

Body: Full Council

Date: 19 November 2014

Subject: Polling Places Review

Wards: All

Report of: Senior Local Democracy Officer

Purpose: To agree arrangements in respect of polling districts and polling places in the Borough of Eastbourne

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Summary:

This report deals with a review of the polling districts and 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. A recent amendment to the legislation requires a full review to be undertaken in advance of the planned parliamentary elections (7 May 2015). A review must also be undertaken when a change in a particular polling place is proposed to be made.

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 6 week consultation was held ending on 7 November 2014. All representations received to the Council's proposals are set out in the report along with proposed responses and final recommendations (see paragraphs at 4.2 to 4.4).

Following this review, the revised polling arrangements will be implemented as from December 2014.

Recommendations:

(1) That the Acting Returning Officer's proposals as set out in the appendix be approved subject to recommendation (2) below.

(2) That in respect of polling district DVB (Devonshire ward), in the light of

the representations made by 2 of the ward councillors, members consider whether to support the proposed move to the Eastbourne Blind Society premises or continue to use the EODS Centre, and if the latter choice, to agree that these arrangements be reviewed following the May elections.

(3) That the Electoral Services Manager, 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. A review must also be undertaken when a change in a particular polling place is proposed to be made.
- 1.2 Furthermore, a recent amendment to the legislation requires a full review to be undertaken in advance of the planned parliamentary elections (7 May 2015) sometime between October 2013 and February 2015 (section 17 of the Electoral Administration Act 2013).
- 1.3 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.
- 1.4 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.
- 1.5 The Council's last full review was carried out in 2010 and approved by the Council in November of that year. A partial review of polling districts in parts of the Old Town, St Anthony's and Upperton Wards was also undertaken in 2012 and approved by Council in May 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 6 weeks between 26 September and 7 November 2014. The timing of the review has been

determined by a number of factors. First to wait until after the European elections held earlier this year, second, to avoid the peak period for IER (individual electoral registration) implementation activity, third, to leave until closer to the parliamentary elections to reduce any chance of late change of venue to any unexpected availability of any of the chosen venues, and fourth, to ensure that the review is completed in advance of the publication of the new register on 1 December. 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.

2.3 The consultation document, together with maps of each affected ward showing polling district boundaries, can still be viewed on the Council's website at:
<http://www.eastbourne.gov.uk/about-the-council/consultations/polling-places/>

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. Membership of the DIG comprises Eastbourne Access Group, Eastbourne Blind Society, Sussex Oakleaf, The Chaseley Trust, East Sussex Disability Association (ESDA), ESDA Pain Group, British Limbless Ex Servicemen Association (BLESMA), Cranbrook Extra Care Living, SASBAH (Sussex Association for Spina Bifida and Hydrocephalus), MS Society, MS Family Support, South East Muscle Group, JPK Project (Learning Disabilities) and Eastbourne Shopmobility.

3.0 Definitions

3.1 **"Parliamentary constituency"**. This cannot be changed by the review. It is the division of the constituency into polling districts and places that is the subject of the review. It should be noted that only that part of the Eastbourne constituency that is within the Borough of Eastbourne that is being reviewed by the Council. The area of the constituency that lies outside the Borough (Willingdon, Jevington and Wannock) will be reviewed separately by Wealden District Council.

"Polling district". The area created by the division of a constituency or ward into smaller parts, within which a polling place can be determined which is convenient to the electors.

"Polling place". The building or area in which polling stations will be selected by the Acting Returning Officer.

"Polling station". The actual area where the process of voting takes place. This must be located within the polling place and designated for the

particular polling district. This function is the responsibility of the Acting Returning Officer.

4.0 The proposals and comments received

- 4.1 An **appendix** to the consultation document set out details of current polling districts and polling places together with details of one proposed change. **This appendix has been updated to include the full text of all comments received.**
- 4.2 The only potential change is in respect of Devonshire ward. A proposal is made concerning a change from the existing polling place for the polling district DVB. Currently this is the EODS Centre at 96 Seaside. While this venue is adequate, it does have certain shortcomings and the possibility of a change in venue is recommended. The use of the Eastbourne Blind Society premises at 124 Longstone Road is being proposed as the alternative.
- 4.3 Apart from polling district DVB mentioned above no other changes are proposed and the venues to be used as polling stations for next May's elections will be the same as those used for the European elections held last May.
- 4.4 The following sets out the comments received together with any necessary observations on the comments and final recommendations:

Devonshire ward – DVB polling district

Comments: Cllrs Wallis and Bannister were of the view that the EODS Centre polling station should be retained for the 2015 general/borough elections. Cllr Wallis commented: "As you can appreciate the 2015 elections are very important and will result in a higher than normal turnout. We do not want to cause confusion or annoyance with residents who may not like the change, or will be aware of the change in polling station location. We would rather wait until after the May 2015 elections and then consult and review the DVB polling station location then."

Cllr Stanley said he was happy with the proposed change to the Eastbourne Blind Society premises.

Response: It is considered that a move to improved premises is justified. The EODS Centre has a number of limitations including poor access (down a short alleyway) and a step at the entrance, lack of shelter for party tellers and poor staff facilities. At past elections numerous phone calls are made to the elections office on polling day seeking directions as despite on-the-day signage and the address being given on poll cards new residents/voters are seemingly unaware of the location. Also, it should be noted that we frequently have experienced difficulty in the past contacting the premises manager to make bookings and access for the delivery of polling station equipment into the premises.

The Eastbourne Blind Society centre at 124/142 Longstone Road is reasonably centrally located within the polling district. 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.

Recommendation: That in the light of the representations made by 2 of the ward councillors, members consider whether to support the proposed move to the Eastbourne Blind Society premises or continue to use the EODS Centre, and if the latter choice, to agree that the arrangements be reviewed following the May elections.

Old Town ward: – OTA and OTD polling districts

Comment: Cllr John Ungar commented on the need to ensure that the entrance to the 2 different polling stations at the Greenfield Methodist Church in Green Street are quite separate from each other.

Response: This matter has been investigated and arrangements have been made whereby both the main hall and an adjoining smaller hall will both be used and separate entrances used. For the purposes of the polling place review the Council will continue to designate the whole of the church premises as the polling place but the operational arrangements on election day will reflect the proposed adjustment. The detailed arrangements were communicated to Cllr Ungar who has expressed his endorsement.

Recommendation: That the Returning Officer's proposals be approved.

Sovereign ward – SVC polling district

Comment: Cllr Jim Murray has asked if there going to be a polling station at Kingsmere Community Centre, commenting that he was aware of some complaints that it was not open at the last election.

Response: Kingsmere residents are within Sovereign polling district SVC which comprises the North (Sovereign) Harbour and Kingsmere. The polling station is at the Sovereign Harbour Yacht Club. Use of the Yacht Club was agreed by Council in November 2010 following the last full polling places review and the Yacht Club has been in use as the polling station for elections since that time. A return to using Conqueror Hall at Kingsmere would be hard to justify given the numbers of electors now resident in the North Harbour. North Harbour residents make up approximately 85% of the polling district's electorate.

Recommendation: That the Returning Officer's proposals in respect of polling district SVC be approved.

5.0 Council consideration

5.1 Council is asked to consider the amended proposals and representations received and make a final decision. The Council is required to give reasons for its decisions in respect of the designation of both polling districts and polling places. Reasons have been given in appendix 1 with additional reasoning noted in paragraph 4.2 above.

6.0 Implementation

6.1 The chosen venues will be used at all future elections. No re-drawing of polling district boundaries will be required.

6.2 In addition, the Council must publish:

- All correspondence sent to the Returning Officer in connection with the review and all correspondence sent to any person who the Council thinks has particular expertise in relation to access to premises or facilities for persons who have different forms of disability.
- All representations made by any person in connection with the review;
- The minutes of any meetings held by the Council where details of the review have been considered.
- Details of the actual designations of polling districts and polling places agreed as a result of the review.
- Details of where the results of the review have been published.

7.0 Appeal to Electoral Commission

7.1 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.

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

8.0 Legal implications/risk assessment

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

9.0 Policy and performance implications

9.1 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.

- 9.2 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.

10.0 Financial and resourcing implications

- 10.1 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 at:
<http://www.eastbourne.gov.uk/about-the-council/consultations/polling-places/>

(dr/P:polling place review/council/14.11.19)