

**COUNCIL
24 SEPTEMBER 2003**

**CONSULTATIONS BY THE ELECTORAL COMMISSION
(Report of the Electoral Review Committee)**

1. INTRODUCTION

- 1.1 At the last meeting of the Council on 23 July, the Electoral Review Committee was requested to consider the Electoral Commission's consultation paper on the *Cycle of Local Government Elections in England* and to report its recommendations to the Council for approval. These are set out in Section 3 of this report below.
- 1.2 The Committee has also considered the Electoral Commission's consultation paper, *How Old is Enough?*, which relates to proposals for changes in voting age and the age of candidacy. The Committee's response is set out in Section 4 of the report. The Committee also considered two other reports, which set out proposals from the Electoral Commission and in each instance, the Committee is recommending that observations be made on these proposals. These observations are set out in Sections 5 and 6 of this report.
- 1.3 The Committee considered these reports at its meeting on 10 September, 2003. In addition to the Chairman, Councillor McLean, Councillors Mrs Ballin, Barnard, Beadsley, Finnie (substituting for Councillor Brunel-Walker), Leake and Worrall were present at the meeting.

2. RECOMMENDATION

- 2.1 That in relation to the Electoral Commission's consultation paper, *the Cycle of Local Government Election in England*, the Commission be advised of the views as set out in paras 3.3.1 – paragraphs 3.3.9 of this report.
- 2.2 That in relation to the Electoral Commission's consultation paper, *How Old is Enough?*, the Commission be advised of the views as set out in paragraph 4.2 of this report.
- 2.3 That the Committee's observations in relation to the Electoral Commission's proposals on postal voting (paragraph 5.2) and on candidates and parties (paragraphs 6.2 – 6.3) be made to the Commission.

3. SUPPORTING INFORMATION

Cycle of Local Government Elections in England

- 3.1 In July 2003 the Electoral Commission published its consultation paper: *The Cycle of Local Government Elections in England*. One of the reasons for the Electoral Commission issuing this consultation paper is that the current cycle of elections in England is far from straightforward and might deter voter turnout. Although all councillors serve for four years, there is no clear or consistent pattern of elections

across the country or from council to council, with electors in different areas voting between one and four times in each four-year electoral cycle. For example:

- In 27 of the 46 unitary authorities, whole council elections are held every four years, with the remaining 19 councils electing one third of their seats in each of the first three years of the electoral cycle, with no elections in the fourth year.
- In 149 of the 238 shire district councils, whole council elections are held every four years, with 83 councils electing one third of their seats in each of the first three years of the electoral cycle, with no elections in the fourth year and 6 councils electing their councillors by halves every two years.
- The 34 county councils in England elect all their members once every four years.
- In the 36 metropolitan boroughs there are elections by thirds in each of the first three years of the electoral cycle, with no elections in the fourth year.
- The 32 London boroughs elect all their members once every four years.

3.2 The timing of election cycles also differs. For the unitary and shire district authorities, operating whole council elections, the electoral cycle (with one exception) runs from 2003, with elections in 2007, 2011 etc, with parish council elections taking place at the same time. For county councils the next round of elections takes place in 2005, with subsequent elections in 2009, 2013 etc. The cycle in London Boroughs runs from 2002, with subsequent elections in 2006, 2010 etc.

3.3 The Commission posed eight questions and the views of the Committee on each of these are set out below.

Q1. Should there be a more uniform pattern of local government electoral cycles in England? If so, why?

3.3.1 The Committee concluded that all councils should have their local elections on the same day in the same year across the country, with councillors continuing to be elected for a four year term. This would lead to a consistent and simple approach and avoid some of the confusion among electors as to whether there were local elections in their particular area. This would also provide an opportunity for all electors to express a view on a given day and highlight local government issues. This was likely to promote increased interest and possibly, as a result, turnout.

3.3.2 The Committee's preference for whole council elections as opposed to elections by thirds was based on the arguments set out in the Electoral Commission's consultation paper, namely:

- Greater possibility of wholesale change in control may encourage participation;
- Too-frequent elections may dilute public interest;
- Opportunity for all electors in an area to influence the composition of the authority at the same time;
- May tend to encourage greater long-term planning by authorities and discourage continuous election campaigning.

3.3.3 Of these arguments, the Committee felt that the final point was of particular importance, as evidence suggested that where authorities were prone to frequent changes in political administration, councils could not plan beyond the immediate short term, potentially stifling the decision making process. The Committee also believed that as there increased costs in holding elections more often than every

four years, there would put less demand on public funding with whole council elections.

Q2. To what extent should local preferences be taken into account when considering future arrangements for local government electoral cycles?

- 3.3.4 Local preferences should not be taken into account in determining the electoral cycles, for the reasons stated in the paragraphs above.

Q3. Should the current four-year term of office for local councillors be retained? If not, why?

- 3.3.5 The four year term of office should be retained for councillors.

Q4. In areas with more than one tier of local government, should elections to different levels continue to be staggered, or held at the same time? Why?

- 3.3.6 As this does not apply to Bracknell Forest, the Committee did not express a view on this particular question.

Q5. In developing options for change to the current local government electoral cycle, should the Commission consider the possible future combination of local government elections in England with other national or European elections? If so, why?

- 3.3.7 The Committee believed that there should be single day for local government elections and this should not be combined with national or European elections. This would enable the electorate to focus on local government issues and aim to prevent national, or even European, issues from affecting the outcome of local elections.

Q6. Does the local authority have any comments or further evidence on the evidence which the Commission has gathered? In particular, we would value any practical experience or local examples of the issues discussed.

- 3.3.8 The Committee compared the levels of turnout in Bracknell Forest Borough (whole council elections) and neighbouring Wokingham District (elections by thirds) at the May 2003 elections and referred to the higher levels of turnout in Bracknell Forest. This would support the argument for the introduction of whole council elections as the standard.

Q7. In addition to the arguments outlined in the report, are there any other relevant issues which the Commission should take into account?

- 3.3.9 Central government would be unlikely to adopt a system of annual elections or elections by thirds. Extending this principle, local government should be accorded the same status as central government and elections should be held every four years to enable councils to plan and implement policies over an appropriate time span.

Q8. In considering the simplification of the local government electoral cycle, which issues or arguments are the most important? Why?

- 3.3.10 The Committee's view is that consistency, simplicity and ease of understanding of the electorate were the most important arguments.

4. HOW OLD IS ENOUGH?

- 4.1 Currently individuals have to be at least 18 years old to vote and 21 to stand as a candidate in any election. The Electoral Commission's consultation paper, *How Old is Enough?*, in the light of a declining rate in the participation of young people in elections, posed several questions relating to age both for voting in elections and for standing as a candidate. Whilst a survey had estimated only 39% of 18-24 year olds had participated in the 2001 general election, a separate survey had found nearly 30% of 15-17 year olds being either very or fairly interested in politics.
- 4.2 For reasons of simplicity and consistency, the Committee's view was that the age of candidacy should be harmonised with the age of voting at 18 years, and again for reasons of consistency and simplicity should be the same for all local, national and European elections. The Committee did not feel that the voting age (or the age of candidacy) should be lower than 18 years, as this appeared to be the standard age in many other countries.

5. THE SHAPE OF ELECTIONS TO COME

- 5.1 The Committee considered a report on the Electoral Commission's findings (*The Shape of Elections to Come*) on the 59 electoral pilot schemes, which had taken place in May 2003. Half of these schemes had been "all-postal vote" elections, which had led an average turnout of 50%, with only limited evidence of any fraud. As a result, the Commission was recommending further initiatives in this area such as the replacement of the current declaration of identity with a new security statement; individual instead of household registration; and the introduction of staffed delivery points for postal votes. Other pilot schemes had related to electronic voting, where the Electoral Commission had concluded that this could not be viewed as a means of securing short term increases in turnout, although such methods had been appreciated by those who had used them. The Commission was recommending further work on electronic voting.
- 5.2 The Committee's concerns related to the probity and security in operating postal voting and in particular the opportunities for impersonation. Whilst there had been some evidence of fraud elsewhere, but no evidence of fraud in Bracknell Forest, there were perceptions that the postal voting system could be abused, and such perceptions would need to be addressed in stringent, but simple and practical proposals from the Commission.

6. VOTING FOR CHANGE: AN ELECTORAL LAW MODERNISATION PROGRAMME

- 6.1 In its report, *Voting for Change*, the Electoral Commission focuses on modernising electoral law and calls for a number of important changes to be made before the next general election. The Commission argues that the changes aim to remove some of the practical obstacles to voting whilst at the same time enhancing the security of the election process. The proposals affect four particular areas: electoral registration; voting procedures; the role and performance of political parties; and candidates and parties.
- 6.2 In relation to candidates and parties, the Committee was concerned particularly by the Commission's proposals for the reintroduction of descriptions for independent candidates, as changes in legislation in recent years had prevented abuses in candidate descriptions and any relaxation of this would again create the potential for abuses. A proposal to allow parties to register for local elections only is not

supported, as in general the principles of consistency should be applied to both local and national elections.

- 6.3 The Committee does not support the proposal for the abolition of the candidate's deposit for general elections. This, together with the names of multiple subscribers at general elections, represented a declaration of serious intent on the part of the candidate at a general election. The replacement of the existing system of subscribers, both at local elections, was not supported, as obtaining the support of subscribers again demonstrated an indication of the weight of the candidate's intent.

**Councillor Robert McLean
Chairman**

Background Papers

Agenda for the Electoral Review Committee 10 September 2003-09-15

Contacts for Further Information

Alex Jack (01344 355679)

Alex.Jack@bracknell-forest.gov.uk

Daphne Gray (01344 352024)

Daphne.Gray@bracknell-forest.gov.uk