

Results of the Consultation on the Council's Election Cycle

Strategy & Resources Committee Thursday, 30 June 2022

Report of: Chief Executive

Purpose: For decision

Publication status: Unrestricted

Wards affected: All

Executive summary:

The Committee agreed at its meeting on 7 April 2022 that a public consultation commence on whether the Council should change its election cycle to whole Council elections every four years from 2024 or retain the current scheme of elections by thirds.

The consultation was held from Monday 9 May until Friday 17 June. The results of the consultation are summarised in paragraph 7 of this report and are attached in full at Appendix A to this report.

The Committee is asked to consider the results of the consultation and determine whether a recommendation should be put forward to Full Council for adoption of whole Council elections.

This report supports the Council's priority of: Building a better Council

Contact officer Alex Berry Lead Democratic Specialist
aberry@tandridge.gov.uk

Recommendation to Committee:

That, following consideration of the response to the public consultation, the Committee determine whether to:

- a) recommend to Full Council the adoption of whole Council elections every 4 years from 2024 and this matter be considered at an extraordinary meeting of Full Council on 21 July 2022 to commence immediately after the ordinary Council meeting on the same day, or
- b) retain the current scheme of elections by thirds.

Reason for recommendation:

To determine whether a recommendation should be put forward to Full Council for adoption of whole Council elections or for the current scheme of elections by thirds to be retained.

Introduction and background

- 1 The Local Government Boundary Commission for England ('LGBCE') is conducting a review of the electoral ward arrangements in the District to ensure the distribution and number of councillors is appropriate and broadly balanced to reflect the District's population. Under review is the total number of Councillors elected to the Council, the number and boundaries of wards, the number of Councillors for each ward, and the name of any electoral area.
- 2 During the review, the LGBCE will use the election scheme to help determine the number of Councillors required for each ward. If the Council continues to elect by thirds, it is likely that all wards will be represented by three Councillors as only in very exceptional circumstances can the LGBCE propose ward boundaries which allow for fewer than three members. If the Council moves to whole Council elections, wards may be represented by one, two or three Councillors.
- 3 Under the provisions of the Localism Act 2011, the Council can, at any time, pass a resolution in full Council to change its electoral scheme from its current 'by-thirds' arrangement to a 'whole council' scheme.
- 4 The process involves a period of consultation followed by a specially convened Council meeting at which a majority of two-thirds of those voting must do so in favour for the resolution to be passed.
- 5 The Committee resolved to undertake a public consultation on the Council's election scheme at its meeting on 7 April 2022.

Public Consultation

- 6 The consultation methodology and the full results of the consultation can be found in Appendix A.
- 7 The consultation received 214 number of responses. Of these 182 were made online and 32 were paper). Of the total responses:
 - 106 were in favour of retaining elections by thirds. This was 51.21% of respondents who expressed an opinion.
 - 101 were in favour of moving to whole Council elections. This was 48.79% of respondents who expressed an opinion.
 - 7 did not provide an answer.
- 8 The reasons respondents gave in favour of retaining elections by thirds varied. However, a number of common themes emerged from the

comments. varied as to why some respondents were in favour of retaining elections by thirds. The common themes were:

- Elections by thirds allows voters to have a say express their opinion at the ballot box more frequently.
- Elections by thirds provides for continuity in the membership of the Council and ensures experienced.

9 Again, comments varied as to the reason why some respondents were in favour of moving to whole Council elections. However, a number of common themes emerged from the comments:

- Whole council elections would provide political stability for a four-year period.
- Whole council elections would result in financial savings and would be more efficient use of Council resources.

10 The full list of comments is attached at appendix A to the report.

11 A summary of the arguments in favour of the two options is attached at appendix C. These have been collated from comments received during the public consultation, the debate that took place at Strategy and Resources on 7 April 2022 and the information shared with the public as part of the consultation.

12 If the Committee resolve to recommend the matter be considered by Full Council, appendix C will be updated with any additional arguments and with any revised wording that are agreed by the Committee.

13 Members at Full Council may want to consider the relative weighting of each argument.

Cost and Savings

14 The financial cost of running whole Council elections is less than electing by thirds. This is because elections take place less frequently, and so costs are not incurred each year. In addition, where Council elections can be combined with other elections, for example Police and Crime Commissioner elections, additional savings can be made as the costs for certain elements (such as polling station venues and staff) are shared.

15 An example of the likely cost savings that could be achieved over a four-year period is set out at Appendix B. These figures are estimated savings only as much depends on the frequency of other elections and the unpredictable nature of a UK Parliamentary General Election.

Programme of Forthcoming Elections

16 It is possible to identify when some elections will take place, based on the current election cycles:

- UK Parliamentary General – every five years (but can be held at any time)
- Police & Crime Commissioner – every four years
- Surrey County Council – every four years

- Tandridge District Council – every three out of four years
- Parish Councils – every four years

In terms of calendar years, the cycle would be as follows:

Year	Current cycle of electing by thirds	Future Cycle if stay with elections by thirds	If Change to whole Council elections & align Parish elections
2023	District Council Elections Parish Council Elections (16)	District Council Elections Parish Council Elections (16)	District Council Elections Parish Council Elections (16)
2024	District Council Elections Parish Council Elections (5) Police and Crime Commissioner Elections	District Council Elections (all out on new boundaries) Parish Council Elections (5) Police and Crime Commissioner Elections	District Council Elections (all out on new boundaries) Parish Council Elections (all) Police and Crime Commissioner Elections
2025	County Council Elections	County Council Elections	County Council Elections
2026	District Council Elections	District Council Elections	
2027	District Council Elections Parish Council Elections (16)	District Council Elections Parish Council Elections (16)	
2028	District Council Elections Parish Council Elections (5) Police and Crime Commissioner Elections	District Council Elections Parish Council Elections (5) Police and Crime Commissioner Elections	District Council Elections Parish Council Elections (all) Police and Crime Commissioner Elections
2029	County Council Elections	County Council Elections	County Council Elections

- 17 In addition, legislation makes provision for certain local referenda to be held. The Government may also decide to hold a national referendum at any point.
- 18 In terms of Parish Council Elections, the table above presumes that the Council, if it resolved to move to whole Council elections, uses provisions within legislation to amend the date of Parish Council elections so that they take place every four years. Further information is in paragraphs 16 and 17 below.
- 19 In terms of UK Parliamentary General Elections, a recent change in legislation means that the next General Election must take place by no later than Friday 24 January 2025.

Process For Changing Electoral Cycle and Next Steps

- 20 The Local Government & Public Involvement in Health Act 2007 (Sections 31 to 54) sets out the process for district councils to change their electoral arrangements. To change electoral cycle, the Council must:

- a) have taken reasonable steps to consult such persons as it thinks appropriate on the proposed change,
 - b) convene a special meeting of Full Council to consider the proposed change,
 - c) have at least two-thirds of those voting to have voted in favour of the proposed change,
 - d) ensure that the year for the first ordinary whole council election is specified in the resolution. (This cannot be the same year as whole Council election for the County Council),
 - e) publish an explanatory document on the decision and make this available for public inspection, and
 - f) notify the Electoral Commission.
- 21 The public consultation undertaken satisfies the first stage in the process. If the Committee are in favour of moving to whole Council elections, the next stage is for Full Council to consider the matter. A special meeting of Full Council would therefore be held following the rising of the ordinary Council meeting on 21 July 2022.

Impact on Parishes

- 22 A move to whole Council elections would affect Parish Councils within the District. The Local Government & Public Involvement in Health Act 2007 enables the Council to make an order to alter the years of the ordinary elections of Parishes so that they coincide with the date of whole Council elections.
- 23 If the Council decides to move to whole Council elections, then to avoid Parish Councils incurring the cost of standalone elections, the Council may make an order that aligns that Parish Council elections coincide with the District elections. Having Parish elections at the same time as District elections may also produce higher levels of turnout for Parish elections.

Key implications

Comments of the Chief Finance Officer

Although significant progress has been made to improve the Council's financial position, the medium-term financial outlook beyond 2022/23 remains uncertain. With no clarity on central government funding in the medium term, our working assumption is that financial resources will continue to be constrained, as they have been for most of the past decade. This places an onus on the Council to continue to consider issues of financial sustainability to ensure stable provision of services in the medium term.

The Committee should consider the financial benefit of moving to all-out elections alongside non-financial considerations when making a decision on the recommendation to Council.

If the Council were to move to all-out elections, the anticipated saving of c £148k over five years would be smoothed through a reserve to deliver an annual saving of c.£30k per year.

Comments of the Head of Legal Services

Local Democracy, Economic Development and Construction Act 2009 (Section 56 on the conduct of electoral reviews) provides that the Local Government Boundary Commission for England must from time to time conduct a review of electoral arrangements of each principal council in England. The 2009 Act consolidates and amends provisions previously contained in the Local Government Act 1972, the Local Government Act 1992 and the Local Government and Public Involvement in Health Act 2007.

The Council is required to cooperate with the Commission in the conduct of such an electoral review; specifically, it "must, if requested by the Local Government Boundary Commission for England to do so, provide the Commission, by such date as it may specify, with any information that it may reasonably require in connection with its functions under this section" (Section 56). As part of the review, the Council and others have made submissions proposing electoral arrangements it considers appropriate. It is for Members to decide on the evidence presented in this report whether a recommendation should be put forward to Full Council for adoption of whole Council elections.

Equality

The Council has a duty to advance equality of opportunity between people who share a relevant protected characteristic and persons who do not share their characteristic. Research by the Electoral Commission suggests that younger age groups and those with an ethnicity other than white were less likely to know when local elections were taking place. Moving to all out elections may provide an opportunity for the Council to positively impact on the opportunities of these groups to participate and vote in elections.

The consultation was publicised in such a way as to ensure a wide range of residents are given the opportunity to have their say.

Climate change

There are no significant environmental / sustainability implications associated with this report.

Appendices

Appendix A – Results of the Public Consultation

Appendix B – Estimated Savings

Appendix C – Summary of arguments in favour of the two options

Background papers

None.

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