



**Name of meeting: Corporate Governance and Audit Committee**

**Date: Friday 24 November 2023**

**Title of report: Statutory Polling District and Places Review**

**Purpose of report:** The purpose of this report is to seek approval to amend the polling district boundaries and places following the statutory public consultation process.

<b>Key Decision - Is it likely to result in spending or saving £500k or more, or to have a significant effect on two or more electoral wards?</b>	<b>No</b>
<b>Key Decision - Is it in the <u>Council's Forward Plan (key decisions and private reports)</u>?</b>	<b>No</b>
<b>The Decision - Is it eligible for call in by Scrutiny?</b>	<b>Not applicable</b>
<b>Date signed off by <u>Strategic Director</u> &amp; name</b>	<b>Rachel Spencer-Henshall – 7 November 2024</b>
<b>Is it also signed off by the Service Director for Finance?</b>	<b>Isabel Brittain – 13 November 2024</b>
<b>Is it also signed off by the Service Director for Legal Governance and Commissioning?</b>	<b>Julie Muscroft – 13 November 2024</b>
<b>Cabinet member <u>portfolio</u></b>	<b>Councillor Paul Davies</b>

**Electoral wards affected: Kirkburton, Dalton, Golcar, Dewsbury West, Batley East, Cleckheaton, Mirfield**

**Ward councillors consulted: Yes**

**Public or private: Public**

**Has GDPR been considered?** The report does not contain any personal data.

## **1. Summary**

In accordance with section 18C of the Representation of the People Act 1983, Kirklees Council has conducted the statutory review of all polling districts and places.

The review has been conducted as every five years the Council must review its polling districts and polling places in conjunction with the person responsible for running Parliamentary elections in the constituencies within its area. This person is known as the (Acting) Returning Officer. The review seeks to improve accessibility to polling stations for electors within the defined areas and ensure that Kirklees has a polling scheme in place which reflects the new Parliamentary constituencies.

## **2. Information required to take a decision**

### **2.1 Background**

The last review of polling districts and places for the Kirklees area took place in May 2019. Statutory polling district and places reviews take place on a 5-year cycle. The last review report was presented to the Committee in September 2019.

The Council is required to determine the polling district boundaries within the ward boundaries. The Council has delegated decision making on polling district boundary changes to the Corporate Governance and Audit Committee.

Electorate figures and the initial proposal documents are provided at appendix 1. When conducting a review, 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.
- 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 polling 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.

Under section 18C of the Representation of the People Act 1983, the next compulsory review must be undertaken within a 16-month window between 1 October 2023 and 31 January 2025. The intention of the legislation was reviews would be completed by the January before a UK Parliamentary general election. However, since the repeal of the Fixed Term Parliaments Act

2011, there is no longer any certainty as to when the next general election will be.

The four parliamentary constituencies for which the (Acting) Returning Officer in the Kirklees Metropolitan Borough Council area is responsible for are currently:

- Colne Valley
- Huddersfield
- Batley and Spen
- Dewsbury

### **PARLIAMENTARY BOUNDARY REVIEW**

The Boundary Commission for England is currently undertaking a review of parliamentary constituency boundaries. The Commission has now published its final recommendations, and Orders for the new parliamentary constituency boundaries will be made by the end of November 2023.

Once the Orders for new parliamentary constituencies have been made, the new boundaries will be used for the next general election.

If a parliamentary by-election is called in the meantime, it would be run on existing boundaries.

It is important that the polling district and places review is carried out as early as possible, so that Kirklees has agreed polling districts and places to be used for the next parliamentary election as well as the scheduled District Council, West Yorkshire Combined Authority Mayoral elections in May 2024 and has a polling scheme in place which reflects the new constituencies.

#### **The new constituencies for the Kirklees Metropolitan Borough Council Area include:**

<b><i>Proposed Constituency</i></b>	<b><i>Wards included</i></b>	<b><i>Acting Returning Officer</i></b>
<i>Colne Valley Constituency</i>	Colne Valley Golcar Holme Valley North Holme Valley South Lindley	Kirklees
<i>Huddersfield Constituency</i>	Almondbury Ashbrow Crosland Moor and Netherton Dalton (part)	Kirklees

	Greenhead Newsome	
<i>Dewsbury and Batley Constituency</i>	Batley East Batley West Dewsbury East Dewsbury South Dewsbury West Kirkburton (part)	Kirklees
<i>Spenn Valley Constituency</i>	Birstall & Birkenshaw Cleckheaton Dalton (Part) Heckmondwike Liversedge & Gomersal Mirfield	Kirklees
<i>Ossett &amp; Denby Dale Constituency</i>	Denby Dale Kirkburton (Part)	Wakefield

The Commission's final proposals split three ward areas across three constituencies, the wards affected are Dalton, Denby Dale and Kirkburton.

Polling district DA06 located in the Dalton ward, currently part of the Huddersfield constituency, is to be moved into the Spenn Valley constituency whilst the rest of the Dalton ward area will remain in the Huddersfield constituency. The (Acting) Returning Officer for Kirklees, will remain responsible for both Spenn Valley and Huddersfield constituency.

However, Denby Dale ward and polling districts KB01, KB02, KB03A, KB03B, KB05, KB06, KB08 and KB09 located in the Kirkburton ward will now become part of the Ossett & Denby Dale constituency. Therefore, Wakefield Metropolitan District Council will have the Acting Returning Officer designation for those areas.

*Neither the ward boundaries, nor the parliamentary constituency boundaries, can be changed as part of the council's review of polling districts and polling places, as they are the responsibility of the relevant Boundary Commission.*

*The Local Government Boundary Commission is currently conducting a full review of the Kirklees ward boundaries. This review is expected to conclude with the Order relating to future ward changes being made in Autumn 2024. After the Order has been made, the (Acting) Returning Officer for Kirklees Council will conduct an interim review of polling districts and places during 2025.*

The statutory notice commencing the review was published on Monday 2 October and outlined the proposals for all wards. The notice of the review was published on relevant notice boards, the council website and shared directly with all leading members.

The public and elected officials were invited to make representations on the initial proposals between 2<sup>nd</sup> and 30<sup>th</sup> of October. As per the guidance for delivering reviews, all representations made to the (Acting) Returning Officer must then be published. Members can view all representations received during the consultation process at appendix 2.

The (Acting) Returning Officer must also make a representation and address the representations received in his response. You can view the (Acting) Returning Officers full submission at appendix 3. A summary of the responses and proposals is included in this report from 2.2 onwards.

Following the close of the consultation period and the publication of the representations received, the (Acting) Returning Officer must then present the final proposals to the Corporate Governance and Audit Committee for approval before any changes are made to the polling district boundaries. If approved, the changes as proposed will be implemented on the publication of the full electoral register on the 1 December 2023.

The power to determine a polling station location remains with the (Acting) Returning Officer. Decisions regarding polling station changes have been included in this report for transparency.

## **2.2 Dalton ward – DA03 polling district amendments**

The proposed change is to completely split up the existing polling district of DA03 and assign the voters in this area to the two neighbouring polling district and stations. Half of the voters in DA03 would attend the New Church, Grove Place, Long Lane, HD5 9LL and the other half to the Common Room at Rear of Cottage Homes, Wakefield Road, Waterloo, HD5 9XT.

Since 2021, voters in DA03 polling district have been casting their vote at the DRAM Centre, Ridgeway, Dalton HD5 9QJ which is located in the neighbouring polling district of DA02. The polling station from DA03 was moved into DA02 in 2021 as there was a lack of suitable alternatives in this polling district due to COVID-19 restrictions.

This meant that voters in the DA03 polling district are having to travel past the polling station in DA02 to get to the DRAM Centre and this is causing confusion amongst voters.

During the consultation period, the ward members for Dalton submitted a representation suggesting that the polling district of DA03 be split up between the two neighbouring polling stations as these locations are much more accessible for the voters and the (Acting) Returning Officer is supportive of this proposal.

The proposed street splits and electorate volumes are detailed below:

<b>DA03 Streets</b>	<b>Proposed Polling District</b>	<b>Polling Station</b>	<b>Electorate</b>	<b>Postal Voters</b>	<b>In-person Voters</b>
Kingston Avenue	DA02	The New Church	110	43	67
Lady Lane	DA04	The New Church	44	16	28
Lees Close	DA02	The New Church	52	20	32
Alton Avenue	DA02	The New Church	38	14	24
Eton Avenue	DA02	The New Church	31	7	24
First Avenue	DA02	The New Church	8	0	8
Grosvenor Road	DA02	The New Church	153	42	111
Henley Croft	DA02	The New Church	19	4	15
Long Lane	DA02	The New Church	98	28	70
Marlow Close	DA02	The New Church	22	1	21
Mayfield Avenue	DA04	The New Church	135	33	102
Nursery Lodge Court	DA02	The New Church	21	5	16
Second Avenue	DA02	The New Church	30	9	21
Staines Croft	DA02	The New Church	34	6	28
Teddington Avenue	DA02	The New Church	89	26	63
The Grange	DA02	The New Church	16	8	8
Dalton Green Lane	DA04	Cottage Homes	181	65	116
Green Lea Road	DA04	Cottage Homes	10	2	8
Kelso Grove	DA04	Cottage Homes	13	4	9
Mayfield Grove	DA04	Cottage Homes	33	14	19
Melrose Close	DA04	Cottage Homes	34	5	29
Myers Croft	DA04	Cottage Homes	21	4	17
Rowlands Avenue	DA04	Cottage Homes	79	28	51
Tolson Crescent	DA04	Cottage Homes	135	33	102
Wakefield Road	DA04	Cottage Homes	114	33	81
White Rose Avenue	DA04	Cottage Homes	68	21	47

The reallocation of streets as proposed ensures that both the New Church and Cottage Homes are not overwhelmed and the total number of in-person voters is within the Electoral Commissions recommended threshold.

*The (Acting) Returning Officer proposes that DA03 is completely split as detailed above and in future the Dalton ward will consist of 7 polling districts only.*

### **2.3 Cleckheaton ward – CL01 amendments**

Due to the unavailability of Cleckheaton Town Hall in May 2024, a new polling station location needs to be allocated for voters located in the CL01 polling district. The proposal is that voters in this polling district be allocated to a new location at St Johns The Evangelist Church, Church Street, Cleckheaton, BD19 3RN.

The Church is located approx. 100 yards from the current polling station at Cleckheaton Town Hall. There is a free car park nearby and ample parking around the church wall boundary on Church Street. The room is large enough for the current 1851 polling station electorate and there are excellent facilities for polling staff including toilet and kitchen facilities. Accessibility is excellent with double doors opening for wheelchair access.

All ward members were consulted and one representation was received from Councillor Kath Pinnock citing her preference for the Town Hall to be in use however as it is not available for May she was supportive of this temporary location.

*The (Acting) Returning Officer determines that the voters in CL01 will cast their votes for May 2024 at St Johns The Evangelist Church, Church Street, Cleckheaton BD19 3RN.*

### **2.4 Golcar ward – GC03 amendments**

During the consultation period, a representation was made by a member of the public that flagged an anomaly in the GC03/04 polling districts following the development of a new estate on Cowlersley Lane.

The boundary line of GC03 run across the new estate which means that the properties located on Mill Rise are being sent to GC03 and travelling past GC04 to get to their polling station.

In order to address this anomaly, the proposal is to move the properties on this estate located in GC04 on Mill Court to the GC03 polling district as this means the voters on the estate would not need to cross Manchester Road to get to the polling station.

*The (Acting) Returning Officer proposes that Mill Court is moved entirely to the GC03 polling district.*

## **2.5 Dewsbury ward – DW04 amendments**

During the consultation period a representation was put forward from Ethos College requesting that the (Acting) Returning Officer reviewed the allocated polling station location at their college. Ethos College specialises in providing longer-term full-time education to Key Stage 4 pupils (ages 14 to 16) with wide-ranging Social, Emotional Mental Health (SEMH) needs. Therefore, on polling day they are required to close the school as due to safeguarding of pupils the polling station cannot be run on site whilst the school is open.

The college itself is located on a steep hill adjacent to the housing estate on Dewsbury Moor. The school car park is not in use on the day and voters must park on street.

Following a site visit to the polling district to understand the concerns and issues surrounding this location, a suitable alternative venue has been identified at the Tenant and Residents Association, 8 School Avenue, Dewsbury Moor, Dewsbury WF13 4RU. The building is located 100 ft away from Ethos College in the main body of the housing estate.

The building has on street parking, suitable facilities and enough space to accommodate the electorate in the polling district.

*The (Acting) Returning Officer has determined that the polling station is located at the Tenants and Residents Association building in May 2024 on a trial basis, following this election, the ARO will consult with ward members on the location's suitability for future elections.*

## **2.6 Kirkburton ward – KB03A, KB03B, KB07A and KB07B amendments**

Polling district KB03 has historically been split into A and B as the areas were located in different Parliamentary Constituencies, the final proposals for the new Parliamentary Constituencies place both areas into the same constituency. Therefore the proposal is to merge KB03 A/B and have one single polling district and station for KB03. The polling station will remain at St Thomas Church Room.

Polling district KB07 has historically been split into A and B as some small areas were located in different Parliamentary Constituencies, the final proposals for the new Constituencies place both areas into the same constituency. Therefore, the proposal is to merge A/B and have one single polling district and station for KB07. The polling station will remain at Grange Moor Primary.

All ward members have been consulted and are supportive of the proposals.



*The (Acting) Returning Officer proposes that KB03 A/B and KB07 A/B are merged to create two polling districts of KB03 and KB07 only.*

## **2.7 Batley East ward – BE10 amendments**

Due to planned refurbishment at Batley Town Hall, a new polling station location is required to facilitate the voters located in the BE10 polling district. The (Acting) Returning Officer received representations from two ward members for Batley East regarding alternative venues.

They suggested that Batley Community Centre may be a more accessible alternative to the Royal Airforce Association that was originally proposed as it is a community building located closer to the residential area.

A site visit has been undertaken at Batley Community Centre to confirm the buildings accessibility and location to the electorate. The building provides a spacious room for a polling station, has full accessibility for wheelchair users and an ample car park for access by vehicle. The site is more than suitable to host a polling station and is a key building within the community of the BE10 polling district.

*The (Acting) Returning Officer determines that the polling station for polling district BE10 is located at Batley Community Centre in May 2024. Following its use in May 2024, the ARO will seek feedback from elected members, staff and voters on its suitability for future elections.*

## **2.8 Mirfield ward – MF01/MF02 amendments**

A representation was received during the consultation period from a resident in Mirfield requesting a number of changes to polling district boundaries. You can view the full representation made at appendix 2 and the (Acting) Returning Officers response at appendix 3.

The representation requested to change the location of the polling station for this polling district from Church of Christ the King, Stocksbank Road to Battyeford J&I School, the rationale provided is that Battyeford J & I School is more centrally located within the polling district and is in a better position to cater for the sheltered housing at Littlemoor Grove, Bankfield Court and Fox Royd Lane. The representation also states that whilst this proposal would necessitate the closure of the school on polling days, it would present the opportunity for the pupils to learn about and emphasise the importance of voting in local and national elections.

The polling station was changed in 2018 from Battyeford J & I School to the church. The school was concerned about the closure, the use of the school had caused some complaints/concerns over the years from polling station staff, electors and political representatives in previous elections, ward councillors were consulted and all were supportive of the move to the church.

Whilst the church is not centrally located in the polling district, it has roadside parking, provides disabled access, modern facilities and the move has enabled the school to stay open. No comments or complaints have been received from voters relating to the location of this polling station and ward councillors are supportive of the polling station remaining at the Church.

*The (Acting) Returning Officer has determined that the Church of Christ the King will continue to be used as the polling station.*

The representation received also detailed a proposed amendment to the polling district boundary that runs between MF01 and MF02 currently down Slipper Lane to be moved to match the public right of way (PROW) from Kitson Hill Road via Warren House to the A62.

The representation states that since the southern side of Kitson Hill Road is occupied by Mirfield Free Grammar School sports fields, this would mark a clear separation of MF02 to the north from MF01 to the south.

*The (Acting) Returning Officer proposes that the polling district boundary is amended to match the public right of way and that the streets as detailed above are moved from MF01 to MF02.*

The remaining proposals detailed in this representation were not possible to address as part of this review as they included suggestions that would require the Mirfield Town Council ward boundaries and amendments to the Kirklees District ward boundaries which is not in the scope of the statutory polling district and places review. The full representation is detailed at appendix 2 for information.

### **3 Implications for the Council**

#### **3.1 Working with People**

Not applicable

#### **3.2 Working with Partners**

Not applicable

#### **3.3 Place Based Working**

Not applicable

#### **3.4 Climate Change and Air Quality**

Not applicable

#### **3.5 Improving outcomes for children**

Not applicable

### **3.6 Financial Implications for the people living or working in Kirklees**

Not applicable

### **3.10 Other (eg Integrated Impact Assessment (IIA)/Legal/Financial or Human Resources)**

#### **Consultees and their opinions**

All elected ward members for the affected areas were consulted regarding the proposals. Where suggestions for change were received during the consultation period, members were consulted again on all final proposals included in this report. All representations made during the consultation period and subsequent comments from Members relating to the proposed changes can be found at appendix 2.

The consultation was a public consultation with a small number of representations received from members of the public.

All elected Members of Parliament representing the four constituencies of Kirklees, the Mayor for West Yorkshire and Parish/Town Councils were invited to participate in the consultation period. No responses were received.

Local charities and disability support groups were directly invited to participate during the consultation period however no responses were received.

All schools and academies that are currently utilised as polling stations were also invited to participate, a representation was received from Ethos College which is included in appendix 2.

Additionally, due to the cross-boundary nature of the future Parliamentary constituency in Ossett and Denby Dale, the (Acting) Returning Officer for Wakefield was invited to comment on the proposals. No response was received from the (Acting) Returning Officer for Ossett and Denby Dale constituency.

## **4 Next steps and timelines**

Should the proposals be approved by the Committee, the Electoral Services Manager will amend the polling district boundaries and publish the amended register of electors on the 1 December 2023. It is important to note that should any election take place prior to December 2023, the current polling district boundaries will be in force for that election.

It is important to note that due to the ongoing Local Government Boundary Review of all electoral wards for Kirklees that following the Order being made in late Autumn 2025 to implement the new electoral ward, the (Acting) Returning Officer and Electoral Services Manager will be required to conduct a full interim

review of all polling districts and places again to address any changes required due to the implementation of the new ward boundaries.

Currently, this review is planned to commence in 2025 during the fallow year ahead of all-out District Council elections in 2026.

## **5 Officer recommendations and reasons**

The Electoral Services Manager recommends that the polling district boundaries are amended as per the (Acting) Returning Officer's proposals which are summarised from section 2.2 onwards and provided at appendix 3 of this report, to allow for better access to polling stations prior to the next scheduled election and to ensure that Kirklees has a polling scheme in place to facilitate the next Parliamentary election on the new constituency boundaries.

## **6 Cabinet Portfolio Holder's recommendations**

No further comments to make.

## **7 Contact officer**

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## **8 Background Papers and History of Decisions**

N/A

## **9 Service Director responsible**

Julie Muscroft Service Director – Legal, Governance and Commissioning