

## SCHEDULE 5

### THE NEIGHBOURHOOD PLANNING REFERENDUMS (COMBINATION OF POLLS) RULES

#### PART 5

##### The Poll

###### **Voting by persons with disabilities**

**29.**—(1) If a voter or proxy makes an application to the presiding officer to be allowed, on the ground of—

- (a) blindness or other disability; or
- (b) inability to read,

to vote with the assistance of another person by whom the voter or proxy is accompanied (in these Rules referred to as “the companion”), the presiding officer must require the voter or proxy to declare, orally or in writing, whether the voter or proxy is so incapacitated by blindness or other disability, or by the voter or proxy’s inability to read, as to be unable to vote without assistance.

(2) If the presiding officer—

- (a) is satisfied that the voter or proxy is so incapacitated or unable to read; and
- (b) is also satisfied by a written declaration made by the companion (in these Rules referred to as “the declaration made by the companion of a voter or proxy with disabilities”) that the companion—
  - (i) is a qualified person within the meaning of this rule; and
  - (ii) has not previously assisted more than one voter or proxy with disabilities to vote at the referendum,

the presiding officer must grant the application, and then anything which is by these Rules required to be done to or by that voter or proxy in connection with the giving of their vote may be done to, or with the assistance of, the companion.

(3) For the purposes of these Rules, a person is a voter or proxy with disabilities if that person has made such a declaration as is mentioned in paragraph (1), and a person is qualified to assist a voter or proxy with disabilities to vote if that person—

- (a) is a person who is entitled to vote on their own behalf at the referendum; or
- (b) is the father, mother, brother, sister, spouse, civil partner, son or daughter of the voter or proxy and has attained the age of 18 years.

(4) The name and number in the register of electors of every person whose vote is given in accordance with this rule and the name and address of the companion must be entered on a list (in these Rules referred to as “the list of voters or proxies with disabilities assisted by companions”).

(5) In the case of a person voting as proxy for a voter, the number to be entered together with the proxy’s name is the number in the register of the voter.

(6) In the case of a person in respect of whom a notice has been issued under section 13B(3B) or (3D) of the 1983 Act, paragraph (4) applies as if for “in the register of electors of every person” there were substituted “relating to every person in respect of whom a notice has been issued under section 13B(3B) or (3D) of the 1983 Act”.

(7) The same list may be used for the referendum and each relevant election and, where it is so used, an entry in that list means that the votes were so given in respect of the referendum and each relevant election, unless the list identifies the relevant election or the referendum at which the vote was so given.

- (8) The declaration made by the companion of a voter or proxy with disabilities—
- (a) must be in the form set out in Form 14 in the Appendix;
  - (b) must be made before the presiding officer at the time when the voter or proxy applies to vote with the assistance of a companion; and
  - (c) must forthwith be given to the presiding officer who must attest and retain it.
- (9) No fee or other payment may be charged in respect of the declaration.