

<b>ELECTIONS COMMITTEE</b>		
<b>Report Title</b>	<b>Polling District and Polling Place Review 2014</b>	
<b>Key Decision</b>	n/a	Item No. 5
<b>Ward</b>	n/a	
<b>Contributors</b>	Malcolm Constable, Electoral Services Manager	
<b>Class</b>	Part 1	Date: October 2014

### **1. Purpose**

To review the Council's arrangements for polling districts and places

### **2. Recommendation**

To recommend to Council that the polling districts and places set out in Appendix A, which includes the amendments in paragraph 7 below, be adopted and become effective at future elections.

### **3. Background**

- 3.1 Section 18C(1) of the Representation of the People Act 1983 (RPA1983) placed a duty on all local authorities to review their UK Parliamentary polling districts and polling places every four years. The last polling district and places review was completed by December 2011 when the recommendations in that review were adopted by Council on the recommendation of the Elections Committee.
- 3.2 The Fixed Term Parliaments Act set the next UK Parliamentary General Election (UKPGE) for the 7 May 2015. As a result of this a requirement was introduced in the Electoral Administration Act 2013 to start and complete a review between 1 October 2013 and 31 January 2015.
- 3.3 Subsequent compulsory reviews must be started and completed within the period of 16 months that starts on the 1 October every fifth year after October 2011. For the next review that is the period between the 1 October 2018 and 31 January 2020.
- 3.4 The Council keeps its polling districts and places under continuous review both prior and subsequent to elections. However the Electoral Administration Act 2006 initially imposed a statutory duty to review Polling Districts and Places every four years. The first review was completed by December 2007 and the second such review was completed by December 2011 as mentioned above.

- 3.5 Inevitably, changes are forced on us by the unavailability of some polling stations prior to elections. For example some schools are being rebuilt, or privately owned stations might be pre-booked, refurbished or being used for other purposes e.g. day nurseries.
- 3.6 We also obtain feedback on a continuous basis from Presiding Officers and Visiting Officers on the suitability of accommodation during an election.
- 3.7 Whilst the Council is asked to approve the polling districts and polling places of UK Parliamentary constituencies within the authority boundary, the Acting Returning Officer (ARO) is ultimately responsible for running Parliamentary elections and must take all necessary steps to ensure the effective running of elections, including the provision of polling stations. He must be consulted during the review and asked for his recommendations which are included in Appendix A.
- 3.8 When conducting such reviews particular emphasis is placed on access and the requirements of the Equality Act 2010.

**4. Definition of terms**

Polling Districts and Polling Places are defined as follows:

Polling District	Geographical area created by the division of a constituency, ward or division into smaller parts, within which a polling place can be determined which is convenient to electors.
Polling Place	The building or area in which polling stations will be selected by the ARO.
Polling Station	The room or building chosen by the ARO where the voting takes place takes place for each election.

**5. The review process**

- 5.1 Schedule A1 of the RPA1983 sets out all the steps that must be undertaken in the review process.
- 5.2 It should be noted that the review focuses on the polling districts and places that fall within parliamentary constituency boundaries in the local authority area. Ward and parliamentary boundaries cannot be changed as part of the review. Changes to these boundaries can only be made by the Boundary Commission for England (BCE) and the Local Government Boundary Commission (LGBC) respectively.

- 5.3 The Electoral Commission has no role in the conduct of the review but is responsible for reviewing representations submitted in accordance with Section 18 RPA 1983 after publication of the review.
- 5.4 In accordance with Section 18 of the RPA1983 a notice (Appendix B) was published on 4 August 2014 inviting representations from any elector in the area or persons with particular expertise in relation to access and facilities for persons who have different forms of disability. The consultation period ran from the date of publication of the notice with representations to be received no later than Friday 15 September 2014.
- 5.5 Along with publication of the notice we also provided lists of polling districts, stations and electorate together with ward maps on our website.
- 5.6 Letters explaining the purpose of the review and inviting representations were sent to the Mayor, MP's, MEP's, the GLA Constituency Member, ward councillors, party agents, Lewisham Disability Coalition, Lewisham Association of People with Disabilities, the RNIB, Action on hearing Loss (RNID) and Scope.

## **6. Representations**

- 6.1 Representations have been received from
- (a) Janet Hurst – Liberal Democrat Agent and candidate at the 22 May 2014 election for Whitefoot Ward as follows:
- For polling district EDO 6 revert to Millwall Football Club training ground rather than use Ten Em Bee as the latter is a long way from the road via a long approach driveway
  - That Meadows Community Centre is acceptable but needs additional signage for voters to find it. However, she further commented that the Community Room on the Ravensbourne Estate, Brangbourne Road or Catford Wanderers Sports club could be used instead of Meadows Community centre
- (b) Councillor Mark Ingleby – about the location of the portakabin in Hafton Road. Cllr Ingleby was concerned about the distance from the residents of Cumberland Place which was where the portakabin had been situated in the past. These comments were supported by Councillors Janet Daby and Jonathan Slater.
- (c) Frankie Sulke - Executive Director for Children and Young people who would like us to consider removing all schools from the list other than those which can at least stay partially open.

As the Committee is aware, we use 39 schools as polling stations. The Acting Returning Officer is entitled to use such schools and any other publicly funded building as polling stations. We make

strenuous efforts to minimise the impact on schools by only using primary schools and then try to work with them to keep them open. For example, an appropriate segregated area such as the nursery part of the school can be used if it satisfies both the school's and the Acting Returning Officer's risk assessments. Schools are frequently the only suitable places in the polling district that meet the accessibility criteria and meet the Electoral Commission's performance standards to ensure "that all voters have a good experience."

- 6.2 The full representations have to be published, along with any correspondence relating to them at the conclusion of the review.

## **7. ARO's Recommendations**

Having considered all the representations received and feedback from inspection of polling places and districts by the Electoral Services team, the following is a summary of the ARO's recommendations included in Appendix A.

### **7.1 Crofton Park Ward**

DCR2 – City Learning Centre in Manwood Road has undergone several changes of use and name. At the 22 May 2014 elections it was called Prendergast Ladywell Fields College Performing Arts Block. It is now a temporary Primary School.

Recommendation: rename the polling place as Prendergast Ladywell Fields College as the polling place.

DCR3 – Brockley Primary School was rebuilt during the 2012 GLA Elections when St Mary Magdalen's Catholic Primary School in Howson Road was used temporarily. Brockley Primary was renamed as Beecroft Garden Primary School and was used as such in the 22 May 2014 elections.

Recommendation: rename Brockley Primary School as Beecroft Garden Primary School as the polling place.

### **7.2 Lewisham Central Ward**

DLC3 - the portakabin at Cornmill Gardens was designated as the polling place in the 2011 Polling District review in substitution for Lewisham Methodist Church which was outside the polling district and involved crossing Molesworth Street. Lewisham Methodist Church replaced the portakabin at the entrance to Lewisham railway station and its subsequent relocation to Lewisham Market. The refurbishment of Lewisham Bridge School was completed ahead of the 22 May 2014 elections and it was renamed as Prendergast Vale College. The Nursery part of the School with the entrance in Elmira Street was used.

Recommendation: designate Prendergast Vale College as the polling place.

### 7.3 New Cross Ward

DNE2 – Tidemill Primary School underwent refurbishment ahead of the 2012 GLA Elections and was unavailable. The Library at Deptford Lounge was used in its place. The new layout at Tidemill is not suitable for use as a polling station.

Recommendation: designate Library at Deptford Lounge as the polling Place.

### 7.4 Telegraph Hill Ward

DTE5 – Meadowgate Primary School merged with John Stainer Community Primary School ahead of the 22 May 2014. Meadowgate is being refurbished and is now run by Drumbeat as a centre for vulnerable young adults with learning difficulties. Given the use of the premises and the new layout it is no longer usable as a polling station. The temporary dining hall at John Stainer was used in the 22 May 2014 elections. The main hall has now been finished and can be used as the polling station.

Recommendation: designate John Stainer Community Primary School as the Polling place.

### 7.5 Blackheath Ward

EBL3 – Blackheath Library was taken over by privately run school Heath House Preparatory School who are happy to continue to be used as a polling station.

Recommendation: rename Blackheath Library as Heath House Preparatory School as the designated polling place.

EBL4 – Where there are suitable alternative premise available we endeavour not to close primary schools. The Head Teacher of St Margaret's C of E School recommended the use of Brandram Road Community Centre (Main Hall) . Following an inspection the Brandram Community centre was found to more than adequate and was used for the May 2014 elections.

Recommendation: designate Brandram Road Community Centre as the polling place.

### 7.6 Catford South Ward

ECA3 – The asset transfer to Community Team Sport has been completed and the Pavilion, Abbotshall Playing Fields, will be demolished within the next month. It will be replaced with a new building which should be suitable as a polling place subject to inspection, which is due to be finished by April 2015. The situation needs to be kept under review with

the possibility of using Torricon School (ECA4) as a joint station in case of need.

Recommendation: leave the Pavilion as the designated Polling place with Torricon School earmarked as a joint polling station in case of need.

#### 7.7 Downham Ward

EDO6 – Millwall FC have refused consent to use their training facilities. Ten Em Bee Sports Development Centre, 120A Bromley Road, has been used in both the GLA elections in 2012 and the Combined elections in May 2014 as an alternative.

Recommendation: designate Ten Em Bee Sports Development Centre as the polling place.

#### 7.8 Grove Park Ward

EGR2 – Grove Park Youth Club has been mothballed ahead of a possible asset transfer. Disabled access has been an issue in the past. W G Grace Community Centre in Lions Close was used in the Combined May 2014 elections.

Recommendation: Designate W G Grace Community Centre as the polling place.

#### 7.9 Whitefoot Ward

- EWH2 – Representations have been received from Ward Councillors about re-siting the Portakabin currently positioned adjacent to the allotments in Hafton Road. We have been refused consent to place a portakabin on the parking spaces in Cumberland Place as residents have allotted parking spaces. Moving the portakabin further down Hafton Road means that it will be placed outside residential housing. The railway runs parallel to Cumberland Place and the spaces it owns are fenced off from the road and are directly open to the railway lines.

Recommendation – In the absence of suitable alternatives leave the Portakabin in Hafton Road as the designated polling place.

- EWH5 – St John the Baptist Church on Bromley Road is the currently designated polling place. Janet Hurst has suggested that we explore using the new Community Barn at the Green Man site. St Johns the Baptist has entrances from both the Bromley Road and the Beachborough Road side which makes it convenient to residents of the estate the polling place serves.

Recommendation: It has not been possible to arrange a site visit to the Community Barn at the present time. However, the building from the exterior looks suitable. In the circumstances the recommendation is to leave the designated polling place unchanged. If the inspection is

satisfactory and the Acting Returning Officer is in agreement a further recommendation to re-designate the polling place will be made.

#### 7.10 Bellingham Ward

WBE4 – Bellingham North Community centre is being transferred to Christ Church Reformed Church which is attached to the Community Centre.

Recommendation: rename the polling Place as Christ Church United reformed Church as the designated polling place.

#### **8. Financial implications**

There are no specific financial implications arising.

#### **9. Legal implications**

Each polling district must have sufficient and suitable designated polling places that provide 'such reasonable facilities for voting that are practicable in the circumstances' including accessibility for electors with disabilities. The Council is under a duty to promote equality for those with a disability and the recommendations in this report are drafted with this duty in mind.

Though ultimately the conduct of elections is a matter for the Returning Officer, members are reminded of the Council's duties under Section 149 Equality Act. These appear at Appendix C.

#### **10. Crime and disorder implications**

There are no crime and disorder implications arising.

#### **11. Equalities implications**

All recommended polling places are accessible for people with disabilities and efforts have been made to ensure that polling places are conveniently accessible for all abilities and ages. We have provided temporary ramps where appropriate.

#### **12. Environmental implications**

There are no environmental implications arising.

#### **Background documents and originator**

Malcolm Constable 020 8314 6907

**LONDON BOROUGH OF LEWISHAM  
REPRESENTATION OF THE PEOPLE ACTS 1983  
(as amended by the Electoral Administration Act 2006)  
Review of Polling Districts and Polling Places**

In accordance with the requirements of section 18C (1) of the Representation of the People Act 1983 I hereby give notice that the London Borough of Lewisham is about to conduct a review of polling districts and polling places as required by the above regulations.

Comments and representations are invited from persons in the register of electors, persons with particular expertise in relation to access and facilities for persons who have different forms of disability, elected representatives including Members of the European Parliament, Members of Parliament, GLA Constituency and Assembly members, local councillors and political parties. Any comments should include alternative places that may be used as polling stations if relevant.

Existing details of polling districts and places are available for inspection at [www.lewisham.gov.uk](http://www.lewisham.gov.uk) and at the Electoral Services Office between the hours of 10 am to 4 pm.

The consultation period will commence on 4 August 2014. Representations must be received no later than 15 September 2014 and must be directed to:

Malcolm Constable, Electoral Services, Laurence House, Catford, SE6 4RU  
Telephone: 020 8314 6086  
Email: [electoral.services@lewisham.gov.uk](mailto:electoral.services@lewisham.gov.uk)

Representations will be sought from the Acting Returning Officer for the constituencies of Lewisham Deptford, Lewisham East and Lewisham West and Penge. These representations will be available for inspection at [www.lewisham.gov.uk](http://www.lewisham.gov.uk) and at the Electoral Services Office between the hours of 10 am to 4 pm from 30 September 2014.

The closing date for comments on any proposals regarding the Acting Returning Officers' recommendations is 15 October 2014.

Following completion of the review process, recommendations will be submitted to full Council. It is anticipated that the Council will publish its final proposals during December 2014.

Barry Quirk  
Chief Executive  
4 August 2014



**Equalities Legislation**

The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

In summary, the Council must, in the exercise of its functions, 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.

The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.

The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at: <http://www.equalityhumanrights.com/legal-and-policy/equality-act/equality-act-codes-of-practice-and-technical-guidance/>

The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:

1. The essential guide to the public sector equality duty
2. Meeting the equality duty in policy and decision-making
3. Engagement and the equality duty
4. Equality objectives and the equality duty
5. Equality information and the equality duty

The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It

covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at:

<http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/guidance-on-the-equality-duty/>