

Allerdale Borough Council

Council – 01 March 2023

Authority to Temporarily Amend Polling Scheme

Portfolio holder	Councillor M. Fitzgerald PH Policy, Governance and People Resources
Report from	Paul Wood (Returning Officer)
Wards affected	All Wards
Is this a key decision	No

1.0 The reason for the decision

- 1.1 For the 2023 Town and Parish Council elections, it may be necessary to make urgent, temporary changes to the Councils polling scheme.

2.0 Recommendations

- 2.1 That Council delegates to the Returning Officer the authority to make any urgent, temporary changes to any polling place and/or station within the Borough, necessary for the safe and effective delivery of the 2023 Town and Parish elections, due to be held on 04 May 2023.

3.0 Background and Introduction

- 3.1 The Electoral Registration and Administration Act 2013 states that compulsory polling district and polling place reviews must be carried out every five years.
- 3.2 The power to agree a polling scheme as set out in the Representation of the People Act 1983 and the Electoral Registration and Administration Act 2013 is a non-executive function and therefore rests with Council.
- 3.3 The current polling scheme was approved by Council at its meeting on 30 November 2018.
- 3.4 Compulsory scheme reviews must be started and completed within the period of 16 months that starts on 01 October of every fifth year after 01 October 2013.

3.5 The next polling scheme review therefore is scheduled to be completed within 16 months of 01 October 2023.

4.0 Elections Act 2022

4.1 The Elections Act 2022 introduces significant changes to the way elections are conducted. Notably the introduction of Voter ID and extended accessibility guidelines.

4.2 To comply with the introduction of Voter ID, all polling stations will require an area in which an individual can show ID in private. Most of the stations on the current polling scheme have such provision and if they do not, the Returning Officer can introduce 'privacy screens'.

4.3 To improve polling station accessibility, Returning Officers need to take all reasonable steps to provide support for disabled voters.

4.4 The guidance indicates that as a minimum, a polling station should have several aids to assist voters such as tactile voting devices and magnifiers but also requirements such as,

- Chairs/Seating
- Polling Booth at Wheelchair height
- Ramps (where required)
- Appropriate Lighting
- Reserved Parking Spaces

4.5 Some of the existing polling stations, even with adjustments may not be able to comply with the new accessibility provision so changes to the Councils polling scheme may need to be made.

4.6 There are currently 105 polling stations across Allerdale. For Elections held in 2021 and 2022 it had been necessary to temporarily amend the polling scheme.

4.7 In order to react in a timely manner to the need to move a polling place the Returning Officer needs the authority to make the decision quickly.

4.8 Any amendments taken under these measures would be temporary, for specified reasons and the usual polling place will remain until the next polling place review.

5.0 Delivery arrangements

5.1 The Returning Officer for Allerdale Borough Council is responsible the 2023 Town and Parish Elections until 31 March 2023. Responsibility from 01 April 2023 will then be with the Returning Officer for Cumberland Council.

6.0 Implications and Impact

6.1 Contribution to Council Strategy Priorities, Outputs and Outcomes

6.1.1 The provision of safe, accessible polling places links to the council policy of Resilient Communities, by ensuring democratic engagement for communities.

6.2 Finance/Resource implications

6.2.1 The cost of the 2023 Town and Parish Elections will be subsidised by Cumberland Council but paid for by each individual Town and Parish Council.

6.3 Legal and governance implications

6.3.1 The Representation of the People Act 1983 and the Electoral Registration and Administration Act 2013 both require Council to adopt a polling scheme. However, the duty to deliver elections falls to the Returning Officer and any legal challenge to any aspect of the process will be with them personally, not with the authority.

6.4 Risk analysis

A scored and mitigated risk log

Risk	Consequence	Controls required	Mitigated score
Using a polling place that does not comply with the extended accessibility guidelines	Safety of staff and electors	Risk assessments will be conducted on any new and existing polling stations	Low
Existing Polling station becomes unavailable	Electors may need to travel further to the next polling station or vote via post/proxy	Replacement polling station (where applicable) will be used	Low

6.5 Equality impacts

6.5.1 The Elections Act 2022 makes recommendations to the Returning Officer which ensure all voters are able to cast their vote in person.

6.6 Health and Safety impacts

6.6.1 All existing polling stations and any new polling stations designated as part of this authority will undergo formal risk assessment.

6.7 Health, wellbeing and community safety impacts

6.7.1 All community safety impacts will be considered as part of the planning and implementation of the 2023 Town and Parish Elections.

6.8 Environmental/sustainability impacts

N/A

6.9 Other significant implications

N/A

Appendices attached to this report

Appendix number	Title of appendix
N/A	

Background documents available

Name of background document	Where it is available
Reviews of polling districts, polling places and polling stations	https://www.electoralcommission.org.uk/sites/default/files/2023-01/Polling%20district%20review%20guidance.pdf

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