

Minutes of the meeting of the Electoral Commission held on 27 May 2004 in London

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

In attendance: Jacqui Dixon (JD)
Roger Gough (RG)
Archie Gall (AG)
Nicole Smith (NS)
Chris Welford (CW)
Rael Zackon (RZ)
Patricia Pena (PP)
Dave Mahon (DM)
Steve Evison (SE)
Jon Saunders (JS)
Anne Devine (AD)
Phil Allen (AD)
Stephen Judson (SJ)
Beccy Earnshaw (BE)

Louise Russell and Andy Shenstone (Vantagepoint Consultants)
Gareth Jenkins, Hansard Society

1. Periodic electoral reviews: counties

- 1.1 DM gave a presentation on the periodic electoral reviews for the counties, which explained the approach taken with the county reviews, in particular the issue of multi-member wards, and showed examples of county divisions in different circumstances.
- 1.2 SY raised the issue of the electoral forecasts for Devon, Derbyshire, Durham and Surrey, as the reviews had been carried out four years ago. SY asked that the Implementation Team be provided with the forecast figures.

1.3 **The Commissioners noted the issues for the County PERs highlighted in the presentation.**

2. Supporting and developing a performance culture in electoral services: final report and draft implementation plan

2.1 The Commissioners received a presentation from Louise Russell and Andy Shenstone of Vantagepoint Consultants. NS explained that Commission staff (including the Heads of Devolved Offices in Scotland and Wales) had been closely involved and were supportive of the report's recommendations. The current corporate plan involves a range of proactive work on practice issues but without a clear strategic direction; this weakness was addressed in the report. The implementation plan needed to address process and timing, as the Commission would not have the capacity implement even a significant minority of the recommendations within existing staff resources.

2.2 The Commissioners agreed that more time was needed to go through the report and discuss the implications of the recommendations, especially those which envisaged a more interventionist role for the Commission. The report should not be published until the Commission had had the opportunity to share its thinking at a strategic level with ODPM and DCA, and with local authorities and electoral administrators on a wider basis than, for example, LGA liaison meetings.

2.3 **The Commissioners noted the report, and thanked Vantagepoint for their work in producing it. The Commissioners requested that the report should be brought back for further discussion as soon as possible.**

3. Draft report on campaign spending: 2003 Scottish Parliament elections

3.1 NM presented the report. NM and AO'N had had the opportunity of commenting on it. The report contained useful background information. CW commented that useful lessons had been learnt for working with the political parties.

3.2 A low-key publication was envisaged; SY suggested that some of the verbal analysis could be reduced, in both this report and the equivalent report for the National Assembly of Wales (paragraph 4, below).

3.3 **The Commissioners approved the draft report, and authorised SY and NM to sign off the report on behalf of the Commission.**

4. Draft report on campaign spending: 2003 National Assembly of Wales elections

- 4.1 GM presented the report, and highlighted the extent to which parties underspent their limit, and candidates spent towards their limit. Complaints about the forms have been acknowledged, and a commitment made to improve the format.
- 4.2 The Commissioners thanked the Registration and Compliance Team, and KJ and AO'N for their work on this report, and on the report on the Scottish Parliament elections (paragraph 3, above).
- 4.3 **The Commissioners approved the report, and authorised SY and GM to sign off the report on behalf of the Commission.**

5. Supplementary guidance on spending limits at regional referendums

- 5.1 CW presented the report, which concerned the apportionment of expenditure on shared facilities, and recommended a practical solution.
- 5.2 **The Commissioners approved the guidance document for publication.**

6. Race Equality Scheme

- 6.1 JD presented the report and the draft Race Equality Scheme which was required to be published by 31 May 2004. JD referred to the potential designation of the Commission under the Northern Ireland Act 1998, and the need to produce a scheme under this legislation which included all areas of equal access and therefore went beyond the current requirements of the Race Relations Act.
- 6.2 KS emphasised that this was only one step in the process, and that it was necessary to integrate equalities issues with the corporate planning and performance arrangements.
- 6.3 **The Commissioners approved the draft scheme, and noted the proposed arrangements for designation under the Northern Ireland Act 1998.**

7. Further electoral reviews: direction

- 7.1 JD presented the report and the draft direction which was required to give effect to the Commissioners' previous decision concerning further

electoral reviews. Information was awaited from the Isle of Wight concerning the election timetable; a further direction would be prepared for this local authority area when the council had responded.

7.2 The Commissioners approved the direction requiring the Boundary Committee to carry out further electoral reviews.

8. House to Home: Parliament, Democracy and the Future

8.1 Gareth Jenkins of the Hansard Society gave a presentation, explaining the concept behind the exhibition being promoted in July 2004. The Commission had agreed to give some financial support to the exhibition, including the involvement of Outreach. The Commissioners welcomed the idea; however there was concern that the exhibition apparently did not mention the Scottish Parliament, the Welsh Assembly or local government.

8.2 There will be an opening event on 12 July in the evening; invitations to the event were expected. It was also proposed that staff should be given the opportunity of visiting the exhibition during working hours.

8.3 The Commissioners noted the proposals for the exhibition.

9. Referendums legislation

9.1 SJ explained that ODPM considered that the generic order for referendums should not be introduced in time to apply to the regional referendums and that therefore a new order was necessary. The draft order was consistent with the order for the pilot schemes, and made provision in particular for counting arrangements and prescribed wording. The Commission's recommendations in delivery points had not been accepted.

9.2 The Commissioners asked that the draft response should include:

- Appreciation where the Commission's concerns had been taken on board
- Reiteration of concerns still outstanding
- Drafting issues
- The need for the marked register
- Concerns over non-introduction of offences

9.3 It was anticipated that the order would be laid in early June. The Commissioners thanked SJ for working through another order.

9.4 **The Commissioners agreed the issues to be raised in the response to ODPM, and authorised SY to approve and sign the formal response.**

10. Referendum maps

10.1 The Commissioners were asked for their views on the format of the maps to be included in the voter information packs for the regional referendums. The versions suggested by ODPM were not as simple as the maps used by the Boundary Committee in their LGR report.

10.2 The anticipated timetable is as follows:

- Formal request to the Commission for views: 11 June
- Commission discussion: 17 June
- Response by 24 June
- Orders laid: 7 or 8 July

10.3 **The Commissioners confirmed their view that the maps used should be as simple as possible, and that the Boundary Committee maps should be used as the basic format.**

11. The international use of compulsory voting: research project plan.

11.1 The Commissioners received the report for information, and agreed that was no need for a formal project board. The Commissioners however wished to see the report before its publication.

11.2 **The Commissioners noted the report, and agreed that they wished to see the report before publication.**

12. Information items

12.1 SY stated that he and RC, together with several members of the Senior Management Team and Commission staff had attended Anne Hinds' funeral service. A collection had been made for the Marie Curie Cancer Fund.

12.2 PG, AG and PP gave a brief presentation on the launch of the LGR report. The launch went well and the recommendations were now with the ODPM. PG had briefed the Minister, whose principal concern was the viability of the smallest authorities being recommended. There had been extensive press interest. Representations were expected, particularly in North West England. NS referred to the understanding and awareness of voters, and proposed showing video footage of focus

groups at the next meeting. The Commissioners thanked the LGR team for the successful completion of the reviews and the launch of the report.

- 12.3 SY referred to the arrangements for designation for the regional referendums. The last date for application will be 31 August, and a decision must be made by 13 September. It was therefore proposed to rearrange the meeting dates for early September as follows:

6 September, 3pm: designation discussion (dinner in evening)

7 September: PPP meeting

8 September, 1.30pm: Commission meeting

9 September: Commission meeting cancelled. EPE seminar in Brussels.

- 12.4 CW advised that a letter from the Lord Chancellor had been received, stating that there would be no change to arrangements for Policy Development Grants at the present time.

- 12.5 SY stated that the ODPM Select Committee report on postal voting had been published. The Government is required to respond to the report. The Commission should also respond, by submitting a memorandum, which together with the Government's response, should be published as a joint report by the Select Committee. Responses were required within six weeks of publication which would be end of June.

- 12.6 RZ referred to the supplementary circular to Circular EC25, concerning the use of schools and public rooms for election meetings.

- 12.7 SY will formally authorise observers at elections.

