

CITY OF  
WOLVERHAMPTON  
COUNCIL

# Governance and Ethics Committee

11 January 2024

<b>Report title</b>	Preparations for May 2024 Combined Authority Mayoral and Local Elections	
<b>Cabinet member with lead responsibility</b>	Councillor Paula Brookfield	
<b>Accountable director</b>	David Pattison, Chief Operating Officer	
<b>Originating service</b>	Electoral Services	
<b>Accountable employee(s)</b>	Laura Noonan	Electoral Services and Scrutiny Manager 01902 55 5050 Laura.noonan@wolverhampton.gov.uk
<b>Report to be/has been considered by</b>	Election Board	18 December 2023

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## Recommendation for action or decision:

The Governance and Ethics Committee is recommended to:

1. Note and provide feedback on the preparations underway for the May 2024 elections.

## **1.0 Purpose**

- 1.1 To provide an update on preparations underway for the local elections and Combined Authority Mayoral elections taking place on Thursday 2 May 2024.

## **2.0 Background**

- 2.1 A third of Councillor seats are up for election on 2 May 2024. The West Midlands Combined Authority Mayoral Election will also be taking place on Thursday 2 May 2024. The Police and Crime Commissioner (PCC) duties are due to transfer to the Combined Authority Mayor following the election and as such there may not be a separate Police and Crime Commissioner election in 2024. However, the Home Office have published a consultation regarding the transfer of powers which runs until 30 January which means that the order has been delayed. This creates some uncertainty on whether a PCC election will also take place. The Regional Returning Officer is liaising with the Home Office on this.
- 2.2 Voter ID and online absent vote applications have already been implemented in 2023 by the Election Act.
- 2.3 New measures around intimidation, undue influence and candidates names and addresses came into force on 1 November 2023. The revised undue influence offence will better protect voters from improper influences to vote in a particular way, or to not vote at all, and provides clearer legal drafting to assist the police and courts in enforcing the offence. The new electoral sanction introduces a five-year disqualification from holding or standing for elected office. It applies where a person is convicted of an existing criminal offence of an intimidatory nature and where the offender was motivated by hostility towards a candidate, future candidate, substitute or nominee, campaigner or elected officeholder. The new digital imprint regime requires certain digital campaigning material to contain specific details to show who is responsible for publishing it. The imprint requires the name and address of the promoter, or any person on whose behalf the material is being published (and who is not the promoter). The new rules will increase the transparency of digital campaigning and enable voters to make informed decisions about material they see online.
- 2.4 The next tranche of Election Act changes coming in ahead of the May 2024 elections relates to Overseas Electors and Postal Vote Handling, which is outlined in sections 3 and 4 below.
- 2.5 A general election must be held by 28 January 2025. This could be called at any time with just a 25-working day timetable. Therefore, contingency plans are in place should the general election be called on the same day in May. The General Election will be held on the new parliamentary constituencies. General election plans are outlined in section 6.

2.6 For the Combined Authority Mayoral election, The Combined Authority Returning Officer is Julie Newman at Coventry City Council. Tim Johnson is the Local Returning Officer for the Wolverhampton area of the Combined Authority. More information on the Combined Authority Mayoral election is outlined in section 7.

### **3.0 Overseas Electors**

3.1 Currently British Citizens who left the UK up to 15 years ago can register as an overseas elector and are able to vote in national elections. Currently they must renew their registration every year.

3.2 From 16 January 2024, the 15 year rule will be removed and it will move to a three yearly renewal. Electoral Services will need to be able to evidence an electors previous registration through looking at old registers or their previous residence based on address verification checks.

3.3 As at December 2023, there are just 64 overseas electors. Typically overseas electors register for general election years and there were over 350 overseas electors for both the 2017 and 2019 general elections. Therefore it is anticipated that there will be a significant rise in overseas applications when a general election is called in 2024, which could be well in excess of the usual 350 due to the new changes.

### **4.0 Postal Vote Handling**

4.1 The statutory instrument for the provisions relating to postal vote handling and secrecy was made on 21 November 2023.

4.2 Political campaigners will be banned from handling postal votes.

4.3 There will be a limit placed on the number of postal votes a person can hand in, which will be six including their own. People handing in postal votes will need to complete a form. After the poll, the Electoral Registration Officer will have to notify every elector who had their postal vote rejected for this reason.

### **5.0 Planning for a parliamentary election**

5.1 There is a risk that a general election could be held on the same day as the local and regional elections taking place on 2 May. Polling stations and polling station staff would remain the same, but a combined election of this nature would impact on the verification and count plans, the volume of votes to process during postal vote opening and the count, and on core team resource capacity to deliver a general election on a 25 working day timetable on top of the other elections.

5.2 Another critical factor is that Wolverhampton's Returning Officer takes in 5 wards from Walsall for the Wolverhampton North East and Wolverhampton South East Constituencies. A draft cross boundary protocol is currently being prepared between the Walsall and Wolverhampton Returning Officer to agree roles and responsibilities, and this will be shared at the next Governance and Ethics Committee meeting.

- 5.3 If a general election is called on the same day in May, the verification and count would have to take place overnight on Thursday 2 May. The local election count would then start at 1pm on Friday 3 May. The Combined Authority Mayoral count would remain on Saturday 4 May.
- 5.4 Nationally, all councils are reserving white ballot papers for a parliamentary election. Therefore the local election ballot paper colour will be lilac and the Combined Authority Mayoral Election ballot paper colour will be yellow.

## **6.0 Combined Authority Mayoral Election**

- 6.1 The Combined Authority election is a single election delivered in seven local counting areas across the West Midlands Combined Authority (Birmingham, Coventry, Dudley, Sandwell, Solihull, Walsall and Wolverhampton), with the Combined Authority Returning Officer (CARO) having overall responsibility.
- 6.2 All Local Returning Officers will report regularly to the CARO on their progress in delivering the election.
- 6.3 The Notice of Election will be published on Thursday 21 March 2024.
- 6.4 There is a requirement to send a booklet to every registered elector who is eligible to vote in the Combined Authority Mayoral election. This booklet will contain FAQs about the Mayoral Election and the election addresses for all candidates who have supplied them in time for inclusion. The booklets will be handed over to Royal Mail by 15 April and delivered to the vast majority of electors by 26 April 2024.
- 6.5 Due to the delivery of booklets, the despatch of postal votes is expected to be later than usual in order to try and allow delivery of booklets before or at the same time as the postal packs. Wolverhampton has provisionally booked to hand postal packs over to Royal Mail on 17 April 2024.
- 6.6 The CARO has directed that the ballot papers for the Combined Authority Mayoral election will be yellow.
- 6.7 The count for the Combined Authority Mayoral election will be simpler than in 2021 because the voting system has changed from the supplemental voting system to first past the post.

## **7.0 Voter ID**

- 7.1 A team of seven graduates and apprentices will be redeployed to support Electoral Services with processing applications for Voter Authority Certificates and hosting drop-in sessions across the city. A total of 18 drop-in sessions are scheduled across the city in addition to daily drop in sessions at the Civic Centre from 25 March up to the Voter Authority Certificate application deadline at 5pm on 24 April. Drop-in sessions will take place across all libraries and some leisure centres. See a full schedule below:

7.2 A Voter ID leaflet will be included in all council tax billing letters in March, which will include the full details of drop in sessions. Electors will also be notified of how to apply for a VAC when they receive their poll cards. There will be regular communications sent across all communication channels to remind electors of the key election registration and deadline dates.

## **8.0 Candidates and Agents**

8.1 The Notice of Election will be published at 9am on Thursday 21 March 2024, which marks the start of the pre-election period.

8.2 The nomination period will run weekdays from 10am on Thursday 21 March 2024 until 4pm on 5 April 2024. Candidates will be required to book an appointment with Electoral Services to hand in their nomination papers in person. Candidates are strongly encouraged to also book an appointment for an informal check of the nomination paper before handing it in.

8.3 Electoral Services will be developing a video guide for candidates and agents on how to complete a nomination pack which will be shared with candidates and agents at the briefing.

8.4 The Returning Officer will be holding a candidates and agents briefing on Thursday 29 February 2024 at 5.30pm for prospective candidates and agents. There will be another briefing after the close of nominations for candidates and agents on Wednesday 17 April at 5.30pm.

## **9.0 Key registration deadlines**

- Deadline to register to vote: Tuesday 16 April
- Deadline to apply to vote by post: 5pm on Wednesday 17 April
- Deadline to apply to vote by proxy: 5pm on Wednesday 24 April
- Deadline to apply for a Voter Authority Certificate: 5pm on Wednesday 24 April

## **10.0 Polling Stations**

10.1 The designated polling stations were agreed by Full Council in December 2023.

10.2 Booking letters have been sent to all polling stations in December and 19% (25) polling stations have confirmed so far. All polling stations must be confirmed by 1 March 2024 in readiness for poll cards to be prepared.

## **11.0 Postal Vote Opening**

11.1 Postal Vote Opening will take place daily in the City Suite, Civic Centre from 10am on Tuesday 23 April 2024 up until polling day. The final sessions on polling day will take place at Aldersley. Further information will be communicated to candidates and agents in due course.

## **12.0 Verification and Count**

- 12.1 On Thursday 2 May after the close of poll, ballot boxes will be received at Aldersley. The ballot paper account calculations will be checked, but the ballot boxes will remain sealed and will be stored overnight with security. The final postal vote opening session will take place on Thursday from 8pm.
- 12.2 The verification of local and Combined Authority Mayoral ballot papers will commence at 10am on Friday 3 May. Ballot papers will first be sorted in the two types of ballot papers as electors will be putting both ballot papers in to the same ballot box. Once verification is complete, the Combined Authority Mayoral ballot papers will be put in to storage ready for counting the next day, and the local election count can start for each ward as soon as it is verified. It is anticipated that the count will finish by 5pm.
- 12.3 On Saturday 4 May, the count will commence for the Combined Authority Mayoral election at 9am. It is estimated that this will be complete by 1pm as the CARO has directed that count figures are provided this time.

## **13.0 Financial implications**

- 13.1 The current annual net budget to cover the cost of local elections is £277,000. The maximum recoverable amount that can be claimed to cover the cost of Wolverhampton elements to the CAM election is yet to be confirmed. However, based on the 2021 elections, it is estimated it will be around £237,000.
- 13.2 The date of the Parliamentary election is currently not known. When it is called, the maximum recoverable amount for each constituency will be shared in the Election Order set by Government.
- 13.3 It is anticipated that fees payable under the proposed schedule in this report will be met from the funding sources identified above, and depending on the combination of elections there could be an underspend against the annual local election budget which subject to necessary approvals would be requested to transfer balances to the Elections reserve for future standalone local elections where there could be a budget pressure without the economies of scale afforded by shared costs of combined elections.

[LD/20122023/L]

## **14.0 Legal implications**

- 14.1 All preparations outlined in this report are in line with the statutory provisions covering the delivery of local and combined authority mayoral elections.

[SZ/18122023/P]

## **15.0 Equalities implications**

- 15.1 Planning for these elections complies with the Public-sector equality duty and the new accessibility arrangements set out in the Elections Act 2022. Reasonable adjustments to

vote are made available for electors with disabilities in the polling stations, and staff working election duties receive substantial training on this.

## **16.0 Other implications**

16.1 There are no other implications arising from the report at the current time.