

COUNCIL

TUESDAY, 13 DECEMBER 2016

REPORT OF THE CHIEF EXECUTIVE

AMENDMENT TO POLLING STATION SCHEME

EXEMPT INFORMATION

None

PURPOSE

To inform Members of the need to relocate two polling stations for the Parliamentary Constituency that falls within the Borough of Tamworth.

RECOMMENDATIONS

That the Council

1. Endorse the officer recommendations together with reasons for said proposals for the new locations as detailed below:
 - a) CA3 Castle Ward – move from The Phillip Dix Centre to the Community Meeting Room at St John's RC Church and;
 - b) ME1 Mercian Ward – move from the Mercian Ward Community Centre to St Andrew's Methodist Church Hall.
2. Publish such information as prescribed in compliance with the legislation and;
3. Where required make appropriate recommendations for consideration by Cabinet in the Budget Setting Process 2017/18.

EXECUTIVE SUMMARY

The Electoral Administration Act 2006 (EAA 2006) introduced a duty upon all local authorities to review their parliamentary polling districts and polling places at least once in every four year period. The last such review was completed at the end of 2013.

Local Authorities are required to divide every constituency into polling districts for the purpose of Parliamentary elections and to designate a polling place for each polling district. Polling places should be within the polling district unless special circumstances make it necessary to designate an area outside this.

Due to circumstances beyond the control of the Acting Returning Officer for Tamworth, the premises currently used as polling places for the CA3 and ME1 polling districts will be unavailable for any future elections. As such a new polling place for each polling district has been identified. The proposed locations are located in the immediate vicinity of the current

polling stations. **Appendix B** contains the proposed polling station visit report for St Andrew's Methodist Church Hall. At present the Community Meeting Room at St John's RC Church is under construction. All works will be completed early in the New Year and confirmation has been received that the building would be available for polling days.

No responses were received from Members. The Acting Returning Officer's comments are contained in **Appendix A**.

RESOURCE IMPLICATIONS

In a perfect world all polling districts would have an ideally situated building. In reality this is not the case. Therefore, it is best to use the buildings that we have available. These may be slightly away from the centre of the polling district but will offer better facilities for electors and staff alike. They are also more cost effective.

Appendix B contains the visit report for the potential relocated polling stations for ME1. A polling station survey will be completed for the Community Meeting Room at St John's RC Church once the building works have been completed. The cost implications for relocating the said polling stations would be negligible. The advantages include continued dedicated accessibility for disabled people ensuring that we meet our equalities requirements.

Any additional costs will be contained within allocated budget provision.

LEGAL/RISK IMPLICATIONS BACKGROUND

Perhaps the most fundamental point to make here is that there is no such thing within the Borough or possibly the country as a purpose built polling station. Secondly, none are owned/under the control of the Returning Officer but are instead hired for the day of poll. The premises that are used within the Borough range from church halls, schools, to community centres and finally temporary stations. It is important to remember the elector when selecting suitable premises for the poll. This can at times cause conflict between what premises are available and providing a fully accessible polling station that is convenient to use.

The Representation of the People Act 1983 places an obligation on local authorities, so far as reasonable and practicable, to designate polling places that are accessible to disabled people and keep them under review. When selecting a polling place it is essential that regard should be given to ensure it offers accessibility for disabled people as stated by the Equalities and Human Rights Commission. If the Authority was to move away from a perfectly accessible building in favour of a temporary station so that the location is slightly more convenient it could open the door for a claim regarding disability discrimination. Also, the generators that the temporary stations use tend to be loud and can cause difficulties for those that are hard of hearing as well as being unpleasant for polling staff. Conversely, if the Authority was to turn down the use of an accessible building in favour of one that is not as suitable for use by disabled people this could also increase the risk of a claim for disability discrimination. It is important to remember that despite the growth in absent voting the majority of electors (86%) still choose to attend their local polling station.

SUSTAINABILITY IMPLICATIONS

These have been considered as part of the officer determinations. The review has also considered disability and equality legislation on arriving at our conclusion and recommendations.

BACKGROUND INFORMATION

The current scheme has been in place since the last review and took effect from the 2014 elections. It is not tenable financially or from an accessibility point of view to move to

temporary stations when a perfectly suitable building can be used within or close to the polling district. In fact, it is the Electoral Commission’s view that the use of temporary stations should be avoided if at all possible.

REPORT AUTHOR

Bernadette Flanagan – Senior Elections Officer

LIST OF BACKGROUND PAPERS

The Representation of People Act 1983
(<http://www.legislation.gov.uk/ukpga/1983/2/contents>)

The Electoral Administration Act 2006
(<http://www.legislation.gov.uk/ukpga/2006/22/section/16>)

The Electoral Registration and Administration Act 2013
(<http://www.legislation.gov.uk/ukpga/2013/6/contents>)

Electoral Commission – Review of polling districts, polling places and polling stations
(http://www.electoralcommission.org.uk/_data/assets/word_doc/0020/161633/Polling-district-review-guidance.doc)

APPENDICES

Appendix A	Submissions received from Members and Acting Returning Officer Comments
Appendix B	Potential Polling Place Visit Report for St Andrew’s Church Hall

This page is intentionally left blank