

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 station usually at Walsworth Community Centre (in the Hitchin Walsworth Ward) has been located to St Faith's Church, Woolgrove Road, Hitchin for the scheduled elections on 1 May 2025 (and any unscheduled elections until Walsworth Community Centre is available).

2. DECISION TAKER

Reuben Ayavoo, Acting Service Director – Legal and Community, in consultation with the Returning Officer, relevant ward Councillors and Group Leaders.

3. DATE DECISION TAKEN:

7 March 2025

4. REASON FOR DECISION

4.1 Walsworth Community Centre was designated via the Polling Districts and Polling Places Review by Council at the meeting on 23 November 2023 (as one of the polling places for Hitchin Walsworth, specifically polling district H-HWA-1). During the booking of the polling stations for the scheduled elections on 1 May 2025 the Electoral Services Team have become advised that the building is unavailable and an alternative polling station is therefore required to be identified given the forthcoming Hertfordshire County Council elections in May 2024.

5. ALTERNATIVE OPTIONS CONSIDERED

5.1 Given the close proximity of St Faith's Church to the usual polling place no other alternatives were considered.

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

6.1 The local District Ward Councillors (Councillors Dennis, Wright and Wright-Mason) and Group Leaders (Councillors D Allen, Brown and Muncer) were contacted to explain the situation and for any suggested alternatives. No comments or suggestions were received.

6.2 Hertfordshire County Council have been provided with a list of polling stations within North Hertfordshire which includes this change.

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 Walsworth Community Centre was designated by Full Council as the polling place for Hitchin Walsworth, specifically polling district H-HWA-1.
- 8.3 The Electoral Services Team has since been advised that Walsworth Community Centre was currently unavailable for hire having suffered flood damage and no reassurance that the building would be operational on 1 May 2025. An alternative polling station was therefore required to be identified urgently given the forthcoming Hertfordshire County Council elections on 1 May 2025 and to meet the deadline for sending poll card data to the printers.
- 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 The Polling Place proposed has been based on the close proximity to the usual polling place and having assessed the suitability of the venue.
- 8.8 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) (v) B of the Council Constitution sets out the Service Director: Legal and Community's delegation powers. The delegated authority includes *to vary polling districts and polling stations* falls to the Service Director in consultation with the Returning Officer, relevant ward Councillors and Group Leaders. Note that this authority is subject to compulsory reviews reserved of Full Council.
- 9.2. When on annual leave, the Service Director Legal and Community delegates authorisation to specific officers to undertake the delegations as per 14.6.2 of the Council Constitution and do so as per section 14.6.2(c) of the Council Constitution. In this instance delegation has been given to the Decision Taker (Policy and Community Manager).

- 9.3. As the location of the polling station is to change, it is important that the information contain on the poll cards is accurate in accordance with the following legislation (the Decision made therefore giving effect to the legislation):

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 Hertfordshire County Council on 1 May 2025 will currently not be combined with any other election and therefore the costs of these elections will be funded by Hertfordshire County Council. (One potential caveat is dependent on a decision by the Cabinet on 18 March on whether to instruct the Counting Officer to hold a Neighbourhood Planning Referendum for Barkway and Nuthampstead, in which case this will be held on 1 May 2025). Another is that there is a vacancy on Royston Town Council and if a by-election is requested, this may also be held on 1 May 2025.

11. RISK IMPLICATIONS

- 11.1 Good risk management supports and enhances the decision-making process, increasing the likelihood of the Council meeting its objectives and enabling it to respond quickly and effectively to change. When taking decisions, risks and opportunities must be considered.
- 11.2 On 1 May 2025, there are currently scheduled Hertfordshire County Council elections, for which the Council’s Returning Officer (Deputy Returning Officer in the case of County Council elections) must administer elections for the nine divisions within North Hertfordshire.
- 11.3 Therefore a decision on where the electors that usually vote at Walsworth Community Centre would cast their votes, was urgently required prior to the poll card data being sent to the printers (on 12 March). Poll cards include the details of the polling station for the respective electors.
- 11.4 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).
- 11.5 As per paragraph 9.3 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.

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 County Council elections. However, in terms of this report, other than officer time required to consult and collate/review proposals and research alternative locations, there are no human resource implications.

16. BACKGROUND PAPERS

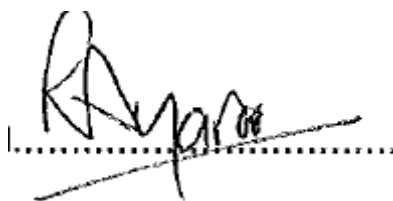
- 16.1 [Agenda for Council on Thursday, 23rd November, 2023, 7.30 pm | North Herts Council \(north-herts.gov.uk\)](https://www.north-herts.gov.uk)

17. APPENDICES

- 17.1 None.

NOTIFICATION DATE

Date sent to all Members, put on website and appears in MIS – Committee, Member & Scrutiny Services can confirm this with you,



Signature of Decision Taker

14/03/2025

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