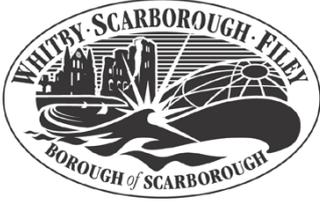


‘A’ ITEM

	REPORT TO CABINET TO BE HELD ON 11 DECEMBER 2018
	Key Decision NO Forward Plan Ref No
Corporate Aims People and Council	Cabinet Portfolio Holder Cllr Sandra Turner

REPORT OF: Chief Executive – 18/294**WARDS AFFECTED: All****SUBJECT: POLLING DISTRICT AND POLLING PLACE REVIEW****RECOMMENDATION (S):**

To approve the proposed changes to Polling Districts and Polling Places as set out in Appendix I.

REASON FOR RECOMMENDATION (S):

- To allow the scheduled May 2019 local Borough Ward and Parish elections to go ahead
- To allow implementation of changes made to the Council's warding arrangements following a review by the Local Government Boundary Commission for England (LGBCE), approved by Parliament in August 2018
- To comply with the statutory requirement under the Electoral Registration and Administration Act 2013 that every local authority must conduct a compulsory review of polling districts and polling places every 5 years. The statutory period for doing this is between 1st October 2018 and 31st January 2020, but giving the above two points, it is pertinent that this be satisfied as part of the post LGBCE changes required.

HIGHLIGHTED RISKS:

- Unable to administer the scheduled May 2019 local elections (Ward and Parish)
- Non-compliance with the statutory requirements under the Electoral Registration and Administration Act 2013
- See risk matrix at the end of this report

1. INTRODUCTION

- 1.1. The Local Government Boundary Commission for England (LGBCE) concluded their review of Borough Ward boundaries in April 2018, following a period of consultation throughout 2017 and 2018. These changes were approved by Parliament in July 2018.
- 1.2. Previous Wards have changed considerably in some places. 25 Wards will become 20 in May 2019. Existing polling districts are no longer fit for purpose, and the Council will be unable to deliver those polls under current polling district arrangements.
- 1.3. Every local authority must conduct a compulsory review of polling districts and polling places every 5 years, and the statutory period for doing this is between 1st October 2018 and 31st January 2020.
- 1.4. Conducting a full review of all polling districts and polling places **now**, satisfies the needs derived from both 1.1 and 1.3 above.

2. CORPORATE AIMS

- 2.1. The proposals in this report (and appendices) support the corporate priorities of 'People' and 'Council'.

3. BACKGROUND AND ISSUES

- 3.1. As required under 18C(1) of the Representation of the People Act 1983 the Council gave notice that it was conducting a review of polling districts and polling places. The timetable set out for this review was as follows:

ACTION	DATE
Commence Review	Thursday 01 November 2018
Consultation deadline	Thursday 22 November 2018
Cabinet meeting	Tuesday 11 December 2018
Decision at Full Council	Monday 7 January 2019
Publish Notice of Changes	Friday 18 January 2019
RE-PUBLISH REGISTER	01 February 2019

- 3.2. Appendix II sets out the list of organisations that have been consulted with, with respect to the initial recommendations.
- 3.3. Appendix I (page 3) gives a summary of the changes and final recommendations since the initial proposals as a result of representations received.
- 3.4. After the consultation period, all comments were taken on board and considered. The (Acting) Returning Officer(s) for both Ryedale District Council and Scarborough Borough Council (both having electoral responsibilities over the electoral areas of the Borough Council) have made their final recommendation in relation to the polling places.
- 3.5. As a result of the timing of this review, the Council's Electoral Registration Officer will need to re-publish the Electoral Register on 1st February 2019 under the new revised structure of polling districts. This will allow potential candidates at the May 2019 elections to obtain correctly structured and appropriate polling registers for canvassing and campaign purposes.
- 3.6. In the main, all polling districts already have a suitable polling station, and where changes have taken place, the building being used will not change, though **the electors being assigned to them may change slightly.**
- 3.7. When the May 2019 polling cards are sent out, electoral services intend to add a prominent line to the card stating that 'polling stations may have changed' to raise awareness.
- 3.8. Before the May 2019 elections, a media release will be sent out to raise awareness of new Warding arrangements, and any changed polling stations for elector groups, where relevant.
- 3.9. The Council can do a review of all, or part of the Borough at any time, giving opportunity for areas of concern that may arise in the future to be addressed.
- 3.10. As part of an electoral review, the LGBCE are required to have regard to Schedule 2 to the Local Democracy, Economic Development and Construction Act 2009 (the 2009 Act). The Schedule provides that if a parish is to be divided between different wards it must also be divided into parish wards, so that each parish ward lies wholly within a single ward. This saw the introduction of a new parish ward called White Leys. The arrangement for Whitby Town Council is now as per the following table:

Whitby Town Council comprises 19 councillors, as at present, representing seven wards:	
Parish ward	Number of parish councillors
Abbey	5
Stakesby	5
Town North	2
Town South	1
Ruswarp	2
West Cliff	3
White Leys	1

3.11. Under the 2009 Act the LGBCE only have the power to make changes to parish electoral arrangements where these are as a direct consequence of recommendations for principal authority warding arrangements. It is The Council's powers under the Local Government and Public Involvement in Health Act 2007 to conduct community governance reviews to effect changes to parish electoral arrangements.

3.12. There are other places around the Borough where changes to Parishes could further improve the electoral arrangements, following the LGBCE review. This includes, for example:

- an area of the Eastfield community which is not parished
- where a new Ward boundary line has moved 2 properties into Cayton Ward from previous Weaponness Ward, which cannot automatically become part of the Cayton Parish

3.13. In order to make changes to Parishes, there must be a Community Governance Review (CGR). It is proposed to run a full Borough Wide CGR before the 2023 scheduled Parish elections (likely in 2021) to capture various issues:

- where Parishes would benefit from being realigned with Ward areas since the LGBCE review
- where it is known that Parish areas want to form a group
- Where warded parish areas could benefit from being revisited
- To reinvestigate the benefits and interest for creating a new Parish in the Scarborough town centre area

4. CONSULTATION

4.1. In carrying out consultation the Council has followed the Electoral Commission guidance on how the review should be conducted.

- 4.2. The Council consulted the (Acting) Returning Officers who are affected by any proposals under the consultation (for the Thirsk & Malton Constituency and the Scarborough & Whitby Constituency), who made representations on existing and proposed polling arrangements. The Council published the (Acting) Returning Officer's proposals and invited comments.
- 4.3. On 01 November 2018 the initial recommendations were published. Any comments on the proposals had to be submitted no later than 22 November 2018 (see [timetable in 3.1 above](#)).
- 4.4. In addition to the usual groups interested in electoral arrangements, the Council particularly wanted to include and obtain comments and views of disability groups around the Borough. A full list of those groups targeted for consultation is included in appendix II. The notice and consultation document were also published on The Council's website to allow anyone to make representation, following a media release to publicise it.
- 4.5. During the summer of 2018, whilst the LGBCE were seeking approval from Parliament of their final recommendations, Electoral Services proactively sought information about potential alternative polling stations within the Borough from Borough Councillors and Parish Councillors (via Parish Clerks). The feedback obtained from this was fed into the initial recommendations of this polling place review process.
- 4.6. Appendix I (pages 4-6) lists the representations that were received during the consultation period, as well as the Council's comments on each.

5. **ASSESSMENT**

- 5.1. The representations which have been received in connection with the Wards mentioned above have been considered and there is only one change to an assigned polling place since the initial recommendations. This change to the polling place in polling district Abbey No 2 - register VB (as per appendix I) allows suitable flexibility during a period of uncertainty.
- 5.2. As mentioned in [3.9](#) above, a Polling District and Polling Place review can be conducted at any time to revisit any changes.

6. **IMPLICATIONS**

6.1. **Policy**

The proposals are in accordance with Council Policy

6.2. **Legal**

The Council is required to complete the review and bring any new arrangements in force when the next revised registers are published in February 2019

6.3. Financial

The are no financial implications for the Council.

6.4. Equalities and Diversity

The proposals have taken into consideration the equality and diversity of all electors, and of the Council

6.5. Communications

Media releases, additional information on pol cards and information on the Council's website and social media will highlight all changes to the electors, and other interested parties to publicise the proposals contained within this report.

6.2 Other

Staffing, Planning, Crime and Disorder, Health and Safety, and Environmental implications have all been considered and do not apply.

7. ACTION PLAN

7.1

ACTION	DATE
Commence Review	Thursday 01 November 2018
Consultation deadline	Thursday 22 November 2018
Cabinet meeting	Tuesday 11 December 2018
Decision at Full Council	Monday 7 January 2019
Publish Notice of Changes	Friday 18 January 2019
RE-PUBLISH REGISTER	01 February 2019



Jim Dillon
Chief Executive

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Background Papers:

- Appendices attached.
- LGBCE April 2018 Final Recommendations on Scarborough Borough Council warding arrangements (<https://www.lgbce.org.uk/all-reviews/yorkshire-and-the-humber/north-yorkshire/scarborough>)
- The Scarborough (Electoral Changes) Order 2018 enforcing the changes as a result of the LGBCE review (<https://www.legislation.gov.uk/ukdsi/2018/9780111170076>)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS, PLEASE CONTACT THE AUTHOR.

Risk Matrix

Risk Ref	Date	Risk	Consequences	Mitigation	Current Risk Score	Target Score	Service Unit Manager/ Responsible Officer	Action Plan
1	11 Dec 2018	Failure to approve polling districts	Unable to hold May 2019 Borough elections	Agree polling districts and places	E5	A1	Kerry Russett	As this report
2	11 Dec 2018	Failure to approve polling places	Unable to hold May 2019 Borough elections	Agree polling districts and places	E5	A1	Kerry Russett	As this report
3	11 Dec 2018	Non-compliance with the statutory requirements under the Electoral Registration and Administration Act 2013	Breach of electoral law	Agree polling districts and places	E5	A1	Kerry Russett	As this report
4	11 Dec 2018	Non-compliance with The Scarborough (Electoral Changes) Order 2018	Breach in legislation Breach or failure to deliver	Agree polling districts and places	E5	A1	Kerry Russett	As this report

Glossary of Terms

Risk	An event which may prevent the Council achieving its objectives
Consequences	The outcome if the risk materialised
Mitigation	The processes and procedures that are in place to reduce the risk
Current Risk Score	The likelihood and impact score with the current mitigation measures in place
Target Risk Score	The likelihood and impact score that the Council is aiming to achieve
Service Unit Manager	The Service Unit or Officer responsible for managing the risk
Action Plan	The proposed actions to be implemented in order to reduce the risk to the target score

Risk Scoring

Impact	5	[Hatched]				
	4	[]	[]	[Hatched]		
	3	[Shaded]	[]	[]	[Hatched]	
	2	[Shaded]	[Shaded]	[]	[]	[Hatched]
	1	[Shaded]	[Shaded]	[Shaded]	[]	[]
		A	B	C	D	E
	Likelihood					

Likelihood:

A = Very Low
 B = Not Likely
 C = Likely
 D = Very Likely
 E = Almost Certain

Impact

1 = Low
 2 = Minor
 3 = Medium
 4 = Major
 5 = Disaster