

## CHIEF EXECUTIVE

11 NOVEMBER 2024

### REPORT OF HEAD OF DEMOCRATIC SERVICES AND ELECTIONS

#### A. REVIEW OF PARLIAMENTARY POLLING DISTRICTS AND POLLING PLACES 2024 – OUTCOME OF REVIEW

##### PART 1 – KEY INFORMATION

###### **PURPOSE OF THE REPORT**

This report sets out the steps taken in the 2024 review of Parliamentary Polling Districts and Polling Places and the outcome of that review, which complies with the relevant statutory obligations.

Under the Electoral Registration and Administration Act 2013, the Council is required to conduct a review of all Parliamentary Polling Districts and Polling Places in the District, at no less frequency than, every five years.

This review relates to Parliamentary Polling Districts and Polling Places but you are being recommended to adopt the proposals for use in local government elections also.

In addition, an Electoral Review of Essex County Council was undertaken by the Local Government Boundary Commission for England (LGBCE) between 2023 and 2024. This established new County Council Electoral Divisions for Tendring (and the remainder of the County administrative area). The final recommendations of the Review were laid in Parliament on 11 September 2024 and The Essex (Electoral Changes) Order 2024 will be made within 40 parliamentary sitting days (on the basis of no successful objection). These new Electoral Divisions Boundaries will be in force at the next scheduled elections on 2 May 2024.

###### **EXECUTIVE SUMMARY**

The Council is required to conduct a Polling Districts and Places Review for its area; and the review has also looked at polling station venues in an effort to make them convenient and accessible to electors in the relevant defined geographical area (the Polling District). There are restrictions and requirements around defining Polling Districts, the relevant Polling Place and the siting of Polling Stations.

Currently there are 77 different neighbourhoods or parishes/parish wards in the District of Tendring that are defined as their own Polling District, each with a defined Polling Place and venue for a Polling Station.

The Polling Districts and Places Review seeks to provide for polling arrangements for the next five years or so, responding to a range of issues and changes that have occurred over recent years or were otherwise outstanding from the last such review.

###### **RECOMMENDATION(S)**

It is recommended that:

- (a) The comments and submissions received during this Parliamentary Polling Districts

- and Polling Places review be received and considered;
- (b) Having had regard to the outcome of the consultation as referred to in (a) above, the proposals for Parliamentary Polling Districts and Polling Places in the District, as set out in Appendix A, be adopted;
- (c) the Local Government Polling Districts and Polling Places to mirror the proposals set out in Appendix A;
- (d) the Head of Democratic Services & Elections be authorised to give public notice of the decisions in (b) and (c) above and otherwise alert consultees during the Polling Districts and Polling Places review of the outcome of that review; and
- (e) to note the following outstanding matters identified in the outcome of this review:

Constituency	District Ward	New Polling District Reference	Description of Polling District	Issue
Clacton	Cann Hall	CAF	Area to the south of St Johns Road	Unable to find suitable polling station venues within the polling district
Clacton	Frinton	CAL1	Frinton Town west of Connaught Avenue	Unable to find suitable polling station venues within the polling district
Clacton	Homelands	CAN	Homelands Parish Ward	Unable to find suitable polling station venues within the polling district
Clacton	The Bentleys & Frating	CBP	Little Bentley Parish	Unable to find suitable alternative accessible polling station venues within the polling district
Clacton	St Osyth	CBB	Earl's Hall in St Osyth, north of St Johns Road and the West Clacton & Jaywick Sands Ward	Unable to find suitable polling station venues within the polling district
Harwich & North Essex	Ardleigh & Little Bromley	H06 & H07	Ardleigh Parish south of the A120. H06 includes Fox Street and H07 is Crockleford Heath	Unable to find suitable polling station venues within the new polling districts
Harwich & North Essex	Dovercourt Vines & Parkeston	H16	The Vines area	Unable to find suitable polling station venues within the polling district
Harwich & North Essex	Stour Valley	H27	Hewitt Road Parish Ward	Unable to find suitable polling station venues within the new polling district

#### **REASON(S) FOR THE RECOMMENDATION(S)**

The Council is under a duty to conduct this review and it must be concluded by 31 January 2025. In order to ensure that the new Polling Districts and Polling Places are in force to accommodate the changes to Electoral Division boundaries as a result of the Electoral Review of Essex County Council, the review commenced on 26 July 2024 so that a revised register of electors could be published on 1 December 2024 (following the Chief Executive's approval), in advance of the scheduled elections in May 2024. All stages of the review have been completed subject to consideration and approval by the Chief Executive of the recommended Polling District and Polling Places set out in Appendix A.

While the review timetable refers solely to Parliamentary Polling Districts and Places, it is beneficial to apply the resulting Polling Districts and Places to Local Government electoral arrangements. As sole taking account of the changes to the Essex County Council Electoral Division changes following the periodic electoral review for that Council is beneficial.

### ALTERNATIVE OPTIONS CONSIDERED

The review itself sought to invite alternative options and, to the extent that these were identified, they have been addressed as part of this review. Fundamentally, there is a legislative requirement on the Council to have undertaken a review of this kind in the time window from 1 October 2023-31 January 2025. As such, the alternative of not conducting the review would be a breach by the Council of this requirement on it.

The recommendations, above, themselves identify certain matters that it could not resolve satisfactorily within the review. As such, these matters will continue to be matters that the councils officers will monitor with a view, where possible, of resolving outside of the review period. They do not, of themselves, invalidate the proposals arising from the review.

## PART 2 – IMPLICATIONS OF THE DECISION

### DELIVERING PRIORITIES

The conducting of the review, and inviting comments from the public and other stakeholders can be said to support the priorities set out in the Corporate Plan 2024-28. Specifically, that Plan has, at its heart, Community Leadership with the commitment that the Council will listen and for our residents and businesses.

### OUTCOME OF CONSULTATION AND ENGAGEMENT (including with the relevant Overview and Scrutiny Committee and other stakeholders where the item concerns proposals relating to the Budget and Policy Framework)

The review has been conducted using the following timetable:

Schedule	Date
Publication of notice of review and commencement of initial consultation	26 July 2024
Conclude initial consultation	30 August 2024
Review initial consultation	30 August-6 September 2024
Commence second consultation	13 September 2024
Conclude second consultation	1 November 2024
Review second consultation	4 – 8 November 2024
Chief Executive to consider proposals and determine approach	20 November 2024
Publish revised arrangements to be incorporated in Publication of Register of Electors on 1 December 2024	20 November 2024

The following have been informed of the review, alongside the website and public notice at the Town Hall, Clacton-on-Sea:

- Each of the 48 District Members of Tendring District Council;
- Each of the 8 County Members of Essex County Council for the Divisions within the District of Tendring;
- The Members of Parliament for Clacton Constituency and Harwich & North Essex Constituency;
- The Acting Returning Officer for Clacton Constituency and Harwich & North Essex Constituency;
- Each of the 27 Town and Parish councils;
- Community Voluntary Services Tendring, Royal National Institute for the Blind, Sensory Services at Essex Cares, Affinity Trust, Essex Carers Network;
- In addition to the above there were press releases about the review on the following dates 30 July 2024 and 24 September 2024;

There have been two stages of consultation. These have been published on the Council's website inviting comments from any who wish to engage. In addition, Councillors at parish, district, county and parliamentary level were invited to comment on current arrangements and on potential changes. On conclusion of stage one, further engagement with Councillors was undertaken where specific changes had been suggested or highlighted.

Appendix B sets out the comments received and the proposed responses to those comments in respect of this review.

The comments and suggestions from both consultations form the basis for the recommendations contained within this report. The opportunity has been taken to adopt a Polling District reference scheme that identifies by the first letter which parliamentary constituency the Polling District is located in. Polling Districts in the Clacton Constituency commence with a "C" and those in the Harwich & North Essex Constituency commence with a "H". The remainder of the reference scheme for Clacton Constituency are unique sequential letter combinations and for Harwich & North Essex it is sequential numbers.

In summary the majority of Polling Districts, and Polling Station venues are proposed to remain unchanged. However, in designation terms, it is proposed to designate the Polling Place so that it facilitates alternative venues for Polling Stations should this be necessary at an individual election.

Several changes have been made as a consequence of the Essex County Council Electoral Divisions changing ahead of next year's elections to that council. It also means that there is no need for certain existing Polling Districts (that existing solely to reflect the pre 2024 County Electoral Division boundaries) to continue.

Looking at other specific changes:

In Kirby-le-Soken and Hamford it is proposed that the polling venue is altered from Soken House which is outside of the district ward and polling district and re-locate to Hamford Primary School. It is possible that a solution may be possible in the designated school car park (outside of the grounds), however this land is owned by Taylor Wimpy and at the time of this report it has not been possible to seek agreement to utilise this area on polling day. The school have been contacted and they are in agreement. This proposal has been objected to

by the Local ward councillor (and Essex County Councillor) Cllr Platt.

In Dovercourt Tollgate it is proposed that the polling venue is altered from Long Meadows Community Centre which is outside of the district ward and polling district, and re-locate to Chase Lane Primary School. The school have previously been contacted and they are in agreement. This proposal has been objected to by the Local ward councillor Cllr Morrison.

New polling district to accommodate new parish of Hewitt Road in Ramsey and Parkston district.

In Ardleigh ward it is proposed that two new polling districts be created. H05 will be Ardleigh, the new H06 will incorporate land south west of the A120 but north of Moze Hall (boundary of the garden communities), the New H07 will cover Crockleford Heath properties, south west of the A120 but south east of the salary brook. At this stage, polling station venues have not been identified in these two new polling districts.

**LEGAL REQUIREMENTS (including legislation & constitutional powers)**

Is the recommendation a Key Decision (see the criteria stated here)	YES/NO	If Yes, indicate which by which criteria it is a Key Decision	Although this is not a Key Decision as it is a non-Executive decision, the decision can be said to have the following characteristics of a Key Decision:  <input checked="" type="checkbox"/> Significant effect on two or more wards <input type="checkbox"/> Involves £100,000 expenditure/income <input type="checkbox"/> Is otherwise significant for the service budget
		And when was the proposed decision published in the Notice of forthcoming decisions for the Council (must be 28 days at the latest prior to the meeting date)	

Section 17 of the Electoral Registration and Administration Act 2013 amended the timetable for which Polling District and Polling Places reviews are undertaken. Section 17 of the 2013 Act requires that a Polling District and Polling Places review is undertaken within 16 months commencing on 1 October 2023. Section 16 of the Electoral Administration Act 2006 sets out the legal framework of the review.

Sections 18-18D of the Representation of the People Act 1983 (as amended), provides as follows:

A Polling District is a geographical electoral area into which wards and constituencies may be sub-divided. The Council is responsible for dividing its area into polling districts and for keeping these under review.

A Polling Place is the building or area designated by the Council where electors in a polling district go to vote in person. Legislation states that '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'.

A Polling Station is the number of issuing desks in the building or area that is the designated polling place where voting takes place.

Local authorities must comply with the following legislative requirements regarding the designation of polling districts and polling places:

- each parish in England and community in Wales is to be a separate polling district, unless special circumstances apply,
- 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),
- 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.

As part of the compulsory review, local authorities must consider the accessibility of potential polling stations when considering designating or reviewing a polling place. In doing so 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,
- so far as is reasonable and practicable every polling place for which it is responsible is accessible to electors who are disabled.

The Council must give notice of holding a review, which requires publication in the Council's Offices, in at least one conspicuous place within the Council's area, and on the Council's website. Such notice was given for this review. The content of the Notice is not prescribed, but it would include key information such as the timetable of the review, that it welcomes responses and suggested alternatives, where documents can be inspected and who to make representations to.

The Council is required to consult the Acting Returning Officer for every parliamentary constituency that is wholly or partly within its area.

In respect to any representations from the Acting Returning Officer received, the District Council would be required to publish the said representations within thirty calendar days of their receipt, as a minimum.

In reviewing polling districts and polling places, the Council is required to seek representations from such persons interested as it thinks have particular expertise in relation to access to premises or facilities for persons who have different forms of disability.

A key factor the Council considered at the outset of the review was the identification of those persons/organisations it feels have particular expertise in accessibility issues. In addition, any elector in the constituency may make representations on the designation of polling places to

the Council.

On completion of a 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 the following:

- 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 meetings held by the authority where details of the review have been considered,
- details of the designations of polling districts and polling places agreed as a result of the review,
- details of where the results of the review have been published.

Although this review concerns itself explicitly with the review of Parliamentary Polling Districts and Polling Places in the Borough, it is normally the case that Local Government Polling Districts and Polling Places will be modified to accommodate and mirror the same Polling Districts and Polling Places as will apply to Parliamentary constituencies. The principal exception to this rule would be if the proposed Polling Place was outside of the electoral area concerned.

Although the Electoral Commission has no role in the review process itself, it has an important role in respect of considering representations and observations made that a council has not conducted a review so as to:

- Meet the reasonable requirements of the electors in the constituency, or a body of them; or
- Take sufficient account of the accessibility to disabled persons of polling stations within a designated polling place.

The proposals for Polling Districts and Polling Places, identified by Parliamentary Constituency and District Ward, are available at the following link: [www.tendringdc.gov.uk/elections](http://www.tendringdc.gov.uk/elections)

The revised Register of Electors is to be republished on 1 December 2024 and will be prepared on the basis of the new Polling Districts and Polling Places, if approved by the Chief Executive (on behalf of the Council) following consideration of this report.

#### **FINANCE AND OTHER RESOURCE IMPLICATIONS**

The cost of undertaking the review has been met within the existing budgets for the service.

#### **USE OF RESOURCES AND VALUE FOR MONEY**

The following are submitted in respect of the indicated use of resources and value for money indicators:

A) Financial sustainability: how the body plans and manages its resources to ensure it can continue to deliver its services;

There are no direct implications arising from this report. However, the use of premises as polling stations is a cost of elections that, when held in respect of the District Council, would be a cost to this Council. The use of temporary units as Polling Stations tends to be substantially more expensive than hiring/heating

	and lighting costs of established buildings.
B) Governance: how the body ensures that it makes informed decisions and properly manages its risks, including; and	By undertaking the review as set out, the Council seeks to ensure that it has taken account of the relevant matters before consideration of the recommendations set out in this report.
C) Improving economy, efficiency and effectiveness: how the body uses information about its costs and performance to improve the way it manages and delivers its services.	There are no direct implications not otherwise referenced elsewhere in this report.
<b>MILESTONES AND DELIVERY</b>	
The review timetable sets out the key milestones for this matter (as set out within the outcome of consultation and engagement section of this report). This itself sits within the legislative time window for the review which commenced on 1 October 2023 and ends on 31 January 2025. Delivering the review within that time window is itself a key milestone to be achieved.	
<b>ASSOCIATED RISKS AND MITIGATION</b>	
<p>The principal risk associated with the review is that it is not completed as required by law and approved by Council in advance of the scheduled elections in May 2024. The setting of a timetable and identification of specific groups of consultees was designed to militate against that risk.</p> <p>Looking for further risks, use of temporary units for polling stations can prove difficult to source where demand for such units is high. The UKPGE on 4 July 2024 saw a requirement locally for 2 temporary units as a result of usual polling places being unavailable. The demand across the country at that time saw many electoral colleagues struggling to secure the resources they required. As such it is preferable to utilise existing buildings to house polling stations where possible.</p>	
<b>EQUALITY IMPLICATIONS</b>	
In preparing this report, due consideration has been given to the Council's statutory Equality Duty to eliminate unlawful discrimination, advance equality of opportunity and foster good relations, as set out in Section 149(1) of the Equality Act 2010.	
<b>SOCIAL VALUE CONSIDERATIONS</b>	
There are no envisaged direct implications in respect of social value matters.	
<b>IMPLICATIONS FOR THE COUNCIL'S AIM TO BE NET ZERO BY 2030</b>	
There are no envisaged direct implications in respect of the Council's net Carbon Zero plans.	
<b>OTHER RELEVANT CONSIDERATIONS OR IMPLICATIONS</b>	
Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.	
<b>Crime and Disorder</b>	There are no envisaged direct implications in respect of these matters.
<b>Health Inequalities</b>	
<b>Subsidy Control (the requirements of the Subsidy Control Act 2022 and the</b>	



<b>related Statutory Guidance)</b>	
<b>Area or Ward affected</b>	All Wards

### **PART 3 – SUPPORTING INFORMATION**

#### **BACKGROUND**

In compliance with Section 17 of the Electoral Registration and Administration Act 2013 (review of polling districts and places in Great Britain), the statutory responsibility for reviewing Parliamentary Polling Districts and Places in England and Wales rests with each relevant local authority for so much of any constituency as is situated in its area.

The Authority must have undertaken and completed a review of all Parliamentary Polling Districts and Places in its area within 16 months, commencing 1 October 2023 (i.e. by 31 January 2025).

This review commenced on 26 July 2024 and is concluding with consideration of this report and the decisions that arise from that consideration. Following this review a further review will need to take place within the period of 16 months commencing on 1 October every fifth year thereafter. Accordingly, the next review period will commence on 1 October 2028.

#### **PREVIOUS RELEVANT DECISIONS**

- 1 16/11/2018 Division of constituency and electoral divisions into Polling Districts and designation of Polling Stations
- 2 21/01/2021 Interim review of Polling Places
- 3 13/12/2022 Decision to Create Two Polling Districts in the ward of Burrsville

#### **BACKGROUND PAPERS AND PUBLISHED REFERENCE MATERIAL**

None.

#### **APPENDICES**

**A – Proposed New Polling Districts and Places recommended for adoption.**

**B – Consultation comments and submissions and responses to those.**

**C – Individual Maps of each Polling District**

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