

**Committee and Date**

Council  
21<sup>st</sup> September 2023

Item

Public



## Polling District, Polling Place and Polling Station Review 2023

<b>Responsible Officer:</b>	Andy Begley, Electoral Registration Officer		
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<b>Cabinet Member (Portfolio Holder):</b>	Gwilym Butler		

### 1. Synopsis

The purpose of this report is to seek the approval of the timetable for a statutory review of polling districts and polling places within the county, in accordance with the Representation of the People Act 1983 (as amended by the Electoral Administration Act 2006).

### 2. Executive Summary

- 2.1. The main purpose of the review is to ensure all electors have reasonable facilities for voting, and that polling places are accessible to electors who are disabled.
- 2.2. The following definitions are aimed to provide an understanding of the terms used within 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

- 2.3. Electoral Commission guidance states that every parish should be in its own polling district, and that, where possible, polling places should be in their own polling district. By having a polling place, and polling station, located within a polling district ensures there is a suitable venue for electors to access. However, it may be necessary to identify a polling place outside the polling district if no suitable venue can be identified.
- 2.4. Guidance issued by the Electoral Commission stipulates how reviews should be conducted.
- A. Stage 1 – the formal commencement of the review requires the local authority to give notice of the holding of a review.
  - B. Stage 2 - the consultation stage is for representations and comments to be made on the existing and proposed arrangements for polling districts and polling places. These include a compulsory submission from the (Acting) Returning Officer of the UK Parliamentary constituencies, and submissions from electors and other interested persons and bodies, including elected representatives and those with expertise in relation to access to premises or facilities for disabled people.
  - C. Stage 3 – After considering all the representations, the Council must decide on the most appropriate polling districts and polling places.
  - D. Stage 4 - Once the Council has agreed the proposals, details of the new polling districts and polling places must be made available to the public.
- 2.5. Section 18C of the Representation of the People Act 1983 does not allow the review to commence prior to 1 October 2023. The Electoral Registration Officer has taken account of the statutory commencement date, and to ensure the review is carried out in a timely manner, is intending to publish the Notice of Review, Council Proposals and commence the formal consultation period on 2 October 2023.
- 2.6. The proposed review timetable is set out as follows:

Review of Polling Districts, Polling Places and Polling Stations 2023	
Notice of review published	2 October 2023
Council proposals published	2 October 2023
Commencement of formal consultation	2 October 2023
Conclusion of formal consultation	30 October 2023
Council to consider final proposals	14 December 2023

- 2.7. It is planned that any changes resulting from the overall review would be considered by Council before being incorporated into the revised register when published.
- 2.8. The Boundary Commission for England has now concluded its own review and Orders for the new parliamentary constituency boundaries will be made by 1

November 2023. The Council will be required to make arrangements for changes to be made to UK Parliamentary constituency boundaries before the next UK Parliamentary Election. These changes would not take effect before the election date, and any other elections held before this time would take place under the current boundary arrangements.

- 2.9. The Electoral Returning Officer needs to ensure any changes coming out of the boundary review are reflected in the register for existing and new constituencies. Changes to parliamentary constituency boundaries will come into force at the next UK Parliamentary election, however, any changes to polling districts and polling places identified through the polling district review will come in to force when the revised register is published on 2 January 2024.

### **3. Recommendations**

- 3.1 That Council approves the timetable for the completion of the compulsory Polling District, Polling Place and Polling Station review as set out at paragraph 2.6.
- 3.2 That the Electoral Registration Officer is authorised to take the necessary measures as soon as possible to give effect to parliamentary constituency changes, ensuring that the register reflects existing and new constituencies, until the boundaries are fully in force.
- 3.3 That the Electoral Registration Officer is authorised 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.
- 3.4 That power to designate polling places in accordance with section 18 and 18B of the Representation of the People Act 1983 is delegated to the Electoral Registration Officer. Such power to be exercised only where a decision is required at short notice, and it is not possible to await a decision of Council.

## **Report**

### **4. Risk Assessment and Opportunities Appraisal**

- 4.1. The Council is required to conduct a statutory review of polling districts, polling places and polling stations every 5 years.
- 4.2. There is no anticipated environmental impact associated with the recommendations of the report.
- 4.3. The recommendations are not at variance with the Human Rights Act 1998 and is unlikely to result in any adverse Human Rights Act implications. The recommendations are in line with relevant legal procedures prescribed by the Act and with guidance issued by the Home Office.

- 4.4. Any amendments to the current polling districts, polling places and polling stations will take into account the provisions of the Representation of the People Act 1983 (as amended by the Electoral Administration Act 2006), Elections Act 2022, Equalities Act 2010, and the Local Government and Public Involvement in Health Act 2007.
- 4.5. The council must seek to ensure all electors in a constituency in the local authority area have such reasonable facilities for voting as are practicable in the circumstances.
- 4.6. The council must seek to ensure that so far as is reasonable and practicable, every polling place for which it is responsible is accessible to electors who are disabled.

## 5. Financial Implications

- 5.1. The financial implications associated with the current recommendations are limited to employee costs associated with undertaking the consultation exercise, and any costs involved in promoting the review. Any financial implications of any proposed changes as a result of the review will be considered when those changes are reported on.

## 6. Climate Change Appraisal

- 6.1. There are no anticipated effects on climate change matters from the recommendations within the report.

## 7. Background

- 7.1. Under the Representation of the People Act 1983 (as amended) the council has a duty to divide its area into polling districts and to designate a polling place for each district.
- 7.3. The Electoral Registration and Administration Act 2013, introduced a duty on all local authorities in Great Britain to review their polling districts and polling places at least once every five years.
- 7.4. 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.
- 7.5. 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.
- 7.6. The Dissolution and Calling of Parliament Act 2022 means:
  - 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.

7.8 In addition, the Boundary Commission for England is currently undertaking a review of parliamentary constituency boundaries. The Commission has now published its final recommendations, and Orders for the new parliamentary constituency boundaries will be made by 1 November 2023.

7.9 Once the Orders for new parliamentary constituencies have been made, 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.

7.10 These issues mean it is important that the polling district and places review is carried out as early as possible, so that Shropshire Council has agreed polling districts and places to be used for the next parliamentary election, as well as the Police and Crime Commissioner elections in May 2024, and has a polling scheme in place which reflects the new constituencies.

7.11 The results of the review will be considered by Council on 14 December 2023, however, if any decisions are required on the use of an alternative venue as a polling place in the meantime, the power to approve polling districts and polling places has been delegated to the Electoral Registration Officer, in accordance with section 18 and 18B of the Representation of the People Act 1983.

## 8. Conclusions

- 8.1. Any arrangements proposed in the review should enable the Council to designate the most appropriate polling places and polling stations to enable electors, including disabled users, to access suitable facilities for voting which are practicable in the circumstances.
- 8.2. It is planned that any changes resulting from the review would be incorporated into the annual register when published.

**List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)**

Electoral Commission Guidance on Review of Polling Districts, Polling Places and Polling Stations

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**Local Member:** All

**Appendices** [Please list the titles of Appendices]

None

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