

**11 January 2018**

**Four Yearly Elections Proposals**

**Ward(s)** All

**Portfolios:** Cllr S Coughlan – Leader of the Council

**Executive Summary:**

This report details the possible advantages and disadvantages associated with changing the local election cycle from elections by thirds to all out elections every four years. The report also highlights the process involved in making this change.

**Reason for scrutiny:**

To provide an overview of the implications and process on altering the current electoral cycle to 4 yearly elections.

**Recommendation:**

That the Committee note the report.

**Background Papers**

The Local Government and Public Involvement in Health Act 2007  
Section 24 of the Localism Act 2011

**Citizen impact**

Impacts on all eligible electorate of the Borough.

**Equality Impact**

This report complies with the Council's Policy on equal opportunities.

**Financial Implications**

A move to whole council elections would lead to a financial saving for the Council in any years where there is no Borough election. A saving of up to £276k could be realised in each year when an election is not held.


**Legal Implications**

The Local Government and Public Involvement in Health 2007, states that a district council currently subject to election by thirds or halves may resolve to change to whole Council elections under section 34 of the Act.

Section 24 of the Localism Act 2011 amends the timetable for changing a Council's electoral schemes, enabling a Council to choose when their electoral cycle can change.

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**1. Report Detail**

1.1 Walsall Metropolitan Borough Council currently elects members by thirds which means that there are elections every three years out of four involving Walsall Metropolitan Borough Council seats. The Council currently has 60 elected members representing 20 wards and each Councillor is elected for a term of four years.

The Local Government and Public Involvement in Health Act 2007 allows Councils to consider passing a resolution to change to whole Council elections. Section 33 of the Act outlines the steps that must be taken. The Act states that a Council must not pass the resolution unless “it has taken reasonable steps to consult such persons as it thinks appropriate on the proposed change”. The resolution must then be passed:

- a) At a meeting which is specially convened for the purpose of deciding the resolution; and
- b) By a majority of at least two thirds of the elected members voting on it.

If the resolution is passed then the Council must produce an explanatory document available for public inspection and give the Electoral Commission notice that it has passed the resolution. The resolution must specify the year for the first ordinary elections of the Council at which all Councillors are to be elected.

This report is the first step in the process. There are a number of issues that members may wish to take into consideration before making a decision to move to all out elections.

1.2 Potential advantages of moving to all out elections:

- Greater political stability and ability to take a longer term view of policy implementation and decision making;
- Financial savings;
- More effective political management without the need for an annual election campaign;
- Improved corporate and strategic planning over a four year period;
- Less confusion resulting from ‘combinations’ of elections for different organisations (e.g. Parliament, European Parliament, Combined Authority Mayoral and Referenda);

- Potentially higher electoral turnout due to the more decisive nature of all out elections.

Potential advantages of continuing to elect by thirds include:

- More opportunity for electors to vote and participate in local democracy;
- Greater consistency of councillors by reducing the potential large scale change at the same time;
- A potentially greater mix of new and experienced councillors;
- Potential make-up of the council is potentially more reflective of the changing views of the electorate;
- Continuing to employ a method more familiar to voters;
- Whole council elections are more complex to administer.

This may not be an exhaustive list of potential advantages and disadvantages. Members may perceive further advantages or disadvantages and other views may arise from the consultation.

- 1.3 The Act does not specify the form of consultation required; only that the Council determine that it is reasonable. Good practice guidance on consultation exercises suggests that a minimum 12 week consultation period would be appropriate. The method of consultation could take the following form:-

- Website – information about the process on the website with the ability for members of the public to complete an online survey
- Press release
- Consultation with Elected Members, local Members of Parliament, Tenants and Resident Groups, stakeholders and the public.
- Notification to subscribers of e-bulletin
- Raising awareness of the consultation via social media
- Community Forums or other public meetings

Throughout the West Midlands authorities, all of the seven Councils currently undertake elections by thirds. From 2018, Birmingham City Council will hold whole Council elections.

- 1.4 Following the consultation an Extraordinary Council meeting would be needed. To pass a resolution to change to whole council elections, there is a requirement that two-thirds of the Members present at the Council Meeting must vote in favour for the resolution to be approved. Members will be required to take into consideration the results of the consultation.

If, at the Extraordinary Council meeting referred to above, Members decide in favour of moving to whole council elections in 2019, the following will apply:

- Election of all Councillors will be held every four years after 2019;
- As soon as practicable, an explanatory document has to be produced setting out details of the new electoral scheme (arrangements); and
- The passing of the resolution and the availability of the explanatory leaflet has to be publicised.

It should be noted that if a resolution is passed to move to whole council elections as detailed above, the Council may not pass another resolution in respect of its electoral cycle before the end of five years beginning on the day on which the earlier resolution is passed.

If an Extraordinary Council meeting does not pass a resolution to move to whole council elections, then subject to the Council's own Constitution, it may reconsider the move to whole council elections at a later date.