

Sandwell
Metropolitan Borough Council

General Purposes and Arbitration Committee

**Monday, 4 March, 2019 at 5.00 pm
in Committee Room 1,
at the Sandwell Council House, Oldbury**

Agenda

(Open to Public and Press)

1. Apologies for absence.
2. Members to declare any interest in matters to be discussed at the meeting.
3. To confirm the minutes of the meeting held on 29th October 2019 as a correct record.

Matter Not Delegated to the Committee

4. Changes to Polling Places for use at Local Elections 2019

J Britton
Chief Executive

Sandwell Council House
Freeth Street
Oldbury
West Midlands

Distribution:

Councillor Dhallu (Chair);
Councillor P Davies (Vice-Chair);
Councillors S Crumpton, Y Davies, S Hosell, Melia and Tagger.

<p>Agenda prepared by Shane Parkes Democratic Services Unit Tel No: 0121 569 3190 E-mail: shane_parkes@sandwell.gov.uk</p>
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Apologies

To receive any apologies from members

Declarations of Interest

Members to declare any interests in matters to be discussed at the meeting.

Minutes of the General Purposes and Arbitration Committee

**29th October 2018 at 6pm
at the Sandwell Council House, Oldbury**

Present: Councillor Dhallu (Chair);
Councillor P Davies (Vice-Chair);
Councillors S Crumpton, Y Davies, S Hosell and
Melia

9/18 Minutes

Resolved that the minutes of the meeting held on 20th August 2018 be confirmed as a correct record.

Matter not delegated to the Committee

10/18 Changes to Polling Stations to be used for the Local Election 2nd May 2019

The Committee received a report in respect to the proposed changes to two polling stations in the Newton and Langley wards as the current stations were no longer suitable or required further work to address concerns raised. This arrangement would be for the next election which would take place in May 2019 as all Parliamentary Constituency polling places and polling districts would be reviewed as part of the statutory review that would commence in May 2019.

Langley Ward

Members were advised that in respect to the polling station in Langley, which covered polling district LAB/LAG, the existing provision was no longer available as the site had been sold.

There were three alternative options for the relocation of the polling station that were presented to the Committee for consideration:

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1. A grassed area on York Road had been identified as an alternative area to locate a portable cabin. This area was approximately 450 meters from the former polling station. The Electoral Services Manager together with the Property Services Manager had inspected the site and the site would be easily accessible for the electorate. There would be a cost for the portable Cabin, however there would be no additional costs for the use of the land.
2. The Bulls Head public house car park. An initial inspection had been undertaken and it had been noted that although the site was slightly uneven it was considered a suitable alternative site for a portable cabin. The main advantage to this option was that the site was situated opposite the former polling station. The site offered sufficient parking and disabled parking spaces. There would be a cost for the portable Cabin and a £100 charge for the use of the site.
3. The York Road Social and Sports Club had been considered, as this provision would offer potential efficiency savings as a permanent fixture and would remove the need for a portable building. On further investigation, it was found that the building was unsuitable as the bar area within the building could not be secured and this option was therefore withdrawn at the meeting.

Members considered that option two, the public house car park, could create problems for some faith groups within the electorate.

Following consideration of the options, members were minded to recommend option one, the grassed area in York Road, as they considered it to be in a suitable location with ample on road parking available.

Newton Ward

The Committee was advised that the current polling station in Newton Ward covering polling district NEB, was situated on a grassed area on the corner of Meadowside Close.

The Electoral Services Manager had received representations from a resident of Meadowside close expressing concerns and objections to the situation of the portable cabin.

Alternatives to the use of the current site were limited and the following options were presented to the Committee for consideration:

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1. To retain the provision at the existing site on Meadowside Close. The representations received had been in relation to the health and safety implication when the unit was being delivered and collected and the fumes and noise resulting from the generator. Should Members decide to keep the status quo, officers would ensure that additional resources would be allocated to supervise and monitor the delivery and collection of the unit. Officers were also investigating alternative types of portable units that provided a more suitable option.
2. That the polling district NEB be merged with NEC using Ferndale Primary School as the sole polling station for the merged districts. The distance between Ferndale Primary School and the Meadowside Close site was around 1km which exceeded the current maximum distance for some of the electorate in the polling district NEB. Issues in respect to parking and congestion at the Ferndale Primary School site had been raised at previous elections and this would be exacerbated with the introduction of another polling district in the same polling place, particularly if the school took the decision to remain open.

Following consideration of both options, members were minded to recommend option 1, and retain the polling station in its current position.

Resolved

- (1) to recommend to Council that the polling station in respect of polling district Langley LAB/LAG be relocated to the area identified in York Road for the Local Election on the 2nd May 2019.
- (2) to recommend to Council that the polling station in respect of polling district Newton NEB remain unchanged for the Local Election on the 2nd May 2019.
- (3) that a further report in respect to the review on the Parliamentary Constituency polling places and polling districts be brought back to the Committee in May.


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(Meeting ended at 6.19pm)

<p>Contact Officer: Shane Parkes Democratic Services Unit 0121 569 3190</p>

General Purposes and Arbitration Committee

04 March 2019

Subject:	Changes to Polling Places to be used for the Local Election 2 May 2019
Director:	Director of Law and Governance and Monitoring Officer - Surjit Tour
Contribution towards Vision 2030:	
Contact Officer(s):	Tracey Hurst. Electoral Services Manager. tracey_hurst@sandwell.gov.uk

DECISION RECOMMENDATIONS

That the Committee:

1. Considers the proposed changes to polling place/stations in the Bristnall and Wednesbury South Wards as set out in Appendix 1 to this report.
2. Recommend the Council to approve the polling place/stations in the Bristnall and Wednesbury South Wards.

1 PURPOSE OF THE REPORT

- 1.1 Officers have been advised that two current polling places are not available for use for the Local Election on the 2 May 2019. This report sets out two proposed changes to polling places/stations in the Bristnall and Wednesbury South wards for the Committee to consider and agree.

2 IMPLICATIONS FOR SANDWELL'S VISION

- 2.1 Ambition 10 - Sandwell now has a national reputation for getting things done, where all local partners are focused on what really matters in people's lives and communities.

- 2.2 The proposals and planned compulsory wider review of polling districts, places and stations helps ensure that the electorate can effectively engage in democracy arrangements and influence the future direction of the Council.

3 BACKGROUND AND MAIN CONSIDERATIONS

- 3.1 Section 18B of the Representation of the People Act (RPA) 1983 states the authority must designate the polling places for the polling districts in its area. Each polling district must have a polling place and it is the duty of the Council to designate polling places and keep them under review. The Council is required, so far as is reasonable and practicable designate polling places which are accessible to disabled electors.
- 3.2 Paragraph 25 of Schedule 1 to the RPA 1983 states that the Returning Officer must provide a sufficient number of polling stations, shall allocate electors to those polling stations, and those polling stations shall be in the polling place for that district.
- 3.3 Appendix 1 sets out the details of the two polling places that are unavailable for use on the 2 May 2019 along with the alternative proposal and recommendations.

THE CURRENT POSITION

- 4.1 Appendix 1 details the proposed changes to Polling Stations in Bristnall and Wednesbury South wards.
- 4.2 Officers will carry out a further assessment of the proposed alternative Polling Places for the Wednesbury South ward. An update and other relevant issues and factors if necessary will be provided at the meeting of the Committee.
- 4.3 Section 18C(1) of the Representation of the People Act 1983 (RPA 1983) local authorities must carry out and complete a review of polling districts and polling places in the period specified by section 18C(2)(a) of the RPA 1983.

5 CONSULTATION (CUSTOMERS AND OTHER STAKEHOLDERS)

- 5.1 Relevant Ward Councillors have been consulted in relation to the alternative polling places detailed in Appendix 1.

6 ALTERNATIVE OPTIONS

- 6.1 Alternative options to the current polling places are set out in Appendix 1

7 STRATEGIC RESOURCE IMPLICATIONS

- 7.1 The financial implications have been set out in Appendix 1 of this report.

8 LEGAL AND GOVERNANCE CONSIDERATIONS

- 8.1 Section 18B of the RPA Act 1983 states the authority must designate the polling places for the polling districts in its area. Paragraph 25 of Schedule 1 to the RPA 1983 states that the Returning Officer must provide a sufficient number of polling stations, shall allocate electors to those polling stations, and those polling stations shall be in the polling place for that district.
- 8.2 A building should not be designated that does not have access for the disabled if another suitable building is available in the polling district. However, a building would not be a more suitable polling place if it were so far removed from most of the electors in the polling district.
- 8.3 Section 18C(1) (RPA 1983) states that local authorities must carry out and complete a review of polling districts and polling places in the period specified by section 18C(2)(a) of the RPA 1983. Paragraph 25(1) of Schedule 1 to the RPA 1983 states that the Returning Officer must provide sufficient numbers of polling stations and allot electors to those polling stations. The next compulsory review must be started and complete between 1 October 2018 and 31 January 2020 (inclusive). The review will undertake all the legislative steps set out in Schedule A1 to the RPA 1983 as detailed in Appendix 4.

9 EQUALITY IMPACT ASSESSMENT

- 9.1 The Review included use of the Electoral Commissions Evaluation Checklist which addresses equality and diversity issues relevant to Polling Districts, Places and Stations. Accessibility for members of minority or disadvantaged groups is a key issue in the selection of suitable Polling Stations. An Equality Impact Assessment has been completed.

10 DATA PROTECTION IMPACT ASSESSMENT

- 10.1 The proposals are in line with data protection regulations.

11 CRIME AND DISORDER AND RISK ASSESSMENT

- 11.1 The Council is under a statutory duty to ensure a polling place exists in each of its polling districts.

12 SUSTAINABILITY OF PROPOSALS

- 12.1 Not applicable

13 HEALTH AND WELLBEING IMPLICATIONS (INCLUDING SOCIAL VALUE)

- 13.1 Not applicable

14 IMPACT ON ANY COUNCIL MANAGED PROPERTY OR LAND

- 14.1 Not applicable

15 CONCLUSIONS AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

- 15.1 Considers the proposed changes to polling place/stations in the Bristnall and Wednesbury South Wards as set out in Appendix 1 to this report
- 15.2 Recommend the Council to approve the polling place/stations in the Bristnall and Wednesbury South Wards.
- 15.3 A verbal update will be presented to the Committee following further investigations to the proposed change in the Bristnall Ward.
- 15.4 The recommendations will help ensure that elections and referenda held within the borough are conducted effectively.

BACKGROUND PAPERS

- 15.5 Not applicable

16 APPENDICES:

Appendix 1 - Changes to Polling Stations for the Local Elections 2 May 2019.

Surjit Tour

Director of Law and Governance and Monitoring Officer

CHANGES TO POLLING PLACE/STATION LOCATIONS FOR BRISTNALL AND WEDNESBURY SOUTH WARDS

1. BRISTNALL WARD

i. Polling District BRB/BRC (1870)

The current polling place is Londonderry Baptist Church and the polling station is a designated room within the church. The Electoral Services Manager has received communication from the booking agent to advise that they are refusing use of the church for this year's election.

The alternative building to be considered for use as the polling place is Moat Farm Infant School. The walking distance from the existing polling place to Moat Farm infant School is 8 min (0.4 mi) via Bristnall Hall Rd. The school is considered to be a suitable building with good access. The school also has a separate nursery unit which would also be suitable to use.

The cost for using Moat Farm Infant School would be free of charge to the Returning Officer other than for heating and lighting costs.

This proposal is supported by all Ward members.

Recommendation:

- a) A verbal update will be presented to the Committee following discussions with the head teacher.
- b) That subject to no further recommendations being presented to the Committee the designated polling place for polling districts BRB/BRC is Moat Farm Infant School for the Local Election on the 2 May 2019.
- c) That all Parliamentary Constituency polling places and polling districts will be reviewed as part of the statutory review that will commence in May 2019.

2. WEDNESBURY SOUTH.

i. Polling District WSA/WSB (1664)

The current polling place is Leadbrook Methodist Church. For the Local Election 2018 due to a flood it was necessary to place a portable unit on the car park of the Church. The Electoral Services Manager has received a communication to advise that the building works to repair the flood damage in the building and the car park will not be complete in time for the Local Elections on the 2 May 2019.

Officers have investigated the area and there are no other suitable venues available. The proposal is to place a portable unit on the grassed area opposite the Church to for use as the polling station. The area can adequately fit an 8ft x 20ft unit. This is considered a suitable alternative by officers as this causes minimum disruption for the electorate. The Church have confirmed that this would only be for this election and are happy to continue use for future elections once the works have been completed.

The cost of the portable unit is £1400.

Ward members have been consulted and no adverse comments have been received.

Recommendation:

- a) That a portable unit is to be used and the polling place/station be moved to the grassed area opposite, the existing polling place, Leabrook Church.
- b) That all Parliamentary Constituency polling places and polling districts will be reviewed as part of the statutory review that will commence in May 2019.

3 NEXT STEPS

- a) Adequate signage will be provided at both the new polling station and the old Polling Station to ensure voters are informed and fully aware of any changes, so it is clear where they need to go to cast their vote.
- b) The changes will also be noted on all Poll Cards that are issued to electors in the Bristnall and Wednesbury South Wards.