27 July 2016	Appendix 1
Council	
Review of Electoral Arrangements	
Wards and communities affected: All	**Key Decision:** Key
Report of: Cllr Shane Hebb, Cabinet Member for Finance & Corporate Operations	
Accountable Head of Service: Fiona Taylor, Director of Law & Governance	
Accountable Director: Lyn Carpenter, Chief Executive	
This report is Public	

Executive Summary

This report provides background information to enable the Council to make a decision on the recommendation received from Corporate Overview and Scrutiny Committee that Full Council should consider consulting with the communities in Thurrock on potential changes to the Council's electoral arrangements.

1. Recommendation(s)

1.1 That a public consultation exercise be undertaken in accordance with the statutory requirements, relating to proposals to change the cycle of electing councillors to Thurrock Borough Council from elections by thirds to whole-Council elections with effect from May 2018.

2. Introduction and Background

2.1 On the 2 February 2016, as part of its planned work programme Corporate Overview and Scrutiny Committee considered an extensive report prepared by officers on "Review of Electoral Arrangements and Existing Boundaries"

2.2 This report advised of the ability of the council to change its electoral cycle and opt for whole-council elections, rather than by the current method of election by thirds. It also set out in detail the issues and options associated with moving to whole-council elections, the notional costs/savings of such a change together with the relative advantages and disadvantages of each method of conducting elections. The Committee were asked to consider the information provided and decide whether a change to the current electoral cycle should be recommended. The full Committee report and relevant minute may be found at **Appendix 1** of this report.

Whole-Council Elections

2.3 At present the Council is elected by thirds, with one third of the councillors elected at a time. Under the four-yearly election option, all the seats on the Council would be up for election at the same time and the Borough Council elections would be held once every four years. At a meeting of Council held on 22 October 2014, consideration was previously given to a Motion also suggesting moving to whole-Council elections, but it was resolved not to change the electoral arrangements at that time. As indicated above the current recommendation has come forward from the work of Corporate Overview & Scrutiny Committee in February 2016.

2.4 The Local Government and Public involvement in Health Act 2007 ("The Act"), as amended by the Localism Act 2011, sets out a number of provisions in relation to elections including one enabling councils to vary their cycle of elections. The Act allows councils that elect by thirds to move to whole-Council elections. However, the law does not permit councils to move from elections by thirds to elections by halves.

2.5 In 2004, the Electoral Commission published a paper entitled "The Cycle of Local Government Elections in England: Report and Recommendations". Although the report is now some years old, the research and recommendations are still pertinent to the decision faced by the Council. The main arguments for partial/whole-Council elections were identified in the Commission's consultation document (2003) as follows:

For partial elections – the existing status quo:

- More frequent opportunities for electors to exercise their right to vote.
- May facilitate more immediate political accountability, although unlikely to make larger; wholesale changes to the council's ruling administration.
- Tends to produce less drastic changes in political direction, and provide greater political continuity.
- May reduce the likelihood that the timing of important or controversial decisions are distorted by the timing of elections.

For whole Council elections:

- Greater possibility of wholesale change in control is likely to encourage additional voter participation in local elections.
- Too frequent elections might dilute public interest.
- Opportunities for all electors in an area to influence the composition of the authority at the same time.
- Encourages greater long-term planning by authorities, and discourage continuous election campaigning/regime change.

2.6 The Commission also acknowledged that the costs to local authorities of running whole-Council elections would be less than those incurred by holding elections by thirds (see paragraph 7 for financial implications).

2.7 The Commission concluded that a pattern of whole-Council elections for all authorities in England would provide a clear, equitable and easy to understand electoral process which would best serve the interests of local government electors. The Commission recommended that each local authority in England should hold whole-Council elections, with all Councillors elected simultaneously, once every four years.

2.8 The Commission has provided information on the electoral cycle of local authorities in England, which shows that 38 out of the 56 unitary authorities currently have whole-Council elections (over 66% of all unitary councils across the borough). All of the London Boroughs and County Councils have whole-Council elections and 128 (out of the 201) of the second tier district authorities have this form of election. All of the Metropolitan districts are on elections by thirds.

2.9 If, the Council was minded to move towards holding four-yearly elections, then a public consultation exercise would need to be undertaken before any final decision was made. The legislation does not specify the type of consultation that should be carried out or how long the consultation process should take. However, the good practice guidance on consultation exercises suggests that a 12 week consultation period would be appropriate. The intention would be to use the following forms of consultation:

1. Website – Information about the process to be placed on the website with the ability for members of the public to complete an online survey (hard copies will be available on request and placed in libraries).
2. Issue press release and use of other communication channels to promote the consultation e.g. social media.
3. Consultation with Elected Members, local Members of Parliament.

2.10 Following the conclusion of the consultation period, if it is decided to move to all out elections, an Extraordinary meeting of Council will be needed to pass a resolution to change to whole-Council elections. There is a requirement that the resolution must be passed “by a majority of at least two thirds of the Members voting on it” (Section 33 (3) (b) of the 2007 Act). The resolution would need to specify the year the elections would be first held.

2.11 If, at the Extraordinary meeting, it is decided to move to whole-Council elections, then as soon as reasonably practicable, an explanatory document has to be produced setting out details of the new electoral arrangements. In addition, the Electoral Commission would need to be advised that the Council has passed a resolution to change to all-out elections.

Timing

2.12 The suggested recommendation proposes a move to publically consult about potential moves to whole-Council elections which would take effect in 2018.

The Department for Communities and Local Government has confirmed that a change in the electoral cycle could take place in any year.

3. Issues, Options and Analysis of Options

3.1 The Council is not obliged to move to whole-Council elections. The provisions in the governing legislation are not prescribed and the Council may choose to retain the system of holding elections by thirds should it wish to do so. However, the law does not allow the Council to move from elections by thirds to elections by halves.

The cost of running local elections

3.2 Under the current system of electing by thirds, the cost of running a local election has been estimated as follows:

- Local election, not combined with another election (see 2018 on the current timetable of elections) £200,000
- Local election, combined with another election (see 2016 and 2019 on the current timetable of elections) £120,000
- Local election, combined with two other elections (see 2020 on the current timetable of elections) £100,000

3.3 The cost of running a whole-council local election has been estimated as follows:

- Local election, not combined with another election (for example 2017 /18 and 2021 /22 on the proposed revised timetable) £230,000

3.4 If the council moved to whole-council elections from May 2017, and every four years thereafter, the next scheduled local election would take place in 2021. It should be noted that the local elections would not be combined with the Parliamentary elections.

3.5 It has been estimated that, under the current system of electing by thirds, the cost of holding local elections in each applicable year from 2016 to 2021 will be in the region of £540,000.

Cost	2016-17	2017-18	2018-19	2019-20	2020-21	Estimate cost to 2020/21
	Local	-	Local	Local	Local	
	-	-	-	-	General	
	-	-	-	European	-	
	PCC (Police Crime and Commissioner)	-	-	-	PCC	
Cost to Local Authority	**120,000**	**0**	**200,000**	**120,000**	**100,000**	**£540,000**
	Referendum 2016					

3.6 The estimated cost of holding local elections in the same time period under a whole-council system starting in **May 2017** would be in the region of £350,000, an estimated saving of £190,000 as shown below:

Cost	2016-17	2017-18	2018-19	2019-20	2020-21	Estimate cost to 2020/21
	Local (by thirds)	Local (whole council)	-			
	-	-	-	-	General	
	Referendum		-	European	-	
	PCC	-	-	-	PCC	
Cost to Local Authority	**120,000**	**230,000**	**0**	**0**	**0**	**£350,000**

3.7 The estimated cost of holding local elections in the same time period under a whole-council system starting in **May 2018** would be in the region of £350,000, an estimated saving of £190,000 as shown below:

Cost	2016-17	2017-18	2018-19	2019-20	2020-21	Estimate cost to 2020/21
	Local (by thirds)		Local (whole council)			
	-	-	-	-	General	
	Referendum		-	European	-	
	PCC	-	-	-	PCC	
Cost to Local Authority	**120,000**	**0**	**230,00**	**0**	**0**	**£350,000**

By-elections (and associated costs)

3.8 The term of office of a councillor is four years. A by-election is required when a vacancy on the council has to be filled between regularly scheduled elections.

3.9 The cost of holding a by-election to fill a single vacancy has been estimated in previous reports as between £10-12,000. The recent by election for West Thurrock & South Stifford in September 2015 cost approximately £13,000. A by election in a ward with temporary polling stations (for example The Homesteads) would be around £20,000.

	West Thurrock & South Stifford (2015)
Staffing	£4,500
Buildings	£550
Postal voting	£950
Ballot papers & Postal Packs	£1,434
Poll cards & postage	£4,358
Miscellaneous	£1,000
Total	**£12,792**

Implications of any change on the running and management of already scheduled elections

3.10 The practical impact of organising separate elections on the same day needs to be considered carefully, particularly if the scale of the local election was to increase owing to a move to the full council being elected rather than a third of members of the authority.

3.11 The turnout figures for local elections are likely to be boosted by association with a high profile election. However, that association could obscure local issues for voters when casting their vote in the local elections. Whole council elections from 2017 or 2018 would not schedule the local elections in line with a national election.

3.12 Considerable expertise and organisation will be required to ensure these crucial events are run well. The risk to the council's reputation is substantial, so the professionalism and experience of staff in producing a transparent and accurate result is crucial.

3.13 A change to the electoral cycle in 2017 or 2018, or a year thereafter, is likely to have the following implications:

- There is a high risk of elector confusion, as they will be asked to vote for more than one candidate when this has not previously been the case in Thurrock. This could cause problems on the day of the election. However Thurrock has many new communities who may be familiar with this approach.
- Staff training will need to be reviewed and resources increased to ensure the nomination process is managed effectively with the increase in candidate numbers and a change to ballot papers with voting for more than one candidate.
- The cost of ballot papers will increase due to the increased number of candidates and potentially increase the number of ballot boxes required.
- The nomination process and timeframe will require additional staff resources to check and input nomination papers.
- Count venue costs and staffing costs may increase due to lengthened count process.
- There is a risk of rushing to implement any change in 2017 and 2018 may be better. Electoral Services and electors are adjusting to Individual Elector Registration (IER). Consultation may need to be resourced corporately and is likely to involve additional costs.
- Retention of staff knowledge and training on local elections may be difficult to sustain with a four year cycle.
- Electors will not be expecting an election in 2017. Considerable publicity and resources will be required to highlight a change to the electoral cycle and voting process within Thurrock.

4. Reasons for Recommendation

4.1 To respond to the recommendation of Corporate Overview & Scrutiny Committee.

5. Consultation (including Overview and Scrutiny, if applicable)

5.1 As set out in the report.

6. Impact on corporate policies, priorities, performance and community impact

6.1 Becoming an excellent and high performing organisation.

7. Implications

7.1 **Financial**

Implications verified by: **Laura Last**
Senior Finance Officer

The cost of an election is met by the body or bodies whose representatives have been elected and therefore, any occasion where a local election is combined with another would see a reduction in costs to the council.

The costs associated with running an election and a by-election have been estimated and are set out in the report. Any move to whole council elections would generate an estimated saving of £190,000 over the next 4 years.

Any savings that may be associated with a proposal to change the cycle of elections would be dependent upon the year in which the new cycle was to commence, as this would determine when local elections may be combined with others and therefore see a reduction in costs.

The savings achieved by the proposed changes to the electoral arrangements would contribute towards meeting the Council's budgetary challenges.

7.2 **Legal**

Implications verified by: **Lindsey Marks**
Deputy Monitoring Officer

The legal implications are addressed in the report.

7.3 **Diversity and Equality**

Implications verified by: **David Lawson**
Monitoring Officer

None.

7.4 **Other implications** (where significant) – i.e. Staff, Health, Sustainability, Crime and Disorder)

None.

8. Background papers used in preparing the report (including their location on the Council's website or identification whether any are exempt or protected by copyright):

- The Cycle of Local Government Elections in England – Consultation Paper – Electoral Commission (2003)
- The Cycle of Local Government Elections in England – Recommendations for change - Electoral Commission (2004)
- The Economic Development and Construction Act 2009
- Local Government and Public Involvement in Health Act 2007
- Localism Act 2011
- Local Government Boundary Commission for England – Electoral Reviews (2014)

9. Appendices to the report

Appendix 1 – Review of Electoral Arrangements Report – Corporate Overview & Scrutiny Committee – February 2016

Report Author:

David Lawson

Monitoring Officer

Law & Governance