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Event specific	No
Action required	Yes
Area	Great Britain
Retain	Until replaced
Circular reference	EC19(2010)

## Review of polling districts, polling places and polling stations

30 July 2010

### Purpose

1. The purpose of this circular is to provide local authorities and (Acting) Returning Officers in England, Scotland and Wales with guidance in relation to carrying out a review of UK Parliamentary polling districts and polling places.
2. Reviews of parliamentary polling districts must be undertaken at least once every four years. However, in the Commission's interim report on the problems experienced at some polling stations at the close of poll at the 6 May 2010 elections, we recommended that all local authorities take steps immediately to begin the process of conducting reviews of polling districts and polling places, reflecting on the problems identified in some areas at the May 2010 elections.
3. This guidance builds upon that issued in 2007 on the commencement of the relevant provisions introduced by the Electoral Administration Act 2006.
4. This circular replaces circular EC28/2007.

### Background

5. Section 18C(1) of the Representation of the People Act 1983<sup>1</sup> places a duty on all local authorities to review their UK Parliamentary polling districts and polling places every four years.
6. As part of this review process, (Acting) Returning Officers are required to make representations to the local authority on the existing polling stations and

<sup>1</sup> As inserted by Section 16 of the Electoral Administration Act 2006.

the polling stations that would likely be used based on the proposed arrangements for polling places.

7. Other persons, including electors, community groups and other bodies with particular expertise in access to premises for disabled people, may submit proposals to the local authority during the review process.
8. Polling districts and polling places for local government elections are not automatically part of the review<sup>2</sup>. However, given that in practice polling districts and polling places for local government elections are based on UK Parliamentary polling arrangements, it is recommended that the local government Returning Officer become involved in the UK Parliamentary review, and that a review of local government polling arrangements is conducted simultaneously.

## The review process

9. The main guidance document in Appendix A sets out a staged approach for conducting the review in line with the relevant legislation.
10. Appendix B includes templates that can be used to assess the suitability of polling places and polling stations.
11. Appendix C covers the step-by-step process for changing the name of an electoral area in England and Wales.

## Contact

12. Your Electoral Commission contact points for any further information are:

### **Scotland Office**

David Freeland

Telephone: 0131 225 0208

Email: [dfreeland@electoralcommission.org.uk](mailto:dfreeland@electoralcommission.org.uk)

### **Wales Office**

Joanne Nelson

Telephone: 0292 034 6803

Email: [jnelson@electoralcommission.org.uk](mailto:jnelson@electoralcommission.org.uk)

### **Eastern and South East Office**

James Steele

Telephone: 020 7271 0600

Email: [jsteele@electoralcommission.org.uk](mailto:jsteele@electoralcommission.org.uk)

### **London Office**

Peter Dawson

Telephone: 020 7271 0689

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<sup>2</sup> Local government polling districts and polling places are covered separately in Section 31, Representation of the People Act 1983.

Email: [pdawson@electoralcommission.org.uk](mailto:pdawson@electoralcommission.org.uk)

**Midlands Office**

East Midlands and West Midlands

Gail Emmerson

Telephone: 02476 820 086

Email: [gemmerson@electoralcommission.org.uk](mailto:gemmerson@electoralcommission.org.uk)

**North of England Office**

North East and Yorkshire and the Humber

Kathryn Dunn

Telephone: 01904 567 990

Email: [kdunn@electoralcommission.org.uk](mailto:kdunn@electoralcommission.org.uk)

North West

Sandra Hardy

Telephone: 01904 567 993

Email: [shardy@electoralcommission.org.uk](mailto:shardy@electoralcommission.org.uk)

**South West Office**

South West

Elizabeth Gorst

Telephone: 01392 314 616

Email: [egorst@electoralcommission.org.uk](mailto:egorst@electoralcommission.org.uk)

This circular is for the attention of:

**The Acting Returning Officer**

Parliamentary constituencies in England and Wales

**The Returning Officer**

Parliamentary constituencies in Scotland

District, metropolitan borough and London borough authorities in England

Unitary authorities in England and Wales

This circular is for the information of:

**The Electoral Registration Officer**

District, metropolitan borough and London borough authorities in England

Unitary authorities in England and Wales

Unitary authorities and joint boards in Scotland

**The Chief Electoral Officer**

Northern Ireland

This circular was approved by Andrew Scallan, Director of Electoral Administration.

## Circular EC19/2010 – Appendix A

### Review of polling districts, polling places and polling stations

#### 1 Introduction

##### Legislation

1.1 The Electoral Administration Act 2006 (EAA 2006) introduced a duty on all local authorities in Great Britain to review their UK Parliamentary polling districts and polling places at least once every four years.<sup>1</sup> The first such review had to be completed by the end of 2007.<sup>2</sup>

1.2 Polling districts and places for local government elections, including mayoral elections and elections to the Greater London Authority, are not automatically part of this review as they are provided for separately in Section 31 of the Representation of the People Act 1983 (RPA 1983). However, reviews of local government polling arrangements should nevertheless be conducted simultaneously with a review of UK Parliamentary arrangements. Local authorities, the (Acting) Returning Officer and the local government Returning Officer should, therefore, liaise closely with each other throughout the review process.

1.3 However, it is the (Acting) Returning Officer who will retain the responsibility for any actions arising from the UK Parliamentary review.

1.4 The polling districts and places for European Parliamentary and Welsh Assembly elections are to be the same as those used for UK Parliamentary elections.<sup>3</sup> However, different arrangements may be used at these elections if there are special circumstances.

1.5 The polling districts and places for Scottish Parliamentary elections are those used at the previous Scottish Parliamentary election.<sup>4</sup>

1.6 This guidance provides a staged approach to conducting the review according to the relevant legislative requirements. It expands on guidance issued by the Commission in 2007, and has benefited from the experiences of people carrying out their initial reviews following the commencement of the relevant provisions of the EAA 2006.

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<sup>1</sup> Section 18C(4), RPA 1983.

<sup>2</sup> Section 18C(1), RPA 1983, as inserted by Section 16, EAA 2006.

<sup>3</sup> Regulation 8, European Parliamentary Elections Regulations 2004; Article 6, National Assembly for Wales (Representation of the People) Order 2007.

<sup>4</sup> Article 6, Scottish Parliament (Elections etc.) Order 2007.

## Definition of terms

### UK Parliamentary constituencies

1.7 The Parliamentary Constituencies Act 1986 states:<sup>5</sup>

‘There shall for the purpose of parliamentary elections be the county and borough constituencies (or in Scotland the county and burgh constituencies), each returning a single member, which are described in Orders in Council made under this Act’

‘In this Act and, except where the context otherwise requires, in any Act passed after the Representation of the People Act 1948, “constituency” means an area having separate representation in the House of Commons.’

1.8 UK Parliamentary constituency boundaries cannot be changed by the review.

### Polling district

1.9 A polling district is a geographical area created by the sub-division of a constituency, ward or division into smaller parts.

1.10 In England, each parish is to be a separate polling district and, in Wales, each community should be a separate polling district unless there are special circumstances.<sup>6</sup> This means that a parish or community must not be in a polling district which has a part of either a different parish or community within it, or any unparished part of the local authority area within it.

1.11 In Scotland, each electoral ward<sup>7</sup> must be divided into two or more polling districts unless there are special circumstances.<sup>8</sup> However, given the size of wards in Scotland, it is difficult to envisage what those specific circumstances might be.

1.12 When a parish or community is not a separate polling district or a Scottish electoral ward is not split into two or more polling districts, the special circumstances and the recommendation resulting from these should be clearly set in the review document for the council to consider.

1.13 The Commission is aware that some authorities designate the entire polling district as the polling place. However, Section 18B(4)(e) of the RPA 1983 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’.<sup>9</sup> The Commission therefore recommends that polling places always be defined.

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<sup>5</sup> Section 1, Parliamentary Constituencies Act 1986.

<sup>6</sup> Section 18A(3), RPA 1983.

<sup>7</sup> Within the meaning of Section 1, Local Governance (Scotland) Act 2004.

<sup>8</sup> Section 18A, RPA 1983.

<sup>9</sup> Note, however, that Section 18B(5) states that if the polling place is not designated, it will by default be taken to be the polling district.

## Polling place

1.14 A polling place is the building or area in which polling stations will be selected by the (Acting) Returning Officer.

## Polling stations

1.15 A polling station is the room or area within the polling place where voting takes place. Unlike polling districts and polling places which are fixed by the local authority, polling stations are chosen by the (Acting) Returning Officer for the election.

## Roles and responsibilities

### The local authority

1.16 Every relevant local authority in Great Britain is responsible for dividing its area into polling districts for UK Parliamentary elections for so much of any constituency as is situated in its area, and for reviewing the polling districts and polling places at least once every four years.<sup>10</sup> A relevant local authority is, in England, the council of a district or London borough, in Scotland, a local authority, and, in Wales, the council of a county or county borough.<sup>11</sup>

1.17 Depending on the structure of the council, it may be the full council or the executive who will make the decisions on any changes to polling districts or polling places. Some local authorities may have decided to delegate that function to a committee, in which case the decision on polling districts and polling places becomes the responsibility of that committee.

### The Electoral Registration Officer

1.18 Where a local authority makes any alterations to the polling districts within its area, the Electoral Registration Officer must amend the register of electors accordingly. The changes to the register take effect on the date that the Electoral Registration Officer publishes a notice stating that the alterations have been made.<sup>12</sup>

### The (Acting) Returning Officer

1.19 The (Acting) Returning Officer must comment during any review of polling districts and polling places on both existing polling stations and the polling stations that would probably be used if any new proposal for polling places were accepted.<sup>13</sup> The election rules require the (Acting) Returning Officer to decide how many polling stations are required for each polling place and must allocate electors to the polling stations in such manner as he or she thinks most convenient.<sup>14</sup> The location, size and layout of any polling place/polling station must be a key consideration when deciding on the number of electors to be allocated to a polling station.

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<sup>10</sup> Section 18A(2), RPA 1983.

<sup>11</sup> Section 18E(3), RPA 1983.

<sup>12</sup> Section 18A(5), RPA 1983.

<sup>13</sup> Paragraph 3, Schedule A1, RPA 1983.

<sup>14</sup> Rule 25, Schedule 1, RPA 1983.

## The Electoral Commission

1.20 While legislation provides no role for the Commission in the review process, it does provide a role for the Commission after the conclusion of the review.

1.21 Once the local authority has published the results of its review, specified interested parties – including any group of 30 or more electors – may make representations to the Commission to reconsider any polling districts and polling places.

1.22 If, on receipt of such representations, the Commission finds that a local authority's review did not:

- meet the reasonable requirements of the electors in the constituency, or a body of them, or
- take sufficient account of the accessibility for disabled persons of polling stations within a designated polling place<sup>15</sup>

then it may direct the authority to make any alterations to the polling places that the Commission thinks necessary and, if the alterations are not made within two months, may make the alterations itself.<sup>16</sup>

## 2 The requirements of the review

2.1 Local authorities are required to divide every constituency into polling districts for the purposes of UK Parliamentary elections, to designate a polling place for each polling district, and to review these at least once every four years.<sup>17</sup> Polling places should be within the polling district unless special circumstances make it desirable to designate an area outside the district.

2.2 In conducting the statutory review, local authorities must follow the rules set out in legislation, which are:<sup>18</sup>

- The authority must publish notice of the holding of a review
- The authority must consult the (Acting) Returning Officer in a constituency which is wholly or partly in its area
- The (Acting) Returning Officer must make representations to the authority which must include information as to the location of polling stations (existing or proposed) within polling places (existing or proposed)
- The local authority must publish the (Acting) Returning Officer's representations within 30 calendar days of receipt, in such manner as is prescribed
- The authority must seek representations from such persons as it thinks have particular expertise in relation to access to premises or facilities for persons

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<sup>15</sup> Section 18D(2), RPA 1983.

<sup>16</sup> Section 18D(4), RPA 1983 and Regulation 4, Review of Polling Districts and Polling Places (Parliamentary Elections) Regulations 2006.

<sup>17</sup> 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 electors, in which case there is no requirement to designate a polling place (Section 18B(2), RPA 1983).

<sup>18</sup> Section 18C and Schedule A1, RPA 1983 and Regulation 3, Review of Polling Districts and Polling Places (Parliamentary Elections) Regulations 2006.

who have different forms of disability. Such persons must have an opportunity to make representations and to comment on the returning officer's representations

- Any elector in a constituency situated in whole or in part in the authority's area may make representations
- Representations made by any person in connection with a review of polling places may include proposals for specified alternative polling places
- On completion of a review, the authority must give reasons for its decisions in the review and publish such other information as is prescribed

2.3 As part of the review process, local authorities must:<sup>19</sup>

- Seek to ensure that all electors in the constituency have such reasonable facilities for voting as are practicable in the circumstances
- Seek to ensure that so far as is reasonable and practicable the polling places are accessible to those who are disabled, and
- When considering or reviewing the designation of a polling place, have regard to the accessibility needs of disabled persons.

### 3 Preparation and scoping for the review

3.1 The local authority will need to identify who will lead and support the review, drawing personnel not just from electoral services but also from other parts of the authority who may have expertise to assist.

3.2 Prior to commencing the review, the local authority will also need to set out the terms of reference and the criteria for assessing the suitability of the current/proposed arrangements. The following statistics and information will assist with this process:

- Electorate figures, broken down to street level within wards and existing polling districts.
- Any local authority or national statistics that estimate population change within the area.
- A report from the authority's planning section detailing any proposed areas of new development and the approximate number of dwellings and expected population numbers for the areas.
- Detailed up-to-date maps of a scale that will assist in the designation of polling district boundaries.
- Details of current polling places and an indication as to their overall suitability for purpose (including, for example, any surveys, diagrams or photographs completed with assistance of Presiding Officers or polling station inspectors or as part of a previous review).
- Any comments or complaints regarding the current arrangements from the public, elected members or other bodies.
- Up-to-date information gained from the existing and possible future polling station venue managers as to continued availability (highlighting, for example, planned renovation work or other future plans).

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<sup>19</sup> Section 18B, RPA 1983.



- Details of potential alternative buildings (public, private or temporary type constructions) that might appear suitable.
- Advice and guidance from local disability groups and disability organisations (such as, for example, Scope or Capability Scotland), and any expert help from officers within the council who are responsible for equality schemes.

3.3 The systems, data, maps and other support documentation should be identified as early as possible so that they can be made available to those carrying out the review.

### Timing of the review

3.4 As part of the planning process, it is important to factor into the timetable the most likely scheduled date of the council/ executive/committee meeting where the detailed review proposals would be formally considered and approved. The review officers should work closely with the lead officer in charge of these meetings to ensure that the deadline is factored into the review timescale.

3.5 Sufficient time should be allowed to deal with all of the necessary site visits and completion of templates in Appendix B.

3.6 The time allowed for consultation should be sufficient to enable all stakeholders to absorb the proposals, gather comments from their own groups, and respond with any alternative arrangements that they may wish to submit.

## 4 The review process

### Stage 1 – Notification of the review

4.1 The formal commencement of the review requires the local authority to give notice of the holding of a review.<sup>20</sup> The notice must be published using the following methods:

- notice to be displayed at the council's office and in at least one conspicuous place within the authority
- on the council website

4.2 Additionally, the authority could publish the notice in a council newsletter and display copies in other public buildings.

4.3 It is recommended that the notice should state:

- that the local authority is conducting a review of polling districts and polling places
- that the (Acting) Returning Officer will make a comment on proposed polling stations
- that electors within the authority or within a UK Parliamentary constituency which has any part in the authority may make a representation
- that the authority would welcome any person or body with expertise in access for persons with any type of disability to make a representation or to comment

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<sup>20</sup> Schedule A1, RPA 1983.

on the authority's proposals, the (Acting) Returning Officer's representation or any other matter

- that persons or bodies making representations should, if possible, give alternative places that may be used as polling places
- the postal address, e-mail address and website address at which documents can be inspected and representations made
- an indication of the timetable of the review and a deadline for representations

4.4 The authority should also send a copy of the notice to interested parties such as councillors, disability groups and other stakeholders. Additionally, the authority could include details of the review in any council newsletter and issue a press release drawing attention to the review and the process. The council's website is also a useful source for disseminating information.

## Stage 2 – Administering the review

4.5 The local authority should undertake a preliminary review of the current polling districts and polling places with a view to establishing their suitability. There is no requirement to change any of these districts and polling places but any 'no change' decision must be fully justified as part of the overall proposals.

4.6 The review process should be structured, and must be conducted formally with supporting documentation. This will ensure that there is a complete audit trail for all decisions taken and will contribute to the transparency of the process.

4.7 Close liaison with other departments of the council will help to increase the efficiency of the overall review process.

4.8 The local authority planning and property services departments, for example, will be able to provide guidance on the availability of locations and premises and details of any residential developments that might have an impact on future electorate figures.

4.9 Modelling possible options where changes are deemed necessary can be achieved by using mapping and planning tools available within the local authority, particularly as most authorities will now have access to GIS mapping services which can pull data from a variety of sources.

4.10 Local authorities should determine the most appropriate method of involving relevant council staff and other interested groups as appropriate. Regular meetings may be appropriate to enable consideration of all aspects of the review prior to the submission of the final recommendations. In adopting this approach, stakeholders can be involved in the process in a timely and efficient way which may help to deliver the proper scrutiny of and confidence in the proposals.

4.11 The legislation suggests an approach starting with polling districts, followed by choosing polling places and then considering polling stations. In practice, however, it is important that good quality polling places are identified first, which can then be used as part of the process of defining suitable polling district arrangements that comply with the requirements set out in the legislation. Appendix B provides template checklists to assist with the evaluation of current/proposed polling places and stations.

who have different forms of disability. Such persons must have an opportunity to make representations and to comment on the returning officer's representations

- Any elector in a constituency situated in whole or in part in the authority's area may make representations
- Representations made by any person in connection with a review of polling places may include proposals for specified alternative polling places
- On completion of a review, the authority must give reasons for its decisions in the review and publish such other information as is prescribed

2.3 As part of the review process, local authorities must:<sup>19</sup>

- Seek to ensure that all electors in the constituency have such reasonable facilities for voting as are practicable in the circumstances
- Seek to ensure that so far as is reasonable and practicable the polling places are accessible to those who are disabled, and
- When considering or reviewing the designation of a polling place, have regard to the accessibility needs of disabled persons.

### 3 Preparation and scoping for the review

3.1 The local authority will need to identify who will lead and support the review, drawing personnel not just from electoral services but also from other parts of the authority who may have expertise to assist.

3.2 Prior to commencing the review, the local authority will also need to set out the terms of reference and the criteria for assessing the suitability of the current/proposed arrangements. The following statistics and information will assist with this process:

- Electorate figures, broken down to street level within wards and existing polling districts.
- Any local authority or national statistics that estimate population change within the area.
- A report from the authority's planning section detailing any proposed areas of new development and the approximate number of dwellings and expected population numbers for the areas.
- Detailed up-to-date maps of a scale that will assist in the designation of polling district boundaries.
- Details of current polling places and an indication as to their overall suitability for purpose (including, for example, any surveys, diagrams or photographs completed with assistance of Presiding Officers or polling station inspectors or as part of a previous review).
- Any comments or complaints regarding the current arrangements from the public, elected members or other bodies.
- Up-to-date information gained from the existing and possible future polling station venue managers as to continued availability (highlighting, for example, planned renovation work or other future plans).

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<sup>19</sup> Section 18B, RPA 1983.

## **Assessing the current arrangements and proposals for change**

4.12 The following should be considered as part of the assessment of the suitability of polling district boundaries:

- **Boundaries:** Are they well defined? For example, do they follow the natural boundaries of the area? If not, is it clear which properties belong in the polling district?
- **Location:** Are there suitable transport links within the polling district, and how do they relate to the areas of the district that are most highly populated? Are there any obstacles to voters crossing the current polling district and reaching the polling place e.g., steep hills, impassable major roads, railway lines, rivers?

4.13 There are a number of factors that must be considered when reviewing existing polling places or when assessing new polling places, including:

- **The location:** Is it reasonably accessible within the polling district? Does it avoid barriers for the voter such as steep hills, major roads, rivers, etc.? Are there any convenient transport links?
- **Size:** Can it accommodate more than one polling station if required? If multiple polling stations are required, is the polling place ample enough to accommodate all voters going into and out of the polling stations, even where there is a high turnout?
- **Suitability:** Is the building readily available in the event of any unscheduled elections? Is there any possibility that the building may be demolished as part of a new development? Is the building accessible to all those entitled to attend the polling place?

4.14 Appendix B contains templates to evaluate the suitability of buildings as polling places/polling stations based on these key factors, which can be completed as part of the review process.

4.15 Ideally, there would be the choice of a range of fully accessible buildings, conveniently located for electors in the area within which to establish polling stations. In practice, however, the choice of polling places will often be a balance between the quality of a building (access, facilities, etc.) and the proximity of the building to the electors. When making a decision, all factors will need to be considered and the authority will need to be able to demonstrate their reasoning behind the decision.

4.16 Where, because of local circumstances, a polling place has been selected that is not fully accessible, then reasonable adjustments must be undertaken to provide access for all electors. Alternatively, the local authority should consider whether it would be appropriate to designate a polling place that falls wholly or partly outside the polling district.

4.17 It should be noted that for the purpose of taking the poll in England and Wales, the (Acting) Returning Officer is entitled to use free of charge schools maintained or assisted by a local authority as well as those schools that receive grants made out of moneys provided by Parliament. In Scotland, the rooms in schools that can be used free of charge for the taking of the poll are those in schools that are not independent schools within the meaning of the Education (Scotland) Act 1980.

4.18 Part of the decision-making process involves assessing if the polling place is capable of accommodating more than one polling station together with the necessary staff and equipment, particularly in circumstances where the number of electors allocated to a polling place is high. For example, in instances where there may be a higher turnout, such as at a UK Parliamentary election, (Acting) Returning Officers may wish to set up multiple polling stations within the polling place. Consideration will need to be given to whether the area or building can accommodate such arrangements.

4.19 When assessing the suitability of a room or area for use as a polling station, the (Acting) Returning Officer should consider how the size and layout would allow for the most effective throughput of voters, including in those instances where there is a high number of electors in the polling station at any one time on polling day. Each polling station should be designed to provide suitable conditions for the elector to vote in private, for staff to conduct elections in an efficient and effective manner and for those entitled to observe the voting process to do so without compromising the secrecy of the ballot.

### Stage 3 – Consultation

4.20 The consultation stage is for representations and comments on the existing and proposed arrangements for polling districts and places. There are two parts to this stage:

- A compulsory submission from the (Acting) Returning Officer of the UK Parliamentary constituency, which must then be published by the local authority.
- Any submissions from electors and other persons and bodies, including those with expertise in relation to access to premises or facilities for disabled people.

4.21 The (Acting) Returning Officer's submission must comment on both the existing polling stations and the polling stations that would likely be used based on any proposed polling places. The (Acting) Returning Officer's report must also contain information as to the location of polling stations within polling places. The completion of the templates at Appendix B may help to form a basis for this report.

4.22 The local authority must publish the (Acting) Returning Officer's comments within 30 calendar days of receipt.<sup>21</sup> The comments should be published at the local authority offices and in at least one conspicuous place within each UK Parliamentary constituency. They should also be published on the council website. Additionally, the (Acting) Returning Officer's response could be copied and bound or joined into a booklet for ease of reading and made available in council offices, libraries, community centres or other places where residents may visit.

4.23 The authority should consult widely on the review and should seek out the views of interested groups or bodies including electors, candidates and agents, political parties and members of the council. Consultees should be asked for comment both in general and, if appropriate, about particular buildings or areas within the authority.

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<sup>21</sup> Regulation 3, Review of Polling Districts and Polling Places (Parliamentary Elections) Regulations 2006.

4.24 It will be particularly important to consult with those who have specific experience of assessing access for persons with different disabilities. These could include disability sections or occupational health departments within the council, as well as local and national disability groups. The authority should give consideration to the different types of disability which may make voting in person more difficult, and should also consider the council's own policy on disabled access.

4.25 Any persons involved in the consultation have the right to comment on the recommendations proposed by the (Acting) Returning Officer, and should be invited to consider the implications of these.

4.26 Any elector for a UK Parliamentary constituency either wholly within or partly within the local authority area may comment on any of the recommendations within the whole local authority area.

4.27 Any person or body that makes a comment should be invited to suggest alternative polling districts/polling places and should be encouraged to give a reason for the alternative proposal so that it may be given appropriate consideration. As mentioned above, the notice published by the local authority should provide a deadline for the submission of comments.

#### Stage 4 – Concluding the review

4.28 After considering all of the representations, the local authority must decide on the most appropriate polling districts and polling places. Depending on the council structure, this may be a matter for full council, the executive or a committee to which the review function has been delegated.

4.29 If the review results in the alteration of polling districts, the Electoral Registration Officer must make the necessary alterations to the electoral register. Any alteration is effective on the date on which the Electoral Registration Officer publishes a notice stating that the alterations have been made.<sup>22</sup> If the review is concluded before publication of the annual revised register, the changes can be incorporated in the revised register to be published by 1 December. Otherwise, alterations can be made by the publication of another revised register or on a notice of alteration.

4.30 Where the Electoral Registration Officer has decided to republish to incorporate the changes, they will need to publish a notice fourteen calendar days before the publication of the revised version of the register in a local newspaper, at his or her office and at some other conspicuous place or places in the area.<sup>23</sup>

## 5 Publishing the conclusions of the review

5.1 Once the local authority has agreed on the proposals, details of the new polling districts and polling places must be made available to the public. These should be made available at the local authority offices, in at least one conspicuous place in the constituency, and on the council's website. The reasons for choosing a particular polling district and polling place must be given.

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<sup>22</sup> Section 18A(5), RPA 1983.

<sup>23</sup> Section 13(3), RPA 1983 and Regulation 36(1), Representation of the People Regulations 2001.

5.2 Along with the reasons for the final decision of the review, the following must also be published:<sup>24</sup>

- all correspondence sent to the (Acting) Returning Officer in connection with the review
- all correspondence sent to any person whom the authority contacted because they had particular expertise in relation to access to premises or facilities for disabled people
- all representations made by any person in connection with the review
- the minutes of any meeting held by the authority 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 or polling places within its area as a result of the review
- details of the places where the results of the review have been published

## 6 The appeals process

6.1 Following the conclusion of the local authority's review, certain persons have a right to make representations to the Commission.

### Who is entitled to make representation to the Electoral Commission?

6.2 Section 18D(1) of the RPA 1983 sets out who may make representations to the Electoral Commission, namely:

- in England, any parish council which is wholly or partly situated within the constituency, or parish meeting where there is no such council
- in Wales, any community council which is wholly or partly situated within the constituency
- not less than thirty registered electors in the constituency (although electors registered anonymously cannot make a representation)<sup>25</sup>
- a person (except the (Acting) Returning Officer) who made representations to the authority when the review was being undertaken
- any person who is not an elector in a constituency in the authority's area but who the Commission thinks has sufficient interest in the accessibility of disabled persons to polling places in the area or has particular expertise in relation to the access to premises or facilities of disabled persons

6.3 In addition, the (Acting) Returning Officer may make observations on any representations made to the Commission.<sup>26</sup>

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<sup>24</sup> Regulation 4, Review of Polling Districts and Polling Places (Parliamentary Elections) Regulations 2006.

<sup>25</sup> Section 18D(7), RPA 1983.

<sup>26</sup> Section 18D(3), RPA 1983.

## Format for all representations

6.4 All representations made to the Commission must be in writing, either by post, e-mail or fax. The representation must be as specific as possible. The representation should clearly state the manner in which it is alleged that the local authority has failed to properly conduct the review. There are only two grounds on which a representation may state that a local authority has failed to conduct a proper review. These are:

- the local authority has failed to meet the reasonable requirements of the electors in the constituency
- the local authority has failed to take sufficient account of accessibility to disabled persons of the polling stations within a polling place.

6.5 Representations based on any other premise will not be considered.

6.6 The representation should include the location and any other relevant information regarding the polling place at issue, stating specifically why it is inaccessible or does not meet the reasonable requirements of the electors.

6.7 A representation may also include for consideration specific proposals for alterations to the polling place.

## The decision-making process of the Commission

6.8 Upon receipt of a representation, the Commission will request all relevant documentation from the local authority and will show the authority the representation.

6.9 The (Acting) Returning Officer is entitled to make observations on the representation submitted to the Commission and should give a report on the probable polling stations which would be used should the representation be successful.

6.10 The documentation from the local authority, the observations of the (Acting) Returning Officer and any other relevant information will be taken into consideration, in conjunction with the representation.

6.11 The Commission may seek advice from persons with expertise on accessibility issues when making its decision.

6.12 The Commission will set out in writing its conclusions and the reasons for its decision. The Commission's decision will be issued to the person(s) who made the representation, the local authority and the (Acting) Returning Officer. The decision and related documents will also be published on the Commission's website. Local authorities are advised to publish the outcome of the appeal in the same way as the results of the review are published.

6.13 The Commission may direct the local authority to consider any alterations to the polling places that the Commission deems necessary under the review.<sup>27</sup> After two

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<sup>27</sup> Part 1, Section 18D(4), RPA 1983.



months, if the local authority has failed to make the alterations, the Commission can itself make the alterations as if the local authority had implemented them.

6.14 Representations should be sent to:

Legal Counsel  
The Electoral Commission  
Trevelyan House  
Great Peter Street  
London SW1P 2HW

Tel: 020 7271 0500

Fax 020 7271 0505

Email: [appeals@electoralcommission.org.uk](mailto:appeals@electoralcommission.org.uk)

## 7 Making amendments to polling places outside of the formal review

7.1 If a polling station becomes unavailable, the (Acting) Returning Officer should consider whether another polling station could be designated within the polling place. Changing the polling station within the polling place would not require a review.

7.2 If a building becomes unavailable before an election, the polling place can be changed by the local authority and council agreement will be required. If delegation procedures are in place, these should be followed as set out in the council's constitution and the person or persons who are entitled to make changes to polling places should be contacted.

7.3 Between formal reviews, all polling places and stations used should be kept under consideration, and an evaluation of their suitability carried out after each election. If any changes are identified as being desirable, the same principles behind conducting the formal review should be applied. Should any changes to polling places be required, then they could be implemented as described above.

## 8 Making changes to the names of electoral areas in England and Wales

8.1 Local authorities in England and Wales can change the name of an electoral area e.g. a ward by resolution. The process involved is attached as Appendix C. Local authorities in Scotland would need to ask the Local Government Boundary Commission for Scotland to begin a review of a ward name.

Circular EC19/2010 – Appendix B

Review of polling districts, polling places and  
polling stations

The following templates have been designed for use in evaluating the suitability of buildings as polling places/polling stations.

**Part A** – to be completed by the local authority with the details of the current polling places.

**Part B** – to be completed by the local authority to evaluate external access and facilities both outside the perimeter of the building and within the boundary of the building itself.

**Part C** – to be completed by the local authority to assess internal access to the polling station, but excluding the polling station itself (ie. covering the corridors leading to the polling station accommodation and facilities available, but not the area in which polling will be carried out). Should the proposed building, room or area to be used as the polling station have direct access to the road/pavement or external parts, Part C can be excluded from this assessment.

**Part D** – to be completed by the (Acting) Returning Officer with the details of the area that is, or is likely to be, used as the polling station(s).

*(If local authorities already have up-to-date detailed information to assist with the completion of Parts B, C and D, this can be inserted into the individual templates together with any diagrams and/or photographs to enable the building to be re-assessed on a site visit. The information should be verified as part of the visit.)*

**Part E** – to be completed by the local authority and should be used to add any comments or complaints received from stakeholders as part of the consultation exercise. Completion can provide evidence that the review considered the submissions as part of the formal evaluation process.

Any alternative proposals or suggestions put forward for new polling places/stations should be evaluated using the templates, and the results should be collated to provide appropriate feedback.

Date reviewed	Officer initials

## Polling place – evaluation checklist

Part A – Current polling place details		
Polling place identifier		
Polling place name		
Polling place address		
Number of electors (If more than one polling station within the polling place, identify split of electors)		
Building availability for future elections/referendums		
Polling place review		
Check	√	Comment
• Are there suitable transport links?		
• Are there any access issues regarding main/busy roads, railways, rivers, etc?		
• Is the polling place capable of accommodating more than one polling station together with the necessary staff and equipment? If so, could it accommodate all voters going in and out of the polling stations, even where there is a high turnout?		
• Is the building readily available in the event of any unscheduled elections? • Is there any possibility that the building may be demolished as part of a new development?		

**Identify any complaints/comments received from stakeholders at previous electoral events**

Date reviewed	Officer initials

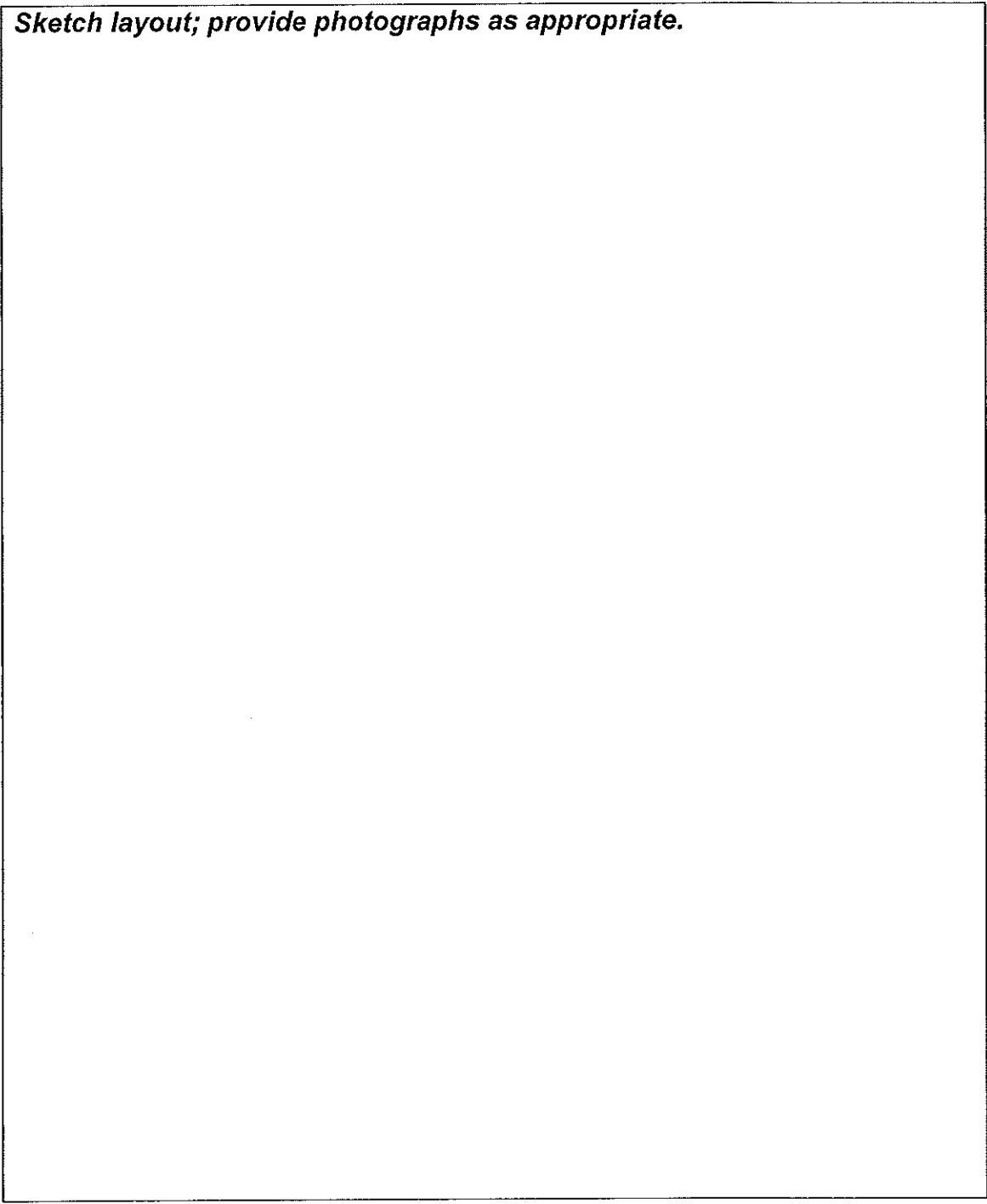
Part B – External areas access and facilities		
Check	(√)	Comments
• Are there good public transport links to the polling place?		
• Is the approach to the building safe and free from obstructions and does it have a dropped kerb?		
• Is the building clearly identifiable?		
• Is additional signage required between street and entrance?		
• Is there the facility to put up the required signage for polling day?		
• Are there parking facilities for disabled people?		
• Are there parking facilities for polling staff?		
• Does the approach to the building have external lighting?		
• Does the building have level access? Yes/No.		
If no -		
• Has a purpose built ramp been installed?		
• If so, does it have a handrail?		
• Does the ramp have a gentle slope?		
• Does the building require a temporary ramp or is there an alternative disabled route?		
• Is the entrance door wide enough for a disabled person using a motorised wheelchair?		
• Are the doors light enough for frail/elderly voters to open?		
• Can the 'Guidance for voters' notice be clearly displayed outside the premises, as required by the election rules?		
• Are there any external security concerns?		
• Can tellers be accommodated outside the building?		

***Please complete template B1 showing external layout, street names, car parking, ramps, steps, lighting and appropriate places for signage.***

## External plan – B1

Show external layout, street name(s), car parking (including disabled car parking), ramps, steps, lighting, appropriate places for signage, etc.

***Sketch layout; provide photographs as appropriate.***



Date reviewed	Officer Initials

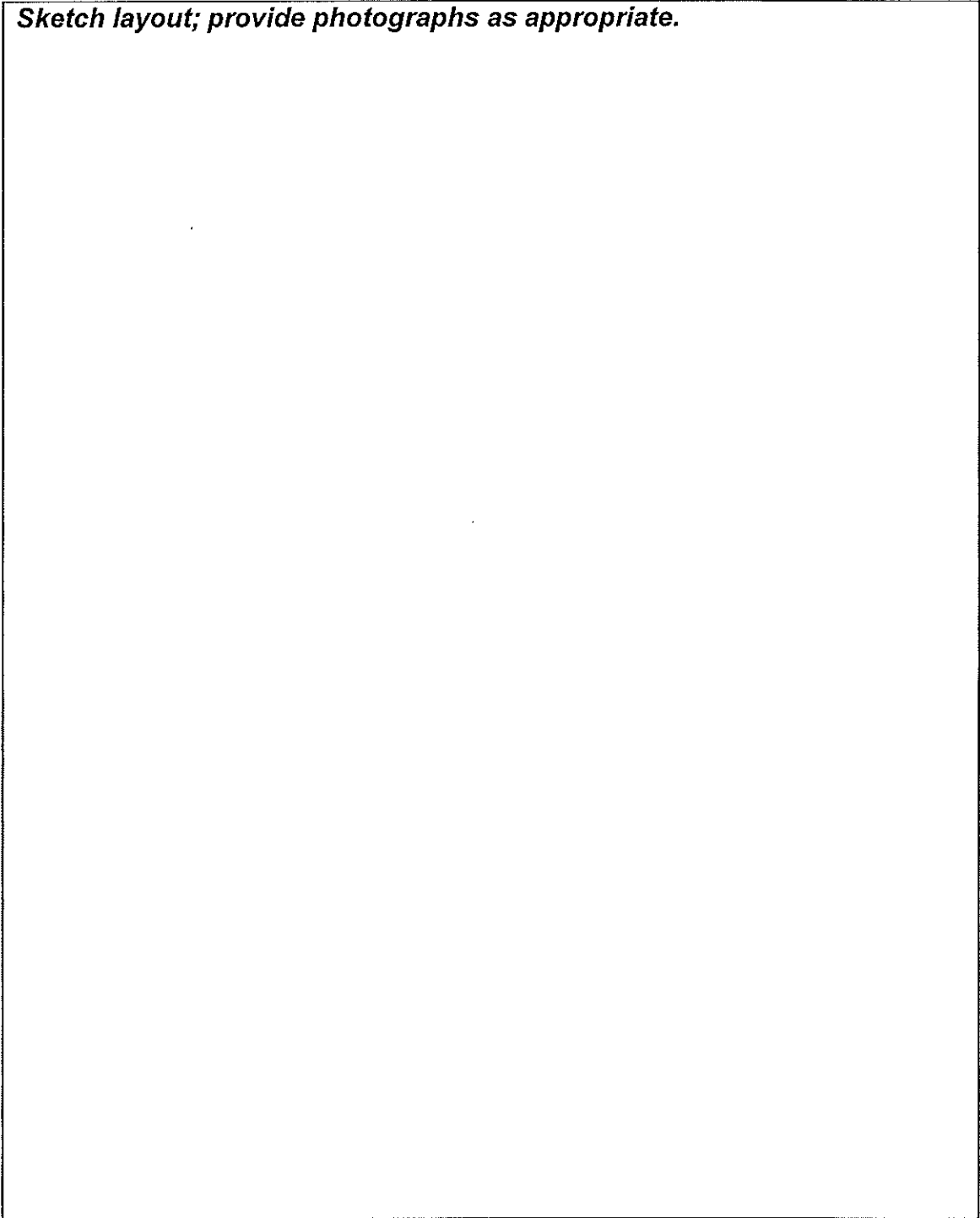
Part C – Internal areas access and facilities		
Check	(√)	Comments
• Are all doors easy to open (including by wheelchair users) or do they need to be permanently locked back?		
• Are there any internal steps or obstructions/hazards?		
• Are any doormats level with the floor?		
• Is the floor covering non-slip (especially in wet weather)?		
• Are there any corridors that may cause access problems?		
• Is there adequate lighting in the corridors?		
• Are there toilet facilities?		
• Is there a kitchen that staff can use?		
• Is the area adequately lit for day and night time?		
• Is there adequate space for signage?		
• How many polling stations can the building accommodate?		
• Does the building have a telephone available (land line) in the event of mobile network problems?		

***Please complete template C1 below showing internal areas including corridors, internal doors, kitchen, toilets and highlighting any possible signage requirements and potential hazards in relation to access to the polling station itself.***

## Internal access leading to polling station(s) – C1

Show internal areas of the building, excluding the actual polling station where voting will take place, including corridors that link to the polling station, kitchen, toilets and highlighting any possible signage requirements and potential hazards. Also indicate any areas of poor lighting, door swing direction and ease of opening, and areas of uneven floor, etc.

***Sketch layout; provide photographs as appropriate.***



Date reviewed	Officer initials

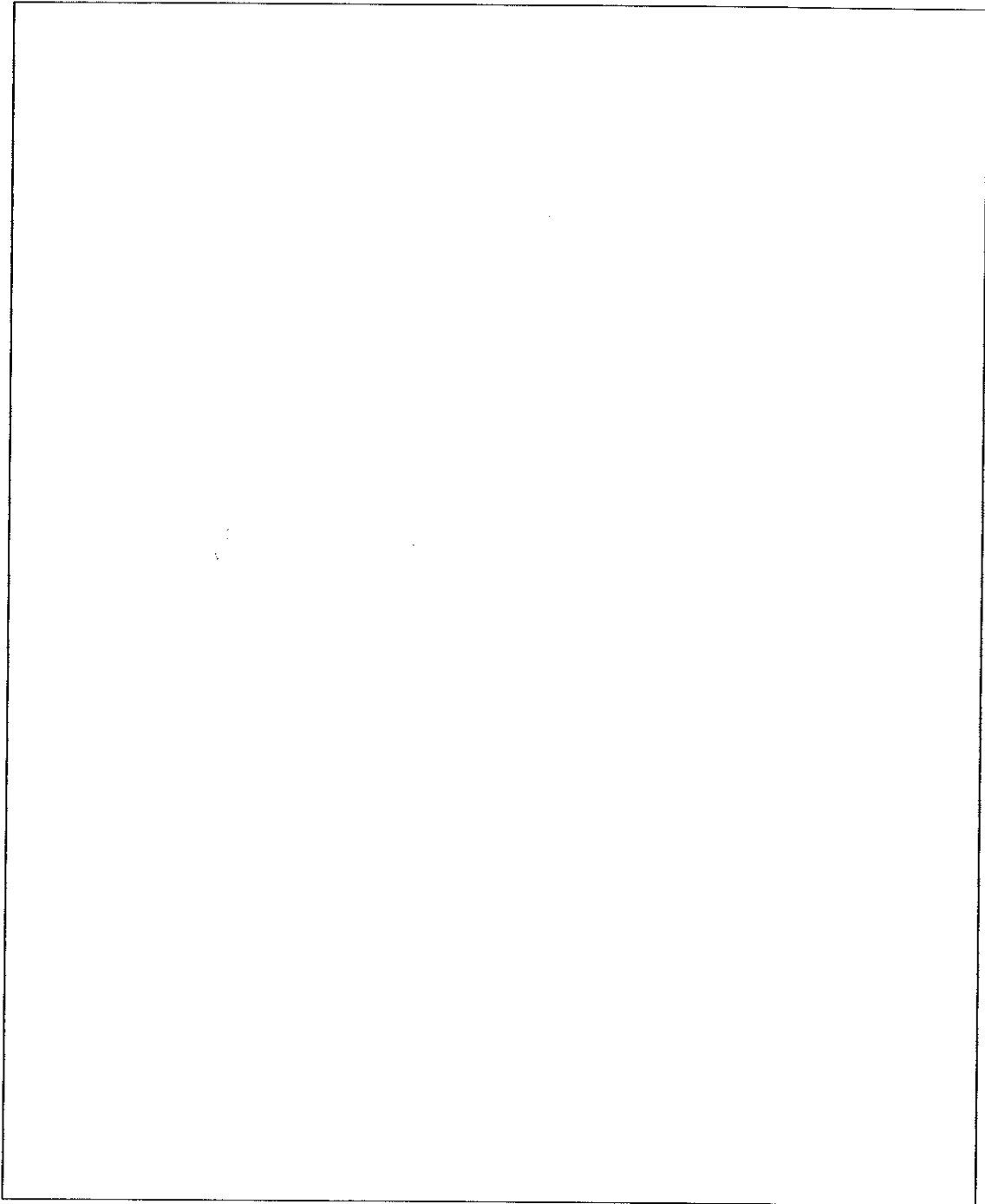
Part D – The polling station(s)		
Check	(√)	Comments
• Is there sufficient space inside the polling station to comfortably accommodate staff, voters, polling agents and observers?		
• Is there sufficient space for administering all types of elections, including combined elections?		
• If multiple polling stations need to be provided, are there other rooms available, or can the space be divided to provide adequate room for more than one polling station?		
• In case of high turnout, is there sufficient space for managing the flow and accommodating a high volume of electors? If yes, could ballot booths be positioned in a way that would preserve the secrecy of the ballot?		
• Is there adequate lighting for day and night time?		
• Is there suitable furniture (tables and chairs) available for all types of election for polling staff and those voters who may need to rest?		
• Can the official notices be clearly displayed, including the large-print version of the ballot paper(s)?		

***Please complete template D1 indicating how the polling station should be laid out to accommodate all those entitled to be inside the polling station, taking into account access requirements for all voters, including those in wheelchairs, and demonstrating how the space should be used to ensure the most efficient flow of voters and the effective administration of the voting process.***



## Internal – The polling station(s) – D1

Identify the space and shape of the area available for polling. Include the position of the door(s), any windows and how the furniture and equipment should be laid out to ensure the effective administration of and best possible access to the voting process.



Date reviewed	Officer initials

**Part E – Comments from stakeholders during consultation**

Comment	Name/organisation

*Comment from (A)RO*