

Report to: Full Council

Date: 14th November 2018

Title: Polling Districts and Polling Places Review

Report of: Electoral and Print Services Manager

Ward(s): All

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

Officer recommendation(s): (1) That the Acting Returning Officer's proposals as set out in Appendix 1 be approved.

(2) That the Electoral and Print 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.

Reasons for recommendations: To fulfil our statutory duty in respect of periodic review of polling districts and polling places.

Contact Officer(s): Name: Tracey Pannett
Post title: Electoral and Print Services Manager
E-mail: Tracey.Pannett@lewes-eastbourne.gov.uk
Telephone number: 01323415074

1 Introduction

- 1.1 The Council must regularly review the division of it's 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 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.

2 **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 24 September and 2 November 2018. The timing of the review has been determined by a number of factors. First, to complete the review ahead of the Borough Elections in May 2019, secondly because we have been made aware of the potential loss of a polling venue ahead of the 2020 elections and thirdly, to ensure that the review is completed in advance of the publication of the new register on 1 December 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 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 **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 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 The proposals and comments received

4.1 The consultation document sets out details of current polling districts and polling places together with details of the proposed changes. **Appendix 1 includes the full text of all comments received.**

4.2 The following summarises the proposals and comments received together with any necessary observations on the comments and final recommendations:

All Wards - To designate the whole of each of the 9 wards as the polling place. To enable us, if we lose a polling station at any time, to look at the next best suitable venue to serve the voters in the area internally and where there is only one choice, not to have to conduct a full public consultation.

Recommendation: That the Acting Returning Officer’s proposal be approved.

Hampden Park Ward To note that following the Local Boundary Review in 2016 a small Polling District known as HPD, was created comprising a few streets formally in Ratton ward and moved into Hampden Park, which had to be kept separate until the 2019 Borough Election. We will now be moving these streets into the HPC polling district and deleting HPD.

Old Town Ward - From **2020** we have been advised that Emmanuel Church, Greenfield Road (formerly known as Greenfield Church) will no longer be available. This serves as a polling station for OTA and OTD polling districts. The Acting Returning Officer’s proposal is to use, Upwyke House, Green Street as the new polling station for OTA from 2020.

Comments: Councillor Ungar commented “that JPK in Church Street would be suitable for a polling station. The building use to be used by this OTD area, before it was closed as a church. “

Response: Since the publication of the consultation document we have now visited the JPK Project, 39 – 41 Church Street, Eastbourne who have welcomed the opportunity to allow us to use their venue as a polling station for polling district OTD from 2020.

Recommendation: That the Acting Returning Officers proposal to use Upwyke House for polling district OTA and JPK Project for polling district OTD from 2020 be approved.

Sovereign Ward: To move the polling station in polling district SVC from Sovereign Harbour Yacht Club to the New Sovereign Community Centre, which as the new centre for the community is more accessible than the Yacht Club. To

cease using Conqueror Hall which is one of the more expensive polling stations and has a low voter turnout, as a polling station for the electorate in polling district SVD and instead use Sovereign Community Centre .

Comments: Councillor Wallis commented, “ if Sovereign reverts back to 3 polling stations, the average per station will be the highest in the borough. Should we not be aiming for 4 polling stations per ward (a nett gain of two polling stations), to ensure consistency across the borough?”

Response: It is fair to say that by losing a polling station in Sovereign the average per station would be the highest in the Borough. However, as mentioned in the consultation document, it is only a suggestion to lose Conqueror Hall mainly because of the low turnout and high cost of hiring the hall. It is for full Council to make the final decision.

Recommendation: That the Acting Returning Officer’s proposal to move SVC from Sovereign Harbour Yacht Club to the new Sovereign Community Centre and to merge SVD back into SVC be approved .

Upperton Ward: To note the change of Polling station for polling district UPA from Upperton United Reformed Church, Watts Lane due to closure and redevelopment in 2017.

Comments: A mini polling place review was conducted in January 2018 to find a new temporary station and concluded on 7th March when the Audit and Governance Committee agreed that we would use The Hub on the Hill in the grounds of St Michael and All Angels. We will continue to use this venue until such time as Upperton United reopens, at which time we will then move polling district UPA voters back to this venue.

5 Council consideration

- 5.1 Council is asked to consider and approve the amended proposals in light of the consultation responses received. 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 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 Acting 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 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 Financial appraisal

8.1 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. For the 2019 Borough Elections, this will be an Eastbourne Borough Council cost. The foregoing proposals may increase the number of venues and polling stations overall by one from 2020 so there may be an increase of the hiring costs of one additional venue.

9 Legal implications

9.1 The Electoral Registration and Administration Act 2013 introduced a change to the timing of compulsory reviews of UK Parliamentary polling districts and polling places. The next compulsory review must now be started and completed between 1 October 2018 and 31 January 2020 (inclusive).

This report is made pursuant to, and complies with, the legislation referred to in paragraph 1 above.

Lawyer consulted 26.10.18. Legal ref: 7798-EBC-OD

10 Risk management implications

- 10.1 We conduct this review to ensure that our polling places are suitable venues and where we are aware that a venue will no longer be available carry out visits to find new suitable venues to use as polling stations and where possible ensure that they are accessible venues. The risk of not accepting the recommendations, in particular, where we are aware that we will no longer be able to use a current venue, is that it will prevent electors from voting and therefore disenfranchise voters.

11 Equality analysis

- 11.1 A full Equality and Fairness Analysis has been conducted in respect of this review and is available as a background paper.

12 Appendices

- Appendix 1 – Review of Polling Districts and Polling Places in the Borough of Eastbourne.
- Appendix 2 - Review of Polling Districts and Polling Places in the Borough of Eastbourne Comments received to the consultation.

13 Background papers

The background papers used in compiling this report were as follows:

<https://www.lewes-eastbourne.gov.uk/consultations/review-of-eastbourne-polling-districts-and-polling-places/>

- Equality and Fairness Analysis