

# **Report to Stronger Council Select Committee**

**Date of meeting: 9 July 2019**



**Subject:** Review of Polling Districts, Polling Places and Polling Stations 2019

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## **Recommendations:**

**That a report be submitted to the Council recommending:**

- (a) that, following review, the proposals for Polling Districts and Polling Places in the Epping Forest District as set out in Appendix 1 to this report, be approved;**
- (b) that the proposals be published and copies be 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 any alterations required as a result of the review in the revised Electoral Register to be published on 1 December 2019, be noted; and**
- (d) that, when determining the location of Polling Stations for future elections, the (Acting) Returning Officer take account of the any comments made about specific Polling Stations arising from the review.**

## **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 within the period of 16 months that starts on 1 October of every fifth year after 1 October 2013. The current review of the parliamentary polling districts and polling places within the Epping Forest District commenced on 18 February 2019 and is required to be completed by 31 January 2020.
2. Whilst the findings of the review would normally be considered by the Select Committee and be subject of appropriate recommendations to be made to the Overview and Scrutiny Committee, members are reminded that the Overview and Scrutiny Committee agreed at its meeting on 18 December 2018 that such recommendations be made directly to the Council by the former Governance Select Committee. This approach was taken to the current review in order to ensure that it was completed on time, as the Returning Officer had determined that the review should be undertaken in the period following the local

elections in May 2019 and prior to the commencement of the next Electoral Register canvass in August 2019. Although the Council adopted a revised select committee framework from the commencement of the 2019/20 municipal year, the Stronger Council Select Committee has assumed many of the overview and scrutiny responsibilities of the former Governance Select Committee.

### **Roles and Responsibilities**

3. 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.
4. Where the Council makes any alterations to the polling districts within its area, the Electoral Registration Officer must amend the register of electors accordingly.
5. 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**

6. 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.
7. 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.
8. 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**

9. 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**

10. 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**

11. Notice of a review together with details of the existing polling districts, polling places and polling stations was given on 18 February 2019. 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 was used to publicise the review.
12. The consultation period ran from 18 February 2019 until 1 April 2019. The consultation stage of the review provided for representations and comments to be made on the existing and proposed arrangements for polling districts and polling places. There were 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**

13. A number of responses were made to the consultation stage of the review. These are set out in the following paragraphs of this report, together with the response of the Electoral Registration Officer.
14. In accordance with the requirements of the polling districts, polling places and polling stations review, the representations of the (Acting) Returning Officers for the Epping Forest and Harlow Constituencies were published on the Council's website. No representations were received from the public in respect of the (Acting) Returning Officer's representations and no representations were made by the (Acting) Returning Officer for the Brentwood and Ongar Constituency.

#### **(a) (Acting) Returning Officer - Epping Forest Constituency**

15. The (Acting) Returning Officer for the Epping Forest Constituency has confirmed that he is satisfied with the existing provision of polling places within the constituency boundary. However, with respect to the Allnutts Institute, Epping (Hemnal Ward), this polling place is no longer available due to the condition of the building and has been replaced for the District Council Elections on the 2 May 2019, by the nearby Scout Hut in Flux's Lane, Epping. Whilst the Scout premises have been inspected and evaluated as suitable, this will be the first occasion it is being used for polling purposes and until it has been practically utilised, its suitability going forward cannot be completely assured.
16. The (Acting) Returning Officer also highlighted that, on a wider more strategic point with regard to future provision, the Submission Version of the Council's Local Plan was currently undergoing its Examination in Public and anticipated an additional 11,400 homes being provided up until 2033. The (Acting) Returning Officer advised that the Council would be closely monitoring the delivery of these new homes, some of which would be constructed during the next review period and that polling station provision in some areas of growth, may not be adequate and may require additional accessible premises to be provided.

### **Response of the Electoral Registration Officer**

17. The polling station at Allnutts Institute (Epping Hemnall Ward) is no longer available due to the condition of the building and has been replaced by the nearby Scout Hut in Flux's Lane. The Scout Hut premises have been inspected and evaluated as suitable for the purposes of a polling station and have been well received by electors within the Epping Hemnall Ward.
18. Significant development is likely to be experienced within the Epping Forest District in the five years to the next review of Polling Districts, Polling Places and Polling Stations. In the main however, such development has yet to commence and it is not considered that this needs to be addressed as part of the current review. It is proposed that this issue be monitored as part of the annual publication of the Register of Electors and that, if necessary, further smaller-scale local reviews be undertaken to establish the level of growth across the district and to identify whether any additional facilities are required.
19. The Council is able to carry out interim reviews and to change polling districts and polling places before the end of the five-year review cycle, but the same processes will need to be undertaken for the affected areas as for the compulsory five-yearly review.

### **(b) (Acting) Returning Officer – Harlow Constituency**

20. The (Acting) Returning Officer for the Harlow Constituency confirmed that in terms of the areas within Epping Forest District that fell within the Harlow Constituency, he is broadly happy with the existing provision of polling places within the constituency boundary.
21. The (Acting) Returning Officer observed that with the redevelopment of the Railway Arms in Lower Sheering, residents had a distance to travel to vote at Sheering Village Hall. The (Acting) Returning Officer advised that he understood that options locally for premises were difficult and to date there had been no alternative solution presented. The (Acting) Returning Officer also identified that a similar situation occurs in the Riverside Ward and that, whilst St. Giles Church is a suitable venue, the alternative location used in 2018 would now be suitable.
22. The (Acting) Returning Officer suggested that the Council also consider the likely impact of developments proposed under local plan to the south, east and west of Harlow, as during the next review window some developments would have commenced and in the longer-term Polling Station provision in these areas may not be sufficient or accessible.

### **Response of the Electoral Registration Officer**

23. The Railway Arms Public House in Lower Sheering has been redeveloped and is no longer available for use as a polling station. Although it is accepted that some electors have a distance to travel to vote at Sheering Village Hall, there has to date been no alternative solution presented.
24. The polling station at St. Giles Church Hall in Nazeing has been used as a polling station for many years. The alternative location used in 2018, although suitable for use as a polling station, was utilised only on a temporary basis during a period of renovation works to St. Giles Church Hall.
25. Significant development is likely to be experienced within the Epping Forest District in the five years to the next review of Polling Districts, Polling Places and Polling Stations. In the main however, such development has yet to commence and it is not considered that this needs to be addressed as part of the current review. It is proposed that this issue be monitored as part of the annual publication of the Register of Electors and that, if necessary, further smaller-scale local reviews be undertaken to establish the level of

growth across the district and to identify whether any additional facilities are required.

26. The Council is able to carry out interim reviews and to change polling districts and polling places before the end of the five-year review cycle, but the same processes will need to be undertaken for the affected areas as for the compulsory five-yearly review.

**(c) Councillor S. Murray**

27. Councillor Murray submitted comments in respect of the Loughton Roding Ward (AZ, BA, AY) and indicated that no changes were required for BA and AY in terms of polling places or polling district boundary.
28. With regard to polling district AZ, Councillor Murray considered that as a polling district it was fine and that, traditionally, the polling district has always voted at Whitebridge School. Whilst understanding why this was not used in 2017 due to building works, Councillor Murray was disappointed that it was not used again in 2018 (although the reason wasn't clear as the building work had finished). Councillor Murray strongly feels that from now on for all future elections this polling district must return to Whitebridge School as this is by far the best polling place for this area (plus BA polling place - St Michaels Church already has 2,100 voters without the extra voters generated by the AZ use in 2017 and 2018).
29. Councillor Murray suggested that further points to consider are that for Whitebridge School to serve the AZ polling district properly it is necessary to ensure that pedestrian access is provided via both entrances - Southern Drive and Greensted Road (traditionally access has not been possible via Southern Drive) and that during polling hours (7-10) the vehicular access via Greensted Road needs to be kept open to aid voters with mobility problems (the walk from the public pavement outside the school to the classroom used for voting is considerable).

**Response of the Electoral Registration Officer**

30. As there were no local elections in the Loughton wards in May 2019, the use of Whitebridge Junior School in Roding Road, Loughton as a polling station was not required. With the short notice available to the Returning Officer to make relevant preparations for the European Parliamentary election on 23 May 2019, it was considered that it would not be appropriate to seek the use of the school as a polling station. However, the Electoral Registration Officer has written to the Head Teacher of Whitebridge School to make it clear that, in addition to seeking the use of school facilities as a polling station for the local elections to be held in May 2020, the Returning Officer will require the use of Whitebridge School for use as a polling station in the event of any general election or referendum being required to be held later this year.
31. The Head Teacher of Whitebridge School has advised the Returning Officer that, whilst it is understood that use of the school as a polling station was suspended for health and safety reasons whilst building work was undertaken, future such use of the school should be reconsidered. In order to make the school available for use as a polling station, the Head Teacher has advised that it is necessary to close the entire school (18 classes, up to 540 children), which is extremely disruptive to the education of children and inconvenient for parents that work. The Head Teacher has suggested that St. Michaels and All Angels Church Hall in Roding Road is only a short distance from Whitebridge School and that its use as a polling station is preferred, as it does not disrupt the education of children.
32. If Whitebridge School is reinstated as a polling station from 2020, the Electoral Registration Officer will consider the additional matters raised by Councillor Murray with regard to pedestrian and vehicular access to the classroom used as the polling station.

**(d) Councillor D. Wixley**

33. Councillor Wixley endorsed the comments submitted by Councillor S. Murray with regard to Loughton Roding Ward.

**Response of the Electoral Registration Officer**

34. As (c) above.

**(e) Councillor G. Chambers**

35. Councillor Chambers has suggested that the polling station for residents of Knighton Green in Buckhurst Hill should be at St John's Church Hall.

**Response of the Electoral Registration Officer**

36. The polling station at St. John's Church Hall, High Road, Buckhurst Hill is not in the polling district for residents of Knighton Green. Whilst it may be more convenient for residents of Knighton Green to vote at St. John's Church Hall, this approach is not supported as it could lead to other instances where properties are nearer the 'wrong' polling station than the 'right' one and this is not the purpose of the current review. There will always be situations where specific houses/streets are nearer to a neighboring polling station than their own and it is considered that this issue would be better addressed as part of a wider boundary review, the undertaking of which is included as an objective in the Council's current Corporate Plan.

**(f) Councillors J. H. and J. M. Whitehouse**

37. Councillors Whitehouse and Whitehouse identified that houses in Rayfield, Epping are split between the AN and AO polling districts. The even numbers and 27-73 are in AO but 1-25 are in AN and that the review was an opportunity to bring all Rayfield houses into the AO polling district.
38. The Councillors also pointed out that Coopersale Street hamlet is split down the middle with numbers 2-38 in the Allnutts polling district and 1-9 in the Coopersale polling district, and suggested that all the dwellings in this part of Coopersale Street should be in the AL (Coopersale) polling district.
39. Councillors Whitehouse and Whitehouse suggested that the Scout Hut at Flux's Lane is closer to residents in Bridge Hill, Ivy Chimneys, the bottom of Sunnyside Road and possibly Springfield than Pelly Court and that residents may find it more convenient to vote there rather than Pelly Court.

**Response of the Electoral Registration Officer**

40. The situation in Rayfield has been the case for many years and has not led to any negative comments being made by electors. However, it would be sensible for all electors in Rayfield to be in the same polling district and it is recommended that house numbers 1-25 Rayfield be transferred to polling district AO with the result that the polling station for all electors in the road will become Epping Town Council Offices in St. John's Road. This arrangement will ensure that the previously 'split' situation for Rayfield is combined within the revised Electoral Register to be published on 1 December 2019, so that all electors are able to vote at the same polling station.
41. The situation in Coopersale Street has been the case for many years and has not led to any negative comments being made by electors. However, it would be sensible for all electors in Coopersale Street to be in the same polling district and it is recommended

that house numbers 2-38 Coopersale Street be transferred to polling district AL with the result that the polling station for all electors in the road will become the Coopersale Social Institute. This arrangement will ensure that the previously 'split' situation for Coopersale Street is combined within the revised Electoral Register to be published on 1 December 2019, so that all electors are able to vote at the same polling station.

42. The Scout Hut at Flux's Lane is not within the polling district for residents of Bridge Hill, Ivy Chimneys, Sunnyside Road or Springfield. Whilst it may be more convenient for residents of Bridge Hill, Ivy Chimneys, Sunnyside Road and Springfield to vote at the Scout Hut in Flux's Lane, this approach is not supported as it could lead to other instances where properties are nearer the 'wrong' polling station than the 'right' one and this is not the purpose of the current review. There will always be situations where specific houses/streets are nearer to a neighboring polling station than their own and it is considered that this issue would be better addressed as part of a wider boundary review, the undertaking of which is included as an objective in the Council's current Corporate Plan.

**(g) County Councillor C. C. Pond**

43. Councillor Pond pointed out that the Oakwood Senior Citizens Club had changed tenancy and had been renamed, and may not be available as a polling station. Councillor Pond was concerned that some electors had told him that they do not like to enter a pub and wondered if the polling station at Mannock Drive might be utilised instead.

**Response of the Electoral Registration Officer**

44. The Electoral Registration Officer is not aware of any issues with regard to the continued use of the Oakwood Hill Senior Citizens Club as a polling station.
45. The provision of polling station facilities at the Cottage Loaf Public House are contained within a separate room and it is not necessary for electors to enter the bar areas of the premises in order to vote. The Electoral Registration Officer is not aware of any issues with regard to the continued use of the Cottage Loaf as a polling station.
46. The polling station at Trinity Church Hall, Mannock Drive, Loughton is not within the polling district for residents of the Loughton Roding ward.

**(h) Epping Town Council**

47. Epping Town Council suggested that the Allnutts Institute was unsafe for use and that, as the polling station would change to the Scout Hut in Flux's Lane, electors should be properly redirected. The Town Council also identified that the Scout Hut had building deterioration issues.

**Response of the Electoral Registration Officer**

48. The Scout Hut in Flux's Lane, Epping has been inspected and evaluated as suitable for the purposes of a polling station. The polling station has been well received by electors within the Epping Hemnall Ward.

**(i) Stanford Rivers Parish Council**

49. Stanford Rivers Parish Council has confirmed that, in its opinion the current polling arrangements in place for the parish are appropriate and adequate.

**Response of the Electoral Registration Officer**

50. The views of the parish council have been noted.

## **Proposals following the review**

51. The proposals for changes to existing polling districts, polling places and polling stations arising from consideration of the review are attached as Appendix 1 to this report. The only changes proposed relate to the Epping Forest Parliamentary Constituency and are the transfer of:
  - (a) house numbers 1-25 in Rayfield, Epping from polling district AN to polling district AO, resulting in the polling station for these electors being the Epping Town Council Offices in St. John's Road, rather than the Epping United Reformed Church in Lindsey Street; and
  - (b) house numbers 2-38 in Coopersale Street, Epping from polling district AK to polling district AL, resulting in the polling station for these electors being the Coopersale Social Institute, rather than the Allnutts Institute (now the Scout Hut, Flux's Lane, Epping).
52. 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.
53. 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 each of the proposed polling stations are fully accessible.
54. The Electoral Registration Officer proposes that the necessary alterations to the Register of Electors resulting from the changes to polling districts set out in this report be reflected in the revised register to be published on 1 December 2019, following the completion of the annual canvass.
55. Electors affected by the review will be made aware of changes to the places where they vote, for example, when they receive poll cards for the next election.
56. There are no proposals for changes to existing polling districts, polling places and polling stations arising from consideration of the review, in either the Brentwood and Ongar or Harlow Parliamentary Constituencies. Details of the existing polling districts, polling places and polling stations within each Constituency are set out in Appendix 2 and Appendix 3 to this report.
57. In making the recommendations set out in this report, the Electoral Registration Officer has had regard to:
  - (a) the reasonable requirements of the electors in the constituency; and
  - (b) accessibility for disabled persons to the polling stations within the polling places.

## **Publication of the conclusions of the review**

58. 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.
59. 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:



- (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**

60. 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.

### **Resource implications:**

The recommendations arising from the review can be met from within existing budget provision, provided that the review process is completed before 1 December 2019 when the new Register of Electors is to be published. If this deadline is missed, the Register will need to be republished when the process is completed, which will necessitate a supplementary estimate for printing costs etc.

### **Consultation undertaken:**

Consultation on the review was undertaken with District Councillors, County Councillors for the Epping Forest District, Parish and Town Councils, local MPs, Eastern Region MEPs, local political party agents, Returning Officers for the three Parliamentary Constituencies covering the district, Voluntary Action Epping Forest (on behalf of groups with experience of assessing access to persons with different disabilities), the public (via press releases, social media and the Council's website). The review documents were available inspection at the Civic Offices and at the offices of Brentwood Borough Council and Harlow District Council.

### **Legal and Governance Implications:**

It is a requirement of the Electoral Registration and Administration Act 2013 that the review is completed by not later than 31 January 2020.

### **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.

### **Risk Management:**

Failure to meet the reasonable requirements of 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.