

<p style="text-align: center;">Non-Executive Report of the:</p> <p style="text-align: center;">General Purposes Committee</p> <p style="text-align: center;">Post-Election Polling Places Review 2021</p>	 <p style="text-align: center;">TOWER HAMLETS</p>
<p>Report of Janet Fasan, Divisional Director Legal Services, and Interim Monitoring Officer</p>	<p>Classification: Open (Unrestricted)</p>
<p style="text-align: center;">Post-election polling places review 2021</p>	

Originating Officer(s)	Robert Curtis – Head of Electoral Services
Wards affected	All

Executive Summary

The Representation of the People Act 1983 (as amended by the Electoral Administration Act 2006) requires that all local authorities must review their UK Parliamentary polling districts and polling places at least once every five years.

In Tower Hamlets the last formal review took place in 2019 and was approved by Council on 15 January 2020 but following the extraordinary General Election held in December 2019, the GLA elections, the Governance Referendum, the Neighbourhood Planning Referendum on the Isle of Dogs, and the Weavers Ward by election it is considered pertinent for the polling places used at these polls to be reviewed once again given the use of alternative locations utilised over this period.

The review will take place over a period of 6 weeks commencing on the 20th September 2021 until the 29th October 2021 to enable any agreed changes to be agreed and in place prior to the local elections scheduled for May 2022.

Recommendations:

- The General Purposes Committee is recommended to note the commencement of the review of polling places in Tower Hamlets.
- On conclusion of the review for GPC to assess the responses received and recommend to Council those polling places to use and those not to be used.

1. REASONS FOR THE DECISIONS

- 1.1 The review is being undertaken because of several changes, some temporary, to polling places that have had to be put in place since the last formal review undertaken in 2019.
- 1.2 The changes to polling places since 2019 are detailed in **Appendix A**
- 1.3 Once the review is concluded this will enable polling places to be formally agreed and booked prior to the May polls in 2022 and beyond until the next full review of polling places and districts in 2024.
- 1.4 If, following the elections in May 2022, premises become unavailable then a further review will be undertaken.

2. ALTERNATIVE OPTIONS

- 2.1 This review is not a mandatory review as set out in Schedule A1 to the Representation of the People Act 1983.

3. DETAILS OF THE REPORT

- 3.1. 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. In Tower Hamlets this was undertaken in 2019 with the outcome agreed by Council on 15 January 2020.
- 3.2. 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.
- 3.3. For this truncated review of polling places only, the council is seeking views on any changes that relevant stakeholders consider are required to existing temporary or established polling places used since 2019 and to ensure that any recommendations received for changes of polling places reflect local requirements.
- 3.4. A list of the polling places and polling stations used in 2019 and the local government electorate can be found on the Councils web site here <https://www.towerhamlets.gov.uk/postelectionreview> along with the polling places and comparative local government electorate for the GLA elections and Governance Referendum held in May 2021.
- 3.5. 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, when the next formal review is undertaken, 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 the polling districts.

- 3.6. Each polling district should contain its own polling place or polling places and should be 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).
- 3.7. It is important to note that this review is not a review of ward boundaries or the existing polling districts, but a review of those polling places used since 2019 and at recent elections held in 2021.
- 3.8. Local election arrangements for polling districts and polling places are not automatically part of any compulsory review, this a process used to establish the set up for UK Parliamentary Elections. However, as polling districts and polling places for other elections are also based on UK Parliamentary polling arrangements, the requirements of any other elections that are held within the local authority area should be taken into consideration as part of any review.
- 3.9. When carrying this review, the following will take place:
 - publish confirmation that a review is taking place
 - publish all representations received
 - seek representations from such persons who have a particular expertise in relation to access to premises or facilities for persons who have different forms of disability.
 - on completion of the review, give reasons for decisions made and publish documentation relating to the review including correspondence, representations, minutes, and details of the designation of the polling places within the local authority area.
- 3.10. The local authority must comply with the following legislative requirements regarding the designation of 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

- 3.11. Local authorities must comply with the following access requirements. As part of the review, they must:
- seek to ensure that all electors 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
- 3.12. The council must have regard to the accessibility to disabled persons of potential polling places or the designation of any existing polling place it is reviewing.
- 3.13. On Monday 20th September 2021 a letter seeking views on the current arrangements and the changes agreed at full council on 15 January 2020 and the changes that have had to be made since that date will be sent to the following
- all elected representatives for the area under review,
 - local political parties,
 - persons and organisations who have a particular interest and expertise in relation to the different aspects of the polling places including location, and accessibility to premises or facilities for persons who have different forms of disability.
- 3.14. Given this review is only of polling places within the Borough the period will be for 6 weeks commencing on Monday 20th September 2021 until 29 October 2021.
- 3.15. As well as formal representations and review findings, statistics, and other information to be considered will include:
- Electorate figures, broken down to street level within wards and existing polling districts.
 - Details of current polling places and an indication as to their overall suitability for purpose.
 - Any comments or complaints regarding the current arrangements from the public, elected members, or other bodies.
 - Information gained from the existing and possible future polling places as to continued availability and suitability.
 - Details of potential alternative buildings that might appear suitable.
 - Advice and guidance from local disability groups and disability organisations and council officers who are responsible for engagement with people with disabilities.

3.16. The timetable for the review is as follows:

- Formal review notice published - Monday 20th September 2021
- Review period commences - Monday 20th September 2021
- Review period ends - Friday 29th October 2021
- General Purposes Committee - 5th October 2021
- Full Council for decision - Wednesday 19 January 2022
- Publication of conclusions of review - Friday 21 January 2022

3.17. Further information, including electorate figures, broken down to street level within wards and existing polling districts together with maps showing the location of polling stations, polling districts and wards can be found on the council's web site here <https://www.towerhamlets.gov.uk/postelectionreview>

3.18. Representations can be emailed to vote@towerhamlets.gov.uk or sent to: -

Post-Election Polling Places Review 2021
Electoral Services
London Borough of Tower Hamlets
7th Floor
Mulberry Place
5 Clove Crescent
London
E14 2BG

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.

4.4. 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.

5. OTHER STATUTORY IMPLICATIONS

5.1 This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are required to be highlighted to ensure decision makers give them proper consideration.

Examples of other implications may be:

- Best Value Implications,
- Reviews,
- Environmental (including air quality),
- Risk Management,
- Crime Reduction,
- Safeguarding.
- Data Protection / Privacy Impact Assessment.

5.2 Whilst this review is only looking at polling places the principles of the steps set out in Schedule A1 of the Representation of the People Act 1983 will be followed. 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 review principles issued by the Cabinet Office in July 2012 (as updated May 2018).

5.3 The council is required to publish all representations received in relation to the review.

5.4 Personal details will be redacted in line with the General Data Protection Regulation 2018.

6. COMMENTS OF THE CHIEF FINANCE OFFICER

- This report requests that the General Purposes Committee note the ongoing review of polling places in Tower Hamlets and on conclusion of the review to assess the responses received and recommend to Council those premises to continue using and those not to be used.
- Any costs arising from the conduct of the review will be met from within the Electoral Services approved budgets.
- Each premises will charge the authority for the provision of the premises at local elections/referendum. Consequently, subject to the outcome of the review and implementation of review recommendations, the costs are unknown but should be met from within approved budgets.

7. COMMENTS OF LEGAL SERVICES

7.1 The legal position is as set out in the body of the report.

Linked Reports, Appendices and Background Documents

Linked Report

- None

Appendices

- Appendix A - Changes to Polling Places since 2019.

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

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

- None

Officer contact details for documents:

Rob Curtis, Head of Electoral Services

Email: robert.curtis@towerhamlets.gov.uk

Phone: 020 7364 3139

Changes to polling places since 2019

Extraordinary General Election 2019

110 polling stations set up can be found here

<https://www.towerhamlets.gov.uk/postelectionreview>

Review recommendations agreed by Council on 15 January 2020

- An extra portacabin polling station be provided at East India – Polling District BC1
- The Epainos Ministries (New Testament Church of God), Lichfield Road, E3 5AT be replaced by Gateway Housing Association, 409-413 Mile End Road, E3 4PB – Polling District BW3
- A portacabin to be provided near to the Tesco Express on Westferry Road/Cuba Street replacing the London Marriott Hotel Canary Wharf, 22 Hertsmere Road, Canary Wharf, E14 4ED – polling District CW1
- The Arnhem Wharf Primary School to be used for polling district CW2
- Seven Mills Primary School, Malabar Street, E14 8LY to be used for Polling District CW3
- Docklands Community Organisation, 111-113 Mellish Street, E14 8PJ no longer to be used in polling district CW3
- Toynbee Hall, 28 Commercial Street, E1 6LS to be used in polling district SB1 replacing Christ Church CE Primary School, 47A Brick Lane, E1 6PU
- St Anne's Catholic Primary School, Underwood Road, E1 5AW to be used for polling district SB2 and not SB3
- The Brady Arts and Community Centre, 192-196 Hanbury Street, E1 5HU to be used for polling district SB3

GLA/Governance Referendum/Isle of Dogs NPR – Thursday 7 May 2021

- Following the withdrawal of portacabin to provide facilities at East India the two portacabin polling stations were unavailable and the stations sited at the Town Hall – Polling district BC1
- Following the withdrawal of facilities at Stour Space Exhibition Area, 7 Roach Road, the polling place was sited at H. Forman & Son, Floor 1, Stour Road, E3 2NT – polling district BE2
- The polling place at Gateway Housing Association, 409-413 Mile End Road, E3 4PB was utilised as recommended – polling district BW3
- Following the withdrawal of portacabin to provide facilities near to the Tesco Express on Westferry Road/Cuba Street the polling place was reverted to the London Marriott Hotel, 22 Hertsmere Road, Canary Wharf, E14 4ED – polling district CW1
- The Arnhem Wharf Primary School, 1 Arnhem Place, E14 3RP was utilised as recommended – polling district CW2
- Seven Mills Primary School, Malabar Street, E14 8LY was used for polling district CW3
- Toynbee Hall, 28 Commercial Street, E1 6LS was used for polling district SB1 as recommended
- The Brady Arts and Community Centre, 192-196 Hanbury Street, E1 5HU was used for polling district SB3 as recommended

Weavers Ward By election

- As a result of Columbia Primary School, Columbia Road, E2 7RG undergoing renovation work and not being available an alternative location at Sundial Community Centre, 11 Shipton Street, E2 7RU was used – polling district WE2