

Report to Stronger Council Select Committee

Date of meeting: 15 October 2019

Subject: Local Elections 2019 - Review

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Recommendation:

(1) That the Select Committee:

- (a) review the management and delivery of the local elections held on 2 May 2019;**
- (b) consider any proposals of the Returning Officer for changes to arrangements for the management and delivery of local elections in future years; and**
- (c) make appropriate recommendations to the Returning Officer for any further changes to be made to the future management and delivery of local elections; and**

(2) That the Select Committee note provisional verification and counting arrangements for the Police, Fire and Crime Commissioner for Essex and local elections to be held on 7 May 2019.

Introduction

Summary

1. This report discusses the planning, management and delivery of the local elections held on 2 May 2019. The report does not address arrangements made for the European Parliamentary election held on 23 May 2019, as a number of arrangements and processes for such election were prescribed by the appointed Regional Returning Officer for the Eastern Region (the Chief Executive of Chelmsford City Council).
2. The report identifies that, in the opinion of the Returning Officer, the planning, management and delivery of all relevant processes for the local elections was very effective. The management and delivery of the elections has been reviewed by the Elections Planning Group chaired by the Returning Officer and any issues requiring changes to arrangements for future years have been highlighted within this report. Candidates and agents involved in the local elections have been consulted on the management and delivery of the elections and any observations received are also contained within the report.

District and Parish Elections – 2 May 2018

3. The Elections Planning Group met regularly from the autumn of 2018 in order to plan for the elections and to ensure that relevant processes were undertaken at the appropriate times. A

project plan and risk register was prepared for the election, which reviewed and updated on a regular basis. However, it had not been anticipated that the previous Returning Officer would leave the authority in late 2018. A report was therefore made to the Council in December 2018 to appoint D. Macnab (Acting Chief Executive) as Returning Officer and Electoral Registration Officer. The new Returning Officer attended relevant training courses facilitated by the Society of Local Authority Chief Executives during January 2019 to ensure a smooth transition and as the Elections Planning Group was working to a project plan in its preparations for the local elections, all processes remained on track throughout the handover period.

4. There were 19 seats on the Council due for election in May 2019, of which all were due in the electoral cycle. No seats were due for election as a result of the resignation of a sitting councillor, although two seats (Hastingwood, Matching and Sheering Village, and Shelley) were not contested. Elections were also held for 28 parish and town council wards across the district (including two by-elections) on 2 May 2019.

(a) Publicity

5. A national campaign was once again undertaken by the Electoral Commission to promote opportunities for online inclusion in the Electoral Register.
6. To support and encourage registration and voting, the Corporate Communications Manager also undertook a sustained publicity campaign throughout the period of registration deadlines and during the run-up to the election.

(b) Pre-election Period

7. The nomination process for the elections worked well and officers were once again able to undertake the informal checking of nomination forms before the deadline for the receipt of nominations. As in previous years, a briefing session was held for local election candidates and agents (including town and parish councils), following the deadline for the receipt of nominations, in order to brief those standing for election on the arrangements to be employed by the Returning Officer for the management of the election and count processes. Local media representatives were also invited to attend the briefing session and, from the perspective of the Returning Officer, the briefing is considered to continue to be a useful exercise in preparation for the local elections each year.
8. All of the ballot papers for the election were printed by the Council's Reprographics Section, which once again provided an excellent service to the Returning Officer, particularly bearing in mind the tight timescale available for the printing of the papers. However, it should be noted that, with the closure of the Reprographics Section in August 2019, alternative arrangements for the printing of ballot papers for the local elections to be held in May 2020 and future years (and any general election or referendum required to be held later this year), will need to be arranged.
9. All books of ballot papers were hand checked and were supplied with ward names and ballot numbers printed on the cover of each book so that Presiding Officers could easily verify ward details when issuing ballot papers. Although this approach to the checking of the ballot papers is time-consuming, the Returning Officer considers that it is worthwhile, as no errors in the issue of ballot papers occurred in any polling station.
10. In the run up to the election, the Returning Officer received valuable assistance from Essex Police. The Returning Officer met with representatives of Divisional Commander Chief Inspector Lewis Basford to discuss the policing of the elections and the security measures to be put in place for polling stations and the count centre and to ensure the integrity of the election process. There was a very visible presence by Essex Police throughout the period of the election and the Returning Officer has recorded their appreciation to Chief Inspector Basford and his officers for

their support in maintaining the security of the election process and at the count, although no situations requiring the presence of uniformed officer presence occurred this year.

11. Only minor issues were raised with the Returning Officer during the pre-election ('Purdah') period and no formal matters were required to be pursued with the police. The Corporate Communications Manager handled one enquiry about publicity during the pre-election period, in relation to consideration of the St. John's Road development project by the Cabinet, which were defined as the discussion of an on-going project rather than formal 'announcements' that might otherwise be unacceptable during the purdah period.

(c) Postal voting

12. The local elections illustrated that postal voting continues to be popular amongst registered electors across the district and a total of 6010 postal vote packs for the local elections were issued on 16 April 2019. A low number of ballots were rejected by the Returning Officer at the scanning stage of the postal vote opening process and no evidence of fraudulent activity was identified.
13. Although 100% of identifiers were checked as part of the scanning process, some technology issues arose during the postal vote opening sessions with regard to the operation of the scanning equipment. As a result of the reliability issues encountered with some of the scanning equipment that has now been used for postal vote opening processes over a number of years, it is likely that expenditure will need to be incurred in the replacement of relevant equipment to ensure the effective management of postal vote processes at future elections.

(d) Staffing

14. The Returning Officer encouraged all Service Directors to release appropriate officers to participate in the election and Service Directors were helpful in making officers available for all processes related to the elections. Staff appointments for the elections were facilitated through the use of an electronic system which enabled employment offers to be issued and accepted online. This approach had replaced a paper-based system for the local elections in May 2018 and has worked well.
15. Staff appointments for the elections were completed during February 2019. Relevant staff attended effective training sessions for each stage of the election process, in accordance with the project plan. The briefing made to all staff employed on the election stressed the importance of customer care at all times during the election and no complaints were received from voters with regard to the performance of staff employed at polling stations.
16. Assumptions made about the level of staff required for the issue and opening of postal votes proved correct, as these processes were completed efficiently and effectively by a large team of experienced staff. An appropriate level of staffing for polling stations and the count process was achieved and officers of the Democratic Services Section and other service areas provided essential support to the Electoral Services Section, by assisting with the handling of enquiries concerning registration and voting.

(e) Polling Stations

17. On the day of the election, all polling stations opened on time and operated throughout voting hours (7.00am-10.00pm) without any significant difficulties being required to be resolved by the Returning Officer. The procedure developed for the handling of queues at the close of poll were not required to be invoked and turnout was at the level expected for local elections.

18. There were some changes to traditional polling station arrangements for the local elections on 2 May 2019:

Allnutts Institute, Epping

19. The Allnutts Institute (Hemnal Ward) was no longer available for use as a polling station due to the condition of the building and was replaced for the local elections by the nearby Scout Hut in Flux's Lane. Whilst the Scout Hut premises had been inspected and evaluated as suitable, this was the first occasion on which it was used for polling purposes and its suitability going forward will be assessed by the Returning Officer.

Hillhouse Primary School, Waltham Abbey

20. The polling station at Hillhouse Primary School (Waltham Abbey Paternoster Ward) was no longer available for use as a polling station and was replaced for the local elections by facilities at Waltham Abbey Leisure Centre. Whilst the Leisure Centre premises had been inspected and evaluated as suitable, this was the first occasion on which it was used for polling purposes and its suitability going forward will be assessed by the Returning Officer.
21. No observations regarding polling stations were received either on the day of the election or as a result of the post-election consultation exercise, although it was reported that, at one polling station, there were too many tellers from one political party.
22. However, a communication was also received from a member of the public with regard to the alleged activities of tellers at the polling station at North Weald Village Hall, who apparently sought to question electors as to the exercise of their individual vote when leaving the polling station. Although this approach by tellers has not been able to be substantiated by the Returning Officer, it is clearly unacceptable, for electors to be questioned in this way. The current protocol for the activities of tellers will be reinforced as part of the planning arrangements for the local elections to be held in May 2020 and will be reemphasised as part of the briefing session for local election candidates and agents.

(f) Verification and Count

23. A separate count plan was prepared for the verification and count stages of the election. The verification and counting of ballot papers for the local elections took place at Debden Park High School in Loughton and the assistance of the School in supporting the smooth operation of the Count has been recognised by the Returning Officer. It is the view of the Returning Officer that, in instances where a single type election is concerned or counting activities are required to be held on the day of an election, that the facilities available at Debden Park High School represent the best option for the effective management of the Count.
24. Counting commenced immediately on the close of poll, with the verification of postal votes. The count was undertaken using a 'mini count' system and a bespoke spreadsheet was used to simplify relevant procedures in the verification of ballots and the preparation of results. The Returning Officer intends to continue to develop electronic count processes where opportunities arise, to further aid the effective management of the count. Again, this year, appropriate public-address equipment was hired by the Returning Officer for temporary installation at Debden Park High School to facilitate the making of announcements during the count and the declaration of results.
25. The Corporate Communications Manager ensured that appropriate publicity was made available at all stages of the count process, with appropriate links to the Council's website. Social media was also used to communicate the results of the local election and the Council provided effective

media facilities at the Count. Despite a recount being required in respect of one parish ward, the Count was concluded by approximately 1.00am, just over three hours in duration.

26. As a result of issues experienced at the local election count in May 2018, the Returning Officer revised the terms of attendance for the count, to restrict attendance to the Count Centre by any person showing signs of the effects of the consumption of alcohol and to prohibit the drinking of alcohol within the Count Centre. Essex Police have advised that, despite the prominent display of warning signs at the Count Centre, some attendees were still present at the count under the influence of alcohol. The Police have confirmed that officers did not witness any direct consumption of alcohol at the Count Centre, but that they were aware of some attendees that became increasingly inebriated throughout the period of the count. The Returning Officer will therefore consider whether any additional requirements in this regard should be implemented for the local elections to be held in May 2020.

(g) Post-Election Consultation

27. The Returning Officer has written to all candidates and agents for the local elections, to seek comments or observations with regard to the management and delivery of the elections for consideration by the Select Committee. Members were also invited to comment on the management and delivery of the elections, through the Council Bulletin on 26 July 2019.
28. Whilst a majority of the general comments received by the Returning Officer were complimentary about the management and delivery of the local elections, some specific responses were made to the consultation exercise. These are set out in the following paragraphs of this report, together with the response of the Returning Officer. Where appropriate, comments received from candidates, agents and members of the Council will be considered as part of the planning arrangements for the local elections to be held in May 2020:

Nominations and Expenses Forms

29. Councillor N. Bedford (in the capacity of a party agent) has suggested that the nomination and expenses process was over-complicated and might deter individuals from standing for election at the local level.
30. The Returning Officer has confirmed that the Council has no control over the information required for the nomination and expenses process. The Council utilised standard nomination papers and expenses forms developed by the Electoral Commission for the local elections. The comments raised by Councillor Bedford have been passed to the Electoral Commission for consideration.

Expenses Form

31. One party agent has suggested that the post-election expenses form should contain clear guidance notes for completion;
32. The Returning Officer has confirmed that the Council has no control over the information required for the nomination and expenses process. The Council utilised standard nomination papers and expenses forms developed by the Electoral Commission for the local elections. The comments raised by the party agent have been passed to the Electoral Commission for consideration.
33. Another party agent has suggested that the existing notes page for the expenses form should make it clear that, where the candidate is also the agent in town/parish elections, they would need to sign the nomination form as the agent also.

34. Whilst the Council has no control over the information required for the nomination and expenses process and utilised standard nomination papers and expenses forms developed by the Electoral Commission for the local elections, the Returning Officer has revised the relevant part of the form for future local elections, to make it clear that it is the candidate that is required to sign the form, as there is no provision for the appointment of agents for town/parish council elections. The comments raised by the party agent have also been passed to the Electoral Commission for consideration.

Electoral Register

35. Another party agent raised concern that in previous elections, the Council had issued an electronic version of the Electoral Register as soon as a candidate had confirmed that they intended to stand for election for a particular political party but that, this year, the register was not supplied until the completed nomination forms had been submitted.
36. The Returning Officer has confirmed that copies of the Electoral Registers are only provided to election candidates once they have submitted their correctly completed nomination papers and that has been the process for over twenty-five years. Political parties are entitled to request one copy of the Electoral Register each year (either data or paper) and such request is usually made on publication of the Register each December, but can be made at any time.

Count

37. One local council candidate has suggested that consideration be given to having Town/Parish Council counts on the Friday morning and just having the District Council count on the Thursday night.
38. The Returning Officer must take a number of factors into account when determining arrangements for the local election count, including the availability of the Count Centre and the appointment of sufficient levels of count staff. The Returning Officer considers that the facilities available at Debden Park High School represent the best option for the effective management of local election count, but the school facilities are not available for day-time counts during term time. However, the Returning Officer considers all options available for the management of the count when planning the delivery of local elections.
39. No comments have been received from members of the Council with regard to the management and delivery of the local elections

Future Elections and Lessons Learned

40. It is the opinion of the Returning Officer and their senior staff that there were no material issues arising at the local elections held on 2 May 2019 that require changes to existing practices and procedures, all of which were completed successfully. Lessons learnt from the management and delivery of the local elections will be fed into the planning process for the elections to be held on 7 May 2020, which will begin shortly.
41. In May 2020 there will be elections for the Police, Fire and Crime Commissioner (PFCC) for Essex, alongside local district and parish council elections. Arrangements for the holding of the PFCC election and the verification and counting of ballots will, to a significant extent, be prescribed by the appointed Police Area Returning Officer (the Chief Executive of Colchester Borough Council).
42. However, members should be aware that the May Day Bank Holiday in 2020 has been moved to the day after the PFCC and local elections (8 May 2020) as part of the national celebrations to commemorate the 70th anniversary of VE day. This will mean that the verification and counting

of ballots will be unlikely to be able to take place on 8 or 9 May 2020 as a result of the holding of celebratory events and that it will therefore be necessary for counting activities for the PFCC and local elections to be undertaken across the Sunday of the bank holiday weekend and into the early part of the following week. The Returning Officer will ensure that members are kept advised of arrangements for the elections as these are finalised over the coming months.

43. The Select Committee is requested to review the management and delivery of the local elections held on 2 May 2019 and consider any proposals of the Returning Officer for changes to arrangements for the management and delivery of local elections in future years, and to make appropriate recommendations to the Returning Officer for any further changes to be made to the management of future local elections.

European Parliamentary Election - 23 May 2019

44. This report does not discuss the planning, management and delivery of the European Parliamentary election held on 23 May 2019, which was held three weeks after the local elections. As only short notice was available to the Returning Officer to make relevant local preparations for the election, a majority of staffing, polling station and verification arrangements were replicated from the local elections. A number of arrangements and processes for the European Parliamentary election, including arrangements for the count and local declaration of the 'result' of the election, were prescribed by the Regional Returning Officer.

Review of Polling District, Polling Places and Polling Stations

45. The Electoral Registration and Administration Act 2013 introduced a change to the timing of compulsory reviews of UK Parliamentary polling districts, polling places and polling stations. As the Select Committee will be aware, the findings of the recent compulsory review for the Epping Forest District were considered by the Council at its meeting on 30 July 2019.