

Harlow Council Electoral Cycles



Report to:	Special Council
Date:	2 November 2023
Portfolio Holder:	Councillor James Leppard, Portfolio Holder for Finance and Governance
Lead Officer:	Simon Hill, Director of Governance and Corporate Services (01279) 446099
Contributing Officer:	Alison Hodgson, Electoral Services Manager (01279) 446038

Recommended that:

- A** The Council notes the results of the public consultation on whether to change the council's electoral cycle.
- B** The Council hereby adopts a scheme of whole council elections, meaning an electoral cycle of one election every four years with all councillors being elected, in accordance with section 34 Local Government and Public Involvement in Health Act 2007.
- C** The first ordinary elections under the whole-council elections scheme will take place on the day for ordinary elections on 2 May 2024 and every fourth year thereafter.
- D** The Returning Officer be given delegated authority to take such steps to enable those elections to be held including those resources required by this resolution.

Background

1. On 20 July 2023, the Council passed the following motion:

““Harlow is undergoing once in a generation change, but the Council cannot be complacent. It must do everything it can to ensure that the change Harlow is experiencing reaches its full potential. By moving to all-out elections, the Council will be able to:

- Focus better on its long-term, strategic goals, allowing Harlow to become the best place to live, work and raise a family;

Save upwards of £90,000 each year; and

- Better avoid voter fatigue.

This Council, therefore, resolves to:

- i) Undertake a public consultation with the public, at the earliest opportunity, on the question of moving to all-out elections;
- ii) Following the consultation and mindful of the responses, request that the relevant Portfolio Holder report back to Full Council so it can vote on moving to all-out elections, or continuing with the current electoral cycle of elections by thirds; and
- iii) If the Council resolves to change its electoral cycles, to take all necessary steps to change the cycle as from the All-Out elections in May 2024.

That the public consultation shall run from 24 July 2023 until 18 September 2023....”

2. This report brings forward the results of that consultation and the options available to the Council.

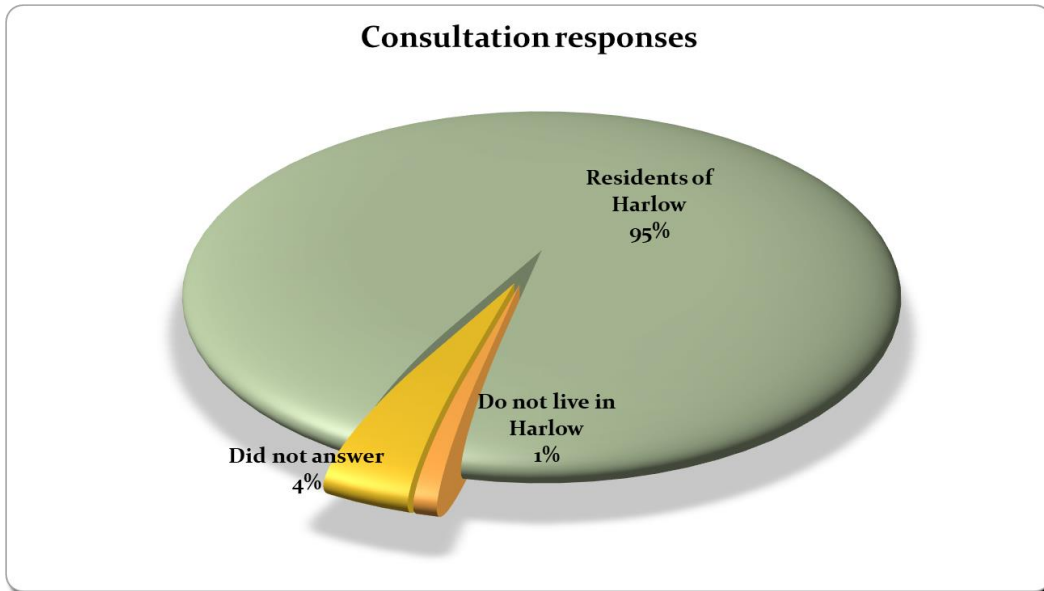
Issues/Proposals

3. Currently the Council holds its elections in thirds. Each year, one Councillor for each of the 11 wards is elected. On the fourth year, the Council does not hold elections. Essex County Council holds its elections in this year.
4. Most UK councils currently hold all-out elections with many of the remaining councils holding them by thirds (Met and not met districts - 142 (71%) all-out elections, 51 (25%) by thirds, 7 (3.5%) by halves)
5. The Council has the power to switch from holding elections by thirds to all-out elections by resolution under the Local Government and Public Involvement in Health Act 2007. This can be achieved regardless of the current Government Order made and approved by Parliament in July 2023 following the review undertaken by the LGBCE (Local Government Boundary Commission for England). If such a change were approved, this could take effect from the all-out elections being held on 2 May 2024
6. Prior to passing any resolution to convert the electoral cycle to whole council Elections, the Council must have taken reasonable steps to consult with such persons as it thinks appropriate on the proposed changes.

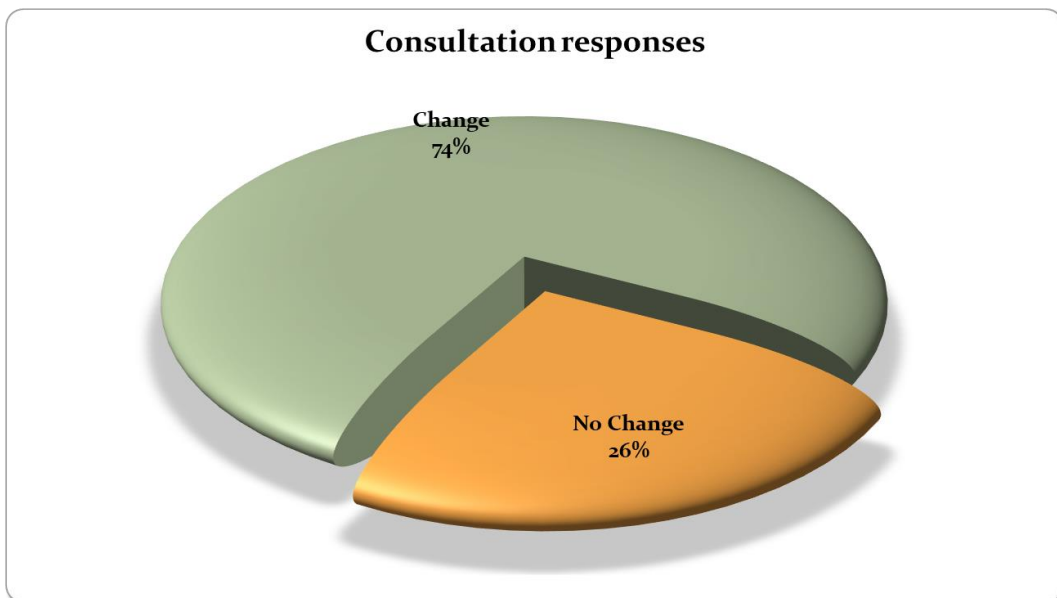
Results of the Consultation

7. Officers have undertaken a consultation, carried out between 24 July and 18 September 2023, and results are presented here.
8. The consultation was published on the Council’s website and publicised on our social media. An email was also sent to all current polling places and other interested organisations. The responses are attached as Appendix A.

9. The Council has received a total of 491 responses - 444 online and 47 paper responses. These can be seen in Appendix A. These responses have been assessed to ensure that they are unique, accurate and valid. This is the highest ever response on a consultation on electoral matters.
10. Of these, 467 stated that they live in Harlow, 5 do not live in Harlow and 19 did not answer this question.



11. 74% (364) want to change to whole council elections and 26% (127) want to keep elections by thirds.



12. A summary of the responses given by residents and a copy of all written responses is set out at Appendix A to this report.
13. The Council last reviewed electoral cycle in December 2021 ([link to previous report](#)), prior to the first stage of the LGBCE review and at that time the report of

the Electoral Working Group summarised the advantages and disadvantages of the different types of cycles which were also set out in the Consultation Paper (see Appendix B attached).

Next Steps

14. The Council is invited to consider the information above and decide whether it would like to change the election cycle for Harlow. For the change to be approved, the 2007 Act requires that a two-thirds majority of those voting at the Full Council meeting support the change.
15. If the Council resolves to move to whole Council elections, then it must approve the date by which this change should be effective. Because the Boundary Commission requires the Council to hold a whole council election in 2024 in any event, this is proposed as the date at which the Council's resolution to change could be implemented. Legal advice, referenced in the implications below, advises that this is possible separately from the order of the LGBCE specifying the continuation of the by thirds method.
16. Following adoption of any resolution to move to whole council elections, to make the change legally effective, the Council is required to publish the details in a "scheme" (e.g., on its website) and give notice to the Local Government Boundary Commission of this change.
17. Should the change be agreed, the Returning Officer will be required to deliver the elections scheme approved and adjust forward financial projections in future budgets.

Implications

Equalities and Diversity

There are no specific equality implications identified for either electoral cycle option. Elections must be delivered in such a way as to ensure the needs of people with protected characteristics are considered and appropriately accommodated. No changes are proposed to the method of delivery. Changes to delivery and locations has been undertaken (see report on Polling Station review)

Climate Change

No specific climate change implications have been identified but elections on a less frequent basis will use less resources and mean less journeys to polling stations. The legislative framework across elections means that traditional methods of delivery are still the default position, i.e., in person voting using paper-based methods.

Finance

Cost of Elections

The Council currently budgets £85,000 for a standalone district election. There are some fixed costs for elections such as polling venue hire, which mean that combined elections (e.g. PFCC) are comparatively cheaper as costs can be shared. The cost of the all-out election in 2024 is around £110,000. Sufficient budget is available for that election as costs will be shared with PFCC and potentially one other election. The Council can claim back costs associated with non-district council elections. For example, Essex County Council elections.

Current Electoral Cycle Option:

Under the current electoral cycle, the Council reduces its budgets on non-district council election years in the event there are by-elections. There is a short term deficit in the three year window due to rising costs of services offset by only ECC elections in 2025.

All Out Option:

If the Council switched to all-out elections, there would be some years where there would be no ordinary elections at all. The Council would therefore only need to budget for by-elections, which are clearly much cheaper to run due to their limited scale. Under all-out elections the likelihood of by-elections is greater. It is estimated that over a ten-year period the switching to all-out elections would save the Council approximately £399,000 when comparing the current system with all out elections adjusted for inflation. This assumes inflation at around 5% pa and that General Elections will be held in five-year intervals.

A summary position is shown below:

	MTFP period				10 yr Totals
	24/25	25/26	26/27	27/28 to 33/34	
	£	£	£	£	£
Current budget*	85,000	85,000	85,000	595,000	850,000
Costs					
current electoral cycle**	110,000	0	98,400	589,200	797,600
all out elections from 2024**	110,000	34,000	34,000	273,000	451,000
Savings					
current electoral cycle	-25,000	85,000	-13,400	5,800	52,400
all out elections from 2024	-25,000	51,000	51,000	322,000	399,000
* no inflation applied					
** assumes 5% inflation pa					

Note: The all-out Elections proposal would require an annual contribution (as outlined in the table) into an earmarked reserve which would be called upon to fund yearly by elections and four yearly elections.

In the event of a by-election being called under either option, a budget of £15,000 would be required for each one called. Increases in costs mean there is currently no headroom in the elections budget.

Potential sharing savings would apply to both options depending on the year in question.

Author: Simon Freeman, Deputy to the Chief Executive and Director of Finance

Communities and Environment

Appropriate bodies have been consulted over access needs. Further interim assessment of polling places because of the LGBCE review are considered at the meeting earlier in the evening and will be required to be reviewed further after May 2024 by statute. The open consultation has given opportunity for all community sectors to comment either electronically or by completion of a form.

Author: Andrew Bramidge, Chief Executive

Governance and Corporate Services

Under the provisions of the Local Government and Public Involvement in Health Act 2007, councils that elect by thirds can move to whole-council elections by passing a resolution at a special meeting of the Full Council.

The resolution will only be deemed carried if there are two-thirds majority of those voting, vote in favour of a proposed change to the electoral cycle. Should that majority not be reached at the meeting there is no requirement for a contrary motion.

If the Council resolves to change its scheme, it will be unable to change the scheme again for at least five years.

If it declines the proposal the next practical implementation opportunity will be 2028 for it to achieve maximum financial benefit from choosing a year where it can be combined with other elections. The Council cannot choose to hold its elections in a County Council year (2025) by law.

There are statutory arrangements which must be met once the Council resolution is passed including a requirement to publicise the fact that a resolution has been passed and produce an explanatory document; and to notify the Local Government Boundary Commission for England of the resolution.

Additionally, I have taken further advice on the matter of differences between the order placed before parliament by the LGBCE (which continues the current by-thirds cycle from 2026 onwards) and the all-out election proposals. Advice is that the Council can, at this juncture, make such a decision legally should it so wish. Discussions have been held with LGBCE Officers throughout the process.

Author: Simon Hill, Director of Governance and Corporate Services

Appendices

Appendix A – Responses to the consultation
Appendix B – Consultation Paper

Background Papers

None.

Glossary of terms/abbreviations used

LGBCE – Local Government Boundary Commission for England