



Full Council	Thursday, 23 February 2023	Matter for Information and Decision
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Report Title: **Interim Review of Polling Districts, Places and Stations (2023)**

Report Author(s): **Samuel Ball (Legal & Democratic Services Manager / Deputy Monitoring Officer) (Deputy Returning Officer)**

Purpose of Report:	To advise the Council on the final arrangements being proposed by the Returning Officer for the Harborough Constituency in respect of the polling districts, places and stations to be used at all relevant future elections and referendums that take place within the Borough of Oadby and Wigston. The proposals take into account the views of all relevant stakeholders that responded to the interim review consultation carried out between 9 January to 10 February 2023.
Report Summary:	The Returning Officer is proposing no changes to the existing polling arrangements in the Borough, except for a temporary re-location of one of the two polling stations in polling district G (Oadby Brocks Hill) from Coombe Park Pavilion, Oadby (LE2 5TU) to Parklands Leisure Centre, Oadby (LE2 5QG). The next scheduled elections to take place within the Borough are the local Borough Council elections on Thursday, 4 May 2023. Any agreed changes to the existing polling arrangements will be implemented in time for these elections.
Recommendation(s):	A. The content of the report and appendices be noted; B. The Council approves the revised Polling District, Polling Places and Polling Station arrangements (“the Polling Arrangements”) as proposed by the Returning Officer (as set out at Appendix 3 to this report); and C. Delegated authority be given to the Returning Officer to make alternative Polling Arrangements should any of the approved Polling Places and Polling Stations be untenable at short-notice prior to/on polling day itself.
Senior Leadership, Head of Service, Manager, Officer and Other Contact(s):	Anne Court (Chief Executive / Head of Paid Service) (Returning Officer) (0116) 257 2602 anne.court1@oadby-wigston.gov.uk David Gill (Head of Law & Democracy / Monitoring Officer) (Deputy Returning Officer) (0116) 257 2626 david.gill@oadby-wigston.gov.uk Samuel Ball (Legal & Democratic Services Manager / Deputy Monitoring Officer) (Deputy Returning Officer) (0116) 257 2643 samuel.ball@oadby-wigston.gov.uk
Strategic Objectives:	Our Council (SO1) Our Communities (SO2)

	Our Partners (SO5)
Vision and Values:	"Our Borough - The Place To Be" (Vision) Customer Focus (V5)
Report Implications:-	
Legal:	The implications are as set out at paragraph 7 of this report.
Financial:	The implications are as set out at paragraph 6 of this report.
Corporate Risk Management:	Regulatory Governance (CR6) Reputation Damage (CR4)
Equalities and Equalities Assessment (EA):	The legislation governing this Interim Review required feedback and representations to be sought from persons or organisations who are considered to have an expertise in access for persons with different forms of disability. To fulfil this requirement, representations were sought from local organisations including Age UK, Scope and Vista. EA not applicable.
Human Rights:	There are no implications arising from this report.
Health and Safety:	There are no implications arising from this report.
Statutory Officers' Comments:-	
Head of Paid Service:	The report is satisfactory.
Chief Finance Officer:	The report is satisfactory.
Monitoring Officer:	The report is satisfactory.
Consultees:	The consultees are as set out at paragraph 3 of this report.
Background Papers:	<ul style="list-style-type: none"> • 'Guidance on the Review of Polling Districts, Polling Places and Polling Stations' – The Electoral Commission
Appendices:	<ol style="list-style-type: none"> 1. Returning Officer's Draft Proposals (2023) 2. Consultation Responses Received (2023) 3. Returning Officer's Final Proposals (2023)

1. Background

- 1.1 Under the provisions of Representation of the People Act 1983 (as amended by the Electoral Registration and Administration Act 2013), the Borough's polling districts, polling places and polling stations ("the Polling Arrangements") were last compulsorily reviewed in 2019.
- 1.2 Once a review is completed, subsequent compulsory reviews must be started and completed within the period of 16 months that starts on 1 October of every fifth year after 1 October 2013. The next compulsory review is thus not due to start until 1 October 2023.
- 1.3 To ensure the continued accessibility and suitability of the Polling Arrangements ahead of next scheduled elections within the Borough - the local Borough Council elections on 4 May 2023 - the Returning Officer considered it expedient to undertake an optional, interim review ("the Interim Review"). This was carried out in January and February 2023.

- 1.4 The Interim Review concluded that the Polling Arrangements within the Borough are predominantly satisfactory and have been shown at elections administered in recent years to be practicable given the circumstances that prevail within the areas that they serve.
- 1.5 The approach throughout this Interim Review has therefore been to only propose changes where a clear conclusion has been reached that the new arrangements will:
 - Better serve the affected electors by offering superior polling facilities, accessibility and/or location in comparison with existing arrangements; and/or
 - Reduce inconvenience caused by polling day arrangements for local residents without any substantive detrimental effect upon the voting arrangements for affected electors.

2. Terminology

- 2.1 **'Polling District'** - the area created by the partition of a constituency, ward, division or region into smaller parts, within which a polling place can be determined. In Oadby and Wigston, each Borough ward is divided into a number of polling districts which each have an alphabetical code running from 'A' to 'S', based on the ward in which they are located.
- 2.2 **'Polling Place'** - The building or area in which polling stations will be selected by the Returning Officer. A polling place within a polling district must be designated so that polling stations are as far as reasonably practicable, within the constraints of available alternative venues, within easy reach of all electors from across the given polling district.
- 2.3 **'Polling Station'** - The room or area within the polling place where voting takes place.
- 2.4 Note that the terms 'polling place' and 'polling station' are often used interchangeably, with most considering the polling place (e.g. a school) to be the polling station. However, it is possible to have more than one polling station per polling place (i.e. double polling station). This is the case in several polling districts in the Borough with a large number of electors.

3. Consultation and Engagement

- 3.1 Notice of the Interim Review, which invited feedback and representations to be made regarding the Polling Arrangements within the Borough, was published and displayed at the Council Offices on Station Road, Wigston on 9 January 2023. In addition, a copy of the Review Notice was placed on the Council's website and electronic copies were sent to:
 - All 26 Oadby and Wigston Borough Councillors representing the 10 Borough Wards;
 - All 5 Leicestershire County Councillors representing the Borough's 4 County Divisions;
 - The Member of Parliament representing the Harborough Constituency;
 - Local political parties with known contact details within the Harborough Constituency; and
 - Local organisations having knowledge of, or special expertise in, access for persons with disabilities known to be operating within Oadby, Wigston and South Wigston
- 3.2 The Returning Officer's Draft Proposals as set out in **Appendix 1** were received on 6 January 2023 and had to be published within 30 days of receipt. These were published at the Council Offices and on the Council's website on 9 January 2023.
- 3.3 The only revision proposed by the Returning Officer to the Polling Arrangements was a temporary re-location of one of the two polling stations in polling district G (Oadby Brocks Hill) from Coombe Park Pavilion to Parklands Leisure Centre, Oadby similar to the arrangements successfully implemented at the combined local elections in May 2021.

- 3.4 All feedback and representations received in response to the published Notice of Review and the Returning Officer's Draft Proposals are set out in full at **Appendix 2**.
- 3.5 The Returning Officer's Final Proposals, including comments on the feedback and representations received as set out in full at Appendix 2, are set out in **Appendix 3**.

4. Reasons for Recommendations

- 4.1 Following the Interim Review, and taking into account the impact of the new voter ID and accessibility requirements as introduced by the Elections Act 2022 which will apply for the first time from 4 May 2023, it is recommended that the needs of those affected electors will be best served, in the short-term at least, by adopting the proposed Polling Arrangements.
- 4.2 The Council should be mindful that, in view of the imminency of the local elections in May 2023, and the significant additional work pressures associated therewith from the Elections 2022 Act, the proposed Polling Arrangements are effectively a stopgap solution until the long-term availability and suitability of the Polling Arrangements, and particularly within Oadby Brocks Hill ward, can be assessed during the next compulsory review in late 2023.

5. Implementation

- 5.1 The Polling Arrangements that may be approved by Council will be used for the Borough Council elections on 4 May 2023, and any by-elections or Borough-wide elections and/or referendums, including a UK parliamentary general election, called before the next statutory review of the Polling Arrangements takes place as set outlined in paragraph 1.2 above.
- 5.2 Should the Council agree to the proposed temporary change of venue in polling district G, electors within this polling district will receive notification of the change of venue and free designated parking via their poll card, whilst polling staff at the remaining single polling station on polling day will be on hand to redirect any electors that inadvertently attend.
- 5.3 If any of the approved Polling Arrangements become untenable prior to/on polling day itself, alternative arrangements must be made by the Council in accordance with its decision-making arrangements. As it is a function of the Council to make decisions concerning electoral wards under its Constitution, it is prudent for Council to delegate authority to the Returning Officer to be able to act decisively in such exceptional circumstances.

6. Financial Implications

- 6.1. Subject to paragraph 6.2 below, the Council is only responsible for the costs of administering Borough Council elections, including local by-elections that elect the Borough's own Councillors (when held). At all other elections, all 'actual and necessary' costs are claimed and recovered by the Returning Officer from the relevant governing body of that particular election (e.g. the UK government for a UK parliamentary general elections).
- 6.2. The introduction of the new voter ID and accessibility requirements, as part of the Elections Act 2022, creates additional financial burdens for the Council when delivering its elections, and associated electoral registration activities, the costs of which are to be met by the UK government under their 'New Burdens Doctrine' and 'Election Act Funding Methodology'.

7. Legal Implications

- 7.1 In carrying out any review of the Polling Arrangements, the Council must comply with the steps set out in Schedule A1 Representation of the People Act 1983 ("the 1983 Act").
- 7.2 By approving the outcomes of this Interim Review, the Council will be complying with its

statutory duty to keep under review its Polling Arrangements as designated under sections 18A-18E of the 1983 Act (as amended).

- 7.3 Rule 20(1)(a) of the Local Elections (Principal Areas) (England and Wales) Rules 2006 provides that the Returning Officer may use, free of charge, for the purpose of taking the poll, any room in a school maintained or assisted by the local authority, or in a school in respect of which grants are made out of monies provided by parliament to the person or body responsible for the management of the school.
- 7.4 Following the conclusion of this Interim Review, certain persons have a right to make representations to the Electoral Commission.
- 7.5 There are only two grounds on which a representation may be made, namely:
 - 7.5.1 The Council has failed to meet the reasonable requirements of electors in the constituency; and/or
 - 7.5.2 The Council has failed to take sufficient account of accessibility to disabled persons of the polling station(s) within a polling place.

Representations based on any other premise will not be considered.

- 7.6 Provision is contained within section 18E of the Act to state that no election is to be questioned by reason of any informality relative to the Polling Arrangements.