

Brighton & Hove City Council

Policy & Resources Committee

Agenda Item 107

Subject: Full Review of Polling Districts and Polling Places 2023

Date of meeting: 19 January 2023

Report of: Executive Director for Governance, People & Resources

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Ward(s) affected: All

For general release

Note: Urgency

By reason of the special circumstances below, and in accordance with section 100B(4)(b) of the 1972 Act, the Chair of the meeting has been consulted and is of the opinion that this item should be considered at the meeting as a matter of urgency.

Note: Reasons for urgency

The special circumstances for non-compliance with Council Procedure Rule 3, Access to Information Procedure Rule 5 and Section 100B(4) of the Local Government Act 1972 (as amended), (items not considered unless the agenda is open to inspection at least five days in advance of the meeting) were that the Local Government Boundary Commission for England delayed publication of the final ward scheme from July until October. This led to a delay in developing and consulting on a revised polling district scheme based on the new wards. Responses to the consultation could not be fully analysed until the first week of January – after the consultation closed.

1. Purpose of the report and policy context

- 1.1 This report deals with the statutory review of all polling places and polling districts within Brighton & Hove. The Council is required to keep all polling districts and polling places under review and a comprehensive review was necessary following the ward boundary review and legislative changes to the administration of elections.
- 1.2 A consultation on proposed changes took place between 1 and 31 December 2022. Respondents were invited to provide comments and alternatives.

2. Recommendations

- 2.1 That Committee agrees the polling district and polling place scheme outlined in Appendix 1.

- 2.2 That Committee delegates authority to the Executive Lead for Governance, People & Resources to take all measures as are necessary or incidental, as required by law, to implement the changes indicated in para 2.1.
- 2.3 That Committee delegates authority to the Returning Officer to designate alternative polling places, in the event of any polling place being unavailable, at any elections taking place prior before the next full review of polling places. Group Leaders and respective ward Councillors should be consulted prior to confirming any changes.

3. Context and background information

- 3.1 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 for UK Parliamentary elections. It must keep these arrangements under review. The arrangements made for parliamentary elections are used at other elections.
- 3.2 The (Acting) Returning Officer is responsible for administering parliamentary elections. At Brighton & Hove this is the Chief Executive. The (Acting) Returning Officer must be consulted and comment on polling district and polling place reviews.
- 3.3 Following the completion of the Local Government Boundary Commission for England's review of Brighton & Hove's wards, it was necessary to comprehensively review all polling districts to align these to the new ward boundaries. Polling places had to be proposed for each polling district.
- 3.4 The review was undertaken in the context of several significant changes to the administration of elections including the Parliamentary Constituency Boundary Review, the Dissolution and Calling of Parliament Act 2022 and the Elections Act 2022. Further information about these changes and their impact can be found in Appendix 1 – pages 1-3.
- 3.5 In consultation with the (Acting) Returning Officer, the Electoral Services Management Team, Elections Project Board and the Council's Group Leaders it was agreed that to mitigate the impact of the changes. It was agreed that the new scheme should be developed with the following principles:
 - assign a polling place to each polling district and elector
 - so far as is reasonable and practicable ensure every polling station is accessible to electors who are disabled
 - help facilitate the safe and efficient delivery of local and parliamentary elections
 - reduce the number of polling places and increases the number of double/triple stations, where possible. This will enable polling places to benefit from a higher proportion of senior staff who can deal with queries

- ensure the majority of polling stations have between 1,250 to 1,750 polling station electors. This will ensure that polling stations are not too busy or quiet, our staffing resources are best utilised and Electoral Commission ratios do not require further polling station splits.
- so far as is reasonable and practicable, ensure electors will not have to walk more than 15 minutes to their polling place
- where possible, limit the use of schools
- where possible, avoid the use of temporary buildings
- implement the LGBCE ward boundary changes
- futureproof against proposed BCE parliamentary boundary changes
- ensure a wide audience are consulted about the changes

3.6 The new scheme proposes a total of 91 polling districts and 86 polling places. It is anticipated that there will be 118 polling stations. From the previous scheme, this is a reduction from 115 polling districts and 107 polling places.

4. Analysis and consideration of alternative options

- 4.1 The (Acting) Returning Officer and their staff reviewed all polling district and places – assessing their location within the district and step free access. Comments on the current venues were also requested from polling staff and the relevant ward members. Visits were undertaken to potential venues to assess their suitability.
- 4.2 Appendix 2 provides all the responses received during the consultation and the (Acting) Returning Officer’s comments on these.
- 4.3 Four responses were received regarding topography and the location of polling places. When designing the polling districts, topography had been considered in conjunction with our aim to make polling places within a 15minute walk. Following the consultation, we have considered the proposed alterations but have ultimately not changed the proposals. The proposed polling places are located under our agreed limit, close to bus stops that serve the district and other local amenities. Moreover, moving the polling place to advantage one set of electors could ultimately disadvantage another set.
- 4.4 Two responses were received that questioned why minor changes had been made to equalise electorates and the placement of polling district boundaries down the middle of roads. The respondents suggested this could confuse electors. Changes to the scheme have not been made based on these responses.
- 4.5 Due to the ward boundary changes and the introduction of Voter ID, this review has proposed a significant amount of change compared with recent reviews. However, middle of the road street splits are not uncommon within the previous scheme nor the previous warding. While the placement of

boundaries down the middle of roads may be necessary for electorate equalisation it also provides an element of futureproofing. The alternative is for boundaries to go behind houses but this can lead to revisions being necessary due to new developments.

- 4.6 To ensure that electors are well informed of the changes - polling station electors will be receiving up to 3 communications between January and April confirming the location of their polling place. These include - a letter or email regarding Voter ID requirements and the location of their new polling place, a poll card and an election information email. The Electoral Registration and Returning Officer now holds email addresses, in accordance with appropriate consents and safeguards, more than 75% of the electorate.

5. Community engagement and consultation

- 5.1 The consultation period for this review ran from 1 to 31 December 2022. Public notice of the review was given, and information about the review was made available on the Council's website and on the Council's consultation portal. Any elector residing in the Brighton Kemptown, Brighton Pavilion and Hove constituencies were invited to make representations. Hard copies of the consultation document were available on request.
- 5.2 The consultation paper, together with maps of each ward showing the polling district boundaries, can still be viewed on the Council's website at: [Review of Polling Districts and Polling Places \(brighton-hove.gov.uk\)](https://www.brighton-hove.gov.uk/review-of-polling-districts-and-polling-places)
- 5.3 Ward Councillors, Members of Parliament, local political parties and other interested groups or persons were consulted.
- 5.4 Several comments were received in response to the consultation. These are summarised in Appendix 2 along with a response from the (Acting) Returning Officer.

6. Conclusion

- 6.1 The Council is required to designate polling districts and suitable polling places for electors to cast their vote at and satisfy the (Acting) Returning Officer's requirements. The proposed changes provide more than satisfactory arrangements. Approval of these changes will allow the Returning Officer to continue their preparations for the local elections in May 2023, the Police and Crime Commissioner election in May 2024 and any further unscheduled polls.

7. Financial implication

There are no material financial implications arising from the report. Any costs arising from the review are expected to be met within existing resources.

Name of finance officer consulted: Peter Francis Date consulted 06/01/23:

8. Legal implications

- 8.1 Under sections 18A to 18E of the Representation of the People Act 1983 as amended by the Electoral Registration Act 2006, local councils are required to keep the designation of polling places as well as polling districts under review. In doing so they must act so as to give all electors in their area such reasonable facilities for voting as are practicable in the circumstances.
- 8.2 The Policy & Resources Committee is the Council body with delegated authority to exercise the Council's functions in relation to electoral matters.

Name of lawyer consulted: Victoria Simpson Date consulted 6/1/2023:

9. Equalities implications

- 9.1 The Council is required to have due regard to its public sector equality duties (section 149 of the Equality Act 2010) in the exercise of all its functions. Advancing equality of opportunity by ensuring that steps are taken to facilitate the electorate's exercise of their right to vote is a clear imperative. As a result, the Council must ensure that, so far as is reasonable and practical, every polling place for which it is responsible is accessible.
- 9.2 The (Acting) Returning Officer and their staff actively seek suitable venues. However, in some cases a polling place may not have step free access. In these situations, the (Acting) Returning Officer will provide the polling place with a ramp or will work with the venue to find an alternative measure. This occurred in 2018 at St Patrick's Riverside where a new platform lift was installed to ensure the polling place was accessible.
- 9.3 Possibility People, a local charity set up to support and involve disabled people in issues affecting their lives, were provided with the consultation document for their comment. The Communities team also distributed the consultation to other groups.
- 9.4 An Equalities Impact Assessment is being undertaken and where impacts are identified mitigating actions and adjustments are being considered. This includes providing communications regarding the location of polling places and the promotion of postal voting as an alternative. The (Acting) Returning Officer will be undertaking further consultation and further review of the Equalities Impact Assessment after the local elections to assess the impacts of the review and will consider whether any alterations to the scheme should be made.

10. Sustainability implications

- 10.1 The reduction in polling places should result in the decrease of energy use to heat and light venues. It should also all allow the Returning Officer to reduce the number of printed materials for display in polling places. While the use of more double stations may allow for more polling station staff to share transport to the venue.

- 10.2 Ensuring, so far as is reasonable and practicable, electors will not have to walk more than 15 minutes to their polling place should ensure most electors do not need to use transport to attend their polling station.

Supporting Documentation

1. Appendices

1. Full Review of Brighton & Hove Polling Districts and Places Consultation Paper and (Acting) Returning Officer Comment
2. Responses to the Full Review of Brighton & Hove Polling Districts and Places Consultation Paper and (Acting) Returning Officer Comment