

Confirmed on 12 May 2005.

## Minutes of the meeting of the Electoral Commission held on 28 April 2005, in London

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

Apologies: Sir Neil McIntosh

In attendance: Peter Wardle (PW)  
Jacqui Dixon (JD)  
Archie Gall (AG)  
Kay Jenkins (KJ)  
Angela Salt (AS)  
Kate Sullivan (KBS)  
Chris Welford (CW)  
Rael Zackon (RZ)  
Steve Evison (SE)  
Sam Hartley (SH)  
Dave Mahon (DM)  
Scott Walters (SW)  
Mike Harold (MH)  
Tom Hawthorn (TH)  
Mark Williams (MW)

### 1. Further Electoral Reviews (EC70/05).

- 1.1 SE presented the report, which stated that twenty-nine local authorities met the criteria based on December 2004 electorate data. Of these, all but eleven showed signs of improvements in electoral variances, or showed improvements were expected. Further electoral reviews were recommended in the remaining eleven local authorities.
- 1.2 The FERs for the six local authorities which hold whole council elections would be completed for implementation in 2007. The other five have elections by thirds; these FERs would be implemented in 2008.

- 1.3 **The Commissioners agreed in principle to direct the Boundary Committee to undertake further electoral reviews of the following local authorities:**

**Borough of Barrow-in-Furness  
District of Basingstoke and Deane  
Borough of Castle Morpeth  
Borough of Crewe and Nantwich  
District of East Northamptonshire  
District of Mendip  
District of North Wiltshire  
District of South Lakeland  
District of Wansbeck  
District of Welwyn Hatfield  
District of West Wiltshire**

## 2. Campaign activity: Durham County Council

- 2.1 CW presented the report, which outlined the allegation that Durham County Council had campaigned in the North East England referendum contrary to the provisions of PPERA 2000. The Council had spent between £100,000 and £150,000 on producing and distributing information, which could be classed by the Commission as campaign related expenditure. The County Council believed that the material was information related to the local government options at the referendum.
- 2.2 The Commissioners considered the report on the review, including the Commission's and the council's legal advice. It was concluded that the materials could be the nature of campaign materials and therefore that the County Council may have exceeded the amount which an unregistered participant at a referendum is allowed to incur on campaign materials. Having carefully considered the report and the wider implications in relation to the application of PPERA, the Commissioners decided that it would not be appropriate to take formal enforcement action in this case. The Audit Committee also had an interest in the nature of the expenditure.
- 2.3 The Commissioners agreed that the good practice advice should be issued to public bodies, acknowledging that these organisations will issue public information particularly where they consider that the issues are not being fully explained.
- 2.4 **The Commissioners agreed that no formal enforcement action should be taken against Durham County Council. The Commissioners agreed that they would express a view on individual cases as they arose.**

### 3. Deputy Commissioners' fees

- 3.1 The Commissioners considered the report which recommended an increase of 3%, based on SSRB figures, in the daily fees payable to Deputy Commissioners. The proposed daily fee was £284 (£142 half day) to take effect from 1 April 2005.
- 3.2 **The Commissioners approved an increase in the daily fee for Deputy Commissioners to £284 per day (£142 half day) with effect from 1 April 2005.**

### 4. Foundation model of voting (EC73/05).

- 4.1 SY stated that the report had not yet reached a final version, and that a further draft was required, to be considered at the Commission meeting on 12 May 2005. The Commissioners considered the draft report in detail, and indicated areas of clarification required, and areas which required additional information, including:

- The driver for the Foundation model was to obtain political consensus for change
- Recognition that the system is based on trust
- More context for the Birmingham decisions, particularly previous cases of fraud and personation
- The deliberations of the Select Committee of the ODPM
- Recognition that accessibility to polling stations has always been restricted for some electors
- Timetable and problems of capacity and resourcing, evidenced by the General Election
- Specific reference to the reasonable adjustment requirements of the DDA
- Context and conditions for e-voting
- Checking of information at registration, and of postal vote applications, and resource implications
- Individual registration
- Pre-poll information to voters
- Timetable for implementation

- 4.2 The conclusions should state that:

- There needs to be a balance between accessibility and flexibility, and security
- Improvements were required
- The implementation requires adequate capacity and resources
- The response to issues had to be proportionate

- The recommendations were a package which had to be implemented in full
- 4.3 The Commissioners noted the timetable for publishing, which proposed publication in the week beginning 16 May.
- 4.4 **The Commissioners agreed that a further draft should be circulated as soon as possible, and considered at the next meeting of the Commission on 12 May 2005.**

## 5. General Election

- 5.1 KBS outlined the current situation relating to:
- Postal voting
  - Printing and distribution of ballot papers
  - Freepost for candidates
- 5.2 AS gave an update on communications activity.
- 5.3 KJ noted two issues which would be addressed in the statutory report:
- The creation of news by the press
  - Supplementary public opinion research on public perception of fraud and postal voting

It was noted that there was increased concern about postal voting, but increased take up of the facility.

- 5.4 CW stated that the Statements of Accounts for political parties and accounting units of less than £250,000 would be published today, and, exceptionally, the Commission would provide manual access to the register of Q1 donations by 9am on 4 May. Inquirers would be given access to the register, but it is not possible to put on the website by next Tuesday.
- 5.5 **The Commissioners noted the current situation.**

## 6. Matters for information

- 6.1 The Commissioners received the following items for information:
- Voting for Change: status report on implementation of recommendations (EC74/05)
  - Registration of political and third parties (EC75/05)