



Leicester  
City Council

## WARDS AFFECTED

*All wards*

### FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:

Council

16 January 2025

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#### Review of Polling Districts, Polling Places and Polling Stations

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#### Report of the Chief Operating Officer (Acting Returning Officer for Parliamentary elections)

##### 1. PURPOSE OF REPORT

To seek Council agreement to proposals for a revised scheme for Polling Districts, Polling Places, and Polling Stations, within the City of Leicester which will be implemented with the publication of a revised electoral register from 1 February 2025.

##### 2. SUMMARY

In accordance with the Representation of the People Act 1983, the Council has a duty to divide the City into polling districts and to designate a polling place for each of these districts, and to formally review those arrangements periodically. The Electoral Registration and Administration Act 2013 introduced a change to the timing of compulsory reviews of UK Parliamentary polling districts and polling places. The legislation requires every local authority to complete a review of its polling districts and polling places by 31 January 2025. Subsequent reviews must be undertaken at least once every five years. The last review took place in 2019.

##### 3. RECOMMENDATIONS

Council is recommended to:

- Approve the Scheme of Polling Districts, Polling Places and Polling Stations for the City of Leicester as detailed as Appendix A to be formally adopted on 1 February 2025 when a revised electoral register will be published; and
- Delegate to the (Acting) Returning Officer any decision to designate an alternative polling place if a building becomes unavailable for any reason before an election, subject to appropriate consultation with relevant local stakeholders.

## **4. REPORT**

### **4.1 Definitions**

For reference:

- a Polling District is the geographical subdivision of an electoral area. For voting purposes, each Parliamentary constituency and every local government ward is divided into one or more polling districts.
- a Polling Place is the geographical area within which a polling station is located. However, there is no legal definition of what a polling place is. It could be as large as the polling district or as small as a particular building; and
- a Polling Station is where the voting actually takes place and must be located within the polling place designated for the particular polling district. When deciding which buildings to use as polling stations, the (Acting) Returning Officer tries to make sure that they are located as conveniently as possible for the majority of electors and that they are accessible to everyone, particularly anyone with a disability.

### **4.2 Statutory requirements relating to this review**

Local authorities are required to divide their area into polling districts for the purposes of parliamentary elections and to designate polling places for these polling districts and to keep them under review. It should be noted that the polling districts for UK Parliamentary elections and local government elections should always be the same and so the review covers polling arrangements for both types of election. The review does not affect the Council boundary or the boundaries of the three parliamentary constituencies.

The timing of compulsory reviews of UK Parliamentary polling districts and polling places is set by legislation. Compulsory reviews must be started and completed within the period of 16 months that starts on 1 October of every fifth year after 1 October 2013. Therefore, this review must be completed by 31 January 2025. The City Council last undertook a review in 2019.

Council has reserved to itself for determination, substantive Council decisions relating to the preparation and maintenance of the electoral register and the conduct of local elections. The agreement of polling districts and polling places is therefore a decision taken by Full Council.

### **4.3 Conducting the review**

In conducting a review of polling districts and polling places, authorities must comply with the following legislative requirements regarding the designation of polling districts and polling places:

- the council must designate a polling place for each polling district, unless the size or other circumstances of a polling district are such that the situation of the polling stations does not materially affect the convenience of the electors;

- the polling place must be an area in the district, unless special circumstances make it desirable to designate an area wholly or partly outside the district (for example, if no accessible polling place can be identified in the district); and
- the polling place must be small enough to indicate to electors in different parts of the district how they will be able to reach the polling station.

Local authorities must also comply with the following 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; and
- seek to ensure that so far as is reasonable and practicable every polling place for which it is responsible is accessible to electors who are disabled.

Local authorities have a duty to review the accessibility of all polling places to disabled voters and ensure that every polling place, and prospective polling place, for which it is responsible is accessible to disabled voters 'so far as is reasonable and practicable'.

Access to the polling station is still a barrier to some disabled people who want to cast their vote in person. Some of the main physical access issues which should be considered as part of a review are:

- polling places and stations with steps into the entrance, or otherwise inaccessible
- narrow doorways and corridors
- lack of space within the polling place that did not enable motorised wheelchair manoeuvrability
- lack of space and secrecy for the elector and their companion to discuss the elector's choice of vote
- lack of low level polling booths or booths/tables that didn't provide disabled voters with confidence that they could cast their vote in secrecy as they were positioned close to the polling station staff
- a lack of chairs to enable people to rest
- a lack of a clear display of guidance or aids (such as tactile voting devices) to enable people to feel confident about the process
- inadequate lighting.

The Elections Act 2022 provides a duty for (Acting) Returning Officers to provide each polling station with such equipment as it is reasonable to provide for the purposes of enabling, or making it easier for, relevant persons to vote independently and in secret. The review therefore has included consideration of whether the building can accommodate the equipment you will provide to support disabled voters.

In practice, a wish to provide a range of fully accessible buildings, conveniently located for electors has to be tempered by the actual circumstances and locations available. Where access is not ideal, then reasonable adjustments will be undertaken to help ensure access to all electors.

In addition to the statutory requirements the following considerations are also important and have been used both in this review and previous reviews, and were promoted to consultees as key factors to consider in making any representations:

- Ideally, the polling place should be in its own polling district.
- Where possible, “natural” boundaries should be used such as railways, major roads, and waterways;
- All properties in a minor road or estate should, ideally, be in the same polling district and
- Polling places should be “logical”; that is, electors should not have to pass another polling place to get to their own.

#### **4.4 Consultation**

The review of polling districts and polling places has involved consultation with the public and other interested stakeholders. There are two elements to this consultation:

- A compulsory submission from the (Acting) Returning Officer of the UK Parliamentary constituency (Chief Operating Officer), which must then be published by the local authority; and
- Submissions from electors and other interested persons and bodies, including elected representatives and those with expertise in relation to access to premises or facilities for disabled people.

The review commenced on the 16 October 2024 with the publication of a formal notice, as required, which was placed on the Council’s website, displayed at Customer Services and which was sent to all Council members and to formal forums and groups representing people with disabilities. The Council’s social media profiles were also used to promote the notice of the review.

Following the publication of the formal notice the (Acting) Returning Officer’s comments on the existing arrangements were published and invited consultees to comment on the current arrangements and put forward any suggestions for improvement on those arrangements. The consultation ran between 16 October 2024 and 25 November 2024. The representations received were then reviewed.

The consultation was publicised in the same way as the notice of the review; a letter was sent to all Council members and to formal forums and groups representing people with disabilities. The Council’s on-line consultation hub was used to provide information and receive submissions and the Council’s social media profiles used to promote the consultation. 39 responses were received overall, which was very pleasing and helpful.

Furthermore, a response received from Vista setting out the challenges faced by blind and partially sighted voters was informative beyond that of just the polling district review and was very much appreciated.

## **4.5 Proposals**

The final proposals for the new polling districts and polling places are detailed at Appendix A with the last column being the recommendation for each polling district for consideration by Full Council. Maps showing the proposed polling districts for amended wards are linked in the recommendations column.

In drawing up these proposals full consideration has been taken of:

- All representations made which are summarised and set out in Appendix A; and
- The (Acting) Returning Officer's submission. In making that submission the (Acting) Returning Officer took into account a range of factors, including the following:
  - Size of electorate for each Polling District
  - Electoral turnout
  - Number of voters who have applied for a postal vote
  - Topographical issues such as walking distance, hills or inclines to be negotiated and busy roads to be crossed.
  - Travel to polling places
  - Access to Polling Stations, including for those with children/pushchairs, wheelchairs, mobility difficulties
  - Suitability of premises as a polling station (including maintaining the secrecy of the ballot), basic facilities (toilets etc.) for polling staff.

In addition, where possible, preference is given to using premises other than schools (to avoid the potential for closure and consequent disruption and impact on educational standards), although it is not feasible to avoid use of schools in some areas due to the lack of other suitable premises. Faith based/religious premises have been used provided that sacred areas are not affected and that use by electors would not compromise the values and practices of that faith.

The use of mobile facilities is no longer permitted unless there is no other viable alternative.

## **4.6 Timetable for implementation**

The current regulations require this review to be completed by 31 January 2025 and a revised register of electors to be published by 1 February 2025.

## **4.7 Appeal process**

Following the conclusion of the authority's review, certain individuals have a right to make representations to the Electoral Commission. The following may make representations:

- thirty or more registered electors in each constituency (although electors registered anonymously cannot make a representation);
- a person (except the (Acting) Returning Officer) who made representations to the authority when the review was being undertaken; and
- any person who is not an elector in a constituency in the authority's area but who the Commission thinks 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 or facilities of disabled persons.

In addition, the (Acting) Returning Officer may make observations on any representations made to the Electoral Commission.

All representations must be made in writing (details can be found on the Electoral Commissions website) and be as specific as possible stating 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; and
- the local authority has failed to take sufficient account of accessibility to disabled persons of the polling station/ polling stations within a polling place.

A representation may also include for consideration specific proposals for changing the place that has been designated as the polling place.

#### **4.8 Making amendments to polling places**

If a polling station becomes unavailable, the (Acting) Returning Officer should consider whether another polling station could be designated within the polling place. Changing the polling station within the polling place would not require a review.

As noted earlier, Full Council has reserved to itself any substantial decisions relating to the preparation and maintenance of the electoral register and the conduct of local elections. For practical purposes it is proposed that should there be a need to change a polling place for example where a building becomes unavailable before an election, then this decision is delegated to the (Acting) Returning Officer provided they undertake appropriate consultation with relevant stakeholders in that local area.

Between compulsory reviews, all polling places and polling stations used should be kept under consideration, and an evaluation of their suitability carried out after each election. If any changes are identified as being desirable, the same steps should be followed as for conducting the compulsory review.

## **5. FINANCIAL, LEGAL AND OTHER IMPLICATIONS**

### **5.1 Financial Implications**

There are no significant financial implications arising from the recommendations in this report.

*Stuart McAvoy, Head of Finance, ext. 37 4004*

### **5.2 Legal Implications**

The legal implications are detailed within the body of this report.

*Kamal Adatia, City Barrister, ext. 37 1401*

### **5.3 Equality implications**

Reference is made in the report to addressing and meeting disabled access needs and general accessibility. Local authorities have a duty to review the accessibility of all polling places to disabled voters and ensure that every polling place, and prospective polling place, for which it is responsible is accessible to disabled voters 'so far as is reasonable and practicable'. Where, because of local circumstances, a polling place has been selected that is not fully accessible, then reasonable adjustments must be undertaken to provide access for all electors. Changes in the law have been made which aim to provide greater flexibility and choice in how disabled voters are supported to vote at polling stations. Disabled voters can choose anyone who is over 18 to accompany them in the polling station to help them vote, including people who may not themselves be eligible to vote at the election.

Returning Officers need to take all reasonable steps to provide support for disabled voters at polling stations. This aims to improve the range and quality of support available and speed up the process of providing additional support where needed.

*Surinder Singh, Equalities Officer, ext. 37 4148*

## **6 BACKGROUND PAPERS – LOCAL GOVERNMENT ACT 1972**

- Electoral Registration and Administration Act 2013
- Schedule A1 to the Representation of the People Act 1983
- Elections Act 2022
- Electoral Commission guidance - Reviews of polling districts, polling places and polling stations.

## **7 CONSULTATIONS**

As described in section 4.4.

**8 REPORT AUTHOR**

Alison Greenhill, Chief Operating Officer



