

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

MAYORAL ELECTIONS – 4TH JUNE 2009: EVALUATION REPORT

EXECUTIVE SUMMARY

1. At its meeting on the 21st July 2009 the Committee considered an evaluation report on the Mayoral and European Elections held on the 4th June 2009. Arising from this concern was expressed about the level of spoilt ballot papers, causes for this and the possible impact on a Mayoral election. Having discussed these issues the Committee agreed that a further report be submitted to this meeting so that consideration could be given to any action to be taken including lobbying the government and the Electoral Commission for a change in the voting system used at Mayoral elections to the first past the post system used at most English elections.

RECOMMENDATION

2. The Committee is asked to consider the report and determine any action it wishes to take.

BACKGROUND

3. There has and continues to be an ongoing debate regarding the introduction of voting systems in the United Kingdom which are considered to offer greater democratic accountability than the First Past the Post System which whilst easy to understand is often criticised because the successful candidate often does not receive the majority of the votes. The adoption of the Supplementary or Second Preference Vote system at Mayoral elections is almost certainly a reflection of this ongoing debate and is not the only example of alternative voting systems which are also in use in Northern Ireland, Scotland, and for the London assembly and London Mayoral Elections.
4. As members will be aware under the Supplementary Vote system a vote is cast for a preferred candidate as normal and an additional vote is also cast for a second choice candidate. At the counting of votes all the first preference votes are counted and if one candidate receives more than 50% of the votes cast that person is elected.

5. If no candidate receives more than 50% of the votes only the two candidates receiving the most votes remain in the election. Any second preference votes for the two remaining candidates cast on the ballot papers for the candidates which have been knocked out of the election are counted and added to their totals from the counting of first preference votes and the candidate with the highest number of votes is elected.
6. The use of the Supplementary Vote system increases the share of the vote that a winning candidate receives and helps to address one of the criticisms of the first past the post system that the winning candidate frequently does not receive the majority of the votes cast and may in fact have received a minority of the overall number of votes cast. However for the system to operate effectively it is likely that voters will need to have an increased level of engagement and understanding of the voting system than for the simpler first past the post system. This was the Committee's concern which was reflected by the high number of spoilt ballot papers.
7. A breakdown of the spoilt ballot papers is shown below, however it should be noted that for the purposes of the election the categories of rejection are specified and at the close of the count all ballot papers are sealed so further analysis of the reasons why papers were spoilt is not possible: -

First Preference Count

Want of Official Mark	0
Voting for more than 1 candidate at the first preference vote	1338
Writing or mark by which the voter could be identified	0
Unmarked or void for uncertainty as to the first preference vote	642
Total	1980

Second Preference Count

Unmarked or void for uncertainty as to the 2 nd preference vote	1421
Total Spoilt Papers	3401 (4.4%)

8. Whilst this may supply some indication of voters spoiling their ballot papers because of a lack of understanding of the voting system and the experience of the elections team also provides some support for this there is little, if any, recorded evidence of an issue from the information currently available, particularly taking account of the considerable time and effort required to achieving a change in legislation.. Additionally the total number of spoilt papers remains small compared to the total of 77216 voters and proponents of the system would probably argue that the increase in democratic accountability is likely offset the increase in spoilt papers.

9. An alternative to seeking a change to the voting system may be to consider the educational and promotional issues and increase the activity that is already undertaken in this area at any future Mayoral elections. This is also an area where candidates will also undertake some activity and liaison could take place to ensure that material distributed by candidates is clear and unambiguous, although ultimately content of campaign material is a matter for the candidate.

OPTIONS CONSIDERED

10. The elections are a statutory duty and must be carried out in accordance with statutory requirements. The option to seeking a change to the voting system would be to work positively within the existing legislative arrangements and seek to engage and educate voters to ensure that as far as possible they are able to exercise their franchise effectively at all elections.

LEGAL IMPLICATIONS

11. The provisions for the Mayoral elections are contained in the Local Government Act 2000 and the Local Authorities (Mayoral Elections) (England and Wales) Regulations 2007.

FINANCIAL IMPLICATIONS

12. The cost of the Mayoral election is met by the Council whilst funding for the European parliamentary Election is met by the Government. There are no specific costs associated with this report however costs could arise from additional activities associated with promotion of elections and voter education. These will have to be managed from within existing budgets.

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BACKGROUND PAPERS

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

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