

# Governance and Ethics Committee

7 September 2023

<b>Report title</b>	Boundary Commission for England Parliamentary Boundary Review Final Recommendations and Statutory Review of Polling District and Polling Places	
<b>Cabinet member with lead responsibility</b>	Councillor Paula Brookfield	
<b>Accountable director</b>	David Pattison, Chief Operating Officer	
<b>Originating service</b>	Electoral Services	
<b>Accountable employee</b>	Laura Noonan	Electoral Services and Scrutiny Manager
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<b>Report has been considered by</b>	Election Board	31 August 2023

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## Recommendation for action or decision:

The Governance and Ethics Committee is recommended to:

1. Approve the plans and timetable for a statutory review of polling districts and polling places within Wolverhampton.

## Recommendations for noting:

The Governance and Ethics Committee is asked to note:

1. The outcome of the Boundary Commission for England Parliamentary Boundary Review Final Recommendations.

## **1.0 Purpose**

- 1.1 To provide an update on the new parliamentary constituency boundaries.
- 1.2 To present the plans and timetable for the statutory review of polling districts and polling places.

## **2.0 Background**

- 2.1 Under the Representation of the People Act 1983, the council has a duty to divide its area into polling districts and to designate a polling place for each district. The following definitions may be useful when reading the report:
  - Polling districts are geographical electoral areas into which wards and constituencies may be sub-divided.
  - Polling places are the buildings or areas designated by the council where electors in a polling district go to vote in person.
  - Polling stations are the number of issuing desks in the building or area that is the designated polling place.
- 2.2 The Electoral Administration Act 2006, as amended, introduced a duty on all local authorities in Great Britain to review their polling districts and polling places at least once every five years.
- 2.3 Under section 18C of the Representation of the People Act 1983, the next compulsory review must be undertaken within a 16-month window between 1 October 2023 and 31 January 2025.
- 2.4 The intention of the legislation was reviews would be completed by the January before a UK parliamentary general election. However, since the repeal of the Fixed Term Parliaments Act 2011, there is no longer any certainty as to when the next general election will be.
- 2.5 The Dissolution and Calling of Parliament Act 2022 means:
  - the UK Parliament can be dissolved by the King on request of the Prime Minister, at any time within the 5 years of the life of the Parliament.
  - the next general election must take place before Tuesday 28 January 2025, but it could happen at any point before then.
  - there is no longer a link between the timing of the compulsory polling district and places review falling in a 16-month period ending 3 months before a scheduled general election.
- 2.6 In addition, the Boundary Commission for England is currently undertaking a review of parliamentary constituency boundaries. The Commission has now published its final recommendations, and Orders for the new parliamentary constituency boundaries will be made by 1 November 2023.

- 2.7 Once the Orders for new parliamentary constituencies have been made, the new boundaries will be used for the next general election.
- 2.8 If a parliamentary by election is called in the meantime, it would be run on existing boundaries.
- 2.9 These issues mean it is important that the polling district and places review is carried out as early as possible, so that Wolverhampton has agreed polling districts and places to be used for the next parliamentary election, as well as the scheduled local elections, Combined Authority Mayoral and Police and Crime Commissioner elections in May 2024.
- 2.10 Wolverhampton conducted an interim polling district and polling place review following the local government boundary review in 2022. The opportunity was taken to align these polling districts to the proposed parliamentary constituencies to assist with the risk of a snap parliamentary election.
- 2.11 The designation of polling districts and places is a function of Full Council. Full Council has delegated the authority to the Returning Officer to make any necessary changes to polling places and stations, in consultation with the Leader and Leader of the Opposition.

### 3.0 Parliamentary Constituencies

- 3.1 The Boundary Commission for England recently undertook a review of parliamentary constituency boundaries. They have published their final recommendations which can be found in Appendix 1. Further information can be found on the boundary commission website.
- 3.2 The final recommendations for the three Wolverhampton constituencies have not changed since the initial proposals. The Returning Officer had responded at each stage of the consultation process with requests to place whole local government wards in constituencies. A map to show the wards and constituencies can be found in Appendix 2. The table below provides a summary of the wards in each constituency and the changes compared to the existing constituency:

Constituency	Wards in constituency	Changes from existing constituency
Wolverhampton North East	<ol style="list-style-type: none"><li>1. Bushbury North (part)</li><li>2. Bushbury South and Low Hill</li><li>3. Fallings Park</li><li>4. Heath Town</li><li>5. Oxley (part)</li><li>6. Short Heath</li><li>7. St Peters (part)</li><li>8. Wednesfield North</li><li>9. Wednesfield South</li></ol>	<ul style="list-style-type: none"><li>• Taking in 2 wards from Walsall (Willenhall North and Short Heath)</li><li>• Part of Oxley moving to Wolverhampton West.</li><li>• Part of St Peters now in this constituency.</li></ul>

	10. Willenhall North	
Wolverhampton South East	<ol style="list-style-type: none"> <li>1. Bentley and Darlaston North</li> <li>2. Bilston North</li> <li>3. Bilston South</li> <li>4. Darlaston South</li> <li>5. East Park</li> <li>6. Ettingshall North</li> <li>7. Ettingshall South and Spring Vale</li> <li>8. St Peters (part)</li> <li>9. Willenhall South</li> </ol>	<ul style="list-style-type: none"> <li>• Taking in 3 wards from Walsall (Willenhall South, Bentley and Darlaston South and Darlaston South)</li> <li>• Blakenhall moving to Wolverhampton West</li> <li>• Part of St Peters now in this constituency.</li> </ul>
Wolverhampton West	<ol style="list-style-type: none"> <li>1. Blakenhall</li> <li>2. Bushbury North (part)</li> <li>3. Graiseley</li> <li>4. Merry Hill</li> <li>5. Oxley (part)</li> <li>6. Park</li> <li>7. Penn</li> <li>8. St Peters (part)</li> <li>9. Tettenhall Regis</li> <li>10. Tettenhall Wightwick</li> </ol>	<ul style="list-style-type: none"> <li>• Name change from Wolverhampton South West</li> <li>• Taking in part of Oxley from Wolverhampton North East</li> <li>• Taking in Blakenhall from Wolverhampton South East</li> <li>• Part of St Peters now in this constituency.</li> </ul>

3.3 Once the Orders for new parliamentary constituencies have been made, the new boundaries will be used for the next general election. If a parliamentary by election is called in the meantime, it would be run on existing boundaries.

3.4 This means the Register of Electors needs to be able to reflect both the existing and new constituencies. Work can be done to prepare the register in the background before then, so that once the Order for the new parliamentary constituencies is made, the register can be re-arranged or adapted as necessary to give effect to the Order. This would allow any snap general election in November 2023 to be run on the new constituencies. This can be achieved by creating future administrative areas within the Election Management System. The Electoral Services and Scrutiny Manager, on behalf of the Electoral Registration Officer, will liaise with the software supplier to implement this. This work can be started once the final parliamentary constituency proposals are published.

## 4.0 Polling district and places review timetable

4.1 It is important to complete the review as soon as possible so they can be used in the next elections. Section 18C of the Representation of the People Act 1983 does not allow the formal review process to commence before 1 October 2023. The proposed timetable for the review has been presented below:

Activity	Date
Conduct preliminary review inviting feedback from councillors and prepare schedule of polling districts and places for consultation	August 2023 – September 2023
Publish a notice of the holding of the review	2 October 2023
Publish ARO representation	2 October 2023
Public consultation period	2 October 2023–29 October 2023
Analyse responses and prepare recommendations	30 October 2023 – 10 November 2023
Governance and Ethics Committee to consider representations and make recommendations to Full Council	23 November 2023
Full Council to consider recommendations from Governance and Ethics Committee	6 December 2023
Amend the electoral software to reflect new polling district and place scheme	December 2023
Publish revised register with new polling districts	2 January 2024

## 5.0 Polling district and places review process

### 5.1 *Legal requirements*

The process for a polling district and places review is set out in Schedule A1, Representation of the People Act 1983.

The Council must:

- publish a notice of the holding of a review
- consult the (Acting) Returning Officer ((A)RO) for every parliamentary constituency which is wholly or partly in its area
- publish all representations made by an (A)RO 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

- 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 (A)RO(s).

On completion of the review, the council must give reasons for its decisions and publish:

- all correspondence sent to an (A)RO 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

## 5.2 ***Preparatory work and informal consultation***

Even though the formal review cannot start until 2 October 2023, there is a range of preparatory activity which Electoral Services are already carrying out:

This includes:

- Understanding the impact of the new parliamentary constituencies
- Contacting Returning Officer and Electoral Services Team at Walsall Council regarding parliamentary constituencies.
- Liaising with electoral software supplier about structuring the electoral register to accommodate boundary changes
- Preparing data for the start of the review (electorate figures, turnout from previous elections, information about new housing developments in the next 5 years)
- Obtaining detailed up to date maps to enable accurate designation of polling district boundaries
- Identifying organisations with a special interest/expertise in disabled access to consult
- Reviewing polling station feedback from the May 2023 local elections
- Identifying potential alternative polling stations where appropriate
- Seeking feedback from councillors on existing arrangements.

## 5.3 Implementing the changes

Due to a by-election taking place during the canvass period, the publication of the revised register will be delayed until 2 January 2024. This also enables any polling district changes to be implemented on this register. All recipients entitled to request and receive the annual revised register will be notified of the delay in advance.

## **6.0 Financial implications**

- 6.1 The statutory review of polling districts and polling places will be met within the existing Electoral Registration budget.
- 6.2 Any additional costs incurred in a Parliamentary Election as a result of changes to wards will be resourced by Election Grant provided by Central Government for every Parliamentary Election.

[LD/16082023/J]

## **7.0 Legal implications**

- 7.1 All recommendations arising from the report are in line with the statutory provisions covering the review of polling districts and polling places.

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## **8.0 Equalities implications**

- 8.1 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'. Any proposed alternatives to polling stations will be assessed for accessibility before being recommended.
- 8.2 Groups and individuals with experience in disability within Wolverhampton will be invited to respond during the public consultation phase.

## **9.0 All other Implications**

- 9.1 There are no other implications arising from this report at the current time.

## **10.0 Appendices**

- 10.1 Appendix 1: Boundary Commission for England – The 2023 Review of Parliamentary Constituency Boundaries in England.
- 10.2 Appendix 2: A map to show Wolverhampton Wards and the Parliamentary Constituencies.