

CITY OF WOLVERHAMPTON COUNCIL	Governance and Ethics Committee 3 September 2021
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Report title	Overview of electoral cycles
Cabinet member with lead responsibility	Councillor Paula Brookfield Cabinet Member for Governance and Equalities
Accountable director	David Pattison, Director of Governance
Originating service	Electoral Services
Accountable employee(s)	Laura Noonan Electoral Services Manager Tel 01902 554939 Email Laura.noonan@wolverhampton.gov.uk
Report to be/has been considered by	Not applicable.

Recommendations for noting:

The Governance Committee is asked to note:

1. The process for changing electoral cycles.

1.0 Purpose

- 1.1 To present on the process re different electoral cycles. This is for information, there are no recommendations being made for decision.

2.0 Background

- 2.1 In the Governance and Ethics Committee meeting on 24 June, it was requested that a briefing paper is brought forward to present the process re different election cycles.
- 2.2 Election by thirds is the current system in place in Wolverhampton, where one third of the Councillors are elected to office in three years out of four years. In the fourth year there are no elections, which is known as a fallow year. Election by halves is where half of the Councillors are elected every 2 years.
- 2.3 All out elections are where all Councillors are elected to office once every four years.
- 2.4 Currently 232 councils in the country hold all out elections. 116 councils elect by thirds. 7 councils elect by halves.
- 2.5 Of the authorities in the West Midlands Combined Authority area all councils elect by thirds, except for Birmingham who moved to all out elections in 2018¹.
- 2.6 **Legal process for changing electoral cycles** – The Local Government and Public Involvement in Health Act 2007 (“the 2007 Act”) enables councils to set their own electoral cycle (see sections 31 – 63). It allows councils to consider passing a resolution to change to whole council elections, or where they previously elected by thirds but have moved to all out elections to revert back to thirds. It does not allow councils to move from elections by thirds to election by halves or from elections by halves to elections by thirds.
- 2.7 Section 33 of the Act outlines the steps that must be taken in order to change the electoral cycle.
- 2.8 The 2007 Act states that a council must not pass the resolution unless “it has taken reasonable steps to consult such persons as it thinks appropriate on the proposed change”. Whilst the Act does not specify the process for consultation it would need to be a reasonable level of consultation and would need to be for a reasonable period of time.
- 2.9 If, after the consultation, a council wishes to pass a resolution to change its electoral cycle the resolution must be passed:
 - a) at a meeting which is specially convened for the purpose of deciding the resolution; and
 - b) by a majority of at least two thirds of the elected members voting on it.

¹ Details of the changes made at Birmingham can be seen through the following link - [Local Government Elections | Elections results and further information | Birmingham City Council](#) the changes took place following a Governance review by Lord Kerslake – details of which can be seen [here](#)

If the resolution is passed, then the council must produce an explanatory document available for public inspection and give the Local Government Boundary Commission for England (“the Commission”) notice that it has passed the resolution. The resolution must specify the year for the first ordinary elections of the council at which all Councillors are to be elected.

- 2.10 There is then a detailed process for the implementation of the change to electoral cycle that is detailed through the Act and related guidance. This includes inviting the Commission to consider whether it wishes to carry out an electoral review.
- 2.11 **This Council’s position** – In its initial discussions with the council, the Commission sought clarity on the Council’s approach to the electoral cycle, as had there been a wish to change the approach, that may have affected the Commission’s approach. The Council’s first response to the Commission’s electoral review in 2020 confirmed that the Council elects by thirds.
- 2.12 Following the boundary review in this authority, all out elections will take place on all 20 of the new wards, and then the Council will eventually return to a cycle of election by thirds.
- 2.13 The current electoral timetable is as follows:
- 2022 – City Council Elections (thirds)
 - 2023 – City Council Elections (all out elections)
 - 2024 – City Council Elections, Police and Crime Commissioner Elections, West Midlands Combined Authority Mayoral Elections and UK Parliamentary Election
 - 2025 – None (fallow year)
 - 2026 – City Council Elections
 - 2027 – City Council Elections
 - 2028 – City Council Elections, Police and Crime Commissioner Elections and Combined Authority Mayoral Elections
- 2.14 The Commission has agreed to delay implementation of the all-out elections, following the boundary review, from 2022 to 2023 as it has with a number of other authorities in the same position. The schedule of elections following the boundary review will be prescribed in the Electoral Changes Order, which will be laid in Parliament in Winter 2021/2022.
- 2.15 We have asked for the fallow year to move from 2025 to 2024, this is to avoid the issue whereby a number of Councillors will have effectively had 3 elections in 3 years – e.g. being elected in 2022, then elected in 2023 as the 3rd of 3 Councillors at the all out election and then having to retire in 2024 and stand again as a result of coming 3rd in that ward. The Commission has explained that it does not have the power to include such a recommendation in an Order implementing its recommendations. However under section

87 of the Local Government Act 2000 the Secretary of State has powers to change, by Order, the years in which ordinary elections of principal councils take place and includes at Section 87 (3) the power to make provisions to secure the retirement of existing Councillors at times different from those at which they would otherwise retire. We will therefore be liaising with Government to seek to persuade them to do so.

3.0 Comparison

3.1 The table below shows some the advantages and disadvantages of each cycle. This includes learning from the Electoral Commission and research from other authorities who have reviewed their election cycles.

	Election by thirds	All out elections
Advantages	<ul style="list-style-type: none"> • This is the system currently in place – everyone knows how it works. • It is more regular, so voters get the opportunity to vote every three out of four years. • Councillors and political parties get to be held to account by the voters more regularly for their decisions. • Helps to give more opportunities to debate and discuss local issues, which may otherwise get confused with national issues. • Allows for gradual change at the Council, rather than the possibility of big changes every four years if a different political party wins a majority. • Can ensure that the political composition of authorities more accurately reflects the current political complexion of local areas. • Provides a more up to date reflection of the views of local people. • More continuity of Councillors without any chance of them all 	<ul style="list-style-type: none"> • Voters will get to see a four-year manifesto and long-term commitments from candidates which may be easier to make judgements on. • Moves away from yearly election campaigning. • Clearer opportunity for the electorate to change the political composition of the Council once every four years. • Saves money – cost of hiring polling stations, hiring staff and producing poll cards, ballot papers and postal packs will only be done once every four years instead of three. • Simpler for electors and more easily understood because it is a similar timescale to a General Election every five years. • Same electoral cycle as Police and Crime Commissioner and Combined Authority Mayoral elections which take place every four years. • Less elections may mean less election fatigue so people may be more interested in voting when the time comes, and this may

	<p>being replaced in a single election.</p> <ul style="list-style-type: none"> • Provides a regular influx of newly elected Councillors who can bring new ideas and fresh approaches to the Council. 	<p>increase the number of people using their vote.</p>
<p>Disadvantages</p>	<ul style="list-style-type: none"> • Less stability – regular changes of political control can affect local businesses and Council services. • Confusing for the electorate as to which candidate is to be elected and what the process is. • It is difficult to see through major policy decisions, or large infrastructure or regeneration projects in a single year. • Difficult or unpopular decisions can be put off for future years, rather than taken when needed. • Constant year on year campaigning by Councillors and political parties may lead to voter fatigue and a lack of interest. 	<ul style="list-style-type: none"> • A withdrawal of the opportunity to vote more frequently may disengage some of the city’s electors if they only vote once every four years as opposed to election by thirds. • May be seen as less democratic as Councillors only get voted in every four years as opposed to the current system. • If a large number of Councillors are replaced in one election this may be disruptive and may lead to big changes to policies, plans and services. • Newly elected Councillors or political parties may become complacent because they know they won’t have to be re-elected for another four years. • All out elections may give advantage to larger political parties which have the resources to campaign across the city. • Would lead to more by-elections taking place, which would incur cost. • Likely to lead to a greater loss of experience compared to the phased introduction/loss of Councillors when retirements are by thirds. • Less frequent elections could be detrimental to encouraging candidates to stand for election as

		the opportunity to serve on the Council will be less frequent.
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3.2 The Electoral Commission produced a report in 2004 recommending that Government should avoid the current confusion and move to a consistent approach to elections across England without the option for local choice. That recommendation would need legislation to enact the change and that has not been made.

4.0 Financial implications

4.1 The cost of running local elections to the Council in any year is dependent on whether they are standalone or combined with Parliamentary, Police and Crime Commissioner or Combined Authority Mayoral elections. Combined elections costs are effectively shared, part funded by Government or the Combined Authority.

4.2 The historic cost of running a standalone local election by thirds has been in the region of £260,000. The cost to the Council as part of a combined election approximately halves. It is estimated that the additional cost of running an all out election would be no more than £20,000, consisting largely of extra count staff to manage the higher volume. It is clear, therefore, that significant cost reductions can be achieved by running a single all out election rather than three elections by thirds. The exact value of that cost reduction to the Council over a four year election cycle would be dependent on the schedule of elections under old and new systems. [GE/2508/2021/H]

5.0 Legal implications

5.1 There are no legal implications arising from the report. [DP/25082021/B]

6.0 Equalities implications

6.1 There are no equalities implications arising from the report.

7.0 All other Implications

7.1 There are no other implications arising from the recommendation in this report.

8.0 Schedule of Background Papers

8.1 The cycle of local government elections in England, Electoral Commission, January 2004:

https://www.electoralcommission.org.uk/sites/default/files/electoral_commission_pdf_file/cycleoflocalelecfinal_11595-9056_ENSW.pdf