

The Electoral Commission

Record of decision of the Electoral Commission Appeal against the relocation of Clifton Polling Place

Westmorland & Furness Council review of polling places

1. Between 13 November 2024 and 13 December 2024 Westmorland & Furness Council (the “Local Authority”) conducted a statutory review of its polling places and polling districts, in accordance with its obligations under section 18C of the Representation of the People Act 2023. Following the review, a new schedule of polling districts and polling places was agreed by the Local Authority at its meeting on 23 January 2025.
2. The statutory requirements imposed on local authorities and returning officers in relation to reviews of polling districts and polling places are found in s.18A – 18D and Schedule A1 of the Representation of the People Act 1983 (the “Act”).
3. Guidance published by the Electoral Commission (the “Commission”) - [‘Reviews of polling districts, polling places and polling stations | Electoral Commission’](#) - sets out the factors that should be considered when reviewing existing polling places or assessing new polling places.
4. Following the Local Authority’s review, a schedule of polling districts and polling places was agreed by the Local Authority at its meeting on 23 January 2025. This included a decision to allocate a new polling place to voters in the ‘EMC’ polling district to Lowther Parish Hall, CA10 2HT, as the previous polling place (Clifton Village Hall) was no longer available as a polling place.

Appeal

5. On or around 20 March 2025 the Commission received written representations from Clifton Community Council (“Clifton Council”) – an ‘interested authority’ in England & Wales under s.18D(1)(a) of the Act – appealing against the decision of the Local Authority to relocate the polling place for the Parish of Clifton from Clifton Village Hall, on the basis that the Local Authority had failed to meet the reasonable requirements of the electors.
6. Upon receipt of the appeal from Clifton Council, a Polling Place Review Panel was constituted within the Commission to consider the appeal. The Panel reviewed the representations from Clifton Council and requested observations from the Returning Officer at the Local Authority. These were received on 16 May 2025 together with documents relating to the polling district review. The Commission wrote to the Local Authority on 18 August 2025 requesting clarification on some

points and the Local Authority responded with further information on 3 September 2025. On 15 October 2025 representatives of the Panel conducted a site visit to the new polling location at Lowther Village Hall, as well as to Clifton village and the surrounding area, and Clifton Primary School.

Scope of the Commission's consideration of the representations

7. The Commission has a duty under section 18D of the Act to consider relevant representations from certain categories of persons listed in s.18D(1) which fall within the grounds set out in s.18D(2) of the Act. These grounds are that a review has not been conducted by a relevant authority so as to-
 - (a) meet the reasonable requirements of the electors in the constituency or any body of those electors, or
 - (b) take sufficient account of the accessibility to disabled persons of polling stations within a designated polling place.
8. No specific representations were made to the Commission that the Local Authority did not take sufficient account of the accessibility to disabled persons of polling stations within a designated polling place (section 18D(2)(b), therefore the scope of the Commission's consideration of the review is limited to establishing, having regard to all the relevant information, whether the relevant authority complied with the requirements referred to in s.18D(2)(a). In doing so, the Commission must have regard to the legal requirements set out in the Act, (along with the Commission's published guidance).
9. The Commission is required to consider observations made by the Returning Officer (s.18D(3) and (4)) and may, if it thinks fit, direct the relevant authority to make any alterations to the polling places designated by the review which the Commission think necessary in the circumstances (s.18D(4)(a)).

Commission's assessment

10. Section 18A (Polling districts at Parliamentary Elections [Great Britain]) of the Act requires that each Parish is to be a separate polling district (s.18A(3)(b)) unless there are special circumstances (s.18A(4)).
11. Section 18B (Polling places at Parliamentary Elections) requires that a polling place is to be designated for each polling district in a constituency (s.18B(1)). However, this requirement will not apply if 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 or any body of them (s.18B(2)).
12. The Commission is satisfied that Clifton Parish is a separate polling district (district EMC), however the Local Authority has effectively allocated the same polling place to two polling districts (EMC and EHJ). Lowther Parish Hall is not within the Clifton Parish Polling district, so this means that for the electors in EMC there is no polling place within the polling district.

13. Under s.18B(4)(d) of the Act, the polling place for a polling district must be an area in the district, unless special circumstances make it desirable to designate an area wholly or partly outside the district.
14. Electoral Commission guidance Reviews of polling districts, polling places and polling stations gives the following example of a special circumstance: 'if no accessible polling place can be identified in the district'.
15. The Commission has considered whether there are special circumstances that apply in this instance and has considered the following points.
 - 15.1 The Local Authority stated that the special circumstances that required the polling place to be moved to a different polling district were that 'no suitable venues had been identified in the EMC polling district.' However, the Commission considers Clifton Primary School to be a potentially suitable venue – particularly given that it has been used previously at the General Election in July 2024. The Commission's site visit indicated that the building had adequate space and facilities for a polling station (kitchens and staff toilets), that there is non-slip flooring, and the building is well-lit. Access to the school is via a slight slope and the door opens outwards and would need to be propped open for wheelchair users. The school has few internal doors, and the building is mostly open-plan, so any decision to open the building to the public would necessitate a school closure (which would affect students studying for their SATS in May). The school has requested that they receive good notice if they were to close, to inform parents/carers and allow them time to make childcare arrangements. Inset days are usually arranged around 18 months in advance.
 - 15.2 The Local Authority acknowledged that it had the power to use schools, but stated that its policy was only to do so with the co-operation of the school or where there is clear evidence from a review that local electors consider it to be the best option. Whilst it may be desirable to avoid designating schools as polling places in order to avoid disruption to the school (particularly if the school has indicated, as in this instance, that it would not wish to be made available for polling), the Commission does not consider this a 'special circumstance' within the meaning of the Act.
 - 15.3 The Commission's online guidance 'Considerations for a preliminary polling place review' provides, in relation to the use of schools states that:-

'Use of schools

It should be noted that for the purpose of taking the poll in England and Wales, the (A)RO 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.'

- 15.4 The Local Authority stated that it did not specifically consider the use of portacabins and that this was partly as it considered that the two options going into the review – Clifton Primary School and Lowther Village Hall – were suitable. The Local Authority also stated that it does not use portacabins in the area as they are expensive, difficult to source, and most standard hire portacabins were not sufficiently accessible.
- 15.5 However, the Commission considers that further consideration could also be given by the Local Authority to the use of portacabins. The site visit indicated that there are some suitable spaces in the village that could potentially be used to site them, but this would require further investigation.
- 15.6 The Commission has considered the representations of Clifton Council relating to the impact of the new polling place in terms of accessibility by residents in Clifton (requiring voters to drive to the polling due to the lack of a basic footpath link or regular public transport between the locations). The Commission acknowledges that whilst it is preferable for electors to be able to walk to their polling places, it is unrealistic to expect all polling places to be accessible by foot, particularly in rural areas. It is also likely that individuals living in Clifton would have to travel using cars or other means of transport to access other services. Therefore, the Commission considers that the relocation of the polling station in terms of distance and public transport options is not in itself unreasonable.

Commission's decision

16. The Commission has fully considered the representations of Clifton Council and the observations of the Returning Officer at the Local Authority, and in accordance with section 18D(4) of the Act, the Commission directs the Local Authority to designate a polling place within the EMC polling district as (i) there are no special circumstances that make it desirable to designate an area wholly or partly outside the district, and (ii) designating an area outside of the polling district materially affects the convenience of the electors or any body of them.

When designating a polling place for the EMC polling district, the polling place should meet the requirements set out in the Act and have regard to the Commission's guidance, so as to (i) meet the reasonable requirements of the electors of the constituency and (ii) take sufficient account of the accessibility to disabled persons of polling stations within a designated polling place.

The Commission's understanding is that scheduled elections are not due to take place in this polling district on 7 May 2026. On that basis the Commission directs the Local Authority to make its designation within two months of this decision. Whilst the Commission has the power under section 16D(4)(b) of the Act to make the alterations itself if the authority fails to do so, the Commission is mindful of the ongoing preparation for the establishment of a new combined authority, and will consider any representations made by the Local Authority to the Commission in relation to the practical timing of the alterations.

Date: 13/2/2026