

DEMOCRATIC PROCESSES WORKING GROUP

25 SEPTEMBER 2023

Commenced: 4.00pm

Terminated: 4.25pm

Present: Councillors Cooney (In the Chair), Fairfoull, Kitchen, McNally, North, Ward and Warrington.

Apologies for Councillor Costello
Absence

4. MINUTES OF PREVIOUS MEETING

RESOLVED:

That the minutes of the meeting of the Working Group held on 3 July 2023 be approved as a correct record.

5. REVIEW OF THE COUNCIL CONSTITUTION

Members considered a report of the Chief Executive, which advised that a review of the Constitution would be undertaken over the next couple of months to ensure that it is up to date and remained fit for purpose.

Members were reminded that the Local Government Act 2000, as amended, required a local authority which was operating executive arrangements to prepare and keep up-to-date a constitution. The Council Constitution provided a framework within which people could understand their own responsibilities, and the responsibilities of others. It allowed decision-making, within a democratically elected body, to be consistent, accountable and transparent. The Constitution set out the principles that were especially important to the way that the Council worked and the fundamentals of how the local authority operated.

The Monitoring Officer was required to monitor and review the operation of the Constitution on an on-going basis, and, where necessary, bring forward amendments to the Council. It was explained that some elements of the Constitution had been reviewed by Council in recent years, such as the Members Code of Conduct, Financial Regulations and Contract Standing Orders. Also, the scheme of delegation and terms of reference had been updated to reflect organisational changes agreed by Members.

The report set out the contents and purpose of each part of the Constitution and advised what would be reviewed and how, with a view to submitting proposed changes to the Working Group prior to consideration by full Council.

RESOLVED:

That it be noted that the Constitution will be reviewed as set out in the report with a view a report on the outcome of the review being submitted to the next meeting of the Working Group to consider recommendations to be made to Council on 5 December 2023.

6. ANNUAL CANVASS

Consideration was given to a report of the Electoral Registration Officer that updated Members on the Annual Canvass of Elections currently taking place. Members were reminded that the Annual Canvass of electors begins with a data matching exercise where the names and addresses of those on the electoral register are checked against data held by the DWP. Those electors that don't match

with DWP data can then be checked against local data such as council tax records. Including local data sets the overall match rate was 80.2% (up from an overall total of 77.8% last year and 71.6% in 2021).

Where all electors matched the DWP or Local Exchequer Data records, it was not necessary to send canvass forms to that property. Electoral Registration Officers (EROs) were able to send an e-communication to which a confirmation of receipt was required or a Canvass Communication A (CCA) letter that does not require a response. With the opportunity to reduce paper-based communications for these properties, emails were sent to 48,986 properties across the Borough (in 2022 this figure was 42,038 and in 2021 it was 37,758). In the first 2 weeks there were 17,047 responses to the email up from 15,334 last year, although percentage response was slightly down.

Where the results of the data match indicated that one or more persons did not correspond with DWP records the ERO must attempt at least 3 contacts to establish the correct information. The first communication was a Canvass Communication B (CCB) form sent to all 20,754 Route 2 properties on 12 September. The CCB forms did not include a pre-paid return envelope in order to obtain more responses using an online portal, telephone or SMS service. Response rates to this initial communication this year have been 16.4%.

Taking into account the end of the Route 1 cycle and the returns from Route 2 it was reported that the response rate so far was 83.5%. The revised electoral register is due to be published on 1 December 2023.

RESOLVED:

That the update be noted.

7. ELECTIONS ACT 2022

Consideration was given to a report of the Chief Executive/Returning Officer that updated Members on the implementation of the provisions of the Elections Act 2022. The Elections Act, which received Royal Assent in April 2022, made a range of changes which impacted on electoral administrators, campaigners and voters. The first tranche of changes, which included the introduction of voter ID requirements and new measures aimed at making it easier for disabled people to vote, were already in force.

It was explained that the next tranche of changes was expected to come into force in advance of the May 2024 polls and included provisions relating to absent voting, overseas electors, EU citizens' voting and candidacy rights, postal vote handling and secrecy and commonly used names. There were also new measures relating to undue influence and intimidation, which will apply at all election types in England and Wales, and measures which change the way candidate addresses are provided, which will only apply at UK Parliamentary elections.

The following provisions were due to come into force in October 2023 and will apply for all election types in England:

- Electors would have the option to apply for a postal vote and some types of proxy vote using a new online portal
- New identity verification requirements would be introduced for all absent vote applications, whether they are made online or by the paper route, with the exception of emergency proxies:
 - o All applications would be subject to a DWP check similar to the process for applications to register to vote;
 - o For applicants whose identity cannot be verified by the DWP check, it would be necessary to follow an exceptions process and, failing that, an attestation process;
- Postal vote arrangements would be limited to a maximum of three years (it was currently five years), at which point the elector would need to make a new application.
- The total number of electors for whom a person may act as a proxy would be limited to four, of

which no more than two could be domestic electors (i.e. an elector that is neither an overseas elector nor a service voter)

- All electors who had a permanent proxy vote will be required to reapply for their proxy vote before 31 January 2024

RESOLVED:

That the update be noted.

8. ELECTORAL COMMISSION BULLETINS

Consideration was given to a report of the Chief Executive that provided Members with recent copies of the Electoral Commission news bulletin, which set out current issues affecting the democratic framework for local government.

RESOLVED:

That the report be noted.

CHAIR