

Cheltenham Borough Council

Cabinet – 23 January 2007

CBC elections – Moving to a four year election cycle

Report of the Cabinet Member for Internal Performance and Service Improvement

1. Executive Summary and recommendation

- 1.1** Cheltenham Borough Council currently holds elections every two years with half the Council (one Councillor for each ward) retiring or seeking re-election at any one time. The results of the elections over the last few years have led to no one party in control or a very slim majority. Recently minority administrations have run the Council and this may have affected the stability of the Council politically and the ability to plan in the medium to long term beyond a two year election timeframe.
- 1.2** A change from the current two year cycle to a four year cycle may reduce the potential for political uncertainty, increase political stability, promote greater strategic thinking in the executive and lead to financial savings for the authority.
- 1.3** The power to decide whether to change the Council's election cycle lies with Full Council. The change must be approved by the Secretary of State.
- 1.4** **I therefore recommend:**
- 1.5** **Cabinet endorses the outline proposals contained within Section 7 of this report to change the election cycle for Cheltenham Borough Council.**
- 1.6** **Cabinet endorses the consultation schedule outlined within Section 8 of this report including a public consultation to be held during March 2007 and also asks that the Council's Overview & Scrutiny Committees provides comments as part of their March cycle of meetings.**
- 1.7** **Cabinet delegates Cabinet Member for Internal Performance and Service Improvement to review and incorporate comments received on the proposed changes and revise the proposals accordingly prior to further approval by Cabinet in April 2007.**
- 1.8** **Summary of implications**

1.5.1 Financial

Moving to a four year election cycle will result in a potential saving of £95,000 over the four year period, as outlined in paragraph 7.4. This saving may be reduced if more bi-elections are held as a result of the changed cycle.

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1.5.2 Legal

See paragraph 6. Implications provided by the Borough Solicitor.

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1.5.3 Human Resources

The electoral registration team employ a number of temporary staff during election times to support the additional workload. The proposed changes to the election cycle would therefore reduce the number of temporary staff needed.

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2. Introduction

- 2.1** In 2000 Cheltenham Borough Council reviewed its governance and electoral system in response to changes required by the Local Government Act 2000.
- 2.2** The review led to the adoption of a new Council constitution, a Leader Cabinet form of executive, overview and scrutiny committees, a standards committee, a new set of ward boundaries and new election cycle. This new governance and electoral system was implemented by Cheltenham Borough Council in 2001.
- 2.3** This report sets out potential changes in the electoral cycle element only of the existing system that may be beneficial to the working of the Council and Cheltenham at large. It is not a detailed report, but sets out the key arguments for retaining the existing system and proposes key arguments for a change to a four year election cycle. Both Council Members, the public of Cheltenham and related Local Authorities will be encouraged to submit their views before Cabinet and then Full Council determine whether to proceed with a change in election cycle.

3. Background

- 3.1** The Council is composed of forty councillors, with two councillors representing each of the twenty wards. Each Councillor holds office for four years. The Council holds biennial elections with half the Council (i.e. one Councillor for each ward) retiring or seeking re-election.
- 3.2** The first elections following the adoption of changes made for the Local Government Act 2000 were held in May 2002 when the whole Council was elected. The result was a change of control from the Conservatives to the Liberal Democrats with an overall majority of one.
- 3.3** In the two elections held since May 2002, the Council composition has changed to one of No Overall Control. In 2004 the Liberal Democrats formed a minority administration with 18 Councillors (15 Conservative, 5 PAB, 2 Labour), and in 2006 the Conservatives formed a minority administration with 17 Councillors (17 Liberal

Democrat, 5 PAB, 1 Labour).

- 3.4** It is noted that there is no right or wrong method for holding elections, and that there are a variety of election cycles in England as follows:
- Metropolitan boroughs elect in thirds;
 - London boroughs elect every four years;
 - County Councils elect every four years;
 - Shire districts can elect in thirds, in halves or hold whole Council elections every four years.
- 3.5** In the 2006 district council elections six districts out of 177 districts held elections in halves (source ODPM). Cheltenham's existing electoral cycle of halves is rare in local government in England.
- 3.6** In 2003 the Electoral Commission conducted a consultation exercise on election cycles in England. This stemmed from views set out in the White Paper "Strong Local Leadership – Quality Public Services" published in 2001. This consultation put forward a number of arguments for either partial elections or whole council elections.
- 3.7** Following the consultation exercise the Commission recommended that each local authority in England should hold whole Council elections with all Councillors elected simultaneously, once every four years. (Report on the Cycle of Local Government Elections in England – published January 2004). The Commission felt that on balance whole Council elections are more likely to provide clarity for electors and a degree of stability for local authorities. The Commission also emphasised that the wide variation in the range of opportunities for people to participate in local elections depending on where they live was unfair.
- 3.8** The recent Local Government White Paper, "Strong and Prosperous Communities" (2006), outlines further changes in central government thinking and proposes that future Council executives (Leader and/or Cabinet) will be elected for a four year term. In addition, the White Paper also has proposals to make it easier for an authority to move to whole Council elections once every four years in order to facilitate the four year term of an executive, encourage longer term strategic thinking and also increase electoral turnout.
- 3.9** It should be borne in mind that even if a decision is taken to move to whole Council elections for Cheltenham Borough Council every four years, there will still be other elections on a regular basis within Cheltenham for Parish, County and Parliamentary elections.
- 3.10** The process for seeking a change in our electoral cycle is relatively straightforward and requires a resolution of the Council passed by two thirds of the members voting thereon to petition the Secretary of State for a change. The legal position is set out in the Section 6 below.

4. The case to retain a two year election cycle

- 4.1** There are several arguments for retaining the existing two year election cycle for Cheltenham Borough Council. A summary of the key arguments is set out as follows:

- Two yearly elections give more frequent opportunities for electors in Cheltenham to exercise their right to vote;
- There may be no dramatic change in political control which ensures that the political composition of the authority more accurately reflects the current political complexion of Cheltenham;
- The experience of councillors as a whole would be preserved since only half of Members face an election at any one time, which allows for a degree of continuity;
- Cheltenham residents have accepted a two yearly cycle over the last three elections and now know when these occur.

5. The case for a four year election cycle

5.1 There are several arguments for changing Cheltenham Borough Council to a four year election cycle. A summary of the key arguments is set out as follows:

- A four year cycle would enable the Council to adopt a more strategic approach to policy and decision making and provide for better stability in Council affairs over the medium and longer terms;
- A four yearly cycle would provide for stronger political leadership and lessen short term decision making for electoral gain;
- A four yearly cycle would provide an opportunity for all electors in Cheltenham to influence the composition of the Council at the same time. A greater possibility exists that that wholesale change in Council control may encourage participation from electors in Cheltenham and reduce the potential for voter fatigue that can be produced through too frequent elections;
- Cost savings can be made by moving to a four year cycle by halving the number of elections required. Additional savings could also be realised in training budgets for both officers and Members resulting from a lower turnover of Members and the reduced need to train them for Induction, Planning, Licensing and Standards;
- A number of neighbouring authorities at Parish, District and County levels already operate a four year cycle and there is a case to try to establish uniform voting patterns, if possible, to try to make the system easier for voters to understand;
- The Electoral Commission advocates a four year cycle and the recent local government white paper endorses this view.

6. The legal position for changing the election cycle

For clarity on the legal position, this section has been prepared by the Monitoring Officer.

6.1 The legal process required in order to implement a change achieve such a change is fairly straightforward requiring, firstly, a resolution supporting such a change, passed by at least two thirds of the members voting thereon, at a meeting of full Council convened specially for the purpose of considering that proposal. Assuming that the resolution was passed then the appropriate Secretary of State must be petitioned to make an order confirming the change of arrangements with effect from the following

May.

- 6.2** The following time constraints are imposed by the Department for Communities and Local Government (DCLG) and I can confirm that they would need to receive such a petition by the end of September, in any year, for an order to be effective in time for the following May, i.e. any petitions received before the end of September 2007, if supported by the Sec of State, would take effect in May 2008. If this course was pursued then the elections in May 2008 would be for the whole council and councillors would be elected for a term of 3 years in order to bring us in to line with other district councils.

7. Proposals for changing the election cycle

- 7.1** When a comparison is made of both electoral cycles based on the recommendations of the Electoral Commission from 2004, the White Paper in 2006, the context of the elections held in Cheltenham since 2002, and the overall political performance of the Council during this period, a strong case can be made for moving to a four year electoral cycle in three key areas.

- 7.2** Medium to long term strategic and operational planning:

- 7.2.1** A four year election cycle can lead to better planning at both strategic and operational levels in the medium and long terms. When an administration is elected in Council with a mandate for four years, a greater degree of stability is created which allows for a more strategic approach to policy and decision making. Policy changes that take two-three years to fully implement can be seen through rather than face being stopped or diluted following a change in Council control. Both Officers and Members can have more confidence that policy direction and the required support service structure can be sustained.

- 7.2.2** In an electoral cycle of two years, an administration effectively has an 18-20 month window before the next set of elections occurs. This can create political instability and uncertainty. In a situation with a Council of no overall control, or one with a slim majority, this uncertainty is exacerbated and can discourage thinking beyond this 18-20 month period when one Party may not be in power to reap the rewards of policy changes they have put in place. This can lead to political decisions being based on short term electoral gain rather than what is in the best interests of Cheltenham as a whole.

- 7.3** Cheltenham residents' participation in elections:

- 7.3.1** A four yearly cycle would provide an opportunity for all electors in Cheltenham to influence the composition of the Council at the same time rather than only half of the Council. If voters can see the direct effect of their votes at a whole Council election and the change this may bring, this can encourage increased participation and reduce the potential for voter fatigue that can be produced through too frequent elections;

- 7.3.2** In a two yearly cycle only half of the Council is up for election. A swing in opinion across the town is not fully reflected in the composition of the Council and the ability of voters to see the impact of their votes at the election is reduced. This can also increase the instability of the Council politically when a mandate may have been provided in the number of votes cast or wards won, but this is not reflected in the composition of the Council.

7.4 Financial savings:

7.4.1 Regarding the potential for costs savings arising from the change to full council elections the position isn't as straightforward as one would envisage. This is largely because of the fact that running a single full council election is more expensive than a single half council election for the following reasons:-

- Ballot papers would cost twice as much as the number of candidates would double, therefore increasing the size of the ballot paper to at least double.
- Counting sheets for each ward would be required as it would be a multiple seat count.
- Extra counting staff would be required and for longer hours due to the multiple count.
- The Returning Officers fee would increase, the fees for multiple seat elections are higher than single seat elections due to the complexity and the increase of problems at full council elections.
- Fees in general would increase as extra staff would be required at certain times on the lead up to the elections that are not required at present.
- The expectancy is that if we change to a four year cycle that it would increase voter turnout. This being the case, we would have to increase the number of presiding officers (splitting stations that at present are 1 large station) and the number of poll clerks, therefore reducing the risk of large queues during busy times and electors not waiting to vote (as happened in 2002).
- Extra stationery, equipment & larger sized notices would be required.

This would result in an increase in budget requirement for 2008 of approximately £26,000 to fund the first full council election. However, in subsequent years there would be a saving over the four year cycle of approximately £95,000. The figures supporting this project are set out in paragraphs 7.4.3 & 4 below.

7.4.2 As for potential savings arising from staffing reductions it is not envisaged that any savings can be made in this way. This is due, in part, to the fact that much of the staffing for the conduct of elections is temporary in any event and the reduced requirement for this resource is reflected in the costs savings figures. In addition the work of the Elections Team covers County, District Parliamentary and European Elections as well as its ongoing responsibility for the maintenance of the electoral register ensuring that all those eligible to vote are able to do so.

7.4.3 The last election in May 2006 cost just over £194,000 against a budget of £183,600. With two elections in each four year cycle, overall electoral costs are approximately £531,000 over the four years, in addition to ongoing electoral registration activities. This overall cost includes fixed annual costs, unaffected by the frequency of elections.

7.4.4 Moving to a four year cycle where one election is held every four years will cost an estimated £435,000 (using the 2006 figure as the basis). This cost is higher than the current cost of operating a two year cycle as increased printing, stationery and fees will be incurred as a result of an election held every four years. There will be a potential saving of approximately £95,000 over a four year period, in addition to

ongoing electoral registration activities. This assumes the number of bi-elections do not increase as a result of a four year cycle.

7.5 It is noted that if the new cycle is accepted, in May 2008 a whole Council election will take place and Councillors will be elected for a three year term (this is advised by Monitoring Officer in order to align us with other district councils). All subsequent elections will be on a four year basis.

7.6 It is the recommendation of Cabinet Member for Internal Performance and Service Improvement that Cabinet support a change to a four year election cycle for the above key reasons and confirms the process for further consultation.

8. Proposed consultation schedule

8.1 In order to facilitate full and open discussion on this subject and allow both Members, residents and other local authorities in Cheltenham the opportunity to comment on the proposals in section 7, I propose to consult on the following basis:

1. An initial recommendation to Cabinet for agreement in principle and to consult further on the proposed change in the election cycle (23 January 2007 Cabinet meeting).
2. Overview and Scrutiny debate and submission of comments and recommendations to the Cabinet Member for Internal Performance and Service Improvement and Monitoring Officer (from Scrutiny meetings at the end of March 2007).
3. A short period of public consultations and submission of comments on the proposals. This will be for four weeks and open on March 5th 2007 and close on March 30th 2007. A briefing note outlining the options for the election cycle will be produced for issue by the Policy and Public Relations team (based upon this paper) and comment forms will be available in paper and online formats. Comments will also be requested from Parish Councils within the Cheltenham Borough Council boundary and the County Council. All comments received will be reviewed by the Cabinet Member for Internal Performance and Service Improvement and Monitoring Officer.
4. A revised report to Cabinet will include Overview and Scrutiny and public consultation comments. Cabinet will determine whether to proceed with a change in the election cycle and if accepted, will confirm the final recommendations for submission to Full Council (17 April 2007 Cabinet meeting).
5. Full Council debate and voting on the final recommendations will take place on 28 June 2007.

8.2 Assuming that Full Council confirms the recommendations for a four year election cycle, a petition to the Secretary of State will be submitted by September 2007.

Background Papers

The Cycle of Local Government Elections in England – January 2004

Local Government White Paper, Strong and Prosperous Communities (2006)

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| Accountability | Cllr Wall, Cabinet Member for Internal Performance and Service Improvement Full Council |
| Scrutiny Function | N/A |