

POLLING DISTRICTS AND POLLING PLACES – REVIEW 2013/14

Relevant Portfolio Holder	Councillor J Fisher, Portfolio Holder - Corporate Management
Portfolio Holder Consulted	Yes
Relevant Head of Service	Head of Legal, Equalities and Democratic Services
Wards Affected	All Wards
Ward Councillors consulted	Yes
Not a Key Decision	

1. Purpose of Report

- 1.1 The report sets out the findings of the formal review of Polling Districts and Polling Places, as required under the Representation of the People Act 1983 and Electoral Registration and Administration Act 2013, and as based on Electoral Commission Guidance. The Review has to be conducted before 2015 to cover a 5-year period.
- 1.2 The recommendations below, and in the attached Appendix 1, set out Officers' proposals arising from the Review. If approved by the Council on 27 January, any amendments required to be made in respect of Polling Place arrangements for Elections, Referendums, Polls, and associated Electoral Registration arrangements, will have effect from the date of publication of the revised Register of Electors on 14 February 2014.
- 1.3 To meet statutory deadlines for publication of the new Register of Electors, for use in all elections to be held in the following 12 month period, decision of the full Council will be required by 27 January 2013 latest.

2. Recommendation

The Committee is asked to RECOMMEND that

- 1) **a) the Polling District changes indicated on the Plan attached to this report at Appendix 4A be made to Brockhill Polling District (BYB) in the Batchley and Brockhill Ward, to generate a new Polling District (BYD), with effect from the date of publication of the next revised Register of Electors (14 February 2014);**
b) subject to a) above, the new Polling District (BYD) be named EITHER 'Lowans', OR 'Brockhill East';

(Note: selection of 'Lowans' would leave 'Brockhill East' free for later use further East, if necessary.)

- c) in the case of 'Brockhill East' being selected at b) above, the current 'Brockhill' Polling District (BYB) be redesignated 'Brockhill West';
- 2) the Council designate the entire new Polling District 'BYD' as the Polling Place for the Polling District, until such time as planned new community facilities/school are built and available for this purpose and that, thereafter, they be the designated Polling Place;
- 3) further to 2) above, in the interim, authority be delegated to the (Acting) Returning Officer, in consultation with Leaders, Portfolio Holder and Ward Members, to confirm the precise location of the new portable unit(s) to provide Polling Places within the new 'BYD' Polling District;
- 4) In respect of Appendix 1 to the report ('Review Final Recommendations',)
 - a) there be no change to existing arrangements, where indicated;
 - b) (further recommendations to be determined in relation to options detailed in the Appendix in relation to:

Church Hill North Polling District (CHB) Church Hill Ward, St Peters Polling District (CCA) Crabbs Cross Ward, and Highfields Polling District (HOB) Headless Cross and Oakenshaw Ward); and
 - c) any decisions under b) above take effect from 14 February 2014;
- 5) a proposed new voluntary contract in respect of the use of private premises as Polling Places, as illustrated at Appendix 3 to the report, be endorsed and implemented with immediate effect.

3. KEY ISSUES

Financial Implications

- 3.1 Subject to the Council's final decisions (programmed for January), there may be some minor financial implications for the Council which arise directly from this report, at this time, but which can be contained within existing budgets.

- 3.2 Apart from the many other disadvantages of using portable buildings as Polling Station venues, significant financial savings can be made if permanent buildings are used, as detailed elsewhere in the report (paragraph 3.10/3.11 refers).

Legal Implications

- 3.3 The subject Review has been undertaken as required under the Representation of the People Act 1983 and Electoral Administration Act 2013, and in accordance with relevant Electoral Commission Guidance.
- 3.4 a) Authority to set Polling District boundaries and to designate Polling Places rests with the full Council (Statutory elements of the Council's Constitution under the Local Government Act 2000).
- b) Decisions about the situation of Polling Stations within designated Polling Places are for the (Acting) Returning Officer. Arrangements must comply with relevant provisions of the Representation of the People Acts and Regulations and the Equality Act 2010.
- 3.5 "Relevant authorities" (such as Redditch BC) must
- "a) seek to ensure that all the electors in the Constituency have such reasonable facilities for voting as are practicable in the circumstances"; and
- "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. If it is necessary to use a place where the access is not ideal, then every reasonable adjustment must be undertaken to provide access for all electors."

Service / Operational Implications

- 3.6 Officers continue to attempt to identify polling station locations which improve both general accessibility and access for people with disabilities, but regret that this is not always possible to achieve, mainly because:
- a) available buildings are not in the ownership or under the control of the Council; and/or
- b) there are no suitable alternative premises available within the Polling District or Ward.

'Starting Points' for selection of Polling Places/ Stations

- 3.7 Polling Stations located within publicly funded premises (such as schools and local authority meeting rooms) are generally preferred as their availability can be relied upon and costs are low (the (Acting) Returning Officer has statutory powers to requisition such premises, which are generally well located and accessible). However, the schools themselves and pupils' parents are often understandably reluctant to accept their use as Polling Stations because of the impact of closures on their activities or on childcare.

If schools are designated, First Schools are normally selected because of reduced impact on important examination processes for older pupils.

- 3.8 Second choice for Polling Stations would be private venues. However these have the disadvantage of being more costly, as more commercial fees may be charged. The Returning Officer cannot guarantee their availability, as owners/managers of premises have the right to refuse hire at any time, without explanation.

For this reason Officers recommend the introduction of a new voluntary 'Contract' to endeavour to secure such premises more reliably and, in particular, to better secure 'succession' when/if management changes.

- 3.9 When there are no other appropriate alternatives, portable buildings may be used for Polling Stations. However, these are significantly more expensive than other premises and may often provide inadequate accommodation and accessibility for voters with disabilities.

- 3.10 As a rough guide, an average Portable Polling Station costs around £1,500 to hire, heat & light (installation of Portable Unit plus portable toilet / provision of power/generator, but costs would increase dramatically if a supplier other than the current one had to be used.) The equivalent average cost of private premises would be around £300 and premises provided via public funding charge only for additional heat, light and caretaking and therefore only around £100 each time.

Key Issues

- A. Batchley & Brockhill Ward - Brockhill East Developments (proposed 'BYD' Polling District) (Appendix Plan 4A refers)
- 3.11 The considerable new developments (both current and projected) in the area of Brockhill East indicate a need for a further Polling Station. Although a school is eventually planned within the area, until such time as this is available a site for a new portable unit will need to be identified and Polling District boundaries reset between the current existing BYB (Brockhill) area and proposed new BYD (suggested name - 'Lowans' or 'Brockhill East') Polling District.
- 3.12 'BYD' Polling Station(s) would serve residents of both sides of Brockhill Lane and all current phases of development to the East of Brockhill Lane. Negotiations are taking place with the developers, Persimmon Homes, over suitable sites for Portable Units and outcomes will be reported to the Committee or full Council, dependent upon when initial agreement is reached on the location. In the interim, Officers recommend exceptional designation of the entire Polling District as 'Polling Place' which will enable later decisions to be readily taken, in consultation with Members, as to precise location of the temporary portable unit(s). (Recommendations 1), 2) and 3) above refer.)
- B. Central Ward – Smallwood Polling District (CEB) (Appendix Plan 4B refers)
- 3.13 Members noted last year that, as a result of a County Council review, Ipsley Youth House would no longer be available for use as a Polling Station for the Smallwood Polling District (CEB).
- 3.14 No suitable alternatives could be identified, so the Council agreed to use a Portable Building to be located on the Car Park adjacent to Youth House and Black Horse Public House.
- 3.15 Recent Council reports have indicated that former Council-owned premises in South Street may possibly become available once again for use, so Officers will maintain a watching brief and will report to Members further if this option becomes viable. In the interim there is no choice other than the continued use of the portable building.
- C. Church Hill Ward – Church Hill North Polling District (CHB) (Appendix Plan 4C refers)
- 3.16 Consultation with the current contacts at Abbeywood First School triggered a request that the Council cease use of the school as a Polling Place.

- 3.17 If Members are minded to consider this request, Officers consider St Andrew's Church to offer suitable alternative premises (as indicated on the Plan attached to the report at Appendix 4C and included in the Display in the Town Hall Foyer). Minor savings could be made here, as the Church is already used as a Polling Place for Church Hill 'Marfield' Polling District (CHD). St Andrew's Church is located fairly close to the School and offers sufficient space and separate rooms to comfortably accommodate further polling stations.
- D. Church Hill Ward – Church Hill West Polling District (CHC)
(Appendix Plan 4D refers)
- 3.18 Officers have from time to time reported concerns with the current Polling Station at Marfield Barn premises, as they are hard to signpost and find for new voters, uncomfortable for Polling Station staff (cold, draughty and windows boarded up), and occasionally in the past in need of repair for the Health and Safety of those attending the Polling Station.
- 3.19 However, the premises are well located within the Polling District and substantially better options have yet to be identified. Officers have recently visited the site and report that, from the outside at least, the premises appeared to be in a better state of repair than when last inspected. No change is therefore proposed here.
- E. Crabbs Cross Ward – St Peters Polling District (CCA)
(Appendix Plan 4E refers)
- 3.20 Consultation with current premises' contacts triggered a request that the Council cease use of Crabbs Cross Academy (former Harry Taylor First School) as a Polling Place.
- 3.21 Entirely coincidentally an approach has been made by representatives of the Church of Jesus Christ and Latter Day Saints to offer their church premises as a Polling Place. Officers have visited the premises and find them eminently suitable.
- F. Crabbs Cross Ward – Callow Hill Polling District (CCC)
(Appendix Plan 4F refers)
- 3.22 Representations have been made by one resident of Milford Close, that electors from her area should be able to vote at the Gazebo, Foxholes Lane, rather than at the Windmill Community Centre, Ryegrass Lane, on the basis that it is easier to access the Gazebo on foot.
- 3.23 Officers have looked into this further and find that the two Polling Stations are almost exactly equidistant for anyone walking from the entrance to Milford Close (via an underpass under Windmill Drive

near to the Bramley Cottage Public House) and, in the absence of any further representations from other residents, or local elected representatives, propose to make no change to present arrangements.

- 3.24 A prime consideration is that the Gazebo offers very limited and 'special' accommodation in terms of its use as a Polling Station, so unfortunately is not suited to serve any material increase in numbers. No change to Polling District Boundaries is therefore proposed.
- G. Headless Cross & Oakenshaw Ward - Highfields Polling District (HOB) (Appendix Plan 4B refers)
- 3.25 Members may recall that Methodist Church representatives gave notice that their Schoolroom would no longer be available for use as a Polling Station for the Highfields Polling District (HOB) after 2013.
- 3.26 In view of this, the Council agreed to locate a portable building on the Headless Cross shoppers' Car Park at 'the Green'.
- 3.27 As part of the current Review, Officers have investigated the possible use of the Rocklands Social Club Function Room and found it to be more than suitable for Polling Station use, more centrally located within the Polling District it would serve, and preferable in almost every respect to the proposed portable unit. The Club Secretary has confirmed his interest in making his premises available for this purpose.
- 3.28 In view of the east-west focus of the Polling District since last year's review, it is suggested that 'Birchfield' might now be a more descriptive name than the existing 'Highfields'.
- H. Lodge Park Ward – Holloway Polling District (LPB) (Appendix Plan 4H refers)
- 3.29 Some comments have been received about a degree of conflict of use of the communal room at Harry Taylor House with residents' needs. However no other viable Polling Place has been identified within this electoral area.
- 3.30 Comments have also been received about the possibility of improving the Polling Station entrance / exit arrangements for persons with disabilities by the Council providing a handrail. This matter is outside the strict remit of the review, but is being pursued separately with Housing Officers.

- I. Lodge Park, Ward – St Georges Polling District (LPC)
(Appendix Plan 4I refers)
- 3.31 The Polling Station currently located at the Communal Room in Beoley Road serves a relatively small number of electors and Officers sometimes query its financial cost-benefit.
- However, local Members have requested that the Polling Station arrangements remain unchanged here in view of the age and disability profile of many electors which this station serves and its particular location within the Redditch Road network.
- J. Winyates Ward – Winyates West Polling District (WIB)
(Appendix Plan 4J refers)
- 3.32 Consultation with current premises' contacts at Roman Way First School has triggered a request that the Council cease use of the school as a Polling Place.
- 3.33 Officers have investigated the suitability of Winyates Barn in Fownhope Close/Winyates Centre as an alternative to the School and, although it could potentially serve as a Polling Place, it does have a range of disadvantages, particularly for persons arriving by car to vote, such as limited parking and less satisfactory access for persons with disabilities. It is also considerably less central to the Polling District which it serves than the School.
- K. Abbey Ward – Riverside and Papermill Polling Districts (ABA/ABB)
(Plan 4A shows the area below 'Bordesley Bridge' adj A441.)
- 3.34 Following the close of consultation at the end of November, it has been brought to the Election Team's notice that a development of some 200 dwellings has received Outline Consent for the site delineated by Birmingham Road, the Railway Line and Weights Lane in Bordesley.
- Once completed, this would trigger a need for review of the boundaries of two existing Polling Districts - Riverside and Papermill (ABA/ABB).
- 3.35 However, at this early stage, and without better knowledge of realistic timescales for the development, Officers recommend that this merely be noted and that further report be brought forward at an appropriate time – if and when necessary.

Consultation

- 3.36 A very broad consultation exercise has taken place as required as part of this formal review. This included direct contact with local Political Party representatives and elected representatives – MP/MEP's; Borough Council and County Council Members, relevant Borough and County Council Officers and the local Police.
- 3.37 The consultation drew only limited interest and most responses were for no change to current arrangements. But all resultant comments have been reflected in the report, or else in the Summary of Responses at Appendix 1 to the report, as appropriate.
- 3.38 The (Acting) Returning Officer has a statutory obligation to respond to the consultation and her comments are incorporated in the Summary of Responses attached to the report at Appendix 1.
- 3.39 The consultation was a full open public exercise, but particularly targeted representatives of relevant interest groups, such as disability access and other disadvantaged minority groups. No responses have been received from any of these groups or their individual members to date.
- 3.40 A formal Public Notice at the beginning of the Review and subsequent press releases have been issued to local media organisations, triggering local newspaper and internet coverage.
- 3.41 Some responses raised matters beyond the scope of the review and therefore, although reflected in the Summary list, did not lead to further consideration within this report, or formal recommendations. However the points have been noted and may influence later processes as appropriate.

Customer / Equalities and Diversity Implications

- 3.42 The Council's Customer Care / Equalities policies directly cross-relate, particularly in relation to Access issues. Accessibility for members of minority or disadvantaged groups is a key issue in the selection of suitable Polling Stations.
- 3.43 Where possible Polling Station selection should also have due regard to increasing turnout.

4. **RISK MANAGEMENT**

- 4.1 Any changes agreed must be likely to be sustainable for a reasonable number of years, as frequent changes of Polling Station are not helpful for electors and undermine their knowledge of, and confidence in, electoral systems.
- 4.2 Choice of Polling Place / Polling Station should not give rise to significant grounds of complaint which might put election results at risk of challenge.
- 4.3 In terms of Environmental risks, it is of course preferable that choice of Polling Station location can help minimise unnecessary additional journeys by car / motorised vehicles.
- 4.4 In terms of Human Resources risks, the (Acting) Returning Officer must provide adequate levels and standards of staffing to secure proper polling arrangements.

The (A)RO must also, of course, have regard to the duty of care to election employees, given the exceptional hours they are required to work (normally beyond European Working Time Directive limits) and sometimes intense pressures triggered by turnouts at Parliamentary ('General') Elections.

In this respect some Polling Stations fall below generally acceptable standards – Portable Polling Stations in particular. This provides a further incentive to seek to identify improved Polling Station premises whenever possible.

5. **APPENDICES**

- 1. Schedule of (Acting) Returning Officer responses, with options / recommendations for change / no change
- 2. Brockhill East - New Polling District justifications.
- 3. Proposed voluntary agreement for Polling Station Premises
- 4. Plans – Polling Districts / Polling Stations featured in report *(not attached - all displayed at the meeting)*
 - :
 - A. Brockhill East Developments / new BYD Polling District
 - B. Central Ward – Smallwood – Portable Building
 - C. Church Hill – Abbeywood First School / St Andrew's Church
 - D. Church Hill - Church Hill Meeting Rooms / Marlfield Barn
 - E. Crabbs Cross - Church of Jesus Christ & Latter Day Saints

- F. Crabbs Cross / Callow Hill – The Gazebo
- G. Headless Cross - Rocklands Social Club
- H. Lodge Park – Harry Taylor House Communal Room
- I. Lodge Park - Beoley Road Communal Room
- J. Winyates Ward - Roman Way First School / Winyates Barn.

Note: Photographs and plans will be available/displayed at the meeting.

6. **Background Papers**

- Boundary Committee for England – Final recommendations on future Electoral Arrangements for Redditch, Worcestershire – dated July 2002
- Previously published Polling Stations Review reports / Minutes.
- Relevant Statutory provisions.
- Relevant correspondence on public file from consultees.

7. **Terms Used in report**

‘(Acting) Returning Officer’

Redditch Returning Officer, Mrs Sue Hanley, is designated (Acting) Returning Officer for Parliamentary Elections.

This is because the actual Returning Officer for a County Constituency, such as Redditch, is the High Sheriff for that County, which is a purely honorific title/role.

AUTHOR OF REPORT

Name : Susan Mould, Electoral Services Manager
E.mail : elections@bromsgroveandredditch.gov.uk .

Executive

Committee

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