

Non-Executive Report of the:  <b>General Purposes Committee</b>  15 December 2022	 <b>TOWER HAMLETS</b>
<b>Report of:</b> Will Tuckley, Tower Hamlets Chief Executive, Returning Officer and Electoral Registration Officer	<b>Classification:</b> Unrestricted
<b>Polling Places and Polling District Review - Process</b>	

<b>Originating Officer(s)</b>	Robert Curtis, Head of Electoral Services
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## Summary

Following the local Borough and Mayor polls held on Thursday 5 May 2022 General Purpose Committee are considering the feasibility of undertaking a review of polling places and polling districts.

This report informs General Purpose Committee of the compulsory statutory timetable and the review processes that need to be followed.

## Recommendations:

1. That the Committee endorses the approach to reviewing polling places and polling districts:
  - i. The council adhere to the compulsory statutory review timetable and that all political parties and elected members are informed of the commencement date in advance.
  - ii. This will enable all stakeholders to preliminary prepare any recommendations that they may be considering ready for the compulsory statutory timetable and consultation this scheduled to commence on 1 October 2023.
  - iii. No interim review is recommended prior to this date because the requirement to fully consult will result in an overlap of the timetables resulting in duplication of process.
  - iv. Any agreed amendments to polling districts or polling places would be adopted after the review has concluded and amendments agreed by council or delegated committee.

## 1. REASONS FOR THE DECISIONS

- 1.1. To mirror the statutory process of compulsory reviews

## 2. ALTERNATIVE OPTIONS

- 2.1 An interim review could take place between January 2023 and the end of September 2023 but would be subject to the full consultation process.

- 2.2 On completion of the interim review the process would then have to be repeated from 1 October 2023 to comply with the statutory requirement to review every five years.

### **3. DETAILS OF REPORT**

- 3.1. Polling District and Polling Place reviews are undertaken pursuant to Schedule 1A of the Representation of the People Act 1983 (as amended by the Electoral Administration Act 2006) and require all local authorities to review their UK Parliamentary polling districts and polling places at least once every five years.
- 3.2. A Polling District is a geographical area created by the sub-division of an electoral area i.e., a UK Parliamentary constituency, a European Parliamentary electoral region, a Ward, or an electoral division.
- 3.3. A Polling Place is a geographical area in which a polling station is located. There is no legal definition of what a Polling Place is; it could be defined as tightly as a particular building or as widely as the entire polling district.
- 3.4. A Polling Station is the actual area where the process of voting takes place and must be located within the Polling Place designated for the Polling District.
- 3.5. When undertaking a review, the following must be considered.
- (a) The authority must seek to ensure that all electors in a constituency in its area have such reasonable facilities for voting as are practicable in the circumstances.
  - (b) the authority 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.
  - (c) the authority must have regard to the accessibility to disabled persons of potential polling stations in any place which it is considering designating as a polling place.
  - (d) the polling place for a polling district must be an area in the district unless special circumstances make it desirable to designate any area wholly or partly outside the district.
  - (e) 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.
- 3.6. Detailed guidance on reviews can be found on the Electoral Commissions web site here <https://www.electoralcommission.org.uk/i-am-a/electoral-administrator/returning-officer/polling-place-reviews>
- 3.7. The Electoral Registration and Administration Act 2013 introduced a change to the timing of compulsory reviews of UK Parliamentary polling districts and polling places with compulsory reviews having to start and be completed within the period of 16 months starting on 1 October of every fifth year after 1 October 2013, so 1 October 2018, 1 October 2023, 1 October 2028 etc.

- 3.8. The last compulsory review had to take place between 1 October 2018 and conclude by 31 January 2020 (Inclusive).
- 3.9. Following a 12-month consultation the review was concluded and the results considered by council on 15 January 2020.
- 3.10. Following the extraordinary General Election held in December 2019, the GLA elections, the Governance Referendum, the Neighbourhood Planning Referendum on the Isle of Dogs, and the Weavers Ward by election it was considered pertinent for selected polling places used at these polls to be reviewed again given the use of alternative locations utilised over this period.
- 3.11. An interim review commenced on Monday 20<sup>th</sup> September 2021 concluding on Wednesday 19 January 2022 in time for the local elections to be held on Thursday 5 May 2022 with the following polling places changed.
  - a. Ceased using the East India portacabins (BC1)
  - b. Moved the polling place to the Town Hall (BC1)
  - c. Split the polling district BC1 incorporating Island Social Community Centre
  - d. Changed H Forman & Sons to Hub 67 (BE2)
  - e. Changed Francis Lee Community Centre to Old Ford Methodist Church (BE1)
  - f. Changed St Annes and Guardian Angels Catholic Primary School to Montefiore Centre (SB2)
- 3.12. In accordance with the Electoral Registration and Administration Act 2013 the next compulsory review is now scheduled to be completed from 1 October 2023 to 31 January 2025 (Inclusive).
- 3.13. This compulsory review cannot commence before 1 October 2023.
- 3.14. Although the statutory requirement is to review the polling districts and places used at parliamentary elections, they will be used at Local Government elections and any future referendums.
- 3.15. Interim Reviews can be undertaken but these tend to be for, but are not limited to, changes to boundaries, where premises become no longer available or following polls where facilities are not considered suitable for

continued use as was the case in September 2021 to ensure premises were in place for the local elections held in May 2022.

- 3.16. Consequently, interim reviews tend to take place to identify and agree premises that sit within new boundary areas or replace premises that are no longer available.
- 3.17. It is important to note that the last compulsory review that concluded on 15 January 2020 took 12 months to complete and a consultant was recruited by the authority to assist the electoral services team.
- 3.18. There is also no provision in law to undertake a partial review with limited consultation.
- 3.19. Selected areas can be identified but these areas must be subject to a full consultation in line with the compulsory process.

#### **4. EQUALITIES IMPLICATIONS**

- 4.1 There are no equalities or diversity implications arising from this report.

#### **5. OTHER STATUTORY IMPLICATIONS**

5.1 This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are required to be highlighted to ensure decision makers give them proper consideration. Examples of other implications may be:

- Best Value Implications,
- Consultations,
- Environmental (including air quality),
- Risk Management,
- Crime Reduction,
- Safeguarding.
- Data Protection / Privacy Impact Assessment.

5.2 There are no other implications arising from this report.

#### **6. COMMENTS OF THE CHIEF FINANCE OFFICER**

- 6.1 There are no direct financial implications arising from this report.

#### **7. COMMENTS OF LEGAL SERVICES**

- 7.1 The Representation of the People Act 1983, as amended places a duty on all local authorities to review all polling districts and polling places every five years. It is possible but not a legal requirement for an interim review to be conducted.
- 7.2 For the reasons set out above in the report it is not recommended that an interim review be held.

- 7.3 The Elections Act 2022 has recently been enacted and the implications of the Act are currently being considered and lessons will be learnt from those areas holding scheduled polls on 4 May 2023 and this will be taken into consideration as part of the statutory review from 1 October 2023.
- 7.4 Legal implications to be inserted when Financial Implications have been completed].
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### **Linked Reports, Appendices and Background Documents**

#### **Linked Report**

- NONE.

#### **Appendices**

#### **Local Government Act, 1972 Section 100D (As amended) list of “Background Papers” used in the preparation of this report**

- NONE.

#### **Officer contact details for documents:**

- Robert Curtis, Head of Electoral Services