

CABINET MEETING: 12 OCTOBER 2017

ELECTORAL REFORM IN LOCAL GOVERNMENT IN WALES

**FINANCE, MODERNISATION AND PERFORMANCE
(COUNCILLOR CHRIS WEAVER)**

AGENDA ITEM: 6

DIRECTOR OF GOVERNANCE & LEGAL SERVICES

Reason for this Report

1. To consider the Council's response to the Welsh Government consultation on 'Electoral Reform in Local Government in Wales'.

Background

2. The Wales Act 2017, which received Royal Assent on 31 January 2017, transferred competence from the UK Parliament to the National Assembly for Wales to legislate in relation to the administration of elections to the Assembly itself and of those to local government.
3. The Welsh Government made clear its intentions to reform the local government electoral system in Wales in the 'Reforming Local Government: Resilient and Renewed' White Paper, which was published on the same day (31 January 2017). The Council's response to the Welsh Government consultation on the White Paper was agreed by the Cabinet on 16 March 2017.

Issues

4. The Welsh Government published a consultation document on 18 July 2017 entitled 'Electoral Reform in Local Government in Wales', which is attached as **Appendix A** to this report.
5. The consultation document sets out the Welsh Government's proposals to modernise the local government electoral system. It aims to explore ways in which to allow more people to participate in elections by extending the franchise to young people, by making registration easier and more automatic, by making it easier to vote using different methods and making sure people are well informed about who is standing for election.
6. The consultation covers six main areas:

- **Building the franchise**
 - Votes for 16 and 17-year-olds
 - Votes for EU Citizens and citizens of other countries
 - Votes for prisoners
- **Improving registration**
 - Data-sharing and Automatic Registration
 - Enabling a wider range of Council Officers to assist people to register
 - Relaxing rules on individual registration
 - Targeted registration campaigns
 - Identifying people moving into and out of an area
 - Developing an all-Wales electronic register
- **The voting system**
 - Offering a choice: First Past the Post or Single Transferable Vote
 - Five year terms
- **The voting process**
 - All-postal voting
 - Electronic voting
 - Remote voting
 - Electronic counting
 - Mobile polling stations
 - Voting at places other than polling stations
 - Voting on different days and on more than one day
 - Simpler postal voting procedures
 - Presenting ID at a polling station
- **Standing for election**
 - Removing need to publish candidate's postal address
 - On-line publication of candidate's statement
 - Prohibition of Assembly Member standing as council candidate
 - Requirement to declare party affiliation
 - Allowing council staff to stand for their own council
- **Returning officers**
 - Ending right to personal fee for returning officer
 - Simplifying fees and charges system

7. Members will note that some of the proposals will have implications for the National Assembly for Wales' own electoral arrangements in certain areas. A separate consultation in this regard is expected to be published in due course.
8. It is anticipated that any final proposals on electoral reform will be introduced to the National Assembly for Wales as part of a wider Local Government Bill towards the end of the second year of business of the current Assembly, in June/July 2018.

Consultation Response

9. A copy of the Council's draft response to the Welsh Government consultation document is attached as **Appendix B** to this report.
10. The closing date for submissions in response to the consultation is Tuesday 10 October 2017. In order to meet this deadline, a draft submission will be submitted to the Welsh Government on Friday 6 October 2017, subject to any amendments agreed by the Cabinet on Thursday 12 October 2017. It is recommended that authority be delegated to the Director of Governance and Legal Services, in consultation with the relevant Cabinet member, to notify the Welsh Government of any amendments to the Council's draft submission.
11. The consultation has also been forwarded to all political groups to enable groups to submit their own separate responses if they wish.

Reason for Recommendations

12. To approve the Council's submission in response to the Welsh Government consultation on 'Electoral Reform in Local Government in Wales'.

Financial Implications

13. This report is a response to a consultation and therefore there are no direct financial implications arising.
14. The attached response to the consultation has declared a positive view on some specific questions which look to increase turnout and promote voter registration but if implemented will result in an additional cost burden on the electoral services activity. The consultation response highlights the need for additional funding to be provided to local authorities in order for the proposed initiatives to be delivered.
15. There is a budget of £484,000 for Electoral Services, which covers the cost of electoral registration and the running of Council elections. The costs associated with All Wales, UK and Police Crime Commissioner elections have been and will be recovered from respective external funding sources.

Legal Implications

16. As stated in the body of the report, the National Assembly will acquire powers to make legislation applying to Welsh local elections when the relevant provisions of the Wales Act 2017 come into effect in 2018. This report provides the Council with the opportunity to submit its views, which may help to shape the Welsh Government's electoral reforms and any future legislation.
17. Under the Council's Scheme of Delegations, the Cabinet is authorised 'To agree responses to consultation papers from the Government

(including White and Green papers), from the Welsh Assembly Government, LGA, WLGA and all other bodies in respect of strategic policy' (Cabinet's Reserved Powers no. 8).

18. Members may wish to note that the Chief Executive and the Corporate Director, Resources (the Council's designated Returning Officer) have a personal interest in the proposals relating to Returning Officers (section 7 of the Consultation Document). Therefore, those officers will withdraw and take no part in the Cabinet's decisions on those issues.

RECOMMENDATIONS

Cabinet is recommended to:

1. approve the submission in response to the Welsh Government consultation on Electoral Reform in Local Government in Wales (**Appendix B**), subject to any appropriate amendments; and
2. delegate authority to the Director of Governance and Legal Services, in consultation with the relevant Cabinet member, to notify the Welsh Government of any amendments to the Council's draft submission.

DAVINA FIORE

DIRECTOR OF GOVERNANCE AND LEGAL SERVICES AND MONITORING
OFFICER

6 October 2017

The following appendices are attached:

Appendix A: [Welsh Government Consultation Paper – Electoral Reform in Local Government in Wales](#)

Appendix B: Cardiff Council Consultation Response

The following background paper has been taken into account:

[Cabinet Report, 16 March 2017: Reforming Local Government: Resilient and Renewed" White Paper](#)