

# Brighton & Hove City Council

## Strategy, Finance and City Regeneration Committee

## Agenda Item 88

**Subject:** Full Review of Polling Places 2023/24

**Date of meeting:** 25 January 2024

**Report of:** Executive Director for Governance, People & Resources

**Contact Officer:** Name: Michael Appleford, Head of Electoral Services &  
Local Land Charges  
Tel: 01273 2997  
Email: michael.appleford@brighton-hove.gov.uk

**Ward(s) affected:** All

**For general release**

### **1. Purpose of the report and policy context**

- 1.1 This report deals with the statutory review of all polling places within Brighton & Hove. The Council is required undertake a full review of all polling districts and polling places within the period of 16 months that starts on 1 October of every fifth year after 1 October 2013.
- 1.2 Due to the South Portslade by-election and Neighbourhood Plan Referendums taking place early this year, the polling district scheme was confirmed by an urgent decision taken by the Chief Executive under the Scheme of Delegation to Officers Paragraph 7(2).
- 1.3 A significant review took place in 2022 following the Local Government Boundary Commission for England's Review of the city's wards. The review of polling places set out in this report predominately reconfirms the 2022 scheme - making changes only when necessary.
- 1.4 A consultation on proposed changes took place between 1 and 31 October 2023. Respondents were invited to provide comments and alternatives.

### **2. Recommendations**

- 2.1 That Committee agrees the polling place scheme outlined in Appendix 3.
- 2.2 That Committee delegates authority to the Executive Director 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 poll taking place prior before the next full review of polling places,

subject to Group Leaders and respective ward Councillors being consulted prior to any changes being confirmed.

### **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 and undertake a full review of all polling districts and polling places within the period of 16 months that starts on 1 October of every fifth year after 1 October 2013.
- 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 The Boundary Commission for England (BCE) completed their review of parliamentary constituencies in July 2023. This review split a polling district in Hanover & Elm Grove ward between Brighton Pavilion and Brighton Kemptown & Peacehaven constituencies. The new polling district scheme must allow for parliamentary elections to take place on the current constituency boundaries until the next general election - when the new boundaries will be used.
- 3.4 Design principles, like those followed in 2022, were used when reviewing the scheme. These are:
  - assign a polling place to each polling district and elector
  - ensure polling places are nearby to electors and located close to public transport routes and local amenities, so far as is reasonable and practicable
  - ensure every polling place has step free access or can be provided with a ramp, so far as is reasonable and practicable
  - help facilitate the safe and efficient administration and delivery of local and parliamentary elections
  - have a high proportion of double/triple stations - this will enable polling places to benefit from a higher proportion of senior staff who can resolve issues.
  - ensure most polling stations have between 1,250 to 1,750 polling station electors - this will ensure that polling stations are not too busy or quiet, staffing resources are best utilised and Electoral Commission ratios do not require further polling station splits.
  - where possible, limit the use of schools
  - avoid the use of temporary buildings
  - implement the BCE parliamentary boundary changes

#### **4. Analysis and consideration of alternative options**

- 4.1 The (Acting) Returning Officer and their staff reviewed all polling 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 A scheme and consultation document were published (see Appendix 1) and consulted on during October. Appendix 2 provides all the responses received during the consultation and the (Acting) Returning Officer's comments on these.
- 4.3 103 consultation responses were received regarding the use of Elm Grove Primary School as a polling place. Across the responses several alternative sites were suggested. The alternatives were not suitable for a range of reasons including: being unavailable, converted into flats, already at the maximum capacity of electors or in an unsuitable and/or inaccessible location.
- 4.4 In line with the design principles, the Returning Officer has significantly limited the use of schools as polling places with schools only used when a suitable alternative is unavailable. Due to the scale of consultation responses received in opposition to the use of Elm Grove Primary School, an alternative space in Wellington House has been identified. This will require either Families, Children & Learning and NHS staff to be relocated and a space cleared or for the Council to enable statutory provision to service users at a different location. Returning Officer staff are finalising these arrangements to determine the least disruptive option. Wellington House has a significant slope at the egress that may need to be used. This has some impact on accessibility however, this will be mitigated by Returning Officer staff providing proactive customer service.
- 4.5 During the consultation, the Returning Officer was made aware that St Richard's Church Hall, Mountfields was no longer available. Following consultation with ward Councillors this has been replaced in the scheme by Hollingdean Community Centre, Thompson Road.
- 4.6 National election expenses are retrospectively reimbursed by the Election Claims Unit (ECU) of the Department of Levelling Up, Housing and Communities. Guidance to Returning Officers states they must seek best value. A failure to use available public buildings, which legislation allows for, and are already funded from the Consolidated Fund, may result in the Council having to cover costs incurred..

#### **5. Community engagement and consultation**

- 5.1 The consultation period for this review ran from 1 to 31 October 2023. 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.

Electors 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: [2023 Full Review of Brighton & Hove Polling Districts and Places Consultation Paper and \(Acting\) Returning Officer Comment \(brighton-hove.gov.uk\)](https://www.brighton-hove.gov.uk/2023-Full-Review-of-Brighton-&-Hove-Polling-Districts-and-Places-Consultation-Paper-and-(Acting)-Returning-Officer-Comment)
- 5.3 Ward Councillors, Members of Parliament, local political parties and a significant number of Equalities, Diversity and Inclusion groups were sent the consultation documents for feedback.
- 5.4 108 comments were received in response to the consultation. These are summarised in Appendix 2 along with responses from the (Acting) Returning Officer.

## **6. Conclusion**

- 6.1 The Council is required to designate suitable polling places which 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 Police and Crime Commissioner election in May 2024 and the unscheduled general election which will take place by 28 January 2025.

## **7. Financial implications**

- 7.1 There are no material financial implications arising from the report. Any costs arising from the review are expected to be met within existing resources.
- 7.2 However, it should be noted that national elections expenses are retrospectively reimbursed by the ECU. The Returning Officer will therefore need to demonstrate best value and should the ECU then the Council may need to cover some of the costs incurred.

Name of finance officer consulted: Ishemupenyu Chagonda Date consulted: 11/01/24

## **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 Strategy, Finance & City Regeneration Committee is the Council body with delegated authority to exercise the Council's functions in relation to electoral matters.

Name of lawyer consulted: Elizabeth Culbert Date consulted 12/01/24

## **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.
- 9.3 The consultation document along with an email encouraging a response was sent to the Equalities, Diversity and Inclusion team's list of public contacts. This included Possibility People, a local charity set up to support and involve disabled people in issues affecting their lives.
- 9.4 The Returning Officer is completing an EIA. The draft has identified that young people at school could be disproportionately impacted should a school choose to close when used as a polling place. This could be mitigated by INSET days and/or the Returning Officer avoiding the use of schools.

## **10. Sustainability implications**

- 10.1 The continued reduction in polling places should result in the decrease of energy use to heat and light venues. It also allows the Returning Officer to reduce the amount of printed materials for display in polling places. The double stations can allow for polling station staff to share transport to the venue.
- 10.2 Ensuring, polling places are nearby to electors and located close to public transport routes and local amenities, should reduce the need for voters to use private 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
3. Final Scheme of Polling Places