

COUNCIL 11TH OCTOBER 2023

POLLING DISTRICT AND POLLING PLACES REVIEW 2023

Purpose: The purpose of this report is to seek a recommendation from Council for approval of plans for a statutory review of polling districts and polling places within the County of Carmarthenshire.

Recommendations / key decisions required:

1. That the compulsory polling district and places review commences on Thursday 12 October 2023.
2. That the outline timetable for the review is approved.
3. That approval is granted to follow the review process described in this report.
4. 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.
5. 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.
6. That power to designate polling places in accordance with section 18 and 18A of the Representation of the People Act 1983 is delegated to the Electoral Services Manager- 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.

Reasons: The Council is required under the Representation of the People Act 1983 and the Review of Polling Districts and Polling Places (Parliamentary Elections) Regulations 2006 to conduct a compulsory review every 5 years –The next review must be held within a 16- month period commencing 1 October 2023.

Cabinet Decision Required NO

Council Decision Required YES

CABINET MEMBER PORTFOLIO HOLDER: - Cllr Philip Hughes, Organisation and Workforce

Directorate: Wendy S. Walters

Name of Head of Service:

Report Author:
Amanda Edwards

Designations: Chief Executive/Electoral Registration Officer/Returning Officer

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EXECUTIVE SUMMARY

SUBJECT

Polling District and Polling Places Review 2023

1. PURPOSE OF REPORT.

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.

The following definitions may be helpful when reading 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.

It is the responsibility of the relevant authority to designate a polling place for every polling district in the parliamentary constituency unless the size or other circumstances of the polling

district are such that the situation of the polling stations do not materially affect the convenience of electors.

The Returning Officer is responsible for ensuring that there are sufficient number of polling stations and allot the electors to those polling stations in such manner as she thinks the most convenient.

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.

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.

The intention of the legislation was 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.

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.

In addition, the Boundary Commission for Wales has undertaken 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.

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.

These issues mean it is important that the polling district and places review is carried out as early as possible, so that Carmarthenshire County Council has agreed polling districts and places to be used for the next parliamentary election as well as the scheduled local elections and/or Police and Crime 68 Commissioner elections in May 2024 and has a polling scheme in place which reflects the new constituencies.

Timing of the polling district and places review:

As highlighted above, it is important to complete the review as soon as possible, so the polling districts and places for future elections can be agreed in time for the next general election and scheduled elections.

Section 18C of the Representation of the People Act 1983 does not allow the review to commence before 1 October 2023.

It is recommended that the compulsory polling district and places review commences on Thursday 12 October 2023.

Although the review itself cannot commence earlier, there is a degree of preparatory work which can be undertaken prior to the review, as well as informal consultation.

It would be desirable for any changes in polling districts to be reflected in the electoral register published on 1 December 2023. However, due to capacity desirability for a 6-week consultation period and the council meeting timetable, it is unlikely that the review will be complete until January 2024.

This would mean that the electoral register would need to be republished to take account of any changes to polling districts.

This is the proposed timetable for the review:

Review of polling districts and places 2023	
Preparatory work	Started 24 July 2023
Resolution from Council providing for commencement of review	11 October 2023
Preliminary review-including informal consultation	July to 11 October 2023
Notice of Review published	12 October 2023
Council proposals published	12 October 2023
Commencement of formal consultation	12 October 2023
End of formal consultation	9 November 2023
Consider responses	By 17 November 2023
Publish Electoral Register	1 December 2023
Final Proposals to be taken to Pre-Cabinet	11 December 2023
Final Proposals approved by Full Council	17 January 2024
Re publish Register of Electors	1 February 2024
Scheduled elections on new polling districts, places and stations scheme	2 May 2024

It is recommended that the outline timetable for the review is approved.

Legal requirements

The process for a polling district and places review is set out in Schedule A1, Representation of the People Act 1983.

The Council must:

- publish a notice of the holding of a review.
- consult the (Acting) Returning Officer ((A)RO) for every parliamentary constituency which is wholly or partly in its area.
- publish all representations made by an (A)RO within 30 days of receipt by posting a copy of them at the local authority's office and in at least one conspicuous place in their area and, if the authority maintains a website, by placing a copy on the authority's website.

- seek representations from such persons as it thinks have particular expertise in relation to access to premises or facilities for persons who have different forms of disability. Such persons must have an opportunity to make representations and to comment on the representations made by the (A)RO(s).

On completion of the review, the council must give reasons for its decisions and publish:

- all correspondence sent to an (A)RO in connection with the review.
- all correspondence sent to any person whom the authority thinks has particular expertise in relation to access to premises or facilities for persons who have different forms of disability.
- all representations made by any person in connection with the review.
- the minutes of any meeting held by the council to consider any revision to the designation of polling districts or polling places within its area as a result of the review.
- details of the designation of polling districts and polling places within the local authority area as a result of the review.
- details of the places where the results of the review have been published.

Preparatory work

Even though the formal review cannot start until 2 October 2023, there is a range of preparatory activity which Electoral Services are already carrying out.

This includes:

- Reading the final proposals published by the Boundary Commission.
- Contacting Returning Officers and Elections Teams in neighbouring authorities which will be sharing our constituency.
- Liaising with electoral software suppliers about structuring the electoral register to accommodate boundary changes.
- Preparing data for the start of the review (electorate figures, turnout from previous elections, information about new housing developments in the next 5 years).
- Identifying organisations with a special interest/expertise in disabled access to consult

Preliminary review

Electoral Services will also carry out a preliminary review of the current polling districts and places in the county to assess their suitability.

This involves:

- Compiling details of current polling places with a summary of their suitability
- Checking the continued availability of polling places
- Reviewing feedback from stakeholders at previous elections
- Identifying potential alternative buildings where appropriate
- Ensuring that polling places can support the requirements of the Elections Act, for example with sufficient space to undertake Voter ID checks, and to accommodate equipment to assist disabled voters.
- Seeking advice and guidance from local disability groups and local authority experts around accessibility
- Preparing council proposals and drafting (A)RO comments, including explanations for “no changes”

Informal consultation

Electoral Services are also carrying out informal consultation with interested groups in preparation for the review.

This involves:

- Seeking the views of organisations with a special interest/expertise in disabled access
- Informal consultation with group leaders/local political parties
- Inviting comments from polling station inspectors

It will be important to do as much preparatory work as possible before the official commencement of the review, to ensure that it's early completion.

It is recommended that approval is granted to follow the review process described in this report.

Implementing parliamentary boundary changes

The Boundary Commission for Wales recently undertook a review of parliamentary constituency boundaries. They have published their final recommendations, and Orders for the new parliamentary constituency boundaries will be made by 1 November 2023.

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. This means the Register of Electors needs to be able to reflect both the existing and new constituencies.

Work can be done to prepare the register in the background before then, so that once the Order for the new parliamentary constituencies is made, the register can be re-arranged or adapted as necessary to give effect to the Order. This would allow any snap general election in November 2023 to be run on the new constituencies.

This can be achieved by creating future administrative areas within the Election Management system. The Electoral Services Manager, on behalf of the Electoral Registration Officer, will liaise with the software supplier to implement this. This work can be started once the final parliamentary constituency proposals are published.

It is recommended 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.

Implementing polling district changes

The polling district and places review may result in new polling districts being created or existing polling district boundaries being amended.

If the council makes any alterations to the polling districts in its area, the Electoral Registration Officer (ERO) must amend the register of electors accordingly (Section 18A (5) Representation of the People Act 1983).

The changes to the register take effect on the date the ERO publishes a notice stating that the adaptations have been made.

Where polling districts have been created to support the implementation of boundary changes, the register will need to be constructed in a way that is capable of reflecting the existing and new boundaries. This is to ensure that any parliamentary by elections can be run on the existing boundaries, until the new boundaries come into force.

This can be achieved by making any parts of existing electoral areas that will be split when the new boundaries come into effect into separate polling districts.

Publishing the register to reflect existing and new boundaries will also help to enable current councillors and MPs to receive the parts of the register that they are entitled to, while allowing individuals to be supplied with the relevant parts of the register once they become a candidate for an election.

This may mean that, for administrative purposes, there are two versions of the polling scheme. Once the boundaries are in fully in force, any polling districts which have been split simply to allow elections to be run on either set of boundaries, can be re-merged.

It is recommended 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 where appropriate, until the boundaries are fully in force.

DETAILED REPORT ATTACHED?

NO

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report:

Signed: **Amanda Edwards** Electoral Services and Civil Registration Manager

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
NONE	YES	YES	NONE	YES	NONE	NONE

Legal

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.

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.

2. Finance

The only costs expected as a result of conducting this review relate mainly to advertising and copying. These are not expected to be significant and will be absorbed from within existing budgets within Electoral Services.

Without pre-empting the outcome of the review, it might be that proposals come forward resulting in the removal or adding of polling places which could reduce/increase the costs to the authority associated with local elections moving forwards.

Risk Management Issues

The Council is required to designate polling districts and polling places to effectively conduct elections. By agreeing the recommendations in this report, the Council will be meeting its statutory duties.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Amanda Edwards **Electoral Services and Civil Registration Manager**

(Please specify the outcomes of consultations undertaken where they arise against the following headings)

1. Scrutiny Committee request for pre-determination	Not applicable
If yes include the following information: -	
Scrutiny Committee	
Date the report was considered: -	
Scrutiny Committee Outcome/Recommendations: -	

2. Local Member(s)

N/A

3. Community / Town Council

N/A

4. Relevant Partners

N/A

5. Staff Side Representatives and other Organisations

N/A

CABINET MEMBER PORTFOLIO HOLDER(S) AWARE/CONSULTED	Include any observations here
YES	

**Section 100D Local Government Act, 1972 – Access to Information
List of Background Papers used in the preparation of this report:**

THERE ARE NONE

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Terms of Reference		

