

Review of polling districts and polling places

Date: 18 October 2023

Report of: Director of Communities, Housing and Environment

Report to: General Purposes Committee

Will the decision be open for call in? Yes No

Does the report contain confidential or exempt information? Yes No

Brief summary

The purpose of this report is to seek approval from General Purposes Committee to plans for a statutory review of polling districts and polling places within the Leeds City Council area.

Recommendations

- a) That the compulsory polling district and places review commences on Thursday 19 October 2023
- b) That the outline timetable for the review at paragraph 34 of this report is approved
- c) That the Electoral Registration Officer is authorised to undertake the review in accordance with the process described in this report
- d) That the Electoral Registration Officer is authorised to take the necessary measures as soon as possible to give effect to parliamentary constituency changes, ensuring that the register reflects existing and new constituencies, until the boundaries are fully in force
- e) That the Electoral Registration Officer is authorised to take the necessary measures to give effect to any new or amended polling districts on completion of the polling district review, ensuring that the register reflects existing and new boundaries, until the boundaries are fully in force

What is this report about?

- 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.
- 2 The following definitions may be helpful when reading the report.
 - “Polling districts” are geographical electoral areas into which wards and constituencies may be sub-divided.
 - “Polling places” are the buildings or areas designated by the council where electors in a polling district go to vote in person.
 - “Polling stations” are the number of issuing desks in the building or area that is the designated polling place.
- 3 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.
- 4 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.
- 5 The intention of the legislation was that reviews 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.
- 6 The Dissolution and Calling of Parliament Act 2022 means:
 - the UK Parliament can be dissolved by the King on request of the Prime Minister, at any time within the 5 years of the life of the Parliament
 - the next general election must take place before Tuesday 28 January 2025, but it could happen at any point before then
 - there is no longer a link between the timing of the compulsory polling district and places review falling in a 16-month period ending 3 months before a scheduled general election.
- 7 In addition, the Boundary Commission for England is currently undertaking a review of parliamentary constituency boundaries. The Commission has now published its final recommendations, and Orders for the new parliamentary constituency boundaries will be made by 1 November 2023.
- 8 Once the Orders for new parliamentary constituencies have been made, the new boundaries will be used for the next general election. If a parliamentary by election is called in the meantime, it would be run on existing boundaries.

What impact will this proposal have?

- 9 It is important that the polling district and places review is carried out as early as possible, so that Leeds City Council has agreed polling districts and places to be used for the next parliamentary election, the scheduled local and WY Mayoral elections in May 2024 and has a polling scheme in place which reflects the new constituencies.

Implementing parliamentary boundary changes

- 10 Once the Orders for new parliamentary constituencies have been made, the new boundaries will be used for the next general election. If a parliamentary by election is called in the meantime, it would be run on existing boundaries.
- 11 This means the Register of Electors needs to be able to reflect both the existing and new constituencies.
- 12 Work can be done to prepare the register in the background before then, so that once the Order for the new parliamentary constituencies is made, the register can be re-arranged or adapted as necessary to give effect to the Order.
- 13 This can be achieved by creating future administrative areas within the Election Management system. The Head of Electoral Services, on behalf of the Electoral Registration Officer, will liaise with the software supplier to implement this. This work can be started once the final parliamentary constituency proposals are published.
- 14 It is recommended that the Electoral Registration Officer is authorised to take the necessary measures as soon as possible to give effect to parliamentary constituency changes, ensuring that the register reflects existing and new constituencies, until the boundaries are fully in force.

Implementing polling district changes

- 15 The polling district and places review and parliamentary boundary changes may result in new polling districts being created or existing polling district boundaries being amended.
- 16 If the council makes any alterations to the 381 polling districts in its area, the Electoral Registration Officer (ERO) must amend the register of electors accordingly (Section 18A (5) Representation of the People Act 1983).
- 17 The changes to the register take effect on the date the ERO publishes a notice stating that the adaptations have been made.
- 18 Where polling districts have been created to support the implementation of boundary changes, the register will need to be constructed in a way that is capable of reflecting the existing and new boundaries. This is to ensure that any parliamentary by elections can be run on the existing boundaries, until the new boundaries come into force.
- 19 This can be achieved by making any parts of existing electoral areas that will be split when the new boundaries come into effect into separate polling districts.
- 20 Publishing the register to reflect existing and new boundaries will also help to enable current councillors and MPs to receive the parts of the register that they are entitled to, while allowing individuals to be supplied with the relevant parts of the register once they become a candidate for an election.
- 21 This may mean that, for administrative purposes, there are two versions of the polling scheme. Once the boundaries are in fully in force, any polling districts which have been split simply to allow elections to be run on either set of boundaries, can be re-merged.
- 22 It is recommended that the Electoral Registration Officer is authorised to take the necessary measures to give effect to any new or amended polling districts on completion of the polling

district review, ensuring that the register reflects existing and new boundaries where appropriate, until the boundaries are fully in force.

How does this proposal impact the three pillars of the Best City Ambition?

Health and Wellbeing

Inclusive Growth

Zero Carbon

23 By providing the most convenient and accessible polling places to the electorate of Leeds.

What consultation and engagement has taken place?

Wards affected:

Have ward members been consulted?

Yes

No

24 This is a compulsory statutory review and approval to commence the review is being sought from members of General Purposes Committee only.

What are the resource implications?

25 There is a range of preparatory activity which Electoral Services have been undertaking. This includes:

- Reading the final proposals published by the Boundary Commission on 28 June 2023 and understanding the impact for this area
- Identifying the polling districts currently split (known as X & Y) to allow electors to vote in the correct parliamentary constituency at the time of a general election, which will be returned to one entire polling district under the new parliamentary boundaries
- Contacting Returning Officers and Elections Teams in neighbouring authorities which will be sharing our constituency/ies.
- Liaising with electoral software suppliers about structuring the electoral register to accommodate boundary changes
- Preparing data for the start of the review
- Obtaining detailed up to date maps to enable accurate designation of polling district boundaries
- Identifying organisations with a special interest/expertise in disabled access to consult

26 Electoral Services are also undertaking a preliminary review of the current polling districts and places in the district to assess their suitability. This involves:

- Compiling details of current polling places with a summary of their suitability
- Checking the continued availability of polling places
- Reviewing feedback from stakeholders at previous elections
- Identifying potential alternative buildings where appropriate including moving polling away from schools where possible to avoid disruption to school communities, and assist with safeguarding of pupils
- Ensuring that polling places can support the requirements of the Elections Act, for example with sufficient space to undertake Voter ID checks, and to accommodate equipment to assist disabled voters
- Ensuring polling districts are no larger than 2,250 electors (after postal voters have been deducted), to comply with ratios recommended by the Electoral Commission updated in 2023

- Seeking advice and guidance from local disability groups and local authority experts around accessibility
- Preparing council proposals and drafting (A)RO comments

What are the key risks and how are they being managed?

27 Not fulfilling our statutory responsibility to undertake the review.

28 Not having an approved scheme in place in time for the local and WY Mayoral elections on 2 May 2024, or the general election which must take place by 28 January 2025.

What are the legal implications?

29 The process for a polling district and places review is set out in Schedule A1, Representation of the People Act 1983.

The Council must:

- publish a notice of the holding of a review
- consult the (Acting) Returning Officer ((A)RO) for every parliamentary constituency which is wholly or partly in its area
- publish all representations made by an (A)RO within 30 days of receipt by posting a copy of them at the local authority's office and in at least one conspicuous place in their area and, if the authority maintains a website, by placing a copy on the authority's website
- seek representations from such persons as it thinks have particular expertise in relation to access to premises or facilities for persons who have different forms of disability. Such persons must have an opportunity to make representations and to comment on the representations made by the (A)RO(s).

On completion of the review, the council must give reasons for its decisions and publish:

- all correspondence sent to an (A)RO in connection with the review
- all correspondence sent to any person whom the authority thinks has particular expertise in relation to access to premises or facilities for persons who have different forms of disability
- all representations made by any person in connection with the review
- the minutes of any meeting held by the council 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 designation of polling districts and polling places within the local authority area as a result of the review
- details of the places where the results of the review have been published

Options, timescales and measuring success

What other options were considered?

30 This is a statutory review which must be undertaken. Due to the reasons set out in the report, it is important to undertake this review as early in the statutory timeframe as possible.

How will success be measured?

31 Effectiveness of new scheme at both the elections on 2 May 2024 and the general election which must take place before 28 January 2025.

What is the timetable and who will be responsible for implementation?

32 It would be desirable for any changes in polling districts to be reflected in the electoral register published on 1 December 2023. However, due to the length of time required for preparatory work, consultation, preparation of final proposals and submission of final proposals report to General Purposes Committee, it is unlikely that the review will be complete until mid-February 2024.

33 This would mean that the electoral register would need to be republished on 1 March 2024 to take account of any changes to polling districts.

34 This is the proposed timetable for the review:

Review of polling districts and places 2023	
Preparatory work	Started September 2023
Resolution from council providing for commencement of review	Wednesday 18 October 2023
Notice of review published	Thursday 19 October 2023
Council proposals published	Thursday 19 October 2023
Commencement of formal consultation (6 weeks)	Thursday 19 October 2023
End of formal consultation	Thursday 30 November 2023
Publish electoral register (ordinary publication)	Friday 1 December 2023
Consider responses	By Tuesday 19 December 2023
Draft final proposals considered at Electoral Working Group	By Friday 12 January 2024
Final proposals published via meeting agenda papers and website	End January 2024
Committee/Cabinet/Council meeting	Wednesday 7 February 2024
Conclude review	Wednesday 7 February 2024
Republish electoral register (if any new or amended polling districts)	Friday 1 March 2024
Scheduled elections on new polling districts, places and stations scheme	Thursday 2 May 2024

Appendices

- N/A

Background papers

- N/A