

12 September 2006

Our Ref. Ext. Council 21/9/06
Your Ref.
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To: The Chairman and Members of North Hertfordshire District Council

You are invited to attend an

EXTRAORDINARY MEETING OF THE COUNCIL

to be held in the

**COUNCIL CHAMBER, COUNCIL OFFICES, GERON ROAD,
LETCWORTH GARDEN CITY SG6 3JF**

on

THURSDAY, 21 SEPTEMBER 2006

at

7.00p.m.

PLEASE NOTE START TIME

Yours sincerely



David Miley
Democratic Services Manager

AGENDA
PART I

ITEM	PAGE
1. APOLOGIES FOR ABSENCE	
2. DECLARATIONS OF INTEREST To receive from Members of the Council any declarations of interest in respect of any business set out in the agenda. Members should either declare a prejudicial or personal interest and are required to notify the Chairman of the nature of any interest declared. Members declaring a prejudicial interest should leave the Council Chamber and not seek to influence the decision on that particular item of business.	-
3. ITEM REFERRED FROM CABINET – 25 JULY 2006 – THE ELECTION CYCLE IN NORTH HERTFORDSHIRE	1
4. ANY REFERENCES FROM THE SCRUTINY COMMITTEE HELD ON 5 SEPTEMBER AND CONCERNING THE ELECTORAL CYCLE WILL BE TO FOLLOW.	

EXTRAORDINARY COUNCIL MEETING

21 September 2006

*PART 1 – PUBLIC DOCUMENT

AGENDA ITEM No.

3

ITEM REFERRED FROM CABINET – 25 JULY 2006 – THE ELECTION CYCLE IN NORTH HERTFORDSHIRE

The following is an extract from the Minutes of the Cabinet meeting held on 25 July 2006:

47. THE ELECTION CYCLE IN NORTH HERTFORDSHIRE

The Chairman of Cabinet invited Mr Giles Woodruff to speak at this item.

Mr Woodruff thanked Cabinet for the opportunity to speak and said that he was not in favour of changing the present system of elections in thirds to every four years for the following reasons:

- He did not agree with Electoral Commission's comments published in January 2004 that whole Council elections provided more clarity for voters
- Bigger ballot papers with more than one candidate to vote for could lead to confusion
- A party could get elected on a single issue
- Electing in thirds helped to maintain a strong council
- The cost of holding elections in thirds was a small price to pay for democracy.

The Chairman thanked Mr Woodruff for his presentation.

The Portfolio Holder for Policy presented a report of the Chief Executive that sought the views of Cabinet on moving to a four yearly election cycle to replace the existing system of elections in thirds and made the following comments:

- No right or wrong method of holding elections
- Research had shown that bigger ballot papers did not result in a higher percentage of mistakes
- 70% of shires and some neighbouring authorities hold four yearly elections
- Election fatigue was a real issue for voters
- Councillors were in permanent election mode.

The Chairman of Cabinet commented that with the likelihood of all out elections next year, it seemed a sensible time to make a decision about either maintaining the status quo or changing the system. It was agreed that it was not appropriate for Cabinet to make this decision but to have an intelligent debate about the matter in full Council.

The Head of Legal and Democratic Services confirmed that the requisite resolution would have to be passed by two-thirds of those members present voting in favour of it at a special Council meeting convened solely for that purpose.

RESOLVED:

- (1) That Council considers amending the current electoral cycle so that whole Council elections are held every four years;
- (2) That an Extraordinary Council meeting be held for the purpose of considering this matter during September 2006.

RECOMMENDED TO COUNCIL: That Council consider amending the current electoral cycle so that whole Council elections are held every four years at an Extraordinary Meeting of Council to be arranged during September 2006.

REASON FOR DECISIONS: The recommendations in paragraph 7 of the report are made to allow Cabinet to consider whether or not it wishes to change to a 4 yearly electoral cycle.

The following is the report presented to Cabinet on 25 July 2006.

TITLE OF REPORT: THE ELECTION CYCLE IN NORTH HERTFORDSHIRE

REPORT OF THE CHIEF EXECUTIVE
PORTFOLIO HOLDER: COUNCILLOR A.D. YOUNG

1. SUMMARY

The report seeks the views of Cabinet on moving to a four yearly election cycle replacing the existing system of elections in thirds.

2. FORWARD PLAN

This report contains a recommendation on a key decision which was first notified to the public in the Forward Plan published on 1 July 2006.

3. BACKGROUND

- 3.1 As a consequence of the recent boundary review it is likely that the Council will be required to hold elections for all Members in May 2007. Given this the Portfolio Holder for Policy (which includes electoral matters) feels that the time is right for the Council to consider the timing of the elections cycle here in North Hertfordshire.
- 3.2 Since the creation of the Council in 1974, and in keeping with the arrangements for most non-metropolitan District Councils, one third of the Council is elected each year for 3 years out of 4 and there are no District Council elections in the fourth year of the cycle. There are usually County Council elections in the fourth year.
- 3.3 There are a variety of election cycles in England as follows:-
 - Metropolitan boroughs elect in thirds
 - London boroughs elect every four years
 - County Councils elect every four years
 - Shire districts can elect in thirds as we do now or in halves (this is very rare) or hold whole Council elections every four years

- 3.4 In 2003 the Electoral Commission conducted a consultation exercise on election cycles in England. This stemmed from views set out in the White Paper “Strong Local Leadership – Quality Public Services” published in 2001.
- 3.5 The views expressed in the White Paper included the following :
- “The current cycle of local government elections is confusing ... It is too easy for electors to lose track of when elections are to be held or how many votes they have on any particular election day. And this arrangement can lessen the immediate impact of voters behaviour on Council control.”
- 3.6 As part of their consultation the Electoral Commission put forward a number of arguments for either partial elections or whole council elections.
- 3.7 The arguments for partial elections were set out as follows:
- More frequent opportunities for electors to exercise their right to vote;
 - may facilitate more immediate political accountability;
 - may tend to produce less drastic changes in political direction, and provide greater political continuity;
 - can ensure that the political composition of authorities more accurately reflects the current political complexion of local areas;
 - may reduce the likelihood that the timing of important or controversial decisions are distorted by the timing of elections.
- 3.8 The arguments for whole Council elections were set out as follows:
- Greater possibility of wholesale change in control may encourage participation;
 - too frequent elections might dilute public interest;
 - opportunity for all electors in an area to influence the composition of the authority at the same time;
 - may tend to encourage greater long-term planning by authorities and discourage continuous election campaigning.
- 3.9 Following the consultation exercise the Commission recommended that each local authority in England should hold whole Council elections with all Councillors elected simultaneously, once every four years. (Report on the Cycle of Local Government Elections in England – published January 2004) The Commission felt that on balance whole Council elections are more likely to provide clarity for electors and a degree of stability for local authorities. The Commission also emphasised that the wide variation in the range of opportunities for people to participate in local elections depending on where they live was unfair.
- 3.10 The arguments set out above give a flavour of the matters to be considered in debating different electoral cycles. In North Hertfordshire we do have a choice as a shire district and local factors such as efficiency and the impact on other services, such as schools, of frequent elections should be considered.
- 3.11 It should be borne in mind that even if a decision is taken to move to whole Council elections for the District every four years, there will still be other major elections on a regular basis. In a typical cycle, there will only be one year in four without any major election – other than the possibility of a parliamentary election being called.

- 3.12 The process for seeking a change in our electoral cycle is relatively straightforward and requires a resolution of the Council passed by two thirds of the members voting thereon to petition the Secretary of State for a change. The legal position is set out in detail in the legal implications section below.

4. LEGAL IMPLICATIONS

- 4.1 The Local Government Act 1972 provides the electoral cycles which will apply to any particular local authority. s7(4) provides that a non-metropolitan district Council may request the Secretary of State to provide for a system of whole Council elections, once the requisite resolution has been passed.
- 4.2 The requisite resolution must be passed by two-thirds of the members voting in favour of it at a special Council convened only for that purpose.
- 4.3 Should the Council pass the requisite resolution and request that the Secretary of State make the Order, the order would need to come in to effect in May 2007. Presuming that the draft Order to be proposed to the Electoral Commission by the Boundary Committee on 27 June is approved by them, any subsequent Order made by the Secretary of State for the Department of Communities and Local Government will revoke the Order of the Electoral Commission, so far as it relates to the electoral cycle.

5. FINANCIAL AND RISK IMPLICATIONS

- 5.1 As we anticipated the possibility of an all out election in May 2007 due to the boundary committee's periodic electoral review of the district wards, the estimates for 2006/7 and 2007/8 contained additional funds for this. The total budget for running an all out election in May 2007 stands at £108,000.
- 5.2 The election of one third of the Council in May 2006 cost just over £60,000, although accounts are still subject to being fully finalised. 2006 was not our most expensive third as it did not include many of our large rural areas. It is estimated that the average price of an election for a third of the Council at 2007 prices would be around £65,000.
- 5.3 Using the figures above, the potential saving over a 4 year period of running one set of all out elections, compared to 3 elections of thirds is £87,000 (3 x £65,000 - £108,000). This is equivalent to approximately £22,000 per year over four years.
- 5.4 It is difficult to state these figures with accuracy at this time. The cost of an all out election is not clear as we have not held one for some time. In addition, there will potentially be other costs such as a higher number of by-elections. By-elections also have variable costs but £1,000 - £1,500 is a broad estimate.
- 5.5 Given this additional uncertainty, an estimated saving of £17,000 to £22,000 per year seems reasonable. This all relates to purchases of goods and services and not to any staffing costs. Costs for electoral staff are accounted for elsewhere in our budget.

6. HUMAN RESOURCE AND EQUALITIES IMPLICATIONS

6.1 None contained within this report.

7. RECOMMENDATION

7.1 It is recommended that Cabinet consider amending the current electoral cycle so that whole Council elections are held every 4 years.

7.2 If Cabinet agree that change is desirable it is further recommended that Cabinet seek an appropriate resolution from Council to petition the Secretary of State.

8. REASONS FOR RECOMMENDATIONS

The recommendations in paragraph 7 are made to allow Cabinet to consider whether or not it wishes to change to a 4 yearly electoral cycle.

9. CONTACT OFFICERS

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10. BACKGROUND PAPERS

The Cycle of Local Government Elections in England – January 2004
– paper held on file by the Chief Executive.

EXTRAORDINARY COUNCIL MEETING

21 September 2006

*PART 1 – PUBLIC DOCUMENT

AGENDA ITEM No.

4

ITEM MARKED “TO FOLLOW” REFERRED FROM SCRUTINY COMMITTEE – 5 SEPTEMBER 2006 – THE ELECTION CYCLE IN NORTH HERTFORDSHIRE.

The Scrutiny Committee, at its meeting held on 5th September 2006, considered the resolutions made by Cabinet. The draft minute is set out below together with the answers to the questions asked by the Scrutiny Committee, of the Portfolio Holder for Policy. Answers from the Portfolio Holder have been inserted beneath each question in bold.

59. THE ELECTION CYCLE IN NORTH HERTFORDSHIRE

The Committee considered the report of the Chief Executive in respect of the Election Cycle in North Hertfordshire, which had been considered by Cabinet at its meeting held on 25 July 2006. At that meeting, Cabinet had passed the following resolutions:-

- “(1) That Council considers amending the current electoral cycle so that whole Council elections are held every four years;
- (2) That a special Council meeting be held for the purpose of considering this matter during September 2006.”

The Committee had asked to comment on the proposals contained in the report prior to the matter being considered by Council.

The Committee expressed some concern about the effect on staff knowledge and competence should there be long periods without activity in the elections department, particularly with regard to the temporary staff used to assist the permanent staff at election times. It was therefore suggested that if the Council decided to change to a 4 year election cycle, regular “refresher” training should be provided for those individuals, to ensure their skills and knowledge were kept up to date.

There was also some disappointment from the Committee that there was no evidence given in the report for the claims made about the effect that the different electoral cycles could have, such as statistics from other similar authorities.

RESOLVED: That the following questions be put to the Portfolio Holder for Policy and the answers provided to the Extraordinary Meeting of the Council to be held on 21 September 2006:

1. Should there be all out elections in 2007 and then a subsequent return to thirds, when would each ward be up for election? Would this revert to the existing cycle or a new one?

Answer

The cycle would be determined by the Order from the Department for Communities and Local Government. The relevant section of the Draft Order is attached as an addendum to this item. A cycle is determined by taking into account the pattern of parish elections to ensure as little disturbance as possible. Where there are two

and three member wards the member with the least number of votes the last time s/he was elected would stand first.

2. Is there evidence that electing in thirds results in “strong councils” and can this be correlated with good CPA results?

Answer

The Electoral Commission’s report “The Cycle of Local Government Elections in England” Jan 2004 (The Report), did not show any direct link between election cycles and CPA inspection ratings. Whilst some inspection reports note high levels of turnover of elected members other factors seem to have had far greater bearing on performance, in particular, political and officer leadership. It was clear that well managed authorities can perform well under different electoral cycles.

3. Is there evidence by comparing with neighbouring authorities that all out elections lead to better turnout?

Answer

In The Report, concern was expressed that frequent elections can have the effect of diluting interest and that electors will tire of passing judgement on elected representatives annually.

It can be difficult and in some cases impossible for electors to change overall political control when fewer than half the seats are up for election. The Electoral Commission is clear that this can act as a major disincentive to voters. Research indicates that over the 30 years prior to 2004 the “4 yearly elected” London Boroughs had a greater turnout than the “elected in thirds” Metropolitan Councils (with the single exception of 2002), by between 2% and 10%. Similar differences were measured between shire districts that hold either partial or all-out elections. During years where both types of local elections were held, those electing in thirds had lower turnouts.

The table below gives results for the district elections in North Hertfordshire and neighbouring authorities. The authorities are ranked in order of achievement in May 2003. The figure in brackets is the result during 2004 (combined with the European Elections).

Thirds	whole	% turnout 2003 (2004)
Stevenage		52.0* (39.0)
St Albans		43.4 (45.2)
North Herts		39.1 (38.9)
Sth Cambs		34.6 (42.6)
Welwyn Hatfield		33.1 (38.1)
	East Herts	30.0
	Mid Beds	28.4
	Luton	28.6

* all postal vote pilot

Another useful comparison may be made with the Audit Commission “family grouping” containing North Herts District which is set out in the following table. A “family grouping” groups authorities of similar population and demographics.

<i>Thirds</i>	<i>Whole</i>	<i>% turnout 2003(2004)</i>
<i>North Herts</i>		<i>39.1(40.2)</i>
	<i>East Hants</i>	<i>34.7</i>
<i>South Cambs</i>		<i>34.6 (42.6)</i>
	<i>Ashford</i>	<i>34.3</i>
	<i>Mid-Sussex</i>	<i>33.1</i>
	<i>Tonbridge and Malling</i>	<i>32.5</i>
<i>Maidstone</i>		<i>30.8(37.3)</i>
<i>Tunbridge Wells</i>		<i>30.1(40.3)</i>
	<i>Mid Beds</i>	<i>28..4</i>
<i>Colchester</i>		<i>27.6(36.4)</i>
<i>South Beds</i>		<i>26.3 (34.6)</i>
<i>Braintree</i>		<i>n/a(33.4)</i>

Whilst the “audit family” comparison, from 2003, appears to support the results of the 30 year national survey to an extent, the comparison between neighbouring authorities does not .

4. What is the sequence of timings for all out elections in 2007 and if we make our decision and then DCLG decide something else which decision holds?

Answer

In the knowledge that this Council is debating the issue, the DCLG have put on hold the Order changing the existing ward boundaries and requiring whole council elections in 2007. The intention is that, in the event of the Council deciding to move from “thirds” to whole council elections, the change can be reflected in the same Order. Therefore, the Order will not be confirmed until the outcome of the Council’s debate is known.

5. Given recent problems, how would we ensure that staff, in particular those drawn upon to help on an infrequent basis, have the appropriate training if elections only happen once in 4 years?

Answer

Although some difficulties were experienced in May 2005, there were none in 2006. There should be no drop in experience levels should NHDC move to whole council elections as full elections for parishes/two towns/Parliament/the European Parliament and the County Council will continue, together with associated by-elections.

6. Are there training implications for count staff in dealing with longer ballot papers?

Answer

Staff have always had to deal with long ballot papers and multiple vacancies due to the nature of parish and European parliamentary elections. A new technique was adopted for counting long papers with multiple vacancies for the Letchworth Garden City Town Council elections in 2005. This was a success and has since proved its worth for Royston Town Council. Training is given to staff new to the process and existing staff are given refresher sessions.

7. Do we still use schools as polling stations?

Answer

Eight schools are currently used as polling stations.

REASON FOR DECISION: To assist the Council debate on the election cycle in North Hertfordshire.

SCHEDULE 2

article 4

ORDER OF RETIREMENT OF COUNCILLORS

<i>Column (1)</i>	<i>Column (2)</i>	<i>Column (3)</i>	<i>Column (4)</i>
<i>Name of Ward</i>	<i>Number of councillors to retire in 2008</i>	<i>Number of councillors to retire in 2010</i>	<i>Number of councillors to retire in 2011</i>
Arbury			1
Baldock East	1		
Baldock Town	1	1	1
Cadwell			1
Chesfield	1		1
Codicote		1	
Ermine			1
Hitchin Bearton	1	1	1
Hitchin Highbury	1	1	1
Hitchin Oughton	1	1	
Hitchin Priory	1	1	
Hitchin Walsworth	1	1	1
Hitchwood, Offa and Hoo	1	1	1
Kimpton		1	
Knebworth	1	1	
Letchworth East	1	1	
Letchworth Grange	1	1	1
Letchworth South East	1	1	1
Letchworth South West	1	1	1
Letchworth Wilbury	1	1	
Royston Heath		1	1
Royston Meridian		1	1
Royston Palace		1	1
Weston and Sandon			1