



<b>SIGNED OFF BY</b>	Electoral Registration Officer
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<b>TO</b>	Council
<b>DATE</b>	10 December 2020

<b>KEY DECISION REQUIRED</b>	Yes
<b>WARDS AFFECTED</b>	(All Wards);

<b>SUBJECT</b>	Designation of Polling Places and appointment of Deputy Electoral Registration Officer
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<b>RECOMMENDATIONS</b>
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| <ul style="list-style-type: none"> <li>a) The premises and recommendations set out in Appendix 1 be designated the polling places for the polling districts stated; and</li> <li>b) That Joyce Hamilton, Head of Legal and Governance, be appointed as a Deputy Electoral Registration Officer.</li> </ul> |
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<b>EXECUTIVE SUMMARY</b>
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<p>This report sets out the proposals for the designation of polling places in the Borough ahead of the elections scheduled to take place on 6 May 2021.</p>
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<p><b>Full Council has authority to approve the above recommendations.</b></p>
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<b>STATUTORY POWERS</b>
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| <ul style="list-style-type: none"> <li>1. The designation of a polling place is a matter for the Council, whereas decisions about polling stations are for the Returning Officer. It is the duty of the council of each district to designate such polling places <sup>1</sup> and to keep them under review.</li> <li>2. If a polling place becomes unavailable before an election, the polling place can be changed by the local authority in accordance with their decision-making arrangements.</li> </ul> |
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<sup>1</sup> [Section 18B of the Representation of the People Act 1983](#)

3. Paragraph 4.2.12 of the [Council's constitution](#) reserves decisions relating to electoral matters to the Full Council, except where it is impractical to report to Full Council (paragraph 1.24 of the Officer Scheme of Delegation gives authority to the Electoral Registration Officer (ERO) in that case).
4. Section 52 (2) of the Representation of the People Act 1983 states that the Council may appoint a deputy ERO to exercise the duties and powers of the ERO.

## **BACKGROUND**

### **Definition of a polling place**

A polling place is the building or area in which polling stations will be located by the (Acting) Returning Officer. A polling place within a polling district must be designated so that polling stations are within easy reach of all electors from across the polling district.

### **Context**

- 4.1. The Council recently conducted a [statutory review of polling districts and polling places](#) in January 2020, following a [Local Government Boundary Review](#) which concluded in January 2019.
- 4.2. It is not expected that significant changes to the current designated polling places or polling districts will be required purely on electoral considerations following publication of the revised register on 1 December 2020, since the recent review in January 2020.
- 4.3. The emergence of the Coronavirus (COVID-19) presents specific challenges to the administration of elections, particularly to arrangements at polling stations (which is the responsibility of the Returning Officer) and the suitability of polling places (which is the responsibility of the Council).
- 4.4. In September 2020 the Electoral Commission published supplementary guidance on 'key considerations for planning for the delivery of the May 2021 polls'.<sup>2</sup> This guidance recommends that local authorities consider a review of designated polling places in light of the current circumstances (concerning COVID-19).

### **Scope of this review**

- 4.5. Instead of undertaking another full review (para 4.1) of polling places and districts (as defined under Schedule A1 of the Representation of the People Act), the scope of this report will only cover matters relating to the designation of polling places, specifically where a designated polling place is unavailable; or, where any changes are necessary to manage COVID-19 during the polls taking place on 6 May 2021.
- 4.6. All other matters relating to the administration of elections or arrangements at polling stations are not within the scope of this review, although further information will be

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<sup>2</sup> Electoral Commission, '[Key considerations for planning for the delivery of the May 2021 polls](#)' (Updated Nov 2020).

available to electors, candidates and their agents, and any other stakeholders in due course.

### **Appointment of a Deputy Electoral Registration Officer**

- 4.7. The Electoral Commission's guidance for Electoral Registration Officers (ERO's) advises that Councils should appoint a deputy ERO in case the ERO is unable to act personally.
- 4.8. In particular, it may be useful to appoint deputies to undertake quasi-judicial procedures, such as hearings of registration applications, objections and reviews.
- 4.9. Joyce Hamilton, Head of Legal and Governance, recently attended training delivered by the Association of Electoral Administrators for EROs and is suitably qualified. It is therefore recommended that she be appointed as the Deputy ERO.

## **KEY INFORMATION**

### **Electoral Commission supplementary guidance**

- 5.1. The supplementary guidance published by the Electoral Commission (see paragraph 4.4), suggested the following criteria be assessed:
  - a. whether venues are large and spacious enough to enable social distancing to be maintained while carrying out the function the venue will be used for;
  - b. whether venues can allow for social distancing while remaining accessible to those who will be using it, including the required number of staff, voters and anyone else entitled to be present at specific venues and events;
  - c. whether venues are sufficiently well-ventilated and whether you will be able to provide access to hand washing and/or sanitiser for all on arriving at the venue and leaving the venue in line with public health advice and government guidelines on safety in workplaces/event venues;
  - d. whether the venue has multiple entrances and exits, to enable you to implement a one-way system for navigating the room(s) if necessary; and
  - e. whether you would be able to help ensure social distancing in queues outside of the venue where these are likely to occur.

### **Evaluation methodology**

- 5.2. The ERO has resolved to undertake a targeted review (para 4.5) to address polling places that either aren't available for elections in May 2021, or do not meet the criteria (as under paragraph 5.1) required to mitigate COVID-19 infection.
- 5.3. This targeted review includes a self-assessment survey which was completed by venue owners / managers, and using the ERO's local knowledge, to identify venues that were considered to be higher-risk and conduct further detailed assessments as required.

### **COVID-19 survey of polling places**

- 5.4. The self-assessment survey circulated in September was based on a questionnaire published by the Association of Electoral Administrators.
- 5.5. Responses from the survey, collated at Appendix 1, were used to identify any polling places which required a detailed assessment to be conducted by the ERO in person.
- 5.6. Those selected for a detailed assessment / personal visit by the ERO included any venues which did not fulfil all the criteria listed under paragraph 5.1.

#### **Detailed assessment criteria**

- 5.7. The ERO reviewed the Electoral Commission's standard checklist for evaluation of polling places<sup>3</sup>, in consultation with the Council's Health and Safety Officers and the Electoral Commission, to include the criteria outlined in paragraph 5.1.

#### **Polling places given a detailed assessment for COVID purposes**

- 5.8. Of the 43 polling places designated within the borough, 13 were visited by the ERO to ensure the premises could meet COVID requirements. These included:

<b>Location</b>	<b>Borough division</b>	<b>County division(s)</b>
Banstead Community Centre, Park Road	Banstead Village (BAN3)	Banstead, Woodmansterne and Chipstead
Woodmansterne Village Hall, Carshalton Road	Chipstead, Kingswood and Woodmansterne (CKW1)	Banstead, Woodmansterne and Chipstead
Peter Aubertin Hall, Elmore Road	Chipstead, Kingswood and Woodmansterne (CKW2 & 3)	<ul style="list-style-type: none"> <li>• Banstead Woodmansterne and Chipstead</li> <li>• Merstham and Banstead South</li> </ul>
War Memorial Hall, Brighton Road	Chipstead, Kingswood and Woodmansterne (CKW4)	Tadworth, Walton and Kingswood
Whitebushes Village Hall, Masons Bridge Road	Earlswood and Whitebushes (EWB5)	Earlswood and Reigate South
Canada Hall, Battlebridge Lane	Hooley, Merstham and Netherne (HMN6 & 7)	<ul style="list-style-type: none"> <li>• Merstham and Banstead South;</li> <li>• Redhill East</li> </ul>
Regent House Community Centre, Albert Road	Horley Central and South (HRC1)	Horley West, Salfords and Sidlow

<sup>3</sup> Electoral Commission, '[Guidance on the review of polling districts and places](#)', Appendix A (2020).

Tanyard Barn Community Centre, Brookfield Drive	Horley East and Salfords (HRE3 & 4)	<ul style="list-style-type: none"> <li>• Horley East;</li> <li>• Horley West, Salfords and Sidlow</li> </ul>
St John's Church Hall, The Avenue	Lower Kingswood, Tadworth and Walton (KTW1)	Tadworth, Walton and Kingswood
Banstead Methodist Church, The Drive	Nork (NOR2)	Nork and Tattenhams
St Joseph's Church, Ladbroke Road	Redhill East (RDE1, 2 & 3)	Redhill East
Holy Trinity Church Hall, Carlton Road	Redhill West and Wray Common (RDW4)	Redhill West and Meadvale
Woodhatch Community Centre, Whitebeam Drive	South Park and Woodhatch (SPW3 & 4)	<ul style="list-style-type: none"> <li>• Earlswood and Reigate South</li> <li>• Redhill West and Meadvale</li> </ul>

5.9. Following detailed assessments on-site, the ERO concluded that the polling places listed above met the criteria under paragraph 5.1.

5.10. Detailed assessments by the ERO will be passed on to the relevant Presiding Officer(s) designated at each polling place so that polling stations are laid out with appropriate one-way systems and social distancing measures.

#### **Polling places unavailable / unsuitable for polls taking place on 6 May 2021**

5.11. The following polling places will be unavailable / are considered unsuitable for the polls taking place on 6 May 2021:

<b>Location</b>	<b>Borough division</b>	<b>County division(s)</b>	<b>Reason</b>
Redhill Football Social Club, Three Arch Road	Earlswood and Whitebushes (EWB4)	Earlswood and Reigate South	Closed
Reigate Valley College, Sidlow Bridge Campus	Horley West and Sidlow (HRW1)	Horley West, Salfords and Sidlow	Cannot meet COVID-19 conditions

5.12. Additionally, the ERO visited the War Memorial Hall in Brighton Road (Chipstead, Kingswood and Woodmansterne) and considered the premises suitable, however

the venue's management have advised that they would be closed if tier 3 restrictions are applied locally and would therefore not be available for use as a polling place should the restrictions apply during polling day. This presents a considerable risk that the hall could become available at short notice.

**Polling places / alternative premises currently under review**

5.13. Assessments of the following alternative premises will be completed following the end of lockdown on 2 December:

Location	Borough division	County division(s)
Burgh Heath Comrades & Social Club, Brighton Road	Chipstead, Kingswood and Woodmansterne (CKW4)	Tadworth, Walton and Kingswood
Heathside Brewers Fayre, Brighton Road		
Tollgate Church, Woodhatch Road	Earlswood and Whitebushes (EWB4)	Earlswood and Reigate South
Emmanuel Church, Reigate Road	Horley West and Sidlow (HRW1)	Horley West, Salfords and Sidlow

5.14. Recommendations for the districts listed above will be published within an addendum to this report following completion of detailed assessments by the ERO.

**LEGAL IMPLICATIONS**

6.1. Section 18B (3) of the Representation of the People Act 1983 states that the relevant authority (Reigate and Banstead Borough Council) must designate the polling places for the polling districts in its area.

6.2. Section 18B (4) of the Representation of the People Act 1983 sets out the following rules for the designation of polling places:

- a) the authority must seek to ensure that all electors in a constituency in its area have such reasonable facilities for voting as are practicable in the circumstances;
- b) the authority must 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;
- c) the authority must have regard to the accessibility to disabled persons of potential polling stations in any place which it is considering designating as a polling place or the designation of which as a polling place it is reviewing;

- d) the polling place for a polling district must be an area in the district, unless special circumstances make it desirable to designate an area wholly or partly outside the district;
- e) the polling place for a polling district must be small enough to indicate to electors in different parts of the district how they will be able to reach the polling station.

6.3. The ERO sought advice from the Electoral Commission to give assurances that this targeted review (not a full review as defined under Schedule A1 of the Representation of the People Act 1983) did not require a public consultation, given:

- a) the limited scope of the review (para 4.5);
- b) the timescales required to designate polling places in time to produce stationery (e.g. poll cards) for the elections taking place on 6 May 2021; and
- c) the Council has authority to designate polling places (section 0).

6.4. That advice (para 6.3) confirmed that there is no legal requirement to carry out all of the steps usually undertaken in a compulsory review (including a public consultation) when designating polling places.

6.5. Section 52 (2) of the Representation of the People Act 1983 states that the Council may appoint a deputy ERO to exercise the duties and powers of the ERO.

## **FINANCIAL IMPLICATIONS**

7.1. There are no specific financial implications arising from this report.

## **EQUALITIES IMPLICATIONS**

8.1. In designating polling places, the legislation (para 6.2c) requires that Local Authorities ensure that so far as is reasonable and practicable every polling place for which it is responsible is accessible to electors who are disabled.

8.2. An accessibility assessment was included within the evaluation form completed by the ERO's staff when assessing alternative polling places during this review.

## **COMMUNICATION IMPLICATIONS**

9.1. Electors will be notified of any changes to polling places for their respective electoral areas / wards on their poll cards.

9.2. Additional signage will be displayed at unused polling places on polling day to redirect voters to the new polling place.

## **CONSULTATION**

10.1. Where the ERO has recommended a change to the designated polling place, the ERO sought comments from the following stakeholders (respective to the electoral area(s) they represent):

- Borough Councillors;
- County Council Divisional Councillors for Reigate and Banstead;

- Horley Town Council; and
- Salfords and Sidlow Parish Council.

## **APPENDICES**

- i. **Appendix 1** – Recommended designation of polling places

## **BACKGROUND PAPERS**

- i. [Section 18B of the Representation of the People Act 1983](#);
- ii. [Statutory review of polling districts and polling places](#) (Reigate and Banstead Borough Council, 2020);
- iii. [‘Key considerations for planning for the delivery of the May 2021 polls’](#) (Electoral Commission, updated Nov 2020).
- iv. [‘Guidance on the review of polling districts and places’](#), Appendix A (Electoral Commission, 2020);
- v. [Council’s constitution](#);