

Report to the Council

Committee: Stronger Council Select Committee (Councillor P. Bolton)

Date: 30 July 2019

1. REVIEW OF POLLING DISTRICTS, POLLING PLACES AND POLLING STATIONS

Recommending:

- (1) That, following review, the proposals for Polling Districts, Polling Places and Polling Stations in the Epping Forest District as set out in Appendices 1-3 to this report, be approved;**
 - (2) That, subject to recommendation (1) above, 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;**
 - (3) 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**
 - (4) 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.**
1. The Electoral Registration and Administration Act 2013 introduced a change to the timing of compulsory reviews of 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 in a timely manner, 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 canvass for the next Register of Electors in August 2019. Although the Council has recently adopted a revised select committee framework, the Stronger Council Select Committee has assumed many of the overview and scrutiny responsibilities of the former Governance Select Committee.

3. The Stronger Council Select Committee considered matters arising from the review at its meeting on 9 July 2019.

Roles and Responsibilities

4. The statutory responsibility for reviewing parliamentary polling districts and polling places rests with the 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.
5. Where the Council makes any alterations to the polling districts within its area, the Electoral Registration Officer must amend the register of electors accordingly. 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 Parliamentary Constituency for the purposes of a 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 of the 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 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) Electoral Registration 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 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) Electoral Registration 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.
13. In accordance with the requirements of the polling districts, polling places and polling stations review, the representations of the (Acting) Electoral Registration 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 Officers representations and no representations were made by the (Acting) Returning Officer for the Brentwood and Ongar Constituency.

Results of the Consultation Exercise

14. A number of responses with regard to specific polling station arrangements were made at the consultation stage of the review. These are set out in the following paragraphs of this report, together with the views of the Returning Officer that we received at our meeting

(a) Allnutts Institute, Allnutts Road, Epping

15. The (Acting) Returning Officer for the Epping Forest Constituency confirmed that he was satisfied with the existing provision of polling places within the constituency, although it was identified that the Allnutts Institute was no longer available as a polling station and had been recently replaced by the nearby Scout Hut in Flux's Lane. The (Acting) Returning Officer advised that, whilst the Scout Hut premises had been inspected and evaluated as being suitable for a polling station, until it had been practically utilised, its suitability going forward

could not be completely assured, although its use a polling station had been well received by electors within the Epping Hemnall Ward.

16. Councillors J. H. Whitehouse and J. M. Whitehouse identified that Coopersale Street hamlet was split in terms of polling district with property numbers 2-38 in the Allnutts polling district and property numbers 1-9 in the Coopersale polling district. The Councillors suggested that all the dwellings in this part of Coopersale Street should be included within the AL (Coopersale) polling district.
17. We have been advised by the Returning Officer that 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 we therefore consider that house numbers 2-38 Coopersale Street should be transferred to polling district AL (Coopersale) 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.
18. Epping Town Council suggested that the Allnutts Institute was unsafe for use and that, as the polling station would transfer to the Scout Hut in Flux's Lane, electors should be properly redirected. We understand that these issues have already been addressed by the Electoral Registration Officer. The Town Council also suggested that the Scout Hut had deterioration issues, although we were reminded that the building had been inspected and evaluated as being suitable for the purposes of a polling station.

(b) Railway Arms Hotel, Lower Sheering

19. 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 was broadly happy with the existing provision of polling places within the constituency boundary.
20. However, 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 that to date, there had been no alternative solution presented.
21. The Returning Officer has advised the Select Committee that 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 solution presented for the identification of an alternative venue for use as a polling station. We understand that the Returning Officer will consider any proposals for an alternative polling station venue that members may wish to submit.

(c) St. Giles Church Hall, Nazeing

22. The (Acting) Returning Officer for the Harlow Constituency also identified that a similar situation of travel distance had occurred in the Riverside Parish Ward of

Nazeing during a period of renovation work to the traditional polling station at St. Giles Church Hall and that, whilst St. Giles Church Hall was a suitable venue, the alternative location used in 2018 (Nazeing Methodist Church) should be considered as the default polling station.

23. We have been advised by the Returning Officer that the polling station at St. Giles Church Hall in Nazeing has been used as a polling station for many years. We understand that, although Nazeing Methodist Church is suitable for use as a polling station, this was only intended to be utilised on a temporary basis during a period of renovation work to St. Giles Church Hall.

(d) Whitebridge Junior School, Roding Road, Loughton

24. Councillor S. Murray submitted comments in respect of the Loughton Roding Ward (Polling Districts AZ (Whitebridge), BA (St. Michael's) and AY (Barncroft)) and indicated that no changes were required for Polling Districts BA and AY in terms of polling places or polling districts.
25. With regard to polling district AZ (Whitebridge), Councillor Murray has drawn attention to the fact that the polling district has traditionally voted at Whitebridge Junior School. Whilst understanding why the School was not used as a polling station in 2017 as a result of ongoing building work, Councillor Murray was disappointed that it was not used again in 2018 (although the building work had been completed). Councillor Murray strongly feels that from now on for all future elections the 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). The comments made by Councillor Murray in this regard were endorsed and supported by Councillor R. Brookes and Councillor D. Wixley.
26. Councillor Murray has also suggested 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 the vehicular access via Greensted Road is kept open to aid voters with mobility problems, as the walk from the public pavement outside the school to the classroom used for voting is considerable.
27. The Returning Officer has advised the Select Committee that, as there were no local elections in the Loughton wards in May 2019, the use of Whitebridge Junior School as a polling station was not required. With the short notice available to the Returning Officer to make 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, we understand that the Returning 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.
28. 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.

29. We understand that the polling station at St. Michael's and All Angels Church Hall is already used for a large polling district of over 2,000 electors and that the Church Hall utilises a shared pedestrian and (single-width) vehicle entrance/exit on a very busy road, near a major set of traffic signals. We have been advised that, on a busy election day, considerable disruption can therefore be caused to the local road network and that an increase in the numbers of voters attending St. Michael's Church Hall would exacerbate this situation.
30. In identifying the location of polling stations, the Council must so far as is reasonable and practicable, ensure that every polling station is accessible to electors that are disabled. Polling stations must also be within easy reach of all electors from places across the polling district. The Select Committee considers that, as Whitebridge School is a clearly recognised public community building within polling district AZ (Loughton Roding), it is not unreasonable to require the use of the school as a polling station to meet such accessibility requirements. We consider that the School is able to plan ahead for most elections to secure arrangements for closure if this is considered necessary, although we accept that unscheduled parliamentary elections or referenda might cause some inconvenience to the School.
31. Whilst we recognise the concerns raised by the Head Teacher of Whitebridge School, we consider that the use of the School as the default polling station for residents of polling district AZ should recommence with effect from the local elections to be held in May 2020 and in the event of any parliamentary election or referendum being required to be held later this year. If Whitebridge School is reinstated as a polling station from 2020, the Returning Officer will consider the additional matters raised by Councillor Murray with regard to pedestrian and vehicular access to the polling station.

(e) St. John's Church Hall, High Road, Buckhurst Hill

32. Councillor G. Chambers suggested that the polling station for residents of Knighton Green in Buckhurst Hill should be at St John's Church Hall.
33. The Returning Officer has advised the Select Committee that the polling station at St. John's Church Hall is not in the polling district for residents of Knighton Green. Whilst we appreciate that it may be more convenient for residents of Knighton Green to vote at St. John's Church Hall, we do not support this approach 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. We have been advised that there will often be situations where specific houses/streets are located nearer to a neighbouring 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 we understand may be contemplated following the conclusion of the ongoing local plan process.

(f) United Reformed Church, Lindsey Street, Epping

34. Councillors J. H. Whitehouse and J. M. Whitehouse identified that houses in Rayfield, Epping were currently split between the AN (Lindsey North) and AO (Lindsey South) polling districts of the Epping Lindsey and Thornwood Common ward and that the review presented an opportunity to bring all houses in Rayfield into one polling district.
35. The Returning Officer has advised the Select Committee that 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 we therefore consider that house numbers 1-25 should be transferred to polling district AO (Lindsey South) with the result that the polling station for all electors in the road will become the 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.

(g) Pelly Court, Epping

36. Councillors J. H. Whitehouse and J. M. Whitehouse have suggested that the polling station at the Scout Hut in Flux's Lane, Epping is closer to residents in Bridge Hill, Ivy Chimneys, the bottom of Sunnyside Road and possibly Springfield than Pelly Court and that residents may therefore find it more convenient to vote there rather than Pelly Court.
37. The Returning Officer has advised the Select Committee that 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 we appreciate that 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, we do not support this approach 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. As we have already reported, there will often be situations where specific houses/streets are located nearer to a neighbouring 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 may be contemplated following the conclusion of the ongoing local plan process.

(h) Oakwood Hill Senior Citizens Club, Loughton

38. County Councillor C. Pond has reported that the Oakwood Hill Senior Citizens Club has changed tenancy and been renamed and may not be available as a polling station in the future. We understand however, that the Returning Officer is not aware of any issues with regard to the continued use of the Oakwood Hill Senior Citizens Club as a polling station.

(i) Cottage Loaf Public House, Jessel Drive, Loughton

39. County Councillor C. Pond has raised concern that some electors have told him that they do not like to enter a public house to vote and has questioned whether the polling station at Mannock Drive might be utilised instead.
40. We have been advised by the Returning Officer that the provision of polling

station facilities at the Cottage Loaf Public House are contained within a separate function room and that it is not necessary for electors to enter the bar areas of the premises in order to vote. Whilst we recognise that electors from certain ethnic backgrounds may not feel comfortable entering a public house to vote, we understand that the use of the Cottage Loaf as a polling station has, to date, not given rise to any negative comments being made by electors.

41. The polling station at Trinity Church Hall, Mannock Drive, Loughton is not within the polling district for residents of the Loughton Broadway ward. Although we understand that it might be possible to identify an alternative polling station location for residents of the ward, this is likely to be at the extreme geographical extent of the ward and we believe that it would currently therefore be reasonable to retain the Cottage Loaf as the polling station for the ward, in order to comply with accessibility requirements and the need for polling stations to be located within easy reach of all electors from places across the polling district. However, we have requested the Returning Officer to keep this situation under review.

(j) Epping Forest District Local Plan (Submission Version) 2017

42. The (Acting) Returning Officer for the Epping Forest Constituency highlighted that, on a wider more strategic point with regard to future polling station 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.
43. The (Acting) Returning Officer for the Harlow Constituency 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.
44. We are aware that significant development is likely to be experienced within the District in the five years to the next review of Polling Districts, Polling Places and Polling Stations. However, in the main however, such development has yet to commence and we do not consider that this needs to be addressed as part of the current review. We therefore propose that this issue be monitored as part of the annual 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.

(k) Waltham Abbey Wards

45. At the meeting of the Stronger Council Select Committee on 9 July 2019. Councillor S. Kane put forward proposals for the resolution of existing 'split' ward issues in areas of Waltham Abbey:
 - Farm Hill Road (Polling Districts BQ (Waltham Abbey North East) and BR (Waltham Abbey South West));
 - Broomstick Hall Road (Polling Districts BQ (Waltham Abbey North East) and BO (Waltham Abbey Honey Lane)); and

- Rochford Avenue (Polling Districts BQ (Waltham Abbey North East) and BN (Waltham Abbey Honey Lane)).
46. These matters cannot be considered as part of the current review, as they relate to different wards. Whilst they may appear to be similar to the proposals made by Councillors J. H. and J. M Whitehouse with regard to roads within the Epping Hemnall ward, these were straightforward as they related to polling districts within the same ward.
 47. We have been advised by the Returning Officer that the current review is not able to consider ward boundaries. These would need to be addressed as part of a wider boundary review, the undertaking of which may be contemplated following the conclusion of the ongoing local plan process.

Proposals following the review

48. 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 (Lindsey North) to polling district AO (Lindsey South), resulting in the polling station for these electors becoming 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 (Allnutts) to polling district AL (Coopersale), resulting in the polling station for these electors becoming the Coopersale Social Institute, rather than the Scout Hut at Flux's Lane (formerly the Allnutts Institute).
49. 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.
50. 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.
51. 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.
52. 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.
53. 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.

54. In making the recommendations set out in this report, the Returning 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

55. 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.
56. 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 Officer s;
 - (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

57. 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.
58. We recommend as set out at the commencement of this report.