

# Local Elections 2009

Colin Rallings and Michael Thrasher

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LGC Elections Centre  
University of Plymouth  
Drake Circus  
Plymouth  
PL4 8AA



## Introduction

Local elections took place in 34 local authorities in England on June 4, 2009 –the same day as the UK-wide elections to the European Parliament. 27 county councils and 7 unitary authorities held contests, with the whole council up for election everywhere except in Bristol where a third of council seats fell vacant. In 5 cases – Bedford, Central Bedfordshire, Cornwall, Shropshire and Wiltshire – there were inaugural elections for newly created unitary authorities. This was the first occasion since 1993 that the county council elections had not coincided with a general election. It should be noted that much of the discussion in this report refers to the 201 district councils which took responsibility for administering and returning information about the elections of behalf of the county authorities.

## ELECTION RESULTS

Elections were held in 2,139 divisions/wards with a total of 2,318 seats at stake<sup>1</sup>. Almost two-thirds of the available seats were won by candidates from the Conservative party, clearly benefiting most from the operation of the first past the post voting system which tends to provide a ‘winner’s bonus’ so that the party with the largest share of the vote wins an even larger share of the seats at stake (Table 1). Its main rivals, Labour and Liberal Democrats, won 7% and 20% of seats respectively.

**Table 1: Vote and Seat share 2009**

	<i>Vote (%)</i>	<i>Seats (%)</i>
Conservative	44.5	65.6
Labour	12.7	7.2
Lib Dem	24.9	20.0
Green	4.6	0.7
Independent	4.4	4.7
Other	8.9	1.9

The pattern changes little if the figures are broken down according to type of local authority. The Conservatives were even more dominant among the counties –see Table 2. Among the unitary councils the strong showing for Independents is largely attributable to their historic strength in two former counties, Cornwall and Shropshire, which held their first contests under their new designation –see Table 3.

**Table 2: Vote and Seat share: County Councils 2009**

	<i>Vote (%)</i>	<i>Seats (%)</i>
Conservative	44.9	67.9
Labour	13.2	7.9
Lib Dem	24.5	18.6
Green	4.8	0.9
Independent	3.5	2.6
Other	9.2	2.0

**Table 3: Vote and Seat share: Unitary Councils 2009**

	Vote (%)	Seats (%)
Conservative	40.4	56.3
Labour	8.6	4.1
Lib Dem	28.6	25.4
Green	3.2	0.0
Independent	13.4	12.8
Other	5.9	1.3

### Contestation

Some 8,957 candidates contested the 2,318 seats at the June 2009 local elections – an overall candidate/seat ratio of 3.86. This relatively high figure compared with 3.4 at the previous county council elections in 2005 reflects both the frequency of competition between the three main parties and the presence of a sizeable number of Independent and smaller party candidates. The ratio in the counties was 3.9; that in the unitaries 3.6. In only one case was a candidate elected unopposed.

### TURNOUT

The local elections in 2009 gave some 17.5 million registered electors the opportunity to vote: a little over 45% of the total electorate in England. Under the provisions of the Electoral Administration Act (EAA) 2006, more than 72,000 names (0.4% of the total) were added to the register between 8<sup>th</sup> April (the previous last date for registration to take effect before the election) and 19<sup>th</sup> May (the new closing date). In one case, Gloucester, names amounting to an extra 2% of the total electorate were added; in 4 cases, Bristol, Cambridge, Forest Heath, and Norwich, the electorate rose by more than 1% following the addition of names. Votes were cast at over 15,500 polling stations as well as by post.

Across the country some 6.9 million valid votes were cast, making the overall aggregate turnout 39.1% - see Table 4<sup>2</sup>. That compares with 35.0% in 2008 and 37.9% in 2007. Taking into account those who tried to vote but had their ballot papers or postal vote returns rejected, the level of participation rises to 39.7%. The aggregate turnout in the counties was 38.9%; that in the unitary authorities 41.2%.

**Table 4. Adjusted turnout at local elections in England, 2002-2009 (valid votes as % of the electorate)\***

2009	2008	2007	2006	2003	2002
39.1	35.0	37.9	36.5	35.6	33.3

\* The figures are not strictly comparable because different authorities/wards hold elections in each year. We exclude 2004 because of the all-postal voting pilot in four regions in England and 2005 because the local elections coincided with the general election.

In the rest of this report we use the term ‘adjusted turnout’ to refer to calculations based simply on the number of valid votes cast; ‘minimal unadjusted turnout’ to refer to

calculations taking into account those whose vote was rejected at the count; and ‘maximal unadjusted turnout’ to refer to calculations which take into account votes rejected at the count *and* those rejected at the postal ballot verification stage. The evidence in Table 5 confirms that only a small fraction of voters try to vote but fail to do so successfully. We return to this issue later in the context of the new regulations on postal voting.

**Table 5. Adjusted and unadjusted turnout at English local elections 2006-2009**

2009 max unadjusted 39.7	2009 min unadjusted 39.3	2009 adjusted 39.1
2008 max unadjusted 35.5	2008 min unadjusted 35.1	2008 adjusted 35.0
2007 max unadjusted 38.3	2007 min unadjusted 38.1	2007 adjusted 37.9
2006 max unadjusted 37.0	2006 min unadjusted 36.7	2006 adjusted 36.5

Naturally, there are greater variations when turnout is examined at the local authority level. Turnout reached 50% in only one authority (Cumbria, South Lakeland) – a record it also held in 2008, and was less than a third in 10 county districts. Turnout among the unitary authorities covered a much narrower spread. The outliers for each type of local authority are set out in Table 6. Yet again the evidence shows that many of these councils appear in a similar place in the ‘league’ year after year. For example, Barrow in Furness in Cumbria had the second lowest district council turnout in 2007, the third lowest last year and the second lowest this time and, as in 2008, Cannock Chase in Staffordshire recorded the lowest local authority-wide turnout of all.

**Table 6. Highest and lowest aggregate % turnouts by local authority 2009**

	<i>2009 adjusted</i>	<i>2009 minimal</i>	<i>2009 maximal</i>
<b>Counties (Districts)</b>			
<b>Highest</b>			
Cumbria (South Lakeland)	50.0	50.3	51.1
Surrey (Mole Valley)	48.2	48.4	48.5
Hampshire (Winchester)	47.9	48.1	48.4
<b>Lowest</b>			
(Cumbria) Barrow In Furness	30.3	30.6	30.8
(Staffordshire) Cannock Chase	29.9	30.2	30.6
<b>Unitaries (all)</b>			
Shropshire	43.2	43.8	44.2
Wiltshire	43.0	43.4	43.4
Bedford	42.3	42.6	43.2
Cornwall	40.7	41.0	41.8
Isle of Wight	39.9	40.3	41.0
Central Bedfordshire	39.5	39.9	40.1
Bristol	38.4	38.6	38.9

## Rejected ballots

As suggested by the differences between adjusted and unadjusted turnout set out in Table 5, only a very small fraction of electors who tried to vote had their ballot papers rejected. This can happen at one of two stages. Postal voters must first meet the statutory requirements for the documentation they return by supplying personal identifiers in the form of their correct date of birth and signature. Votes which pass this test are then added at the count to those of electors who have voted in person. At this stage votes are checked against four other criteria to determine their validity. The voter's intention should be clear; they should not vote for more candidates or parties than allowed at that election; they should not mark the ballot paper in such a way that they can personally be identified; and the ballot paper itself should contain the official perforation mark.

**Table 7. Rejected ballots as % of total included at count –England**

2001 general election	0.4
2004 European/local elections	0.8
2005 general election	0.3
2006 local election	0.6
2007 local election	0.4
2008 local election	0.4
2009 local election	0.8

Table 7 shows the proportion of ballot papers examined at the count and subsequently rejected at a selection of recent elections in England. At the 2009 local elections just over 56,000 votes were rejected at the count, that is 0.8% of all those counted. The more complex the ballot paper, and the more electors are asked to vote in different ways on different ballot papers, the more likely is it that mistakes are made. In 2004 and again this year, when many English voters were faced with ballot papers for both European Parliament and local elections, each using a different electoral system, the proportion of rejected papers was higher than at other recent general and local elections. The most common reason for rejection is an unclear ballot paper – ‘unmarked or wholly void for uncertainty’ in the technical language. In 2009 these accounted for almost three-quarters of rejections in those cases where we have complete data. In only three cases (Breckland 2.5%, Hyndburn 2.2% and Bassetlaw 2.1%) were in excess of 2% of ballots coming to the count rejected. However, we cannot know what proportion of such rejections are the result of deliberate as opposed to accidental actions by voters.

## **POSTAL VOTING –UPTAKE AND TURNOUT**

A sizeable number of electors continue to take advantage of the opportunity to apply for and cast a postal vote. At these elections more than 2.39 million postal votes were issued, 13.6% of all those with a contested election in their division/ward (Table 8). Exact comparisons with previous years are impossible because of the varying electoral cycle, but it can be noted that 14.9% of local electors in 2008 had a postal vote (when many metropolitan councils with extensive experience of all postal voting had elections), 12.9% in 2007, 13.6% in 2006 and that 12.8% of electors throughout England had one at the 2005 general election. It would appear that the new rules on

providing personal identifiers (together with the need to reapply for a postal vote) have not stemmed the gradual increase in voting by post.

In three areas, Stevenage, Rushcliffe and Chorley more than 30% of the electorate had a postal vote –see Table 9. These councils make a regular appearance on this list (Stevenage heading the table for the third year running) and have conducted all postal pilots in the past. At the other extreme, there were four authorities where fewer than 7% had a postal vote. It is likely that Barrow’s presence on both this list and that of low turnout councils is related.

**Table 8. Postal electors and votes in England 2009 –overall and by type of authority**

Number of postal ballot papers issued	2,390,522	as % of electorate	13.6
Number returned	1,642,506	as % of issued	68.7
Number included ‘in count’	1,565,895	as % of votes at count	22.7
Rejected or otherwise not included in count	76,611	as % of those returned	4.7

**County councils\***

Postal ballot papers as % of electorate:	13.6	(12.6 in 2005)
% ‘Turnout’ among postal voters:	68.8	(74.3 in 2006)
Rejected ballot papers as % of those returned:	4.7	(n/a in 2005)
Postal ballots as % of those at count:	22.7	(n/a in 2005)

**Unitary authorities\***

Postal ballot papers as % of electorate:	14.3
% ‘Turnout’ among postal voters:	68.1
Rejected ballot papers as % of those returned:	4.4
Postal ballots as % of those at count:	22.4

\*The comparison is with all 34 counties existing on general election day 2005 compared with 27 counties currently. No valid comparison is available for the unitary authorities.

**Table 9. Biggest and smallest take up of postal votes, 2009**

<b>Biggest</b>	<i>% of electorate</i>
Stevenage	36.1
Rushcliffe	31.2
Chorley	30.3
<b>Smallest</b>	
Brentwood	6.9
North Warwickshire	6.9
Oxford	6.7
Barrow In Furness	5.5

The proportion of postal voters returning their ballot papers always exceeds the turnout among ‘in person’ voters. To an extent this can be explained by the fact that applying for such a vote in the first place often indicates a higher than average level of interest in and engagement with political events. However, especially in the case of second order elections, the convenience and flexibility of postal voting is also likely to boost participation. At the 2009 local elections nearly seven in 10 of those with a postal ballot (68.7%) returned it. This is in contrast to a turnout of 35.2% -some four percentage points below the overall figure- among those voting at a polling station. This phenomenon also means that postal votes form a disproportionate number of

those at the count. In 2009 a little less than a quarter of all votes counted (22.7%) were cast by post. Indeed some may wish to argue that the success of postal voting acts to disguise a continuing problem of electoral participation among those who have not taken advantage of this facility.

Some electors who try to vote by post are found to have completed the documentation incorrectly and their ballot papers never reach the count. Although all postal voters would have experience of providing personal identifiers in the form of their signature and date of birth when applying for a postal vote, and most would have been likely to have voted in this way at the 2007 local elections, there was an increase this year in the proportion of postal votes rejected or otherwise not included in the count to 4.7% from 3.2% in 2007. At the last local elections before the new regulations in 2006 the equivalent figure was 3.0% and at the 2005 general election in England it was 2.4%. It is likely that the combined elections had an impact on this figure, with several councils reporting that either the European or local ballots papers (or both) did not accompany returned postal voting statements. Indeed our report on the 2009 European Parliament elections confirms that the rejection rate of postal ballots was higher in most places where there were combined as opposed to European Parliament only elections<sup>3</sup>.

Yet again we found considerable variation between local authorities in the proportion so rejected. Examining only those councils where we believe the data returns to be accurate<sup>4</sup>, more than one in ten postal votes were rejected in about ten cases, but less than 1% in a handful of other authorities including Broxbourne, Mole Valley and Waverley. Such disparities are likely to reflect the judgement and discretion of individual returning officers and the way different software packages work as much as gross differences in the success of postal electors in completing their forms correctly.

The new (2006 EAA) postal voting regulations require returning officers to verify the personal identifiers on a minimum 20% sample of all postal ballot papers returned. More than 9 in 10 returning officers claimed to have verified 100% (or very nearly) of all returns, but nearly a dozen record verifying only the statutory minimum - Breckland, North Dorset, Cheltenham, South Hams, Tandridge, Exeter, Runnymede, Havant, Broxbourne, Mole Valley, Allerdale. A few councils did not provide sufficient data to enable this calculation. It should also be pointed out that there is some correlation between a low overall proportion of rejected postal votes and the subjection of fewer than 100% of returns to formal verification. These issues will be dealt with in more detail in a separate report on postal vote examination processes and rejection rates covering this year's local and European elections.

#### Proxy votes

The introduction of postal voting on demand also appears to have had an impact on the number of electors appointing proxies. Scarcely more than 22,000 electors (just 0.13% of the total) appointed a proxy to vote on their behalf, a proportion similar to that for the shire dominated local elections in 2007 and considerably fewer than at the 2001 general election (Table 12). The highest proportion of proxy voters was in Pendle (0.57%), followed by Surrey Heath and East Dorset (both 0.40%); very low proportions of proxy voters are found in some areas with all postal voting experience

e.g. Stevenage 0.01%. Just 121 emergency proxies were issued across all councils with local elections.

**Table 12. Proxy voters as percentage of electorate in England 2001-2009**

<i>2009 Locals</i>	<i>2008 Locals</i>	<i>2007 Locals</i>	<i>2005 General</i>	<i>2001 General</i>
0.13	0.09	0.12	0.22	0.47

## Conclusions

- Among the main parties the Conservative party performed best, winning more than forty percent of the vote and nearly two-thirds of all seats. Labour and the Liberal Democrats both won fewer seats than their share of the vote ‘justified’. The smaller parties also did better in terms of vote than seats.
- Nearly 9,000 candidates contested the elections, yielding a candidate/seat ratio of 3.86 overall. Just one out of more than 2,000 vacant seats returned its councillor unopposed.
- The 2009 local elections saw some 17.5 million electors with an opportunity to vote, 45% of the total English local electorate. Nearly 6.9 million valid votes were cast, making the overall turnout 39.1%. This is lower than similar years in the electoral cycle (2005, 2001, and 1997) in the recent past because on each of those occasions there was a coincident general election.
- The proportion of ballots that are rejected at the official count continues to be small. In 2009 it was about eight in every thousand votes cast. That is twice the rate as for the ‘locals only’ election in 2008, but in line with the figures for the last occasion that EP and local elections were held on the same day.
- More than 2.36 million postal votes were issued, 13.5% of all those with a contested election in their ward. More than two thirds (68.7%) of those with a postal ballot returned it. By way of contrast, only 35.2% of electors required to vote ‘in person’ did so.
- The increase in postal voting seems to have had a clear impact on the number of electors appointing proxies. In those areas with local elections only a little more than a tenth of one percent of electors opted for this method of voting – just over 22,000 electors in total.
- The proportion of postal votes rejected or otherwise not included in the count was, at 4.7%, rather higher than that in 2007 (3.2%) when voters were also required to provide personal identifiers. The additional pieces of paper needing to be returned in the case of combined elections would seem to provide one explanation for this increase.
- Some variation does continue to exist at the local authority level, however, where the proportion of rejected postal votes ranged from more than one in ten to less than one in a hundred.
- The new regulations also imposed a duty on local authorities to sample a minimum of 20% of returned postal ballot papers in order to verify their legality. Most local authorities claimed to have sampled 100% (or very



nearly) of all returns and none verified fewer than 20%. Perhaps unsurprisingly there appeared to be some correlation between the proportion of postal ballots papers rejected and the proportion subjected to formal verification.

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<sup>1</sup> Two contests were postponed following the death of candidate. The subsequent results are included in this report.

<sup>2</sup> Councils were sometimes unable to provide a figure for the number of ballot papers issued in those wards where more than one vacancy was being contested. In such cases we have used an algorithm to estimate the number of individual voters who went to the polls, see L. Ware, G. Borisyuk, C. Rallings and M. Thrasher, A New Algorithm for Estimating Turnout, *Electoral Studies*, 25,1 2006. Adjusted (or valid vote) turnout based on an average of the turnout level in all wards with contested elections was 35.8%.

<sup>3</sup> See Colin Rallings and Michael Thrasher, European Parliament Elections 2009, report to the Electoral Commission and accompanying data tables.

<sup>4</sup> In a small number of cases local authorities filled in their Form K returns incorrectly. For example, by failing to check that the numbers in different cells summed to the total provided.