

## ***Midlothian Council Review of Polling Districts and Polling Places - 2013***

### **REPRESENTATION OF THE PEOPLE ACT 1983, AS AMENDED.**

- **Section 18C - Review of Polling Districts and Polling Places**
- **Schedule A1 – *The authority must consult every Returning Officer for every parliamentary election held in a constituency which is wholly or partly in its area and every such Returning Officer must make representations to the authority.***

### **FORMAL REVIEW RESPONSE**

***to Midlothian Council by Kenneth Lawrie, Returning Officer, Midlothian Parliamentary Constituency***

I note that the Electoral Registration and Administration Act 2013 introduced a change to the timing of compulsory reviews of UK Parliamentary Polling Districts and Places and that the Act requires local authorities to undertake a Statutory Polling District and Polling Place Review within the period 1 October 2013 and 31 January 2015 inclusive and every five years thereafter.

I also note that In view of the impending European Parliamentary Elections and the Referendum both to be held in 2014 it is considered best practice that Midlothian Council carry out its Review now. I fully support this course of action especially as the timescale complements the new electoral register which requires to be published by 10 March 2014.

I can inform you that following the Midlothian Council Elections in 2012 I am unaware of electoral dissatisfaction regarding the location of polling places – although I understand there continues to be the occasional complaint arising from the use of school premises on the basis that it impacts on children's education and often parents have to arrange child care on election days.

In this regard I wish to draw to your attention the General Election in 2010 when serious deficiencies were exposed in a number of English polling venues which led to electors being disenfranchised. The Electoral Commission in its subsequent review identified that a major contributory factor to this was that the most suitable buildings available to the local authority were often not being used due to conflicting pressures such as local authority revenue generation (such as a Sports Hall) or, indeed, education requirements. Accordingly the Electoral Commission in issuing subsequent Performance Directions reinforced the requirement that the designation of polling places be made on the basis of the needs of the elector.

Electoral Commission guidance also stresses the importance that the needs of electors with a disability are met in so far as practical. In regard to the current Scheme all the buildings used for polling purposes with the exception of St Mary's RC Primary School, Bonnyrigg, are accessible by people with a disability by the main polling entrance - albeit in some cases with a temporary ramp fitted. I therefore wish to recommend that the new Polling Scheme be drawn up in such a way that the use of St. Mary's RC Primary School for polling purposes ceases.

Otherwise my recommendation to Midlothian Council, in carrying out the Review, is to continue as far as possible with the existing arrangements that were in place for the May 2012 Council Elections except in respect of Electoral Ward No 2 - Bonnyrigg.

In this Ward I must comment that the former Leisure Centre is now unavailable, there is the above access problem at St Mary's RC Primary School for people with a disability, the availability now of the new Lasswade Community Campus and the substantial house building which is ongoing, All of these factors have necessitated a comprehensive reappraisal of the Bonnyrigg polling requirements. Accordingly I have detailed new proposals as shown in the map and accompanying scheme as shown at **Annex I**.

In regard to the rest of the Midlothian area I attach at **Annex II** the former Scheme of Polling Places updated with my comments and recommendations including possible options for consideration by the Council.

These include the proposal that all electors in Woodburn Avenue, Dalkeith, (Electoral Ward No 2 – Dalkeith), vote in future at St. David's RC Primary School. Currently the street is split with the north side voting at Cowden Park Pavilion and those on the south side voting at St. David's RC Primary School. This proposal arises from comments from the Electoral Registration Office at the Lothian Valuation Board who have informed me that anecdotally they recall that there was some voter confusion at the 2012 elections in regard to which polling place to use.

I note that In preparing for this review it was discovered that the Electoral Registration Officer discovered that 139 electors, in new housing at Gladstone's Gait, Bonnyrigg, had been included in error in the Electoral Register for Ward No 2 – Bonnyrigg instead of Electoral Ward No - 5 Midlothian East (see map excerpt at **Annex III**).

I agree that this street has no logical basis for being in Ward No 5 and indeed should be in Ward No 2 - Bonnyrigg. I note that the matter has been discussed with the Secretary of the Local Government Boundary Commission for Scotland who has advised that the Commission are currently preparing to commence the Statutory Review required for the 2017 Scottish Local Government Elections and anomalies such as Gladstone's Gait will be addressed in this Review.

Accordingly/

Accordingly, this means that, between now and the 2017 Council Elections, electors in Gladstone's Gait must remain in Electoral Ward No 5 - Midlothian East. As currently their nearest polling place is the remote King's Park Primary School, Dalkeith, I would therefore propose that their designated Polling Place be Bonnyrigg Primary School where special arrangements could be made for them to vote in a ballot box for Electoral Ward No 5 - Midlothian East. This will mean the establishment of a new polling district (MN5H) for this street (as shown at Appendix III).

I note that, in terms of Electoral Commission guidance, Council Officers are currently carrying out a rigorous appraisal of the existing designated polling place accommodation in Midlothian to ensure that the various premises continue/will be fit for electoral purposes. I understand that to date the survey has not identified any major concerns. However, if it does, I would ask that I be informed of issues arising in order that I may respond appropriately during the current consultation period.

Finally, I would also request that Midlothian Council forward to me any representations/observations made during the Review in order that I can comment on them.

**Kenneth Lawrie**  
**Returning Officer**  
**30 October 2013**  
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