

## Minutes of the meeting of the Electoral Commission held on Thursday 9 August 2007, London

- Present: Sam Younger (SY) (Chair)  
Glyn Mathias (GM)  
Sir Neil McIntosh (NM)  
Karamjit Singh (KS)  
Max Caller (MC)  
Henrietta Campbell (HC)
- In attendance: Peter Wardle (PW)  
Clare Ettinghausen (CE)  
Lisa Klein (LK)  
Stephen Rooney (SR)  
Andrew Scallan (AS)  
Tom Hawthorn (TH) for item 2  
Malcolm Rawlings (MR) for item 3  
Mark Williams (MW) for item 3  
Nicholas Clayton (NC) for item 3  
Emma Fisher (EF) for item 4  
Bob Posner (BP) for items 5 and 6  
Vera Markos (VM) minutes

Apologies were received from Carolyn Hughes (CH).

The Commission warmly welcomed Max Caller and Henrietta Campbell to their first meeting as Electoral Commissioners. The Commission further welcomed the appointment of Max Caller as the Chair of the Boundary Committee for England.

1. Minutes of meeting of 10 July 2007 (EC123/07)
  - 1.1 The Commission agreed the minutes of the meeting held on 10 July 2007.
  - 1.2 The Commission noted in relation to agenda item 4 (electoral pilot schemes) that there had been wide media coverage. In relation to the Scottish elections review it was noted that the date for publication was anticipated to be late October.
2. Performance standards – electoral registration and financial information indicators (EC124/07)
  - 2.1 AS presented the finalised electoral registration indicators and financial model for Commission approval followed by dissemination to

Electoral Registration Officers and electoral administrators across Great Britain from September 2007. AS noted that the Commission had undertaken thorough and extensive consultative activity since autumn 2006 and that the revised indicators and financial model were piloted from April to May with ten authorities and from June to July with 51 authorities and EROs across the UK.

- 2.2 The Commission agreed that the electoral registration indicators and financial model provided a solid basis for roll-out in September whilst being flexible enough to adapt and refine in the future. The Commission welcomed that these indicators would be accessible via the Commission's website.
- 2.3 The Commission discussed the use of the electoral registration performance indicators in the development of the statutory performance standards for EROs. The Commission was informed that further consultation during the autumn was necessary to consider whether for example, a consistent standard throughout Great Britain would be suitable.
- 2.4 The Commission approved the electoral registration indicators and financial model and requested a further briefing in October.
3. Response to consultation: Greater London Authority rules (EC125/07)
  - 3.1 MR outlines the proposed response to the Government's consultation on the draft Greater London Authority Election Rules 2007. The key issues outlined by MR:
    - (i) outstanding issue of problems that arose during the 2004 GLA election where the Borough Returning Officers were effectively required to undertake administrative duties in order to support the elections, but without any statutory basis for co-operative working arrangements between them and the Constituency Returning Officers.
    - (ii) signing for ballot papers – signing for ballot papers should not be implemented for the GLA elections until the relevant primary legislation has been corrected. In discussions with the MOJ seemed understanding of the issues raised in implementing this for the GLA elections (e.g. why only applicable to the GLA elections and that it would create confusion on the part of the electors).
    - (iii) Death of a candidate – the draft GLA Rules include provisions to replicate the death of a candidate provisions in the EAA for the purposes of London Mayoral elections which is believed to discriminate against independent candidates.
  - 3.2 The Commission approved the contents of the proposed response and requested that issue (i) be highlighted in the response.

#### 4. Response to consultation: Regulatory Enforcement and Sanctions Bill; Code of Practice for Regulators (EC126/07)

- 4.1 EF outlined the options for implementing the Commission's goal of developing a more flexible sanctions 'toolkit' within the PPERA framework. EF stated that the objectives of the Macrory review, on which the provisions of the RESB are based, are in line with the Commission's objectives in seeking to modernise the PPERA sanctioning regimes and that the Commission could seek for inclusion under Schedules 3 and 4 of the RESB. The alternative option is to replicate the provisions of the RESB for inclusion within the PPERA through any future party funding or other appropriate legislation.
- 4.2 The Commission agreed that in principle the objectives outlined in the Macrory review and the RESB was consistent with the Commission's direction of travel as it identified with the Commission's desire to adopt a proportionate approach as well as having the flexibility to respond.
- 4.3 The Commission discussed the merits of the two options and agreed not to exclude either option as a vehicle for future work.
- 4.4 The Commission agreed to respond to the consultation supporting the approach outlined and seeking further clarification about the potential inclusion of the Commission in the BRE scheme.

#### 5. Scottish Elections Review (EC 127/07)

- 5.1 The Commission agreed to the request from the Secretary of State for Scotland under section 6 (2) PPERA, enabling the Scottish elections review to examine ballot paper electronic information.
- 5.2 The Commission noted and endorsed the key points in the Commission's response to the Scottish Executive on the draft Order enabling access to the Scottish local government ballot papers.

#### 6. UKIP forfeiture of impermissible donations

- 6.1 The Commission approved taking forward an appeal to the High Court on the UKIP forfeiture case.

#### 7 Quarter 1 performance and finance report

- 7.1 PW presented the key achievements from the first quarter performance report and noted that on the revenue budget the Commission is on track for spending. On capital expenditure PW noted that a capital programme plan now exists which will allow for easier tracking of capital expenditure in future reports. PW further noted that financial consideration is being given to new challenges that the Commission

may face during this financial year, notably decision on new unitary authorities and a potential UK General election.

7.2 The Commission welcomed the performance and financial reports.

## 8 2006/07 public awareness campaigns

8.1 The Commission reviewed the information presented at its meeting on 10 July and discussed the key lessons learned from the 2006/07 public awareness campaigns.

## 9 AOB

9.1 The Commission agreed to cancel the meeting on 27 September and re-scheduled its next meeting for 3 October. The Commission agreed to hold a stakeholder event on 10 October in Belfast.