

ANGUS COUNCIL – 8 DECEMBER 2016

**LOCAL GOVERNMENT BOUNDARY COMMISSION FOR SCOTLAND – FIFTH STATUTORY
REVIEW OF ELECTORAL ARRANGEMENTS**

REVIEW OF POLLING PLACES AND POLLING DISTRICTS

REPORT BY RICHARD STIFF, CHIEF EXECUTIVE & RETURNING OFFICER

ABSTRACT

This report advises members of the completion of the Local Government Boundary Commission for Scotland's Fifth Statutory Review of Electoral Arrangements following approval by Scottish Ministers and of proposed amendments to the Council's polling scheme in light of this Review and the closure of a polling venue in Brechin.

1. RECOMMENDATION(S)

It is recommended that the Committee:

- (i) note the amendments to Wards 5, 6 and 7 of Angus Council as a result of the Local Government Boundary Review as per the maps 1 to 3 contained in [Appendix 1](#);
- (ii) note the amendment to the name of Ward 6 to Arbroath West, Letham and Friockheim and the reduction in councillor numbers from 4 to 3 in Ward 7 Arbroath East & Lunan;
- (iii) note that the Scottish Local Government Elections due to be held on 4 May 2017 will be contested on the new ward boundaries and councillor numbers;
- (iv) agree the amendments to the current parliamentary polling districts and polling places as outlined in maps 1 to 3 contained in [Appendix 1](#) as a result of the review;
- (v) agree the amendments to the polling arrangements in Brechin as outlined in Map 4 in [Appendix 1](#);
- (v) note that the Electoral Registration Officer (ERO) will arrange to make the necessary amendments to the 2016/17 Register of Electors.

2. BACKGROUND

Reference is made to Article 6 of the minute of the meeting of the Council on 16 June 2016 where it was agreed to note the final recommendation in the Local Government Boundary Commission for Scotland report – Fifth Statutory Review of Electoral Arrangements – Final Recommendations and request the Returning Officer to undertake the necessary review of current polling arrangements in Wards 5, 6 and 7 once recommendations were approved by Scottish Ministers. This approval was given on 14 September 2016 and The Angus (Electoral Arrangements) Order 2016 came into force on 30 September 2016.

In addition, due to the closure of the Damacre Centre in Brechin the Returning Officer has taken this opportunity to conduct a review of the polling arrangements in Brechin.

Section 18(3) of the Representation of the People Act 1983, as amended, provides that it is the duty of every local authority to divide their area into polling districts for the purpose of parliamentary elections and to designate the polling places for each polling district.

3. PROPOSALS

The amendments to Wards 5, 6, and 7 as a result of the boundary review can be summarised as follows:-

Ward 5 – Carnoustie & District

Polling District AST (Scryne) which was previously in Ward 6 - Arbroath East & Lunan has been transferred to Ward 5 –Carnoustie & District. Electors in this polling district currently vote at St Brides Hall in Carnoustie and therefore no amendments are proposed to the current arrangements. [Appendix 1 - Map 1](#)

Consideration was given to merging polling district AST – Scryne with polling district ESI to form one larger polling district. However, as polling district AST remains part of the Angus UK parliamentary constituency whilst the remainder of Ward 5 is situated in the Dundee East UK parliamentary constituency these must remain separate at this time. This anomaly will be raised with the Boundary Commission for Scotland who has just commenced their 2018 review of UK parliament boundaries with a view to making the parliamentary boundary co-terminous with the ward boundary.

Ward 6 – Arbroath West. Letham & Friockheim

Polling district ASZ – Friockheim, majority of polling district ASY – Colliston and a small area of polling district ATB – The Glens which were previously located in Ward 7 – Arbroath East & Lunan are now situated in Ward 6 – Arbroath West, Letham & Friockheim. [Appendix 1 – Maps 2 and 3](#)

It is proposed that the electors who live in polling district ASZ and currently vote at Friockheim Primary School continue to do so. For the electors in polling district ASY who now live within the boundary of Ward 6 it is proposed that there are no amendments to the current polling arrangements and voters continue to vote at Colliston Hall.

For the small area of polling district ATB which now falls within Ward 6, it is proposed that this is merged with polling district ASY with electors voting at Colliston Hall. Approximately 13 electors will be affected by this proposal.

Ward 7 – Arbroath East & Lunan

In addition to the amendments noted above in Ward 6, for the small area of polling district ASY which remains in Ward 7 it is proposed that this is merged with polling district ATB with electors voting at existing polling place Arbroath Academy. Approximately 10 electors will be affected by this proposal. [Appendix 1 – Maps 2 and 3](#)

Ward 2 – Brechin & Edzell

Due to the recent closure of the Damacre Centre, Brechin the Returning Officer also took this opportunity to review the polling arrangements in Brechin. It is proposed that the polling district boundaries for AMJ, AMK and AML are redrawn as per **Map 4**. A new polling place would be created utilising the Theatre in the new Brechin Community Campus for local residents in the re-designated polling district AMJ. The remaining two polling places – Mechanics Institute and Andover Primary School would continue to be used for the re-designated polling districts AMK and AML respectively.

The Brechin Community Campus is located in Duke Street, Brechin. It has a large public car park with allocated disabled parking at the entrance. The venue is also fully accessible to persons with a disability. There is a regular bus service which stops outside the Brechin Community Campus which runs every 45 minutes from Monday to Saturday.

Public Consultation

A public consultation exercise on the proposals outlined above ran from 26 October to 23 November 2016. In addition to elected members the consultation document was issued to a number of consultees including the ERO, Community Councils, local MPs, MSP's, MEP's,

political parties and local disability groups. The consultation document was also available to members of the public via www.angus.gov.uk and in public libraries and Access Offices.

The Returning Officer received no representations during the public consultation period and therefore recommends that these proposals be approved in full.

Implementation

If approval is given, the relevant changes will be made and incorporated into the new Electoral Register which is due to be published on or by 20 January 2017. These boundaries will be used for any local government elections held on or after 4 May 2017.

The Returning Officer will publicise the outcome of the public consultation exercise as required by Schedule A1 of the Representation of the People Act 1983 and will also publicise these changes in the run up to the local government elections due to be held on 4 May 2017. As always, an elector's poll card will also clearly state the location of their allocated polling place.

Appeals Process

Following the conclusion of a polling district and polling place review, certain persons have a right to make representations to the Electoral Commission regarding the designation of polling districts and polling places. The Commission will only consider representations on the following grounds:

- The local authority has failed to meet the reasonable requirements of the electors in the constituency, or a body of them; or
- The local authority has failed to take sufficient account of accessibility for disabled persons of a polling station within a designated polling place.

Representations based on any other premise will not be considered. Full details of the Appeals Process are contained in [Appendix 2](#).

4. FINANCIAL IMPLICATIONS

There are no financial implications arising from this report.

5. CONSULTATION

The Head of Corporate Improvement & Finance, the Head of Legal & Democratic Services and the Electoral Registration Officer for Angus have been consulted in the preparation of this report.

NOTE: The background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) which were relied on to any material extent in preparing the above report are:

- Local Government Boundary Commission for Scotland Report to Scottish Ministers - Fifth Statutory Review of Electoral Arrangements Final Recommendations – Angus Council Area

REPORT AUTHOR: Shona Cameron, Elections & Business Support Manager

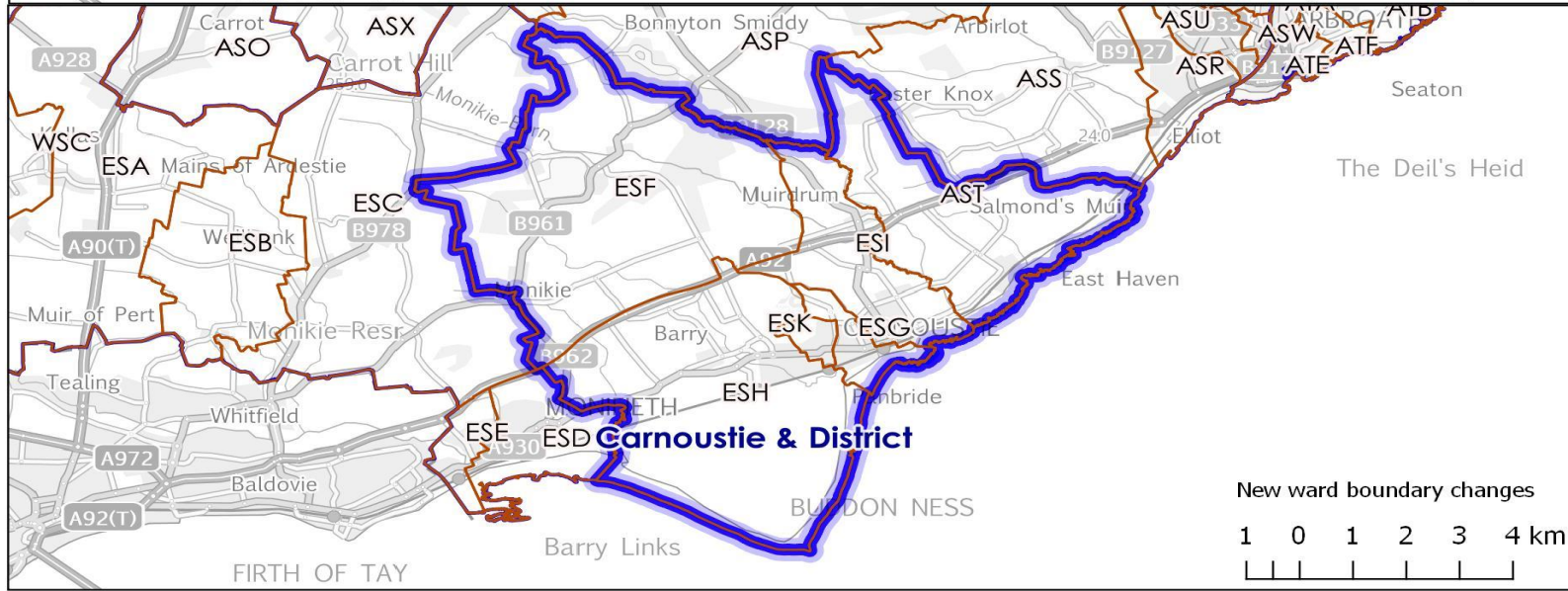
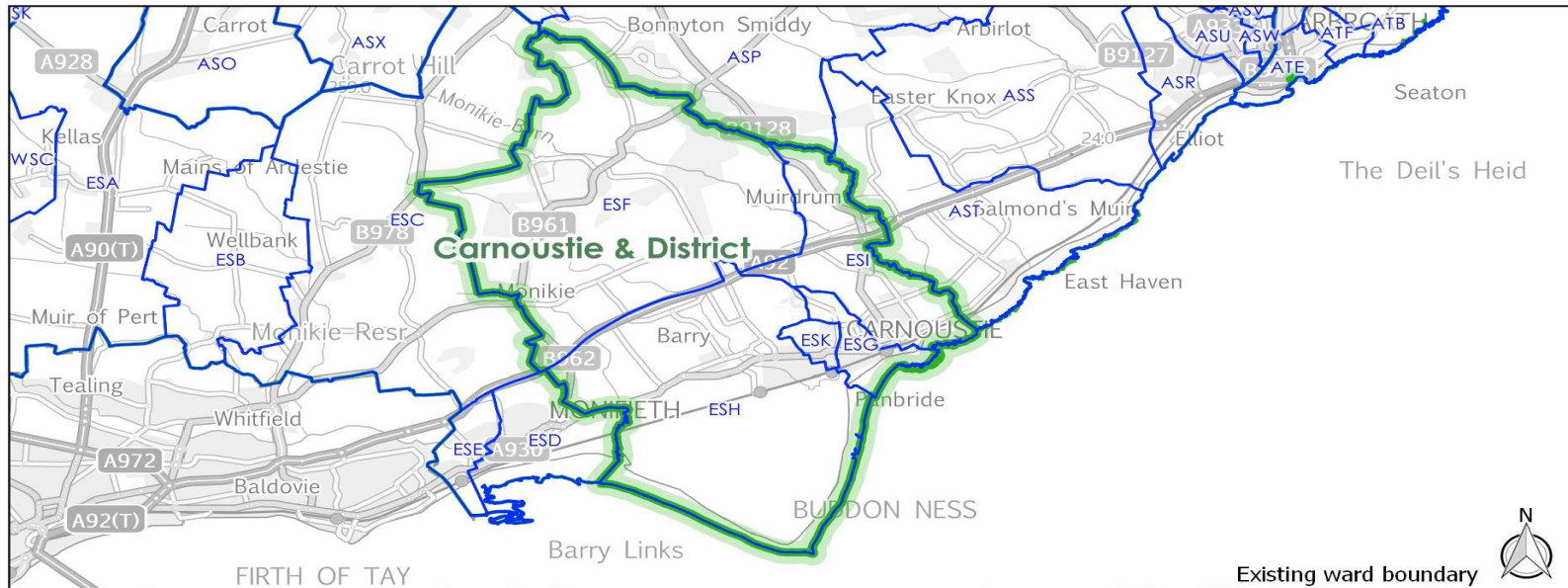
EMAIL DETAILS: elections@angus.gov.uk

List of Appendices:

Appendix 1 – Maps 1 to 4 Existing/Proposed Amendments

Appendix 2 – Appeals Procedure





Appendix 1 – Map 1



Ward Boundary Changes

Ward 5: Carnoustie and District

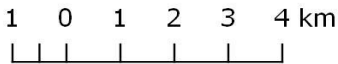
Legend

-  Existing Wards
-  New Wards
-  Existing Polling Districts
-  Proposed Polling Districts

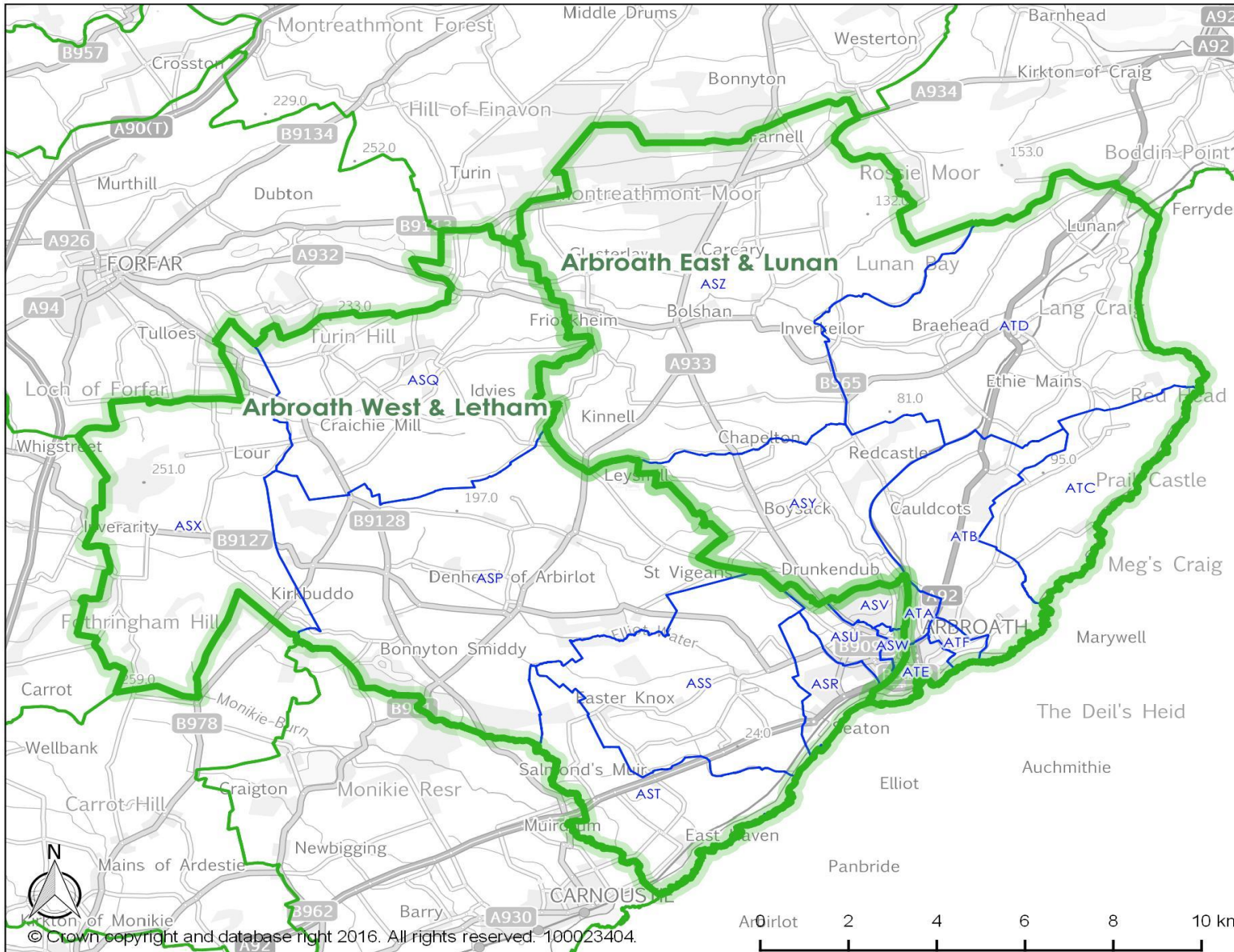


Carnoustie and District is expanded by including polling district AST from Arbroath West and Letham.

New ward boundary changes



Appendix 1 – Map 2



Existing Ward Boundaries

Ward 6: Arbroath West and Letham
 Ward 7: Arbroath East and Lunan

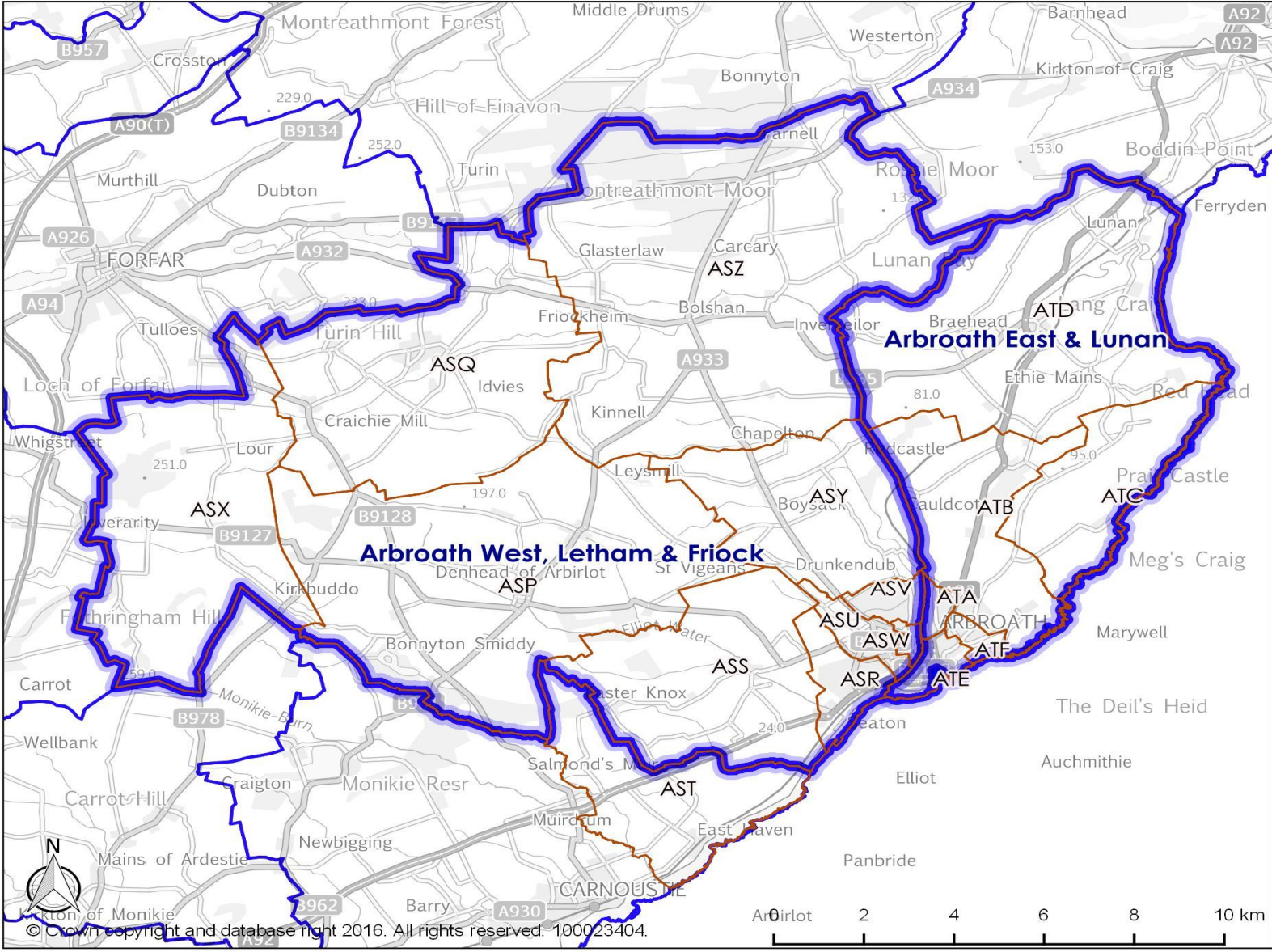
Legend

- Existing Wards
- Existing Polling Districts

Arbroath East and Lunan is split with the western part merged with Arbroath West and Letham to become Arbroath West, Letham and Friockheim.





Appendix 1 – Map 3



Ward Boundary Changes

Ward 6: Arbroath West, Letham and Friockheim
 Ward 7: Arbroath East and Lunan

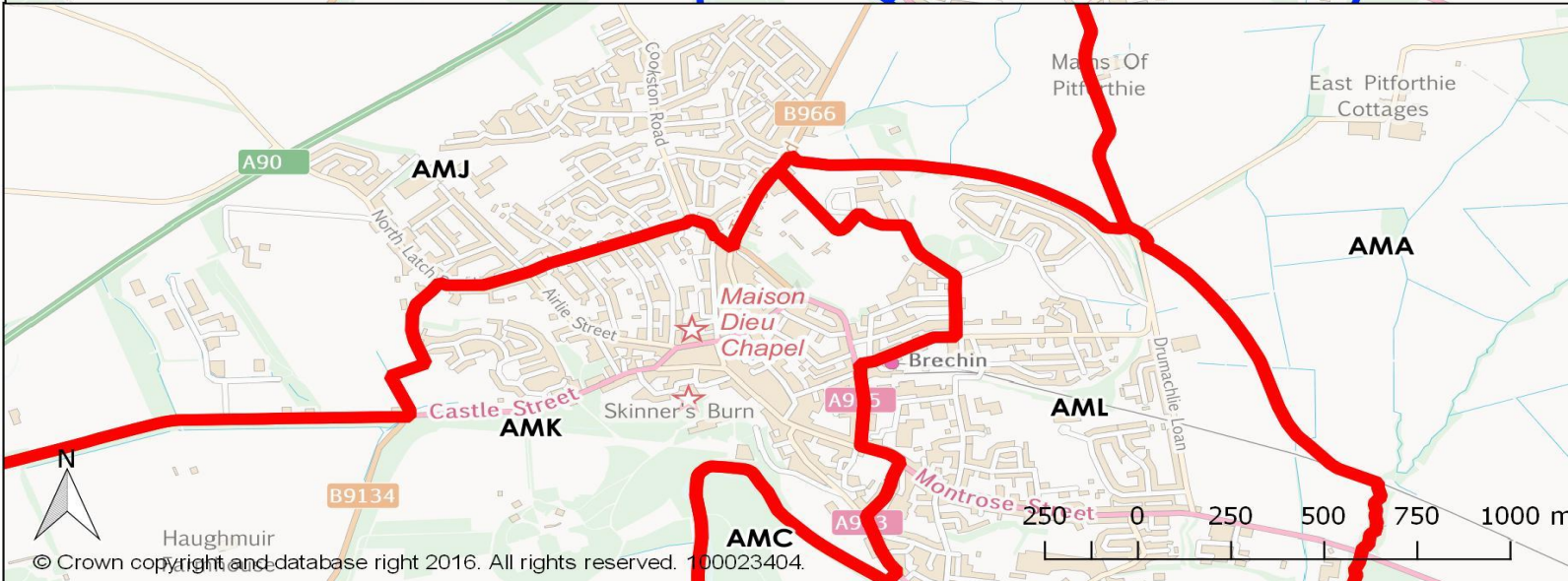
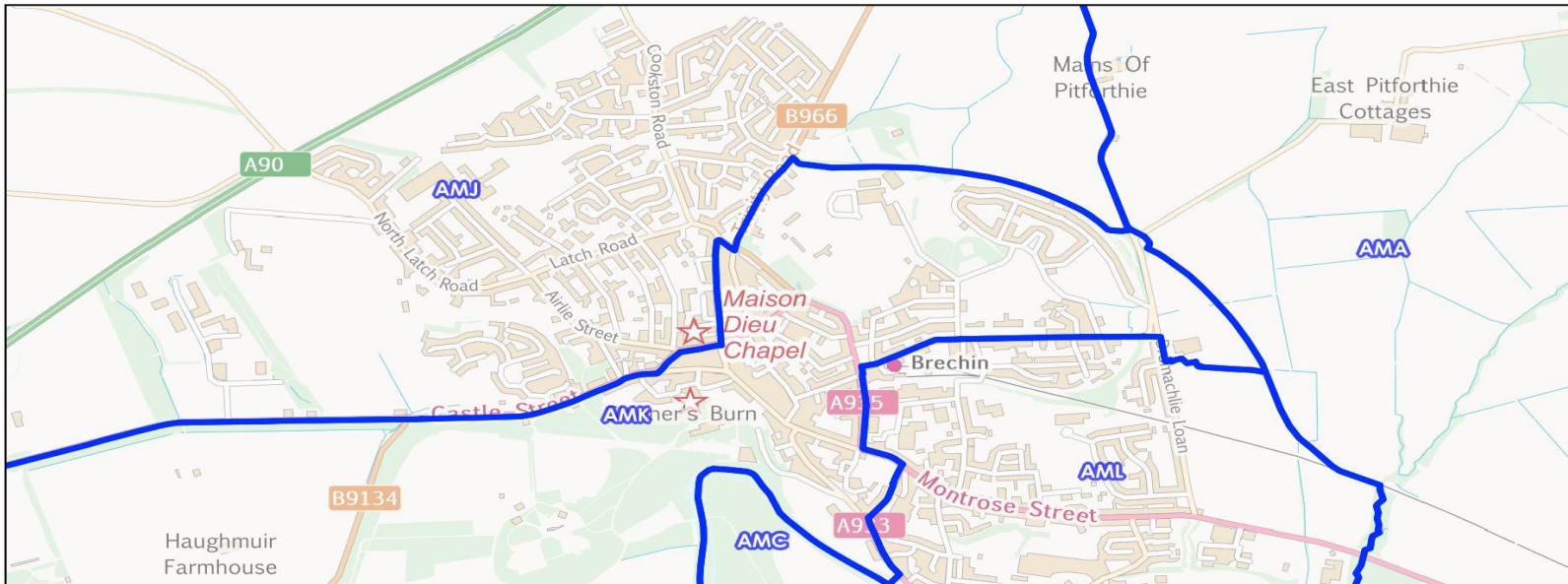
Legend

-  New Wards
-  Proposed Polling Districts

Arbroath East and Lunan is split with the western part merged with Arbroath West and Letham to become Arbroath West, Letham and Friockheim.





Appendix 1 – Map 4



Polling District Boundary Changes

Brechin

Legend

-  Proposed Boundaries
-  Existing Boundaries

Section of AMJ merged with AMK.
New polling place for AMJ is Brechin Community Campus.

Section of AMK merged with AML.

Polling place for AMK is the Mechanics Institute and for AML is Andover Primary School.



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Appeals Process

Following the conclusion of the Council's review certain persons have a right to make representations to the Electoral Commission and this section sets out the Appeals Process which requires to be followed.

Who is entitled to make a representation to the Commission?

- Thirty or more registered electors in each constituency (although electors registered anonymously cannot make a representation);
- A person (except the Returning Officer) who made representations to the local authority when the review was being undertaken;
- Any person who is not an elector in a constituency in the authority's area but who the Commission thinks has sufficient interest in the accessibility of disabled persons to polling places in the area or has particular expertise in relation to the access to premises or facilities of disabled persons.

In addition, the Returning Officer may make observations on any representations made to the Commission.

Format for all representations:

All representations made to the Commission must be made in writing either by post, e-mail or fax. The representation must be as specific as possible and should clearly state the manner in which it is alleged that the Council has failed to properly conduct the review. There are only two grounds on which a representation may be made. These are:

- (a) The local authority has failed to meet the reasonable requirements of the electors in the constituency
- (b) The local authority has failed to take sufficient account of accessibility to disabled persons of the polling station(s) within a polling place

Representations based on any other premise will not be considered.

The representation should include the location and any other relevant information regarding the polling place at issue, stating specifically why it is inaccessible or does not meet the reasonable requirements of the electors.

A representation may also include for consideration specific proposals for changing the place that has been designated as the polling place.

Decision making process of the Commission

Upon receipt of a representation, the Commission will request all relevant documentation from the Council and will show the Council the representation.

The Returning Officer is entitled to make observations on the representation submitted to the Commission and should give a report on the probable polling stations which would likely be used should the representation be successful.

The documentation from the Council, the observations of the Returning Officer and any other relevant information will be taken into consideration, in conjunction with the representation.

The Commission may seek advice from persons with expertise on accessibility issues when making its decision.

The Commission will set out in writing its conclusions and reasons for its decision. The Commission's decision will be issued to the person(s) who made the representation, the Council and the Returning Officer. The decision and related documents will also be published on the Commission's website and the [Angus Council website](#).

The Commission may direct the Council to consider any alterations to the polling places that it deems necessary under the review. After two months, if the Council has failed to make the alterations the Commission can itself make the alterations as if the Council had implemented them.

Please send any representations to:

Legal Counsel
The Electoral Commission
3 Bunhill Row
London
EC1Y 8YZ

Tel: 020 7271 0500

Fax: 020 7271 0505

Email: appeals@electoralcommission.org.uk