

## Minutes of the meeting of the Electoral Commission held on Wednesday 6 February 2008, London

Present: Max Caller (MC)  
Henrietta Campbell (HC)  
Ian Kelsall (IK)  
John McCormick (JMcC)  
Karamjit Singh (KS) (joined meeting at 4pm)  
Sam Younger (SY) (Chair)

In attendance: Clare Ettinghausen (CE)  
Carolyn Hughes (CH)  
Lisa Klein (LK)  
Bob Posner (BP)  
Stephen Rooney (SR)  
Andrew Scallan (AS)  
Peter Wardle (PW)

Dan Adamson (DA), item 6  
Alison Chappell (AC), item 7  
Tom Hawthorn (TH), item 8  
Seamus Magee (SM), item 3, 4 and 5  
Andy O'Neill (AO'N) - items 3 and 4  
Kate Sullivan (KBS) – items 3 and 4

Vera Markos (VM) - minutes

The Commission warmly welcomed Ian Kelsall and John McCormick to their first monthly meeting as Electoral Commissioners.

### 1 Minutes of the meeting of 6 February 2008

- 1.1 The Commission agreed the minutes of the meeting held on 16 January 2008, subject to drafting amendments to paragraphs 4.6 and 11.4.
- 1.2 In relation to agenda item 4 MC and AS noted that the Boundary Committee for England (BCFE) had received a request on 6 February for advice from the Secretary for State for Communities and Local Government in relation to bids for unitary local government in Exeter, Ipswich and Norwich. The BCFE had been requested to provide the

advice by 31 December 2008. MC informed the Commission that the BCFE had considered the request.

- 1.3 The Commission requested a further paper advising them on whether to agree to the BCFE's proposals for commencing structural reviews in the current financial year in order to meet the deadline requested by the Secretary of State.

## 2 Report on Audit Committee membership (EC12/08)

- 2.1 BP presented for consideration recommendations on the appointment of a new Chair to the Audit Committee and from 1 April 2008 a new Commissioner member of the Committee. BP explained that this was owing to the end of term of office of Sir Neil McIntosh as Commissioner and Chair of the Audit Committee and the extended term of office with the Audit Committee of Karamjit Singh coming to an end on 31 March 2008. BP further requested agreement to commence recruitment of an independent member of the Committee to replace the role undertaken by John Quin whose term of office came to an end on 31 December 2007.
- 2.2 The Commission agreed that Ian Kelsall be appointed as the new Chair of the Audit Committee with immediate effect to 31 December 2010 and that Henrietta Campbell be appointed to the Audit Committee for a two year term, from 1 April 2008 to 31 March 2010. The Commission further agreed that the Deputy Chief Executive, in consultation with the Chair of the Audit Committee, be authorised to commence a recruitment process for an independent member of the Audit Committee.

## 3 Response to Scotland Office consultation (EC14/08)

- 3.1 AO'N outlined the response to the Scotland Office's consultation paper 'Sorting the Ballot: Improving the Elections to the Scottish Parliament' published on 13 December which the Commission was invited to formally respond to in a letter from David Cairns MP, Minister of State at the Scotland Office on 12 December 2007. The Commission had also held a meeting with the Minister to discuss the consultation document on 17 January 2008. The Commission's views and comments had been sought on issues including ballot papers, the position of candidates and political parties on the ballot paper, the overnight counting of the votes and the creation of a Chief Returning Officer for Scotland. AO'N noted that the response was consistent with previous agreed Commission policy as outlined in the Commission response to the Gould report.
- 3.2 The Commission agreed the response subject to drafting amendments.

## 4 Consultation on the draft Representation of the People (NI) Regulations 2008 (EC15/08)

- 4.1 A supplementary note on the effect of the draft Representation of the People (Northern Ireland) Regulations was circulated at the meeting.
- 4.2 SM presented the response to the draft Representation of the People (Northern Ireland) Regulations 2008 and draft Service Voters Registration Period (Northern Ireland) Order 2008. SM stated that the regulations consolidated the amendments made to the Representation of the People (Northern Ireland) Regulations 2001 over the last seven years and introduced a number of amendments required for provisions from the Electoral Administration Act 2006 and the Northern Ireland (Miscellaneous Provisions) Act 2006 to have effect for Parliamentary elections. SM noted that the regulations are due to be laid before parliament in April.
- 4.3 Key issues discussed were the implementation of the new deadline allowing electors to register up to 11 days before polling day, the provision placed on schools to provide information on eligible pupils to the Chief Electoral Officer, whether the list should be extended to include other facilities with a duty of care to young people (e.g. Further Education Colleges) and changes to photographic ID (noted that the Commission had previously discussed this at its meeting on 22 November 2007).
- 4.4 The Commission agreed the response subject to drafting amendments.

## 5 Regulation of political loans in Northern Ireland (EC16/08)

- 5.1 SM presented the response to the Secretary for State for Northern Ireland's consultation on regulation of loans to Northern Ireland parties. SM noted that the response covered some technical drafting points and did not propose any changes to the substance of or policy behind the regulations.
- 5.2 The Commission welcomed the introduction of controls to political parties in Northern Ireland but reiterated its disappointment that due to confidentiality requirements, only information submitted after 2010 will become publicly available.
- 5.3 The Commission agreed the response to the Secretary of State for Northern Ireland.

## 6 Consultation on registered party descriptions (EC13/08)

- 6.1 AC presented the Commission consultation paper on the registration of party descriptions and the draft timetable and methodology. AC noted that the Commission had made a commitment to considering the registration of party descriptions further on a UK-wide basis in consultation with political parties and other interested bodies following the Gould report. The consultation paper would seek answers to nine questions covering the following categories: the number of party descriptions, the use of party descriptions and the process of registration. The consultation period would run from 25 February to 19 May 2008.
- 6.2 The Commission discussed the questions in the consultation paper and requested a change to question one.
- 6.3 The Commission considered the timetable and was concerned that the period did not allow consideration of issues that may arise from the May 2008 elections. The Commission requested that the consultation period be extended.
- 6.4 The Commission agreed the consultation paper, subject to a change to question one. The Commission further agreed that the consultation period should run to 1 June 2008.

## 7 Electoral Commission response to the Report of the Councillors Commission (EC17/08)

- 7.1 AS summarised the Commission's response to the Department for Communities and Local Government consultation on the Commission on Local Councillors' report 'Representing the Future'. AS noted that the majority of comments reflected existing Commission policy positions. AS highlighted recommendations relating to reserve candidates, voting incentives and term limits.
- 7.2 The Commission was content with the response but made the following additional comments:
  - On reserve candidates the Commission was content with the position taken but also highlighted a potential issue in relation to the use of reserve candidates under a first past the post system.
  - On term limits the Commission acknowledged that this was a complex issue and that in some cases limiting terms could be considered to be appropriate. This reflected concerns about the exercise of political power and opportunities for greater levels of participation in local

democracy. The Commission noted that there was a need for further debate on this issue.

## 8 Update on Performance standards– analysis of registration indicator data (EC18/08)

- 8.1 TH presented an initial analysis of performance information collected from Electoral Registration Officers (EROs) following the 2007 annual canvass.
- 8.2 The Commission acknowledged the progress to date.

## 9 Update on Party and Election Finance investigations

- 9.1 The Commission received an update from LK on the ongoing investigations.