

Consultation Response Form

Your name: Angela Holden, Policy Manager on behalf of the national AEA
Rhys George, Chair of Wales AEA branch

Organisation (if applicable): Association of Electoral Administrators (AEA) - Joint response from the National AEA and the Wales Branch of the AEA.

Summary of Organisation: The Association of Electoral Administrators (AEA) was founded in 1987 and is the professional body representing the interests of electoral administrators in the United Kingdom. It is a non-governmental and non-partisan body and has just under 2,000 members, the majority of whom are employed by local authorities to provide electoral registration and election services. There are eleven UK regional branches of the Association covering the United Kingdom, including the Wales Branch.

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1. Limiting the timeframe for the introduction of proposals to change executive governance arrangements

a. Do you agree that petitions, resolutions, directions and orders to change executive governance arrangements should all be subject to a deadline?

Yes

b. If so, do you agree that the deadline should be set to eighteen months before the next set of local elections, therefore facilitating any referendum to take place before the next ordinary elections?

Neither Yes or No

c. If no to any of these questions, why not? Please provide further details

Whilst we can see the benefit of an 18 month timeframe before the next set of local elections and in a scheduled single election year the advantages of combining the referendum or Mayoral election (if that was the outcome of the referendum). However, the AEA has concerns in relation to the complexity of administering combined election/s and referendum on the same day on a year that already has combined elections scheduled and consideration needs to be given in relation to voter confusion, especially, with the number of ballot papers, the different voting methods for each poll and potential differences in franchise. In our [previous post-election reports](#) to the UK Government we have made the following recommendation which you should consider:

“A full review of the combination of polls should be undertaken, considering issues such as which polls should be automatically combined, consideration of the maximum number of polls that should be combined on the same day and the combination of polls for parish and community councils and neighbourhood planning and council tax referendums with UK Parliamentary general elections.”

2. Change of governance arrangements

- a. Do you agree that, where the executive governance arrangements of a principal council have been changed, the principal council must maintain those arrangements for two full electoral cycles?

Yes

- b. If no, why not? Please provide further details

3. Electronic petitions

- a. Do you agree that legislation should be amended to require principal councils to accept petitions in electronic format?

Yes

- b. Do you also agree that the notice of referendum should be published on a principal council's website, in addition to publication in a newspaper?

Yes

- c. Are you content with the current bilingual provisions for petitions?

Yes

- d. If no, why not? Please provide further details

In relation to question (a) we agree that legislation should be amended to allow for the receipt of petitions in electronic format. It should however be for the council to choose the receipt method as there may be circumstances where electronic submission is not appropriate. The electronic format would need to include all the information required as in the current written format.

In relation to question (b) we support the notice of referendum being published on the principal council's website and we would also suggest that you include publication on the Council public noticeboard. However, we

question the benefits of publication in a newspaper nowadays, especially when local newspapers are no longer available in some areas and are outdated.

4. Number of electorate required to trigger a referendum

Principal councils in England require 5% of registered electors to sign a petition to trigger a referendum for a change in executive governance arrangements. In Wales 10% of registered electors are required to trigger a referendum.

- a. Do you believe that the threshold to trigger a referendum needs to be changed?

Yes

- b. If you would like to express any views on this, please provide further details:

Yes, the threshold should be changed to allow for a consistent approach across England and Wales. At the same time, we also recommend that the date of the register in which the calculation is based should be reviewed. The 10% of registered electors is based on the electoral register having effect on 15 February each year (Local Authorities (Referendums) (Petitions and Directions) (Wales) Regulations 2001) – when these regulations came in force the revised register of electors was published on 15 February each year. Following changes in legislation the revised register is now published by 1 December each year (or by 1 February where an election has taken place during canvass). It would therefore make sense to use the date of the annual revision of the register for the calculation instead.

5. We would like to know your views on the effects that proposals to amend primary legislation which enables principal councils to change executive governance arrangements would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English.

What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

From an electoral administration perspective we would have no specific view or comment on this matter.

6. Please also explain how you believe the proposed policy on proposals to amend primary legislation which enables principal councils to change executive governance arrangements could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and no adverse effects on opportunities for people to use the Welsh language and on

treating the Welsh language no less favourably than the English language.

From an electoral administration perspective we would have no specific view or comment on this matter.

7. We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

Returning this form

The closing date for replies is **27 February 2020**

Please send this completed form by email to

LGDTmailbox@gov.wales

If you are sending your response by email, please mark the subject of your e-mail: **Consultation on proposals to amend primary legislation which enables principal councils to change executive governance arrangements**

Publication of responses

Responses to consultations may be made public – on the internet or in a report. Normally the name and address (or part of the address) of its author will be published along with the response, as this helps to show the consultation exercise was carried out properly.

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here: