

**AGENDA MANAGEMENT SHEET**

**Report Title:** Polling District and Places Review 2023

**Name of Committee:** Council

**Date of Meeting:** 20 September 2023

**Report Director:** Returning Officer

**Portfolio:** Finance, Performance, Legal and Governance

**Ward Relevance:** All

**Prior Consultation:** All Group Leaders

**Contact Officer:** Aftab Razzaq, Chief Officer - Legal and Governance, aftab.razzaq@rugby.gov.uk

**Public or Private:** Public

**Report Subject to Call-In:** Yes

**Report En-Bloc:** No

**Forward Plan:** Yes

**Corporate Priorities:** This report relates to the following priority(ies):  
 Rugby is an environmentally sustainable place, where we work together to reduce and mitigate the effects of climate change. (C)  
 Rugby has a diverse and resilient economy that benefits and enables opportunities for all residents. (E)  
 Residents live healthy, independent lives, with the most vulnerable protected. (HC)  
 Rugby Borough Council is a responsible, effective and efficient organisation. (O)  
[Corporate Strategy 2021-2024](#)  
 This report does not specifically relate to any Council priorities but

**(C) Climate**  
**(E) Economy**  
**(HC) Health and Communities**  
**(O) Organisation**

**Summary:** This report seeks recommendation from Council for approval of plans for a statutory review of polling districts and polling places within the borough.

**Financial Implications:** None arising direct from this report.

<b>Risk Management/Health and Safety Implications:</b>	The report sets out the legal requirements and the basis of a polling district and places review. The failure to undertake this review would result in the Council and the Returning Officer not discharging their statutory responsibilities.
<b>Environmental Implications:</b>	None.
<b>Legal Implications:</b>	As detailed within the report.
<b>Equality and Diversity:</b>	The Council has duly considered the relevant Equality and Diversity implications, and none are directly arising. This is detailed within the attached Impact Assessment (Appendix 1).
<b>Options:</b>	To approve or reject the recommendations.
<b>Recommendation:</b>	<ol style="list-style-type: none"> <li>(1) The compulsory polling district and places review to commence on Monday 2 October 2023;</li> <li>(2) the outline timetable for the review be approved;</li> <li>(3) the approval be granted to follow the review process described in this report;</li> <li>(4) the Electoral Registration Officer be 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;</li> <li>(5) the Electoral Registration Officer be 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; and</li> <li>(6) the power to designate polling places be delegated to the Chief Officer for Legal and Governance – such power to be exercised only where a decision is required at short notice and it is not possible to await a decision of the Full Council.</li> </ol>
<b>Reasons for Recommendation:</b>	To ensure the Returning Officer and Electoral Registration Officer is able to discharge the responsibilities as detailed within the report.

**Council - 20 September 2023**

**Polling District and Places Review 2023**

**Public Report of the Returning Officer**

**Recommendation**

- (1) The compulsory polling district and places review to commence on Monday 2 October 2023;
- (2) the outline timetable for the review be approved;
- (3) the approval be granted to follow the review process described in this report;
- (4) the Electoral Registration Officer be 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;
- (5) the Electoral Registration Officer be 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; and
- (6) the power to designate polling places be delegated to the Chief Officer for Legal and Governance – such power to be exercised only where a decision is required at short notice and it is not possible to await a decision of the Full Council.

**1. INTRODUCTION**

- 1.1. The purpose of this report is to seek a recommendation from Council for approval of plans for a statutory review of polling districts and polling places within the borough.

**2. BACKGROUND**

- 2.1. 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.
- 2.2. 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.
- 2.3. 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.
- 2.4. 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.
- 2.5. The intention of the legislation was 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.
- 2.6. 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 take place 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 three months before a scheduled general election.
- 2.7. 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.
- 2.8. Once the Orders for new parliamentary constituencies have been made, the new boundaries will be used for the next general election.
- 2.9. If a parliamentary by election is called in the meantime, it would be run on existing boundaries.
- 2.10. These issues mean it is important that the polling district and places review is carried out as early as possible, so that the Council has agreed polling districts and places to be used for the next parliamentary election, as well as the scheduled local elections and Police and Crime Commissioner elections in May 2024 and has a polling scheme in place which reflects the new constituencies.

### 3. TIMING OF THE POLLING DISTRICT AND PLACES REVIEW

- 3.1. As highlighted above, it is important to complete the review as soon as possible, so the polling districts and places for future elections can be agreed in time for the next general election and scheduled elections.
- 3.2. Section 18C of the Representation of the People Act 1983 does not allow the review to commence before 1 October 2023.
- 3.3. **As set out above the proposed recommendations seeks to commence the polling district and places review on Monday 2 October 2023.**

### 4. REVIEW TIMETABLE

- 4.1. Although the review itself cannot commence earlier, there is a degree of preparatory work which can be undertaken prior to the review, as well as informal consultation.
- 4.2. 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 desirability for a four-week consultation period and the council meeting timetable, it is unlikely that the review and any subsequent changes in the electoral register will be complete until January 2024. This would mean that the electoral register would need to be republished to take account of any changes to polling districts.
- 4.3. This is the proposed timetable for the review:

<b>Review of polling districts and places 2023</b>	
<b>Preparatory work</b>	Started August 2023
<b>Resolution from council providing for commencement of review</b>	Wednesday 20 September 2023
<b>Preliminary review – including informal consultation</b>	August to 1 October 2023
<b>Notice of review published</b>	Monday 2 October 2023
<b>Council proposals published</b>	Monday 2 October 2023
<b>Commencement of formal consultation</b>	Monday 2 October 2023
<b>End of formal consultation</b>	Tuesday 31 October 2023
<b>Consider responses</b>	By Friday 10 November 2023
<b>Final proposals published via meeting agenda papers and website</b>	Thursday 30 November 2023
<b>Publish electoral register</b>	Friday 1 December 2023
<b>Resolution from council providing for approval of review</b>	Wednesday 13 December 2023
<b>Conclude review</b>	By end of January 2024
<b>Republish electoral register (if any new or amended polling districts)</b>	Thursday 1 February 2024
<b>Scheduled elections on new polling districts, places, and stations scheme</b>	2 May 2024

4.4. **As set out above the proposed recommendation seeks approval for this outline timetable for the review.**

## **5. REVIEW PROCESS**

### Legal Requirements

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

5.2. 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; and
- seek representations from such persons as it thinks have 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).

5.3. 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 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; and
- details of the places where the results of the review have been published.

### Preparatory Work

5.4. Even though the formal review cannot start until 2 October 2023, there is a range of preparatory activity which Electoral Services are already carrying out. This includes:

- Reading the final proposals published by the Boundary Commission on 28 June 2023 and understanding the impact for this area.
- Contacting Returning Officers and Elections Teams in neighbouring authorities which will be sharing our constituencies.
- Liaising with electoral software suppliers about structuring the electoral register to accommodate boundary changes.
- Preparing data for the start of the review (electorate figures, turnout from previous elections, information about new housing developments in the next five years).
- 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 with.

### Preliminary Review

5.5. Electoral Services are also carrying out a preliminary review of the current polling districts and places in the borough 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.
- 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.
- Seeking advice and guidance from local disability groups and local authority experts around accessibility.
- Preparing council proposals and drafting (A)RO comments, including explanations for “no changes”.

### Informal Consultation

5.6. Electoral Services are also planning to carry out informal consultation with interested groups in preparation for the review. This involves:

- Seeking the views of organisations with a special interest/expertise in disabled access.
- Informal consultation with group leaders/local political parties.
- Getting advice from relevant council officers.
- Inviting comments from polling station inspectors.

5.7. It will be important to do as much preparatory work as possible before the official commencement of the review, to ensure its early completion.

5.8. **As set out above the proposed recommendation seeks approval to follow the review process described in this report.**

## 6. IMPLEMENTING PARLIAMENTARY BOUNDARY CHANGES

- 6.1. The Boundary Commission for England recently undertook a review of parliamentary constituency boundaries. They have published their final recommendations, and Orders for the new parliamentary constituency boundaries will be made by 1 November 2023.
- 6.2. Once the Orders for new parliamentary constituencies have been made, the new boundaries will be used for the next general election.
- 6.3. If a parliamentary by-election is called in the meantime, it would be run on existing boundaries.
- 6.4. This means the Register of Electors needs to be able to reflect both the existing and the new constituencies.
- 6.5. 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. This would allow any snap general election in November 2023 to be run on the new constituencies.
- 6.6. This can be achieved by creating future administrative areas within the Election Management system. The Electoral Services Team Leader, on behalf of the Electoral Registration Officer, will liaise with the software supplier to implement this.
- 6.7. **As set out above the proposed recommendation seeks approval 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.**

## 7. IMPLEMENTING POLLING DISTRICT CHANGES

- 7.1. 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.
- 7.2. If the council makes any alterations to the 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).
- 7.3. The changes to the register take effect on the date the ERO publishes a notice stating that the adaptations have been made. It is intended that alterations to polling districts be timed to coincide with the republished register of electors on 1 February 2024.



- 7.4. Where polling districts have been created to support the implementation of boundary changes, the register will need to be constructed in a way that can reflect 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.
- 7.5. 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.
- 7.6. 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.
- 7.7. This may mean that, for administrative purposes, there are two versions of the polling scheme. Once the boundaries are 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.
- 7.8. **As set out above the proposed recommendation seeks approval 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.**

## **8. DELEGATED DECISION MAKING TO THE CHIEF OFFICER FOR LEGAL AND GOVERNANCE**

- 8.1. The designation of polling districts and places is a function of the Council, whereas decisions about polling stations are for the Returning Officer.
- 8.2. The Council's constitution identifies the determination of polling district reviews as a matter to be reserved for the Full Council.
- 8.3. In certain situations, it might not be practicable to await formal Council approval to designate a polling place – for example, where a building becomes unavailable at short notice due to unforeseen circumstances.
- 8.4. Due to the potential need to identify alternative locations as polling stations as a matter of urgency, it is considered that the authority to re-designate polling places be delegated to the Chief Officer for Legal and Governance.
- 8.5. The Chief Officer for Legal and Governance also holds the positions of both Monitoring Officer and Returning Officer. On this basis this is the most appropriate officer upon which such a delegation should be granted.

8.6. **As set out above the proposed recommendation seeks approval that power to designate polling places in accordance with section 18 and 18B of the Representation of the People Act 1983 is delegated to Chief Officer for Legal and Governance such power to be exercised only where a decision is required at short notice and it is not possible to await a decision of Council.**

## **9. CONCLUSION**

9.1. This report seeks various recommendations in respect of the required Polling District and Places Review.

9.2. This is a statutory obligation and given the various considerations and the upcoming election cycle it is imperative that this is commenced as soon as possible and the timeline within this report is adhered to.

9.3. This will ensure that all Polling Districts and Places reflect the considerations arising from the consultation and the Council and the Returning Officer have the preparations in place for the upcoming elections.

**Name of Meeting:** Council

**Date of Meeting:** 20 September 2023

**Subject Matter:** Polling District and Places Review 2023

**Originating Department:** Legal and Governance

**DO ANY BACKGROUND PAPERS APPLY**  YES  NO

**LIST OF BACKGROUND PAPERS**

Doc No	Title of Document and Hyperlink

The background papers relating to reports on planning applications and which are open to public inspection under Section 100D of the Local Government Act 1972, consist of the planning applications, referred to in the reports, and all written responses to consultations made by the Local Planning Authority, in connection with those applications.

---

Exempt information is contained in the following documents:

Doc No	Relevant Paragraph of Schedule 12A

# EQUALITY IMPACT ASSESSMENT (EqIA)

## Context

1. The Public Sector Equality Duty as set out under section 149 of the Equality Act 2010 requires the council when making decisions to have due regard to the following:
  - Eliminating unlawful discrimination, harassment and victimisation, and other conduct prohibited by the Act.
  - Advancing equality of opportunity between people who share a protected characteristic and those who do not.
  - Fostering good relations between people who share a protected characteristic and those who do not, including tackling prejudice and promoting understanding.
2. The characteristics protected by the Equality Act are:
  - age
  - disability
  - gender reassignment
  - marriage/civil partnership
  - pregnancy/maternity
  - race
  - religion/belief
  - sex/gender
  - sexual orientation
3. In addition to the above-protected characteristics, you should consider the crosscutting elements of the proposed policy, such as impact on social inequalities and impact on carers who look after older people or people with disabilities as part of this assessment.
4. The Equality Impact Assessment (EqIA) document is a tool that enables the council to test and analyse the nature and impact of what it is currently doing or is planning to do in the future. It can be used flexibly for reviewing existing arrangements but in particular should enable identification where further consultation, engagement and data is required.
5. The questions will enable you to record your findings.
6. Where the EqIA relates to a continuing project, it must be reviewed and updated at each stage of the decision.
7. Once completed and signed off the EqIA will be published online.
8. An EqIA must accompany all **Key Decisions** and **Cabinet Reports**.
9. For further information, refer to the EqIA guidance for staff.
10. For advice and support, contact:  
Aftab Razzaq, Chief Officer – Legal and Governance  
E: [aftab.razzaq@rugby.gov.uk](mailto:aftab.razzaq@rugby.gov.uk) T: 01788 533521

## Equality Impact Assessment

<b>Service Area</b>	Electoral Services
<b>Policy/Service being assessed</b>	Polling District and Places
<b>Is this is a new or existing policy/service?</b> <b>If existing policy/service please state date of last assessment</b>	Legal requirement as set out within the report
<b>EqIA Review team – List of members</b>	Aftab Razzaq, Returning Officer  Sara Bolderston-Bowers, Electoral Services Team Leader
<b>Date of this assessment</b>	9 August 2023
<b>Signature of responsible officer (to be signed after the EqIA has been completed)</b>	

**A copy of this Equality Impact Assessment report, including relevant data and information to be forwarded to the Chief Officer – Legal and Governance.**

**Details of Strategy/Service/Policy to be analysed**

<b><u>Stage 1 – Scoping and Defining</u></b>	
(1) Describe the main aims, objectives and purpose of the strategy/service/policy (or decision)?	<p>As set out within the report the council has a duty to divide its area into polling districts and to designate a polling place for each district.</p> <p>It is important that the polling district and places review is carried out as early as possible, so that the Council has agreed polling districts and places to be used for the next parliamentary election, as well as the scheduled local elections and Police and Crime Commissioner elections in May 2024 and has a polling scheme in place which reflects the new constituencies</p>
(2) How does it fit with the council's Corporate Priorities and your service area priorities?	<p>It primarily fits in with priorities on:</p> <ul style="list-style-type: none"> <li>• Rugby Borough Council is a responsible, effective and efficient organisation.</li> </ul>
(3) What are the expected outcomes you are hoping to achieve?	<p>To ensure the required legal requirements are discharged.</p> <p>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.</p>
(4) Does or will the policy or decision affect: <ul style="list-style-type: none"> <li>• Customers</li> <li>• Employees</li> <li>• Wider community or groups</li> </ul>	<p>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.</p>
<b><u>Stage 2 - Information Gathering</u></b>	
(1) What does the information tell you about those groups identified?	<p>Nothing at this early stage.</p>

<p>(2) Have you consulted or involved those groups that are likely to be affected by the strategy/service/policy you want to implement? If yes, what were their views and how have their views influenced your decision?</p>	<p>This will be undertaken as part of the consultation process which the report is recommending.</p>		
<p>(3) If you have not consulted or engaged with communities that are likely to be affected by the policy or decision, give details about when you intend to carry out consultation or provide reasons for why you feel this is not necessary.</p>	<p>N/A and as set out above the report seeks authority to undertake a consultation.</p>		
<p><b><u>Stage 3 – Analysis of impact</u></b></p>			
<p>(1) <u>Protected Characteristics</u> From your data and consultations is there any positive, adverse or negative impact identified for any particular group, which could amount to discrimination? If yes, identify the groups and how they are affected.</p>	<p><b>RACE</b></p>	<p><b>DISABILITY</b></p>	<p><b>GENDER</b></p>
	<p><b>MARRIAGE/CIVIL PARTNERSHIP</b></p>	<p><b>AGE</b></p>	<p><b>GENDER REASSIGNMENT</b></p>
	<p><b>RELIGION/BELIEF</b></p>	<p><b>PREGNANCY MATERNITY</b></p>	<p><b>SEXUAL ORIENTATION</b></p>

<p>(2) <u>Cross cutting themes</u>                  (a) Are your proposals likely to impact on social inequalities e.g. child poverty, geographically disadvantaged communities? If yes, please explain how.                   (b) Are your proposals likely to impact on a carer who looks after older people or people with disabilities? If yes, please explain how.</p>	<p>This consultation and overall review seek to ensure the legal requirements in respect of polling districts and polling places is discharged and there is due consultation in the consideration of these.                   None.</p>
<p>(3) If there is an adverse impact, can this be justified?</p>	<p>N/A</p>
<p>(4) What actions are going to be taken to reduce or eliminate negative or adverse impact? (This should form part of your action plan under Stage 4.)</p>	<p>N/A</p>
<p>(5) How does the strategy/service/policy contribute to the promotion of equality? If not, what can be done?</p>	<p>The required consultation ensures due consideration of responses in respect of polling places and polling districts. This promotes transparency, equality and the legal requirements of polling places and districts are duly discharged.</p>
<p>(6) How does the strategy/service/policy promote good relations between groups? If not, what can be done?</p>	<p>As set out within the report there will be interested groups and political parties.</p>
<p>(7) Are there any obvious barriers to accessing the service? If yes, how can they be overcome?</p>	<p>N/A</p>



<p><b><u>Stage 4 – Action Planning, Review and Monitoring</u></b></p>																														
<p>If No Further Action is required then go to – Review and Monitoring</p> <p>(1) Action Planning – Specify any changes or improvements that can be made to the service or policy to mitigate or eradicate negative or adverse impact on specific groups, including resource implications.</p>	<p>No further action is required.</p> <p>EqlA Action Plan</p> <table border="1" data-bbox="875 461 2112 692"> <thead> <tr> <th>Action</th> <th>Lead Officer</th> <th>Date for completion</th> <th>Resource requirements</th> <th>Comments</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>					Action	Lead Officer	Date for completion	Resource requirements	Comments																				
Action	Lead Officer	Date for completion	Resource requirements	Comments																										
<p>(2) Review and Monitoring State how and when you will monitor policy and Action Plan</p>	<p>This EqlA will be reviewed again prior to the report being brought to Full Council in December 2023.</p>																													

Please annotate your policy with the following statement:

**‘An Equality Impact Assessment on this policy was undertaken on (date of assessment) and will be reviewed on (insert review date).’**