

# FAREHAM

## BOROUGH COUNCIL

### **Report to Licensing and Regulatory Affairs Committee**

**Date**                    **24 January 2017**

**Report of:**            **Head of Democratic Services**

**Subject:**              **INTERIM POLLING STATION REVIEW**

#### **SUMMARY**

The Council has a statutory duty to keep under review the polling districts and polling places it uses for parliamentary (and other) elections.

Members of the Licensing and Regulatory Affairs Committee are asked to consider options for the location of a polling station for Hill Head districts 3 and 4, following Crofton Anne Dale Junior School declining to be a polling station at the forthcoming Hampshire County Elections in May 2017.

#### **RECOMMENDATION**

That the Licensing and Regulatory Affairs Committee:-

- (a) considers designating an alternative polling station for Hill Head districts 3 and 4 (as set out in paragraphs 11 to 14 of the report); and
- (b) subject to agreement, recommends the change of polling station to Council for approval.

## **INTRODUCTION**

1. In accordance with the Electoral Administration Act 2006, the Council has a statutory duty to keep under review the polling districts and polling places it uses for parliamentary (and other) elections. The last review was undertaken in 2014 which confirmed the scheme for the use of polling places and polling districts throughout the Borough for all elections.
2. The Licensing and Regulatory Affairs Committee has delegated powers to undertake such a review and to recommend a final scheme to the Council for adoption.

## **2017 COUNTY ELECTIONS**

3. In preparation for the County elections which take place on 4 May 2017, all polling stations have been contacted to confirm the booking of the location for polling day.
4. From the Fareham Crofton Division (Hill Head ward), Crofton Anne Dale Junior School has returned the booking slip to decline the booking and written to confirm that in their view, the necessary closure of the school site for pupils would cause an interruption to the preparation of SATS and be inconvenient for parents.
5. Statutory powers exist to ensure that Local Education Authority schools can always be made available for use as polling stations. However, in light of complaints received by the County Council from parents at the school, Members are asked to consider alternative options for a polling station for Hill Head districts 3 and 4 (HH3 and HH4).

## **THE LEGISLATIVE BACKGROUND**

6. The Representation of the People Act 1983 requires the local authority to divide its area into polling districts for the purpose of parliamentary elections and to keep such districts under review. Polling districts may also be designated for local government elections and in practice they follow the same boundaries as the parliamentary ones. Essentially, polling districts are the geographical sub-divisions of an electoral area, whether that is a constituency, a county division or a borough ward. Neither the parliamentary constituency boundaries, nor the local government wards and division boundaries may be changed by this process.
7. A local authority is also required to designate a polling place for each polling district. A polling place is a building or an area in which polling stations are located. The location of a polling station within a polling place is a matter for the Returning Officer and, as part of this review, the Returning Officer is required to make formal comment on polling stations currently or likely to be used in any parliamentary (or other) election.
8. In undertaking a review the local authority must seek to ensure that all electors in a constituency have such reasonable facilities for voting as are practicable in the circumstances. It must also seek to ensure that so far as is practicable every polling station is accessible to electors who are disabled. A polling place should preferably be located within the polling district, but the Act recognises this is not always feasible,
9. The process for undertaking a review is largely prescribed by the Act and regulations but minor alterations can be implemented between major reviews to satisfy the reasonable requirements of electors or to consider the accessibility to disabled persons of polling stations within a designated polling place.

10. The Returning Officer has delegated powers to select an alternative venue as a polling station in the event that a confirmed booking of a polling place, as set out in the Council's scheme, cannot be achieved. However, by virtue of the statutory powers available to local authorities regarding the use of schools, it is for the Licensing and Regulatory Affairs Committee to consider alternative options in this instance and to make its recommendation to Council for approval.

### OPTIONS FOR CONSIDERATION

11. The Licensing and Regulatory Affairs Committee is asked to consider the use of Crofton Community Centre as an alternative polling station for HH3 and HH4.

12. Crofton Community Centre is already confirmed as a booked polling station and offers the use of the main hall, which in June 2016 was used to house 6 polling stations for the EU Referendum, with great success.

13. The proposal would see HH3 and HH4 share the use of the main hall with Stubbington districts 1 and 2, resulting in a quadruple station for the Fareham Crofton County Division.

14. The alternative option is to invoke our statutory powers and continue to use Crofton Anne Dale School as a polling station for HH3 and HH4 for the County elections in May 2017.

15. The current details for HH3 and HH4 are as follows:

<p>Hill Head District 3</p> <p>Polling Place Anne Dale Junior School Cuckoo Lane, Stubbington Fareham</p> <p>Electorate 1522</p>	<p>Barlow Close, Berry Lane, Carisbrooke Avenue, Cliff Road, Cowdray Park, Crabthorn Farm Lane, Dover Close, Fernie Close, Fitzwilliam Avenue, Fury Way, Great Gays, Haven Crescent, Hill Head Road, Knights Bank Road, Little Gays, Old Street (2-168/5-67), Osborne View Road, Pembroke Crescent, Pytchley Close, Short Road, Solent Road, The Scimitars, Whaddon Chase</p>
<p><b>Comments</b> Returning Officer: Although this polling place is located outside the polling district, it affords adequate facilities to accommodate two polling stations. No alternative venue identified within the district.</p>	

<p>Hill Head District 4</p> <p>Polling Place Anne Dale Junior School Cuckoo Lane, Stubbington Fareham</p> <p>Electorate 1494</p>	<p>Angelus Close, Biscay Close, Blankney Close, Bramham Moor, Cromarty Close, Cuckoo Lane, Fair Isle Close, Faroes Close, Fastnet Way, Finisterre Close, Fisher Close, Forth Close, Forties Close, Hawk Close, Hebrides Close, Humber Close, Lundy Walk, Malin Close, Old Street (180-220), Plover Close, Plymouth Drive, Robins Close, Sea Kings, Shannon Road, The Gannets, Upper Old Street (1), Vicarage Lane (Glamis Court/ 10-40), Viking Close, Vixen Close</p>
<p><b>Comments</b> Returning Officer: See comments as for district 3 above</p>	

16. A map of the area is included at Appendix A, showing the relative distance between the two polling stations and highlighting the area for HH3 and HH4.

### **Potential Benefits**

17. Potential benefits of the change of Polling Place include:

- (a) large car park facility including ample disabled parking bays;
- (b) multiple station locations provide a central focus point for candidates, tellers and agents;
- (c) co-located experienced Presiding Officers and Poll Clerks can provide assistance and advice for new polling staff;
- (d) short distance for electors to travel additional distance of half a mile between Crofton Anne Dale School and Crofton Community Centre;
- (e) electors who voted in the EU Referendum from HH3 and HH4 attended Crofton Community Centre as a polling station and so have experienced this change of venue;
- (f) avoids the disruption to pupils, parents and teaching staff for Crofton Anne Dale Junior and Infant Schools.

### **Reasons against**

18. Potential issues and reasons not to change the polling place include:

- (a) all electors will have further to travel by half a mile as the polling station is outside the district boundaries (as is Crofton Anne Dale School);
- (b) Fareham Borough Council is within its rights to invoke its Statutory Powers to utilise Crofton Anne Dale school as polling station;

### **Crofton County Councillor and Fareham Ward Councillors Consultation**

19. Existing Fareham Borough Ward and County Councillors have been consulted and all are in agreement with the proposal to move the polling station to Crofton Community Centre.

20. The Hill Head Ward Members indicated that they would wish to see assistance for voters in the car park and clear directions in the main hall to assist voters in getting to the correct polling station with one door in and a separate door out.

21. The County Councillor requested that 5 or 6 parking bays be specifically allocated for voter parking in the car park.

22. Both of these suggestions can be accommodated by officers liaising with the Community Centre management team and incorporating these suggestions within the plans for the polling place.

### **RISK ASSESSMENT**

23. Failure to meet the reasonable requirements of electors or not taking sufficient account of accessibility to disabled persons may lead to representations to the Electoral

Commission who may direct changes to be made. In undertaking the review the Council may ensure that it is taking reasonable steps to enable all electors to participate in the democratic process.

**Background Papers:**

Correspondence from Crofton Anne Dale Junior School

Complaint received by Hampshire County Council

**Reference Papers:**

Report to Licensing and Regulatory Affairs Committee – 16 September 2014: Review of Polling Districts and Polling Places

**Enquiries:**

For further information on this report please contact Leigh Usher. (Ext 4553)

**APPENDICES**

**Appendix A** – Map of Stubbington area showing polling station location