

Polling District Review

Report of the Democracy and Governance Portfolio Holder

Recommended:

- 1. That the changes to polling districts for Test Valley Borough, as set out in the Annex to the report ((Acting) Returning Officer's Recommendations), be approved.**
- 2. That an order pursuant to Section 18A of the Representation of the People Act 1983 be made to amend the polling districts in Test Valley Borough in accordance with the approved changes.**

SUMMARY:

The Council has a statutory duty to:

- Review all polling districts and polling places within its area, to ensure that all electors have such reasonable voting facilities as are practicable; and
- Seek to ensure that, so far as is reasonable and practicable, the polling places they are responsible for are accessible to all electors, including those who are disabled.

Such reviews must be carried out every five years. This current review must be completed before 31 January 2025.

In accordance with the relevant legislation, the (Acting) Returning Officer prepared a set of recommendations which covered the suitability of existing polling stations and possible alternatives.

A consultation process was undertaken, as detailed in the report, which resulted in 10 responses (six from parish councils, two from cross-boundary authorities, one from an individual resident and one from a venue manager offering their site as a polling station).

Group Leaders nominated Member representatives to form a Member Panel to consider the representations received in response to the consultation process which has been undertaken. The (Acting) Returning Officer's recommendations set out in The Annex to the Report have been informed by the views of the Member Panel.

If approved, the changes will be implemented by a formal Order. This would come into effect in time for the publication of the electoral register at the beginning of February 2024, and would then apply to any election called after that date.

1 Introduction

- 1.1 The Council is required to carry out five yearly reviews of polling districts and polling places. A review for the current cycle must be completed by 31 January 2025.**

- 1.2 This report sets out how the review has been conducted and makes recommendations in the light of responses received to a consultation process which has been carried out.
- 1.3 If the proposed changes are approved, they will be reflected in the electoral register due to be published on 1 February 2024, and the revised polling districts and polling places will be used in administering any election held thereafter.

2 Background

- 2.1 Most polling districts, polling places and polling stations have been in place for many years. They work well in terms of facilities for both staff and electors and are convenient and accessible for the majority of the people they serve.

The last major polling district review was carried out in 2019. However, there have since been some interim changes made following the 2018 and 2022 Community Governance Reviews.

Polling District

- 2.2 A “Polling District” is a geographical area created by a sub-division of a UK Parliamentary Constituency. The Borough is wholly divided into parishes, and under the relevant legislation each of these parishes must be designated as a separate polling district, unless there are “special circumstances” (e.g. where a parish has a small number of electors and it is not practicable for that parish to have its own polling district). Where a parish is warded (e.g. Andover Town, Romsey Town), each parish ward would be designated as a separate polling district. Further sub-division may also be required to ensure that each polling district does not contain an excessive number of electors.
- 2.3 Polling districts are given a reference (e.g. SA) and a name (e.g. Abbey No.1). As polling districts are primarily based on the parish which they are situated in, the name usually is linked to the parish name. Where a parish (or town) area is divided into wards (e.g. Andover or Romsey) the name will be linked to the ward name, for ease of reference.
- 2.4 As a consequence of the reviews of the County Division and Borough Ward boundaries in 2016 and 2017 respectively, additional polling districts had to be created to reflect the changes to boundaries that were implemented by these reviews.
- 2.5 The Borough Council’s Community Governance Reviews of 2018 and 2022 made adjustments to parish boundaries in the light of these earlier reviews. Some very small polling districts with only a few electors within them (e.g. VW, UL1, etc.) had to be retained following the reviews, to reflect Parliamentary Constituency boundaries (as Constituency boundaries were based on the previous Borough ward boundaries).
- 2.6 Proposals have now been made for changes to the Parliamentary Constituency boundaries and have recently passed through Parliament.

These proposals used the current Borough Ward boundaries as the “building blocks” for the new constituencies. As a consequence, these small polling districts do not need to be retained, and therefore the recommendations for these polling districts include their removal and merger with adjacent polling districts, simplifying the electoral administration process.

Polling Station

- 2.7 A “Polling Station” is a room or area where polling for a particular polling district actually takes place. Each polling district requires a polling station, and save where special circumstances apply, the polling station must be located within the polling district. Given the number of polling districts, and the rural location of many, it is often difficult to identify suitable premises within each polling district, and so a polling station in another polling district has to be used. If this is not possible, portable buildings are used instead. As part of the Review, the current venues used as polling stations have been looked at, both in terms of their location in respect of the Polling District which they serve, and the suitability in terms of access, facilities, etc.
- 2.8 Some premises which could be used as polling stations have regular bookings which venue managers are unwilling to cancel. In addition, the Returning Officer is not entitled to require the use of a building as a polling station, save for local authority schools and buildings that are publicly funded.

Polling Place

- 2.9 A “polling place” must be identified for each polling district. The polling station selected for the relevant polling district must be within the polling place, unless special circumstances make it desirable for the polling place to be outside the polling district. Given the nature of the Borough, it is sometimes difficult (or impossible) to identify a suitable polling station/polling place located within a given polling district. In these cases, a polling station/polling place is identified as close as possible to the relevant polling district. Unless otherwise stated in The Annex, the polling place for a given polling district will be the whole of that polling district.

3 Corporate Objectives and Priorities

- 3.1 As noted above, undertaking a review of Polling Districts is a statutory requirement which must be completed by 31 January 2025.
- 3.2 Sound electoral administration is essential to the democratic process which underpins the operation of the Council’s functions.

4 Consultations/Communications

- 4.1 Notice of the Review was published on 13 October 2023, and the consultation period ran from that date until 24 November 2023. The Notice was published at Beech Hurst and the FMC at Romsey, and copies of the consultation pack (which included the recommendations of the (Acting) Returning Officer) were lodged there during the consultation period for the public to inspect. Details of the Review were published on the Council’s website, and were also sent to Borough and County Councillors, parish councils, political parties, MPs offices,

Acting Returning Officers at cross-boundary authorities, as well as local disability groups. A press release was also issued which was reported in local newspapers.

- 4.2 The legislation also requires the (Acting) Returning Officer for each Parliamentary Constituency within the Review area to be consulted and for the (A)RO's representations to be published. The Chief Executive is the (A)RO for the two current Constituencies in Test Valley (although this will change at the next Parliamentary Election due to the boundary changes which will come into effect at that time). His submission, which included comments on the suitability of existing/proposed Polling Stations, proposals to merge/combine Polling Districts, and the number of electors per Polling District, was published on the website.
- 4.3 As a result of this consultation, 10 responses in total were received. Although details of the Review were sent to local disability groups and political parties, no responses were received from these groups.
- 4.4 The Member Panel met on 13 December 2023 to consider the responses to the consultation. The (Acting) Returning Officer's Recommendations shown in The Annex have been revised from the original recommendations in the light of the consultation responses and the Panel's comments.

Conclusions of the Review

- 4.5 The Annex sets out (by Borough Ward) the Proposed Polling District reference and name (with the previous reference and name in brackets, where applicable). In general terms, most of the buildings currently used as polling stations are considered to be fit for purpose, accessible to the majority of the electorate which the venue serves, and accessible for those with a disability. However, the layout of premises varies considerably. Older premises will have been designed to different standards, unlike modern premises which should have good disabled access. Many venue managers have improved access to their buildings, and temporary access facilities are employed as necessary, where a building is used without permanent access facilities built in.
- 4.6 Since the last review, some venues have indicated that they are not (or in the near future will not be) available for use as polling stations, and it has been necessary to consider what alternatives can be put in place to cover the polling districts previously served by these venues. In addition, in preparing for the Review, officers researched possible alternative venues for polling stations which may offer better provision than current arrangements. Officers also took into account the experience gained in the Borough and Parish elections held in May 2023. Other possible venues which emerged during the Review (including during the deliberations of the Member Panel) have also been investigated.
- 4.7 In the majority of cases, no changes to the existing arrangements and boundaries are proposed.

- 4.8 Although Returning Officers are entitled to require the use of schools as polling stations, over the last few years they have been asked by Central Government and the Education Authority to avoid using schools where possible. Otherwise, without a separate room or hall on site allowing pupils and electors to be kept separate, schools may need to close to pupils on polling day for safeguarding reasons, meaning disruption to pupils' education. The (Acting) Returning Officer therefore recommends not using schools where there is an alternative venue available.
- 4.8 As noted above, there were a number of small polling districts which had been created or retained after various boundary and Community Governance Reviews. However, it is no longer necessary to retain these as individual polling districts. In such cases, the opportunity has been taken when undertaking the Review to delete these and merge them with the appropriate polling district.
- 4.9 Additionally, it is being recommended that some 'tidying up' of polling district references and names takes place, to make them alphabetically and numerically more logical. As a result of various boundary reviews over the years, referenced earlier in this report, polling districts have been created, amended or deleted, which has led to their descriptions becoming disjointed.

5 Options

- 5.1 Option 1: That no decision is made and the current polling district and place scheme remains as it is.
- 5.2 Option 2: That Members approve the changes proposed in The Annex.
- 5.3 Option 3: To consider some other arrangements to those proposed in The Annex be put in place.

6 Option Appraisal

- 6.1 Option 1: It is a legal requirement to carry out a Polling District Review by 31 January 2025. A decision will therefore be required by that date as to what changes (if any) are made in the light of the consultation process. Therefore Option 1 is not recommended.
- 6.2 Option 2: This option is put forward based on extensive and detailed work by officers, following the submission of representations made during consultation and through the work done with the Member Panel. Once the decision has been made, the relevant changes to the electoral register can be prepared, ready for publication on 1 February and for implementation at the elections scheduled for May 2024.

Therefore Option 2 is recommended for approval, based on the professional judgement of the officers conducting the review and taking into account the representations received.

- 6.3 Option 3: If Members consider changes to the recommendations set out in Option 2 are required, it may be possible to address these at the meeting. If further time is required to consider such changes, Members could defer the decision to the next Council meeting on 29 February 2024, or give delegated authority to officers (in consultation with the Member Panel) to make a final decision on the issue.

In this instance, it would not be possible to make the required administrative changes to the register in time for the elections in May 2024 and therefore any implementation would be delayed until later in the year. Therefore Option 3 is not recommended.

7 Risk Management

- 7.1 An evaluation of the risks associated with the matters in this report indicate that further risk assessment is not needed because the changes/issues covered do not represent significant risks.

8 Resource Implications

- 8.1 Resources required will be legal officer time to prepare the necessary order and publicise the outcome of the Review, and election staff time to make changes to the electoral register to reflect the new polling districts, all of which can be met from existing resources.

9 Legal Implications and Statutory Authority

- 9.1 There is a legal duty to carry out and complete a review by 31 January 2025, and publish the electoral register.

10 Equality Issues

- 10.1 As part of the Review, the suitability of polling stations for access by disabled voters was taken into account. No representations on such suitability were received, despite the consultation being notified to relevant groups representing disabled people. It is considered that the proposed polling stations (with appropriate additional measures to improve access where necessary) represent the best practicable solution to meeting the requirements of electoral legislation, and the needs of all electors.

11 Sustainability and Addressing a Changing Climate

- 11.1 Not applicable.

12 Other Issues

- 12.1 Community Safety - none
- 12.2 Environmental Health Issues - none
- 12.3 Sustainability and Addressing a Changing Climate - none

12.4 Property Issues - none

12.5 Wards/Communities Affected - all

13 Conclusion and reasons for recommendation

13.1 Given the nature of the Borough, and the availability and location of suitable premises to serve as polling stations, it is impossible to find a solution that will be suitable for every elector.

13.2 It is considered that the recommendations set out in The Annex represent the best compromise which can be achieved in balancing the various relevant factors.

<u>Background Papers (Local Government Act 1972 Section 100D)</u> Representations received in response to review (redacted to remove names and other personal data).			
<u>Confidentiality</u> It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.			
No of Annexes:	1	File Ref:	N/A
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Report to:	Council	Date:	17 January 2024