

CEREDIGION COUNTY COUNCIL

Report to: Cabinet

Date of meeting: 5th September 2023

Title: Polling District and Places Review 2023

Purpose of the report: The purpose of this report is to seek a recommendation from Cabinet for approval of plans for a statutory review of polling districts and polling places within the County of Ceredigion.

For: Decision

Cabinet Portfolio and Cabinet Member: Councillor Bryan Davies, Leader of the Council and Cabinet Member for Democratic Services, Policy, Performance and People and Organisation

Background

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.

The following definitions may be helpful when reading the report and Appendices.

- “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.

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.

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.

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.

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.

In addition, the Boundary Commission for Wales has undertaken 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.

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.

These issues mean it is important that the polling district and places review is carried out as early as possible, so that Ceredigion Council has agreed polling districts and places to be used for the next parliamentary election as well as the Police and Crime Commissioner elections in May 2024 and has a polling scheme in place.

Timing of the polling district and places review

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 in 2024.

Section 18C of the Representation of the People Act 1983 does not allow the review to commence before 1 October 2023.

It is recommended that the compulsory polling district and places review commences on Monday, 2 October 2023.

Timetable

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.

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 competing demands for the Electoral Services Team as well as the Council meeting timetable, it is unlikely that the review 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. This is the proposed timetable for the review:

Review of polling districts and places 2023	
Preparatory work	Commenced Spring 2023
Preliminary review – including informal consultation	July to 1 October 2023
Resolution from council providing for commencement of review	Tuesday, 5 September 2023
Notice of review published	Monday, 2 October 2023
Council proposals published	Monday, 2 October 2023

Commencement of formal consultation	Monday, 2 October 2023
End of formal consultation	Friday, 10 November 2023
Consider responses	By 24 November 2023
Publish electoral register (with existing polling districts)	1 December 2023
Final proposals published via meeting agenda papers and website	19 January 2024
Council meeting for final decision	25 January 2024
Republish electoral register (if any new or amended polling districts)	1 February 2024
Scheduled elections on new polling districts, places and stations scheme	2 May 2024

Review process

Legal requirements

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.

Implementing polling district changes

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).

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 will take place with the republishing of the electoral register (if there are any new or amended polling districts) on 1 February 2024.

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.

	Has an Integrated Impact Assessment been completed? If, not, please state why	No. An IIA will be completed as part of the Review.
Wellbeing of Future Generations:	Summary: Long term: N/A Collaboration: N/A Involvement: N/A Prevention: N/A Integration: N/A	
Recommendation(s):	<ol style="list-style-type: none">1. That the compulsory polling district and places review commences on Monday, 2 October 2023;2. That the outline timetable and process for the review is approved.	
Reasons for decision:	To ensure compliance with legislation.	
Overview and Scrutiny:	Not applicable.	
Policy Framework:	<ul style="list-style-type: none">• Council's Constitution;• Section 18 and 18A of the Representation of the People Act 1983;• Electoral Administration Act 2006 (as amended).	
Corporate Well-being Objectives:	Not applicable.	
Finance and Procurement implications:	To be determined as part of the Review.	
Legal Implications:	Adherence to: <ul style="list-style-type: none">• Section 18 and 18A of the Representation of the People Act 1983	

- Electoral Administration Act 2006 (as amended).

Staffing implications: None.

Property / asset implications: To be determined as part of the Review.

Risk(s): Failure to meet legislative requirements.

Statutory Powers:

- Section 18 and 18A of the Representation of the People Act 1983
- Electoral Administration Act 2006 (as amended).

Background Papers: None.

Appendices: None.

Corporate Lead Officer: Lowri Edwards
Corporate Lead Officer: Democratic Services

Reporting Officer: Lowri Edwards,
Corporate Lead Officer: Democratic Services

Date: 7th August 2023