

CYNGOR SIR POWYS COUNTY COUNCIL.

07 December 2023

REPORT AUTHOR: Head of Legal Services and Monitoring Officer

SUBJECT: Review of Polling Districts and Polling Places

REPORT FOR: Decision

1. The purpose of this report is to seek approval from Council of plans for a statutory review of polling districts and polling places.
2. The Representation of the People Act 1983 and Electoral Administration Act 2006, as amended, places a duty upon the council to divide its area into polling districts and to designate a polling place for each district. The next review must be undertaken within a 16-month window between 1 October 2023 and 31 January 2025.
3. The intention of the legislation was reviews would be completed by the January before a UK parliamentary general election. However, since the repeal of the Fixed Term Parliaments Act 2011, there is no longer any certainty as to when the next general election will be. The next general election must take place before Tuesday 28 January 2025.
4. In addition, the Boundary Commission for Wales has undertaken a review of parliamentary constituency boundaries. The Commission has published its final recommendations and Orders for the new parliamentary constituency boundaries will be made shortly. Once the Orders for new parliamentary constituencies have been made, the new boundaries will be used for the next general election.
5. The two parliamentary constituencies; falling within the Powys county area will be the county constituency of Brecon Radnor and Cwm Tawe and the county constituency of Montgomeryshire and Glyndwr. Each constituency is divided into polling districts and polling places.
 - “Polling districts” are geographical electoral areas into which wards and constituencies may be sub-divided.
 - “Polling places” are the buildings or areas designated by the council where electors in a polling district go to vote in person.
 - “Polling stations” are the number of issuing desks in the building or area that is the designated polling place.
6. The location of proposed polling districts and places are the responsibility of the Local Authority and the locations of the polling stations are the responsibility of the Returning Officer. When designating polling districts, the Authority must
 - (a) seek to ensure that all electors in the constituency have such reasonable facilities for voting as are practicable in the circumstances;
 - (b) and ensure unless there are special circumstances that lead the Authority to determine otherwise, that each community is in a separate polling district.

7. Strictly speaking the statutory review of polling districts and polling places is confined to parliamentary polling districts and places only. Whilst Local Government arrangements are not automatically part of the review, the Electoral Commission have advised that polling districts and places for parliamentary and local government elections should wherever possible be the same. Therefore, we propose to conduct a review of both arrangements simultaneously.
8. For the avoidance of any doubt it is confirmed that the required review will not consider the boundaries of the parliamentary constituencies or the borders and names of local authorities and electoral areas within local authorities or warding arrangements of communities.
9. Schedule A1 to the Representation of the People Act 1983 sets out the steps and procedures which the County Council must follow in undertaking any review of polling districts and polling places. The Council is required to consult on existing and proposed arrangements, publishing a statutory notice of the review. A largely online consultation exercise is appropriate along with writing / emailing our main stakeholders. Powys County Council is also required to consult the Returning Officer and to actively 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.
10. Additionally, all key stakeholders in the electoral process will be given the opportunity to participate. The review process will engage with all members of the County Council, Community Councils, elected representatives, constituency political parties and any elector in the constituencies will have the opportunity to make representations on existing arrangements.
11. It may, of course, be the case that, as a result of the consultation process, proposals come forward for alterations to polling districts and polling places which the Council may wish to adopt as part of the final arrangements at the County Council meeting on the 11 July 2024.
12. It is proposed that discussions will take place with those individual Councillors where proposals to change are being put forward or being suggested in relation to polling districts/places within/affecting their electoral divisions. Accordingly, the views of the relevant local members will be included in any reports
13. The proposed timetable for the review is:

Review Schedule	Period or Date
Notice of Review and Commencement of Consultation	29 January 2024
End of consultation period (6 wks)	8 March 2024
Consideration of representations received and consultation with local members on proposals	April/May
Powys County Council	11 July 2024
Publish Review Result (subject to Council Approval)	15 July 2024
Publication of Register of Electors (if necessary)	1 September 2024

14. Resource Implications

14.1 The cost of the review will be covered within the existing budget

14.2 Head of Finance (S151 Officer) notes the above and can support the recommendations

15 Legal implications

15.1 Legal: The recommendations can be supported from a legal point of view

15.2 The Head of Legal Services and the Monitoring Officer has commented “ I note the legal Comment and support the recommendations “

Recommendation:	Reason for Recommendation:
<p>1. That Council approve the commencement of the compulsory polling district and places review in accordance with the timetable in paragraph 13 of the Report.</p> <p>2. That a Consultation Report is brought back to Council in July 2024 for decision following completion of the review process.</p>	<p>To put in place appropriate arrangements to undertake a review of polling districts and polling places in accordance with legislative requirements.</p>

Person(s) To Action Decision:	Sandra Matthews, Principal Elections Officer
Date By When Decision To Be Actioned:	As per timetable

Relevant Policy (ies):			
Within Policy:	Y	Within Budget:	Y

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Relevant Portfolio Member(s):	County Councillor James Gibson-Watt
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Background Papers used to prepare Report: