



**COUNCIL:  
28 FEBRUARY 2024**

---

**Report of: Corporate Director of Transformation, Housing & Resources**

**Relevant Portfolio Holder: Councillor Y Gagen**

**Contact for further information: Mr Tom Lynan (Extn.5013)  
(E-mail: [tom.lynan@westlancs.gov.uk](mailto:tom.lynan@westlancs.gov.uk))**

---

**SUBJECT: STATUTORY POLLING REVIEW 2024**

---

Wards affected: Borough wide

## **1.0 PURPOSE OF THE REPORT**

- 1.1 To conduct an Interim Review of Polling Districts and Polling Places in line with the Representation of the People Act 1983, as amended (the 1983 Act).

## **2.0 RECOMMENDATIONS**

- 2.1 That the outline timetable for the Review as set out in Appendix 1 of this report be agreed.
- 2.2 That the Electoral Services Manager administer the Review for both parliamentary and local government polling districts and polling places.
- 2.3 That the (Acting) Returning Officer(s) be consulted on the Review and provide comment on all existing polling stations and any new polling stations.

## **3.0 BACKGROUND**

- 3.1 Section 18C of the Representation of the People Act 1983 (as amended) makes provision about the timing of reviews of polling districts and places by local authorities in the UK. The 1983 Act provides that a local authority must carry out and complete a review of all the polling districts and places in its area within the period of 16 months beginning with 1 October 2013, and the period of 16 months beginning with 1 October of every fifth year after that.
- 3.2 The last statutory review took place during the period October 2018 – January 2020, with the current review having to take place between October 2023 – January 2025.

3.3 The legislation does not prevent a local authority carrying out a review of some or all of the polling districts or polling places in its areas at other times and, a system for conducting interim reviews is in place, as was used in 2022 and 2023.

3.4 To aid understanding of the report and Appendices the following definitions will assist: -

- Parliamentary constituency: an area having separate representation in the House of Commons - these cannot be changed by the review. The division of these constituencies into polling districts and places is the subject of the review.
- Polling district: a geographical area created by the sub-division of a constituency, ward, or division into smaller parts. Each parish is to be a separate polling district (unless there are special circumstances) – this means that a parish must not be in a polling district which either has part in another parish or in an un-parished area;
- Polling place: the building or area in which the Returning Officer will select polling stations. Polling station: Chosen by the Returning Officer for the election, a polling station is the room or building within the polling place where the poll takes place.

3.5 Local authorities are required to divide every constituency into polling districts for UK parliamentary elections and to designate a polling place for each polling district. Polling places should be within the polling district unless special circumstances make it desirable to designate an area outside the district. These must be reviewed every five years. In conducting the statutory review of polling places and polling districts, local authorities must adhere to rules set out in legislation, as follows:

- The Council must publish notice of the review at the Council's office, on its website and in at least one conspicuous place within the area. The notice should also be sent to other interested groups such as councillors and disability groups etc.;
- The Council must consult the (Acting) Returning Officer for any constituency which is wholly or partly in its area;
- The Council must seek representations from those who it considers have “particular expertise in relation to access to facilities or premises for persons who have different forms of disability”, including the opportunity to make representations/comment on the Returning Officer's representations;
- Any elector in a constituency wholly or partly in the Council's area may make representations;
- Any representations made may include proposals for specified alternative polling places;
- On completion of the review the Council must give reasons for its decisions in the review and publish other information as is prescribed. As noted, the Electoral Commission recommends that a review of local government polling arrangements is conducted simultaneously.

3.6 Authorities must:

- Seek to ensure that all the electors have such reasonable facilities for voting as are practicable in the circumstances;
- Seek to ensure that so far as is reasonable and practicable polling places are accessible to those who are disabled; and
- When considering or reviewing the designation of a polling place, have regard to the accessibility needs of disabled persons.

#### **4.0 STAGED PROCESS OF THE REVIEW**

4.1 There are 5 potential stages to the Review: -

- Notification of the Review
- Administering the Review
- Consultations
- Conclusion
- Appeal

4.2 As can be seen from the preceding paragraph and the detail at Appendix 2, this is a detailed, prescribed process with an opportunity for full input by the public, members of respective authorities, MPs and other interested parties.

#### **5.0 TIMETABLE**

5.1 An outline timetable for the work to be carried out in order to undertake the Review is attached as Appendix 1.

#### **FUTURE TIMESCALES**

6.1 Once Council has determined the final proposals, the relevant documentation will be made available to the public in accordance with legislation.

6.2 On completion of the Review, if proposed timescales are met, any changes to the Electoral Register will take effect from 1 December 2024, when the Revised Register of Electors is published. This will be subject to the timing of the General Election, as publishing the Register during an election period creates difficulties in administering the process. Should 1 December fall during the General Election period, publication of the register will be delayed until 2 January 2025.

6.2 West Lancashire will undergo another full Statutory Review in 2028/29. Legislation requires that all Polling Stations be kept under consideration and evaluation. If changes are identified as being desirable, then the interim review process should be initiated.

#### **7.0 SUSTAINABILITY IMPLICATIONS**

7.1 There are no significant sustainability impacts associated with this report and, in particular, no significant impact on crime and disorder.

#### **8.0 FINANCIAL AND RESOURCE IMPLICATIONS**

8.1 The Review will be undertaken within existing budgets.

## **9.0 RISK ASSESSMENT**

9.1 The review process enables the Council to carry out the Review, with input from key stakeholders through public consultation. A mechanism for an appeal exists through the Electoral Commission. Failure to complete the review within the statutory time period would be a breach of official duty.

## **10.0 HEALTH AND WELLBEING IMPLICATIONS**

10.1 There are no health and wellbeing implications arising from this report.

### **Background Documents**

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

### **Equality Impact Assessment**

There is a direct impact on members of the public, employees, elected members and / or stakeholders, therefore an Equality Impact Assessment is required. A formal equality impact assessment is attached as an Appendix to this report, the results of which have been taken into account in the Recommendations contained within this report

### **Appendices**

1. Timetable for Polling District/Place Review 2018/19
2. Stages of the Review
3. Equality Impact Assessment

**Timetable for Polling District/Place Review 2024**

<b>Date</b>	<b>Action</b>	<b>Description</b>
1 March 2024 1 March 2024 – 9 May 2024 (Consultation)	Publish Notification of the Review and begin consultation.	<ul style="list-style-type: none"> <li>• Publish Notice of the Review – website, West Lancs Now, Newspaper, Press Release, notice board at main offices &amp; CSP.</li> <li>• Publish the schedule and the comments of the (Acting) Returning Officer(s)</li> <li>• Send copy of proposals and copy of the notice to Political parties, Borough Councillors, County Councillors, MP's Parish Clerks, disability groups and any other interested parties/groups.</li> <li>• Invite comments on the existing polling districts/places and potential new arrangements.</li> </ul>
9 May 2024	Closing date for submission of comments to the consultation	
13 May 2024 – 20 June 2019	Consider consultation responses, and draft initial proposals	<ul style="list-style-type: none"> <li>• Investigate potential changes and draft initial recommendations, considering representations received.</li> </ul>
21 June 2024 – 29 August 2024	Consultation on Initial Proposals	
2 September 2024 – 6 October 2024	Draft Final Proposals and Report for Council	<ul style="list-style-type: none"> <li>• Draft final proposals, considering representations received.</li> </ul>
17 October 2024	Council Decision on Final Proposals	
19 October 2024	Publish the conclusion of the review.	<ul style="list-style-type: none"> <li>• Publish the outcome of the review and any changes to the register as required.</li> </ul>
1 December 2024*	Republish the register with any changes as required.	<ul style="list-style-type: none"> <li>• Any changes implemented take effect from this date.</li> </ul>

\*Subject to date of the General Election

## **1.0 STAGE 1 – NOTIFICATION OF THE REVIEW**

1.1 The formal commencement of the review requires the local authority to give notice of the holding of a review. The notice must be published using the following methods:

- notice to be displayed at the council's office and in at least one conspicuous place within the authority;
- on the Council's website

1.2 Additionally, the Council could publish the notice in a council newsletter and display copies in other public buildings.

The Electoral Commission recommends that the notice should state:

- That the Council is conducting a review of polling districts and polling places;
- That the Returning Officer will make a comment on proposed polling stations;
- That electors in the Council's area or within a UK Parliamentary constituency which has any part in the authority may make a representation;
- That the Council would welcome any person or body with expertise in access for persons with any type of disability to make a representation or to comment on the authority's proposals, (Acting) Returning Officer's representation or any other matter;
- That persons or bodies making representations should, if possible, give alternative places that may be used as polling places;
- The postal address, e-mail address and website address at which documents can be inspected and representations made;
- An indication of the timetable of the review and a deadline for representations.

1.3 The Electoral Commission also suggests that the Council should send a copy of the notice to interested parties such as councillors, disability groups and other stakeholders. Officers will prepare a press release drawing attention to the review and the process as well as posting details on the Council's website.

## **2.0 STAGE 2 – ADMINISTERING THE REVIEW**

2.1 The Council should undertake a preliminary review of the current polling districts and polling places with a view to establishing their suitability. There is no requirement to change any of these districts and polling places, but any 'no change' decision must be fully justified as part of the overall proposals.

2.2 The review process should be transparent, structured and conducted formally with supporting documentation – to ensure a complete "audit trail" for all the decisions arising from it, including justification for each decision, even if this is for "no change".

2.3 The legislation suggests an approach starting with polling districts, followed by choosing polling places and then considering polling stations. In practice, however, it is important that good quality polling places are identified first, which can then be used as part of the process of defining suitable polling district arrangements that comply with the requirements set out in the legislation. The Electoral Commission guidance contains template checklists to assist with the evaluation of current/proposed polling places and stations.

2.4 The following should be considered as part of the assessment of the suitability of polling district boundaries:

Boundaries: Are they well defined? For example, do they follow the natural boundaries of the area? If not, is it clear which properties belong in the polling district?

Location: Are there suitable transport links within the polling district, and how do they relate to the areas of the district that are most highly populated? Are there any obstacles to voters crossing the current polling district and reaching the polling place e.g., railway lines, rivers?

2.5 There are a number of factors that must be considered when reviewing existing polling places or when assessing new polling places, including:

Location: Is it reasonably accessible within the polling district? Does it avoid barriers for the voter such as steep hills, major roads, rivers, etc.? Are there any convenient transport links?

Size: Can it accommodate more than one polling station if required? If multiple polling stations are required, is the polling place ample enough to accommodate all voters going into and out of the polling stations, even where there is a high turnout?

Suitability: Is the building readily available in the event of any unscheduled elections? Is there any possibility that the building may be demolished as part of a new development? Is the building accessible to all those entitled to attend the polling place?

2.6 Ideally, there would be the choice of a range of fully accessible buildings, conveniently located for electors in the area within which to establish polling stations. In practice, however, the choice of polling places will often be a balance between the quality of a building (access, facilities, etc.) and the proximity of the building to the electors. When making a decision, all factors will need to be considered and the Council will need to be able to demonstrate the reasoning behind the decision.

2.7 Where, because of local circumstances, a polling place has been selected that is not fully accessible, then reasonable adjustments must be undertaken to provide access for all electors. Alternatively, the local authority should consider whether it would be appropriate to designate a polling place that falls wholly or partly outside the polling district.

2.8 It should be noted that for the purpose of taking the poll in England and Wales, the Returning Officer is entitled to use free of charge schools maintained or assisted by a local authority as well as those schools that receive grants made out of moneys provided by Parliament.

2.9 Part of the decision-making process involves assessing if the polling place is capable of accommodating more than one polling station together with the necessary staff and equipment, particularly in circumstances where the number of electors allocated to a polling place is high.

2.10 The suitability of a room or area for use as a polling station, will reflect whether the size and layout allows for the most effective throughput of voters, including those where there is a high number of electors in the polling station at any one time on polling day. Each polling station should be designed to provide suitable conditions for the elector to vote in private, for staff to conduct elections in an efficient and effective manner and for those entitled to observe the voting process to do so without compromising the secrecy of the ballot.

### **3.0 STAGE 3 - CONSULTATION**

3.1 The consultation stage is for representations and comments on proposals for polling districts and places to be considered. There are two parts to this:

- A compulsory submission from the Returning Officer of the parliamentary constituency – this must be published (see below); and
- Submissions from other persons and bodies, including those with expertise in relation to access for disabled people.

3.2 The Returning Officer must comment on existing and proposed polling stations and must contain information on where polling stations will be placed within a polling place. The Returning Officer's submission must be published within 30 days of receipt, in a conspicuous place at the council offices and in at least one place within each parliamentary constituency. It should also be published on the council website. It is also suggested that the response could be made available in other council offices, libraries, community centres or other places where residents may visit.

3.3 The Council must consult widely on the review and seek out the views of interested groups or bodies including electors, candidates and agents, political parties and members of the council. Consultees should be asked for comment both in general and if appropriate about the particular buildings within the Council's district.

3.4 It will be particularly important to consult with those who have experience of assessing access for persons with different disabilities. These could include local disability groups and also national groups such as charities who have guides on access.

3.5 Each of the bodies consulted and any elector for a parliamentary constituency either within or partly within the Council's area may comment on any of the recommendations within the whole area. Any person or body making a comment has the right (and, indeed should be encouraged) to suggest an alternative polling place/station and to give a reason for the alternative proposal so that it may be given appropriate consideration.

#### **4.0 STAGE 4 - CONCLUDING THE REVIEW**

4.1 After considering the representations the Council must decide on the most appropriate polling districts and polling places. The final proposals must be made after taking into consideration all of the representations made. The Council must agree on the proposals for polling districts and places.

4.2 If the review results in the alteration of polling districts, the Electoral Registration Officer must make the necessary alterations to the electoral register. Any alteration is effective on the date on which the Electoral Registration Officer publishes a notice stating that the alterations have been made. If the review is concluded before publication of the annual revised register, the changes can be incorporated in the revised register to be published by 15 February 2014. Otherwise, alterations can be made by the publication of another revised register or on a notice of alteration.

4.3 Where the Electoral Registration Officer has decided to republish to incorporate the changes, they will need to publish a notice fourteen calendar days before the publication of the revised version of the register in a local newspaper, at his or her office and at some other conspicuous place or places in the area.

#### **5.0 PUBLISHING THE CONCLUSIONS OF THE REVIEW**

5.1 Once the Council has agreed on the proposals, following consideration of representations the new polling districts and polling places must be made available to the public. These should also be made available at the Council offices, in at least one place in each constituency and on the council's website. The reasons for the choice of every polling district and polling place must be given.



5.2 Along with the reasons for the final decision of the review, there is a range of other details that must also be published, including all correspondence and representations received, details of the designation of polling districts and places as a result of the review and details of where the results of the review have been published.

## **6.0 THE APPEALS PROCESS**

6.1 Following the conclusion of the Council's Review, there is a right to make representations to the Electoral Commission.

6.2 The Commission must set out in writing its conclusions and the reasons for its decision. The Commission's decision will be issued to the person(s) who made the representation, the Council and the Returning Officer. The decision and related documents will also be published on the Commission's website. Councils are advised to publish the outcome of the appeal in the same way as the results of the review are published.

6.3 The Commission may direct the Council to consider any alterations to the polling places that the Commission deems necessary under the review. After two months, if the Council has failed to make the alterations, the Commission can itself make the alterations as if the Council had implemented them.

## Equality Impact Assessment Form



<b>Directorate: Transformation &amp; Resources</b>	<b>Service: Legal and Democratic Services</b>
<b>Completed by: Thomas Lynan</b>	<b>Date: 10/01/24</b>
<b>Subject Title: STATUTORY POLLING REVIEW 2024</b>	
<b>1. DESCRIPTION</b>	
Is a policy or strategy being produced or revised:	No
Is a service being designed, redesigned or cutback:	Yes
Is a commissioning plan or contract specification being developed:	No
Is a budget being set or funding allocated:	No
Is a programme or project being planned:	Yes
Are recommendations being presented to senior managers and/or Councillors:	Yes
Does the activity contribute to meeting our duties under the Equality Act 2010 and Public Sector Equality Duty ( <b>Eliminating unlawful discrimination/harassment, advancing equality of opportunity, fostering good relations</b> ):	Yes
Details of the matter under consideration:	STATUTORY POLLING REVIEW 2024
<i>If you answered <b>Yes</b> to any of the above <b>go straight to Section 3</b></i> <i>If you answered <b>No</b> to all the above <b>please complete Section 2</b></i>	
<b>2. RELEVANCE</b>	
Does the work being carried out impact on service users, staff or Councillors (stakeholders):	
If <b>Yes</b> , provide details of how this impacts on service users, staff or Councillors (stakeholders): <i>If you answered <b>Yes</b> go to <b>Section 3</b></i>	
If you answered <b>No</b> to both Sections 1 and 2 provide details of why there is no impact on these three groups:	
<b>3. EVIDENCE COLLECTION</b>	
Who does the work being carried out impact on, i.e. who is/are the stakeholder(s)?	There is a direct impact on members of the public, employees, elected members and or other stakeholders.
If the work being carried out relates to a universal service, who needs or uses it most? (Is there any particular group affected more than others)?	All groups are affected.

Which of the protected characteristics are most relevant to the work being carried out?	
Age	No
Gender	No
Disability	Yes
Race and Culture	No
Sexual Orientation	No
Religion or Belief	No
Gender Reassignment	No
Marriage and Civil Partnership	No
Pregnancy and Maternity	No
<b>4. DATA ANALYSIS</b>	
In relation to the work being carried out, and the service/function in question, who is actually or currently using the service and why?	Members of the public currently use the service because it is a universal service integral to the function of the Council.
What will the impact of the work being carried out be on usage/the stakeholders?	Changes to polling arrangements.
What are people's views about the services? Are some customers more satisfied than others, and if so what are the reasons? Can these be affected by the proposals?	All relevant stakeholders have the opportunity to express their views through consultation.
What sources of data including consultation results have you used to analyse the impact of the work being carried out on users/stakeholders with protected characteristics?	All relevant stakeholders have the opportunity to express their views through consultation.
If any further data/consultation is needed and is to be gathered, please specify:	All relevant stakeholders have the opportunity to express their views through consultation.
<b>5. IMPACT OF DECISIONS</b>	
In what way will the changes impact on people with particular protected characteristics (either positively or negatively or in terms of disproportionate impact)?	Changes to the area in which they vote, and in some cases a change to the Polling Place where they would vote. This is expected to have a neutral or positive impact on electors.
<b>6. CONSIDERING THE IMPACT</b>	
If there is a negative impact what action can be taken to mitigate it? (If it is not possible or desirable to take actions to reduce the impact, explain why this is the case (e.g. legislative or financial drivers etc.).)	Changes are expected to have a neutral or positive impact.
What actions do you plan to take to address any other issues above?	No actions <i>If no actions are planned state no actions</i>

**7. MONITORING AND REVIEWING**

When will this assessment be reviewed and who will review it?

This assessment will be reviewed as and when further reviews of the polling estate are required.