

**COUNCIL  
10 FEBRUARY 2022**

**PUBLIC DOCUMENT**

**TITLE OF REPORT: CHANGE TO POLLING PLACE & POLLING STATIONS**

REPORT OF: RETURNING OFFICER AND DEMOCRATIC SERVICES MANAGER

EXECUTIVE MEMBER: LEADER OF COUNCIL/COMMUNITY ENGAGEMENT

COUNCIL PRIORITY: BE A MORE WELCOMING, INCLUSIVE AND EFFICIENT COUNCIL /  
BUILD THRIVING AND RESILIENT COMMUNITIES

*2022-2027 PEOPLE FIRST; SUSTAINABILITY AND A BRIGHTER FUTURE TOGETHER*

**1. EXECUTIVE SUMMARY**

1.1 To agree the designation of polling places, to come in to effect at the upcoming local government elections.

**2. RECOMMENDATIONS**

2.1. That the Council designates the polling places and new polling stations as illustrated in the proposals attached as Appendix A to the submitted report.

2.2. Instruct the Monitoring Officer to amend the Constitution (4.4.1 (q) & 14.6.8 (b)(x) to enable amendments to polling places and polling stations between compulsory reviews to be delegated to the Service Director: Legal and Community, in consultation with the Returning Officer, relevant ward Councillors and Group Leaders.

**3. REASONS FOR RECOMMENDATIONS**

3.1. Through lack of availability or concerns about suitability, several polling stations previously designated are no longer viable options for use at upcoming elections.

3.2. The Returning Officer must therefore identify suitable alternatives for the polling places and subsequent polling stations to be used.

3.3. Recommendation 2.2 is for additional flexibility specifically to agree the polling station post Council meeting and generally where this situation arises between mandatory reviews and allows for relevant Member consultation when this arises.

**4. ALTERNATIVE OPTIONS CONSIDERED**

- 4.1. In each case, a number of alternative polling places and stations were considered. These are detailed in Appendix C, along with the relevant information as to why they were discounted.

## 5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

- 5.1. The relevant Ward Members have been consulted where changes are proposed and have been asked for suggestions as to other potential venues.
- 5.2. All options considered are detailed in the Appendix C of the report.

## 6. FORWARD PLAN

- 6.1 This report does not contain a recommendation on a key Executive decision and has therefore not been referred to in the Forward Plan.

## 7. BACKGROUND

- 7.1. The Council conducts a full compulsory review of parliamentary polling districts every five years. The most recent compulsory review commenced from 1 October 2018 and concluded on 31 January 2020 (at North Herts it was concluded in October 2019).
- 7.2. Although polling districts for local government elections are not defined in legislation, in practice they are the same as those set for parliamentary elections.
- 7.3. Between compulsory reviews, the Electoral Commission states that Returning Officers must keep all polling places and polling stations under consideration between compulsory reviews and evaluation of their suitability carried out after each election.<sup>1</sup>
- 7.4. If a polling station becomes unavailable the Returning Officer/Acting Returning Officer should consider whether another polling station could be designated within the polling place.
- 7.5. For the purposes of clarification, the definitions of a polling district, place and station (mirroring the Electoral Commission and The Association of Electoral Administrators Guidance<sup>2</sup>) are:

**Polling District** - the geographical area created by sub-dividing an electoral area. All wards within North Hertfordshire are divided into polling districts, which form the basis upon which the register of electors is produced. Unless there are special circumstances, each parish must be in a separate polling district.

**Polling Place** - the designated area in which a polling station is located. In the absence of any legal definition, this can be regarded as widely as a polling district or as narrowly as the building in which a polling station is located.

**Polling Station** - the actual area where the process of voting takes place, e.g. a room in a community centre or school.

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<sup>1</sup> 'Reviews of Polling Districts, Polling Places and Polling Stations', *The Electoral Commission*, 8.3, pp. 19-20

<sup>2</sup> Reviews of polling districts, polling places and polling stations & "Do I need to undertake a polling district review to change polling places for local elections in 2021?"

7.6 Each polling district is allocated with a polling place and polling station which the electors within the given polling district visit to vote at election time.

## 8. RELEVANT CONSIDERATIONS

8.1 During the course of booking polling stations there have been a number of venues that for a variety of reasons have been unable to accommodate the booking, or it has been deemed necessary to relocate the polling station.

8.2 For areas where a suitable alternative is not able to be identified within the existing polling place, an alternative has been necessary outside of the existing polling place.

8.3 Whilst the majority of these have been relocated to the polling place as agreed at the last Review there is one polling station that we have been unable to relocate within the polling place:

CAA and CAC polling districts, which formerly polled within the Letchworth Grange ward at The Pod at Northfields School, *now must poll St Georges Church Letchworth which is within the CBA Letchworth East polling district*, as illustrated in Appendix B.

8.3 Under the Council's Constitution, currently changes to polling places and stations must currently be approved by Full Council, hence the need for this report:

- DBA polling district, which formerly polled within Royston Heath at the Portacabin at Royston Golf Club, *will now poll at the Royston Museum within the same polling place.*
- CEA, CEC and CED polling districts, which formerly polled within Letchworth South West at St Michael's Church Hall, *will now poll at Letchworth Museum within the same polling place.*

8.4 If a building becomes unavailable before an election, the polling place can be changed by the Council in accordance with their decision making arrangements. However, recommendation 2.2 is seeking approval to amend the Constitution to enable amendments to polling places and polling stations between compulsory reviews to be delegated to the Service Director: Legal and Community, in consultation with the Returning Officer, relevant ward councillors and Group Leaders.

8.5 In the case of 'special circumstances' a polling station can be designated outside of the polling place without the need to seek council agreement, such as fire, flooding, vandalism.

8.6 Although the number of changes to polling places and polling stations are minimal, Appendix A references each polling district for clarity. This table shows the polling place and station as designated during the last full review in 2019, as well as the proposals for changes in polling districts where this is applicable.

8.7 The proposed amendments to the Constitution would be:

4.4.1 (q) to undertake a (q) "~~review and~~ agree proposals ~~on~~ for the compulsory polling districts, polling places and polling stations reviews, district boundaries, electoral wards and the number of District Councillors".

14.6.8 (b)(x)  
Electoral Services  
Including:  
Insert:

*B (subject to compulsory reviews reserved to Full Council) vary polling districts and polling stations (in consultation with the Returning Officer, relevant ward Councillors and Group Leaders)*

## 9. LEGAL IMPLICATIONS

9.1. Full Council currently has a function under 4.4.1 (q) to undertake a (q) “review and agree proposals on polling districts, polling places and polling stations, district boundaries, electoral wards and the number of District Councillors”. These are the statutory formal reviews every 5 years required by virtue of The Electoral Registration and Administration Act 2013. The last one was undertaken in 2019 as indicated in the body of the report.

9.2. Section 23 of The Local Elections (Principal Areas) (England and Wales) Rules 2006 - Provision of polling stations

*(1) The returning officer must provide a sufficient number of polling stations and, subject to the following provisions of this rule, must allot the electors to the polling stations in such manner as he thinks most convenient.*

*(2) One or more polling stations may be provided in the same room.*

***(3) The polling station allotted to electors from any parliamentary polling district wholly or partly within the electoral area must, in the absence of special circumstances, be in the parliamentary polling place for that district, unless that place is outside the electoral area.***

*(4) The returning officer must provide each polling station with such number of compartments as may be necessary in which the voters can mark their votes screened from observation.*

9.3 Section 18 of the Representation of People Act 1983 – Polling Districts and Places at Parliamentary Elections

*(1) Every constituency shall be divided into polling districts and subject to the provisions of this section there shall be a polling place designated for each polling district.*

*(2) In England it is the duty of the council of each district or London borough and in Wales it is the duty of the council of each county or county borough, to divide their area into polling districts for the purpose of parliamentary elections for so much of any constituency as is situated in their area, and to designate the polling places for those polling districts, and to keep the polling districts and polling places under review, in accordance with the following rules—*

*(a) the council shall exercise the powers conferred by this section with a view to giving all electors in so much of the constituency as falls within their area such reasonable facilities for voting as are practicable in the circumstances and, in particular, they shall, so far as is reasonable and practicable, designate as polling places only places which are accessible to electors who are disabled;*

*(b) each parish or community shall in the absence of special circumstances be a separate polling district or districts;*

*(c) the polling place for any polling district shall be an area in that district, except where special circumstances make it desirable to designate an area wholly or partly outside the polling district, and shall be small enough to indicate to electors in different parts of the polling district how they will be able to reach the polling station;*

*(d) a polling place need not be designated for any polling district, if the size and other circumstances of the district are such that the situation of the polling stations does not materially affect the convenience of the electors or any body of them.*

## **10. FINANCIAL IMPLICATIONS**

- 10.1 As the population of the District, and consequently the number of electors increase as new residential developments proceed, new polling stations may be required and therefore have ongoing cost implications.
- 10.2 The anticipated costs of the various elections are taken into account during the annual budget setting process.
- 10.3 For a Town/Parish/Community/County Council elections the costs are recharged to the respective authority (unless a year when a District Council election is held in which case the costs are proportioned between the respective Councils).
- 10.4 For other elections claims are made to the Cabinet Office for reimbursement of the fees incurred i.e. Parliamentary/Police and Crime Commissioner elections.
- 10.5 Polling Station hire costs can vary depending on a number of factors. In particular, having to procure temporary accommodation such as porta cabins can be more expensive than, for instance, a hire fee for a village hall.

## **11. RISK IMPLICATIONS**

- 11.1. Polling Places and Polling Stations need to be selected to maximise the accessibility of voting for all electors in the Polling District.
- 11.2. As far as possible, they should be inside the Polling District itself so that they are a reasonable distance from each of the electors assigned to that station.
- 11.3. Nevertheless, in circumstances where there is a lack of suitable options, a polling place outside of the Polling District may be designated.
- 11.4. An unsuitable Polling Place or Station risks suppressing turnout at elections, especially for electors to whom accessibility may be an issue. Thus, the locations must be thoroughly considered.
- 11.5. In an ideal world there would be a choice of fully accessible buildings, conveniently located for electors in the area, with owners willing to hire them for use as a polling stations at low or minimal cost. Unfortunately, in practice, this is often not the case and in some areas there is often little choice available.

## **12. EQUALITIES IMPLICATIONS**

- 12.1. In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment,

victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.

- 12.2. The proposed changes will ensure that electors in the Polling Districts affected are all designated with Polling Stations in close proximity to their addresses with suitably accessible facilities to host polls.
- 12.3. Whilst reviewing the suitability of venues consideration is made as to any reasonable adjustment that can be made to avoid putting people with disabilities at a substantial disadvantage.
- 12.4. An authority must:
  - seek to ensure that all electors in a constituency in the local authority area have such reasonable facilities for voting as are practicable in the circumstances; and
  - seek to ensure that so far as is reasonable and practicable every polling place for which it is responsible is accessible to electors who are disabled

### **13. SOCIAL VALUE IMPLICATIONS**

- 13.1. The Social Value Act and “go local” requirements do not apply to this report and this is not a procurement exercise or contract.

### **14. ENVIRONMENTAL IMPLICATIONS**

- 14.1. There are no known Environmental impacts or requirements that apply to these actions.

### **15. HUMAN RESOURCE IMPLICATIONS**

- 15.1. Other than officer time required to identify the initial issues and put together proposals to correct them, there are no major impacts. The time required to identify and assess the suitability of new venues should not be underestimated.
- 15.2. The Returning Officer must appoint, at each election, a Presiding Officer and such clerks as may be necessary for the purposes of the election. Therefore, each of the Polling Stations identified will have a minimum of two staff members appointed to it at each election.
- 15.3. Nevertheless, the individual locations identified for each do not impact on the numbers assigned to that specific station.

### **16. APPENDICES**

- 16.1. Appendix A – Overall Summary of polling districts, polling places and polling stations in North Hertfordshire District Council’s administrative area
- 16.2. Appendix B – CAA & CAC Polling District Map
- 16.3. Appendix C – Alternative options considered (for each of the polling stations considered):

Cii Letchworth CEA, CEC and CED  
Ciii Letchworth CAA and CAC

**17. CONTACT OFFICERS**

- 17.1 Melanie Stimpson, Returning Officer and Democratic Services Officer, [melanie.stimpson@north-herts.gov.uk](mailto:melanie.stimpson@north-herts.gov.uk)
- 17.2 Jeanette Thompson, Service Director Legal and Community, Monitoring Officer and Deputy Returning Officer, [jeanette.thompson@north-herts.gov.uk](mailto:jeanette.thompson@north-herts.gov.uk)
- 17.3 Tom Marsh, Electoral Services Manager, [Thomas.marsh@north-herts.gov.uk](mailto:Thomas.marsh@north-herts.gov.uk)

**18. BACKGROUND PAPERS**

- 18.1 None.