

<b>10 October 2023</b>		<b>ITEM: 8</b>
<b>General Services Committee</b>		
<b>Polling District and Places Review 2023</b>		
<b>Wards and communities affected:</b> All	<b>Key Decision:</b> Non-key	
<b>Report of:</b> Dr Dave Smith – Chief Executive		
<b>Accountable Assistant Director:</b> n/a		
<b>Accountable Director:</b> Asmat Hussain, Director of Law and Governance (Monitoring Officer)		
<b>This report is public</b>		

## **Executive Summary**

The purpose of this report is for General Services Committee to note plans for a statutory review of polling districts and polling places within Thurrock.

### **1. Recommendation(s)**

**1.1 General Services Committee note the report and plans outlined within the report.**

### **2. Introduction and Background**

2.1 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.

2.2 The following definitions may be helpful when reading the report and Appendices.

- “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 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.
- 2.4 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.
- 2.5 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.
- 2.6 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.

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.

- 2.7 These issues mean it is important that the polling district and places review is carried out as early as possible, so that Thurrock Council has agreed polling districts and places to be used for the next parliamentary election as well as the scheduled local elections and Police and Crime Commissioner elections in May 2024 and has a polling scheme in place which reflects the new constituencies.
- 2.8 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.

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 issues, desirability for a 6-week consultation period and council meeting deadlines, it is unlikely that the review will be complete until January 2024.

This would mean that the electoral register would need to be republished if there are any polling districts changes.

This is the proposed timetable for the review:

<b>Review of polling districts and places 2023</b>	
<b>Preparatory work</b>	started July 2023
<b>Preliminary review – including informal consultation</b>	July to 1 October 2023
<b>Notice of review published</b>	Monday 2 October 2023
<b>Council proposals published</b>	Monday 2 October 2023
<b>Commencement of formal consultation</b>	Monday 2 October 2023
<b>Report to General Services Committee for information</b>	10 October 2023
<b>End of formal consultation</b>	Friday 10 November 2023
<b>Consider responses</b>	By 24 November 2023
<b>Publish electoral register</b>	1 December 2023
<b>Final proposals published via meeting agenda papers and website</b>	23 January 2024
<b>Council meeting</b>	31 January 2024
<b>Conclude review</b>	By end January 2024
<b>Republish electoral register (if any new or amended polling districts)*</b>	15 February 2024
<b>Scheduled elections on new polling districts, places and stations scheme</b>	2 May 2024

\* If, after the publication of the revised register, the ERO needs to re-publish a register to incorporate changes, a notice needs to be published 14 calendar days before publication in a local newspaper, at the ERO's office and some other conspicuous place or places in the area.

## 2.9 Review Process

### 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.

## **3. Preparatory work**

3.1 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 and understanding the impact for this area

- Contacting Returning Officers and Elections Teams in neighbouring authorities which will be sharing our constituencies.
- 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)
- Obtaining detailed up to date maps to enable accurate designation of polling district boundaries
- Identifying organisations with a special interest/expertise in disabled access to consult
- Preparing the consultation portal and questions for the formal consultation period
- Liaising with Communications team to schedule a plan

### 3.2 Preliminary review

Electoral Services are also carrying out a preliminary review of the current polling districts and places in the borough 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”
- Seeking costs for comparisons of existing, and alternative venues, if required

### 3.3 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

- Getting advice from relevant council officers (for example Property Services, Equalities Leads)
- Inviting and reviewing comments from Polling Station Inspectors and Presiding Officers

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

#### **4. Implementing parliamentary boundary changes**

- 4.1 The Boundary Commission for England 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.
- 4.2 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.

- 4.3 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.

- 4.4 It is recommended that the Electoral Registration Officer takes 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. Implementing polling district changes**

- 5.1 The polling district and places review may result in new polling districts being created or existing polling district boundaries being amended.
- 5.2 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).

- 5.3 Whilst desirable that alterations to polling districts be timed to coincide with the annual revision of the register of electors on 1 December 2023 the timetable of events will not be completed by this date. The changes to the register take effect on the date the ERO publishes a notice stating that the adaptations have been made.
- 5.4 Publishing the register to reflect existing and new boundaries will also help to enable current members 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.
- 5.5 The designation of polling districts and places is a function of the Council, whereas decisions about polling stations are for the Returning Officer.
- 5.6 The Council's constitution identifies the determination of polling district reviews as a matter to be reserved for Full Council.

## **6. Issues, Options and Analysis of Options**

- 6.1 The review is statutory and is required to be carried out within the timeframe outlined.
- 6.2 Options considered relate to the process, scope and commencement of the review. The reasons for the timing in relation to the unknown date of the next Parliamentary Election are outlined in the body of the report.
- 6.3 The preferred option for the timetable is therefore to commence and finish as soon as is reasonably practicable, compliant with the legislation and with enough time for a meaningful consultation period.
- 6.4 There is considerable risk to the authority, the Electoral Registration Officer and Returning Officer if the review timetable is not met, including an operational and planning delay for the scheduled elections in May 2024 and a risk to the Parliamentary Election if the review and boundary implementation is not complete by the time it is called.
- 6.5 Elector confusion and reputational damage to the authority is also a risk with delayed poll card printing, booking of polling places or the potential for late changes to printed poll cards.
- 6.6 Political parties would require up to date registers and registering numbering for campaigns ahead of scheduled polls. The timetable outlined above would provide for the earliest provision of information.

## **7. Reasons for Recommendation**

- 7.1 This report is for General Services Committee to note the proposed arrangements and timetable. A further report for decision will be brought to full council in January 2024.

## **8. Consultation (including Overview and Scrutiny, if applicable)**

- 8.1 The review will be subject to consultations and the findings will be consulted on prior to full council.

## **9. Impact on corporate policies, priorities, performance and community impact**

- 9.1 This report is for General Services to note however it is important that the democratic process for residents and electors is in place to allow, enable and encourage electors to vote.

## **10. Implications**

### **10.1 Financial**

Implications verified by: **Rosie Hurst**  
**Interim Senior Management Accountant**

This is a statutory review and the cost implications of any changes to polling districts or places will be reviewed as part of the report to Council in January 2024.

### **10.2 Legal**

Implications verified by: **Asmat Hussain**  
**Director of Legal and Governance (Monitoring Officer)**

Sections 18A to 18E of the Representation of People Act 1983 clarify the duties and powers of local authorities in relation to UK Parliamentary Elections. The provisions of the Act detail the time and manner in which reviews of polling districts and places are to take place and how representations can be made, in particular by those concerned to ensure accessibility of polling stations to persons with a disability. The Council's plans to undertake a statutory review of polling districts and places as set out in the body of the report is compliant with its legal duties.

The review process, from the publication of the notice of the review until the publication of the documents at the end, must take place within the specified period. The length of the review process is not prescribed, provided all the steps required by the legislation can be undertaken within it. However, the time allowed for consultation should be sufficient to enable interested persons and groups to read and understand the proposals, gather comments and



respond with any alternative arrangements that they may wish to submit. The Council may wish to have regard to any council guidelines on public consultation when carrying out the review. Conducting the review early in the compulsory period will ensure that the next UK Parliamentary general election is delivered with the correct boundaries.

Under the Terms of Reference of General Services Committee as set out in the Council's Constitution, the Council has delegated to the Committee to exercise the Council's functions in relation to elections (paragraph 10). However, in relation to any change to the electoral arrangements for the Council the Committee has been delegated authority to make recommendations to the Council in respect of any change (paragraph 11). The ambit of electoral arrangements is broad and is broad enough to encompass proposed changes to polling districts and polling places in a further report to this Committee recommending the changes to Full Council for final decision.

### 10.3 **Diversity and Equality**

Implications verified by: **Rebecca Lee**  
**Team Manager, Community Development and Equalities**

This is a statutory review and consultation will take part with interested parties as part of the review and will inform a Community Equality Impact Assessment.

### 10.4 **Other implications** (where significant) – i.e. Staff, Health Inequalities, Sustainability, Crime and Disorder, and Impact on Looked After Children

- none

### 11. **Background papers used in preparing the report** (including their location on the Council's website or identification whether any are exempt or protected by copyright):

- none

### 12. **Appendices to the report**

- none

### **Report Author:**

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