

Somerset West and Taunton Council

Full Council – 6 December 2022

Review of Polling Districts and Polling Places

This matter is the responsibility of the Leader of the Council, Councillor Federica Smith-Roberts

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1 Executive Summary / Purpose of the Report

- 1.1 Due to the recent Community Governance Review of the unparished area of Taunton and adjoining Parishes, we are statutorily required to undertake a review of polling districts and polling places

2 Recommendations

- 2.1 Full Council agree that due to the tight timescale, a cross party committee be established with delegated powers to consider and determine the review on behalf of the Council

3 Risk Assessment

- 3.1 If the Council does not undertake the review, or does not carry the review out in accordance with the statutory framework, it could be liable to judicial review.

4 Background and Full details of the Report

- 4.1 Local authorities are required to divide every constituency into polling districts for the purposes of UK Parliamentary elections and to designate a polling place for each polling district. As the boundaries have changed due to the recent Community Governance Review, it is necessary to carry out a review of polling districts and polling places to ensure that electors are able to vote at the most convenient polling place at Parliamentary and local elections.
- 4.2 A polling district is a geographical area created by the sub-division of a constituency, ward or division into smaller parts.
- 4.3 Each parish is to be a separate polling district unless there are special circumstances. This means that a parish must not be in a polling district which has a part of a different parish within it. Within a polling 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.

- 4.4 A polling place is the building or area in which polling stations will be selected by the (Acting) Returning Officer.
- 4.5 A polling station is a room or area within the polling place where voting takes place. Unlike polling districts and polling places which are fixed by the local authority, polling stations are chosen by the (Acting) Returning Officer for the election.
- 4.6 In conducting reviews, local authorities must follow the rules set out in 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. The Electoral Commission also published guidance on the conduct of reviews.
- The authority must publish notice of the holding of a review
 - The authority must consult the (Acting) Returning Officer in a constituency which is wholly or partly in its area
 - The (Acting) Returning Officer must make representations to the authority which must include information as to the location of polling stations (existing or proposed) within polling places (existing or proposed)
 - The local authority must public the (Acting) Returning Officer's representations
 - Any elector in a constituency situated in whole or in part in the authority's area may make representations
 - Representations made by any person in connection with a review of polling places may include proposals for specified alternative polling places
 - On completion of a review, the authority must give reasons for its decisions in the review and publish such other information as prescribed
- 4.7 As part of the review process, local authorities must:
- 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

4.8 Timetable

The timetable which is being followed is:

Notice of Review (commencement of review)	Monday 14 November 2022
Publication of ARO comments	Monday 28 November 2022
End of consultation period	Monday 5 December 2022
Council Consideration	Tuesday 6 December 2022
Publication of review result	Monday 16 January 2023
Publication of the revised register	Wednesday 1 February 2023

4.9 The current situation is:

- The (Acting) Returning Officers have confirmed they have no comments to make on the proposals

- 6 additional representations have been received all suggesting the possibility of change
- 4.10 After considering all of the representations, the Council must decide on the most appropriate polling districts and polling places.
- 4.11 The Council should consider the following as part of the assessment of the suitability of polling district boundaries:
- Whether the boundaries are well defined
 - Whether there are suitable transport links within the polling district, and how they related to the areas of the district that are most highly populated
- 4.12 There are a number of factors that the Council must consider when reviewing existing polling places or when assessing new polling places, including whether:
- The location is reasonably accessible within the polling district
 - The building is able to accommodate more than one polling station if required
 - The building is readily available in the event of any unscheduled elections
 - The building may be demolished as part of a new development
 - The building is accessible to all those entitled to attend the polling place
- 4.13 Once the Council has agreed on the proposals, details of the new polling districts and polling places must be made available to the public. These should be made available at the council offices in both Taunton and Williton and on the council's website. The reasons for choosing a particular polling district and polling place must be given. The following must also be published:
- All correspondence sent to the (Acting) Returning Officer in connection with the review
 - All representations made by any person in connection with the review
 - The minutes of any meeting held by the authority 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 places where the results of the review have been published
- 4.14 Any changes will be incorporated in the revised version of the Register of Electors to be published by the Electoral Registration Officer on 1 February 2023.
- 4.15 Due to the timescales involved it is recommended that Full Council delegate responsibility for considering and determining the review to a cross-party committee. The date of publication of the revised register is of prime consideration, a Committee could have greater flexibility to meet at shorter notice than could be achieved by calling an additional meeting of the full council.
- 4.16 The Council's Electoral Services Specialist will report to the committee, but all Members will be advised of any meeting so they can have their views considered prior to any decisions being made.
- 4.17 It is considered that any committee should be constituted on a cross party basis,

especially to avoid potential accusations of partiality in the selection of polling places within a polling district.

5 Links to Corporate Strategy

5.1 It is a statutory duty of the local authority to undertake reviews of polling places and polling districts after alterations to boundaries.

6 Finance / Resource Implications

6.1 There are no financial implications for the Council, except potential additional costs for the hire of more buildings if any are identified for use as polling places.

7 Unitary Council Financial Implications and S24 Direction Implications

7.1 It is a statutory duty of the local authority to undertake reviews of polling places and polling districts after alterations to boundaries.

8 Legal Implications

8.1 There is a statutory responsibility to carry out the review. In conducting the statutory review, local authorities must follow the rules set out in 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.

9 Climate, Ecology and Sustainability Implications

9.1 There are no specific climate change implications, except that there is a possibility that changes of polling places would reduce car usage.

10 Equality and Diversity Implications

10.1 When considering or reviewing the designation of a polling place, the authority must have regard to the accessibility needs of disabled persons.

Democratic Path:

- **Scrutiny / Audit and Governance Committee – No**
- **Executive – No**
- **Full Council – Yes (6.12.22)**

Reporting Frequency: Ad-hoc

List of Appendices (background papers to the report)

Appendix A	Proposed polling districts and polling places spreadsheet
Appendix B	Existing polling districts and polling places with ARO comments spreadsheet
Appendix C	Emails in response to the consultation

Contact Officers

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