



**HERTSMERE BOROUGH COUNCIL**

**COUNCIL**

**DATE OF MEETING: 20<sup>th</sup> November 2013**

PART I Agenda Item No	Appendix A
Document Reference No	

## **ELECTORAL CYCLE – WHOLE COUNCIL ELECTIONS**

This report advises Council of its ability to opt for whole Council elections, rather than by the current method of election by thirds. The stages of such a change are set out, as are the advantages and disadvantages.

### **1 RECOMMENDED THAT COUNCIL:**

- (a) Notes that it has the ability to alter the electoral pattern for this Authority and move from the election of Councillors by thirds to a whole Council elections every fourth year.
- (b) Agrees that consultation takes place with Hertsmere residents and 'appropriate persons' [including Parish and Town Councils] to ascertain their preference on either continuing to elect Councillors by thirds or to move to whole Council elections every fourth year and that a report of the outcome be made to a future meeting of Council.

### **2 INTRODUCTION**

3 Legislative change introduced by the Local Government and Public Involvement in Health Act 2007 [the Act] allows the Council to resolve to change its electoral cycle at certain fixed periods of time. Since its formation, Hertsmere has held elections in three out of four years, when a third of councillor positions were up for election. The Act states that boroughs that presently elect by thirds can move to whole council elections and, if at a later date it is considered necessary to do so, can revert back to elections by thirds. If an authority wishes to move from elections by thirds to whole council elections, it must carry out the following actions in the order listed:

- Consult such persons as it thinks appropriate on the proposed change,
- Convene a special meeting of Council,
- Pass a resolution at that special Council meeting to change the electoral pattern by a two thirds majority of those voting,

- Publish an explanatory document on the decision and make this available for public inspection, and
- Give notice to the Electoral Commission.

- 4 The Act specifies a 'permitted resolution period' during which authorities who wish to change their electoral cycle can make such a decision. In the case of Hertsmere, a resolution must be passed at a special Council meeting held after the 11th June 2014 Annual Council meeting and before 31<sup>st</sup> December 2014. If that resolution is agreed by a two thirds majority of those voting, the first whole council election for Hertsmere would then take place on the 7<sup>th</sup> May 2015, which will also be the date of the next Parliamentary General Election. The next opportunity to change will occur between the annual meeting in May 2018 and 31<sup>st</sup> December 2018 and then during the same interval every fourth year thereafter. If a resolution was passed in the 2018 permitted resolution period, the first whole Council elections would take place in May 2019 and each fourth year thereafter.
- 5 The picture across the country is mixed with some authorities continuing with elections by thirds and others opting for an 'all out' election every four years. In Hertfordshire the practice among District Councils is that 8 hold elections by thirds and 2 (Dacorum and East Herts) hold whole Council elections.

### **Town and Parish Councils**

- 6 A move to 4 year elections would affect the Town and Parish Councils within Hertsmere. If the Council resolved to move to whole Council elections in 2015 and every fourth year thereafter, any Town or Parish elections that fall in the years when there is no borough elections would have to meet the whole cost of their elections in the same way they would at a by-election. A whole Council election for Hertsmere in 2015 would coincide with scheduled elections of Aldenham Parish Council and Elstree and Borehamwood Town Council. Elections for Shenley, South Mimms and Ridge Parish Councils could remain on their existing schedule with those Parish Councils met the cost.
- 7 The Act enables the Council to make an Order to alter the years of the ordinary elections of Towns and Parishes so that they coincide with the date of whole Council elections by Hertsmere. The order can make transitional provision for the retirement of town and parish councillors at different times than would have otherwise applied during that transitional period.

### **Impact on the electoral cycle**

- 8 The volume of electoral activity has increased in recent years as a result of the introduction by the Localism Act 2011 of planning and council tax referenda. These join an already busy electoral timetable, and the following table shows anticipated activity, assuming whole Council elections were held in 2015 and that Town/Parish elections also took place on the same day:

2014 Election of Borough + European + Shenley Parish Council representatives.

- 2015 Election of all Borough + Parliamentary + all Parish and Town representatives.
- 2016 Election of the Police and Crime Commissioner.
- 2017 Election of County representatives
- 2018
- 2019 Election of all Borough + European + all Parish and Town representatives
- 2020 Election of Parliamentary representative

- 9 The practical impact of organising three separate elections on the same day in 2015 and 2019 needs to be considered carefully. The turnout figures for borough and parish/town councils are likely to be boosted by association with a high profile election. But that association could obscure local issues for voters when casting their vote in the borough and parish/town elections. Also 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 trustworthy result is crucial.
- 10 Over the past seven year period [2007 to 2013] there was no year without election activity. Election law presently allows elections at two different levels to take place on the same day. For the three levels election planned for 2015 (Parliamentary, Borough and Parish) and 2019 (European, Borough and Parish) to take place, there will need to be enabling Regulations passed by the Government.

### **Advantages of whole Council elections and of election by thirds**

- 11 The advantages of moving to whole Council elections include:
- a Council has a clear mandate for 4 years, allowing it to adopt a more strategic, long term approach to policy and decision making – and focus less on yearly election campaigning,
  - avoids election fatigue and the results are simpler and more easily understood by the electorate. There would be a clear opportunity for the electorate to change the political composition of the Council once every four years,
  - greater publicity of whole council elections may generate higher turnout. The Electoral Commission suggests that electorates associate more clearly with whole Council elections, and
  - Cheaper for the Council and political parties as well as less disruptive to public buildings used as polling stations.

## 12 The advantages of elections by thirds

- avoids electing a complete change of Councillors with no experience and allows continuity of councillors; avoids disruption to on-going policies,
- more likely to be influenced by local rather than national politics, and this national influence will increase given the trend toward Parliamentary elections being held on the same day as local elections ,
- encourages people into the habit of voting, and voting for one person is well understood by voters. Voting for two or three councillors under whole council elections could cause confusion.
- allows judgement of a Council annually rather than every four years and allows the electorate to react sooner to local circumstances, thereby providing more immediate political accountability.

## 13 **FINANCIAL AND BUDGET FRAMEWORK IMPLICATIONS**

13.1 The cost of an election is met by the body or bodies whose representatives have been elected. For example the 2011 election costs were shared between the Borough, Parish and Town Councils and the Government for the referendum. This practice has meant that Hertsmere had not met the entire cost on an election between 2009 and 2011. The cost of the 2012 borough election was borne solely by this Authority. It's likely that the Borough will next meet the whole cost of an election in 2023. While staff in the Elections Unit are employed by Hertsmere, their expertise benefits other organisations which rely on their services.

13.2 At today's prices the cost of a whole borough election is around £110,000. A move to whole Council elections would see two less Borough elections (2016 and 2018) being held over a four year period. In 2016 the likely cost would be £55,000 as the election would be shared with election of the Police and Crime Commissioner. In 2018 the whole cost of £110,000 would be met by the Borough. So a saving of some £165,000 over a four year period is a reasonable estimate of the financial benefit of moving to whole Council elections. It is reasonable to estimate that in the four year period beyond 2018 similar cost savings would be made.

## 14 **LEGAL POWERS RELIED ON AND ANY LEGAL IMPLICATIONS**

14.1 The legal power to change from the election of Councillors by thirds to whole Council elections is contained with the Local Government and Public Involvement in Health Act 2007. That Act also enables the Council to make an order to change the electoral cycle of Parish and Town Councils.

## 15 **EFFICIENCY GAINS AND VALUE FOR MONEY**

15.1 A change to whole Council elections would see the Council secure significant savings over a four year period. While arguments exist in favour and against such a change, better value for money is obtained from whole Council elections.

16 **RISK MANAGEMENT IMPLICATIONS**

16.1 If risk is associated with the holding of elections, then there is less risk overall if the number of elections is reduced. However the consequences of a whole Council election proving faulty would be far more significant than an election for a third of Hertsmere members.

17 **PERSONNEL IMPLICATIONS**

17.1 A change to whole Council elections would have no staffing implications. It would be inadvisable to reduce the number of staff presently engaged in Hertsmere’s election Unit (2), given the level of activity in this field. The introduction of Individual Elector Registration is presently underway and will see the volume of work handled by this section increase substantially as the number of clients will increase from some 43,000 households to approximately 76,000 individual electors.

17.2 The maintenance of expertise within the unit is crucial to ensuring it is able to continue to provide a reliable and correct service within this regulated field of activity.

18 **CORPORATE PLAN & POLICY FRAMEWORK IMPLICATIONS**

18.1 None

19 **APPENDICES ATTACHED**

19.1 None

20 **BACKGROUND PAPERS USED IN PREPARATION OF THIS REPORT**

Document Title	Custodial Officer	Where Filed
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10.1 None

21 **AUTHOR**

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**CONSULTATION ON DRAFT REPORT**

I have sent a copy of the draft of this report to the following on .....

CE, Directors, Heads of Financial and Information Services and Legal and Democratic Services, and Democratic Services Manager

(If applicable) I have also sent a copy of the draft to the following officers whose work may be impacted:

Officer	Date
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