

This Report will be made public on 14 February 2023

Report Number **A/22/26**

To: Council
Date: 14 February 2023
Status: Non – executive decision
Chief Officer: Susan Priest, Chief Executive
**SUBJECT: TEMPORARY POLLING PLACE (STATION)
CHANGES AT PARLIAMENTARY, LOCAL, POLICE
AND CRIME COMMISSIONER ELECTIONS AND
PARISH POLLS**

SUMMARY:

It is best practice to ensure delegated power is in place for elections to allow an appropriate officer to determine suitable, alternative arrangements if a polling place (station) is unavailable, or unsuitable for the needs of the election, electorate and/or legislation changes. Temporary measures could be later made permanent at a compulsory polling district and place review and this report seeks to ensure that the necessary authority is in place to ensure polling place requirements are met.

REASONS FOR RECOMMENDATIONS:

To establish suitable locations for electors, allowing them to vote at elections. In the instance of changes to legislation, implications on health and safety, buildings becoming vacant, or other events rendering the existing polling place (station) unavailable or unsuitable delegated powers are needed to allow the Returning Officer / Acting Returning Officer to arrange alternative suitable polling places (stations).

RECOMMENDATIONS:

- 1. To receive and note report A/22/26.**
- 2. To appoint the Returning Officer / Acting Returning Officer with delegated authority to amend the designation of polling districts and polling places, on a temporary basis, should it become necessary to do so, in the course of conducting Parliamentary, local government, police and crime commissioner elections and parish polls.**

1. BACKGROUND

- 1.1 Local authorities are responsible for dividing their constituency into polling districts for UK Parliamentary elections. Polling districts, polling places and polling stations are kept under review to maintain electorate balance and the suitability of venue choices. There is a duty on the Council of the local authority to conduct a review at least once every four years.
- 1.2 The last review of polling district, place and stations for UK Parliamentary elections concluded in 2019 (see minute 54 Council meeting 16 October 2019) and was implemented in January 2020 after the snap general election took place.
- 1.3 Whilst a review is mandatory for polling districts, places and stations used at UK Parliamentary elections, section 31 of the Representation of the People Act 1983, the Police and Crime Commissioner Elections Order 2012 and the Parish and Community Meetings (Polls) Rules 1987 do not impose such requirements on how the allocations are made for local elections, police and crime commissioner elections or parish polls. This report focuses on two aspects of the above legislation - the allocation of a polling place and polling station for local elections.
 - 1.3.1 Polling place
A polling place is a building or geographical area in which a polling station is located. It is good practice to specify where a polling place is, as a building instead of an area to ensure there is a clear indication to electors within and outside of a polling district.
 - 1.3.2 Polling station
A polling station is the room or area within the polling place where voting takes place. Polling stations are chosen by the Returning Officer for each election, and not by the Council.

2. PROPOSALS

- 2.1 In most cases, the allocation of polling districts, places and stations at UK Parliamentary elections is mirrored for local elections, police and crime commissioner elections and parish polls. In the past, last-minute changes have been unavoidable, e.g., in 2019 when a building was condemned 4 days before poll. In the instance of this happening the election team have informed all interested parties swiftly to ensure maximum awareness to the change. This included:
 - Letters sent to all properties concerned
 - Social media posts
 - Updated website details
 - Candidates and Agent communications
 - Staff training
 - Signage put on the previous station directing electors to the new venue.

- 2.2 Details of any change are audited, capturing the options put forward by the team and reasons as to why the final decision was made.
- 2.3 Where there is advance warning of a polling station becoming unavailable, or a premises being unsuitable because of staff or elector feedback, it is best practice for the authority to delegate powers to a senior officer, usually the returning officer / acting returning officer to allow him / her to determine an alternative location swiftly. An efficient selection and decision process is beneficial in ensuring plans can be made to inform all interested parties ahead of any local election taking place.
- 2.4 It may seem that the process for considering alternative venues as polling places / stations as premature, however arrangements must be made early to update systems, printer details and literature that is sent out ahead of any election timetable.
- 2.5 For example, a registration deadline for a local election is 12 working days before polling day, however the data for the first dispatch of poll cards is needed approximately 2 months before polling day. A poll card includes polling station details of where electors should go to vote; therefore, it is pertinent to have this in place in good time, with an agreement made with the polling station vendors outlining their availability and any special measures to be put in place as per the booking arrangements.
- 2.6 Delegation of powers is a matter for full Council. It is therefore requested that the Committee recommend to the Council that the Returning Officer / Acting Returning Officer be delegated the authority to amend the designation of polling districts and polling places, on a temporary basis, should it become necessary to do so, at short notice, in the course of conducting Parliamentary, local government, police and crime commissioner elections and parish polls.

3. RISKS/CONTROLS

- 3.1 In light of the fact that there are minimal proposals as part of this report, there are no significant risks identified. There is a greater reputational and democratic risk in not adopting this proposal.

4. LEGAL/FINANCIAL AND OTHER CONTROLS/POLICY MATTERS

4.1 Legal Officer's Comments (AK)

The legal issues have been dealt with in the Report.

4.2 Finance Officer's Comments (CS)

There are no direct financial implications arising from the recommendations of this report

4.3 Diversities and Equalities Implications (AS)

The outcome and recommendations of a review of polling districts and polling places are specifically designed to ensure that all voters are able to exercise their right to vote and, in particular, where voters chose to vote in person at polling stations, that these are accessible to all regardless of disability.

5. CONTACT OFFICERS AND BACKGROUND DOCUMENTS

Councillors with any questions arising out of this report should contact the following officer prior to the meeting:

Paul Butler
Democratic Services and Elections Lead Specialist
Telephone: 01303 853497
Email: paul.butler@folkestone-hythe.gov.uk

The following background documents have been relied upon in the preparation of this report:

None