

DEMOCRATIC PROCESSES WORKING GROUP

5 October 2020

Commenced: 4.00pm

Terminated: 5.05pm

Present: Councillors Cooney (In the Chair), Fairfoull, J. Fitzpatrick, Kitchen, Reid, S Smith, Ryan, Ward and Warrington.

Apologies: Councillors Billington and Feeley.

14. MINUTES OF PREVIOUS MEETING

RESOLVED:

That the minutes of the meeting of the Working Group held on 6 July 2020 be approved as a correct record.

15. LOCAL GOVERNMENT BOUNDARY REVIEW

Consideration was given to a report of the Director (Governance and Pensions), which informed Members that the Covid-19 Pandemic had impacted significantly on the ability to meet the original timetable for the Local Government Boundary Review. The Council's resources were focussed on dealing with the pandemic and consultation would be difficult. It was explained that the Local Government Boundary Commission for England (LGBCE) in recognising the difficulties in meeting the timetable agreed that, other than where the Council itself had indicated it wished to continue as scheduled, that there would be a three month pause for those authorities in the preliminary review phase i.e. the stage up to and including, the submission of council size proposals and electoral forecast data. This meant that the new deadline for submission would be 16 September 2020. At the time of communicating this change the LGBCE stated that they would keep the length of the extension under review. There was no reference to the any changes to other parts of the timetable.

These changes to timetabling were the same for other Greater Manchester Councils at the same stage of their reviews. There was concern across Greater Manchester that the only consideration that the LGBCE had given to the impact of Covid was a three month extension when the staff who will be undertaking the necessary work would be running humanitarian aid and generally supporting services including testing. Of greater concern was that with the postponement of 2020 Local and GM Mayoral Elections the LGBCE revised timetable will mean that consultation would take place when some Covid related restrictions were still likely to be in place and in the run up the 2021 Elections.

On behalf of the GM Authorities the Director of Governance and Pensions had written to the Chair of the LGBCE on 18 June 2020 with regard to the extension. The letter set out the concerns of the GM authorities at the short extension not properly reflecting the severe nature of the impact of Covid and the practical implications of the proposed change to the timetable. All GM Leaders and Chief Executives had supported a proposal for a more significant change to the timetable, with a proposal that the overall timetable be move back one year. Given the concerns of the approach by the LGBCE, the LGA have been asked to assist by Cllr Howard Sykes, in his role as Leader of the LGA's Lib Dem group.

On 15 July 2020 the Chief Executive of the Local Government Boundary Commission contacted the Council to advise that they would consider our amended timetable. This was then updated in late August with a submission date concerning Council size of 16 December 2020 which the Commission would take at their January meeting.

In order to undertake the Council submission it was proposed by way of evidence base that a survey be undertaken of Elected Members, which was based on benchmarking those that others had done. A draft is attached at Appendix 2 to the report, which it was proposed to set up on Survey Monkey with all the questions on councillors' work being mandatory:

Members were reminded that one of the key aspects considered by the LGBCE when making a decision on the number of councillors was the representational and community leadership role of ward councillors. To ensure the council size submission report to the LGBCE captured fully the scope and scale of Councillors work Members would be asked to complete an online survey covering their role with the council, casework, time spent on council business and how you communicate with residents.

Clearly the Covid-19 pandemic had changed the way Councillors interacted with constituents, and things would change again as we live with Covid-19 and move towards returning to some form of normality. Members would be asked to complete the survey on the basis of their role over the last year rather than just the last six months of the Covid-19 pandemic. There would be a specific question where Members can outline how the Covid-19 pandemic has changed your activity.

RESOLVED:

That Members are asked to note the update and agree the survey be sent to members subject to any further comments within 2 week window following approval of minutes at Council.

16. REVIEW OF PARLIAMENTARY CONSTITUENCIES

Consideration was given to a report of the Director (Governance and Pensions), which updated Members on progress with the review of Parliamentary Constituencies. It was explained that in March 2020 the Government announced that it would not implement the net reduction in the number of seats in the House of Commons to 600 and instead it would introduce a Bill to amend the Rules of Redistribution. The Parliamentary Constituencies Bill 2019-21 was introduced on 19 May 2020. It had its Second Reading in the House of Commons on 2 June 2020. If the Bill is passed, the key changes will be as follows:

- The number of MPs will be fixed at 650.
- The 2018 Review, which would have reduced the number of MPs to 600 would no longer be implemented. Ministers would no longer be required to lay legislation (a draft Order in Council) to implement the 2018 Review.
- The next review, due to start in 2021, would have to be completed by the Boundary Commissions by 1 July 2023. It would be based on the number of registered electorates as of 1 December 2020.
- The next review after the 2023 Review would have to be completed by 1 October 2031; with subsequent reviews required to report by the 1 October every eight years thereafter.
- Recommendations of the Boundary Commissions would be no longer require Parliamentary approval and government ministers would have no power to alter recommendations.
- The public consultation phase would be amended to allow for public hearings in the secondary stage of consultation rather than in the initial stage. The time allowed for public consultations from 2031 would remain the same overall (24 weeks) but would be split into three eight-week periods.

The Government had reiterated its commitment to the primacy of more equal constituencies and noted that the current constituencies were based on data that was nearly 20 years old. The last boundary review to be implemented in England was based on data from 2000; the last to be

implemented in Scotland, Wales and Northern Ireland used data from 2001-2003. In effect, current constituencies reflected how the UK population was at the beginning of the century.

The main Opposition parties voiced concerns at elements of the Bill. The key objections to the Bill, as introduced, were:

- the removal of Parliament's role in having a final say by voting implementing the Commissions' recommendations;
- the possible impact of the Coronavirus pandemic on the electoral data to be used for the 2023 Review;
- the interaction between the 5% rule and local ties;
- the possible impact on the Union of the reduction in seats in Scotland and Wales.

Following the Second Reading debate the Government issued a written ministerial statement. This addressed the concerns about the quality of the data of the 2023 Review if it was to be based on the electoral registers of the 1 December 2020. The written statement said that the Government would allow more time for EROs to conduct this year's annual canvass in Great Britain.

As a result, the Government would introduce an amendment during the committee stages of the Bill to require the 2023 Review to be based on the electoral registers as they stood at 1 March 2020. This approach would provide the most up-to-date electoral registration data available from the point before the impacts of Covid-19 became widespread. It would capture the registrations that took place in the run-up to the 2019 General Election, subject to any monthly updates made to the register between the election and 2 March 2020. This would also have the advantage of including overseas voters who had registered to vote in the December 2019 General Election. Overseas voters must renew their registration annually. As they cannot vote in local elections the number of registered voters tends to fall away after a general election, with many only re-registering when another general election becomes imminent. The amendment to the data used was introduced as a new clause during the Committee stage of the Bill, which was agreed without division.

Following final consideration in the Lords the Bill would return to the Commons for final consideration with a view to implementing any changes by 2023.

RESOLVED:

That progress with Parliamentary Constituencies Bill be noted.

17. CANVASS UPDATE

Consideration was given to a report of the Director of Governance and Pensions which updated Members on the Annual Canvass of Electors. It was explained that this was the first year implementing the changes set out in the Representation of the People (Annual Canvass) (Amendment) Regulations 2019. This included a data-matching step to determine whether the records matched local and national data sets to allow us to tailor the communications sent. Data Matching took place in two stages, the initial step being a National Data match against Department for Work and Pensions (DWP) records on 10 July 2020 and a Local Data match using data from Exchequer on 23 July 2020. The DWP data match gave a match rate of 70.87%. Including local data sets the overall match rate was 71.62%.

Where all electors matched the DWP or Local Data records, it was no longer necessary to send canvass forms to that property. ERO's were able to send an e-communication in which a confirmation of receipt is required or a Canvass Communication A (CCA) letter that did not require a response. With the opportunity to reduce paper-based communications for these properties, emails were sent to 28,695 electors across the borough to complete a response online. In the first week 8669 responses were received. Following a reminder a further 3960 responses were received totalling 12,629 properties that we do not need to send a paper CCA form to. Where an email address is not held or where there had been no response to the email, a letter will be sent to

the property on 29 September to check elector details. Under the new Canvass Reform legislation this will complete the canvass cycle.

Where the results of the data match indicated that one or more persons do not correspond with DWP records we must attempt at least 3 contacts to establish the correct information. There had been some changes implemented for authorities to tailor the approach to unmatched properties, though the initial contact must be to the property.

The first communication was a Canvass Communication B (CCB) form to all 29,339 Route 2 properties. The CCB forms included a leaflet to aid completion and did not include a return envelope in order to obtain more responses using an online portal, telephone or SMS service. Response rates to this initial communication have been 32.5% with only 2% of the returns being by post, 78% of responses have been online; 15% by phone and 5% by email/text.

When no response was received to the Canvass Communication B, a reminder must be sent out and if no response was received to the reminder a further communication must be made (these were statutory requirements). Full Canvass Forms would be sent to non-responders on 1 October. These would look similar to the previous year's forms and contain a return envelope to further encourage a response. Where there were changes to the people living in the property it was necessary to send an Invitation to Register (ITR) to the new electors at that property (we are obliged to send two reminders if the ITR is not responded to).

Taking into account the end of the Route 1 cycle and the returns from Route 2 responses were at an overall 81.42% response with 19,199 properties left to issue reminders to. Compared with this time last year where the response rate was 56.8% with around 45,000 reminders due to go out it highlights the need for Canvass reform and results seem positive so far.

Postal Votes had been promoted by adding a section on the enclosed leaflet in initial canvass communication, social media messaging, on the website and through customer serves. So far 2165 applications to vote by post had been sent in August and September and over 600 returned forms had been processed. We will continue to promote Postal vote applications ahead of next year'

The revised electoral register was due to be published on 1 December 2020 with an optional extension to delay this to 1 February 2020. There were no current plans to extend to February. Up to 30 November we will send out a further reminder to all non-responding properties from Route 2 as well as additional reminders for non-responding ITRs.

A further issue for Members to note was that as a consequence of the pandemic and the high rates of infection in the area and the deployment of staff to deal with Covid related matters it is not our intention to conduct the personal visits to properties where no response has been received. These personal visits would normally be conducted towards the end of the canvass in November. We will look at alternative approaches to engaging with non-responders.

RESOLVED:

That Members note the progress with the Annual Canvass of Electors and timetable for remainder of the Canvass.

18. UPDATE ON MAY 2021 ELECTIONS

Consideration was given to a report of the Director of Governance and Pensions which informed Members that the Minister of State for the Constitution and Devolution had written to all Returning Officers setting out the steps that the Government is taking to ensure the resilience of the annual canvass, registration activities and elections.

With regard to the May 2021 polls the Minister referred to work being undertaken with a variety of partners to understand the potential impact of Covid-19 on the delivery of local and mayoral elections in May 2021. The Minister stated that following analysis work with partners and based on information currently available, polls could be delivered safely and securely, and the risk of transmission substantially reduced, if Covid-19 secure guidelines are followed closely.

The Minister stated that there was no necessity for significant changes such as all-postal voting or changing polling days or times (this would require primary legislation). However, the letter from the Minister referred to potential smaller change to legislation to support electors with absent voting, an update would be provided by the Minister in due course but this is likely to refer to being apply to apply for an absent vote at short notice,

By-elections would not be held before May 2021. This would also apply to Parish By-Elections, two parish Councillors had recently resigned and notices have been published. Should valid requests to fill the vacancy be received any by-election would not be held until May 2021. Should no requests be received it is possible for the Parish Council to co-opt new members to fill the vacancies for the remainder of the term of office.

It was stated that should the May 2021 Elections have to be conducted in circumstances similar to those that currently prevailed there will be significant implications for how the elections would be conducted both from an administrative perspective and from a campaigning perspective. From an administrative perspective each element of the elections would be reviewed over the next few months to determine risks and how these risks could be mitigated. A more detailed report on this will be brought to the next meeting of the Working Group,

From the Ministers letter it did not appear that additional funding will be provided. The Borough Council elections were entirely funded by the Council, the Mayoral Election was funded via a grant claim by the Combined Authority

RESOLVED:

That the update be noted.

19. ELECTORAL COMMISSION BULLETINS

Consideration was given to a report of the Executive Director (Governance and Pensions) 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