

REPORT TO EXECUTIVE

Date of Meeting: 4 October 2022

REPORT TO COUNCIL

Date of Meeting: 18 October 2022

Report of: Director Corporate Services

Title: Minor Amendment of Parliamentary Polling Districts and Polling Places for Exeter and East Devon Constituencies.

Is this a Key Decision?

No

Is this an Executive or Council Function?

Council

1. What is the report about?

1.1 This report concerns an amendment to the current polling district arrangements for the Exeter Parliamentary Constituency and the part of the East Devon Parliamentary Constituency, which falls within the Exeter City Council area. Subsequent arrangements will therefore be necessary for local government elections with reference to the St. Thomas Exeter City Council Ward (Exeter Constituency) and Alphington and Cowick County Division and the Topsham Ward (East Devon Constituency) and Wearside and Topsham County Division.

2. Recommendations:

2.1 That the Council adopts the proposals as set out in paragraphs 8.1 and 8.4.

3. Reasons for the recommendation:

3.1 For many years, there has been consideration as to the appropriateness in continuing to use the West Exe Children's Centre as a polling station, due to the ability to ensure suitably accessible accommodation at the Children's Centre, as well as the close proximity of another polling station at St Thomas Church Hall.

3.2 Given that the electorate allocated to the MC polling district is fairly small (719), the (Acting) Returning Officer considers that it would be possible to merge these electors with those allocated to the current MB polling district at St. Thomas Church polling station (2099) to avoid the need to close the school, with minimal disruption to the electorate. Given that the new combined polling district would then have 2,818 electors allocated, it is proposed to provide two polling stations within St. Thomas Church.

3.3 The new polling district would be designated as MB and the remaining polling districts re-designated as shown on the attached map Appendix C.

3.4 Polling places would continue to be defined as coterminous with the polling district boundary.

3.5 Although the (Acting) Returning Officer has legislative power to insist upon using the premises at the children's centre, this could mean the school closing. This is contrary to the long held view that, wherever practicably possible and when suitable alternative premises are available, schools should not be used as polling stations.

3.6 Additionally, due to the development of housing within the NB and ND polling districts in the Topsham Ward, it is proposed to amend the polling district boundary between the two polling districts as shown on the map at Appendix E, with the polling places to continue to be defined as coterminous with the polling district boundaries.

4. What are the resource implications including non financial resources

4.1 There may be some small savings in servicing one less polling station premises.

5. Section 151 Officer comments:

5.1 There are no significant financial implications for Council to consider.

6. What are the legal aspects?

6.1 The Council is obliged to meet the requirements of the Representation of the People Act 1983 (Section 18A- 18D). A notice of the review has been published on the Council's website, along with an Information Sheet (Appendix A).

7. Monitoring Officer's comments:

The approval of Polling Districts within the City is a council function, but should take account of the comments raised by the (Acting Returning Officer) as well as those raised during the consultation. John Street – Deputy Monitoring Officer

8. Report details:

8.1 As set out in 3.1 – 3.2 issues have been raised concerning the continued use of West Exe Nursery School as a polling station.

8.2 In order to alleviate the situation, it is recommended that polling districts MB and MC are merged and re-designated as MB and that the current polling districts MD and ME are re-designated as MC and MD respectively. (Polling District MA is unaffected). In keeping with current policy the polling places are to continue to be designated in line with polling district boundaries.

8.3 Maps attached at Appendix B show the current layout of polling districts within St. Thomas Ward with the proposed arrangements set out at Appendix C.

8.4 It is recommended to amend the boundaries between polling districts NB and ND as shown on the attached maps at Appendix D and Appendix E. In keeping with current policy the polling places are to continue to be designated in line with polling district boundaries.

8.5 It is intended that the new polling district and polling place arrangements come into force with the publication of the next electoral register on 1 December 2022.

8.6 The (Acting) Returning Officer continues to try to avoid using schools as polling stations wherever practicably possible and where suitable alternative premises are available. This is not however always possible, with thirteen polling stations (of a total of 55) being accommodated within school premises, at the recent May 2022 elections. Of these, eight remained open on polling day with five closing to pupils.

8.7 Whilst it is ultimately the decision of the school itself to close on polling day, the (Acting) Returning Officer is acutely aware of the disruption potentially caused to pupils when schools are closed. The (Acting) Returning Officer's comments are attached at Appendix F.

8.8 There were no comments from the (Acting) Returning Officer for the East Devon Constituency, or from the Returning Officer at Devon County Council.

8.9 Two other comments were received and are shown at Appendix G.

9. How does the decision contribute to the Council's Corporate Plan?

9.1 The proposal ensures that the service provided by the Council is value for money, whilst ensuring that polling stations are as accessible as possible.

10. What risks are there and how can they be reduced?

10.1 The current arrangements could continue to lead to on-going public relations difficulties with a schools facility choosing to close on polling day.

11. Equality Act 2010 (The Act)

11.1 Under the Act's Public Sector Equalities Duty, decision makers are required to consider the need to:

- eliminate discrimination, harassment, victimisation and any other prohibited conduct;
- advance equality by encouraging participation, removing disadvantage, taking account of disabilities and meeting people's needs; and
- foster good relations between people by tackling prejudice and promoting understanding.

11.2 In order to comply with the general duty authorities must assess the impact on equality of decisions, policies and practices. These duties do not prevent the authority from reducing services where necessary, but they offer a way of developing proposals that consider the impacts on all members of the community.

11.3 In making decisions the authority must take into account the potential impact of that decision in relation to age, disability, race/ethnicity (includes Gypsies and Travellers), sex and gender, gender identity, religion and belief, sexual orientation, pregnant women and new and breastfeeding mothers, marriage and civil partnership status in coming to a decision.

11.4 In recommending this proposal no potential impact has been identified on people with protected characteristics as determined by the Act.

12. Carbon Footprint (Environmental) Implications:

12.1 There are no direct carbon/environmental impacts arising from the recommendations.

13. Are there any other options?

13.1 The alternative option is to retain existing the arrangements, which could lead to the school authorities deciding to close the school on polling day.

Director Corporate Services, Baan Al-Khafaji

Author: John Street, Electoral Registration Officer and (Acting) Returning Officer

Local Government (Access to Information) Act 1972 (as amended)

Background papers used in compiling this report:-

None

Contact for enquires:
Democratic Services (Committees)
Room 4.36
01392 265275