

Confirmed on 12 January 2006

Minutes of the meeting of the Electoral Commission held on 8 December 2005, in London.

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

In attendance: Jacqui Dixon (JD)
Angela Salt (AS)
Nicole Smith (NS)
Chris Welford (CW)
Rael Zackon (RZ)
Andy O'Neill (AO'N)
Patricia Pena (PP)
Scott Walters (SW)
Doug Stewart (DS)
Mark Williams (MW)
Tom Hawthorn (TH)
Dan Markson (DM)
Tim Atkinson (TA)
Paul Allen (PA)
Nina Morris (NAM)

1. Minutes of the meeting of 10 November 2005 (EC150/05)

- 1.1 The Commissioners agreed the minutes of the meeting held on 10 November 2005, subject to minor amendments.
- 1.2 The Commissioners commented that the summary of expenditure requested, and referred to in paragraph 3.3, had not yet been received.

2. Minutes of the meeting of 24 November 2005 (EC151/05)

- 2.1 The Commissioners agreed the minutes of the meeting held on 24 November 2005, subject to minor amendments.

- 2.2 The Commissioners stated that they expected any further budget request in relation to the Electoral Administration Bill and the transfer of parliamentary boundary functions to come back to Commissioners for discussion and approval. NM asked that the budget estimates should be put on the agenda for the Audit Committee meeting to be held on 23 February 2006. The internal auditor will be asked to review the process for virement.

3. Review of the timing of counts at Scottish Parliament and local Government elections (EC152/05)

- 3.1 NM and A'ON introduced the report, stating that the review followed a commitment given in 2003. The Arbutnott Commission was due to report in mid-January 2006, and it is important that the Electoral Commission's views were known by then, so that they would be influential in any government decisions taken, following publication of that report.
- 3.2 A consensus had emerged on the timing of counts among returning officers, political parties and the Commission. There was a willingness to move from overnight counting to daytime counting, although it was noted that the recommendations should note the possible implications for the use of community venues for weekend counting. It was also noted that the use of electronic counting would raise issues for the milestones in the procurement process.
- 3.3 The report and recommendations would be published on the Commission website, and it was agreed that the report would be amended to reflect the strength of the consensus achieved during the review process.
- 3.4 **The Commissioners agreed the report and the recommendations, subject to minor textual amendments.**

4. Review of recounts at elections to Scottish Parliamentary Regions (EC153/05)

- 4.1 SY stated that although the report had been written from a Scottish perspective, it did have potentially significant implications for other elections and referendums, particularly elections to the Welsh Assembly and the European Parliament. The report had been written reflecting the current manual nature of counts for the Scottish regions whilst acknowledging the potential for electronic counting currently being considered for elections in Scotland in 2007. SY felt that it was reasonable for candidates, agents and parties to expect to be able to demand a recount at regional level,

whilst acknowledging the practical issues had to be considered in each electoral context.

- 4.2 GM stated that although there were no plans for electronic counting in Wales, and there were no combined elections in Wales, this issue may be the subject of consultation with stakeholders and it would be helpful to include this information in the report.
- 4.3 The report would be published on the Commission's website on 6 January 2006, and hard copy printouts would be available in Scotland.
- 4.4 **The Commissioners agreed the report and the recommendations.**

5. Election Planning 2006 (EC154/05)

- 5.1 DM outlined the planning arrangements set out in the report, copies of which had been sent to the Deputy Commissioners. SY welcomed the report, and asked that updates be provided for information at the Commissioners' business meetings each month. The Commissioners would chair the post-elections seminars to be held in the week beginning 15 May 2006; NS allocated venues and dates to the Commissioners.
- 5.2 The Commissioners noted that the next Electoral Integrity roundtable meeting would be held on 18 January 2006, in London. The post election meeting would take place in July.
- 5.3 **The Commissioners noted the report.**

6. May 2006 electoral pilot scheme applications (EC155/05)

- 6.1 NS introduced the report, and outlined the framework for analysing the applications. The DCA had received 33 applications (of which sixteen involved electronic counting), and had indicated that they wished to approve no more than twenty.
- 6.2 TH, TA and PA gave a presentation commenting on the applications and their scope. The presentation highlighted those applications which would provide significant or reasonable learning value, and those which would provide minimal learning value. TH would reformat the response for SY to agree next week.
- 6.3 **The Commissioners noted the applications received and the results of the analysis, and authorised SY to approve the**

comments on the applications for submission to the Department of Constitutional Affairs.

7. Draft Representation of the People (England and Wales) (Amendment) Regulations 2005 (EC156/05)

- 7.1 NS gave an update on the report, and indicated three changes to the draft Regulations since the version submitted to Commissioners with the agenda:
- Removal of Regulation 5: requirement for the address of the ERO to be on the postal vote application form
 - Form K to go to the Secretary of State as well as the Commission
 - Removal of provisions allowing replacements for lost or spoiled postal voting papers to apply to misprinted ballot papers (technical change covered elsewhere)
- 7.2 The proposed changes to Regulation 4 on checking signatures highlighted the Commission's concerns. The regulations did not represent the integrated package which the Commission wished to see in place. The covering letter to the Secretary of the State should include comments on the direction and approach, and the need for a coherent package, and request a response with an explanation. It was agreed that a separate letter should deal with the process, particularly the timescale given to the Commission to respond, and the desirability of the Commission receiving a response to recommendations for changes to the draft Regulations.
- 7.3 NS advised that equivalent orders affecting Scotland were expected. Assuming the regulations were similar to those already received in respect of England and Wales, the Commissioners agreed that SY and NM should agree a response.
- 7.4 **The Commissioners agreed the report and the draft response, subject the amendments discussed and to the proposed contents of the covering letter. The Commissioners agreed that a separate letter should be sent concerning the consultation process. The Commissioners also agreed that SY and NM would approve a response to draft regulations received in relation to Scotland.**

8. Allocation of Policy Development Grant for 2006/7 (EC157/05)

- 8.1 CW presented the report, and indicated that the Commission may receive a direction in the New Year to extend the current scheme. The Commissioners considered that, in the interim, the scheme should be administered as it stood, and that therefore the UUP's proportion of the

grant should be reallocated, according to the criteria set out in the legislation, and that the Secretary of the State should be advised accordingly.

- 8.2 In making its recommendation, the Commission would emphasise the need for a review of the scheme.
- 8.3 **The Commissioners agreed to advise the Secretary of State that the UUP proportion of the fund be reallocated, and that in giving that advice, the Commission should emphasise the need for a review of the scheme.**

9. Spring registration awareness campaign

- 9.1 AS introduced this item, and NAM and Simon Gottschalk (St Lukes) gave a presentation on the proposals for the Spring 2006 registration awareness campaign. The presentation provided information to Commissioners on the objectives of the campaign, the target audiences and the preferred media. The campaign would target all electors affected, but would also target underregistered groups, in particular homemovers, the rental sector, youth and BME groups in the community.
- 9.2 AS advised that research on the proposed campaign would be carried out the following week, with results being available before Christmas. AS advised Commissioners that the proposed creative would be circulated by e-mail for approval in the week commencing 2 January 2006. The campaign would begin in February 2006. AS also outlined discussions which had taken place concerning a joint London campaign with the DCA and other stakeholders.
- 9.3 **The Commissioners noted the proposals for the Spring 2006 registration campaign.**

10. Presentation by the Elections Commissioner

- 10.1 The Commissioners welcomed Mr Richard Mawrey, QC, Election Commissioner, to the meeting. Mr Mawrey gave a presentation on the arrangements for, and outcomes of, the hearings into the election petitions relating to local government elections in Birmingham. Mr Mawrey outlined the process involved in election petition hearings in general, and the Birmingham petition in particular, and answered questions from Commissioners.
- 10.2 **The Commissioners thanked Mr Mawrey for his presentation.**

11. Matters for information

11.1 The Commissioners received the following items for information:

- i) the minutes of the Audit Committee held on 29 September 2005 (EC160/05)
- ii) PG had given the Commissioners an update on the Government's proposals for local government
- iii) PG stated that the Leadership Centre for Local Government were working with local authorities and political parties, through the Civic Pride initiative, aimed at selecting better candidates for local authorities. This initiative could be relevant to expectations as to the time commitment of Councillors and to the size of councils.
- iv) AS stated that work was now being undertaken with the Scottish Executive on the awareness campaign for the elections in Scotland in 2007
- v) Publication of the 2005 elections report was being delayed by one week.