

FALKIRK COUNCIL

Subject: REVIEW OF POLLING DISTRICTS AND POLLING PLACES
Meeting: FALKIRK COUNCIL
Date: 5 DECEMBER 2007
Author: CHIEF EXECUTIVE

1. INTRODUCTION

- 1.1 The Council is required by Section 18A of the Representation of the People Act 1983 (the 1983 Act), as amended by the Electoral Administration Act 2006 (the 2006 Act), to divide its area into polling districts for the purpose of Parliamentary elections for so much of any constituency as is situated in its area and to keep these polling districts under review.
- 1.2 In designating polling districts, the Council must seek to ensure that all electors in a constituency have such reasonable facilities for voting as are practicable in the circumstances. Each electoral ward is to be divided into two or more separate polling districts, unless special circumstances dictate otherwise.
- 1.3 Section 18B of the 1983 Act requires the Council to designate polling places for each polling district in a constituency, and to keep these under review. In so doing, the Council must:-
 - (a) ensure that all electors in a constituency in its area have such reasonable facilities for voting as are practicable in the circumstances;
 - (b) ensure that so far as is reasonable and practicable every polling place for which it is responsible is accessible to electors who are disabled;
 - (c) have regard to the accessibility to disabled persons of potential polling stations in any place which it is considering designating as a polling place or the designation of which as a polling place it is reviewing;
 - (d) ensure the polling place for a polling district is within the district, unless special circumstances make it desirable to designate an area wholly or partly outside the district; and
 - (e) ensure that the polling place for a polling district is small enough to indicate to electors in different parts of the district how they will be able to reach the polling station.

2. CURRENT POSITION

- 2.1 In terms of the Parliamentary Constituencies (Scotland) Order 2005, the Falkirk area comprises two Parliamentary Constituencies, namely (1) Falkirk, with an electorate (as at December 2006) of 79,234, and (2) Linlithgow and East Falkirk, with an electorate of 78,670 (of whom c34,500 reside within the Falkirk Council area, and the remainder within West Lothian). The Chief Executive of Falkirk Council is Returning Officer for the Falkirk constituency and the Chief Executive of West Lothian Council is Returning Officer for Linlithgow and East Falkirk.
- 2.2 Falkirk Constituency comprises the following:-
Ward 2 – Grangemouth (part)
Ward 3 – Denny and Banknock (whole)
Ward 4 – Carse, Kinnaird and Tryst (whole)
Ward 5 – Bonnybridge and Larbert (whole)
Ward 6 – Falkirk North (part)
Ward 7 – Falkirk South (whole)
Ward 8 – Lower Braes (part)
Ward 9 – Upper Braes (part)
- 2.3 Linlithgow and East Falkirk Constituency comprises:-
Ward 1 – Bo’ness and Blackness (whole)
Ward 2 – Grangemouth (part)
Ward 6 – Falkirk North (part)
Ward 8 – Lower Braes (part)
Ward 9 – Upper Braes (part)
- 2.4 It should be noted that, while a section of Ward 6 - Falkirk North sits within Linlithgow and East Falkirk, this specific small area is unpopulated. Therefore, all electors in Ward 6 reside within the Falkirk Constituency.
- 2.5 The edited polling scheme attached hereto (Appendix 1) provides details of all polling districts and indicates the current designated polling place and electorate for each. The existing arrangements are the result of work undertaken in 2006 to ensure that electoral registers published on 1 December 2006 reflected the introduction of Multi-Member Wards. These arrangements were in place for the May 2007 elections.

3. CONSULTATION PROCESS

- 3.1 Section 18C of the 1983 Act requires the Council to complete a review of polling districts and polling places in its area before the end of the period of 12 months starting with the date on which Section 16 of the Electoral Administration Act 2006 came into force i.e. by 31 December 2007. Reviews are thereafter required every four years.
- 3.2 In terms of the 2006 Act, the Council is required to publish notice of any review. Accordingly, a notice intimating the commencement of the review and inviting representations and suggestions for alternative premises was published in the local press in September 2007.

3.3 The following persons were required to be consulted and were entitled to make representations as part of the review:-

- Constituency Returning Officers
- Electors within the constituencies falling within Falkirk Council (or parts thereof)
- Persons with particular expertise in relation to access to premises or facilities for persons with disabilities

3.4 In addition, Central Scotland Police, the Electoral Registration Officer, elected Members and Community Councils were consulted and submissions gathered over recent months on an ad hoc basis were also taken into account.

4. CONCLUSIONS AND PROPOSALS

4.1 A deadline of 2 November 2007 was set for receipt of representations in relation to the current arrangements. A summary of the comments received is appended hereto (Appendix 2).

4.2 The Returning Officers for both Constituencies were consulted; neither had any amendments to make to the existing arrangements other than to address the issues raised through the public consultation process and summarised in Appendix 2.

4.3 No comments have been received to date from Capability Scotland, who were invited to comment in relation to disability access issues. It should be noted, however, that work has been ongoing in recent years to ensure compliance with the Disability Discrimination Act in relation to all polling places. Of the 65 venues currently in use as polling places, only two require temporary ramps to be provided for disabled access for polling purposes.

4.4 The feedback received from elected Members is noted on the summary contained at Appendix 2. Verbal feedback in relation to the current polling places in Ward 6 - Falkirk North suggests that consideration should be given in the near future to addressing anomalous polling district boundaries in the vicinity around Falkirk town centre, Hallglen and Camelon, with a view to recognising new house building and increasing population and identifying suitable premises to be utilised as polling places at future elections.

4.5 Education Services have expressed concerns regarding the number of schools used as polling places (currently 21 in total) and have requested that alternative premises be investigated. This exercise is ongoing, although it should be noted that in many areas, particularly rural areas, there is often no alternative. Members will be updated in this regard as other options are identified and investigated.

4.6 On completion of this review, the Council is required to give reasons for its decisions in the review and publish such other information as is prescribed in the Review of Polling Districts and Polling Places (Parliamentary Elections) Order 2006. This will be undertaken by relevant Officers at the conclusion of the review process and will include publication of the following:-

- (a) all correspondence sent to the returning officer in connection with the review;

- (b) all correspondence sent to any person whom the authority considered to have particular expertise in relation to access to premises or facilities for persons with different forms of disability;
- (c) all representations made by any person in connection with the review;
- (d) the minutes of any meeting held by the authority to consider any revision to the designation of polling districts or polling places within its area as a result of the review;
- (e) details of the designation of polling districts or polling places within its area as a result of the review; and
- (f) details of the places where the results of the review have been published.

4.7 In terms of the 2006 Act, a further review of polling places will require to be undertaken within the next 4 years. During this period, polling places will be reviewed as a matter of course in advance of proposed elections and any necessary changes will be reported to Council for consideration. In addition, the action identified in paragraphs 4.4, 4.5 and 4.6 will be undertaken and reported back to Members for consideration/approval, as appropriate.

5. RECOMMENDATIONS

5.1 Members are requested to:-

- (1) note the terms of the Report and the comments received in response to the public consultation process; and
- (2) authorise relevant Officers (a) to address the issues raised, as summarised in Appendix 2 hereto, taking necessary action and reporting back to Council with the final proposals in relation to the current review, and (b) to take action in relation to the issues requiring further consideration, as identified in paragraphs 4.4, 4.5 and 4.6, and report back to Members for consideration/approval, as appropriate.

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Chief Executive

Date: 16 November 2007

Contact Officer: Dale Robb, Business and Members' Services Manager

LIST OF BACKGROUND PAPERS

Nil.

Any person wishing to inspect the background papers listed above should telephone 01324 50611 and ask for Dale Robb.

