

North East Derbyshire District Council

Council

27 November 2023

Review of Polling Districts and Polling Places

Report of the Managing Director and Head of Paid Service

Classification: This report is public

Report By: Electoral Services Manager

Contact Officer: Donna Jawad

PURPOSE / SUMMARY

The report sets out proposals to consider and approve the provision of Polling Districts and Polling Places within North East Derbyshire Council area following a review undertaken in accordance with Section 18C and Schedule A1 of the Representation of the People Act 1983 and Regulation 3, Review of Polling Districts and Polling Places (Parliamentary Elections) Regulations 2006.

RECOMMENDATIONS

1. That the Council approve the final proposals schedule setting out any changes to the designated Polling Districts and Polling Places.
2. The Managing Director and Head of Paid Service be requested to formally publish the Notice of Conclusion of the Review, its findings, the responses from consultees and all other relevant documentation and to write to any households where their polling station has changed in advance of any elections/referendums taking place including methods of alternative voting arrangements.
3. To note that the Electoral Registration Officer will incorporate any changes to the Polling Districts and Polling Places in the revised Register of Electors to be published on 1 December 2023.

Approved by the Portfolio Holder – Cllr Birkin Cabinet Member for Council Services

IMPLICATIONS

Finance and Risk: Yes No

Details:

On Behalf of the Section 151 Officer

Legal (including Data Protection): Yes No

Details: The legal implications are contained within the report.

On Behalf of the Solicitor to the Council

Staffing: Yes No

Details: The work in carrying out the Review and implementing any changes will be undertaken by the Electoral Services Team using existing resources.

On behalf of the Head of Paid Service

DECISION INFORMATION

Decision Information	
Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: NEDDC: Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	No
District Wards Significantly Affected	All indirectly
Consultation: Leader / Deputy Leader <input type="checkbox"/> Cabinet <input type="checkbox"/> SMT <input type="checkbox"/> Relevant Service Manager <input checked="" type="checkbox"/> Members <input checked="" type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/>	Yes Details: As described in the report

Links to Council Plan (NED) priorities, including Climate Change, Equalities, and Economics and Health implications.

All indirectly

REPORT DETAILS

1 **Background** *(reasons for bringing the report)*

- 1.1 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.
- 1.2 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.
- 1.3 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.
- 1.4 The intention of the legislation is that a Review of Polling Districts and Polling Places 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 next United Kingdom general election is scheduled to be held no later than 28 January 2025. Therefore, we have been strongly advised to complete the Review as soon as possible in the event of a general election being called.
- 1.5 The Act requires that relevant authorities must: -
 - (a) seek to ensure that all electors in the constituency have such reasonable facilities for voting as are practical in the circumstances.
 - (b) seek to ensure that as far as is reasonable and practical the Polling Places they are responsible for are accessible to electors including those who are disabled and when considering the designation of a Polling Place must have regard to the accessibility needs of disabled persons.
- 1.6 Any changes arising from this report will be implemented when the revised Register of Electors is published on 1 December 2023.

The Review Process

- 1.7 The Notice of Review was published on 2 October 2023 which commenced the consultation period.
- 1.8 The consultation period sought representations from Electors, District Councillors, Members of Parliament, Parish and Town Councils, Political Parties, and existing Polling Place contacts. The consultation documents were sent to all stakeholders, including District Councillors, Parish Councils, County Councillors, MPs, MEPs, and other interested parties who have particular expertise in certain fields, for example disability access issues. All comments/submissions were required to be submitted by 30 October 2023. During this period, maps showing the Polling Districts and existing Polling Places were published on the Council's website and available upon request. As

part of the consultation period, the Acting Returning Officer (ARO) published proposals for Polling Districts and Polling Places on 2 October 2023.

Overview of the Review Process

- 1.9 The Council is responsible for the designation of Polling Districts and Polling Places and the Returning Officer is responsible for determining the number of Polling Stations within each Polling Place.
- 1.10 A Polling District effectively sub divides an electoral ward (where necessary) into smaller geographical areas for polling purposes.
- 1.11 A Polling Place is a building or area approved by the Council at which the electors in the relevant Polling District will be allotted to vote by the Returning Officer. 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).
- 1.12 When undertaking a review, the Council is required to give due regard to the following considerations: -
- It must seek to ensure that all electors have such reasonable facilities for voting as are practicable in the circumstances;
 - It must seek to ensure that so far as is reasonable and practicable every Polling Place for which it is responsible is accessible to electors who are disabled;
 - Where possible the Polling Place should be in its own Polling 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);
 - Where possible each Parish (and each Parish Ward) should be a separate Polling District or Polling Districts.
- 1.13 The Review is a function of the Council and not the Electoral Registration Officer or Returning Officer and therefore this report is before the Council for consideration.

Consultation Responses

- 1.14 A total of 15 submissions were received during the initial consultation period. 5 of the 15 submissions were received supporting the continued use of the polling place/station. The remaining 10 submissions were opposed to using one polling place/station.
- 1.15 As the Acting Returning Officer makes comments on the consultation responses – the responses have been spilt across the two Parliamentary constituencies that North East Derbyshire District covers.
- 1.16 The Acting Returning Officer for Bolsover confirmed that they are happy with the proposals.

1.17 The Acting Returning Officer's comments on each of these responses is set out below where appropriate: -

North East Derbyshire Constituency

Ward: Dronfield South

No.	Polling District	Polling Place /Polling Station	Submission
30	HB	Hill Top Sports and Social Club	Submission received in support of continued use of Hill Top Sports and Social Club

Ward: Unstone

No.	Polling District	Polling Place /Polling Station	Submission
64, 65 and 66	YA, YB and YC	Unstone Polling Places	Submission received in support of continued use of all Unstone Polling Places

Bolsover Constituency

Ward: Holmewood and Heath

No.	Polling District	Polling Place /Polling Station	Submission
1	NA	St Albans Parish Centre	Submission received in support of continued use of St Albans Parish Centre

Ward: Pilsley and Morton

No.	Polling District	Polling Place /Polling Station	Submission
7	QB	Park House Primary School	<p>10 submissions received opposing the continued use of Park House Primary School.</p> <p>ARO Comments: Alternatives have been proposed and the Electoral Services Manager is pursuing two of the premises namely The Pavilion and a private premise. At this stage, the main room of the Pavilion is occupied on weekdays which is suitable for use as a polling station. Although this is still being</p>

			<p>pursued due to further information received.</p> <p>Proposal is to continue to use the School as a polling station but as soon as an alternative premises becomes available, we will change the location of the polling place/station.</p> <p>The Electoral Services Manager has communicated this to the School.</p>
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Ward: Pilsley and Morton

No.	Polling District	Polling Place /Polling Station	Submission
9	QD	Stretton Village Hall	Submission received in support of continued use of Stretton Village Hall

Ward: Shirland

No.	Polling District	Polling Place /Polling Station	Submission
11	VA	Brackenfield Church Hall	Submission received in support of continued use of Brackenfield Church Hall

2. Details of Proposal or Information

Final proposals and schedule of revised Polling Districts and Polling Places

- 2.1 The Council is required to provide Polling Stations throughout its area for use at election time and they should be convenient and accessible for use by the electorate. The Returning Officer has the authority (contained within statute) to require schools to make themselves available for use as a Polling Station.
- 2.2 However, the Council has no such power in respect of private premises and can only request the use of privately owned facilities.
- 2.3 In an ideal world, electoral administrators would have the choice of a range of fully accessible buildings conveniently located for electors in the area. In the past, the Council has used a mix of schools and private premises – where alternative premises exist in place of Schools, the Council has sought to move into the private premises.

- 2.4 Subject to approval of the final proposals schedule, it will be necessary to publish a revised schedule of Polling Districts and Polling Places together with the relevant maps. The schedule will be amended further to reflect any changes made by the Council before publication.
- 2.5 It should be noted that all Polling Places are kept under review particularly in the lead up to an election and after an election has taken place to ensure that all premises are suitable so that all electors have reasonable access to voting in a designated Polling Place.

Completion of the Review

- 2.6 Once the Council has agreed the final proposal schedule, details of the Polling Districts and Polling Places must be made available to the public. This will be published on the Council's website and at the Council's Offices.

In addition, the Council must also publish:-

- All correspondence sent to the Acting Returning Officer (ARO) in connection with the review or sent by the ARO to persons with particular expertise on access issues;
- All representations made by any person in connection with the review;
- The minutes of any meeting held by the Council;
- Details of where the results of the review have been published.

Appeals Process

- 2.7 Following the conclusion of the local authority's review, certain persons have the right to make representations to the Electoral Commission. If, on receipt of the representations, the Electoral Commission find that the review did not:-

- meet the reasonable requirements of the electors in the constituency or a body of them; or
- take sufficient account of the accessibility for disabled persons of a Polling Station/Polling Stations with a designated Polling Place

then the Commission may direct the Council to make any alterations to the Polling Places as they think necessary and if the alterations are not made within two months, make the alterations themselves.

- 2.8 The completion of the Review enables any changes to be made to the revised Register of Electors to be published on 1 December 2023.

3 Reasons for Recommendation

- 3.1 Following consultation in accordance with the legislation, the proposals contained in the schedule ensure that all electors have reasonable facilities for voting.

4 **Alternative Options and Reasons for Rejection**

- 4.1 The Council has a statutory duty to revise Polling Districts and Polling Places to implement the outcome of the Review. Therefore, the Review must be carried out.
- 4.2 The final proposals schedule follows the results of the consultation, and it is therefore considered that these are the best options available to the ARO.

DOCUMENT INFORMATION

Appendix No	Title
1	Final Proposals Schedule
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet you must provide copies of the background papers)	