

Minutes of the Elections, Referendums and Registration Working Group

10 January 2012

Present: Gareth Bradford (CLG)
Kate Brown (Manchester City Council)
Robert Connelly (Birmingham City Council)
George Cooper (London Borough of Haringey)
Christie Dennehy (Electoral Commission)
Lindsay Dixon (Sunderland City Council/AEA)
Paul Docker (Cabinet Office)
Philip Dunkley (CLG)
Debra Harrod (Poole Borough Council)
Ailsa Irvine (Electoral Commission)
Jacqui Milnes (Wakefield District Council)
Glynne Morgan (Pembrokeshire Council)
Matt Osborne (Cabinet Office) – *for AOB item on changes to UKPGE timetable*
Kath Richards (Southampton City Council)
Phillippa Saray (Electoral Commission)
Ian White (Kettering Borough Council)

Apologies: Keith Hathaway (London Elects)
Chris Highcock (City of Edinburgh Council)
Laura Lock (Huntingdonshire District Council)
Karen Quaintmere (AEA)

Welcome, minutes and matters arising

1.1 Ailsa welcome the group. The draft minutes of the meeting on 14 December 2011 were agreed, subject to any amendments from CLG or Home Office representatives on their respective items. The final minutes will be published on the Commission's website as soon as this is confirmed.

1.2 Glynne said there was nothing further to report as yet on the issue of recruitment of polling station staff in Wales, initially raised at the November meeting of the Group.

Neighbourhood planning referendums

1.3 Ailsa welcomed Gareth Bradford and Philip Dunkley from CLG. Gareth set out the background to neighbourhood planning referendums, as follows:

1.4 The Localism Act provides “communities” i.e. parish/town councils or ‘neighbourhood forums’ (provided for in the Act) with three planning tools:

- Neighbourhood development plan (NDP)
- Neighbourhood development order (NDO)
- Community right to build

1.5 The purpose of the policy is to get greater involvement of communities at the development stage, rather than at the planning application stage.

1.6 CLG have completed consultation on secondary legislation relating to ‘planning’ aspects, and are currently developing the regulations relating to compliance with EU law, conduct of referendums, and charging for LA costs. They have been in early discussions with the Electoral Commission, particularly in relation to the referendum question, which is to be a generic question (in which the name of the particular neighbourhood can be inserted) prescribed in legislation to ensure consistency.

1.7 The process for holding a referendum is broadly:

- A community group (i.e. parish/town council, or neighbourhood forum) proposes a ‘neighbourhood’ area
- The local authority designates the area as a ‘neighbourhood’
- The group prepares a plan
- The plan is checked by an independent examiner for compliance with relevant law (inc. Human Rights/EU law) and fit with the LA’s planning policy
- If the plan is approved by the examiner, the LA **must** hold a referendum on it.

1.8 Voters will in effect be asked to vote on whether a plan should be given legal status.

1.9 There is no formal timescale set out in legislation for this process, so referendums are not required to be held within a certain period of time (though the referendum itself will have a timetable).

1.10 The referendum franchise is local government electors, and only those who live in the neighbourhood in question can vote in the referendum, although LAs have the discretion to extend the ability to vote to a wider area if the plan will impact more widely than the immediate neighbourhood.

1.11 Additionally, certain neighbourhoods can be designated as ‘business’ neighbourhoods if they are occupied primarily by commercial premises (eg an industrial estate). In these neighbourhoods, a referendum has two separate

polls: one of business rate-payers, and one of residents. There are two results; the votes are not aggregated. If there are two different results, the local authority has the final decision. The 'franchise' in the business poll is non-domestic rate-payers (i.e. occupiers, rather than owners) who are on the rating list (with only one vote per rate payer, regardless of the number of properties in the neighbourhood area they may pay for).

1.12 There is no turnout threshold. The outcome is decided by a simple majority of those who voted. If more than 50% vote yes, the LA must put the NDP/NDO into force (unless a change in law since it was examined renders it unlawful). If there is a 'no' vote, the LA may not put the NDP/NDO into force.

1.13 Gareth said that LAs would be likely to know at the point the plan went to the examiner whether or not it was likely to be approved. The examiner's report would be made public. Plans have to fit broadly within the LA's strategic planning policy.

1.14 Neighbourhoods, and therefore plans, can cross LA boundaries. George asked whether neighbourhoods could be sub-ward, and whether neighbourhood forums that cross LA boundaries have to include (on the forum) any parish and town councils within the neighbourhood.

1.15 Gareth said that a proposal for a neighbourhood area must define what it covers. Parish and town councils in an area have to agree to work with each other in respect of the neighbourhood to be able to develop a plan for that area. The legislation encourages neighbourhoods to make use of existing areas and parish and town council/ward boundaries to be used as the 'building blocks' for neighbourhoods wherever possible (though this is not a requirement).

1.16 If any part of a given area falls within an existing parish or town council, then there can't be a new neighbourhood forum covering that area: only the parish/town council can develop a neighbourhood plan for that area.

Issues raised by the group:

1.17 There was discussion and general agreement about the need for clear and formalised communication from the plan examiner and the LA's planning department to electoral services at key stages of the process, so that Counting Officers/administrators are aware of the possibility of the need for a referendum at the earliest stage and kept informed of the progress of NDPs/NDOs. They also need to be aware of new neighbourhood forums being recognised.

1.18 George pointed out that an 'ad-hoc' register would need to be created for these referendums and that time would need to be allowed for this to be done.

1.19 Kath asked whether neighbourhood plans/referendums can be used to oppose development. Gareth said they can only be used to promote growth, not to prevent development

1.20 Ailsa asked whether there were any thoughts at this stage on how the non-domestic rates register might work in relation to a 'business' poll. Gareth said they don't expect there to be many business neighbourhoods (based on definition and trials being done). Therefore in the majority of cases, it would be local government electors voting in the referendums.

1.21 George asked how the referendum costs are to be met. Gareth said that as these are a 'new burden' for LAs, the government will compensate them for their "unfunded responsibilities". CLG are trying to establish costs at the moment. George pointed out that it would be difficult to estimate the costs of a business poll, as there was no recent equivalent to use as a basis.

1.22 There was discussion about whether these referendums would lead to a decrease in parish polls, and whether there was a cost incentive (as parish poll costs are borne by parishes themselves) but as these referendums relate only to neighbourhood planning, it was generally thought not. Gareth said the main intended incentive was the legal status of a neighbourhood plan.

1.23 Kate asked whether the conduct of the referendums would follow other referendums, and which Counting Officer would take responsibility in a cross-LA boundary referendum. Gareth said that the rules would be as similar as possible to other referendums and to elections, particularly so that they could be combined. Cross-boundary plans are the responsibility of all of the LAs that they cover. CLG are considering whether there should be a separate poll in each LA area, with the results collated, or one poll across the neighbourhood. Currently, the preference is for the authority covering the largest proportion of the neighbourhood to have lead responsibility, but as it stands currently, it would be for the LAs involved to decide.

1.24 Ian asked whether there were any conditions or disqualifications for non-domestic ratepayers, or anything to prevent a person taking on responsibility for business rates solely in order to be able to vote in a referendum. Gareth said that the definition is set out more specifically in the existing BIDs (Business Improvement District) legislation. Kath said that she had experience of running a BID election and had encountered problems with the ratepayers list not being fully up-to-date at the point it was provided. George suggested there may be a need for some awareness-raising before a business poll as to who was eligible to vote. Paul asked Kath whether proxies had been appointed at the BID election. Kath said that around 20% appointed proxies, and that unlike elections, there were no restrictions on who could be a proxy.

Timing

1.25 Gareth said that neighbourhood planning referendums could take place in 2012. The referendum regulations should be in place in time for October/November 2012. Experience from the on-going trials has shown that establishing neighbourhood areas and forums takes quite a long time, but it is not possible to know at this stage whether any referendums are likely to happen in 2012. In theory, the process from plan to approval to referendum could be quick. He did point out that an authority could avoid the need for a referendum by simply adopting the neighbourhood plan into its own local plan.

1.26 Ailsa asked for clarification on whether a referendum could therefore take place in November 2012 (and so combined with PCC elections). Gareth said this was possible, theoretically, although the neighbourhood planning provisions don't formally come into effect until April 2012 (though George pointed out that people could nonetheless be making informal preparations now). Trials have shown that plans can be quite controversial and take some time to get right, and there is an incentive for communities to take the time to get them right as a 'no' vote at a referendum means a plan has to go back to the first stage.

1.27 Kate asked whether a referendum would have to be held even if the conduct regulations weren't in place. Gareth said no, as CLG haven't yet brought into effect the relevant bits of legislation relating to holding the referendums and that won't happen until the conduct regulations are made.

1.28 Ailsa thanked Gareth and Philip for attending and said that the update had been useful.

Feedback and issues from the electoral regions

1.29 Jacqui (Yorks & Humber) said that concerns had been raised in relation to the PCC elections, regarding regional Police Area Returning Officer (PARO) representatives having no formal capacity but being responsible for communication with other PAROs in their region. Paul Docker clarified that the purpose of the regional representatives was to act as a conduit between the Government and the PAROs, because this was more practicable than trying to convene regular meetings of 41 PAROs. Both he and Ailsa confirmed that the Government and the Commission would be communicating directly with all 41 PAROs, and not only with the regional representatives.

1.30 Debra (South West) said there was uncertainty about what would happen with the annual canvass as a result of the PCC elections being scheduled for November 2012.

1.31 Paul noted that the Cabinet Office are still awaiting a Ministerial response, and there had been no firm decision, but explained that the preferred option being explored is to conclude canvass early in England and Wales (excluding London; Scotland would also not be affected).

1.32 The date of poll is 15 November and the reference date for publication of the register is 15 October, meaning that a revised register could not be published until 19 October at the earliest, assuming publication of the notice of election on 11 October with a 25-day election timetable. This would have an impact on when poll cards could be sent out. The Home Office are looking at the possibility of extending the PCC election timetable on this occasion to 28 days (i.e. notice of election on 16 October, 3 days earlier), which would allow the register to be published immediately following the reference date, with poll cards printed and issued sooner. (**Post-meeting note:** Paul circulated a timeline which is included as Appendix 1 to these minutes that sets out the

25- and 28-day timetables, and the interaction with the publication of the revised PCC election register).

1.33 It was noted that concerns with the 25-day timetable were that electors would have very little time to receive and respond to their poll cards (e.g. to apply for an absent vote), and that pushing back the usual 'slot' for poll card printing could take up capacity needed for printing ballot papers. A 28-day timetable could help to alleviate these issues. Paul asked whether there were any difficulties with two registers being used for the same poll – one for checking nominations and one for conducting the poll. The group generally thought not, and it was noted that this wasn't dissimilar to 'normal' scheduled elections when nominations are conducted on the March register with the further updates published prior to the poll. It was agreed this would be checked with software suppliers at the afternoon session.

1.34 Jacqui asked how this would fit with the timetable for any mayoral elections taking place at the same time. Paul said the 'elections during the canvass' provisions would also apply to those elections, and that key dates would still 'agree' which would mean combined poll cards and combined postal ballot packs could be issued.

1.35 Debra raised the point that the tight timetable might preclude hand-delivery of poll cards which could be more cost-effective. Paul reminded the group that PCC elections are funded by government.

1.36 Kate said that administrators will be looking for guidance as soon as possible once a decision has been made. Ailsa said the Commission is working with Cabinet Office on the elections during the canvass issue and that information will be provided as soon as it is available. Kate also asked when a decision was expected. Paul said there were some issues still to be resolved but that he expected a decision soon.

1.37 There was some discussion about whether people who moved, or were away when they received their canvass forms, would miss out on registering. It was noted that this was always the case regardless of when the canvass and register publication took place, and that the 11-day registration rule would still apply. It was agreed that key messages for communication to electors, and when these would need to be disseminated, would need further consideration. Kate suggested flagging on canvass forms that there was an election scheduled for November to encourage prompt returns.

AOB

PARO communication

1.38 Kate asked whether there were any communications coming to PAROs in the near future. Paul said that there would be information provided at the AEA conference about PCC elections and related information/communications from Home Office should also follow shortly.

EC update

1.39 Ailsa gave a brief update on recent and forthcoming Commission activity. She noted that the revised performance standards and all Returning Officer and candidates' and agents' guidance were published as scheduled in December. Supporting resources are being published throughout January and will all be available by the end of the month. Template polling station and polling booth notices are on track to be published by 10 February.

1.40 Ailsa explained that the first RO performance standards monitoring return was due on 13 January and that data/evidence from a 15% sample was due by the same date. She explained that the sample had been notified of their selection by 6 January. Comments and questions were invited from the group. Kath asked when the PCC election guidance would be published. Ailsa explained that the Commission is still aiming to publish guidance for PCC elections by the end of March, subject to progress on secondary legislation.

Fees and charges for mayoral referendums

1.41 Jacqui asked whether any details were available on funding and remuneration for mayoral referendums. Kate said that her understanding was that CLG would be funding the referendums but she was unclear how. She expected that authorities would have to incur costs themselves and then reclaim them from CLG. Christie confirmed that at a previous meeting, CLG had said any referendums required by Order (in the 11 cities in England) would be funded by the government, but there had been no discussion about the mechanism for this. **Action:** Gareth from CLG and Paul undertook to find out.

Extending the timetable for UK Parliamentary elections

1.42 Matt Osborne from Cabinet Office explained that the Government intend to make provision in a forthcoming Bill to extend the UKPGE timetable from 17 to 25 days, in line with the timetable for local elections in England and Wales. Subject to necessary agreement/clearance, the intention was to move the nomination deadline to day E-19, and the deadline for the appointment of polling and counting agents to day E-5. The Government is also proposing to require two additional updates to the register to be published. Currently for an election on the first Thursday in May, there are updates on 1 April and then at E-5. The proposal is for an additional update to be published on day E-19, plus a 'floating' date to be decided by the ERO between then and E-6. The purpose of the additional updates is to enable people to be added to the register timeously, so that they can be sent their poll cards and postal ballot packs quickly.

1.43 Ailsa noted that anyone who applied between mid-March and day -25 could therefore be sent poll cards etc. at the same time as everyone else who was on the March register. Paul added that the additional updates should help to reduce the amount of 'late' registrations that need processing at once. Matt asked the group whether they could foresee any difficulties publishing additional updates to the register.

1.44 The group discussed the implications of publishing additional updates. While it was not a difficult thing to do in itself, there would be additional work

to ensure that the updates were provided to those who were entitled to them. George said that political parties would want copies of the register whenever it was updated and this would need to be factored into EROs' plans. Matt clarified that updates would not require the register to be re-numbered, as people are added with slash numbers and so this wouldn't affect allocation of register numbers to existing electors on the register.

1.45 Ailsa said that the Commission had some data collected from EROs at previous polls that it would share with Cabinet Office to help give an indication of the volume of applications that are received during the election timetable. She also suggested that the value of an additional 'floating date' should be considered, given the electors that would be added by this update would, at most, only be those applying from E-25 to E-11.

1.46 Paul asked whether anyone in the group knew the reason for the difference in the time for withdrawal of nominations between UK Parliamentary elections (24 hours) and local elections in England and Wales (up to day 16). No-one was sure, though it was suggested that it may be related to who has the right to inspect nominations or it could possibly be a practical issue due to the volume of candidates at local elections.

Next meeting

1.47 Ailsa asked whether anyone had any items to suggest for the next meeting, provisionally scheduled for 7 February. The Commission had not identified any significant issues for discussion on that date. If no suggestions were forthcoming, Ailsa suggested cancelling the meeting, but holding some time in the diary for a potential teleconference so any issues arising could still be discussed. The next substantial meeting would then be on 13 March. (**Post-meeting note:** in the absence of agenda items being suggested for 7 February, that meeting will be cancelled. Group members are requested to keep the slot in the diary for a possible teleconference catch-up (to be confirmed by 2 February)).

Minutes of the afternoon session with suppliers

Present: In addition to the attendees listed at the morning session:

Mike Avery (Smith & Ouzman)
Julie Barnett (Print UK)
Iain Bloomfield (FDM)
Ian Brown (Aero Vote)
Shona Carlton (Renfrewshire VJB)
Alex Doyle (Home Office)
John Foster (Print Image Network)
Mark Gillen (Opt2Vote)
Christine Hutton (Opt2Vote)
Helen Jones (FDM)
James Kirby (FCS)
Ian McArthur (Sciprint)
David McRitchie (ERS/Xpress)
Heather Middleton (Royal Mail)
Ted Ryan (Smith & Ouzman)
Jon Sanders (Document Management Technology)
Craig Smillie (Sciprint)
Verity Walsh (Aero Vote)
Crispin Williams (Shaw & Sons)
Rachel Winham (Royal Mail)
Mike Woolley (Strand)
William Quinton (Halarose)

Welcome

1.48 Ailsa welcomed representatives from the software suppliers and printers who joined the meeting for the afternoon session, and set out that the meeting would focus on the discussion of issues affecting elections after May 2012, the first of which would be the PCC elections in England and Wales (excluding London) in November 2012.

Forthcoming Royal Mail product changes

1.49 Ailsa welcomed Rachel Winham and Heather Middleton from Royal Mail (RM). Heather explained that changes were being made to RM products as follows (a slide pack was circulated at the end of the meeting and accompanies these minutes as Appendix 2):

- From 2 April there would be a tariff update and Mailsort would cease to exist as a 'suite' of products. Walksort would be in place until the end of May 2012. Existing products are being replaced with 3 categories of mail: business (which would include election-related mail), advertising,

and publishing. Within these categories, mail is treated as either 'machineable' (i.e. can be sorted by machine) or manual.

- RM have been talking to the Commission and Cabinet Office about poll cards in particular, to see whether they can be treated as machineable mail, which is likely to attract discounts and therefore be cheaper to send than mail that requires manual sortation.
- Mail can be either unsorted, sorted 88 ways (mail centre sortation) or – for manual only – sorted 1,525 ways (delivery office sortation). Tray sortation will attract discounts. Sorting to walks is no longer an option from April.
- Machineable mail requires addresses that can be machine-read either by Optical Character Recognition (OCR), or by the addition of a barcode (CBC) which contains all the necessary address information. CBC is the most practical option for 'creative' mail, e.g. mail that contains multiple addresses on the front (as poll cards do).
- OCR mail can only contain a maximum of 2 addresses on the front, and the second address (the non-delivery address) must be in the top left hand corner, so that the machine ignores it when looking for the delivery address. In terms of poll cards, this would mean the polling station address would need to be in this position. CBC can contain any number of addresses, as the machine 'reads' the barcode rather than the written address. Alternatively, poll cards could be sent as unsorted/manual mail, which also has no restrictions on number of addresses.
- Barcodes are created using a font that takes information from the delivery address data and turns it into a barcode. They can extract data from PAF. The barcode is printed on the front of the mail.
- RM can offer advice on setting up and creating barcodes, and manipulating addresses, etc. to maximise the space available to include a barcode, and can also advise on barcode font size and positioning. Barcodes require a 2mm 'clear zone' around the whole barcode. OCR has stricter requirements and more - and larger (e.g. 5mm around the address) - clear zone requirements. Heather is happy to advise individually and to answer specific queries.
- The OCR and CBC requirements apply to all mail delivered by RM, regardless of mail being 'processed' by other agencies.
- In relation to canvass forms, there was a discussion around how barcodes printed on canvass forms, visible in windowed envelopes, might interact with machines reading CBC barcodes.
- There are no changes to business reply licences
- Details are available on RM's website www.mailsorttechnical.com

Costs

- The new tariffs are not yet available. Rachel said they hope to be able to confirm tariffs around 6 February.
- There will be no discounts equivalent to the current 'Walksort' discount. Notwithstanding tariff increases, the new products will be more expensive than Walksort. CBC mail is likely to be the cheapest option for poll cards (and is expected to be as cheap, or perhaps cheaper than OCR mail).

Issues raised by the group

- Jacqui expressed concern about the effect on election budgets given delivery will almost certainly be more expensive.
- Glynne pointed out that finding additional space for a barcode on bilingual poll cards would be extremely difficult.
- Canvass forms will be the first 'bulk' election mail to be affected, followed by poll cards for PCC and any mayoral elections in November 2012.
- To be OCR compliant, poll cards would have to have a maximum of 2 addresses on the front, so the 'return' address would need to be on the back.
- John Foster from Print Image has mocked up a sample poll card where the address is in the top left corner, with the necessary clear zones, which could allow the poll card to be OCR compliant, as an alternative to CBC.
- The group generally felt that barcodes would be possible, but that difficulties were likely to arise in finding space to accommodate them and there was some concern that there may be additional processes involved.
- Kath asked whether the Commission would be amending its poll card templates to take account of the changes. Christie said that the templates did not need amending for May 2012 as Walksort would still be in place, but that the Commission was considering the options and what changes would be necessary to the templates to ensure they meet CBC and/or OCR requirements and so would be suitable for use for elections in May 2013.

Forms and notices for Police and Crime Commissioner (PCC) elections

Background

1.50 Ailsa introduced Alex Doyle from the Home Office to talk about PCC elections, and in particular the Home Office's approach to forms and notices.

1.51 Alex set out the background as follows:

- The first PCC elections will be on 15 November 2012, to elect PCCs in 41 police force areas in England and Wales.
- Administration of the elections will follow existing practice as much as possible (e.g. nominations, absent vote processes), but the PCC elections would operate on new boundaries (police force areas).
- PCC elections will use the supplementary vote (SV) system which could require two rounds of counting.
- The secondary legislation for the elections, including the conduct rules, has been delayed and is still being finalised.
- Two key aspects that will be different to existing elections are forms and notices, which will be more 'modern' and accessible than in the past, and public information about candidates. There are no provisions for free

candidate mailings, and the Home Office are looking at a candidate information website, supported by a 'print on demand' service.

Forms and notices

1.52 Following the work done by the Commission on forms and notices, the Home Office are looking to prescribe forms and notices that meet good practice for accessibility and usability. The text and design contained in the legislation will therefore be a departure from the more 'traditional' style of prescribed forms for elections. The final designs are being worked on now, to be included in the draft secondary legislation. The Home Office has been talking to the Commission and has had some initial discussions with a few suppliers. Some of the issues being considered in prescribing the designs are:

- accommodating RM product changes
- allowing a degree of flexibility with the prescribed designs, e.g. the option to include maps on poll cards
- compatibility with software systems, and ease of printing

1.53 Alex circulated copies of draft designs, including several different ballot paper designs.

Ballot papers

1.54 George asked what consideration there had been of the wording on existing SV ballot papers for mayoral elections. Alex explained the instructions on the PCC paper have been based on the mayoral ballot paper, but have also been informed by user-testing and are therefore different. In particular, the PCC paper will use numerals ('1' and '2') to identify the columns and refer to them in the voting instructions.

1.55 Jon Sanders asked whether Cabinet Office was happy with the differences in design (including shading/wording) between PCC ballot papers and papers for mayoral elections. Paul said they were obviously aware of the issue and may look at whether the mayoral ballot paper should change in line with the PCC paper.

1.56 Alex explained that the Home Office's research had aimed to develop a clear ballot paper so that voters can easily recognise that the voting system is different to first past the post (which is otherwise the common assumption) and can fill it in easily, according to their intentions. The final design is still subject to ministerial decision but will probably include arrows over the top of each column to direct the voter to vote in each column.

1.57 George highlighted a potential risk that the arrow may direct voters to vote for the first candidate on the paper. Alex said that there would be a reasonable amount of space allowed to keep the arrows separate from the candidate names, and that this hadn't been identified as an issue in the research.

1.58 Alex asked for views on how to achieve consistency of ballot paper printing across a force area, and what the legislation needed to specify in the instructions for printing in order to ensure the design in the legislation was accurately reproduced.

1.59 In response to questions, Alex confirmed that:

- The ballot paper will not contain candidate addresses (not felt to be necessary, particularly because all candidates must be resident in the force area).
- The ballot paper colour will not be specified. The shading will need to be specified in a way that works with both white and coloured paper.
- The location of the official mark will not be specified – could be on either the front or back or both. There would be nothing to prevent a watermark being used as long as it didn't interfere with the shading on the paper.
- The length of the paper would be variable, depending on the number of candidates. The rows would be 25mm deep.
- The width of the paper would not be specified and so there was nothing to prevent it being A5 size if that was the right size for the number of candidates.
- The Home Office don't intend to specify the depth of the section at the top of the paper (instructions etc.) Crispin noted this could affect the design of tactile voting devices, some of which attached to the top of the ballot paper and would therefore be dependent on knowing in advance the depth between the top of the paper and the first voting box.
- The horizontal lines between candidate names have deliberately not been extended across the columns (i.e. they extend only to the left-hand edge of the first column). This is to avoid breaking up the columns, and to reduce the visual impact for people with learning difficulties who find it harder to complete papers that have too many lines.
- The candidate deposit will be £5,000 with 100 subscribers (subject to Parliamentary approval).
- A paper with only one vote, marked in the first column, will be valid. There was a discussion around whether or not the instructions should tell people to vote twice if they aren't required to. The policy is that the purpose of the instructions is to tell people how to complete the ballot paper under the SV system, which is a two-vote system. Alex said that participants in the user-testing had not had any difficulty voting for only one candidate, if that was their preference, but ambiguity in the instructions (i.e. not saying clearly whether or not to cast second vote) was confusing for people, hence the need for the instructions to clearly state 'vote once' **'and'** 'vote twice.
- George expressed concern that the wording may imply that people were required to cast two votes. It was suggested this could be addressed in guidance and training for polling station staff, so that they could answer voters' questions correctly.

1.60 There was a discussion about the column shading being used on the ballot paper. Alex explained this was a result of testing which had found that

shading helped voters to recognise the two columns on the paper and complete the paper correctly. The group discussed whether there would be any issues of the shading varying within a print run so that ballot papers would not all be the same. As long as the shading specification was clear, and included a reasonable degree of tolerance, it was felt that this should not be an issue. The group agreed that shading on each ballot paper needed to be consistent to avoid any suggestion of bias, but that quality-control processes should pick up any papers that did not meet the required quality.

1.61 One issue that was raised for consideration by the Home Office was that different printing methods for postal and non-postal ballots may mean that the shading may differ between postal and non-postal ballot papers, and whether the legislation would be sufficiently flexible to permit this.

1.62 In response to questions about the bilingual ballot paper in Wales, Alex confirmed that English and Welsh could be presented in either order, as is usual for elections, and that the final version will present the two languages horizontally parallel, rather than vertically as shown on the example handed out at the meeting.

Poll cards

1.63 Alex explained that the poll card designs were based on those produced by the Commission for May 2011. Poll card size was a particular challenge, in terms of accommodating all the required information. The Home Office are looking at how to reflect the changes to RM products in the poll card designs. David asked whether the design was contingent on knowing the new RM tariffs, and whether the point at which these would be known would be too late to make changes to the prescribed PCC poll cards. Alex said there should be time to make a decision and any necessary changes before the secondary legislation is laid.

Postal voting statement (PVS)

1.64 Alex asked whether the PVS design would work in terms of scanning. There were questions asked about whether there would be flexibility around the date of birth boxes and it was pointed out that the dimensions of the signature box would need to be able to be changed to fit the systems. David McRitchie offered to send Alex information about the box dimensions used currently.

1.65 Alex said that the legislation would require the forms to be reproduced in the prescribed form, or in a form to like effect, which would provide some flexibility (for instance, the statement could be on two A5 sheets rather than one A4 sheet). However, the Home Office wanted the materials to follow the designs shown in the legislation as closely as possible and to be to the same standard.

1.66 Jacqui asked about combination and whether the differences between PCC and non-PCC forms and notices would preclude combined issue of poll cards/postal ballots. Alex said that the forms and notices prescribed in the

legislation for the non-PCC election would likely take precedence (unless it was a European election) and so this wouldn't be an issue.

Notices

1.67 The example guidance and instructions for voters notices were handed out and discussed. It was noted that these are subject to some further changes to reflect comments received and the user-testing.

Elections during the canvass

1.68 Alex asked whether there were print capacity implications from holding the PCC elections during the annual canvass time, and Paul then explained the work the Cabinet Office have been doing to consider the issues relating to holding the PCC elections during the canvass.

1.69 The idea currently being explored is to end the annual canvass in England and Wales (excluding London) early, so that the new register is in place for the 15 November poll.

1.70 Ordinarily, the notice of election for a PCC election on 15 November election would be issued on 11 October and, following the 5-day objection period and taking account of the 15 October reference date, the register could be published at the earliest on 19 October. Home Office are therefore looking at the possibility of extending the election timetable on this occasion to 28 days (i.e. notice of election to be published on 8 October, 3 days earlier), which would allow the register to be published immediately after the reference date, and poll cards printed and issued sooner.

1.71 Since the meeting, Paul has circulated a timeline which is included as Appendix 1 to these minutes that sets out the 25- and 28-day PCC election timetables and their impact on electoral registration.

1.72 Paul asked the group to consider whether there were any issues with:

- Timing/capacity for production of poll cards, postal ballot packs and ballot papers
- Having two registers in play at the same time: one register for nomination purposes, and a revised register for poll cards, etc.

1.73 The aim is to have as complete a register as possible taking account of all additions, deletions and canvass updates to enable maximum participation. However, if there were practical production issues then these would need to be taken into account in decision-making.

1.74 Paul asked whether under the existing 25-day timetable, receiving the revised register on 19 October would create difficulties with issuing poll cards, as he had heard from some administrators that it could take up to 5 additional days to print and send them out. He also asked whether the timing would result in any capacity issues.

1.75 The group said that the time taken to print poll cards depended on volumes, but that it would usually be staggered across clients rather than all carried out at the same time. There was a discussion about when printers could start to receive data. Ailsa suggested it could be shared sooner than the date of publication of the revised register, i.e. a calendar week before the publication, as this would be the deadline for applications to be received and determined in time to be added on to that revised register, allowing for the 5 day objection period (if there were objections made to any applications, those poll cards could be pulled out). Kate suggested that it may be possible to send the main data set even earlier, and subsequently send an 'exceptions' file for any changes.

1.76 Concerns were expressed that the timing of the poll meant that there could be around 2 ½ - 3 weeks less time available for printing poll cards than would usually be the case, and that sending them out later than normal would give electors little time to respond. George reminded the group that the canvass would still be going on in London and Scotland and this may also affect capacity with registration forms being printed.

1.77 Ailsa set out the alternative approach, which would be to rely solely on the elections during the canvass provisions and use the 3 September register as amended by the election notice of alteration published 5 working days before the poll, noting that names crossed off on returned canvass forms could not be deleted from the register in this case, and highlighted the issues arising from this regarding when and to whom poll cards and postal votes would be sent.

1.78 Jacqui said that there were concerns being expressed administrators in university towns that students would not have returned to their term-time address in time to be included on the register.

1.79 For RM, Rachel said that increased volumes of poll cards being sent in a short time frame could cause capacity issues in the run-up to their busiest time of year. However, it could be planned for and managed if RM have sufficient notice. It was noted that there would be less contingency available than normal, and so any slippage in plans may have a bigger impact than at other elections.

1.80 On the issue of two registers in respect of nominations, the group thought this would not cause any issues. David McRitchie undertook to check and confirm to Paul that this was also the case for Xpress.

1.81 Paul asked for any further feedback to be provided by Friday 13 January, either directly to him by phone, or by email to him, Ailsa and Alex.

1.82 In response to questions, Paul confirmed there would be no direct effect on London and Scotland, and no changes to canvass dates in those areas.

1.83 George flagged that those in London and Scotland may nevertheless want to consider doing their canvasses earlier, particularly if printing capacity could become an issue in October.

Further questions on PCC elections

1.84 In response to some further questions, Alex said that:

- On counts, the legislation will be flexible to enable counting to be done locally or centrally
- The Home Office are looking at how to best ensure that the prescribed poll cards can accommodate maps

1.85 She also undertook to check at what stage the draft legislation could be shared with suppliers.

Extending the timetable for UK Parliamentary elections

1.86 Paul Docker explained that the Government intend to make provision in a forthcoming Bill to extend the UKPGE timetable from 17 to 25 days, in line with the timetable for local elections in England and Wales. Subject to necessary agreement/clearance, the intention was to move the nomination deadline to day E-19, and the deadline for the appointment of polling and counting agents to day E-5. The Government is also proposing to require two additional updates to the register to be published. Currently for an election on the first Thursday in May, there are updates on 1 April and then at E-5. The proposal is for an additional update to be published on day E-19, plus a 'floating' date to be decided by the ERO between then and E-6. The purpose of the additional updates is to enable people to be added to the register timeously, so that they can be sent their poll cards and postal ballot packs quickly.

1.87 Paul asked the group whether they could foresee any difficulties with the publication of additional updates to the register. For a scheduled May election, there would therefore be an April update, plus 3 further updates, before polling day.

1.88 Potential cost implications of additional processing were highlighted, along with the need to consider the effect of essentially extending the period in which poll cards are issued and the subsequent overlap with printing postal ballot packs. Paul suggested that staged updates would mean less work resulting from last-minute registrations.

1.89 In response to a question from William, Paul confirmed that while the additional 'floating' update is obligatory, the date on which it is published is at the discretion of each ERO. Software suppliers felt that this could be accommodated, as long as they had sufficient notice to plan for and implement any changes required.

Appendix 1: suggested alteration to PCC election timetable for 15 November and impact on electoral registration

