

TITLE	Whole Council Elections
FOR CONSIDERATION BY	Council on Thursday, 17 February 2022
WARD	None Specific;
LEAD OFFICER	Deputy Chief Executive - Graham Ebers
LEAD MEMBER	Leader of the Council - John Halsall

PURPOSE OF REPORT (INC STRATEGIC OUTCOMES)

The purpose of the report is to consider the launch of a consultation on moving to whole council elections.

RECOMMENDATION

That Council be recommended to launch a consultation with stakeholders on moving to a whole council (all-out) electoral cycle.

EXECUTIVE SUMMARY

The Council currently elects by thirds which means that borough elections are held in three out of every four years.

Of the 52 English unitary authorities, Wokingham BC is one of only 16 remaining councils that elect by thirds. The recent Local Government Association Corporate Peer Challenge recommended that the Council consider the case for moving to whole Council elections. In addition, the Local Government Boundary Commission for England who are undertaking an electoral review in 2022 of warding arrangements so it is timely for the Council to consider in the first part of 2022 whether to change its electoral arrangements.

There are significant tangible financial benefits of £316,000 in moving to whole Council elections compared to the current arrangements. The Chief Financial Officer (CFO) has quantified additional, less tangible, benefits in excess of £4m over the 4-year period, arrived at following consultation with the Council's senior leadership team. This is not intended to be a calculation of precision but is intended to provide an indication of the hidden costs of disruption associated with an annual elections cycle. There is also evidence to indicate that whole Council elections provide for better longer-term decision making.

The Executive agreed at its meeting on 27 January 2022 to recommend to Council to commence a consultation on changing electoral arrangements, the consultation would be held in February/March with the results to be considered and a decision taken by a special meeting of Council in late June/early July 2022. Council's decision in February to undertake a consultation requires a simple majority. Council's decision in late June/early July requires a two thirds majority to change the current arrangements.

It should be noted that, regardless of the Council's decision on all-out elections, there will be whole Council elections in 2024 following the Boundary Commission's review of electoral arrangements.

BACKGROUND

- 1.1 The legislation governing the move to whole council (all out) elections is contained within the Local Government and Public Involvement in Health Act 2007 and the Localism Act 2011. The Acts give councils the power to decide whether to move to whole council elections, or back to elections by halves or elections by thirds (if they have elected this way at some point since 1 April 1974). The Council cannot move to a 'halves' electoral cycle as it has not elected this way in the past.
- 1.2 The most recent Local Government Boundary Commission for England (LGBCE) data shows that, amongst the 52 unitary English authorities, 36 elect on a whole-council basis, and 16 elect by thirds.
- 1.3 Within Berkshire, Wokingham BC, Reading BC, and Slough BC elect by thirds although Slough BC is currently consulting with stakeholders on a proposed move to whole-council elections.
- 1.4 The Council is about to embark on a LGBCE review of warding arrangements in the Borough. This will assess both the numbers of Councillors and the warding arrangements. While the decision on the electoral cycle is the Council's alone there will clearly be an impact on the LGBCE review.
- 1.5 If the Council decides to move to whole council elections the LGBCE will be able to maintain one-, two- and three-member warding arrangement as at present. If the Council retains election by thirds the LGBCE will need to create wards that all comprise three members. Regardless of the decision in this paper about whole Council elections, the work of the LGBCE will result in all-out elections in 2024.

BENEFITS OF WHOLE COUNCIL ELECTIONS

- 2.1 There is a limited amount of research on the subject of different electoral cycles and their benefits, however the Electoral Commission conducted research in 2003 on the subject of local government electoral cycles, which is attached at Appendix A, and which concluded that whole council elections would provide a clearer and more equitable system of voting for electors in the area.
- 2.2 The research focusses primarily on promoting a consistent national pattern of local elections, which it claimed would help to focus national attention on local government issues.
- 2.3 The report goes on to discuss issues around clarity and understanding for electors, which it claims is reduced by a system that elects by thirds. Research conducted by MORI that forms part of the report highlights the level of misunderstanding amongst electors regarding who they are voting for, or how often they are expected to vote. This confusion increases amongst younger voters or those from black or minority ethnic groups which suggests there are equalities issues to consider when considering an appropriate electoral system.
- 2.4 Since 2003, there has been a notable shift by unitary councils from electing in thirds to whole council elections. The mostly frequently cited reasons for doing so

are the financial benefits and the argument that whole council elections aid better longer term decision making.

- 2.5 More recently in April 2021, a Best Value Report on Liverpool City Council by the Government Appointed Lead Inspector, Max Caller CBE, recommended that the City Council move from a thirds electoral system to a whole-council electoral system, noting that “LCC being in election mode every year provides less opportunity to scrutinise the Mayor’s actions...” and that a whole-council electoral system would provide LCC a better ability to have a “longer-term focus”.
- 2.6 It is also notable that Slough BC commenced a public consultation in December 2021 with a view to moving to whole council elections as part of its response to addressing its governance and financial difficulties.
- 2.7 Finally, Executive should note the recommendation reported in the Local Government Association’s Corporate Peer Challenge that took place in Wokingham BC in November 2021 that the Council should formally consider the benefits of moving to whole council elections.

CURRENT SYSTEM OF ELECTIONS BY THIRDS

- 3.1 The current system of electing by thirds means that 18 seats are elected every year in three out of four years.
- 3.2 The benefits of this system have in past been stated as providing greater stability for the Council in terms of its membership. Electing by thirds reduces the risk of wholesale change within the Council (although for some this may be desirable and so not a risk but an opportunity) and allows for succession planning because there is always a mixture of new and experienced councillors on the Council.
- 3.3 Additionally, electing by thirds provides the electorate a greater opportunity to be involved in decision-making at the Council, and arguments have been put forward that this makes councillors more democratically accountable.
- 3.4 Lastly, it has been stated that some smaller political parties would find it difficult to field enough candidates to contest all seats at an all-out election. However, electing by thirds does not, in and of itself, create a greater availability of candidates for any party, but those candidates who are willing to stand have more frequent opportunities to do so.
- 3.5 It has been suggested that electing by thirds ensures that knowledge on delivering elections is retained and maintained within the Electoral Services team. However, as there are a wide variety of electoral events that take place across the cycle (which use similar procedures and legislation) this would not have a significant impact on the training and/or expertise of the team.
- 3.6 Retaining election-by-thirds will require all wards to be three member wards. This will have a significant impact on the size of wards that are currently one and two Member wards and result in larger wards that will include communities that have previously had separate representation.

COSTS AND SAVINGS

- 4.1 As a Best Value authority, Members are required to consider the costs of services, and from time to time review those costs to ensure that the taxpayer is receiving best value for money.
- 4.2 It is the case that whole Council elections cost less to run than electing by thirds, in particular where those whole Council elections can be combined with other significant elections such as the Police and Crime Commissioner elections (as the costs for fixed entities such as polling stations, staff on polling stations, and sundries, are shared).
- 4.3 An example of the savings that could be achieved over a four-year period is set out at Appendix B. This shows that over the four-year cycle from 2024 to 2027 the authority would save over £316,000 by not holding Borough elections in 2026 or 2027.
- 4.4 The Chief Financial Officer has quantified additional, less tangible benefits in excess of £4m over the 4-year period, arrived at following consultation with the Council's senior leadership team. This is not intended to be a calculation of precision but is intended to provide an indication of the hidden costs of disruption associated with an annual elections cycle.

PROCESS FOR WHOLE COUNCIL ELECTIONS

- 5.1 As the Executive wishes consideration to be given to moving to whole-Council elections there are certain steps that must be taken, which are required by the legislation.
- 5.2 The decision itself to commence a consultation would need to be taken by full Council under section 33(2) of Local Government and Public Involvement in Health Act 2007.
- 5.3 The Council must take reasonable steps to consult with those it thinks appropriate on the proposed change. For Wokingham BC, this would certainly mean with members themselves, political parties, town and parish councils who would be consequentially affected by the change, the Members of Parliament for the area, the public, and potentially nearby authorities.
- 5.4 There may be other stakeholders the Council feels it is appropriate to consult with. Whilst the consultation period is not prescribed, it would need to be of a reasonable period, which has commonly been deemed as at least six weeks by this Council.
- 5.5 A draft consultation document is set out at Appendix C.

Decision-Making Process

- 5.6 Following the consultation, the results would need to be reported back to the Council for consideration, and should the Council be minded at that stage to

proceed with whole Council elections, a formal recommendation would need to be made to Full Council.

- 5.7 Under section 33(3) of the LGPIH Act 2007, the Full Council must then vote with a two thirds majority, to resolve to move the whole-Council elections. Should this happen, the resolution would establish whole Council elections from 2024. This would mean that those members who are elected in 2022 would hold a two-year term of office, and those members who are elected in 2023 would hold a one-year term of office. It should be noted that as a consequence of the electoral review, currently being carried out by the Boundary Commission, whole council elections will take place in 2024 anyway.
- 5.8 The resolution must be made at a special meeting of Full Council and state the year in which the first ordinary elections at which all councillors are elected will be held.
- 5.9 The benefit of starting the new whole council elections in May 2024 is that it synchronises the Council elections going forwards with PCC elections, thus always combining and sharing the cost of running the election with the PCC. This will increase the savings that can be achieved through running the elections combined with another election.

TOWN AND PARISH COUNCILS

- 6.1 The Council has the power to determine the electoral cycle for Town and Parish Councils in its area, and any move to whole council elections for the Borough would have an impact on town and parish councils, as in some years the Borough would not hold elections where town and parish elections were taking place. This would increase the costs for these councils as they would not be able to share the cost with the Borough.
- 6.2 Any changes to Town and Parish electoral areas or election cycles must take place through a Community Governance Review. However, as the Local Government Boundary Commission for England is currently undertaking an Electoral Review of the Borough, Community Governance Reviews for parish and town Councils cannot take place until this has been completed.
- 6.3 The Electoral Review is expected to take until the end of 2022, so any Community Governance Reviews would need to be scheduled to take place in 2023.

NEXT STEPS

- 7.1 As the Executive is minded to proceed with investigating the potential for whole-Council elections, the next step is for Council to approve a public consultation on the terms set out at Appendix C with stakeholders as identified within this report, plus any other stakeholders the Executive or Council feels are appropriate through discussion.

FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

The Council faces severe funding pressures, particularly in the face of the COVID-19 crisis. It is therefore imperative that Council resources are focused on the vulnerable and on its highest priorities.

	How much will it Cost/ (Save)	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1)	£0	Yes	Revenue
Next Financial Year (Year 2)	£0	Yes	Revenue
Following Financial Year (Year 3)	£0	Yes	Revenue

Other Financial Information

The longer term financial benefits of moving to Whole Council Elections are set out in the paper.

Stakeholder Considerations and Consultation

The next step would be for Council to agree to a public consultation on the terms set out at Appendix C with stakeholders as identified within this report, plus any other stakeholders the Executive/Council feels are appropriate through discussion.

Public Sector Equality Duty

The Electoral Commission report from 2002 references research which suggests that both younger age groups and those with an ethnicity other than white were less likely to know when local elections were taking place, and that moving to a nationwide pattern of all out elections would improve enfranchisement for these groups compared with those who do not share their characteristics. The Council is under a duty to advance equality of opportunity between persons who share a relevant protected characteristic (in this case age and ethnicity) and persons who do not share it. Moving to all out elections may provide an opportunity for the Council to positively impact on the opportunities of these groups to participate and vote in elections.

Climate Emergency – *This Council has declared a climate emergency and is committed to playing as full a role as possible – leading by example as well as by exhortation – in achieving a carbon neutral Wokingham Borough by 2030*

There are no specific climate emergency issues to consider as part of this report.

List of Background Papers

Appendix A – Electoral Commission research 2003
Appendix B – Direct savings analysis
Appendix C – Draft Public Consultation document

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