

## RECORD OF DECISION MADE UNDER DELEGATED AUTHORITY

### PART 1 – PUBLIC DOCUMENT

Any interest to declare/ or conflict and any dispensation granted [N/A]

#### SERVICE DIRECTORATE: LEGAL AND COMMUNITY

##### 1. DECISION TAKEN

That the polling stations for Hitchin Highbury (2) situated at Whitehill J.M. School, Hitchin be temporarily relocated to St Johns Road Chapel at Hitchin Cemetery and to St Johns Community Centre for the UK Parliamentary General election only on 4 July 2024.

##### 2. DECISION TAKER

Jeanette Thompson, Service Director – Legal and Community, in consultation with the Acting Returning Officer.

##### 3. DATE DECISION TAKEN:

28 May 2024

##### 4. REASON FOR DECISION

4.1 Whitemill J.M School was designated via the Polling Districts and Polling Places Review by Council at the meeting on 23 November 2023 (as the polling station for Hitchin Highbury 2). Following the announcement of the UK Parliamentary General election on 4 July 2024, the Electoral Services Team were advised that the school would not be able to accommodate an election as such short notice and alternative polling stations were therefore required to be urgently identified as data was required to be sent to the printers.

##### 5. ALTERNATIVE OPTIONS CONSIDERED

5.1 The following alternative options were considered, and commentary included is listed below:

<b>St Johns Community Centre</b>	This is used as a polling station for a neighbouring polling district. Whitemill J.M School is already a large double station. As the large hall at St John's Community Centre was not available it was not feasible to relocate all electors to this building.
<b>St Johns Road Chapel at Hitchin Cemetery</b>	This was used at a County and District by-election on 10 March 2022. Feedback indicated was that the building was suitable, however outside lighting was not ideal at that time of year.  As the UK Parliamentary General election on 4 July 2024 will be in the summer months where it stays lighter for longer, lighting is not such an issue. Additional outside lighting would also be sourced.
<b>British School Museum, Queen Street</b>	Is on the outer edge of the polling district and therefore the other venues listed above are more central.

## 5.2 **To divide the electorate that usually poll at Whitemill J.M School –**

Roads that begin with 'A' through to 'Q' poll at St Johns Road Chapel at Hitchin Cemetery.

Roads that begin with 'R' onwards poll at St Johns Community Centre.

Both buildings are either regularly used or have been used before, so the Electoral Services Team are aware of the standard of the accommodation and its accessibility.

The Parks and Open Spaces Team are responsible for bookings at the Chapel and confirmed the availability of the venue on 4 July.

- 5.3 Rule 22(1) (a) of the Representation of the People Act 1983 enables the Returning Officer to use schools that are publicly funded, including academies and free schools, as polling stations free of charge, and the legislation allows the Returning Officer to require a room in such schools for use as a polling station. Whilst this option is available it would not be preferable to force a school to close unless there was no other suitable option.

## 6. **CONSULTATION (INCLUDING THE EFFECT ON STAKEHOLDERS, PARTNERS AND THE PUBLIC)**

- 6.1 Given the urgency of needing to send the poll card data there was no time to look for several alternative options or to consult local members.

- 6.1 The UK Parliamentary General election on 4 July 2024 was announced on 22 May 2024 and poll card data was required to be sent to the printers on 24 May 2024. The data was late being sent to the printers whilst conversation was had with St Johns Community Centre to see if they would cancel their booking in the large hall so that the entire electorate could be relocated to this building.

## 7. **FORWARD PLAN**

- 7.1 This decision is not a key Executive decision and has therefore not been referred to in the Forward Plan.

## 8. **BACKGROUND/ RELEVANT CONSIDERATIONS**

- 8.1 The Council must conduct a review of Parliamentary Polling Districts, Polling Places and Polling Stations every 5 years. The most recent statutory review commenced on 1 October 2023 and concluded on 23 November, when Full Council designated the Polling Districts and Polling Places (Minute No. 245 refers).

- 8.2 Within this review Whitemill J.M School was designated by Full Council as the polling station for Hitchin Highbury (2).

- 8.3 Following the sudden announcement of the UK Parliamentary General election on 4 July 2024, the Electoral Services Team were advised that the school would not be able to accommodate an election as such short notice and alternative temporary polling stations were therefore required to be urgently identified.

- 8.4 Although polling districts for local government elections are not defined in legislation, in practice they are the same as those set for parliamentary elections.

- 8.5 A Polling District can only be in one parish / ward / division / constituency (i.e. an electoral boundary line cannot cross through a polling district).

- 8.6 Each Polling District is allocated with a polling place and a polling station which the electors within the given polling district visit to vote at election time.
- 8.7 Polling places should usually be within the relevant Polling District unless special circumstances make it desirable to designate an area outside that district (for example, if no polling place can be identified in the district). In this scenario, this is not applicable.
- 8.8 The Polling Places proposed have been based on an assessment of the available options and the accessibility of the respective venues, available within a very limited timeframe.
- 8.9 For the purposes of clarification, the definitions of a polling district, polling place and polling station are:

**Polling District** – a 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 areas where electors for a particular polling district go to vote in person (i.e the place 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 within a community centre.

## 9. LEGAL IMPLICATIONS

- 9.1. 14.6.9 (b) (viii) B of the Council Constitution sets out the Service Director delegation powers. Within this the delegated authority for '*subject to compulsory reviews reserved to Full Council*) vary polling districts and polling stations' falls to the Service Director in consultation with the Returning Officer, relevant ward Councillors and Group Leaders.
- 9.2. Rule 25 of the Local Elections (Principal Area) Rules 2006, regarding the issue of official Poll Cards states:

*'(1) The Returning Officer must as soon as practicable after the publication of the notice of the election send to electors and their proxies an official poll card.*

*(2) An elector's official poll card must be sent or delivered to his qualifying address, and a proxy's to his address as shown in the list of proxies.*

*(3) The official poll card must be in the appropriate form in the Appendix, or a form to the like effect, and must set out—*

- (a) the name of the council and of the electoral division or ward to which councillors are to be elected;*
- (b) the elector's name, qualifying address and number on the register;*
- (c) the date and hours of the poll and **the situation of the elector's polling station;***
- (d) such other information as the returning officer thinks appropriate,*

*and different information may be provided in pursuance of sub-paragraph (d) to different electors or descriptions of elector.*

## 10. FINANCIAL IMPLICATIONS

- 10.1. The UK Parliamentary General election on 4 July 2024 will be a standalone election, therefore all costs incurred will be funded via government and submitted via the Electoral Claims Unit.

## **11. RISK IMPLICATIONS**

- 11.1 A decision on where the electors that usually vote at Whitemill J.M School was urgently required prior to the poll card data being sent to the printers (deadline being 24 May 2024). Poll cards include the details of the polling station for the respective electors.
- 11.2 Individuals may challenge the result of an election if they believe it was not administered properly via an election petition (which must usually be made within 21 days of the day the election was held).
- 11.3 As per paragraph 9.2 it is a legal requirement to issue a Poll Card and for it to contain the situation of the electors polling station.

## **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 Whilst identifying an alternative polling station, the principles when undertaking a compulsory review of UK Parliamentary Polling Districts and Polling Places have been followed, being:
- 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.
  - Seek to ensure that so far as is reasonable and practicable every polling place is accessible to electors who are disabled.
- 12.3 Paragraph 5 sets out the rationale for the alternative polling stations with clear consideration of accessibility.

## **13. SOCIAL VALUE IMPLICATIONS**

- 13.1 The Social Value Act and “go local” requirements do not apply to this report.

## **14. ENVIRONMENTAL IMPLICATIONS**

- 14.1. There are no known Environmental impacts or requirements that apply to this report.

## **15. HUMAN RESOURCE IMPLICATIONS**

- 15.1 Staffing an election can be highly resource intensive. Dependent on the type of election requirements differ, for instance, a By-election or Neighbourhood Plan Referendum requires less resource than the forthcoming UK Parliamentary General election. However, in terms of this report, other than officer time required to collate/review proposals and research alternative locations, there are no human resource implications.

## **16. BACKGROUND PAPERS**


16.1 [Agenda for Council on Thursday, 23rd November, 2023, 7.30 pm | North Herts Council \(north-herts.gov.uk\)](https://www.north-herts.gov.uk)

**17. APPENDICES**

17.1 None.

**NOTIFICATION DATE**

6 June 2024



**Signature of Decision Taker .....**

**Please Note:** that *unless urgency provisions apply* EXECUTIVE decisions cannot be implemented until 5 clear working days have elapsed after the decision has been taken to allow for scrutiny call-in.

**Call-in does not apply to NON-EXECUTIVE DECISIONS**