



ELECTIONS COMMITTEE

Date: 3 FEBRUARY 2011 AT 7pm.

Please note time of meeting

Committee Room 8
Civic Suite
Lewisham Town Hall
London SE6 4RU

Enquiries to: Evelyn Akoto
Telephone: 020-8-314-9678 (direct line)

MEMBERS

Councillor Owolabi-Oluyole	(LAB)	CHAIR
Councillor Bowen	(LD)	VICE-CHAIR
Councillor Curran	(LAB)	
Councillor Hall	(LAB)	
Councillor Paschoud	(LAB)	
Councillor Peake	(LD)	

Members are summoned to attend this meeting

Barry Quirk
Chief Executive
Lewisham Town Hall
Catford
London SE6 4RU
Date: 25 January 2011



INVESTOR IN PEOPLE

The public are welcome to attend our committee meetings, however, occasionally, committees may have to consider some business in private. Copies of reports can be made available in additional formats on request.

Members of the public are welcome to attend committee meetings. However, occasionally, committees may have to consider some business in private. Copies of agendas, minutes and reports are available on request in Braille, in large print, on audio tape, on computer disk or in other languages.

Elections Committee Agenda

Part 1

Item		Pages
1.	Minutes	1 - 6
2.	Declaration of Interest	7 - 10
3.	Follow up to Election Committee meeting 18 October 2010	11 - 18

Members of the public are welcome to attend committee meetings. However, occasionally, committees may have to consider some business in private. Copies of agendas, minutes and reports are available on request in Braille, in large print, on audio tape, on computer disk or in other languages.

Agenda Item 1

ELECTIONS COMMITTEE		
Report Title	Minutes	
Key Decision		Item No. 1
Ward		
Contributors	Chief Executive	
Class	Part 1	Date: 3 February 2011

Recommendation

It is recommended that the Minutes of that part of the meeting of the Elections Committee, which was open to the press and public, held on 18 October 2010 be confirmed and signed (copy attached).

This page is intentionally left blank

LONDON BOROUGH OF LEWISHAM

MINUTES of the meeting of the ELECTIONS COMMITTEE, which was open to the press and public, held on MONDAY, 18 OCTOBER 2010 at LEWISHAM TOWN HALL, CATFORD, SE6 4RU at 6 p.m.

Present

Councillors Owolabi-Oluyole (Chair), Bowen, Curran, Hall, Paschoud and Peake

<u>Minute No.</u>	<u>Action</u>
1.	
	<u>ELECTION OF CHAIR</u>
	RESOLVED that Councillor Owlabi-Oluyole be elected Chair and Councillor Bowen elected Vice Chair of the Committee.
2.	
	<u>MINUTES</u> (page
	RESOLVED that the Minutes of the meeting of the Committee, which was open to the press and public, held on 28 January 2010 be confirmed and signed.
3.	
	<u>DECLARATIONS OF INTERESTS</u> (page
	There were no declarations
4.	
	<u>ELECTORAL AGENDA: THE NEXT 5 YEARS</u> (page and appendices at page
4.1	The Head of Law presented the report to the committee. The Head of Law provided the Committee with an outline of anticipated referendums, elections, statutory reviews and relevant legislative changes over the next five years (2010 – 2015) and their impact on Lewisham’s forthcoming electoral agenda.
4.2	Councillor Hall asked whether local resources in the borough will be able to cope with the anticipated change. The Head of Law replied that Lewisham has a staffing budget for elections and for canvass. However funding for election is submitted and reimbursed from Cabinet /or GLA if it is regional. Every four years Lewisham has to pay for its local election. The Chief Executive continued that there will not be a budget reduction for this area, but that an increase was unlikely.
4.3	Councillor Paschoud raised concern about how the Individual Electoral Registration (IER) will work in practical terms in the borough and suggested

Minute
No.Action

that support be given to people with Learning Disabilities.

- 4.4 With regards to canvassing, Cllr Hall asked what Lewisham can further do to publicise the need for people to register. The Head of Law replied that there are a range of things on-going to ensure this.
- 4.5 Councillor Curran inquired about the role of the Election's Committee and its ability to affect decisions brought before them, specifically on how it can make a submission to the GLA on matters raised in the meeting. The Chief Executive replied that currently there is no legislation underpinning proposed electoral changes, as it is not yet a Bill. However he welcomed the possibility of making a submission to the GLA or other responsible bodies.
- 4.6 Councillor Curran asked for the definition of excessive Council tax. The Head of Law explained that it is that the Secretary of State should have powers to set any principal rises in Council tax, likely to be zero and any local authority that exceed this will have to offer a referendum, and can therefore only increase if local people agree.
- 4.7 Councillor Hall requested that the committee be kept informed on work being done on ward boundary changes by the Boundary Commission. The Chief Executive replied that all work in this area will be referred to the committee when received. The Committee suggested that even though the issues under discussion were not executive matters, the Mayor & Cabinet be informed of the implications of all changes as they could have an impact on future decision making.

RESOLVED The committee AGREED the following additional proposals:

1. election officers to do further publicity work for Canvass 2010
 2. the Committee to meet in January 2011 to review progress and to receive further update
 3. seek consultation on all future electoral changes, especially on boundary changes
 4. lobby the LEA / or the necessary department responsible for electoral changes and also lobby for practical help for people with Learning Disability on IER
5. CANVASS 2010 (Page and Appendix at page
- 5.1 The Electoral Services Manger presented the report. This report provided the Committee with a review of Lewisham's Electoral Registration processes particularly the Annual Household Registration Audit , commonly known as the Canvass, and reviews the steps taken to address

completeness and integrity in compiling the register.

- 5.2 With regards to the number of voids, Councillor Paschoud asked whether Lewisham's figures are high in comparison to other London Borough. The Electoral Services Manager replied that the figures are comparable to that of Tower Hamlet, Southwark and Hackney. Records used are of registered residents, and this can be cross referenced only by information held by the Authority, such as council tax, the Electoral Registration Officer has ability to utilise external agencies.
- 5.3 The Chair asked what was being done between now and December to achieve last year's canvass rate of 92%. The Electoral Services Manager replied that canvass is ahead of last year's figures around the same time. 700 responses are received daily and this is likely to increase. Canvassers will knock on doors of non responding properties from the 29 October. There are daily checks in place to ensure that canvassers perform properly.

RESOLVED that the report be noted.

6 REVIEW OF THE PARLIAMENTARY, MAYORAL AND LOCAL ELECTION IN MAY 2010 (Page and Appendix at page

- 6.1 Following a request made by the Chief Executive, the Director of Programme Management & Property presented the report. This report provides the Committee with a review of the administration of the Parliamentary, Local Government and Mayoral elections, held on 6 May 2010 within the London Borough of Lewisham (LBL). The Director of Programme management and Property highlighted the long hours worked by poll clerks may have taken a toll on their performance and stated that a review of presiding officers and poll clerks is needed and a possible second shift of counting staff should be considered.
- 6.2 Councillor Paschoud praised the comprehensive analysis of the report and commended all officers involved in the May 2010 election. The Committee praised the absence of fraud during the elections.
- 6.3 Councillor Curran raised concerns with polling station signage and asked that this be improved to give clearer directions and information. He described instances where voters had been mis-directed by signage. The Head of Law asked Councillor Curran to provide details on where this is a problem so that it can be resolved. The Chief executive acknowledged the signage was outdated and he reported on suggestions he had made to the Design Council for more appropriate modern signage.
- 6.4 Councillor Paschoud raised concern on the high number of spoilt ballot in the Mayoral elections and stated that from his observation it appeared that

Agenda Item 2

ELECTIONS COMMITTEE		
Report Title	Declarations of Interests	
Key Decision		Item No. 2
Ward		
Contributors	Chief Executive	
Class	Part 1	Date: 3 February 2011

Declaration of interests

Members are asked to declare any personal interest they have in any item on the agenda.

Personal interests

There are two types of personal interest :-

- (a) an interest which you must enter in the Register of Members' Interests*
- (b) an interest where the wellbeing or financial position of you, (or a "relevant person") is likely to be affected by a matter more than it would affect the majority of inhabitants of the ward or electoral division affected by the decision.

*Full details of registerable interests appear on the Council's website.

("Relevant" person includes you, a member of your family, a close associate, and their employer, a firm in which they are a partner, a company where they are a director, any body in which they have securities with a nominal value of £25,000 and (i) any body of which they are a member, or in a position of general control or management to which they were appointed or nominated by the Council, and (ii) any body exercising functions of a public nature, or directed to charitable purposes or one of whose principal purpose includes the influence of public opinion or policy, including any trade union or political party) where they hold a position of general management or control,

If you have a personal interest you must declare the nature and extent of it before the matter is discussed or as soon as it becomes apparent, except in limited circumstances. Even if the interest is in the Register of Interests, you must declare it in meetings where matters relating to it are under discussion, unless an exemption applies.

Exemptions to the need to declare personal interest to the meeting

You do not need to declare a personal interest where it arises solely from membership of, or position of control or management on:

- (a) any other body to which you were appointed or nominated by the Council
- (b) any other body exercising functions of a public nature.

In these exceptional cases, unless your interest is also prejudicial, you only need to declare your interest if and when you speak on the matter .

Sensitive information

If the entry of a personal interest in the Register of Interests would lead to the disclosure of information whose availability for inspection creates or is likely to create a serious risk of violence to you or a person living with you, the interest need not be entered in the Register of Interests, provided the Monitoring Officer accepts that the information is sensitive. Where this is the case, if such an interest arises at a meeting, it must be declared but you need not disclose the sensitive information.

Prejudicial interests

Your personal interest will also be prejudicial if all of the following conditions are met:

- (a) it does not fall into an exempt category (see below)
- (b) the matter affects either your financial interests or relates to regulatory matters - the determining of any consent, approval, licence, permission or registration
- (c) a member of the public who knows the relevant facts would reasonably think your personal interest so significant that it is likely to prejudice your judgement of the public interest.

Categories exempt from being prejudicial interest

- (a) Housing – holding a tenancy or lease with the Council unless the matter relates to your particular tenancy or lease; (subject to arrears exception)
- (b) School meals, school transport and travelling expenses; if you are a parent or guardian of a child in full time education, or a school governor unless the matter relates particularly to the school your child attends or of which you are a governor;
- (c) Statutory sick pay; if you are in receipt
- (d) Allowances, payment or indemnity for members
- (e) Ceremonial honours for members
- (f) Setting Council Tax or precept (subject to arrears exception)

Effect of having a prejudicial interest

If your personal interest is also prejudicial, you must not speak on the matter. Subject to the exception below, you must leave the room when it is being discussed and not seek to influence the decision improperly in any way.

Exception

The exception to this general rule applies to allow a member to act as a community advocate notwithstanding the existence of a prejudicial interest. It only applies where members of the public also have a right to attend to make representation, give evidence or answer questions about the matter. Where this is the case, the member with a prejudicial interest may also attend the meeting for that purpose. However the member must still declare the prejudicial interest, and must leave the room once they have finished making representations, or when the meeting decides they have finished, if that is earlier. The member cannot vote on the matter, nor remain in the public gallery to observe the vote.

Prejudicial interests and overview and scrutiny

In addition, members also have a prejudicial interest in any matter before an Overview and Scrutiny body where the business relates to a decision by the Executive or by a committee or sub committee of the Council if at the time the decision was made the member was on the Executive/Council committee or sub-committee and was present when the decision was taken. In short, members are not allowed to scrutinise decisions to which they were party.

This page is intentionally left blank

Agenda Item 3

ELECTIONS COMMITTEE		
Report Title	Follow up to Election Committee meeting 18 October 2010	
Key Decision	No	Item No. 3
Ward	All	
Contributors	Head of Law	
Class	Part 1	Date: 3 February 2011

1. Purpose

- 1.1 A number of actions and proposals arose out of the Election Committee meeting on the 18 October 2010.

2. Recommendation

- 2.1 The Committee is asked to note the responses to these actions and proposals to date.

3. Background

This report deals with each of the reports submitted at the meeting on the 18 October 2010 using the same headings and in the same order.

4. The Electoral Agenda: the next five years.

- 4.1 As requested by the Elections committee a copy of the above report was sent to the Mayor and Cabinet on 19th January 2011 where its contents were noted and agreement given that the Elections Committee be consulted on all matters related to electoral changes, especially on boundary changes.
- 4.2 At the time of compiling this report, the Parliamentary Voting System and Constituencies Bill (PVSC) has yet to receive Royal Assent, although planning is on the basis that it will receive such assent and that a referendum on the Alternative Voting System (AVS) will take place on the 5 May 2011
- 4.3 The PVSC needs to gain Royal Assent by 16 February 2011, to allow for the minimum 10-week referendum campaign period as set out in the Political Parties, Referendums and Elections Act 2000 (PPREA).

- 4.4 Two consultation documents have been issued by the Local Government Boundary Commission on policies and procedures for Principal Areas boundary reviews and for electoral reviews respectively. These mainly concern the process to be used in assessing requirements. The Boundary Commission for England which is the body responsible for the conduct of parliamentary reviews (and whose funding and sponsorship has moved from the Ministry of Justice to the Cabinet Office) has yet to issue any guidance on the reforms proposed in the PVSC.
- 4.5 The position therefore remains as reported on the 18 October 2010 in that, subject to passage of the Act, the Boundary Commission for England will have to conclude a national review by September 2013 on boundary equalisation reducing the number of constituencies from 650 to 600.
- 4.6 Notwithstanding the issue of Royal Assent, the London Borough of Lewisham's (LBL's) planning is well advanced in accordance with Electoral Commission (EC) directions. The EC, under the terms of PPREA, have responsibility for running the referendum and have powers of direction. They wish to ensure that the referendum is run on a uniform basis across the country and that local authorities make sufficient resources to run it effectively. To this end they have mandated amongst other things
- 4.7.1 A continuous performance reporting regime
- 4.7.2 Deviation from directions to be reported and assented to by the Regional Counting Officer, Barry Quirk for London and ultimately the Chief Counting Officer – Jenny Watson, Chair of the EC
- 4.7.3 Project and risk plans to be submitted at various times in the lead up to the referenda for assessment.
- 4.7.4 Adherence to statutory timetable and other criteria and events detailed by the EC.
- 4.7.5 As part of their directions the EC has mandated that the verification of the poll for the referendum should finish no later than 1pm on Friday 6 May and that the count should not commence before 4pm on the same day. We are proposing to use Forest Hill School as the count venue.
- 4.7.6 The EC have also directed minimum staffing requirements for polling stations as follows.

Voters in Person	Polling Station Staff
0-1000	1 Presiding Officer, 1 Poll Clerk
1001-1750	1 Presiding Officer, 2 Poll Clerks
1751-2500	1 Presiding Officer, 3 Poll Clerks

LBL does not exceed any of these limits and LBL will probably put a minimum of two poll clerks in each polling station. LBL have yet to see the charges order which details the amount of funding to be received from HM Treasury to run these elections.

The electorate eligible to vote at the referendum will be LBL's parliamentary electorate.

- 4.8 The EC will be responsible for mailing to households details of the referendum. The "Yes" and "No" vote campaigns will be providing additional information. A meeting has been held with LBL's communication team that will in the main use EC resources, customised for LBL purposes, to optimise the use of the small outreach budget that Electoral services has. There is no direct funding from Government for these activities.
- 4.9 With regard to the other topics covered in the report the Electoral Services Manager has attended two briefings by the Cabinet Office on Individual Elector Registration. The focus was on the efficacy and evaluation of data matching. However a number of other points were made that should be noted.
 - 4.9.1 There is no support for anything involving the centralisation of registration activities or anything that could be viewed as a National Identity Scheme.
 - 4.9.2 Funding for IER would be via the revenue support grant but not ring fenced Investment in IER would take place before 2014/2015 but any potential saves would come after this date.
 - 4.9.3 IER is giving rise to wider debates about the use of the register and the continuing publication of the edited register and the full register by licensed credit reference agencies.
 - 4.9.4 The Cabinet Office currently do not propose any measures to make it compulsory to register.
 - 4.9.5 Considerable focus is being placed on the EC's role in the forthcoming referendum and this is likely to inform the debate about whether electoral services should continue to be provided from within local authorities.
 - 4.9.6 Whilst all non responding electors will be rolled over at the end of 2014 to include them in the 2015 Parliamentary election, postal and proxy voters will have to have provided IER identifiers.
 - 4.9.7 There is considerable debate about the need to continue an annual canvass, with arguments being put forward about registering once and remaining on the register for the foreseeable future. This gives rise to further debate about the integrity of the registers.

4.9.8 Concern was expressed about the DCLG's work on proposals for Council Tax referenda, and other local referendums included in the Decentralisation and Localism Bill.

5 Canvass 2010

- 5.7 The Election Committee asked for an update to the report submitted to it on the 18 October 2010.
- 5.8 Our canvass concluded with the publication of the revised register on 1 December 2010. The overall canvass response for LBL for 2010/2011 was 95% compared to 92% for 2009/10
- 5.9 Electorate numbers grew for all categories of electors as demonstrated in the tables below.

Please note that the electorate numbers do not include the parliamentary electors in the Lewisham West and Penge Constituency that are on the London Borough of Bromley's register in the three wards of Clock House, Crystal Palace and Penge and Cator

	Canvass 2010/11		
	Local Government	Parliamentary	European
Deptford	74,005	67,589	6,492
East	69,477	65,508	4,022
West & Penge	41,377	38,770	2,635
	184,859	171,867	13,149

	Canvass 2009/10		
	Local Government	Parliamentary	European
Deptford	70,759	64,809	5,986
East	68,764	64,937	3,850
West & Penge	40,636	38,167	2,476
	180,159	167,913	12,312

5.10 Parliamentary elector numbers by ward are given below

Constituency	Ward	Parliamentary Electors	
		2010/11	2009/10
Lewisham Deptford	Brockley	10555	10205
Lewisham Deptford	Crofton Park	9743	9477
Lewisham Deptford	Evelyn	9193	8649
Lewisham Deptford	Ladywell	8778	8535
Lewisham Deptford	Lewisham Central	10222	9795
Lewisham Deptford	New Cross	9236	8717
Lewisham Deptford	Telegraph Hill	9862	9431
Lewisham East	Blackheath	9235	8938
Lewisham East	Catford South	9858	9815
Lewisham East	Downham	9507	9505
Lewisham East	Grove Park	9761	9948
Lewisham East	Lee Green	9559	9536
Lewisham East	Rushey Green	8530	8362
Lewisham East	Whitefoot	9058	8833
Lewisham West and Penge	Bellingham	9262	9115
Lewisham West and Penge	Forest Hill	9462	9402
Lewisham West and Penge	Perry Vale	9858	9614
Lewisham West and Penge	Sydenham	10188	10036
		171867	167913

5.11 Electorate numbers since 2000 are given below

Year	Local Government Electors	Parliamentary Electors	European Electors
Dec-00	180428	176879	3626
Dec-01	180012	175793	4271
Dec-02	182035	177526	4554
Dec-03	171968	167205	4809
Dec-04	179584	173699	5990
Dec-05	179275	172479	6892
Dec-06	179756	171872	7949
Dec-07	180931	171750	9250

Dec-08	181805	170373	11504
Dec-09	180159	167913	12315
Dec-10	184859	171867	13149

6 Review of the Parliamentary, Mayoral and Local Elections in May 2010”

6.7 The committee agreed a number of proposals following its review of the report

6.8 *Proposal 2: “The Director of Programme Management & Property to look again at the issue of data management.”*

6.8.1 The issue of data management is critical to compiling registers and running elections. There are however some underlying principles which need to be considered when discussing this issue.

6.8.2 The data held in respect of registration and elections is the property of the Electoral Registration Officer and the Returning Officer respectively.

6.8.3 The ERO/RO is required by law to provide data to those people and organisations entitled to receive it in either in paper or data format in a form in which the ERO|RO holds it.

6.8.4 LBL’s electoral registration and election management system is a proprietary system provided by Express, a company that provides these services to over 130 other local authorities

6.8.5 The system can provide data in a number of specified formats including CSV and Tab delimited and the reports on the system vary dependent on who generates them and what part of the system they are generated from. The legal requirements are that those entitled to receive such information must request it in writing stating whether they require data or paper format. Part of the issue will be overcome by users familiarity with the system and requestors specifying in what format the data is required. In most cases the default setting in the system is CSV.

6.8.6 The committee is asked to note that Express complies with NPLG address formatting requirements and is also EML compliant. However there is some doubt about the future of EML following the demise of the CORE initiative and it’s replacement by IER and the whole debate about centralised databases and data matching.

6.9 *Proposal 3: Polling Station signage to be reviewed in order to improve current status*

6.9.1 Electoral services have reviewed 20 polling stations since the May 2010 elections focussing on feedback received from Presiding Officers and other stakeholders. In general we have more than sufficient signage to cover all eventualities. However we are reinvesting in estate boards as the old boards were not fit for purpose. We are currently waiting on a live mock up before signing off on them.

6.10 *Proposal 4: Review postal vote opening process in relation to recovering rejected ballot papers. Find ways to redress and reduce the large number of spoilt Mayoral Ballot papers.*

6.10.1 The opportunity was taken to revise and test a modification to system whereby all three opening baskets are kept together from the initial opening to the scanning and ultimately rejection process. This means that the basket containing the ballot papers goes through the process with the rejected papers not necessarily having to go back to the same team that opened them. This means that the opening team, once they have dealt with one bundle (normally 50 envelopes) can pass these on to scanning and immediately process the next bundle of 50. For larger elections we are exploring the possibility of having a dedicated team remove the rejections before being returned for reconciliation and Inclusion for the count.

7 **Legal Implications**

These are reflected in the body of the report

8. **Other implications**

There are no specific financial, environmental, or crime and disorder implications.

BACKGROUND PAPERS

Elections Committee minutes (18.10.10)

If you have any queries on this report, please contact Malcolm Constable, Electoral Services Manager (0208 314 6907).

This page is intentionally left blank