

Committee: Electoral Working Group

Agenda Item

Date: 23 August 2011

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Title: Review of polling districts, polling places and polling stations

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Item for decision

Summary

1. The Electoral Administration Act 2006 (EAA) requires all local authorities to review their UK Parliamentary polling districts and polling places at least once every four years. A limited review was conducted last year but the next review must be completed by 15 November 2011 (exactly four years after the completion of the last full review).

Recommendations

2. Agree a timetable, process and terms of reference for the review of polling districts and polling places to be carried out, as explained in this report.

Financial Implications

3. *There are no financial implications arising from this recommendation.*

Background Papers

4. 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.

Legislation referred to in the report, Electoral Commission Circular EC19/2010 and other relevant guidance.

Reports prepared by polling station inspectors at the Referendum and local elections on 5 May 2011.

Audit reports of polling places from the previous review in 2007.

Impact

- 5.

Communication/Consultation	By publication on the Council's website and by direct consultation with all interested parties.
Community Safety	No direct impact.
Equalities	Taking account of the need to designate only, wherever possible, fully accessible

	buildings.
Health and Safety	See under 'equalities' above.
Human Rights/Legal Implications	The council must comply with the requirements of legislation in conducting the review and in designating polling districts and places.
Sustainability	No impact.
Ward-specific impacts	All wards are affected by the review.
Workforce/Workplace	No specific implications.

Situation and definitions

6. The Council is required by legislation to complete a statutory review of Parliamentary polling districts and polling places by no later than 15 November 2011. In practice, the final recommendations will probably be agreed by the Council at the scheduled meeting on 29 November. It is unlikely that we shall be challenged for the sake of a two week overrun.
7. The task of the Working Group is to agree a process and a timetable for how this should be done. The following paragraphs contain information about the nature of the review and a suggested timetable.
8. It will be helpful at the outset to include some definitions of the terms to be used in the review.
9. A **polling district** is a geographical area created by the sub-division of a constituency, electoral division or ward into smaller parts. The sole purpose of doing this is to provide convenient facilities for electors.
10. In England, the rules stipulate that each parish must be a separate polling district unless there are special circumstances. Of course, a number of parishes such as Saffron Walden, Great Dunmow and Stansted are divided into more than one ward and in this case the polling districts will be sub divisions of the ward rather than of the whole parish.
11. All references in the legislation are to UK Parliamentary polling districts. Theoretically, local government election polling districts may be different but, in practice, they are and always have been identical.
12. For full details of existing polling districts, please refer to appendix A.
13. A **polling place** is the building or area within each polling district in which polling stations will be located.

14. In designating polling districts and polling places, the Council must:

- Seek to ensure that all electors have such reasonable facilities for voting as are practicable in the circumstances;
- Seek to ensure that so far as is reasonable and practicable the polling places are accessible to those who are disabled; and
- When considering or reviewing the designation of a polling place, have regard to the accessibility needs of disabled persons.

15. The polling place does not have to be a designated building but the Electoral Commission recommends that a particular building or location should always be defined in selected a polling place.

16. **Polling stations** are selected by the returning officer but these must be located in the designated polling place. Once the polling place has been determined, it is for the returning officer to decide how many polling stations will be located in each polling place and what arrangements for voting are to be made within those buildings.

Requirements of the review

17. In conducting the statutory review, we must follow the rules set out in legislation. These are:

- The authority must publish notice of the holding of a review (see appendix B).
- The authority must consult the Acting Returning Officer (ARO) (in this case John Mitchell) in a constituency wholly or partly in its area.
- The ARO must make representations to the authority which must include information as to the location of polling stations (existing or proposed) within polling places (existing or proposed).
- The authority must publish the ARO's representations within 30 calendar days of receipt.
- The authority must seek representations from such persons as it thinks have particular expertise in relation 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 ARO's representations.
- Any elector may make representations.
- Representations may include alternative proposals for specified polling places.

Proposed process and timetable

18. Please see below for the proposed method of conducting the review and the suggested timetable.

- Agree terms of reference for the review (see Appendix C) **at this meeting**; there will not be time for the Council to approve the terms of review as it is not scheduled to meet again until 27 September, so the EWG will have to seek endorsement for the actions taken in retrospect.
- Publish notice of commencement of the review and write to potential respondents (the returning officer, the Uttlesford Access Group, Essex County Council, the local MP, all district and county councillors, parish councils, and all political parties known to be active within the constituency) on **1 September 2011**.
- Allow for a period of consultation finishing on **30 September**.
- Meet again in **early October** (date to be agreed) to consider representations, prepare revised arrangements for polling districts and places and publish these for consultation by **10 October**. Allow for a period of consultation ending on **1 November**.
- Meet again in **early November** to agree final proposals, including a full statement of reasons for any changes proposed, for recommendation to the Council on **29 November**.
- Publish the final proposals and the statement of reasons on **1 December**.
- The new scheme will come into effect on that date and the revised register of electors must reflect the changes being proposed.

Potential problems associated with this review and areas that may need examination

19. There has not been sufficient time to prepare a draft scheme for publication and so the existing scheme must be used for consultation purposes. Before a draft scheme can be prepared it will be necessary to obtain detailed electorate figures; forecasts of electorate changes in the next four years associated with proposed development; up to date maps of a suitable scale; detailed information about the facilities at existing polling places; details of potential alternative buildings; and advice and guidance from local disability groups.

20. However, it will be helpful to Members to flag up potential areas where attention may be needed to polling arrangements. These are:

- **Birchanger**: there will be a boundary change from 1 April 2012 at Foresthall Park between Birchanger and Stansted Mountfitchet parishes. The intention is to harmonise the new boundary with District ward

boundaries as quickly as possible but the new ward boundaries cannot operate until 2015, or until such time as new ordinary district elections can take place. Accordingly, there will be a fracture between ward and parish boundaries from 1 April 2012 onwards and the only solution appears to be to create a new and separate polling district of Foresthall Park containing that part of the new estate being transferred between parishes, as well as some properties at Pines Hill. Electors registered in the polling district will vote in Birchanger at district ward and county division elections (only in the event of a casual vacancy arising) and in Stansted for parish elections. A polling place or places must then be selected for the different elections likely to be held.

- **Hatfield Broad Oak/Bush End:** at a previous review the division between the Bush End and village polling districts was removed and subsequently reinstated. This is because the former polling place in Bush End (a private house) was no longer available and it was not possible to locate a suitable alternative building. In addition, the number of electors at Bush End is very small (currently 101, 12 of whom are postal voters). Another private dwelling has since been offered for use and has subsequently been designated. The arrangements may need to be reviewed especially as there is no public building available in the Bush End area (except for the church). The Ancient Foresters may no longer be available if the present occupiers were to move. The small population size of Bush End is not sufficient justification to remove polling facilities at that location if it is considered to be a distinct and separate community and that electors will benefit from the provision of a designated polling facility. It is suggested that the Parish Council be asked to comment on the need to maintain a separate facility at Bush End.
- **Wicken Bonhunt:** an interim review of arrangements at Wicken Bonhunt was carried out last year in advance of the local elections. The previous polling venue at Wicken House has been sold by the County Council and is no longer available. The polling venue for recent elections has been the Bonhunt conference centre but this is located outside the village near the motorway bridge at Newport. Other buildings within the village could be examined to assess their suitability. At the moment the entire polling district is stated to be the polling place but this is not recommended practice.
- **Flitch Green:** Flitch Green was created as a separate polling district when it became a separate parish. The school (now known as Flitch Green Academy) has been used at recent elections and has been generally suitable. However, the new village hall is now ready and operating and may be a suitable alternative. At the moment the whole polling district is designated as the polling place. The description of the polling district must also be amended to refer to the parish of Flitch Green (as first established in 2009).
- **Little Dunmow:** the Flitch of Bacon Public House is the designated polling place and is considered to be suitable although it is not ideal as it operates

in licensed premises albeit separated by screens from the bar area. A portakabin is available on the recreation ground although the facilities there are believed to be limited. In addition, the expense of using the public house has risen greatly in recent years (although this is not a material consideration at this review).

- **Great Dunmow North-East/North-West:** the North Ward of Great Dunmow was first divided into separate polling districts at the 2007 review. The boundary was set against officer advice at the request of the Town Council to incorporate the whole of the Woodlands Park development together with the Newton Green/Waldgroves estate. The new Primary School was designated as the polling place for the North-West division and there were some difficulties associated with polling there especially as the school has been permitted to remain open during polling. Parking provision is extremely limited. Access to the building is recorded as not being suitable. There are no known alternative buildings within the polling district area (except for Tesco!). The boundaries of the polling district may need to be examined because of the potential for growth in the North-West division.
- **Great Dunmow South-East/South-West:** as with the North ward above, the 2007 review resulted in a division of the South ward into two separate polling districts. Again, the Town Council requested a different boundary to that proposed by officers and this alternative line was adopted. The line adopted does seem a little complicated but does appear to work perfectly well. The United Reform Church was selected as the polling place for the South-East division and both the venue and the boundary may need to be re-examined.
- **Saffron Walden Audley North/South:** the division between North and South polling districts and the selected venues may need to be re-examined to take account of population distribution. Other factors relevant to the South division are that the polling place (Friends School) is not within the polling district (it is located just outside the ward boundary in Shire Ward) and the assembly room at the Friends School is unavailable at exam times (applicable to June elections). On one occasion arrangements had to be made to locate a mobile unit at the school; this was very expensive and not wholly successful.
- **Saffron Walden Castle South-East/South-West:** the polling district boundary works well in geographical and electorate distribution terms; the polling venue for South-West (St Mary's Primary School) was the subject of discussion in 2007 before being selected. It may therefore be necessary to examine alternative venues.
- **Saffron Walden Shire North/South:** the boundary line was altered in 2007 to follow the line of Peaslands Road and this division has proven successful. The venue for the North division (Four Acres Common Room) is not ideal and there may be better options (e.g. R A Butler School). The space available at Four Acres is quite restricted and it would be difficult to

fit two polling stations in the building. In addition the building is not fully accessible. Most of the immediate new development will be in the North division (at Bell College) and this will tend to exacerbate the problem.

- **Stansted North:** the polling district comprises the whole of the Stansted North ward minus the parish of Ugley. Although there are more than 2,300 electors in Stansted North there is no need to split the area into more than one polling district. However, there may be a need to review the polling place as the Peter Kirk centre suffers some drawbacks in terms of suitability. There are other potential venues such as St John's Church Hall.
- **Stansted South:** see the earlier comments relating to Birchanger. The parish boundary changes are likely to result in the number of electors in Stansted South rising to something in the order of 3,250 by 2015. This will mean there is a strong case to divide the area into more than one polling district, either at this review, or in the future. There is a problem with the polling place. This is presently defined as the whole polling district, together with a radius of $\frac{1}{4}$ mile beyond the polling district boundary, subject to any building being located within the built-up part of Stansted Village. This is because the building actually used at elections (the Youth Centre in Lower Street) is situated outside the polling district boundary and it could therefore be argued is not convenient for many of the electors in the area. The problem with this approach is that potential alternative buildings, such as those to be provided at Foresthall Park, are not yet available and it may be too early to measure the needs of the population of this part of the revised parish. However, some attempt must be made to locate a suitable polling place situated within the polling district itself.
- **Little Canfield:** members will be aware of the recent review of boundaries at Priors Green. The existing polling place is the village hall located roughly in the centre of this somewhat dispersed village community. Some two-thirds of the electors in Little Canfield now live in the much more compact modern development at Priors Green (although the majority of the Priors Green site, and the majority of houses there, will be located in Takeley parish). In terms of the convenience of the greatest number of electors it is clear that the polling facility should be located at or close to Priors Green. The difficulty with this approach is that the only alternative building that would satisfy the statutory criterion is the new community hall at Priors Green but this is situated on the Takeley side of the boundary and may, in future, be needed to serve the needs of the Takeley electorate (see comments below).
- **Mole Hill Green:** the former village hall at the tiny community of Mole Hill Green now operates as a drug advisory centre and is no longer available for general hire. There are only 99 registered electors there, five of whom are postal voters, but there has always been a separate polling facility to serve the electors in this small community which is remote from Takeley village. In terms of the convenience of the electors, it seems reasonable that a separate polling district should continue to exist at Mole Hill Green

but it would be difficult to find an alternative polling place if the hall was no longer available.

- **Takeley:** see the comments relating to Little Canfield above. In 2015 it is forecast that there will be 3028 electors in Takeley (excluding Mole Hill Green above). There are two possible solutions to deal with this increase in population. The first is to continue to provide a polling place able to provide reasonable facilities for the majority of the population. The second is to divide the village part of the parish into two separate polling districts, one based on Priors Green and surrounding area, and the other based on the remainder of the village. The new community hall at Priors Green is an obvious potential polling place and should be explored on that basis. However, the hall is on the periphery of the village and may not be a suitable venue for much of the remainder of the population. The existing polling place at the Silver Jubilee Hall is located more centrally within the village.
- **Duton Hill:** there was an interim review last year to explore potential alternative venues for polling in Duton Hill. This is because of adverse comments made by the polling station inspector at the 2010 general election about accessibility of the Three Horseshoes for disabled electors. The upstairs function room is used as the main polling station and disabled or elderly electors are accommodated in part of the main bar area downstairs. Clearly this is not ideal but it seems the best that can be achieved given the circumstances. There is no alternative building available in Duton Hill and different arrangements were put into place at the 2011 elections. The polling inspection report stated that disabled access was 'not good'.
- **Little Bardfield:** when the former village hall was sold for development the polling place was changed to the cricket pavilion. Although this building is considered to be suitable and the cricket club seems happy to continue to make it available, the pavilion is some distance from the road across a field. Enquiries will be made about the possible availability of alternative venues within the village.
- **Little Chesterford:** the polling inspection report from May 2011 states that disabled access is not satisfactory as there is a step to negotiate. Investigations will be carried out into possible methods of overcoming this problem.
- **Margaret Roding:** the interim review last year examined arrangements at Margaret Roding. This is because the former venue at the Reid Rooms is more or less constantly unavailable because wedding events are taking place. They did offer the use of an out-building in 2010 but this proved unsuitable for a variety of reasons and it was decided to revert to the church in 2011. Neither of these options is entirely satisfactory and it was decided at the review to designate the whole polling district as the polling place. However, as stated earlier, this is not recommended practice. Disabled access provision at the church is recorded as 'difficult' and the

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space for voters as 'cramped'. Neither are facilities for the polling staff considered to be adequate.

- **Elmdon:** there have been previous comments made about the unsuitability of disabled access provision at the village hall. The report in 2011 stated this to be adequate 'just'. No alternative building is known to be available.
- **Carver Barracks:** provision was made in 2006 for separate polling facilities at Carver Barracks from those for the remainder of Wimbish parish. The community hall under the management of the Ministry of Defence is used for this purpose. The turnout of voters at all subsequent elections has been extremely poor but at least separate provision is made for the service personnel serving there and for their families. Even at the general election turnout reached only 35%. There is no suggestion that the facility should be removed for this reason but members should be aware of the circumstances. Disabled access is not entirely satisfactory at the community hall and was recorded as not adequate in May 2011 because wheelchair access is via a lengthy route around the back of the building.

21. The above places in some sort of context the need and the background for the review. Attached to this report please also find appendix D 'Evaluating the suitability of potential polling stations' as the criteria to be used in identifying polling places to be designated for use.

Risk Analysis

22. Please see below for the risk analysis.

Risk	Likelihood	Impact	Mitigating actions
3 – the purpose of the review is to identify suitable arrangements for polling in every polling district	2 – action may be needed to change polling places in those areas where problems are found to exist	3 – the impact of continuing to operate an unsuitable polling scheme would be significant	By full consultation and proper examination of all potential polling premises as part of the statutory review

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.