



Governance and Electoral Arrangements Committee

Tuesday, 29 January 2019 at 6.30 pm

**Large & Small Committee Room, King George V House, King George V
Road, Amersham**

A G E N D A

Item

1 Evacuation Procedure

2 Apologies for Absence

3 Minutes (*Pages 3 - 6*)

To approve the minutes of the Governance and Electoral Arrangements Committee held on 27 June 2018.

4 Declarations of Interest

5 Polling District and Polling Places Review (*Pages 7 - 12*)

6 Exclusion of the Public (if required)

To resolve that under Section 100(A)(4) of the Local Government Act 1972 the public be excluded from the meeting for the following item(s) of business on the grounds that it involves the likely disclosure of exempt information as defined in Part I of Schedule 12A of the Act.

Note: All reports will be updated orally at the meeting if appropriate and may be supplemented by additional reports at the Chairman's discretion.

Membership: Governance and Electoral Arrangements Committee

Councillors: D Varley (Chairman)
D Bray
J Burton
I Darby
P Jones
N Rose
M Shaw
M Stannard
H Wallace
E Walsh
J Waters

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CHILTERN DISTRICT COUNCIL

MINUTES of the Meeting of the
GOVERNANCE AND ELECTORAL ARRANGEMENTS COMMITTEE (CDC)
held on **27 JUNE 2018**

PRESENT: Councillor D Varley - Chairman

Councillors: I Darby
P Jones
N Rose
M Shaw
E Walsh
J Waters

APOLOGIES FOR ABSENCE were received from Councillors J Burton and M Stannard

ALSO IN ATTENDANCE: Councillors D Phillips and J Rush

9 MINUTES

The minutes of the meetings of the Governance and Electoral Arrangements Committee held on 30 January and 15 May 2018 were agreed as a correct record and signed by the Chairman.

10 DECLARATIONS OF INTEREST

There were no declarations of interest.

11 COUNCIL PROCEDURE RULES

The Committee agreed to consider a report on the Council Procedure Rules as the first item of business.

Council Procedure Rule 28.3 specifies which rules apply to meetings of Full Council and those that do not, as some rules are not relevant to committee meetings. Council Procedure Rule 17.3 requires minutes of meetings to contain all motions and amendments in the exact form and order in which the Chairman put them. CPR 28.3 specifies that this applies to all committee meetings.

Current practice was not to record all motions and amendments in the minutes for committee meetings, and this discrepancy had been brought to the attention of the Head of Legal and Democratic Services following a complaint about the minutes of the Planning Committee.

During the discussion it was felt that the purpose of minutes was to provide a clear and accurate record of what was finally agreed. Members therefore agreed to recommend that Council Procedure Rule 28.2 be changed to allow the current practice of committee meeting minutes recording only the final decision and not previous motions or amendments.

Councillor J Rush, at the invitation of the Chairman, addressed the Committee suggesting that Council Procedure Rule 20.2 be amended to enable members with a medical need to be granted an exemption from the requirement to stand when speaking at Full Council. During the discussion it was felt that it was important to ensure that the exemption only applied where there was a true medical need, and that agreement be sought from the Chairman in advance of a meeting.

RECOMMENDED TO FULL COUNCIL:

1. That Council Procedure Rule 28.2 be amended to as follows:

28.2 Application to Committees and Sub-Committees

(1) All of the Council rules of procedure apply to meetings of Full Council. Only Rules 4 to 8, 13, 14 (but not 14.4, 14.5 or 14.9), 16 (but not 16.2), 17 (but not 17.3), 18 to 23 and 27.2 of these Procedural Rules apply to meetings of committees and sub-committees including the Overview Committees. Rule 9 also applies save that the quorum for any Committee or Sub Committee shall be determined by the relevant Terms of Reference set out in this Constitution.

2. That Council Procedure Rule 20.2 be amended to as follows:

20.2 Standing when speaking

When a Member speaks at full Council he must stand and address the meeting through the Chairman, except where the Chairman has agreed prior to the meeting that a Member is not required to stand when they speak due to a disability which restricts their mobility. If more than one member stands, the Chairman will ask one to speak and the other must sit. Other members must remain seated whilst a member is speaking unless they wish to make a point of order or a point of personal explanation.

Note: Councillor J Rush left the meeting at 6.40pm.

12 POLLING DISTRICT & PLACE REVIEW

On 19 July 2017 the Council commenced a voluntary review of polling district and polling places. This was prompted by comments received after the UK Parliamentary General Election on 8 June 2017 relating to some of the buildings currently used as polling stations.

Comments and submissions on all polling districts and polling places in Chiltern District were invited from 19 July 2017 to 13 March 2018. Following consideration of those comments and submissions a report was published on 18 May 2018 proposing changes some polling places. Comments and submissions were then invited on the proposals.

Members supported the proposal to use Chalfont St Peter Leisure Centre as the polling place for Gold Hill, but a suggestion was made to check parking availability during peak times for example during school drop off and collection to ensure sufficient parking was available to electors visiting the polling station at those times. Members also welcomed the use of alternative buildings to schools to avoid disruption to parents and students on polling day. It was noted that in some areas school buildings remained the most suitable location for polling stations due to the limited availability of suitable alternative buildings.

RESOLVED:

- 1) That Chalfont St Peter Leisure Centre be designated the polling place for polling district 'CN – Gold Hill'.
- 2) That Newtown Baptist Church be designated the polling place for polling district 'CT- Newtown' and 'CZ – Vale'.
- 3) That Little Chalfont Methodist Church be designated the polling place for polling district 'CR1- Little Chalfont North East'.
- 4) That Cholesbury Village Hall be designated the polling place for polling districts 'CMA- Hawridge' and 'CMB- St Leonards'.
- 5) That Little Kingshill Village Hall be designated the polling place for polling districts 'CS – Little Kingshill & Little Missenden' 'CVA – Prestwood & Heath End (2)'

The meeting ended at 6.51 pm

SUBJECT:	<i>Polling District and Polling Places Review</i>
RELEVANT MEMBER	Councillor Diana Varley, Chairman of the Governance and Electoral Arrangements Committee
RESPONSIBLE OFFICER	<i>Joanna Swift, Head of Legal & Democratic Services</i>
REPORT AUTHOR	<i>Mat Bloxham, 01494 732143, mbloxham@chiltern.gov.uk</i>
WARD/S AFFECTED	<i>All Wards</i>

1. Purpose of Report

The Council is required under the Electoral Registration and Administration Act 2013 to start and complete a UK Parliamentary polling district and polling places review between 1 October 2018 and 31 January 2020. This report sets out the process and proposed timetable.

RECOMMENDATIONS

- 1. To note the requirement to complete a UK Parliamentary polling district and polling places review by 31 January 2020.**
- 2. To note the proposed timetable for carrying out the necessary consultation and consideration of comments and representations.**

2. Reasons for Recommendations

There is a legal requirement to complete a review of polling district and polling places before 31 January 2020. Members are asked to note the process and proposed timetable.

3. Content of Report

Previous Review

3.1. The Committee will recall that the Council only recently undertook a review in 2018 to consider changes to polling places ahead of the District and Parish Council elections scheduled to take place on 2 May 2019. That review resulted in the following changes:

- Chalfont St Peter Leisure Centre designated the polling place for polling district 'CN – Gold Hill' instead of Gold Hill Baptist Church.
- Newtown Baptist Church designated the polling place for polling district 'CT- Newtown' and 'CZ – Vale' instead of Newtown County Infant School and Nursery.

- Little Chalfont Methodist Church designated the polling place for polling district 'CR1- Little Chalfont North East' instead of Little Chalfont Primary School.
- Little Kingshill Village Hall continues to be designated the polling place for the polling district 'CS – Little Kingshill & Little Missenden' and also be designated the polling place for 'CVA – Prestwood & Heath End (2)', rather than Little Kingshill Baptist Church.

Consideration was also given to Cholesbury Village Hall being made the polling place for the polling district "CMB - St Leonards" rather than St Leonards Parish Hall. Since the completion of that review we have received representations against this proposal. As such, no change has been made. It is proposed that as part of the forthcoming review that St Leonards Parish Hall continues to be designated as the polling place for CMB – St Leonards.

Elections 2019

- 3.2. Members will also be aware that the Districts of Aylesbury Vale, Chiltern, South Bucks and Wycombe (Changes to Years of Elections) Order 2018 postpones the 2 May 2019 District and Parish Elections to 7 May 2020. In effect the term of office for District and Parish Councillors has been extended by one year.

Background

- 3.3. Electors within the District, or within the parliamentary constituency, may make a representation concerning any views regarding the existing structure of polling districts, polling places and access to polling stations.
- 3.4. To assist in understanding this report the following definitions may be helpful:

Parliamentary Constituency - The area designated by the Boundary Commission which is represented by a Member of Parliament (MP) in the House of Commons. This cannot be changed by the review – it is the division of the constituency into polling districts and places that is under review.

Wards - The District is divided into areas known as "Wards" which are represented by District Ward Councillors. Ward boundaries cannot be changed by this review – it is the division of wards into polling districts and polling places that is under review.

Electoral Divisions - Similar to District Wards (see above), but defining the areas represented by County Councillors. These cannot be changed by this review.

Polling Districts - A polling district is the area created by the separation of a ward into smaller parts, within which a polling place can be determined which is most convenient for the electors.

Polling Places - A polling place is the area or building in which the number of polling stations will be selected by the (Acting) Returning Officer.

Polling Station - A polling station is the room or area in which voting takes place. This must be located within the polling place that has been designated for the particular polling district. The number of polling stations to be accommodated within a polling place is the decision of the (Acting) Returning Officer for the election.

Criteria for Polling Places and Polling Districts

3.5. As part of the assessment of the suitability of polling district boundaries, the following should be considered:

- Are the boundaries well defined? For example. Do they follow the natural boundaries of the areas? If not, is it clear which properties belong in the polling district?
- Are there suitable transport links within the polling district, and how do they relate to the areas of the district that are most highly populated?
- Are there any obstacles to voters crossing the current polling district and reaching the polling place e.g. steep hills, impassable major roads, railway lines, rivers?
- There are also a number of factors that must be considered when reviewing existing polling places or assessing new polling places, including:

The location: is it reasonably accessible within the polling district? Does it avoid barriers for the voter such as steep hills, major roads, rivers, etc.? Are there any convenient transport links?

Size: if required, can the polling place accommodate more than one polling station? If multiple polling stations are required, is the polling place ample enough to accommodate all voters going into and out of the polling stations, even where there is a high turnout?

Suitability: is the building readily available in the event of any unscheduled elections? Is there any possibility that the building may be demolished as part of a new development? Is the building accessible to all those entitled to attend the polling place?

3.6. The Electoral Commission recognises that the choice of polling station will often be a balance between the quality of the building, in terms of access and facilities, and the proximity of the building to the electors it is intended to serve; and that there may be circumstances where the polling place might fall wholly or partly outside the polling district because suitable alternatives are not available in the relevant area.

- 3.7. Although the Council seeks to avoid the use of schools where possible, there may be locations where there are no other suitable premises in the area. For the purposes of elections, the (Acting) Returning Officer is entitled to use free of charge, subject to covering the cost of heating, lighting and caretaking charges, schools maintained or assisted by a local authority as well as those schools that receive grants made up of monies provided by Parliament.
- 3.8. In conducting this review, it is proposed that, in order to minimise the risk of long queues at a polling station, as far as possible, that no more than 2500 voters should be assigned to a polling station for local elections. It should be noted that the number of postal voters in each polling district is a relevant consideration in this regard. In the event of a combined and/or Parliamentary Election, given more complex arrangements and higher voter turnout, it may be necessary to review these numbers. In all circumstances, consideration is given to whether a polling place is capable of accommodating more than one polling station if necessary.

The Role of Chief Executive as the (Acting) Returning Officer

- 3.9. Whilst it is for the Council to decide on the creation of polling districts and the location of polling places, it is for the (Acting) Returning Officer to decide how many polling stations are required for each polling place. The (Acting) Returning Officer must allocate electors to the polling stations in such manner as he or she thinks most conducive to the smooth running of polling day. The Council must consult the (Acting) Returning Officer as part of the review and the (Acting) Returning Officer must comment during any review on both the existing polling places and polling stations; and on any proposed changes.

4. Consultation

Electors in the Constituency and all of the following stakeholders will be invited to make comments or representations on the designation of polling districts or places:

- The (Acting) Returning Officer for Chesham & Amersham Constituency
- The Member of Parliament for Chesham & Amersham Constituency
- Buckinghamshire County Council
- Buckinghamshire County Councillors representing divisions within Chiltern District
- District Councillors
- Town and Parish Councils within Chiltern District
- Registered Political Parties and Election Agents

Sufficient time should be allowed to enable interested persons to read and understand the proposals, gather comments and respond with any alternative arrangements. It is proposed that each consultation stage last for a minimum of 6 weeks.

Proposed Timetable for Completion of the Review

The revised Polling District Places Order must be approved and published by 31 January 2020 to meet the legal requirements.

The proposed timetable is as follows:

Polling District and Place Review 2019 Timetable	
Proceedings	Date
Publication of Notice of Review of Polling Districts and Places	1 February 2019
Deadline for receiving public comments and submissions	15 March 2019
Publication of ARO's report on proposed and existing polling places	TBC April 2019
Deadline for receiving public comments and submissions relating to the ARO's report	TBC June 2019
Governance and Electoral Arrangements Committee to consider proposals and agree recommendations	TBC October 2019
Publication of details of the Review setting out reasons for its decisions	TBC November 2019
Publish Revised Electoral Register	1 December 2019

7. Corporate Implications

Financial

There are no resource implications attached to this proposal that will affect budgets.

Legal

The Council has a legal duty to designate polling places for each polling place and to keep those polling places under review. There would be a risk to the Council if it failed to keep to its statutory duty to carry out a review.

8. Links to Council Policy Objectives

The proposed review of polling districts and polling places supports the Council's Key Objective: delivering cost-effective, customer focused services.

9. Next Steps

The Notice of Review will be published. Following the consultation the Acting Returning Officer will publish a report setting out the existing and proposed polling

places. This will be subject to consultation, and the results of which will be considered by the Governance & Electoral Arrangements Committee in October 2019 when the Committee will agree the final recommendations to be included in the Order.

Background Papers:	Electoral Commission Guidance: Reviews of polling districts, polling places and polling stations https://www.electoralcommission.org.uk/i-am-a/electoral-administrator/polling-place-reviews Electoral Registration and Administration Act 2013 https://www.legislation.gov.uk/ukpga/2013/6/contents
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