

ABERDEENSHIRE COUNCIL – 24 NOVEMBER, 2011

ELECTORAL ADMINISTRATION ACT 2006 – SECOND REVIEW OF POLLING DISTRICTS AND POLLING PLACES

1 Recommendations

Members are requested to:-

- 1.1 Agree that Macduff Community Education Centre be designated as the new polling place in Polling District BB0202 (Myrus / Macduff), instead of Macduff Primary School.**
- 1.2 Agree that two polling districts be created to serve Turriff West and Turriff East, with the new polling places at St Ninian's Church and St Andrew's Church Hall respectively.**
- 1.3 Agree that Glebe House, Fyvie, be designated as the new polling place for Polling Districts BB0705, EG0707 and EG0708, instead of Fyvie Primary School.**
- 1.4 Agree that Polling Districts WG1403 (Huntly West) and WG1404 (Huntly East) be amalgamated into a single polling district serving the whole of the town with voting to take place at the Stewart's Hall.**
- 1.5 Acknowledge the position in Portlethen, agree that a separate polling district be formed for residents in Hillside to enable them to vote at Portlethen Church Hall, together with all other electors in Portlethen North, and agree that the situation to be kept under review and further proposals brought forward in the event of alternative polling facilities becoming available.**
- 1.6 Acknowledge the temporary unavailability of Longside Parish Church Hall and the interim designation of St John's Episcopal Church Hall in Polling District EB0408.**
- 1.7 Acknowledge the issues arising within WW1605 (Birse) due to ongoing discussions regarding the availability of Ballogie Village Hall and agree that that venue continue to be used for polling purposes until further notice.**
- 1.8 Acknowledge late representations received regarding the current designations of King Edward School and Drumblade Primary School as polling places within WG1405 and BB0208 respectively and agree to delegate authority to the Returning Officer and his staff to investigate the feasibility of designating alternative venues within those polling districts, if they consider it appropriate.**

1.9 Otherwise agree to retain existing polling district boundaries and polling places currently designated or to specify any further adjustments to arrangements as they see fit.

2 Background / Discussion

- 2.1 This report seeks to advise members of the requirement placed upon the Council to undertake a review every four years of parliamentary polling districts and polling places under Aberdeenshire Council's control. The principal intention is to ensure that reasonable facilities are provided for voting and that polling places are accessible to all electors, including those with a disability, so far as is practicable.
- 2.2 Responses received from consultees in the course of the review have been considered and, based upon the subsequent investigations, recommendations have been made regarding polling district boundaries and venues to be used at the Local Government Elections in 2012 and thereafter.
- 2.3 In terms of the Local Governance (Scotland) Act 2004, each of the Council's electoral wards requires to be divided into separate polling districts, within each of which, insofar as is possible, a polling place is identified at which electors may cast their votes in person. The Electoral Administration Act amended Section 18 of the Representation of the People Act 1983, requiring that the Council conducts a periodic review of all polling districts.
- 2.4 Although this review is formally restricted to consideration of polling districts and polling places used in connection with parliamentary elections, these are, in effect, the same electoral divisions and venues which are used at local government elections. Members may recall that a very full and thoroughgoing review of ward and polling district boundaries was undertaken by the Council prior to the creation of multi-member wards and the introduction of the Single Transferable Vote at the Scottish Local Government Elections in May, 2007. Many of the matters considered at that time and the arrangements which arose from that consideration are still suitably robust.
- 2.5 Although the review provides a welcome opportunity for a fresh evaluation of the suitability of election arrangements, the Council has a policy of reviewing polling arrangements on an ongoing basis and exploring alternative facilities wherever these are brought to the attention of the Returning Officer. Accordingly, the designation of new polling venues is not uncommon and a number of these take place in the period between each statutory accessibility review. Where any suggestion is put forward, consultation takes place with local members, community bodies, Area Managers and any other interested stakeholders (e.g. Grampian Police, the Electoral Registration Officer and other Services of the Council).
- 2.6 In addition to the primary purpose of the review highlighted above, the Council, as has been its practice for a number of years, must seek to ensure, so far as is possible, that polling places are accessible to any elector with a disability and must take this into account when designating any new polling place. It is a requirement that the polling place for any polling district is located within that district, unless there are special circumstances making it

desirable to designate a venue wholly or partly outside.

- 2.7 In order to enable the review to be conducted as efficiently as possible, letters were sent to all MPs, MSPs and MEPs representing electors within the Aberdeenshire Council area, as well as to the leaders of political groups on the Council, to all community councils within Aberdeenshire, to each of the local disability access panels, to Capability Scotland and to two neighbouring local authorities (Aberdeen City Council and Angus Council). In each case, representations were invited and a number were duly received by the deadline. In order to further publicise the review, a formal notice was placed in Council Headquarters and within the main offices in the Council's six administrative areas, as well as on the Council's election webpages, with a view to encouraging individual electors to make a submission.
- 2.8 The website further contains information to assist anyone who might be minded to make a submission. This includes a list of the numbers of electors allocated to each current polling district within the 19 Aberdeenshire Council wards, as well as the currently-designated polling places. Links are also provided to enable any interested party to view a map for each individual polling district or polling place, as well as the Aberdeenshire Local Development Plan, housing schedules (showing the status of individual housing sites within settlements, as well as their phasing) and small area population estimates and forecasts.
- 2.9 In accordance with the guidance issued by the Electoral Commission for the conduct of this review, a proposal has been submitted to the Council by the Returning Officer, indicating his view as to any changes which might be implemented as a result of the review process. For members' information there are attached as appendices to this report copies of the list of polling places and corresponding electorates (Appendix A), the formal Notice of Review (Appendix B) and the Returning Officer's submission (Appendix C). The above information is available on the Council's website at www.aberdeenshire.gov.uk/elections/reviewofpollingplacesasp.

2.10 Proposals

- 2.10.1 A small number of representations has been received in connection with this review and the detail of each submission is set out below, together with the steps which have been taken to address those suggestions. In relation to the review process itself, members are today asked to approve final proposals for polling districts and polling places.
- 2.10.2 After the Council has agreed its final proposals, the list of polling districts and polling places will be made available to the public. Individuals have a right to make representations to the Electoral Commission against the Council's final proposals within six weeks of the publication of the finalised review, although the Commission will only consider representations which argue that the review process has not been conducted correctly.
- 2.10.3 Those who may make representations to the Commission are:

- (a) a group of not less than thirty electors within the constituency,

- (b) an elector who has previously made a representation to the local authority during the review, or
- (c) a person who is not an elector within a constituency in the authority's area but whom the Commission determines has a sufficient interest or expertise in relation to the accessibility of persons with a disability to polling places in the area.

The grounds upon which representations may indicate that a local authority has failed to conduct a proper review are that:

- (a) the authority has failed to meet the reasonable requirements of electors within the constituency or
- (b) the authority has failed to take sufficient account of accessibility to persons with a disability of the polling stations within a polling place.

2.11 Turriff

2.11.1 It has been suggested that current voting arrangements in Turriff be reviewed as the existing polling place, Markethill Primary School, does not have the ideal capacity for the number of electors which it currently serves (over 4,500). In addition, closure of any school for polling purposes clearly causes inconvenience to pupils, teachers and parents.

2.11.2 It has been a long-standing approach of this Council that, wherever a suitable alternative venue is available within the polling district, every effort should be made to designate it as a polling place rather than a local school. Bearing the above in mind, it is proposed that the single polling district for Turriff should now be divided into two new ones, serving electors in the west and the east of town. The corresponding polling places would be St Ninian's Church in Church Street and St Andrew's Church Hall in Balmellie Road respectively. Both of these venues have the requisite facilities and capacity and are well situated within the newly-created polling districts.

2.11.3 No adverse comments were received from elected members, the local community council, the Area Manager or the Electoral Registration Officer.

2.12 Huntly

2.12.1 A representation was received from Huntly Community Council, advocating that, unlike in Turriff, the two existing polling districts should be amalgamated and that all electors within the town should vote at a single polling place. At present, the two designated polling places are the Linden Community Centre and the Stewart's Hall on Gordon Street. As Gordon Street itself broadly indicates the division between the two polling districts, a small number of voters are required to pass the Stewart's Hall to cast their votes at the Linden Centre. Clearly, this is not good practice.

2.12.2 In the past, whenever it has been suggested that the polling districts might be combined, the principal objection has been the limitations on available parking near the Stewart's Hall (which would be a natural polling venue for a single Huntly Polling District). In addition, a larger number of electors at the

Hall could mean more electors who are also wheelchair users. This would naturally increase pressure on the number of available parking spaces currently situated at the rear of the Hall, reserved for voters with a disability. The Hall itself, however, has sufficient capacity within to accommodate all the voters in Huntly and, were it to be designated as the sole polling place, the Linden Centre would obviously be able to remain open on the day of any election, thereby reducing inconvenience to residents who may find themselves deprived of its facilities.

2.12.3 In respect of the parking situation, it is a fact that the bulk of electors attending polling stations cast their votes in the evening and, on this basis, pressure on available parking for electors would not necessarily be an insurmountable obstacle as on-street restrictions are understood to be confined to 9.00 am until 5.00 pm. Additionally, while space available for voters with a disability needs to be monitored, these concerns are not sufficient in themselves to militate against the change proposed by the local community.

2.12.4 All things considered, it is my belief that, at the very least, it is worth making the change proposed by the Community Council so that all electors within Huntly vote at the Stewart's Hall at the Local Government Elections in May, 2012. The new arrangements can obviously be reviewed thereafter and further changes made, as required. Councillor Moira Ingleby, although highlighting the potential challenges regarding parking provision, has responded to support the change, as has the Area Manager. No other adverse comments were received.

2.13 Macduff

2.13.1 The Chair of Macduff Primary School Parent Council has written requesting that consideration be given to moving the polling place for the Myrus/Macduff Polling District away from the primary school to the adjacent community education centre. Although both are part of the same building, the community education centre has a separate entrance and car park and, with the assistance of the primary school, it will be quite possible to create an entirely distinct polling place within the community centre, ensuring that no unauthorised persons are accessing the school or intruding within the curtilage of the polling place. Once again, this appears to be a change which will benefit the majority of people, not least parents, school pupils and teachers, and is certainly worth testing at next year's elections.

2.13.2 The head teacher of the school, Peter Wood, is keen to encourage the new arrangements, thereby enabling his school to remain open on polling day and will support measures to ensure the separation of electors from pupils. Councillors Mair and Watson have also expressed support for the measure, as did the Acting Area Manager.

2.14 Fyvie

2.14.1 Fyvie, Rothienorman and Monquhitter Community Council has responded, as part of this review, and wishes to see the currently – designated polling place, Fyvie Primary School, no longer used as a polling venue, primarily for the reasons specified above in respect of other locations. It has been suggested

Glebe House in Fyvie might instead be used as the local polling place. An alternative venue mooted was the Royal British Legion Club. Although the Legion building is very close to Fyvie School, officers found, on visiting the premises, that the owners anticipated hiring out a part of the venue while continuing to keep the bar open to members. It is essential, for reasons of security of the poll, that any premises being used can be clearly identified as a separate polling place and this would not be possible at the Legion Club as there would be more than one access point.

2.14.2 On the other hand, Glebe House is a church-owned facility which is frequently used for a variety of purposes and, bearing in mind the number of electors at Fyvie, has suitable facilities and capacity to enable its designation as a polling place. There may be some parking considerations to account for although there are around 12 parking spaces immediately adjacent to the venue plus three for voters with a disability. In addition, there is overspill parking at the church itself, around 100 yards away. Glebe House is approximately a quarter of a mile from the primary school so is still reasonably situated within the village. It is believed once more that this is a venue which could quite readily serve the relevant purpose at elections and would generally find favour with the local community. As a consequence, it is proposed that it be designated as the new polling place from this point onwards.

2.14.3 Councillors Robertson and Norrie have indicated their general support for the change, while highlighting the need for some issues relating to parking to be addressed. The area manager also supports the change while the idea originated with the local community council so would have its backing.

2.15 Portlethen

2.15.1 The last significant change proposed is also potentially the most challenging and has arisen as a result of representations made by Councillor Ian Mollison. The part of Portlethen situated on the east of the A90 is served at present by two venues, Portlethen Jubilee Hall and Bourtree Community Hall. However, significant housing development and consequent population increase on the western side of the trunk road at Hillside has given rise to the view that residents there should have facilities to vote at a polling place in Portlethen itself, rather than at Banchory-Devenick School, where they are currently registered to vote. There is direct access from Hillside to the main part of Portlethen via an underpass and the previously – held safety concerns about crossing the A90 are now largely irrelevant.

2.15.2 There are now well over 650 electors resident in Hillside, with further housing developments anticipated in the near future likely to mean an increase of up to 300 more electors there, as well as more than 200 in Marywell. There is no suitable facility currently available which would enable all of those in Hillside to vote in their immediate area. Nevertheless, an investigation of venues in Portlethen has provided a potential solution. Portlethen Church Hall is only a short distance from the Jubilee Hall but has a substantially greater capacity. By creating an entirely separate Hillside polling district and assigning those voters to Portlethen Church Hall, as well as existing electors in Portlethen North, the needs of the electorate can be best served with the least inconvenience. Those resident immediately around Banchory-Devenick will continue to vote at the local school, while there would be no need to change

arrangements for voters currently voting at Bourtree Hall. Of course, these arrangements would be kept under review, especially if any other venue should become available to the west of the A90 in or near Hillside.

- 2.15.3 Councillor Mollison and the local community council are supportive of the change proposed albeit that there have been observations made about the relatively steep road access to the new venue. While elderly or infirm voters will often tend to access polling premises by motor vehicle, the Election Team is currently exploring ways of supporting the local electorate and the voting process by liaising with existing community transport services in Portlethen.

2.16 Longside

- 2.16.1 The existing polling place in Polling District EB0408, Longside Parish Church Hall, is due for refurbishment works around the time of the Local Government Elections in 2012 next May and it is therefore suggested that, for an interim period, an alternative venue be identified. St John's Episcopal Church Hall is available on a temporary basis and is therefore recommended as the interim polling place.

2.17 Ballogie

- 2.17.1 The long-standing polling place in WW1605 Ballogie Village Hall is currently not in regular public use, giving rise to a question as to its future availability for polling purposes and especially at next May's elections. My officers visited the venue and were reassured that the necessary facilities for its continuing use as a polling venue are still in place. Discussions are ongoing between the Ballogie Village Hall Committee, the Community Association and Ballogie Estates about its longer-term status but no developments are expected in advance of the elections in May, 2012 and no change is therefore recommended to the current designation.

- 2.17.2 My staff have also inspected Birse Community Hall and have established that it is a suitable building and available if, at any given juncture, Ballogie Village Hall should cease to be available for electoral use. Therefore, the position can be kept under review and steps taken after next May, should that be necessary. This information post-dates the Returning Officer's formal submission (at Appendix C) and accordingly my view now is that no change should apply.

2.18 King Edward and Drumblade

- 2.18.1 Shortly after the deadline for representations, I received communications from King Edward & Gamrie Community Council and from Strathbogie Community Council. The former have requested that consideration be given to the use of King Edward Church Hall as a polling place (instead of King Edward School) and the latter that I look at the separation of the Drumblade School campus into two discrete areas on polling day to enable the school to remain open while enabling an entirely distinct polling place to be recognised. I will require to consult further on these proposals and would want my election officers to undertake site visits to assess the suitability of the proposals received. Due to the timing involved, this may not be practicable prior to the Council meeting on 24th November so

I would ask elected members to delegate authority to me to resolve these issues as appropriate.

- 2.19** Members of the Council's Election Team, political group leaders, local members, Area Managers, the Electoral Registration Officer, the Head of Finance and the monitoring officer within Corporate Services have been consulted and the views submitted fully considered and incorporated, as appropriate, in the preparation of this report.

3 Staffing and Financial Implications

- 3.1 Beyond the work undertaken in conducting the review, consideration of any new polling place requires that members of the Council's Election Team visit the premises in question to assess their suitability. Liaison is thereafter required with relevant stakeholders to progress the potential designation of any new venue. Otherwise, there are no immediate staffing or financial implications arising from this report. In the event that members should propose and approve alternative arrangements to those recommended within the report, additional staff time may require to be allocated to achieve this.

Colin Mackenzie

Chief Executive / Returning Officer

Report prepared by:- Allan Bell

Date 31 October, 2011

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