

Confirmed on 14 November 2002

**MINUTES OF THE MEETING OF THE ELECTORAL COMMISSION HELD
ON 28 OCTOBER 2002**

Present: Sam Younger (Chair) (SY)
Pamela Gordon (PG) except for item 3
Sir Neil McIntosh (NM)
Professor Graham Zellick (GZ)

In attendance: Roger Creedon (RC)
Jacqui Dixon (JD)
Nicole Smith (NS) for item 4 onwards
Douglas Stewart (DS) for item 4 onwards
Rael Zackon (RZ)
Martine Padwell (MP) for items 1 – 3 inclusive
Chris Welford (CW) for item 4 onwards
Linda Everett (LE) for item 4

Implementation Team: Derek Little (DL) for items 1 – 3 inclusive
Alice Cuninghame (AC) for items 1 – 3 inclusive
Ann Devine (AD) for items 1 – 3 inclusive

Boundary Committee: Pamela Gordon (PG) for item 3
Anna Fuchs (AF) for items 1 – 3 inclusive
Helen Rossington (HR) for items 1 – 3 inclusive

Apologies: Glyn Mathias
Karamjit Singh

1. Policy for dealing with proposed ward name changes

- 1.1 DL represented the report which had been produced in response to a request by the Commissioners for clarification on the procedure. The report highlighted the fact that whilst this is a local issue, the Commission must make the decision; the local authorities are only required to make a choice between the options put to them. The Boundary Committee is required to agree to any proposal and this would be delegated to the Director of the Boundary Committee to avoid undue delay.
- 1.2 PG emphasised the need to apply a practical approach; the Boundary Committee would look for local support for a proposal. The proposed procedure dealt with suggestions for ward name changes after the

Boundary Committee's Final Report. SY stated that some name changes has been sent to local authorities even though they had only been suggested by one individual and there was no other support. It was necessary to agree the criteria for deciding which suggestions should be forwarded to the local authorities for consideration.

1.3 The Commissioners considered that it might be possible for an individual to make a proposal which would be reasonable, and for the Commission to receive proposals which had been previously discussed but appeared to merit further attention. Consequently amendments were proposed to paragraph 4.3 which allowed for exceptions where appropriate. The tables attached to the Implementation Team reports would include details of any ward name changes suggested.

1.5 **The Commissioners agreed the policy set out in the report subject to paragraph 4.3 being amended as follows:**

4.3 The proposed name will not normally be sent to the Council if:

- **It has already been considered and rejected in the draft or final recommendations report**
- **It is proposed only by one or two individuals**
- **The Boundary Committee is not in agreement**
- **The Commissioners are not in agreement**

(PG, as Chair of the Boundary Committee, did not take part in making the decision on this item).

2. Modifications to Boundary Committee recommendations put forward at the technical consultation stage

2.1 DL presented the report which dealt with some legal concerns about the process for dealing with modifications to recommendations of the Boundary Committee. The Commissioners considered that the definition of modifications in the report should be clarified. The modifications under consideration were those which arose as a result of the technical consultation with the local authorities on draft Orders, and therefore should be defined as technical modifications, instead of minor modifications.

2.2 The Commissioners were satisfied that major modifications to Orders would not arise at this stage. The papers submitted with Orders for signature by the Commissioners would identify any technical modifications made.

2.3 **The Commissioners agreed the procedure for dealing with technical modifications.**

3. Periodic Electoral Review: City of Leicester

- 3.1 SY presented the report and reminded the Commissioners that the PER for Leicester had previously been considered at the Commission meeting on 7 August 2002. There were two key issues; one relating to the St Matthews and Highfields estates, the other to Aylestone Park and Eyres Monsell areas, which resulted in concern about electoral variances.
- 3.2 GZ advised the meeting that he knew Patricia Hewitt MP, who had made representations on the Boundary Committee recommendations, and Lord Janner, who was the former MP for Leicester West constituency. It was agreed that GZ should not be excluded from the discussion.
- 3.3 The Commissioners noted the information provided by the Boundary Committee explaining their recommendations, which showed that the Boundary Committee had aimed to reflect community identity. AF stated that she had been impressed by the weight of evidence of community identity in the St Matthews and Highfields area.
- 3.4 The Commissioners agreed that although the outcome was not consistent between the two areas of St Matthews and Highfields, and Aylestone Park and Eyres Monsell, the approach was consistent. Consistency of approach was more important than consistency of outcome in these circumstances.
- 3.5 The Commissioners noted the proposed modification in paragraph 17 of the Implementation Team's report to move Western Park into the ward of the same name, and the proposal in paragraph 22 in relation to 15 Ambassador Road. Suggested ward name changes would be referred to the local authority in accordance with the agreed policy.
- 3.6 SY stated that he would discuss the matter with GM, and therefore the decision of the Commissioners would be subject to any comments which GM may have.
- 3.7 **The Commissioners agreed the recommendations set out in the report, including the proposed modifications, subject to comments from GM.**

(In the subsequent discussion between SY and GM, GM confirmed that he was content with the recommendations.)

4. Complaint against the Labour Party in Scotland

- 4.1 LE presented an interim report and outlined the issues which were being reviewed by the Compliance Team. The Registration and

Compliance Team were seeking direction from the Commissioners on this matter. Further discussions would be held with the auditors and the Labour Party.

- 4.2 SY indicated that it would be appropriate to make a decision as to whether the Commission should carry out a formal investigation at the next meeting on 14 November.
- 4.3 **The Commissioners received the interim report and agreed to discuss the matter on 14 November with a view to making a decision on whether a formal investigation should be carried out.**

5. Referendum Question Assessment Guidelines

- 5.1 DS presented the paper, and advised the Commissioners that the enabling Bill was likely to be published on 14 November.
- 5.2 SY proposed a preliminary discussion of the proposed question at the meeting on 14 November, to be followed by a further discussion on a date to be arranged.
- 5.3 The Commissioners discussed the principles and criteria set out in the paper. There was recognition that fairness was an integral part of intelligibility and the two should not be treated as separate issues. It was agreed that the criteria should be published on the Commission website before the draft referendum question was available to the public, ie. before 14 November.
- 5.4 DS would redraft the guidelines taking account of the discussions, and circulate the revised paper to Commissioners by e-mail in the week beginning 4 November. NS stated that a briefing paper for politicians would be published in the same week.
- 5.5 **The Commissioners noted the report and requested that two versions of the guidelines be produced for further consideration.**

6. Other items

- 6.1 SY advised that he had spoken to Nick Raynsford about the need for the Commission to be able to provide information about referendum issues if it was not possible to designate lead organisations.
- 6.2 Copies of the paper prepared for the meeting of the Speakers Committee on 30 October were circulated. SY stated that a letter had sent to the Speaker concerning BAA passes and MPs overseas travel.
- 6.3 NS stated that the Government had published a consultation paper on the topics of combining elections and Sunday voting.

- 6.4 NS also reported on the bids for pilots in 2003. Seminars were being held in London and Manchester to persuade local authorities to be more innovative, and in particular to encourage more pilots on e-voting.
- 6.5 PG reported that she had attended the SOLACE conference at which she had been advised that there was an increasing strong view in Government that annual elections should be replaced with two or four year cycles.
- 6.6 The following changes to Commission meeting dates and times were proposed:
- 19 November at 1.30pm (following PPP) – to discuss the referendum question
- 2 December from 11am to 4am – to discuss Absent Voting, Funding and Internet Campaigning
- 15 – 17 October 2003 – Business Planning meeting