

ASSEMBLY

11 SEPTEMBER 2019

Title: Polling Districts and Polling Places Review 2019	
Report of the Chief Executive	
Open Report	For Decision
Wards Affected: All	Key Decision: No
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Accountable Strategic Leadership Directors: Fiona Taylor, Director of Law & Governance, and Chris Naylor, Chief Executive	
Summary: <p>Under the Electoral Administration Act 2006, the Council previously had a duty to conduct a review of each of the Borough's polling districts (areas within ward boundaries) and associated polling places (stations) every four years. The Electoral Registration and Administrative Act 2013 changed the timing of compulsory reviews to align to the timetable for five-yearly Parliamentary Elections, which requires the Council to complete the current review by 31 January 2020. The responsibility for agreeing the proposals rests with the Assembly.</p> <p>A polling district is a sub-division of a constituency or ward. A polling place is a geographical area within a polling district in which a polling station can be located. It is possible to have a polling station outside the polling district in certain circumstances.</p> <p>The review process, undertaken by the Chief Executive in his dual capacities as the Acting Returning Officer (ARO - responsible for providing polling places) and the Electoral Registration Officer (ERO - responsible for the Register of Electors including the provision of polling districts), requires public consultation with relevant interested persons / organisations.</p> <p>The review was launched on 8 April 2019 by way of a Notice on the Council's website and was open to all local electors. Details of the review, together with the ARO's submission commenting on the existing polling stations and any proposals for change, were also circulated for comment to all Councillors, Council officers including the Access Officer, both local Members of Parliament, the relevant MEP and GLA members, local political parties and other relevant organisations such as those that may have an expertise in access to premises or facilities for people with disabilities. The consultation closed on 28 June 2019.</p> <p>Details of the proposals for polling districts and polling places, together with a summary of representations made on a ward by ward basis, are set out in Appendix A. In</p>	

summary there are no proposed changes to 13 of the 17 wards. The wards directly affected are **Abbey, Goresbrook, Longbridge** and **Thames**.

Following consideration by the Assembly, the Council's final proposals will be published and are subject to challenge through the Electoral Commission (EC) for a six-week period. The updated arrangements will be reflected in the Register of Electors next published in full on 1 December 2019 and any subsequent changes that may arise from upheld challenges to the EC will be incorporated at the appropriate time.

Recommendation(s)

The Assembly is recommended to:

- (i) Approve for publication the final proposals arising from the review of polling districts and associated polling places as detailed in Appendix A to the report; and
- (ii) Authorise the Chief Executive, in consultation with relevant ward councillors, to agree any changes to the polling district and/or polling places arrangements that may be deemed necessary prior to the next formal review.

Reason(s)

In order for the Council to meet its statutory responsibility to review polling districts and polling stations every five years.

1. Introduction and Background

- 1.1 Every local authority area is divided into wards and those wards are divided into polling districts for voting purposes. A polling place (station) is designated for each polling district. Electors can vote in person only at their allocated polling place. The review dealt with identifying polling places within defined polling districts. Actual ward, constituency and borough boundaries are unaffected by the review.
- 1.2 In line with the guidance issued by the Electoral Commission (EC), any representations made on the ARO submission within the review period which do not support the original proposals are required, where possible, to provide alternatives. The ARO must take account of the comments received and, where appropriate, make necessary changes, and is required to report on the outcome of the Review with recommendations to the Assembly for determination.
- 1.3 Once the final arrangements are agreed they will be published on the Council's Website along with all relevant correspondence including any representations made.
- 1.4 Following the publication of the final arrangements the following are, by law, entitled to appeal direct to the EC within a period of six weeks:
 - *Groups of no less than 30 electors in a constituency (who have not previously made representations).*
 - *An elector who has previously made representations during the Review.*

- *A person who is not an elector in the area but who the EC decides has expertise in access to premises or facilities for disabled people.*

1.5 All representations to the EC must be in writing to:

Legal Counsel
The Electoral Commission
3 Bunhill Row
London EC1Y 8YZ

Tel: 020 7271 0500 Fax 020 7271 0505
Email: appeals@electoralcommission.org.uk

1.6 Representations must be on the grounds that the Review has not been conducted properly because it has either failed to meet the reasonable requirements of electors, and/or taken insufficient account of accessibility for disabled people to the polling places within a polling district. The decision of the EC on any representations will be published on their website and local authorities are encouraged to do likewise for transparency and completeness. Where appropriate the EC will direct local authorities to consider alterations to polling places that they deem necessary under the review.

2. Proposal and Issues

2.1 The following statutory guidelines have been taken into account as part of the Review:

- The Council must seek to ensure that all electors have such reasonable facilities for voting as are practicable in the circumstances;
- The Council must seek to ensure that so far as is reasonable and practicable every polling place is accessible to electors who are disabled and that where they are not to make reasonable adjustments.

2.2 In respect to the latter, the Equalities and Human Rights Commission explain that the duty to make reasonable adjustments comprises three requirements. For service providers and those exercising public functions, these requirements are:

- Where a provision, criterion or practice puts disabled people at a substantial disadvantage compared with those who are not disabled, to take reasonable steps to avoid that disadvantage.
- Where a physical feature puts disabled people at a substantial disadvantage compared with people who are not disabled to avoid that disadvantage or adopt a reasonable alternative method of providing the service or exercising the function, and
- Where not providing an auxiliary aid¹ puts disabled people at a substantial disadvantage compared with people who are not disabled, to provide that auxiliary aid.

2.3 All of the premises proposed for 2019 have been assessed as accessible. As both Council and non-Council premises are used as polling places it is not always

¹ In the context of a polling station, an auxiliary aid could, for example, be a ramp for wheelchair users.

possible to ensure full accessibility, such as provision for disabled car parking. However, where permanent access ramps are not in place temporary ramps are provided by Electoral Services for the day of an election and Presiding Officers, who are responsible for the smooth running of an election at polling stations, are trained on the practical steps that they should take to facilitate disabled voters. Access issues are also mitigated by the option that exists for all registered voters to apply for a postal vote, negating the need to vote in person.

2.4 Other guidelines are recognised as good practice, but may not always be possible:

- The polling place should be in its own polling district;
- All polling places should relate to a single ward;
- Natural, well-defined boundaries are preferred;
- All properties in a minor road or estate should be in the same polling district (unless the ward or constituency boundary makes this impossible);
- There should be an even spread of polling places;
- The polling district should be the 'catchment area' for the polling place and no elector should have to pass another polling place to get to their own;
- The polling places that voters are familiar with are not changed unless there is a strong need to do so.

2.5 Previous reviews have taken account of all the above factors to ensure, as far as practicable, all sites were compliant. Electoral Services staff have continued to monitor the suitability of polling places through visits and reports of Presiding Officers and polling station inspectors at previous elections, including the last local elections held in May 2018 and the recent European Parliament elections held in May 2019.

2.6 With regard to the types of buildings used as polling places, every effort is made to find alternatives to schools, as this can require the school to be closed for the day and causes disruption to pupils, teachers and parents. However, given the lack of available alternatives within each polling district it is still necessary to use some school premises.

2.7 The schedule in **Appendix A** sets out details of the proposed polling places for 2019, alongside details of the electorate for each polling district, a summary of the factors considered and details of the polling places that were agreed as part of the 2014 review. Maps showing the locations of polling places within the polling districts as a result of the review are set out in **Appendix B**.

2.8 In summary, it is proposed that the polling arrangements in 13 of the Borough's 17 wards remain unchanged from the arrangements that were agreed in 2014 – these wards are Alibon, Becontree, Chadwell Heath, Eastbrook, Eastbury, Gascoigne, Heath, Mayesbrook, Parsloes, River, Valence, Village and Whalebone. The four wards where changes are proposed are Abbey, Goresbrook, Longbridge and Thames and are summarised as follows:

- i) **Abbey ward:** It is proposed that polling district AB is formally relocated from St Mary's and St Ethelburga's Catholic Church, Linton Road, to the Barking Enterprise Centre, Cambridge Road, and district AD relocates from the Barking Learning Centre to Barking Town Hall. These new sites were used for the recent 2019 European elections.

- ii) **Goresbrook ward:** It is proposed that polling district EC relocates from St. Peter's Catholic Parish Centre, 52 Goresbrook Road, to Harmony House, Baden Powell Close, and district ED relocates from Harmony House to St. Albans Church, Urswick Road.
- iii) **Longbridge ward:** It is proposed that polling district FA is formally relocated from Arden House Nursery & Children's Centre, 198 Longbridge Rd, to Eastbury Community School Primary, Rosslyn Road. This site was used for the recent 2019 European elections.
- iv) **Thames ward:** The significant residential development in the Thames View / Barking Riverside area has resulted in several changes to the arrangements that were agreed at the time of the last review in 2014. In 2015, a new polling district (JF) was created and a polling place established in Westminster Gardens to serve residents in the far north-west area of the ward. Also, the Rivergate Church site (JD) which serves the southern end of the ward in the Riverside area now has two polling stations within the venue. Polling district JE was created in 2014 to serve the eastern end of the Thames View estate, incorporating the new development site east of Renwick Road. Due to a lack of suitable space in that area, a portacabin has been situated in Blessing Way on private land owned by Barking Riverside Limited. Ward councillors have consistently expressed concerns at this location, as it requires a significant number of residents to cross the busy Renwick Road. The proposal is to relocate the portacabin to the eastern end of Bastable Avenue, adjacent to a large paved parking area. It is also proposed to relocate polling district JB from the Scrattons Community Hall to the nearby Scrattons Farm Tenants and Residents Association building.

2.9 The Review represents the circumstances that exist at this point in time and it is possible that alternative arrangements may need to be made come the time of an election / referendum. This could be due, for example, to the unavailability of a polling place owing to refurbishment works or a significant change in the size of the electorate. Any such changes do not require a formal review. Recommendation (ii) therefore seeks delegated authority for the Chief Executive, in consultation with relevant ward councillors, to agree any changes to the polling district and/or polling places arrangements that may be deemed necessary prior to the next formal review in 2024.

3. Options Appraisal

3.1 A number of alternative sites for polling places were considered as part of the review. However, these alternative sites were discounted due to the Council being unable to secure a commitment for their use at the time of an election or due to accessibility issues.

4. Consultations

- 4.1 The Act places a duty on local authorities to ensure that all relevant groups and individuals are given the opportunity to comment on the proposals being put forward for polling places, particularly in relation to access to premises or facilities for persons with disabilities. Attached at **Appendix C** is a list of all those consulted as part of this review.

5. Financial Implications

Implications completed by: David Folorunso, Finance Business Partner

- 5.1 The cost of this review (including employee costs, general office expenses, and the cost of consultation) has been met from within the existing Electoral Services budgets, with no additional funding required.
- 5.2 Any additional costs in relation to the hire of temporary or permanent buildings to utilise as polling stations, as a result of this review, will be met from the Elections budget. As the next scheduled election is the GLA/Mayoral election, the additional costs will be met by the Cabinet Office as part of the standard funding arrangements.

6. Legal Implications

Implications completed by: Dr. Paul Feild, Senior Governance Solicitor

- 6.1 Each constituency is divided into polling districts for the purposes of Parliamentary elections. The Electoral Administration Act 2006 provides that the Council must divide its areas into districts and keep the polling districts under review.
- 6.2 A polling district must have a designated polling place. Section 18C of the Electoral Administration Act 2006 places a duty on the Council to conduct regular reviews of polling districts and polling places. The Electoral Registration and Administrative Act 2013 details the timing of the compulsory reviews.

7. Other Implications

- 7.1 **Risk Management** - It is important to conclude and publish the Council's final arrangements for polling districts and places so as to properly plan for the GLA and Mayoral Elections taking place on 7 May 2020. Provisional bookings of venues seek to ensure that buildings will be available for the Election and any issues that may arise will be dealt with on a case by case basis taking into account the recommendation in the report authorising the ARO to agree any permanent/ temporary polling station arrangements.
- 7.2 **Corporate Policy and Customer Impact** - Electoral Services has previously been subject to an Equalities Impact Assessment (EIA) including the provision of elections, which included analysis of polling station locations taking into account the needs of particular communities as regards race, faith, disability, age and gender. As part of the requirements of the review relevant organisations with a focus on disability have been consulted on the proposals.

Public Background Papers Used in the preparation of the Report: None

List of appendices:

Appendix A - List of proposals with comments and recommendations

Appendix B - Maps showing the polling stations within polling districts

Appendix C - List of consultees