

Committee: Full Council

Agenda Item

Date: 25 February 2016

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Title: Interim Review of Polling Districts and Places

Author: Peter Snow, Democratic and Electoral Services Manager, 01799 510430

Item for decision

Summary

1. The Council approved a scheme of polling districts and places for Parliamentary and local elections in November 2014 following the completion of a statutory review. The Returning Officer is obliged to arrange for polling stations at all elections and referendums to be located in the polling places specified in the polling scheme.
2. In making arrangements for the PCC election in May 2016, it has become apparent that two of the polling places designated in the scheme are either no longer available for polling or have undergone significant changes requiring review. The buildings concerned are identified in the following report and recommendations are made for changes to be made to the scheme until such time as a proper review can be carried out.

Recommendations

3. The Council is recommended to amend the polling scheme as proposed in the text of this report for the reasons stated.

Financial Implications

4. None. There are no costs associated with this recommendation.

Background Papers

5. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report.

None

Impact

- 6.

Communication/Consultation	As far as time has allowed, consultation has been carried out with interested parties including councillors, parish and town councils and political parties.
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Community Safety	Not applicable
Equalities	Not applicable except insofar as the Council's statutory duty is concerned to designate for polling only those buildings compliant with legislation providing for suitable accessibility for disabled electors.
Health and Safety	Not applicable
Human Rights/Legal Implications	Not applicable
Sustainability	Not applicable
Ward-specific impacts	Saffron Walden Castle Ward and Stansted North Ward
Workforce/Workplace	Not applicable

Situation

7. In the course of booking polling accommodation for the PCC election in May 2016, the following changes of circumstances became apparent:
 - a. **Saffron Walden Castle East polling district:** The School Administrator at Dame Bradbury's School in Saffron Walden, on behalf of the Head, has made it clear the School is no longer prepared to allow the school to be used as a polling station. The reasons given are major health and safety concerns and alleged "serious problems" last time the sports hall was used. As the school is independent, the Returning Officer does not have the automatic right to use the school for polling as is the case with state funded schools. The school is therefore within its rights to refuse to comply with the booking request but the lack of co-operation shown at very short notice is deeply regrettable.
 - b. **Stansted East polling district:** The Adult Community Learning service no longer has responsibility for the Peter Kirk Centre in Stansted having vacated the site in September 2015. Responsibility for the site has transferred to the Land and Property service at Essex County Council and there are plans to redevelop the site as a school. As the site has been vacated first indications were that the location would not be available for the PCC poll.
8. In view of the circumstances outlined in paragraph 7 above, alternative polling location options have been explored for both Castle East and Stansted East polling districts. In normal circumstances a full interim review would have been conducted but there has been insufficient time to do that. Instead, limited consultation has been carried out based on options explored by officers using knowledge and experience of the localities concerned. Statutory

reviews are carried out every five years and so the next full review is not due until 2019.

9. The main difficulty in the **Saffron Walden Castle East** area is the lack of any community facility apart from Dame Bradbury's School. Various options have been explored and the favoured option being proposed for adoption is to designate the Homebase site off Elizabeth Way as the polling place. Agreement has been reached with the manager at Homebase to place a mobile unit in a corner of the car park serving the Homebase store. The site is central to the population being served and it is considered represents the best available solution to the unavailability of Dame Bradbury's School, or of any permanent building.
10. In respect of **Stansted East**, detailed discussions have been held with the Land and Property Office at Essex County Council and agreement reached to make the Peter Kirk building available for the PCC poll. However, special arrangements will need to be put into place to enable the site to be made habitable for polling even though it is known that neither heating nor hot water will be available for the benefit of the polling staff.
11. As the use of this site will not be fully satisfactory and some certainly of availability is needed for the prospect of the EU Referendum poll later in the year (possibly as soon as 23 June) other possibilities have been explored. One of these is St John's Church Hall next door to the Peter Kirk site off St John's Road. A further possible option is the Youth Centre building at Lower Street although this is not favoured as it is considered to be both inferior in terms of accessibility and less central to the population being served.
12. As discussions are continuing, it is not possible to make a recommendation in this report and a verbal update will therefore be given at the meeting.
13. The position is therefore as set out below:
 - a. It is recommended the Council agrees to designate the Homebase site off Elizabeth Way in Saffron Walden as the polling place for the **Castle East** polling district, to replace the Sports Hall at Dame Bradbury's School.
 - b. Depending on the outcome of further discussions to be reported to this meeting, either the Peter Kirk site (former Adult Learning Centre) or St John's Church hall be designated as the polling place for **Stansted East** polling district.

Risk Analysis

14.

Risk	Likelihood	Impact	Mitigating actions
3 – A decision is required to enable the Council’s statutory duties to be discharged	3 – As stated in the adjoining box, a decision is needed to enable the PCC election to proceed without risk of legal challenge.	3 - The impact of a failure to provide adequate or agreed polling facilities in the polling districts concerned would be severe for electors in those areas and would expose the Council/Returning Officer to risk of criticism and possibly even legal action.	Within the time constraints imposed by the PCC election timetable, take action to identify all possible polling locations that would meet statutory obligations, carry out limited consultation and provide the most suitable polling facilities possible.

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.