

Report of Chief Officer Elections and Regulatory Report to General Purposes Committee

Date: Wednesday 13 February 2019

Subject: Review of polling districts, polling places and polling stations – final proposals

Are specific electoral wards affected?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If yes, name(s) of ward(s): Ardsley & Robin Hood, Beeston & Holbeck, Bramley & Stanningley, Weetwood	
Are there implications for equality and diversity and cohesion and integration?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Is the decision eligible for call-in?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If relevant, access to information procedure rule number:	
Appendix number:	

Summary of main issues

1. A review of polling districts, polling places and polling stations commenced in Leeds on 2 October 2018. A full review timetable can be found at Appendix A.
2. The first consultation period ended on 6 November 2018 and the Council's Initial Proposals were agreed at General Purposes Committee on 12 December 2018.
3. A second period of consultation on the Initial Proposals commenced on 13 December 2018 and ended on 31 January 2019.
4. No further representations were received during the second consultation period.

Recommendations

Members are asked to

- a. Note that no representations were received during the second consultation period
- b. Confirm the Initial Proposals found at Appendix B as the Council's Final Proposals
- c. Note that the Council's Final Proposals will be published on Thursday 14 February 2019
- d. Note that any changes to polling arrangements as a consequence of this review will come into effect for the local government elections on Thursday 2 May 2019

1. Purpose of this report

- 1.1 To consider final proposals for the review of polling districts, polling places and polling stations.

2. Background information

- 2.1 This review is being carried out in accordance with the Electoral Registration and Administration Act 2013.
- 2.2 The Council published its Initial Proposals on 13 December 2018 following a period of public consultation.
- 2.3 The publication of the Initial Proposals marked the start of a second period of consultation which ended on 31 January 2019.

3. Main issues

- 3.1 The review process and methodology used was agreed at General Purposes Committee on 1 October 2018. This is outlined in the report of the Chief Officer Elections & Regulatory to General Purposes Committee dated 1 October 2018 which can be viewed at
<http://democracy.leeds.gov.uk/documents/s180530/PD%20review%20report%20to%20GPC%201%20October%202018%20-%20DRAFT%20V1.1.pdf>.

4. Results of Stage Two

- 4.1 No representations were received in response to the authority's Notice of Review – Initial Proposals published on 13 December 2018. The closing date for receipt of representations was 31 January 2019.
- 4.2 Electoral Working Group were informed no representations had been made, and had no further comments to make in respect of the Council's Initial Proposals.

5. Corporate considerations

5.1 Consultation and engagement

- 5.1.1 This report follows the second consultation stage in the process.

5.2 Equality and diversity / cohesion and integration

- 5.2.1 The notice of the review invited representations from stakeholders and in particular from those with expertise in access for persons with any type of disability. According to law, the authority must seek to ensure that so far as is reasonable and practicable every polling place is accessible to electors who are disabled. We have been careful to ensure the review process meets that requirement.
- 5.2.2 An equality and cohesion screening document has been completed for this review and has concluded that the consultation arrangements will help ensure all people affected by the review are given an opportunity to comment which will address any equality, diversity, cohesion or integration issues raised.
- 5.2.3 The equality and cohesion documents can be found at Appendix C.

5.3 Council policies and best council plan

- 5.3.1 The process for conducting a review of polling districts and places is set out in legislation.
- 5.3.2 The review does not affect the Council's budget and policy framework, although ensuring electors have accessible polling stations does support the Council's aims to be the best city for communities, and in particular the four year priority to increase a sense of belonging that builds cohesive and harmonious communities.

5.4 Resources and value for money

- 5.4.1 There is no separate budget for the costs of carrying out a review of polling districts, polling places and polling stations. The cost of carrying out the consultation process is met from within the existing Electoral Services budget.

5.5 Legal implications, access to information, and call-in

- 5.5.1 Under the constitution, the Council has delegated authority to the Chief Executive to discharge the following Council (non-executive) functions namely:-

“...

- (c) to divide a constituency into polling districts
- (d) to divide electoral divisions into polling districts at local government elections”

- 5.5.2 If the Chief Executive chooses not to exercise that delegated authority, he may refer the matter to General Purposes Committee, who have the authority:-

“to consider and determine Council (non-executive) functions delegated to a Director where the Director has decided not to exercise the delegated authority and has referred the matter to the committee”

- 5.5.3 There is no provision similar to that regarding executive functions that allows the relevant Executive Member to require the “Director” to not exercise the delegated authority but to take a matter to Executive Board.

- 5.5.4 However, the Chief Executive has the opportunity to consult with the relevant Member(s), before deciding whether to exercise his delegated authority or alternatively himself choose to refer the matter to General Purposes Committee.

- 5.5.5 The Chief Executive has chosen to refer the need to undertake a review of polling districts, polling places and polling stations to General Purposes Committee.

5.6 Risk management

- 5.6.1 On conclusion of any polling district review, the Electoral Commission can consider representations that the review process has not been conducted correctly. There are only two grounds on which a representation may state that a local authority has failed to conduct a proper review, namely:-

- the local authority has failed to meet the reasonable requirements of the electors in the constituency; or

- the local authority has failed to take sufficient account of accessibility to disabled persons of the polling place.
- 5.6.2 If the appeal is upheld, the Commission can, ultimately, make alterations to the polling places.

6. Conclusions

- 6.1 The process followed in this review meets the statutory requirements for a review of polling districts, polling places and polling stations.

7. Recommendations

- 7.1 Members are asked to

- a. Note that no representations were received during the second consultation period
- b. Confirm the Initial Proposals found at Appendix B as the Council's Final Proposals
- c. Note that the Council's Final Proposals will be published on Thursday 14 February 2019
- d. Note that any changes to polling arrangements as a consequence of this review will come into effect for the local government elections on Thursday 2 May 2019

8. Appendices

- a. Appendix A – review timetable
- b. Appendix B – final proposals
- c. Appendix C – equality and cohesion documents