

POLLING DISTRICTS AND POLLING PLACES REVIEW

Electoral Arrangements Committee – 27 October 2011

Report of the: Deputy Chief Executive & Director of Corporate Resources

Status: For Decision

Executive Summary: Legislation requires district councils to review the polling districts and polling places within its area by the end of 2011. This report outlines the existing and proposed scheme for the Sevenoaks District Council area.

Portfolio Holder Cllr. Mrs. Bracken

Head of Service Head of Legal – Mrs. Christine Nuttall

Recommendation to Electoral Arrangements Committee

- (a) the proposed polling scheme as shown in Appendix B be approved; and
 - (b) the timetable in paragraph 9 (in relation to the next phase of the review) be adopted.
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Reason for Recommendation: a review of polling districts and polling places is required by law to be carried out in 2011.

Introduction

- 1 The District Council completed a review of polling districts and polling places at the end of 2007 as required by the Electoral Administration Act 2006. A district council must complete a further review before the end of the period of four years starting with the completion of the previous review.
- 2 The process for conducting the review is further explained in the Review of Polling Districts and Polling Places (Parliamentary Elections) Regulations 2006. Although the legislation refers specifically to parliamentary elections, the Electoral Commission (EC) advised (in its circular dated 26 June 2007) that such reviews should be conducted simultaneously with a review of local government arrangements. EC further advises that the polling districts and places for parliamentary elections and local government elections should always be the same and this is the case currently in Sevenoaks.
- 3 District councils are required to divide their area into polling districts for the purpose of elections and to designate polling places for these polling districts. The aim should be to provide a polling place for every polling district that is easily accessible to all electors, including those with disabilities. Each parish has to have a separate polling district.

- 4 In Sevenoaks, we have taken the view over the years that we should avoid the use of school premises wherever possible because of the potential disruption to schooling. As a result, at the May 2011 elections only four schools were used as polling places and in each instance the school was able to continue as near normal. Also, when selecting new venues, consideration must be given to the assured availability of the premises even at short notice.
- 5 Wherever possible at polling places that have access issues, polling staff direct voters to an alternative entrance or set up ramps (where appropriate) in liaison with the caretaker of the premises.
- 6 As part of this review, the Returning Officer (RO) for the Sevenoaks District is required to comment upon the existing polling stations (i.e. the room or building where polling takes place) and upon any new proposals. Generally, the RO considers that no more than 1800 electors should be allocated to one polling station as it would be administratively difficult for the usual team of polling staff (comprising one presiding officer and two poll clerks) to handle more than this number. However, on the occasion of polling for multiple elections on the same day (as in 2011), the RO always reviews staffing levels.

The Process to Date

- 7 Notice of the review was given on 22nd August 2011 in the following ways:
 - notice displayed at Council Offices in Sevenoaks and Swanley;
 - article on the District Council website;
 - local news release;
 - letter to Sevenoaks District Councillors and to Kent County Councillors representing electoral divisions within the Sevenoaks District Council area;
 - letter to the Dartford, Sevenoaks and Tonbridge & Malling Members of Parliament and to MEPs representing the South East Region;
 - letter to all parish councils within the Sevenoaks District;
 - local political associations in Dartford, Sevenoaks and Tonbridge & Malling parliamentary constituencies of the three main political parties;
 - the Acting Returning Officer for the Dartford and Tonbridge & Malling parliamentary constituencies.
- 8 The notice and articles invited electors within the Sevenoaks District and all the above consultees to submit representations by Friday, 7 October and these appear as Appendix A. Persons or bodies making representations were requested to give alternative places that may be used for polling.
- 9 The envisaged timetable for this review is as follows:

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- Commencement of review Monday, 22 August 2011
- Deadline for representations Friday, 7 October 2011
- Electoral Arrangements Committee Thursday, 27 October 2011
- Full Council Tuesday, 29 November 2011

Following approval by the District Council, the polling scheme will be published and representations will again be sought over a six week period. Subject to responses, further meetings of the Electoral Arrangements Committee will be arranged.

Options (and Reasons for the Recommendation)

- 10 Appendix B contains details of electorates by polling district, the proposed polling place and reason for the choice and details of the number of polling stations at each polling place. Consideration has been given to any forthcoming developments in the Sevenoaks District that might affect electorates over the next few years. At the moment the only site that is likely to have any significant impact is the former West Kent Cold Store but it is hard to estimate when the anticipated increase in electorate will take effect. As with all new developments of any significant size, the impact will be kept under constant review. There is no need to wait until the next four yearly review before taking action.
- 11 Investigations have been carried out in six polling districts in an attempt to secure permanent changes to the existing venues:
 - (Sevenoaks) Hillingdon and (Sevenoaks) Wildernesse
 - (Swanley) Birchwood
 - (West Kingsdown) East Hill and (West Kingsdown) Knatts Valley
 - West Kingsdown East

Hillingdon and Wildernesse Polling Districts

11. The former Wildernesse School was the venue for these polling districts at least since 1974. A classroom was used allowing the school to function. Following ward boundary changes in 2003, this venue has been situated outside the Hillingdon polling district but after extensive consultation, it was agreed that Hillingdon electors should continue to use this venue as well as electors from Wildernesse polling district (where the building is situated).
12. However, in May 2011 the venue (now Knole Academy East) was not available and electors for these two polling districts had to attend St. John's C.E.P. School in Kennedy Gardens which is also the venue for Holly Bush polling district. To have electors from three polling districts at one venue is not an ideal situation particularly at multiple elections, as in 2011.

13. Enquiries have again been made of Knole Academy in order to return to this venue at future elections. Discussions are continuing and Members will be updated on progress at the meeting of the Committee.

Birchwood Polling District

14. In recent years both the Birchwood School and its replacement Birchwood Public House have closed. Inquiries were made of the new hotel at Birchwood before the 2011 elections and again recently but they are adamant there is no accommodation available that is suitable for polling purposes. At the 2010 parliamentary general election Birchwood electors voted at the White Oak Leisure Centre; this venue was not ideal in itself and its close proximity to the polling venue for White Oak polling district (White Oak Bowls Centre) caused some confusion amongst the electorate.
15. In 2011, therefore, Birchwood electors polled at White Oak Bowls Centre, Hilda May Avenue. Whilst there were initial access difficulties due to security arrangements, overall this was a better arrangement than the year before. I will ensure the access issues are not repeated and therefore the 2011 arrangements should continue for the present. Long term arrangements for the Birchwood polling district will be kept under review.

East Hill & Knatts Valley Polling Districts

16. For several years East Hill electors have had to poll at Woodlands Church Hall, Tinkerpot Lane, the same venue as Knatts Valley electors. As most electors will have to travel by car in order to vote, it is important to have car parking facilities: there are none at the current venue.
17. Enquiries have been made of the Woodlands Manor Golf Club, also in Tinkerpot Lane, which has ample car parking available. They are willing to accommodate a polling station and I recommend the use of these premises for both polling districts at future elections (using both the Church Hall and the Golf Club would cause elector confusion).

West Kingsdown East Polling District

18. The West Kingsdown Village Hall, Fawkham Road is no longer available for use as a polling station. Enquiries have been made of The Portobello Inn, London Road (at the junction with Fawkham Road) and they are willing to accommodate a polling station in their Function Room. Access will be from the car park and a ramp will be provided to assist electors with disabilities, if appropriate. I recommend this change on a permanent basis.

Key Implications

Financial

19. The permanent changes recommended to two polling venues are likely to lead to a very small saving in hire charges.

20. Investigations are underway to remedy the access difficulty at Edenbridge Scout HQ (Stangrove and South End polling district) at a maximum one-off cost of £150.

Community Impact and Outcomes

21. District councils are required to divide their area into polling districts for the purposes of elections and to designate polling places for these polling districts. The aim should be to provide a polling place for every polling district that is easily accessible to all electors, including those with disabilities.

Legal, Human Rights etc.

22. There are no legal or human rights implications in this report.

Resource (non-financial)

23. Staff input has been required to investigate alternative polling arrangements and will be required in order to keep polling arrangements under constant review.

Value For Money and Asset Management

24. Whenever there is a perceived lack of polling facilities within a polling district, suggestions are made by interested parties for the use of a temporary building. This involves the delivery and setting up of a “portacabin” containing furniture, ramp access, toilet facilities and a generator to provide electricity; there is also the security of these temporary structures to consider. Enquiries of neighbouring authorities indicate a cost of well over one thousand pounds for the use of each “portacabin”. I believe it is important on cost grounds, therefore, to try to find alternative solutions.

Conclusions

25. There have been many reviews of polling arrangements over the years, often as a result of boundary changes or the implementation of policies, e.g. alternatives to schools and an increase in the provision of polling places to encourage turn-out. In between, a constant watch is kept on providing the best facilities available. Not surprisingly, therefore, this review proposes a minimum of changes most of which have been enforced due to the non-availability of venues.

Risk Assessment Statement

26. Legislation requires district councils to carry out four yearly reviews, 2011 being a review year; there appears to be no legal sanction if this deadline is not met. Council approval of this report’s proposals ought to be obtained on 29 November 2011 and although representations upon the review may be received for six weeks after this date, the review itself will have been carried out within the timescale.

27. Section 18B of the Representation of the People Act 1983 (inserted by the Electoral Administration Act 2006) states

“the authority must seek to ensure that all electors in a constituency in its area have such reasonable facilities for voting as are practicable in the circumstances;

the authority must seek to ensure that so far as is reasonable and practicable every polling place for which it is responsible is accessible to electors who are disabled”

28. Following the review in 2007, the Property Services section of the District Council investigated access arrangements at all polling places and keeps such matters under review in partnership with the RO. These matters need to be addressed otherwise the District Council may be criticised for its inaction.

Background Papers:

Electoral Administration Act 2006

Review of Polling Districts and Polling Places
(Parliamentary Elections) Regulations 2006

Representation of the People Act 1983

Electoral Commission Circular EC28/2007

Files EL9 and EL10 in the Electoral Services
section (providing history)

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