

CARLISLE CITY COUNCIL

Report to:- Council

Date of Meeting:- 8th March, 2005

Agenda Item No:-

Public	Operational	Delegated: No
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Accompanying Comments and Statements

Required

Included

Environmental Impact Statement:

No

Corporate Management Team Comments:

No

Financial Comments:

No

Legal Comments:

No

Personnel Comments:

No

Impact on Customers:

No

Title:-

REVIEW OF POLLING ARRANGEMENTS

Report of:-

Head of Legal and Democratic Services

Report reference:-

LDS 12/05

Summary:-

The Departmental Service Plan provides for an annual review of polling arrangements in the City. This Report presents the results of this year's review and makes recommendations for changes to existing arrangements as appropriate.

Recommendation:-

(See over)

Contact Officer: David Mitchell

Ext: 7555

23 February 2005

Recommendations:-

It is recommended that

- (a) if an alternative venue cannot be found, St. Cuthbert's School be designated as the polling station for district DA on a temporary basis until such time as the Community Centre is repaired (paragraph 23).
- (b) at the present time, the polling arrangements in Denton Holme ward remain unchanged (paragraph 27).
- (c) if an alternative to St. Aidans Church Hall cannot be found, a portacabin be used as the polling place for district CA until the Church Hall is available again (paragraph 29).
- (d) a new polling district designated OJ be created in Dalston ward as shown on Map 2 and the polling place be a temporary polling station in a convenient location in the Cumwhinton Drive area (paragraph 36).
- (e) the polling arrangements for electors on the Garlands estate be reviewed before the local elections in May 2006 (paragraph 36).
- (f) the Returning Officer be given authority, after consultation with relevant Ward Councillors and Portfolio Holder, to change polling place locations at the County Council elections if the usual premises prove to be unavailable due to flood or storm damage or other unforeseen circumstances (paragraph 37).
- (e) the locations of all other polling places remain unchanged (paragraph 21).

Introduction

- 1 The Council has a statutory duty under the Representation of the People Act 1983 to divide its area into polling districts, to designate a polling place for each district and to keep both polling districts and polling places under review. The Departmental Service Plan provides for a polling review to be carried out on an annual basis, although no review took place last year because the combined European parliamentary and local elections were all-postal.
- 2 For the purposes of this year's review, all Councillors have been consulted on the polling arrangements in their particular wards. The current polling places are listed in the Appendix and these have been reviewed in the light of any representations received. Any agreed changes to polling districts and polling places will be implemented at the forthcoming County Council elections on 5th May, 2005.
- 3 The final recommendations arising from the Council's review of parishes (Report TC 47/02) were agreed by the Council on 5th March, 2002 and subsequently submitted to the Secretary of State for approval. A number of the recommended changes to parish boundaries also affect City ward and County electoral division boundaries and consequently require the approval of the Electoral Commission, following consideration by the Boundary Committee for England.
- 4 This Committee was, however, unable to undertake any work arising from parish reviews at that time because it was fully committed to reviews of metropolitan authorities and county councils. The Committee has recently returned to consideration of parish review recommendations but any changes approved by the Committee will not be made before the County Council elections in May. This means that there will be no alterations to County electoral divisions at this year's elections.

Statutory Provisions

- 5 In exercising its duty to keep polling districts and places under review, the 1983 Act requires Councils to ensure that all electors are given "*such reasonable facilities for voting as are practicable in the circumstances*". Each parish must be a separate polling district or districts. 'Polling place' is not defined in the Act but it refers to the building or area in which the polling station is situated.

Access for Disabled Voters

- 6 The Act also says that a Council shall "*so far as is reasonable and practicable, designate as polling places only places which are accessible to electors who are disabled*". The effect of this requirement is that a building should not be designated as a polling place if the only means of access to any polling station situated in it would be by means of steps, when another more suitable building is available in the polling district. However, a building would not be a more suitable polling place if it is so far away from most of the electors in the area as to be inconvenient for them to reach it.
- 7 Under the Disability Discrimination Act 1995 it is unlawful for a service provider to discriminate against a disabled person. Discrimination includes refusing to provide any service to disabled people that it provides to non-disabled members of the public or providing a worse standard of service to disabled people than it provides to non-disabled people. Service providers have had to change practices, policies and procedures that make it impossible or unreasonably difficult for disabled people to use a service. Since October 2004 service providers have had to make reasonable adjustments to physical features of their buildings to overcome physical barriers to access.
- 8 Electoral procedures are not specifically mentioned in the Disability Discrimination Act and there has been some debate about whether a polling station should be regarded as providing a service to the public and therefore whether the provisions of that Act override those in the 1983 Act. The County Returning Officer has indicated that in his view premises which do not comply with the Disability Discrimination Act should not be used as polling stations.
- 9 With the exception of portacabins, the majority of polling places are accessible to disabled voters and where there have been particular difficulties, temporary access ramps have been installed. Polling compartments specifically designed for voters in wheelchairs have also been provided where it has been practical to do so.

- 10 The County Returning Officer intends to issue firm guidance shortly, but if he directs that non-compliant buildings should not be used at the County Council elections in May, this would mean that those electors who would normally vote there would have to be re-allocated to the next nearest compliant polling station, which may be some distance away. In these circumstances, it would be unlikely that any portacabins, for example, could be used as polling stations.

Free use of rooms

- 11 In addition to free use of school premises, described in paragraph 18 below, any room the expense of which is payable out of any rate may also be used free of charge. This would apply to a room in a local authority building e.g. a Community Centre, but no longer to former Council housing that has been transferred to Carlisle Housing Association.

Duties of Returning Officer

- 12 It is the responsibility of the Returning Officer to provide sufficient polling stations within each polling place and to allot electors to the stations as he thinks most convenient. One or more polling stations may be provided in the same room. The Returning Officer also has a duty to appoint the polling staff and provide the necessary equipment.

Review Criteria

- 13 Apart from the requirements outlined above, there are no specific statutory criteria for determining the suitability of premises for election purposes or even the number of polling stations to be provided for a given electorate. The following factors, however, are taken into account:
- ◆ the convenience of the location within the polling district for the majority of electors
 - ◆ extent of parking provision
 - ◆ internal size and layout of the premises having regard to the number of voters allotted to the polling station(s)
 - ◆ lighting and heating
 - ◆ cost (where there is a choice between similar premises)

- 14 The suitability of each polling place has been considered according to these criteria, taking account of the availability of alternative premises. An electorate of about 1000 - 1200 is a manageable number per polling station at a parliamentary election but the number of voters to be allocated to any particular polling place will have regard to the distribution and density of households within the Ward concerned.

Mobile Polling Stations

- 15 Where no suitable permanent buildings are available, mobile stations are used instead. Portacabins, however, are much less satisfactory than permanent premises - they offer limited space, lack facilities for the staff on duty, present difficulties for disabled voters and are more expensive than halls or schools. Lighting is battery powered and not to the same standard as that provided by a mains supply. The availability of suitable accommodation is subject to commercial considerations and the commitments of suppliers to other longer term hirings. (The recent flooding in the City may also have an impact on the availability of temporary accommodation this year.) Improvements in the type of unit hired will, however, continue to be sought.

Use of Houses

- 16 Following an earlier review, the Council agreed that no existing polling place should be replaced with a portacabin unless the premises concerned becomes unavailable and there is no suitable alternative. It was also agreed that, where appropriate, private houses and vacant Council property be used as alternatives to mobile stations, on the following basis:
- ◆ The property is in a convenient location for the majority of electors in the polling district concerned;
 - ◆ There is sufficient time for due notice of the change in station to be given to electors and candidates;
 - ◆ Signs are erected to show the changed location;
 - ◆ The condition of the property is satisfactory.
- 17 Empty Council houses have been used at recent elections in a number of wards, including Belle Vue, Botcherby and Denton Holme. Since the transfer of the housing stock to Carlisle Housing Association, the Returning Officer no longer has a statutory right to use such property but CHA has still made suitable vacant premises available where possible.

Use of Schools

- 18 The 1983 Act also provides for the use, free of charge, for the purpose of taking the poll or the counting of the votes of *"a room in 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"*, subject to making good any damage and defraying any expenses. These provisions also apply to grant maintained schools. There is no requirement that a school must close when part of it is being used as a polling station, but nearly all do so because of practical difficulties in staying open or on security grounds.
- 19 Closure for elections, however, can be disruptive to the school timetable and inconvenient for working parents. In response to requests from school governing bodies, the number of schools used as polling places has been reduced in recent years. There are now pressures on schools to meet performance targets and many feel that closure would be detrimental to their pupils' education. The Local Education Authority has made representations previously in support of this view and favours polling stations being sited elsewhere if at all possible.
- 20 In the light of these concerns, the Council agreed at a previous review that suitable alternatives should be sought where schools are currently used as polling stations so that they would not have to close on election days. Of the 99 polling places in the Council's area, only 11 are now schools. For the reasons given in paragraph 15 above, portacabins are not considered to be viable alternatives to school premises. A recommendation is made below, however, to use an additional school this year on a temporary basis due to flood damage to the usual premises (paragraph 23).

Review of Polling Places and Polling Districts

- 21 Suggested changes in Botcherby, Denton Holme, St. Aidans and Dalston wards are discussed below. In the absence of representations in respect of any other wards, **it is recommended that the polling arrangements in the following wards remain unchanged:**

Belah	Great Corby & Geltsdale	Morton
Belle Vue	Harraby	Stanwix Rural
Brampton	Hayton	Stanwix Urban
Burgh	Irthing	Upperby
Castle	Longtown & Rockcliffe	Yewdale
Currock	Lyne	Wetheral

BOTCHERBY WARD

- 22 Botcherby Community Centre has been the polling place for the 1300 electors in polling district DA since 2000. The Community Centre, however, has suffered internal damage during the recent floods and will not be available for election use this May.
- 23 St. Cuthbert's School on Victoria Road was used before then but the polling station was transferred to the Community Centre following representations from the school governors. It is recognised that the use of school premises can be disruptive (see paragraph 19) but it is nevertheless **recommended that, if an alternative venue cannot be found, St. Cuthbert's School be designated as the polling place for district DA on a temporary basis until such time as the Community Centre is repaired.**

DENTON HOLME WARD

- 24 New development at the former mills at Holme Head is divided between polling district HE, for which the designated polling place is a portacabin in Longsowerby, and district HC with Denton Holme Community Centre as the polling place. A Member has reiterated a suggestion made in 2003 that a separate polling station should be provided for this part of the ward in view of the number of electors now concentrated in the area and the relative distances to the respective polling places.
- 25 Although the number of residents in the area has increased since 2003, the current electorate in polling district HE is 1218 which is considered to be an acceptable number, even for a portacabin. Polling district HC has 1087 electors. When the development is complete, additional facilities may have to be provided. Until then, it is considered that a separate polling station for this part of the ward is not yet justified, particularly in view of the lack of suitable premises in the area. The distances to the respective polling places is no greater than the distances to many polling stations in other wards.
- 26 The only alternative would be another portacabin which could serve not only the mills development but also the wider North Street/ Beveridge Road/ Holme Head Way area and thereby reduce the number of electors using the Longsowerby polling station in particular. Portacabins are, however, considered to be a last resort for the reasons outlined in paragraph 15. They are also becoming increasingly difficult to hire, equip and staff, and it is felt that their drawbacks currently outweigh the argument in favour of additional polling provision in this part of the ward.
- 27 **It is therefore recommended that at the present time the polling arrangements in Denton Holme ward remain unchanged.**

ST. AIDANS WARD

- 28 St. Aidans Church Hall at the Warwick Road/Victoria Place junction has served as the polling place for the 1100 electors in polling district CA for many years. The building, however, was affected by the recent floods and, as a result, will not be available for hire this year. Alternative premises will be sought in the area but, if this proves unsuccessful, the only alternative will be a portacabin in the vicinity of the Hall.
- 29 **It is therefore recommended that if an alternative to St. Aidans Church Hall cannot be found, a portacabin be used as the polling place for district CA until the Church Hall is available again.**

DALSTON WARD

- 30 The new housing development at Carleton Grange and Parkland Village off Cumwhinton Road crosses the boundaries of three wards – Dalston, Harraby and Wetheral (see Map 1). One of the recommendations arising from the Council's review of parishes, referred to in paragraphs 3 and 4 above, was to enlarge Dalston ward to incorporate the whole estate within it. Until such time as that proposal is approved by the Electoral Commission, the estate will remain divided.
- 31 Since 2002 a portacabin sited on Garlands Road has been used as the polling station for all electors on the estate. At that time, there were no electors in the Wetheral portion so the portacabin only had to serve some 200 electors in Dalston ward and around 30 Harraby electors. The development has grown since then and the electorates for the three wards are as follows:

<u>Ward</u>	<u>Polling District</u>	<u>Electorate (Dec 2004)</u>
Dalston	OH	835
Harraby	EE	109
Wetheral	PBM	203

- 32 At the forthcoming County Council elections, it had been the intention to provide a two-roomed portacabin so that the larger Dalston electorate could use one room and the Harraby and Wetheral electors could vote in the other, each using separate ballot boxes.

- 33 A member has suggested that separate provision should be made for electors east of Pennine View on the grounds that they are much further from the polling station and thereby deterred from voting. The distance, however, is no greater than for many other electors in other wards and indeed for parts of the Garlands development itself (e.g. the Wetheral portion) and the total number of potential voters at the portacabin is still less than at a number of other portacabins in the City. It is also likely that the majority of residents will pass the portacabin on their way in and out of the estate. There may nevertheless be some merit in providing an additional polling station in the area this year.
- 34 There is an increasing likelihood that a parliamentary general election will be held on the same day as the County Council elections. If that happens, one of the rooms in the existing portacabin would have to be used exclusively for electors in the Wetheral ward part of the estate because that ward is in Penrith and the Border constituency, while both Dalston and Harraby are in Carlisle constituency. This arrangement would be necessary to ensure that there could be no possibility of ballot papers being deposited in the ballot box for the wrong constituency. At the close of poll, Carlisle boxes are delivered to the Sands Centre for counting while Penrith and the Border boxes are taken to Penrith.
- 35 If a second temporary polling station were provided on Cumwhinton Drive, perhaps between Oak Lane and Cherry Lane, it would reduce the pressure on the existing portacabin and be more convenient for voters in the area concerned. If additional provision were to be made this year, the arrangements would be reviewed before the City Council elections in 2006 by which time the whole estate should be included within Dalston ward.
- 36 **It is recommended that**
- (a) a new polling district designated OJ be created in Dalston ward as shown on Map 2 and the polling place be a temporary polling station in a convenient location in the Cumwhinton Drive area.**
 - (b) the polling arrangements for electors on the Garlands estate be reviewed before the local elections in May 2006.**

OTHER POLLING PLACES

- 37 Although the usual booking requests have been sent in respect of all polling stations, confirmation of availability has not yet been received for all premises. In order to ensure that polling stations are provided for all electors, **it is recommended that the Returning Officer be given authority, after consultation with relevant Ward Councillors and Portfolio Holder, to change polling place locations at the County Council elections if the usual premises prove to be unavailable due to flood or storm damage or other unforeseen circumstances.**

Electors Displaced by Floods

38 Electors who have had to move to temporary accommodation as a result of the floods in early January and who wish to vote in the May elections have a number of options:

- (a) return to vote in person at the usual polling station for their home address i.e. the address where they are currently registered;
- (b) apply to vote by post so that they would remain registered at their home address but have their ballot paper sent to their temporary address;
- (c) re-register at their temporary address and vote in person at the polling station for that address.

The closing date to re-register in time for the May elections is Friday 11th March and applications to vote by post must be received by Tuesday 26th April.

39 Arrangements are being made to write directly to electors affected to explain these options. They will also be publicised in the 'Focus' magazine distributed to all households and through press notices.

February 2005

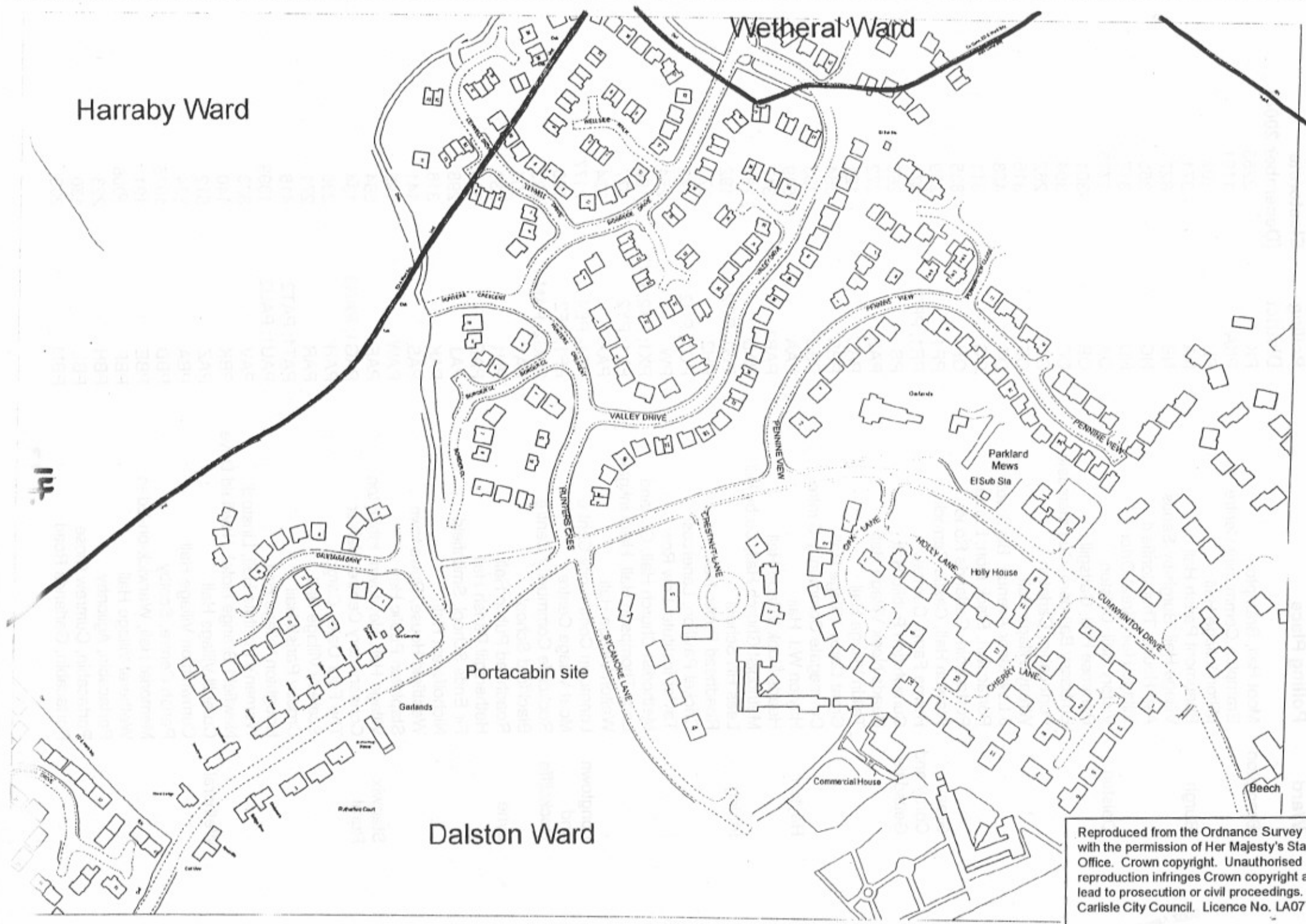
Polling Places – Urban Wards

APPENDIX

WARD	POLLING PLACE	POLLING DISTRICT	ELECTORATE (December 2004)
Belah	Kingmoor Junior School	AA;AB	1996
	Belah Community Centre	AC	779
	Portacabin, Etterby Road	AD	1091
	Newfield Grange Hotel	AE; PBN	1092
Stanwix	Portacabin, Knowefield Avenue	BA; PBG	1209
Urban	Stanwix Community Centre	BB; BC; PBJ	2381
	Belah School	BD	1081
St. Aidans	St. Aidan's Church Hall	CA	1140
	Norman Street School	CB	1437
	St. Cuthbert's Court, Myddleton St.	CC	473
	Greystone Community Centre	CD	1470
Botcherby	Botcherby Community Centre	DA	1366
	Botcherby Family Centre	DB	683
	Portacabin, Cumrew Close	DC	756
	Harraby Community Centre	DD; DE	1710
Harraby	The Pinegrove Hotel, London Road	EA	1090
	St. Elisabeth's Church Hall	EB	1081
	Harraby Catholic Club	EC	1107
	Harraby Methodist Church Hall	ED	1205
	Portacabin, Garlands Road	EE	109
Upperby	St. Margaret Mary's Social Club	FA	852
	Upperby Primary School	FB	858
	St. John's Ambulance, Scalegate Rd.	FC	1039
	Portacabin, Petteril Bank Road	FD	564
Currock	Petteril Bank Community Centre	FE	718
	Currock Community Centre	GA	1030
	Beacon Hall, Beaconsfield Street	GB	1301
	Currock Methodist Church Hall	GC	925
	St. Herbert's Church Hall	GD	1097
Denton	Methodist Church Hall, Wigton Road	HA	353
Holme	Denton Holme Community Centre	HB; HC	1957
	St. James Parish Centre	HD	800
	Portacabin, Longsowerby	HE	1218
	Portacabin, Lorne Crescent	HF	367
Castle	Newtown School	JA	890
	Ukrainian Club, Silloth Street	JB	653
	Methodist Church Hall, Wigton Road	JC	1316
	Carlisle College, Victoria Place	JD	827
	St. Cuthbert's Court, Myddleton St.	JE	548
Morton	Morton Park Primary School	KA; KB; KC	2520
	St. Edmunds Chapel, Newlaithes Ave.	KD	1044
	Portacabin, Borrowdale Road	KE	718
	Portacabin, Scawfell Road	KF	589
Yewdale	Yewdale Community Centre	LA; LB	2392
	Portacabin, Richmond Green	LC	1151
	Portacabin, Nairn Way/Egerton Grove	LD	1365
Belle Vue	Belle Vue Junior School	MA; MB	2125
	Newtown School	MC	940
	St. Bedes School	MD	684
	Portacabin, Hawthorn Grove	ME	458

Polling Places – Rural Wards

Ward	Polling Place	Polling District	Electorate (December 2004)
Brampton	Moot Hall, Brampton	PK	2265
	Brampton Community Centre	PKA	1191
	Milton Village Hall	PL	107
Burgh	Beaumont Parish Hall	NA	371
	Village Hall, Burgh-by-Sands	NB	627
	Ash House, Thurstonfield	NC	350
	Village Hall, Great Orton	ND	317
Dalston	Victory Hall, Dalston	OA	1775
	Primrose Hall, Gaitsgill	OB	301
	Embassy Ballroom, Cummersdale	OC	394
	Portacabin, Carleton	OD	262
	Wreay Village Hall	OE	315
	6 Low Moor Avenue, Blackwell	OF	458
	Portacabin, Black Lion, Durdar	OG	311
	Portacabin, Garlands Road	OH	835
	Watson Hall, Castle Carrock	PP1	259
	Helme Farm, Cumrew	PR1; PR2	87
Great Corby and Geltsdale	Cumwhitton Public Hall	PS	266
	Heads Nook Village Hall	PAB2	272
	Talkin Village Hall	PAC	121
	Great Corby Village Hall	PBB	364
	Downagate Community Centre	PBC	333
	Hayton W.I. Hall	PAA	549
Hayton	Heads Nook Village Hall	PAB1	317
	Methodist Church Hall, Corby Hill	PAD	787
	Lees Hill School	PG1; PG2	192
Irthing	Roadhead Public Hall	PH2	37
	Cricket Pavilion, Lanercost	PO1; PO2	172
	Taylor Institute, Low Row	PW	254
	Methodist Church Hall, Gilsland	PX1; PX2; PX3	180
	Lacy Thompson Hall, Hallbankgate	PY1; PY2	577
	Walton Village Hall	PAX	234
	Longtown Community Centre	PE1- PE4	2177
Longtown and Rockcliffe	Moat Village Centre	PF1; PF2	160
	Rockcliffe Community Centre	PAG2; PAM	632
Lyne	Blackford School	PAY	305
	Roadhead Public Hall	PH1	339
	Hethersgill Parish Hall	PAE	315
	Fir Ends School, Smithfield	PAJ	298
	Nicholforest Hall	PAK	316
	Westfield House, Roweltown	PAS	141
	Stapleton Public Hall	PAW	195
	Village Hall, Newtown, Irthington	PAF	564
	Conservatory Centre, Harker	PAG1; PAG3	134
	The Four Oaks, Cargo	PAH	236
Stanwix Rural	Scaleby Village Hall	PAR	271
	Crosby Parish Hall	PAT1; PAT2	416
	Houghton Village Hall	PAU1; PAU2	1399
	Women's Institute Hall, Linstock	PAV	323
	Newfield Grange Hotel, Newfield Drive	PBK	140
	Cotehill Village Hall	PAZ	512
	Cumwhinton Village Hall	PBA	334
	Parish Centre, Scotby	PBD	1076
	Memorial Hall, Warwick-on-Eden	PBE	191
	Wetheral Village Hall	PBF	1006
Wetheral	Portacabin, Aglionby	PBH	223
	Portacabin, Cumrew Close	PBL	130
	Portacabin, Garlands Road	PBM	203



MAP 1

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15.

Harraby Ward

Polling District EE

Polling District OH

Dalston Ward

Wetheral Ward
Polling District PBM

Proposed Polling District OJ

Portacabin site

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MAP 2