

North Somerset Council

Report to the Partnerships and Corporate Organisation Management Overview Policy and Scrutiny Panel

Date of Meeting: 2nd March 2023

Subject of Report: Elections Act and North Somerset Local Elections 4th May 2023

Town or Parish: All

Officer/Member Presenting: Samantha Usher, Electoral Services Manager

Key Decision: No

Reason:

No decision being taken.

Recommendations

That the Panel receives the update on the Elections Act implementation and the arrangements for the forthcoming North Somerset local elections on Thursday 4th May 2023 and offers any observations for consideration by the Returning Officer.

1. Summary of Report

This report provides an update on the planning and actions undertaken to ensure the effective and efficient delivery of the forthcoming North Somerset District and Parish elections. It also notes the provisions of the Elections Act 2022, the impact this will have for these elections and the steps being taken to ensure those who are eligible are able to cast their vote at the polling station.

2. Policy

The delivery of the election aligns with the North Somerset Council Corporate Plan vision of openness and fairness and is reflected in the priority to achieve a council which empowers and cares about people.

3. Details

3.1 The next scheduled elections for North Somerset Council and the town and parish councils throughout the North Somerset area will take place on Thursday 4th May 2023.

3.2 The elections are for 50 seats across 35 wards for North Somerset Council, and for 39 parish / town councils across 68 wards.

3.3 The total eligible electorate size for North Somerset is over 166,000, with approximately 28,000 voters choosing to use a postal vote.

3.4 Preparations for the May elections continue to progress. Processes that can be undertaken ahead of the notice of election and nominations period are on track to completion - premises have been confirmed for the postal vote issue and opening, polling and count venues, staff appointments are being made, briefings have been delivered to parish councils and prospective candidates, a timetable has been agreed with our printers and the website has been updated with detailed information and resources for voters and candidates and their agents.

3.5 A reminder of the election timetable as follows showing the key dates that any potential candidates along with prospective agents will wish to be aware of:

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| Publication of Notice of Election | 20/03/2023 | |
| Start of Nominations | 21/03/2023 | |
| Close of Receipt of Nominations | 04/04/2023 | 4.00pm |
| Delivery of Notice of Withdrawal of Candidature | 04/04/2023 | 4.00pm |
| Appointment of Election Agents (District only) | 04/04/2023 | 4.00pm |
| Publication of Statements of Persons Nominated | 05/04/2023 | 4.00pm |
| Bulk despatch of postal votes by Royal Mail | 17/04/2023 | |
| Deadline for Registration applications | 17/04/2023 | Midnight |
| Deadline for Postal Vote & Postal Proxy applications | 18/04/2023 | 5.00pm |
| Deadline for Voter Authority Certificate applications | 25/04/2023 | 5.00pm |
| Deadline for ordinary Proxy Vote applications | 25/04/2023 | 5.00pm |
| Deadline for appointing Poll and Count Agents | 26/04/2023 | |
| Day of Poll (7.00am to 10.00pm) | 04/05/2023 | |
| Verification of the votes (following close of poll) | 04/05/2023 | |
| Counting of the votes | 05/05/2023 | |

3.6 Completed candidates' nomination forms must be delivered by hand to the Returning Officer at the Town Hall in Weston-super-Mare between 10am and 4pm on any weekday between Tuesday 21 March and Tuesday 4 April inclusive. Once formally submitted they cannot be returned, so the use of an informal checking process is encouraged prior to submission although this is by appointment only. Appointments can be made by emailing candidates@n-somerset.gov.uk.

3.7 The verification of the votes will start following the close of poll as ballot boxes are delivered to the count venue. The counting of the votes will take place on Friday 5 May and will start with the district papers. It will then move on to the parish count as the day progresses. Declaration of results will be made following completion of each electoral area count.

Elections Act 2022

3.8 The Elections Act 2022 was passed through Parliament on 23 April 2022 and makes changes to the UK electoral system. The Act seeks to improve the security, accessibility and transparency of elections and campaigning, and contains measures that effect elections and the way we vote. Whilst the timetable for implementing some of the measures has been delayed, two of them will be in place for the elections in May 2023.

3.9 **Voter identification**

Electors will have to show an approved form of photographic identification to be allowed to vote at a polling station. It is the responsibility of the Local Authority to raise awareness among electors of this new provision (albeit there has been a national campaign by the Electoral Commission). See appendix A for the steps that have been taken so far to achieve this.

Anyone who cannot provide one of the required forms of identification as set out in the legislation is able to apply for a free Voter Authority Certificate from their Electoral Registration Officer.

The online portal for applications for a Voter Authority Certificate went live on Monday 16 January and we have received about 70 applications so far (compared to the national total of approx. 15,000). A designated member of the team has been allocated the role of processing these to promote consistency and will continue to monitor volumes. Work is currently being carried out with the libraires and customer services teams to ensure processes are in place to assist those who do not have access to online to make an application.

3.10 **Accessibility**

Returning Officers (RO) will have a general responsibility to take all reasonable steps to support voters with disabilities. The Electoral Commission will be providing guidance on what measures ROs can look to put in place for their area. The provision for voters to be assisted by a companion will be extended to allow anyone over the age of 18 to assist.

3.11 **Future changes**

Although not in place for the elections next May, additional measures will come into force at various subsequent points. These include:

- A ban on political parties and campaigners from handling postal votes
- A limit on the number of postal votes a person can hand in at polling stations
- Changes to the process for applying for postal votes
- EU citizens will no longer automatically be able to register to vote, vote and stand for election
- Removal of the 15-year limit on voting rights for British citizens living overseas
- Introduction of the First Past The Post voting system for Police and Crime Commissioner elections.

4. Consultation

The process for the conduct of elections is prescribed by legislation and thus not subject to consultation. The legislation is supplemented by guidance from the Electoral Commission.

5. Financial Implications

Election costs at combined local elections are split between the district council and the parish councils. North Somerset Council costs will be met from the elections reserve and the parish councils will be recharged following the elections.

The additional costs being incurred as a consequence of the Elections Act will be the subject of new burdens funding provided by the Department for Levelling Up Housing and Communities, in a hybrid mix of grant funding and justification-led bids. Whether sufficient new burdens funding is provided to cover actual costs incurred remains to be seen.

6. Legal Powers and Implications

The conduct of the election including the polling and count rules are governed by the Representation of the Peoples Act 1983 and subordinate regulations.

It is a legal requirement to comply with the Elections Act 2022 and subsequent secondary legislation in the form of Regulations and to ensure that the Council meets its obligation (under section 54 of the Representation of the People Act 1983) to provide sufficient resources to the Electoral Registration Officer.

7. Climate Change and Environmental Implications

None

8. Risk Management

The risks are that legal action may result if the legislative requirements are not met, which would result in additional costs and a loss of reputation for the Council. These risks can be mitigated by ensuring that appropriate planning and resources are put in place, in good time.

9. Equality Implications

All polling stations and electoral service venues remain compliant with the relevant disability legislation. Under the Equality Act's Public Sector Equalities Duty, decision makers are required to consider the need to advance equality by encouraging participation, removing disadvantage, taking account of disabilities and meeting people's needs.

10. Corporate Implications

The Council is legally required to provide the Returning Officer with sufficient resource to ensure that the election is administered effectively.

11. Options Considered

There are no other options, the legislation must be complied with.

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Appendices:

Appendix A – voter ID local awareness campaign

Background Papers:

Electoral Commission Risk Register – local elections 2023

Electoral Commission website – local elections in England

<https://www.electoralcommission.org.uk/i-am-a/candidate-or-agent/local-elections-england>

NSC website pages – *relevant pages currently in development*

Elections Act 2022 <https://www.legislation.gov.uk/ukpga/2022/37/contents/enacted>

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| <p>Distribution of a partner pack (including posters, wording for newsletters / websites and graphics for social media) to the following organisations:</p> | <ul style="list-style-type: none"> • Parish and Town Councils • Housing associations • Libraries • Polling stations • Nursing homes • Community hubs • GP surgeries • Children's Centres • Disabled access group • Care leavers • Colleges • LGBTQ+ Forum • NS Wellbeing collective • NS Together • Healthy living centre • Community fridges • Public living rooms |
| <p>Utilising business-as-usual tasks to communicate message to electorate</p> | <ul style="list-style-type: none"> • Leaflet included in 2023 Council Tax mailout • Article in North Somerset Life • Wording on annual absent vote signature refresh mailout • Wording on Household Notification Letters • Ensuring all correspondence from Electoral Services goes out with wording relating to voter ID • Wording on poll cards • Banner on staff email signatures |
| <p>Events</p> | <ul style="list-style-type: none"> • Briefing sessions for Town / Parish Clerks and other interested parties • Briefing sessions for members • Briefing sessions for prospective candidates • Briefing sessions for candidates and agents • Raised at all NSC staff webinars • Briefing sessions for wider election team (including Contact Centre and election staff) |
| <p>Digital campaigns</p> | <ul style="list-style-type: none"> • NSC website updated – banner on front page closer to election day • Banners on the real time information screens at bus stops • Social media campaign headed by the comms team • Articles in eLife |