

Report to Council

Date of meetings: 30 September 2014

Portfolio: Leader's

Subject: Review of Polling Districts, Polling Places and Polling Stations

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Committee Secretary: M Jenkins (01992 56 4023)



Recommendations:

That a report be submitted to the Council recommending:

- (a) that, following a review, the proposals for Polling Districts and Polling Places in the Epping Forest District as set out in Appendix 1 as amended to this report and the reasons therefore as set out in Appendix 2 to this report be approved;**
 - (b) that the proposals be published and copies made available for inspection by the public at the Civic Offices, in at least one place in each Parliamentary Constituency covering the Epping Forest District and on the Council's website;**
 - (c) that the intention of the Electoral Registration Officer to reflect in the revised electoral register to be published on 1 December 2014 any alterations required as a result of the review be noted; and**
 - (d) that the (Acting) Returning Officer when determining the location of Polling Stations for future elections, take account of the comments made about Polling Stations during the consultation period.**
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Introduction:

1. The Electoral Registration and Administration Act 2013 introduced a change to the timing of compulsory reviews of UK Parliamentary polling districts and polling places. In accordance with the provisions of that Act a compulsory review must be started and completed between 1 October 2013 and 31 January 2015. Subsequent reviews must be started and completed within the period of 16 months that starts on 1 October of every fifth year after 1 October 2013. At the Overview and Scrutiny Committee meeting on 16 September 2014, Members supported a report regarding this review, subject to an amendment concerning use of one polling station in the Waltham Abbey area.

Roles and Responsibilities

2. The statutory responsibility for reviewing Parliamentary polling districts and polling places rests with the District Council for so much of any constituency as is situated within its area. It is therefore necessary for the Council to consider polling districts and polling places in the Epping Forest Parliamentary constituency and those parts of the Brentwood and Ongar and Harlow Parliamentary constituencies which are

situated within the Epping Forest District.

3. Where the Council makes any alterations to the polling districts within its area, the Electoral Registration Officer must amend the register of electors accordingly.
4. The (Acting) Returning Officer for each relevant constituency must comment during any review on both existing polling stations and the polling stations that would likely be used if any new proposal for polling places were accepted.

Definition of Terms

5. A polling district is a geographical area created by the sub-division of a UK Parliamentary Constituency for the purposes of a UK Parliamentary election. Each parish should be a separate polling district, unless there are special circumstances, for example, the parish has only a small number of electors and it is not practicable for the parish to be its own polling district.
6. A polling place is the building or area in which polling stations will be selected by the (Acting) Returning Officer. A polling place within a polling district must be designated so that polling stations are within easy reach of all electors from places across the polling district. It has been the practice at this Council to designate the entire polling district as the polling place although the Electoral Commission is of the view that polling places should be defined more specifically, for example, by designating a particular building or area and its environs. As the Council's approach has not been an issue in the past it is proposed that it be continued and this is reflected in the proposals.
7. 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 chosen by the relevant Returning Officer for the election.

Scope of Compulsory Reviews

8. Polling districts and polling places for other elections are not automatically part of the compulsory review. However, as polling districts and polling places for other elections are based on UK Parliamentary polling arrangements, the requirements of any other elections that are held within the district should be taken into account as part of the review. This means that although it is the (Acting) Returning Officer who is the primary Returning Officer for the purposes of the review and has a statutory role to participate in it, all Returning Officers within the constituency (if they are not also the (Acting) Returning Officer) should be involved in the review process.

Accessibility

9. As part of a review the Council must seek to ensure (a) that all electors in a constituency in the district have such reasonable facilities for voting as are practicable in the circumstances and (b) that so far as is reasonable and practicable every polling place and polling station is accessible to electors who are disabled.

Review Process

10. Notice of a review together with details of the existing polling districts, polling places and polling stations was given on 24 March 2014. Copies were made available at the Civic Offices and at the libraries at Buckhurst Hill, Loughton, Ongar and Waltham Abbey. Details were also published on the Council's website. District Councillors

were consulted via the Council Bulletin. Details were sent to the three local Members of Parliament, Eastern Region members of the European Parliament, Parish and Town Councils, local County Councillors, local political party agents, the Returning Officers for the three Parliamentary Constituencies covering the District and those with specific experience of assessing access to persons with different disabilities. A press release was issued and social media used to publicise the review.

11. The consultation period ran from 24 March 2014 until 30 May 2014. The consultation stage provides for representations and comments to be made on the existing and proposed arrangements for polling districts and polling places. There are two aspects of this stage: (a) submissions from the (Acting) Returning Officers of the UK Parliamentary constituencies which on receipt have to be published by the Council so that others can take account of those views and (b) submissions from electors and other interested persons and bodies.

Results of the Consultation Exercise

12. Epping Town Council drew attention to the fact that Homefield Close, Epping is currently split between two polling districts with electors occupying numbers 1-6 in polling district AN voting at the United Reformed Church, Lindsey Street and those occupying 7-19 in polling district AO voting at Epping Hall, St John's Road. This has been the case for many years and surprising has not led to any comments being made by the electors in that road. However, it is more logical for all of the electors in the road to be in the same polling district and it is recommended that house numbers 7-19 be transferred to polling district AN with the result that the polling station for all electors in the road will be the United Reformed Church.
13. The (Acting) Returning Officer for the Epping Forest Constituency highlighted three issues:-
 - (a) He drew attention to the parking difficulties in the vicinity of the Allnutts Institute, Allnutts Road, Epping polling station but said that no suitable alternative location could be found within the polling place. He pointed out that in recent years the Council had funded works at the Institute to make the entrance safer and more user friendly;
 - (b) In relation to the Hastingwood Village Hall polling station, the (Acting) Returning Officer drew attention to the purchase by the Council of a portable ramp to make access easier for wheelchair users; and
 - (c) The third issue on which he drew attention was the outcome of the community governance review which had taken place in 2012 in respect of Matching Green Village. He pointed out that whilst the review had changed the boundaries for parish, district and county council elections there had been no opportunity to change the Parliamentary constituency boundaries. As a result for the Parliamentary election in 2015 some voters in the Brentwood and Ongar Constituency would be using a polling station situated in the Harlow Constituency. Whilst acknowledging that this is not ideal he indicated that the situation could be managed and stated that careful publicity would need to be given stressing there would be two polling stations at Matching Village Hall, one for electors from the part of Matching Green Village in the Brentwood and Ongar Constituency and a second for the remainder of the polling district in the Harlow Constituency.
14. In accordance with the requirements of the polling districts, polling places and polling stations review, the representations of the (Acting) Returning Officer for the Epping

Forest Constituency were made available to the public during the week commencing 21 April 2014. No representations were received from the public in respect of the (Acting) Returning Officer's representations. No representations were made by the (Acting) Returning Officers for the Brentwood and Ongar and Harlow Constituencies.

15. The Harlow Constituency Labour Party stated that they are content with the present arrangements and see no case for change.
16. No other representations were made in relation to polling districts or polling places but the following comments were received in relation to polling stations. As advised earlier in this report, polling stations are chosen by the Returning Officer not the Council and the following comments and views thereon will be taken into account by the (Acting) Returning Officer:-
 - (a) District Councillor Gavin Chambers advised that he would like to see a different venue for the polling station for the Buckhurst Hill West district ward and suggested the use of the Library in Queen's Road. There are currently two polling stations serving that ward, St John's Church Hall, High Road and Buckhurst Hill Baptist Church, Palmerston Road. On receipt of Councillor Chambers' representations an approach was made to Essex County Council regarding the possible use of the Library. The Library Service responded stating that the library is open to the public on Thursdays (election day) and it is their busiest day so they would not be willing to close it denying access to the public. They continued that the public area is quite limited and it would not be possible to have the library and a polling station running at the same time;
 - (b) The Stapleford Abbots Parish Council advised that the one polling station at the Village Hall is adequate for that Parish;
 - (c) The Loughton Town Council pointed out that redevelopment works proposed for the buildings adjacent to the polling station at St Mary's Parish Centre, High Road, Loughton could disrupt access for electors requiring consideration of an alternative location;
 - (d) The Moreton, Bobbingworth and the Lavers Parish Council requested that the polling stations for the High Laver East and Little Laver polling districts be changed from Matching Village Hall to Magdalen Laver Village Hall; and
 - (e) An elector living at The Windsors, Buckhurst Hill who currently votes at the Woollard Centre advised that she previously had voted at the Church Hall at the top of Lower Queen's Road which is more convenient, especially for elderly electors living in the vicinity of The Windsors. The Woollard Centre has been the polling station for many years and the Church Hall was only used when the Woollard Centre was being renovated.
17. Although the Committee were satisfied with current arrangements it was brought to Member's attention that there were problems experienced by voters using Breach Barns polling station within Waltham Abbey North East ward in that the polling station was too far away for some voters. It was suggested that these voters should use the Community Centre, Saxon Way currently used by voters in this ward. The Committee voted to recommend that Breach Barns is no longer used as a polling station for this ward.
18. The (Acting) Returning Officer will also secure new polling stations where necessary, for example, at Chigwell Row where the existing polling station is due to be demolished before the next election.

Proposals following Review

19. Attached as Appendix 1 to this report are the proposals following consideration of the responses to the consultation exercise. The only change proposed is the transfer of numbers 7-19 Homefield Close, Epping from polling district AO to polling district AN resulting in the polling station for those electors being the United Reformed Church, Lindsey Street instead of Epping Hall, St John's Road.
20. Since the last compulsory review, all polling places and polling districts have been kept under consideration and an evaluation of their suitability carried out after each election. No changes have been identified in relation to polling places. Changes have been made to polling stations by the (Acting) Returning Officer when necessary.
21. The (Acting) Returning Officer has reviewed the accessibility for disabled persons of polling stations at each election in recent years and has arranged for works to be undertaken where required. It is considered that all of the existing polling stations are fully accessible.
22. Attached as Appendix 2 to this report are the suggested reasons for the proposals.
23. The Electoral Registration Officer proposes that the necessary alterations to the electoral register resulting from any changes to polling districts agreed by the Council will be reflected in the revised register published on 1 December 2014 following the annual canvass.
24. Electors affected by the review will be made aware of changes to the place where they vote, for example, when they receive poll cards for the next election.

Publishing the conclusions of the Review

25. Once the Council has agreed the proposals, details of the new polling districts and polling places must be made available to the public at the Civic Offices, in at least one conspicuous place in each of the three Parliamentary Constituencies and on the Council's website.
26. Along with the reasons for the decisions on the review and the designation of polling districts and polling places as a result of the review, the following must also be published at that time:
 - (a) correspondence sent to the (Acting) Returning Officers;
 - (b) correspondence sent to any person with particular expertise in relation to access to premises or facilities for disabled people;
 - (c) representations received by the Council;
 - (d) the minutes of the Council meeting at which consideration is given to the review;
 - (e) details of the places where the results of the review have been published.

The Appeals Process

27. It is possible that representations could be made to the Electoral Commission claiming that the review process has not been conducted correctly. As a result the Commission may require the Council to make further amendments.

This report is recommended for approval from the Constitution and Member Services Scrutiny Panel where it was discussed on 28 July 2014.

Reason for decision:

The Council must complete a review by not later than 31 January 2015.

Options considered and rejected:

There are no other options

Resource implications:

Budget provision: From existing provision provided the process is completed before 1 December 2014 when the new register of electors is published following the annual review. If this deadline is missed the register will need to be republished when the process is completed necessitating a supplementary estimate for printing etc.

Personnel: From existing provision

Land: N/A

Consultation undertaken:

District Councillors, local County Councillors, Parish and Town Councils, local MPs, Eastern Region MEPs, local political party agents, Returning Officers for the three Parliamentary Constituencies covering the district, groups with experience of assessing access to persons with different disabilities, the public via press release, social media, the Council's website, and places where documents were available for inspection.

Legal and Governance Implications:

It is a requirement of the Electoral Registration and Administration Act 2013 that a review is completed by not later than 31 January 2015.

Safer, Cleaner, Greener Implications:

There are no implications arising from the recommendations in respect of the Council's commitment to Climate Local Agreement, the corporate Safer, Cleaner, Greener initiative, or any crime and disorder issues within the district.

Background papers: Consultation letters and emails and responses

Risk Management: Failure to meet the reasonable requirements of the electors may result in the Electoral Commission directing the Council to make alterations or making them on behalf of the Council.

Equality: Account has been taken of the need to make polling places and polling stations accessible for all electors.