

Committee Name and Date of Committee Meeting

Cabinet - 16 September 2019

Report Title

Review of Polling Places 2019 - Final Proposals

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

Yes

Strategic Director Approving Submission of the Report

Judith Badger, Strategic Director of Finance and Customer Services

Report Author(s)

Claire Wardle, Electoral Services Manager
01709 823521 or claire.wardle@rotherham.gov.uk

Ward(s) Affected

Borough-Wide

Report Summary

Following approval from Council on 23 January 2019 to undertake a review of polling places, a public consultation on the current polling scheme and the Returning Officer's proposals started on 4 February 2019 and ended on 26 April 2019. This report considers the responses and final proposals for determination, in order for Cabinet to make final recommendations to Council.

Recommendations

That Cabinet recommend to Council that:-

1. The submissions made in respect of the review of polling districts and polling places for the borough of Rotherham be noted.
2. Approval of the adoption of the polling district boundaries as outlined in Appendix 1 and the maps found in Appendix 4 be given.
3. Approval of the final proposals for polling places as detailed in Appendix 1 to this report is given.
4. The Electoral Registration Officer be requested to make the necessary amendments to the polling districts to take effect from publication of the revised register on 1 December 2019.

5. Power to designate polling places in accordance with section 18B of the Representation of the People Act 1983 is continued to be delegated to the Chief Executive, such power to be exercised only in circumstances where a decision is required at short notice and it is not possible to await a decision of Council.

List of Appendices Included

- Appendix 1 - Polling place scheme and final proposals
- Appendix 2 - Summary of responses to the consultation and RO comments
- Appendix 3 - Maps of current wards
- Appendix 4 - Maps of new wards from 2020
- Appendix 5 – Equality Initial Screening Assessment

Background Papers

[Review of Polling Districts and Polling Places Consultation Paper – 4 February 2019](#)

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

Consideration by any other Council Committee, Scrutiny or Advisory Panel
Council - 30 October 2019

Council Approval Required
Yes

Exempt from the Press and Public
No

Review of Polling Places 2019 - Final Proposals

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 compulsory review between November 2013 and December 2014. An interim review was undertaken in 2017, and a full review is required to be completed by December 2019.
- 1.4 The Local Government Boundary Commission carried out an electoral review of the Rotherham Borough between September 2016 and October 2017. The Rotherham (Electoral Changes) Order was made on 8th March, 2018, and the new ward boundaries will take effect at the elections in May 2020. The 2019 polling district and polling places review takes into account the impact of and the requirements for the new wards.
- 1.5 On 23rd January, 2019, the Council authorised the initiation of a statutory review of the Borough’s polling districts and polling places. The review formally commenced on 4th February 2019 to finish in November 2019, thereby allowing the changes in polling districts to be reflected in the electoral register when it is published on 1st December, 2019.
- 1.6 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 districts within wards.
- 1.7 The review is governed by the provisions of Schedule 1A to the Representation of the people Act 1983, and follows the Electoral Commission guidance on the review of polling districts and places.

2. Key Issues

- 2.1 Preparatory work was undertaken by Council officers to inform the Returning Officer's initial proposals which were set out in the Consultation Paper.
- 2.2 Some current polling places will not be available in future, and the impact of the new ward boundaries needs to be taken account of. The main issues considered in the development of the initial proposals as set out in the Consultation Paper were:
- (a) To try and identify new polling places in areas where the existing provision is unsuitable or unavailable
 - (b) To consider, as appropriate, feedback received following recent elections by members of the public, elected members and other stakeholders
 - (c) To ensure, as far as practicable, 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 has the right in law to select schools as polling venues which places a duty on schools, as publically funded buildings, to provide the facilities required if asked to do so. However, where alternative premises exist which can provide better facilities for voting, they may be considered.
 - (f) To minimise any inconvenience to voters where polling district boundaries are altered as a result of the ward boundary changes
- 2.3 Further details of the existing polling scheme and the initial proposals for changes were outlined in the Consultation Paper.
- 2.4 The Council gave public notice of the formal commencement of the review on 4th February, 2019, and publicised the review via the council website and press release. Any registered elector was entitled to make representations.
- 2.5 The deadline for responses to the consultation was 26 April 2019. Thirty responses were received, and a summary of the responses and the Returning Officer's comments is provided in Appendix 2.
- 2.6 As a result of the representations made during the consultation, the final proposals contain three changes in addition to the initial proposals.
- (a) Kilnhurst & Swinton East - It is proposed that the boundary between KIA and KIC polling districts be amended, to allocate more voters to Kilnhurst Resource Centre.

- (b) Rawmarsh East - It is proposed that Rawmarsh Customer Service Centre is designated the polling place for RAEA polling district, instead of Rawmarsh St Joseph's School.
 - (c) Wath - It is proposed that Newhill Chapel is designated the polling place for WHD polling district, instead of Wath Central Primary School.
- 2.7 Further details of the final proposals and the polling place scheme are set out in Appendix 1.

3. Options considered and recommended proposal

- 3.1 Option 1 - Do not change any polling places before the 2020 elections. This option has been discounted because the Council has a statutory duty to carry out a review, the current scheme does not align with the new ward boundaries, and some existing polling places will not be available in 2020.
- 3.2 Option 2 - Consider the results of the review and determine changes in time for the Borough, Parish, and Police and Crime Commissioner elections in May 2020.
- 3.3 It is recommended that the proposals for changes to polling places as outlined in this report and Appendix 1 be approved.

4. Consultation on proposal

- 4.1 The consultation period for the review ran from 4 February 2019 to 26 April 2019. Public notice of the review was given, and information about the review made available on the council's website and in Customer Service Centres, Libraries and Neighbourhood Hubs. Any registered elector was entitled to make representations.
- 4.2 As well as being available on request, details of the review and the consultation paper were also sent to ward members, MPs, Parish Councils, and local groups including those representing disabled people. Electoral Services staff also attended a meeting with Rotherham Older People's Forum, to discuss the review and to address any concerns about the accessibility of polling places.

5. Timetable and Accountability for Implementing this Decision

- 5.1 The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 provides for decisions on polling districts and places to be made by the Council.
- 5.2 Once the Council has made its determination, the conclusion of the review will be published including the reasons for the council's decisions in respect of the designation of polling districts and places. Reasons have been given in Appendix 1.
- 5.3 Certain persons, on specific grounds, can appeal to the Electoral Commission about the alteration of polling places.

- 5.4 The Assistant Director for Legal Services will be responsible for implementing the decisions. Electoral Services will take the measures to bring the changes into effect, making the necessary amendments to the polling districts to take effect from publication of the revised register on 1 December 2019, and putting the new polling place scheme in place for the elections in 2020.

6. Financial and Procurement Advice and Implications

- 6.1 The financial and resource implications arising from this report will be met from within existing budgets.
- 6.2 There are no financial implications for the General Fund. The council only funds the cost of Borough elections, with all other elections being funded from grant monies from Central Government.

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. Reviews of polling districts and places must take place in accordance with section 18C and Schedule A1 to the Representation of the People Act, 1983 [as amended].

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 The voting age is 18 or over. The recommendations link to the council priority - every adult secure, responsible and empowered.

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. An Initial Equality Screening has been completed.

11. Implications for Partners

- 11.1 None arising directly from this report.

12. Risks and Mitigation

- 12.1. 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. Accountable Officers

Bal Nahal, Head of Legal Services

Claire Wardle, Electoral Services Manager

Approvals obtained on behalf of Statutory Officers:-

	Named Officer	Date
Chief Executive	Sharon Kemp	19/08/19
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	31/07/19
Head of Legal Services (Monitoring Officer)	Bal Nahal	31/07/19

Report Author: Claire Wardle, Electoral Services Manager
01709 823521 or claire.wardle@rotherham.gov.uk

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