

## POLLING DISTRICT AND PLACES REVIEW 2022

<b>Head of Service:</b>	Andrew Bircher, Head of Policy and Corporate Resources
<b>Wards affected:</b>	(All Wards);
<b>Urgent Decision?(yes/no)</b>	No
<b>If yes, reason urgent decision required:</b>	
<b>Appendices (attached):</b>	<b>Appendix 1:</b> Review of Polling Districts, Polling Places & Polling Stations: Consultation – September 2022 <b>Appendix 2:</b> Review of Polling Districts, Polling Places & Polling Stations: Consultation Responses - October 2022 <b>(to follow)</b>

### Summary

This report sets out the outcome of the consultation process on Polling Places and Districts and makes recommendations for proposed changes.

### Recommendation (s)

#### The Committee is asked to recommend to Council:

- (1) Agree the location of the polling places and districts as set out in Appendix 1 for a five-year period from 1st January 2023, or until it is superseded by any subsequent review of any polling place or district; and
- (2) Delegate to the Chief Executive in their capacity as the Council's Returning Officer any ongoing review or change of polling places during this period, to ensure that polling arrangements in the Borough remain fit for purpose for each election called.

### 1 Reason for Recommendation

- 1.1 Following the completion of the Electoral Review of the Borough by the Local Government Boundary Commission for England, the Council is required to undertake a review of polling districts and places.

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### **2 Background**

- 2.1 Section 17 (2) of the Electoral and Registration Act 2013 states that a review of polling districts and places should have been completed between 1st October 2013 and 31st January 2015 inclusive, and also mandates a further review to be conducted in every five-year period subsequent to that. The Council completed its last such review in December 2019.
- 2.2 The Council is responsible for undertaking each review to provide a sufficient number of polling districts and polling places for elections.
- 2.3 The Council's Chief Executive, as Returning Officer for Epsom & Ewell Borough Council, is responsible for undertaking the reviews. The Returning Officer is also responsible for deciding how many polling stations are required for each polling place and for allocating electors to those polling stations as they consider appropriate.
- 2.4 At least one polling place must be identified for each polling district. Polling places have polling stations located within them; so, for example, a church building may be a polling place, with the room or hall where voting takes place comprising the actual polling station.
- 2.5 There are a number of factors that need to be considered when reviewing existing polling places or when assessing new polling places. In practice, the designation of polling places is very much dependent on the availability of suitable premises that can be used as polling places.
- 2.6 The current review cannot propose changes to Ward, Borough or Constituency boundaries, which are the responsibility of the Local Government Boundary Commission for England (LGBCE).
- 2.7 This review has been undertaken following the recently completed boundary review by the LGBCE. If agreed, the polling districts and polling places proposed will be confirmed with effect from 1st January 2023, and will be used for the Borough Council elections on 4th May 2023, or for any election called subsequent to 1st January 2023.

### **3 Council Motion on use of Schools as Polling Places**

- 3.1 At its meeting on 23 July 2019, Council passed the following Motion:

“This Council agrees that it will no longer use any schools that, in order to act as a polling station, would have to close for the day. It will provide polling districts which it has been accustomed to using such schools with alternative polling stations as near as possible to that polling district”.
- 3.2 It is important to note that the legislation (Representation of the People Act 1983, Schedule A1) sets out the requirements for polling place reviews. This requires Local Authorities to comply with the access requirements. As part of the review, they must:

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- Seek to ensure that all electors in a constituency in the local authority area have such reasonable facilities for voting as are practicable in the circumstances.
- Seek to ensure that so far as is reasonable and practical every polling place for which it is responsible is accessible to electors who are disabled.

3.3 In the event these tests are not met, an elector has a right of representation (i.e. appeal). The two appeal grounds are:

- The local authority has failed to meet the reasonable requirements of the electors in the constituency
- The local authority has failed to take sufficient account of accessibility to disabled persons of the polling station/ polling stations within a polling place.

3.4 It is therefore clear, that a polling place is determined with the elector as the primary interest, no other considerations form part of the legislative requirements.

#### **4 Current Arrangements**

4.1 The Borough is divided into 13 electoral wards:

4.1.1 Two are made of one polling district and have one polling place in each (Auriol, Ruxley);

4.1.2 Seven are made of two polling districts with two polling places in each Ward (Cuddington, Ewell Court, West Ewell, Court, Stoneleigh, Nonsuch, College);

4.1.3 Four are made up of three polling districts with three polling places in each Ward (Stamford, Ewell, Town, Woodcote)

#### **5 New/proposed Arrangements following LGBCE Review**

5.1 The Borough will consist of 14 electoral wards.

5.2 A new ward to be named Horton will be created from parts of Ruxley, Court and Stamford wards.

5.3 Two wards are renamed - Ewell will become Ewell Village and Woodcote will become Woodcote & Langley Vale.

5.4 Of the 14 Wards:

5.4.1 Five are made of one polling district and have one polling place in each Ward (Auriol, Ruxley, Stoneleigh, Ewell Village & Horton)

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5.4.2 Seven are made of two polling districts with two polling places in each Ward (Cuddington, Ewell Court, West Ewell, Court, Stamford, Nonsuch & College);

5.4.3 Two are made up of three polling districts with three polling places in each Ward (Town & Woodcote & Langley Vale)

### 6 Consultation Exercise

6.1 The consultation in respect of the Polling Districts and Places Review was carried out for five weeks between 12 September and 17 October 2022, a copy of the consultation document is attached at Appendix 1. The review was conducted in accordance with the Electoral Commission's guidance on conducting such reviews.

6.2 To ensure a wide circulation of the consultation, it was made available on the Council's website, communicated via social media and a number of consultees were directly informed as detailed on page 5 and 6 of Appendix 1. All venues including the affected schools (i.e. those allocated as Polling Places) were contacted directly to advise of the review and to enable them to comment on the proposals.

6.3 During the consultation period a number of representations were received, and the breakdown for all the representations is contained at Appendix 2. In essence, the representations were made up as follows:

Ward	Total Number Received
Cuddington	2
Auriol	1
Ewell Court	2
Ruxley	2
West Ewell	1
Court	1
Stamford	1
Stoneleigh	1
Nonsuch	2
Ewell Village	1
Town	1
College	3
Woodcote & Langley Vale	1
Horton	2

### 7 Consultation Responses

The representations and recommendations are as follows:

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### **7.1 Cuddington Ward**

- 7.1.1 Two representations were received – one agreeing with proposals and one confirming a venues suitability.
- 7.1.2 Recommendation: Polling district boundary be adjusted and no change to polling places, as proposed by the review documentation (Appendix 1).

### **7.2 Auriol Ward**

- 7.2.1 One representation was received, agreeing with proposals.
- 7.2.2 Recommendation: Ward to remain as single polling district and no change to polling place, as proposed by the review documentation (Appendix 1).

### **7.3 Ewell Court Ward**

- 7.3.1 Two representations were received – one agreeing with proposals and one venue confirming suitability.
- 7.3.2 Recommendation: Ward to remain as two polling districts and no change to polling places, as proposed by the review documentation (Appendix 1).

### **7.4 Ruxley Ward**

- 7.4.1 Two representations were received. One representation agreeing with proposals, the other suggested that the Cox Lane Centre be used instead of Epsom & Ewell High School which is currently a double polling place. Epsom and Ewell High School was notified directly about the review but did not submit a representation.
- 7.4.2 A site visit was made by Officers to the Cox Lane Centre and although the building is of a good size, there are concerns that voters not living in the immediate area will have difficulty locating the venue which is on the edge of the borough boundary at the far end of Cox Lane. The current polling place at Epsom and Ewell High School is highly visible being on a main road and a bus route.
- 7.4.3 An important criteria in designating a polling place is location, so that voters can easily find and get to their polling station whether they are on foot or in a vehicle.
- 7.4.4 There are concerns that the increased distance to get to the polling station will deter people from voting. This Ward already has a low turnout of around 27% at local elections.

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- 7.4.5 There are 2 bus services in the area, the E5 and the 418. The E5 has a stop in Cox Lane but only operates on an hourly basis between 6.00am to 6.30pm. The 418 does not stop in Cox Lane but does stop directly outside the current polling place at the Epsom and Ewell High School and operates throughout and beyond polling hours.
- 7.4.6 It should also be noted that if the polling place is moved to Cox Lane, voters needing to travel by vehicle from roads on the west side of the ward will have further to travel past the current polling place, as there is no direct road access to Cox Lane other than via Ruxley Lane (Amis Avenue is no longer a through road to traffic).
- 7.4.7 The Cox Lane Centre is currently unused and a report regarding it is included elsewhere on this agenda. It may not be ready for use before May 2023. The previous use of the Centre was as an activity centre and 50% of the main hall still contains non-moveable climbing equipment although that is expected to be removed by the previous leaseholder. Depending on what the Centre is next to be used for this may also limit the possibility of its use as a polling station.
- 7.4.8 Epsom and Ewell High School is able to schedule an inset day on polling day and notification of scheduled elections dates is provided well in advance so it can facilitate this option.
- 7.4.9 It should also be noted that voters from Clarendon Park Estate were previously in Ruxley Ward and that those voting in person, due to the distance to the polling station, were more likely to have driven to it. However, Clarendon Park has now been removed from Ruxley Ward into Horton Ward and will be voting at a different polling place (The Horton Arts Centre).
- 7.4.10 Officers have also made enquiries regarding The Edge Centre in Rowden Road. However, this Centre is currently used by Surrey County Council for schooling for excluded pupils which would mean that they would need to make alternative arrangements if the venue was used. The location is, as per its name, on the edge of the borough and even further to walk for the majority of voters.
- 7.4.11 Due to the lack of suitable alternative locations, it is recommended that the polling place is retained at Epsom and Ewell High School and that the Council maintains its search for an alternative location.
- 7.4.12 Recommendation: Ward to remain as single polling district and no change to polling place, as proposed by the review documentation (Appendix 1).

### **7.5 West Ewell Ward**

- 7.5.1 One representation was received, agreeing with proposals.

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7.5.2 Recommendation: Ward to remain as two polling districts and no change to polling places, as proposed by the review documentation (Appendix 1).

### **7.6 Court Ward**

7.6.1 One representation was received with concerns as to the voters previously in Town Ward (KC) being moved into polling district FB rather than polling district FA.

7.6.2 The proposal to move voters to polling district FB is based on the size of the available polling venues in the ward and the expected increase in electorate requiring creation of an extra polling station.

7.6.3 Until 2019, Southfields School was a double polling station in polling district FA. This was not popular with parents or the school. An outcome of the 2019 review was to divide FA into two, and the creation of polling district FC. This enabled the school to stay open on polling day as it only needed to house a single polling station and an alternative room was able to be used.

7.6.4 Voters in the new polling district FA vote at the Bowling Pavilion at the Court Recreation Ground. However, the Pavilion is not large enough to be set up as a double station. For this reason, voters moving from polling district KC have been moved into polling district FB, and will vote at the Community & Wellbeing Centre which is large enough to house a double polling station.

7.6.5 It is noted that the voters moving from KC into FB are moving into a different County electoral division than existing but as Surrey County Council are soon to start an electoral review of the County electoral divisions, it is anticipated that the borough ward/polling district changes will be taken into consideration in the review.

7.6.6 Recommendation: That the Ward is reverted back into two polling districts FA and FB. Polling district FC being renamed as FA, with no change to polling places, as proposed by the review documentation (Appendix 1).

### **7.7 Stamford Ward**

7.7.1 Two representations were received, both agreeing with proposals.

7.7.2 Recommendation: Polling district boundary be adjusted to merge polling districts GA and GB and rename as GA. Renaming of polling district GC to GB. No change to polling places, as proposed by the review documentation (Appendix 1).

### **7.8 Stoneleigh Ward**

7.8.1 One representation was received, agreeing with proposals.

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7.8.2 Recommendation: Ward to be merged into single polling district, renamed H and no change to polling place, as proposed by the review documentation (Appendix 1).

### **7.9 Nonsuch Ward**

7.9.1 Two representations were received, one agreeing with proposals and one supporting the non-use of Wallace Fields School.

7.9.2 Recommendation: Polling district boundary be adjusted and no change to polling places, as proposed by the review documentation (Appendix 1).

### **7.10 Ewell Village Ward**

7.10.1 One representation was received, agreeing with proposals.

7.10.2 Recommendation: Ward to be merged into single polling district, renamed J and no change to polling place, as proposed by the review documentation (Appendix 1).

### **7.11 Town Ward**

7.11.1 One representation was received expressing 2 concerns. One was regarding the voters previously in Stamford Ward GA polling district being moved into KC polling district rather than into KB polling district. And the other was that voters currently in Town Ward polling district KA were being moved into polling district KC.

7.11.2 The reasoning behind these proposals is as stated in the review, namely the size of the electorate and the polling places for both KA, KB and KC.

7.11.3 Recommendation: Polling district boundaries be adjusted, ward to remain as three polling districts and no change to polling places, as proposed by the review documentation (Appendix 1).

### **7.12 College Ward**

7.12.1 Three representations were received, one agreeing with proposals and two agreeing with venues for polling places.



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7.12.2 Pages 59 and 60 of the consultation document provide mapping of the proposed polling district areas, and these include all properties moved into the Ward as a result of the recent LGBCE Electoral Review. Following completion of the consultation it has been identified that properties in St Martins Close, Wimbourne Close, St Andrews and College Road (moved from Town Ward) are not specifically listed on page 58 of the consultation document. However, the mapping on pages 59 and 60 is correct and includes the properties. The omission from page 58 does not create any concerns over the validity of the consultation, as the transferal of properties from Town Ward was not under consideration, it has already been agreed in the LGBCE's review.

7.12.3 Recommendation: Ward to remain as two polling districts and no change to polling places, as proposed by the review documentation (Appendix 1).

### **7.13 Woodcote and Langley Vale Ward**

7.13.1 One representation was received, agreeing with proposals and noting the known concerns regarding accessibility to Langley Vale Hall in MC polling district.

7.13.2 Recommendation: Ward to remain as three polling districts and no change to polling places as per the review, as proposed by the review documentation (Appendix 1).

### **7.14 Horton Ward**

7.14.1 This is the new ward that was created in the LGBCE review, from parts of Ruxley, Court and Stamford Wards.

7.14.2 Two representations were received. One representation agreed with the proposals. The other representation suggested that the proposed polling place at The Horton Arts Centre (Horton Chapel as was) would be too far for voters in Clarendon, Noble and parts of Manor Park to walk to and that alternative site for these voters should be sourced and/or a temporary units used.

7.14.3 The Horton Arts Centre is considered to be suitable as it is in the middle of the 4 estates that will vote there and is large enough to contain a double polling station. Previously voters in Clarendon Park were in Ruxley ward and had to travel to Epsom & Ewell High School to vote which is considerably further away than the new proposed polling place. Voters in Noble and Manor Park were previously in Stamford Ward and voted at Christ Church Hall which is a similar distance to the proposed polling place.

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7.14.4 Recommendation: The ward to be a single polling district and use of the Horton Arts Centre as the polling place, as proposed by the review documentation (Appendix 1).

### **8 Delegated Authority for the Chief Executive:**

8.1 Delegated authority is sought to enable the Chief Executive in their capacity as the Council's Returning Officer to make changes to polling places if necessary to ensure that polling arrangements in the Borough remain fit for purpose for each election called. This delegation is sought for a five-year period from 1st January 2023, or until it is superseded by any subsequent review of any polling place or district and would be utilised in circumstances in which there was insufficient time to present a report to Council prior to an election being held, for example: if a Polling place became inaccessible at short notice.

### **9 Risk Assessment**

Legal or other duties

#### 9.1 Equality Impact Assessment

9.1.1 The Council has due regard to its equality duties under Section 149 of the Equalities Act 2010. In addition, it is a legal requirement of the Returning Officer that, in so far as is reasonable and practical, every polling place is accessible to electors with disabilities. This has been taken fully into account during this review process.

9.1.2 Appropriate equipment (such as ramps, visual enhancement aids etc.) will continue to be provided at all polling stations, and all polling staff will continue to be fully trained to provide support and facilities for voters with disabilities.

#### 9.2 Crime & Disorder

9.2.1 None.

#### 9.3 Safeguarding

9.3.1 Safeguarding issues are considered for all potential polling places prior to their recommendation to the Council, and prior to every election. Any issues identified are appropriately managed in accordance with Council policies and in agreement with the management of the premises.

#### 9.4 Dependencies

9.4.1 None.

#### 9.5 Other

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9.5.1 None.

### 10 Financial Implications

- 10.1 The cost of venue hire for national elections and referenda is met by central Government. Costs for local elections are covered by the council's own allocated budgets.
- 10.2 **Section 151 Officer's comments:** The council has budgeted £80,000 (based on past election experience) to cover the cost of the local election in 2023/24.

### 11 Legal Implications

- 11.1 This review has been undertaken in accordance with Section 18C of Representation of the People Act 1983 (as amended by Section 16 of the Electoral Administration Act 2006), which requires such a review to be undertaken every five years. A review requires all of the steps set out in Schedule A1 of Representation of the People Act 1983 to be met, as demonstrated by this report and its appendices.
- 11.2 In addition, due consideration has been given to the requirements of the Electoral and Registration Act 2013 in relation to the timing of this review.
- 11.3 The regulations that govern the use of schools falls under rule 22, Schedule 1 of the Representation of the People Act 1983. There is a duty imposed on schools who are either maintained or assisted in any way by money provided by Parliament, to be used free of charge (with the exception of certain expenses) as polling places.
- 11.4 **Legal Officer's comments:** Section 18C (3) of Representation of the People Act 1983 permits a Council to carry out a review of some or all of its polling districts or polling places in its area outside the compulsory review periods.

### 12 Policies, Plans & Partnerships

- 12.1 **Council's Key Priorities:** The following Key Priorities are engaged: Effective Council.
- 12.2 **Service Plans:** The matter is included within the current Service Delivery Plan.
- 12.3 **Climate & Environmental Impact of recommendations:** The accessibility of polling places by foot, bicycle and public transport has been considered in the process of their recommendation to the Council.
- 12.4 **Sustainability Policy & Community Safety Implications:** None
- 12.5 **Partnerships:** None

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### 13 Background papers

13.1 The documents referred to in compiling this report are as follows:

#### **Previous reports:**

- [Report to Council 23 July 2019, Notices of Motions, Polling Stations](#)

#### **Other papers:**

- [Local Government Boundary Commission for England: Electoral Review of Epsom and Ewell Borough Council.](#)
- Electoral Commission: Reviews of Polling Districts, Polling Places And Polling Stations <https://www.electoralcommission.org.uk/i-am-a/electoral-administrator/returning-officer/polling-place-reviews>