

LOCAL GOVERNMENT AND HOUSING COMMITTEE

11TH DECEMBER 2002

LOCAL GOVERNMENT ELECTORAL ARRANGEMENTS IN WALES

LGH-18-02(P.2)

Purpose

1. To inform the Committee of the results of consultation and propose certain courses of action.

Recommendation

2. That the committee notes the results of the consultation exercise and considers the proposals from the Assembly Minister.

Background

3. The Commission on Local Government Electoral Arrangements in Wales, chaired by Professor Eric Sunderland OBE, published their report ("the Sunderland report") on 3rd July. In compiling the report, the Commission sought evidence from a wide range of sources and produced a comprehensive report, which included 33 recommendations.
4. The Assembly Government policy statement made in the 'Freedom and Responsibility' report gave a commitment by the Welsh Assembly Government to consult widely on the Commission's findings before arriving at any decisions.
5. The consultation ended on 31st October. It was agreed that a report would be presented to the Local Government and Housing Committee on the outcome of the consultation.
6. A total of 163 responses were received, most of which were confined to matters relating to the voting system. A minority covered other issues, particularly matters relevant to youth and equality. An analysis of responses with respect to all 33 recommendations are reported below.
7. The recommendations fall into different categories, both in terms of the consultation responses with regard to them and in terms of the proposed way forward. Therefore, this paper groups the recommendations into different categories and the Committee is

invited to consider the proposed response to each category.

Proposals based on the Results of the Consultation on the Recommendations of the Sunderland Report

8. None of the respondents to the Consultation opposed the following recommendations of the Sunderland Report. It is now proposed that preparations are made for their implementation and to this end a working group should be formed consisting of officials from the Assembly Government, WLGA, Association of Electoral Administrators, the Electoral Commission and, in relation to accessibility matters, the Disability Rights Commission

- *We recommend that the Welsh Assembly Government ask the Electoral Commission, in pursuit of its Public Awareness Strategy, to undertake an information campaign in Wales. The campaign should seek both to explain which tier of authority is responsible for which public services in Wales, and to provide information about what local government does and how it works. The campaign should be organised in time to inform voters before the next local government elections in 2004.*
- *We recommend that the Welsh Assembly Government, in consultation with local government, puts in place procedures to permit the collection, on a systematic basis throughout Wales, of statistics on turnout at local government elections, based on ballot paper account data. These procedures should be in place in time for the next round of elections in 2004.*
- *We recommend first, that the Welsh Assembly Government issue guidance requesting councillors to produce "annual reports" that summarise their own activities (rather than those of the council as a whole) on behalf of local people, and secondly, that councillors ensure wide publicity is given to the timing and location of their advice centres or surgeries, which should be held in easily accessible locations.*

- *We recommend that the Welsh Assembly Government work with the Electoral Commission to produce a (bilingual) video explaining the practical aspects of voting, and arrange for it to be made widely available, particularly to young people who will shortly become eligible to vote.*
- *We recommend that the freepost facility (for delivering candidates' election campaign leaflets to voters) be extended to local government elections, and that the National Assembly makes appropriate provision for this in its budgets for years in which local government elections occur.*
- *We recommend that voting hours for local government elections be extended to be consistent with those for parliamentary and National Assembly elections i.e. 7.00am to 10.00pm.*
- *We recommend that nomination forms for candidates should be available on-line, and that they should also be easily obtainable and returnable by post rather than in person as some authorities require.*
- *We recommend that the Welsh Assembly Government and the Welsh Local Government Association should build on their recent Widening Participation seminars through publicity in the ethnic minority press and similar outlets on standing for election. Such publicity could usefully refer to examples of role models drawn from currently under-represented groups to illustrate the contribution such people can play in a healthy local democracy.*
- *We recommend that public sector organisations review their existing special leave arrangements for staff wishing to undertake council service. We note that up to 18 days paid leave per annum is normally available, but this can only go some way to covering the 90 hours per month which councillors on average spend on council service. We also recommend that public sector employers, as they increasingly move towards "competency frameworks" in assessing staff for promotion, take full and proper account of the skills and abilities which their employees who are councillors have to demonstrate as members of local authorities.*
- *We recommend that private sector employers be encouraged to publish their policies for allowing their employees time off for public service (including elected public service), and we recommend the Welsh Assembly Government, and other public sector organisations, to take account of those statements in their procurement practices.*
- *We recommend the Welsh Assembly Government to consider, in consultation with its partners, whether it would be practicable to introduce a compensation scheme for private and voluntary sector employers to permit them to allow their employees time off for council service. Compensation for self-employed people for time given for council service should also be considered in any such arrangements.*
- *We recommend the Welsh Assembly Government and the Welsh Local Government Association jointly to establish and run an annual award scheme which recognises private and voluntary employers who are most supportive of employees wishing to serve as councillors.*

- *We recommend that the Welsh Assembly Government endorse the Wales Charter for Councillors as a statement of aspiration, and discuss with its partners in the partnership councils what steps can now be taken by interested parties to ensure that the Charter's provisions are given full effect.*
- *We recommend Welsh local authorities to begin to consider now in light of the experience of English authorities in May 2002 and taking account of the report of the Independent Commission on Alternative Voting Methods published earlier this year, what innovative electoral arrangements based on technological development they might want to pilot in 2004; and we suggest that the Welsh Local Government Association might usefully perform a co-ordinating role so that a comprehensive range of innovative arrangements is tested across Wales at that time.*
- *We recommend that the Electoral Commission review, and if possible simplify, the wording on the declaration of identity form, and that a revised form be piloted amongst those, for example older people or those with sensory impairments, who might have particular need to make use of postal voting.*

9. The following recommendations were supported and require action by local authorities to whom they are now commended

- *We recommend Welsh local authorities to begin to consider now in light of the experience of English authorities in May 2002 and taking account of the report of the Independent Commission on Alternative Voting Methods published earlier this year, what innovative electoral arrangements based on technological development they might want to pilot in 2004; and we suggest that the Welsh Local Government Association might usefully perform a co-ordinating role so that a comprehensive range of innovative arrangements is tested across Wales at that time.*
- *We recommend each local authority in Wales to consider carefully what steps it can take, as Active Citizenship enters the National Curriculum, to raise the profile and enhance the understanding of local government by young people. Each authority will want to tailor its programme to local circumstances and different age-groups, but such action might for example include role-play exercises of the type described above, perhaps visits to schools by local authority members and staff, as well as mock elections held in parallel with local government elections in 2004.*
- *We recommend that councils review their existing training and induction programmes for new councillors and bring them fully up to date with the modernising agenda. We hope that examples of best practice in this respect can be widely shared among authorities. Informal mentoring schemes for new members may have a part to play in this.*
- *We recommend that each authority should work with local political parties and with community*

groups to promote the idea of council membership among local people. We draw attention to the innovative magistrate shadowing scheme organised for members of ethnic minority communities by Operation Black Vote, and suggest that authorities consider similar councillor shadowing schemes, particularly for members of minority communities. It would be helpful if the Welsh Local Government Association produced guidance for its member authorities on the action they can properly take to increase the size, and enhance the diversity, of the pool of potential candidates. Political parties and organisations representing community groups should consider what action can be taken locally to encourage more people to consider becoming candidates.

- We recommend that each authority "go out to the people" by holding some committee meetings in publicly accessible venues throughout the authority's area in addition to, or instead of, meetings in council offices. These might be policy meetings particularly relevant to the locality, for example on planning issues. Alternatively, they could take the form of Question and Answer or "open-mike" sessions on issues of general importance; they could provide the electorate with opportunities to question cabinet members about specific policy initiatives or aspects of the Best Value or Improvement process, in addition to more detailed questions about local service provision.
- We recommend each authority to review its strategy for publicising its activities through local media, communication with local community groups and use of web-sites. At present, some authorities' web-sites are extremely informative about council and committee meetings, agendas and minutes, whereas others have little such information. We believe that every council's web-site should contain comprehensive material of this kind.
- We recommend that councils establish formal methods for handling petitions from local people. These methods should include a provision for petitioners to address the appropriate council or committee meeting for a short period before debate on the issue begins. The authority's willingness to receive and consider petitions in this way should be widely publicised (and perhaps petition forms made easily available, either on-line or through more traditional mechanisms).

10. The following recommendations were supported and serve to confirm current practice and policy; they require no immediate action.

- We recommend that the existing broad pattern of councillor numbers in each authority be retained.
- We recommend that councillors continue to be elected to local authorities in Wales for terms of four years.
- We recommend that local government elections in Wales be held in different years from elections to the National Assembly for Wales.

- *We recommend that elections to local authorities in Wales continue to be organised on a whole-council basis.*
- *We recommend that no further consideration be given to making voting compulsory at local government elections in Wales.*

11. There was no clear support for the following recommendation and the proposal is to take no action:

- *We recommend that the requirement for the number of signatures in support of nominations of candidates for local government elections be brought into line with that for National Assembly elections i.e. that each candidate's nomination should have to be supported by the signatures of two electors rather than ten, as at present.*

12. It is proposed that the following recommendation which was supported is referred to the current review of town and community councils in Wales.

- *We recommend the Welsh Assembly Government, after consultation with the Associations representing town and community councils in Wales, to issue guidance to community councils that vacancies to be filled by co-option should be widely advertised in their areas, with particular attention paid to informing local community groups and young peoples' organisations about these vacancies.*

13. The following recommendations were supported. Implementation would require that the National Assembly sought to persuade the UK Government to legislate for all parts of the United Kingdom. The Committee is asked to consider whether there is likely to be sufficiently wide political support in Wales to justify requesting consideration by the UK Government; and to assist this consideration it is suggested that young citizens may be invited to give evidence to the Committee on these issues.

- *We recommend that the age of entitlement to vote in local government elections should be reduced to 16 years. We realise that a consequence of this, as the law stands, would be that such young people could also vote in elections to the National Assembly for Wales, and we would be content with such a conclusion. It must be for others to decide whether the parliamentary franchise should similarly be amended.*

- *We also recommend that the minimum age for candidates is reduced from 21 to 18 (but not to 16, which is the age we have recommended should entitle individuals to vote). We do this, not in the expectation that many 18 year old candidates will suddenly emerge, but rather because it will enable community councils to co-opt those aged 18 and over to fill vacancies, and so perhaps persuade such young people in due time to move forward to stand for county/county borough councils.*

14. The Sunderland Commission was divided in its recommendations relating to the Single Transferable Report. The consultation responses were also divided: 76 favoured no change and 63 supported the Commission's majority recommendation. It is proposed that the Committee invites a selection those respondents who have presented arguments on this subject to attend and give oral evidence to the Committee.

- *The majority of us recommend that the Single Transferable Vote should be introduced throughout Wales as the system best suited to local government elections in the future. This system will allow voters to secure effective representation on each local authority of the diversity of local opinion, and a proper reflection in its composition of the diversity of local people; it continues to provide constituency-based representation for local people; and it offers the prospect of higher turnouts at local elections and fewer uncontested seats, while also enabling non-political (Independent) candidates to continue to have a reasonable chance of success in local elections.**
- *The majority of us recommend that the first round of local government elections in Wales under STV should take place in 2008. Primary legislation will be necessary, and we recommend that it be put in place by the end of the 2003-04 Parliamentary session. It should quickly be followed by National Assembly Directions to the Local Government Boundary Commission for Wales on the conduct of electoral boundary reviews. The Commission should have completed reviews of electoral areas in each local authority area by March 2007, and made recommendations both for boundaries and for the numbers of members (normally between three and five) to be returned from those electoral areas. These should be given effect in time to allow an orderly selection of candidates before the May 2008 elections.*