

# WEST DUNBARTONSHIRE COUNCIL

## Report by the Returning Officer

Council: 28 May 2008

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**Subject: Scottish Government Response to the Independent Review of the Scottish Parliament and Local Government Elections 2007**

### **1. Purpose**

**1.1** This report deals with the Scottish Government's response to the Gould report on the Scottish Parliament and local government elections held on 3 May 2007. The associated consultation seeks the Council's views on the timing of future local elections.

### **2. Background**

**2.1** Following problems experienced in the combined Scottish Parliament and local government elections in May 2007, an independent report was commissioned from Ron Gould – "The Gould Report".

**2.2** The Scottish Government takes the view that three of the recommendations arising from the Gould report are central to the proper organisation of future elections:-

- combining legislative and executive responsibility for Scottish Parliament and local government elections
- decoupling local government and Scottish Parliament elections so they are held on different dates; and
- the creation of the post of Chief Returning Officer for Scotland (CRO)

**2.3** While decoupling and the creation of a CRO post for local government are within the competence of the Scottish Government and Scottish Parliament, policy and legislation for the Scottish Parliament are reserved matters and so are the responsibility of the UK Government and Parliament.

**2.4** The Scottish Government recognises that progress is only possible or achievable in full consultation with key stakeholders – electoral administrators, candidates and electors and as a first step, has issued a consultation paper on decoupling the elections.

### **3. Main Issues**

**3.1** The paper deals with a number of key issues arising from the elections and highlights a number of topics for future research and further consultation including ballot paper design, overnight counting, electronic counting and the

role of a CRO. It contains a commitment to ensure that future election legislation will be on the statute books six months before the election date.

**3.2** The consultation paper relates solely to the issue of decoupling and offers four options:

- **Option 1:** continue to hold the local government elections in the same year as those for the Scottish Parliament but move them to another date, for example the first Thursday in November rather than the current date of the first Thursday in May.
- **Option 2:** hold the local government elections halfway through the term of the Scottish Parliament. This could be achieved in a number of ways :
  - by reducing the current council term by two years (2009)
  - by extending the current council term by two years (2013)
  - by having two five year terms (2012, 2017) then 4 yearly
  - by having two three year terms (2010, 2013) then 4 yearly
- **Option 3:** hold the local government elections one year after the date of the Scottish Parliament elections: (i.e. 2012) then four yearly
- **Option 4:-** hold the local government elections one year prior to the date of the Scottish Parliament elections. (i.e 2010) then four yearly.

(For options 2, 3 and 4, it is assumed that the election would continue to be on the first Thursday in May. However, consideration could be given to an alternative date should it be deemed appropriate.)

**3.3** The Scottish Government is in favour of moving the local government elections to a position midway through the Parliamentary term. This would involve extending the present council term and the next council term by 1 year, thus holding local government elections in 2012 and 2017, after which returning to a four year term.

**3.4** The consultation concludes with three questions. Responses are suggested for discussion.

*Do you agree that the elections should be decoupled?*

Yes. In April 2005, this council, in common with many others, responded to an earlier consultation with the recommendation that the 2007 polls should be decoupled. It is clear that the combination of polls and electoral systems exacerbated the problems experienced at these elections. Local elections should reflect local issues and these tend to be lost in a combined poll with a Parliamentary election.

*When should the next set of local government elections be held?*

The most practical date for the next local government elections is May 2012, which will extend the term of the current councils by one year. This should allow sufficient time for necessary legislative and administrative procedures to be put in place.

*What issues or problems do you envisage encountering by moving the elections to any of the options outlined and what solutions would you suggest?*

It would not be practical to hold a second set of elections in the same year as the Scottish Parliament elections. A winter poll could lead to voter fatigue and reduced turnout, while a second election is likely to challenge political parties and councils alike for organisational and financial reasons.

Creating a regular mid-term “slot” for local elections could be beneficial. Bringing the elections forward to achieve this is not a practical option because of the legislative timetable to effect the necessary changes. The issue of electronic counting still needs to be resolved and any contracts put in place in time for a local election. This could not be achieved with a 2009 poll. Deferring the first poll until 2013 would be unreasonable while creating two three year terms (2010: 2013) before reverting to a four year cycle (2017: 2021) would leave insufficient time to prepare and would place a heavy financial burden on councils. The only practical way of implementing “mid-term” elections would be to settle on two five year terms (2012: 2017), before reverting to a four year cycle.

Holding the first elections in 2012, then reverting to a four year cycle is also a practical option as none of the dates would clash with other scheduled elections.

Holding the first elections in 2010, a year before the Scottish Parliament elections, and then reverting to a four year cycle is again impractical because of the problems of meeting the necessary legislative and administrative guidelines.

It is important, insofar as possible, to ensure that any new pattern would not clash with future scheduled elections. It is not possible at this stage to programme UK Parliament elections or any future referendums. A list of scheduled election dates is attached as the Appendix to this report.

**3.5** Consultation responses must be submitted to the Scottish Government by Thursday 12 June 2008.

#### **4. Personnel Issues**

**4.1** Any election involves personnel issues insofar as extensive staffing resources are required to manage and deliver elections. Management is normally delivered in-house, with poll and count staff being recruited specially for the purpose.

## **5. Financial Implications**

- 5.1** The decoupling of local government and Scottish Parliamentary elections has extensive financial implications for councils, particularly if electronic counting is adopted as the preferred solution. The costs of running the elections in 2007 were shared between local and central government and the costs of electronic counting were almost wholly met by the Scotland Office and the Scottish Parliament. If local elections take place independently, the complete costs will fall to local councils. Additional funding will need to be sought from the Scottish Government if councils are to be required to meet the complete costs of an STV election and an e-count.

## **6. Risk Analysis**

- 6.1** Experience indicates that the risk of delivering a successful election is increased by combination with another poll. It is therefore preferable to separate the local elections, with their complex STV system, from other polls.

## **7. Conclusions**

- 7.1** Decoupling the local and Scottish Parliament elections is in the interests of local democracy.
- 7.2** While the most suitable date for the next local elections, for legislative and administrative reasons, is 2012, this can be achieved either by moving towards a mid-term solution for the timing of elections, which would involve two five year terms, or simply by extending the current term to five years then reverting to a four year cycle.

## **8. Recommendations**

- 8.1** It is recommended that the Council respond to the consultation by the closing date of 12 June 2008.
- 8.2** The recommendation is that the elections should be decoupled and the next poll held in 2012.
- 8.3** The Council should discuss and consider whether this can best be achieved by moving to "mid-term" elections, via two five year terms or by extending the current term of councils by one year, then reverting to a four year cycle.

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**David McMillan**  
**Returning Officer**  
**16 May 2008**

## **Background Papers**

Minute of West Dunbartonshire Council -27 April 2005

Scottish Elections 2007 – Scottish Government Response to the Independent Review of the Scottish Parliamentary and local government elections

Independent review of Scottish Parliamentary and local government elections 3 May 2007 carried out by Ron Gould CM and published 23 October 2007

**Wards Affected:** All wards

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**Election Dates 2009-2019**

Scheduled election dates for other polls are as follows:

2009	European Parliament Elections	4 June
2011	Scottish Parliament Elections	May
2014	European Parliament Elections	June
2015	Scottish Parliament Elections	May
2019	European Parliament Elections	June

The last possible date for a UK Parliament election is 3 June 2010.  
This timetable makes no provision for any other possible electoral events, such as subsequent UK parliament elections which are called at the discretion of the Prime Minister, or referendums.