

POLLING DISTRICT AND PLACES REVIEW 2022

Head of Service:	Andrew Bircher, Head of Policy and Corporate Resources
Wards affected:	(All Wards);
Appendices (attached):	Appendix 1: Review of Polling Districts, Polling Places & Polling Stations: Consultation – September 2022

Summary

This report sets out the recommendations from Strategy and Resources Committee for proposed changes following the conclusion of Polling Places and Districts Review 2022.

Recommendation (s)

The Council is asked to:

- (1) Agree the location of the polling places and districts as set out in Appendix 1 for a five-year period from 1st January 2023, or until it is superseded by any subsequent review of any polling place or district; and**
- (2) Delegate to the Chief Executive in their capacity as the Council's Returning Officer any ongoing review or change of polling places during this period, to ensure that polling arrangements in the Borough remain fit for purpose for each election called.**

1 Reason for Recommendation

- 1.1 Following the completion of the Electoral Review of the Borough by the Local Government Boundary Commission for England, the Council is required to undertake a review of polling districts and places.

2 Background

- 2.1 Section 17 (2) of the Electoral and Registration Act 2013 states that a review of polling districts and places should have been completed between 1st October 2013 and 31st January 2015 inclusive, and also mandates a further review to be conducted in every five-year period subsequent to that. The Council completed its last such review in December 2019.

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- 2.2 The Council is responsible for undertaking each review to provide a sufficient number of polling districts and polling places for elections.
- 2.3 The Council's Chief Executive, as Returning Officer for Epsom & Ewell Borough Council, is responsible for undertaking the reviews. The Returning Officer is also responsible for deciding how many polling stations are required for each polling place and for allocating electors to those polling stations as they consider appropriate.
- 2.4 At least one polling place must be identified for each polling district. Polling places have polling stations located within them; so, for example, a church building may be a polling place, with the room or hall where voting takes place comprising the actual polling station.
- 2.5 There are a number of factors that need to be considered when reviewing existing polling places or when assessing new polling places. In practice, the designation of polling places is very much dependent on the availability of suitable premises that can be used as polling places.
- 2.6 The current review cannot propose changes to Ward, Borough or Constituency boundaries, which are the responsibility of the Local Government Boundary Commission for England (LGBCE).
- 2.7 This review has been undertaken following the recently completed boundary review by the LGBCE. If agreed, the polling districts and polling places proposed will be confirmed with effect from 1st January 2023, and will be used for the Borough Council elections on 4th May 2023, or for any election called subsequent to 1st January 2023.

3 Council Motion on use of Schools as Polling Places

- 3.1 At its meeting on 23 July 2019, Council passed the following Motion:

“This Council agrees that it will no longer use any schools that, in order to act as a polling station, would have to close for the day. It will provide polling districts which it has been accustomed to using such schools with alternative polling stations as near as possible to that polling district”.
- 3.2 It is important to note that the legislation (Representation of the People Act 1983, Schedule A1) sets out the requirements for polling place reviews. This requires Local Authorities to comply with the access requirements. As part of the review, they must:
 - Seek to ensure that all electors in a constituency in the local authority area have such reasonable facilities for voting as are practicable in the circumstances.
 - Seek to ensure that so far as is reasonable and practical every polling place for which it is responsible is accessible to electors who are disabled.

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- 3.3 In the event these tests are not met, an elector has a right of representation (i.e. appeal). The two appeal grounds are:
- The local authority has failed to meet the reasonable requirements of the electors in the constituency
 - The local authority has failed to take sufficient account of accessibility to disabled persons of the polling station/ polling stations within a polling place.
- 3.4 It is therefore clear, that a polling place is determined with the elector as the primary interest, no other considerations form part of the legislative requirements.

4 Current Arrangements

- 4.1 The Borough is divided into 13 electoral wards:
- 4.1.1 Two are made of one polling district and have one polling place in each (Auriol, Ruxley);
- 4.1.2 Seven are made of two polling districts with two polling places in each Ward (Cuddington, Ewell Court, West Ewell, Court, Stoneleigh, Nonsuch, College);
- 4.1.3 Four are made up of three polling districts with three polling places in each Ward (Stamford, Ewell, Town, Woodcote)

5 New/proposed Arrangements following LGBCE Review

- 5.1 The Borough will consist of 14 electoral wards.
- 5.2 A new ward to be named Horton will be created from parts of Ruxley, Court and Stamford wards.
- 5.3 Two wards are renamed - Ewell will become Ewell Village and Woodcote will become Woodcote & Langley Vale.
- 5.4 Of the 14 Wards:
- 5.4.1 Five are made of one polling district and have one polling place in each Ward (Auriol, Ruxley, Stoneleigh, Ewell Village & Horton)
- 5.4.2 Seven are made of two polling districts with two polling places in each Ward (Cuddington, Ewell Court, West Ewell, Court, Stamford, Nonsuch & College);
- 5.4.3 Two are made up of three polling districts with three polling places in each Ward (Town and Woodcote & Langley Vale)

6 Consultation Exercise

- 6.1 The consultation in respect of the Polling Districts and Places Review was carried out for five weeks between 12 September and 17 October 2022, a copy of the consultation document is attached at Appendix 1. The review was conducted in accordance with the Electoral Commission's guidance on conducting such reviews.
- 6.2 To ensure a wide circulation of the consultation, it was made available on the Council's website, communicated via social media and a number of consultees were directly informed as detailed on page 5 and 6 of Appendix 1. All venues including the affected schools (i.e. those allocated as Polling Places) were contacted directly to advise of the review and to enable them to comment on the proposals.
- 6.3 During the consultation period a number of representations were received, and the breakdown for all the representations was as follows:

Ward	Total Number Received
Cuddington	2
Auriol	1
Ewell Court	2
Ruxley	2
West Ewell	1
Court	1
Stamford	1
Stoneleigh	1
Nonsuch	2
Ewell Village	1
Town	1
College	3
Woodcote & Langley Vale	1
Horton	2

- 6.1 Following consideration of all the representations by officers, a set of proposals were presented to the Strategy & Resources Committee on the 15 November 2022. The Strategy and Resources Committee agreed to recommend the proposals to Council for approval.

7 Proposals

The recommendations are as follows:

7.1 Cuddington Ward

- 7.1.1 Recommendation: Polling district boundary be adjusted and no change to polling places, as proposed by the review documentation (Appendix 1).

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7.2 Auriol Ward

7.2.1 Recommendation: Ward to remain as single polling district and no change to polling place, as proposed by the review documentation (Appendix 1).

7.3 Ewell Court Ward

7.3.1 Recommendation: Ward to remain as two polling districts and no change to polling places, as proposed by the review documentation (Appendix 1).

7.4 Ruxley Ward

7.4.1 Recommendation: Ward to remain as single polling district and no change to polling place, as proposed by the review documentation (Appendix 1).

7.5 West Ewell Ward

7.5.1 Recommendation: Ward to remain as two polling districts and no change to polling places, as proposed by the review documentation (Appendix 1).

7.6 Court Ward

7.6.1 Recommendation: That the Ward is reverted back into two polling districts FA and FB. Polling district FC being renamed as FA, with no change to polling places, as proposed by the review documentation (Appendix 1).

7.7 Stamford Ward

7.7.1 Recommendation: Polling district boundary be adjusted to merge polling districts GA and GB and rename as GA. Renaming of polling district GC to GB. No change to polling places, as proposed by the review documentation (Appendix 1).

7.8 Stoneleigh Ward

7.8.1 Recommendation: Ward to be merged into single polling district, renamed H and no change to polling place, as proposed by the review documentation (Appendix 1).

7.9 Nonsuch Ward

7.9.1 Recommendation: Polling district boundary be adjusted and no change to polling places, as proposed by the review documentation (Appendix 1).

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7.10 Ewell Village Ward

7.10.1 Recommendation: Ward to be merged into single polling district, renamed J and no change to polling place, as proposed by the review documentation (Appendix 1).

7.11 Town Ward

7.11.1 Recommendation: Polling district boundaries be adjusted, ward to remain as three polling districts and no change to polling places, as proposed by the review documentation (Appendix 1).

7.12 College Ward

7.12.1 Pages 59 and 60 of the consultation document provide mapping of the proposed polling district areas, and these include all properties moved into the Ward as a result of the recent LGBCE Electoral Review. Following completion of the consultation it has been identified that properties in St Martins Close, Wimbourne Close, St Andrews and College Road (moved from Town Ward) are not specifically listed on page 58 of the consultation document. However, the mapping on pages 59 and 60 is correct and includes the properties. The omission from page 58 does not create any concerns over the validity of the consultation, as the transferal of properties from Town Ward was not under consideration, it has already been agreed in the LGBCE's review.

7.12.2 Recommendation: Ward to remain as two polling districts and no change to polling places, as proposed by the review documentation (Appendix 1).

7.13 Woodcote and Langley Vale Ward

7.13.1 Recommendation: Ward to remain as three polling districts and no change to polling places as per the review, as proposed by the review documentation (Appendix 1).

7.14 Horton Ward

7.14.1 Recommendation: The ward to be a single polling district and use of the Horton Arts Centre as the polling place, as proposed by the review documentation (Appendix 1).

8 Delegated Authority for the Chief Executive:

- 8.1 Delegated authority is sought to enable the Chief Executive in their capacity as the Council's Returning Officer to make changes to polling places if necessary to ensure that polling arrangements in the Borough remain fit for purpose for each election called. This delegation is sought for a five-year period from 1st January 2023, or until it is superseded by any subsequent review of any polling place or district and would be utilised in circumstances in which there was insufficient time to present a report to Council prior to an election being held, for example: if a Polling place became inaccessible at short notice.

9 Risk Assessment

Legal or other duties

9.1 Equality Impact Assessment

9.1.1 The Council has due regard to its equality duties under Section 149 of the Equalities Act 2010. In addition, it is a legal requirement of the Returning Officer that, in so far as is reasonable and practical, every polling place is accessible to electors with disabilities. This has been taken fully into account during this review process.

9.1.2 Appropriate equipment (such as ramps, visual enhancement aids etc.) will continue to be provided at all polling stations, and all polling staff will continue to be fully trained to provide support and facilities for voters with disabilities.

9.2 Crime & Disorder

9.2.1 None.

9.3 Safeguarding

9.3.1 Safeguarding issues are considered for all potential polling places prior to their recommendation to the Council, and prior to every election. Any issues identified are appropriately managed in accordance with Council policies and in agreement with the management of the premises.

9.4 Dependencies

9.4.1 None.

9.5 Other

9.5.1 None.

10 Financial Implications

- 10.1 The cost of venue hire for national elections and referenda is met by central Government. Costs for local elections are covered by the council's own allocated budgets.
- 10.2 **Section 151 Officer's comments:** The council's provisional budget plans for 2023/24 include the expected costs of May 2023's local election.

11 Legal Implications

- 11.1 This review has been undertaken in accordance with Section 18C of Representation of the People Act 1983 (as amended by Section 16 of the Electoral Administration Act 2006), which requires such a review to be undertaken every five years. A review requires all of the steps set out in Schedule A1 of Representation of the People Act 1983 to be met, as demonstrated by this report and its appendices.
- 11.2 In addition, due consideration has been given to the requirements of the Electoral and Registration Act 2013 in relation to the timing of this review.
- 11.3 The regulations that govern the use of schools falls under rule 22, Schedule 1 of the Representation of the People Act 1983. There is a duty imposed on schools who are either maintained or assisted in any way by money provided by Parliament, to be used free of charge (with the exception of certain expenses) as polling places.
- 11.4 **Legal Officer's comments:** Section 18C(3) of the Representation of the People Act 1983 permits a Council to carry out a review of some or all of its polling districts or polling places in its area outside the compulsory review periods.

12 Policies, Plans & Partnerships

- 12.1 **Council's Key Priorities:** The following Key Priorities are engaged: Effective Council.
- 12.2 **Service Plans:** The matter is included within the current Service Delivery Plan.
- 12.3 **Climate & Environmental Impact of recommendations:** The accessibility of polling places by foot, bicycle and public transport has been considered in the process of their recommendation to the Council.
- 12.4 **Sustainability Policy & Community Safety Implications:** None
- 12.5 **Partnerships:** None

13 Background papers

- 13.1 The documents referred to in compiling this report are as follows:

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Previous reports:

- [Report to Strategy and Resources Committee, 15 November 2022, Polling District and Places Review 2022](#)
- [Report to Council 23 July 2019, Notices of Motions, Polling Stations](#)

Other papers:

- [Local Government Boundary Commission for England: Electoral Review of Epsom and Ewell Borough Council.](#)
- Electoral Commission: Reviews of Polling Districts, Polling Places And Polling Stations <https://www.electoralcommission.org.uk/i-am-a/electoral-administrator/returning-officer/polling-place-reviews>