



## **An AEA issues paper on the combination of polls on 5 May 2011 and possible postponement of the polls at the parish/town council elections in England in 2011**

### **1. Introduction**

- 1.1 This paper presents the issues for voters and for electoral administrators arising from the proposal set out in the *Parliamentary Voting System and Constituencies Bill* to hold a referendum on the alternative vote system on the same day (5 May 2011) as scheduled local government elections in England, including the parish and town council elections.
- 1.2 The AEA has sought views from its members on the implications of this proposal for the management of the potential combination of polls on 5 May and the option of postponement of the polls at the parish and town council elections, and what would need to be in place to ensure the success of the elections and referendum whichever option is chosen. In arriving at a decision, policy-makers should consider:
- the impact on voters
  - potential voter confusion
  - the administrative complexity
  - the capacity to deliver the elections
  - the timetable
  - costs
  - the availability of staff and venues.
- 1.3 In setting out these issues, it is recognised that the *Parliamentary Voting System and Constituencies Bill* is currently before the UK Parliament and has not yet been passed, and that there would need to be specific legislation brought forward to enable postponement.

### **2. Key issues arising from the combination of polls**

- 2.1 If the parish and town council polls take place, as currently scheduled, on 5 May 2011, there is the potential in some areas for there to be the polls at four separate electoral events taking place on the same day. For example, in some areas in England there

could be the UK-wide referendum, the local government elections (principal areas), parish and town councils and a mayoral referendum. In most areas of England, the polls at three separate electoral events would be held on the same day.

- 2.2 The impact of this combination of polls on the administration of the polls would be variable in that some areas have large numbers (in some cases hundreds) of parish and town councils while others do not, and in some areas many of these are contested while in others many are uncontested.
- 2.3 The administrative complexity of running three or four polls on the same day is considerable, particularly in respect of the postal vote processes and the various counts. In particular, it is vital that the UK Government ensures that there is clarity as to which functions and processes would be combined and precisely how they operate. These issues need to be determined and in place as early as possible in order to support effective planning. The combination rules will need to be carefully drafted and considered by experienced administrators (e.g. by the AEA, the Elections and Registration Working Group and the Elections Coordination Group) in order to ensure that they are both effective and workable, and clear and timely guidance issued by the Electoral Commission. The AEA firmly supports the principle that legislation should be in place six months before the electoral event to which it applies.
- 2.4 In areas with large numbers of parish and town councils, Returning Officers would need to ensure that there is sufficient support for and capacity within the core elections team to manage the process effectively.
- 2.5 Voters would be faced with three (or four) ballot papers, one with a YES/NO answer, another with multiple candidates (some parishes have as many as 20 – 30+ candidates) and local government ballot papers where voters are electing candidates to areas with both single and multi-seat wards. This would have implications for supporting voters to effectively cast their votes by post and in-person. The potential for voter confusion and additional workload in dealing with enquiries should not be underestimated. Explaining these differences to voters in the polling stations would require dedicated resources, such as an additional poll clerk to provide assistance, and there is the likelihood (as on 6 May 2010) that people would take longer to cast their votes leading to queues at polling stations. This additional resource would need to be funded.
- 2.6 Where there was queuing at polling stations on 6 May 2010, Returning Officers may need to review arrangements with a view to

splitting them into double stations, in some cases, and having additional contingency support available to be deployed to stations, in other cases. Although not certain, there is also the potential for a higher turnout as a result of interest in the referendum. Statutory officers will need to plan on the basis of an assumption that turnout would be high. Policy-makers should reinstate the connection between the numbers of polling staff and the number of electors on the register for that polling station in the funding assumptions.

- 2.7 It is essential to have early certainty of the decision to hold all of the polls on 5 May to allow for early publicity of the various elections and the referendum and the choices that voters will be asked to make at the polls. This should extend to clear and effective signposting of processes in the election stationery sent to voters, and in official notices in polling stations.
- 2.8 There would need to be clear and agreed scheduling in respect of the timing and the arrangements for the verification and counting of the votes at the different electoral events. In particular, clarity about when it is proposed that the referendum count should take place is vital so that the counting of the votes at the other elections can be arranged accordingly and expectations of candidates, agents and political parties can be managed.
- 2.9 In the event of combination, there would need to be clarity around the amount (%) of the costs of the parish and town council elections that would be met from the consolidated fund.

### **3. Key issues in relation to postponement**

- 3.1 To clarify, it is the **poll** at a parish or town council election which is postponed by three weeks by the current legislative provisions<sup>1</sup> in the event of the poll at a UK Parliamentary General Election being on the same day as the polls at scheduled local government elections. In such circumstances, the **elections** to parish and town councils would have already commenced by the time a UKPGE is announced due to the latter being run on a shorter timetable and the date not being fixed.
- 3.2 The practical implications of that arrangement is that the timetables for the various elections overlap, making the organisation of the polls administratively more complex and more confusing to candidates, agents and voters. It is essential to recognise that postponement is not a solution to issues of voter confusion; it simply shifts the nature of the problem.

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<sup>1</sup> Representation of the People Act 1985, sec.16

- 3.3 In areas with large numbers of parishes and town councils there can be hundreds of nominations being received at the same time as those for the national and principal areas elections. Postponement does not ameliorate this situation. Rather, in the case of contested elections, postponement exacerbates it by adding a further period for nominations. In 2011, this later period for nominations would close on the Thursday prior to a shortened election week due to the bank holiday on 2 May with withdrawals being on 4 May, i.e., the day before polling day for the scheduled referendum/elections.
- 3.4 In the scenario being considered for 2011, there is certainty about the proposed date of the referendum and therefore the timetable considerations in respect of a UKPGE do not apply. As a result, there is the opportunity to rethink how postponement works. If the UK Government decides in favour of postponement, the AEA strongly recommends that this applies to the parish and town council elections in their entirety and not just a postponement of polls. In addition, the timescales for the postponement should be such that there would be no overlap of election timetables with the polls to be held on 5 May.
- 3.5 However, there are number of serious concerns about the implications of postponement. Two separate polls may be inconvenient to electors and to those whose premises are used (e.g. as polling stations, for postal vote issue and opening, and for the count even if those premises could be obtained at all so close to the other polls). There is particular concern where schools are used as polling stations at such a busy time in the academic year.
- 3.6 In addition, where large numbers of parish and town council elections are contested, administrators are concerned that they may not be able to secure appropriately experienced staff for the postponed elections.
- 3.7 Many administrators fear that postponement would be likely to lead to low turnout at the parish and town council elections. Administrators are also aware that this is of significant concern amongst council members and local parties. The AEA has limited data on the level of turnout at standalone parish and town council elections as compared with those held on the same day as other elections. However, this does appear to support the concerns regarding turnout. It may well be that the National Association of Local Councils has more evidence on turnout or indeed would have a view on these matters. For that reason, it should be consulted on this issue.

- 3.8 Postponement does not necessarily relieve the pressure on core elections teams nor does it resolve the issues of resilience and capacity. Postponement would result in administrators having to deliver those elections alongside all the other post-election work in relation to the polls held on 5 May. If the parish and town council elections are postponed, there would need to be recognition by the UK Government and the Electoral Commission of the additional workload in respect of setting reasonable timescales for post-election reporting and returns.
- 3.9 In addition, some elections teams also have other responsibilities such as committee work, including the induction arrangements for new councillors, and these responsibilities are at a peak during the month following the principal area elections.
- 3.10 Postponing the elections is not administratively or financially efficient. There would effectively be 'double-handling' of many resources within a short period (e.g. polling equipment, post-election storage of materials) adding to time and cost.
- 3.11 A key area of concern is that of cost and, particularly, what level of Government would meet the costs of the postponed elections/polls and how much of this financial burden would fall on the parish and town councils. Early certainty about the availability of any funding from the consolidated fund to support any postponement would be essential.

#### **4. Recommendation**

- 4.1 On the basis of the issues raised in this paper, the AEA recommends that the polls at parish and town councils in England in 2011 should **not** be postponed, **providing that the actions identified in paragraphs 2.1 to 2.9 are properly addressed.**
- 4.2 The AEA is seeking early certainty and clarity from the UK Government on the issues raised in this paper in order to support effective planning by statutory officers and electoral administrators.

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