

Committee(s): Policy, Resource and Economic Development	Date: 11 th September 2019
Subject: Whole Council Elections	Wards Affected: All
Report of: Steve Summers, Interim Chief Executive	Public
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Summary

At the last Policy, Resources and Economic Development Committee, on 10th July 2019, the recommendation was for a detailed paper with financial consequences of a four year election cycle and the steps required to move from 1/3 to all out elections to be brought to the next Policy, Resource & Economic Development Meeting in September.

Officers have collated as much further information as possible within the timescales available.

The previous report stated a “The typical cost to the Council of a combined election is £60,000; the cost of a single Borough Council election is £90,000”. This was due to Brentwood Borough Council have been advancing £60,000 every year for the election cycle. Further investigation by officers have since found that high level costings of a Local Election to the council is £75,000, Single or Combined.

Currently high-level costings assume whole council elections would cost in the region of £94,000 per cycle. Potentially this option would generate a saving in the region of £116,000 and £145,000 over a four-year cycle (£29,000-£36,250 pa). However, further investigation and analysis would need to be conducted by officers to ensure assurance on these financial proposals. A detailed business case would need to be worked through if members sought

This report advises the Committee of its power to change its electoral scheme to whole council elections. Brentwood Borough Council operates an election scheme by thirds, this means a third of councillors are elected every year in a four-year cycle, with no election in the fourth year. Brentwood Borough Council have one seat up for election in 12 or 13 wards (depending on the year). If the council moved to whole council election, every seat would be elected every four years in all 15 wards.

In the year Brentwood Council implement Whole Council Elections there would be an additional £20,000 pressure. This is due to the Council would have budgeted for a ‘Third election’ at a cost of £75,000 as opposed to a ‘Whole Election’ which costs £95,000. Therefore, no saving would be realised until 2024. The risk of holding additional standalone By Elections, due to the longer gap in Local elections, would be greater. This would be an additional cost to the council, that would reduce any saving.

In order to resolve to change its electoral cycle, the Council must:

- a) Have taken reasonable steps to consult such persons as it thinks appropriate on the proposed change; Other authorities undertaking such a change have held an 'online' consultation for six weeks.
- b) If an Ordinary Council is not available, then convene an extraordinary meeting of Council to consider the proposed change;
- c) Have at least two-thirds of those voting at the extraordinary meeting of Council vote in favour of the proposed change; and
- d) Ensure that the year for the first ordinary whole council election is specified in the resolution. This cannot be the same year(s) as whole council elections for the County Council. The Localism Act 2011 states: 'a district (Borough) election for which there is a county council may not hold an election in a county-council elections year

Recommendation(s)

Members are asked to:

- That group leaders consult with their groups to gauge opinion as to how they wish to proceed and to report back to Chair of PRED as to whether a further item is required for decision.

Main Report

Introduction and Background

1. Part 1, sections 7, 8 and 9 of the Local Government Act 1972 provide the electoral scheme for Local Authorities in England.
2. Chapter 1 of the Local Government and Public Involvement in Health Act 2007, as amended by Chapter 5 of the Localism Act 2011, enables non-metropolitan districts to change their electoral cycle.
3. The election scheme for the Borough is a matter reserved for Council to decide. A two thirds majority of those voting¹ would be required to change the Borough election cycle to whole council elections. Two thirds of 37 is 25.²
4. Officers were requested detailed paper with financial consequences of a four-year election cycle and the steps required to move from 1/3 to all out elections at the previous PRED committee on 10th July.
5. This paper takes a high-level financial overview on moving from the current election cycle to a Whole Council election cycle. Resource investment is required to gain the detail finances on the change. The change will require a

¹ An abstention is not a vote

² 24.66

Business Case to be developed. Therefore if members wish to pursue the change, then officers will be allocated specifically to gather the financial detail required in order to prepare and present a Business Case for consideration.

Issue, Options and Analysis of Options

6. The Electoral Commission in its report *The cycle of local government elections in England, 2004*, recommended that **all** local authorities should hold whole council elections once every four years. The report emphasised that the current pattern of local election cycles was unnecessarily complicated and confusing and that many electors did not know when or why local elections were being held in their area. Furthermore, the report noted that a political administration with a term of four years, rather than one year, should ensure greater efficiency and effectiveness in local authorities.
7. However, due to Local Authorities individuality and lack of commitment from central Government, these recommendations are still to be discussed or implemented.
8. Currently in Essex, out of the 11 other District councils 6 operate the thirds model, with the remaining 5 operating whole method. The two unitaries in Essex conduct thirds. Essex County council use Whole council elections. This is detailed in the table below.

Benchmarking against other Local Authorities in England.

Type of authority	Whole	Thirds	% Thirds
County Councils	26	0	0%
London Boroughs	32	0	0%
Metropolitan Districts	36	0	0%
Districts	131	54	*39%
Unitary	38	17	45%
Isles of Scilly and City of London	2	0	0%
Total	265	71	*26%

**There are 7 District councils that elect by Halves.*

9. The table below looks to compare between the two election cycles proposed.

Comparison of whole council elections and election by thirds

Election by thirds	Whole council elections
	A council has a 4 year mandate, allowing it to adopt a strategic approach to policy and decision making in line with a medium term financial plan
The risk of electing a complete change of Councillors with no experience is mitigated	Allows for a complete change in Councillors, which could change political power more regularly
Allows the electorate to judge the Council three years out of four	The Council has a longer term to deliver its mandate before being judged by the electorate
More likely to be influenced by local rather than national policies	Could be influenced in line with national policies.
Residents are accustomed to electing Borough councillors 3 years out of 4	The County Council has whole council elections every four years, investment in communications would be needed to ensure residents are clear on the change.
The majority of District Councils in Essex elect by thirds (7 of 12)	
	Parliamentary elections held every 5 years
	The Police and Crime Commissioner is elected for a 4 year term
More opportunities for people to stand for election	
More opportunities to vote for electors	
Less risk of needing to fund separate By Elections	Over the four year cycle, whole council elections could save £116,000 - £145,000 than election by thirds. By elections could cost in the region of £6-10k dependant on ward.
More opportunity for electors to pass judgement on achievements through the democratic process	Reduces the pressure on the Electoral Services Team with the increase of combined and snap Parliamentary elections and referendums
	Efficiencies within departments

10. Should the Council, having taken reasonable steps to consult, resolve to change its electoral cycle to whole council elections, it must specify the year in which whole council elections would take place.

11. If the Council resolves to change to whole council elections, it will be unable to pass another resolution to change the scheme before the end of five years beginning with the day on which the earlier resolution was passed. The first year the Council could implement Whole Council Elections would be 2023.

This is due to:

- 2020 – The process of changing system could not be completed in time.
 - 2021 – Essex County Elections are due to be held
 - 2022 – We have a scheduled Parliamentary election. The Election service do not think it would be practical to conduct our first whole council elections alongside a full parliamentary election
 - This would put Brentwood in the same cycle as with the majority, 125 District councils, who operate to elect in whole elections.
12. If a snap Parliamentary election is called before 2022, this would change the Parliamentary timetable and have an impact on when it would be practical for Brentwood to implement Whole Council Elections.
13. Based on the above the following draft timetable sets out the steps if Members wished to move to Whole Council Elections.

No	Event	Date
1	PRED approval to develop Business Case	September 2019
2	Officers develop Business Case	September to December 2019
3	PRED approval for Business Case and process	January 2020
4	On line Consultation	February/March 2020
5	Ordinary Council	June 2020
6	Change Project to Whole Elections	July 2020 to July 2022
7	Essex County Council elections	May 2021
8	Parliamentary elections	May 2022
9	Whole Council elections	May 2023

14. Section 53 of the Local Government and Public Involvement in Health Act 2007 provides for Brentwood Borough Council to make an Order to change the year of parish elections to coincide with the date of whole council elections for the Borough Council. The Order would make transitional provision for the retirement of parish councillors.
15. Parish Councils cover the cost of their own elections.
16. There are nine parish councils in the Borough of Brentwood. Parish Council elections coincide with the Borough election for the ward in which the parish council is located. Elections to parish councils are scheduled every four years but will only take place if the number of candidates nominated in each parish is greater than the number of vacant seats.

Other Efficiencies and risks to consider

17. Other efficiencies that could result from changing the elections process are, that member training and induction would be streamlined over the four-year period. The changes to Chairs of the committees is likely to reduce. Changes would occur every four years and when Members stand down. Currently changes can occur every 3 out of 4 years.
18. Moving to whole elections, would potentially reduce disruption to local residents. Brentwood would have some years without any elections. For example, schools that accommodate elections, would remain open and parents would not have to make childcare arrangements.
19. Any change would require a huge investment in communication to residents, so they understand the change and what it means for them. This would require staff resourcing and potential costs if media was required, for example leaflets produced for each household informing on changes to the election cycle.
20. Risks to consider are, moving to whole council elections, the risk of holding separate by elections would greatly increase. To hold a standalone by election would cost approximately £6,250 - £10,000 depending on ward therefore quoted saving of £116,000-£145,000 would not materialise in that year. Therefore, contingency would need to be built into the election advance.
21. There would be no saving to election staffing due to other elections, especially in this current political climate, when national elections are becoming more frequent and unexpected i.e. snap elections, referendums. Another main task of the Election staff is canvassing and updating the electoral register. The numbers on our electoral register is likely to grow in the future, due to population

increases and building more homes in the area. This would result in processing more forms.

22. Moving to whole council elections, the risk of holding separate by elections would greatly increase. To hold a standalone by election would cost approximately £6,250 - £10,000 depending on ward therefore quoted saving of £116,000-£145,000 would not materialise in that year. Therefore, contingency would need to be built into the election advance.
23. To implement the change, it is likely that Brentwood Borough Council would have increase their resources. Potentially, they would need to hire a temporary Project 15.Manager to oversee this project. The cost of 12-month fixed term Project Manager averages at £60,000 per annum. Day rates for an agency Project manager start at £350, therefore if Brentwood were unable to recruit to a fixed term position the cost to implement this could be expensive.
24. Currently, the election staff are conducting local elections annually. If we were to move to whole elections, there would be longer gaps between these elections. This could result in development and training costs as the staff would need to refresh their knowledge

Reasons for Recommendation

25. That the Council considers whole council elections for Brentwood Borough Council and whether to proceed to a detailed financial business case on the change to be proposed at a later committee.

Consultation

26. The Local Government and Public Involvement in Health Act 2007 does not stipulate how the Council must consult on changes to its electoral cycle. The Act states that the Council need to have 'taken reasonable steps to consult on the change' and that 'it is for the council to decide which persons it is appropriate to consult'. No minimum or maximum timescale for consultation is described.
27. A simple majority of Councillors at Ordinary Council would be required to resolve to consult on whole council elections. There is no requirement to seek a two thirds majority for the purposes of resolving whether to consult.

Implications

Financial Implications

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28. The cost of consultation would be met within existing Council resources.
29. The finances quoted within the report are high level estimates. A detailed business case would need to be conducted to gain assurance on costs and potential saving before they would be built into the Medium- Term Financial Plan.
30. The typical cost of a Local election is £75,000. Whole council elections offer a potential saving of between £116,000 and £145,000 over a four-year cycle depending on the number of other elections during that period.
31. In the year Brentwood Council implement Whole Council Elections there would be an additional £20,000 pressure. Therefore, no saving would be realised until 2024. Therefore, the potential saving is classed as a medium-term target.
32. The risk of holding additional standalone By Elections, due to the longer gap in Local elections, would be greater. This would be an additional cost to the council that would reduce any saving. The cost of a By Election varies. It would be dependent on the timeframe and availability of polling stations. It would be recommended that the Council would therefore need to set aside a contingency budget for by elections which would reduce the proposed saving target.
33. Depending on the type of election, the Election department receives funding from Government to cover the costs of the election. Currently the Council makes Election Advances to cover these Elections to help with their cash flow as they are managed by separate bank accounts.
34. Efficiencies could be made across the Council, such as administration, resources and stability for agenda delivery across departments.
35. One-off costs associated to implementation would need to be built into a Business Case and the financials considered.

Legal Implications

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36. The Council has powers within existing legislation to move to whole Council elections. If the Council wishes to move from 'elections by thirds' to whole Council elections, the Local Government and Public Involvement in Health Act 2007 (as amended) provides that it must take the following steps.
37. Consult such persons as it thinks appropriate on the proposed change; Convene a special meeting of Council to consider the proposed change; Pass a resolution to change by a two thirds majority of those voting; Ensure that the year for the first ordinary whole Council election is specified in the resolution.

This cannot be the same year as whole Council elections for the County Council.

38. Publish an explanatory document on the decision and make this available for public inspection and give notice to the Electoral Commission.

Economic Implications

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39. No specific economic implications for the wider area.

Other Implications (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

40. None at this stage.

Background Papers (include their location and identify whether any are exempt or protected by copyright)

The Electoral Commission *The cycle of local government elections in England*,
January 2004
Election Timetable in England 2019

Appendices to this report

None