

## COUNCIL

17 DECEMBER 2013

### REPORT OF THE CHIEF EXECUTIVE

#### TAMWORTH PARLIAMENTARY CONSTITUENCY – REVIEW OF POLLING PLACES

#### EXEMPT INFORMATION

None

#### PURPOSE

To inform Members of the comments received from the recent consultation in respect of the review of polling districts and polling places undertaken in accordance with the Electoral Administration Act 2006 and the Electoral Registration and Administration Act 2013 and to make recommendations relating to polling places within the Parliamentary Constituency that fall within the Borough of Tamworth.

#### RECOMMENDATIONS

That the Council

1. Consider the results from the review process and endorse the officer recommendations together with reasons for said proposals for the polling districts as detailed in **Appendix C** including changes to the following polling districts as detailed below:
  - a) GL1 & GL3 Glascote Ward – move from Glascote Heath Primary School to the Sacred Heart Roman Catholic Church and;
  - b) TR4 & TR5 Trinity Ward – move from Dosthill Primary School to The Boys Club (Cadogan Rd).
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 2014/15.

#### 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 2011. The Electoral Administration and Registration Act 2013 (ERA 2013) introduced a change to the timing of compulsory reviews of UK Parliamentary polling districts and polling places. It stipulates that the next compulsory review must be completed between 1<sup>st</sup> October 2013 and 31<sup>st</sup> January 2015 (inclusive).

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.

The consultation period began on Tuesday 1<sup>st</sup> October 2013 and ran for a period of 6 weeks. Notices were placed on the council's website, council offices and library along with press releases in the Tamworth Herald inviting electors to submit comments. Potentially interested organisations were written to along with local political parties. **Appendix A** outlines the organisations contacted.

**Appendix B** details all of the polling places within the parliamentary constituency that have been consulted upon. A total of 20 submissions were received. These are detailed in **Appendix C**. Submissions have been received regarding the polling places in the following polling districts:

- **CA2** (Castle Ward) – 2 responses
- **CA3** (Castle Ward) – 1 response
- **BO3** (Bolehall Ward) – 1 response
- **AM4** (Amington Ward) – 1 response
- **BE1** (Belgrave Ward) – 1 response
- **TR4 & TR5** (Trinity Ward) – 13 responses
- **ST2** (Stonydelph Ward) - 1 response

Of the responses identified in **Appendix C** the majority (13) of these related to the polling place for TR4 and TR5 (Dosthill Primary School). On the whole the responses for the remaining polling districts indicate that they are generally happy with the current polling arrangements. The Acting Returning Officer (ARO), where appropriate, has commented on the responses received and proposed recommendations / actions - these are included in **Appendix C**.

In addition we have also received notification from the Glascote Ward – re Glascote Heath Primary School (GL1 & GL3) that they no longer wish their school to be used for polling purposes (this is detailed in **Appendix D**). The Sacred Heart Catholic Church (adjacent to the school) has expressed an interest in providing a location for future polling purposes. It is therefore proposed to relocate the polling place to the Sacred Heart Roman Catholic Church for all future elections.

As part of the Electoral Commission best practice guidance, the Authority also undertakes surveys on polling day at each of the polling stations to obtain customer feedback on potential improvements re location / site – feedback from the 2013 election process did not identify any issues.

## **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. Where no suitable building can be located then the use of a temporary polling is required. Currently, we have four temporary polling stations:

- CA2 – land adjacent to Durham Close, County Drive
- ME5 – Buckingham Road

- TR3 – Dorado
- WI3 – Palmerston Avenue

The average cost for each of these stations is £1,500 each.

**Appendices D** (Sacred Heart Roman Catholic Church), **E** (Dosthill Boys Club) and **F** (The Norman Chapel, St Paul's Church) contain the visit reports for the potential relocated polling stations for GL1, GL3, TR4 and TR5. The cost implications for relocating these polling stations would be negligible. The advantages include improved accessibility for disabled people ensuring that we meet our equalities requirements.

## **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.

## **CONCLUSION**

The current scheme has been in place since the last review and took effect for the 2012 elections. The majority of electors are happy with the location and suitability of their polling place and station. It is important to remember that at the last elections held in May 2013 no complaints were received regarding the locations and accessibility to the polling places used. It is not tenable financially or from an accessibility point of view to move to temporary stations when a perfectly suitable building is currently being used within 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.

## BACKGROUND INFORMATION

In accordance with the requirements of the Electoral Administration Act 2006 and Electoral Administration and Registration Act 2013 a review of polling stations with the Borough falling within the Tamworth Constituency has been undertaken.

## REPORT AUTHOR

Bernadette Flanagan 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](http://www.electoralcommission.org.uk/_data/assets/word_doc/0020/161633/Polling-district-review-guidance.doc))

## APPENDICES

<b>Appendix A</b>	List of Consultees including letter and draft scheme.
<b>Appendix B</b>	List of Parliamentary Polling Stations with the Borough of Tamworth.
<b>Appendix C</b>	Detail of Submissions received from Electors, Consultees and other Stakeholders.
<b>Appendix D</b>	Potential Polling Place Visit Report for Sacred Heart Catholic Church
<b>Appendix E</b>	Potential Polling Place Visit Report for Dosthill Boys Club
<b>Appendix F</b>	Potential Polling Place Visit Report for the Norman Chapel, St Paul's Church

All responses have been received in conjunction with legislation; a map detailing the polling places will be available in the Members room up until 16 December 2013 for perusal.