



Meeting: Council

Date: 30 October 2014

Wards Affected: All Wards in Torbay

Report Title: Review of Polling Districts, Polling Places and Polling Stations 2014

Is the decision a key decision? No

When does the decision need to be implemented? By 1 December 2014

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1. Purpose and Introduction

- 1.1 Local Authorities are required by law to divide their area into polling districts, to designate polling places/polling stations for those districts and to keep the polling districts and polling places under review. The Electoral Registration and Administration Act 2013 introduced a change to the timing of compulsory reviews of UK Parliamentary polling districts and polling places. This must take place between 1 October 2013 and 31 January 2015. The last comprehensive review of polling districts and polling stations was carried out in 2007 with interim reviews carried out in 2010 and 2011.
- 1.2 In order to complete the review in time to make the changes for the next published register on 1 December 2014 the review commenced on 16 June 2014.

2. Proposed Decision

- 2.1 That the recommendations of the Electoral Registration Officer and Polling Review Working Group as set out below be approved:
 - (i) That the following polling stations be amended as stated:
 - (a) that a replacement polling place/polling station be created at St Mathews Church, top of Walnut Road, Torquay, TQ2 6JA for polling district BB and the boundary of BB be moved to include St Matthews Road (49 properties), Vicarage Road (26 properties), Brooklands Lane (3 properties) and Rawlyn Road (68 properties) (from BE);
 - (b) that a replacement polling place/polling station be created at Brunel Manor, Teignmouth Road, Torquay, TQ1 4SF for polling district HA;

- (c) that a replacement polling place/polling station be created at the rear of Dunboyne Court, 170 St Marychurch Road, Torquay, TQ1 3AB for polling district HC;
 - (d) that Riviera Life Church becomes the permanent polling place/polling station for polling districts MC and MD;
 - (e) that St Boniface Church Hall, Belfield Road, Paignton, TQ3 3UY becomes a new double polling place/polling station for polling districts AA and AB;
 - (f) that the Old Monastery, Berry Drive, Paignton be reinstated as a polling place/polling station for polling district CB;
 - (g) that Time Out Coffee Shop becomes the permanent polling place/polling station for polling district IA;
 - (h) that the Paignton Club becomes the permanent polling place/polling station for polling districts RB and RC;
 - (i) that Brixham Rugby Club becomes the permanent polling place/polling station for polling districts JA and JB and that the Returning Officer ensures that both sides of the bar are used for large elections;
 - (j) that a replacement polling place/polling station be created in the Lecture Room, Brixham Hospital, Greenswood Road, Brixham, TQ5 9XW for polling district SC.
 - (k) that a replacement polling place/polling station be created at St Mary's Park Bowling Club, St Marys Park, Upton Manor Road, Brixham, TQ5 9RD for polling district SD and the boundary of SD be moved to include Pensilva Park (11 properties), Stoneacre Close (21 properties) and Vicarage Road (11 properties) (from SC); and
 - (l) that a replacement mobile polling place/polling station be created in the DFS car park at the Willows Retail Park, Nicholson Road, Torquay, TQ2 7TD for polling district TB;
- (ii) That the following polling districts be combined into a single polling district:
- AE and AE A – become AE;
 - CA and CA A – become CA; and
 - CC and CC A – become CC;
- (iii) that for Parliamentary Elections the Church Hall at St George's Hall, Barn Road, Paignton be used as a polling station for polling district IB – Torbay

Constituency and the side accessible entrance of St George's Church be used as a polling station for polling district GA – Totnes Constituency to prevent ballot papers being placed in the wrong ballot boxes, for all other elections the Church Hall be used as a double polling station; and

- (iv) that the changes to polling districts, polling places and polling stations be implemented from 1 December 2014 when the new electoral register is published.

2.2 Reason for Decision

To ensure that all polling stations are suitable for all types of elections in the future and comply with the requirements of the Electoral Registration and Administration Act 2013.

Supporting Information

4. Position

- 4.1 A **polling district** is the area created by the division of a constituency, ward or division into smaller parts within which a polling place can be determined which is convenient to electors.
- 4.2 A **polling place** is an area within a polling district in which a polling station is located. There is no legal definition of a polling place so it could be defined very widely (perhaps the whole polling district) or quite narrowly (the building concerned). The guidance from the Electoral Commission discourages local authorities to use the wider definition of a polling place. Therefore a polling place has been defined as the building within which the voting takes place.
- 4.3 A **polling station** is the actual room or part of the building where voting takes place. So for example, where voting takes place at a school, the polling station is the room in which the voting takes place, the polling place is the building in which the room is located and the polling district is the wider area within which the building is located.
- 4.4 The main principles considered appropriate for the designation of polling districts and polling places/stations are as follows:
- That every polling place/polling station is, so far as is reasonable and practicable, accessible to electors who are disabled (this is a legal requirement).
 - Ideally the polling place/polling station should be within the district area concerned.
 - On average, a polling place/polling station would normally serve around 1500 electors.
 - Where possible 'natural boundaries' should be used for polling districts e.g. major roads, railway lines etc.
 - Polling places/polling stations should be 'logical', that is electors should not have to pass another polling station to get to their own polling station.
- 4.5 The review can only address polling issues within the current ward structure of the Borough. It cannot make changes to the ward (or Borough) boundaries. There are

some areas where moving a ward boundary might resolve an anomaly concerning the allocation of voters to polling stations, but this cannot be achieved as part of the review.

- 4.6 The Council published its consultation proposals on the review of polling districts, polling places and polling stations on its website on 16 June 2014 at <http://www.torbay.gov.uk/index/getinvolved/elections/pollingreview.htm>.
- 4.7 Following conclusion of the review certain people (as listed below) are entitled to make representations to the Electoral Commission who may direct the Council to make alterations to the polling places that they think necessary, and if the alterations are not made within two months the Electoral Commission has authority to make the changes themselves if they find that the review did not:
- (a) meet the reasonable requirements of the electors in the constituency, or a body of them, or
 - (b) take sufficient account of the accessibility for disabled persons of a polling station/polling stations within a designated polling place

The Following people may make representations:

- Any parish Council which is wholly or partly situated within each constituency, or parish meeting where there is no such Council;
 - Thirty or more registered electors in each constituency (although electors registered anonymously cannot make a representation);
 - A person (except the (Acting) Returning Officer) who made representations to the authority when the review was being undertaken;
 - Any person who is not an elector in a constituency in the authority's area but who the Electoral Commission thinks has sufficient interest in the accessibility of disabled persons to polling places in the area or has particular expertise in relation to the access to the premises or facilities of disabled persons.
 - In addition the (Acting) Returning Officer may make observations on any representations made to the Electoral Commission.
- 4.8 There are some situations which were already known and formed the basis of the consultation and are shown below, with a suggestion where solutions have already been considered.

Torquay:

1. Cockington with Chelston Ward

Polling district BB – Chelston Methodist Church, Old Mill Road, Torquay is being sold and will not be available for future elections. It is proposed to establish a new polling place/polling station at St Mathews Church, top of Walnut Road, Torquay, TQ2 6JA for polling district BB and move the boundary

of BB to include St Matthews Road (49 properties), Vicarage Road (26 properties), Brooklands Lane (3 properties) and Rawlyn Road (68 properties) (from BE) to prevent electors walking past this polling station to get to their current polling station.

2. St Marychurch

Polling district HA – Flat at Crossways, Maidencombe Cross, Torquay has been used as a polling place/polling station for this ward for many years but is on the far boundary of the polling district and is not best placed to meet the needs of voters in this area. It is proposed to create a new polling place/polling station Brunel Manor, Teignmouth Road, Torquay, TQ1 4SF for polling district HA. This venue has a separate room which can be used as a polling station, with good disabled access, has parking, bus stops outside and is more central within the polling district than the former polling station.

Polling district HC – Homelands Primary School, Westhill Road, Torquay, TQ1 4LJ. The Chair of Governors has vigorously expressed their desire for Homelands Primary School not to be used as a polling place/polling station due to the disruption to the children as they have to close part or the whole school for the day. Feedback from the European Election held on 22 May 2014 confirmed that parking is difficult near the polling station and is only available on the roads nearby. It is proposed to create a new polling place/polling station at the rear of Dunboyne Court, 170 St Marychurch Road, Torquay, TQ1 3AB for polling district HC. This venue has a room with its own access to the rear of the building with good disabled access, parking on the road outside and a drop of zone outside the front of the building. It is on the boundary of the polling district just up the road from the current polling station and the only other suitable venues in the area would be schools.

3. Wellswood

Polling districts MC and MD – Riviera Life Church, 527 Babbacombe Road, Torquay, TQ1 1HG was trialled as a polling place/polling station for the European Election on 22 May 2014 due to the normal polling station Torquay Museum, Local Studies Room, Museum Road, Torquay having limited space. Feedback from the election was that the facilities at the church were more suitable than those at the Museum. It is proposed therefore that Riviera Life Church be used as the permanent polling place/polling station for polling districts MC and MD. It has a small number of parking spaces on site, is close to the local bus route and has good disabled access.

Paignton:

1. Blatchcombe

Polling District AA – Sanctuary Housing Office (Foxhole Parade), 103 Foxhole Road, Paignton. This polling place/polling station is very small which could cause issues on busy polling days. It is also not within the polling district of AA. It is proposed to make St Boniface Church Hall, Belfield Road, Paignton, TQ3 3UY a double polling place/polling station for polling districts AA and AB. This polling place/polling station is on the boundary of the two polling districts and better serves the votes in these two areas. There is parking on site and on street outside the polling station, disabled access and it is fairly close to the local bus route.

2. Clifton with Maidenway

Polling district CB – Palace Avenue Methodist Church Hall, Palace Avenue, Paignton has been used for the last few elections due to the unsuitable condition of former polling place/polling station The Old Monastery, Berry Drive, Paignton, TQ3 3RD as this was the closest suitable location available. The Old Monastery has been taken over by Anode and is now available to be used as a polling place/polling station and is located within the polling district. Due to the location of the area to be used as a polling station it would be necessary to close the building for the day a ramp will also be required to the entrance of the building. It is proposed to use The Old Monastery as a polling place/polling station for polling district CB for future elections.

3. Goodrington with Roselands

Polling district IA – Time Out Coffee Shop, 6 Sturcombe Avenue, Paignton, TQ4 7EB. The venue was trialled as a polling place/polling station for the European Election on 22 May 2014, due to Roselands Primary School, Lynmouth Avenue, Paignton and Roselands Community Nursery and Playschool, Porlock Way, Paignton being no longer available for use as a polling place/polling station. The coffee shop is the most suitable alternative location within the polling district. It has disabled access, parking and is close to the local bus route. It is proposed that Time Out Coffee Shop becomes the permanent polling place/polling station for Polling District IA.

4. Roundham with Hyde

Polling districts RB and RC – the Paignton Club, the Garden Room, Esplanade Road, Paignton, TQ4 6ED. The venue was trialled as a polling place/polling station for the European Election on 22 May 2014 due to the unavailability of the normal polling place/polling station Queens Park Pavilion, Queens Park, Paignton, TQ4 6AT. The Paignton Club was the most suitable venue available for the European Election and is on the boundary of the two polling districts. Feedback from the Election is that this is a larger more suitable venue than the normal polling station, with good disabled access, parking and is close to the

local bus route. It is therefore proposed to use Paignton Club as the permanent polling place/polling station for polling districts RB and RC.

Brixham:

1. Berry Head with Furzeham

Polling districts JA and JB – Brixham Rugby Club, Astley Park, Rea Barn Road, Brixham, TQ5 9ED. The venue was trialled as a polling place/polling station for the European Election on 22 May 2014 due to the number of complaints received at the Police and Crime Commissioner Election held on 15 November 2012 regarding access to the former site Brixham Community College, Higher Ranscombe Road, Brixham. One side of the bottom bar was used for the double polling station for the European Election and is sufficient for a single election but both sides of the bar will be needed for larger elections. There is good parking on site, disabled access and it is close to local bus routes. It is proposed to use Brixham Rugby Club as the permanent polling place/polling station for polling districts JA and JB.

2. St Marys with Summercombe

Polling district SC – Brixham Sea Anglers Club Association, Castor Road, Brixham, TQ5 9PY has been used as a polling place/polling station for a number of years but is on a small site and is not suitable for larger elections. It is proposed to create a new polling place/polling station in the Lecture Room, Brixham Hospital, Greenwood Road, Brixham, TQ5 9XW for polling district SC. This is a landmark local building with good disabled access. There is limited parking on site but on street parking is available on nearby roads and it is close to the local bus route.

Polling district SD – St Marys Hall (next to St Marys Church), St Marys Square, Drew Street, Brixham, TQ5 9JY. The venue has been used as a polling place/polling station for the last few years due to the former polling place/polling station Eden Park Primary School requiring closure of the school for polling day. Feedback from the European Election held on 22 May 2014 was that the slope up to the building is too steep and parking is difficult in the area and that an alternative venue should be found. It is proposed to create a new polling place/polling station at St Mary's Park Bowling Club, St Marys Park, Upton Manor Road, Brixham, TQ5 9RD for polling district SD and move the boundary of SD to include Pensilva Park (11 properties), Stoneacre Close (21 properties), Vicarage Road (11 properties) (from SC). This venue has good disabled access, parking and is close to the local bus route.

5. Possibilities, Options and Fair Decision Making

5.1 Public consultation ran from 16 June until 29 August 2014 and the following people and organisations were invited to respond to the consultation.

- The Acting Returning Officer, Torbay Council
- The Acting Returning Officer, South Hams District Council
- All Torbay Councillors and the Mayor of Torbay
- Brixham Town Councillors
- Adrian Sanders MP
- Sarah Wollaston MP
- Torbay Conservative Association
- Torbay Liberal Democrats
- Torbay Labour Party
- Torbay Green Party
- Torbay UKIP
- Age UK Torbay
- Action on Hearing Loss (former RNID South West)
- RNIB South West
- Scope
- Action for Blind People
- South West Multiple Sclerosis Centre
- Torbay Disability Information Service
- Speaking Out in Torbay (SPOT)
- Shopmobility

5.2 Responses to the consultation were published on the Council's website at http://www.torbay.gov.uk/index/getinvolved/elections/pollingreview/consultationresponse_torbay.htm and http://www.torbay.gov.uk/index/getinvolved/elections/pollingreview/consultationresponse_totnes.htm and are summarised below:

- Report of the Acting Returning Officer for Torbay concerning the existing arrangements in the Totnes Constituency – supporting the issues raised in the consultation and proposed solutions;
- Email from Liz Tucker, Electoral Administrator for South Hams District Council on behalf of the Acting Returning Officer for the Totnes Constituency suggesting that polling districts AD and ADA should be amalgamated into one polling district AD and polling districts AE and AEA should be amalgamated into one polling district AE. She has also requested that procedures are put in place for St George's Hall, Paignton to ensure that no cross-over of ballot papers should occur between the two Parliamentary constituencies.

Response these issues have been addressed in the recommendations.

- Councillor Ellery – requesting moving the St Marys Hall polling station to St Marys Park and moving the Sea Anglers Polling Station in Castor Road to the Brixham Hospital site.

Response these issues have been addressed in the recommendations.

- Report of the Acting Returning Officer for Torbay concerning the existing arrangements in the Torbay Constituency – supporting the issues raised in the consultation and proposed solutions;
- Homelands Primary School – requesting that they no longer be used as a polling station due to disruption to the children.

Response this has been addressed in the recommendations.

- Councillor Kingscote – suggesting the willow tree pub becomes a double polling station for polling districts TA and TB.

Response the Council has not been able to secure the room adjacent to the Willow Tree pub for community use and therefore this is no longer a suitable venue for a polling station.

- Councillors Kingscote and Hernandez – suggesting a double polling station for polling districts TA and TB and that the polling station for this polling district be Sainsburys supermarket at the Willows.

Response having visited Sainsburys supermarket the only suitable space would be to section off an area in the cafe and use the exit located in the centre of the store as an entrance and exit to the polling station. It was hoped that we could use the door to the side of the cafe as an entrance to the polling station, although this is not possible as it is a fire door and must be kept shut at all times. We also explored using the exit in the middle of the building but this was not suitable for use as an entrance. Otherwise electors would need to come in the main entrance and walk past all the tills and cafe to get to the area to be used as a polling station which is not suitable. Marks & Spencer and DFS were also approached but had no suitable space or were not willing to allocate space in their store for use as a polling station. Due to the new development at Beechfield Avenue and number of new electors in polling district TA it would not be appropriate to have a double polling station for TA and TB (approximately 1500 electors voted at the last General Election for these two polling districts). Also the new venues being explored for polling district TB would not be large enough to accommodate two polling stations. It is therefore proposed to put a mobile station in the car park near to DFS similar to the one used in the past outside Comet. This has been addressed in the recommendations.

5.3 The Polling Review Working Group met on 6 October 2014 to consider the proposals and their recommendations are set out together with the recommendations of the Electoral Registration Officer in paragraph 2.

6. Public Services (Social Value) Act 2012

6.1 The venues used as polling stations are allocated to meet the needs of the electors within the polling district. In many cases there are no suitable alternative locations within or close to the polling district. The venues receive a modest fee for hire of the room, and heating and lighting.

7. Risks

7.1 If the recommendations are not approved there is a risk that the Returning Officer will not be able to secure suitable accommodation for use as polling stations in the future.

7.2 By changing the location of some of the polling stations it is anticipated that these will provide long term venues for these polling stations and limit the amount of disruption caused to electors in continuously changing the location of their polling station.

7.3 If the recommendations are approved there is potential for disruption to some electors whose polling stations will change, this will be mitigated through clear instruction on poll cards, press releases and working with the local media to raise awareness of the changes and signposting electors to the website to see the changes. Public notices will also be displayed outside Council buildings. The outcome of the review of polling districts and polling places will also be published on the Council's website so the people will know in November what the changes will be.

Appendices

Appendix 1 – Report of the Returning Officer on the suitability of Polling Stations in the Torbay Constituency

Appendix 2 – Map showing proposed changes to boundary of BB and BE

Appendix 3 - Report of the Returning Officer on the suitability of Polling Stations in the Totnes Constituency

Appendix 4 – Map showing proposed changes to boundary of SC and SD

Appendix 5 – Equality Impact Assessment

Additional Information

Background information file is available to view upon request at the Governance Support Office, Town Hall, Castle Circus, Torquay, telephone 207013.