

Body: Full Council

Date: 17 February 2016

Subject: Polling places review (part review of Devonshire ward – polling district DVB)

Wards: Devonshire

Report of: Senior Local Democracy Officer

Purpose: To agree arrangements in respect of the polling places in polling district DVB of Devonshire ward.

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Summary:

This report deals with a review of one of the polling places provided for elections that take place within the Borough of Eastbourne. The Council has a duty to undertake a full review at intervals of not less than 4 years and at all other occasions when a change is proposed.

The Council is expected to ensure that all electors in the constituency have reasonable facilities for voting as are practicable in the circumstances and that so far as is reasonable and practicable the polling places are accessible to those who are disabled.

A 7 week consultation was held ending on 29 January 2016.

Following this review, the revised polling arrangements will be implemented in time for the forthcoming Police and Crime Commissioner elections on 5 May 2016.

Recommendations:

(1) That the Acting Returning Officer's proposal in respect of polling district DVB (Devonshire ward) be approved.

(2) That the Senior Electoral Services Officer, on behalf of the Acting Returning Officer and Electoral Registration Officer, be authorised to implement the Council's decisions in respect of the review.

1.0 Introduction

- 1.1 The Council must regularly review the division of its area into polling districts and the places where electors are asked to vote. A full review of the whole borough must be undertaken at intervals of not less than 4 years and at all other occasions when a change is proposed.
- 1.2 The relevant legislation can be found in section 16 of the Electoral Administration Act 2006, the Representation of the People Act 1983 and the Review of Polling Districts and Polling Places (Parliamentary Elections) Regulations 2006. Guidance is also published by the Electoral Commission.
- 1.3 This matter is brought before full Council as decisions on matters in respect of polling district boundaries and polling places cannot be dealt with by a council's executive (i.e. the Cabinet) by virtue of The Local Authorities (Functions and Responsibilities) (England) Regulations 2000.
- 1.4 The Council's last full review was carried out in 2014 and approved by the Council in November of that year.

2.0 Review process

- 2.1 As part of the review process the Council must:
- Seek to ensure that all electors in the constituency 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.
- 2.2 The consultation period for this full review ran for 7 weeks between 11 December 2015 and 29 January 2016. Public notice of the review was published and information about the review made available on the Council's website. Any elector in the whole of the Eastbourne constituency (whether they live in the borough or not) was entitled to make representations. A press release was issued drawing attention to the proposal and an article was published in the Eastbourne Herald soon after the start of the consultation.
- 2.3 The consultation document, together with map showing the polling district boundary, is available as a background document.
- 2.4 As well as being supplied on request, the consultation document was sent to the local Member of Parliament, borough and county councillors in the relevant wards and local political parties. It was also sent to the Eastbourne Disability Group (DIG) as required under the regulations as persons having particular expertise in relation to access to premises or facilities for persons who have different forms of disability. The DIG is an umbrella group of local organisations that represents many of the disabled people living in Eastbourne.

3.0 The proposal and comments received

- 3.1 A proposal is made concerning a change from the existing polling place for the polling district DVB in the Devonshire ward. Currently this is the EODS (Eastbourne Operatic and Dramatic Society) Centre at 96 Seaside. While this venue is adequate, it does have certain shortcomings and the possibility of a change in venue is recommended. In the past there had been suggestions that EODS were considering the future of their centre with possibilities of both renovation and redevelopment being mooted. The likelihood that the premises would not be available for hire as a polling station in the future, either temporarily or permanently, encouraged us to look for a suitable alternative venue. The use of the Eastbourne Blind Society premises at 124 Longstone Road is now proposed as the alternative.
- 3.2 Members will recall that this change was suggested when the last polling place review was undertaken. Although generally favourably received there was concern from some members that any change should wait until after the 2015 general election and the matter reviewed after the election.
- 3.3 Our concerns about the shortcomings of the current premises at the EODS Centre remain. The premises are in need of refurbishment, access is via a narrow alleyway and facilities for polling staff within building are poor and party tellers are required to sit outside the entrance in the open. Although use as a polling station is long standing, new or infrequent voters do have difficulty locating the venue and in the past numerous phone calls are made to the elections office on polling day seeking directions.
- 3.4 The Eastbourne Blind Society centre at 124/142 Longstone Road is reasonably centrally located within the polling district. The building has excellent access of good width (level throughout, including the main entrance) with a large well lit hall. There are kitchen and toilet facilities for staff. On-street parking is free but limited being close to the town centre. The road frontage to the centre is protected with a 'keep clear' zone. There is space for party tellers to be accommodated in the main entrance hall.
- 3.5 A response was received from Pat Newton (voluntary worker - supporting disabled people) indicating acceptance of the proposed change.
- 3.6 Wendy Dovey, EODS chairman, responded to the newspaper article. She said that they hoped to undertake comprehensive refurbish the EODS Centre and were hoping to receive funding to restore the building.
- 3.7 Whilst the aspiration of EODS to renovate their premises is welcomed, we remain of the view that a move to the Blind Society is still essential. With an election coming up this May, followed by the EU referendum (possibly this summer) and county council elections in May 2017 we believe a move to fully equipped and accessible premises is necessary.

5.0 Council consideration

- 5.1 Council is asked to consider the proposal and representations received and make a final decision. Reasons must be given. In the event that the Acting Returning Officers recommendation is supported these are as set out above.

6.0 Implementation

- 6.1 The chosen venue will be used at future elections. No re-drawing of polling district boundaries will be required.
- 6.2 Following the decision formal notice will be given and correspondence and representations made, minutes and other details must be published.
- 6.3 The grounds under which the review outcome can be challenged are that the Council has failed to:
- meet the reasonable requirements of the electors in the constituency, or a body of them (i.e. the reasonable requirements of a particular area of the authority have not been satisfactorily met); or
 - take sufficient account of the accessibility to disabled persons of polling stations within a designated polling place.
- 6.4 The following may make representations to the Electoral Commission namely;
- not less than 30 registered electors in the constituency
 - any person who made representations to the council when the review was being undertaken (except the Returning Officer)
 - any person who is not an elector within the constituency who the Electoral Commission feel has sufficient interest in the accessibility of disabled persons;

Also the Acting Returning Officer may make observations on any representations made to the Commission.

7.0 Legal implications/risk assessment

- 7.1 The Council is under a legal duty keep their polling place arrangements under review at not less than 4-yearly intervals and to follow prescribed procedures when carrying out such reviews.

8.0 Policy and performance implications

- 8.1 This review helps meet the Council's corporate plan objectives under the heading "thriving communities" for encouraging peoples' involvement in their neighbourhoods and the heading "sustainable performance" in ensuring a customer focus in the delivery of its services.
- 8.2 The Electoral Commission is empowered under section 9A of the Political Parties, Elections and Referendums Act 2000 to set out for local Returning Officers and Electoral Registration Officers the performance standards to be achieved in the conduct of their duties. This review and the associated documentation will help demonstrate that Eastbourne Borough Council is meeting the required standard.

9.0 Financial and resourcing implications

9.1 Election costs are borne by the body holding the election. For parliamentary elections and referendums the government pays and East Sussex County Council pays for county elections. The foregoing proposals will not increase the number of venues or polling stations overall and there should therefore be no impact on staffing costs.

David Robinson
Senior Local Democracy Officer

Background papers:

- Consultation document.

To inspect or obtain copies of background papers please refer to the contact officers listed above.

(dr/P:polling place review/council/16.02.17)