

Paragraphs 1- 5 confirmed on 1 February 2005.
Paragraphs 6 onwards confirmed on 10 February 2005.

Minutes of the meeting of the Electoral Commission held on 20 January in Caernarfon

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

In attendance: Peter Wardle (PW)
Jacqui Dixon (JD)
Kay Jenkins (KJ)
Angela Salt (AS)
Chris Welford (CW)
Rael Zackon (RZ)
Scott Walters (SW)
Tom Hawthorn (TH)

PG left the meeting while decisions were taken on items 3 – 5 inclusive.

1. Minutes of the meeting of 9 December 2004

- 1.1 The minutes of the meeting held on 9 December 2004 were agreed, subject to typographical amendments, and the following changes:

Paragraph 6.2: the last sentence to read 'PG stated that members of the Boundary Committee had been consulted informally, although the response was not unanimous.'

2. Minutes of the meeting of 6 January 2005

- 2.1 The minutes of the meeting held on 6 January 2005 were agreed, subject to typographical amendments and to the following changes:

Paragraph 1.1: Add 'KS declared an interest in this item and did not take part in the decision'.

Paragraph 1.2: insert after 'electors' 'of parish and town councils'.
Delete 'with the proposed modification' and add ' for the Commission to determine the matter.'

Paragraph 12.4: the final sentence should read ' A protocol had been agreed and copies would be circulated in the near future'.

3. Periodic electoral review: county of Cambridgeshire

- 3.1 NM presented the report and drew attention to the agreement of the Boundary Committee to the proposal to modify the recommendations for St Neots East and St Neots West divisions, and to revert to the draft recommendations for two two-member divisions.
- 3.2 **The Commissioners agreed to accept the recommendations of the Boundary Committee, subject to the modifications set out in paragraph 11 of the report EC15/05 and paragraph 103 of the report EC320/04, and with the clarifications noted in the report EC320/04.**

4. Periodic electoral review: county of Cornwall

- 4.1 SY presented the report, and drew attention to the response from the Boundary Committee in respect of St Mewan and Treverbyn divisions (Restormel) and Penzance division (Penwith).
- 4.2 The Boundary Committee had noted the new evidence provided by Restormel Borough Council in relation to the St Austell divisions. Although the single member pattern proposed at Stage 3 is not the same as that proposed at Stage 1, the County Council's proposals had been in the public domain for some time. The Committee considered that it was open to the Commission to adopt the proposals without further consultation.
- 4.3 In respect of Penzance division, the Committee considered that a 25% imbalance in electoral equality was unacceptable in an urban area, and that there was insufficient evidence to in relation to community identity to modify the recommendation for a three-member division.
- 4.4 **The Commissioners agreed to accept the recommendations of the Boundary Committee, subject the modification set out in paragraph 41 of the Implementation Team's original report, the modification of names of Falmouth North & West, Grampound and Probus divisions, and with the clarifications set out in Appendix B of the original report and Appendix A of report EC16/05.**

5. Periodic electoral review: county of North Yorkshire

- 5.1 NM presented the report, and drew attention to the response from the Boundary Committee to the request to consider again the proposals for Harrogate town. The Boundary Committee had considered the

evidence at Stage Three and the Implementation Team states that no new evidence has been provided. The County Council apparently had accepted the situation at Final Recommendation stage.

- 5.2 **The Commissioners agreed to accept the recommendations of the Boundary Committee, subject to the modifications and with the clarifications in Appendix A to the Implementation Team's original report.**

6. Statement of accounts

- 6.1 CW presented the report for discussion, and outlined the history of the development of the framework, which was aimed at providing consistency and comparability across the political spectrum, and at minimising the costs of reporting. CW also highlighted the concerns expressed by the political parties. The key issues of discussion were:

- Scope of the auditor's opinion
- Disclosure of employee salaries
- Property held in trust
- Consolidation of membership numbers

- 6.2 The Commissioners stated that they wished to progress this matter by consensus with the political parties. Any additional disclosures should not require extra effort or create controversy; the benefit of reporting additional information should outweigh the work required to provide it.

- 6.3 The Commissioners noted that a meeting was to be held on 27 January with the National Treasurers from the three main political parties, and this would one of the topics discussed. The Commissioners wished to be kept informed of progress.

- 6.4 **The Commissioners noted the report, and agreed that the proposed amendments to the guidance should be considered further, with the exception of the proposals relating to the auditor's opinion, the disclosure of salary details, and the consolidation of membership numbers, provided that this would not create significant additional work for the political parties.**

7. Proposed revised penalty scheme

- 7.1 CW presented the report, which aimed to decriminalise Schedule 20 of PPERA. The report proposed a three tier penalty scheme. KS declared an interest in this topic as a member of the FSA (referred to as a comparator); he did take part in the discussion.
- 7.2 The Commissioners supported the intentions behind the proposals, but felt that they needed further discussion. They agreed the proposal to

move from criminal to civil penalties, and to focus on the organisation, rather than the individual. They had concerns about:

- The sliding scale
- Which areas were appropriate for fixed penalties
- How to achieve a level of consistency
- An proportionate incentive to comply
- An appeal mechanism

7.3 The Commissioners agreed that this matter was a high priority and asked PW to coordinate the work. The Commissioners asked for legal advice to be sought on the requirements for amendments to PPERA, and for a further report to be submitted as soon as possible.

7.4 **The Commissioners agreed the general approach proposed, and asked for a further report, taking account of the issues discussed, and including legal advice relating to legislative requirements.**

8. BNP statement of accounts

■ [REDACTED]

■ [REDACTED]

8.3 **The Commissioners agreed the recommendation that the Registered Leader and Party Treasurer be required to attend a meeting with the Commission. The Commissioners also requested that further information be provided in respect of all political parties and accounting units which had failed to comply with the legal requirements for submission of statements of accounts. The Commissioners noted the situation concerning disclosure of information, and requested that the BNP be**

informed that the details of their auditors would not be removed from the statement of accounts.

9. Breach of RPA: [REDACTED]

9.1 CW presented the report. The Commissioners considered that it was not appropriate to refer this case to the CPS for action. The DPP had asked the Commission for information where the Commission considered that there had been a breach by an elected candidate. The matter seemed to turn on whether the Commission believed that the candidate knowingly committed a breach.

9.2 [REDACTED]

9.3 [REDACTED]

9.4 **The Commissioners requested that further advice be provided on the requirement to refer breaches by elected candidates to the DPP.**

10. Registration of party: United Socialist Party

10.1 CW presented the report, and advised that the proposed name of United Socialist Party was considered too similar to an existing registered party, the Socialist Unity Party. This party did submit returns.

10.2 The Commissioners considered that the wording of the proposed name was so close to the name of an existing party that there was a likelihood of confusion by the electorate.

10.3 [REDACTED]

10.4 **The Commissioners rejected the application to register the name of the United Socialist Party as provided in section 28(4)(a)(ii) of PPERA on the grounds that it was likely to cause confusion with a party already included on the register of parties for Great Britain.**

11. Rate for party conference stands

11.1 CW presented the report, which outlined the issues relating to the rate which would apply with effect from 1 January 2005.

- 11.2 **The Commissioners agreed that the rate for stands at party conferences should be £12,750 with effect from 1 January 2005, to apply for two years, and that the rate should be reviewed from 1 January 2007.**

12. PID: review of community-based public awareness work

- 12.1 KJ presented the report, which included the PID, proposals for a project board, and timetable. The Commission had committed itself to undertake this review, and the outcome would inform the campaign work.
- 12.2 The Commissioners agreed to a project board, and agreed to ask John Quin to be a board member. GM agreed to chair the project board.
- 12.3 The Commissioners noted the proposed timescale for the project; the Stage Three analysis should be available for the Business Planning meeting on 22 – 24 June 2005. There was some concern about the costs of the external consultancy, and staff were asked to reconsider this.
- 12.4 **The Commissioners approved the PID and timetable, and the establishment of the project board, to be chaired by GM, and to invite John Quin to be a board member.**

13. Mid-term review of foundation model project

- 13.1 TH presented the report, and highlighted the key issues relating to the progress of the review. PG reported on a meeting held in Edinburgh with Scottish local authority representatives; while the electoral administrators were saying that they could not cope with more changes at the same time as the move to STV for local elections, they were also keen to move to electronic voting at an early stage.
- 13.2 The Commissioners discussed the timetable for completion, in relation to a potential General Election in May 2005. SY stated that it was essential to have an output by the end of March, but the timetable from the end of March to mid-May had to be flexible in view of the possible election date. KJ stated that the Commission must at least produce its interim findings, in order to reduce the possibility of the Government producing its own model based solely on postal voting.
- 13.3 The Commissioners decided to have a further discussion at the meeting on 16 February.
- 13.4 **The Commissioners noted the report, and agreed to a further discussion at the meeting on 16 February 2005.**

14. Matters for information

14.1 The Commissioners received the following items for information:

i) Oral evidence to ODPM/DCA Select Committee inquiry

The written evidence had been sent to the Select Committee. SY and PG would be giving evidence on Tuesday 25 January. A press release had been prepared, and copies of a two-page summary of the Commission's position had been sent to all MPs. AS was requested to e-mail the summary to Commissioners.

ii) Application for registration: None of the Above

[REDACTED]

[REDACTED]

[REDACTED]

iii) Corporate Plan and budget estimates

PW circulated the latest version for information. He referred to the matter of accommodation. The offices in Abbey Orchard Street were not a good deal for the Commission. Alternative provision had to be sought, and this included reorganisation of existing accommodation. The Commissioner's room would be required for the Helpline service; JD would advise on the alternative arrangements for Commissioners.

iv) PPERA: recommendations for change

v) Letter from Alex Salmon MP

SY would draft a response to the letter which referred to the issue of Childrens Bonds in the run-up to a potential General Election.

vi) Schedule of meetings 2005/6

Commissioners noted the schedule. The Business Planning meeting would take place 23-25 June 2005, and 28-30 June 2006. The June 2006 dates in the schedule were incorrect, and should be 14/15 June and 28-30 June; all other dates were correct.

vii) Communications matters

AS advised Commissioners that the first advertisement for the registration campaign would be shown on 7 February.

Westminster Day would be held on 8 February; the theme would be engagement with young people.

- 14.2 The Commissioners thanked KJ and her team in the Wales office for the organisation of the events on 19 January, which were extremely valuable as a piece of outreach work.

