



REPORT TO: THE MORAY COUNCIL ON WEDNESDAY 20 JANUARY 2010

SUBJECT: POLLING PLACE REDESIGNATION

BY: CHIEF EXECUTIVE

1. REASON FOR REPORT

- 1.1 To seek approval for change of venue for a number of Moray's Polling Places for forthcoming and future elections and seek delegated authority for future changes to the Polling Scheme.
- 1.2 This report is submitted to Committee in terms of the Council's Administrative Scheme relating to Elections.

2. RECOMMENDATION

- 2.1 **That the Council note and approve the change of Polling Place venues as noted in Appendix 1.**
- 2.2 **That the Council grant delegated authority to the Chief Executive in his capacity as Returning Officer, in consultation with the Convenor and the relevant Ward Members, to designate Polling Places and approve the Polling Scheme for future elections.**

3. BACKGROUND TO DESIGNATION OF POLLING PLACES

- 3.1 Section 18 (3) of the Representation of the People Act 1983 (as amended by the Local Government etc (Scotland) Act 1994) requires each Local Authority in Scotland to designate a polling place for each of its polling districts and to keep these under review.
- 3.2 A Polling Place is defined as "a geographical area in which a polling station is located". There is no legal definition of what a polling place is but is widely accepted to be a specific building identified for the purpose, which the Local Authority is responsible for determining.
- 3.3 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 for which the Returning Officer is responsible for determining.

- 3.4 In designating a Polling Place the Local Authority must demonstrate that they have, as far as is practicable, met the criteria set in the legislation and in doing so must:
- ensure that all the electors in the constituency have such reasonable facilities for voting are practicable in the circumstances;
 - ensure that so far as is reasonable and practicable, the polling places they are responsible for, or subsequently designate, are accessible to all electors including those who are disabled.

4. CHANGE OF POLLING PLACE VENUES FROM SCHOOLS

- 4.1 Work has been ongoing to identify, audit and agree terms with hall committees and consult on proposals to relocate a number of Polling Places, primarily located in Primary Schools across Moray following the statutory review of Polling Places in 2007.
- 4.2 Closure of local schools causes not only inconvenience and additional childcare costs to parents, of which there have been complaints by some Parent Councils, but also incurs hidden costs to The Moray Council in staffing, meal and transport contract costs.
- 4.3 Where suitable alternatives have been identified and audited, permanent changes of venue of polling places are proposed which affects 9 venues. **(Appendix 1 refers)**
- 4.4 With the forthcoming General Election due to be held in May/June a temporary change of Polling Place from Fochabers Public Institute to Bellie Parish Church is also proposed due to the facility advising the Council of heating works in the Fochabers Public Institute in late spring.
- 4.5 Where a Polling Place has been relocated, public notices will be published to notify of the change, information will be provided online, and closer to an election information will be printed on the Pollcards sent to electors, awareness undertaken in local press and with the community alongside additional signage placed at the old Polling Place and new Polling Place entrances.
- 4.6 Where electors have been moved to share a Polling Place with another Polling District, additional Polling Clerks will be employed to direct voters to the correct Polling Stations and all temporarily employed staff will also be well briefed of the changes during their training sessions.
- 4.7 During the election and thereafter the Elections Office will monitor feedback regarding the change of Polling Places to ensure continued suitability and resolve any issues if they arise.

5. DELEGATED AUTHORITY FOR POLLING SCHEME MODIFICATIONS

- 5.1 Should a polling place suddenly become unavailable at an election, e.g. due to flood, burst pipes, fire, or vandalism and there is no time within the statutory election period to conduct a review to select a new polling place or to bring it forward for approval to a meeting of The Moray Council, delegated authority is sought to allow the Returning Officer to make arrangements to appoint an alternative polling place to allow for these details to be communicated at the earliest opportunity and to amend or modify the Polling Scheme in advance of an election.
- 5.2 Delegated authority will allow the Returning Officer to make arrangements to change the polling place immediately. This is pertinent given the short timetable that elections work to and in line with required contingency and business continuity plans, which are now to be scrutinised by the Electoral Commission under the national Returning Officers Performance Standards. A list of alternative premises should such a need arise is held by the Elections Office and is reviewed annually as part of Elections contingency planning.
- 5.3 Any proposed change of Polling Place or modification to the Polling Scheme would be consulted on where necessary with Local members in the Ward affected.

6. SUMMARY OF IMPLICATIONS

- (a) **Single Outcome Agreement/Service Improvement Plan**
This report is relevant to local SOA key priority of No.10 "Efficiencies – Delivering and developing governance, performance management and accountability to the local community"
- (b) **Policy and Legal**
Section 18 (3) of the Representation of the People Act 1983 (as amended by the Local Government etc. (Scotland) Act 1994)
- (c) **Resources (Financial, Risks, Staffing and Property)**
Additional costs (currently an average of £188 per venue) for rental of venues on Election Day will be paid by the Returning Officer from the Elections budget for using private halls mentioned; these fees will be reclaimed from the Scotland Office for UK, Scottish and European Parliamentary Elections and By-Elections and Referendums.

Some additional staff will be employed where Polling Places have been merged to serve more than one Polling District; these costs will be met for national elections by reimbursement from the Scotland Office.

A small outlay will be required for small temporary wooden ramps to allow for disabled access and some of this cost can be met by reimbursement from the

Scotland Office with the Elections Budget meeting the balance. Quotes for this work have not yet been obtained due to the inclement weather and need to be able to inspect the external grounds to the rear of the property but based on previous works undertaken in other premises this cost is not expected to be substantial.

(d) **Consultations**

Local Ward Members, the Electoral Registration Office (Grampian Valuation Joint Board), the Head of Educational Resources Service and community representatives being Community Councils in the relevant polling districts have been consulted during these reviews and their views incorporated within the report.

7. **CONCLUSION**

Several Polling Place relocations have been proposed to avoid the closure of some Primary schools on Polling Day. This will have the benefit of preventing inconvenience to parents and the wider impact on council staff and School contracts held by the Local Authority. With delegated authority, in consultation with Local Members, the Returning Officer will be able to more quickly modify the Polling Scheme, particularly in the event of an emergency during the election period.

Author of Report: Alison Johnson
Background Papers: Polling District and Polling Place Statutory Review 2007 –
report to The Moray Council on 14 November 2007

Ref:

Signature:  _____

Date: 8/1/10

Designation: Chief Executive

Name: Alastair Keddie