

Decision Maker: GENERAL PURPOSES & LICENSING COMMITTEE

Date: 13 November 2014

Decision Type: Non-Urgent Non-Executive Non-Key

Title: REVIEW OF POLLING DISTRICTS AND POLLING PLACES
2014

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Chief Officer: Doug Patterson, Chief Executive and Returning Officer

Ward: All

1. Reason for report

- 1.1 To outline the results and recommendations of the Returning Officer following a review of all polling districts and polling places in the borough
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2. **RECOMMENDATIONS**

- 2.1 To note the outcome of the review and the consultation undertaken
- 2.2 To approve the proposals and recommendations of the Returning Officer outlined in Appendix 7 with effect from 1 December 2014
- 2.3 To note that polling districts and polling places will be kept under on-going review

Corporate Policy

1. Policy Status: N/A.
 2. BBB Priority: Excellent Council.
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Financial

1. Cost of proposal: N/A
 2. Ongoing costs: N/A.
 3. Budget head/performance centre: Electoral Services
 4. Total current budget for this head: £N/A
 5. Source of funding: N/A
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Staff

1. Number of staff (current and additional): N/A
 2. If from existing staff resources, number of staff hours: N/A
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Legal

1. Legal Requirement: Statutory requirement.
 2. Call-in: Call-in is not applicable.
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected): N/A
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? Yes.
2. Summary of Ward Councillors comments: Attached

3. COMMENTARY

3.1 Background

- Under the Representation of the People Act 1983 the Council is required to divide its area into polling districts and to designate polling places for each of those districts, to keep those polling districts under review and to undertake a full statutory review as a minimum every four years.
- The Electoral Registration and Administration Act 2013 introduced a change to the timing of the compulsory reviews of UK Parliamentary polling districts and polling places. The next compulsory review must now be started and completed between 1 October 2013 and 31 January 2015.
- Any proposed changes to the polling districts and/or the polling places will take effect from 1 December 2014 when the new Electoral Register is published. They will be in place for the Parliamentary (General) Election on Thursday 7 May 2015.
- The Council must seek to ensure that all electors have reasonable facilities for voting as are practicable in the circumstances and have regard to the needs of electors who are disabled.

3.2 The Review and Consultation

- The Returning Officer reported on existing and proposed changes and this formed the basis for consultation – see **Appendix 1**.
- The formal consultation period ran from 12 September 2014 to 10 October 2014. A public notice was published giving notice of the review, and full details of the review were placed on the Council's website, inviting any resident to make representations.
- Details were sent by e-mail/letter to all Councillors, local MPs, the local GLA Member, local political parties, local voluntary disability groups (including SCOPE, Community Links Bromley, Disability Voice Bromley, Kent Association for the Blind, Deaf Access), and the London Borough of Lewisham's Returning Officer.
- In addition details were sent to the owners/booking secretaries of the (current) polling places (including Head teachers of the schools that are used).
- The comments/representations received during the consultation period are reflected in this report or in the Summary of Responses – see **Appendix 2**.
- The Returning officer has a statutory obligation to respond to the consultation and his comments are incorporated in Appendix 2
- As can be seen, there were a relatively limited number of responses to the consultation. In the main responses were from Councillors and the local Conservative Association. The lack of response by the public tends to support the view that on the whole electors are happy with the current arrangements.

3.3 The Returning Officer's Proposals

The Returning Officer took into account the following considerations when drawing up his final recommendations:

- The Council must seek to ensure that all electors have such reasonable facilities for voting as are practicable in the circumstances
- The Council must seek to ensure that, so far is reasonable and practicable, every polling place is accessible to electors who are disabled
- Ideally (except in exceptional circumstances) the polling place should be in its own polling district
- No polling place should be shared by two wards because of the risks associated with holding different elections in the same polling place
- Ideally there should be no more than 2,000 electors per polling station
- Poor designation of polling districts and polling places could have an adverse effect on the administration and integrity of future elections, directly impacting on the electorate

3.3 Suitability of Polling Places

The following represents some of the basic criteria used when selecting a polling place for use:

- Available for hire
- Geographically central and reasonably accessible for the majority of the electorate
- Avoid barriers for the elector such as steep hills, rivers and major roads
- Enough space for polling station layout and equipment (single or multiple)
- General staff facilities (toilets, kitchen, heating and lighting)
- Availability of parking
- Within reasonable walking distance
- Suitable access from a road
- Accessible doorways
- Drop kerbs, steps, pathways in reasonable repair, level access etc
- Reasonable lighting

3.4 Selection and Costs of Polling Places/Stations

- Polling places located within publically funded premises (such as schools, which are generally well located, accessible and suitable – see **Appendix 3**) are generally preferred as their availability can be relied upon, and the Returning Officer has the statutory power to requisition/request these premises (schools cannot refuse such a request).

However, the schools themselves and pupils' parents are often reluctant to accept their use as polling places because of the impact of closures on their activities or on childcare.

Where schools are designated polling places, primary schools are usually selected because of the reduced impact on important examination processes for older pupil. In Bromley there are currently thirty nine (39) schools that are designated polling places, of which thirty seven (37) are primary schools and two (2) are senior schools.

The costs of these premises are usually low (as the law provides that they are free of charge – save for a reasonable amount for heating, lighting and caretaking) – see **Appendix 4**

- Second choice for polling places are private premises (such as church halls and community centres). However, these have the disadvantage of being more costly, as more commercial fees may be charged – see **Appendix 5**. The Returning Officer cannot guarantee their availability, as owners/managers of the premises have the right to refuse hire at any time, without explanation.
- Where there are no other appropriate alternative polling places, temporary/portable buildings (known as portakabins) are used as polling places. However, these are significantly more expensive than other premises – see **Appendix 6**, and they may often provide inferior accessibility to voters (especially those with disabilities) and substandard accommodation for staff.
- As a rough guide the average cost of:
 - a publically funded polling place (charging for heat, light and additional caretaking only) is around £273.68 (this figure is slightly inflated as a result of three or four schools charging sums much higher than most)
 - a private polling place is around £405.82
 - a temporary polling place/portakabin is around £3,581.20 to hire, heat and light (includes installation of portable unit plus portable toilet plus provision of power/generator and security)

3.5 **Specific Issues (1): Use of Schools as Polling Places**

Several councillors requested that we avoid using schools wherever reasonably possible and find alternative locations at reasonable costs. Also a (small) number of Head teachers have asked that their school no longer be used as a polling place.

There are a number of reasons why school premises make suitable polling places - see **Appendix 3**.

If a suitable alternative building within a polling district is identified, the Returning Officer will consider replacing the school (although in many polling districts, schools remain the only, or most appropriate building for the purpose of voting).

However **there must be clear evidence that the change would benefit the majority of the electors in the polling district** – people become used to where they vote and despite all appropriate statutory notice of change (including notification to all electors by poll card), many become confused when change to polling arrangements occur and this could affect turnout.

In the meantime, the Returning Officer's staff will continue to work very closely with Head teachers to see if alternative space can be used in the school to avoid full closure, and the Returning Officer will keep the use of schools under constant review.

3.6 **Specific Issues (2): Number of Polling Districts/Places/Stations**

Several councillors requested that we consider reducing the number of polling places/stations in their wards given the number of electors who now chose to vote by post.

The Returning Officer and the Council must comply with certain legislative requirements regarding the designation of polling districts, polling places and polling stations e.g. each electoral area (constituency/ward) must be divided into polling districts, and a polling place must be designated for each polling place.

In addition to legislative requirements, the Electoral Commission provides specific guidance for Returning Officers at all elections on the allocation of electors and staff to polling stations. The Commission recommends specific (minimum) ratios (which exclude postal voters) and factors to be considered when deciding on the allocation.

The figures which have to be used when deciding on the number of polling stations (single or multiple) is the size of the electorate and not the anticipated turnout, as the Returning officer must assume that everyone may wish to exercise their right to vote.

Taking into account this guidance, it is suggested an average of 1,500 to 2,000 electors in person maintains the level of service to electors in a polling station.

Current polling arrangements in Bromley follow this guidance. Any reduction could interfere with the effective administration and integrity of the poll (e.g. queues).

The Returning Officer will continue to follow this guidance so as to ensure that electors receive a high-quality service at all elections held in the Borough.

3.5 Recommendations

Some changes have been made to the Returning Officer's initial recommendations as a result of the comments/representations received during the consultation period. The final recommendations are set out in **Appendix 7**.

4. POLICY IMPLICATIONS

None arising directly from this report.

5. FINANCIAL IMPLICATIONS

Changes that are agreed which will result in residents in a particular area being allocated a new/different building as a polling station will be publicised to the voters concerned when polling cards are sent at an election. The cost of this will be met by the relevant body (which would be the Government for the Parliamentary (General) in 2015 or the Council for Ward By Elections, whichever election takes place first).

If approval to the review is delayed until after the new Electoral Register is published on 1 December 2014 (a statutory date), it would be necessary to re-publish the Register following the approval of changes which would involve additional costs to be met from the budgets allocated for Electoral Services.

6. LEGAL IMPLICATIONS

This review of Polling Districts and Polling Places has been undertaken in accordance with the Representation of the People Act 1983, the Electoral Administration Act 2006 and the Electoral Registration and Administration Act 2013 which requires the Council to completed this review by 31 January 2015.

Failure to comply could lead to the Council being in breach of its official duty.

7. PERSONNEL IMPLICATIONS

7.1 None arising directly from this report.

Non-Applicable Sections:	
Background Documents: (Access via Contact Officer)	<ul style="list-style-type: none"> • Representation of the People Act 1983 • Electoral Administration Act 2006 • The Review of Polling Districts and Polling Places (Parliamentary Elections) Regulations 2006 • The Electoral Registration and Administration Act 2013 • Returning Officers comments and proposals on current polling arrangements • Consultation responses