

Non-Executive Report of the: General Purposes Committee 10 January 2022 Post-Election Polling Places Review 2021	 TOWER HAMLETS
Report of Janet Fasan, Divisional Director Legal Services, and Interim Monitoring Officer	Classification: Open (Unrestricted)
Post-election polling places review 2021	

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

Special Circumstances Justifying Urgent Consideration

This report has been compiled following a review of polling places utilised since 2019 and needs to be considered by General Purpose Committee and the Council to enable arrangements to be put in place for the May elections on Thursday 5 May 2022.

The report has been subject to continued alteration and precise content affected due to an inability to access premises due to the continued Covid precautionary measures which has delayed completion covering the 75 premises being considered for the polls in May.

Given the commencement of the formal timetable in March 2022 this report must be considered in January 2022 to enable the final booking arrangements to be put in place.

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 was considered pertinent for the polling places used at these polls to undergo a truncated review given the use of alternative locations utilised over this period.

The review took place over a period of 6 weeks commencing on the 20th September 2021 until the 29th October 2021 with responses received to be used to decide whether the polling places agreed be used for the local elections scheduled for May 2022.

Recommendations:

- The General Purposes Committee is recommended to note the conclusion of the post-election review of polling places in Tower Hamlets.
- For GPC to assess the responses received and recommend to Council those polling places to use and those not to be used where determined.
- To acknowledge that where the allocation of a polling place has yet to be determined that the Returning Officer make the final decision to allocate for the polls to be held in May 2022.

1. REASONS FOR THE DECISIONS

- 1.1 Post-election polling places reviews take place informally after every election and this review has been held primarily because of several changes, some temporary, to polling places that had to be put in place since the last formal review undertaken in 2019.
- 1.2 In addition to polls that took place since 2019 the impact of Covid precautionary arrangements had a detrimental effect on the provision of certain polling places in 2021.
- 1.3 The changes to polling places since 2019 are detailed in **Appendix A**
- 1.4 Now that the review has been concluded the location of the polling places must be formally agreed by the Council and then formally booked for the May polls in 2022 and beyond.
- 1.5 The next full review of polling places and districts is scheduled for 2024.
- 1.6 In the event of any polling places becoming unavailable at short notice the Returning Officer is entitled to allocate temporary arrangements if deemed necessary.

2. ALTERNATIVE OPTIONS

- 2.1 The review is not a mandatory review as set out in Schedule A1 to the Representation of the People Act 1983 but a review of the arrangements that have had to be made since 2019 and were in place at polls held in May 2021.

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.
- 3.2. In Tower Hamlets this was undertaken in 2019 with the outcome agreed by Council on 15 January 2020.
- 3.3. 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.
- 3.4. For this truncated review of polling places only, the council sought views on any changes that relevant stakeholders considered necessary 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.

- 3.5. 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.
- 3.6. 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 in 2024, 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.
- 3.7. Each polling district should, where practicable, 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).
- 3.8. It is important to note that this review is not a review of ward boundaries or the existing polling districts, but only a review of those polling places used since 2019 and at recent elections held in 2021.
- 3.9. 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
- 3.10. Local authorities must comply with the following access requirements. 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
- 3.11. 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.
- 3.12. On Monday 20th September 2021 a letter seeking views on the current arrangements, changes agreed at full council on 15 January 2020 and the changes that have had to be made since that date were 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.
- 3.13. Given this review was only of polling places utilised from 2019 and not the polling districts the period was for 6 weeks commencing on Monday 20th September 2021 until 29 October 2021.
- 3.14. As well as formal representations, statistics, other information to be considered include:
- Electorate figures, broken down to street level within wards and existing polling districts.
 - Details of current polling places 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 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.
- 3.15. The timetable for the review was 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 – Monday 10th January 2022
 - Full Council for decision - Wednesday 19th January 2022
 - Publication of conclusions of review - Friday 21st January 2022
- 3.16. 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>
- 3.17. Responses to the review were as follows
1. Olga School expressed their concern that their facilities continue to be used and they would like to withdraw their facility given the continued pressure with Covid and the number of polls where this has impacted on them. The school were informed that the use of schools is specified in the law and that the use of the school is a legal duty that they must adhere to. On receipt of the explanation the school accepted the legal position.
 2. Acknowledgement was received from the Older People's Reference Group which is the User Involvement branch of AUKEL (Age UK East London) that they would liaise with their members, but no further

correspondence has been received. They have now been added to the list of consultees for future reviews.

3. On the 23 September Cllr P Golds responded with a suggestion that thought be given to dividing the polling district BC1 into two and a polling place be allocated onto City Island. Whilst this suggestion falls outside the remit of the review the proposition of allocating a polling place is currently being investigated with all three Ward Cllrs contacted for their thoughts and proposals and will be looked at in more detail in January 2022.
4. On the 15th October Cllr P Golds confirmed that there appeared to be several options on City Island that could be explored namely.
 - There is a facility called Island Social which is a large room and is in the middle of the residential area.
 - The lobby to the Mulryan Dance Centre in the residential area close to Sainsbury's.
 - The lobby of the Ballymore concierge entrance. There is an area with chairs on the side.
5. On the 28th October 2021 an email was received from Cllr P Golds
(Appendix B)

This repeated the proposal for alternative arrangements within BC1 and made observations relating to the Seven Mills Polling Station (CW3), Arnhem Wharf School (CW2), the previous polling place situated at Mellish Street (DCO) and the potential movement of some of the electorate from polling district CW3 to Arnhem School in polling district CW2.

Observation was also made re the continued use of schools.

This is a legal duty enshrined in law in the Representation of the People Act, 1983, Chapter 2, Schedule 1, Part III, paragraph 22 and is not commandeering or requisitioning, but a duty placed on funded schools to provide the facilities required if asked to do so.

6. To date no response has been received from Ballymore, the landlords at City Island and this will be further investigated in detail in January 2022
 7. Comments were received from attendees to H Forman & Son in May 2021 that on polling day the single lift didn't work to the detriment of those with disabilities, parents with babies and young children. To date liaison has taken place with Peabody, local cafes, and the London Legacy Development Corporation to ascertain if there is an alternative but suggestions have not yet been deemed suitable or are sited outside the Borough area. Further investigation will continue in the New Year.
4. Summary
 - 4.1 Following the review there are six polling places where observations have resulted in alternative arrangements being sought, continued work having to be undertaken or retention of the places allocated in May 2021.

This work is to be prioritised by the end January 2022 subject to Covid precautionary measures which is impacting site visits.
 - 4.2 Proposals received will also be investigated further and it is anticipated that this will be completed by the end of January 2022.

1. BC1 – the polling place with two portacabins could be reverted to East India, but consideration must be given to the commandeering of units by the NHS because of Covid which led to the cancellation of provision in May 2021 at the last minute and the consequential move to the Town Hall. This and the ongoing liaison and investigation into the City Island proposal continues.
2. BE1 – the Francis Lee Community Centre is not available. The Old Ford Methodist Church, 522 Old Ford Road, London, E3 2LY is being considered as an alternative, albeit on the Polling District Boundary. A site visit was undertaken on 16/12/2021 but the church management did not attend because of a positive Covid test so this will be subject to ongoing liaison to establish the suitability of this premise.
3. BE2 - Concern has been expressed as to suitability of H Forman & Son following the failure of the lift in May 2021. Ongoing work and liaison with site developers, landlords, Cllrs, and the Returning Officer continues to seek an alternative.
4. CW3 - It is proposed that we retain the London Marriott Hotel for May 2022 and then look at alternatives after these polls. Given the late withdrawal of Portacabin in May 2021 and the volatile position relating to Covid the provision of a unit on waste ground by Tesco's determined in 2019, isn't guaranteed so the retention of an established polling place that is familiar to the electorate is considered the best option as circumstances currently dictate.
5. CW3 – Concern has been expressed re the suitability of Seven Mills Primary School, but it is available and has been provisionally booked.
6. BGW1 – The Pritchard's Road Day Centre is now unavailable and suitable alternative arrangements are being sought.
7. WH4P – The Shapla Primary School is unavailable and suitable alternative arrangements are being sought.

5. EQUALITIES IMPLICATIONS

- 5.1. 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.
- 5.2. 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'.
- 5.3. According to the Equalities and Human Rights Commission the duty to make reasonable adjustments comprises three requirements.

5.4. 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

6.1 There are no significant direct financial implications arising from this report.

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.
- Appendix B – Response from Cllr P Golds

Local Government Act, 1972 Section 100D (As amended)**List of “Background Papers” used in the preparation of this report**

- None

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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

Polling Stations

In May 2006 I was an appointed polling agent. I visited polling stations across the borough during the day.

Blackwall and Cubitt Town Ward

The BC1 polling Station was at the Town Hall, previously the location had been portacabins at East India Station. Neither are satisfactory the growing population of the polling district at London City Island and now Trinity Buoy Wharf.

For these their main transport hub is Canning Town – tube, DLR and buses. To walk from either to the town hall involves crossing major roads and a gyratory roundabout.

It is noticeable that turnout from London City Island was extremely low at the polling station at the Town Hall.

I am recommending that the polling station be divided and electors at London City Island and Trinity Buoy Wharf vote at a polling station located on the London City Island complex. There are a number of potential locations,

1. The lobby to the Mulryan Dance Theatre, large and central
2. The lobby by the Concierge office for the complex (Ballymore would have to agree and it would involve moving furniture
3. The social Club room on the complex – almost certainly available on an election day.

Any of these would making voting easier than the Town Hall.

Canary Wharf Ward

In May 2006 I was an appointed polling agent. I visited polling stations across the borough during the day.

The Seven Mills Polling Station (CW3) presented the most problems.

Internally it is ideal utilising the school hall and being flat. Externally there was a problem due to the numbers of campaigners canvassing voters. This was exacerbated by the need for social distancing and the large electorate (some 6,200 in May) which meant that there was continuous queuing up to the close of poll at 10pm.

The Polling Station at Arnhem Wharf School (CW2) was ideal. It is on a side road and electoral numbers were of a number that did not result in queues. Internally the location was excellent. With 1,483 electors' numbers were more easily balanced

This is a preferable location to that in Mellish Street used in recent elections where the pavement is congested and the road itself becomes congested with cars.

To alleviate numbers at Seven Mills, would it be possible to assign the voters south of Mellish Street from CW3 to CW2 at Arnhem Wharf School. This would reduce the number of electors at Seven Mills.

Comment has been made regarding using schools. For polling purposes. On the Isle of Dogs, polling takes place at Cubitt Town, St Luke's, Harbinger, St Edmund's and Seven Mills Schools. The permanent use of Arnhem Wharf will not make a difference.