

MEETING

CONSTITUTION AND GENERAL PURPOSES COMMITTEE

DATE AND TIME

THURSDAY 6TH JANUARY, 2022

AT 7.00 PM

VENUE

HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BQ

Dear Councillors,

Please find enclosed additional papers relating to the following items for the above mentioned meeting which were not available at the time of collation of the agenda.

Item No	Title of Report	Pages
8	FINAL PROPOSALS FOR NEW POLLING DISTRICTS AND POLLING	3 - 12

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AGENDA ITEM 8 Constitution and General Purposes Committee

6 January 2022

Title	Late Addendum on proposals for new Polling Districts and Polling Places
Report of	John Hooton - Returning Officer for Barnet
Enclosures	Appendix 29 – Alternative Polling Proposals for High Barnet Appendix 30 - Equalities Impact Assessment on the two polling proposals for High Barnet ward
Officer Contact Details	John Bailey, Head of Electoral Services 020 8359 3008 - john.bailey@barnet.gov.uk

Summary

An additional representation on the proposals for polling arrangements in High Barnet ward was submitted by the Labour Group (via Councillor Geof Cooke) following publication of the full proposals shared at Agenda Item 8.

In response an Alternative Proposal has been developed for High Barnet ward that could serve electors for polling in High Barnet ward.

Officers Recommendations

1. The committee is asked to decide whether to designate the original Returning Officer Proposal for High Barnet or the Alternate Proposal for High Barnet as the official polling arrangements to be used in this ward at elections.

1. WHY THIS REPORT IS NEEDED

- 1.1 The representation put forward by the Labour Group raised concerns about the accessibility of two polling venues within the High Barnet proposals in the Returning Officer proposal for High Barnet (attached as an appendix to agenda item 8), as many pedestrian electors in two of the proposed polling districts for High Barnet, would need to cross Barnet Road.

- 1.2 The proposed polling districts, in the Returning Officer proposal for High Barnet, served by Arkley Club and St Peter's Church Hall would each serve in-person voters that are registered on both sides of Barnet Road.
- 1.3 The Labour Group representation proposed that Whittings Hill School be used as a polling venue instead of St Peter's Church Hall and that the polling districts be redrawn to avoid the need for in-person pedestrian electors to cross Barnet Road.
- 1.4 An alternative proposal has been developed that meets these proposals (attached as Appendix 29).
- 1.5 Based on the assessment of Whittings Hill School, carried out following a visit by the Head of Electoral Services on 2 December 2021, it is believed that the school would decide that it must close on polling days if used as a polling station, due to their safeguarding duties towards pupils.
- 1.6 The committee is asked to choose either the original Returning Officer proposal or the Alternative Proposal as the designated polling arrangements to be used in the new High Barnet ward.

2. REASONS FOR RECOMMENDATIONS

- 2.1 It is critical that the borough's new polling arrangements are decided upon at the committee meeting on 6 January 2022.
- 2.2 The new polling arrangements must be implemented within the Register of Electors, so that it may be fully re-published with all electors allocated to their new wards and polling districts. This work must be completed before any preparations for the forthcoming local government elections on 5 May 2022 can properly commence.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 In accordance with the provisions of Statutory Instrument Order 2020 No. 1106: ***The London Borough of Barnet (Electoral Changes) Order***, the new wards within Barnet are legislated to come into effect from 5 May 2022. There is no lawful alternative to introducing new polling districts and polling places to serve these new wards at the elections on 5 May 2022.
- 3.2 To adopt the initial proposals without consideration to the representations received during the statutory public consultation could lead to an appeal being lodged by electors to the Electoral Commission. This in turn could have a negative effect on the perceived fairness and transparency of future elections within Barnet.

4. POST DECISION IMPLEMENTATION

- 4.1 Following the committee's decision on the polling arrangements for High Barnet, these will be used to re-publish the Register of Electors. This in turn will enable eligible electors within High Barnet to be sent poll cards and to vote within the chosen arrangements at future elections within the ward.
- 4.2 The list of designated polling places and maps detailing the designated new polling districts will be published on the website.

4.3 The designated polling arrangements will be used for the conduct of all future statutory elections within the borough.

5. IMPLICATIONS OF DECISION

5.1 **Corporate Priorities and Performance** – all as per main report at Agenda Item 8

5.2 **Social Value** – all as per main report at Agenda Item 8

5.3 **Legal and Constitutional References**– all as per main report at Agenda Item 8

5.4 **Risk Management** – all as per main report at Agenda Item 8

5.5 Equalities and Diversity

5.6.1 In addition to the Equalities Impact Assessment (provided as Appendix 28 to the main report at Agenda Item 8), the Head of Electoral Services has completed an Equalities Impact Assessment specifically on the two proposals for High Barnet ward (the Returning Officer Proposal and the Alternative Proposal) – this is attached as Appendix 30.

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. To fulfil this requirement, Barnet’s Head of Health, Safety and Wellbeing has reviewed the proposals and the Equalities Impact Assessment for High Barnet.

5.6.3 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, Part 2 Representation of People Act 2000 provides that all voters have the right to request the use of postal or proxy voting arrangements.

5.6.4 Effective processes and activities with regards to registering residents on the electoral roll, in compliance with all relevant electoral legislation, ensures that all eligible individuals can choose to exercise their democratic rights in the manner in which they choose (as allowed by law).

5.6 **Corporate Parenting** – all as per main report at Agenda Item 8

5.7 **Consultation and Engagement** - all as per main report at Agenda Item 8

5.8 **Insight** – all as per main report at Agenda Item 8

6. BACKGROUND PAPERS- all as per main report at Agenda Item 8

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Equality Impact Assessment: Statutory Review of Polling Districts and Polling Places 2021

The Equality Act 2010 includes a general duty which requires public authorities, in the exercise of their functions, to have due regard to the need to:

- **Eliminate discrimination**, harassment and victimisation and any other conduct that is prohibited by or under the Act.
- **Advance equality of opportunity** between people who share a relevant protected characteristic and people who do not share it.
- **Foster good relations** between people who share a relevant protected characteristic and those who do not

In order to comply with the general duty. Local Authorities must assess the impact on equality of decisions, policies and practices. These duties do not prevent the authority from reducing services where necessary, but they offer a way of developing proposals that consider the impacts on all members of the community.

Authorities which fail to carry out equality impact assessments risk making poor and unfair decisions which may discriminate against particular groups and worsen inequality.

1. **Key recommendations:** That the Constitution and General Purposes (CGP) committee reviews the two proposals¹ put forward to become the designated Polling Districts and Polling Places (PDPP) within the 'new' High Barnet ward (effective from May 2022) and selects the proposal considered most appropriate to serve the needs of the electors and residents of the ward and surrounding areas.
2. **Committee name and date:** Constitution and General Purposes (CGP) committee – 6 January 2022
3. **Stakeholders:** All registered electors; local residents, election staff, election candidates and polling agents, official election observers.
4. **Consultation:** Public consultation took place on the Returning Officer's initial polling place proposals (as approved by CGP committee on 4 October 2021) between 11 October 2021 and 19 November 2021. All representations received are included within Appendix 27 to the PDPP report to committee on 6 Jan 2022. The Returning Officer's final proposals were then sent to the London Borough of Barnet's 'Head of Health, Safety and Wellbeing' in December 2021 for review ahead of CGP committee on 6 January 2022.
5. **Factors considered in the assessment:** For each of the groups below, an assessment has been made on whether each of the High Barnet PDPP proposals would have a positive, negative, or neutral impact. Where the impact is negative, a high, medium or low assessment is given. The assessment looks at each of the proposals on their own merits taking into account issues such as pedestrian access, public transport and vehicular access. The responses received during the public consultation on the proposals were also taken into account.
 - High impact – a significant potential impact, risk of exposure, history of complaints, no mitigating measures in place etc.
 - Medium impact – some potential impact exists, some mitigating measures are in place, poor evidence
 - Low impact – almost no relevancy to the process, e.g. an area that is very much legislation led and where the Council has very little discretion

¹The 'Returning Officer's Proposal' (ROP) and the 'Alternate Proposal' (AP)

Protected characteristic/ area of interest	Returning Officer Proposal (ROP)		Alternate Proposal (AP)		Reason
	Positive, Negative or Neutral Impact	High, Medium or Low Impact	Positive, Negative or Neutral Impact	High, Medium or Low Impact	
Age (0 – 24 Age Category)	Positive	N/A	Negative	<i>Medium</i>	The ROP does not use any schools, so the impact upon 0-18 category of children is assessed as positive. The AP would require one primary school to fully or partially close, based upon a specific assessment at each election by the school's management structure (i.e., school's senior leaders and/or governing body). This may have a negative impact upon any pupils missing school (and their parents/carers) due to an election taking place.
Age (51-80 and 81+ Age Categories)	Negative	<i>Medium</i>	Positive	N/A	<p>For the elderly, the ROP may have a negative impact on some persons with this protected characteristic, as many electors that are pedestrians will be required to cross Barnet Road to reach their polling station to vote. This single lane road does not offer any road-crossing facilities for pedestrians across the entirety of the polling districts being served by St Peters Church Hall and the Arkley Club. In addition, many of the pedestrian pavements are narrow and would be difficult to navigate for those with limited mobility. There is parking available at both sites that will make access easier for some electors by car or taxi. There are also bus stops within 100 metres of both venues. For this proposal one consultation response was received which pointed out the difficulties for this protected characteristic, regarding pedestrian access given the single lane road lack of crossing places and narrow pavements.</p> <p>The AP would have a positive impact for those persons outlined above, as there would be no requirement for electors in the polling districts served by Whittings Hill School or the Arkley Club to cross Barnet Road (if travelling from their registered address to the polling venue). There is parking on or near both polling venues and bus stops within 100 metres of the site which will assist some electors.</p>
Disability	Negative	<i>Medium</i>	Positive	N/A	The ROP may have a potential negative impact on some persons with this protected characteristic, as many electors that are pedestrians will be required to cross Barnet Road to reach their polling station to vote. This single lane road does not offer any road-crossing facilities for pedestrians across the entirety of the polling districts being served by St Peters Church Hall and the Arkley Club. In addition, many of the pedestrian pavements are narrow and would be difficult to navigate for wheelchair users or those with limited mobility. There is parking available at both sites that will make access easier for some electors by car or taxi. There are also bus stops within 100 metres of both venues. For this proposal one consultation response was received which pointed out the

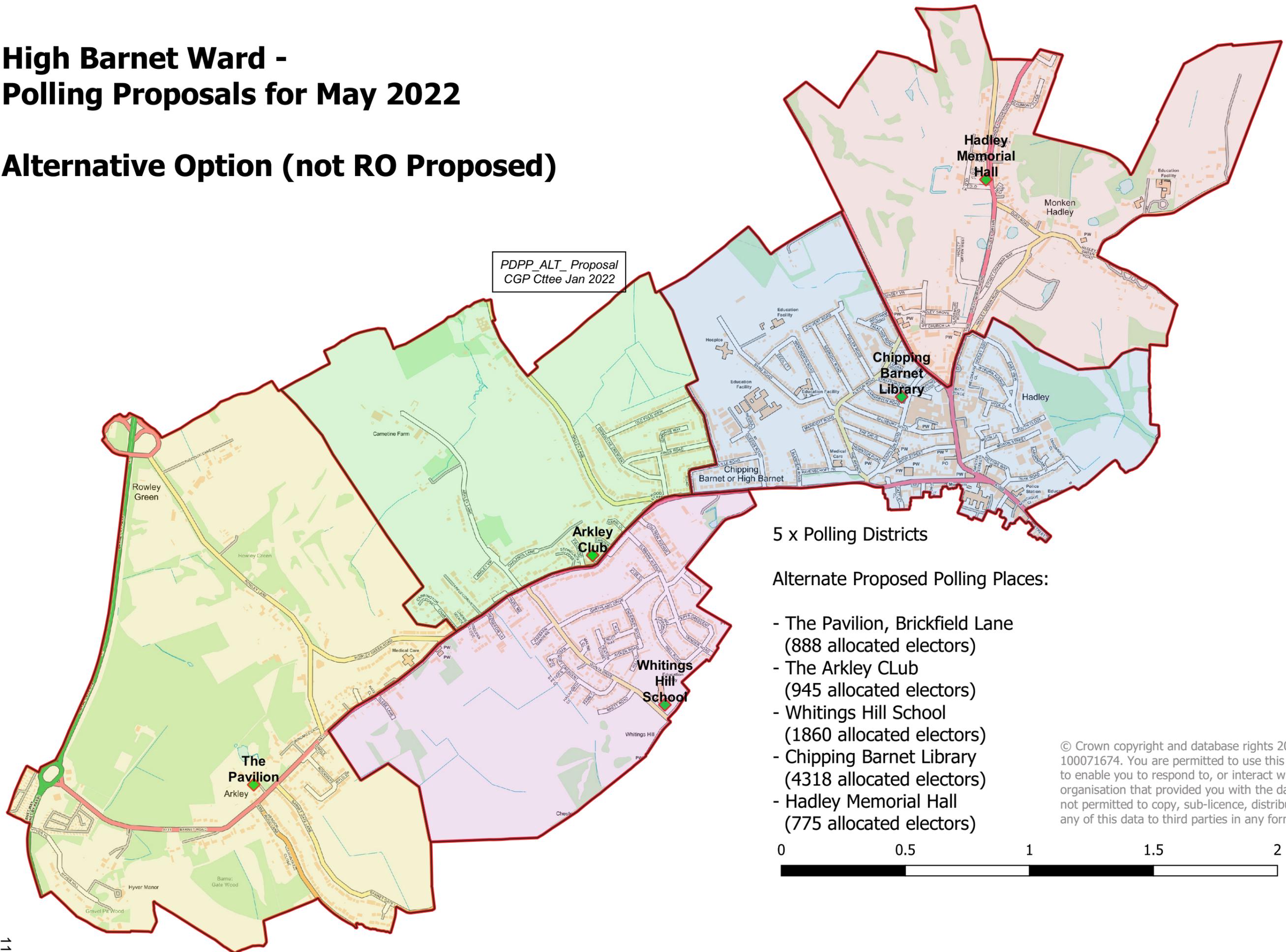
					<p>difficulties for this protected characteristic, regarding pedestrian access given the single lane road lack of crossing places and narrow pavements</p> <p>The AP would have a positive impact for those persons outlined above, as there would be no requirement for electors in the polling districts served by Whitings Hill School or the Arkley Club to cross Barnet Road (if travelling from their registered address to the polling venue). There is parking on or near both polling venues and bus stops within 100 metres of the site which will assist some electors.</p>
Gender reassignment	Neutral	N/A	Neutral	N/A	No changes made to polling provision that affect this characteristic.
Pregnancy and maternity	Negative	Medium	Positive	N/A	<p>The ROP may have a potential negative impact on some persons with this protected characteristic, as electors that are pedestrians will be required to cross Barnet Road to reach their polling station to vote. This single lane road does not offer any road-crossing facilities for pedestrians across the entirety of the polling districts being served by St Peters Church Hall and the Arkley Club. In addition, many of the pedestrian pavements are narrow and may be difficult to navigate for persons that are travelling with children or with pushchairs etc.. There is parking available at both sites that will make access easier for some electors by car or taxi. There are also bus stops within 100 metres of both venues. For this proposal one consultation response was received which pointed out the difficulties for this protected characteristic, regarding pedestrian access given the single lane road lack of crossing places and narrow pavements</p> <p>The AP would have a positive impact for those persons outlined above, as there would be no requirement for electors in the polling districts served by Whitings Hill School or the Arkley Club to cross Barnet Road (if travelling from their registered address to the polling venue). There is parking on or near both polling venues and bus stops within 100 metres of the site which will assist some electors.</p>
Race	Neutral	N/A	Neutral	N/A	No changes made to polling provision that affect this characteristic.
Religion or belief	Neutral	N/A	Neutral	N/A	No changes made to polling provision that affect this characteristic. The church hall at St Peter's Church is a separate building from the church where acts of worship are performed.
Sex	Neutral	N/A	Neutral	N/A	No changes made to polling provision that affect this characteristic.
Sexual orientation	Neutral	N/A	Neutral	N/A	No changes made to polling provision that affect this characteristic.
Marriage and Civil partnership	Neutral	N/A	Neutral	N/A	No changes made to polling provision that affect this characteristic.

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High Barnet Ward - Polling Proposals for May 2022

Alternative Option (not RO Proposed)

PDPP_ALT_Proposal
CGP Cttee Jan 2022

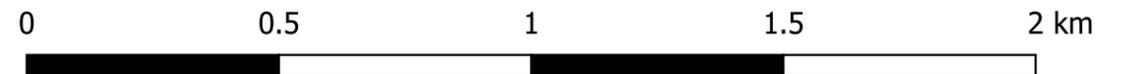


5 x Polling Districts

Alternate Proposed Polling Places:

- The Pavilion, Brickfield Lane (888 allocated electors)
- The Arkley Club (945 allocated electors)
- Whitings Hill School (1860 allocated electors)
- Chipping Barnet Library (4318 allocated electors)
- Hadley Memorial Hall (775 allocated electors)

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