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East Dunbartonshire Council

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COUNCIL THURSDAY, 28 SEPTEMBER 2023

REFERENCE: EDC/003/23/MJC

LEAD OFFICER: DEPUTE CHIEF EXECUTIVE

CONTACT OFFICER: MARTIN CUNNINGHAM, CORPORATE GOVERNANCE MANAGER,

SUBJECT TITLE: REVIEW OF POLLING DISTRICTS & POLLING PLACES

1.0 PURPOSE

1.1 The purpose of this Report is to advise Council of the commencement of the scheduled Review of Polling Places and Polling Districts in accordance with the original provisions outlined in the Electoral Administration Act 2006, as amended by the Electoral Registration and Administration Act 2013.

2.0 RECOMMENDATIONS

It is recommended that the Council:

- 2.1** agrees to commence the compulsory Review of Polling Places & Polling Districts and hold a public consultation on the proposals;
- 2.2** instructs Officers to ensure that the public consultation on the Review of Polling Places & Polling Districts is well publicised across East Dunbartonshire and that all channels are utilised;
- 2.3** notes the Returning Officer's comments on the current Polling Scheme;
- 2.4** approves the proposed naming convention for Polling Districts across East Dunbartonshire arising from the Review of UK Parliamentary Constituencies published on 1 July 2023; and
- 2.5** notes that the Returning Officer will share relevant information with the Electoral Registration Officer to facilitate the publication of the electoral registers for East Dunbartonshire on 1 December 2023

ANN DAVIE
DEPUTE CHIEF EXECUTIVE

3.0 BACKGROUND/MAIN ISSUES

3.1 In terms of the Electoral Administration Act 2006, as amended, the Council is required to produce a Polling Scheme which divides the Council area into Polling Districts for the purpose of elections. In addition, appropriate buildings must be designated as Polling Places within each district. The Electoral Registration and Administration Act 2013 further requires the following;

“A relevant authority must during each compulsory review period (1 October 2023 – 31 January 2025) carry out and complete-

(a) a review under section 18A of all the polling districts in its area, and

(b) a review under section 18B of all the polling places in its area.”

3.2 In addition to the expected 5 yearly review cycle, this latest review has to incorporate the implications arising from the Elections Act 2022 – mainly in relation to accessibility of Polling Places. It must also take account of the publication of the revised UK Parliamentary Constituencies on 1 July 2023.

3.3 In terms of the compulsory review, the Council requires to publish a Notice of the impending review and thereafter conduct a public consultation, with contributions invited from various stakeholders, including community councils and equalities / accessibility groups. In addition, the views of neighbouring Returning Officers (West Dunbartonshire and North Lanarkshire) will also inform the consultation process. It is anticipated this will commence at the beginning of October and be completed by early / mid-November.

3.4 The Returning Officer has commented on the current Polling Scheme to the extent that the majority of it remains fit for purpose. The majority of the regularly used Polling Places meet the new criteria, are accessible, provide scope for dealing with any voter identification issues, and are also well known to the local electorate. The combination of the Polling Places and the allocation of voters per Polling Place and station works well for the electorate within East Dunbartonshire and where possible, should be maintained.

3.5 However, the Returning Officer has highlighted two Polling Places which require attention, namely Bearsden Primary School and Baldernock Parish Church Hall.

3.6 The Returning Officer has commented on the impending refurbishment of Bearsden Primary School, previously approved by the Council in March 2023. The impending works, combined with the uncertainty surrounding the date of the next UK Parliamentary General Election poses a significant risk should an election be called at short notice.

3.7 In light of the above, Officers have identified an alternative Polling Place to Bearsden Primary School, specifically St. Andrew’s RC Church Hall, which is adjacent to the Primary School, is accessible and importantly is well known to the community and electorate. The Church has confirmed that the hall will be made available for let to the Council should an election be called. (Appendix 1).

3.8 Baldernock Parish Church Hall is one of the few venues available to the village and has been used for many years as a Polling Place. However, it has not been without

issues and the Returning Officer has previously advised that this venue does not meet the accessibility criteria. There have been complaints submitted in the past and concerns are accentuated by the additional demands arising from the Elections Act 2022. In particular, the increased accessibility requirements and responsibilities placed on the Returning Officer in relation to Polling Places.

3.9 Following consideration, the Returning Officer is of the view that the only viable local alternative which meets the criteria and which is accessible and available for use as a Polling Place is Baldernock Primary School. (Appendix 2).

3.10 The Returning Officer's comments above will be included in the compulsory Review of the Polling Districts and Polling Places and the ensuing consultation.

3.11 Amendments to the current Polling Scheme arising from the revised UK Parliamentary Constituencies are now a statutory requirement. It is proposed to make the relevant boundary changes to the Polling Scheme and then revisit the naming conventions of the Polling Districts. Currently, the Polling Districts are alpha numeric, the letters represent firstly, the UK Parliamentary Constituency and secondly, the Scottish Parliamentary Constituency, with sequential numbers for each.

3.12 At present, the Council uses the following naming conventions;

- EC – East Dunbartonshire and Clydebank & Milngavie,
- ES – East Dunbartonshire and Strathkelvin & Bearsden
- CS – Cumbernauld Kilsyth & Kirkintilloch East and Strathkelvin & Bearsden.

It is proposed that these are replaced by the following;

- MC – Mid Dunbartonshire & Clydebank & Milngavie
- MS – Mid Dunbartonshire & Strathkelvin & Bearsden
- CS – Cumbernauld & Kirkintilloch and Strathkelvin & Bearsden.

3.13 The actual boundary lines for the new UK Parliamentary Constituencies, affect mainly Ward 6, Lenzie & Kirkintilloch South and Ward 7, Kirkintilloch East North & Twechar. Where possible, it is proposed that the Council will create distinct Polling Districts for these, and if practicable, will ensure that these voters are directed to their existing Polling Place in each ward.

3.14 The amendments to the Polling Scheme arising from the Review of the UK Parliamentary Constituencies are mandatory and as such will not be included in the consultation for the Review of Polling Districts and Polling Places. However, following conclusion of the Review and amendments to the Polling Scheme, officers will ensure that any changes are well publicised generally and also in advance of an electoral event.

4.0 IMPLICATIONS

The implications for the Council are as undernoted.

4.1 Frontline Service to Customers – nil

- 4.2 Workforce (including any significant resource implications) – nil
- 4.3 Legal Implications – nil
- 4.4 Financial Implications – nil
- 4.5 Procurement – nil
- 4.6 ICT – nil
- 4.7 Corporate Assets – nil
- 4.8 Equalities Implications – nil
- 4.9 Corporate Parenting - nil
- 4.10 Other – nil

5.0 MANAGEMENT OF RISK

The risks and control measures relating to this Report are as follows:-

- 5.1 Where Polling Places are not accessible, the Returning Officer will be in breach of both equalities legislation and the requirements of the Elections Act 2022, which could result in a legal challenge. More significantly, it may have a detrimental impact on a voter seeking to exercise their democratic right.
- 5.2 Failure to provision alternative Polling Places within Bearsden and Baldernock will impact on the efficiency of a future election, cause unnecessary challenges for voters, and result in both health and safety and equalities concerns.

6.0 IMPACT

- 6.1 **ECONOMIC GROWTH & RECOVERY** - nil
- 6.2 **EMPLOYMENT & SKILLS** - nil
- 6.3 **CHILDREN & YOUNG PEOPLE** - nil
- 6.4 **SAFER & STRONGER COMMUNITIES** - nil
- 6.5 **ADULT HEALTH & WELLBEING** - nil
- 6.6 **OLDER ADULTS, VULNERABLE PEOPLE & CARERS** - nil
- 6.7 **CLIMATE CHANGE** - nil
- 6.8 **STATUTORY DUTY** – Compliance with the Electoral Administration Act 2006 as amended by the Electoral Registration and Administration Act 2013. Compliance with the Elections Act 2022.

7.0 POLICY CHECKLIST

7.1 This Report has been assessed against the Policy Development Checklist and has been classified as being an operational report and not a new policy or change to an existing policy document.

8.0 APPENDICES

8.1 Appendix 1 – Bearsden Primary / St. Andrew's Church Hall

8.2 Appendix 2 – Baldernock Parish Church Hall / Baldernock Primary School