

Confirmed on 25 November 2004

Minutes of the meeting of the Electoral Commission held on 28 October 2004 in London

Present: Sam Younger (SY) (Chair)
Pamela Gordon (PG)
Glyn Mathias (GM)
Sir Neil McIntosh (NM)
Karamjit Singh (KS)

In attendance: Roger Creedon (RC)
Jacqui Dixon (JD)
Archie Gall (AG)
Roger Gough (RG)
Angela Salt (AS)
Nicole Smith (NS)
Peter Quirk (PQ)
Anja Beukes (AB)
Ros Baston (RB)
Shane Beadle (SB)
Laura Richards (LC)
Dave Mahon (DM)
Heather Gentry (HG)
Steve Evison (SE)
Sam Jarvis (SJ)
Ros Baston (RB)

Implementation Team: Ann Devine (AD) (for items 1 – 6 inclusive)
Tim Atkinson (TA) (for items 1 – 6 inclusive)
Bill Pickles (BP) (for items 1 – 6 inclusive)

PG, AG, DM and SJ left the meeting while decisions were taken on items 1 – 5 inclusive.

1. Periodic Electoral Review: county of Bedfordshire

1.1 KS presented the report, and outlined the issues raised, drawing attention to the representations received, and the Implementation Team's analysis of the representations contained in the report, in respect of the following:

- Council size
- Electoral variances, which in some instances are more than 20%

- Electoral projections
- Multi-member divisions
- Bedford borough: De Parys, Newnham and Queens Park divisions
- Bedford borough: Kempston division
- Mid-Bedfordshire: Cranfield and Woburn & Harlington divisions
- Mid-Bedfordshire: Flitwick East and Woburn & Harlington divisions
- Midbedfordshire: Northill & Blunham and Sandy divisions
- Mid-Bedfordshire: Stotford & Arlesey division
- South Bedfordshire: Dunstable Downs division
- South Bedfordshire: Houghton Regis division
- South Bedfordshire: Leighton Linsdale Central division
- South Bedfordshire: Plantation and Toddington divisions
- South Bedfordshire: South West Bedfordshire and Toddington divisions
- Parish electoral arrangements for Biddenham parish
- Names of wards of Sandy parish

1.2 KS acknowledged that the shape of Bedfordshire caused difficulties in achieving a sensible configuration of electoral divisions. The Commissioners discussed the high levels of electoral variance in some divisions and the approach set out in the Guidance to high levels of variance. It was agreed that the Guidance is clear that proposals for variances of over 10% must have particular justification, and that variances of over 20% should arise in exceptional circumstances only and would require the strongest justification.

1.3 The Commissioners agreed that the proposed Cranfield division was an exceptional case as very strong evidence had been provided to justify the high level of electoral variance.

1.2 **The Commissioners agreed to accept the recommendations of the Boundary Committee, subject to:**

- **The modifications set out in paragraphs 118 and 119 of the Implementation Team report, which have been agreed on behalf of the Boundary Committee, and**
- **The modifications set in Appendix B to the Implementation Team's report, and**
- **The clarifications noted in Appendix C**

2. Periodic electoral review: county of Dorset

2.1 SY presented the report and advised that the proposals were based on the scheme submitted by the County Council, which had been widely consulted upon.

2.2 The representations raised one area of concern, and the Team identified one further issue as requiring consideration:

- West Dorset: Chickerell and Chesil Bank division
- West Dorset: Frome Vauchurch parish transfer

ST stated that the minor amendments suggested in the representations would result in marginally worse electoral equality.

2.3 The Commissioners agreed to accept the recommendations of the Boundary Committee, with the clarifications set out in Appendix C of the Implementation Team's report.

3. Periodic electoral review: county of Hampshire

3.1 GM presented the report, and drew attention to the areas of concern raised in the representations, which are summarised as follows:

- Multi-member divisions
- Alleged lack of consultation
- Process of developing final recommendations for Basingstoke and Deane
- Basingstoke & Deane: boundary between Rooksdown & Sherbourne St John borough wards
- Basingstoke & Deane: Kingsclere district ward
- Basingstoke & Deane: Overton parish
- Fareham: Fareham Town division
- Gosport: Leesland and Town division
- Hart: multi-member divisions
- Hart: Yateley East & Blackwater division
- Havant: Havant North and Bedhampton Hermitage division
- Rushmoor: Aldershot East and Aldershot West divisions
- Rushmoor: improvement to coterminosity
- Rushmoor: proposal for two-member division for Aldershot
- Names of electoral divisions in East Hampshire, Eastleigh, Gosport, Hart, Havant, and New Forest

3.2 In respect of the boundary between Rooksdown & Sherbourne St John borough wards, there is an error in the District of Basingstoke and Deane (Electoral Changes) Order 2001. The Boundary Committee proposed using the borough ward boundary to define the boundary between the Basingstoke North West and Calleva & Kingsclere county divisions, and, as only three properties were involved, the staff of the Committee had indicated that they would accept a modification of the proposed ED boundary to move it onto the revised borough ward boundary. An amendment order must be made, and therefore the final decision on these proposed divisions should be taken after an amendment order had been considered and made.

3.3 The Commissioners agreed to accept the recommendations of the Boundary Committee, subject to:

- **The modifications set out in paragraphs 78,82,85,88,91 and 94 of the Implementation Team’s report**
- **The clarifications noted in Appendix B**
- **Deferment of the decision on Basingstoke North West and Calleva & Kingsclere divisions, until consideration and making of an amendment order**

4. Periodic electoral review: county of Oxfordshire

4.1 PG said that she had declared an interest in the Oxfordshire review when it had been considered by the Boundary Committee because friends had made representations concerning the proposals for the Vale of White Horse. The issue had been dealt with by the Boundary Committee, and did not feature in the report. PG therefore considered that she had no interest to declare in respect of the Implementation Team report.

4.2 SY presented the report, and highlighted the increase in the size of the council, with one three-member division, and fifteen two-member divisions, of which eight were within the city of Oxford. Most of the representations concerned the creation of multi-member divisions; the County Council and others recognised the appropriateness of multi-member divisions in the city, but there was opposition to those proposed in other areas. Other representations were received in respect of:

- Names of electoral divisions
- Parish electoral arrangements for Banbury Town Council

In addition, the Implementation Team drew attention to greater than normal variances in electoral equality in some divisions.

4.3 The Commissioners agreed to accept the recommendations of the Boundary Committee, subject to the modifications set out in paragraphs 23 – 34, and 152 –156 of the Implementation Team’s report, and the clarifications noted in Appendix B.

5. Periodic electoral review: county of East Sussex

5.1 NM presented the report, and advised that the County Council supported the recommendations. The areas of concern raised in the representations were:

- Council size
- Lewes: Newhaven & Ouse Valley West division

- Lewes: Ouse Valley East division
 - Wealden: Framfield & Horam division
 - High electoral variances
 - Names of electoral divisions
- 5.2 NM raised a general point concerning the transparency of the process, and suggested that it might be possible for Commissioners to attend a meeting of the Boundary Committee, as an observer, on PERs in which they are not involved.
- 5.3 **The Commissioners agreed to accept the recommendations of the Boundary Committee, subject to the modifications set out in paragraphs 50 – 55 of the Implementation Team’s report, and to the clarifications noted in Appendix B.**

6. Electoral Change Orders

- 6.1 The Commissioners considered eleven electoral change orders for counties.
- 6.2 **The Commissioners agreed, and authorised the affixation of the Commission’s seal, to the following electoral change Orders;**
- **County of Derbyshire**
 - **County of Devon**
 - **County of Essex**
 - **County of Gloucestershire**
 - **County of Kent**
 - **County of Nottinghamshire**
 - **County of Shropshire**
 - **County of Staffordshire**
 - **County of Surrey**
 - **County of Warwickshire**
 - **County of Wiltshire**

7. Marked register

- 7.1 RC introduced the report, and referred to Counsel’s opinion, the public attitude survey and the experience of the June 2004 elections, which had been used to give substance to the report. The report did not seek to provide all the solutions; it aimed to identify the issues and take a practical approach.
- 7.2 NS stated that agreement to the report was needed now, as otherwise the Government would proceed without the Commission’s input. Commissioners considered that the report should be amended to take account of the following points:

- Extracts from Counsel's opinion tended to unbalance the report. The opinion could be included as an appendix.
 - The Commission should acknowledge that four different regulatory systems are being proposed, and that this will not be simple to operate.
 - The political parties have not provided detailed information as to what use they make of polling progress information
 - The Commission must distance itself from the public view of political parties, and acknowledge their value in the democratic process
 - The definition of electoral purposes must not prohibit legitimate political activity
 - The role of party agents in polling stations
- 7.3 NS invited the Commissioners to comment on the drafting of the executive summary and to send textual amendments to her within the week.
- 7.4 The Commissioners agreed that SY and GM should approve the final version of the report. NS stated that, depending on the proposed timetable for publication, the Commission might need to share the recommendations with Government officials before publication, in order to ensure an influence on the drafting of the anticipated Electoral Administration Reform Bill.
- 7.5 **The Commissioners approved the report, subject to the amendments discussed, and authorised SY and GM to agree the final version.**

8. Beacon Council scheme: consultation on themes for rounds 7 and 8

- 8.1 PQ represented the report. NS suggested that the draft letter should highlight links to Commission initiatives as well as Government initiatives. She also suggested that the letter should indicate that the Commission saw no conflict between the independence of the Returning Officers, and that fact that councils would be eligible to apply for Beacon Council status.
- 8.2 PG asked whether Michael Clarke had been consulted, as he was a member of the Beacon Council advisory committee; PQ agreed to consult Professor Clarke, and to advise Commissioners if he suggested any substantial change.
- 8.3 **The Commissioners agreed the proposed response, subject to consultation with Professor Michael Clarke, and authorised SY to approve the final version.**

9. DEFRA consultation: National Parks, AONB, and The Broads

- 9.1 DM presented the report, and advised that the Boundary Committee considered that DEFRA's proposals could be relevant in some circumstances, particularly in relation to any future review of local authority boundaries. PG stated that the Committee would have to consider partnership boundaries, and that the Commission should be a listed body.
- 9.2 **The Commissioners agreed that the Commission should be considered to be a relevant body, and authorised SY to write to the Minister accordingly.**

10. Elected regional assemblies: final version of the draft guidance

- 10.1 NS introduced the report, and highlighted some issues relating to the process, in that the review was not a PER and therefore there was no separation between the Electoral Commission and the Boundary Committee in this instance. The Commission would be sending advice to the Secretary of State. In discussing the arrangements for the review, it was agreed that correspondence, and in particular the launch letters, would be from the Commission. The Boundary Committee would act as a Project Board which would keep the Commission informed on its thinking before any decision on the advice was required.
- 10.2 The Commissioners considered the text of the guidance, and proposed amendments, in particular in respect of:
- The strategic nature of the role of the regional assemblies in paragraph 2.5
 - The statement about the number of representations and constituencies
 - The use of electoral forecasts as at 1 December 2004.
- 10.3 AG stated that while it would be possible to start the review on 16 November, moving it back to 30 November would provide the Commission with more flexibility in finalising and publishing the guidance. This would have no effect on the overall review timetable.
- 10.4 **The Commissioners approved the draft guidance, and the process of finalising it before publication, subject to the amendments discussed.**

11. Financial report

- 11.1 RG presented the reports, which had been deferred from 30 September 2004. The two reports covered the financial year ended 31

March 2004, and the first quarter of 2004/5. RG stated that the accounts for 2003/4 had been signed off by the Comptroller and Auditor General. NM referred to the miscellaneous budget, and suggested that the Audit Committee might review this. AB explained that the amount in the cost centre 'changes in working capital' represented a figure for creditors following the late submission of invoices at the year end.

- 11.2 RG stated that possible alternative accommodation had been found in Abbey Orchard Street. An assessment of the premises was being undertaken, and the business case had to be made.
- 11.3 RG advised that there would be a projected underspend identified in the six-monthly report, and that resources would be reallocated to meet pressures elsewhere. Due to the Government's decision to hold only one referendum in 2004, this element of the budget would also underspend and due to ringfencing, resources could not be reallocated.

11.3 The Commissioners noted the reports.

12. Directors reports for the quarter July – September 2004

- 12.1 The Commissioners received the quarterly reports for the period July to September 2004, in respect of the Communications directorate, and Corporate Services directorate.
- 12.2 The Commissioners noted the following additional matters:
- NIF partnership spending
 - Monitoring of ethnic minority press
 - Preparation for publicity campaign for General Election

13. Understanding registration

- 13.1 LCR presented an update on the Understanding electoral registration project, in particular the element being conducted by ONS. Two additional elements of work were being proposed, consisting of desk research and case studies, together with public opinion research with particular focus on non-registration.

13.2 The Commissioners noted the information.

14. Other items

- 14.1 The Commissioners sent their best wishes to Kay Jenkins, who had been involved in a car accident on the Severn Bridge.
- 14.2 The Commissioners congratulated Roger Creedon on a very successful Staff Conference, held on 22 October.