



REPORT TO: MORAY COUNCIL ON WEDNESDAY 6 SEPTEMBER 2018

SUBJECT: RELOCATION OF POLLING PLACE – CULLEN AND RATHVEN RURAL

BY: CORPORATE DIRECTOR (CORPORATE SERVICES)

1. REASON FOR REPORT

- 1.1 To seek approval of proposed change of polling place in Ward 2 – Keith and Cullen for polling district BM0202 – Cullen and Rathven due to uncertainty of the availability of the existing venue.
- 1.2 This report is submitted to Committee in terms of Section II(9) of the Council's Scheme of Administration relating to elections.

2. RECOMMENDATION

It is recommended that the Council approve the relocation of the Polling Place for Polling district BM0202 Cullen and Rathven Rural to Cullen and District Bowling and Tennis Club, Reidhaven Place, Cullen.

3. BACKGROUND

- 3.1 In designating a Polling Place the local authority must;
 - ensure that all the electors in the constituency have such reasonable facilities for voting as are practicable in the circumstances; and
 - seek to ensure that, so far as is reasonable and practicable, the polling place is accessible to electors whom are disabled.
- 3.2 The Cullen and Rathven Rural polling district, currently serves a total of approximately 1420 voters in a sub-division of Ward 2 – Keith and Cullen. This district encompasses Cullen, Old Cullen, Lintmill, Letterfourie, Rannas and areas of Drybridge west to the ward boundary with Ward 4. Currently 23.7% of the electorate opt to vote by post in this area compared to the Moray average of 19.2%.
- 3.3 Previously voters in this area were required to vote at Cullen Town Hall, The Square, Cullen. The election office have had issues with the existing polling place, due to poor lighting levels, which had to be supplemented in the polling booth with temporary lighting to allow voters to complete their ballot papers. Maintenance levels and the poor condition of the temporary sloping external wooden ramp had also caused concern during previous polls.

- 3.4 Cullen Town Hall is subject to lease/sale as detailed in the confidential report to the Policy and Resources Committee on 13 March 2018. Due to proposed sale and that the lower floor may then be subject to alternative use, compromising the floor space, the venue is no longer guaranteed as being available to the Returning Officer as a polling place and the Returning Officer therefore must identify an alternative.
- 3.5 The election office have considered a number of alternative council-owned and private venues within the polling district in terms of accessibility, location, guaranteed availability and disruption to existing services, staff or users due to closure on polling day, among other required factors for use as a polling place. All venues that were assessed were found to meet the polling place criteria to various levels.
- 3.6 Following assessment the election team propose that Cullen and District Tennis and Bowling Club, Reidhaven Place, Cullen is designated as a polling place for this polling district. Of all the venues considered, the venue was found to best meet the requirements to act as a Polling Place. Whilst there is stepped access at the main entrance, there is an alternative ramped access available. This venue provides bright, modern facilities, with sufficient parking to serve the district which stretches into a wide rural area. The venue is 220m from the bus stop which is served periodically by a service running through the town passing Seatown.
- 3.7 Following initial discussion, the club committee agreed that they welcome the use of the venue as a Polling Place. The venue would be hired by the election office for exclusive use on polling day. A small kerb ramp will be provided by the election office to ensure there are no issues with a small kerb encountered between the car park and the alternate access for wheelchair users.
- 3.8 The Returning Officer has been consulted in the preparation of this report, and supports the use of the proposed venue.
- 3.9 During public consultation, two responses were received being from Cullen and District Community Council who supported the relocation to the bowling club and the second from a private individual who suggested Cullen Residential & Community Centre as an alternative.
- 3.10 The Three Kings Association whom are in the process of taking on a short term lease at the Cullen Residential & Community Centre as part of Community Asset Transfer, did not make a representation during the consultation.
- 3.11 It should be noted with reference to 'mobile' polling places which may be suggested, the local authority cannot reclaim the cost of any mobile or temporary unit from central government for an election whilst there are available permanent alternatives nearby that could be used. The local authority would therefore have to meet any costs relating to mobile places, for each poll. As a permanent locations is available for this polling place, mobile polling places are not being considered.

4. **SUMMARY OF IMPLICATIONS**

- (a) **Moray 2026: A Plan for the Future and Moray Corporate Plan 2015 - 2017**
Elections and electoral arrangements are part of community engagement and participation in their wider governance.
- (b) **Policy and Legal**
Section 18(3) of the Representation of the People Act 1983 requires each Local Authority in Scotland to designate a polling place for each of its polling districts.
- (c) **Financial implications**
If the Cullen and District Bowling Club is designated then a small temporary kerb ramp will be provided by the Elections Office at a cost of approximately £50 which will be met from existing equipment budgets and partly reclaimed from central government during national polls. Polling place hire charges for national polls are met by central government.
- (d) **Risk Implications**
Should a by-election or snap election be called for the ward in the short term the polling district would be served by the existing polling place, if still available. In the absence of a designated polling place, approval would be sought for the Returning Officer to make alternative appropriate arrangements, for that poll, in absence of approval of the proposed venue.
- (e) **Staffing Implications**
None arising from this report.
- (f) **Property**
None arising from this report.
- (g) **Equalities**
After consultation with the Equal Opportunities Officer it was determined that an Equalities Impact Assessment was not required for this report. When polling place venues are audited, they are required to meet all the minimum criteria for physical accessibility to the facility for polling.
- (h) **Consultations**
Local Ward Members, Returning Officer, Depute Returning Officer, Equalities Officer and their comments incorporated into this report where appropriate. During consultation **local ward members all indicated their agreement with the proposed use of Cullen and District Bowling Club.**
Cullen and District Community Council have been consulted and their comments have been incorporated into this report. It should be noted that two members of the Community Council and the private individual who responded is also a member of the Three Kings Association.

5. CONCLUSION

- 5.1 The current designated polling place for polling district BM0202 Cullen and Rathven Rural will shortly not be available in the event of the poll, if the sale of the premises is successful. Cullen and District Bowling Club offers improved availability, space, lighting and parking for voters in this area.**

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Background Papers: Item 13, Policy & Resources Committee, 13 March 2018
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