REPORT OF: Chief Executive – 19/247

WARDS AFFECTED: Castle, Mayfield, Streonshalh, Woodlands

SUBJECT: INTERIM POLLING DISTRICT AND POLLING PLACE REVIEW

RECOMMENDATION (S):
To approve the proposed changes to Polling Places as set out in Appendix I.

REASON FOR RECOMMENDATION (S):
- To move away from the use of schools where possible to minimise disruption to both schools and the wider community.

- To allocate Eastside Community Centre as the permanent polling place for the Abbey no.2 (FB) polling district since the use of the previously used Salvation Army building became unavailable.

- To comply with Section 18C of the Representation of the People Act 1983 which requires all Authorities to review polling districts and polling places ensuring all electors have suitable polling places.
HIGHLIGHTED RISKS:

- Unable to provide suitable polling places for electors at future elections in the Castle, Mayfield and Woodlands Wards, without causing disruption to schools and the wider community.

- Non-compliance with the statutory requirements under the Electoral Registration and Administration Act 2013

- See risk matrix at the end of this report

1. **INTRODUCTION**

1.1. Under the Representation of the People Act 1983, the Council has a duty to divide the Borough Wards into polling districts and to designate at least one polling place for each polling district. It also has to keep these arrangements under review. The boundaries of wards are not covered by any such review as the Boundary Commission for England determines them.

1.2. Every local authority must conduct a compulsory review of polling districts and polling places every 5 years, and the statutory period for doing this is between 1st October 2018 and 31st January 2020. The last full review in the Borough was carried out in 2018 and came into effect from 1 February 2019. (Report to Cabinet on 11 December 2018 reference 13/416) and subsequently approved by full Council on 7 January 2019.) A council can conduct an interim review at any time to ensure electors have suitable designated polling places.

1.3. The Council has conducted an interim review now, to identify alternative polling places where some are no longer deemed suitable, or are causing an inconvenience or disruption to the wider community.

1.4. One polling station which was identified as no longer available during the last polling district review was The Salvation Army Building, St Peter’s Road, Whitby (Streonshalh Ward). A suitable alternative was not identified at the end of the last review, therefore the polling place was designated as the whole geographical area of the relevant polling district (Abbey 2 – FB) to allow the (Acting) Returning Officer the ability to select a polling station deemed suitable after approval of the recommendations made to Full Council 07 January 2019. A permanent suitable station has now been identified at Eastside Community Centre.

1.5. An issue which has been growing over recent years has been the use of schools as polling stations. There is a legislative provision allowing (Acting) Returning Officers to ‘require’ the use of schools or other publically funded buildings as polling stations. Schools are however under increasing pressure to ensure they safeguard children and staff, leading to increased security in and around school premises. Four of the five schools used are now deemed unsuitable for use, due to the impacts on schools being closed or subject to
reduced safeguarding measures whilst polling is taking place. The schools affected are:

- Friarage School (Castle Ward)
- Caedmon College (Mayfield Ward)
- Stakesby CP School (Mayfield Ward)
- Barrowcliff School (Woodlands Ward).

1.6. Over recent years, the disruption caused to schools being used as polling stations is becoming more and more evident, especially given the number of unscheduled polls in addition to scheduled polls in the last three years specifically.

1.7. Whilst schools have so far been accommodating of our needs, their frustration at either having to close for the day or rearrange timetables is becoming more and more apparent. The Council sympathises with the schools that have complained, and where possible, has recommended alternative polling places.

2. CORPORATE AIMS

2.1. The proposals in this report (and appendices) support the corporate priorities of ‘People’ and ‘Council’.

3. BACKGROUND AND ISSUES

3.1. As required under 18C(1) of the Representation of the People Act 1983 the Council gave notice that it was conducting a review of polling districts and polling places. The timetable set out for this review was as follows:

<table>
<thead>
<tr>
<th>ACTION</th>
<th>DATE</th>
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</thead>
<tbody>
<tr>
<td>Commence Review</td>
<td>Monday 21 October 2019</td>
</tr>
<tr>
<td>Consultation deadline</td>
<td>Friday 08 November 2019</td>
</tr>
<tr>
<td>Cabinet meeting</td>
<td>Tuesday 10 December 2019</td>
</tr>
<tr>
<td>Decision at Full Council</td>
<td>Monday 06 January 2020</td>
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3.2. Appendix II sets out the list of organisations that have been consulted, with respect to the initial recommendations.

3.3. Appendix I (page 3) explains the increasing issues faced by schools as part of being used as polling stations, even though the (Acting) Returning Officer has legal power to require their use. The issues detailed are echoed by polling station staff, Elections Office, Head Teachers and teaching staff.

3.4. Four of the five schools currently designated as polling stations are no longer suitable for use, as listed in section 1.5 above). This leaves only one school continuing to be designated as a polling station moving forwards which is St
Hilda’s RC School, Whitby. This is a very small school with only 39 children on their roll. No complaints have ever been received from school staff, electoral staff or electors about this venue. There is no proposed change to this station.

3.5. At both polls held in May 2019 (SBC Local Borough Ward Elections and European Parliamentary Election) the (Acting) Returning Officer used Eastside Community Centre, Abbots Road, Whitby as a polling station for the FB polling district. Feedback from polling staff was that the venue was suitable and there were no complaints from electors. In light of that, the recommendation has been made to designate Eastside Community Centre as the permanent polling place for polling district FB.

3.6. Appendix I details the specific polling places to be re-designated with alternative venues.

3.7. After the consultation period, all representations were considered by the Council and the (Acting) Returning Officer for the Scarborough & Whitby Constituency has made his final recommendation in relation to the polling places.

3.8. As there are no recommended changes to the polling district boundaries, there is no requirement to republish the register of electors, as the structure of the register has not changed.

3.9. When the May 2020 polling cards are sent out, electoral services intend to add a prominent line to the card stating that ‘polling stations may have changed’ to those electors where changes have taken place. These changes could not have been implemented in time for the snap UK Parliamentary General Election on 12 December 2019.

3.10. Before the May 2020 elections, a media release will be sent out to raise awareness of new polling places to elector groups where relevant.

3.11. The Council can do a review of all, or part of the Borough at any time, giving opportunity for areas of concern that may arise in the future to be addressed.

4. CONSULTATION

4.1. In carrying out consultation the Council has followed the Electoral Commission guidance on how the review should be conducted.

4.2. The Council consulted the (Acting) Returning Officer for Scarborough & Whitby Constituency (no polling places are affected within the Thirsk & Malton Constituency under this consultation), who made representations on existing and proposed polling arrangements. The Council published the (Acting) Returning Officer’s proposals and invited comments.
4.3. On 21 October 2019 the initial recommendations were published. Any comments on the proposals had to be submitted no later than 08 November 2019 (see timetable in 3.1 above).

4.4. In addition to the usual groups interested in electoral arrangements, the Council particularly wanted to include and obtain comments and views of disability groups around the Borough. A full list of those groups targeted for consultation is included in Appendix II. The notice and consultation document were also published on The Council’s website to allow anyone to make representation.

4.5. The Council issued a media release on 21 October 2019 which was sent to a wide group of usual media contacts, as well as being posted on social media to publicise the review as much as possible.

4.6. Appendix I (pages 4-5) lists the representations that were received during the consultation period, as well as the Council’s comments on each.

5. **ASSESSMENT**

5.1. The representations which have been received in connection with the Wards mentioned above have been considered and there is only one change to an assigned polling place since the initial recommendations. The change is to use Mooredge B&B on Mayfield Road rather than Kirkham Close Community Centre as the designated polling place for ‘Whitby - Ruswarp 2’ (MA). Mooredge B&B sits within the MA polling district which is more suitably located than the initially recommended Kirkham Close. The venue was visited by Electoral Services and deemed suitable for use as a polling station, and even though it is not as big as the initially recommended Kirkham Close Community Centre, with only 516 ordinary (not postal) electors, the B&B is suitable given its ideal location.

5.2. As mentioned in 3.11 above, a Polling District and Polling Place review can be conducted at any time to revisit any changes.

6. **IMPLICATIONS**

6.1. **Policy**
The proposals are in accordance with Council Policy

6.2. **Legal**
The Council is required to complete the review and bring any new arrangements in force prior to the next scheduled elections (May 2020).

6.3. **Financial**
There are no financial implications for the Council. Hire charges fluctuate for polling station hire from year to year. This review should see a reduction in
fees, though with prices increasing annually that saving will simply offset any increases for the next few years.

6.4. **Equalities and Diversity**
The proposals have taken into consideration the equality and diversity of all electors, and of the Council

6.5. **Communications**
Media release, additional information on poll cards to highlight changed polling stations in specific areas, and information on the Council’s website and social media will highlight all changes to the electors, and other interested parties to publicise the proposals contained within this report.

6.2 **Other**
Staffing, Planning, Crime and Disorder, Health and Safety, and Environmental implications have all been considered and do not apply.

7. **ACTION PLAN**

7.1

<table>
<thead>
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<th>ACTION</th>
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<td>Monday 06 January 2020</td>
</tr>
<tr>
<td><em>(Publish Notice of Changes)</em></td>
<td><em>(not required as there are no changes to the register structure)</em></td>
</tr>
<tr>
<td><em>(RE-PUBLISH REGISTER)</em></td>
<td><em>(not required as there are no changes to the register structure)</em></td>
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Mike Greene
Chief Executive

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Background Papers:
- None

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS, PLEASE CONTACT THE AUTHOR.
## Risk Matrix

<table>
<thead>
<tr>
<th>Risk Ref</th>
<th>Date</th>
<th>Risk</th>
<th>Consequences</th>
<th>Mitigation</th>
<th>Current Risk Score</th>
<th>Target Score</th>
<th>Service Unit Manager/Responsible Officer</th>
<th>Action Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>17 Dec 2019</td>
<td>Failure to approve polling districts or places</td>
<td>Unable to deliver future elections without school closures</td>
<td>Agree polling districts and places</td>
<td>E5</td>
<td>A1</td>
<td>Kerry Russett</td>
<td>As this report</td>
</tr>
<tr>
<td>2</td>
<td>17 Dec 2019</td>
<td>Non-compliance with the requirements under the Electoral Registration and Administration Act 2013</td>
<td>Breach of electoral law</td>
<td>Agree polling districts and places</td>
<td>E5</td>
<td>A1</td>
<td>Kerry Russett</td>
<td>As this report</td>
</tr>
</tbody>
</table>
**Glossary of Terms**

**Risk**
An event which may prevent the Council achieving its objectives

**Consequences**
The outcome if the risk materialised

**Mitigation**
The processes and procedures that are in place to reduce the risk

**Current Risk Score**
The likelihood and impact score with the current mitigation measures in place

**Target Risk Score**
The likelihood and impact score that the Council is aiming to achieve

**Service Unit Manager**
The Service Unit or Officer responsible for managing the risk

**Action Plan**
The proposed actions to be implemented in order to reduce the risk to the target score

**Risk Scoring**

<table>
<thead>
<tr>
<th>Impact</th>
<th>5</th>
<th>4</th>
<th>3</th>
<th>2</th>
<th>1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Likelihood</td>
<td>A</td>
<td>B</td>
<td>C</td>
<td>D</td>
<td>E</td>
</tr>
</tbody>
</table>

**Likelihood:**
A = Very Low
B = Not Likely
C = Likely
D = Very Likely
E = Almost Certain

**Impact:**
1 = Low
2 = Minor
3 = Medium
4 = Major
5 = Disaster