

<b>Committee(s):</b> Ordinary Council	<b>Date:</b> 8 <sup>th</sup> October 2019
<b>Subject:</b> Review of Polling Districts and Polling Places	<b>Wards Affected:</b> All
<b>Report of:</b> Steve Summers, Electoral Registration Officer	<b>Public Report</b>
<b>Report Author:</b> Name: Carole Tatton-Bennett, Electoral Services Manager Telephone: 01277 312752 E-mail: carole.tatton-bennett@brentwood.gov.uk	<b>For Decision</b>

### Summary

This report details the responses received to the statutory review of polling districts and polling places, evaluates the issues raised and proposes amendments to the current schedule for Members' approval.

### Recommendation(s)

- R1. Members are asked to agree the modification in respect of the LB polling place description to 'The area within one mile radius of the junction of Larchwood Gardens and Ongar Road, Pilgrims Hatch'.**
- R2. Members are asked to agree the amendments in respect of the Pilgrims Hatch Ward listed at Paragraph 39 Option 2.**
- R3. Members are asked to agree the minor amendments to Brentwood South Ward and Tipps Cross – Stondon Massey Polling District as set out within the report at Paragraphs 14 and 41.**
- R4. Members are asked to approve the schedule of polling districts and polling places before them, as modified in accordance with the above resolutions.**

## **Main Report**

### **Introduction and Background**

1. The Council is required to conduct a review of polling districts and polling places within the Parliamentary Constituency in accordance with statutory regulations.
2. When designating polling districts, the council has a duty to seek to ensure that all the electors in the constituency have such reasonable facilities for voting as are practicable in the circumstances. In addition, and unless there are special circumstances that lead the council to determine otherwise, each parish must be in a separate polling district.
3. The polling place for a polling district must be within the area of the district unless special circumstances make it desirable to designate an area either wholly or partly outside of the polling district. The polling place must also be small enough to indicate to electors in different parts of the polling district how they will be able to reach their designated polling station.
4. In order for any changes to be included in the revised Register of Electors due to be published on 1st December 2019, the Electoral Registration Officer needs to be advised of any alterations to polling districts by the end of October.
5. Details of the existing arrangements were circulated to Ward Councillors in June 2019 and the relevant public notices were displayed. Local groups representing those with particular expertise in regard to access and disability were advised of the consultation and asked for their views. Feedback on accessibility issues was also obtained through the Polling Station Inspectors' reports. There were three responses to the public consultation, which closed on 29th August 2019, which are appended to the report. These form the basis of the developed options within the report.
6. The Returning Officer was consulted as part of the review process and his comments were published in accordance with the regulations.
7. It is the statutory responsibility of the Returning Officer for the particular election to provide a sufficient number of polling stations and allot the electors to those polling stations in such manner as he or she thinks the most convenient.

## **Issue, Options and Analysis of Options**

8. The Returning Officer reported that, in the main, the electoral arrangements have worked well within the Brentwood area and very little adjustment to the existing schedule of polling districts and polling places was needed.
9. He made minor recommendations for modification of the polling districts in respect of Brentwood South ward and the polling place description for the Stondon Massey (PB) polling district.
10. The Returning Officer did, however, raise concerns regarding the availability of suitable premises within the Larchwood Gardens (LB) polling district in the Pilgrims Hatch ward and made suggestions to overcome the difficulties experienced.
11. Details were circulated to all councillors to seek their views on the proposals.

### Proposals in respect of Brentwood South Ward

12. The ward is divided into four polling districts: Hogarth (BA), Rose Valley (BB), Three Arches (BC) and Thrift Park (BD).
13. Due to property development at the junction of Knights Way and Cherry Avenue, the situation has arisen where one floor of the building is addressed in each road. Normally addresses in Knights Way would be included in the Thrift Park (BD) polling district but the properties currently lie within the boundary of the Three Arches (BC) polling district.
14. To resolve this issue, the Returning Officer suggests that the boundary between polling districts BC and BD should be amended so that the following properties are included in the Thrift Park (BD) polling district:
  - 55, 57 and 59 Cherry Avenue
  - 40a Knights Way
15. This would mean that the electors would vote at St Stephen's Church instead of the Three Arch Bridge Community Hall in Maple Close. There are currently three electors who would be affected by the move.
16. No other amendments are proposed for the Brentwood South Ward.

### Proposals in respect of Pilgrims Hatch Ward

17. The ward is divided into two polling districts: Bishops Hall Park (LA) and Larchwood Gardens (LB).
18. The Returning Officer highlighted difficulties relating to the use of Larchwood Primary School as the polling station for the LB polling district. The 3,176 electors on this particular register mean that it is operated as a double polling station. He advised that the practical issues at the school are making it increasingly challenging to run the polling stations effectively and efficiently.
19. As no suitable alternative buildings that can accommodate the whole of this electorate have been identified in the polling district, the Returning Officer suggested that the polling stations be relocated to Bishops Hall Park Community Centre.
20. He advised that the building has two separate rooms, the larger of which could accommodate double polling stations for the LB polling district (3,176 electors), with the smaller being used for the LA polling district (currently 1519 electors). It also has an adjacent car park, which would assist voters with mobility issues or coming from outlying parts of the polling district, which would be an improvement over the existing arrangements at Larchwood Primary School. There would also be the potential for a small reduction in election costs.
21. As the polling place is presently described as 'the area within ¼ mile radius of the junction of Larchwood Gardens and Ongar Road, Pilgrims Hatch' the change envisioned would require a modification of this description. 'The area within 1 mile radius of the junction of Larchwood Gardens and Ongar Road, Pilgrims Hatch' would be an appropriate description.
22. Representation has also been received from the school's head teacher explaining the difficulties experienced and are included in the Appendix.
23. Following circulation of the proposed amendments, comments have been received from Ward Councillors against the changes. In particular, there was opposition to there being only one polling station location within the ward and the effect on those without transport and the elderly in reaching Bishops Hall Park Community Centre.
24. Ward councillors suggested that putting a portacabin in the school playground would be better than relocating the polling station altogether.
25. This option has previously been investigated but raises other issues, particularly regarding siting, ensuring sufficient capacity for electors (two units would be required) and additional costs. There could also be operational concerns when the school is open. In general, the Returning Officer would prefer not to be reliant on the provision of such temporary accommodation on a regular basis. Further enquiries

regarding portacabin hiring, including availability and price, have been made and details are currently awaited.

26. A Ward Councillor suggested that consideration should be given to using the Parish Room at the junction of Orchard Lane and Ongar Road as a third possible polling station. This building could provide accommodation for a single polling station but does not have the capacity to take the whole of the electorate from the current LB polling district. This would mean that the existing electorate would need to be split between two locations.
27. Having taken on board the concerns raised regarding the proposed relocation and the effect on electors, officers investigated whether there could be a compromise and identified that it would be possible to utilise the Parish Room for a smaller electorate. This would involve a modification of the existing polling district boundaries. The remainder of the electorate would be transferred to the LA polling district and would vote at Bishops Hall Park Community Centre. (Option 3 below)
28. The potential redistribution of electors shown in the appendix takes account of the location of the two proposed polling stations and has been drawn up to minimise travel distances for electors that would be affected by the changes.
29. In addition, when notifying electors of the change in polling station, they would be invited to apply for postal votes should the distance or access arrangements cause them difficulty.
30. There has, however, been negative feedback to this latest suggestion, with Ward councillors favouring the retention of the existing arrangements and Larchwood Primary School continuing to be used as the location of the polling stations for the LB polling district.
31. Members will be aware that the Representation of the People Act 1983 sets out provisions for using schools for the purpose of taking a poll. Confirmation has been received from the Cabinet Member for Education and Skills at Essex County Council that a school cannot refuse to allow use of their premises for election purposes. There is nothing in the legislation which states that a school must close, merely that a room in the school has to be made available.
32. Although the Returning Officer has a right to use school buildings as polling stations, he is mindful of the issues raised by the school and the suitability of the alternatives under consideration.
33. Whilst appreciating the desire to retain Larchwood Primary School, there are risks attached in failing to address the issues being experienced. Also, the recent spate of

additional electoral events at short notice have exacerbated the situation for the school.

34. One way to provide flexibility to the Returning Officer would be to retain the existing polling district boundaries and amend the description of the polling place for LB to encompass the alternative location at Bishops Hall Park Community Centre for future consideration. (Option 1)
35. This would allow the Council to communicate to the Head Teacher the desire to retain the use of the school as a polling station, allow an alternative of siting portacabins at that location, if feasible, or to transfer the polling stations to Bishops Hall Park Community Centre should this become necessary in the future.
36. Under this arrangement, there would be no need to change the polling district boundary and the Parish Room at Orchard Lane would not be used as a polling station.
37. In order to resolve this matter for the future, there is a need to modify the polling place description for the LB polling district at the very minimum. Members are therefore requested to agree the following description: **'The area within 1 mile radius of the junction of Larchwood Gardens and Ongar Road, Pilgrims Hatch'**.
38. Having taken into account all the issues, including costs, travel distances, parking arrangements and accessibility considerations, officers consider the preferred option would be to relocate the LB polling stations to Bishop Hall Park Community Centre as outlined in the Returning Officer's response. (Option 2)
39. Members are therefore requested to determine which of the three options should be put in place:

**Option 1:** Retain the existing polling district arrangements for LA and LB but modify the polling place description for LB to allow flexibility for the Returning Officer to use a wider range of options for polling stations if necessary. (There are no accessibility issues identified with the school building itself but there is a lack of suitable parking at that location.) Additionally, write to the Head Teacher and Governors of Larchwood Primary School reminding them of the legal responsibility under electoral legislation to make the premises available for use as a polling station.

**Option 2:** Retain the existing polling districts LA and LB but modify the polling place description to transfer the electors for LB to Bishops Hall Park Community Centre, where the existing accommodation is large enough to accommodate the whole electorate for the Pilgrims Hatch Ward. (There are no accessibility issues

identified with the community centre and this location benefits from better adjacent parking provision.)

**Option 3:** Modify the LA and LB polling districts and polling places as set out in the appendix to split the existing LB electorate, with electors in the LA polling district voting at Bishops Hall Park Community Centre and electors in the resultant smaller LB polling district voting at the Parish Room. (There are no accessibility issues identified with the two locations, the community centre has better adjacent parking provision but there is limited parking at the Parish Room.)

#### Proposals in respect of Tipps Cross – Stondon Massey (PB) polling district

40. It was noted in reviewing the polling place details that the description for the Stondon Massey (PB) polling district referenced a particular building and it is suggested that this should be updated in line with other descriptions for ease of future reference.
41. It is therefore suggested that the polling place description be amended to 'the polling district'.
42. No other amendments are proposed for the Tipps Cross Ward.

#### Comments relating to events in other Wards

43. Members will be aware of Essex County Council's review of library provision and the recent uncertainty regarding Shenfield Library, which is currently used as a triple polling station for the Shenfield Ward.
44. Whilst there is currently no indication that facilities will not be provided, the situation will be monitored. Previously, the polling stations were located at Shenfield Parish Hall and this remains a suitable alternative should the library cease to be available.
45. Additionally, concern was raised regarding the future availability of Christy Hall in Ingatestone as a polling station for the KD The Furlongs polling district. Enquiries have been made and it has been confirmed that the premises will continue to be made available for elections.
46. No other amendments to the schedule of polling districts and polling places are therefore proposed.

## Reasons for Recommendation

47. The Council has a responsibility to ensure that suitable arrangements are made for the holding of elections in line with the statutory duties of the authority.

## Consultation

48. Details of the existing arrangements were circulated to Ward Councillors in June 2019 and the relevant public notices were displayed. The Returning Officer was consulted and his views are detailed in the report. The full response is appended. Responses to the public consultation, which closed on 29th August 2019, are appended to the report.

## References to Corporate Plan

49. To serve the needs of local people, to ensure the future wellbeing of our community.

## Implications

### Financial Implications

**Name & Title: Jacqueline Van Mellaerts, Director of Corporate Resources**

**Tel & Email: 01277 312829/jacqueline.vanmellaerts@brentwood.gov.uk**

50. Regards to proposals in Pilgrims Hatch

Option 1 - It has been suggested that portacabins could be used as alternative accommodation. There would be additional costs to provide this option and initial quotes have indicated that this could cost from £9,566.00 for two portacabins which do not include insurance and delivery. There could be costs and availability of manual staff to assist with the delivery and collection of portacabins as well as possible cost disruption implications to the school. Temporary installation of electricity and outside lighting as well as consideration to polling station staff allocation to the new stations will also need to be considered.

Option 2 – There will be no additional charge for hiring Bishops hall Park Community Centre as this is already hired as a polling station and will easily accommodate the additional electors. Small possible reduction in caretaking costs could be achieved.

Option 3 – The overall additional net cost for hiring the Parish Room would be approximately £20 because of the reduction in caretaking costs, so this option would be approximately cost neutral.

51. Minor amendments proposed in other wards do not have additional financial implications other than utilising existing staff resources.

### **Legal Implications**

**Name & Title: Paula Harvey, Corporate Governance Solicitor & Deputy**

**Monitoring Officer**

**Tel & Email: 01277 312705/paula.harvey@brentwood.gov.uk**

52. The recommendations set out within this report are lawful and within the Council's powers and duties. The Council has statutory duties within an existing legal framework to designate polling places within its parliamentary constituency and to undertake a compulsory review of those polling districts and polling places every five years.
53. In conducting a review of such polling places the local authority must seek to ensure that (i) all the electors in the constituency have such reasonable facilities for voting as are practicable in the circumstances and (ii) the polling places are accessible to all electors, including those who are disabled.
54. The Council must consult on its review of polling places, including seeking representations from such persons as it thinks have particular expertise in relation to access to premises or facilities for people with different forms of disability, and ensure that the outcome of this consultation is conscientiously taken into account as part of any lawful decision-making process.

### **Economic Implications**

**Name & Title: Phil Drane, Director of Strategic Planning**

**Tel & Email: 01277 312610/ philip.drane@brentwood.gov.uk**

55. No economic implications.

**Other Implications** (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

56. No other implications.

**Background Papers** (include their location and identify whether any are exempt or protected by copyright)

Schedule of Polling Districts & Polling Places – website

Notice of Review – website

Correspondence, background information for Members – Electoral Services Office

Polling Station Inspection reports – Electoral Services Office

### **Appendices to this report**

Appendix A - Schedule of Polling Districts and Polling Places: Review 2019

Appendix B - Returning Officer's Response

Appendix C - Responses received to the public consultation

Appendix D - Pilgrims Hatch Ward: Polling Districts and Polling Places Review 2019