

**Whole Council Elections – Decision Stage**

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| <b>Final Decision-Maker</b>               | Council  |
| <b>Lead Head of Service</b>               | Angela Woodhouse, Head of Policy,<br>Communications and Governance |
| <b>Lead Officer and Report<br/>Author</b> | Ryan O’Connell, Democratic and Electoral<br>Services Manager       |
| <b>Classification</b>                     | Public   |
| <b>Wards affected</b>                     | All  |

**Executive Summary**

This report sets out the results of the consultation carried out on Whole Council Elections and asks the Committee to decide whether or not to recommend a change to whole-council elections to Council.

**Purpose of Report**

Decision

**This report makes the following recommendations to this Committee:**

That either:

1. Council be recommended to pass the following resolution at an Extraordinary meeting:

*"That the Maidstone Borough Council hereby adopts a scheme of whole-council elections, meaning an electoral cycle of one election every four years with all councillors being elected, with the first such election being in 2024";*

or

2. That no further action be taken.

**Timetable**

| <b>Meeting</b>                           | <b>Date</b>       |
|--|-------------------|
| Democracy and General Purposes Committee | 8 September 2021  |
| Extraordinary Council                    | 29 September 2021 |

## Whole Council Elections – Decision Stage

### 1. CROSS-CUTTING ISSUES AND IMPLICATIONS

| Issue                                 | Implications   | Sign-off  |
|---------------------------------------|--|---|
| <b>Impact on Corporate Priorities</b> | Ensuring the Council has appropriate forms of Governance, including how Members are elected and the Council is formed, is crucial to the proper functioning of the Council and therefore contributes indirectly to all Council priorities.   | Democratic and Electoral Services Manager                 |
| <b>Cross Cutting Objectives</b>       | Ensuring the Council has appropriate forms of Governance, including how Members are elected and the Council is formed, is crucial to the proper functioning of the Council and therefore contributes indirectly to all Council objectives.   | Democratic and Electoral Services Manager                 |
| <b>Risk Management</b>                | The risks associated with this proposal, including the risks if the Council does not act as recommended, have been considered in line with the Council’s Risk Management Framework. We are satisfied that the risks associated are within the Council’s risk appetite and will be managed as per the Policy. | Democratic and Electoral Services Manager                 |
| <b>Financial</b>                      | The option of switching to Whole Council Elections and consultation carried out includes consideration of the financial impact of switching to Whole Council Elections which would produce savings of between £60k to £82k per annum depending on election combinations.                                     | Section 151 Officer & Finance Team                        |
| <b>Staffing</b>                       | We will deliver the recommendations with our current staffing.   | Democratic and Electoral Services Manager                 |
| <b>Legal</b>                          | The legislation governing the move to Whole Council Elections is the Local Government and Public Involvement in Health Act 2007 as amended by the Localism Act 2011. The Acts give Councils the power to decide whether to   | Principal Solicitor Contentious and Corporate Governance. |

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|  | <p>move to whole council elections, elections by halves or elections by thirds. The legislation to move to whole council elections includes certain actions that must be taken during the process.</p> <p>One requirement is to have carried out a consultation on the proposal. This has been completed and the outcome is included in this report. Another stipulation is that the resolution passed by Council must specify the year in which the first ordinary election of the Council at which all Councillors are to be elected will take place. This may not be a county council elections year. This has been incorporated into the recommendation that would be made to Council in the event it is agreed. A vote in favour of whole Council elections must be by a two thirds majority of those voting.</p> |   |
| <b>Privacy and Data Protection</b>     | None   | Policy and Information Team               |
| <b>Equalities</b>                      | None   | Policy & Information Manager              |
| <b>Public Health</b>                   | None   | Democratic and Electoral Services Manager |
| <b>Crime and Disorder</b>              | None   | Democratic and Electoral Services Manager |
| <b>Procurement</b>                     | None   | Democratic and Electoral Services Manager |
| <b>Biodiversity and Climate Change</b> | Adopting Whole Council Elections would reduce the impacts of running elections on the environment with less travel, waste and resources in holding whole council elections once every four years rather than electing a third of councillors three in every four years.  | Biodiversity and Climate Change Officer   |

## **2. INTRODUCTION AND BACKGROUND**

- 2.1 Following a resolution at its annual meeting in May 2021 Council requested that Democracy and General Purposes Committee look again at the issue of 'Whole Council Elections', particularly in light of the impacts of the Council's electoral cycle on its own boundary review and the requirement for three Member wards under 'elections by thirds'.
  - 2.2 At its meeting on 30 June 2021 the Committee approved the consultation stage of moving to Whole Council Elections. This consultation has been completed and the outcomes are set out in section 6.
  - 2.3 The next stage in the process is to decide whether or not to recommend a resolution to Council to adopt whole-council elections. If the Committee do not recommend changing electoral cycles then no action need be taken.
  - 2.4 Specific wording has been put forward for a resolution to be recommended to Council in order to meet the requirements of legislation.
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## **3. AVAILABLE OPTIONS**

- 3.1 Option 1 - Recommend the proposed resolution to Council so that the Council switches electoral cycles to one election every four years 'Whole Council Elections'.
  - 3.2 Option 2 – Do nothing – if the Committee do not recommend switching electoral cycles then no action needs to be taken.
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## **4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS**

- 4.1 The Committee need to consider the agreed Whole Council Election factors, political factors, survey response, financial implications and any other relevant considerations in deciding whether to recommend Whole Council Elections to Council. Officers have taken a neutral stance on this issue in light of the significant political dimensions on the matter that are not factors officers can consider.
  - 4.2 If the Committee do decide to go ahead with recommending Whole Council Elections, a date of 2024 is recommended as it meets the requirements of not being a county council election year and is the year that the Council will already have all out elections in response to the Local Government Boundary Review.
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## **5. RISK**

- 5.1 The decision on whether to move to Whole Council Elections should include weighing up the pros and cons of changing the electoral cycle. Some of the risks are political in nature and are not considered here.

- 5.2 Any change inherently carries risks. From an administrative viewpoint the primary risk is the capacity of the electoral services team to support the increased size of a Whole Council Election. However, this risk is considered to be low given that the team already administer larger elections, for example a General Election for two constituencies, and in 2021 carried out combined Police and Crime Commissioner, Kent County Council and our own elections alongside parish by-elections and neighbourhood plan referendums.
- 5.3 In considering the impacts of this decision it is important to consider that there will be a ward boundary review conducted over the next few years and any change (or not) to our election cycle will have knock on impacts for that review (which will consider its own risks).

## **6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK**

- 6.1 As agreed at the previous Committee meeting (see report to this Committee on Whole Council Elections – 30 June 2021) a consultation was conducted with the public using the residents survey approach. Face to face activities were not carried out in the circumstances with the agreement of the Chairman and Vice-Chairman of the Committee. However, the channels for response included posted survey to 15,000 households (randomly selected), and online survey open to all. This activity was supported by communications messaging including posters in traditionally low responding areas.
- 6.2 3130 residents responded to the survey on Whole Council Elections, the outcome of which was 69% in favour of whole council elections and 28% in favour of the present system Election by Thirds.

| <b>Response Type</b>    | <b>Number of Responses Received</b> | <b>Percentage of Total Responses</b> |
|-------------------------|-------------------------------------|--------------------------------------|
| Elections By Thirds     | 860                                 | 27.5%                                |
| Whole Council Elections | 2165                                | 69.2%                                |
| Non-responses           | 105                                 | 3.3%                                 |
| Total responses         | 3130                                | 100%                                 |

- 6.3 The Committee will need to consider this outcome when deciding whether to switch electoral cycles.

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## **7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

- 7.1 If the Committee agree to recommend to Council that it switches electoral cycles to Whole Council Elections an Extraordinary Council meeting will be

arranged for the same evening as the scheduled Ordinary Council meeting on 29 September 2021.

- 7.2 Legislation requires that any decision to switch electoral cycles is taken as follows:

*33 (3) The resolution must be passed—*

- (a) at a meeting which is specially convened for the purpose of deciding the resolution with notice of the object, and*
- (b) by a majority of at least two thirds of the members voting on it.*

- 7.3 The meeting would be combined with the existing date for convenience and to reduce costs given the current Covid-19 impacts on holding Council meetings.
- 7.4 If the Committee take the option to do nothing then no action will be taken.
- 7.5 Whatever the outcome from the Whole Council Elections process the output will be fed into the Council's Size Submission to the Local Government Boundary Commission for England as part of its Boundary Review.

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## **8. REPORT APPENDICES**

None

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## **9. BACKGROUND PAPERS**

Report of the Head of Policy, Communications and Governance – Whole Council Elections – Consultation Stage Approval – Democracy and General Purposes Committee – 30 June 2021