

East Ayrshire Council

Special Council Meeting - 22 February 2024

Report by the Chief Governance Officer

Comprehensive review of polling districts, polling places and polling stations

Purpose of report

1. The purpose of this report is to seek Council approval, following the review of polling districts and polling places, for the Scheme of Polling Arrangements for the purposes of UK Parliamentary, Scottish Parliamentary and Local Government elections.

Recommendations

2. It is recommended that Council:
 - (i) approve the polling districts and polling places as outlined within the Appendix to this report to come into force in March 2024;
 - (ii) if approved, that officers be remitted to publish the Scheme along with the consultation responses and the reasons for any decisions taken;
 - (iii) in respect of St Sophia's in Galston, that the use of Hogg Hall as an alternative for the forthcoming UK General election this year be assessed following the election and the decision on whether to use this for future elections be remitted to the Chief Executive in consultation with local Ward Members;
 - (iv) to note that under the provisions of the Electoral Registration and Administration Act 2013, a further formal review will require to be carried out in another five years; and
 - (v) otherwise, to note the contents of this report.

Background

3. The Electoral Registration and Administration Act 2013 compels local authorities to start and complete a review of polling districts and polling places within a period of 16 months. This compulsory review should be started and

completed within 1 October 2023 and 31 January 2024, and on a five yearly basis thereafter.

4. The Council has continually kept under review its polling districts and polling places to ensure they remain adequate and appropriate and interim reviews have been held as and when required.

Comprehensive review of polling districts and polling places

5. The review commenced on 1 October 2023 and concluded on 24 November 2023.
6. An advert was placed in local newspapers and information on the review was sent to Elected Members, election agents, MPs, MSPs, Community Councils, Community Associations, Disability Groups, Parent/Teacher Associations and stakeholders on the polling places in use currently. A copy of the Notice of Review was displayed at Headquarters, Local Offices and libraries and hub offices within the Authority to give the opportunity to comment on the proposals. Full details of the review were available on the Council website.
7. In considering the suitability of potential premises to be used for polling purposes, the guidance issued by the Electoral Commission was followed. Polling places must be accessible for voters with disabilities and should have either level access, a permanent ramped access or be capable of having a temporary ramp installed. They require to have adequate internal and external lighting. They should have sufficient space to display guidance notices and for a wheelchair to be able to turn around. All polling stations should have both high level and low level polling booths. It is preferable if there is space for designated vehicle parking for disabled people. The premises also require to have kitchen and toilet facilities for the staff on duty on polling day and the premises need to be available, usually exclusively, on polling day.
8. It was suggested that where possible, schools should be used as polling places, the rationale in using the schools being that the Returning Officer is entitled to use schools free of charge for polling purposes. Also, schools tend to have good heating, lighting and disabled access. In-service days would be scheduled to coincide with planned elections to limit the impact on the school curriculum.
9. The Appendix to this report shows the list of proposed polling districts and polling places on a Ward basis which were the basis of the consultation with no changes proposed to either polling places or polling districts.

Comments received during the review

10. During the review process, one comment was received.
11. Galston Community Council commented as follows:

"Schools should not be used as Polling stations if possible. This disrupts the children's education and has a knock-on effect for working parents who have to make alternative arrangements. Obviously some towns and villages will not have alternative accommodation and that's unavoidable.

At Galston, the Community Centre is an ideal venue, with disability access, etc. Galston has Hogg Hall. It also has the LWM Bowling Green and the Mission Hall which are both fairly accessible"

Due to the ongoing refurbishment of St Sophia's Primary School, Hogg Hall has already been identified for use as the alternative polling station for the forthcoming UK General Election, it being considered the best alternative option. In considering the comments received by the Community Council, and in consulting with the Local Members, it is recommended that the use of this building be assessed following the election and the decision on whether to use this permanently instead of St Sophia's be remitted to the Chief Executive in consultation with the local Ward Members.

If we continue to use the school in the future, in-service days would be scheduled to coincide with planned elections and referendums to limit the impact on the school curriculum.

Recommendations and appeal process

12. It is therefore recommended that the polling districts and polling places as outlined within the Appendix to this report be approved by Council. If the scheme is approved, it will require to be published together with the consultation responses and the reasons for the decisions taken and it is proposed that these will be published on the Council's website and a notice of where to view the scheme and the consultation responses will be displayed in local offices and libraries.
13. If approved, the new polling scheme would come into force in March 2024.
14. Following the Council's review, certain persons have a right to appeal, namely:
 - 30 or more electors in the constituency;
 - a person who made representation under Schedule 1A of the Representation of the People Act 1983, this includes an elector in the constituency in the local authority's area who previously made representation to the local authority;
 - a person who is not an elector in a constituency in the authority's area but who the Electoral Commission thinks has either sufficient interest in disabled access to polling places in the area or particular expertise in disabled access to premises and facilities.

An appeal can only be made on the grounds that the local authority's review did not (i) meet the reasonable requirements of the electors in the

constituency; and (ii) take sufficient account of disabled access to polling stations. Appeals require to be made directly to the Electoral Commission.

Implications

15.

Implications	Yes	No	Paragraph number in report
1. Policy/Strategic Planning		x	
2. Governance		x	
3. Human Resources		x	
4. Equality and Fairer Scotland Duty		x	
5. Financial	x		16
6. Risk	x		17
7. Community Wealth Building		x	
8. Net Zero		x	
9. Legal implications	x		18

Financial implications

16. The Returning Officer is charged for the use of premises as polling places, The costs associated with these charges can be claimed back from either the UK or Scottish Government (dependent on the election or referendum being held). For local elections and by-elections, the cost is borne by the Council.

Risk implications

17. Continuous monitoring and review of the use of the polling places ensures that they are still fit for purpose.

Legal Implications

18. The Council is obliged, in terms of the Electoral Registration and Administration Act 2013, to review polling districts and polling places between October 2023 and 31 January 2024 and to publish its decision.

Appendices

Appendix 1 - List of proposed polling districts and polling places on a Ward basis.

Background papers

1. Emails from Galston Community Council dated 11 and 18 October 2023

Person to contact

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APPENDIX

Ward 1 - Annick

Reference	Polling Place
E101	Dunlop Public Hall
E102	Nether Robertland Primary School
E104	Lainshaw Primary School
E105	Stewarton Area Centre
E106	Lainshaw Primary School
E107	Lainshaw Primary School
E108	Kilmaurs Primary School
E109	John Fulton Hall
E110	Galston Community Education Centre

Ward 2 - Kilmarnock North

Reference	Polling Place
E201	NWKLEUS
E203	Hillhead Primary School
E204	Hillhead Primary School
E205	NWKLEUS

Ward 3 - Kilmarnock West and Crosshouse

Reference	Polling Place
E301	Pavilion, Knockentiber
E302	Crosshouse Primary School
E303	Gatehead Hall
E304	St Joseph's Church Main Hall
E305	Bonnyton Community Centre
E306	St Joseph's Church Main Hall
E307	Howard Centre
E309	Bonnyton Community Centre
E310	Howard Centre
E311	Gargieston Primary School
E313	Dick Institute

Ward 4 - Kilmarnock East and Hurlford

Reference	Polling Place
E401	Dick Institute
E403	Take A Bow Opportunity Centre
E404	Take A Bow Opportunity Centre
E405	Take A Bow Opportunity Centre
E407	Sakai Karate Centre
E410	Hurlford Community Centre
E411	Take A Bow Opportunity Centre

Ward 5 - Kilmarnock South

Reference	Polling Place
E501	Riccarton Nursery

E502	Whattriggs Primary School
E503	Shortlees Community Centre
E504	Kirkstyle Primary School

Ward 6 - Irvine Valley

Reference	Polling Place
E601	See comments and recommendations at paragraphs 2 (iii) and 11 of the report
E602	Newmilns Primary School
E603	Darvel Town Hall
E604	Newmilns Primary School
E606	Galston Community Education Centre
E607	Darvel Town Hall

Ward 7 - Ballochmyle

Reference	Polling Place
E701	Mauchline Primary School
E702	Sorn Village Hall
E704	Catrine Games Hall
E705	Muirkirk Community Centre
E706	Logan Primary School
E708	The Boswell Centre
E710	Mauchline Primary School

Ward 8 - Cumnock and New Cumnock

Reference	Polling Place
E801	Ochiltree Primary School
E802	Netherthird Community Centre
E803	Cumnock Town Hall
E805	New Cumnock Primary School
E807	Ochiltree Primary School
E808	Cumnock Town Hall

Ward 9 - Doon Valley

Reference	Polling Place
E901	Stair Community Centre
E902	Drongan Community Wing
E903	Rankinston Community Centre
E904	Dalrymple Community Wing
E905	Patna Community Centre
E906	Dalmellington Community Centre
E907	Bellsbank Primary School