

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

- 1.1 That the polling districts relating to local government elections are amended to correct some clerical errors, as outlined in Appendix A.
- 1.2 That parish names are added to the existing polling district names to reflect the corrections made - to provide greater clarity and easier reference.

2. DECISION TAKER

Jeanette Thompson, Service Director – Legal and Community.

3. DATE DECISION TAKEN:

18 January 2022

4. REASON FOR DECISION

- 4.1 To ensure that polling district boundaries run coterminous with the various electoral areas at County, District and Parish Council levels, ensuring some clerical inaccuracies are corrected.

5. ALTERNATIVE OPTIONS CONSIDERED

- 5.1 No alternative options are considered appropriate.

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

- 6.1 This was raised and discussed with the Executive Member and Deputy Executive Member for Community Engagement on 11 January and the need to amend historical inaccuracies. This was also raised with all Group Leaders prior to this decision being taken.

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 recently appointed Electoral Services Manager has identified a number of clerical errors that have occurred with the polling district areas where they were built incorrectly. Polling district areas should not normally cross parish, parish ward, ward, division, or constituency boundaries, and in a limited set of circumstances as identified in Appendix A, there has been a misalignment of those areas with the boundaries.

8.2 The Council conducts a full 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). The polling districts were replotted on the mapping and identified in the Register post that review.

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

8.4 For the purposes of clarification, the definitions of a polling district, place and station (mirroring the Electoral Commission and The Association of Electoral Administrators Guidance¹) 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.

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

8.6 This decision fixes the inaccuracies in the areas between polling districts, where some had inadvertently crossed ward or parish boundaries when set after the last full polling district review in 2019.

8.7 These incorrect boundaries are to be corrected to run coterminous with the relevant county division, district ward or parish boundary, thereby moving small numbers of properties from an incorrect polling district to the correct one. This potentially affected some electors (46 in the District elections and 13 in the County elections) run in May 2021 (as no elections were held in May 2020 due to covid). This is out of an electorate of circa 99,500. None of these errors would have affected the outcome of the poll and the results, as these are spread over the elections undertaken and have been checked against the relevant election result at the time. This information (candidates elected and numbers) are set out in Appendix A.

8.8 The changes do not relate to the allocation of polling places or stations to each individual polling district, which remain at this stage as set during the last full polling district review.

8.9 Full details of the changes being made are outlined in Appendix A.

9. LEGAL IMPLICATIONS

9.1. As these changes to the polling district boundaries relate only to local government elections, there is no national legislative procedure. Instead, it is determined by the Constitution of the local council to whom the Electoral Registration Officer / Returning Officer belongs.

9.2. 14.6.8 (b) (x) of the Council Constitution sets out the Service Director delegation powers. Within this, the delegated authority for '*Proposals to vary the boundaries of*

¹ 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?"

the Borough and Electoral Wards and Polling Districts' falls to the Service Director in consultation with the Executive Member for Community Engagement. Given any potential for conflict this decision is being taken in consultation with the Managing Director, having notified all relevant Executive Members/ Deputy and the Group Leaders. The Managing Director may do so by virtue of his delegated powers under section 14.6.5(a)(iv) in cases of emergency or urgency (where possible in consultation with the Leader of the Council) to carry out any Council or Executive function, power or duty.

- 9.3. Full Council also 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.
- 9.4. Furthermore, these changes need to be implemented by a re-publication of the Register of Electors. As per 9.5 and 9.6, such a re-publication requires that notification must be made to 2 local newspapers on 13 January 2022 (the Crow and the Comet) to allow sufficient time to publish the amended Register of Electors (see below).
- 9.5. The Electoral Registration Officer (ERO) has the right to publish a revised version of the electoral register as they see fit (Section 13(3) Representation of Peoples Act 1983), i.e. alterations to boundaries caused by an electoral review or a boundary review between local authorities. The ERO is also required to publish a revised open register at the same time. There is no requirement to publish a list of overseas electors.
- 9.6. The ERO is required to publish a notice at the respective local authority office and in a local newspaper 14 calendar days before any such revised register takes effect (Regulation 36 Representation of Peoples Regulations 2001) (RPR 2001).

10. FINANCIAL IMPLICATIONS

- 10.1. The subsequent republication of the Register of Electors has a minor indirect impact on the costs being recuperated for its sale and/or distribution.
- 10.2. The electoral register is available for supply free of charge in connection with electoral purposes; to facilitate the democratic process; and for the purposes of research, security, law enforcement and the prevention and detection of crime.
- 10.3. In addition the Electoral Register may be sold to eligible recipients (i.e. government departments and credit reference agencies) upon publication each year on 1 December, at which point recipients are charged for the full register as of 1 December, and subsequent monthly amendments throughout the year.
- 10.4. The Register of Electors will need to be re-published to reflect the amendments being made to Polling Districts, thereby raising the question of whether the full register should be sold and distributed as is usually the case when it is fully re-published.
- 10.5. The current statutory fees for the electoral and open register (Regulations 110 and 111 RPR 2001:

Data: £20 plus £1.50 per thousand entries (or part)

Paper: £10 plus £5 per thousand entries (or part)

10.6 However, due to the fact that these changes are correcting minor errors on our part, and with consideration for the small scale of the changes being made, it is suggested that no additional charges will be raised and the full Register shall be distributed in the same way that the regular monthly amendment for February would ordinarily have been.

10.7 There is also requirement to advertise the republication of the Electoral Register in a local newspaper. The cost to advertise the notice in both the Royston Crow and The Comet is £337.52 + VAT.

11. RISK IMPLICATIONS

11.1 If the amendments to the polling district boundaries were not corrected and the Electoral Register re-published could result in some electors voting in the wrong elections, and potentially affect the election results where seats are won/lost by small margins.

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 There are currently two district Councillor vacancies as well as a county Councillor vacancy, by-elections for which can be called at any time prior to the original elections scheduled in May 2022. To not remedy these inaccuracies by re-publishing the Register on 1 February would mean that the Registers used for any future nomination forms would be inaccurate.

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 changes highlighted mean that the affected electorate (and potentially any new dwellings/electorate) will be allocated to the correct polling district and vote in the correct election.

13. SOCIAL VALUE IMPLICATIONS

13.1. The Social Value Act and “go local” policy do not apply to this decision as 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 impacts.

16. BACKGROUND PAPERS

16.1 None.

17. APPENDICES

NOTIFICATION DATE

21.1.22

Signature of Managing Director Consulted 

Date 18.1.22.....


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. THIS IS A NON-EXECUTIVE DECISION.

Appendix A

Wrong Current PD	Correction PD to move to	Properties affected	Electors affected	Changes Details - (Electoral Areas)	District Cllr Elected (Majority)	District Councilor Elected (Majority)	County Councilor Elected	County Councilor Elected
AAA (Baldoock Town)	AAB (Baldoock Town)		8	13 The electors involved will be sent to a different polling station - still voting for the same ward.	Michael Weeks (Majority 193- 495 vs 302)	Michael Weeks (Majority 193- 495 vs 302)		
BBA (Hitchin Bearton)	BBD (Hitchin Bearton)		5	10 The electors involved will be sent to a different polling station - still voting for the same district ward. However, in regards to County elections, those electors will vote in a different Division - Hitchin North to Hitchin South	Ian Albert (Majority 728- 314 vs 586)	Ian Albert (Majority 728- 314 vs 586)	Judi Billing (County - Hitchin North) (Majority 1335- 2701 vs 1356)	Paul Clark (Hitchin South) (Majority 42 - 1930 vs 1888)
BCB (Hitchin Priory)	BEB (Hitchin Highbury)		7	14 The electors will vote in a different District ward - Priory to Highbury	Richard Thake (Majority 239- 787 vs 548)	Paul Clark (Majority 596- 346 vs 820)		
BCB (Hitchin Priory)	FLB (Hitchin Priory)		1	3 The electors involved will be sent to a different polling station - still voting for the same ward. However, in regard to parish elections those electors will vote in the St Ippolyts (North) parish which was (uncontested in 2021)	Richard Thake (Majority 239- 787 vs 548)	Richard Thake (Majority 239- 787 vs 548)		
BDA (Hitchin Walsworth)	BBC (Hitchin Bearton)		0	0 No electors are affected as there are no properties in the area (to date). Corrections to the district ward - Hitchin Walsworth to Hitchin Bearton.	Elizabeth Dennis-Harburg (Majority 112- 1154 vs 1042)	Elizabeth Dennis-Harburg (Majority 112- 1154 vs 1042)		
BDA (Hitchin Walsworth)	BDB (Hitchin Walsworth)		1	0 Any future electors who register at the affected property will be sent to a different polling station - still voting for the same ward.	Elizabeth Dennis-Harburg (Majority 112- 1154 vs 1042)	Elizabeth Dennis-Harburg (Majority 112- 1154 vs 1042)		
BDC (Hitchin Walsworth)	BDD (Hitchin Walsworth)		0	0 No electors are affected as there are no properties in the area (to date). Any electors will be sent to a different polling station - still voting for the same ward. However, in regard to County elections, electors would vote in a different Division - Hitchin North to Hitchin South	Elizabeth Dennis-Harburg (Majority 112- 1154 vs 1042)	Elizabeth Dennis-Harburg (Majority 112- 1154 vs 1042)	Judi Billing (County - Hitchin North) (Majority 1335- 2701 vs 1356)	Paul Clark (Hitchin South) (Majority 42 - 1930 vs 1888)
BEC (Hitchin Highbury)	BEB (Hitchin Highbury)		21	19 Any electors will be sent to a different polling station - still voting for the same ward.	Paul Clark (Majority 596- 346 vs 820)	Paul Clark (Majority 596- 346 vs 820)		
CCG (Letchworth South East)	Will form part of FEEA (Chesfield - Gt Wymondley) CCG previously sat within FEEA which surrounded it on all 4 sides		0	0 No electors are affected as there are no properties in the area (to date). Corrections to the district ward - Letchworth South East to Chesfield.	David Lovett (Majority 240- 956 vs 726)	Terry Tyler (Majority 1- 728 vs 727)		
CDA (Letchworth Wilbury)	CBA (Letchworth East)		1	0 Any future electors who register at the affected property will vote in a different District ward - Letchworth Wilbury to Letchworth East	Andy Allen (Majority 235- 771 vs 326)	Ian Mantle (Majority 244- 711 vs 457)		
DAB2 (Royston Meridian)	Will form part of DCB (Royston Palace)		5	8 The electors will vote in a different District ward - Royston Meridian to Royston Palace	Adam Compton (Meridian) (Majority 880 vs 579) [Meridian 1]	Sarah Dingley (Palace) (Majority 250 majority (708 vs 458)		
DBA (Royston Heath)	DBE (Royston Heath)		1	2 Electors will still be voting for the same ward but the property in incorrect polling district will be moved to sit with the rest of its street in DBE polling district	Ruth Brown (Pre 2019 - election 2022)	Ruth Brown (Pre 2019 - election 2022)		
DBB2 (Royston Heath)	Will form part of DCB (Royston Palace)		4	0 The electors will vote in a different District ward - Royston Heath to Royston Palace.	Adam Compton (Meridian) (Majority 880 vs 579) [Meridian 1]	Sarah Dingley (Palace) (Majority 250 majority (708 vs 458)		
DBD (Royston Heath)	Will form part of DCB (Royston Palace)		17	23 The electors will vote in a different District ward - Royston Heath to Royston Palace	Ruth Brown (Pre 2019 - election 2022)	Sarah Dingley (Palace) (Majority 250 majority (708 vs 458)		
DBE (Royston Heath)	DBB (Royston Heath)		0	0 No electors are affected as there are no properties in the area (to date).	Ruth Brown (Pre 2019 - election 2022)	Ruth Brown (Pre 2019 - election 2022)		
DCC (Royston Palace)	Will form part of DBA (Royston Heath)		1	1 The electors will vote in a different District ward - Royston Palace to Royston Heath	Sarah Dingley (Palace) (Majority 250 majority (708 vs 458)	Ruth Brown (Pre 2019 - election 2022)		
FB1 (Ermine - Barkway)	FC (Ermine - Barley)		1	0 This is split over 3 different polling district lines therefore FB1 Ermine - Barkway will follow the parish boundary line of FC Polling District of Barley parish, FB2 Polling District of Nuthampstead parish and FYA Polling District of Reed parish. Electors would vote at different stations. This will result in the electors affected voting in different electoral areas in parish elections				
FB1 (Ermine - Barkway)	FB2 (Ermine - Nuthampstead)		0	0 FB2 Polling District to follow the Nuthampstead parish boundary line and FC Polling District to follow the Barley parish boundary line				
FB1 (Ermine - Barkway)	FYA (Ermine - Reed)		1	2 FB1 Polling District to follow the Therfield parish boundary line and FM Polling District to follow the Kelshall parish boundary line. Polling District boundary to be expanded to incorporate land around Great Ashby district park				
FB2 (Ermine - Nuthampstead)	FC (Ermine - Barley)		0	0 FB2 Polling District to follow the Nuthampstead parish boundary line and FC Polling District to follow the Barley parish boundary line				
FBB (Ermine - Therfield)	FM (Ermine - Kelshall)		0	0 FBB Polling District to follow the Therfield parish boundary line and FM Polling District to follow the Kelshall parish boundary line.				
FDD1 (Weston & Sandon - Great Ashby)	Becomes section of Gt Ashby parish created by 2012 CCR		0	0 FDD Polling District to follow the Weston parish boundary line.				
FE (Weston and Sandon - Clothall)	FZ (Weston and Sandon - Rushden)		0	0 FE Polling District to follow the Clothall parish boundary line, the FZ Polling District to follow the Rushden parish boundary line and the FDD polling district to follow the Weston parish boundary line.				
FE (Weston and Sandon - Clothall)	FDD (Weston and Sandon - Weston)		0	0 FE Polling District to follow the Clothall parish boundary line, the FZ Polling District to follow the Rushden parish boundary line and the FDD polling district to follow the Weston parish boundary line.				
FGA (Chesfield - Graveley)	FEEA (Chesfield - Gt Wymondley)		0	0 FGA Polling District to follow the Graveley parish boundary line, FEEA to follow the Great Wymondley ward of Wymondley parish boundary line and FEEB to be Little Wymondley ward of Wymondley parish line				
FGA (Chesfield - Graveley)	FEEB (Chesfield - Little Wymondley)		0	0 FGA Polling District to follow the Great Ashby parish line and FGA Polling District to follow the Graveley parish line.				
FGA (Chesfield - Graveley)	FGA (Chesfield - Graveley)		0	0 FGB Polling District to follow the Great Ashby parish line and FGA Polling District to follow the Graveley parish line.				
FK (Cadwell - Ickleford)	FV (Hitchwood, Offa and Hoo - Pirton)		1	2 Electors will vote in a different district ward - Cadwell to Hitchwood, Offa & Hoo, as well as parish elections - Ickleford to Pirton	Sam North (Pre-2019)	Claire Strong (HW, Offa & Hoo) (Majority 649- 1436 vs 782)		
FM1 (Ermine - Kelshall)	Will form part of FM (Ermine - Kelshall)		3	3 The electors involved will be sent to a different polling station - still voting for the same district ward. However, in regards to County elections those electors will vote in a different Division - Royston East and Ermine to Royston West and Rural			Fiona Hill (East) (Majority 1062 majority (2591 vs 1255)	Steve Jarvis (West) (Majority 691 majority (2591 vs 1900)
FOA (Hitchwood, Offa & Hoo - Kings Walden)	FTB (Hitchwood, Offa & Hoo - Offley - Cockerhoo)		1	2 FOA Polling District to follow the Kings Walden parish boundary line and FTB to follow the Offley Cockerhoo parish boundary line. This will result in the electors affected voting in different electoral areas in parish elections				
FPB (Knebworth - Knebworth 2)	FPA (Knebworth - Knebworth 1)		1	3 Electors will still be voting for the same ward but the property in incorrect polling district will be moved to sit with the rest of its street in FPA polling district				
FW1 (Hitchwood, Offa and Hoo - Preston)	Will form part of: FQ (Hitchwood, Offa & Hoo - Langley)		1	2 Electors will vote in the same district ward, but a different parish				
FZ (Weston and Sandon - Rushden)	FE (Weston and Sandon - Clothall)		0	0 FZ Polling District to follow the Rushden parish boundary line, FE Polling District to follow the Clothall parish boundary line and FCC to follow the Wallington parish boundary line. Electors from the two affected properties will vote in a different parish election - Rushden to Wallington				
FZ (Weston and Sandon - Rushden)	FCC (Weston and Sandon - Wallington)		2	5 FZ Polling District to follow the Rushden parish boundary line, FE Polling District to follow the Clothall parish boundary line and FCC to follow the Wallington parish boundary line. Electors from the two affected properties will vote in a different parish election - Rushden to Wallington				
Total			81	112				