

Committee Name and Date of Committee Meeting

Cabinet - 18 September 2023

Report Title

Polling Districts and Polling Places Review 2023

Is this a Key Decision and has it been included on the Forward Plan?

Yes

Strategic Director Approving Submission of the Report

Sharon Kemp, Chief Executive

Report Author(s)

Mike Thomas, Electoral Services Manager
01709 823268 or Mike.thomas@rotherham.gov.uk

Ward(s) Affected

Borough-Wide

Report Summary

The purpose of this report is to provide Cabinet Members with information about the Statutory Review of Polling Districts and Polling Places that must take place within the 16-month window between 1 October 2023 and January 2025 and seek approval for the timetable.

Following the consultation, a recommendations report will be produced that will be reported to Cabinet. It is a function of Council to approve the Cabinet recommendations arising from the polling places review.

Recommendations

That Cabinet:

1. Note the information in this report regarding the scope of the review.
2. Approve the timetable for the review, as set out in Appendix 2.

List of Appendices Included

Appendix 1 - Borough Wards by Current and New Parliamentary Constituencies
Appendix 2 - Review Timetable
Appendix 3 - Current Scheme
Appendix 4 - Main Changes Being Considered for The Review
Appendix 5 - Draft notice of review
Appendix 6 - Part A - Initial equality screening assessment form

Appendix 7 - Carbon impact Statement

Background Papers

[Electoral Commission guidance on the review of polling districts and polling places](#)

Consideration by any other Council Committee, Scrutiny or Advisory Panel

No

Council Approval Required

No

This consultation has been brought for Member information. Approval of the final report following public consultation is a function of Full Council.

Exempt from the Press and Public

No

Polling Districts and Polling Places Review 2023

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.
- 1.2 The following definitions may be helpful when reading the report and Appendices:-
- “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 that is the designated polling place.
- 1.3 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. The Council undertook the last full review between October 2018 and December 2019. This review took into account changes to the Borough ward boundaries. The next review must take place within a 16-month window between 1 October 2023 and 25 January 2025.
- 1.4 Ward boundaries cannot be changed as part of this review. Ward and constituency boundaries are the responsibility of the Local Government and Parliamentary Boundary Commissions respectively. This review can only consider the internal boundaries of polling district within wards.
- 1.5 The Boundary Commission for England (BCE) have carried out a review of the Parliamentary constituencies in England and have submitted their recommendations report to the Speaker of the House of Commons on 27 June 2023. This will impact on the review of wards. The Government will draft an Order containing the recommendations for all four Parliamentary Boundary Commissions. Once that draft Order is approved by the Privy Council, the new constituencies will be used for the next General Election following that date. Any by-elections taking place beforehand would use the existing constituency boundaries.
- 1.6 Rotherham’s review will consider the changes to the Parliamentary constituencies covering the Rotherham Council area, to ensure the polling districts and polling places allow for the smooth administration of local government and Parliamentary elections. The BCE recommendations for the new Parliamentary constituencies will mean the boundaries will be coterminous with ward boundaries, meaning there will not be any Borough wards split into different Parliamentary constituencies. This means it is not necessary to make changes to any polling district boundaries; it will just be necessary to reallocate whole polling districts from one constituency to another. The breakdown of Borough wards by current and new Parliamentary constituencies can be seen in Appendix 1.

1.7 The review will be governed by the provisions of Schedule 1A to the Representation of the People Act 1983 and follow the Electoral Commission guidance on the review of polling districts and polling places.

1.8 Preparation work is currently being undertaken by Council Officers to inform the Returning Officer's initial proposals ahead of public consultation.

2. Key Issues

2.1 Time to conduct the statutory review is severely restricted with scheduled elections and a Parliamentary General election due to take place within the 16-month review window. Due to the electoral events due to take place, it is necessary to conduct the review at the earliest opportunity in order to be in a position to prepare and administer the May 2024 schedule elections as well as the Parliamentary General election. The timetable for this review is set out in Appendix 2.

2.2 A small number of the current polling places will not be available in future or are no longer suitable, so alternatives must be sought. The main issues being considered in the development of the initial proposals are:

- (a) Identifying new polling places in areas where the existing provision is unsuitable or unavailable.
- (b) To consider, as appropriate, feedback received following recent elections raised by members of the public, Elected Members and other stakeholders.
- (c) To ensure that any new polling places are accessible to people with disabilities.
- (d) To ensure that all electors have such reasonable facilities for voting as are practicable in the circumstances.
- (e) To try and minimise disruption to schools. It should be noted that the Returning Officer is entitled to use schools and academies free of charge. However, where alternative premises exist which can provide better facilities for voting, they may be considered.
- (f) To ensure polling stations have sufficient space to allow for checking Voter ID in private.
- (g) Ensuring that as far as possible, the number of polling station electors allocated to a polling station does not exceed 2,250.
- (h) Consider the impact of new building developments on projected electorate numbers.

2.3 Due to the introduction of Voter ID requirements, the Electoral Commission has lowered the recommended maximum number of polling station electors that should be allocated to a polling station. The recommended maximum has reduced from 2,750 to 2,250. Currently seven polling districts exceed this new lower maximum and therefore changes will need to be considered as part of the review.

2.4 The existing polling scheme can be seen in Appendix 3. The main changes being considered for the Returning Officer's initial proposals can be seen in Appendix 4.

- 2.5 Following this initial assessment of the current issues and proposals of change, the process for designating new polling places should be robust and allow input from interested parties. There are five key stages in the review process.
- 2.5.1 Notification of the review - the Council will give public notice of the review, using the (draft) Notice attached at Appendix 5, and will publicise the review via the Council website, press releases and social media.
- 2.5.2 Consultation - As well as making details of the consultation available on the website, the consultation paper will be sent to Borough ward members, parish councillors, MPs, and local political parties. It will also be sent to any other interested persons or groups, including local disability groups.
- 2.5.3 Concluding the review - All representations will be considered, and a further report will be brought to Cabinet and Council with final proposals for determination.
- 2.5.4 Publishing the conclusion of the review - The final decisions will be published, along with the reasons for those decisions and along with all representations received during the consultation period.
- 2.5.5 Appeals process - Certain persons, on specific grounds, can appeal to the Electoral Commission about the alteration of polling places. Further detail will be provided in the next paper.

3. Options considered and recommended proposal

- 3.1 Option 1 - This is the recommended Option. Carry out a full review as early as possible and complete in time for 1 December 2023 register publication. This option would allow the review to be completed in plenty of time for the scheduled May 2024 elections and before the next Parliamentary General election, which will be based on the new Parliamentary constituency boundaries. Whilst it can't be ruled out, in the current political climate, it is unlikely the next General Election would be called in 2023.
- 3.2 Option 2 - Carry out the full review in time to republish the Electoral Register on 1 February 2024. Whilst providing more time to conduct the review, re-publishing the register close to the scheduled local elections in May 2024 will pose a significant risk to the planning and delivery of the election, particularly with these elections being the first with Voter ID requirements. There is also an increased risk that the review would not be completed in time, should the next Parliamentary General election be called in the first four months of 2024.
- 3.3 Option 3 - Carry out a full review after the May 2024 elections. This option would carry an increased risk that the review is not completed in time for the next Parliamentary General election, which would be based on the new constituency boundaries.
- 3.4 It is recommended that Option 1 is followed as it has the least risk in terms of impacting on the planning and delivery of the scheduled local elections in May 2024. It will also mean the Rotherham Electoral Register will reflect the new Parliamentary constituency boundaries at the earliest opportunity in readiness for administering the next General Election.

3.5 The recommendation of Option 1 is reinforced by the Electoral Commission's advice to undertake and complete the review as early in the compulsory period as possible, due to the Parliamentary boundary changes and the uncertainty of when the next General Election will take place.

4. Consultation on proposal

4.1 As outlined in paragraph 2.5 (2), certain stakeholders will be consulted directly. The review will be widely publicised, and any elector will be entitled to respond.

5. Timetable and Accountability for Implementing this Decision

5.1 An outline timetable for the review is given at Appendix 2, commencing with the notice of review on 2 October 2023. The work involves seeking comments on the existing arrangements and initial proposals for change, preparing final proposals, Council determination of the final proposals, publishing the conclusions and altering the electoral register as required.

5.2 The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 provides for decisions on polling districts and places to be made by the Council.

5.3 The Assistant Director for Legal Services will be responsible for implementing the decisions.

6. Financial and Procurement Advice and Implications

6.1 The cost of conducting the review will be funded from within the existing Electoral Services budget. The cost of local elections is approved as part of the Council's Budget and Medium Term Financial Strategy. Other elections are funded by Central Government.

6.2 There are no direct procurement implications arising from the recommendations detailed in this report.

7. Legal Advice and Implications

7.1 The Council has a legal duty to review polling districts and polling places, as described in this report. The legislative framework for reviews of polling districts and places consists of: (i) sections 18A to 18E and Schedule A1 of the Representation of the People Act 1983, as inserted by section 16 of the Electoral Administration Act 2006; (ii) section 17 of the Electoral Registration and Administration Act 2013 introduced a change to the timing of compulsory reviews.

8. Human Resources Advice and Implications

8.1 None arising directly from this report.

9. Implications for Children and Young People and Vulnerable Adults

9.1 None arising directly from this report.

10. Equalities and Human Rights Advice and Implications

10.1 The Council must seek to ensure that, so far as is reasonable and practical, every polling place for which it is responsible is accessible to people who are disabled. Provision of reasonably convenient polling arrangements is an essential element of the free and fair elections required under Protocol 1, Article 3 of the Human Rights Act. The Initial Equality Screening Assessment can be found at Appendix 6.

11. Implications for CO2 Emissions and Climate Change

11.1 There are some unavoidable, but limited implications on CO2 emissions and climate change. The carbon impact assessment can be seen in Appendix 7.

12. Implications for Partners

12.1. None arising directly from this report, but partners and other directorates will be engaged as appropriate through the consultation.

13. Risks and Mitigation

13.1 Polling places are essential for the conduct of elections. Inadequate provision of polling places and polling stations could have a detrimental effect on voter turnout and could be the source of an election challenge.

13.2 The Council's Constitution allows for the Returning Officer to make temporary short notice changes to the designated polling places, should a premises be unavailable for a particular election. However, any permanent changes would require a review to be conducted.

14. Accountable Officers

Phil Horsfield, Assistant Director of Legal Services

Approvals obtained on behalf of Statutory Officers: -

	Named Officer	Date
Chief Executive	Sharon Kemp	04/09/23
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	29/08/23
Head of Legal Services (Deputy Monitoring Officer)	Bal Nahal	29/08/23

Report Author: Mike Thomas, Electoral Services Manager
01709 823268 or Mike.thomas@rotherham.gov.uk

This report is published on the Council's [website](#).