

REPORT TO: CABINET

DATE: 13 NOVEMBER 2014

TITLE: REVIEW OF POLLING DISTRICTS AND PLACES 2014

LEAD OFFICER: MALCOLM MORLEY, (ACTING) / RETURNING OFFICER (01279) 446001

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This is not a Key Decision

**This decision is not subject to Call-in procedures for the following reason:
This decision is being taken in the role of election authority and not as part of normal Council business.**

This decision will affect the Wards of Church Langley and Little Parndon and Hare Street.

RECOMMENDED that:

- A** The current polling districts remain unchanged.
- B** With effect from 1 December 2014 the current polling places remain unchanged except for the :-
 - 1) designation of the Church Langley Community Centre as the polling place for the Church Langley Ward for all elections, except for parliamentary elections, for which the polling place for the Church Langley East polling district shall be the Henry Moore Primary School.
 - 2) designation of the Little Parndon School as the polling place for the polling district of Little Parndon and Hare Street East.

REASON FOR DECISION

- A** The role of the (Acting) / Returning Officer and the Council as part of the democratic system is to maximise public participation in the electoral process. These proposals seek to ensure that this objective is fully achieved.
- B** To comply with the Electoral Administration Act 2006.

BACKGROUND

1. The Electoral Administration Act 2006 introduced a statutory requirement for councils to conduct a review of polling places every four years. In compliance with that Act, reviews were carried out during the summer of 2007 and 2011. This, the third review, has been carried out this summer between 16 June 2014 and 29 August 2014. Public comments have been sought and responses have been received in connection with fifteen polling stations. Cabinet is asked to consider these representations and the subsequent recommendations of the Council's (Acting) / Returning Officer.
2. A notice of the review was published on the Council's website, a copy was sent to all local Councillors, all County Councillors, election agents, the local MP, the venues currently used for polling stations, Hemu (Harlow Ethnic Minority Umbrella) and the Harlow Area Access Group. Respondents were given the opportunity to either express their views on-line via the Council's website or in writing to the (Acting) / Returning Officer. Appendix 1 summarises the responses received. There were no responses received for the Summers and Kingsmoor Ward.
3. The Council is required by law to divide its area into polling districts for the purposes of parliamentary elections and designate the polling places for those districts. The law also provides for the Council to divide its wards into polling districts for local elections. Traditionally, the same polling districts are designated for all elections. Attached at Appendix 2 is a list of the current polling districts and places. There were no representations made on the polling districts and there are no proposed changes to them.
4. The law and the statutory guidance issued by the Electoral Commission also requires that councils must :-
 - a) Seek to ensure that all electors in the constituency have such reasonable facilities for voting as are 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 polling place can be identified in the district).

5. The law makes provision for the (Acting) / Returning Officer to use school premises for the purpose of taking the poll free of charge. Schools are very often used by (Acting) / Returning Officers because they are centrally located, well known venues in the community and have disabled access.
6. Where possible venues other than schools are used, but in selecting polling places the factors considered by the (Acting) / Returning Officer in addition to paragraph 4 above are:-
 - (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 well known to electors.
 - (f) Cost.
 - (g) Condition of building and facilities.
 - (h) Impartial and ethical use of the building / location.
7. Schools often match these requirements more closely than other venues and sometimes are the only venue in the polling district that meets them.

THE (ACTING) RETURNING OFFICER'S COMMENTS AND RECOMMENDATIONS ON THE RESPONSES RECEIVED FOR A CHANGE IN THE POLLING PLACE

Bush Fair Ward (Purford Green Community Centre)

8. The alternative suggested use of the Pear Tree Mead School is not in keeping with the statutory guidance as it is within a different ward. There are two existing polling places within the Bush Fair Ward and both are centrally located.

Bush Fair Ward (William Martin Junior School)

9. The alternative suggested use of the St Stephens Church has been considered, but is not recommended due to the limited off-road parking facilities and that the current polling place has been successfully used for many years and is familiar to the local voters.

Church Langley Ward (Henry Moore Primary School)

10. In response to representations raised as part of the last statutory review in 2011, the report to Cabinet on 17 November 2011 included turn out statistics following the creation of the two polling places for the Ward in 2008, which demonstrated that public participation in elections had increased as a result :-

Election	Harlow Overall Turnout (incl. Postal Votes)	Church Langley Turnout (incl. Postal Votes)	BA Henry Moore (excl. Postal Votes)	BB Community Centre (excl. Postal Votes)
Local 2007	34.75%	27.90%	Single polling station 22.93%	
Local 2008	33.90%	28.28%	21.20%	20.77%
County 2009	33.33%	32.47%	25.82%	25.45%
Local 2010 (plus Parliamentary)	63.26%	67.59%	56.87%	55.67%
Local 2011	37.03%	34.11%	25.05%	22.22%

11. Since then there have been four further elections, which for the exception of the latest, has seen a reduction of voters using the Henry Moore Primary School compared to the Church Langley Community Centre.

Election	Harlow Overall Turnout (incl. Postal Votes)	Church Langley Turnout (incl. Postal Votes)	BA Henry Moore (excl. Postal Votes)	BB Community Centre (excl. Postal Votes)
Local 2012	28.43%	24.32%	18.15%	19.26%
P&CC 2012	12.66%	12.06%	4.78%	5.40%
County 2013	25.95%	n/a	18.73%	20.04%
Euro & Local 2014	33.48%	33.12%	27.77%	27.66%

12. This reduction may be attributable to complaints which have been received at most elections regarding lack of parking facilities (particularly for disabled voters) and anecdotal comments of voters not voting due to accessibility. The School has confirmed that it cannot open up the staff car park until after 6 pm as it is required for its staff. In the past, the School playground has been made available for voter parking but this was stopped by the School following police attendance over behaviour concerns, who deemed it unsafe to use.
13. In view of the reduction of voters using the School it is proposed that for all elections, except for parliamentary elections that the voting arrangements return to pre 2008, in that the polling place for the Church Langley Ward is the Church Langley Community Centre.
14. However, for parliamentary elections, due to the high level of turnout and past concerns over queuing at the Church Langley Community Centre, that the Henry Moore Primary School is designated as the polling place for the Church Langley East polling district. The Council will continue to designate a disabled parking area outside of the School gates and suspend parking restrictions next to the School.

Great Parndon Ward (Jerounds Primary School)

15. The current polling place is centrally located whereas the suggested alternative use of the Great Parndon Community Association building is considered not, as it is located within the bottom right hand corner of the polling district.

Harlow Common Ward (Potter Street Baptist Church)

16. The request by the residents of Oaktree Gardens to move the Ward boundary has been previously reviewed by the Council, and the residents have been informed on a number of occasions that it is not possible for the Council to determine this, as it is a matter reserved to the Boundary Commission.
17. The current polling station is centrally located whereas the suggested use of the St Mary Magdalene Church is considered not, as it is located at the southern bottom edge of the polling district.

Little Parndon & Hare Street (Adult Community Learning Centre)

18. This venue will not be available for use as a polling place for the foreseeable future as it is being redeveloped for an alternative use.
19. There are only three viable options for a replacement venue within the Ward a) the Kingdom Hall of Jehovahs Witness; b) to create / combine two polling stations within the current polling place of the Little Parndon School; or c) to use the Colt Hatch Social Club. Enquiries were made of the Kingdom Hall of Jehovahs Witness but they were declined and the social club is used by the Labour Party as its social club, which could create impartiality concerns. Therefore, it is proposed that option b) shall apply.

Mark Hall Ward (Tany's Dell Community School)

20. The suggestions to use the St Mary at Latton Church Hall or the Harlow Museum are not considered appropriate alternative venues as both are not central locations, and there is not sufficient parking available for the Church. The Lords Vine (Redeemed Christian Church of God) has been used as a temporary polling place whilst refurbishment works were carried out to the school. However, complaints were received over disabled access to the building, and there is no dedicated car parking provision other than some spaces in the adjacent layby, whereas the school has its own parking facilities. Therefore, it is proposed to continue to use the Tany's Dell Community School as a polling place.

Netteswell Ward (David Livingstone Church)

21. Concerns over the disabled access to the venue will be investigated and appropriate action taken.

Old Harlow Ward (ABC Children's Centre)

22. The alternative suggested use of the Victoria Hall is not considered appropriate due to the parking restrictions around the front and side of the venue, which would require voters to either park illegally or some distance away from the venue.

Toddbrook Ward (Harlow Playhouse)

23. The previous review in 2011 outlined concerns made that the use of the Northbrooks House was out of the way and not easily found by many residents who then complain, and that the Playhouse as a proposed venue was actually closer to the centre of the polling district. The further comment requesting a move back to the William Martin School is not feasible as this is located in the Bush Fair Ward.

CHANGES TO A POLLING PLACE BEFORE THE NEXT STATUTORY REVIEW

24. 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.
25. 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 the Cabinet.
26. However, in an urgent situation where it is not feasible to make alternative arrangements within a designated polling place e.g. the building was destroyed by fire or unsafe, the Council's Scheme of Delegation to Officers would apply whereby the Chief Executive, Chief Operating Officer or another designated Officer in their absence, would identify and designate an alternative polling place taking into account paragraphs 4 and 6 above.

IMPLICATIONS

Regeneration (includes Sustainability)

None specific.

Author: **Graeme Bloomer, Head of Regeneration**

Finance (Includes ICT)

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

Author: **Simon Freeman, Head of Finance**

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: **Graham Branchett, Chief Operating Officer**

Governance (includes HR)

Contained within the report.

Author: **Brian Keane, Interim Head of Governance**

Background Papers

None

Glossary of terms/abbreviations used

Polling district is a geographical area created by the sub-division of a UK Parliamentary constituency or a District Council Ward for the purposes of an election.

Polling place is the building or area in which polling station(s) will be selected by the (Acting) Returning Officer. A polling place within a polling district must be designated so that polling stations are within easy reach of all electors across the polling district.