

POLLING
PLACE
REVIEW 2019

BACKGROUND
INFORMATION

Background information about the statutory Polling Place Review 2019

The Representation of the People Act 1983 (Section 18C) requires the Council to carry out and complete a review of its Parliamentary polling districts and polling places in the period between 1 October 2018 and 31 January 2020.

Polling districts and polling places for local government elections are not automatically part of a review of Parliamentary polling districts as they are provided for separately in Section 31 of the Representation of the People Act 1983. However, in practice, local reviews are carried out at the same time as Parliamentary reviews as polling districts and polling places for local government elections are based on U.K. Parliamentary polling arrangements. Thus, the review which will commence on 9 August 2019 in the Mansfield Constituency will cover both the Parliamentary and local government polling arrangements.

A summary of the review process is as follows:

The review process

Schedule A1 to the Representation of the People Act 1983 sets out the steps the Council must follow in undertaking any review of polling districts and polling places. The Council must announce that a review is to take place.

The role of the Returning Officer

The Council is required to consult the (Acting) Returning Officer for every Parliamentary Constituency that is wholly or partly within its area. The (Acting) Returning Officer is required to make representations to the Council, which must include information as to the location of polling stations (both existing and proposed) within polling places (both existing and proposed). Within 30 calendar days of their receipt the Council is required to publish the (Acting) Returning Officer's representations. The Council is required to invite comments, these are considered before final decisions are made.

Other representations

The Council is required actively 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 be given the opportunity to make representations and to comment on the representations made by the Acting Returning Officer.

In addition, any elector in a constituency may make representations on the designation of polling places to the Council. The consultation will include local political parties and elected representatives, existing polling station owners, community representatives and so on.

Guidelines

The following statutory considerations have been taken into account when drawing up the proposals:

- The Council must seek to ensure that all electors have such reasonable facilities for voting as are practicable in the circumstances.
- The Council must seek to ensure that so far as is reasonable and practicable every polling place is accessible to electors who are disabled.

Administration of the review

In order to administer the process of the review, the Council has set up a Polling Place Review Sub Committee to consider all appropriate representations. At the end of the review process, the Sub Committee will make its recommendations to a meeting of the council for approval, following which the polling districts and polling places will be formally designated and come into being.

Timetable for this review

Notice of start of review:	9 August 2019
Publication of the (Acting) Returning Officer's proposals:	9 August 2019
Comments from consultation by:	23 September 2019
Report to Council Meeting by:	19 November 2019

Arrangements are due to come into force at the May 2020 Police and Crime Commissioner elections.

Completion of the review

On completion of the review the Council is required to give reasons for its decisions in respect of the designation of both polling districts and polling places. In addition, the Council must publish:

- All correspondence sent to the (Acting) Returning Officer in connection with the review, and all correspondence sent to any person whom the authority thinks has particular expertise in relation to access to premises or facilities for disabled persons;
- All representations made by any person in connection with the review.
- The minutes of any meetings held by the authority where details of the review have been considered
- Details of the actual designations of polling districts and polling places agreed as a result of the review; and
- Details of the places where the results of the review have been published.

Challenge of a review

The Electoral Commission has no role in the review process itself, although it must consider representations and observations made that a relevant authority has not conducted a review so as to:

- meet the reasonable requirements of the electors in the constituency, or a body of them (i.e. the reasonable requirements of a particular area of the authority have not been satisfactorily met); 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, and this includes any Parish Council which is wholly or partly situated within each constituency, not less than thirty registered electors in the Constituency, any person (except the Acting Returning Officer) who made representations to the Council when the review was being undertaken and any person who is not an elector but who the Commission feels has sufficient interest in the accessibility of disabled persons to polling places in the area or has particular expertise in relation to the access to premises of facilities of disabled persons. In addition, the (Acting) Returning Officer may make observations on any representations made to the Commission.
- All representations must be made in writing, either by post, email or fax. The representations must be as specific as possible and should clearly state the manner in which it is alleged that the local authority has failed to properly conduct the review. There are only two grounds on which a representation may be made. These 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.
- The Electoral Commission is required to consider any such representations and observations, and after doing so, may direct the Council to make any alterations it sees necessary to the polling places designated by the review. Should an authority fail to make the alterations within two months of the direction being given, the Commission may make the alterations itself.