

## Polling District Review

Report of Corporate Portfolio Holder

### Recommended:

1. **That the changes to polling districts for Test Valley Borough as set out in Appendix 1 to the report 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 2020.

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. The recommendations also covered proposed changes to polling district boundaries to take account of the 2017 Local Government Boundary Commission Review of the Borough's ward boundaries, and the 2018 Community Governance Review.

A consultation process was undertaken, as detailed in the report, which resulted in 17 responses (13 from parish councils and 4 from individual residents).

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 recommendations set out in Appendix 1 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 December 2019, and would then apply to any election called after that date.

Members will be aware that a General Election has been called for 12 December 2019, but any approved changes will **not** apply to this Election. This is because preparatory arrangements had to be put in place for this election before the date of the Council meeting, and accordingly the arrangements have been made on the basis of the existing polling districts/polling stations (i.e. without taking account of the proposals contained in this report).

## **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 2020.
- 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 by 1 December 2019, and the revised polling districts and polling places will be used in administering any election held thereafter. However, in respect of the UK Parliamentary General Election to be held on 12 December 2019, it was necessary to make arrangements (such as booking premises for polling stations and issuing poll cards) before the date of the Council meeting which is to consider this Report, and therefore this election will be administered on the existing arrangements. Accordingly, none of any changes approved pursuant to this report will be implemented for that election.

## **2 Background**

- 2.1 The last major polling district review was carried out in 2014. Changes have since been made to reflect the changes in Borough ward boundaries effected following the 2017 Local Government Boundary Commission for England Review, as well as the changes to parish boundaries following the 2018 Community Governance Review.

### 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. SG1) and a name (e.g. Ampfield No. 3). 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.

The Borough Council's Community Governance Review of 2018 allowed the Council to adjust parish boundaries in the light of these earlier reviews, and also propose "related alterations" to Borough Ward and County Division boundaries. All of the proposed alterations were accepted by the Local Government Boundary Commission for England, and this allows the current Polling District Review to delete some of these newly-created polling districts and combine them with other polling districts, simplifying the electoral administration process.

### Polling Station

- 2.5 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.
- 2.6 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.

### Polling Place

- 2.7 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 Appendix 1, 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 2020.
- 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 15 July 2019, and the consultation period ran from that date until 30 August. The Notice was published at Beech Hurst and the FMC at Romsey, and copies of the consultation pack 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, and 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 Constituencies in Test Valley, and 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, 17 responses in total were received, 13 from parish councils, and 4 from individual residents. Although details of the Review were sent to disabled groups and political parties, no responses were received from these groups.
- 4.4 The Member Panel met on 6 September 2019 to consider the responses to the consultation. The Final Recommendations shown in Appendix 1 are based on the Panel's comments, and a copy of the draft report was sent to the Panel before publication.

## **5 Impact of 2018 Parliamentary Boundary Review**

- 5.1 In September 2018, the four Boundary Commissions submitted proposals for new Parliamentary constituencies to Parliament. The intention was that the new constituencies would be in place for the 2022 General Election (which at that point would be the next timetabled General Election in accordance with the Fixed-Term Parliaments Act 2011). Following receipt, the Government laid the reports before Parliament on 10 September 2018.
- 5.2 The next stage is for the Government to lay a draft Order in Council to give effect to the recommendations. Chloe Smith, the Parliamentary Secretary to the Cabinet Office, indicated in September 2018 that *"The order will, as a matter of fact, be a complex and lengthy statutory instrument. It will take months to prepare, because it needs to transcribe the entirety of those four boundary commission reports."* In April 2019, the Interim Parliamentary Secretary (Minister for the Constitution) stated to the Bill Committee considering the Parliamentary Constituencies (Amendment) Bill that *"the work on the order that will be necessary to bring before Parliament continues although, as Hon. Members will appreciate, it is a lengthy and complex document, which will require significant preparation before being presented."* He went on to state that *".....once orders are prepared, they are ready to come before the House. It is a complex motion, given that it covers every street and house in the United Kingdom, in terms of ensuring that they are appropriately represented in this place. It will be submitted in due course."*

- 5.3 No draft order has yet been published. It is unclear when a draft order will be published. There is no set statutory timetable for when an order must be laid, or when the draft order must be considered by Parliament.
- 5.4 Parliament cannot alter the draft Order (e.g. to amend the recommendations from the Boundary Commissions), they can only approve or reject the Order.
- 5.5 The new Parliamentary constituencies were proposed on the basis of borough ward boundaries as they stood at the time (i.e. the “old” pre-2017 Borough ward boundaries). In many cases, the boundary of the proposed new Parliamentary constituencies follows current boundaries. There are however some examples where the proposed Parliamentary boundary differs from other current boundaries. If the proposals were to be brought into force, additional polling districts would have to be created to allow for these minor discrepancies.
- 5.6 The Member Panel considered the position in respect of the Parliamentary Review and concluded that the current Polling District Review should ensure that the *current* Parliamentary Constituency boundaries are accommodated within the revised Polling Districts. In the event that the proposed (or other) changes to Parliamentary Constituencies are progressed, a further Polling District Review would be carried out to ensure that the revised Constituency boundaries would be accommodated.

## **6 Conclusions of the Review**

- 6.1 Appendix 1 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, all 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.
- 6.2 In preparing for the Review, officers researched possible alternative venues and taken account of the experience gained in the Borough and European elections held in May 2019. Other possible venues which emerged during the Review has also been investigated.
- 6.3 In the majority of cases, no changes to the existing arrangements and boundaries are proposed.
- 6.4 As noted above, there were a number of small polling districts which had been created after the recent Borough Ward/County Division boundary changes (e.g. VM1, Andover Millway Ward, VI1 Romsey Tadburn Ward) but following the Community Governance Review 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.

## **7 Options**

- 7.1 It is a legal requirement to carry out a Polling District Review by 31 January 2020. A decision will therefore be required by that date as to what changes (if any) are made in the light of the consultation process.
- 7.2 The recommended option is therefore that Members approve the changes proposed in Appendix 1.
- 7.3 If Members consider changes to the recommendations 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 January, or give delegated authority to officers (in consultation with the Member Panel) to make a final decision on the issue.

## **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**

- 9.1 There is a legal duty to carry out and complete a review by 31 January 2020, 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 Other Issues**

- 11.1 Community Safety – none.
- 11.2 Environmental Health Issues – none.
- 11.3 Sustainability and Addressing a Changing Climate – none.
- 11.4 Property Issues – none.
- 11.5 Wards/Communities Affected – All.

## 12 Conclusion

- 12.1 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.
- 12.2 It is considered that the recommendations set out in Appendix 1 represent the best compromise which can be achieved in balancing the various relevant factors

### Background Papers (Local Government Act 1972 Section 100D)

Representations received in response to review (redacted to remove names and other personal data)

### Confidentiality

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
----------------	---	-----------	-----

(Portfolio: Corporate ) Councillor T Tasker

Author:	Howard Bone	Ext:	8467
---------	-------------	------	------

Report to:	Council	Date:	20 November 2019
------------	---------	-------	------------------