

EAST DEVON DISTRICT COUNCIL

Minutes of a meeting of the Scrutiny Committee held at Knowle, Sidmouth on 19 April 2018

Attendance list at end of document

The meeting started at 6.00pm and ended at 8.04pm.

***41 Public speaking**

There were two members of the public who spoke prior to minute 43 Election report.

***42 Minutes**

The minutes of the Scrutiny Committee held on the 22 March 2018 were confirmed and signed as a true record, subject to the addition of Councillor Eleanor Rylance in attendance and with the inclusion of the following wording under minute 39 Exmouth Pavilion Car Park: Mr Salter questioned Councillor Longhurst on his relationship with the Pavilion and after hearing his replies concluded that as Councillor Longhurst had a contract with the Pavilion to rent on certain Sundays that meant he had a pecuniary interest in the car park. Councillor Longhurst left the meeting for the item as requested.

43 Election report

Prior to the item, the Chairman asked for Members to be respectful in their questioning and debate.

Mr Paul Arnott spoke about the report that the committee had received in July 2015, and the issues highlighted by an Electoral Commission, some of which he listed, issues that he stated were a breach. He felt that those issues were not explained in the July 2015 report and therefore had concerns that that report at this meeting would also have omissions. He was of the opinion that at least two Councillors were not properly elected and he suggested that the committee commission an independent enquiry into the matter.

Jacqueline Green felt that there was a breach of the Council's code of conduct in that section 1.2 of the report attempts to politicise statements and this was not permitted by that code. She made reference to a report by the late Jo Frith, outlining Jo's credentials and she spoke on her behalf to illustrate with an example when Jo Frith was a candidate. She told the committee that Jo's motives were of probity for every voter to be confident that their vote was dealt with correctly.

In response the returning officer highlighted the legal position and the difference between objective and subjective / biased assessments.

In presenting his report, the Returning Officer highlighted three issues:

- Nationally there has been a mixed response in the press on the move from householder to individual registration. He reported that in the District, individual registration had been very successful, with the public taking the opportunity to take personal responsibility for their vote. This did impact on resource, as the move to individual registration had increased the administration of maintaining the register and associated issues.
- Following the resolutions of the committee in July 2015, he had reported back to staff the resolution "that the Scrutiny Committee recognises the hard work of all staff involved in the running of the national and local elections on 7 May 2015" and that was appreciated by the team. That appreciation unfortunately only lasted for a couple of months;

- Seeking the views of Members on a centralised count arrangement. There were advantages to decentralised counts in that candidates would receive the results relatively swiftly after the close of poll, but it might be beneficial to hold a centralised count to address various issues, balanced against a longer wait for the poll result.

Discussion by Members on undertaking the count included:

- Appreciation of the work ethic of the staff involved in a count under difficult conditions;
- Current council chamber had space issues and could easily become crowded, particularly during multiple counts, which could make it difficult for the candidates themselves to easily observe the count taking place;
- Consider if a combination of Blackdown House and the Exmouth Pavilion would deliver the balance between the necessary space and ability to control;
- Comment that Blackdown House would be too small as a count venue
- Ensuring fresh counters, even if that meant the count taking place on subsequent days;
- Comment that observations made by Elizabeth Gorst of the Electoral Commission on providing guidance hadn't been undertaken; and there did not appear to be a consistent approach to undertaking recounts;

In response, the Returning Officer acknowledged that the inadequacies of the current Council Chamber were well known, and so a compromise had to be reached to undertake counts from that location. Using an example from Teignbridge District Council, the RO outlined the importance of ensuring that adequate IT was available in the count venue, which was far less of a risk when held at Council Offices where IT support was on hand. Exmouth Pavilion had been used in the past, but needed to be reviewed again as the internal structure may have changed. He assured the committee that fresh counters are always used the following day; and that there was pressure on the counters switching between two methods for counting – one for a single seat, and another for multiple seats – that can be difficult to adjust between and therefore may initially slow the process down.

The Returning Officer also confirmed that whilst a two or more centre count may be feasible for Town, Parish and District Elections, a centralised venue would have to be deployed for a Parliamentary Election – that election would take precedence. Holding the count in a Council owned venue for a parliamentary or county election permitted the RO to claim for hire of that venue as, effectively, additional income for the Council – hiring another venue would only be claiming for hire to then pay the owner of that venue.

The observations by Elizabeth Gorst of the Electoral Commission were discussed with count supervisors and used for training purposes. Not all the observations were shared by the supervisors.

Discussion by Members on staffing, covering the existing Electoral Registration Team, and staff used at polling stations and count venues, included:

- Concern about recruiting staff to polling stations;
- Considering if an increase in the fee paid to polling staff would help as an incentive to retain existing, and attract new, staff;
- Look to recruit apprentices in the electoral registration team;
- Look to pushing recruitment to bank and retired bank staff, because of their skills as tellers;
- Look to recruit local people to minimise travel time for them and help reduce the cost of covering those claims for travel;

- Remind agents and candidates again of the rules they should follow in dealing with election staff; intimidation is not acceptable;
- Use of the Customer Service Centre (CSC) to assist with workload of the electoral services team;
- Why the employment of casual staff needed review to ensure all legal responsibilities were being met.

In response, the Returning Officer reminded the committee of the extent of preparation for polling station staff before polling day, as well as the long day itself, including training, travel, and dealing with confrontation. That was why a collaborative approach by the political parties and others was essential to help minimise the stress on those staff. Polling staff fees could now be set by the RO (in past years this had been prescribed) and across Devon they had reached a consensus on that fee, balanced against the overall budget. Rates of pay had an effect on recruitment to a degree, but staff also have made clear that they look for an element of enjoyment in being part of the democratic process, which has been impaired in recent elections.

Apprentices had been employed in the electoral services team, but had now moved onto other jobs. Recruitment to the team to bring it to four staff members was underway. The other suggestions for recruitment were noted. Work was already underway in enabling the CSC to assist during busy periods of both canvass and elections. Casual staff employment was under review because of the requirement to include elements such as pension and holiday pay. This was difficult to reconcile for staff employed for one day per year.

In response to questions about printing of ballot papers, the Returning Officer outlined the difficulties in dealing with a parliamentary election where a small number of printers had the capacity to deal with printing high volumes – and therefore all ROs would be competing for those printers. He also outlined the steps taken to have local printer as a failsafe option that the team could call on if a problem arose. He also outlined the tight timescale between the close of nominations and the guidance to send out postal votes ten days before the election, and how changes to the register for postal votes are still ongoing up to the deadline of a final register for the election.

The Returning Officer confirmed that he took personal responsibility for any errors associated with elections consistent with his legal powers and the ability to challenge in the courts his declarations.

RECOMMENDED to Cabinet

1. That the excellent and hard work of the RO, Electoral Services Team, and staff in place for polling stations, verification and counts, be acknowledged;
2. To consider additional budget provision to undertake recruitment of staff for polling stations;
3. To consider the use of a suitable venues that deliver the necessary space for the counts to be conducted;
4. To consider further integration of existing staff from the Council in helping to deliver electoral services during peak periods.

RESOLVED that

1. The Scrutiny Committee endorses the recommendations of the Association of Electoral Administrators in their report of February 2018 and receives an update on progress against those recommendations in October 2018;
2. The Scrutiny Committee endorses the proposed increase in permanent staff in the Electoral Registration Team.

***44 Draft Annual Report of the Scrutiny Committee**

The committee considered the draft report. The Chairman thanked the Democratic Services Officer for preparing the draft on behalf of the committee.

RESOLVED that final version of the Annual Report be agreed by the Chairman and Vice Chairman before submission to Annual Council.

***45 Forward plan**

The forward plan was noted and progress on outstanding items given. Street trading was suggested as a topic, and would be added to the items to be scoped.

Attendance list (present for all or part of the meeting):

Scrutiny Members present:

Eleanor Rylance
Cherry Nicholas
Maddy Chapman
Roger Giles
Alan Dent
Bill Nash
Marianne Rixson
Bruce de Saram
Douglas Hull
Val Ranger

Other Members

Geoff Jung
Pauline Stott
Megan Armstrong
Rob Longhurst
David Barratt
Dawn Manley

Officers present:

Mark Williams, Returning Officer
Anita Williams, Principal Solicitor & Deputy Monitoring Officer
Debbie Meakin, Democratic Services Officer

Apologies from Scrutiny Members:

Dean Barrow
Cathy Gardner
Darryl Nicholas

Apologies from Non – Scrutiny Members:

Ian Thomas
Jill Elson

Chairman Date.....