

# REVIEW OF POLLING DISTRICTS, POLLING PLACES & POLLING STATIONS

Governance Committee – 10 December 2024

**Report of:** Chief Executive

**Status:** For Decision

**Also considered by:**

- Council – 17 December 2024

**Key Decision:** No

**Executive Summary:** The Council has conducted a statutory review and consultation under the requirements of the Representation of the People Act 1983 (as amended) regarding the polling districts and polling places within the District. The Council is legally required to undertake and conclude the review, by determining the geographical polling districts and agreeing to the locations of polling places. This report makes recommendations to confirm the location of every polling place throughout the district. There are no changes being proposed in relation to the polling districts.

**Contact Officers:** Nicola Fletcher, Ext. 7188 and Lee Banks, Ext. 7161

**Recommendation to Governance Committee:**

It is recommended to Council that the proposed polling places, set out in Appendix F, are approved.

**Recommendation to Council:**

The proposed polling places, set out in Appendix F, are approved.

**Reason for recommendation:** The Council has considered all responses from the statutory public consultation, along with the suitability and accessibility of all venues, and concludes that the schedule of polling places best meets the requirements of the legislation, Electoral Commission best practice and the needs of the local electorate.

## Introduction and Background

- 1 Every district council area is divided into geographical administrative areas known as polling districts. Each polling district must have a polling place

assigned to it; this polling place is the location or venue in which a polling station will be placed.

- 2 All district councils are required by law to complete a review of polling districts and polling places every five years. The current statutory review must be completed by 31 January 2025.
- 3 The Electoral Commission have developed guidance to assist with determining polling districts and polling places. This is based on the relevant legislation (the Representation of the People Act 1983, as amended) which sets out the steps required within a formal review. This includes the following requirements:
  - Publish a notice formally initiating the public consultation as part of the review.
  - Consult the Acting Returning Officer for every parliamentary constituency which is wholly or partly in its area
  - Publish all representations made by an Acting Returning Officer 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.
  - On completion of a review, give reasons for its decisions and publish all information relevant to the review
- 4 There is also a requirement to undertake a formal public consultation in which members of the public, elected representatives, and other consultees are invited to respond to the draft recommendations.

## Definitions

- 5 The following definitions apply throughout this review:
  - A **polling district** is a geographical area. District councils are required to divide their area into polling districts for the purposes of elections. The polling district determines which polling station an elector must attend in order to vote in person. Each parish and parish ward must have a separate polling district.
  - A **polling place** is the building or area in which polling stations will be selected by the (Acting) Returning Officer at an election. The district council must designate polling places for each polling district. Each polling place should, as far as practicable, be accessible to all electors, including those with disabilities.
  - A **polling station** is the room or area within the polling place where voting takes place. These are chosen by the relevant (Acting) Returning Officer for a given election, and not by the council.
  - The **Returning Officer** is the individual who has responsibility for delivering free, fair, democratic elections in accordance with the relevant legislation. This role is independent of the council. At a Parliamentary Election, this individual is known as the Acting Returning Officer, hence the term

'(Acting) Returning Officer' refers to the individuals responsible for delivering each level of election. This person is also known as the (A)RO.

### **Determining polling districts and polling places**

- 6 Electoral Commission guidance states that each parish and parish ward is to be a separate polling district, and the boundaries and designations of polling districts should not adversely impact an elector's ability to attend their polling station.
- 7 Polling places should be considered taking accessibility, location and suitability into account. Polling stations must be suitable for use bearing in mind the requirements for staff working in those venues and the numbers of electors who may attend to cast their vote.

### **Draft proposals and consultation**

- 8 In developing the draft proposals, officers reviewed recent records of each polling station and have undertaken some recent visits of current polling. Officers also reviewed each polling district boundary using detailed digital mapping. Based on these assessments, draft proposals were developed for consultation.
- 9 As part of the statutory review, contributions from the Acting Returning Officers for the Parliamentary Constituencies that represent the district were sought. As such, Sevenoaks District Council has consulted with the Acting Returning Officers for Sevenoaks and Tonbridge constituencies on the draft proposals.
- 10 Information about the consultation and the draft proposals were also sent to those representatives and organisations set out in Appendix A to this report.
- 11 Information about the consultation was published on the Sevenoaks District Council website, and noticeboards. This is included at Appendix B to this report. The draft proposals were published online and available to view at the Council offices; these are included at Appendix C to this report.
- 12 The public consultation ran from 11 October to 15 November 2024.

### **Summary of the consultation**

- 13 The Acting Returning Officers for the Parliamentary constituencies representing Sevenoaks District residents submitted their responses to the consultation as set out below.
  - **Acting Returning Officer for Sevenoaks**

The ARO for Sevenoaks is the Chief Executive of Sevenoaks District Council and therefore the draft proposals were made in liaison with him. However, he commented that "I have reviewed the proposals for the Sevenoaks Parliamentary Constituency and support the recommendations which offer effective arrangements which enable the electorate to engage in the democratic process."

- **Acting Returning Officer for Tonbridge**  
“On behalf of the ARO for Tonbridge Constituency, we note the details of your polling district review. As there are no changes to the current arrangements, we do not have any further comments.” (Received on 23 October 2024)

- 14 During the consultation we received a total 10 responses, including the response from the AROs for Sevenoaks and Tonbridge. These are set out in full at Appendix D to this report. A consultation summary with a comment from Officers in relation to the views that have been expressed is set out at Appendix E.
- 15 The Council has also been informed by Kent County Council that the Swanley Youth Centre is no longer available to be used as a polling station. The premises is subject to a change of use, which will make it unavailable for bookings for other events from this point forward. It has therefore become a necessity to identify a new polling place for polling district CM, the Swanley St Mary’s ward.
- 16 Of the 10 consultation responses received:
- Five responses note, support, or do not disagree with the recommendations being made
  - Two responses are from potential locations for polling stations, explaining they are unable to assist
  - Two responses disagree with current polling locations and set out a case for change and alternative polling locations. These consultation responses are in relation to polling district CA (Sevenoaks Common in the Sevenoaks Kippington Ward) and BV (Hillingdon in the Sevenoaks Eastern Ward)
  - One response sets out proposals for alternative polling station locations within Swanley

### **Consultation responses**

- 17 Consultation response 002 is a representation from a resident expressing that voters in polling district CA (Sevenoaks Common) should vote at the Kippington Centre in the BY polling district (Sevenoaks Kippington).

Previously electors in CA would vote at Solefield School. The school has become unavailable as a polling station, and for recent polls those electors have cast their votes at The Stag Theatre. This affects 1,121 polling station voters.

Whilst the proposed location is outside of the polling district and current district council ward, it is the next nearest polling station geographically and well served by public transport and car parking. The District Council has agreed to review whether parking arrangements can be reviewed for the purpose of voting at The Stag.

No other polling locations within the CA polling district are available to the Council, and no further locations have been suggested in response to this polling district review.

It is therefore **recommended** that as the next nearest polling station, that the agreed polling place for CA is at or near The Stag Community Arts Centre - the Stag Plaza, London Road, Sevenoaks, TN13 1ZZ.

- 18 Consultation response 003 is a representation from a District Councillor for Sevenoaks – Eastern Ward expressing that voters in polling district BV (Hillingdon) are provided with an alternative polling location than St John’s Church Hall, which is closer in proximity to the BW polling district (Holly Bush) within the Eastern Ward.

The consultation response is supported by additional data (provided within Appendix D) and correctly sets out that voters were previously able to vote at Wildernesse School. Subsequently, the Sevenoaks education campus containing Trinity School, and grammar school annexes for Tunbridge Wells Grammar School for Boys and Weald of Kent have been constructed.

As part of this polling district review the Council wrote to all three schools seeking their support in providing a polling location. Consultation responses 006 and 007 illustrates that neither of the grammar school annexes are able to assist.

Whilst Trinity School has not replied during the consultation period they were contacted earlier in 2024 are explained that due to a severe lack of capacity within the school in school hours and use of their main rooms by external hirers after school they would be unable to assist.

A mobile polling station is suggested as an alternative to be located on Hillingdon Green. Whilst the standard of mobile buildings has greatly improved, there is a both a concern about the cost and ensuring the right facilities for staff and electors. This includes ensuring health and safety, accessibility, and ensuring staff have access to heating, facilities for food and drink and rest breaks within the station.

Whilst it is recognised that the current location of the venue is not ideal for residents of Hillingdon, the schools are unable to accommodate a polling station, a mobile or temporary venue creates additional issues for both residents and polling staff, and no other locations have been identified through the consultation. It is therefore **recommended** keeping the venue as set out in the draft proposals.

- 19 Consultation response 009 is a representation agreed by Swanley Town Council. The consultation response supports the draft proposal for polling district CO (Swanley Village) that The Red Lion should be the agreed polling place for those electors, replacing The Lamb Inn, which is less accessible to voters. I would wish to note sincere thanks to The Lamb Inn who have

provided a polling station for a number of years and welcomed voters in to their premises.

In respect of polling district CN (Swanley Lane) within the White Oak ward the consultation response suggests an alternative polling place at Five Wents Hall. The proposed location sits outside of the polling district and is located at the opposite end of Swanley Lane to the current venue, the Army Cadet Force (ACF) Centre. As the proposed polling station is outside of the polling district, it is **recommended** that the ACF Centre remains as the polling place. However, the suitability of the Five Wents Hall as a polling station will be assessed. Subject to the outcome of that assessment, the Five Wents Hall would be adopted as the most suitable polling venue to be used should the ACF Centre be unavailable for a particular poll.

In respect of polling district CM (St Mary's) the consultation response suggests an alternative polling place at St Mary's Church Hall. A new polling place is required to be identified as the Council has been notified through this review that the existing venue, Swanley Youth Centre, is no longer available as a polling place. At the time of writing it had not been possible to fully assess the suitability of St Mary's Church Hall as a polling station. Therefore an update will be provided to the Governance Committee at the meeting on 10 December, including a recommendation for the most suitable venue to be identified as a polling place.

### **Final recommendations**

- 20 The authority to amend polling places is set by the Council; the decision as to exactly where in the polling place a polling station is located is determined by the (Acting) Returning Officer.
- 21 Any changes close to an election (such as a venue being unavailable) can cause complications if the Council is required to meet to agree them; this is particularly difficult for unscheduled or short-notice polls.
- 22 Whilst the (A)RO has authority to change a venue if required if there is insufficient time to consult Council, it is good practice to try to avoid such restrictions whilst retaining Council's overall responsibility for determining polling places.
- 23 The Council therefore adopts a convention that each polling place is set as 'At or near...' the proposed venue. This gives some flexibility in setting exact locations for polling stations, particularly where short-notice changes are required whilst retaining Council's decision-making responsibility. For all practical purposes this does not affect the actual location of polling stations unless there are unavoidable necessary changes.
- 24 Members may also wish to note that polling districts and polling places are monitored on an ongoing basis and that if circumstances change before the

next scheduled formal review, such as the outcome of the current electoral review being conducted by the Local Government Boundary Commission for England, changes to polling districts and polling places can be brought forward.

- 25 The final recommendation from this review of polling districts, polling places and polling stations are:
- a) **Polling Districts** – all polling districts remain unchanged
  - b) **Polling places** – the polling places as shown in Appendix F are adopted.

### **Publication of materials**

- 26 The legislation requires that the council publishes all information relevant to this review of polling places and polling districts. In addition, the Council is required to publish copies of all correspondence sent to Acting Returning Officers and to individuals or organisations the local authority consulted with as they have particular expertise in relation to access to premises or facilities for persons who have different forms of disability; these are included at Appendix G.
- 27 The publication of this report, along with attached appendices and minutes of the Governance Committee and Council, satisfy this requirement. A copy of these documents will be made available online and at the council offices, in line with both normal practice and the statutory requirements for this review.

### **Other options Considered and/or rejected**

None. All district councils are required by law to complete a review of polling districts and polling places every five years. The current statutory review must be completed by 31 January 2025.

### **Key Implications**

#### Financial

This is a statutory review. Costs associated with the conduct and outcomes of the review are met from within existing budgets.

#### Legal Implications and Risk Assessment Statement

This is a statutory review, conducted under the Representation of the People Act 1983 (as amended) and Electoral Commission guidance. There is a risk that, if the council does not take responses from the consultation into account, individuals may appeal to the Electoral Commission. Given that all responses have been fully considered and where not taken on board we have set out our reasons, this risk is minimal.

## Equality Assessment

Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to (i) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010, (ii) advance equality of opportunity between people from different groups, and (iii) foster good relations between people from different groups. The decisions recommended through this paper directly impact on end users.

The accessibility and suitability of each venue has been taken into account in the conduct of this review. As a result, the decisions recommended through this paper have relevance to the substance of the Equality Act. Where access to venues is restricted, we have proposed temporary access changes where possible (such as ramps). In some locations this is unfortunately not possible. However a wide range of support is available to support electors to vote independently, and all registered electors are entitled to request to vote by post, or appoint a proxy, negating the need to attend the polling station. If an elector wishes to vote in person at a polling station with limited access, the polling station staff will assist them to enable them to vote in person, whilst ensuring the secrecy of the election. All polling station staff are trained prior to each election and reminded of their responsibilities in terms of supporting electors and enabling them to vote.

A very small number of the polling places are in venues that sell alcohol, and some are in churches or church halls. There may be some electors who are unwilling to visit such venues. However, there has been no change in the number or location of these venues from previous years, and in each case there is no suitable alternative venue. As noted above, all registered electors are entitled to request to vote by post, or appoint a proxy, negating the need to attend the polling station in person.

## Climate Change Implications

The decisions recommended through this paper have a remote or low relevance to the council's ambition to tackle the challenge of climate change. There is no perceived impact regarding either an increase or decrease in carbon emissions in the district, or supporting the resilience of the natural environment]

## **Conclusions**

This review of polling districts and polling places satisfies the legal requirement to undertake a review including completion of a public consultation and publication of all documents relating to the review.

There is a legal requirement to agree to a new schedule of polling districts and polling places by the end of January 2025, taking the consultation into account and following Electoral Commission guidance.



Recommendations are set out to adopt polling places until the conclusion of the next review.

**Appendices**

Appendix A – List of consultees

Appendix B – Consultation document

Appendix C – Draft proposals for polling places

Appendix D – Consultation responses

Appendix E – Summary of consultation responses with officer comment

Appendix F – Final proposals for polling places

Appendix G – Correspondence templates

**Background Papers**

None.

**Dr Pav Ramewal**

**Chief Executive**