



## **BROMSGROVE DISTRICT COUNCIL**

### **MEETING OF THE ELECTORAL MATTERS COMMITTEE**

MONDAY 15TH JULY 2019  
AT 6.00 P.M.

COMMITTEE ROOM 2 - PARKSIDE

MEMBERS: Councillors S. R. Colella, R. J. Deeming, M. Glass, S. G. Hession,  
R. J. Hunter, L. C. R. Mallett and M. Middleton

### **AGENDA**

1. Election of Chairman
2. Election of Vice Chairman
3. To receive apologies for absence and notification of substitutes
4. Declarations of Interest  
  
To invite Councillors to declare any Disclosable Pecuniary Interests or Other Disclosable Interests they may have in items on the agenda, and to confirm the nature of those interests.
5. To confirm the accuracy of the minutes of the meeting of the Electoral Matters Committee held on 28th February 2018 (Pages 1 - 4)
6. Polling Places Review (Pages 5 - 38)
7. To consider any other business, details of which have been notified to the Head of Legal, Equalities and Democratic Services prior to the commencement of the meeting and which the Chairman considers to be of so urgent a nature that it cannot wait until the next meeting

K. DICKS  
Chief Executive

Parkside  
Market Street  
BROMSGROVE  
Worcestershire  
B61 8DA

3rd July 2019







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## **BROMSGROVE DISTRICT COUNCIL**

### **MEETING OF THE ELECTORAL MATTERS COMMITTEE**

**28TH FEBRUARY 2018, AT 6.00 P.M.**

PRESENT: Councillors R. L. Dent (Chairman), R. J. Deeming, M. Glass,  
C.A. Hotham, L. C. R. Mallett (Vice-Chairman) and M. J. A. Webb

Officers: Mrs. C. Felton, Mr. D. Whitney and Ms. A. Scarce

1/17 **ELECTION OF CHAIRMAN**

**RESOLVED** that Councillor R. L. Dent be elected Chairman of the Committee for the remainder of the Municipal Year.

2/17 **ELECTION OF VICE CHAIRMAN**

**RESOLVED** that Councillor L. C. R. Mallett be elected Vice Chairman of the Committee for the remainder of the Municipal Year.

3/17 **TO RECEIVE APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES**

Apologies for absence were received from Councillors S. J. Baxter and L. J. Turner, with Councillor C. Hotham attending as substitute for Councillor Baxter.

4/17 **DECLARATIONS OF INTEREST**

There were no declarations of interest, although it was noted that both Councillors R. Deeming and C. Hotham were parish councillors.

5/17 **MINUTES**

The minutes of the meeting of the electoral Matters Committee held on 16<sup>th</sup> February 2017 were submitted.

**RESOLVED** that the minutes of the meeting of the Electoral Matters Committee held on 16<sup>th</sup> February 2017 be approved as a correct record.

6/17 **COMMUNITY GOVERNANCE REVIEW**

The Electoral Services Manager introduced the report and explained that a Governance Review of the Bromsgrove District Area had been something which he had been looking at carrying out since he took up

# Agenda Item 5

Electoral Matters Committee  
28th February 2018

the post of Electoral Services Manager in 2016. The following areas were highlighted during presentation of the report:

- It was some time since a full review had been carried out (Officers had been unable to find a record of when the last one had taken place).
- It was good practice to carry out a full review every 10-15 years.
- There were a number of parishes who had been in contact asking whether one would be carried out.
- The timing was good as there were no elections this year at Bromsgrove and any changes could feed into the District and Parish elections in 2019.
- A full review would take less resources than a number of small ad hoc reviews which could potentially come forward should the review not take place.
- The Council was obliged to carry out a review if it were petitioned by a parish or representatives from an area. The Hagley/Clent review was given as an example of where this had previously happened.

Following presentation of the report, Members asked for clarification in respect of a number of areas including:

- The Government's definition of a "strong presumption" in respect of being against the abolition or parishes there creation. The Electoral Services Manager provided the background to this and that the Secretary of State's powers. The final decision in respect of an area no longer being parished sat with the Secretary of State. Further clarification would be provided to Members outside of the meeting. It was noted that in recent years this had happened on one occasion within Bromsgrove District.
- Whether Worcestershire County Council would be consulted as part of the process – it was confirmed that they would be.
- The cost effectiveness of holding the review at this stage as opposed to the potential for ad hoc petitions being received. Concerns were raised that by not carry out a review such petitions may come forward.
- It was confirmed that the Council had a duty act upon any petition received.
- The impact should the review be delayed until 2019 – Members were concerned that there was the potential for issues to be raised which would take longer than the timescale proposed and would not want these to be "rushed through" in order to meet the required deadline. It was confirmed that a 12 month deadline was a requirement.
- Should the review be delayed until 2019 it was highlighted that any changes which arose would not be implemented until the elections in 2023.
- Exact costings could not be provided in respect of such petitions, but it was highlighted by officers that should these be received it



# Agenda Item 5

Electoral Matters Committee  
28th February 2018

was likely that additional external resources would be required, which would add to the overall costs. This would also apply should the review be held outside of the timescale suggested.

- It was confirmed that there was no statutory requirement to carry out a review, simply guidance which suggested a review should be carried out every 10-15 years.
- Any review would begin with a “light touch” approach and then should there be specific issues in a particular area which needed more in depth work carried out this would be done as necessary.
- Concerns were raised around any matters which would be raised that the Council was not already aware of and the potential impact of a number of ad hoc petitions received, which had to be responded to. By carry out a review the Council had an opportunity to deal with these in a more “controlled” manner.
- Members discussed the impact of future housing developments and whether this would change the landscape for any decisions which were made should a review be carried out in 2018. The Head of Legal and Democratic Services confirmed that she had discussed this with the Head of Planning and she had confirmed that these were long term projects which would not impact on this review at this stage. It was also noted that going forward the housing report referred to was not a material planning document but would be used as evidence in support of the local plan review which was currently underway.
- Whether there was the option for the Parishes to pay or contribute towards the cost of the review. Officers confirmed that the Council was responsible for any costs which were incurred in respect of such a review.
- The option to recommend a timeline to Council for 2019 rather than 2018. It was confirmed by officers if this was the case then a further report would need to be prepared to cover the potential increase in cost for additional resources.
- The position in respect of parish councils and whether they would have enough time to formulate any ideas in time to meet the deadline in 2018. It was advised that although some parish councils did not meet every month there was always the option of calling an emergency meeting. It was likely that those that wished to put forward representations would already have ideas around any changes that they wished to propose.

Following further discussions the Committee

**RECOMMENDED** that a Community Governance Review of the Bromsgrove District Area does not take place in 2018.

The meeting closed at 6.49 p.m.

Chairman

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### **ELECTORAL MATTERS COMMITTEE**

**15 July 2019**

#### **Review of Polling Districts and Polling Places 2019**

Relevant Portfolio Holder	Councillors May, Leader and, Denaro Portfolio Holder for Finance and Enabling
Portfolio Holder Consulted	Yes
Relevant Head of Service	Claire Felton
Ward(s) Affected	All
Ward Councillor(s) Consulted	Will be part of consultation
Not a Key Decision	

#### **1. SUMMARY OF PROPOSALS**

- 1.1 The report sets out the key stages and proposed timetable to the formal review of Polling Districts and Polling Places, as required under the Representation of the People Act 1983 and Electoral Registration and Administration Act 2013, and as based on Electoral Commission Guidance (a copy of the guidance is included in appendix 1).
- 1.2 The last review took place in 2014 and this review has to be conducted and completed before end of January 2020, as per legislation to cover a 5-year period. However it is desirable to complete the review before 1 December 2019 so as not to waste time and resource in republishing the electoral register.
- 1.3 The review covers, Polling Districts (a geographical area, which tend not to cross Ward or Parish Boundaries), Polling Place (a building or area where Polling Stations are located) and Polling Stations (the room or area where polling takes place, the decision on location of the polling station is decided by the (Acting) Returning Officer).
- 1.4 The review consists of four stages:
  - Stage 1 – Notification
  - Stage 2 – Consultation
  - Stage 3 – Concluding the Review
  - Stage 4 – Publication

A timetable for agreement is included in Appendix 2. Essentially this time table will allow for time for initial consultation and a chance for stakeholders to comment on the final proposals before the review is concluded at the end of November.

- 1.5 The (Acting) Returning Officer must make a submission regarding current and any proposed polling stations.
- 1.6 Consultation will involve writing to all interested parties and stakeholders including All Ward Councillors, MPs, County Councillors, Parishes and

### **ELECTORAL MATTERS COMMITTEE**

15 July 2019

organisations that deal with different forms of disability where voting in person could pose a difficulty. Officers will be contacting individuals or organisations that have commented on their own polling station and invite them to make representations. In addition any Elector within the constituency may make a submission to be considered as part of the review.

- 1.7 Once complete certain people or organisations may appeal to the Electoral Commission to have changes made if they feel the Local Authority hasn't met reasonable expectations of the electorate or taken into account the needs for accessible polling stations.

## **2. RECOMMENDATIONS**

**2.1 that the timetable for the review in appendix 2 be agreed;**

**2.2 that the review formally commences on 17 July 2019.**

## **3. KEY ISSUES**

### **Financial Implications**

- 3.1 Subject to the Committee's final decisions, there may be some minor financial implications for the Council which arise directly from this review, but which can be contained within existing budgets.
- 3.2 Depending on the outcome of the review there may be additional costs or savings regarding polling stations that are to be used in future elections.

### **Legal Implications**

- 3.3 The Review will be undertaken as required under the Representation of the People Act 1983 and Electoral Administration Act 2013, and in accordance with relevant Electoral Commission Guidance.
- 3.4 a) Authority to set Polling District boundaries and to designate Polling Places rests with the Council or relevant Committee (Statutory elements of the Council's Constitution under the Local Government Act 2000). Bromsgrove District Council has delegated full relevant powers to this Electoral Matters Committee.
- b) Decisions about the situation of Polling Stations within designated Polling Places are for the (Acting) Returning Officer. Arrangements must comply with relevant provisions of the Representation of the People Acts and Regulations and the Equality Act 2010.
- 3.5 "Relevant authorities" (such as Bromsgrove District Council) must

“a) seek to ensure that all the electors in the Constituency have such reasonable facilities for voting as are practicable in the circumstances”; and

“b) seek to ensure that, so far as is reasonable and practicable, the polling places they are responsible for are accessible to all electors, including those who are disabled and, when considering the designation of a polling place, must have regard to the accessibility needs of disabled persons. If it is necessary to use a place where the access is not ideal, then every reasonable adjustment must be undertaken to provide access for all electors.”

### **Service/Operational Implications**

The review will take up a large amount of Officer in time in dealing with consultation, producing statistics, maps and reporting back to this Committee.

3.6 Officers have already started working on:

- Current Polling Stations – Polling Station Inspectors reviewed all of the current stations within the area at the Local and Euro Parliamentary Elections in May.
- Polling Districts – Polling Districts are being assessed in conjunction with the Planning Department regarding new builds within the area.

### **Customer/Equalities and Diversity Implications**

3.7 The Council’s Customer Care / Equalities policies directly cross-relate, particularly in relation to Access issues. Accessibility for members of minority or disadvantaged groups is a key issue in the selection of suitable Polling Stations.

## **4. RISK MANAGEMENT**

4.1 Any changes agreed must be likely to be sustainable for a reasonable number of years, as frequent changes of Polling Station are not helpful for electors and undermine their knowledge of, and confidence in, electoral systems.

4.2 Choice of Polling Place / Polling Station should not give rise to significant grounds of complaint which might put election results at risk of challenge.

4.3 In terms of Environmental risks, it is of course preferable that choice of Polling Station location can help minimise unnecessary additional journeys by motorised vehicles.

4.4 In terms of Human Resources risks, the (Acting) Returning Officer must provide adequate levels and standards of staffing to secure proper polling arrangements.

## **ELECTORAL MATTERS COMMITTEE**

**15 July 2019**

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### **5. APPENDICES**

- 1 Electoral Commission Guidance
- 2 Review Timetable

### **6. BACKGROUND PAPERS**

- Previously published Polling Stations Review reports / Minutes.
- Relevant Statutory provisions.

### **7. KEY**

Bromsgrove Returning Officer, Kevin Dicks, is designated (Acting) Returning Officer for Parliamentary Elections.

This is because formally the Returning Officer for a County Constituency such as Bromsgrove is the High Sheriff for that County, which is a purely honorific title/role.

### **AUTHOR OF REPORT**

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# Reviews of polling districts, polling places and polling stations

This guidance provides a staged approach to conducting a review of polling districts, polling places and polling stations according to the relevant legislative requirements. It builds on the guidance we have previously issued, and has benefited from feedback from local authorities on their experiences of carrying out their previous reviews. It also incorporates learning from the Commission's experience of administering the appeals process over the past five years.

## 1 Timing of compulsory reviews

1.1 The Electoral Registration and Administration Act 2013 introduced a change to the timing of compulsory reviews of UK Parliamentary polling districts and polling places. The next compulsory review must now be started and completed between 1 October 2018 and 31 January 2020 (inclusive).

1.2 Subsequent compulsory reviews must be started and completed within the period of 16 months that starts on 1 October of every fifth year after 1 October 2013.

1.3 A 'review' is all the steps set out in Schedule A1 to the Representation of the People Act 1983 (RPA 1983). Further information on what these steps are is included [later in this document](#). The review process, from the publication of the notice of the review until the publication of the documents at the end, must take place within the specified period.

1.4 The length of the review process is not prescribed, provided all the steps required by the legislation can be undertaken within it. However, the time allowed for consultation should be sufficient to enable interested persons and groups to read and understand the proposals, gather comments and respond with any alternative arrangements that they may wish to submit. The local authority may wish to have regard to any council guidelines on public consultation when carrying out the review.

1.5 Local authorities will need to decide when to carry out the review within the specified 16-month-period. In practice, (Acting) Returning Officers will often be asked to decide when the review should take place. In reaching their decision on timing, (Acting) Returning Officers will need to consider what other statutory duties and processes they and their staff will be carrying out in that time and how the review will fit with these.

1.6 In relation to the 1 October 2018 – 31 January 2020 period, (Acting) Returning Officers will need to consider the following:

- **The canvass**

As in England and Wales the Acting Returning Officer is also the Electoral Registration Officer (ERO), any canvass period will be a busy time during which to conduct a review. Consideration will need to be given to resource requirements if the review process is to be started on or shortly after the start of a canvass as there will be some overlap between canvass activity and the review.

In Scotland, as the office of the Returning Officer is separate to that of the Electoral Registration Officer, the conduct of the canvass may have less of an impact on the conduct of the review.

- **Publication of the register**

The potential additional workload resulting from undertaking the review at the same time as carrying out canvass activity needs to be balanced against the benefits of completing a review in time for publication of the revised register. Completing the review in time for publication of the revised register means that any changes can be reflected in it, and that no subsequent alterations to the structure of an already published register will need to be made, thus avoiding the potential need to publish a further revised register.

- **Elections during the review period**

During the review period, there will be scheduled polls and could potentially be unplanned polls. . In each case, consideration will need to be given to how the work on a review would interact with any election/referendum preparations, including when work would need to be completed to avoid an impact on election/referendum processes.

- **Scheduling approval of the proposals**

It is important to factor into the timetable the most likely scheduled date of the council/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 date of the meeting and related deadlines can be factored into the review timescale.

- **Changes to electoral boundaries**

A number of local authorities may also have their local electoral boundaries reviewed during the 16-month period. If this is the case, (Acting) Returning Officers will need to consider how the electoral boundary review will fit with the polling district /polling place review and whether it would be possible and desirable to align the two.

Where the polling district/place review is to be carried out before the new electoral boundaries are fully in force, it will need to be based on the current electoral boundaries, but should also take any new boundaries



# Agenda Item 6

that are not yet in force into account. To avoid having to review the polling districts and polling places again once the new boundaries are fully in force, any parts of existing electoral areas that will be split when the new boundaries come into effect could be made into separate polling districts as part of the review.

Also, until the new boundaries are fully in force, the register will need to be constructed in a way that is capable of reflecting the current and the new boundaries. Again, this can be achieved by making any parts of existing electoral areas that will be split when the new boundaries come into effect into separate polling districts.

For the same reasons where, as a result of a review of one set of electoral boundaries, the boundaries for different elections are no longer co-terminous, those areas that are no longer co-terminous could be also be made into separate polling districts.

## 2 Roles and responsibilities and definition of terms

### Roles and responsibilities

#### **The local authority**

2.1 The statutory responsibility for reviewing UK Parliamentary polling districts and places rests with each relevant local authority in Great Britain for so much of any constituency as is situated in its area. 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.

2.2 Depending on the structure of the local authority, it may not be the full council which makes the decisions on any changes to polling districts or polling places. Some local authorities may have delegated that function, in which case the decision on polling districts and polling places becomes the responsibility of a committee or sub-committee. This will be set out in the council's constitution.

#### **The Electoral Registration Officer**

2.3 Where a local authority makes any alterations to the polling districts within its area, the ERO must amend the register of electors accordingly – either on a notice of alteration or by publishing a revised register. The changes to the register take effect on the date that the ERO publishes a separate notice stating that the alterations have been made, which should be done to coincide with the publication of a notice of alteration/publication of a revised register.

#### **The (Acting) Returning Officer**

2.4 The (Acting) Returning Officer must comment during any review of UK Parliamentary polling districts and polling places on both existing polling stations and the polling stations that would likely be used if any new proposal for polling places were accepted.

2.5 The election rules require the (Acting) Returning Officer to decide how many polling stations are required for each polling place and they must allocate electors to the polling stations in such manner as they think most convenient.

#### **The Electoral Commission**

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

2.7 Once the local authority has published the results of its review, specified interested parties (see paragraph 7.2 below) may make representations to the Commission to reconsider any polling districts and polling places. We may

direct the authority to make any alterations to the polling places that we think necessary and, if the alterations are not made within two months, we may make the alterations ourselves.

## Definition of terms

### UK Parliamentary constituencies

2.8 The Parliamentary Constituencies Act 1986 states:

‘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.’

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

### Polling district

2.10 A polling district is a geographical area created by the sub-division of a UK Parliamentary constituency for the purposes of a UK Parliamentary election.

2.11 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. 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 un-parished part of the local authority area within it, unless special circumstances apply. Those special circumstances could arise if, for example, the parish/community has only a small number of electors and it is not practicable for the parish/community to be its own polling district.

2.12 In Scotland, each electoral ward must be divided into two or more polling districts unless there are special circumstances. Given the size of wards in Scotland, it is difficult to envisage what those special circumstances might be in practice.

2.13 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 or relevant committee to consider.

### Polling place

2.14 A polling place is the building or area in which polling stations will be selected by the (Acting) Returning Officer. A polling place within a polling district must be designated so that polling stations are within easy reach of all electors from across the polling district.

2.15 We are 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'. We therefore consider that polling places should always be defined more specifically than simply the polling district - for example, by designating the name of the polling place (normally a particular building or area and its environs).

## **Polling station**

2.16 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 relevant Returning Officer for the election.

## **3 Scope of compulsory reviews**

3.1 Polling districts and polling places for other elections are not automatically part of the compulsory review. However, as polling districts and polling places for other elections are based on UK Parliamentary polling arrangements, the requirements of any other elections that are held within the local authority area should be taken into consideration as part of the review. This means that although it is the (Acting) Returning Officer who is the primary Returning Officer for the purposes of the review and has a statutory role to participate in it, all Returning Officers within the constituency (if they are not also the (Acting) Returning Officer) should be involved in the review process.

## **4 Requirements of a review**

### **Overview of the legislative requirements**

#### **Designation of polling districts and polling places**

4.1 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
- in Scotland, each electoral ward must be divided into two or more separate polling districts, 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

## **Accessibility**

4.2 Local authorities must also comply with the following access requirements. As part of the review, 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
- seek to ensure that so far as is reasonable and practicable every polling place for which it is responsible is accessible to electors who are disabled

4.3 The council must have regard to the accessibility to disabled persons of potential polling stations in any place which it is considering designating as a polling place or the designation of which as a polling place it is reviewing.

4.4 See also [‘Considering accessibility issues’](#) below.

## **Formal review process (Schedule A1 steps)**

4.5 When carrying out the review, local authorities must:

- publish a notice of the holding of a review
- consult the (Acting) Returning Officer for every parliamentary constituency which is wholly or partly in its area
- publish all representations made by an (Acting) Returning Officer 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 (Acting) Returning Officer(s).
- on completion of a review, give reasons for its decisions and publish:
  - a. all correspondence sent to an (Acting) Returning Officer in connection with the review
  - b. 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
  - c. all representations made by any person in connection with the review
  - d. 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
  - e. details of the designation of polling districts and polling places within the local authority area as a result of the review

- f. details of the places where the results of the review have been published

## Considering accessibility issues

4.6 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'.

4.7 According to the Equalities and Human Rights Commission the duty to make reasonable adjustments comprises three requirements. For service providers and those exercising public functions, these requirements are:

- Where a provision, criterion or practice puts disabled people at a substantial disadvantage compared with those who are not disabled, to take reasonable steps to avoid that disadvantage.
- Where a physical feature puts disabled people at a substantial disadvantage compared with people who are not disabled to avoid that disadvantage or adopt a reasonable alternative method of providing the service or exercising the function.
- Where not providing an auxiliary aid<sup>1</sup> puts disabled people at a substantial disadvantage compared with people who are not disabled, to provide that auxiliary aid.

4.8 In the Scope 2010 report 'Polls Apart 2010: Opening elections to disabled people' it was made clear that access is still a barrier to some disabled people who want to cast their vote in person.

4.9 Below, are some of the main physical access issues identified by SCOPE, which should be considered as part of a review:

- polling places and stations with steps into the entrance, or otherwise inaccessible
- narrow doorways and corridors
- lack of space within the polling place that did not enable motorised wheelchair manoeuvrability
- lack of space and secrecy for the elector and their companion to discuss the elector's choice of vote
- lack of low level polling booths or booths/tables that didn't provide disabled voters with confidence that they could cast their vote in secrecy as they were positioned close to the polling station staff
- a lack of chairs to enable people to rest
- a lack of a clear display of guidance or aids (such as tactile voting devices) to enable people to feel confident about the process
- inadequate lighting

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<sup>1</sup> In the context of a polling station, an auxiliary aid could, for example, be a ramp for wheelchair users.

4.10 These factors, and accessibility issues more generally, will also need to be considered by the Returning Officer as part of their training for polling station staff.

4.11 In [Appendix A](#) of this guidance we provide an accessibility checklist that can be used to assess the suitability of each polling place and polling station which covers these, as well as other issues.

4.12 In addition to writing to those groups or individuals the local authority has identified as having expertise in access issues, the authority should also engage any internal disability access group and/or disability officer as part of the review.

## 5 Planning the next compulsory review: 1 October 2018 – 31 January 2020 (inclusive)

5.1 Local authorities will need to decide when they are going to conduct the next compulsory review within the timescales provided by the legislation.

5.2 Even though the next compulsory review cannot start before 1 October 2018, local authorities can start planning for the review before then. There are also some preparatory steps, detailed below, which can be taken that fall outside the formal legal requirements of the review.

5.3 For example, local authorities may start compiling statistics and information which may assist them during the review. These may include:

- 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.
- In England and Wales, 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 those areas. In Scotland, this information can be obtained from the Housing Land Audit.
- 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 the assistance of Presiding Officers or polling station inspectors or as part of a previous review or post-election evaluation). Further guidance can be found under ['Assessing the current arrangements and proposals for change'](#).
- 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).
- 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.
- Terms of reference and the criteria for assessing the suitability of the current/proposed arrangements

5.4 Local authorities could also set the timetable for conducting the review. This may include booking the date of the council/ executive/committee meeting where the detailed review proposals would be formally considered.

5.5 The documents required to be published or communicated during the review, such as the notice of review and the letters to Returning Officers and those with expertise in disabled access, could also be prepared. However, the notice cannot be published nor the letters sent before 1 October 2018.

5.6 When planning for the review, the local authority will also need to identify who will lead and support the review, drawing personnel not only from electoral services but also from other parts of the authority who may have expertise to assist. Again, this can be done ahead of the start of the compulsory review period.

## Carrying out a preliminary review

5.7 The local authority should undertake a preliminary review of the current polling districts and polling places with a view to establishing their suitability, and identify any potential alternatives where required. This may be done before the start of the specified review period.

5.8 There is no requirement to change any of the polling districts and polling places if they are suitable, but any 'no change' decision must be fully justified as part of the overall proposals.

5.9 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.

5.10 Close liaison with other departments of the council, such as communications, those providing services to disabled residents, and planning will help to increase the efficiency of the overall review process.

5.11 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.

5.12 Modelling possible options where changes are deemed necessary can be undertaken 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.

5.13 Local authorities should determine the most appropriate method of involving relevant local authority staff and other interested groups as appropriate.

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

5.14 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 A](#) provides template checklists to assist with the evaluation of current/proposed polling places and polling stations.

### **Polling districts**

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

- Are the boundaries 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?
- Are there suitable transport links within the polling district, and how do they relate to the areas of the polling 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, major roads, railway lines, rivers?

### **Polling places**

5.16 There are a number of factors that will need to be considered when reviewing existing polling places or when assessing new polling places, including:

- **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 capable of accommodating all voters going into and out of the polling stations, even where there is a high turnout?
- **Availability:** 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?

- **Accessibility:** Is the building accessible to all those entitled to attend the polling place?

5.17 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.

5.18 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 outside the polling district.

5.19 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. The number of electors allocated to a particular polling station should not exceed 2,500.

5.20 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 size and layout of the area or building can accommodate such arrangements.

## **Polling stations**

5.21 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.

## **Use of schools**

5.22 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. This includes academies and free schools. 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.

## 6 The review process

### Stage 1 – Notification of the review

6.1 The formal commencement of the review requires the local authority to give notice of the holding of a review. The notice must:

- be displayed at the local authority's office and in at least one conspicuous place within the authority
- be published on the local authority website

6.2 Additionally, the authority could display copies in other public buildings and, in particular, those buildings frequented by disabled residents. The authority's disability officer should be able to give guidance on the most suitable places for reaching disabled residents.

6.3 The content of the notice is not prescribed, but 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, and an indication of when and where the (Acting) Returning Officer's representations will be made available
- 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 the views of all residents, particularly disabled residents, on the authority's proposals, the (Acting) Returning Officer's representation or any other matters
- that the authority would welcome any person or body with expertise in access for persons with any type of disability to comment on the authority's proposals, the (Acting) Returning Officer's representation or any other matters
- 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

6.4 The authority should also send a copy of the notice to interested parties such as elected representatives (Councillors, MPs, MSPs, AMs, MEPs, etc.), political parties, disability groups and other stakeholders. Additionally, the authority could issue a press release and use social media feeds to draw attention to the review and the process.

## Stage 2 – Consultation

6.5 The consultation stage is for representations and comments to be made on the existing and proposed arrangements for polling districts and polling places. There are two aspects of this stage:

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

### **The (Acting) Returning Officer's submission**

6.6 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. Completing the templates at [Appendix A](#) may help to form a basis for this report.

6.7 The local authority must publish the (Acting) Returning Officer's comments within 30 calendar days of receipt. The comments should be published at the local authority offices and in at least one conspicuous place within each UK Parliamentary constituency contained wholly or partly in the local authority area. They should also be published on the local authority's website. Additionally, the (Acting) Returning Officer's response could be copied and made available in council offices, libraries, community centres or other places where residents may visit.

### **Consultees**

6.8 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, as well as other elected representatives (MPs, MSPs, AMs, MEPs, etc.).

6.9 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. Consultees should be asked for comment both in general and, if appropriate, about particular buildings or areas within the authority.

6.10 Any persons involved in the consultation have the right to comment on the recommendations proposed by the (Acting) Returning Officer.

6.11 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.

6.12 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 3 – Concluding the review

6.13 After considering all of the representations, the local authority must decide on the most appropriate polling districts and polling places, which must be approved by the council.

6.14 If the review results in the alteration of one or more polling districts, the Electoral Registration Officer must make the necessary alterations to the electoral register. Depending on the timing of the review and the extent of the changes, the ERO has three options to ensure the register reflects the new polling districts:

- update the register on publication of the revised register following the conclusion of the annual canvass
- re-publish a revised register at another point in the year
- publish a notice of alteration

6.15 Where the Electoral Registration Officer has decided to revise their register by republishing it to incorporate the changes, the law requires that the ERO publish a notice 14 calendar days before the publication of the revised version of the register in a local newspaper, at their office and at some other conspicuous place or places in the area. The legislation does not allow for a part publication of the register – a revised register can only be published for the whole of the local authority area.

6.16 Any alteration is effective on the date on which the Electoral Registration Officer publishes a notice stating that the alterations have been made, which should be published at the same time as the register is revised or a notice of alteration published, as appropriate.

## Stage 4 – Publishing the conclusions of the review

6.17 Once the council has agreed 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 (or constituencies), and on the local authority's website. The reasons for choosing each particular polling district and polling place must be given.

6.18 Along with the reasons for the final decision of the review, the following must also be published:

- 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 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 its area as a result of the review
- details of the places where the results of the review have been published

6.19 It is important that electors are made aware of any changes made to the place they must attend to vote. For example, the poll card for the next election they are entitled to vote at could indicate if their station has changed.

## 7 The appeals process

7.1 Following the conclusion of the local authority's review, certain persons have a right to make representations to the Commission. If, on receipt of such representations, we find 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 a polling station/ polling stations within a designated polling place

then we may direct the authority to make any alterations to the polling places that we think necessary and, if the alterations are not made within two months, we may make the alterations ourselves.

## Who is entitled to make representations to the Commission?

7.2 The following may make representations:

- in England, any parish council which is wholly or partly situated within each constituency, or parish meeting where there is no such council
- in Wales, any community council which is wholly or partly situated within each constituency
- thirty or more registered electors in each constituency (although electors registered anonymously cannot make a representation)

- 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

7.3 In addition, the (Acting) Returning Officer may make observations on any representations made to us.

## Format for all representations

7.4 All representations must be made in writing, either by post, e-mail or fax. The representation must be as specific as possible and 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 be made. 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 station/ polling stations within a polling place.

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

7.6 The representation should include the location of the polling place 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.

7.7 A representation may also include for consideration specific proposals for changing the place that has been designated as the polling place.

## The decision-making process of the Commission

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

7.9 The (Acting) Returning Officer is entitled to make observations on the representation submitted to us and should give a report on the polling station(s) which would likely be used should the representation be successful.

7.10 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.

7.11 We may seek advice from persons with expertise on accessibility issues when making our decision.

7.12 We will set out in writing our conclusions and the reasons for our decision. Our 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 our website. Local authorities are advised to publish the outcome of the appeal in the same way as the results of the review were published.

7.13 We may direct the local authority to consider any alterations to the polling places that we deem necessary under the review. After two months, if the local authority has failed to make the alterations, we can itself make the alterations as if the local authority had implemented them.

7.14 Representations should be sent to:

Legal Counsel  
The Electoral Commission  
3 Bunhill Row  
London EC1Y 8YZ  
Tel: 020 7271 0500  
Fax 020 7271 0505  
Email: [appeals@electoralcommission.org.uk](mailto:appeals@electoralcommission.org.uk)

7.15 Further information on previous appeals, including the decisions made by the Commission can be found on [our website](#).

## 8 Making amendments to polling places outside of the compulsory review period and carrying out interim reviews

8.1 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.

8.2 If a building becomes unavailable before an election, the polling place can be changed by the local authority in accordance with their decision making arrangements. If delegation procedures are in place, for example to a committee of the council, 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.

8.3 Between compulsory reviews, all polling places and polling 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 steps should be followed as for conducting the compulsory review.

8.4 The council can carry out an interim review and change some of their polling districts and polling places before the end of the 5-year cycle, but the same processes should be undertaken for the affected areas as for the compulsory review. Without going through these processes, the council will have difficulty evidencing their decision making and explaining how they took into consideration the views of disabled persons and the reasonable requirements of electors.

## Appendix A - templates

The following templates have been designed for use in evaluating the suitability of buildings as polling places and 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 areas' 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 (i.e. covering the corridors leading to the polling station accommodation, but not the area in which polling will be carried out), and the facilities available within the building. 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 with 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 facilitate the provision of appropriate feedback.

## Polling place / polling station – 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 allocated 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 access?		
• 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?		

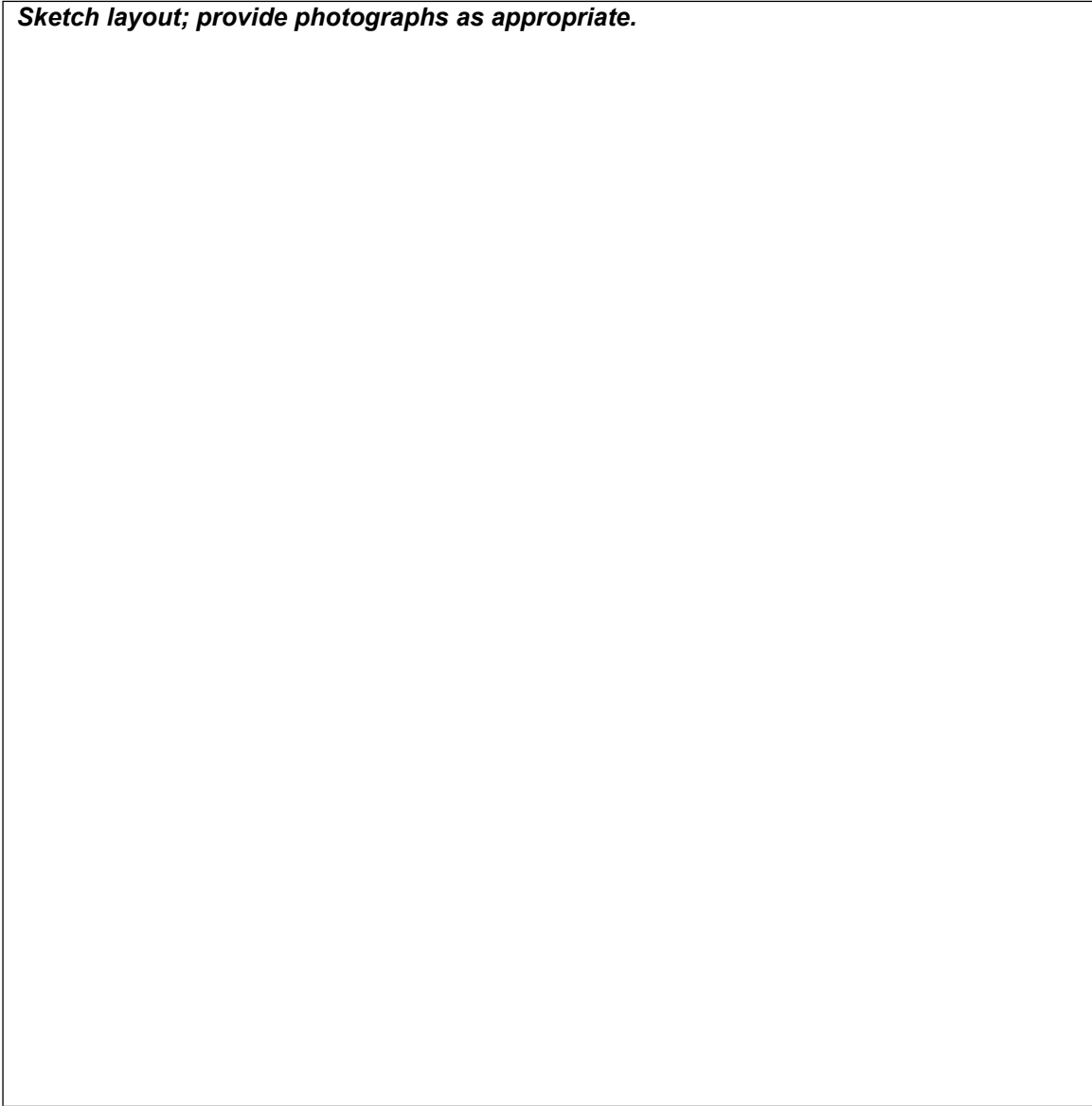
Date reviewed:

Officer initials:

## 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 (including 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?		

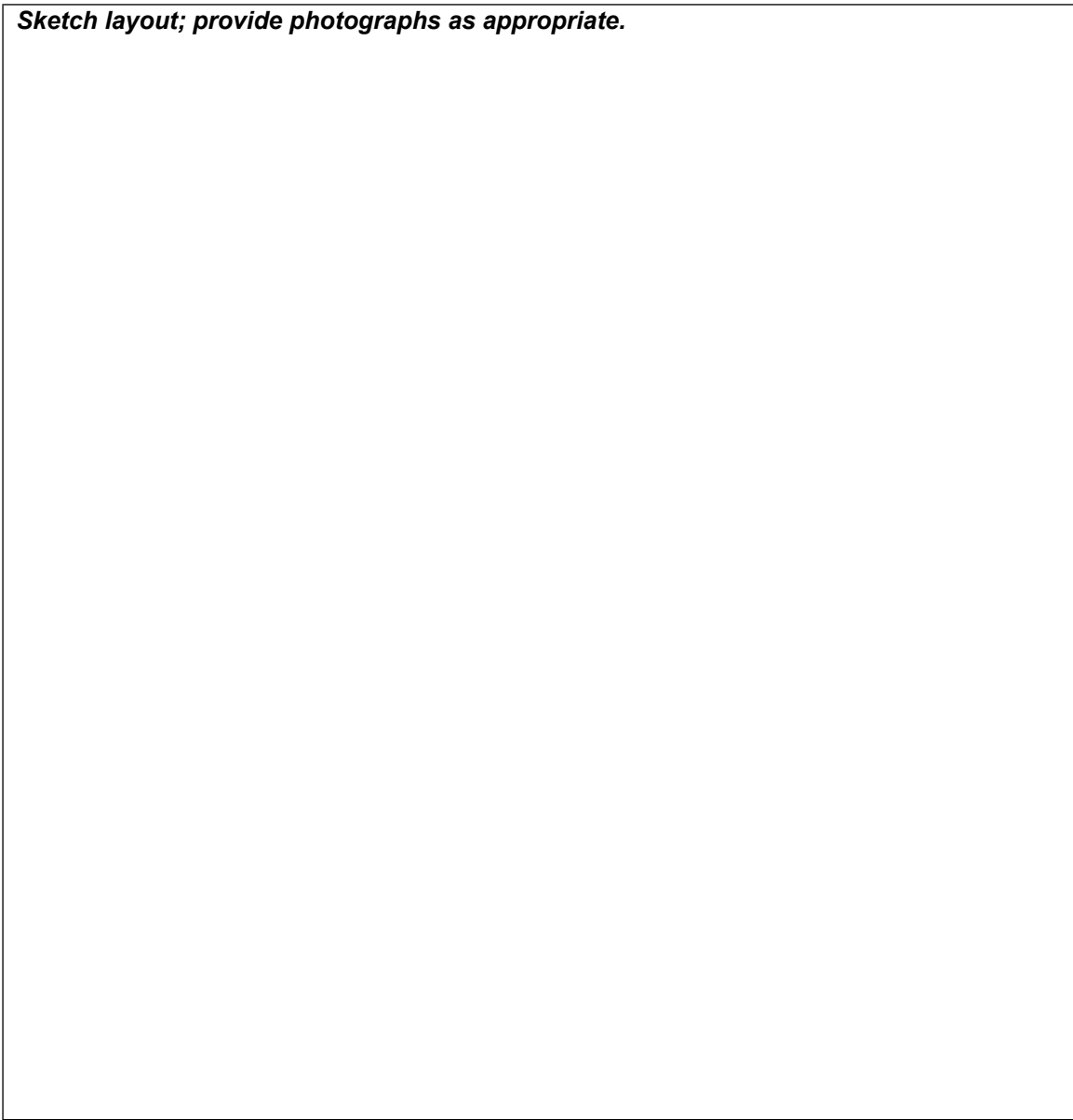
Date reviewed:

Officer initials:

## 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 and toilets, and highlight any possible signage requirements and potential hazards. Also indicate door swing direction and ease of opening, any areas of poor lighting, and any areas of uneven floor, etc.

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



Date reviewed:

Officer initials:

Part D – The polling station(s)		
Check	(√)	Comments
<ul style="list-style-type: none"> <li>• Is there sufficient space to accommodate and manage the flow of a high volume of electors in the case of a high turnout of electors?</li> </ul>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>• If multiple polling stations need to be provided, are there other rooms available, or can the space be clearly divided to provide adequate room for more than one polling station?</li> </ul>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>• Is there sufficient space inside the polling station to comfortably accommodate staff, voters, polling agents and observers?</li> </ul>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>• Could ballot booths be positioned in a way that would preserve the secrecy of the ballot, even where there may be a high volume of electors?</li> </ul>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>• Is there adequate lighting for day and night time?</li> </ul>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>• Is there suitable furniture (tables and chairs) available for all types of election for polling staff and for those voters who may need to rest?</li> </ul>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>• Could motorised wheelchairs be accommodated?</li> </ul>	<input type="checkbox"/>	
<ul style="list-style-type: none"> <li>• Can the official notices be clearly displayed, including the large-print version of the ballot paper(s)?</li> </ul>	<input type="checkbox"/>	



Date reviewed:

Officer initials:

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

Identify the size 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 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.

Part E – Comments from stakeholders during consultation
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Comment	Name/organisation	Response by (A)RO

# Agenda Item 6

Date reviewed:

Officer initials:

***Additional comments from (A)RO***

## Bromsgrove District Council

### Review of Polling Districts and Polling Places 2019

<b>Timetable – OFFICE COPY</b>	
<b>Item</b>	<b>Date</b>
Preparation of statistics and information	May to June
Submission of report to Electoral Matters Committee to agree the review	5 July
<b>Electoral Matters Committee</b>	15 July
<b>Stage 1 Notification</b>	
<b>Review commences with First Draft Proposals Publication of Notice Website Update</b>	<b>17 July</b>
Letters to all stakeholders Press release	Week commencing 17 July
<b>Stage 2 - Consultation</b>	
Consultation commences	17 July
Deadline for submission of comments on preliminary proposals to office	28 August
Submission of report to Electoral Matters Committee	2 September
<b>Electoral Matters Committee</b>	10 September
<b>Second Draft recommendations published</b> (write to all stakeholders and submissions)	12 September
<b>Close of submission of comments on recommendations to office</b>	<b>7 October</b>
<b>Stage 3 – Concluding the Review</b>	
Submission of report to Electoral Matters Committee	15 October
<b>Electoral Matters Committee</b>	<b>24 October</b>

## Bromsgrove District Council

### Review of Polling Districts and Polling Places 2019

Implement changes/incorporate in revised Register of Electors	1 – 20 November
Submission of Report –to- Note to Council	Friday 8 November
Full Council	20 November
<b>Stage 4 - Publishing</b>	
Publishing the Conclusions of the review	Friday 29 November
Publication of Revised Register of Electors	1 December