

Report to: Full Council

Date: 15 November 2023

Title: Polling Districts and Polling Places Review

Report of: Head of Elections and Local Land Charges

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 the report be approved.

(2) That the Head of Elections and Local Land Charges, on behalf of the Returning Officer and Electoral Registration Officer, be authorised to implement the Council's decisions in respect of the review.

Reasons for recommendations: To fulfil the Council's statutory duty in respect of conducting a Polling District and Polling Place Review.

Contact Officer(s): Name: Tracey Pannett
Post title: Head of Elections and Local Land Charges
E-mail: Tracey.Pannett@lewes-eastbourne.gov.uk
Telephone number: 01323 415074

1 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 5 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 people.

2.2 The consultation period for this full review ran for 5 weeks between 2 October and 3 November 2023. The timing of the review has been determined by a number of factors. First to complete the review ahead of the Police and Crime Commissioner Elections in May 2024, secondly because of the need for a Parliamentary Election to be held prior to 28 January 2025, and thirdly 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 Eastbourne constituency was entitled to make representations.

2.3 As well as being supplied on request, the consultation document (Appendix 1) 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 Access Group 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 Access Group is an umbrella group of local organisations that represents many of the disabled people living in Eastbourne.

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 following the conclusion of the 2023 Parliamentary Boundary Review, the Eastbourne constituency is now coterminous with the Borough boundary of Eastbourne. The Willington, Jevington and Wannock areas of Wealden that used to form part of the Eastbourne Constituency are no longer part of the new Eastbourne constituency.

“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 set out details of current polling districts and polling places together with details of the proposed changes (Appendix 1). Appendix 2 sets out 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 confirm the designation of the whole of each of the 9 wards as the polling place. If a polling station becomes unavailable at any time, we can conduct an internal review to locate the most suitable venue to serve the voters in the area and where there is only one choice, this mitigates the need to conduct a full public consultation.

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

Devonshire Ward - No proposals to change any of the stations in this Ward.

Hampden Park Ward - No proposals to change any of the stations in this Ward.

Langney Ward - No proposals to change any of the stations in this Ward.

Meads Ward - A large number of representations have been received from Meads residents in response to the consultation, requesting that St John's Hall be kept as the polling station. Several respondents agreed with the proposed move to Jubilee Hall, however given the volume of opposition to the proposed change the Acting Returning Officer recommends that the status quo remains and St John's Hall remains the polling station for MDC. (All comments have been recorded and can be viewed in Appendix 2).

Old Town Ward - To confirm Eastbourne Grace Baptist Church, Victoria Drive, Eastbourne, BN20 8JS as the new polling station for OTA and OTD and if possible the main hall be used for both OTA and OTD.

Comments: Councillor Diplock commented " Neither I nor any of my fellow councillors can support this change. Before the Borough elections in May this year, we were all concerned about the size and capacity of Victoria Eastbourne Grace Baptist in managing the volume of voters. Old Town routinely has a voting turn out higher than other wards in the Borough. Victoria Grace had, at various points on polling day in May, long queues stretching out of the OTA entrance. The time taken for people to pass through, vote and then leave, was in the region of 20 to 25 minutes. This is no comment on the efficiency of Borough staff, simply a recognition that the space available isn't enough to permit voters to flow through effectively. In a general election volume of voters will be significantly higher. This risks disenfranchising voters (as those who are in a hurry simply won't bother to wait around) and increases the risks of

social disorder (there were several heated conversations between different groups of voters outside OTA, and potential challengeable behaviour from other political groups). A speedy throughput of voters with a minimum of waiting is very important.

We do not believe that Eastbourne Grace Baptist Church has the space or capacity to manage the volume of voters that will present on polling day. We have seen this with our own eyes. As such, Old Town cllrs **cannot support the recommendation that Eastbourne Grace Baptist Church becomes the new designated polling place replacing Greenfield Methodist.** A bigger alternative venue must be found.”

Response: The polling station was moved from Emmanuel Church as this venue is being sold to finance the move to the new Emmanuel Church in Upperton Road.

As a result a new venue was sought. After a very intensive search early in 2023, including visiting the Royal Golf course and the Downs Golf Course, Eastbourne College premises in Summerdown Road, the JPK premises, several industrial buildings opposite the old Emmanuel venue and Gildredge House School. All either refused to accommodate us or were unsuitable. Grace Baptist was a similar size to the two roomed station in Greenfield Road and was therefore selected as the only option for May 2023.

There are unfortunately no larger venues available in the OTA/OTD polling districts.

In view of the fact that the previous station is no longer available and we have only been able to identify one premises, Grace Baptist, as an alternative venue, I can see no alternative to this as the venue for OTA and OTD.

No further venues have been identified.

Recommendation: That the Acting Returning Officers proposal to use Eastbourne Grace Baptist for OTA and OTD be approved.

Ratton Ward- Amalgamate RNA and RNB into one polling district to remain at Broadway United Church to be known as RNA. RNC to become RNB and RND to become RNC. Willingdon Golf Club remain as the venue for the new RNB polling district.

Comments: Cllr Belsey commented ‘I have read through the documents and have to say delighted you have amalgamated RNA and RNB logical and see no problems with the rest of Ratton.’

St Anthony’s Ward- To accept St Richard’s Church Hall as the new venue for SAD, to alleviate the need to close the cafe and Food Bank at Langney Village Hall on election day.

Sovereign Ward: To move the polling station in polling district SVD Conqueror Hall to Sovereign Community Centre. As Conqueror Hall which is the most expensive polling stations and has a low voter turnout.

Comments: Russel Dobson, Chair of Kingsmere Community Association commented, “ With regard to the removal of Conqueror Hall as a polling station within the Sovereign Ward polling district: Our view is that this action will have a negative impact on the people of Kingsmere and Kings Park for the following reason:

The KCA have taken soundings and it is apparent to us that many of our residents will not go to the new Sovereign Harbour Community Centre to vote; if they did decide to vote in the new centre some would have to go by car as they are disabled, and this would have an impact on emissions to the local area. Some of our residents have anxiety and panic attacks when they go out, so try to stay close to home. Sovereign Harbour Community Centre lighting doesn't help with some anxiety sufferers such as the new B&M stores lighting.

We have also noticed that you have only put the cost of Conqueror Hall down on your review documentation and consequently we feel you are singling out our hall unfairly; the cost of every polling station should be put on your paperwork, especially the local alternatives, so costs can be compared between all: we trust that you have not already made up your mind on this issue as we feel we have a good argument to make in keeping CH as our local polling place. So as to impress upon you our desire to retain our hall as a polling place in the future the Association is more than willing to half the hire fee previously set by our predecessors: i.e. our offer to you is to propose a hire fee of £300 instead of the current £600.

Voting is a right and also, in a democracy, perhaps a duty and we feel if Conqueror Hall is removed from the polling station list, this will have a detrimental effect on local turn-out when the next round of elections come up; we wish to encourage and improve local participation in the democratic process and we strongly feel that this action, if proceeded with, will have the opposite effect.

In conclusion, Conqueror Hall fits all your criteria with easy access, suitable lighting inside and out and good parking. Our three local councillors support our bid to retain the hall as a polling place”

Recommendation: That the Acting Returning Officer's proposal to move SVD from Conqueror Hall to the Sovereign Community Centre and to merge SVD back into SVC be rescinded and the status quo remain with the current polling stations- and districts .

Upperton Ward: Revert to Emmanuel Church (Formerly Upperton United Reformed Church) for UPA voters, as agreed in the Polling Place Review in 2018.

Comments: St Michael and All Angels be thanked for the use of the Hub on the Hill whilst the new Church was rebuilt.

5 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 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;
- 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 for disabled people 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 people;

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

8 Financial appraisal

- 8.1 Police and Crime Commissioner elections and UK referendums are funded by the government. East Sussex County Council provide funding for county elections. The Borough elections are funded by the Borough Council. Where there are combined elections, the costs are split across the different bodies. We have a duty to provide accessible and convenient Polling Stations but will always keep the financial costs of Rent/Hire, heating and lighting costs under review.

Approved by Steven Houchin 06/11/2023

9 Legal implications

- 9.1 The content and recommendations of this report complies with the legislation detailed in paragraphs 1.2 and 1.3 above.

Lawyer consulted on: 6th November 2023 12532-EBC-KS

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. The risk of not accepting the recommendations, in particular, where we are aware that we will no longer be able use a current venue's, is that it will prevent electors from voting and therefore disenfranchise voters.

11 Equality analysis

- 11.1 In carrying out the review we have sought 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 had regard to the accessibility needs of disabled people.

We have received many responses in particular with regards to Mead's ward and have listened and retracted our proposal.

Where we have received other responses that needed a response to provide more detail we have replied.

12 w Appendices

- Appendix 1 - Review of Eastbourne Polling Districts and Polling Places Consultation
- Appendix 2 – Consultation responses

13 Background papers

- None