

TONBRIDGE & MALLING BOROUGH COUNCIL

GENERAL PURPOSES COMMITTEE

08 October 2018

Report of the Chief Executive

Part 1- Public

Delegated

1 REVIEW OF POLLING DISTRICTS AND POLLING PLACES

A meeting of ERWG is scheduled to take place immediately before this General Purposes meeting, to consider and agree the timetable and initial proposals for a review of polling districts and polling places in the Borough, and to the launch of these in a public consultation. A verbal update will be given at the meeting on any comments arising from the ERWG meeting.

1.1 Background

- 1.1.1 Under the Representation of the People Act 1983, the Council has a duty to divide the borough into polling districts and to designate a polling place for each district. It also has to keep these arrangements 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. The next compulsory review must now be started and completed between 1 October 2018 and 31 January 2020 (inclusive).
- 1.1.2 The most recent review was completed in 2014, which considered the polling districts and polling places across the whole Borough. The process we are required to follow is broadly the same as in 2014.

1.2 Definitions

- 1.2.1 For the avoidance of doubt, it is important to note the following definitions:
 - 1) A **polling district** is a geographical sub-division of an electoral area, i.e. a UK Parliamentary constituency, a European Parliamentary electoral region, a ward or an electoral division. It is the responsibility of the Borough Council to divide its area into polling districts, and for keeping the polling districts under review.
 - 2) A **polling place** is a geographical area in which a polling station is located. There is no legal definition of what a polling place is, so the geographical area could be defined as tightly as a particular building or as widely as the entire polling district. However, Section 18B(4)(e) of the RPA 1983 states

that 'the polling place must be small enough to indicate to electors in different parts of the district how they will be able to reach the polling station'. It is usual practice, therefore, to designate a particular building or area as the polling place. It is the responsibility of the Borough Council to designate the polling places, and for keeping the polling places under review.

- 3) A **polling station** is the actual area where the process of voting takes place, and must be located within the polling place designated for the particular polling district. This is usually the room within a building, or a building within an area. The Returning Officer for the particular election must provide a sufficient number of polling stations, and allot the electors to those polling stations in such manner as he or she thinks the most convenient.

1.3 Process and timetable

1.3.1 The guidance issued by the Electoral Commission identifies that the Review must be completed between 1 October 2018 and 31 January 2020. During that period, there are no statutory limits on the length of consultation nor on the duration of the review as a whole. However, in determining the timetable below I have been mindful of the other competing priorities within Electoral Services, namely:

- The timing of the canvass, completing during November 2018 with the publication of the register on 1st December 2018.
- The need to prepare for and ensure new arrangements are in place ready to conduct the Borough and Parish Elections May 2019.
- The process to approve changes to polling districts and polling places.

1.3.2 In light of this, the timetable for this Review is as follows:

- 1) Prior to this meeting, Officers of the Council have undertaken some preliminary research.
- 2) On 1 October 2018, we published a statutory notice of review, which specifies that the review is commencing and where copies of the notices can be found.
- 3) Following consideration and approval by ERWG, the timetable and initial proposals will be considered and approved by the General Purposes committee on 8 October 2018.

- 4) Following approval by General Purposes, there will be a public consultation on these proposals. This will close on 31st December 2018, allowing for a 12-week consultation period.
- 5) The Electoral Review Working Group will consider any contributions made by correspondents at a meeting in January 2019
- 6) Final proposals will be approved at that meeting, for agreement by the General Purposes committee on 28 January 2019.
- 7) Full Council will accept and ratify the final proposals on 19 February 2019.
- 8) The new arrangements will come into force in time for the start of the May 2019 elections timetable.

1.4 The role of the Electoral Commission

1.4.1 The Electoral Commission has no role in the review process itself. However, it can consider comments if people do not think the review has met the reasonable requirements of electors or taken sufficient account of the needs of disabled electors.

1.4.2 The following people can appeal to The Commission:

- a parish council
- 30 or more registered electors
- any person who made comments during the review
- any non-electors who has expertise in access to premises or facilities for disabled people.

1.4.3 As a result, the Electoral Commission may direct the Council to alter polling arrangements arising from the review, and can make these alterations itself if the Council does not do so within two months.

1.4.4 Whilst it is unlikely that these steps will be necessary, it is important that the public consultation process is completed and that final boundaries take into account the views presented to this Group.

1.5 Legislative requirements and Electoral Commission guidance

1.5.1 The following legislative considerations must be taken into account when drawing up the proposed polling districts and polling places.

- 1) Each parish is to be a separate polling district, unless special circumstances apply.
- 2) The Council must designate a polling place for each polling district.

- 3) The polling place must be an area in the district, unless special circumstances apply.
- 4) The polling place must be small enough to indicate to electors in different parts of the district how they will be able to reach the polling station.
- 5) The Council must seek to ensure that all electors have such reasonable facilities for voting as are practicable in the circumstances.
- 6) The Council must seek to ensure that so far as is reasonable and practicable every polling place is accessible to electors who are disabled.

1.5.2 In addition, the Electoral Commission guidance indicates the following useful non-statutory guidelines:

- 1) Where possible, polling district boundaries should be co-terminus with existing parish ward or borough ward boundaries.
- 2) Where possible “natural” boundaries should be used, such as railways, major roads, waterways.
- 3) All properties in a minor road or estate should be in the same polling district.
- 4) Polling places should be “logical”; that is, electors should not have to pass another polling place to get to their own place, wherever possible.

1.6 Consultation

- 1.6.1 I propose to keep the existing polling arrangements where possible and to make minimal changes only where circumstances require, as set out below. The intention is not to make changes for change’s sake.
- 1.6.2 Comments during the consultation do not have to be restricted to alternative proposals; comments that support these initial proposals are welcome in order to receive a balance of opinions.
- 1.6.3 Throughout the review, all working papers, minutes of meetings, and correspondence will be available for public inspection at the Electoral Services Office. All items will be published when the review has been completed.
- 1.6.4 Once approved by General Purposes, the review documents will be published on our website at www.tmbc.gov.uk/pdr . This will include maps of the proposed Polling Districts, and allow consultees to comment directly online. Where responses are received in other formats (email, letter or telephone call), the details will be transposed onto the consultation portal by electoral services staff to allow final publication at the end of the consultation period.

1.7 Consultees

1.7.1 During the formal consultation period, we will contact the following to invite their comments on the proposed polling districts and polling places:

- 1) Borough councillors
- 2) County Councillors
- 3) Parish councils
- 4) Members of Parliament
- 5) Local political parties
- 6) Tonbridge & Malling Seniors Forum
- 7) Tonbridge & Malling District Partnership Group
- 8) Electors, by way of public notices and press releases
- 9) Managers or bookings clerks for current and proposed venues
- 10) Local groups with expertise in accessibility for people with disabilities, including Hi Kent, Kent Association for the Blind, Carers First, Headway, Scotts Project, and Age UK.

1.8 Use of schools

1.8.1 Members are asked to note that the (Acting) Returning Officer is entitled to use free of charge schools maintained or assisted by a local authority as well as those schools that receive grants made out of moneys provided by Parliament. This includes academies and free schools. However, where possible we do try to avoid the use of schools due to the disruption that is caused by their use – to children, staff and parents. In some cases, however, the use of school facilities is unavoidable.

1.9 Initial proposals

1.9.1 The initial proposals for polling districts and polling places are set out below. As noted above (paragraph 1.6.1), I recommend that the majority of polling districts and places remain unchanged from the previous review. All of the polling districts and polling places meet the guidelines set out in section 1.5.

1.9.2 Members are invited to note the following comments and changes to existing polling districts and polling places:

- 1) Polling places
I propose to retain the 'at or near' prefix for all polling places. This allows for changes at short notice (for example, if a polling venue is unavailable prior to an election) without the need to convene a Member meeting. Long-term changes would continue to be considered by this Group.

2) Wards

The wards are the wards that took effect from May 2015.

3) Chatham & Aylesford

The following table summarises the initial proposals for that part of the Chatham & Aylesford constituency which is within the Borough of Tonbridge and Malling.

Ward: Aylesford North & Walderslade

Polling district	Polling Place (at or near...)	Changes
CAA Aylesford North	Aylesford Community Centre	No changes
CAB Blue Bell Hill	Blue Bell Hill Village Hall	No changes
CAC Eccles	Eccles Church Hall	No changes
CAD Walderslade	Tunbury Hall	No changes

Ward: Aylesford South

Polling district	Polling Place (at or near...)	Changes
CBA Aylesford South	RBL Community Hall	No changes

Ward: Burham & Wouldham

Polling district	Polling Place (at or near...)	Changes
CCA Burham	Burham Old School Community Centre	No changes
CCB Wouldham	Wouldham Village Hall	Wouldham Primary School

Ward: Ditton

Polling district	Polling Place (at or near...)	Changes
CDA Ditton North	Cobdown Sports & Social Club	No changes
CDB Ditton South	Ditton Community Centre	No changes

Ward: Larkfield North

Polling district	Polling Place (at or near...)	Changes
CEA Larkfield North	Larkfield Village Hall	No changes

Ward: Larkfield South

Polling district	Polling Place (at or near...)	Changes
CFA Larkfield South	Church Farm Hall	No changes

Ward: Snodland East & Ham Hill

Polling district	Polling Place (at or near...)	Changes
CGA Snodland North East	Devonshire Rooms	No changes
CGB Snodland South	Holmesdale Technology	No changes

	College	
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Ward: **Snodland West & Holborough Lakes**

Polling district	Polling Place (at or near...)	Changes
CHA Snodland West & Holborough Lakes	Snodland Community Centre	No changes

4) Tonbridge & Malling

The following table summarises the initial proposals for that part of the Tonbridge & Malling constituency which is within the Borough of Tonbridge and Malling.

Ward: **Borough Green & Long Mill**

Polling district	Polling Place (at or near...)	Changes
TAA Borough Green	Borough Green Village Hall	Inspection not completed yet
TAB Platt	Platt Memorial Hall	No changes
TAC Plaxtol	Plaxtol Memorial Hall	No changes
TAD Shipbourne	Shipbourne Village Hall	No changes

Ward: **Cage Green**

Polling district	Polling Place (at or near...)	Changes
TBA Cage Green North	Hugh Christie Technology College	Inspection not completed yet
TBB Cage Green South	St Philip's Church	Inspection not completed yet

Ward: **Castle**

Polling district	Polling Place (at or near...)	Changes
TCA Castle North	YMCA Centre	Inspection not completed yet
TCB Castle South	Tonbridge Castle	Inspection not completed yet

Ward: **Downs & Mereworth**

Polling district	Polling Place (at or near...)	Changes
TDA Addington	Addington Village Hall	No changes
TDB Birling	Birling Village Hall	No changes
TDC Mereworth	Mereworth Village Hall	No changes
TDD Offham	Offham Village Hall	No changes
TDE Ryarsh	Ryarsh Village Hall	No changes
TDF Trottiscliffe	Trottiscliffe Village Hall	No changes
TDG West Peckham	West Peckham Village Hall	No changes

Ward: **East Malling**

Polling district	Polling Place (at or near...)	Changes
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TEA East Malling	East Malling Village Hall	No changes
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Ward: **Hadlow & East Peckham**

Polling district	Polling Place (at or near...)	Changes
TFA East Peckham	Curran Hall, East Peckham Methodist Church	No changes
TFB Golden Green	Golden Green Community Centre	Inspection not completed yet
TFC Hadlow	Hadlow Old School	Inspection not completed yet

Ward: **Higham**

Polling district	Polling Place (at or near...)	Changes
TGA Higham	Methodist Hall	No changes

Ward: **Hildenborough**

Polling district	Polling Place (at or near...)	Changes
THA Hildenborough North	St Johns Church Hall	No changes
THB Hildenborough South	Stocks Green CP School	No changes

Ward: **Judd**

Polling district	Polling Place (at or near...)	Changes
TJA Judd Central	St Stephens Church Centre	No changes
TJB Judd North	Teen & Twenty Club	Inspection not completed yet
TJC Judd South	West Kent College	No changes

Ward: **Kings Hill**

Polling district	Polling Place (at or near...)	Changes
TKA Kings Hill	Cricket Ground	No changes
TKB Kings Hill	Kings Hill Community Centre	No changes
TKC Mereworth Airfield	Kings Hill Community Centre	No changes

Ward: **Medway**

Polling district	Polling Place (at or near...)	Changes
TLA Medway North	Fisher Hall	No changes
TLB Medway South	Hillview School for Girls	Inspection not completed yet

Ward: **Trench**

Polling district	Polling Place (at or near...)	Changes
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TMA Trench	Six in One Community Centre	Inspection not completed yet
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Ward: **Vauxhall**

Polling district	Polling Place (at or near...)	Changes
TNA Vauxhall North	The New Telegraph Club	No changes
TNB Vauxhall South	Tonbridge Grammar School for Girls	Inspection not completed yet

Ward: **Wateringbury**

Polling district	Polling Place (at or near...)	Changes
TPA Wateringbury	Wateringbury Village Hall	No changes

Ward: **West Malling & Leybourne**

Polling district	Polling Place (at or near...)	Changes
TQA Leybourne Village	Leybourne Village Hall	No changes
TQB Leybourne Chase	Leybourne Chase Community Hall	No changes
TQC West Malling	West Malling CP School	Inspection not completed yet

Ward: **Wrotham, Ightham & Stansted**

Polling district	Polling Place (at or near...)	Changes
TRA Ightham	Ightham Village Hall	No changes
TRB Stansted	Stansted Village Hall	No changes
TRC Wrotham	St George's Hall	No changes

1.10 Legal Implications

1.10.1 The Representation of the People Act 1983 (as amended) requires borough councils to undertake reviews of polling districts and polling places at least every four years. The Electoral Registration and Administration Act 2013 introduced a change to the timing of compulsory reviews of UK Parliamentary polling districts and polling places. The next compulsory review must now be started and completed between 1 October 2018 and 31 January 2020 (inclusive).

1.11 Financial and Value for Money Considerations

1.11.1 The cost of this review will be met from existing budgets. Failure to correctly undertake this review could impose considerable financial penalties on the (Acting) Returning Officers due to problems at elections; this would trigger a series of events bringing cost and embarrassment to the Council.

1.12 Risk Assessment

- 1.12.1 The requirements of our electors are essential, and a failure to correctly undertake this review could result in disenfranchising electors, or making it more difficult for them to vote.
- 1.12.2 Any failure in the process or consideration of comments made during the consultation stage could result in the Electoral Commission over-ruling the decisions of the Council.

1.13 Equality Impact Assessment

- 1.13.1 The selection of polling places takes into account the needs of electors with disabilities and, as far as is reasonably practicable, efforts are made to ensure all eligible electors are able to access polling stations. Risk assessments of all polling places are being undertaken, and this includes a series of access questions. Presiding Officers at polling stations also provide feed-back on accessibility of polling stations at elections.

1.14 Recommendations

- 1.14.1 It is recommended that the timing of the review, including the public consultation and initial proposals be noted and approved to go ahead.

Background papers:

contact: Daune Ashdown

Nil

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