

SLOUGH BOROUGH COUNCIL

REPORT TO: Overview and Scrutiny Committee

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PART I **FOR COMMENT & CONSIDERATION**

ELECTORAL CYCLE

1. Purpose of Report

To advise the Committee of the processes involved in changing the Council's electoral cycle from election by thirds to whole council elections every four years.

2. Recommendations

The Committee is requested to consider the report and recommend what further action it wishes to take.

3. Legal, Financial and Other Implications

Legal – The Council's power to change its electoral cycle is set out in Sections 31 to 36 and 53 of the Local Government and Public Involvement in Health Act 2007, as amended in Schedule 2 of the Localism Act 2011. That Act also enables the Council to make an order to change the electoral cycle of Parish and Town Councils. If the Council so resolves, it will be unable to change the scheme again for at least five years.

Human Resources – A change to whole Council elections would have no staffing implications. The introduction of Individual Elector Registration (IER) has seen the volume of work handled by the section increase substantially. The maintenance of expertise within the unit is crucial to ensuring it is able to continue to provide a reliable and efficient service within this regulated field of activity. Staffing is kept under review to ensure the section can respond flexibly to changing demands.

Financial – A move to whole council elections would lead to a financial saving for the Council in the three years where there was no Borough election. A saving of up to £100k could be realised over the four year period. This is a high level estimate and subject to change especially if the Electoral Commission, Home Office or the Election Claims Unit issue revised guidance on the accounting arrangements for elections in the future.

4. Supporting Information

Current position

- 4.1 At present the Council operates a system of election by thirds. Each member serves a term of four years, producing a four yearly cycle of elections, allowing for

Borough Council elections to be held in three of four years. Ward Boundary changes took place for the 2014 Borough Elections leading to the whole Council being elected that year. A move to whole Council elections would mean that Borough elections would be held once every four years, rather than in three out of every four years.

- 4.2 Under current legislation the Council can resolve to make a change to its electoral cycle, subject to certain conditions. The 2011 Localism Act has given the Council increased flexibility in deciding when to make the change and now allows the Council to select the year to transfer to “whole Council” elections.

Process of Change

- 4.3 If the Council wishes to move from thirds to whole Council elections, it must:
- Consult on the proposed change
 - Convene a special meeting of the Council
 - Pass a council resolution to change - two thirds of members voting need to be in favour of the change
 - Publish an explanatory document on the decision and make this available for public inspection; and
 - Give notice to the Electoral Commission.

Parish Councils

- 4.4 A move to four yearly elections would affect Parish Councils. There are three Parish Councils in Slough and parish elections are held every four years. Parish elections are generally combined with the Borough Election in that year. The next scheduled Parish Council elections for the three Parish Councils in Slough are 2019.
- 4.5 If the Council resolved to move to whole Council elections any ordinary Parish election that fell in the years when there were no Borough elections would have to meet the whole cost of their elections in the same way they would at a by-election.
- 4.6 The Act does enable the Borough Council to make an Order to alter the years of the ordinary elections of Parishes so that they coincide with the date of whole Borough Council elections. The Order can make transitional provision for the retirement of parish councillors at different times than would have otherwise applied during that transitional period. The Parish Councils would be consulted as part of the consultation process.

Programme of Forthcoming Elections

- 4.7 The current electoral cycle is as follows:

UK Parliamentary – every 5 years

Police and Crime Commissioner – every 4 years

European parliamentary – every 5 years

Slough Borough – every 3 out of 4 years

Britwell, Colnbrook with Poyle and Wexham Court Parishes – every 4 years

In addition the Localism Act allows for local referenda to be held and such events as a Government Referendum, as was the case earlier this year and 2011.

In terms of calendar years the current cycle is as follows:

2017	No Elections (Fallow)
2018	Borough Elections by thirds
2019	Borough Election by thirds Parish Council Elections <i>European Parliamentary Election</i>
2020	Borough Elections by thirds UK Parliamentary Election Police and Crime Commissioner
2021	No elections (Fallow)
2022	Borough Elections by thirds
2023	Borough Elections by thirds Parish Council Elections

Timing

- 4.8 The Council can determine when to introduce whole council elections. The impact on sitting Councillors would be dependant on the date agreed for any new scheme. For example if whole council elections were to be introduced in 2018 councillors elected in 2015 and 2016 would only serve three and two years respectively out of the four that they stood for.

Advantages of whole Council elections and of election by thirds

- 4.9 Advantages of moving to whole Council elections include:

- The Council has a clear mandate for four years, allowing it to adopt a more strategic, long term approach to policy and decision making – and spend less time and effort 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
- Cheaper for the Council and political parties as well as less disruptive to public buildings used as polling stations.

- 4.10 Advantages of elections by thirds include:

- Avoids potentially 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.
- Smaller parties may find it harder to resource the “whole Council” elections process. It may be harder for independent candidates standing on a matter of strong local interest to get elected without an annual poll.

Nature of Consultation

4.11 The Act does not specify the form of consultation required; only that the Council determine that it is reasonable. Good practice guidance on consultation exercises suggests that a 12 week consultation period would be appropriate. The method of consultation could take the following form:-

- Website – information about the process on the website with the ability for members of the public to complete an online survey
- Press release
- Consultation with Elected Members, local Members of Parliament, Parish Councils, Tenants and Resident Groups, stakeholders and the public.

The responses would then be collated and made available to members prior to an Extraordinary Meeting of the Council.

Financial Implications

4.12 Currently Slough funds an election in all voting areas within the Borough in three out of every four years (Other than Foxborough and Colnbook with Poyle).. If Borough elections are combined with a national election (General, European, PCC etc) the cost of an election is shared. A move to whole council elections would lead to a financial saving for the Council in the three years where there was no Borough election. A saving of up to £100k could be realised over the four year period. Savings estimates assume that parliamentary, European and PCC Elections would be held on the same day. If not any saving would be reduced.

By Elections

4.13 By-elections are more likely to occur under a system of whole-Council elections. If a Councillor resigns or dies within six months of planned local elections, the election for that seat can be held at the same time as the annual cycle of elections in May, rather than separately as a by-election. Therefore elections held three out of four years minimises the number of by-elections whereas elections every four years could increase the number of by-elections. Funding (£10k) would need to be set aside each year to fund a possible by election.

5 Background Papers

None