



REPORT TO EXECUTIVE

Agenda item 16(d)

PORTFOLIO AREA: Community Activities

Date of Meeting: 19th December, 2002

Public Yes

Key Decision: No

Recorded in Forward Plan: No

Inside/Outside Policy Framework

Title: ELECTIONS 2004
Report of: Head of Legal and Democratic Services
Report reference: LDS 03/02

Summary:

The Government has published a consultation paper on its proposal to move the date of local elections scheduled for 6th May, 2004 so that they take place at the same time as the European Parliamentary election on Thursday 10th June, 2004. Interested parties have been invited to submit their views by 31st January 2003 on this proposal and also on the suggestion that voting should take place at weekends.

This Report explains the reasons for the proposals and the implications for the Council.

Recommendation:

Members are invited to respond to the Government's consultation paper.

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Introduction

- 1 The Government has published a consultation paper on its proposal to move the date of local elections scheduled for 6th May, 2004 so that they take place at the same time as the European Parliamentary election on Thursday 10th June, 2004. City and parish elections will be held in that year in the following areas:

City wards - twelve urban wards, together with Brampton, Dalston, Great Corby and Geltsdale, Hayton and Wetheral

Parishes - Brampton, Carlatton and Cumrew, Castle Carrock, Cumwhitton, Hayton and Wetheral

- 2 The Government has taken steps in recent years to encourage participation in the democratic process but is concerned that the holding of two separate elections within the space of five weeks could have a negative impact on turnout. The Government sees the benefits of combining the local and European Parliamentary elections as:

- it will be more convenient for voters to have to visit the polling station only once;
- it will reduce costs incurred by local authorities, returning officers and political parties in distributing election material, contacting voters, canvassing and holding the polls themselves; and
- those responsible for voter awareness campaigns will be able to concentrate their efforts in increasing awareness of one single election day.

- 3 The Government has also suggested that another means of making it more convenient for people to vote would be to hold elections at weekends.

- 4 View are sought from interested parties by 31st January, 2003 on the following questions:

(a) do you agree with the proposal to postpone the local elections in 2004 from 6th May to 10th June so that they are combined with the European Parliamentary elections?

(b) what practical issues do you foresee in combining most effectively local (and where applicable, parish) elections with the European Parliamentary elections?

(c) what action do you think should be taken to address these practical issues (whether by local authorities, central Government or the Electoral Commission)?

(d) what is your view about the proposal to move elections to a weekend?

Yes
agree
proposed
note pract.
implications
annual council
& council elections
also election
arrangements

Euro elects.
Council on
Dunbar Boundary
not problem.
Future separate Ballot boxes

no proven
increase in
turnout
to justify extra cost.

Statutory Powers

- 5 Under the provisions of the Local Government Act 1972, local elections take place on the first Thursday in May. An amendment to primary legislation would therefore be required to give the Government power to make an Order to change the date of the 2004 elections and to make consequential amendments to other relevant legislation. The Government did consider the possibility of bringing forward the European Parliamentary election to 6th May, 2004. However, this would require agreement with the other European Union members and no such agreement has been reached.
- 6 Before exercising any order-making power for changing election dates, the Government intends to give careful consideration to the responses to this consultation.

Moving the Election Date - Practical Issues

- 7 Combination of the local and European Parliamentary elections in 2004 would have implications not only for the administration and financing of the City and parish elections but also for the term of office of those Councillors due to retire in 2004 and the cycle of meetings. These issues are considered separately below.

Election Organisation

- 8 There are a number of practical issues that arise when different types of elections are combined on the same day, as follows:

Responsibility of Returning Officer

- 9 The Town Clerk and Chief Executive is Returning Officer for City and parish elections within the City Council's area. At European Parliamentary elections, which has regional constituencies, he also acts as Local Returning Officer for any UK parliamentary constituency for which he is Acting Returning Officer i.e. Carlisle constituency (comprising the 12 urban wards and Dalston ward). Responsibility for administering the European election within the City part of Penrith and the Border constituency lies with the Acting Returning Officer for that parliamentary constituency i.e. the Chief Executive of Eden District Council.
- 10 When such elections are combined, responsibility for conducting the poll at both elections passes to the Returning Officer for the European election. Under current arrangements, if the City and European elections were combined in 2004, the Chief Executive of Eden District Council would be responsible for the combined poll (but not the local election count) in those rural City wards within the Penrith and the Border constituency.

- 11 While there is no question that the Returning Officer of Eden District Council does not have the resources to organise the poll in the whole of Penrith and the Border constituency, it would be more efficient if the European Parliamentary election were organised on a local government District basis rather than by parliamentary constituency. The Returning Officer for the City would then retain responsibility for the whole election process in all City wards and parishes, and Eden District Council would be free of any local election involvement, having no scheduled District elections of its own in 2004.

Count Arrangements

- 12 While it is proposed that both polls be held on Thursday 10th June, the count in the European parliamentary election cannot commence until the polls have closed in all the other European Union Member States i.e after 9.00 p.m. on the following Sunday. The local election count would therefore take place after the close of poll on Thursday and the European ballot papers stored until the count on the Sunday evening.
- 13 The current election rules say that when national and local polls are combined, the same ballot box must be used at both elections. In practice this means that the ballot boxes from polling stations in rural City wards in Penrith and the Border constituency would be delivered to the Returning Officer in Penrith where they would be opened and the City and parish ballot papers verified and returned to Carlisle for counting.
- 14 While the count process inevitably takes longer when polls are combined, there is further delay (and possibility of error) when ballot papers are not delivered directly to the final count centre but are sorted and verified at another venue first. This is another argument in favour of District based European elections, thus avoiding overlapping responsibilities between Returning Officers. The situation would also be exacerbated if weekend voting were introduced (see paragraphs 20 - 22).

Funding Arrangements

- 15 The cost of City and parish elections (except parish by-elections) are met by the City Council. European parliamentary elections are funded by central government. If the elections were combined, many of the costs would be shared e.g. issue of poll cards and postal votes; hiring, staffing and setting-up polling stations; organising the count etc. Savings to the Council would be likely to be in the order of £25,000 (at current prices) on average annual election expenditure of approximately £65,000.
- 16 From a financial point of view, combination of the elections would therefore be beneficial both to the Council and central government. Accounting procedures are, however, more complex when costs have to be apportioned between different funding sources. Again, the whole process would be more efficient if the European election were administered at a District rather than parliamentary constituency level.

Voter Awareness

- 17 Electors would need to be made aware that the date of the local elections had been changed. The Electoral Commission has responsibility nationally for voter education and raising awareness of electoral issues. Given proper funding, the Commission is best placed to give wide publicity to the change of date of the local elections. This could be supplemented by local initiatives over and above the statutory publication of election notices and issue of poll cards.

Constitutional Issues

- 18 The term of office of Councillors elected for four years in 1999 would ordinarily expire four days after election day in 2004, i.e. the Monday following polling day, when the term of office of the newly elected Councillors (and existing members returned for a further term) would commence. If the local election date were postponed to 10th June 2004, legislation would have to provide for an extension of members' term of office until after that date. The term of office of those elected in 2004 would be correspondingly shorter.
- 19 Under the Council's constitution, the annual meeting of the Council takes place within 21 days of the retirement of the outgoing Councillors. If the 2004 local elections are moved to 10th June, the annual meeting would take place by the end of that month instead of mid-to-late May. As a consequence, the cycle of ordinary Council meetings and meetings of the Executive and committees would have to be reviewed.

Weekend Voting

- 20 In their evaluation of previous electoral pilot schemes, the Electoral Commission recommended that voters' preference for voting at weekends instead of on Thursdays should be tested. The Government agreed that weekend voting should be tried, in view of the potential benefits:
 - since most people have more leisure time at the weekend, electors would have more opportunity to come out and vote;
 - for the election to the European Parliament, it would mean that UK elections were held, for at least one day, on the same day as most other Member States.
- 21 The Government has previously made it clear that if weekend voting ever became part of the national arrangements, it would be necessary to ensure that it took place on both days in order to accommodate the needs of religious observance of any group who could, or would not wish to, vote on a Saturday or a Sunday. If weekend voting were introduced on this basis, the Government points to significant consequences, including
 - possible practical difficulties in recruiting staff for two days rather than one, and in finding suitable accommodation;

- higher costs from weekend staffing;
 - without first conducting pilots, it would be difficult to know whether the benefits of higher turnout would be sufficient to outweigh the extra costs;
 - further changes to primary legislation would be required.
- 22 It is considered that the Government's reservations about moving to weekend voting without being fully tested first are entirely justified. Staff recruitment is likely to be more difficult and more expensive and suitable polling venues may be harder to find, particularly for two consecutive days. While closure of schools for election purposes would not be an issue, Church halls and other community buildings may not be as readily available at weekends as they are during the week. Additional measures would also be required to ensure the security of a poll conducted over two days.

Recommendation

- 23 Members are invited to respond to the Government's consultation paper.