

Item: 3

Special General Meeting of the Council: 20 February 2020.

Review of Polling Districts and Polling Places.

Report by Chief Executive.

1. Purpose of Report

To consider the outcome of the compulsory review of the current Scheme of Polling Districts and Polling Places.

2. Recommendations

The Committee is invited to note:

2.1.

That the Representation of the People Act 1983 places a duty on the local authority to review its UK Parliamentary polling districts and polling places regularly.

2.2.

The last review of Polling Districts and Polling Places for Orkney was completed in October 2013.

2.3.

That the most recent compulsory review, which required to be started and completed between 1 October 2018 and 31 January 2020, included consultation with the following:

- The general public.
- Elected Members.
- The Member of Parliament.
- The Member of the Scottish Parliament.
- The European Parliament Liaison Office
- Community Councils.
- Orkney Access Panel.
- Orkney Disability Forum.
- Voluntary Action Orkney.

2.4.

That five representations were received from organisations or individuals, with a full breakdown of these comments attached as Appendix 1 to this report.

2.5.

That, in response to specific issues raised during the election events prior to the compulsory review, the consultation proposed that changes be made to Evie and Orphir Polling Places.

2.6.

That feedback from the current review concludes that the electorate are generally happy with the existing arrangements and facilities for voting, with no objections to the proposed changes to Evie and Orphir Polling Places received.

It is recommended:

2.7.

That the Evie Church should be the new Evie Polling Place, as the facility provides full access and parking facilities for the electorate without disruption to Evie Community School.

2.8.

That the Orphir Church should be the new Orphir Polling Place, as the facility provides full access and parking facilities for the electorate without disruption to Orphir Community School.

3. Background

3.1.

The Representation of the People Act 1983 places a duty on the local authority to review its UK Parliamentary polling districts and polling places regularly.

3.2.

Compulsory reviews must be started and completed within the period of 16 months that start on 1 October of every fifth year after 1 October 2013. The last review of Polling Districts and Polling Places for Orkney was completed in October 2013 and reported to the Policy and Resources Committee on 18 February 2014. The most recent compulsory review therefore required to be started and completed between 1 October 2018 and 31 January 2020.

3.3.

With this in mind, and given the workload of the Returning Officer and his staff in 2019, with the uncertainty, and eventual holding of the European Elections in May, the snap General Election in December and the Local Government Boundary Commission Review of electoral wards in Orkney during 2019, commencement of the review was delayed until early January 2020.

3.4.

The aims of the review are as follows:

- To ensure that all the electors in the constituency have such reasonable facilities for voting as are practicable in the circumstances.
- To ensure that, so far as is reasonable and practicable, the polling places are accessible to all electors, including those who are disabled.

3.5.

Any changes to the Parliamentary Polling Scheme, as a result of the review, will be replicated for all other elections.

4. Compulsory Review

4.1.

The Review of Polling Districts and Polling Places ran for a period of 2 weeks between 16 January and 31 January 2020 and included consultation with Elected Members, the MP, MSP and European Parliament Liaison Office, Community Councils, the Orkney Access Panel, Orkney Disability Forum and Voluntary Action Orkney.

4.2.

As required, a notice of the review was placed on the Council's website and a public notice was placed in the Council Offices advising of the review and inviting comments. A press release was passed to the local media for reporting in the local press and radio station. A questionnaire was also devised both electronically and in paper format so as to encourage a good response.

4.3.

Mainland polling places were visited during the European Election on 23 May 2019 and the UK General Election on 12 December 2019. The visits focused on electoral accessibility, particularly in relation to disabled access, both internally and externally, signage, parking location and facilities.

4.4.

Observations from all Polling Place staff on Polling Day are also routinely sought following each Election.

4.5.

Representations to the Review were received from five organisations or individuals, with a full breakdown of these comments attached as Appendix 1 to this report.

4.6.

In response to specific issues raised during the election events prior to this review, the consultation proposed that changes be made to following Polling Places:

- Evie Community School was the previous Polling Place. However in 2018, due to external building works, it was relocated to Evie Church. In order to eliminate disruption to a school which occurs on polling day, it is now proposed to cease using Evie Community School and make Evie Church the permanent polling place for this district.
- The Community Hall at Orphir Community School was the previous Polling Place. However in May 2019, due to a prior booking, the Polling Place was relocated to Orphir Church. In order to eliminate disruption to a school which occurs on polling day, it is now proposed to cease using Orphir Community School and make Orphir Church the permanent polling place for this district.

4.7.

As can be concluded from the feedback received the current view is that the electorate are generally happy with the existing arrangements and facilities for voting. In addition, no objections to the proposed changes to Evie and Orphir Polling Places were received.

5. Equalities Impact

An Equality Impact Assessment has been undertaken and is attached as Appendix 2 to this report.

6. Corporate Governance

This report relates to governance and procedural issues and therefore does not directly support and contribute to improved outcomes for communities as outlined in the Council Plan and the Local Outcomes Improvement Plan.

7. Financial Implications

All elections, with the exception of Local Government elections, are fully funded at a national level. There are no financial implications arising from the recommendations of this report.

8. Legal Aspects

8.1.

The Representation of the People Act 1983 places a duty on the local authority to review its UK Parliamentary polling districts and polling places. The Act provides that reviews must be started and completed within the period of 16 months that start on 1 October of every fifth year after 1 October 2013.

8.2.

In terms of guidance published by the Electoral Commission, a polling district is a geographical area created by the sub-division of a UK Parliamentary constituency for the purposes of a UK Parliamentary election. A polling place is the building or area in which polling stations will be selected by the Returning Officer. A polling station is the room or area within the polling place where voting takes place.

8.3.

In terms of the guidance published by the Electoral Commission, there are a number of factors that need to be considered when reviewing existing polling places or when assessing new polling places, including:

- Location.
- Size.
- Availability.
- Accessibility.

8.4.

When making a decision, all factors will need to be considered and the Council will need to demonstrate its reasoning behind its decision. It is considered that the outcomes of the review referred to in section 4 above provide a sound basis for the recommendations contained in this report.

9. Contact Officers

John W Mundell, Interim Chief Executive, extension 2101, Email chief.executive@orkney.gov.uk

Karen Greaves. Head of Executive Support, extension 2202, Email karen.greaves@orkney.gov.uk

10. Appendices

Appendix 1: Representations to the Review.

Appendix 2: Equality Impact Assessment.

Appendix 1.

Review of Polling Districts and Polling Places 2020

Orkney and Shetland Parliamentary Constituency – Orkney Islands Area

Feedback Received during Consultation Process

Evie and Rendall Community Council.
Evie & Rendall Community Council are very happy with the current polling station in their area.
Orphir Community Council.
Members of Orphir Community Council are happy for the Church to be used as the permanent Polling Place going forward.
St Andrew and Deerness Community Council.
St Andrews Community Centre is central to the St Andrews and Deerness parishes and therefore is the most appropriate location for the local polling station.
Stromness Resident.
Warehouse Building: In Stromness using the old P&O building is excellent when it was at the top of Church Road I didn't vote. I am a Blue Badge holder and have mobility problems and have no problems using it and thankfully have been able to park close by.
Dounby Residents.
Birsay Community Hall: We're two recent UK citizens, living near Dounby; one of us is disabled. We vote at the Birsay Hall and find the facility convenient to get to and easy to use: the parking and the building are both flat and step-free. So we're quite happy with the experience, and the people overseeing the process are friendly and helpful. Thanks for asking.



Equality Impact Assessment

The purpose of an Equality Impact Assessment (EqIA) is to improve the work of Orkney Islands Council by making sure it promotes equality and does not discriminate. This assessment records the likely impact of any changes to a function, policy or plan by anticipating the consequences, and making sure that any negative impacts are eliminated or minimised and positive impacts are maximised.

1. Identification of Function, Policy or Plan	
Name of function / policy / plan to be assessed.	Polling Districts and Polling Places Review.
Service / service area responsible.	Chief Executive's Service.
Name of person carrying out the assessment and contact details.	Karen Greaves, Head of Executive Support. Extension: 2202. karen.greaves@orkney.gov.uk
Date of assessment.	17 January 2020
Is the function / policy / plan new or existing? (Please indicate also if the service is to be deleted, reduced or changed significantly).	Existing – this review considers the suitability of the Council's present Polling Districts and Polling places.

2. Initial Screening	
What are the intended outcomes of the function / policy / plan?	To ensure that all the electors in the constituency have such reasonable facilities for voting as are practicable in the circumstances; and To ensure that, so far as is reasonable and practicable, the polling places are accessible to all electors, including those who are disabled.
Is the function / policy / plan strategically important?	The function is strategically important in making the facilities for the electorate accessible to all.
State who is, or may be affected by this function /	Individuals residing in Orkney who are eligible to

policy / plan, and how.	vote.
How have stakeholders been involved in the development of this function / policy / plan?	A consultation with the general public, Elected Members, the MP, MEP and MSP, Community Councils, the Orkney Access Panel, Orkney Disability Forum and Voluntary Action Orkney has been undertaken.
Is there any existing data and / or research relating to equalities issues in this policy area? Please summarise. E.g. consultations, national surveys, performance data, complaints, service user feedback, academic / consultants' reports, benchmarking (see equalities resources on OIC information portal).	Mainland polling stations were visited during the European Election on 23 May 2019 and the UK General Election on 12 December 2019. The visits focused on electoral accessibility, particularly in relation to disabled access, both internally and externally, signage, parking location and facilities.
Is there any existing evidence relating to socio-economic disadvantage and inequalities of outcome in this policy area? Please summarise. E.g. For people living in poverty or for people of low income. See The Fairer Scotland Duty Interim Guidance for Public Bodies for further information.	(Please complete this section for proposals relating to strategic decisions). Not applicable.
Could the function / policy have a differential impact on any of the following equality areas?	(Please provide any evidence – positive impacts / benefits, negative impacts and reasons).
1. Race: this includes ethnic or national groups, colour and nationality.	Positive impact. The proposals in the report ensure accessibility to polling stations for all voters.
2. Sex: a man or a woman.	Positive impact. The proposals in the report ensure accessibility to polling stations for all voters.
3. Sexual Orientation: whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.	Positive impact. The proposals in the report ensure accessibility to polling stations for all voters.
4. Gender Reassignment: the process of transitioning from one gender to another.	Positive impact. The proposals in the report ensure accessibility to polling stations for all voters.

5. Pregnancy and maternity.	Positive impact. The proposals in the report ensure accessibility to polling stations for all voters.
6. Age: people of different ages.	Positive impact. The proposals in the report ensure accessibility to polling stations for all voters.
7. Religion or beliefs or none (atheists).	Positive impact. The proposals in the report ensure accessibility to polling stations for all voters.
8. Caring responsibilities.	Positive impact. The proposals in the report ensure accessibility to polling stations for all voters.
9. Care experienced.	Positive impact. The proposals in the report ensure accessibility to polling stations for all voters.
10. Marriage and Civil Partnerships.	Positive impact. The proposals in the report ensure accessibility to polling stations for all voters.
11. Disability: people with disabilities (whether registered or not).	(Includes physical impairment, sensory impairment, cognitive impairment, mental health) Positive impact. The proposals in the report ensure accessibility to polling stations for all voters.
12. Socio-economic disadvantage.	Positive impact. The proposals in the report ensure accessibility to polling stations for all voters.
13. Isles-proofing.	No impact. The proposals in the report do not change the current arrangements for voting by Isles residents.

3. Impact Assessment

Does the analysis above identify any differential impacts which need to be addressed?	No.
How could you minimise or remove any potential negative impacts?	Not applicable.
Do you have enough information to make a judgement? If no, what information do you require?	Yes.

4. Conclusions and Planned Action

Is further work required?	No.
What action is to be taken?	Implementation of Council decision.
Who will undertake it?	Head of Executive Support.
When will it be done?	Implemented at next election event.
How will it be monitored? (e.g. through service plans).	Not Applicable.

Signature:



Date: 17 January 2020.

Name: KAREN GREAVES

(BLOCK CAPITALS).

Please sign and date this form, keep one copy and send a copy to HR and Performance. A Word version should also be emailed to HR and Performance at hrsupport@orkney.gov.uk