

**LINCOLNSHIRE COUNTY COUNCIL
ELECTION MEETINGS: USE OF SCHOOL
AND COMMUNITY PREMISES
POLICY**

During the election period, any candidate is entitled to use of:-

- a suitable room in a community, foundation or voluntary school;
- or other suitable meeting room the cost of maintaining which is payable wholly or mainly out of public funds or out of any rate, or by a body whose expenses are so payable

to hold a public meeting in furtherance of their candidacy. A candidate must provide reasonable notice of their wish to utilise such facilities.

This right is set out in section 96 and paragraph 1(1) of Schedule 5 to the Representation of the People Act 1983.

This provision does not permit a candidate to exercise their right if it would interfere with the hours during which a school room is used for educational purposes or another suitable community room if it would interfere with the person maintaining the room or any prior agreed letting.

Arrangements for the use of a room in a school maintained by Lincolnshire County Council must be made with the County Council.

Arrangements for the use of a room in a foundation or voluntary aided school must be made with the governing body of the School.

The rights contained within section 96 of the 1983 Act do not apply to an Academy School.

This Policy applies to the use of rooms in maintained schools or other premises maintained by Lincolnshire County Council.

Lincolnshire County Council, whilst aware of the rights of candidates under the Representation of the People Act 1983, is also bound in the exercise of its functions to have regard to the public sector equality duty set out in the Equality Act 2010.

Under section 149 of the Equality Act 2010, the County Council has a duty to have due regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act.

- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.

Lincolnshire County Council will therefore have regard to the above considerations in considering any application to make arrangements for use of a school or other County Council funded meeting room.

If the proposed use of the room does not meet the requirement of section 96 of the 1983 Act or having regard to the public sector equality duty the Council does not consider it would be appropriate a request to make arrangements for use of a room may be refused.

Any decision to refuse a candidate the right to use a room will be made in writing, detailing the reasons for that decision. Any candidate aggrieved by the decision may appeal in writing to the Chief Executive within 14 days of receipt of notification of the decision.

Under the 1996 Act the candidate must defray:-

- (a) any expenses incurred in preparing, warming, lighting and cleaning the room and providing attendance for the meeting and restoring the room to its usual condition after the meeting; and
- (b) any damage done to the room or the premises in which it is situated, or to the furniture, fittings or apparatus in the room or premises.

All candidates, regardless of which political party they belong to or represent, must agree to the following terms and conditions when using a school room or any other meeting room.

Candidates or the political party must provide proof of a valid insurance policy for damage to the premises or a returnable deposit, to be determined by Lincolnshire County Council or the relevant school.

They are also responsible for returning the room to its usual condition at the conclusion of the meeting.