

Body: Audit and Governance Committee

Date: 7 March 2018

Subject: Polling district and polling places review (part review of Upperton ward – polling district UPA)

Wards: Upperton

Report of: Electoral Services Lead - Eastbourne

Purpose: To agree revised polling arrangements in respect of polling district UPA of Upperton ward as a consequence of the loss of Upperton United Reformed Church Hall, due to redevelopment.

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Summary:

This report deals with a review of part of the current Upperton ward as a consequence of the loss of Upperton United Reformed Church Hall due to redevelopment.

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 consultation was held between 31 January and 12 February 2018.

Following this review, the revised polling arrangements will be implemented for the 2 May 2019 Eastbourne Borough Council Elections and any other elections or referenda, called in the interim period.

Recommendations:

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

(2) That the Electoral Services Lead, on behalf of the Acting Returning Officer and Electoral Registration Officer, be authorised to implement the committee's decision 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 the committee 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. This committee has delegated power to deal with minor reviews, with full reviews being the responsibility of full council.
- 1.4 The council's last full review was carried out in 2014 and approved 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 from 31 January to 12 February 2018. 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 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 ward and local political parties. It was also sent to the members of 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 represent many of the disabled people living in Eastbourne.

3.0 The proposal and comments received

- 3.1 Upperton United Reformed Church Hall has been used as the polling place for the UPA polling district in Upperton Ward for many years, following the 2017 Parliamentary election, Electoral Services were advised that the Church were redeveloping the site and the venue would not be available for a period of approximately two years.
- 3.2 Officers conducted an analysis of other potential premises in the polling district and shortlisted three possible venues; Community Wise, Ocklynge Road, The Hurst Arms, Willingdon Road and The Hub, St Michael and All Angels, Willingdon Road.
- 3.3 Community Wise, Ocklynge Road indicated that their rooms were in constant use and could not be made readily available. The venue is situated in a narrow street, on a busy junction with extremely limited parking. Hurst Arms Public House, Hurst Road is not considered suitable as the room is open and cannot be shut off from the main bar. It is not wheelchair accessible and there is no parking. The Hub at St Michael and All Angels, has ample off-road parking, a ramped access and is considered to provide reasonable facilities for voters and although falling just outside the UPA boundary, is suitably located in relation to the polling district. It has not been possible to locate any other suitable alternatives within the area.
- 3.4 It is proposed that the Hub on the Hill in the grounds of St Michael and All Angels Church, Willingdon Road , Eastbourne, BN21 1TW (opp Mill Road) be used as the polling place for UPA, until such time as the original venue becomes available again. Whilst Councillor Rodohan has asked that we call it the Church Hall, it is actually a separate building located beyond the church and is called The Hub and so feel that adding Church Hall may confuse the electorate as to where the polling station is located. We will ensure that there is clear signage from the entrance of Willingdon Road down to the location of the Hub.
- 3.5 The following representations were received...

Richard Horne, who has been appointed as a Presiding Officer for this polling district for the last eighteen years indicated his support for the proposal when invited to comment.

Councillor Patrick Rodohan Upperton Ward & County Councillor stated 'I support the use of the Hub on the Hill as the designated Polling Station until such time as Upperton United Reform church is rebuilt and available again.

However, please describe the new Polling Station with clarity, as Hub on the Hill is unknown to the vast majority of Residents – The Church Hall and also Willingdon Road is very long.

My suggested address would be – The Church Hall (Hub on the Hill) St. Michael & All Angels Church, Willingdon Road opposite Mill Road.'

No other representations were received.

4.0 Implementation and polling places

4.1 The new polling place will be used for all elections and referenda, until such time that Upperton United Reformed Church Hall becomes available again.

4.2 Following the decision formal notice will be given and correspondence and representations made, minutes and other details must be published.

4.3 The outcome of the review will mean a change in the polling station allocated to the electors of UPA. As such, we will communicate the changes clearly in advance of the 2019 borough elections. Polling cards will also draw attention to the change of polling station venue.

5.0 Committee consideration

5.1 The committee is asked to consider the foregoing proposal and representations received and make a final decision. Reasons must be given (see para 3.3 above). In the event that the Acting Returning Officers recommendation is supported these are as set out above in para.3.5.

6.0 Challenge

6.1 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.

6.2 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 Acting 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 proposal will not increase the number of venues or polling stations overall and there should therefore be no impact on staffing costs.

Tracey Pannett
Electoral Services Lead

Background papers:

- Consultation document - <http://www.lewes-eastbourne.gov.uk/consultations/part-review-of-polling-districts-and-polling-places-in-eastbourne/>

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

Appendix A: Map Showing UPA boundary and location of St Michael & All Angels

