosures: None

Section 1 – Summary and Recommendations

This report sets out the proposal for review of Harrow’s polling districts and polling stations in accordance with legislation.

RECOMMENDATIONS:

The Committee is requested to:

1. Agree to establish a Review Working Group to undertake the review of the polling districts and polling stations in Harrow;
2. To agree the appointment of 5 Members (3 Labour, 2 Conservative) to the Review Working Group as follows:

Councillor Keith Ferry (Chairman), Councillors Mano Dharmarajah, Ben Wealthy, Marilyn Ashton and Joyce Nickolay;
3. To agree the appointment of a representative from Harrow Association of Disabled People to the Review Working Group as a non-voting co-opted member;
4. To agree the terms of reference of the Review Working Group set out at appendix 1.

Section 2 – Report

2.1 Background

Section 18(C) of the Representation of the People Act 1983, require the London Borough of Harrow to review its polling district and polling places every four years. The Electoral Administration Act 2006 also places a duty on the local authority to review the polling districts and places within its area. Harrow undertook its last review in 2007 and must therefore complete the current review by 31 December 2011 and thereafter every four years.

Harrow is currently divided into 21 wards. Those 21 wards have been divided into 76 polling districts, and polling stations are designated within polling places in each polling district. In Harrow, the entire polling district is designated as the polling place.

2.2 Definitions

A **polling district** is a geographical sub-division of an electoral area, i.e. a UK Parliamentary constituency, a European Parliamentary electoral region, a ward or an electoral division. It is the responsibility of the Borough Council to divide its area into polling districts, and for keeping the polling districts under review.

A **polling place** is a geographical area in which a polling station is located. However, as there is no legal definition of what a polling place is, the geographical area could be defined as tightly as a particular building or as widely as the entire polling district. It is the responsibility of the Borough Council to designate the polling places, and for keeping the polling places under review.

A **polling station** is the actual area where the process of voting takes place, and must be located within the polling place designated for the particular polling district. The Returning Officer for the particular election must provide a sufficient number of polling stations, and allot the electors to those polling stations in such manner as he or she thinks the most convenient.

2.3 The Review

In order to comply with the legislation this review must be undertaken and completed by 31 December 2011. However, the Electoral Register is published on the 1 December, and the proposal is to undertake and complete the review before this date.

The purpose of the review is to ensure that:

- (1) All electors have reasonable facilities for voting as are practicable in the circumstances; and
- (2) So far as is reasonable and practicable that the polling places are accessible to all electors (including disabled persons) having regard to the accessibility needs of disabled persons.

In undertaking the review:

- (1) A notice of the holding of the review must be published;
- (2) The authority must consult the Returning Officer for every parliamentary election held in a constituency that is wholly or partly within its area;
- (3) The Returning Officer must make representations to the authority as to the location of existing and proposed polling stations within existing and proposed polling places;
- (4) The Returning Officer's representations must be published 30 days after receipt;
- (5) The authority must seek representations and comments on the Returning Officer's representations from:
 - (a) Persons with expertise in relation to access to premises and facilities for persons with different forms of disability; and
 - (b) Any elector;
- (6) On completion of the review the authority must:
 - (a) Give reasons for its decisions in the review; and
 - (b) Publish such information.

Members are asked to note that although not provided for in the legislation it is considered good practice allow the local constituency political parties and independent candidates to also make representations on the review and to comment on the Returning Officer's representations.

This Committee has the following responsibilities:

"To keep under review and to determine the arrangement for the holding of elections and any referendums within the Borough and to initiate or respond to any proposal to the change of ward, constituency or Borough boundaries"

In order to ensure that all political groups can participate in the review, it is proposed that it should be undertaken by a cross-party Review Working Group of the authority.

In addition it is also proposed that a representative from Harrow Association of Disabled People be invited to be a member of the Review Working Group to advise on access to premises and facilities available for persons with different forms of disability.

In the circumstances, it is proposed that this Committee agree to establish a Review Working Group to undertake the review. This group would operate in the same way as the Constitution Review Working Group with a membership of 5, (3 Labour, 2 Conservative) and a representative from Harrow Association of Disabled People. The Review Working Group would have no decision-making powers.

The conclusions of the Review Working Group would be reported to this Committee for approval. The proposed timetable relating to the review is as follows:

2.4 Timetable

1 August 2011	Notice of Review
16 September 2011	End of Consultation
September/October	Meeting(s) of Working Group to consider representations
21 November 2011	Report from Working Group to Licensing & General Purposes Committee
1 December 2011	Publication of revised register

In line with the above timetable all current arrangements, including maps of the existing polling district boundaries and locations of polling stations, can be found on the Council's website. All comments may be made directly by email to pollingdistricts@harrow.gov.uk

2.5 Financial Implications

No funding is available from Central Government to undertake the review. Therefore, all costs associated with the review must be met from within the current electoral services budget.

2.6 Risk Management Implications

Risk included on Directorate risk register? **Yes**

Separate risk register in place? **No**

2.7 Corporate Priorities

The Review to be undertaken accords with the Corporate Priority of United and Involved Communities - A Council that Listens and Learns.

2.8 Equality & Diversity

The duty to conduct the review includes a responsibility to ensure that everyone who is entitled to vote can do so with equality of access – from actual arrangements at the polling station (such as provision of ramps and wide doors to enable those voters in a wheelchair to cast their vote) to the polling station being within reasonable proximity to their home address.

Section 3 - Statutory Officer Clearance

Name: Jennifer Hydari	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: 2 September 2011		
Name: Sarah Wilson	<input checked="" type="checkbox"/>	on behalf of the Monitoring Officer
Date: : 2 September 2011		

Section 4 - Contact Details and Background Papers

Contact: Pauline Ferris, Democratic & Electoral Services Manager

Background Papers: Previous Polling Station Review.

If appropriate, does the report include the following considerations?

1.	Consultation	YES
2.	Corporate Priorities	N/A

APPENDIX 1

Proposed Terms of Reference

Review of Polling Districts and Places Working Group

- (1) To consult the Returning Officer for every parliamentary election held in a constituency, which is wholly, or partly in its area on the facilities for voting and the accessibility of polling places to all electors (including disabled persons);
- (2) To consider representations made by the Returning Officer as to the location of existing and proposed polling stations, within the existing and proposed polling places;
- (3) To consider all representations made on the review and any comments received on the Returning Officer's representations;
- (4) To make recommendations on the proposed review to the Licensing and General Purposes Committee.