

**REPORT FROM: CORPORATE DIRECTOR**

**TO: SPECIAL COUNCIL**

**DATE: 25<sup>th</sup> SEPTEMBER 2018**

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## **FREQUENCY OF ELECTIONS**

### **PURPOSE OF REPORT:**

To consider whether to move four yearly whole elections.

### **RECOMMENDATIONS**

If the Council wishes to move to whole Council elections it should pass the following resolutions

- (1) That pursuant to s 34 of the Local Government and Public Involvement in Health Act 2007 (as amended) the Council resolves to move to a scheme of whole council elections and that the first ordinary elections be held in 2020 and every fourth year afterwards.
- (2) That the Corporate Director draw up and publish a document explaining the change and give notice to the Electoral Commission.

### **REASONS FOR RECOMMENDATIONS**

To implement the change in the frequency of elections.

1. At the last meeting the Council resolved:

“That the Corporate Director start the procedure for consideration of a move to whole elections, as set out in paragraph 26 of the report, by undertaking the required consultation exercise with the intention of a special meeting being convened on the date of the next ordinary meeting of the Council, 25<sup>th</sup> September 2018.”

2. The consultation exercise was held between 18<sup>th</sup> July and 10<sup>th</sup> September. It was publicised on the Council’s website, by press releases and social media posts. In addition Lancashire County Council, town and parish councils and the three main political parties were invited to respond.
3. A total of sixty–four responses were received. A number of respondents made comments and raised queries including on the related question of the proposed reduction in the number of councillors.

4. 34 Individuals expressed support for the proposal and 17 were opposed. Six individuals expressed no clear view. Three suggested a compromise of two yearly elections (this is not legally possible). One suggested deferment to see if a unitary authority is created.
5. Of organisations, Barnoldswick Town Council was opposed as were a majority of the members of Brierfield Town Council. The Pendle Labour Party responded with comments and queries on the cost savings; the potential for additional election costs falling on town and parish councils; the possibility of the creation of a unitary authority; loss of experience and continuity.
6. All the representations received are available for Members' perusal.
7. The legal requirements for a change to whole elections are set out in the Local Government and Public Involvement in Health Act 2007 as amended by the Localism Act 2011.
8. Following the consultation exercise the Council must hold this Special Meeting, convened for the purpose.
9. The resolution must specify the first year in which the first ordinary whole elections are to be held. Bearing in mind the Council's wish to have an electoral review of the number of councillors this would be 2020 at the earliest. 2020 is also the year of the Police and Crime Commissioner election. It could not be 2021 as it cannot coincide with a County Council election year.
10. The resolution to change must have a majority of two thirds of the Members voting on it.
11. If the resolution is passed the Council may not pass a further resolution changing its electoral scheme for five years from the date of this Special meeting.
12. If the resolution is passed the Council must publish an explanatory document on the decision and make it available for public inspection. This would be via the Council's website and a press release.
13. The Council must also give notice to the Electoral Commission.
14. The Council's decision will have a fundamental bearing on the Boundary Commission's approach to the forthcoming electoral review of the number of councillors. If the Council moves to whole elections the Commission will be obliged to consider whether single member wards are appropriate. If it considers they are not appropriate it will look at a pattern of 3 member wards. If the Council decides to retain elections by thirds the Commission will just look at 3 member wards.
15. There would be savings from a move to whole elections. It is impossible to state these with total accuracy. A whole election will cost more than an election by thirds but the cost of elections in two years would be saved.
16. This is however complicated by the fact that the borough elections are sometimes combined with other elections where a share of the costs is met by Central Government eg Parliamentary and Police and Crime Commissioner. There are also by- elections which cannot be predicted in advance and the potential for more neighbourhood plan referendums. It is expected however that savings of around £50,000 in non -election years could start to be realised from 2020/21.
17. The Council currently recharges town and parish councils the marginal cost of their elections where they are combined with borough elections. That will continue to be the case in May 2019

when the all-out parish councils will be held alongside one third borough elections whatever the Council decides on its future electoral cycle.

18. If the Council wishes to move to whole elections then it should pass the following resolutions:

- (1) That pursuant to s 34 of the Local Government and Public Involvement in Health Act 2007 (as amended) the Council resolves to move to a scheme of whole council elections and that the first ordinary elections be held in 2020 and every fourth year afterwards.
- (2) That the Corporate Director draw up and publish a document explaining the change and give notice to the Electoral Commission.

## **IMPLICATIONS**

- Policy:** The Council's current policy is to have elections by thirds.
- Financial:** These are summarised in paragraphs 15-17 above.
- Legal:** The Council has the legal power to decide its electoral cycle.
- Risk Management:** None arising directly from the report.
- Health and Safety:** None arising directly from the report.
- Sustainability:** None arising directly from the report.
- Community Safety:** None arising directly from the report.
- Equality and Diversity:** None arising directly from the report.