

DONCASTER METROPOLITAN BOROUGH COUNCIL

ELECTIONS AND DEMOCRATIC STRUCTURES COMMITTEE

TUESDAY, 7TH JULY, 2020

A MEETING of the ELECTIONS AND DEMOCRATIC STRUCTURES COMMITTEE was held as a VIRTUAL MEETING VIA MICROSOFT TEAMS on TUESDAY, 7TH JULY, 2020, at 10.00 a.m.

PRESENT:

Chair - Councillor Phil Cole
Vice-Chair - Councillor Nick Allen

Councillors Steve Cox, Pat Haith, Mark Houlbrook, Majid Khan, Jane Kidd, Derek Smith and Sue Wilkinson.

1 DECLARATIONS OF INTEREST, IF ANY

No declarations were made at the meeting.

2 MINUTES OF THE ELECTIONS AND DEMOCRATIC STRUCTURES COMMITTEE MEETING HELD ON 17TH MARCH 2020

Councillor Majid Khan pointed out that he had submitted apologies for the Committee's meeting in March and asked that these be recorded in the minutes.

RESOLVED that, subject to the above amendment, the minutes of the meeting held on 17th March 2020 be approved as a correct record and signed by the Chair.

3 COUNCIL DECISION MAKING ARRANGEMENTS IN THE LIGHT OF THE COVID-19 Pandemic

The Committee received a report which provided an update to Members on the arrangements put in place and measures taken to date in the light of the COVID-19 pandemic to ensure that the Council's decision making processes have continued to operate effectively.

In presenting the report, the Assistant Director of Legal and Democratic Services explained that new Regulations had come into force as a result of the Coronavirus Act 2020, handing local authorities new powers to hold public meetings virtually by using video or telephone conferencing technology or by other remote means during the coronavirus pandemic.

Furthermore, the regulations removed existing requirements for local authorities to hold annual meetings this year, and allowed for all current appointments (i.e. Chairs and seats on committees and representation on outside bodies) to remain in place until May 2021. These measures were aimed at helping local authorities redeploy their resources to deal with the pandemic and ensure essential business continues whilst upholding democratic principles and protecting the

health and safety of Members, officers and the public in line with official public health guidance.

It was noted that remote attendance by a Member at a virtual committee meeting was deemed to satisfy the requirement in relation to Members having to attend at least one meeting in a period of 6 consecutive months under the Local Government Act 1972. It was recognised, however, that under the circumstances, it would not be possible for all Members to attend virtual meetings in the absence of Full Council meetings taking place, so the Assistant Director confirmed that he had written to all Members as Monitoring Officer confirming that he would exercise the delegation given to him by Full Council to disregard the lockdown period when calculating failure to attend by any Member. Councillors would be notified at the point that this period concluded.

During discussion, the Chair asked whether Officers would be capturing the learning gained from holding virtual meetings, as people's experiences of participating in online meetings varied according to their own personal circumstances. In reply, the Assistant Director advised that a survey of Members would be undertaken in the autumn on this subject, as he was aware that experiences varied according to the devices used by Members. He also confirmed that he would be writing to those Members without Council laptops offering them new machines, in order that everyone participating in virtual meetings had reliable and consistent functionality across the same platform.

Members acknowledged that virtual meetings brought some benefits, such as the convenience of enabling members to remotely attend briefings with officers and other shorter meetings that they might otherwise have had difficulty in attending. There was also potential for making attendance at Member seminars and training sessions easier in future, if these were held as virtual events such as webinars. Other Members however still felt that they would prefer to meet physically if and when circumstances permitted. The Assistant Director added that, overall, virtual meetings had been successful and it was hoped that the legislation passed by the Government enabling remote meetings would be extended beyond the current end date of May 2021 so that remote attendance by Members remained open as an option in the future.

In response to a comment by a Member with regard to the number of 'Rule 16' special urgency decisions that had been taken during the pandemic, the Assistant Director explained that as Doncaster Council was a Mayoral Authority, the legal position was such that the majority of decisions could be taken by the Elected Mayor. He added that other local authorities had delegated decision making powers to officers, which was a less democratic arrangement than if decisions were being taken by individuals who had been elected. The Assistant Director stated that he believed that the number of Rule 16 decisions taken had been appropriate under the circumstances. He also confirmed that these decisions had been taken in line with the provisions contained within the Council's Constitution, and in accordance with the rules, Councillor Jane Kidd had been consulted each time as the Overview and Scrutiny consultee.

In response to a comment by a Member with regard to potential data protection and confidentiality risks with remote meetings, the Assistant Director stated that, to a large degree, this was a matter of personal responsibility, in much the same way as when Members received confidential agenda papers and had to ensure these were kept in a secure manner.

RESOLVED to note the contents of the report.

4 CANVASS REFORM

The Committee received a report which provided an update on Canvass Reform proposals.

It was reported that each year the Electoral Registration Officer (ERO) had a duty to carry out a full annual review of the Electoral Register by contacting all residential addresses to establish if the information currently held on the Electoral Register was complete and accurate, before publishing a new revised Electoral Register on the 1st December each year. This was called the Annual Canvass.

Last year the Government consulted on changes to the Annual Canvass which would become 'Canvass Reform'. The UK Government's Canvass Reform statutory instrument was debated in Parliament on 31st October 2019, and signed by the Minister for the Constitution on 4th November 2019. This meant the reforms had formally become law in relation to the UK parliamentary register and the local government register in England.

The overall aim of canvass reform was to deliver a more efficient system by which Electoral Registration Officers (EROs) could maintain their electoral registers with no negative effect on citizens, or on the accuracy and completeness of the registers.

In presenting the report, the Senior Electoral Services Officer explained that the new canvass would incorporate a 'data step' at the outset of the process. This would inform the ERO, based on the data available to them, which properties were likely to have an unchanged household composition, based on matching their data on the electoral register against national Government data and, where relevant, locally held data sources. This would allow the canvass process to be streamlined for those households that had not changed since the previous year and would enable the ERO to target their resources to where responses and updates to the electoral register were believed to be required.

During discussion, the Senior Electoral Services Officer answered a range of questions from Members, on topics including the different types of data, both national and local, that could be utilised by EROs, and the current position in Doncaster with regard to the data matching process. It was noted that currently, there were approximately 29,000 unmatched properties and 30,000 unmatched electors on the Register.

RESOLVED to note the contents of the report.

5 ELECTORAL SERVICES UPDATE ON KEY ISSUES REPORT

The Committee received a report which provided an update to Members on recent Electoral activities.

In presenting the report, the Assistant Director of Legal and Democratic Services confirmed that due to the COVID-19 pandemic, the Edenthorpe Neighbourhood Planning Referendum which had been scheduled to be held on Thursday 19th March 2020 and the South Yorkshire Police and Crime Commissioner election scheduled for Thursday 7th May 2020 had both been postponed until 2021. This would make 2021 a particularly challenging year for the Electoral Services team and the Council as a whole, due to the need to hold Mayoral, Borough and Parish Council elections all at the same time, in addition to the Police and Crime Commissioner election and the Edenthorpe Neighbourhood Planning Referendum.

The Assistant Director added that, at this stage, it was difficult to predict the impact that the pandemic would have on next year's elections, but there had been suggestions that it might be necessary to hold 100% postal vote elections. And under the current social distancing restrictions, it would not be possible to hold the counts for the elections in the normal way, unless the rules were lifted by the time the elections were held next May.

In answer to questions relating to the impact of the COVID-19 pandemic on the Council's ability to plan for the elections in May 2021, the Assistant Director explained that at present, there were no plans to change any of the arrangements in terms of booking polling stations and the count venue. If proposals changed nearer the time in relation to how the elections were to be conducted, then officers would be ready to adapt the arrangements as required. In the meantime, a watching brief would be maintained to monitor how the situation evolved over the coming months.

With regard to the potential costs of holding 100% postal vote elections, it was noted that there would be additional costs incurred in relation to sending out the papers and providing free post envelopes for all electors. And while there would be some saving made in relation to not having to employ polling station staff and hire the venues, there would be additional costs incurred in relation to an expanded postal vote opening and processing operation.

After the Assistant Director had explained that any move to electronic voting in elections would require primary legislation and there were no signs that this was being actively pursued by the Government at the present time, it was

RESOLVED to note the update report on Electoral activities.

CHAIR: _____

DATE: _____