



**Council - 25<sup>th</sup> January 2024**

## **REVIEW OF POLLING DISTRICTS AND POLLING PLACES**

### **Report of the Electoral Registration Officer**

#### **Report Author and Contact Details**

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#### **Wards Affected**

All Wards

#### **Report Summary**

The purpose of this report is to seek approval to progress outline plans for a statutory review of polling districts and polling places within the District. It also recommends officer delegation to make amendments to polling places for elections to be held between now and completion of the review.

#### **Recommendations**

1. To note that the compulsory polling district and places review commenced on Monday 4 December 2023.
2. To note the outline timetable for the review and the process described in this report.
3. To authorise the Electoral Registration Officer to take the necessary measures as soon as possible to give effect to parliamentary constituency changes, ensuring that the register reflects existing and new constituency boundaries, until they are fully in force.
4. To authorise the Electoral Registration Officer to take the necessary measures to give effect to any new or amended polling districts on completion of the polling district review, ensuring that the register reflects existing and new boundaries, until the boundaries are fully in force.

5. To delegate to the Governance and Resources Committee the power to designate polling districts in accordance with section 18 and 18A of the Representation of the People Act 1983.
6. To delegate the power to designate polling places in accordance with section 18 and 18B of the Representation of the People Act 1983 to the Director of Corporate and Customer Services including the changes set out in paragraph 2.11.

**List of Appendices**

None

**Background Papers**

None

**Consideration of report by Council or other committee**

None

**Council Approval Required**

Yes

**Exempt from Press or Public**

No

# REVIEW OF POLLING DISTRICTS AND POLLING PLACES

## 1. Background

- 1.1 Under the Representation of the People Act 1983, the council has a duty to divide its area into polling districts and to designate a polling place for each district. The following definitions may be helpful when reading the report.
- “Polling districts” are geographical electoral areas into which wards and constituencies may be sub-divided.
  - “Polling places” are the buildings or areas designated by the council where electors in a polling district go to vote in person.
  - “Polling stations” are the number of issuing desks in the building or area that is the designated polling place.
- 1.2 The Electoral Administration Act 2006, as amended, introduced a duty on all local authorities in Great Britain to review their polling districts and polling places at least once every five years. Under section 18C of the Representation of the People Act 1983, the next compulsory review must be undertaken within a 16-month window between 1 October 2023 and 31 January 2025.
- 1.3 The intention of the legislation was that reviews would be completed by the January before a UK parliamentary general election. However, since the repeal of the Fixed Term Parliaments Act 2011, there is no longer any certainty as to when the next general election will be. The Dissolution and Calling of Parliament Act 2022 means that:
- the UK Parliament can be dissolved by the King on request of the Prime Minister, at any time within the 5 years of the life of the Parliament.
  - the next general election must take place before Tuesday 28 January 2025, but it could happen at any point before then.
  - there is no longer a link between the timing of the compulsory polling district and places review falling in a 16-month period ending 3 months before a scheduled general election.
- 1.4 In addition, the Boundary Commission for England has recently undertaken a review of parliamentary constituency boundaries. The Commission has published its final recommendations, and Orders for the new parliamentary constituency boundaries have been made and will be used for the next general election. The revised boundaries for the Derbyshire Dales Parliamentary Constituency still comprise of the whole of the District and the Amber Valley Ward of Alport and South West Parishes but it now includes the Hilton Ward of South Derbyshire District Council.
- 1.5 If a parliamentary by election is called in the meantime, it would be run on existing boundaries.

## 2. Key Issues

- 2.1 Although we have been unable to commence the review itself earlier, we have carried out some preparatory work by writing to contacts at all existing

polling places to establish whether the premises are still available and to assess their suitability.

2.2 It would have been desirable for any changes in polling districts to be reflected in the electoral register published on 1 December 2023. However, due to capacity issues arising from the introduction of tranche 2 of the Elections Act 2022, it is unlikely that the review will be complete before the next scheduled election timetable which starts in March 2024.

2.3 This would mean that the electoral register would need to be republished to take account of any changes to polling districts. It is however unlikely that the Review will result in significant changes to existing polling districts because the whole of the District remains in a single parliamentary constituency

## **Review process**

### **Legal requirements**

2.4 The process for a polling district and places review is set out in Schedule A1, Representation of the People Act 1983.

2.5 The Council must:

- publish a notice of the holding of a review.
- consult the Acting Returning Officer (ARO) for every parliamentary constituency which is wholly or partly in its area.
- publish all representations made by an ARO within 30 days of receipt by posting a copy of them at the local authority's office and in at least one conspicuous place in their area and, if the authority maintains a website, by placing a copy on the authority's website.
- seek representations from such persons as it thinks have particular expertise in relation to access to premises or facilities for persons who have different forms of disability. Such persons must have an opportunity to make representations and to comment on the representations made by the ARO.

2.6 On completion of the review, the council must give reasons for its decisions and publish:

- all correspondence sent to an ARO in connection with the review.
- all correspondence sent to any person whom the authority thinks has particular expertise in relation to access to premises or facilities for persons who have different forms of disability.
- all representations made by any person in connection with the review.
- the minutes of any meeting held by the council to consider any revision to the designation of polling districts or polling places within its area as a result of the review.
- details of the designation of polling districts and polling places within the local authority area as a result of the review.
- details of the places where the results of the review have been published.

## Preparatory work

- 2.7 Even though the formal review period has not commenced we have carried out a range of preparatory activity.
- 2.8 This includes:
- Reading the final proposals published by the Boundary Commission on and understanding the impact for this area.
  - Contacting Elections Teams in neighbouring authorities which will be sharing our constituency.
  - Liaising with electoral software suppliers about structuring the electoral register to accommodate boundary changes.
  - Preparing data for the start of the review (electorate figures, turnout from previous elections, information about new housing developments)
  - Obtaining detailed up to date maps to enable accurate designation of polling district boundaries.
  - Identifying organisations with a special interest/expertise in disabled access to consult.
  - Sending out a survey to existing polling places to test their suitability.

## Preliminary review

- 2.9 Electoral Services are also has carried out a preliminary review of the current polling districts and places in the District to assess their suitability.
- 2.10 This involved:
- Compiling details of current polling places with a summary of their suitability.
  - Checking the continued availability of polling places.
  - Reviewing feedback from stakeholders at previous elections.
  - Inviting comments from polling station inspectors
  - Identifying potential alternative buildings where appropriate.
  - Ensuring that polling places can support the requirements of the Elections Act, for example with sufficient space to undertake Voter ID checks, and to accommodate equipment to assist disabled voters.
  - Referring to guidance around accessibility.
- 2.11 As a result of this initial review, it is recommended that the following permanent changes are made to polling places. (Please note that in some cases these “new” venues were used in the May 2023 elections as temporary alternatives)

<b>Current Polling Place</b>	<b>New Polling Place</b>	<b>Reason for change</b>
Sudbury Primary School	The Gas Works Sudbury	This new venue is a short walking distance from the existing polling station and avoids the disruption caused by using the school on polling

		day. It has been recently refurbished so it is fully accessible and has good off-street parking.
Marston Montgomery Coronation Hall	Marston Montgomery Village Hall.	The existing venue is no longer in use. The new venue is a short walking distance from the existing polling station, was constructed recently and is fully accessible with good off-street parking.
Darley Dale Mencap Centre	The Green Away Workshop	The existing venue is no longer in use. The new venue is a short walking distance from the existing polling station and is fully accessible. It has limited off-street parking but there is on-street parking close by.
Carsington Primary School	Carsington Parish Church	The room used as a polling station in the school is not accessible and is too small. Alternative locations in the school are not suitable. With temporary adaptations the new venue is accessible and provides more space.
Hurst Farm Community Centre	Farmers View, Hurst Farm (Formerly Hurst Farm Social Club)	The room used as a polling place is no longer available the new venue is accessible and has off street parking.

### **Implementing parliamentary boundary changes**

- 2.12 The Boundary Commission for England recently undertook a review of parliamentary constituency boundaries. They have published their final recommendations, and Orders for the new parliamentary constituency boundaries were made in November 2023. The new boundaries will be used for the next general election. If a parliamentary by election is called in the meantime, it would be run on existing boundaries.
- 2.13 This means the Register of Electors needs to be able to reflect both the existing and new constituencies. However, the boundary review has not resulted in any change for the district as it remains in a single parliamentary constituency.

### **3. Options Considered and Recommended Proposal**

- 3.1 Legislation requires that the Council must carry out a review.

- 3.2 The proposals to delegate the designation of Polling Districts and Polling Places are not a requirement but having them in place in advance of an election will help if there is a need to change a Polling Place at short notice.

#### **4. Consultation**

- 4.1 Consultation will involve the publication of statutory notices and invitations to comment on proposals. Where there are proposals to change polling places the relevant parish or town council will be consulted.
- 4.2 We will also be making direct contact with local organisations that support groups or individuals that may wish to comment on proposals, for example organisations which may wish to contribute to issues such as accessibility.

#### **5. Timetable for Implementation**

- 5.1 A timetable for the review is set out below:

##### **Review of polling districts and places 2023/24**

Preparatory work	started 4 December 2023
Resolution from council providing for commencement of review	25 January 2024
Preliminary review – including informal consultation	28 January to March 2024
Notice of review published	28 January 2024
Council proposals published	11 March 2024
Commencement of formal consultation	11 March 2024
End of formal consultation	12 April 2024
Consider responses	13 May 2024
Final proposals published via meeting agenda papers and website	23 May 2024
Publish electoral register	1 June 2024
Conclude review	By end June 2024
Republish electoral register (if any new or amended polling districts)	1 July 2024

#### **6. Policy Implications**

- 6.1 As set out above.

#### **7. Financial and Resource Implications**

- 7.1 The cost of carrying out the review will be contained within existing revenue budgets. The financial risk is, therefore, assessed as low.

#### **8. Legal Advice and Implications**

##### **Delegated decision making**

- 8.1 The designation of polling districts and places is a function of the Council, whereas decisions about polling stations are for the Returning Officer.

- 8.2 The Council's constitution identifies the determination of polling district reviews as a matter to be reserved for Full Council.
- 8.3 Due to the desirability of approving the polling districts and places in a compacted timetable, it is considered that the authority to designate polling districts and places be delegated to the Governance & Resources Committee for this review and all future reviews.
- 8.4 The Council's constitution identifies the determination of polling places as a matter to be reserved for Full Council. In certain situations, it might not be practicable to await formal Committee or Council approval to designate a polling place for example, where a building becomes unavailable at short notice due to unforeseen circumstances.
- 8.5 Due to the potential need to identify alternative locations as polling stations, it is considered that the authority to re-designate polling places be delegated to the Director of Corporate and Customer Services following consultation with the Chair of the Governance and Resources Committee.
- 8.6 The legal risk of taking the recommended decision contained within this report has been assessed as low.

## **9. Equalities Implications**

- 9.1 Equality issues are a significant part of the review, particularly in the designation of Polling Places which must be accessible. The ARO has a legal duty to make sure Polling Stations are accessible.

## **10. Climate Change Implications**

- 10.1 There are no climate change proposals arising from the proposals in this report.

## **11. Risk Management**

- 11.1 The delegation proposals in this report will allow the designation of alternative polling places if an existing location becomes unsuitable or unusable in the run up to an election.

### **Report Authorisation**

Approvals obtained from:-

	<b>Named Officer</b>	<b>Date</b>
Chief Executive	Paul Wilson	17/01/2024
Director of Resources/ S.151 Officer	Karen Henriksen	15/01/2024
Monitoring Officer (or Legal Services Manager)	Helen Mitchell	17/01/2024