

CITY COUNCIL – 13 JANUARY 2020

REPORT OF THE DEPUTY LEADER

ELECTORAL SERVICES: POLLING DISTRICTS AND PLACES REVIEW 2019

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. This amendment set out the requirement to conduct the next compulsory review during the period of 1 October 2018 and 31 January 2020 (inclusive) and then every five years thereafter.
- 1.2 The current review commenced on Monday 9 September 2019 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 proposals were originally due to come to Council in November and then, subject to approval, into force from 1 December as set out in the Notice of Review in Appendix 1. However, due to the announcement of the UK parliamentary election, held on Thursday 12 December 2019, the publication of the review was delayed and, subject to Council approval, the boundaries will now come into effect on 3 February 2020. The delay was necessary due to information being required for the printing of polling cards for the election and the lack of time to make the necessary boundary changes ahead of the election.
- 1.4 This report outlines the proposed changes to polling districts and places and seeks Council approval.

2 RECOMMENDATIONS

- 2.1 It is recommended 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, however two portable units at Fleam Road in Clifton and Perry Road/Hucknall Road in Sherwood, have limited accessibility due to the lack of space to manoeuvre and the requirement to use a portable ramp. It is acknowledged that portable units are not ideal polling station venues and should only be used when no other polling places are available. We have therefore reduced the number of portable units in use in the City from 3 to 2 during this review.

- 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 so as 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 9 September 2019 and can be viewed on the Council's website at <https://www.nottinghamcity.gov.uk/your-council/voting-elections/polling-place-review/>. 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. Further amendments were also made as a result of feedback from the most recent general election.
- 3.6 A cross party steering group of Councillors has also been consulted and involved throughout the review.

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 elections in May 2019 and the most recent election in December 2019. 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. However, the introduction of a new registration system for students may increase the number of students registered in the coming years and 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 11 polling districts being removed and 4 others being created and 17 changes to polling places. The total number of polling districts is now 122. Council should note also that where any polling place becomes unavailable before an election and where there is no time to conduct a

formal review to choose a new one, the (Acting) Returning Officer may designate a new polling place by issuing a public notice.

5 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

5.1 Polling Districts and Places Review

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 by 31 January 2020 for parliamentary elections and then every five years after. 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.

5.2 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. The review process is described in Appendix 1.

5.3 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.

5.4 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.

5.5 The City Council last reviewed polling districts and places formally in 2014/15 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 and European Elections in May 2019 constitute the existing 'scheme' upon which the consultation process and review has been based.

5.6 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.

- 5.7 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.
- 5.8 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.

6 FINANCE COLLEAGUE COMMENTS (INCLUDING IMPLICATIONS AND VALUE FOR MONEY)

- 6.1 There are no significant financial issues contained within this report following the Polling District and Places Review.
- 6.2 All costs in running elections are contained where possible within existing MTFP budgets and Central Government funding.
- 6.3 Due to the reduction of portable units in use and the number of polling districts being merged it is estimated that current costs of hiring all polling places will be reduced immaterially. Any reduction in cost will go towards wider election running costs. Comments provided by Phil Gretton, Senior Commercial Finance Business Partner, November 2019.

7 LEGAL AND PROCUREMENT COLLEAGUE COMMENTS (INCLUDING RISK MANAGEMENT ISSUES, AND LEGAL, CRIME AND DISORDER ACT AND PROCUREMENT IMPLICATIONS)

- 7.1 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.
- 7.2 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. As previously mentioned, portable units have been kept to a minimum and are only to be used where no other suitable polling place is available, to increase access to all electors. We have also addressed any safeguarding concerns where school premises are used and support has been provided to Head Teachers by Council colleagues. 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.

- 7.3 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. The impact of site access and building design on elderly people, disabled people and carers in particular has been addressed. We received no representations from any disability groups during the consultation process. The consultation was widely circulated to over 2,000 subscribers of the Nottingham Community & Voluntary Service Newsletter with full details of the review and how to respond. Since 2011, every effort has been made to reduce the number of schools used as polling places, with a view to having no school closures on election day. As a result of the review the (Acting) Returning Officer has now achieved this goal, as although eight school sites will be used for polling purposes, no classes for children of statutory school age will be affected. Some nursery provision may be cancelled for the day but the majority of schools will operate as normal. This approach will contribute to the educational attainment and prospects of all children in City schools, given that the loss of school days City wide will be avoided. Detrimental financial impact on all parents and carers who might otherwise have been faced with unexpected additional childcare costs or loss of pay will also be avoided. This outcome also addresses the consultation responses received from concerned parents who requested that schools are no longer used in future for the reasons mentioned above.
- Comments provided by Beth Brown, Head of Legal and Governance, November 2019.

8 EQUALITY IMPACT ASSESSMENT (EIA)

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

No

An EIA is not required because:
(Please explain why an EIA is not necessary)

Yes

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

9 LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION

- 9.1 Evaluation forms from polling station staff for the Local and European Election May 2019 and Parliamentary Election December 2019.
- 9.2 Projected electorate data from June 2019 – June 2024.
- 9.3 Individual representations from councillors made.

10 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

The Representation of the People Act 1983
The Electoral Administration Act 2006
The Electoral Registration and Administration Act 2013
The Review of Polling Districts and Places (Parliamentary Elections) Regulations 2006.

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

COUNCILLOR SALLY LONGFORD, DEPUTY LEADER