

31 January 2024		ITEM: 13
Full Council		
Review of Polling Districts and Polling Places / Polling Stations 2023/2024		
Wards and communities affected: All	Key Decision: n/a	
Report of: Dr Dave Smith, Chief Executive and Returning Officer		
Accountable Assistant Director: n/a		
Accountable Director: Asmat Hussain, Interim Director of Legal and Governance		
This report is public		

Executive Summary

The Representation of the People Act 1983 places a duty on the Council to divide the borough into polling districts and designate polling places for each polling district. The Council has a duty to keep these polling arrangements under review.

The Electoral Administration Act 2006 introduced a number of changes to the 1983 Act in respect of the way reviews must be undertaken. Under the 2006 Act, the Council is required to undertake a review of polling districts and polling places within their boundary on a four yearly cycle. The last review was completed in 2019/2020.

The Electoral Registration and Administration Act 2013 (the 2013 Act) introduced a change to the timing of statutory reviews. The 2013 Act requires that a compulsory review has to take place within the 16-month period between 1 October 2023 and 31 January 2025.

This report sets out the consultation regarding the polling districts and polling places and the recommendations of the Returning Officer in respect of the responses received. This report requests Council to consider and approve the recommendations of the Returning Officer and Chief Executive.

1. Recommendation(s)

1.1 That the changes tabled on Page 3 of Appendix 2 (Extract – Recommended Changes – Recommendation 1.1) are approved and

1.2 That the existing arrangements for polling places also set out in Appendix 2 are confirmed as no changes.

2. Introduction and Background

2.1 The report sets out the legal requirements of the Review, the methodology used and the conclusions drawn, together with the proposed changes that have been recommended by the Returning Officer.

2.2 The statutory responsibility for reviewing UK Parliamentary polling districts and places rests with each relevant local authority in Great Britain for so much of any constituency as is situated in its area. A relevant local authority is, in England, the council of a district or London borough.

2.3 Local authorities must comply with the following legislative requirements 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 district, unless special circumstances make it desirable to designate an area wholly or partly outside the district (for example, if no accessible polling place can be identified in the district)
- 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.

2.4 The review can only address issues within the current ward structure of the local authority. It cannot make changes to the ward or local authority boundary. There are some areas where moving a ward boundary might resolve an anomaly highlighted in consultation responses, concerning the allocation of voters to polling places but this cannot be achieved as part of this review.

2.5 The council must have regard to the accessibility to disabled persons of potential polling stations in any place which it is considering designating as a polling place or the designation of which as a polling place it is reviewing.

2.6 The Elections Act (the Act), which received Royal Assent in April 2022, made a range of further changes which impact the suitability of polling places. These changes were considered within this review and the Returning Officer recommendations. The Act includes provisions to

- Make it easier for disabled people to vote
 - Disabled voters can choose anyone who is over 18 to accompany them in the polling station, to help them to vote
 - Requirement for ROs to take all reasonable steps to provide equipment to support disabled voters to vote independently and in secret at the polling station, and in doing so to have regard to any relevant guidance issued by the Electoral Commission
 - Requirement for voters at polling stations to show photographic identification before they receive their ballot paper.
 - Electors can request to show their identification in private.
- 2.7 The Electoral Commission guidance outlined that the Returning Officer should review the suitability of usual venues in relation to the checking of photographic identification. For example:
- how to design the flow of electors through the polling station to manage any congestion or queues effectively
 - whether the venue has a private space, or space to accommodate a screen, that can be used for checking the photographic identification of a person who wears a face covering or requests to have their photographic identification checked in private
 - how the implementation of photographic voter identification requirements for polling stations will impact on the number of voters you allocate to a particular polling station.
- 2.8 The recommendations of the Returning Officer, including the move away from temporary polling places have also taken into account the requirements of the Elections Act 2022 noted in paragraphs 2.6 and 2.7. Members have also previously mentioned that temporary polling stations are not ideal, including at General Services Committee on 10 October 2023.
- 2.9 Consultation with the electorate and elected members formed part of the review process. The link to the consultation was also sent to local accessibility groups to request their input.
- The formal commencement of the review requires the local authority to give notice of the holding of a review. The notice was published on the Council noticeboard and website.
 - A report was taken to General Services Committee on 10 October to inform members of the commencement and timetable of the review. Suggestions made at the Committee were incorporated into the online consultation.
 - All members were informed by email of the consultation and asked for their comments on the existing polling places and to provide suggestions for new polling places.

- The consultation was sent to the Member of Parliament for Thurrock and the Member of Parliament for South Basildon and East Thurrock. It was also sent to local disability groups and community forums.
- The consultation was available for completion via the consultation portal from 1 October to 12 November.
- All members were informed and comments sought on the final recommendations and proposals contained in this report.

3. Issues, Options and Analysis of Options

- 3.1 The issues, options and analysis for each polling district and place are detailed in Appendix 1 and 2.
- 3.2 Whilst the Statutory Review of Polling Districts and Polling Places was underway, the Local Government Boundary Commission for England (LGBCE) informed Thurrock that it would commence their statutory review. This is a review of wards and the number of councillors and will take place in 2024.
- 3.3 The review in 2024 will look at the:
- total number of councillors
 - total number of wards
 - boundaries of wards
 - number of councillors in each ward
 - names of each ward.

If the LGBCE proposes that any of the above are changed, there will be full public consultations on their proposals during 2024.

- 3.4 If changes to ward boundaries are made, this will require a further Polling District and Polling Place review to designate polling district boundaries and polling places.

4. Reasons for Recommendation

- 4.1 The reasons for the recommendations are informed by the consultation and analysis in Appendix 1. They are also informed by reference to the relevant electoral legislation and guidance from the Electoral Commission. The timing of the LGBCE review has also influenced the recommendations.

5. Consultation (including Overview and Scrutiny, if applicable)

- 5.1 The consultation exercise was designed to maximise inclusion and input into the review and potential changes under consideration. The consultation arrangements are outlined in paragraph 2.9. Members were informed of the Returning Officers recommendations following the end of the consultation.

6. Impact on corporate policies, priorities, performance and community impact

- 6.1 The Council continually seeks to ensure services are accessible by all users and the recommendations following the review will help to ensure that those electors who wish to vote will not be put off by inaccessible polling stations. The proposed changes have been reviewed to actively encourage participation.

7. Implications

7.1 Financial

Implications verified by: **Rosie Hurst**
Interim Finance Manager

The costs associated with the proposed changes to polling places are contained within the electoral services budget.

Temporary polling stations are a major cost in the provision of polling places and the recommendations in this review do provide suitable alternative polling places where possible. It is noted that savings are not the aim of this review although they are an obvious consideration. Appendix 1 outlines the savings or cost impact where there is a budget impact. The changes are proposed to minimise risk and meet the needs of the electorate whilst enabling the Returning Officer and the Local Authority to meet the requirements of current legislation.

7.2 Legal

Implications verified by: **Jayne Middleton-Albooye**
Interim Head of Legal Services

The Electoral Administration Act 2006 (the 2006 Act) places a requirement for all Councils to undertake a periodic full review of all polling districts and places throughout their area.

The Electoral Registration and Administration Act 2013 (the 2013 Act) introduced a change to the timing of reviews of UK Parliamentary polling districts and polling places. The timing of this review had to take place within the 16-month period between 1 October 2023 and 31 January 2025. Both the 2006 Act and the 2013 Act amended the Representation of the People Act 1983.

The Elections Act 2022 introduced requirements that impact the facilities required within polling places, accessibility and the duties of the Returning Officer. The recommendations take into account changes arising from this Act where they impact polling districts or places. The process for a polling district and places review is set out in Schedule A1, Representation of the People Act 1983, and has been followed in undertaking this review.

7.3 Diversity and Equality

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

The Equality Act 2010 places a duty on Local Authorities to promote equal opportunities. These considerations should sit alongside the statutory obligations set out in the Electoral Administration Act. The Electoral Administration Act (2006) and the Electoral Registration and Administration Act 2013 seeks to improve the engagement in the electoral process, by ensuring that polling places are accessible to all.

The requirement in the Elections Act 2022 for Returning Officers to provide reasonable equipment to enable or make it easier for disabled voters to cast their vote independently and in secret replaces the previous limited and prescriptive requirements. This requirement also sits within the broader legal framework of rights and protections for disabled people and specific provisions in electoral law to help to safeguard and improve the experience of disabled voters.

The proposed changes will improve access to the electoral process, in line with the objective of the legislation.

The proposals contained in the report will aid community participation in elections, by ensuring adequate facilities are available for all electors. The review also considered the facilities or space available in polling places to view Voter Identification both in public or private if requested, for example to assist people who wear face coverings for religious reasons to remove them for the purposes of checking identification.

The consultation was widely circulated and sent to local disability groups and forums to ask for their feedback.

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

None

8. **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):

The Electoral Commission – Reviews of polling districts, polling places and polling stations

9. Appendices to the report

- Appendix 1 - Returning Officer recommendations.
- Appendix 2 – Summary Returning Officer comments.

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