

REPORT TO: THE MORAY COUNCIL

**SUBJECT: CONSULTATION ON DECOUPLING OF SCOTTISH
PARLIAMENTARY AND LOCAL GOVERNMENT ELECTIONS**

BY: THE CHIEF EXECUTIVE

1. REASON FOR REPORT

- 1.1 The Council is asked to consider and comment on the Scottish Government's consultation relating to the future decoupling of Scottish Parliament and Local Government Elections.
- 1.2 This report is submitted to Committee in terms of Section (II) (9) of the Council's Administrative Scheme relating to elections.

2. RECOMMENDATION

- 2.1 That The Moray Council consider supporting the decoupling of Local Government and Scottish Parliament Elections and submit their comments arising from this consultation, to the Scottish Government, in response to their outline proposals.

3. BACKGROUND

- 3.1 With regard to legislation; The Scottish Local Government (Elections) Act 2002 currently provides that the Local Government (LG) elections are held on the same day as those elections for Scottish Parliamentary (SP). Combined Elections have been previously held in 2003 and 2007. Furthermore the Representation of the People Act 1983 also requires that the SP Elections are held on the first Thursday in May.
- 3.2 An independent review of the Combined Elections in May 2007 commissioned by The Electoral Commission and conducted by Ron Gould made several recommendations to address issues that arose during that election. One of these recommendations was the decoupling of future elections, which are currently largely under the control of the Scotland Office.
- 3.3 The Scottish Government's response to the Gould review (March 2008) outlines their proposals in taking forward the Gould recommendations which covered a number of topics. This consultation forms part of that response by consulting those who manage and administer elections and those who stand and vote in elections, to establish their views on the issues surrounding decoupling as well as the most suitable date for the next set of LG Elections, with a view to introducing further electoral legislation in 2009.

- 3.4 The Gould report recommended that “SP elections and LG elections should be decoupled, preferably by a period of two years”. Gould added that ...”holding combined elections are a disservice to local councils, candidate and the electorate as the Parliamentary campaign overshadows the local government campaign leading to less focus on local issues”.

4. OPTIONS IN DECOUPLING ELECTIONS

- 4.1 The Scottish Government consultation paper (available in the Members lounge) lays out a number of options in the process of decoupling elections and future timing of elections as summarised below:

- Option 1 -** Continue to hold the LG elections in the same year as those for the SP 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 LG elections halfway through the term of the SP; i.e. 2 years after SP elections
- Option 3 -** Hold the LG elections one year after the date of the SP elections;
- Option 4 -** Hold the LG elections one year prior to the date of the SP elections;

- 4.2 Advantages and disadvantages to each option noted above, from an electoral administration and implementation perspective are briefly summarised in **Appendix 1**.

5. ISSUES FOR CONSIDERATION IN THE OPTIONS FOR DECOUPLING ELECTIONS

- 5.1 **Cost and Administration** – The Scottish Government’s consultation highlights that a combined election is more expensive and more complicated to administrate, but that economies of scale are gained by holding the elections together (i.e. staff employment, venue hire, procurement).

The Moray Council Election Office would highlight that due to the introduction of the electronic scanning for the count of Single Transferable Vote (STV) ballots for LG, costs for an independent LG Election will be inflated in the future with this requirement.

The costs for the electronic count for the May 2007 elections were shared equally with the SP. Manual counting of this type of STV election is very complicated during a full election and therefore protracted and with several

contests across the current 8 LG wards this may take in the region of 2 - 4 days to count manually, similar to that seen in Northern Ireland.

- 5.2 **Voter Turnout and Fatigue** – The Scottish Government’s consultation highlights that turnout for SP elections are higher than those for LG elections and by coupling the elections SP voters will use their LG vote as well. e.g. A national average of 45.9% turnout was recorded in non-combined LG elections in comparison to 53.3% in LG elections that are combined.

However the Scottish Government noted and recognised that if the LG elections are decoupled then investment would have to follow to improve turnout. e.g. increased voter awareness campaigns

With more than one election during a year, consideration has to be given to this issue particularly where there are elections held in May and June, this will add to voter fatigue.

- 5.3 **Voter Confusion** – Furthermore decoupling these particular elections will also serve to assist the voter, as only one voting system will be used at each election, whereas in May 2007 both Single Transferable Vote (STV) for LG and Additional Member System by First by the Post for SP were used. The Scottish Government’s consultation highlights that the when the SP and LG elections were held simultaneously that the voters will vote on the same set of issues in both (i.e. national issues rather than local issues).

It should be noted that, with regard to the Combined Elections 2007 in Moray, the introduction of STV and the conduct of the elections proceeded without incident. Although there was a marginal increase in spoils for the Scottish Parliament Ballot paper, this could be attributed to the design of the paper which was administered and controlled by external parties/ministers over which The Moray Council had no authority.

- 5.4 **Timing of Future Elections** in considering the options above the Elections Office has mapped out the timetable of all elections for which it administers to show when key elections would fall. (**Appendix 2**). In relation to the time of year of a proposed election, e.g. Option 1 – LG election in November, consideration should be again given to voter turnout, as it is widely recognised that poor weather and time of year has a significant impact.

6. **OPTIONS FAVOURED**

- 6.1 The Scottish Government is in favour of moving the LG to a position midway through the Parliamentary term. This would be facilitated by extending the present council term and the next council term by 1 year, creating a 5 year term, thus holding LG elections in 2012 and 2017, after which returning to a 4-year term. Although this is the preferred option, the Scottish Government remains open to views from respondents to this consultation on the range of issues raised in this consultation paper.

Proposed Current Councillor Term -	2007 - 2012
Following Term -	2012 - 2017
Following Term -	2017 - 2021

6.2 From an administration, implementation and management of elections perspective, The Moray Council Elections Office supports either Option 2 (extension of LG term by 1 year or Option 3 – extension of LG Term by 2 years) which point to the least conflicts between other major elections including European and UK Parliamentary.

However, in terms of any choice favoured, and that UK Elections can be called at any time, (or even a by-election) which can have an impact on the election timetable shown in **Appendix 2**, the Election Office is purely of the view that the voters interests are paramount and is committed to deliver to the highest standard whichever option is favoured.

The Elections Office vigorously supports the consolidation and early establishment of any further legislation in the decoupling of elections due to the fragmented nature of the current legal structure in elections, as late implementation during 2007 elections had significant issues for preparation, particularly as The Moray Council, Elections Office has limited resources.

7. SUMMARY OF IMPLICATIONS

(a) Corporate Development Plan/Community Plan/Service Improvement Plan

None arising from this consultation

(b) Policy and Legal

None arising from this consultation

(c) Resources (Financial, Risks, Staffing and Property)

None arising from this consultation

(d) Consultations

This is a Scottish Government consultation open to all members and members of the public on which to comment. Consultation with the Returning Officer has been undertaken in the preparation of this report.

8. **CONCLUSION**

Although in Moray the conduct of the combined elections in May 2007 proceeded without incident, it is noted through the recommendations of the independent Gould Review and in general national commentary that it would be in the best interests of the voter that future elections be decoupled and that The Moray Council should consider supporting this recommendation.

Within the range of options that the Scottish Government has presented in their consultation, a number of factors must be considered with respect to those options locally and with due regard to other major elections and previous observations of voter trends.

In terms of the successful administration and management of the elections by The Moray Council, Elections Office and therefore in serving the interests of the electorate of Moray, it is noted that decoupling of elections with LG elections falling 1 or 2 years behind the SP election cycle would offer the best option.

This option is favoured, with the underlining of the commitment by the Elections Office has in serving the electorate of Moray alongside the plea to national bodies to ensure that overarching electoral legislation is in future laid before parliament well in advance of electoral change.

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Background Papers: Scottish Government Response to the Independent Review if the Scottish Parliamentary and Local Government Elections (Annex A) – Decoupling the Scottish Parliamentary and Local Government Elections – Consultation Paper

Ref:

Appendix 1 –**Summary of the Advantages and Disadvantages to the options proposed by the Scottish Government in Decoupling SP/LG Elections**

	Description of Option	Advantages	Disadvantages	Other Notes
1	Continue to hold the LG elections in the same year as those for the SP but move them to another date, for example the first Thursday in November rather than the current date of the first Thursday in May;	<ul style="list-style-type: none"> - Less voter confusion due to the separation of the use of two different voting systems for SP and LG - LG Councillors remain on the standard four year term - Clear awareness and education programme can be devised focussed on one election - Potential decrease in spoilt votes through improved voter awareness - Increased awareness of the voter of the respective institutions and their responsibilities - Enhanced transparency of the electoral process 	<ul style="list-style-type: none"> - Low turnout potentially in November due to weather. - High Risk of Voter Fatigue due to 2 elections in one year - Pressure on resources and staffing availability with two major elections in a year - Very close/overlap to the annual canvass of Electoral Register which has an affect on the accuracy of the register - Added cost due elections costs not being shared - Significant elections clash in 2019 with the Euro Elections - Potentially lower turnout due to decoupling - Added Pressures on parties on campaigning 	<ul style="list-style-type: none"> - Current councillors in post for 4.5 years
2	Hold the LG elections halfway through the term of the SP; i.e. two years after the date of the SP election	<ul style="list-style-type: none"> - Less voter confusion due to the separation of the use of two different voting systems for SP and LG - Potentially less voter fatigue for voters - Increased time period facilitates LG elections as distinct from SP has the effect of lessening the marginalisation of these elections - Clear awareness and education programme can be devised focussed on one election - Avoids dominance of LG issues by national issues - Increased media coverage of local elections - Increased preparation time for administration - Potential decrease in spoilt votes through improved voter awareness - Increased awareness of the voter of the respective institutions and their responsibilities - Enhanced transparency of the electoral process 	<ul style="list-style-type: none"> - Added cost due elections costs not being shared - Potentially lower turnout due to decoupling - Added Pressures on parties on campaigning - Increased time for issues surrounding electronic counting to be resolved 	<ul style="list-style-type: none"> - Current councillors in post for 5 years, then return to a 4 year term thereafter

	Description of Option	Advantages	Disadvantages	Other Notes
3	Hold the LG elections one year after the date of the SP elections;	<ul style="list-style-type: none"> - Less voter confusion due to the separation of the use of two different voting systems for SP and LG - Potentially less voter fatigue for voters - Avoids dominance of LG issues by national issues - Increased media coverage of local elections - Increased preparation time for administration - Clear awareness and education programme can be devised focussed on one election - Potential decrease in spoilt votes through improved voter awareness - Increased awareness of the voter of the respective institutions and their responsibilities - Enhanced transparency of the electoral process 	<ul style="list-style-type: none"> - Added cost due elections costs not being shared - Potentially lower turnout due to decoupling - Added Pressures on parties on campaigning - Increased time for issues surrounding electronic counting to be resolved 	<ul style="list-style-type: none"> - Current and next term councillors in post for 5 years, then return to a 4 year term thereafter
4	Hold the LG elections one year prior to the date of the SP elections;	<ul style="list-style-type: none"> - Less voter confusion due to the separation of the use of two different voting systems for SP and LG - Potentially less voter fatigue for voters - Increased media coverage of local elections - Clear awareness and education programme can be devised focussed on one election - Potential decrease in spoilt votes through improved voter awareness - Increased awareness of the voter of the respective institutions and their responsibilities - Enhanced transparency of the electoral process 	<ul style="list-style-type: none"> - Added cost due elections costs not being shared - Potentially lower turnout due to decoupling - Added Pressures on parties on campaigning - Decreased time for preparation of election and further implementation of legislation - Decreased time for issues surrounding electronic counting to be resolved 	<ul style="list-style-type: none"> - Current term of councillors in post for 3 years

Appendix 2 - Election Timetable until 2021 under the Scottish Government's proposed options

Key*: LG = Local Government
SP = Scottish Parliament

	Option1 – Same Year	Option 2 – LG +1 yr	Option 3 – Move to LG +2 yr	Option 4 – LG -1 yr
2007	SP/LG (May)	SP/LG (May)	SP/LG (May)	SP/LG (May)
2008				
2009				
2010				LG (May)
2011	SP (May) LG (Nov)	SP (May)	SP (May)	SP (May)
2012		LG (May)	LG (May)	
2013				
2014				LG (May)
2015	SP (May) LG (Nov)	SP (May)	SP (May)	SP (May)
2016			LG (May)	
2017		LG (May)		
2018				LG (May)
2019	SP (May) LG (Nov)	SP (May)	SP (May)	SP (May)
2020			LG (May)	
2021		LG (May)		LG (May)

* A UK general election must be held at least every five years, although one can be called at any time, one was rumoured in late 2007 and is also rumoured in 2009 either prior or combined with European Elections with the latest one can be held being 2010. The exact timing of a general election is decided by the Prime Minister and often there will be an election before the full five years has elapsed. The European elections (5 year cycle, next due 2009) and also the Community Councils (4 year cycle, next due 2009) are not noted above.