



GOVERNANCE COMMITTEE 14 JANUARY 2015

Subject Heading:

Polling District Review

CMT Lead:

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Report Author and contact details:

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There are no direct resource implications.

Policy context:

Financial summary:

There are no direct resource implications.

The subject matter of this report deals with the following Council Objectives

Ensuring a clean, safe and green borough	<input type="checkbox"/>
Championing education and learning for all	<input type="checkbox"/>
Providing economic, social and cultural activity in thriving towns and villages	<input type="checkbox"/>
Valuing and enhancing the lives of our residents	<input checked="" type="checkbox"/>
Delivering high customer satisfaction and a stable council tax	<input type="checkbox"/>

SUMMARY

The Electoral Administration Act 2006 required that a polling district and polling place review be carried out by the Acting Returning Officer in 2007 and every fourth year thereafter. The last review was carried out in 2011 and the 2014 review is now being undertaken. The aims of the review are as follows:

To ensure that:-

- (a) as far as possible polling places are accessible to all.
- (b) polling places fall within the polling district wherever possible.
- (c) account be taken of justifiable complaints by electors, and any responses received from this consultation.

The list of those consulted, and a summary of responses as a result of the review can be found under "Report Detail". The full timetable is set out in Appendix A and a copy of all responses is set out in Appendix B.

RECOMMENDATIONS

That the Committee recommend to Council that the recommendations set out in the report be accepted.

REPORT DETAIL

Consultation was undertaken as follows:

- All elected representatives, political parties and relevant stakeholders were given notification of the review.
- Copies of the proposals were available for public inspection in all libraries in Havering, PASC, and at the Town Hall, with accompanying posters to inform the public of this.
- Copies of the proposal were given to Havering Association of People with Disabilities, HAVCO, Age Concern and People First, with publicity given in their relevant newsletters or websites.
- An article publicising the review was published in Living.
- The Council's Access Officer was given a copy of the proposals

Proposals were put to Governance on 19th November 2014, where it was requested that Polling District CM5 (Cranham Ward) be looked at again to address the Ward councillor's concerns, outlined below.

Cranham Ward (Hornchurch & Upminster constituency)

CM5 Upminster Methodist Church Hall, Hall Lane

A Ward Councillor raised concerns that this polling station is too far away from the Drury Falls estate (see **Appendix A**).

During consultation, the Councillor requested an alternative polling station be found, and put forward Whittaker Hall as a possible alternative. However, this is located in Emerson Park ward and already used as a polling station for EM5. The Elections Services team were unable to find any other suitable alternative within the polling district.

At the Governance Committee meeting on 19th November 2014 some other alternatives were put forward and requested to be investigated. These were as follows:

1. Havering Sixth Form Centre, Wingletye Lane.

This building is outside of both the polling district and the ward; it is located in the St Andrews ward. Also, while we have a statutory right to use building

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that receives public funding, we are aware that elections often clash with exams and therefore try to avoid using sixth forms and secondary schools where possible.

2. Europa Music Centre, The Walk and Havering Music School, The Walk.

Both of these buildings are located within the St Andrews ward and are therefore outside of the ward and polling district.

We would ask for the following be taken into consideration:

- With regards to the location of a polling station, Section 18(3) of the Electoral Administration Act states:
- *the polling place for a polling district must be an area in the district, unless special circumstances make it desirable to designate an area wholly or partly outside the district;*
- Moving to any of the proposed stations would result in approximately 55% of the electorate being required to travel further to vote in their polling station. Those in the north of the polling district would have a significant increase in how far they had to travel.
- The low turnout in this polling station was listed as a factor for changing the location. However, almost 20% of voters in this polling district have opted for a postal vote. 75% of these electors voted by post in 2014, bringing the overall turnout in CM5 to 44%, higher than the overall average turnout across the borough.
- Upminster Church Hall is fully accessible to voters with disabilities. It is also of a suitable size to house a double polling station, which is necessary as CM5 has the highest number of electors in the ward (2814).
- The Retuning Officer has to date not received any complaints directly from voters with regards to this polling station.

IMPLICATIONS AND RISKS

Legal implications and risks:

By law this review must be concluded by 31st January 2015. Any delay will put us in breach of our statutory duty. A delay will also impact on the ability to book the relevant polling station in sufficient time for the 2015 Parliamentary election.

Any person who made representation to the authority while the review was being undertaken has the right to appeal to the Electoral Commission. Their guidance on this is as follows:

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All representations must be made in writing, either by post, e-mail or fax. The representation must be as specific as possible and should clearly state the manner in which it is alleged that the local authority has failed to properly conduct the review. There are only two grounds on which a representation may be made. These are:

- *the local authority has failed to meet the reasonable requirements of the electors in the constituency*
- *the local authority has failed to take sufficient account of accessibility to disabled persons of the polling station/ polling stations within a polling place.*

Representations based on any other premise will not be considered.

To make provision for Drury Falls estate a polling station would have to be placed outside the polling district and under the Electoral Administration Act 2006 that can only occur where there are special circumstances. The Committee must decide whether the circumstances giving rise to this request amount to special circumstances. It will be noted that if the polling station is moved to a place closer to Drury Falls estate, other residents of the polling district will thereby be disadvantaged.

Human Resources implications and risks:

Any increase in polling stations requires more staff on election day.

Equalities implications and risks:

One of the main purposes of the review is to ensure that all eligible electors can access a polling station.

BACKGROUND PAPERS

Not applicable.

Appendix A

Copy of response in full:

CM5: Upminster Methodist Church Hall

Cllr Clarence Barrett, Leader of East Havering Residents' Group

The only point I would like to make in respect of polling places is that there needs to be something on or near the Dury Falls estate for the Cranham ward. Their allocated polling place is the Upminster Methodist Church which is simply too far away.