

	<p>General Functions Committee</p> <p>18 February 2016</p>
<p style="text-align: right;">Title</p>	<p>Interim Review of Polling Districts and Polling Places</p>
<p style="text-align: right;">Report of</p>	<p>Andrew Travers Chief Executive and Returning Officer</p>
<p style="text-align: right;">Wards</p>	<p>All</p>
<p style="text-align: right;">Status</p>	<p>Public</p>
<p style="text-align: right;">Urgent</p>	<p>No</p>
<p style="text-align: right;">Key</p>	<p>No</p>
<p style="text-align: right;">Enclosures</p>	<p>Appendix A: Polling arrangement proposals within the area of the Chipping Barnet parliamentary constituency Appendix B: Polling arrangement proposals within the area of the Finchley and Golders Green parliamentary constituency Appendix C: Polling arrangement proposals within the area of the Hendon parliamentary constituency Appendix D: Copy of all representations received in relation to this Interim Review.</p>
<p style="text-align: right;">Officer Contact Details</p>	<p>John Bailey – Head of Electoral Services 020 8359 3008 - john.e.bailey@barnet.gov.uk</p>

Summary

This report advises the General Functions Committee on the proposed changes being brought forward by the London Borough of Barnet’s Returning Officer to polling districts and polling places for use at all future elections and referendums that take place within the borough.

The Committee’s approval of these proposals is sought so that they may take effect in time for electors to be advised in good time for the London Mayoral and Greater London Assembly elections that take place on 5 May 2016.

Recommendation

1. That the General Functions Committee approve all new polling place arrangements as proposed by the Returning Officer and laid out in Appendices A, B and C attached to this report.

1. WHY THIS REPORT IS NEEDED

- 1.1 In order to comply with the requirements of the Representation of the People Act 1983 sections 18A-18E (as amended by section 17 of the Electoral Registration and Administration Act 2013), the Council was required to undertake a full review of all polling districts and polling places in the period between 1 October 2013 and 31 January 2015 and every five years thereafter. It became apparent during the conduct of the review (taken to committee on 11 November 2014) that further amendments would be necessary to the polling arrangements within the borough on a more regular basis than every five years.

2. REASONS FOR RECOMMENDATION

- 2.1 After a review by the Head of Electoral Services and the borough's Returning Officer, during which representations were sought from electors and elected stakeholders, it is submitted to the committee that the needs of affected electors will be best met at future elections and referendums within the borough by adopting the proposed changes to polling arrangements detailed within the attached appendices.
- 2.2 The current polling arrangements within the borough are considered to be predominantly satisfactory and have all been shown at elections conducted in recent years to be practicable given the circumstances that prevail within the areas that they serve. The approach throughout this interim review has been to only propose changes where a clear conclusion has been reached that new arrangements:
- will *on balance* better serve the affected electors by offering superior polling facilities, accessibility and/or location in comparison with existing arrangements
 - will reduce inconvenience caused by polling day arrangements for local residents *without* having any substantive detrimental effect upon the voting arrangements for affected electors.
- 2.3 Reviewing and approving polling arrangements annually ensures that optimal voting arrangements are maintained in response to the borough electorate's growing size and density (e.g. as caused by new housing developments). Regular changes to a smaller number of polling arrangements will help to avoid the need for the more drastic and wide scale changes that could be necessary if the arrangements are only reviewed once every five years (as required by the Electoral Registration and Administration Act 2013).

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 As the Council must only undertake a statutory review of polling districts and polling places within a defined period once every five years, in accordance with the provisions of the Representation of the People Act 1983 section 18A-18E (as amended by section 17 of the Electoral Registration and Administration Act 2013), and the Review of Polling Districts and Polling Places (Parliamentary Elections) Regulations 2006, there is an option to make

no changes to polling arrangements. This was rejected for the reasons outlined in 2.3 above.

- 3.2 All suggested changes to polling arrangements that have been supported by a suggested alternative arrangement and submitted as a representation to the review have been assessed. Where these suggestions do not form part of the Returning Officer's proposals in Appendixes A, B and C, they have not been considered by the Returning Officer to meet the criteria set out in 2.2 above.
- 3.3 Where a polling place becomes unavailable at short notice in the lead up to an election the Returning Officer has legislative powers to appoint a polling station and must advise affected electors appropriately. Provision is contained within Section 18E RPA 1983 which provides that no election is to be questioned by reason of any informality relative to polling districts and polling places.

4. POST DECISION IMPLEMENTATION

- 4.1 The polling districts and polling places as approved will be used for the London Mayoral and Greater London Assembly elections to be held on 5 May 2016 and future elections and referendums held within the London Borough of Barnet.
- 4.2 On an annual basis (and following any borough-wide election or referendums where held), the Head of Electoral Services, in consultation with the Returning Officer, will review all polling arrangements for suitability. Following this any proposed changes to existing polling arrangements (e.g. polling districts and polling places) will be submitted for approval to the General Functions Committee.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 The designation of polling districts and polling places that give all electors reasonable and accessible facilities for voting (so far as is practicable within the circumstances), helps to ensure that the views of all residents that are eligible electors are expressed and taken into consideration on all aspects of the corporate priorities.

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

- 5.2.1 There are minor additional costs in the administration and delivery of elections if the Committee approves a proposal that adds an additional polling place to the existing arrangements.
- 5.2.2 In those instances where a polling place is proposed to move between permanent buildings, the impact will either be cost neutral or will create a negligible increase or decrease in comparison with existing costs.
- 5.2.3 In those instances where a polling place is proposed to move away from portable offices to a permanent building, there will be savings in excess of

£1000 per polling station, per election.

5.2.4

Proposal (detailed in Appendix A,B,D)	(Approx.) Cost Impact if Approved
CDD & CDB (combined proposal)	Saving = £4,000
CFA	Cost = £500
CGB	Cost = £500
HSA	Saving = £500
HTC	Cost = £500
HUC	- Nil -

5.2.5 The Council is only responsible for the costs of conducting local (council) elections, including local by elections when held, to elect the Borough's own councillors. At all other elections, legislation stipulates that all 'actual and necessary' costs are recovered by the Returning Officer from the relevant governing body for that particular election (e.g. central government must meet the costs of UK and European Parliamentary elections and the GLA must meet the costs of London Mayoral and Greater London Assembly elections).

5.3 Social Value

Not applicable within the context of this report.

5.4 Legal and Constitutional References

5.4.1 In order to comply with the provisions of the Representation of the People Act 1983 sections 18A-18E (as amended by section 17 of the Electoral Registration and Administration Act 2013), and the Review of Polling Districts and Polling Places (Parliamentary Elections) Regulations 2006 the Council undertook a statutory review of polling districts and polling places in the period between October 2013 and January 2015.

5.4.2 In carrying out any review of polling arrangements, the local authority must comply with the steps set out in Schedule A1 Representation of the People Act 1983. The local authority is required to:

- publish a notice of the holding of a review
- consult the (Acting) Returning Officer for every parliamentary constituency which is wholly or partly in its area

- publish all representations made by the Returning Officer within 30 days of receipt by posting a copy of them at the local authority's office and in at least one conspicuous place in their area and, if the authority maintains a website, by placing a copy on the authority's website
- seek representations from such persons as it thinks have particular expertise in relation to access to premises or facilities for persons who have different forms of disability. Such persons must have an opportunity to make representations and to comment on the representations made by the (Acting) Returning Officer(s).
- on completion of a review, give reasons for its decisions and publish:
 - all correspondence sent to an (Acting) Returning Officer in connection with the review
 - all correspondence sent to any person whom the authority thinks has particular expertise in relation to access to premises or facilities for persons who have different forms of disability
 - all representations made by any person in connection with the review
 - the minutes of any meeting held by the council to consider any revision to the designation of polling districts or polling places within its area as a result of the review
 - details of the designation of polling districts and polling places within the local authority area as a result of the review
 - details of the places where the results of the review have been published

5.4.3 Provision is contained within Section 18E RPA 1983 which provides that no election is to be questioned by reason of any informality relative to polling districts and polling places. Representations can be made to the Electoral Commission which may make directions to alter polling districts.

5.4.4 The Council's Constitution, Responsibility for Functions, [Annex A](#) states the terms of reference of the General Functions Committee and includes responsibility for functions including: '....polling stations,' 'ward boundaries' and '....elections in general'.

5.5 Risk Management

5.5.1 By approving the outcomes of this review the Council will meet its statutory duty to review polling districts and polling places as designated under the Representation of the People Act 1983 section 18A-18E (as amended by section 17 of the Electoral Registration and Administration Act 2013) and thereby eliminates the risk of breaching this duty.

5.5.2 In conducting and implementing the findings of this review of Polling Districts and Polling Places, the Council mitigates the risk that electors find the arrangements for polling within the Borough to be hampered by poor accessibility or the provision of sub-standard facilities (given the practicable circumstances prevailing in each polling district).

5.5.3 By approving an annual review and submission to the General Functions Committee of the arrangements for polling districts and polling places within the borough, the Council will mitigate the risk of the polling arrangements becoming unfit for purpose. This may otherwise happen due to changes to the

electorate that are likely to be brought about by housing re-developments and regeneration projects and/or changes to the various voter franchises (e.g. the accession of new EU member states, voting for 16 & 17 year olds being introduced by future legislation etc.).

5.6 Equalities and Diversity

5.6.1 No separate equalities impact assessment has been undertaken as the delivery of this electoral process is strictly governed by legislation, which is in itself designed to provide for reasonable access for all electors – including persons who have different forms of disability (so far as is reasonably practicable in the circumstances). In addition to providing polling stations that are as accessible as practicable in the circumstances, electoral legislation provides that all voters have the right to request the use of postal or proxy voting arrangements.

5.6.2 The legislation governing this review requires that representations are sought from persons who are considered to have an expertise in access to locations for persons with different forms of disability. In order to fulfil this requirement, representations were sought from:

- The Equalities Officer of the London Borough of Barnet
- The Head of Service for Health and Safety at the London Borough of Barnet.

5.7 Consultation and Engagement

5.7.1 The notice of this review, which invites representations to be made regarding the polling arrangements within the borough, was published and displayed at Hendon Town Hall and posted on the Council's website on 19 September 2015. In addition a copy of the review notice was sent to:

- All 63 Councillors of the London Borough of Barnet
- The three Members of Parliament that represent the constituencies within the London Borough of Barnet
- The Greater London Authority's Barnet and Camden London Assembly Constituency Member

- All representations received to date in response to the notice of review are contained within Appendix D.

- The proposals of the Returning Officer (as laid out in appendixes A, B and C to this report) were received on 11 January 2016 and must be published within 30 days of receipt. The Returning Officer's proposals were published on the Council's website on 21 January 2016 and were also sent to those parties outlined in section 5.7.1 of this report.

5.8 Insight

5.8.1 Not applicable in the context of this report.

6. BACKGROUND PAPERS

6.1 At the meeting of the General Functions Committee held on 11 November 2014, the Committee approved the current polling district and polling place arrangements: [Link to GFC Papers Nov 2014](#)

- 6.2 Also at the meeting held on 11 November 2014, the Committee approved that an annual 'interim' review be held of polling arrangements within the borough.
- 6.3 Following the Committee's decisions at the meeting on 11 November 2014, the Electoral Commission contacted the (Acting) Returning Officer on 20 February 2015 stating that a representation had been submitted to them by more than 30 electors. In accordance with their statutory duty under section 18D(1)(b) of the Representation of the People Act 1983 the Electoral Commission reviewed the specific Committee decision not to implement the (Acting) Returning Officer's proposal to create a new polling district (HOF) in the Hale Ward, with a polling place situated at Annunciation Catholic School, The Meads, Edgware HA8 9HQ. Following this review the Electoral Commission then directed the Council on 27 March 2015 to implement in full the changes that had been proposed by the (Acting) Returning Officer's proposal in relation to this polling district and polling place. The direction by the Electoral Commission was duly implemented and was subsequently reported (as Item 11) at the General Functions Committee held on 24 June 2015. [Link to GFC Papers June 2015](#)