

**MINUTES OF THE MEETING OF THE ELECTORAL COMMISSION HELD ON 31 OCTOBER 2003.**

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

In attendance: Roger Creedon (RC)  
Jacqui Dixon (JD)  
Nicole Smith (NS)  
Rael Zackon (RZ)  
Steve Evison (SE)

Boundary Committee: Pamela Gordon (PG)  
Archie Gall (AG)  
Helen Rossington (HR)

PG,AG and HR took no part in the decision-making in respect of items 1 – 6 inclusive.

Implementation Team: Derek Little (DL)  
Alice Cuninghame (AC)  
Ann Devine (AD)

Apologies: Sir Neil McIntosh

**1. Periodic Electoral Review: Borough of Barnsley**

- 1.1 GM presented the report, which indicated that only one representation had been received, in respect of the size of the Council.
- 1.2 AG referred to the errors and inconsistencies in the Boundary Committee report on Barnsley and other metropolitan areas. These reports had not been able to be audited in accordance with the new procedures.
- 1.3 **The Commissioners agreed to accept the recommendations, subject to the clarifications set out in paragraph 8 of the Implementation Team's report.**

**2. Periodic Electoral Review: Borough of Calderdale**

- 2.1 GM presented the report. The proposals were based on the submission from the Liberal Democrat group on the Council. A representation had been received in respect of the allocation of town councillors on the Todmorden

Town Council, but the Town Council had indicated that they preferred the allocation recommended in The Boundary Committee's report.

- 2.2 AD said that some of the errors in the maps for The boundary Committee's Final report arose from errors in the maps provided by the local authority. The consequent clarifications were set out in the Implementation Team's report, together with a modification to the name of Calder Valley ward to Calder ward.
- 2.3 **The Commissioners agreed to accept the recommendations, subject to the clarifications set out in paragraph 12 of the report, and the modification to the ward name set out in paragraph 13 of the report.**

### **3. Periodic Electoral Review: Borough of Kirklees**

- 3.1 SY presented the report in the place of NM. Representations had been received in respect of Liversedge and Gomersal wards. Representations had also been received in respect of the implementation of changes in Holme Valley and Kirkburton parishes. The parish representatives had specifically asked for the implementation date of 2007 for the parish changes to be incorporated into the order.
- 3.2 **The Commissioners agreed to accept the recommendations.**

### **4. City of Leeds**

- 4.1 KS presented the report, and referred to the large number of representations received in respect of the Otley and Yeadon, and Adel and Wharfedale wards. The overriding issue was the electoral variance of 25%; addressing this had consequential effects in other areas. It was recognised that the villages in this area were distinct. The resolution was made more difficult by the requirement for three member wards.
- 4.2 KS also referred to the following issues addressed in the report:
- The boundaries within Belmont Grove
  - The name of Calversley and Farsley ward
  - The warding pattern in the Harewood area
  - The name of City and Hunslet ward
  - The boundaries between Beeston and Holbeck, and City and Hunslet wards
  - City and Hunslet, and Middleton wards
- 4.3 A supplementary report was presented concerning the warding of Austhorpe parish, which recommended a modification so that the parish would be contained in a single district ward, and a clarification to the electorate figures.
- 4.4 **The Commissioners agreed to accept the recommendations, subject to the modifications set out in paragraph 15 of the report and paragraph 5 of the supplementary report, and the clarification of the electorate figures.**

## **5. Periodic Electoral Review: City of Sheffield**

- 5.1 SY presented the report in the place of NM, who was content with the recommendations and the modifications. There were two main areas of concern:
- Hillsborough and Walkley wards
  - Ecclesall and Nether Edge wards
- 5.2 The change proposed for part of Hillsborough and Walkley wards would result in electoral variances of +5% and –6% respectively in 2006. There was a strong case for making the change on grounds of community identity. The Boundary Committee indicated that they would wish to look at this again if a modification was proposed.
- 5.3 It was accepted that the area put into Nether Edge ward, referred to in paragraphs 14 and 15 of the Implementation Team's report, did provide better electoral equality but were clearly part of Ecclesall, and the community identity case was strong.
- 5.4 **The Commissioners agreed to propose modifications to The Boundary Committee's recommendations for Hillsborough and Walkley wards for the agreement of the Committee, and to ask the Boundary Committee to agree to the proposed modifications to Ecclesall and Nether Edge wards.**

## **6. Periodic Electoral Review: Borough of Wakefield**

- 6.1 SY presented the report which raised three areas of concern:
- Representations made about the conduct of the PER
  - Wakefield North and Wakefield West wards
  - Altofts and Whitwood ward
- 6.2 The comments received concerning the conduct of the review would be taken into account during the evaluation process.
- 6.3 PG advised that there was no Select Committee report as suggested in paragraph 17 of the report; there is only a minute of the proceedings of the meetings.
- 6.4 **The Commissioners agreed to accept the recommendations.**

## **7. Electoral Change Order: City of Birmingham**

- 7.1 It was confirmed that GM and GZ had indicated their agreement with the decision on the Periodic Electoral Review made by the Commissioners at the meeting on 29 September 2003.

- 7.2 **The Commissioners approved the draft electoral change order for the City of Birmingham and authorised the affixation of the Commission's seal to the order.**

#### **8. Electoral Change Order: Borough of Dudley**

- 8.1 It was confirmed that GM and GZ had indicated their agreement with the decision on the Periodic Electoral review made by the Commissioners at the meeting on 29 September 2003.
- 8.2 **The Commissioners approved the draft electoral change order for the Borough of Dudley and authorised the affixation of the Commission's seal to the order.**

#### **9. Boundary Committee: approach to decision-making and interpretation of the statutory criteria**

- 9.1 The Commissioners noted the report which advised on the approach taken by the Boundary Committee. The review of the PER process would commence in 2004, and it would be more appropriate to discuss the issues raised in the paper during the review process.
- 9.2 The Commissioners wished to decide the objectives of the review and requested that a PID be prepared in due course, setting out the proposed terms of reference.
- 9.3 **The Commissioners noted the report, and requested that a PID be produced for the PER review process.**

#### **10. PER Recommendations: Option B**

- 10.1 The Commissioners noted the report, and agreed that where option (b) is exercised, the request to the Boundary Committee should be as specific as possible.
- 10.2 **The Commissioners noted the report, and agreed the recommendations in respect of the exercise of option (b).**

#### **11. PER process: timetable for making electoral change orders.**

- 11.1 JD referred to the risks in the current timetable in relation to making electoral change orders for the Metropolitan authorities in time for elections in June 2004. The timetable had been reviewed again, and it was now proposed to bring four PER reports to the Commission meeting on 9 January with the remaining reports being considered on 22 January. This could be achieved provided that all those involved in advising and commenting on draft reports did so within the specified timescales.
- 11.2 **The Commissioners noted the revised timetable for considering future PERs and for making electoral change orders for the Metropolitan authorities.**

## **12. Review of the local government cycle in England: update and issues**

- 12.1 SY thanked Tom Hawthorn and Steve Evison for their work on the review. It was proposed to produce the first draft in December with the final recommendations being considered at the meeting on 22 January 2004. The Boundary Committee intended to consider the paper on 4 December 2003.
- 12.2 SE highlighted the key points set out in Annex C to the report, which indicated three possible options. A fourth option was set out in the addendum to Annex C. The broad view was that whole Council elections were preferred.
- 12.3 SY stated that the report was a fair summary of the representations and comments received. There was no unanimity amongst local authorities. There was also no conclusive evidence of the effect of differing cycles on turnout or Council performance. The key consideration was the voter.
- 12.4 PG stated that the weakness of many responses was that they purported to maintain the present position for those with vested interests. The objective should be to simplify the process for voters. Whole council elections provided continuity and were considered to be more equitable.
- 12.5 Option 4 sought early implementation of changes to the electoral cycles, in the light of the PERs for the metropolitan authorities which would be implemented in June 2004. There was general agreement that this should be developed further as the likely preferred option, particularly as it would provide consistency with Scotland and Wales. Changing electoral cycles did not need primary legislation, but any changes to the number of councillors for metropolitan wards would require primary legislation.
- 12.5 **The Commissioners noted the report, and approved the proposed format and timetable for further consideration of the review.**

## **13. Financial report**

- 13.1 RC advised the Commissioners that the report was the same as that presented to the Annual Planning meeting in October 2003.
- 13.2 **The Commissioners noted the financial report.**

## **14. Electoral pilots 2004: Swindon**

- 14.1 NS presented the report and advised the Commissioners that the application had been received the previous Friday. The ODPM had requested a decision by Monday 27 October. The Minister had rejected the original application. However Swindon had amended the application in an e-mail, and ODPM officials had advised the Commission that the Minister had approved it on 30 October. This was not in accordance with the statutory procedure.
- 14.2 The Commissioners decided not to consider the application as the Government had not carried out its legal obligations. It was agreed that SY should write to the Minister accordingly.

- 14.3 **The Commissioners agreed that no consideration should be given to the application, as the Commission had not been consulted in accordance with the statutory procedure, and that SY should advise the Minister accordingly.**

### **15. Business Planning Meeting: 15 – 17 October 2003**

- 15.1 The key outcomes of the meeting were:

- Agreement on the approach to the budget submission
- Agreement on the need for a sharper focus on enforcement in the regulatory area
- Agreement that SY and RC would take forward a review of structure and governance before next year's meeting
- Agreement that the longer-term role of the Commission in the running of elections would be further considered in the light of experience of running the three northern regional referendums

- 15.2 The meeting for 2004 will be deferred to November, because the referendums were likely to be held in October 2004.

### **16. Licence to underlet: Trevelyan House**

- 16.1 JD presented a short report which advised that the licence to underlet the first and second floors of Trevelyan House had been received.

- 16.2 **The Commissioners agreed to the affixation of the Commission's seal to the licence.**

### **17. Information items**

- 17.1 The Commissioners received the following papers for information:

- Media analysis report
- Media coverage July-August 2003
- Schedule of meetings and events

- 17.2 The Commissioners were also advised on the following matters:

- The current situation on the training contract
- The Commission meeting on 28 November would be held in Belfast starting at 12 noon
- The accounts had been signed and would be laid before Parliament within the next ten days
- The staff conference would go ahead on 27 November 2003
- The ACEEEO reception and conference held in October 2003