

REPORT TO: FULL COUNCIL

DATE: 31 OCTOBER 2019

TITLE: REVIEW OF POLLING DISTRICTS AND PLACES 2019

LEAD OFFICER: BRIAN KEANE, CHIEF EXECUTIVE/ACTING RETURNING OFFICER (01279) 446000

CONTRIBUTING OFFICER: SIMON HILL, HEAD OF GOVERNANCE (01279) 446099

RECOMMENDED that:

- A** The proposals for the Polling Districts, Polling Places and Polling Stations in Harlow, as set out in Appendix A to the report, be approved with the changes as follows:
- i) St Stephen's Church is being designated as the polling place for Bush Fair West, replacing William Martin School.
 - ii) Church Langley Community Centre being designated as the polling place for Church Langley East, except for Parliamentary Elections and referenda where Henry Moore Primary School will continue to be used.
 - iii) The creation of a new polling district for Newhall (designated HC) Old Harlow South, using Newhall Primary Academy as the polling place.
- B** The Electoral Registration Officer reflect alterations required as a result of the review in the revised Electoral Register, to be published in accordance with the statutory timetable.
- C** The Acting Returning Officer be authorised to identify and designate alternative polling places should a requirement arise of necessity prior to the next scheduled review.

BACKGROUND

1. Under the Electoral Administration Act 2006 there is a statutory requirement for the Council to review its polling places every four years. To comply with this, the Council must finalise its review by 1 December 2019.
2. The Council began a review on 1 July 2019 which was split into two stages. The first stage gave the public the opportunity to make initial representations until 31 July 2019. Following consideration of these representations the (Acting) Returning Officer published their proposed changes on 22 August 2019. The

public were invited to make representations on these proposals by 20 September 2019.

3. A notice of the review was published on the Council's website. Copies were also sent to all local Councillors, County Councillors, the local MP, all current polling places, social media and local notice boards. The responses are attached as Appendix B to the report, but are also summarised below:
 - a) Bush Fair West – William Martin School
 - i) Closing school causes unnecessary disruption and is difficult to justify given the low turnout at recent elections;
 - ii) Imminent loss of car parking opposite school; and
 - iii) Other suitable venues within area.
 - b) Church Langley East – Henry Moore Primary School
 - i) Unnecessary to close school due to disruptive impact on education and costs to families given low turnout; and
 - ii) Church Langley Community Centre is a much bigger venue and is more suitable with better parking.
 - c) Great Parndon East – Jerounds Primary School
 - i) Unnecessary to close school due to disruptive impact on education and costs to families given low turnout.
4. The Council is required by law to divide its area into polling districts for the purpose of Parliamentary Elections and to designate polling places for those districts. The current list of polling districts and places is attached as Appendix C to the report
5. Consideration must be given to the law and the Electoral Commission's Guidance. This means that the Council must:
 - a) Seek to ensure that all electors in the constituency have such reasonable facilities for voting as practicable in the circumstances;
 - b) Seek to ensure that so far as is reasonable and practicable, the polling places they are responsible for are accessible to all electors, including those who are disabled, and when considering the designation of a polling place, must have regard to the accessibility needs of disabled persons;
 - c) The polling place must be within the polling district (and therefore ward) unless special circumstances make it desirable to designate an area

wholly or partly outside the district (for example, if no accessible parking can be identified in the district).

6. The law makes provision for the (Acting) Returning Officer to use school premises for the purpose of taking a poll free of charge. In addition to this, schools are often used because they are centrally located, well known venues, with good disabled access and parking.

ISSUES/PROPOSALS

7. The (Acting) Returning Officer considered the following factors, in addition to those set out in paragraph 5 of this report:
 - a) Central or convenient location for the maximum number of electors in the ward;
 - b) Physical accessibility, especially for those with mobility difficulties;
 - c) Guaranteed availability;
 - d) Consistent availability;
 - e) Venue is well known to electors;
 - f) Cost;
 - g) Condition of building and facilities; and
 - h) Impartial and ethical use of the building/location.
8. The (Acting) Returning Officer's comments on representations received and any subsequent recommendations are below.
 - a) Bush Fair West – William Martin School
 - i) It is noted that the current polling place is unsuitable given the high level of Special Educational and Disability (SEND) children that attend.
 - ii) The loss of nearby parking also will make the current polling place less suitable.
 - iii) St Stephen's Church is more accessible to voters, with better access and facilities. It is therefore proposed that the polling place is changed to St Stephen's Church.

b) Church Langley East – Henry Moore Primary School

- i) Representations about the suitability of Henry Moore Primary School have been made during previous reviews and it was noted that use of Henry Moore Primary School had declined since its use as polling place began in 2008. The turnout during the 2019 Local Elections (excluding postal votes) was 18.5 per cent.
- ii) The school is unable to open up its staff car park until after 6pm as it is required for staff. The school playground cannot be used due to Police concerns about behaviour when it was previously used.
- iii) Church Langley Community Centre is in a good location within the Ward, with good parking, and is big enough for the whole Ward for lower turnout elections.
- iv) However for higher turnout polls, such as Parliamentary Elections, there are concerns about queuing at the Church Langley Community Centre. It is therefore proposed that Church Langley Community Centre is the new polling place for Church Langley East, except for Parliamentary Elections/referenda where Henry Moore Primary School be used. When the school is used, the Council will designate a disabled parking area outside of the School's gates and will suspend parking restrictions next to the School.

c) Great Parndon East – Jerounds Primary School

- i) The current polling place is centrally located and easily accessible. Alternatives are not centrally located, so although it is noted that there is disruption to students, it is not proposed to make any changes.

9. The (Acting) Returning Officer has also made the following representation not arising from comments received during the consultation. The representations are attached as Appendix D to the report.

a) Old Harlow South

- i) To reflect the increasing size of Old Harlow West due to the Newhall development, it is necessary to create a new polling district. It is proposed that the new district will be called Old Harlow South and will comprise the Newhall development. The Newhall Primary Academy would be used as the polling place, subject to the agreement of the academy trust.

10. All other polling districts and places received no representations in respect of them and are considered appropriate.

11. Consultation on the (Acting) Returning Officer's Representation began on 22 August 2019 and ended on 20 September 2019. The responses are attached as Appendix D to the report and are summarised below:

a) Bush Fair West

- i) The nursery at William Martin School can be isolated from the rest of the school, or the school can earmark an INSET day.
- ii) Parking will not be lost due to Bushey Croft development.

b) Church Langley West

- i) Supportive of change, but unclear why Henry Moore Primary School will be used for Parliamentary Elections/referenda.
- ii) Disagree with proposed changes. There have been no changes since the previous review. The school can use INSET days and the school is centrally located within the polling district. Parking issues are only anecdotal and it would be more difficult, and discriminatory, for the majority of the electorate to travel to Church Langley Community Centre. It will be confusing to have different arrangements for different elections.

c) Old Harlow South

- i) Unnecessary and inappropriate to use Newhall Primary Academy as it creates disruption to parents and can pose a safeguarding risk.
- ii) There are other locations nearby to the school which should be considered.
- iii) There is a need to create a new polling district.
- iv) Support the use of the school as a polling place.

12. The (Acting) Returning Officer has considered the issues raised as part of the second phase of consultation and considers that the proposed changes set out in Appendix A to the report remain appropriate.

13. The changes to the Electoral Register will take effect from 1 December 2019 unless a Parliamentary General Election is called. The Electoral Registration Officer will make the changes accordingly.

Changes to a Polling Place Before the Next Statutory Review

14. If a polling station becomes unavailable the (Acting) Returning Officer will first consider whether it is feasible to use a different room or area within a designated polling place.

15. If a polling place is or will become unavailable and sufficient time permits, a review will take place and a decision on a replacement polling place will be made by Full Council.
16. However, in an urgent situation where it is not feasible to make alternative arrangements within a designated polling place, such as the building was destroyed by fire or unsafe, the Council's Scheme of Delegation to Officers would apply whereby the Chief Executive, or another designated Officer in their absence, would identify and designate an alternative polling place taking into account paragraphs 5 and 7 above.

IMPLICATIONS

Environment and Planning (Includes Sustainability)

None specific.

Author: Andrew Bramidge, Head of Environment and Planning

Finance (Includes ICT, and Property and Facilities)

There may be some additional costs incurred where buildings other than schools are used. These costs can be met from within existing budgets.

Author: Simon Freeman, Head of Finance and Deputy to the Chief Executive

Housing

None specific.

Author: Andrew Murray, Head of Housing

Community Wellbeing (Includes Equalities and Social Inclusion)

Appropriate bodies have been consulted over access needs.

Author: Jane Greer, Head of Community Wellbeing

Governance (Includes HR)

As contained within the report.

Author: Simon Hill, Head of Governance

Appendices

Appendix A – (Acting) Returning Officer's Representation

Appendix B – Responses Received from Stage 1 Consultation

Appendix C – Current List of Polling Districts

Appendix D – Responses Received from Stage 2 Consultation

Background Papers

None.

Glossary of terms/abbreviations used

INSET – In-service Training Day

SEND – Special Educational and Disability