

BROMSGROVE DISTRICT COUNCIL

ELECTORAL MATTERS COMMITTEE

3 November 2014

POLLING DISTRICTS AND POLLING PLACES REVIEW 2014

Relevant Portfolio Holder	Cllr Margaret Sherrey
Portfolio Holder Consulted	Yes
Relevant Head of Service	Claire Felton, Head of Legal & Democratic Services
Wards Affected	All District Wards
Ward Councillors Consulted	Yes
Non-Key Decision	(Electoral Matters Committee has full devolved powers)

1. SUMMARY OF PROPOSALS

- 1.1 The report sets out the findings of the formal review of Polling Districts and Polling Places, as required under the Representation of the People Act 1983 and Electoral Registration and Administration Act 2013, and as based on Electoral Commission Guidance. The Review has to be conducted and completed before 2015 to cover a 5-year period.
- 1.2 This review follows the earlier Ward Boundary review, by the Local Government Boundary Commission for England (LGBCE) of the Council's electoral arrangements, which produced a new ward map for the District comprising 30 new District Wards [the Bromsgrove (Electoral Changes) Order 2014 (Statutory Instrument 18/2014) refers].
- 1.3 The recommendations below, as detailed in the attached Appendices and definitive maps, set out Officers' proposals arising from the Review. If approved by the Committee, any amendments required to be made in respect of Polling Districts and Polling Place arrangements for Elections, Referendums, Polls, and associated Electoral Registration arrangements, will have effect from the date of publication of the revised Register of Electors on 1st December 2014.
- 1.4 To meet statutory deadlines for publication of the new Register of Electors, for use in all elections to be held in the following 12 month period, decision would be required at this meeting.

2. RECOMMENDATIONS

- 2.1 **that the final proposals in respect of Polling District Boundaries, as contained in Appendix 1 to this report entitled "Schedule of Electoral Areas" and as shown on the definitive maps displayed at the meeting, be approved;**

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- 2.2 that the final proposals in respect of Polling Places as set out in the final column of Appendix 2 to this report headed “Full Description” be approved; and**
- 2.3 that the decisions of the Committee in respect of 2.1 and 2.2 above take effect from the date of publication of the revised Register of Electors on 1st December 2014.**

3. KEY ISSUES

Financial Implications

- 3.1 Subject to the Committee’s final decisions, there may be some minor financial implications for the Council which arise directly from this report, but which can be contained within existing budgets.
- 3.2 Apart from the many disadvantages of using portable buildings as Polling Station venues, significant financial savings can be made if permanent buildings are used, as detailed elsewhere in the report (paragraph 3.10 and 3.11 refer).

Legal Implications

- 3.3 The subject Review has been undertaken as required under the Representation of the People Act 1983 and Electoral Administration Act 2013, and in accordance with relevant Electoral Commission Guidance.
- 3.4 a) Authority to set Polling District boundaries and to designate Polling Places rests with the Council (Statutory elements of the Council’s Constitution under the Local Government Act 2000). Bromsgrove District Council has delegated full relevant powers to this Electoral Matters Committee.
- b) Decisions about the situation of Polling Stations within designated Polling Places are for the (Acting) Returning Officer (ARO). Arrangements must comply with relevant provisions of the Representation of the People Acts and Regulations and the Equality Act 2010.
- 3.5 “Relevant authorities” (such as Bromsgrove District Council) must
- ”a) seek to ensure that all the electors in the Constituency have such reasonable facilities for voting as are practicable in the circumstances”; and

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"b) seek to ensure that, so far as is reasonable and practicable, the polling places they are responsible for are accessible to all electors, including those who are disabled and, when considering the designation of a polling place, must have regard to the accessibility needs of disabled persons. If it is necessary to use a place where the access is not ideal, then every reasonable adjustment must be undertaken to provide access for all electors."

Service / Operational Implications

- 3.6 Officers continue to attempt to identify polling station locations which improve both general accessibility and access for people with disabilities, but regret that this is not always possible to achieve, mainly because:
- a) available buildings are not in the ownership or under the control of the Council; and/or
 - b) there are no suitable alternative premises available within the Polling District or Ward.

'Starting Points' for selection of Polling Places/ Stations

- 3.7 Polling Stations located within publicly funded premises (such as schools and local authority meeting rooms) are generally preferred as their availability can be relied upon and costs are low (the (Acting) Returning Officer has statutory powers to requisition such premises, which are generally well located and accessible). However, the schools themselves and pupils' parents are often understandably reluctant to accept their use as Polling Stations because of the impact of closures on their activities or on childcare.

If schools are designated, First Schools are normally selected because of reduced impact on important examination processes for older pupils.

- 3.8 Second choice for Polling Stations would be private venues. However these have the disadvantage of being more costly, as more commercial fees may be charged. The ARO cannot guarantee their availability, as owners/managers of premises have the right to refuse hire at any time, without explanation.
- 3.9 When there are no other appropriate alternatives, portable buildings may be used for Polling Stations. However, these are significantly more expensive than other premises and may often provide

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inadequate accommodation and accessibility for voters with disabilities.

- 3.10 As a rough guide, an average Portable Polling Station costs around £1,500 to hire, heat & light (installation of Portable Unit plus portable toilet / provision of power/generator, but costs would increase dramatically if a supplier other than the Council's current one had to be used.)

The equivalent average cost of private premises would be between £200 - £400 and premises provided via public funding charge only for additional heat, light and caretaking and therefore only around £100 each time.

- 3.11 There are other logistical considerations relating to the siting of a portable building, the delivery and collection require a team from the Council's depot to be on site and to maintain the generator connection.

Key Issues

A. Proposed Polling District Boundaries and Polling Places.

- 3.12 Appendix 1 to the report, together with the maps on display, details all Polling District and associated electoral areas, B and the proposals arising from the Review, together with consultee comments and responses to those comments arising from the Review.
- 3.13 Appendix 2 to the report details all Polling Districts full descriptions and the designated Polling Places.
- 3.14 The final column in Appendix 1 details final recommendations for the Committee's consideration and, subject to any additional comments, is supported by the ARO.

B. Polling Places beyond Polling District/Ward boundaries

- 3.15 In a number of cases, no suitable premises have been identified within relevant Polling Districts/Wards, and therefore proposals include Polling Places situated outside Polling District/Ward boundaries. In one very exceptional case a Polling Place has been proposed which is also beyond the District boundary (Wythall Walkers Heath Polling District (WWB) in Wythall West Ward and use of Broadmeadow Junior School).
- 3.16 In drawing up such proposals, priority has been given in every case to the best solution for electors. The Electoral Commission has been consulted and has agreed such solutions are acceptable, in the electors' interests, where no other reasonable alternative exists.

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C. Perryfields Ward – Perryfields North Polling District - PFB

- 3.17 Further, more detailed explanation of proposals may be required in this instance.
- 3.18 The Review has identified future developments/electorate growth at Perryfields will be substantial by the end of the 5-year term of this Review. In light of the 2015 combined General and Local Elections, proposed Polling Stations in this Review reflect requirements for these specific elections. Officers recommend that this Ward should be reviewed annually to take into account of the exceptional rate of growth here.

Consultation

- 3.19 A very broad consultation exercise has taken place as required as part of this formal review. This included direct contact with local Political Party representatives and elected representatives – MP/MEP's; Parish Council, District Council and County Council Members, relevant District and County Council Officers and the local Police.
- 3.20 The consultation drew only limited interest. But all resultant comments have been reflected in the report, or else in the Summary of Responses at Appendices to the report, as appropriate.
- 3.21 The ARO has a statutory obligation to respond to the consultation and his comments are incorporated in the Summary of Responses attached to the report at Appendix 2.
- 3.22 The consultation was a full open public exercise, but particularly targeted representatives of relevant interest groups, such as disability access and other disadvantaged minority groups. No responses have been received from any of these groups or their individual members to date.
- 3.23 A formal Public Notice at the beginning of the Review and subsequent press releases have been issued to local media organisations, triggering local newspaper and internet coverage.
- 3.24 Some responses raised matters beyond the scope of the review and therefore, although reflected in the Summary list, did not lead to further consideration within this report, or formal recommendations. However the points have been noted and may influence later processes as appropriate.

Customer / Equalities and Diversity Implications

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- 3.25 The Council's policies directly cross-relate, particularly in relation to Access issues. Accessibility for members of minority or disadvantaged groups is a key issue in the selection of suitable Polling Stations.

4. RISK MANAGEMENT

- 4.1 Any changes agreed must be likely to be sustainable for a reasonable number of years, as frequent changes of Polling Station are not helpful for electors and undermine their knowledge of, and confidence in, electoral systems. Owing to the scale of the changes inherent in the reviews of Ward area and Polling Districts, an extensive programme of public information will be rolled out during Spring 2015.
- 4.2 Choice of Polling Place / Polling Station should not give rise to significant grounds of complaint which might put election results at risk of challenge.

5. APPENDICES

- 1 Schedule of Electoral areas, including full area descriptions.
- 2 Schedule of Officer responses, together with any additional ARO comments, with options / recommendations for change / no change
3. Maps – Polling Districts / Polling Stations featured in report (*not physically 'attached' - all displayed at the meeting*)

6. BACKGROUND PAPERS

- o Local Government Boundary Commission for England and Electoral Commission Guidance.
- o The Bromsgrove (Electoral Changes) Order 2014 (SI 18/2014).
- o Relevant other statutory provisions.
- o Relevant correspondence on public file from consultees.

7. KEY

ARO = (Acting) Returning Officer

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Bromsgrove Returning Officer, Mr Kevin Dicks, is designated (Acting) Returning Officer for Parliamentary Elections.

This is because formally the Returning Officer for a County Constituency such as Bromsgrove is the High Sheriff for that County, which is a purely honorific title/role.

AUTHOR OF REPORT

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