

COUNCIL
24 NOVEMBER 2022

INTERIM REVIEW OF POLLING DISTRICTS, POLLING PLACES AND POLLING STATIONS 2022

**Responsible Cabinet Member -
Councillor Scott Durham, Resources Portfolio**

**Responsible Director -
Elizabeth Davison, Group Director of Operations**

SUMMARY REPORT

Purpose of the Report

1. To give consideration to the outcome of the recent interim review of Polling Districts, Polling Places and Polling Stations, ahead of the Local Government (Borough Council) Elections in 2023.

Summary

2. The Representation of the People Act 1983 requires that local authorities conduct reviews of the Polling Districts, Polling Places and Polling Stations within their local authority area. The next compulsory review is due to commence within a sixteen-month period beginning on 1 October 2023.
3. A local authority can also conduct an interim review at any time, but it will still have to conduct a full review during the compulsory timeframe. At the July 2022 Council meeting it was agreed that an interim review of Polling Districts, Polling Places and Polling Stations should be conducted.
4. The interim review has been subject to consultation (as set out in this report) and the recommendations are informed by the responses. In addition the suitability of Polling Places has been considered in light of the steer from Central Government to avoid where possible, the use of schools as Polling Places, and also from the perspective of the new duties contained within the Elections Act 2022.
5. This report sets out a small number of changes to the Polling Places and Polling Stations that have been previously used in past elections.

Recommendation

6. Council are requested to:-
 - (a) Note the consultation responses received;

- (b) Approve the changes proposed to the existing Polling Places and Polling Stations ahead of the Local Government Elections in May 2023, as follows:
- (i) That the polling place in Cockerton Ward (Polling Districts CKA) is changed to Cockerton Library, Woodland Road, Darlington (in place of Holy Family R.C. Primary School);
 - (ii) That the polling place in College Ward (Polling Districts COA, COB and COC) is changed to the Sports Pavilion, Abbey Road Sports Field, Abbey Road, Darlington (in place of the classrooms in the main Queen Elizabeth Sixth Form College);
 - (iii) That the polling place in Hummersknott Ward (Polling Districts HKA and HKB) is changed to Salutation Hall, Salutation Road, Darlington (in place of John Caden Hall at Carmel College);
 - (iv) That the polling place in Sadberge and Middleton St. George Ward (Polling Districts SMA and SMC) is Bishopton Village Hall, Church View, Bishopton (as Great Stainton Church Hall has ceased to be available); and
 - (v) That the polling place in Sadberge and Middleton St George Ward (Polling Districts SMI and SMJ) be changed to Middleton St. George Community Centre, Station Road, Middleton St. George (in place of Middleton St. George Women's Institute Hall).
- (c) Authorise the publication of the proposals for Polling Places, as set out in **(Appendix C)**.

Reasons

7. The reasons for the request are:-
- (a) To ensure that polling places and polling stations are accessible to voters and have reasonable facilities for voting.
 - (b) To comply with the requirements of the Representation of the People Act 1983, the Equality Act 2010 and the Elections Act 2022.
 - (c) To enable the decisions to be made, publicised and implemented in good time for the elections scheduled for May 2023.

Elizabeth Davison
Group Director of Operations

Background Papers:

Council Report, of 14 July 2022, entitled 'Interim review of Polling Districts, Polling Places and Polling Stations.

Lynne Wood: Extension 5803

S17 Crime and Disorder	The report has no direct impact on crime and disorder.
Health and Wellbeing	There are no issues relating to health and wellbeing which this report needs to address.
Carbon Impact and Climate Change	There are no issues relating to carbon impact and climate change.
Diversity	All polling places are assessed to ensure that they are accessible for voters who have a disability.
Wards Affected	All wards are affected, but in particular the wards where polling places or stations change (as set out in the recommendations).
Groups Affected	The proposals affect Darlington voters.
Budget and Policy Framework	The report does not change the Council's budget or Policy Framework but needs to be considered by Council.
Key Decision	The is not a key decision.
Urgent Decision	This not an executive decision.
Council Plan	There report has no links to the Council Plan.
Efficiency	There are no efficiency proposals identified as part of this review.
Impact on Looked After Children and Care Leavers	This report has no impact on Looked After Children or Care Leavers

MAIN REPORT

Information and Analysis

Review of Polling Districts, Polling Places and Polling Stations

8. At the July 2022 Council meeting it was agreed that an interim review of Polling Districts, Polling Places and Polling Stations should be conducted.
9. A Notice advising of the formal start of the review was placed on the Council's website (**Appendix A**) on Monday, 18 July 2022. All Members of the Council, local political groups, the Members of Parliament (MPs) for the constituencies of Darlington and Sedgefield, Parish Councils, Darlington Association on Disability, and a number of community groups were also advised that a review was taking place, and that representations could be made accordingly.
10. Those minded to submit representations which objected to the current Polling Place were encouraged to suggest alternative venues within the Polling District. In addition, Presiding Officers, Polling Station Inspectors, stakeholders and residents of the Borough were invited to comment.
11. Representations were invited in writing and via e-mail, with information placed on the Council's website <https://www.darlington.gov.uk/your-council/democracy/elections-and-electoral-registration/interim-review-of-polling-districts-polling-places-and-polling-stations-2022/> and social media profiles.
12. The initial consultation period ran from Monday, 18 July 2022 to Friday, 2 September 2022, and encouraged respondents to comment on our existing Polling Districts and Polling Places (**Appendix B**), or make suggestions as to alternative provision.
13. The initial proposals did not recommend any changes to Polling Districts, as the current boundaries are well-defined and reflect natural boundaries within each area (main thoroughfares, railway lines, rivers, etc.). We have not been informed of any major obstacles in place that would prohibit electors from reaching their Polling Place.

Representations Received

14. During the initial consultation stage, representations were received from one Presiding Officer and one Ward Councillor (the representations are outlined below).

Representation 1 – Polling Station No. 7 – St. John's Church of England Academy

15. The following representation was received from the Presiding Officer at St. John's Church of England Academy:

"My only comment on Polling Station Number 7, at St John's Church of England Academy, concerns the room size. It isn't really big enough, there's not much space left once tables, chairs and the voting booth are in. There's some school items and furniture that are left

in the room too. It's not great for wheelchair users, I seem to recall there's a slight step/rise to the floor level of the room and the door is barely wide enough."

16. An inspection of the premises was conducted on 28th July 2022, and Officers concluded that the room was big enough, should the school items and furniture be removed. Should a disabled elector struggle to enter through the entrance door to the Polling Station, an alternative access through the Main Reception Area should be used.
17. As the school remains central to the main residential area with the Polling District, and as no further suitable venues within the Polling District have been identified, it is proposed that we continue to use St John's Church of England Academy as the Polling Place in Polling District BLD.

Representation 2 – Polling Station No. 57 and 58 – Middleton St. George Women's Institute Hall

18. The following representation was received from one of the Ward Councillors for the Sadberge and Middleton St. George Ward:

"We would like to request that the Polling Station for Middleton St George reverts back to using the Community Centre and not the W.I. Hall. At the last election there was several complaints that residents had to queue and many unable to get in to vote, consequently we lost a lot of votes. If you need further help or support with this please let us know and we can help. The Management Committee of the Community Centre are more than willing to accommodate."

19. An inspection of Middleton St George Community Centre was conducted on 26th July 2022, and Officers concluded that the premises would be acceptable as a Polling Place. The premises fulfil the requirements of the Equality Act 2010, in terms of disabled accessibility, and certainly allows sufficient space to accommodate the additional duties contained within the Elections Act 2022.
20. For comparison, the existing Polling Place at Middleton St. George Women's Institute Hall also complies with the Equality Act 2010, and would have sufficient space to accommodate the additional duties imposed by the Elections Act 2022.
21. Both the existing Polling Place and the Middleton St. George Community Centre are relatively central to the village of Middleton St. George itself, with the existing Polling Place slightly nearer to the village of Middleton One Row, which is also contained within the Polling District.
22. Whilst both premises are suitable venues, the existing Polling Place does lack any car parking provision, with electors having to park on street, whereas the Middleton St. George Community Centre can offer car parking for approximately 20 cars. Due to the provision of additional car parking, it is proposed that the Polling Place in Middleton St George is changed to Middleton St George Community Centre.

Additional Changes

23. In addition to the two representations above, taking into consideration recent Government requests to, where possible, avoid the use of schools, and of the previously expressed views made by some Headteachers, a number of changes are proposed:
24. To cease using John Caden Hall at Carmel College (Polling Stations No. 26 and 27) and to use Salutation Hall on Salutation Road as the polling place. This worked well during the Coronavirus pandemic
25. To cease using Holy Family R. C. Primary School (Polling Station No. 8) and to use Cockerton Library as the polling place. This was also successfully used as an alternative Polling Place during the Coronavirus pandemic.
26. To cease using two classrooms within the Queen Elizabeth Sixth Form College (Polling Stations No. 11 and 12) and to use the Sports Pavilion at Abbey Road Sports Field (also owned by the Queen Elizabeth Sixth Form College) as the Polling Place. This was another successful change made during the Coronavirus pandemic. Changing the location of the Polling Place significantly reduces the chance of electors mixing with college students and is supported by the Principal at the Queen Elizabeth Sixth Form College.
27. Great Stainton Church Hall, Glebe Road, Great Stainton (Polling Station No. 53) is no longer available as a polling place, and so it is proposed that the polling station is relocated to Bishopton Village Hall (which will become a dual station).

Draft Recommendations

28. Taking these representations and views into consideration, and giving consideration to the provisions within the Elections Act 2022 and the draft recommendations of the Parliamentary Boundary Review 2023, we reviewed our findings between Monday, 5th September 2022 and Friday, 16th September 2022, and revised our draft recommendations, as set out in **Appendix C**.
29. These draft recommendations were then published on the Council's website on Monday, 19 September 2022 for further consultation, together with the observations of the Returning Officer and the situation of Polling Stations within Polling Places, and a link to the relevant webpages was once again circulated to interested parties, and those who had previously made representations.

Further Representations Received

Representation 3 – Polling Station No. 32 - Hurworth Primary School, Westfield Drive, Hurworth

30. The following representation was subsequently received from Hurworth Parish Council during the second round of consultation:

“Hurworth Parish Council suggest that Hurworth Grange is a more suitable location to locate the Polling Station. There is ample parking, ideal facilities with disabled entrances and toilets. Access is much easier than adding to the already congested traffic down Roundhill Road through the housing estate. Also there is the major advantage that by not using the school, there will be no disruption to the school classes or alterations to their learning schedules. Please put this recommendation forward to the Council.”

31. An inspection of Hurworth Grange was conducted on Wednesday, 28 September 2022, and Officers concluded that the premises would be acceptable as a Polling Place. The premises fulfil the requirements of the Equality Act 2010, in terms of disabled accessibility, and certainly allows sufficient space to accommodate the additional duties contained within the Elections Act 2022. For comparison, the existing Polling Place at Hurworth Primary School also complies with the Equality Act 2010, and would have sufficient space to accommodate the additional duties imposed by the Elections Act 2022.
32. In terms of location, Hurworth Grange sits on the boundary of Polling District HUA, which is served by Polling Station No. 31 (Linden Court, Linden Drive, Hurworth) and Polling District HUB, which is served by Polling Station No. 32 (Hurworth Primary School, Westfield Drive, Hurworth).
33. Should Polling Station No. 32 be moved to Hurworth Grange, it is felt that it may disenfranchise the electors of Polling District HUB, as the existing Polling Station at Hurworth Primary School is central to the main residential area within the Polling District. It should be considered that Hurworth Primary School is also better placed to serve the electors residing in the new housing recently built on Roundhill Road.
34. It is appreciated that the closure of any school causes disruption to staff, parents and children alike, and therefore the Council only seeks to use a school where it remains the best, or only, solution within a Polling District. The decision to close any school used as a Polling Place is made solely by the Head Teacher of that school, and not the Returning Officer.
35. The Representation of the People Act 1983 allows the Returning Officer to use schools and public rooms, free of charge, for the purposes of taking the poll:

‘Use of schools and public rooms

22 (1) The Returning Officer may use, free of charge, for the purpose of taking the poll –

(a) a room in a school to which this rule applies;

(b) a room the expense of maintaining which is payable out of any rate. This rule applies –

(i) in England and Wales, to a school maintained or assisted by a local education authority or a school in respect of which grants are made out of

moneys provided by Parliament to the person or body of persons responsible for the management of the school.'

36. This does not necessarily mean that a school must close, and the Elections Team have worked closely with schools and colleges across the Borough in an attempt to keep many schools fully, or partially, open, where suitable safeguarding arrangements can be implemented.

37. Guidance received from the Department for Education states:

"Schools which need to close as a result of being used as Polling Stations can move to alternative accommodation or make up the lost day by other means. The lost day could be made up at the beginning or end of a term, or a training day could be arranged on the day of the poll if the head teacher or governors so wish."

38. As the school remains central to the main residential area with the Polling District we continue to propose that Hurworth Primary School serve as the Polling Place in Polling District HUB.

Legislation

39. The Representation of the People Act 1983 (RPA 1983), as amended by the Electoral Registration and Administration Act 2013, requires that local authorities conduct reviews of the Polling Districts, Polling Places and Polling Stations within their local authority area.

40. The Electoral Registration and Administration Act 2013 subsequently governs the timing of compulsory Polling District, Polling Place and Polling Station Reviews, with the next compulsory review due to commence within the sixteen-month period beginning on 1 October 2023.

41. A local authority may, however, conduct an interim review at any time, although it will still have to conduct a full review during the compulsory timeframe.

42. The Equality Act 2010 prohibits local authorities from doing anything that constitutes unlawful discrimination, including over the provision of services when exercising public functions and requires reasonable adjustments to enable disabled people to be able to vote.

43. The Elections Act 2022 includes voter ID requirements for people who vote in person. Suitable arrangements will need to be available at polling places to allow people who choose to wear a face covering to have their identity checked in a way that respects privacy, religious or cultural beliefs.