

Southend-on-Sea Borough Council

Agenda
Item No.

Report of Chief Executive & Town Clerk

to

General Purposes Committee

on

19th November 2014

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Review of Polling Districts and Polling Places/Polling Stations

A Part 1 Public Agenda Item

1. Purpose of Report

- 1.1 This report proposes amendments to polling districts and polling places in the parliamentary constituencies of Southend West and Rochford and Southend East that fall within the Borough.

2. Recommendations

- 2.1 That the comments received in response to the public consultation exercise on the polling districts and polling places/stations, as set out in Appendix 2 to this report, be noted.
- 2.2 That the proposed amendments to the polling districts and polling places, as set in the Report of the Returning Officer (Appendix 3), be approved.

3. Background

- 3.1 The Representation of the People Act 1983 ('1983 Act') places a duty on the Council to divide the Borough into polling districts and designate polling places for the districts. The Council has a duty to keep these polling arrangements under review.
- 3.2 The Electoral Administration Act 2006 introduced a number of changes to the 1983 Act in respect of the way reviews must be undertaken. Under the 2006 Act, the Council was required to undertake a review of polling districts and polling places/stations within their area on a four yearly cycle. The last general review in Southend was completed on 16th November 2011.
- 3.3 The Electoral Registration and Administration Act 2013 introduced a change to the timing of the statutory reviews. The next compulsory review has to be completed by 31st January 2015. However, in practice the review would need to be completed sooner so that any changes to the polling districts can be incorporated in the Register of Electors which will be published on 1st December 2014.

3.4 An explanation of the terms used in the review is set out below:

- i) A **polling district** is a geographical area created by the sub-division of a constituency into smaller parts. For voting purposes, each parliamentary constituency and every local government ward is divided into one or more polling districts. The polling districts for the Borough elections mirror those for the parliamentary elections.

The review can only address issues within the current ward structure of the Borough. It cannot make changes to the ward (or Borough) boundaries. There are some areas where moving a ward boundary might resolve an anomaly concerning the allocation of voters to polling stations, but this cannot be achieved as part of the review.

- ii) A **polling place** is an area within a polling district in which a polling station is located. There is no legal definition of a polling place which could be as large as a polling district or as small as a particular building. The Electoral Commission is aware that some authorities designate the entire polling district as the polling place. However, Section 18 of the 1983 Act states that 'the polling place must be small enough to indicate to electors in different parts of a district how they will be able to reach the polling station'. The Commission therefore recommends that the polling place should always be defined. It was agreed at the last meeting of the General Purposes Committee on 16th November 2011 that a polling place be defined as the building (including the surrounding grounds) within which the voting may take place.
- iii) 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 determined by the Returning Officer for the election.

3.5 The aims of the review were to seek to ensure that:

- all electors have such reasonable facilities for voting as are practicable in the circumstances.
- as far as is practicable, every polling place is accessible to electors who are disabled.
- the polling place(s) for a polling district is within the area of the polling district unless special circumstances make it desirable for the polling place to be outside the polling district area (i.e. because suitable alternative buildings are not available in the area).

3.6 In an ideal world, the Returning Officer would have the choice of a range of fully accessible buildings, conveniently located for the electors. The Electoral Commission recognises that, in practice, this is not the case and there may actually be little choice available. Where it is necessary to use a polling place where the access is not ideal, the Commission expects the Council to make reasonable adjustments to provide access to all electors.

- 3.7 The Commission also recognises that in reality the choice of polling place will often be the balance between the quality (access, facilities etc) of a building and the distance between the residents and that building compared to other options for polling places.
- 3.8 The law makes provision for the Returning Officer to use schools (including academies) free of charge for the purposes of an election, subject to covering certain costs including heating, lighting and caretaking charges. Returning Officers do use schools because they are well known venues within the community and can be provided at less cost to the public purse. In the Borough, the use of the smaller schools are generally avoided where possible as this could result in the closure of a school or part of a school on polling day. However, it must be emphasised that there are areas in the Borough where there are no suitable alternatives available.
- 3.9 The use of portable buildings as polling stations are also avoided where possible, primarily because of the additional costs to the public purse that arise from the hire, setting up and equipping of a portable unit. This form of accommodation is less than satisfactory in comparison with most of the buildings used as polling stations.
- 3.10 The Electoral Commission recommends that there should be a minimum of one polling station for every 2,500 electors voting in person. Generally, where elector numbers are of concern and exceed the recommended threshold, the best solution is the addition of a further polling station within the same polling place. In the case of the 2014 elections, 13 out of the 67 buildings used were double polling stations.

4. The Review Process

4.1 In undertaking the review, local authorities are required to:

- Publish a notice of holding a review.
- Seek representations from such persons that it thinks have particular expertise in relation to access to premises or facilities for persons with any type of disability.
- Publish the report of the Returning Officer setting out his proposals.
- On completion of the review, complete and adopt a revised scheme, which must be published.

4.2 The formal consultation on existing polling districts and polling places/stations (Appendix 1) commenced on 11th August 2014 upon the publication of a notice seeking comments by 15th September. Details of the review were publicised through the Council's website, libraries and the press and comments were sought from the local Members of Parliament, Southend Councillors and a number of other individuals/organisations. Following the conclusion of the exercise, the report of the Returning Officer setting out his proposals was also published for consultation (Appendix 3) and comments were invited by 31st October 2014.

- 4.3 The representations received in response to the initial consultation exercise are set out in Appendix 2 to the report. Maps showing the proposed changes to the polling districts and polling places/stations are indicated in the papers at Appendix 4.
- 4.4 A small number of representations were received in response to the initial consultation exercise (6) and none in respect of the second round of consultation. Indeed, no objections have been received to the proposals of the Returning Officer.
- 4.5 Members are asked to be mindful that over the years, much work has been undertaken to ensure that the polling arrangements are convenient to electors across the Borough. The boundary changes to Borough and Parish wards and changes implemented following the previous reviews of polling districts have improved the arrangements. The proposed changes to the polling district boundaries are set out in the Report of the Returning Officer (Appendix 3). The review process has revealed some minor boundary anomalies which will be rectified.
- 4.6 There have been a number of improvements made to polling places/stations following the previous reviews. After each election, observations received from the Returning Officer, polling station inspectors and presiding officers are considered and used to implement changes. This feedback has helped to highlight premises where additional measures are required from the simple provision of more direction signage to the installation of ramps, or even a change in a polling place. An access survey was undertaken in respect of all of the buildings used as polling stations as part of the last review and this has been extended to the new polling places. The findings have resulted in some accessibility improvements to a number of the buildings.
- 4.7 The proposed changes to the polling places/stations are set out in the Report of the Returning Officer (Appendix 3).

5. Other Options

A number of alternative premises have been considered for use as polling stations and recommendations made accordingly where it is felt that an alternative would provide better voting arrangements or the premises concerned would improve accessibility.

6. Corporate Implications

6.1 Contribution to Council's Vision & Corporate Priorities

Becoming an excellent and high performing organisation

6.2 Financial Implications

There is no separate budget provision for the costs of carrying out the review. These have been met from existing budgets.

6.3 Legal Implications

These are addressed in paragraphs 3.1 to 3.3 of the report.

6.4 People Implications

None

6.5 Property Implications

None

6.6 Consultation

As required by the relevant statutory requirements, the Council undertook a consultation exercise on its polling districts and polling places/stations. A public notice of the review was displayed at the Council offices and full details of the review were placed on the Council's website. All Members of the Council were notified of the review process and a number of individuals/organisations were invited to submit their representations to the Council.

The Council's Returning Officer has produced his report setting out suggested changes to polling districts and polling places/stations. The report was publicised and comments were sought from a range of interested parties.

6.7 Equalities and Diversity Implications

The Council reviews its polling stations on a regular basis with a view to ensuring that they are all fully accessible as far as is reasonably practicable. In some cases the polling stations are not accessible to the extent that would ideally be desired, but much work has been undertaken to identify the most suitable premises for use as polling stations and to minimise use of mobile polling stations.

6.8 Risk Assessment

The Council is required by law to undertake a review of polling districts and polling places/polling stations within its area. Failure to do so would constitute a breach of the relevant statutory requirements and adversely affect the reputation of the Council.

6.9 Value for Money

See comment under Financial Implications.

6.10 Community Safety Implications

None

6.11 Environmental Impact

None

7. Background Papers

Electoral Commission guidance – Reviews of polling districts, polling places and polling stations

Guidance from Association of Electoral Administrators

8. Appendices

Appendix 1 – Existing polling districts and polling places/polling stations

Appendix 2 – Representations received in response to the initial consultation

Appendix 3 – Report of the Returning Officer identifying changes to polling districts and polling places/stations

Appendix 4 – Maps showing proposed changes to polling districts and polling places/stations