

This report is public	
Polling District and Polling Places Review 2024	
Committee	Council
Date of Committee	22 May 2024
Portfolio Holder presenting the report	N/A
Date Portfolio Holder agreed report	N/A
Report of	Monitoring Officer & Assistant Director Law and Governance, Shiraz Sheikh

Purpose of report

To endorse the plans for a statutory review of polling districts and polling places within the administrative boundary of Cherwell District Council.

1. Recommendations

Council resolves:

- 1.1 To endorse the proposed timetable for the review of polling districts, polling places and polling stations in the Cherwell district.
- 1.2 To establish an informal cross-party Polling Place and District Boundary Review working with 9 members (3 Liberal Democrat, 2 Labour, 2 Conservative, 1 Green/Independent and 1 Independent) reflecting the political make-up of the Council and delegate authority to the Monitoring Officer & Assistant Director Law and Governance to finalise the membership in consultation with Group Leaders.

2. Executive Summary

- 2.1 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 and, under section 18C of the Representation of the People Act 1983, Councils must undertake a compulsory review within a 16-month window between 1 October 2023 and 31 January 2025.
- 2.2 This report sets out the legal framework that underpins a statutory review of polling districts and places and proposes a plan for completion of the review.

Implications & Impact Assessments

Implications	Commentary			
Finance	<p>The only direct financial implications arising from this report relate to the necessary publishing / advertisement of the proposals in due course. These are mandatory and are anticipated to be in the region of £1000, which can be accommodated from existing budgets.</p> <p>Michael Furness, Assistant Director of Finance (S151 Officer), 8 May 2024.</p>			
Legal	<p>The Review will be carried out in accordance with the Electoral Administration Act 2013 and Representation of the People Act 1983.</p> <p>Monitoring Officer & Assistant Director Law & Governance, 8 May 2024</p>			
Risk Management	<p>Failure to carry out a review would be in breach of the Council's statutory duties.</p> <p>Celia Prado-Teeling, Performance Team Leader, 8 May 2024</p>			
Impact Assessments	Positive	Neutral	Negative	Commentary
Equality Impact				<p>Every eligible voter must have the same opportunity to vote in secret, there should be no discrimination due to disability, age, race, gender etc.</p>
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?				<p>Every eligible voter must have the same opportunity to vote in secret, there should be no discrimination due to disability, age, race, gender etc.</p> <p>The process for a polling district and places review as set out in Schedule A1, Representation of the People Act 1983 requires the council to 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).</p>
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?				<p>Every eligible voter must have the same opportunity to vote in secret, there should be no discrimination due to disability, age, race, gender etc.</p>
Climate & Environmental Impact				N/A

ICT & Digital Impact				N/A
Data Impact				N/A
Procurement & subsidy				N/A
Council Priorities	N/A – statutory requirement to undertake the review			
Human Resources	N/A			
Property	N/A			
Consultation & Engagement	The timetable takes into account the need for an adequate period for consultation. Following publication of the notice of review, representation will be invited on proposals. All elected Members, Town and Parish Councils, political parties and residents of Cherwell District Council will be given the opportunity to comment and make representations on the proposals. Views from residents with disabilities and local access groups will also be sought.			

Supporting Information

3. Background

- 3.1 Sections 18A and 18B of the Representation of the People Act 1983 require that the Council must (i) divide its area into polling districts for UK Parliamentary elections; (ii) designate a polling place for every polling district; and (iii) keep the polling districts and polling places under review.
- 3.2 The Act provides the following definitions:
- Polling district: a geographical area created by the sub-division of a UK Parliamentary constituency for the purposes of a UK Parliamentary election.
 - Polling place: the building or area in which polling stations will be selected by the (Acting) Returning Officer.
 - Polling station: the room or area within the polling place where voting takes place.
- 3.3 The review requires us to seek to ensure that: all the electors in the constituency have such reasonable facilities for voting as are practicable in the circumstances; and, as far as is reasonable and practicable, the polling places we are responsible for are accessible to all electors, and when considering the designation of a polling place, we must have regard to the accessibility needs of disabled persons.
- 3.4 The changing of any district ward boundaries is not considered as part of the review as this can only be done by statute following an electoral review carried out by the Local Government Boundary Commission). This review is concerned only with the

administrative subdivision of a ward into polling districts which are then assigned polling places.

- 3.5 The changing of polling districts in areas which are also aligned with parish boundaries and therefore cannot be amended during this review (these can only be amended during a Community Governance Review).

4. Details

Review process

- 4.1 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, publish details of the designation of polling districts and polling places within the local authority area as a result of the review, giving reasons, and publish all correspondence and representations received.

- 4.2 The timetable for the review is set out below.

Review of polling districts and places	
Resolution from council providing for commencement of review	22 May 2024
Notice of review published	Monday 10 June 2024
Review period commences	Monday 10 June 2024
(Acting) Returning Officer's comments published by	Friday 14 June 2024
End of consultation period – Representations to be received by	Monday 29 July 2024
Report to Full Council	21 October 2024 or 16 December 2024
Revised arrangements come into forces	1 February 2025
Republish electoral register	1 February 2025

Informal Cross-Party Working Group

- 4.3 The council currently has a Boundary Review Working Group and it is proposed that there continue to be a cross-party informal working group to support the polling place review. It would review consultation responses and agree recommendations on polling districts, polling places and polling stations.
- 4.4 Consistent with previous similar Working Groups, the Working Group will not be subject to proportionality but will reflect the political make-up of the council, whilst ensuring each Group has a representative. It is therefore proposed that the Working Group have 9 members: 3 Liberal Democrat; 2 Labour; 2 Conservative; 1 Green/Independent and 1 Independent.
- 4.5 It is proposed that authority be delegated to the Monitoring Officer & Assistant Director Law and Governance to finalise the membership of the working group in consultation with Group Leaders.

Cherwell District Council District Boundary Review

- 4.6 The Local Government Boundary Commission for England (the “Boundary Commission”) is an independent body responsible for reviewing and determining the electoral arrangements of local authorities across England.
- 4.7 The Chief Executive has been notified by the Boundary Commission that they will be commencing a review of the Cherwell district boundaries as 6 out of the 16 wards have variances greater than 10% from the average, with one ward having 34% more electors than the average.
- 4.8 The review will be undertaken by the Boundary Commission but there will be an important role for CDC
- 4.9 It is therefore recommended that the remit of the working group referred to at paragraphs 4.3 – 4.5 above, include shaping and steering the process of responding to the district boundary review making recommendations for agreement by Council prior to submission.

5. Alternative Options and Reasons for Rejection

- 5.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: Not to undertake a polling place review. The review is statutorily required so there is no option other than to undertake the review by the end of January 2025.

6 Conclusion and Reasons for Recommendations

- 6.1 To comply with the statutory requirement to conduct a review of polling districts and polling places.

Decision Information

Key Decision	N/A
Subject to Call in	N/A
If not, why not subject to call in	N/A
Ward(s) Affected	All

Document Information

Appendices	
Appendix 1	None
Background Papers	None
Reference Papers	Electoral Commission - Reviews of polling districts, polling places and polling stations
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