

City Council - 15 January 2024

Report of the (Acting) Returning Officer

Corporate Director/ Director:

Malcolm Townroe, Director of Legal and Governance

Report Author and Contact Details:

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Title: Polling District and Polling Places Review

Does the report form part of the Budget or Policy Framework?

Yes No

Does this report contain any information that is exempt from publication?

No

Relevant Council Plan Key Outcome:

Green, Clean and Connected Communities	<input type="checkbox"/>
Keeping Nottingham Working	<input type="checkbox"/>
Carbon Neutral by 2028	<input type="checkbox"/>
Safer Nottingham	<input type="checkbox"/>
Child-Friendly Nottingham	<input type="checkbox"/>
Living Well in our Communities	<input type="checkbox"/>
Keeping Nottingham Moving	<input type="checkbox"/>
Improve the City Centre	<input type="checkbox"/>
Better Housing	<input type="checkbox"/>
Serving People Well	<input checked="" type="checkbox"/>

1. Summary

- 1.1 The Electoral Registration and Administration Act 2013 introduced a change to the timing of compulsory reviews of UK Parliamentary polling districts and polling places. A compulsory polling districts and places review must be carried out every five years, with the last review carried out in 2019.
- 1.2 The current review commenced on Monday 6th November 2023 with the publication of the (Acting) Returning Officer's proposals and the commencement of a public consultation exercise. The review process is prescribed, and details are outlined in Appendix 1 of this report.
- 1.3 The public consultation exercise closed on Monday 4th December 2023, and this report presents final proposals for consideration by Full Council. The revised electoral register will be published on Thursday 1st February 2024, with the revised polling districts, polling places and polling stations utilised in any elections held after this date.
- 1.4 This report outlines the proposed changes to polling districts and places and seeks Council approval.

2. Recommendations

- 2.1 That Council approves the amendments to City Council's current scheme of polling districts and places with the revisions set out in Appendix 2 and Appendix 3 for the reasons stated in each case.

3. Reasons for recommendations

- 3.1 The determination of polling districts and places is a responsibility of Council and to comply with the provisions of the Representation of the People Act 1983, as amended by the Electoral Administration Act 2006 and Electoral Registration and Administration Act 2013, the review must be completed after appropriate consultation.
- 3.2 In determining its scheme of polling districts and places, the Council must seek to address the reasonable needs of all electors and disabled people particularly. The proposals in this report represent the most suitable options currently available to the Council to comply with this duty. Failure to address the needs of the electorate and the needs of disabled people in accordance with legislation may result in appeals to the Electoral Commission and a direction from them that changes are made to polling places.
- 3.3 Each polling district and place in the current scheme has been assessed against the review's overall purpose and criteria set out in paragraphs 5.2 and 5.3 below and in the light of representations received. Polling places have also been assessed with regard to their suitability for both electors and elections staff either in terms of their location in the polling district, the immediate environment, access and the fabric or layout of each building. All polling places recommended in the review are fully accessible for wheelchair users.
- 3.4 Whilst not a relevant consideration within the provisions of the Representation of the People Act 1983, (as amended), the (Acting) Returning Officer has sought to identify suitable alternative premises to schools to limit any impact on the education of children. If the proposed revisions to the scheme are approved, no school will completely close on election day, however some nursery provision may be affected. This approach means that there will be no additional school days lost by children in the City as result of an election.
- 3.5 Public representations during the review have been few and are set out in Appendix 4 together with a response. The (Acting) Returning Officer's detailed representations on the scheme, which were published on Monday 6th November 2023 were able to be viewed on the Council's website during the consultation period. They were also circulated to all councillors, Members of Parliament and a wide variety of community groups through partnership networks. The public and councillor responses to the consultation were considered and incorporated into the final proposals which are attached as appendices 2 and 3 to this report.

4. Other options considered in making recommendations

- 4.1 The Council would be in breach of its statutory duty if it did not review its scheme of polling districts and places. Inaction or disregard of the criteria/ consultation process against which the review is required to be conducted is not an option.

- 4.2 In the (Acting) Returning Officer's representations, consideration was given to the evaluation documents and feedback received from Inspecting Officers, in terms of the suitability of current polling places, at the election in May 2023. In addition to this both current and projected electorate figures were analysed to ensure that any proposed polling place could accommodate the electorate not only now but over the next five years. The impact of Individual Electoral Registration (IER), in terms of the reduction in the numbers of registered electors, especially students, was another factor that required consideration with the possibility of peaks in registration prior to each election. Therefore, polling places need to have capacity to accommodate any increase. Finally, over recent years, a number of polling places have become unavailable for multiple reasons, many have merged with other polling places and the review has provided the opportunity to formalise these arrangements.
- 4.3 The recommendations therefore contain a variety of changes to polling district boundaries and polling places, to ensure the most appropriate polling places are used and are convenient for those electors who are assigned to them. This has resulted in 18 polling districts being removed bringing the total number of polling districts to 104. The total number of changes to polling places since the last full review in 2019 is 23, however 13 have been used at previous elections and only 10 have never been used.
- 4.4 Council should note that, further to the report on 6 March 2023, approval was given to amend the scheme of delegation, granting authority to the Returning Officer, to confirm arrangements for changes to the agreed scheme of polling places in between formal reviews, in consultation with the leaders of all political groups and any ungrouped councillors.

5. **Consideration of Risk**

- 5.1 Not conducting the required Polling District and Places Review would risk the Council breaching its statutory duty to periodically review arrangements and provide suitable polling places. The proposed changes mitigate against this risk.

6. **Best Value Considerations**

- 6.1 Whilst accessibility, size and locality were the main focus of the review, consideration was given to using resources efficiently and achieving best value, where possible. The removal of expensive portable units due to improved accessibility arrangements and merging together suitable venues, where appropriate, reduces both staffing and hire costs and provides better value for money.

7. **Background (including outcomes of consultation)**

Polling Districts and Places Review

- 7.1 The Council's area is divided into Polling Districts and Polling Places for electoral purposes. The Electoral Administration Act 2013 introduced a duty for councils to review these every five years thereafter. This does not preclude the Council from conducting a review of all or some of its polling districts and places at any other time. In conducting the review, the Council is required to:
- seek to ensure that all electors in the constituency have such reasonable facilities for voting as are practicable in the circumstances;
 - seek to ensure that so far as is reasonable and practicable the polling places are accessible to those who are disabled; and

- when considering or reviewing the designation of a polling place, have regard to the accessibility needs of disabled persons;
- locate a polling place in its polling district unless special circumstances apply; and
- choose a polling place for a polling district which is small enough to indicate to electors throughout that district how they will be able to reach the polling station.

7.2 Electoral Commission guidance on polling places recommends that regard should also be given to the following:

Location: The polling place should be reasonably accessible within the polling district, avoid barriers for the voter such as steep hills, major roads, rivers, etc. and have convenient transport links.

Size: The polling place should be able to accommodate more than one polling station if required and be capable of accommodating all voters going into and out of the polling stations, even where there is a high turnout.

Availability: the polling place should be readily available in the event of any unscheduled elections and be available for now until the next review.

Accessibility: The polling place should be accessible to all those entitled to attend.

- 7.3 Polling districts are areas created by the partition of a constituency, ward or division into smaller parts, within which a polling place can be determined which is convenient to electors. The location of polling districts and places is the responsibility of Council and the location of polling stations the responsibility of the (Acting) Returning Officer.
- 7.4 In accordance with Section 18 (4) (e) of the Representation of the People Act 1983, the polling places detailed in the consultation document and also in this report refer to specific buildings identified for use. The polling station is the specific room(s) within the polling place which the (Acting) Returning Officer has identified as fit for purpose.
- 7.5 The City Council last reviewed polling districts and places formally in 2019 and since then the (Acting) Returning Officer has made adjustments to polling places and stations to take account of access issues, availability of venues or changes in local circumstances. The polling places and stations used for the Local Election in May 2023 constitute the existing 'scheme' upon which the consultation process and review has been based.
- 7.6 Details of the existing scheme of polling districts and places, including the formal representations of the (Acting) Returning Officer identifying where, in his view, the status quo should be maintained or where changes are required, have been circulated to councillors together with electorate detail.
- 7.7 The advertising and consultation process was administered electronically. Individuals and organisations who might have an interest in the review were contacted and sent the link to the consultation page by email and advertising was sent out through the Council's social media channels. The consultation had its own web page where the Notice of Review was published along with the (Acting) Returning Officer's recommendations, including existing arrangements and proposed changes to both polling districts and places, electorate figures and digital maps.
- 7.8 As the review was conducted digitally and officers utilised the corporate mapping system to prepare and produce digital maps, there were no printing costs incurred. All site visits were incorporated into Officers' work schedules and therefore no additional staffing costs were incurred.

8. Finance colleague comments (including implications and value for money)

- 8.1 This report seeks to change the polling station offer within the City of Nottingham. The changes have been designed to achieve some financial savings by merging suitable venues where appropriate to reduce both staffing and hire costs and to provide better value for money. The service is funded by an earmarked Local Government Elections (LGE) reserve where prior year contributions are made to fund future election costs. Election costs should be monitored to ensure that expected efficiencies are achieved.
- There are no additional financial implications to the council.

Alfred Ansong, Strategic Finance Business Partner (F&R). 12.12.23

9. Legal colleague comments

- 9.1 The review has been undertaken in accordance with the provisions of Section 18C and Schedule A1, Representation of the People Act 1983 and Regulation 3, Review of Polling Districts and Polling Places (Parliamentary Elections) Regulations 2006. In concluding the review and agreeing a scheme of polling districts and places, Council must give reasons for any changes made. The details of new polling districts and places must then be published at the Council's offices, in the constituencies and on the website.
- 9.2 To mitigate risks to individuals, each proposed polling station has been assessed in terms of safety and access both from the perspective of electors and colleagues who will be using the polling station on election day. Consideration has also been given to the service users of the venues to ensure that children and vulnerable adults safeguarding needs are met. We have also addressed any safeguarding concerns where school premises are used. With regard to ensuring the efficient and lawful conduct of elections, consideration has been given in particular to the capacity of each station, both now and in the future, to accommodate adequately the numbers of electors resident in each polling district and allow for the most effective throughput of voters, including in those instances where there is a high number of electors in the polling station at any one time on polling day.
- 9.3 With regard to equality and diversity, the review has been focussed, in line with legislation and Electoral Commission guidance, on the need to ensure that as far as is practicable, there is equality of access to the electoral process through the carefully considered location of polling places.

Beth Brown, Head of Legal, 27 December 2023

10. Other relevant comments

- 10.1 Not applicable.

11. Crime and Disorder Implications (If Applicable)

- 11.1 Not applicable.

12. Social value considerations (If Applicable)

12.1 Not applicable.

13. Regard to the NHS Constitution (If Applicable)

13.1 Not applicable.

14. Equality Impact Assessment (EIA)

14.1 Has the equality impact of the proposals in this report been assessed?

Yes



Attached as Appendix 5, and due regard will be given to any implications identified in it.

15. Data Protection Impact Assessment (DPIA)

15.1 Has the data protection impact of the proposals in this report been assessed?

No



16. Carbon Impact Assessment (CIA)

16.1 Has the carbon impact of the proposals in this report been assessed?

No



17. List of background papers relied upon in writing this report (not including published documents or confidential or exempt information)

17.1 None

18. Published documents referred to in this report

18.1 The Representation of the People Act 1983

18.2 The Electoral Administration Act 2006

18.3 The Electoral Registration and Administration Act 2013

18.4 The Review of Polling Districts and Places (Parliamentary Elections) Regulations 2006.

18.5 Electoral Commission guidance – Reviews of Polling Districts, Polling Places and Polling Stations

**Melbourne Barrett
(Acting) Returning Officer**