

TEWKESBURY BOROUGH COUNCIL

Report to:	Council
Date of Meeting:	23 January 2024
Subject:	Review of Polling Districts and Polling Places/Stations
Report of:	Democratic and Elections Adviser
Head of Service/Director:	Director: Corporate Resources
Lead Members:	Leader of the Council Lead Member for Corporate Governance
Number of Appendices:	Two

Executive Summary:

To consider the outcome of the review undertaken in respect of polling districts and polling places/stations within the Borough.

Recommendation:

- 1. To APPROVE the recommendations set out in Appendix 1 to this report in relation to polling districts and polling places/stations within the borough.**
- 2. Pending any further formal review, to delegate authority to the Returning Officer to make any further polling place and/or polling station changes as is necessary to enable the efficient and effective conduct of elections.**
- 3. To delegate authority to the Electoral Registration Officer to make any changes as are necessary to the Register of Electors.**

Financial Implications:

There are no significant financial implications arising from the changes proposed in this report.

The number of polling stations will impact on the overall cost of an election or referendum, in terms of hire charges, additional staffing, additional equipment, etc. However, in all but Borough Council elections/by-elections and the scheduled, four-yearly parish/town council elections, these costs can be claimed against the election and will not fall upon the Borough Council.

Legal Implications:

Any review must be conducted in accordance with the statutory provisions and associated guidance.

The next full review must be started and completed within the period 1 October 2028 and 31 January 2030.

These proposals respect the Electoral Commission guidance.

There is a statutory appeal process through the Electoral Commission where a review either does not meet the reasonable requirements of electors or does not take sufficient account of the accessibility needs of disabled persons.

Environmental and Sustainability Implications:

In reviewing existing, or seeking new, polling places/stations, consideration is given to the ability to access polling stations by alternatives to car, e.g. cycle, walk, public transport, etc.

Resource Implications (including impact on equalities):

Polling stations are reviewed as and when required to maintain accessibility, and various methods of voting ensure equality in voting.

The review seeks to ensure that electors are given such reasonable facilities for voting as are practicable in the circumstances - this includes such issues as accessibility for disabled persons.

Safeguarding Implications:

None directly from this report. However, where school premises are used as polling stations, officers will work with school representatives to ensure that appropriate measures are put in place.

Impact on the Customer:

Any review outcome will seek to ensure equality in access to voting for all electors (wherever this is possible).

1.0 INTRODUCTION

1.1 The Council is requested to consider the outcome of a statutory review of polling districts, polling places and polling stations within the Borough.

2.0 BACKGROUND

2.1 Under the Representation of the People Act 1983 and the Electoral Administration Act 2006, local authorities are required to undertake a regular (five-yearly) review of all polling districts, polling places and polling stations within their area. The review is conducted having regard to Electoral Commission guidance.

2.2 The aims of the review are as follows:

- to ensure that all electors have such reasonable facilities for voting as are practicable in the circumstances;
- 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.

2.3 The relevant Parliamentary Acting Returning Officer(s) must comment during any review of UK Parliamentary polling districts and polling places on both existing polling stations and the polling stations that would likely be used if any new proposal for polling places was to be accepted. The Returning Officer of the Borough should also be consulted. It should be noted that, for Tewkesbury, these designations are held by the same person.

2.4 It should also be noted that the review cannot consider Parliamentary Constituency, County Division, Borough Ward, or Town/Parish Council boundaries.

2.5 In accordance with statute, every Parliamentary Constituency must be divided into polling districts; and for each polling district there must be a designated “polling place” and a designated “polling station”.

- A **polling district** is a geographical area created by the sub-division of a UK Parliamentary constituency for the purposes of a UK Parliamentary election. In England, each parish is to be a separate polling district. This means that a parish must not be in a polling district which has a part of either a different parish within it unless special circumstances apply. Those special circumstances could arise if, for example, the parish has only a small number of electors and it is not practicable for the parish to be its own polling district. Within Tewkesbury Borough, we have traditionally used a Parish or Parish Ward area as the polling district.
- A **polling place** is the building or area in which polling stations will be selected by the (Acting) Returning Officer. A polling place within a polling district must be designated so that polling stations are within easy reach of all electors from across the polling district. While some authorities have, in the past, designated the entire polling district as the polling place, relevant legislation states that ‘the polling place must be small enough to indicate to electors in different parts of the district how they will be able to reach the polling station’. As a result, it is considered that polling places should always be defined more specifically than simply the polling district - for example, by designating the name of the polling place (normally a particular building or area and its environs). The term “polling place” is not defined in law but it is suggested that it refers to the location in which the polling station is to be situated, e.g. the polling place could be a school with the polling station being a particular room in that school.
- A **polling station** is the room or area within the polling place where voting takes place. Unlike polling districts and polling places, which are fixed by the local authority, polling stations are chosen by the relevant Returning Officer for the election.

2.6 In summary, the following legislative requirements apply regarding the designation of polling districts and polling places:

- each parish in England is to be a separate polling district, unless special circumstances apply;
- the council must designate a polling place for each polling district, unless the size or other circumstances of a polling district are such that the situation of the polling stations does not materially affect the convenience of the electors;
- the polling place must be an area in the borough, unless special circumstances make it desirable to designate an area wholly or partly outside the borough (for example, if no accessible polling place can be identified in the borough);
- the polling place must be small enough to indicate to electors in different parts of the borough how they will be able to reach the polling station.

3.0 CONSULTATION

- 3.1** Consultation documents were sent in October 2023 to the Members of Parliament with Constituencies in the Borough, County and Borough Councillors, Town/Parish Councils/Meetings within the Borough, and other interested parties. The documentation provided details of the current arrangements, and comments were invited on whether any changes were considered necessary/beneficial. Public notices and press releases were issued to encourage responses. In addition to direct communications, the review was publicised on the Council's website where an online feedback form was provided for ease of response. Further background information and documentation is also available on the website.
- 3.2** Attempts were made to engage with organisations that represent persons with disabilities. The feedback received was less about individual polling places/stations but more about what could be done to assist a disabled voter in the run-up to, and at, an election time - ranging from ease of registration, communication, assistance in casting a vote, and general aspects in terms of physical access and polling station layout. A very positive relationship is being built with the Gloucestershire Sight Loss Council, whose contributions have been invaluable thus far.
- 3.3** It should also be noted that, as part of every major election that is carried out, those who act as polling station visitors undertake a personal inspection of all polling stations in use and take a view as to the facilities provided and accessibility issues. The Elections Team also seek to address any issues that occur between elections. Any comments gathered in this way were also fed into the review.
- 3.4** The all-embracing document at Appendix 1 sets out:
- details of the Polling District and Polling Place/Station arrangements at the start of review;
 - the consultation responses received;
 - the officers' comments, conclusions and recommendations in light of the representations received; and, also, in response to other electoral changes since the last review.
- 3.5** Appendix 1 has been broken down into existing Borough Ward areas. Within each Ward section, the situation that applied before the review (the 'Pre-Review Position') is included for context purposes - for ease of read, this text is in italics.
- 3.6** The representations received arising out of the review consultation, officers' comments thereon and the recommendations for Member consideration and decision follow on, set out in the 'Arising from the Review' section.
- 3.7** Given its comprehensive nature, and the fact that it covers general review issues as well as individual proposals, the submission of the North Cotswolds Constituency Labour Party is reproduced in full at Appendix 2.
- 3.8** No representations were received in relation to many of the existing polling districts/places/stations. Several comments received supported the retention of the status quo.
- 3.9** There was, however, a desire for change in a number of areas, particularly where significant development had occurred in recent years, e.g. Brockworth.
- 3.10** As a matter of course, the review also looked for viable alternatives to the use of school premises and portacabins/mobile polling stations - although this proved challenging to secure.

- 3.11** In those cases where changes have been put forward, there is local support in favour of the change. Several Borough Ward Members also put forward suggestions and, where possible, these have been accommodated.
- 3.12** Where changes are proposed, the relevant Ward Members have been invited to comment on the proposed arrangements. Any responses received in this regard will be reported orally at the Meeting.
- 3.13** The Acting Returning Officers of the three Parliamentary Constituencies with 'land' in the Borough (based on the new Constituency arrangements) have been made aware of the proposed arrangements post-review and have been invited to comment thereon. Any responses received in this regard will be reported orally at the Meeting.

4.0 CONCLUSIONS

- 4.1** It is considered that many of the existing polling district arrangements remain fit-for-purpose and are in line with statutory requirements and guidance. However, various changes are recommended, primarily to respond to recent residential development and to achieve improvements for electors. As a minimum, every parish/parish ward will continue to be designated as a polling district.
- 4.2** It is acknowledged that not every polling station has total access for all, but they do meet the 'reasonable and practicable test'. Work will continue to improve arrangements wherever possible, in conjunction with organisations that represent the needs of disabled persons.
- 4.3** The recommended changes to polling districts/places/stations are set out in detail in Appendix 1 (with supporting maps).
- 4.4** If the proposals are accepted, two temporary polling stations/portacabins would remain, at Leigh (where no reasonable alternative exists) and Staverton (where alternatives were pursued but not considered feasible). However, in each instance, only one representation was received to the continuation of the arrangements at the Leigh (arising out of the 2023 elections rather than this review) and Staverton. It should also be remembered that there must be a balance between locality and accessibility.
- 4.5** The maximum recommended number of electors to be allocated to a polling station is 2250 (Electoral Commission guidance). The number of electors within a polling district will determine the number of polling stations required within a polling place (although consideration will also be given to the number of postal voters, as this will reduce the number of polling station voters). Once final arrangements have been approved by Council, Officers will determine the number of polling stations required within each polling place, having regard to the Electoral Commission guidance.
- 4.6** The outcome of this review will be reported via the website, and to relevant parties where changes have been made. Any individual or organisation that has commented as part of the review will also be contacted. While changes to polling station locations will be notified via poll cards as part of the formal election process, e.g. the forthcoming Police and Crime Commissioner election, advance notification of the changes will be sent to all affected households at the conclusion of the review.

5.0 ASSOCIATED RISKS

- 5.1** Completion of this review is a statutory requirement. Failure to complete the work would result in the Council being in breach of the legislation.

5.2 All polling station locations, whether current or proposed, are subject to an overview risk evaluation.

6.0 MONITORING

6.1 The effectiveness of any approved arrangements will be evaluated on an election-by-election basis.

6.2 The Council can undertake further reviews ahead of the next statutory review if circumstances dictate (either for the whole Borough or part of it) - for example, to take account of the outcome of the review of Gloucestershire County Council electoral divisions currently being undertaken by The Local Government Boundary Commission for England (where final recommendations are due in March 2024 for implementation at the County Council elections in May 2025).

7.0 RELEVANT COUNCIL PLAN PRIORITIES/COUNCIL POLICIES/STRATEGIES

7.1 None.

Background Papers: None

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Appendices: Appendix 1 - Details of Polling District and Polling Place/Station arrangements at the start of review; the consultation responses received; and the officers' comments, conclusions and recommendations in light of the representations received and other electoral changes since the last review; and associated plans.

Appendix 2 - Submission by North Cotswolds Constituency Labour Party.