



Constitution and General Purposes Committee

16 January 2020

Title	Review of Polling Districts and Polling Places
Report of	John Hooton - Chief Executive and Returning Officer
Wards	All
Status	Public
Urgent	No
Key	No
Enclosures	Appendix A: Polling arrangement proposals within the Chipping Barnet parliamentary constituency area Appendix B: Polling arrangement proposals within the Finchley and Golders Green parliamentary constituency area Appendix C: Polling arrangement proposals within the Hendon parliamentary constituency area Appendix D: Copy of representation(s) received in relation to this review
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Summary

This report advises the Committee on the arrangements being proposed by the London Borough of Barnet's Returning Officer for polling districts and polling places to be used at the London Mayoral and Greater London Assembly elections on 7 May 2020 and for any other statutory elections or referendums that should take place within the borough before May 2022.

Should the Committee decide upon any changes to existing polling arrangements, these will be implemented on the register as soon as is practicable and then take effect when

the next monthly 'Notice of Alteration' to the Register of Electors is published (usually on the first working day of each month).

Officers Recommendations

1. That the Committee approve all polling place arrangements as proposed by the Returning Officer and laid out in Appendixes A, B and C.

1. WHY THIS REPORT IS NEEDED

- 1.1 To comply with the requirements of the Representation of the People Act 1983 sections 18A-18E (as amended by section 17 of the Electoral Registration and Administration Act 2013), the Council is required to undertake a compulsory review of all polling districts and polling places in the period between 1 October 2018 and 31 January 2020 and within the same period every fifth year after that.
- 1.2 Following the conclusion of the Electoral Review of Barnet (that is currently being undertaken by the Local Government Boundary Commission for England (LGBCE)), it is known that all of Barnet's ward boundaries will change. At present, these new ward boundaries are scheduled to be published by LGBCE in January 2020. Following this, extensive changes will be required to the current polling district boundaries and to polling place locations throughout the borough. By law, the new ward boundaries (served by the new polling districts and polling places) will come into effect for the next local government elections on 5 May 2022.
- 1.3 In order to comply with the requirements outlined in 1.1 and to effectively prepare new polling arrangements as will be necessary due to the Electoral Review of Barnet (detailed in 1.2), Electoral Services officers have undertaken a review of all polling districts and polling places in the borough. This review has been conducted within the current warding pattern of the borough and will be in effect for the GLA elections which will take place on 7 May 2020.

2. REASONS FOR RECOMMENDATIONS

- 2.1 Following the review conducted by officers from Electoral Services, during which representations were sought from electors, elected officers and other stakeholders, the borough's Returning Officer is proposing that no changes are made to any polling districts or polling places (as detailed in appendices A-C).
- 2.2 As widespread changes will be made to the vast majority (if not all) of Barnet's polling districts and polling places following the publication of the LGBCE's Electoral Review of Barnet (as detailed in 1.2 above), any changes made to polling arrangements for this review will almost certainly be changed again after being used at a single election. This increases the possibility that electors will be unclear or confused about which polling district they reside within and where their designated polling place is located at future elections. Minimising or eliminating changes to polling arrangements at this time is therefore seen as a responsible approach to this statutory review.
- 2.3 The current polling districts and polling place arrangements within the borough's existing wards are considered to be satisfactory, so far as is practicable within the

specific local circumstances that prevail within the areas that they serve. The general suitability of existing polling arrangements has been evident during elections conducted in the borough over recent years.

2.4 The approach throughout this interim review therefore, was to only consider proposing a change where a clear conclusion could be reached that any new arrangements could:

- Clearly be seen to better serve affected electors by offering superior polling facilities, accessibility and/or location in comparison with existing arrangements
- Substantively reduce inconvenience, caused by polling day arrangements, for local residents without any detrimental effect upon the voting arrangements for affected electors

2.5 Based upon the review conducted by Electoral Services officers, the Returning Officer has not concluded that any changes to polling arrangements should be proposed at this time.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

3.1 In accordance with the provisions of the Representation of the People Act 1983 section 18A-18E (as amended by section 17 of the Electoral Registration and Administration Act 2013), the Council had to statutorily undertake a review of polling districts and polling places within the defined period ending 31 January 2020. There was no lawful alternative to conducting this review within this period.

4. POST DECISION IMPLEMENTATION

4.1 The polling districts and polling places as approved by Committee will be used for the GLA Elections on 7 May 2020 and (should any be called) any By Election(s) that take place before May 2022.

4.2 Following publication of the LGBCE's Electoral Review of Barnet (establishing the new Ward boundaries within the borough) it will be necessary to designate new polling districts and polling places to effectively serve the new ward boundaries of the borough. Electoral Services, in consultation with the Returning Officer, will complete this work to ensure the new arrangements can be brought before Committee in early 2022, ahead of the Local Government elections in May 2022.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- The councils Corporate Plan, Barnet 2024, has three outcomes for the borough, that focus on place, people and communities.
- Ensuring that the designation of polling districts and polling places give all electors reasonable and accessible facilities for voting (so far as is practicable within the circumstances), helps to ensure that the views of all electors resident within the borough can be expressed and are taken into consideration on all aspects of the corporate outcomes.

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property,

Sustainability)

- The Council is only responsible for the costs of conducting local (council) elections, including, when held, local by elections that elect the Borough's own councillors. At all other elections all 'actual and necessary' costs are recovered by the Returning Officer from the relevant governing body for that election (e.g. central government for national UK elections or referendums and the GLA for the London Mayoral and Greater London Assembly elections).
- As no changes to polling places are being proposed there is no financial impact from the recommendation of this report.

5.3 Social Value

- As stated at 5.1

5.4 Legal and Constitutional References

- In order to comply with the provisions of the Representation of the People Act 1983 sections 18A-18E (as amended by section 17 of the Electoral Registration and Administration Act 2013), and the Review of Polling Districts and Polling Places (Parliamentary Elections) Regulations 2006 the Council will undertake a statutory review of polling districts and polling places in the period between October 2018 and January 2020.
- In carrying out any review of polling arrangements, the local authority must comply with the steps set out in Schedule A1 Representation of the People Act 1983. The local authority is required to:
 - publish a notice of the holding of a review
 - consult the (Acting) Returning Officer for every parliamentary constituency which is wholly or partly in its area
 - publish all representations made by the 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 (regulation 3 of the Review of Polling Districts and Polling Places (Parliamentary Elections) Regulations 2006)
 - 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 have an opportunity to make representations and to comment on the representations made by the (Acting) Returning Officer(s).
 - on completion of a review, give reasons for its decisions and, in accordance with regulation 4 of the Review of Polling Districts and Polling Places (Parliamentary Elections) Regulations 2006, publish:
 - all correspondence sent to an (Acting) Returning Officer in connection with the review
 - all correspondence sent to any person whom the authority thinks has particular expertise in relation to access to premises or facilities for persons who have different forms of disability

- all representations made by any person in connection with the review
 - the minutes of any meeting held by the council to consider any revision to the designation of polling districts or polling places within its area as a result of the review
 - details of the designation of polling districts and polling places within the local authority area as a result of the review
 - details of the places where the results of the review have been published
- Provision is contained within Section 18E RPA 1983 which provides that no election is to be questioned by reason of any informality relative to polling districts and polling places. Representations can be made to the Electoral Commission which may make directions to alter polling districts and/or polling places.
 - The Constitution and General Purposes Committee terms of reference (Article 7) includes to *“have responsibility for overseeing the Council’s governance arrangements including: Electoral Services including: elections and electoral registration performance; and polling places and polling district boundaries”*.

5.5 Risk Management

- By approving the outcomes of this review the Council will meet its statutory duty to review polling districts and polling places as designated under the Representation of the People Act 1983 section 18A-18E (as amended by section 17 of the Electoral Registration and Administration Act 2013) and thereby eliminates the risk of breaching this duty.
- In conducting and implementing the findings of this review of Polling Districts and Polling Places, the Council mitigates the risk that electors find the arrangements for polling within the Borough to be hampered by poor accessibility or the provision of sub-standard facilities (given the practicable circumstances prevailing in each polling district).

5.6 Equalities and Diversity

- No separate equalities impact assessment has been undertaken as the delivery of this electoral process is strictly governed by legislation, which is in itself designed to provide for reasonable access for all electors – including persons who have different forms of disability (so far as is reasonably practicable in the circumstances). In addition to providing polling stations that are as accessible as practicable in the circumstances, Part 2 Representation of People Act 2000 provides that all voters have the right to request the use of postal or proxy voting arrangements.
- The legislation governing this review requires that representations are sought from persons who are considered to have an expertise in access to locations for persons with different forms of disability. In order to fulfil this requirement, the Head of Service for Health and Safety at the London Borough of Barnet was given oversight of the continuing arrangements for polling across the

borough.

- Pursuant to section 149 of the Equality Act, 2010, the council has a public-sector duty to have due regard to eliminating unlawful discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; advancing equality of opportunity between those with a protected characteristic and those without; promoting good relations between those with a protected characteristic and those without.
- Effective processes and activities with regards to registering residents on the electoral roll, in compliance with all relevant electoral legislation, ensures that all eligible individuals can choose to exercise their democratic rights in the manner in which they choose (as allowed by law).

5.7 Corporate Parenting

- Not applicable

5.8 Consultation and Engagement

- Public notice of this review, which invites representations to be made regarding the polling arrangements within the borough, was published and displayed at Hendon Town Hall and posted on the Council's website on 30 September 2019. In addition, a copy of the review notice was sent to:
 - All 63 Councillors of the London Borough of Barnet
 - The three Members of Parliament that represent the constituencies within the London Borough of Barnet
 - The London Assembly Member for the Barnet and Camden constituency.And promoted through social media.
- The proposals of the Returning Officer (as laid out in appendixes A, B and C to this report) were received on 30 September 2019 and had to be published within 30 days of receipt. They were published via public display at Hendon Town Hall and on the Council's website on Monday 30 September 2019.
- All representations received in response to the published Notice of Review are contained within Appendix D.

5.8 Insight

5.8.1 None

6. BACKGROUND PAPERS

6.1 At the meeting of the [General Functions Committee held on 17 January 2019](#) the Committee approved all current polling district and polling place arrangements.