

Committee: General Purposes Committee

Date: 12th March 2014

Wards: Cricket Green, Graveney, Merton Park and St Helier

Subject: Review of Polling Places

Lead officer: Caroline Holland, Director of Corporate Services

Lead member: Councillor Mark Allison

Contact officer: Tim Revell, Interim Head of Electoral Services

Recommendations:

- A. That the General Purposes Committee considers the options for replacement polling places in Graveney, Merton Park and St Helier Wards and makes a recommendation to full Council.
 - B. That the General Purposes Committee considers the alternative polling place suggested for Cricket Green Ward and makes a recommendation to full Council.
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1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. This report deals with the final changes to polling places before the elections on 22nd May 2014. New polling places are required in Graveney Ward (polling district GB), Merton Park Ward (polling district RA) and St Helier Ward (polling district BC) due to the loss of the currently designated buildings. The Committee is also asked to consider an alternative polling place for polling district ED in Cricket Green Ward.

2 DETAILS

- 2.1. **Graveney Ward**; The current polling place for GB polling district is St Barnabas Hall, Thirsk Road, Mitcham but this is now unavailable as it is used every day for a children's nursery. St Barnabas Church which is adjacent has adapted the rear of the church for use as a meeting place and has suggested that this area could be used as a polling place. Following a site visit the church has been assessed as meeting the requirements for a polling place. It is adjacent to the church and so is known to electors, has step free access, sufficient space for two polling stations and some albeit limited off street car parking. This proposal would involve the minimum of disruption to electors.
- 2.2. **Merton Park Ward**; The polling place which has previously been used for the two polling stations in polling district RA is a room on the ground floor of the Nelson Hospital, Kingston Road. The hospital is currently being rebuilt and the site is inaccessible. The cricket pavilion located at the junction of Cannon Hill Lane and Aylward Road appears to be the most suitable alternative. It is near the previous polling place, can be accessed directly from the road and has all the facilities required of a polling place although old fashioned in style. It is not used for cricket on a Thursday. It could accommodate the two polling stations in RA.

- 2.3. **St Helier Ward**; The polling place which has previously been used as the polling station in polling district BC is Farm Road Church, Farm Road, Morden. This building is likely to be demolished shortly and will not be available for use on 22nd May. This is a residential area with no obvious buildings that could be used as a polling place. It is therefore proposed that the polling place for BC should be Abbotsbury Primary School which is already used for polling district BD. A site visit has taken place which has confirmed that the school hall could accommodate two polling stations. The school is 0.2 miles from the church.
- 2.4. **Cricket Green Ward**; St Peter & St Paul (RC) Primary School, Cricket Green, Mitcham is the designated polling place for polling district ED. The Headteacher has suggested that the scout hall at the rear of the school could be used as an alternative which would enable him to keep the school open on polling day. Following a site visit the scout hall has been assessed as meeting the requirements for a polling place. It has recently been redecorated and new flooring installed. It is adjacent to the school and so is known to electors. Step free access for electors would be ensured by providing a ramp leading to the double doors which would remain open during polling hours. Electors would then turn right into a short corridor leading to the main hall. This corridor is sufficiently wide to present no significant difficulty to a wheelchair user entering the building.

3 ALTERNATIVE OPTIONS

- 3.1. There are no obvious alternative locations within Graveney and St Helier Wards. For Merton Park Ward the suggestions by the Conservative agent and Councillor Simpson (see paragraph 4.3 below) have been investigated. The Co-op has confirmed that it would have no objection to a mobile unit being stationed in the supermarket car park and a suitable unit could be hired. However, mobile units generally provide a poor experience for both electors and staff and are relatively expensive to hire. Usually they are only used when there is nothing else available and it is not recommended that this alternative be pursued.
- 3.2. Two other buildings have been visited to assess their suitability; St Mary's church hall, St Mary's Road which is currently used for polling district RB and the bowls pavilion in John Innes Park. A site visit has taken place which indicated that the two polling stations in RA could be accommodated in the church hall. By car the church hall is 0.8 miles from the hospital but is closer on foot. The bowls pavilion is located in the park some way from the road so is perhaps not so convenient for electors. It also has all the facilities required of a polling station but is used every day during May by the bowls club. This use would not be possible on polling day. However, this pavilion could only accommodate one polling station so if it were used it would have to be in conjunction with another building.
- 3.3. In Cricket Green Ward the alternative would be to continue to use the school.

4 CONSULTATION UNDERTAKEN

- 4.1. Ward councillors for these wards and political party agents have been consulted on these proposed changes.

- 4.2. **Graveney Ward**; Councillors Dehaney and Kirby indicated that they had no objection to the use of St Barnabas church as the polling place for GB polling district.
- 4.3. **Merton Park Ward**; Councillor Southgate on behalf of the Merton Park Independent Residents indicated that his group viewed the cricket pavilion as a reasonable alternative for RA polling district. The Conservative agent has suggested that a mobile unit or another public building could be used in view of the distance between the previous and proposed polling places and Councillor Simpson suggested that the car park of the Co-op supermarket in Kingston Road could be used for a mobile unit.
- 4.4. **St Helier Ward**; Councillor Martin has indicated that she has no objection to the use of Abbotsbury Primary School as the polling place for polling district BC.
- 4.5. **Cricket Green Ward**; Councillor Saunders has indicated that she has no objection to this proposal. Councillor Munn has expressed some concerns about the proposal particularly in relation to on street parking restrictions, parking activity while parents drop off and collect children, the location of the only entrance to the polling place in Mitcham Park rather than both there and on Cricket Green, the lack of visibility of the entrance to the scout hall and disabled access which he considers not as good as that for the school hall. His detailed comments are attached in the appendix.

5 TIMETABLE

- 5.1. The council meeting on 2nd April 2014 must make a decision on these proposals so that all polling districts have a designated polling place for the elections on 22nd May and electors notified of their polling place well in advance of the election. It is planned that the delivery of poll cards will begin on Thursday 17th April, five weeks before polling day. Any later decision would cause a delay in sending poll cards to electors whose polling place had changed because of the deadlines for sending data to the printers. If an emergency occurred after this date the Returning Officer has power to designate a polling place.

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 6.1. Provision for the hire of buildings for use as polling places is included within the budget for the elections on 22nd May. As the Borough council elections are combined with those for the European Parliament some of the cost will be recoverable from the Cabinet Office.

7 LEGAL AND STATUTORY IMPLICATIONS

- 7.1. The Council has a duty under the Representation of the People Act 1983 (RPA) 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 2000 specifies that functions in section 18 of the RPA are not to be the responsibility of an authority's executive. This function has not been specifically delegated by the Council.

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 9.1 and 9.2 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

- Map of Cricket Green ward & location plan of John Innes cricket pavilion
- Detailed comments by Councillor Munn on polling district ED

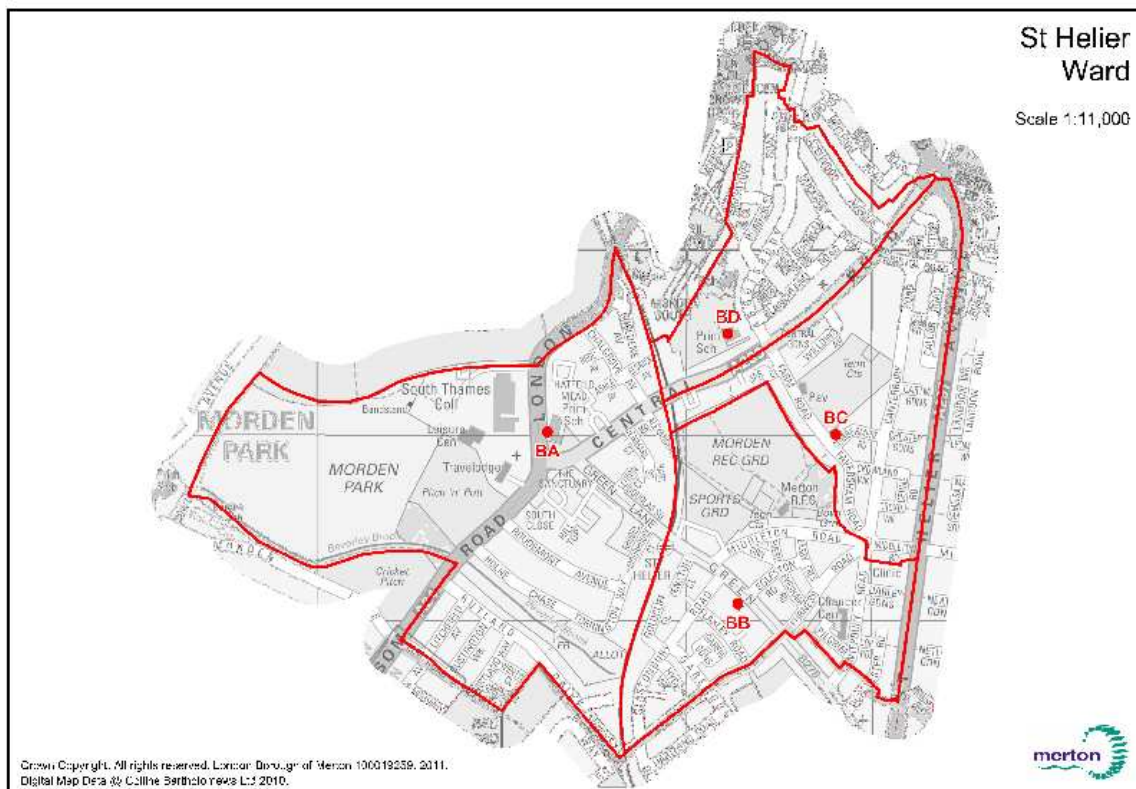
12 BACKGROUND PAPERS

- 12.1 Reports on current and potential polling places and polling stations made by Electoral Services staff and by presiding officers and polling station inspectors at past elections.

Cricket pavilion, John Innes recreation ground



Abbotsbury Primary School (BC & BD)



Cricket Green Ward – Detailed comments from Councillor Munn

Thank you. I visited the Scout Hut at 3.00 pm yesterday (ie 11.2.14). This coincided with the collection times for children at St Peter & St Paul's Primary. Vehicular access to the school is one way via Mitcham Park. At the time of my visit all four parking spaces were in use; and cars were parked on both sides of the road for a distance of 30/40 yards either side of the School entrance. The entrance to the Scout hut was blocked by parked vehicles. I am concerned that this parking activity (which occurs twice a day during term time) will be repeated during the election period.

As discussed, if the Scout Hut were to be used there would need to be a temporary removal of the parking restrictions near the School and Scout Hut entrances; however, if the School were to be open during Polling Day there would be unacceptable chaos at the entrance to the new Polling Station.

The Polling Station in the School has two entry points. One is on Cricket Green, the other via Mitcham Park. Notices identifying the Polling Station have been placed close to these entry points in the past and people casting their votes have used both entrances.

The proposed new Polling Station will have only one entrance; and, whilst pedestrian access for non-disabled people will be possible, there will be only one drop off point for people using the vehicles.

The interior of the Scout Hut poses no problem. I have visited and confirm there is sufficient space to cope with the 1300 or so on the Register; however, the entrance doors are not designed to permit wheelchair users access. Both doors would have to be fully open to permit wheelchair access. I know you have said you can arrange a ramped access (as was provided at the school); however a wheelchair user would not have direct access to the door way. This is at right angles to the footway entrance. If it were to be used the Scout Mini bus would have to be parked elsewhere on Polling Day to allow for access onto a ramp. A wheelchair user would need to leave the footway, turn right and then swivel 180 degrees to access the ramp. This is probably manageable; but is not ideal.

Publicity for the Polling Station (if its use is approved) would have to be provided at the Cricket Green entrance to the School as well as at the Mitcham Park junction with Cricket Green by the Police Station so that Voters (who are familiar with the Cricket Green entrance to the School) are re-directed to the Scout Hut.

The Scout Hut location (even though it is near the Mitcham Park school entrance) is not nearly as visible as the School. There are traffic problems in Mitcham Park near the School entrance; and disabled access is not as good as at the School Hall Polling Station, so, on balance I am not happy about changing the venue.

Regards

Councillor Ian Munn BSc MRTPI (RTD)

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