

Draft as at 20 August 2003.

**MINUTES OF THE MEETING OF THE ELECTORAL COMMISSION HELD  
ON 14 AUGUST 2003**

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

In attendance: Jacqui Dixon (JD)  
Anne Hinds (AH)  
Chris Welford (CW)  
Becky Lloyd (BL)  
Martine Padwell (for items 3 – 10 inclusive)

Boundary Committee: Pamela Gordon (for items 3 – 10 inclusive)  
Helen Rossington (HR) (for items 3 – 10 inclusive)

PG and HR left the meeting while decisions were taken on items 3 – 10 inclusive.

Implementation Team: Derek Little (DL)  
Alice Cuninghame (AC) (for items 3 – 11 inclusive)  
Ann Devine (AD) (for items 3 – 11 inclusive)

Apologies: Professor Graham Zellick

**1. Minutes of the meeting held on 10 July 2003.**

1.1 The minutes of the meeting of the Commission held on 10 July 2003 were agreed, subject to the following amendments:

Paragraph 5.1: insert 'structure of the' after 'draft' in the first line.

Paragraph 7.3: amend first line to read ' The Commission's campaign would cover the time from the start of the referendum period, which is not less than 10 weeks, to the day before the poll'.

Paragraph 7.5: add 'or' in third line between 'referendums' and 'to'.

## **2. Minutes of the private meeting of the Commissioners held on 31 July 2003.**

- 2.1 The minutes of the private meeting of the Commissioners held on 31 July 2003 were agreed, subject to the following amendment:

Paragraph 9: The Commissioners thanked all those involved in the publication of both the Party Accounts and the reports on the pilot schemes.

## **3. Periodic Electoral Review: City of Birmingham**

- 3.1 SY presented the report, and thanked the Boundary Committee for a thorough Final Report.
- 3.2 SY referred to paragraphs 7 – 11 of the report concerning Witton, Perry Bar and Aston. Evidence had not been available to the Boundary Committee about the community links between Witton and Aston. However, linking Witton with Aston would result in poor electoral equality for Perry Barr.
- 3.3 PG confirmed that if the Boundary Committee had received evidence of community links between Witton and Aston, it would have been considered but the arguments of community identity would have to be very strong, particularly in the centre of metropolitan areas where variances of 4% to 5% would be average.
- 3.4 Attention was drawn to the representations made about the level of publicity given to the review by the local authority, which was referred to in paragraphs 26 and 27 of the report. PG and HR confirmed that there were guidelines on this matter in the PER guidance document, and that it is discussed with local authority officers in the preliminary meetings. The Commissioners considered that this issue should be included as part of the review of the PER process.
- 3.5 SY also referred to the following issues raised in the representations:
- The boundary between Northfield and Weoley wards
  - The boundary between Northfield and Kings Norton wards (West Heath area)
  - Yardley and Stetchford wards
  - Sutton Coldfield area
  - The boundaries between Tyburn and Erdington wards (Pype Hayes estate)
  - The boundary between Harborne and Quinton wards
  - The naming of wards

### 3.6 The Commissioners agreed to:

- **Accept the recommendations, subject to the modifications agreed by the Boundary Committee, except in respect of the boundary between Aston and Perry Barr wards (Witton area)**
- **Require more advice or information from the Boundary Committee regarding the recommendations for the boundary between Aston and Perry Barr wards (Witton area).**

## 4. Periodic Electoral Review: City of Coventry

- 4.1 NM presented the report, which contained no contentious issues. Four modifications and two mapping revisions had been agreed on behalf of the Boundary Committee.
- 4.2 **The Commissioners agreed to accept the recommendations, subject to the modifications set out in the report and agreed on behalf of the Boundary Committee.**

## 5. Periodic Electoral Review: Borough of Dudley

- 5.1 NM presented the report, and referred to the representations made by the Stourbridge Township Council (which is not a parish council) on community identity. The representations on community identity were strongly made but would result in wide electoral variances.
- 5.2 NM also referred to the following issues raised in the representations:
- Naming of wards
  - Upper Gornal and Woodsetton wards (polling district GG5)
  - Clarification of street names
- 5.3 **The Commissioners agreed to:**
- **Require more advice or information from the Boundary Committee regarding Lye and Wollescote, and Pedmore and Stourbridge East wards**
  - **Accept all the remaining recommendations, subject to the clarification of street names referred to in paragraph 13 of the report.**

## 6. Periodic Electoral Review: Borough of Sandwell

- 6.1 SY presented this report which contained no contentious matters.

6.2 **The Commissioners agreed to accept the recommendations.**

## **7. Periodic Electoral Review: Borough of Solihull**

7.1 SY presented the report. No representations had been received in respect of this PER.

7.2 **The Commissioners agreed to accept the recommendations.**

## **8. Periodic Electoral Review: Borough of Walsall**

8.1 GM presented the report. Paragraph 3 of the report required amendment, to refer to Walsall, instead of Birmingham. GM referred to the representation made in respect of the Chuckery area, outlined in paragraphs 7 and 8 of the report. The representation made by the Labour Group had some merit but would create a ward of two areas separated by an open space. These matters had been considered in detail by the Boundary Committee.

8.2 GL also referred to the contention that Chuckery Mosque would be in a different ward from its car park. It had been difficult to establish the location of the car park.

8.3 Representations had also been received in respect of:

- The boundary between Pelsall and Rushall-Shelfield wards
- The boundary between Rushall-Shelfield and Blakenhall wards
- The boundary between Aldridge North and Walsall wood and Pelsall wards
- The naming of wards

8.4 **The Commissioners agreed to accept the recommendations, subject to the modifications set out in the report and agreed on behalf of the Boundary Committee. The Commissioners requested that the local authority should be asked to confirm the location of the mosque car park.**

## **9. Periodic Electoral Review: Borough of Wolverhampton**

9.1 SY presented the report. Representations had been received in respect of:

- Alleged political bias
- Tettenhall Regis, Tettenhall Wightwick and Oxley wards
- Council size

- Heath Town and Wednesfield South wards
  - Ettingshall and Spring Vale wards
- 9.2 SY also referred to the representation received on an alternative to all-out elections in 2004. AD advised that it had been discovered that in the late seventies, where minor changes had been made to electoral arrangements in the West Midlands, councillors had apparently been allocated to new wards. The Commissioners agreed that the principle must remain that there would be all-out elections to implement electoral changes following a PER. It was not desirable to change the approach at this stage in the programme, and the electoral cycles review would consider these matters.
- 9.3 **The Commissioners agreed to accept the recommendations. The Commissioners confirmed that electoral change orders following Periodic Electoral Reviews would be implemented by all-out elections.**

## **10. Periodic Electoral Review: City of Liverpool**

- 10.1 DL reported that the Boundary Committee had responded to the Commissioners request for further advice or information, and had recommended no change to its Final Report and recommendations.
- 10.2 PG advised that the Boundary Committee had considered the issues originally. Speke could be considered to be a community on its own, but there had to be three councillors per ward and Speke had to be linked with either Garston or Hunts Cross. Further representations had been received from Hunts Cross. PG also confirmed that the Boundary Committee took account of the argumentation and evidence in representations, rather than numbers received.
- 10.3 The Commissioners accepted that the issue was finely balanced, although there was concern that the recommendation is less favourable to electoral equality and differs from the view of the City Council.
- 10.4 SY referred to the range of decisions which were open to the Commissioners, which were set out in the original report (EC95/03). The Commissioners discussed whether in future Option (d) should be used where there was strong feeling among the Commissioners on the recommendations received from the Boundary Committee. Option (c) would relate to informal discussions with the Boundary Committee before the matter reaches the Electoral Commission.
- 10.5 **The Commissioners agreed to accept the recommendations of the Boundary Committee, subject to the modifications to boundaries,**

**set out in paragraphs 14 and 15 of Implementation Team report (EC95/03) and agreed on behalf of the Boundary Committee.**

## **11. Electoral Change Order: Borough of Knowsley**

- 11.1 AD presented the report, which raised no issues.
- 11.2 **The Commissioners approved the draft electoral change order for the Borough of Knowsley and authorised the affixation of the Commission's seal to the Order.**

## **12. Combination of Gibraltar with a European Parliamentary Region**

- 12.1 NS presented the report. SY requested amendments to be made to the text, particularly in relation to the references to the Chief Minister in paragraphs 3.11 and 3.18. The Commissioners agreed that a copy of the amended document would be provided to the Chief Minister before publication.
- 12.2 SY advised that he, Stephen Judson and Tabitha Cunliffe would be going to Gibraltar at the end of August to present the report. A copy of the report with a covering letter would be sent to statutory consultees at the same time.
- 12.3 **The Commissioners approved the report, subject to the amendments discussed, and the recommendation contained therein.**

## **13. Late reporting of donations**

- 13.1 CW presented the report and advised that Professor Zellick had commented on and approved the report. The Commissioners had a detailed discussion on the steps which could be taken, and in particular, the respective roles of the Commission and the DPP in gathering evidence and determining the extent of any possible defence.
- 13.2 The Commissioners requested further legal advice on the interpretation of the legislation and the process to be adopted.
- 13.3 **The Commissioners requested that further legal advice be sought, and that a report on the legislation and the process should be brought to the Commissioners as soon as possible.**

## **14. Party registration**

- 14.1 CW gave an oral report on the applications for registration of the White Nationalist Party and the Black Voice of Great Britain. The Commissioners requested that a written report on both matters be prepared for the private meeting of the Commissioners on 2 September 2003.
- 14.2 **The Commissioners requested that a written report should be brought to the private meeting of the Commissioners on 2 September 2003.**

## **15. Referendums: designation**

- 15.1 NS and DS presented the report, and gave a presentation which outlined the process and the provisional timetable. The presentation detailed the responses received to the consultation and what action had been taken in respect of comments made. Most consultees had been broadly in agreement with the approach.
- 15.2 The Commissioners were concerned particularly about the information requested to enable the Commission to determine whether an organisation can adequately represent the argument. It was proposed that section 7 of the draft Notes on Completing Form DO1, and the form itself, be removed.
- 15.3 The Commissioners discussed the process and criteria for allocating grants. There were two possible factors to be taken into account – the level of awareness of the referendum issue, and the size of the potential electorate. SY reminded the meeting that the Commission would need to know what was required in time for the meeting of the Speaker's Committee in February 2004.
- 15.4 **The Commissioners agreed the draft form and guidance notes, subject to the removal of section 7. The Commissioners requested a further report on the criteria, conditions and levels of grants.**

## **16. Tracking results for 2003 and Public Awareness Campaign 2004.**

- 16.1 Caroline Jovis from COI presented the Tracking Results for the period from January to April 2003, copies of which would be provided for Commissioners. Becky Lloyd gave a presentation on the Public Awareness Campaign for the 2004 elections, and the long-term strategy proposals. The proposals for the campaign for 2004 and the long term proposals had taken account of the findings of the Tracking Results, particularly in relation to raising awareness of the registration process, as well as the elections themselves.

- 16.2 The Commissioners were concerned about whether the overall campaign proposals for the 2004 elections would be able to differentiate between the several types and locations for elections in May/June 2004. While there was general agreement to the overall message, it was essential to understand and allow for differentiation in areas with local and regional elections as well as European Parliament elections, and for different voting methods in pilot scheme areas.
- 16.3 The long-term strategy was to develop from the current strategy, emphasising annual registration, and the nature of the overall message.
- 16.4 In addition to the recommendations in the report, it was proposed to present the Public Awareness Campaign for the 2004 elections to key stakeholders on 16 September. NS referred to the need to explain to the Government Office for London that the Commission will only fund the overall public awareness campaign.
- 16.5 **The Commissioners agreed the recommendations set out in the report, and the proposals for the presentation to key stakeholders.**

## **17. Draft Annual Report 2002/3**

- 17.1 JD presented the draft annual report, and explained the proposed timescale for laying the report before Parliament. There would be a substantial introduction to the report from the Chair of the Commission. SY proposed that for future reports, there should be distinction between on-going work and performance indicators, and specific projects and targets.
- 17.2 The Commissioners were invited to send further comments and amendments to JD before 22 August 2003. The final version would be available for the meeting on either 2 September or 11 September 2003.
- 17.3 **The Commissioners received the draft Annual Report for 2002/3.**

## **18. Matters for information**

- 18.1 The Commissioners received the following items for information:
- Schedule of meetings and events
  - Elections 2003 Public Opinion Research – update
  - Anticipated Government request to review and report on the Electoral Pilot Schemes in 2004
- 17.2 The update from the Referendums Programme Board would be circulated at a later date.