

**Cabinet Office Elections Policy and Coordination Group**

**5<sup>th</sup> Meeting, 13.00-15.00, Monday 16<sup>th</sup> April 2012  
Cabinet Office, 1 Horse Guards Road**

**Attendees****UK Government**

**Alex Thomas** Head of Elections and Democracy Division, Cabinet Office (Chair)

**Paul Docker** Head of Electoral Administration, Cabinet Office

**Paul Brunton** Elections and Democracy Division, Cabinet Office

**Ian Barber** Department for Communities and Local Government

**Gareth Bradford** Department for Communities and Local Government

**Paul Rowsell** Department for Communities and Local Government

**Neil King** Home Office

**John Kilner** Department for Environment, Food and Rural Affairs

**Rachel White** Northern Ireland Office

**Ciaran Martin** Director Constitution, Cabinet Office (for final item)

**Welsh Government**

**Hugh Rawlings** Director, Constitutional Affairs and Inter-Governmental Relations,  
Department for the First Minister and Cabinet

**Returning Officers (and/or representatives)**

**John Bennett (JB)** Greater London Returning Officer

**Sir Howard Bernstein** Manchester City Council

**Michelle Chard (MC)** Manchester City Council

**Robert Connelly (RC)** Birmingham City Council

**Bill Crawford (BC)** Sunderland City Council

**Mark Heath (MH)** Southampton City Council

**Shirley Plenderleith (SP)** Kettering Borough Council

**Barry Quirk (BQ)** Lewisham Council

**Paul Morris (PM)** Borough of Poole Council

**Bryn Parry-Jones (BPJ)** Pembrokeshire County Council

**Joanne Roney (JR)** Wakefield Council

**Association of Electoral Administrators**

**John Turner** Association of Electoral Administrators (AEA)

**Electoral Commission**

**Peter Wardle** Chief Executive

**Andrew Scallan** Director of Electoral Administration

**Chris Morgan** Policy Adviser (Electoral Policy)

## **Apologies**

**Roddy Angus** Scotland Office

**David Cook** Kettering Borough Council

**Trevor Holden** Luton Borough Council

**Stephen Hughes** Birmingham City Council

**Peter Newbitt** Wales Office

**Mary Pitcaithly** Falkirk Council and Convener, Electoral Management Board for Scotland

**Graham Shields** Chief Electoral Officer Northern Ireland

**Dave Smith** Sunderland City Council

## **Minutes**

### **1. Welcome and introductions**

1.1 Cabinet Office (CO) welcomed members to the fifth meeting of the Elections Policy and Coordination Group. The CO tabled an updated paper on the legislation and consultation work which will support upcoming polls.

### **2. Minutes**

2.1 The minutes of the previous meeting were agreed.

### **3. Planning for May 2012**

3.1 JB provided the group with an update on the work which was being taken forward in preparation for the GLA elections on 3 May. This included confirmation that final tests were in the process of being completed on the e-counting system which would be used for the poll and that candidates address booklets would be sent out shortly. On a wider note JB referenced the ongoing need to keep the balance between the number of subscribers candidates require and the level of their deposits under review. The EC advised it would be looking to undertake a piece of work around the overall principles behind disqualification, deposits and subscribers.

3.2 The ROs present at the meeting confirmed that they were not aware of any major issues which needed to be resolved prior to May polls. The EC confirmed that this view was consistent with the information which had been returned by ROs as part of the Performance Standards process.

3.3 It was agreed that for future local referendums it would be helpful to review the level and content of awareness information which is provided to voters and campaign groups.

### **4. Department for Environment, Food and Rural Affairs (Defra) - National Park Authority Elections**

4.1 Defra informed the group that it had published its consultation on the introduction of elected members of National Park Authorities which would run until 31 May. The EC and AEA raised concerns about the proposal to hold the first set of

National Park Authority Elections in May 2013. The issues which were identified were predominantly around the need for the legislation to be in place in a timely manner before the poll and for clarity to be provided on issues such as candidature. Defra confirmed that it understood the reasons behind the concerns which had been raised and emphasised that the results of the consultation exercise would help to inform the final decision on whether it would be achievable to run the polls in May.

4.2 Defra also confirmed that invitations to prospective members had been sent out to join the co-ordination group which would be set up to oversee arrangements for the National Park Authority elections.

## 5. Neighbourhood Planning Referendums (DCLG)

5.1 DCLG advised that work was being taken forward to finalise the draft regulations for residential Neighbourhood Planning Referendums with a view to laying the statutory instrument before Parliament shortly. It was noted that, subject to Parliamentary approval, the aim would be to have the regulations in force before the summer recess to allow for referendums to take place in the autumn. DCLG confirmed that the majority of the provisions in the regulations mirrored the rules for other elections and referendums but advised that:

- (i) There would be a shorter notice period for the Neighbourhood Planning referendums (28 days);
- (ii) The rules would need to be tailored to reflect the possibility that referendum areas may not be co-terminus with local authority boundaries;
- (iii) Bespoke rules would need to be in place to produce the register for the referendum area and to identify the Counting Officer who would be in charge of the poll in circumstances where the voting area crosses two local planning authorities;
- (iv) There would be specific campaign expenditure limits in place for the poll;
- (v) The decision on whether to combine the Neighbourhood Planning Referendums with other polls would be left to the discretion of the Returning Officers and Counting Officers concerned;

5.2 DCLG confirmed that a budget had been set aside for new burdens on local authorities associated with conducting any Neighbourhood Planning Referendums which take place between now and March 2015.

5.3 DCLG agreed to look at the following points which came up during discussion:

- (i) The information which would be provided to voters on the ballot paper and prior to the poll;
- (ii) The need for guidance to be provided to Returning Officers on “getting to the referendum” stage of the process;
- (iii) The process for reporting breaches of the campaign expense limits to the relevant authorities;
- (iv) Exploring what would happen to the referendum result in cases where expense limits have been breached.

5.4 DCLG agreed to send copies of the draft regulations for the Neighbourhood Planning Referendums to SOLACE. **Action: DCLG**

5.4 DCLG noted that work was also taking place on the conduct rules for Neighbourhood Planning Business Referendums. This included consideration being given to whether the regulations should take effect on a Common Commencement Date (1 Oct or 1 April). It was agreed that there would be a fuller discussion on these polls at the next EPCG meeting. **Action: DCLG**

## **6. Home Office: Police and Crime Commissioner elections**

6.1 HO confirmed that it had worked through the comments which had been received from the EC, AEA and ROs on the PCC Conduct Order and would send it for informal consultation with JCSI shortly. HO advised that work was also taking place on media planning for the PCC elections and on producing guidance on publicity and propriety issues. HO also advised that since the last meeting one PARO had been replaced. It was further noted that the legislation for PCC polls provides the PCC with the option to appoint a deputy<sup>1</sup>.

6.2 PM emphasised the need for the EC to provide risk plans to ROs for the poll. The EC confirmed that it would prioritise this once the regulations come into force.

6.3 The HO confirmed that a second PARO event would take place on 14 September. It was agreed that the HO and PARO representatives would liaise on the topics which need to be covered at the event. **Action: HO and PARO Representatives**

## **7. Wider Planning for November 2012**

7.1 CO explained that work was being taken forward in order to ensure that the forms and notices for Mayoral elections are consistent with the materials which the Home Office produced for the PCC elections. This would help to ensure that election materials are easy to understand and accessible to voters for both the PCC elections and any Mayoral elections which (pending the results of the Mayoral Referendums in May) are held alongside them on 15 November.

7.2 No further combination or planning issues were identified for discussion by the AEA, EC or PAROs.

## **8. Update on Legislation**

8.1 CO presented the attached paper (**Annex A**) on the Electoral Administration proposals which would be included alongside the work to accelerate the move to the Individual Elector Registration in the forthcoming "Electoral Registration and Registration Bill". The key points which followed in discussion were:

- (i) The changes to polling place and district reviews in Great Britain were limited to the timescales;
- (ii) The AEA emphasised the need for an early decision to be made on whether the local and parish elections which are scheduled to take place in May 2014 will be moved to June 2014 to take place alongside the European Parliamentary elections. DCLG, which has policy responsibility for the timing of local elections, recognised the relevant timings for this and will consider whether a consultation will be undertaken.

<sup>1</sup> In cases where no appointment is made and a deputy is required the individual is chosen by the Police and Crime Panel.

- (iii) CO confirmed that a provision would be included in the bill which would create a duty for Electoral Registration Officers to inform voters where their personal identifiers do not match but that in exceptional circumstances (i.e. suspicion of electoral fraud) this would not be required. The EC explained that on first principles save for exceptional circumstances it was reasonable for voters to have the information.
- (iv) The EC confirmed that it would write to the CO with initial views on the proposal to allow the Secretary of State to reduce or withhold an Acting Returning Officers fee at future UK Parliamentary elections.
- (v) A change to secondary legislation would be made to require Returning Officers to check 100% of "postal vote identifiers". CO confirmed that save for exceptional circumstances Returning Officers would be expected to comply with this new duty.

## **9. Any other Business**

- 9.1 The EC confirmed that it would be looking to circulate a draft paper shortly on the timing of the count. The paper would make it clear that the final decision would be left to the discretion of the Returning Officer.
- 9.2 Ciaran Martin, the CO Constitution Director attended to meet the group and gave a brief recognition of the value of its work.