

North Tyneside Council

Report to Council

Date: 1 February 2024

Title: Review of Polling Districts and Polling Places

Portfolio(s): Elected Mayor	Cabinet Member(s): Dame Norma Redfearn DBE
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Report from Service Area: Governance

Responsible Officer: Jon Ritchie
Director of Resources

Tel: (0191) 643 5720

Wards affected: All

PART 1

1.1 Executive Summary:

The Representation of the People Act 1983 (as amended by the Electoral Registration and Administration Act 2013) introduced a compulsory duty for all parliamentary polling districts and polling places to be reviewed every five years. Such a compulsory review in North Tyneside fell due to take place in a period commencing not earlier than 1 October 2023, and public notice of the review was therefore published on 3 October 2023.

This review of polling districts and polling places has taken the opportunity to consider and reflect the outcomes from ‘the 2023 Review’ undertaken by the Boundary Commission for England (BCE) which has made changes to Parliamentary constituencies which cover North Tyneside, and which will become effective from the date of the next UK Parliamentary election to be called; and the outcomes of a separate Electoral Review recently concluded by the Local Government Boundary Commission for England (LGBCE), which will change North Tyneside’s wards and ward boundaries, effective from the next local elections on 2 May 2024.

This report sets out the Returning Officer's final proposals for polling districts and polling places arising from the compulsory review having considered all responses received during consultation undertaken during the review process.

A relevant local authority is required to formally consider the results of the compulsory review of polling places and polling districts (hereafter referred to as 'the review'), decide on future polling district and polling place arrangements, and to publish its findings.

1.2 Recommendation(s):

It is recommended that Council:

1. Notes the outcome of the review of polling places and polling districts and approves the Returning Officer's proposals as set out in **Appendix 1**; and
2. Authorises the Returning Officer to publish the outcome of the review of polling places and polling districts (as agreed by Council) at Quadrant, The Silverlink North, Cobalt Business Park, NE27 0BY, in at least one conspicuous place within the Authority's area and on the Authority's website.

1.3 Forward Plan:

This report was included on the Forward Plan published on 8 December 2023.

1.4 Council Plan and Policy Framework

This report does not align directly to any of the priorities in the Council Plan but is required to ensure compliance with the relevant legislation, namely the Representation of the People Act 1983 (as amended by the Electoral Registration and Administration Act 2013).

1.5 Information:

Background

- 1.5.1 A polling district is a geographical area created by the sub-division of an electoral area, such as a parliamentary constituency or council ward, for the purposes of administering an election. A polling place is the building or area in which the Returning Officer will allocate a polling station. A polling station is the room / area within the polling place where the actual process of voting

takes place. Unlike polling districts which are fixed by the local authority, polling stations are chosen by the Returning Officer for the election.

- 1.5.2 It is a legal requirement for relevant local authorities to periodically review polling districts and polling places within their area. The Electoral Registration and Administration Act 2013 introduced a change to the timing of compulsory reviews of UK Parliamentary polling districts and polling places, requiring that such reviews must take place every five years commencing from October 2013. The last review of polling places and polling districts in North Tyneside commenced in October 2018 and concluded in September 2019. The current five-yearly review must commence no earlier than 1 October 2023 and be concluded within 16 months of that date.
- 1.5.3 As part of the compulsory review local authorities must consider the accessibility of potential polling stations when considering designating or reviewing a polling place. All electors should have such reasonable facilities for voting which are practicable in the circumstances; and so far as is reasonable and practicable every polling place must be accessible to electors who are disabled. The Electoral Commission has published information on factors to be considered when reviewing existing polling places or when assessing new polling places, including location, size, availability, accessibility requirements (an accessibility checklist) and the requirements of the Elections Act 2022. This guidance, along with all legal requirements, has been carefully considered during the review.
- 1.5.4 It should be noted that polling places and polling districts adopted for Parliamentary elections will also be effective for local government elections.

Recent Boundary Reviews

- 1.5.5 In 2023 the Boundary Commission for England (BCE) made final recommendations regarding the future location and boundaries of UK Parliamentary constituencies in what has become known as 'the 2023 Review'. This makes changes to constituencies covering North Tyneside which will be effective from the next Parliamentary general election to be called. From the time of the next Parliamentary election, the geographical area of North Tyneside will be covered by Tynemouth Borough Constituency; part of Newcastle upon Tyne East and Wallsend Borough Constituency; part of Newcastle upon Tyne North Borough Constituency; and part of Cramlington and Killingworth Constituency.

- 1.5.6 Meanwhile in 2021 the Local Government Boundary Commission for England (LGBCE) notified the Authority of its intention to conduct an Electoral Review of North Tyneside. This Electoral Review took place between 2021 and 2023. Final recommendations were published by the LGBCE on 31 October 2023 and a draft Order, which will give effect to these recommendations, was laid before Parliament on 12 December 2023. The Order is expected to lie in Parliament for 40 parliamentary days, after which time it will be approved and made. The LGBCE's recommendations make changes to all of North Tyneside's current wards and ward boundaries.
- 1.5.7 Accordingly, as part of this review, it has been necessary to reflect the BCE's changes to Parliamentary constituencies; and to reflect the imminent LGBCE changes to North Tyneside's wards. The review has also addressed the fact that following the BCE and LGBCE reviews, Parliamentary and ward boundaries will not initially be coterminous, requiring the designation of specific polling districts to manage this.
- 1.5.8 The recommendations in the proposals presented to Council in this report therefore take account of all upcoming changes created from the respective BCE and LGBCE boundary reviews, effective from the next Parliamentary and local election dates (respectively).

Process of Review

- 1.5.9 A public notice advising of the details of the review was published on the Authority's website, and at the Authority's Quadrant Office and in Customer First Centres, on 3 October 2023. This launched an initial period of public consultation which ran from 3 October 2023 to 20 November 2023. This public consultation was also highlighted via the Authority's social media channels.
- 1.5.10 Any elector in the constituency may make representations on the designation of polling places and this was emphasised in the public notice, on the Authority's website and in the Authority's social media postings. Representations were also specifically invited from current Members of Parliament in North Tyneside, all serving North Tyneside Councillors, the Elected Mayor and political parties known to be active in North Tyneside (i.e. those political parties which have fielded candidates to stand for election in the most recent polls held). The (Acting) Returning Officers of neighbouring constituencies which will cover parts of North Tyneside following the 2023 Review were also invited to make representations, as required by legislation. By doing so, key stakeholders involved in the electoral process have been given the opportunity to participate in the review.

- 1.5.11 In reviewing polling places, representations were actively sought from persons / organisations considered to have particular expertise in relation to the access to premises and facilities for persons who have different forms of disability. Assistance was sought from the North Tyneside Disability Forum to assist in the fulfilment of this requirement.
- 1.5.12 Following the initial consultation period which ended on 20 November 2023, the Returning Officer produced and published a set of proposals for future polling districts and polling places on 4 December 2023. Again, the views of those stakeholders referenced above were sought and representations were invited in a second round of consultation which ran from 4 December 2023 to 1 January 2024.
- 1.5.13 Having considered all representations received, and having regard to legislative requirements and the Electoral Commission's guidance, the Returning Officer has produced a final set of proposals attached to this report as **Appendix 1** for Council's consideration. These proposals also reflect experience gained from recent elections and feedback of elections staff who have managed polling stations at these elections, along with feedback from other stakeholders in the elections process, and the likely availability of premises for future elections. For these reasons, these proposals are recommended for approval by full Council.
- 1.5.14 Any changes agreed by Council to polling districts will be incorporated in a republished Register of Electors in February 2024. Notice of intention to republish the Register of Electors after full Council has made its decision on the matters in this report appeared in the Journal Newspaper, and in public notices displayed within the Quadrant site and in Customer First Centres, from 18 January 2024. The Register will be republished after 1 February 2024 and any amendments agreed to the proposed list of polling places will be introduced at elections held after that date.
- 1.5.15 Following the current review, details of the new polling districts and polling places must be made available to the public at the Authority's offices at Quadrant, in at least one conspicuous place in each constituency, and on the Authority's website. Together with the reasons for the final decision of the review, the following must also be published:
- (a) all correspondence sent to the Returning Officer in connection with the review

- (b) all correspondence sent to any person whom the authority contacted because they have particular expertise in relation to access to premises or facilities for disabled people
- (c) all representations made by any person in connection with the review
- (d) the minutes of any meeting held by the authority to consider any revision to the designation of polling districts or polling places within its area as a result of the review
- (e) details of the designation of polling districts or polling places within its area as a result of the review; and
- (f) details of the places where the results of the review have been published.

1.5.16 Following the conclusion of the review, certain persons have a right to make representations to the Electoral Commission if those persons consider that the review has not met the reasonable requirements of the electors in a constituency (or any body of electors) or take sufficient account of the accessibility to disabled persons of polling stations within a designated polling place. Section 18D (1) of the Representation of the People Act 1983 sets out who may make representations to the Electoral Commission, namely:

- (a) any parish council (North Tyneside does not have any)
- (b) 30 or more registered electors in a constituency (although electors registered anonymously cannot make a representation)
- (c) a person who made representations to the Authority when the review was being undertaken
- (d) a non-electoral whom the Commission determines has a sufficient interest or expertise in relation to the accessibility of disabled persons to the polling stations.

1.5.17 All representations made to the Electoral Commission must be in writing. The representations must be as specific as possible and should clearly state the manner in which it is alleged that the Authority has failed to properly conduct the review. These are:

- (a) the Authority has failed to take into account the reasonable requirements of the electors in the constituency
- (b) the Authority has failed to take sufficient account of accessibility to disabled persons of the polling station(s) within a polling place.

1.5.18 Representations based on any other premise will not be considered. The Electoral Commission will set out in writing its conclusions and the reasons for its decision and may direct the Authority to consider any alterations to the

polling places that the Electoral Commission deems necessary under the review.

1.6 Decision options:

The following decision options are available for consideration by Council:

Option 1

To receive and agree the changes to the Polling Districts and Polling Places as set out in **Appendix 1** attached to this report.

Option 2

To request that officers undertake further work to identify alternative proposals to those submitted to full Council and report back to a future Council meeting.

Option 1 is the recommended option.

1.7 Reasons for recommended option:

Option 1 is recommended for the following reasons:

- (a) The review outlined in this report fulfils a number of important requirements on the Authority, including a duty to implement polling district and polling place arrangements which will put into effect the outcomes from recent boundary reviews undertaken by the BCE and LGBCE. With regard to changes brought about by the LGBCE review in particular, these are timebound as arrangements must be in place to reflect new ward arrangements for the forthcoming local elections which will take place on 2 May 2024. To ensure that the necessary electoral administration can be undertaken in time for the local elections on that date, it is essential that new polling districts and polling places are agreed by Council as soon as possible. If they are not agreed at this juncture there may not be sufficient time for the required preparation necessary for the local elections in May 2024. It is also important to note that a Parliamentary (general) election could be called at any time; the Authority will be required to run this according to the new Parliamentary constituency boundaries. Agreeing the proposals in this report will ensure that arrangements are in place to respond if a Parliamentary election were to be called at short notice
- (b) The review as set out has been informed by engagement with members of the public, those MPs currently serving North Tyneside, the Elected Mayor, Elected Members, and political parties active in North Tyneside

- (c) Importantly, the review has also been informed by consultation with those considered to have particular expertise in relation to the access to premises and facilities for persons who have different forms of disability
- (d) The review has also engaged with (Acting) Returning Officers for every parliamentary election to be held in a constituency which is wholly or partly in the Authority's area
- (e) The review has considered intelligence gained from debriefs following previous elections which have taken place in North Tyneside in which feedback from officers involved in administering elections, and other stakeholders, has been considered.

1.8 Appendices:

Appendix I: Review of Polling Districts and Polling Places – Returning Officer's Final Proposals (for agreement by Council)

1.9 Contact officers:

Allison Mitchell, Head of Governance (telephone 0191 643 5720)
Emma Rothery, Manager: Electoral Services (telephone 0191 643 5720)

1.10 Background information:

The following background papers/information have been used in the compilation of this report and are available at the office of the author:

- (1) Notice of Polling Districts and Polling Places Review, 3 October 2023 (<https://my.northtyneside.gov.uk/sites/default/files/notice-related-files/Notice%20of%20Polling%20District%20and%20Polling%20Place%20Review.pdf>)
- (2) Returning Officer's Submission for Consultation, 4 December 2023 (https://my.northtyneside.gov.uk/sites/default/files/notice-related-files/%28Acting%29%20Returning%20Officer%20Submission%20-%204%20December%202023%20-%20for%20consultation_0.pdf)
- (3) Interactive Map showing proposed Polling Districts, Polling Places and Polling Stations
<https://ntcouncil.maps.arcgis.com/apps/mapviewer/index.html?webmap=594a6ab672d44e9087aa8cdd569ce84e>
- (4) Representation of the People Act 1983, Schedule A1 and Section 18 ([Representation of the People Act 1983 \(legislation.gov.uk\)](#))
- (5) Electoral Registration and Administration Act 2013 ([Electoral Registration and Administration Act 2013 \(legislation.gov.uk\)](#))

- (6) 2023 Guidance issued by the Electoral Commission regarding reviews of Polling Districts and Polling Places ([Reviews of polling districts, polling places and polling stations \(electoralcommission.org.uk\)](https://www.electoralcommission.org.uk))

PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING

2.1 Finance and other resources

There are no additional costs arising from the review of Polling Places. The proposed reduction in the number of temporary polling stations will bring about a very slight reduction in costs for polling stations.

2.2 Legal

The requirements of the relevant legislation (the Representation of the People Act 1983, and the Electoral Registration and Administration Act 2013) are set out in the main body of this report. The five-yearly review of polling districts and polling places set out in this legislation is compulsory, and must be started and completed within 16 months of 1 October 2023.

In addition, the proposals as set out in this report allow the Authority to put into effect the outcomes from recent reviews by the BCE or LGBCE which are, or are shortly to become, the subject of Parliamentary Order. As such the Authority is required to implement these Orders.

It is clear from the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 that the functions relating to elections referred to in this report are matters for full Council.

2.3 Consultation/community engagement

2.3.1 Internal Consultation

The Elected Mayor and all councillors were invited to submit representations on polling places and polling places during the initial consultation period of 3 October 2023 to 20 November 2023; and again, following publication of the Returning Officer's proposals on 4 December 2023, in a second round of consultation from 4 December 2023 to 1 January 2024.

The proposals appended to this report were also shared with the Elected Member Boundary Review Group, which is a cross-party group at which all

political groups are represented and which has co-ordinated elected member input to the boundary review process.

Following the local elections in May 2023, as in previous years, feedback on the election arrangements was sought from a variety of Authority staff who participated in the administration of the election including Polling Station Inspectors and Polling Station Officers.

2.3.2 External consultation / engagement

An initial public consultation exercise was undertaken during the period 3 October 2023 to 20 November 2023, with a further round of consultation in relation to the Returning Officer's draft proposals which were published on 4 December 2023 and which ran until 1 January 2024.

This was open to all North Tyneside residents and publicised via the Authority's website and through social media. Letters inviting representations were sent to the current North Tyneside Members of Parliament, to North Tyneside Disability Forum, to (Acting) Returning Officers of areas which will cover parts of North Tyneside following the 2023 Review, and to political parties known to have been recently active in North Tyneside.

2.4 Human rights

This report supports Protocol 1 Article 3 of the Human Rights Act which provides a right to free elections.

2.5 Equalities and diversity

The proposals support the Authority's equality and diversity responsibilities by seeking to provide all electors with reasonable and practicable facilities to vote. A 'Business as Usual' Equality Impact Assessment has been undertaken. Changes to the current polling place /polling district proposals will be subject to further equality impact assessments as they arise.

2.6 Risk management

Risks have been assessed and will be escalated for management if required under the Authority's established risk hierarchy.

2.7 Crime and disorder

There are no crime and disorder implications arising from this report.

2.8 Environment and sustainability

There are no environment and sustainability implications arising from this report.

PART 3 – SIGN OFF

- Chief Executive X
- Director(s) of Service X
- Mayor/Cabinet Member(s) X
- Chief Finance Officer X
- Monitoring Officer X
- Assistant Chief Executive X