

Non-Executive Report of the: <b>General Purposes Committee</b> Tuesday, 10 December 2019	
<b>Report of:</b> Asmat Hussain, Executive Director Governance	<b>Classification:</b> Open (Unrestricted)
<b>Polling districts and polling places review</b>	

<b>Originating Officer(s)</b>	Rob Curtis, Head of Electoral Services Steve Morton, Project Manager – Polling Review
<b>Wards affected</b>	All

### Executive Summary

As required by Representation of the People Act 1983 (as amended by the Electoral Administration Act 2006) all local authorities must review their UK Parliamentary polling districts and polling places at least once every four years and for Tower Hamlets this is now taking place. The review must be completed by 31 January 2020.

This report sets out the representations made during the consultation phase of the current review. It also presents the analysis of data collected to inform the review.

A number of draft recommendations have been set out in the report on the basis of representations made and the data analysis undertaken. The report seeks the committee's comments on these before final recommendations are submitted to full council on 15 January 2020. The draft recommendations are found in paragraphs 3.23 to 3.44 of the report.

### Recommendations:

The General Purposes Committee is recommended to:

1. review and comment on the draft recommendations of the review of polling districts and polling places set out in paragraphs 3.23 to 3.36 of this report for submission to full council on 15 January 2020;
2. note and comment on other proposals arising from the review that do not fall within the scope of a statutory review of polling districts and polling places. These are set out in paragraphs 3.37 to 3.44 of this report; and,
3. agree that the final version of the report can be presented to full Council for decision.

## **1. REASONS FOR THE DECISION**

- 1.1 As required by Representation of the People Act 1983 (as amended by the Electoral Administration Act 2006) all local authorities must review their UK Parliamentary polling districts and polling places at least once every five years and for Tower Hamlets this is now taking place.
- 1.2 The Electoral Registration and Administration Act 2013 also introduced a change to the timing of compulsory reviews of UK Parliamentary polling districts and polling places. Compulsory reviews must be started and completed within the period of 16 months that starts on 1 October of every fifth year after 1 October 2013. This means that this review must be completed by the 31 January 2020.

## **2. ALTERNATIVE OPTIONS**

- 2.1 This is a compulsory review covering the steps set out in Schedule A1 to the Representation of the People Act 1983 as set out in paragraph 3.1 below.

## **3. DETAILS OF THE REPORT**

### ***Background information on undertaking a polling districts and polling places review***

- 3.1. Under Schedule A1 of the Representation of the People Act 1983, when carrying out a review, local authorities must:
  - publish a notice of the holding of a review
  - consult the (Acting) Returning Officer for every parliamentary constituency which is wholly or partly in its area
  - publish all representations made by an (Acting) Returning Officer
  - seek representations from such persons as it thinks have particular expertise in relation to access to premises or facilities for persons who have different forms of disability.
  - on completion of a review, give reasons for its decisions and publish documentation relating to the review including correspondence, representations, minutes and details of the designation of polling districts and polling places within the local authority area as a result of the review.
- 3.2. The full list of Schedule A1 requirements can be found in the guidance published by the Electoral Commission on its website at [www.electoralcommission.org.uk/i-am-a/electoral-administrator/polling-place-reviews](http://www.electoralcommission.org.uk/i-am-a/electoral-administrator/polling-place-reviews).
- 3.3. Local authorities must comply with the following legislative requirements regarding the designation of polling districts and polling places:
  - the council must designate a polling place for each polling district, unless the size or other circumstances of a polling district are such that the situation of the polling stations does not materially affect the convenience of the electors

- the polling place must be an area in the district, unless special circumstances make it desirable to designate an area wholly or partly outside the district (for example, if no accessible polling place can be identified in the district)
  - 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
- 3.4. Local authorities must also comply with the following access requirements. As part of the review, they must:
- 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 practicable every polling place for which it is responsible is accessible to electors who are disabled
- 3.5. The council must have regard to the accessibility to disabled persons of potential polling stations in any place which it is considering designating as a polling place or the designation of which as a polling place it is reviewing.
- 3.6. It is important to note that a polling districts and polling places review is not a review of ward boundaries but the polling districts that are the building blocks for each ward and of the polling places within them.
- 3.7. Polling districts and polling places for other elections (for example, local government, European or referenda) are not automatically part of the compulsory review. However, as polling districts and polling places for other elections are based on UK Parliamentary polling arrangements, the requirements of any other elections that are held within the local authority area have been taken into consideration as part of the review.
- 3.8. Following a review there is a right for some persons and bodies to appeal against reviews of polling districts and places to the Electoral Commission. Grounds for appeal and more information on who can appeal can be found on the Electoral Commission website [www.electoralcommission.org.uk/i-am-a/electoral-administrator/polling-place-reviews](http://www.electoralcommission.org.uk/i-am-a/electoral-administrator/polling-place-reviews).

### ***Tower Hamlets review of polling districts and polling places 2019***

- 3.9. Terms of reference for the review can be found on the council website at [www.towerhamlets.gov.uk/PDreview2019](http://www.towerhamlets.gov.uk/PDreview2019).
- 3.10. The Notice of Review, including the timetable for the review, was published on 23 August 2019. It was made available in the Town Hall and on the council's website at [www.towerhamlets.gov.uk/PDreview2019](http://www.towerhamlets.gov.uk/PDreview2019).
- 3.11. The consultation period for the review began with the publication of the Notice of Review and ran for a period of 8 weeks until Friday 18 October 2019.

- 3.12. A letter, including the Notice of Review, seeking views on the current arrangements was sent to the (Acting) Returning Officer for the parliamentary constituencies of Bethnal Green and Bow and Poplar and Limehouse, all elected representatives for the area under review, local political parties, and to fifty nine organisations that work with local disabled people.
- 3.13. The council asked for representations on any changes that relevant stakeholders consider are required to the existing polling districts and polling places to ensure that these continue to reflect local requirements.
- 3.14. Information about the review was published on the consultation page of the council website. The council promoted the review through a press release, an article in Our East End and social media. Information about the review was published in the Tower Hamlets Council for Voluntary Services e-newsletter and the Accessible Transport Forum's e-newsletter. Council staff were informed through Tower Hamlets Now and Manager Briefing. Information for councillors was published in the Members' Briefing.
- 3.15. The (Acting) Returning Officer for the parliamentary constituencies of Bethnal Green and Bow and Poplar and Limehouse is a statutory consultee who is required to comment on the review. The representation of the (Acting) Returning Officer was received on 12 September 2019 and published on the council website on 13 September 2019.
- 3.16. Real, a local advocacy organisation run by and for disabled people, supported the review by organising a focus group seeking views from disabled people on their experience of voting in the borough. Council officers attended Tower Hamlets Accessibility Day on 3 October 2019 with twenty six survey forms completed by disabled people who attended.
- 3.17. As well as representations and consultation with disabled people, other information considered includes:
- Electorate figures, broken down to street level within wards and existing polling districts.
  - Estimates of population change within the area both retrospective and prospective.
  - New development and the approximate number of dwellings and expected population numbers for those areas.
  - Details of current polling places and an indication as to their overall suitability for purpose.
  - Comments and complaints regarding the current arrangements from the public, elected members or other bodies.
  - Information gained from the existing and possible future polling station venue managers as to continued availability and suitability.
  - Details of potential alternative buildings that might appear suitable.
- 3.18. Electorate statistics by polling district and polling place based on the revised Electoral Register 1 August 2019 were published on the council website at [www.towerhamlets.gov.uk/PDreview2019](http://www.towerhamlets.gov.uk/PDreview2019).

- 3.19. The electorate in some of the polling districts in Tower Hamlets has changed significantly in recent years and is likely to continue to change in the future. There may be a need to create further polling districts within the borough wards redrawing the polling district boundaries, add additional polling places, merge smaller polling places or it may be considered that the status quo is retained in some or all of the polling districts.
- 3.20. Each polling district has been evaluated in terms of the current electorate figure, the alignment with the borough ward boundaries, the impact of regeneration on the area, existing natural boundaries (major roads and waterways) and where necessary identifying suitable additional polling places or alternative polling places.

### **Representations received**

- 3.21. The representation of the (Acting) Returning Officer for the Parliamentary constituencies of Bethnal Green and Bow and Poplar and Limehouse was published on the council website at [www.towerhamlets.gov.uk/PDreview2019](http://www.towerhamlets.gov.uk/PDreview2019).
- 3.22. Other representations received comprise three from private individuals and one from the Local Campaigns Forum of the Labour Party in the London Borough of Tower Hamlets. These are published on the council website at [www.towerhamlets.gov.uk/PDreview2019](http://www.towerhamlets.gov.uk/PDreview2019).

### **Draft recommendations from the General Purposes Committee to full council relating to proposed changes to polling district boundaries and location of polling places**

- 3.23. Modelling of the impact of proposed changes to polling district boundaries on the electorate can be found at Appendix A.
- 3.24. The figures for the existing polling districts are based on the register of electors as published on 1 November 2019. Modelling of the impact of proposed amendments has been made using an extract from the register of electors at 26 November 2019. This shows the projected electorate in each polling district if proposed boundary changes were agreed. The variation between the size of the current and projected electorate is partly a consequence of proposed boundary changes and partly a result of changes to the electoral register following the European Election and the forthcoming General Election.
- 3.25. The register will now not be updated and published until 1 February 2020 following the postponement of the planned publication of the register on 1 December 2019.
- 3.26. Maps showing current and proposed boundary changes and polling places can be found at Appendix B.

*Proposed changes to polling district boundaries*

- 3.27. A proposal has been made that the boundaries between polling districts in Canary Warf ward are amended. The rationale given is that these would better reflect the natural communities in the ward, including the Barkentine Estate and the communities along the riverside and Millwall Outer Dock. Current and proposed boundaries are shown on the map of Canary Warf ward at Appendix B.
- 3.28. Modelling the impact of these proposals shows that the electorate for polling district CW3 would be increased to 6620. The maximum electorate per polling station is 2,500. If the boundary changes were made, the polling place for CW3 would need to be able to accommodate three polling stations. This would be logistically challenging in the current polling place (Dockland Community Organisation) and this issue would not be resolved if the polling place for the proposed polling district of CW3 were Seven Mills Primary School. For this reason it is recommended that the council rejects the proposed changes to polling district boundaries in Canary Warf ward.
- 3.29. A proposal has been made that the boundary between polling districts IG1 and IG2 is amended. The rationale given is that this would incorporate a single development comprising Vulcan Square and the south side of Britannia Road wholly within IG1. The proposed new boundary is shown on the map of Island Gardens ward at Appendix B. It is recommended that the council agrees to the proposed changes to the polling district boundaries in Island Gardens ward.
- 3.30. A proposal has been made that the boundaries between polling districts in Spitalfields and Banglatown ward are amended. The rationale given is that these would better reflect the geography of the ward and assist electors identify and access their polling places. The proposed new boundaries are shown on the map of Spitalfields & Banglatown ward at Appendix B. Only polling district SB4 remains unchanged by these proposals. It is recommended that the council agrees to the proposed changes to polling district boundaries in Spitalfields and Banglatown ward.
- 3.31. A proposal has been made that the boundaries between polling districts in St Katherine's and Wapping ward are amended. The rationale given is that these would better reflect natural communities in the ward. The proposed new boundaries are shown on the map of St Katharine's and Wapping ward at Appendix B. Only SK4 remains unchanged. It is recommended that the council agrees to the proposed changes to polling district boundaries in St. Katharine's & Wapping ward.

#### *Proposed changes to polling places*

- 3.32. Alternative polling places have been proposed for polling districts in Canary Warf ward:
- CW1 proposal to use a portacabin near the Tesco Express on Westferry Road/Cuba Street. The current polling place is the London Marriot Hotel Canary Warf.

- CW2 proposal to use Arnhem Warf Primary School. This would replace Seven Mills Primary School (which would fall within CW3 if the boundary changes at paragraph 3.25 were agreed).
- CW3 proposal to use Seven Mills Primary School which would fall within the proposed boundary of CW3. The current polling place is Docklands Community Organisation

The suitability of these proposed locations is currently being reviewed by the Electoral Services team. If the proposed premises are deemed satisfactory then it is recommended that the council agrees these changes.

3.33. Alternative polling places have been proposed for Spitalfields & Banglatown ward:

- SB1 either the Holland Community Centre or Toynbee Hall to replace Christchurch Primary School.
- The current polling station in polling district SB3 is St Anne's Primary School. If the polling district boundary changes at 3.27 are agreed then it is proposed that St Anne's Primary School would become the polling place for polling district SB2.
- If the polling district boundary changes at 3.27 are agreed then it is proposed that the Brady Centre would become the polling place for polling district SB3.
- Under these proposals Cannon Barnett Primary School would no longer be used as a polling place.

The suitability of these proposed locations is currently being reviewed by the Electoral Services team. If the proposed premises are deemed satisfactory then it is recommended that the council agrees these changes.

3.34. Alternative polling places have been proposed for Bow West ward in polling district BW3:

- either the Army Reserve Centre, Mile End Road or Gateway Housing Association, Mile End Road to replace Epanios Ministries, Lichfield Road.

The suitability of these proposed locations is currently being reviewed by the Electoral Services team. If the proposed premises are deemed satisfactory then it is recommended that the council agrees this change.

3.35. Consultation findings indicate that the council should consider alternative arrangements for polling in Bow West, polling district BW2. Two polling stations are currently provided on the first floor of Olga Primary School. Access for people who are unable to use stairs is by a lift which has to be operated by polling station staff. Whilst this arrangement meets basic requirements for access it requires an additional polling clerk to operate the lift. For security reasons voters require escorting in this part of the building.

3.36. Consultation findings indicate that the council should identify alternative arrangements for polling in Blackwall & Cubitt Town, polling district BC1. A single polling station is currently provided in a portacabin by East India DLR station. Space is limited and may make access to the polling place difficult for

disabled people both in terms of entry and whilst within the polling place. (Two portacabins have been ordered in this location for the 12 December 2019 General Election with a separate polling station in each.)

### **Other draft recommendations arising from the review**

3.37. Review of the electorate and capacity within polling districts indicates that the council consider additional polling stations in the following polling places:

#### Blackwall & Cubitt Town

BC1 portacabin under East India DLR increase from 1 polling station to 2 (identify alternative location or increase capacity by using a larger portacabin or two separate portacabins).

BC2 Radisson Blu Hotel additional polling station be added within polling place.

#### Mile End

ME2 St Paul with St Luke Primary School increase from 1 polling station to 2

ME4 Stebon Primary School increase from 1 polling station to 2

ME5 St Mary & St Joseph RC Church increase from 1 polling station to 2

#### Weavers

WE1 Virginia Primary School increase from 1 polling station to 2

WE3 Matthias Primary School increase from 1 polling station to 2

#### Spitalfields & Banglatown

SB2 Cannon Barnett Primary School increase from 1 polling station to 2

The suitability of accommodating an additional polling station in these locations is currently being reviewed by the Electoral Services team.

3.38. Maps showing possible polling district capacity issues and population projections to 2024 and to 2029 can be found at Appendix C.

3.39. The (Acting) Returning Officer in his representation suggested that an annual review of data from the electoral register is undertaken with a full review of polling district boundaries and facilities as required. Review of population projections has indicated that a number of wards and polling districts will experience significant population growth in the period up to 2024 (the date of the next statutory review) and beyond. These are shown on the maps at Appendix C.

3.40. A number of recommendations arise from the consultation with disabled people. A summary of consultation findings can be found at Appendix D.

3.41. To give additional assurance of compliance with Section 16 of the Electoral Administration Act 2006, the Returning Officer and the Electoral Registration Officer should consider conducting an annual disability access audit of 20% of polling places using the checklist provided by the Electoral Commission in their Guidance. This should be with a view to auditing 80% of polling places before the next statutory review. Any changes recommended as a result of the audit

should be made as soon as practicable. Outcomes for all polling places audited should be reported in the next statutory review of polling districts and polling places.

- 3.42. Electoral Services should review and update training for polling staff to ensure that deaf awareness is covered. Training should also cover awareness of the needs of people with more than one barrier to access, for example, someone who has a visual or hearing impairment and whose first language is not English.
- 3.43. Electoral Services should note and where reasonable and practicable make changes in relation to other issues highlighted during the public consultation – for example, making additional disabled parking places available and opening the western gate to Bonner Primary School to improve access to the polling place.
- 3.44. That the council initiate the steps set out in Section 59 of the Local Government and Public Involvement in Health Act 2007 to amend three ward names. The proposed changes being:
  - changing the name of Bethnal Green ward to Bethnal Green East;
  - changing the name of Canary Wharf ward to Millwall; and
  - changing the name of St. Peter's ward to Bethnal Green West

#### **4. EQUALITIES IMPLICATIONS**

- 4.1. The Public Sector Equality Duty at s.149 Equality Act 2010 requires the council to have due regard to the following when exercising its functions:
  - The need to eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act;
  - To advance equality of opportunity between those with a protected characteristic and those that do not share it; and
  - To foster good relations between those with a protected characteristic and those that do not share it.
- 4.2. Local authorities have a duty to review the accessibility of all polling places to disabled voters and ensure that every polling place, and prospective polling place, for which it is responsible is accessible to disabled voters 'so far as is reasonable and practicable'.
- 4.3. According to the Equalities and Human Rights Commission the duty to make reasonable adjustments comprises three requirements. For service providers and those exercising public functions, these requirements are:
  - where a provision, criterion or practice puts disabled people at a substantial disadvantage compared with those who are not disabled, to take reasonable steps to avoid that disadvantage.
  - where a physical feature puts disabled people at a substantial disadvantage compared with people who are not disabled to avoid that disadvantage or adopt a reasonable alternative method of providing the service or exercising the function.

- where not providing an auxiliary aid puts disabled people at a substantial disadvantage compared with people who are not disabled, to provide that auxiliary aid.

4.4. An equality analysis has been prepared to inform the review. Recommendations from the equality analysis have been incorporated in section 3 above.

## **5. OTHER STATUTORY IMPLICATIONS**

5.1 The review follows steps set out in Schedule A1 of the Representation of the People Act 1983. It is informed by guidance issued by the Electoral Commission which sets out the appeals process following conclusion of the review. It is also guided by consultation principles issued by the Cabinet Office in July 2012 (as updated May 2018).

5.2 The council is required to publish all representations received in relation to the review. All representations have been published on the council website. Personal details have been redacted in line with the General Data Protection Regulation 2018.

5.3 The council may carry out an interim review and change some of their polling districts and polling places before the end of the five year review cycle. The same processes should be undertaken for the affected areas as for the compulsory review.

## **6. COMMENTS OF THE CHIEF FINANCE OFFICER**

6.1 This report requests that the General Purposes Committee comment on the draft recommendations arising from the review of polling districts and polling places in Tower Hamlets. Any costs arising from the implementation of review recommendations will be met from within existing budgets.

## **7. COMMENTS OF LEGAL SERVICES**

7.1 S.16 Electoral Administration Act 2006 (EAA) provides the amendments to the Representation of the People Act 1983 (ROTPA) requiring a review of polling places. S.18A to s.18E and Schedule A1 have consequently now been added to the ROTPA.

7.2 S.18A ROTPA regards the polling districts for the parliamentary elections. Under this legislation a local authority must divide its area into polling districts for the purpose of these elections. All electors must have reasonable facilities for voting in each constituency within the area of the local authority. If there is an alteration made to the polling districts of each area, the registration officer for the district in question must make adaptations to the register of parliamentary electors which are necessary to take into account the alteration. Once a notice is published by the registration officer that such an adaptation has been made, the alteration comes into effect.

- 7.3 S.18B ROTPA regards polling places for each polling district of a constituency. A relevant authority must designate polling places for the polling districts in its area and keep these polling places under review.
- 7.4 S.18C ROTPA regards the review of polling districts and places which must take place before the end of a period of four years either starting from when the designation of the area (s.18C(3)) or the completion of the previous review (s.18C(4)).
- 7.5 Circumstances where a representation is made to the Electoral Commission which may trigger a review is covered by s.18(D) ROTPA.
- 7.6 Schedule A1 of the ROTPA contains the guidance for local authorities to follow before any review of the polling districts takes place. The requirements of Schedule A1 have been set out in p.3.9 of this report.
- 7.7 In order to carry out its public sector equality duty under s.149 Equality Act 2010, local authorities must ensure that accessibility to all polling places is reasonable and practicable. This is also a rule covered by s.18B(c) ROTPA.

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## **Linked Reports, Appendices and Background Documents**

### **Linked Reports**

[Review of polling districts and polling places](#) Report to General Purposes Committee  
10 December 2014

[Polling districts and polling places review](#) Report to General Purposes Committee 8  
October 2019

### **Appendices**

- A. Modelling of the impact of proposed changes to polling district boundaries on the electorate
- B. Maps showing proposed polling district boundary changes and proposed changes to polling places
- C. Map showing possible polling district capacity issues with population projections to 2024.
- D. Summary of findings from consultation with disabled people

### **Local Government Act, 1972 Section 100D (As amended)**

#### **List of “Background Papers” used in the preparation of this report**

[Guidance on the review of polling districts and places](#) Electoral Commission

Documents relating to the review can be found on the council website:  
[www.towerhamlets.gov.uk/PDreview2019](http://www.towerhamlets.gov.uk/PDreview2019)

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