

**To the Chair and Members of the
ELECTIONS AND DEMOCRATIC STRUCTURES COMMITTEE**

**MAYORAL AND EUROPEAN PARLIAMENTARY ELECTIONS –
4TH JUNE 2009 – PROGRESS REPORT**

EXECUTIVE SUMMARY

1. The Mayoral and European Elections will both take place on the 4th June 2009. The purpose of this report is to provide information on progress that has been made in the initial preparation for the elections.

RECOMMENDATION

2. The Committee is asked to consider and approve the report subject to any comments it wishes to make in relation to the contents.

BACKGROUND

3. The organisation of a combined election creates additional complexities over the organisation of a single election and it will be essential to take these issues into account as part of the planning process. The situation will be made more complex because responsibility for the Mayoral Election lies with the Council's Returning Officer whilst the European Election is organised on a regional basis with a Regional Returning Officer having responsibility of the conduct of the election. The Regional Returning Officer for the Yorkshire and Humber Region is the Returning Officer for Leeds Paul Rogerson.
4. The arrangements for the conduct of both elections are prescribed in regulations. The Mayoral Election Regulations have already been updated to comply with changes to electoral law introduced recently. Similar amendments have been progressed to the European Parliamentary Election Regulations. These are currently awaiting affirmative ratification by both Houses of Parliament which is expected to be completed by late January 2009.
5. In addition to awaiting final approval of the regulations discussions are still taking place on the Returning Officers Fees and Charges Order. This Order sets the funding which the Regional and Local Returning Officers are able to claim for the cost of running the election on behalf of the Government. The Ministry of Justice is proposing changes to the way in which the fees are calculated and the Regional Returning Officers who have so far been

involved in negotiations with the Ministry of Justice have raised concerns about whether the proposed changes will be effective. The latest draft of the proposed fees has been made available to all Returning Officers shortly before Christmas for comment. Considerable concern has been raised by various authorities that the proposed fees will produce shortfalls requiring individual claims which will be considering on a case by case basis.

6. As a consequence there is likely to be further discussion required to bring about a resolution to this issue. Initially the Ministry of Justice had given an undertaking that the fees order would be in place at least six months prior to the election as availability of funding is integral to the planning of the election. Unfortunately the current situation means that it will now be sometime after this before the final order is in place. A Regional Returning Officer and Local Returning officers' meeting is scheduled to take place on 7th January 2009 and any further information that is available following this meeting will be reported at the meeting.
7. The cost of combined elections is shared where facilities are used for both elections e.g. polling stations. This is on an actual cost basis usually where there are two elections taking place this will be 50%.
8. Despite the circumstances outlined above planning is taking place at both a regional and local level to prepare for the elections. Regular planning meetings are held with the Regional Returning Officer Local Returning Officers and Administrators to prepare for the European Elections. At a local level planning is underway to put in place all the usual arrangements for polling stations; issue and opening of postal votes; nominations; the verification and count along with the numerous other arrangements that are necessary for the conduct of a successful election.
9. A key consideration will be the verification and count which will be more complicated because of the requirements of the two elections. As most members will be aware the verification of the European ballot papers can take place following the close of polls but counting cannot commence any earlier than to allow the declaration of the result after the close of poll in all member states. The effect of this is that counting cannot commence until the evening of Sunday the 7th June 2009 with the result being declared immediately after 9.00pm.
10. The Count process for the mayoral election is also more complex than usual because of the second preference voting system which is utilised at the election.
11. Taking these issues into account it is intended that on Thursday night the ballot boxes would be received at the count venue and secured. The verification of both the European and Mayoral ballot papers would then be undertaken on Friday morning. Once the verification of ballot papers is completed the European ballot papers will be secured and counting of the Mayoral ballot papers will commence.

12. Mayoral ballot papers will be counted by the first preference votes for each candidate and if one candidate receives more than 50% Of the total votes cast that individual is elected. However in previous Mayoral elections none of the candidates have secured more than 50% of the ballot at the first stage and if this is the case second preference votes are counted. At this stage all but the two candidates with the highest number of votes are eliminated and the second preference votes from the eliminated candidates which are for one of the remaining candidates are added to their total at the end of this stage the candidate with the highest number of votes is elected.

OPTIONS CONSIDERED

13. The elections are a statutory duty and must be carried out in accordance with statutory requirements.

IMPACT ON THE COUNCIL'S KEY OBJECTIVES

14.

Doncaster Priorities	Implications of this initiative
A Prosperous Place	The democratic process contributes directly to the well being and prosperity of the area
Skills & Lifelong Learning	See note in Prosperous Place
Healthy & Caring	See note in Prosperous Place
Safer, Cleaner & Greener	See note in Prosperous Place
Equality of Opportunity (Cross-Cutting)	See note in Prosperous Place
Improving Neighbourhoods Together (Cross-cutting)	See note in Prosperous Place
Protecting The Environment (Cross-cutting)	See note in Prosperous Place
Achieving Excellence	See note in Prosperous Place

RISKS AND ASSUMPTIONS

15. The delivery of an election is a significant and complex undertaking with strict statutory deadlines. Planning is a key component in reducing or eliminating risks and any unnecessary delay in the progress of matters integral to the planning and the delivery of the election creates additional problems.

LEGAL IMPLICATIONS

16. The provisions for the conduct of the Mayoral election are contained in the Local Authorities (Mayoral Elections) (England and Wales) Regulations 2007 and for the European Parliamentary Election in the European Parliamentary Election Regulations 2004 as amended by the European parliamentary Elections (Amendment) Regulations 2009. These regulations set detailed

requirements for the conduct of the elections subject to the requirements of primary legislation.

FINANCIAL IMPLICATIONS

17. The cost of the Mayoral election is met by the Council whilst funding for the European parliamentary Election is met by the Government. The combination of the elections and the sharing of costs will reduce the overall cost burden of the elections to both the Council and the Government. Provision has been made within the 2009 budget for the cost of the Mayoral election.

CONSULTATION

18. Consultation is not undertaken in connection with elections however activities will be undertaken at a national, regional and local level to raise awareness and promote participation in the elections.

REPORT AUTHOR AND CONTRIBUTORS

Tony Machin, Electoral and Democratic Renewal Consultant
Corporate Governance
Tel: 01302 734649
E-mail: tony.machin@doncaster.gov.uk

BACKGROUND PAPERS

File – European Parliamentary Election – 4th June 2009
Mayoral Election – 4th June 2009

PAUL EVANS
INTERIM DIRECTOR OF RESOURCES