

**FLINTSHIRE COUNTY COUNCIL**

<b>Date of Meeting</b>	Wednesday 27 <sup>th</sup> September 2017
<b>Report Subject</b>	Welsh Government Consultation Paper <i>Electoral Reform in Local Government in Wales</i>
<b>Report Author</b>	Chief Executive

**EXECUTIVE SUMMARY**

Earlier this year Welsh Government published a White Paper called *Reforming Local Government: Resilient and Renewed*. The White Paper was a statement of intent for the future of local government in Wales. The White Paper included proposals for electoral reform. Flintshire made a formal response to the consultation following a debate by full Council.

The Cabinet Secretary for Local Government and Finance has made statements on the intentions of Welsh Government to draft legislation to follow the White Paper, having taking into account the results of the consultation. The first more detailed consultation paper to emerge is entitled *Electoral Reform in Local Government in Wales*.

The consultation paper covers:-

- the voting franchise
- registration
- the voting system
- the voting process
- standing for election
- Returning Officers

The closing date for consultation responses is 10 October.

The report reminds Council of the position in took on the previous White Paper and sets out an outline of a response as the basis of a debate by Council. A comprehensive suggested draft response, which covers all of the consultation questions, will be circulated at the meeting.

**RECOMMENDATION**

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| 1. | That Council make a response to the consultation paper. |
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## REPORT DETAILS

<b>1.00</b>	<b>BACKGROUND: WHITE PAPER REFORMING LOCAL GOVERNMENT: RESILIENT AND RENEWED</b>
1.01	Earlier this year Welsh Government published a White Paper called <i>Reforming Local Government: Resilient and Renewed</i> . The White Paper was a statement of intent for the future of local government in Wales. The White Paper included proposals for electoral reform. Flintshire made a formal response to the consultation following a debate by full Council.
1.02	The White Paper replaced the earlier Local Government (Wales) Bill of the previous Welsh Government, a piece of draft legislation which had proposed a structural reorganisation of local government. In a change of policy direction the new White Paper advocated extensive regional collaborative working, supported by the unitary local authorities which are in existence, as an alternative to a structural reorganisation. The White Paper reinforced the role and importance of the local government in Wales.
<b>2.00</b>	<b>CONSULTATION PAPER: ELECTORAL REFORM IN LOCAL GOVERNMENT IN WALES</b>
2.01	The Cabinet Secretary for Local Government and Finance has made statements on the intentions of Welsh Government to draft legislation to follow the White Paper, having taking into account the results of the consultation. The White Paper had included a chapter on electoral reform and the first more detailed consultation paper to emerge is entitled <i>Electoral Reform in Local Government in Wales</i> . Much of the content is consistent with the earlier White Paper. The closing date for consultation responses is 10 October. (The full consultation paper is attached at Appendix 1)
2.02	The consultation paper covers:- <ul style="list-style-type: none"><li>• the voting franchise</li><li>• registration</li><li>• the voting system</li><li>• the voting process</li><li>• standing for election</li><li>• Returning Officers</li></ul>
2.03	The formal response of the Council to the chapter of the earlier White Paper on electoral reform, which was high level and general in content, said:- <p><i>“We welcome the opportunity to modernise electoral registration and elections practices through for example digitisation and mobility of voting. We fully support a public debate on lowering the voting franchise age to 16. Any modernisation should ideally be introduced across the whole of Wales uniformly in the interests of consistency of practice. Given that Wales has a small and expert professional elections community this is entirely possible. National investment will be required to support systems development and testing, new equipment, and training and skilling. As yet there has been no consultation with the professional community or national expert bodies such</i></p>

	<i>as the Electoral Commission. We do not support the conferment of the power to councils to introduce the Single Transferable Vote (STV) for local elections. There should be a uniform voting system in Wales which is commonly understood and practiced consistently. Flintshire calls for a national referendum on the introduction of STV if Welsh Government is to pursue its introduction.”</i>
2.04	The Council response should build on this previous position to be consistent.
2.05	The more prominent proposals or options within the consultation paper are:- <ul style="list-style-type: none"> <li>• the proposal to lower the age of franchise for voting to 16 for elections where Welsh Government has jurisdiction;</li> <li>• the proposals to introduce the discretionary power for councils to introduce the Single Transferable Vote (STV) for their own elections if there is a two-thirds majority of the council membership in favour;</li> <li>• the option for council employees being eligible to stand for election for their own council;</li> <li>• various options for modernising electoral registration and voting methods; and</li> <li>• the option to extend the right to vote to prisoners.</li> </ul>
2.06	The Council has already taken a position on the first and second of these issues. It is disappointing that despite an overwhelming rejection of the STV proposal by local government during the earlier White Paper consultation this proposal has been carried forward into this next paper. Similarly, the option for council employees to stand for election for their own council was tested out by Welsh Government in a much earlier consultation (entitled <i>Power to the People</i> ) and, as the commentary in this new consultation papers notes “ <i>at that time the weight of opinion was against this idea but we wish to test it again</i> ”. Council will be invited to strongly object to this option as restrictions to prevent employees (not bound by the rules on political restrictions due to seniority) from entering into high profile political or partisan roles which would bring their impartiality into question, and could cause conflicts in relationships with members and fellow officers, is in the interests of good governance.
2.07	A comprehensive suggested draft response, which covers all of the consultation questions, will be circulated at the meeting. This will be introduced with a short presentation.

<b>3.00</b>	<b>RESOURCE IMPLICATIONS</b>
3.01	None specific at this early stage of the legislative process. However, changes to elections systems would require investment in new technologies and their trialling, capacity, training, and public awareness. Welsh Government should accept. The options and proposals within the consultation paper are un-costed at this stage.

<b>4.00</b>	<b>CONSULTATIONS REQUIRED / CARRIED OUT</b>
4.01	The consultation on the White Paper preceded this more specific consultation.

<b>5.00</b>	<b>RISK MANAGEMENT</b>
5.01	There are a number of risks to governance, public participation and confidence in the elections system, and resources, posed by the consultation paper.

<b>6.00</b>	<b>APPENDICES</b>
6.01	1. Consultation Paper: <i>Electoral Reform in Local Government in Wales</i>

<b>7.00</b>	<b>LIST OF ACCESSIBLE BACKGROUND DOCUMENTS</b>
7.01	<p>Previous Welsh Government and Council papers on the White Paper.</p> <p><b>Contact Officer:</b> Chief Executive  <b>Telephone:</b> 01352 702101  <b>E-mail:</b> chief.executive@flintshire.gov.uk</p>

<b>8.00</b>	<b>GLOSSARY OF TERMS</b>
8.01	<p><b>White Paper:</b> a policy paper which sets out the intention to pass legislation and is published for consultation and scrutiny.</p> <p><b>Bill:</b> the piece of draft legislation which precedes an Act in the legislative process.</p>