

## **REPORT TO EXECUTIVE**

Date of Meeting: 3 December 2024

## **REPORT TO COUNCIL**

Date of Meeting: 17 December 2024

Report of: (Acting) Returning Officer and Electoral Registration Officer

Title: Review of Polling Districts and Polling Places within the Exeter City Council Area

### **Is this a Key Decision?**

No

### **Is this an Executive or Council Function?**

Council

## **1. What is the report about?**

1.1 This report sets out for consideration by the Executive, proposals for new Parliamentary polling district and polling places arrangements recommended as a result of a statutory responsibility to carry out a review as set out in sections 18A to 18E of the Representation of the People Act 1983 (as amended by the Electoral Registration and Administration Act 2013).

1.2 By way of definition, a polling district is a geographical sub-division of an electoral area i.e. a UK Parliamentary constituency, a ward, or an electoral division. A polling place is a geographical area in which a polling station is located. In Exeter, polling places are the same as polling districts to allow a greater degree of flexibility in deciding where a polling station should be. A polling station is the actual room or building where the process of voting takes place and must be located within the polling place. The (Acting) Returning Officer must provide a sufficient number of polling stations and allot the electors to those polling stations in such manner as he or she thinks the most convenient.

1.3 This review is specifically about polling districts and polling places.

## **2. Recommendations:**

2.1 To adopt the proposals as set out at paragraph 8.5 for implementation from a revised register of electors to be published by 1 February 2025.

2.2 For the Council to formally publish its final report on the Review of Parliamentary Polling Districts and Places within the Exeter Constituency by 10 January 2025, as required by the Representation of the People Act 1983 (RPA 1983).

2.3 For the Council to complete a further review by 31 January 2030, as required by the Representation of the People Act 1983.

### **3. Reasons for the recommendation:**

3.1 Polling District Reviews have been carried out in the City in 2014 and 2019 (the last statutory review), in 2016 (as a result of a new boundaries recommended by the Local Boundary Commission for England for the City Council) and in 2017 (as a result of new boundaries recommended by the LGBCE for new Divisions within Devon County Council). This review is a statutory cyclical review of the Parliamentary polling district boundaries, which are then used for Local Government elections. The RPA 1983 sets out a framework for Councils to follow in conducting a review.

3.2 Any new polling district and polling place arrangements will be introduced from the electoral register due to be published by 1 February 2025 and for any election held after that date.

### **4. What are the resource implications including non financial resources**

4.1 There would be some officer time involved in redrawing the appropriate polling district boundaries to match the proposals contained within this report. This can be contained within existing resources.

### **5. Section 151 Officer comments:**

5.1 There are no financial implications contained within this report.

### **6. What are the legal aspects?**

6.1 Sections 18A to 18D of the Representation of the People Act 1983 set out the requirements for polling districts and polling places at parliamentary elections in Great Britain.

Section 18A states that every constituency must be divided into polling districts. A relevant authority is responsible for dividing its area into polling districts for parliamentary elections and keeping these districts under review. The authority must ensure that all electors have reasonable facilities for voting.

Section 18B requires that a polling place be designated for each polling district in a constituency, unless the size or other circumstances of a polling district make this unnecessary. The relevant authority must designate and keep under review the polling places in its area, ensuring that all electors have reasonable facilities for voting and that polling places are accessible to disabled persons. The polling place for a district must be within the district unless special circumstances justify otherwise.

Section 18C outlines the review process for polling districts and places. A relevant authority must conduct and complete a review of all polling districts and places in its area during each compulsory review period. These periods are defined as the 16 months beginning on 1st October 2013 and every fifth year thereafter.

Section 18D provides supplemental provisions for sections 18A to 18C. It states that no election can be questioned due to non-compliance with these sections or any informality related to polling districts or places.

## **7. Monitoring Officer's comments:**

7.1 Members will note the legal requirements set out in the Representation of the People Act 1983 to conduct a review of Polling Districts and Polling Places within the Constituency. The work to satisfy this requirement and proposals are set out in this report.

## **8. Report details:**

8.1 A public consultation exercise in relation to the review, was carried out between 12 August and 27 September 2024. Additionally, all Exeter City and Devon County Councillors (representing the Exeter electoral divisions), political parties and other stakeholders such as disability charities were contacted. (See list at Appendix B). Reference was also made on the Council's website and social media pages, raising the public's awareness of the consultation process, and seeking any views thereon. Opportunity to comment on the proposals put forward by the Acting Returning Officers for the Exeter Parliamentary Constituency and the part of the Exmouth and Exeter East Parliamentary Constituency which falls within Exeter City Council, was also available until 27 September 2024.

8.2 Due to its urban nature, to afford the maximum flexibility in selecting polling stations (particularly if required at short notice), Exeter City Council has always defined its polling places as being coterminous with its polling district boundaries. The only exception to this rule being where the polling station may be located just outside of the ward boundary. It is recommended that this practice be continued. The new polling districts and places will be coterminous with arrangements for the Exeter Parliamentary Constituency and the part of the Exmouth and Exeter East Parliamentary Constituency contained within the Exeter City Council Boundary. These arrangements will also facilitate the process in relation to Exeter City Council wards and Devon County Council divisions.

8.3 The (Acting) Returning Officer has, for a number of years, employed the principle of avoiding the use of schools as polling stations, although this is not always possible where there is a lack of suitable alternative accommodation. It is recommended that this practice be continued. Due to the current circumstances regarding alternative accommodation the number of schools to be used as polling stations will remain at 12 from a total of 55 polling station venues.

8.4 Whilst this is regrettable, every effort will be made to reduce this number if practically possible. During the public consultation period, some responses were made regarding the use of schools as polling station, in particular Bowhill Primary School which closed for the polling day in May and July this year. It should be noted that whilst the Returning Officer has a statutory right to use a school as a polling station, it is ultimately a decision for the school itself as to whether this use can be facilitated whilst the school is in operation. (Seventy percent of schools are able to remain open).

8.5 The following proposal is recommended:

Pennsylvania Ward

At the Parliamentary election in July 2024, it was necessary to move the polling station in polling district GA from Sylvania Hall to Stoke Hill Junior School. This was due to the closure of Sylvania Hall.

It is proposed that the boundary is amended to include Stoke Hill Junior School. This can be seen on the map (Appendix D)

8.6 There are no proposed changes for all other wards. The current polling districts and polling places are long established; their familiarity and accessibility are beneficial for electors and therefore it is considered that minimum change is required as part of this statutory review.

## **9. How does the decision contribute to the Council's Corporate Plan?**

9.1 By making polling districts and places coterminous, allows the (Acting) Returning Officer discretion to locate a Polling Station within that area which best meets the needs of the area and the electors within.

## **10. What risks are there and how can they be reduced?**

10.1 There are no risks associated with the proposals.

## **11. Equality Act 2010 (The Act)**

11.1 Under the Act's Public Sector Equalities Duty, decision makers are required to consider the need to:

- eliminate discrimination, harassment, victimisation, and any other prohibited conduct;
- advance equality by encouraging participation, removing disadvantage, taking account of disabilities and meeting people's needs; and
- foster good relations between people by tackling prejudice and promoting understanding.

11.2 In order to comply with the general duty authorities must assess the impact on equality of decisions, policies, and practices. These duties do not prevent the authority from reducing services where necessary, but they offer a way of developing proposals that consider the impacts on all members of the community.

11.3 In making decisions the authority must take into account the potential impact of that decision in relation to age, disability, race/ethnicity (includes Gypsies and Travellers), sex and gender, gender identity, religion and belief, sexual orientation, pregnant women and new and breastfeeding mothers, marriage, and civil partnership status in coming to a decision.

11.4 Ensuring that polling stations are as accessible as possible (within the constraints of the buildings available and the topography of the City), positively impacts on equality issues especially for the disabled elector. The use of schools as polling stations has been raised as a potential safeguarding issue. The Returning Officer works with the schools themselves to minimise any such risk, mainly through the use of facilities on site which, in the majority of cases, allows the school to remain open to pupils on polling day. As stated elsewhere in this report, the closure of a school on polling day, ultimately lies with the schools themselves.

## **12. Carbon Footprint (Environmental) Implications:**

12.1 No direct carbon/environmental impacts arising from the recommendations.

## **13. Are there any other options?**

13.1 There are no other options currently available.

13.2 The number of polling stations in the city allows for efficient running of all types of elections, and also for ease of access to them for the City's electors.

**(Acting) Returning Officer and Electoral Registration Officer, Bindu Arjoon**

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## **Local Government (Access to Information) Act 1972 (as amended)**

Background papers used in compiling this report:-

None

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