

Council

Agenda Item

Wards: Longthornton, Pollards Hill

Subject: Review of Polling Places

Lead officer: Caroline Holland, Director of Corporate Services

Lead member: Councillor Mark Allison

Contact officer: Andrew Robertson, Head of Electoral Services

Recommendation:

That the council agrees the designation of Elmwood Tennis Club as the polling place for polling district IB in Longthornton Ward and polling district JB in Pollards Hill Ward.

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 A new polling place is required in Longthornton Ward and Pollards Hill Ward due to the loss of the currently designated building.

2 DETAILS

- 2.1 The current polling place for polling district IB in Longthornton Ward and polling district JB in Pollards Hill Ward is the Westminster School Sports Pavilion, 245A Tamworth Lane, CR4 1DH. The pavilion is owned by Westminster School, who are in the process of selling the land where the pavilion is situated. The building's future after the land is sold is not known, although it is likely that it will be demolished to make way for housing. The school therefore cannot commit to hiring out the sports pavilion for the next scheduled elections in May 2016.
- 2.2 It is therefore proposed that the polling place is moved to the Elmwood Tennis Club, Rear of 337 Tamworth Lane, CR4 1DL. The tennis club is located near the sports pavilion, and has been used as a polling station in the past. The location would serve the electorate of polling districts IB in Longthornton Ward and JB in Pollards Hill Ward, and present the minimum amount of disruption to electors (around 1800 in total).
- 2.3 The management of the club has been helpful and have agreed for the building to be used by the local community for polling purposes. The management has also agreed that the club will be used exclusively for polling purposes on polling day. The club has recently been inspected by Electoral Services and has been assessed as meeting the requirements of a polling place, so long as the following modifications are made to enable disabled access to voters.
- The doorway to the club has a 10 centimetre step. A ramp will need to be provided by Electoral Services to bridge the step to enable level access into the club.

- The club is approached by a 30 metre unlit, unpaved driveway. Electoral Services are looking into several options to level the surface of the driveway before polling day, with the most likely solution being the laying of portable pathway, such as portapath or super-trac. Electoral Services will also provide temporary lighting to illuminate the approach to the club.

3 ALTERNATIVE OPTIONS

- 3.1 Such is the paucity of options in polling districts IB and JB, the only realistic alternative to using Elmwood Tennis Club as a polling place would be to erect a marquee on Marlowe Square, CR4 1DT, which adjoins Tamworth Lane. This option would be considerably more expensive than using the tennis club, due to the cost of hiring a marquee, the provision of electrics for lighting inside the marquee, and the hire of portable toilets. Due the lack of a kitchen, polling staff would be unable to prepare hot drinks or food, which could be an issue bearing in mind the amount of hours worked during the course of the day. If the owner of the land is not the council then there may also be a problem obtaining permission to erect a marquee on site.
- 3.2 In Longthornton Ward, electors from polling district IB could be re-directed to St Olave's Church; which is the designated polling place in the neighbouring polling district of ID. However, this would cause electors to travel considerable extra distance to vote, especially for those residents in the south and west of the polling district. St Olave's Church also already accommodates two polling stations and over 2400 electors. If another polling station was added there would be significant space issues and possible confusion for voters.
- 3.3 In Pollards Hill Ward, electors from polling district JB could be re-directed to The Sherwood Primary School, which is the designated polling place in the neighbouring polling district of JC. However, this would again cause electors to travel extra distance to vote. The Sherwood Primary School also already accommodates two polling stations and over 2500 electors. Adding another polling station would make space in the hall a concern.

4 CONSULTATION UNDERTAKEN AND OUTCOMES

- 4.1. The General Purposes Committee was consulted on the proposal via e-mail due to there being no scheduled meeting before Council. Members were invited to comment; and were advised that if no response was received, then it would be taken that they consented to the proposal. Cllr Byers replied on behalf of the Labour members of the Committee, and stated that they had no comments on the proposed change. Cllr Howard replied on behalf of the Conservative members of the committee, and stated that they are content with the proposed solution of the tennis club as the polling place for polling districts IB and JB.
- 4.2. All councillors for both Wards (Labour) have been consulted on the proposal to designate Elmwood Tennis Club as the polling place for polling district IB in Longthornton Ward, and polling district JB in Pollards Hill Ward, in place of the

Westminster City School Sports Pavilion. Only one reply has been received, from Cllr Whelton, who stated that he was happy for the tennis club to be used as a polling place.

- 4.3. Political party agents have also been consulted on the proposal. Both the Conservative group and the Labour group are in support of designating the tennis club as the polling place.
- 4.4. It is the view of the Returning Officer that the General Purposes Committee recommends that the full council agrees the designation of the Elmwood Tennis Club as the polling place for polling district IB in Longthornton Ward and polling district JB in Pollards Hill Ward. The tennis club is in the most convenient location for electors residing in the two polling districts, has superior facilities for staff, and is a significantly cheaper option than hiring a marquee; even after taking into account modifications required to make the club fully accessible to disabled voters.

5 TIMETABLE

- 5.1 The Council meeting on 3rd February 2016 must make the decision on these proposals so that all polling districts have a designated polling place for the elections on 5th May 2016.

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 6.1 Provision for the hire of buildings for use as polling places is included within the budget allocation for the elections to be held on 5th May 2016. It is estimated that the proposal to use the Elmwood Tennis Club would add around £750 extra cost to the total election budget in 2016. This would consist of additional costs of installing temporary lighting and temporary pathway to make the approach more accessible. The total cost of erecting a Marquee on Marlowe Square would add around £2500. This price is based on the cost of the temporary polling station installed at Mitcham Garden Village for each election, and would consist of the hire of a marquee, the provision of electrics for lighting inside the marquee, and the hire of a portaloos for staff.

7 LEGAL AND STATUTORY IMPLICATIONS

- 7.1 The Council has a duty under the Representation of the People Act 1983 (RPA 1983) to divide its area into polling districts for parliamentary and local government elections, to designate a polling place for each polling district, and to keep these under review. The Local Authorities (Functions and Responsibilities) (England) Regulations 2000¹ list section 18 of the RPA 1983 as one of the functions that are not to be the responsibility of an authority's executive. This function has not been specifically delegated by the Council.

¹ SI 2000/2853

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

8.1 Under section 149 of the Equality Act 2010 it is the duty of a public authority in the exercise of its functions to have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
- Advance equality of opportunity between people who share a protected characteristic and those who do not;
- Foster good relations between people who share a protected characteristic and those who do not.

Having due regard for advancing equality involves:

- Removing or minimising disadvantages suffered by people due to their protected characteristics;
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people;
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

8.2 In providing services and access to them the Council is required by law to make reasonable adjustments in order to avoid discriminating against disabled persons. When considering what adjustments should be considered as reasonable the council is required to have regard to the relevant code of practice. The following are some of the factors to be taken into account when considering what is reasonable:

- Whether taking any particular steps would be effective in overcoming the substantial disadvantage that disabled people face in accessing the services in question;
- The extent to which it is practicable for the service provider to take the steps;
- The financial and other costs of making the adjustment;
- The extent of any disruption which taking the steps would cause;
- The extent of the service provider's financial and other resources;
- The amount of any resources already spent on making adjustments; and
- The availability of financial and other assistance.

8.3 The right to free elections forms part of Article 3 of Protocol 1 of the Human Rights Act 1998. Any resident is entitled to vote, if qualified by age and nationality, and if not subject to any other legal incapacity.

8.4 As indicated above, the principles have been followed of seeking to ensure that all electors have such reasonable facilities for voting as are practicable in the circumstances, and seeking to ensure that so far as is reasonable and practicable every polling place is accessible to electors who are disabled. There is a commitment to ensure that all polling places are accessible.

- 8.5 The aim of enhancing community cohesion and engagement would be expected to be achieved by the principles in 8.1 and 8.2 through promoting democratic engagement by seeking to make voting in person as easy as possible for residents of all communities.

9 CRIME AND DISORDER IMPLICATIONS

- 9.1 Integrity plans are maintained for elections. These involve working closely with Merton Police on operational matters, together with liaising with the Metropolitan Police Service officer specifically delegated with responsibility for potential election offences.

10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

- 10.1 In reviewing polling places, the reasonable facilities for staff at polling stations during elections have been considered. The physical fabric of possible polling places has also been considered to reflect the need for members of the public to visit their polling station.

11 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT

- a) Maps of Longthornton Ward and Pollards Hill Ward.
- b) Maps of polling district IB and polling district JB with location of Elmwood Tennis Club and Marlowe Square.
- c) Photos of Elmwood Tennis Club.
- d) Photo of Marlowe Square.
- e) Photos of portable pathway.

12 BACKGROUND PAPERS

- Reports on polling stations made by Electoral Services staff, by presiding officers and polling station inspectors at past elections.

