

Temporary Change of Polling Station for Polling Districts OO and PP

For Delegated Decision by the Chief Executive/Returning Officer (for subsequent noting by the General Purposes Committee)

Summary

Lead Committee: General Purposes

Lead Director: William Benson, Returning Officer

Head of Service: Jane Clarke, Head of Policy and Governance

Report Author: Jane Clarke, Head of Policy and Governance

Classification: Public document (non-exempt)

Wards Affected: Rusthall

Approval Timetable	Date
Delegated Approval from the Chief Executive/RO	24 March 2021
Information item for General Purposes Committee	13 April 2021

Recommendations

That the General Purposes Committee notes:-

1. That the Returning Officer has used emergency powers to temporarily re-designate a polling station for polling districts OO and PP from the Rackliff Centre, 26 Lower Green Road, Rusthall, to St Paul's Church Centre, High Street, Rusthall for the elections to be held on Thursday 6 May 2021.

1. Introduction and Background

- 1.1 The Electoral Registration and Administration Act 2013 requires the Council to carry out a review of the Borough's polling districts and polling places every five years. The

last full review was completed in December 2019, when the Rackliff Centre was designated as the polling station for polling districts OO and PP.

- 1.2 Following the Government's publication of the May 2021 Polls Delivery Plan on 5 February, a Polling Station Risk Assessment has been created to take into account that guidance, directions from the County Returning Officer, and directions from the Police Area Returning Officer. Detailed advice has also been received from the Tunbridge Wells Borough Council Health and Safety Manager.
- 1.3 The Rackliff Centre has been identified as a current polling station that cannot easily accommodate social distancing requirements for a number of reasons.
- 1.4 The most significant issue is the recommendation that, for the May 2021 polls, one-way systems are created in polling stations, with (wherever possible) a separate entrance and exit. The Rackliff Centre normally has only one entrance/exit.
- 1.4 Whilst there is a possibility of creating an exit via the kitchen area, (which is a solution being used in other polling stations), with the Rackliff Centre in particular, the kitchen area is the only space available for staff breaks which would make it impossible for staff to remove their Personal Protective Equipment when using the space for breaks during the day as electors would be passing through.
- 1.5 Given that polling station staff will be on the station from 6am (to set up before polls open at 7am) until around 11pm (to close down after polls finish at 10pm) it is imperative that they have a safe room away from electors where PPE can be removed and food and drink consumed. This is not only required for health and safety reasons, but because the Borough Council has a duty of care for staff.
- 1.6 Alongside this, the size of the room in the Rackliff Centre would make it difficult to achieve social distancing inside the station without implementing a queuing system and severely limiting the number of people allowed inside the room.

2. Alternative Venue

- 2.1 As a result of the issues raised with the Rackliff Centre an alternative station was considered at St Paul's Church Centre. A site visit was conducted on 25 February **(Appendix A)**.
- 2.2 Following the site visit, an assessment was conducted which deemed that St Paul's Church Centre would be a suitable alternative polling station with the required space to provide social distancing inside the station, and the possibility of a one-way system with separate entrance and exit. Whilst the exit route would not be suitable for disabled voters (because of a step and unmade path to exit), there is enough room within the entrance corridor to enable passing so that a poll clerk can escort a disabled voter back out via the entrance.
- 2.3 Within the Church Centre there are several rooms, one of which can be designated as the private break-out space for staff on the polling station, where masks can be removed during break time.

3. Decision

- 3.1 The Tunbridge Wells Borough Council Returning Officer, who also acts as the Deputy Returning Officer and Local Returning Office for the Police and Crime Commissioner Elections and the Kent County Council Elections, has made a decision under delegated powers to urgently redesignate the polling station for polling districts OO and PP as set out above for this election only.
- 3.2 Ordinarily we would look to bring such a change to the General Purposes Committee for consideration and approval but the lack of time between the guidance being approved, the site visits and assessments being conducted and the need to collate and send data to the printers to enable poll cards to be printed and despatched has meant that this has not been possible. The General Purposes Committee will be informed about the this urgent decision in line with the requirements of the Constitution. The paragraphs above explain why the decision was necessary (to enable social distancing measures to be implemented successfully, to ensure a safe and secure environment for both polling station staff and electors, and to ensure electors could be notified in good time through the normal issue of poll cards).

4. Appendices and Background Documents

Appendices:

- Appendix A: Polling Station Review

5. Cross Cutting Issues

A. Legal (including the Human Rights Act)

The Representation of People Act 1983, section 18C(2) (“the Act”) places a duty on the council of a district in England to carry out a review of each polling district and polling place in its area at least every five years. (The 1983 Act as substituted by the Electoral Registration and Administration Act 2013, section 17).

The council is under an ongoing duty to keep the polling districts and polling places in an area under review. Under section 18C(3) of the Act, a council may carry out a review of some or all of the polling districts or polling places in its area outside of the compulsory review periods as set out under section 18(2) of the Act. Therefore, a review may be undertaken at a time that the Council considers appropriate.

Patricia Narebor
Head of Mid Kent Legal Partnership

B. Finance and Other Resources

There will be no additional costs created as this report simply moves the polling station from one building to another.

Jane Fineman, Head of Finance, Procurement & Parking

C. Staffing

Staff are appointed at the start of each new election and the relevant staff will need to be appointed to this station.

Nick Carter, Head of Customers, HR and Communities

D. Risk Management

There are no significant implications as a result of this decision.

Jane Clarke, Head of Policy and Governance

E. Environment and Sustainability

There are no significant implications as a result of this decision.

Jane Clarke, Head of Policy and Governance

F. Community Safety

There are no significant implications as a result of this decision.

Jane Clarke, Head of Policy and Governance

G. Equalities

There are no obvious implications as a result of this decision. Equalities considerations are noted at Appendix A.

Jane Clarke, Head of Policy and Governance

H. Data Protection

There are no significant implications as a result of this decision.

Jane Clarke, Head of Policy and Governance

I. Health and Safety

There are no significant implications as a result of this decision.

Jane Clarke, Head of Policy and Governance

J. Health and Wellbeing

There are no significant implications as a result of this decision.

Jane Clarke, Head of Policy and Governance