

URN: 23/550

Subject: Delegation of Authority to Amend Polling Districts and Polling Places

Report to: ELT 1 - February 2023

Policy & Resources Committee – 7 February 2023

Report by: Licensing and Elections Manager

RECOMMENDATION

It is recommended that Policy & Resources committee:

Delegate authority to amend the designation of polling districts and polling places to the Returning Officer of Great Yarmouth Borough Council in the event it is necessary to do so where there would be insufficient time to follow the usual process of undertaking consultation and gaining committee approval.

1. Background

- 1.1 Principal authorities are required to divide every Parliamentary constituency situated within their area into polling districts for the purposes of UK Parliamentary elections, to designate a polling place for each polling district, and to keep these under review.
- 1.2 There is no such responsibility to do this for local government elections, although in reality the same polling districts and polling places are generally used for all types of elections.
- 1.3 A polling district is a geographical area created by the subdivision of a constituency, ward or division into smaller parts. A polling place is also a geographical area. It must be within the polling district unless special circumstances make it desirable to designate an area outside the district.
- 1.4 If no polling place is designated, then the (whole) polling district is taken to be the polling place (this is the case in Great Yarmouth).
- 1.5 A polling station is the actual area where the process of voting takes place and must be located within the polling place designated for each polling district. The locations of the polling stations are decided by the relevant Returning Officer.

2. Current Situation

- 2.1 In Great Yarmouth, the delegation in the constitution to approve the polling districts sits with the Policy & Resources Committee. However, recent and continuing events, including the requirements expected from the Elections Bill 2022, could result in the potential of a polling place or polling station being unsuitable or unavailable for the elections in May. This has highlighted the need to consider how amendments could be made to polling districts and polling places at very short notice.

- 2.2 This report requests the delegation of authority from the Policy and Resources Committee to the Returning Officer to enable amendments to polling districts and places, in the event it is necessary to do so, where there would be insufficient time to follow the usual process of undertaking consultation and gaining committee approval. The timeframe for consultation and committee approval could be 3-6 months and there are times where changes are required within this timeframe due to existing polling stations not being available and no other suitable venue existing within the polling place.
- 2.3 We are asking for this delegation to be permanent for cover all future elections.
- 2.4 Every effort would still be made to explain the reasons for the changes to the voters affected, as well as the political parties and candidates concerned.
- 2.5 If the current arrangements were left in place, it could give rise to challenges to the Returning Officer for not providing suitably accessible polling stations, or for making changes to Polling Districts and places without the authority to do so.

Areas of consideration: e.g. does this report raise any of the following issues and if so how have these been considered/mitigated against?

Area for consideration	Comment
Monitoring Officer Consultation:	
Section 151 Officer Consultation:	None
Existing Council Policies:	
Financial Implications (including VAT and tax):	None
Legal Implications (including human rights):	
Risk Implications:	Election could be open to legal challenge if delegation not in place.
Equality Issues/EQIA assessment:	N/A
Crime & Disorder:	N/A
Every Child Matters:	N/A