

South and Vale informal guidance - PARISH POLLS

PARISH POLLS – A SUMMARY

A Parish Poll provides an opportunity for local electors to express an opinion on a specific matter either by giving an answer to a question or an appointment to any office. They arise from Schedule 12 of the Local Government Act 1972 and are carried out in accordance with the Parish and Community Meetings (Polls) Rules 1987. The poll must be requested via a Parish Meeting which is distinct from a meeting of parish councillors.

Trigger

Paragraph 18 of Schedule 12 of the Local Government Act 1972 provides that a ballot of local government electors can be called on any question arising at a parish meeting.

At the Parish Meeting the poll can be demanded

- (a) With the consent of the person presiding at the meeting or
- (b) At the request of either 10 electors or one third of electors present and voting whichever is less

The request for a Poll cannot be subject to a vote at the meeting. It is only the wording of the question that can be voted upon.

Question

The poll may be on (a) a question or (b) the appointment to an Office. If a Poll is demanded on a question, the wording of the question can be debated and voted upon at the Parish Meeting.

The question agreed at the Parish Meeting will be replicated on the ballot paper. It is therefore important for the original motion and final agreed question to be phrased in such a way as to enable a **YES/NO** response to be given, and the question must not be vague or lend itself to double-negative

answers. The format of the ballot paper is prescribed in the Parish and Community Meetings (Polls) Rules 1987.

Once the wording has been agreed at the Parish Meeting it cannot be changed.

The proposer of the question becomes a key figure in the subsequent poll, and he or she will have many of the rights of a candidate at any other elections, including the appointment of polling agents to attend inside the polling stations and the appointment of counting agents to attend at the count. The proposer's name and address will need to be recorded by the clerk of the meeting.

The Chairman of the meeting must notify the Returning Officer at South Oxfordshire / Vale of White Horse District Council as soon as possible and give such particulars as will enable them to give notice of poll:

- (a) Date of parish meeting
- (b) Chair of parish meeting
- (c) Name and address of the Proposer
- (d) The question(s) agreed at the parish meeting

It is also helpful to receive a copy of the Parish Meeting minutes.

If the Parish Meeting validly requests a poll on more than one question then both/all polls will usually be held on the same day. This will normally be in the form of separate ballots for each question (one question per ballot paper) held on the same day.

KEY FEATURES OF A PARISH POLL

- There is no provision for the issue of poll cards.
- A Notice of Parish Poll will be displayed in the Parish not less than five days before the Poll, and also by the District Council on their website and at their offices.

- There is **no provision** for absent voting (i.e. voting by post or appointing a proxy to vote on your behalf). Polling therefore is **only** in person at the polling station.
- Only local government electors can vote at parish meetings and the poll.
- There is no provision for a Parish Poll request to be cancelled/revoked once the Parish Meeting has agreed it.
- Polling will be from 4pm to 9pm on the day fixed by the Returning Officer between 14 and 25 days (inclusive) after the poll was demanded.
- A Parish Poll cannot be combined with any other type of election (Section 15 Representation of the People Act 1985 and the Combination of Polls Regulations).
- The motion proposed and agreed at the Parish Meeting is reproduced as the question on the ballot paper. It is therefore important for the original motion to be phrased in such a way as to enable a **YES/NO** response to be given.
- The cost of a Parish poll has to be met entirely by the Parish Council or Parish Meeting concerned under Section 150(7) of the Local Government Act 1972 and an invoice will be raised in due course.
- The result is **not** binding on the Parish, Town or Community Council, however the subject of the poll must be within the remit of the Parish Council.

CALLING THE PARISH MEETING

Section 9 of the Local Government Act 1972 states that ‘for every parish there shall be a parish meeting for the purpose of discussing parish affairs and exercising any functions conferred on such meetings by any enactment...’
Section 13 of the Act states that ‘the parish meeting of a parish shall consist of the local government electors for the parish’.

A parish meeting can be called by the Chairman of the Parish Council, two parish councillors or six local government electors for the parish. Seven days notice has to be given.

It is for the Parish to ensure that the meeting is called and conducted in accordance with all relevant legislative and procedural requirements.

AT THE PARISH MEETING

The chairman of the parish council is entitled to attend, and if he/she is present, he/she shall preside over the meeting. If he/she is absent, the vice-chairman (if any) shall, if present, reside. If the chairman and vice-chairman are absent, the meeting may appoint a person to chair the meeting.

If 10 electors or 1/3 of those present requests a parish poll, one has to be held. This request is absolute. There is no vote; it is a request that has to be actioned.

The meeting does, however, vote on the question which is to be put in the poll, and each local government elector present may give one vote and no more on any question.

There is no requirement for the Clerk to the Parish Meeting to record the names and addresses of all those electors, but the request must be from local government electors for that parish. The Parish Clerk can request a copy of the current Register of Electors for the Parish from the Electoral Registration Officer for the purposes of “establishing whether any person is entitled to attend and participate in a meeting or take any action on behalf of the parish or community as the case may be”.

Immediately following the meeting, notification should be sent to the Returning Officer stating that the motion has been passed along with the proposer's name and address.

If the Parish Meeting passes more than one question/motion, then each shall be treated as a separate poll. Once passed, a motion cannot be cancelled and must proceed to poll.

THE POLL

The poll will be run in accordance with The Parish and Community Meetings (Polls) Rules 1987 (as amended by the Parish and Community Meetings (Polls) (Amendment) Rules 1987):

- A Parish Poll must be held within 14 and 25 working days of the date of the parish meeting when the parish poll was demanded.
- Voting will be in person only between the hours of 4pm and 9pm.
- The ballot paper will require the elector to answer "yes" or "no" to the question.
- The most recently published Register of Electors will be used for the poll.
- All local government electors in the Parish are entitled to vote - there are no provisions for a ward poll.
- Only the Returning officer, their clerks, the proposer of the question and electors are entitled to enter the polling station.
- The proposer can appoint a polling agent up to 3 days before the date of the poll.

THE COUNT

The proposer is the only person entitled to attend the count along with the Returning Officer and their clerks. However, the Returning Officer may invite additional persons to attend.

The proposer can appoint a counting agent up to 3 days before the date of the poll.

The count will normally be held immediately after the close of poll, at the discretion of the Returning Officer.

There is no provision for any attendees to call for a recount.

The declaration of result will be posted at the count venue and on the District Council's website. A copy will be sent to the Proposer, the Parish Clerk and the Chair of the Parish meeting.

FURTHER GUIDANCE

This guidance note has been provided to assist parish councils with basic guidance. The Returning Officer at South Oxfordshire and Vale of White Horse District Councils is not permitted to advise Parish, Town, or Community Councils.

Should a parish need further guidance or advice then they should seek their own independent advice or contact the Oxfordshire Association of Local Councils (OLAC) <https://www.oalc.org.uk/>

The Returning Officer accepts no responsibility for guidance provided in this document – it is for the Parish to satisfy themselves that their actions are compliant with all relevant legislation.

The Parish and Community Meetings (Polls) Rules 1987

<https://www.legislation.gov.uk/uksi/1987/1/contents/made>

The Parish and Community Meetings (Polls) (Amendment) Rules 1987

<https://www.legislation.gov.uk/uksi/1987/262/contents/made>

Local Government Act 1972

<https://www.legislation.gov.uk/ukpga/1972/70/contents>

NALC – Legal Briefing L18-07 Parish Polls, 13 November 2007

<https://researchbriefings.files.parliament.uk/documents/SN03409/SN03409.pdf>

[f](#)

Reviewed September 2021