

# Meeting of the City Council

## 3 November 2021

<b>Report title</b>	Overview of electoral cycles	
<b>Referring body</b>	Governance and Ethics Committee, 3 September 2021	
<b>Councillor to present report</b>	Councillor Paula Brookfield	
<b>Wards affected</b>	All	
<b>Cabinet Member with lead responsibility</b>	Councillor Paula Brookfield Cabinet Member for Governance and Equalities	
<b>Accountable director</b>	David Pattison, Chief Operating Officer	
<b>Originating service</b>	Electoral Services	
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<b>Report to be/has been considered by</b>	Governance and Ethics Committee	3 September 2021

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### Recommendation for decision:

The Council is recommended to:

1. Decide whether to go out to public consultation on the Council's election cycle.

## **1.0 Purpose**

- 1.1 To present some of the advantages and disadvantages of different electoral cycles.
- 1.2 To outline the process of moving to a different electoral cycle.

## **2.0 Background**

- 2.1 On 3 September 2021, Governance and Ethics Committee considered a report on Overview of Electoral Cycles.
- 2.2 Copies of the report have been supplied to Councillors and can also be accessed online on the Council's website: [here](#).
- 2.3 Governance and Ethics Committee referred the matter to Council recommending a move to all out elections. The Committee is an advisory Committee and the decision rests with Council. The report has been updated to address a number of the questions that were raised in the Committee debate on the issues.

## **3.0 Electoral Cycles**

- 3.1 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.
- 3.2 All out elections are where all councillors are elected to office once every four years.
- 3.3 Currently 232 councils in the country hold all out elections. 116 councils elect by thirds. 7 councils elect by halves. However, it is overwhelmingly the district, county and London borough councils who hold all out elections, so it is not the electoral cycle in place for the majority of the electorate. 91% (33) of metropolitan councils elect by thirds, including Wolverhampton – there are currently three who elect once every four years which are reviewed in section 7.4 (this will soon to change to 4 as St Helens is now moving to all out elections<sup>1</sup>). There are 30% (17) of unitary councils (i.e. not in metropolitan council areas) which also elect by thirds.
- 3.4 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 2018.

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<sup>1</sup> The authorities are listed below – it is noted that recommendations have been made that Liverpool move to all out elections but that has not happened yet.

1. Barnsley, 2. Bolton, 3. Bradford, 4. Bury, 5. Calderdale, 6. Coventry, 7. Dudley, 8. Gateshead, 9. Kirklees, 10. Knowsley, 11. Leeds, 12. Liverpool, 13. Manchester, 14. Newcastle Upon Tyne, 15. North Tyneside, 16. Oldham, 17. Rochdale, 18. Salford, 19. Sandwell, 20. Sefton, 21. Sheffield, 22. Solihull, 23. South Tyneside, 24. St Helens, 25. Stockport, 26. Sunderland, 27. Tameside, 28. Trafford, 29. Wakefield, 30. Walsall, 31. Wigan, 32. Wirral, 33. Wolverhampton

#### **4.0 Legal process for changing electoral cycles**

- 4.1 The Local Government and Public Involvement in Health Act 2007 (“the 2007 Act”) enables councils to set their own election 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.
- 4.2 Section 33 of the Act outlines the steps that must be taken in order to change the electoral cycle.
- 4.3 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.
- 4.4 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.

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.

- 4.5 There is then a detailed process for the implementation of the change to electoral cycle that is detailed through the Act and related guidance.

#### **5.0 This Council’s position**

- 5.1 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.
- 5.2 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.

5.3 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

5.4 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.

5.5 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 – eg being elected in 2022, then elected in 2023 as the 3<sup>rd</sup> of 3 Councillors at the all out election and then having to retire in 2024 and stand again as a result of coming 3<sup>rd</sup> 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.

## **6.0 Comparison of electoral cycles**

6.1 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.

	<b>Election by thirds</b>	<b>All out elections</b>
<b>Advantages</b>	<ul style="list-style-type: none"> <li>• This is the system currently in place – everyone knows how it works.</li> <li>• It is more regular, so voters get the opportunity to vote every three out of four years.</li> <li>• Councillors and political parties get to be held to account by the voters more regularly for their decisions.</li> <li>• Helps to give more opportunities to debate and discuss local issues, which may otherwise get confused with national issues.</li> <li>• 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.</li> <li>• Can ensure that the political composition of authorities more accurately reflects the current political complexion of local areas.</li> <li>• Provides a more up to date reflection of the views of local people.</li> <li>• More continuity of councillors without any chance of them all being replaced in a single election.</li> <li>• Provides a regular influx of newly elected councillors who can bring new ideas and fresh approaches to the Council.</li> <li>• Experienced staff working election duties as they have had the opportunity to keep their knowledges and skills up</li> </ul>	<ul style="list-style-type: none"> <li>• Voters will get to see a four-year manifesto and long-term commitments from candidates which may be easier to make judgements on.</li> <li>• Moves away from yearly election campaigning.</li> <li>• Clearer opportunity for the electorate to change the political composition of the council once every four years.</li> <li>• 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.</li> <li>• Simpler for electors and more easily understood because it is similar timescales to a General Election every five years.</li> <li>• Same electoral cycle as Police and Crime Commissioner and Combined Authority Mayoral elections which take place every four years.</li> <li>• Less elections may mean less election fatigue so people may be more interested in voting when the time comes, and this may increase the number of people using their vote.</li> </ul>

	<p>to date with more frequent elections</p>	
<p><b>Disadvantages</b></p>	<ul style="list-style-type: none"> <li>• Less stability – regular changes of political control can affect local businesses and council services.</li> <li>• It is difficult to see through major policy decisions, or large infrastructure or regeneration projects in a single year.</li> <li>• Difficult or unpopulated decisions can be put off for future years, rather than taken when needed.</li> <li>• Constant year on year campaigning by councillors and political parties may lead to voter fatigue and a lack of interest.</li> </ul>	<ul style="list-style-type: none"> <li>• 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.</li> <li>• May be seen as less democratic as Councillors only get voted in every four years as opposed to the current system.</li> <li>• 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.</li> <li>• Newly elected Councillors or political parties may become complacent because they know they wont have to be re-elected for another four years.</li> <li>• All out elections may give advantage to larger political parties which have the resources to campaign across the city.</li> <li>• Would lead to more by-elections taking place, which would incur cost.</li> <li>• Likely to lead to a greater loss of experience compared to the phased introduction/loss of councillors when retirements are by thirds.</li> <li>• 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.</li> <li>• Less experienced staff working election duties. May be difficult to retain staff when only contacting them once every four years.</li> </ul>

## 7.0 Impact of changing electoral cycles

7.1 One of the possible advantages of all out elections is that it could improve turnout. The table below shows the percentage turnout at a city level for local, regional and national elections over the last six years.

Year	Election	% turnout
2021	Combined local, Combined Authority Mayoral and Police and Crime Commissioner	All - 33%
2019	Parliamentary	59%
2019	EU Parliamentary	29%
2019	Local	27%
2018	Local	28%
2017	Combined Authority Mayoral	32%
2017	Parliamentary	64%
2016	Local and Police and Crime Commissioner	Local – 29% PCC – 28%
2016	EU Referendum	68%
2015	Local and Parliamentary	Local – 58% Parliamentary – 59%

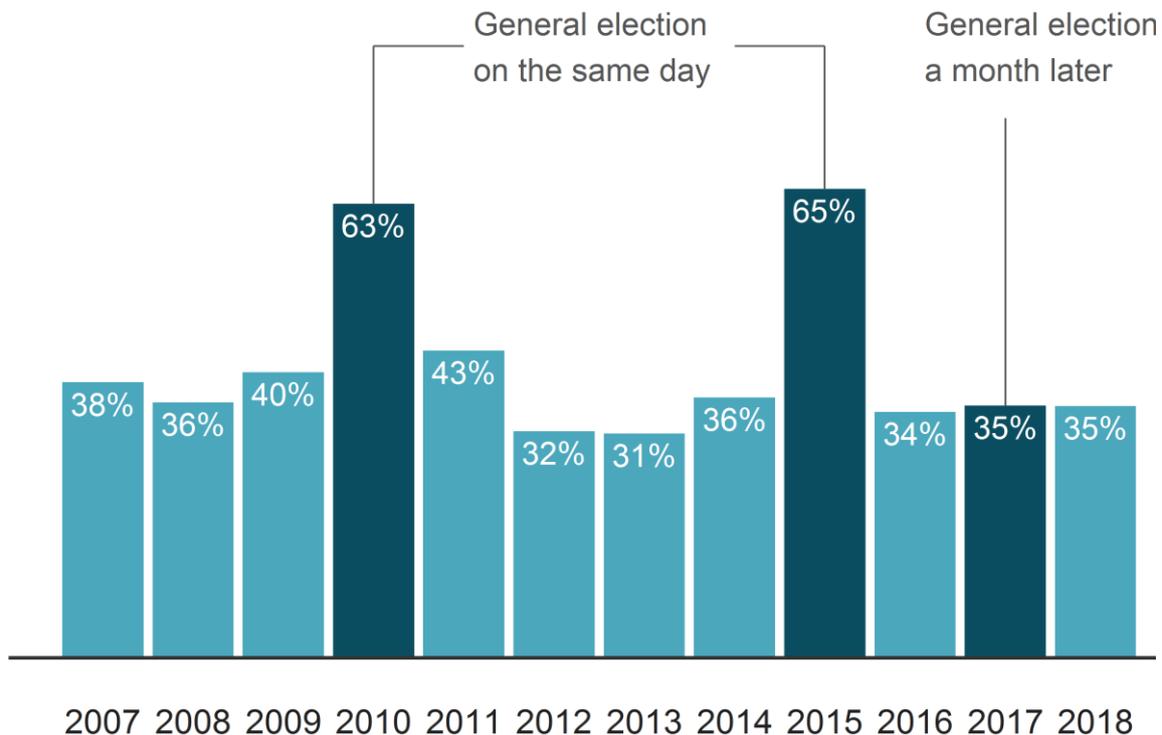
7.2 Nationally, the turnout is much higher for a parliamentary election than a local election. This table demonstrates that when a local election is combined with a parliamentary election, the turnout is almost double the usual turnout as can be seen from the 2015 election. The regional combined authority mayoral elections have also seen a slightly higher turnout than local elections. The turnout for the triple combined poll in 2021 was a higher turnout than typical local elections, which could be due to the combined poll and also the increase in postal voters.

7.3 The election cycle for parliamentary elections is every five years. The election cycle for all out local government elections is every four years so these elections would not always be combined.

- 7.4 A breakdown by ward is available in Appendix 1. Please note, turnout figures by ward are not available for regional elections as there is no requirement to count by wards so this data has not been captured.
- 7.5 There are three metropolitan district councils who elect every 4 years – Birmingham, Doncaster and Rotherham. The table below shows the turnout at their last by thirds election compared with their subsequent all-out elections:

	<b>Last by thirds election</b>	<b>First all out election</b>	<b>Subsequent all out elections</b>
Birmingham	2016 – 32%	2018 – 32%	N/A
Doncaster	2014 – 33%  2015 (with parliamentary) – 56%	2017 – 29%	2021 – 28%
Rotherham	2014 (last standalone) – 35%  2015 (with parliamentary) – 59%	2016 – 33%	2021 – 29%

This research demonstrates that there was no significant impact on the turnout for a local election following the change in electoral cycle. It does demonstrate that there is a greater turnout when local elections coincide with general elections. This is also seen on a national scale for council elections:



7.6 Another advantage of all out elections is reducing the impact on schools as they would only be required to be used as a polling station once every four years instead of three out of four years. Currently, there are 28 schools used as polling stations. At the last elections, the majority of these had to close to accommodate the polling station safely. The Council has a commitment to not use schools as polling stations, where there are other suitable buildings in the polling district. An extensive review of schools as polling stations was carried out ahead of the 2021 elections which reduced the number of schools used compared to previous elections, but the schools that are used as polling stations now are because there are no other suitable alternatives. In order to mitigate school closures, we intend once again to consult with councillors to invite them to propose alternative locations to schools in their wards.

## 8.0 Consultation options

8.1 There are two different consultation models to consider, and the financial implications for each option are explored in the next section.

8.2 One option is to run an online consultation which could be hosted on the council's consultation page. A comprehensive communications campaign would be launched to encourage a good response. North Herts Council are currently consulting on this topic online using Survey Monkey. Tunbridge Wells also ran an online consultation on this earlier this year – they received 517 responses.

8.3 The other option is to invite all households to respond by sending a postal ballot paper to every household in the city to include an explanatory letter to outline the reason for the consultation, a ballot paper and return envelope. An external supplier could be appointed to run this. The added benefits of this option would be that the council would receive best practice advice on conducting this type of ballot, the supplier would print and post all of the ballot papers, deal with customer queries and also count the votes. This is the model that Swindon council used in 2019 for their consultation on electoral cycles. They received just over 34,000 responses, which was a 19% turnout.

## **9.0 Financial implications**

- 9.1 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.
- 9.2 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.
- 9.3 The exact value of the cost reduction to the Council over a four year election cycle will be dependent on the schedule of elections under old and new systems. A Parliamentary election may, or may not, coincide with a local election and the timing is clearly unknown at this point. Another variable factor which cannot be forecast is by-elections. If a councillor resigns prior to the end of their term of office and a request to call an election is made the by-election process is triggered. These are normally run alongside annual elections at present, but a change to all out elections would make standalone by-elections more likely. The estimated cost of each by-election, or combined by-elections within one ward, is £15,000.
- 9.4 If public consultation is approved it is important to note that the costs would vary significantly dependent on the nature of the consultation. An online consultation with communications campaign is estimated to cost under £10,000 whereas recent external supplier guidance indicates that a full postal ballot could cost in the region of £100,000. Around £70,000 of this is attributable to postage, including despatch and return envelopes, with the remainder covering printing, consultancy and project management fees, artwork, envelope filling, response handling and counting of ballot papers. The cost of either form of public consultation can be funded from the Elections Reserve if required.

## **10.0 Legal implications**

- 10.1 The legal implications are set out in detail in the report – if the Council were to wish to move to all out elections it would need to follow the process provided in the 2007 Act as detailed in section 4 of the report.
- 10.2 It is important to note that a decision to formally change electoral cycles can only be made after consultation and at an extraordinary meeting and requires a 2/3 majority by the Council, a decision to proceed to consultation would require a simple majority. [DP/25102021/A].

## **11.0 Equalities implications**

- 11.1 There would be a detailed equalities impact assessment that would be carefully carried out were the Council to decide to proceed to consultation. The additional work on the potential equalities implications has not been carried out at this stage.

## **12.0 All other Implications**

- 12.1 There are no other implications arising from the report.

## **13.0 Schedule of background papers**

- 13.1 Governance and Ethics Committee, 3 September 2021, Overview of Electoral Cycles
- 13.2 Election Timetable in England, Gov.uk:  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/920186/Election\\_Timetable\\_in\\_England\\_2019.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/920186/Election_Timetable_in_England_2019.pdf)

## **14.0 Appendices**

- 14.1 Appendix 1: Details of previous election turnout figures