

# The frequency of Council elections in Swindon

**Council**

**Date: 12<sup>th</sup> October 2023**

---

Author: Chief Legal Officer (Monitoring Officer)

Wards: All Wards

Parishes Affected: All Parish Areas

---

## **1. Purpose and Reasons**

- 1.1 At its meeting on 13<sup>th</sup> July 2023 Council agreed to commence a consultation process in accordance with the Local Government and Public Involvement in Health Act 2007 ("the 2007 Act") as to whether the Council should retain the current cycle of elections by thirds or move to whole Council elections from 2026.
- 1.2 This report seeks to inform Members of the outcome of that consultation and to make a recommendation based upon its results.

## **2. Recommendations**

### Council is recommended:

- 2.1 To consider the outcome of the consultation attached at Appendix 1.
- 2.2 Resolve to change the cycle for electing councillors to Swindon Borough Council from elections by thirds to whole council elections, to commence in May 2026.
- 2.3 Authorise the Chief Executive and Chief Legal Officer to issue the necessary public information as required by the Local Government and Public Involvement in Health Act 2007 and undertake any further actions necessary to give effect to Council's resolution.
- 2.4 Consider whether to resolve to harmonise all town and parish council elections with the Borough Council's electoral cycle, and if so to Authorise the Chief Executive and Chief Legal Officer to make the order to harmonise all town and parish council elections with the Borough Council's electoral cycle, as permitted by the Local Government and Public Involvement in Health Act 2007.

## **3. Detail**

### Background

- 3.1 On 21<sup>st</sup> October 2022 the Local Government Boundary Commission for England ("the Commission") gave notice that it would be undertaking a review of Swindon's electoral arrangements because two of its wards (St Andrews and Wroughton & Wichelstowe) now have large variances in the number of electors per Member compared to the borough average.

# The frequency of Council elections in Swindon

Council

Date: 12<sup>th</sup> October 2023

---

- 3.2 It is timely for Council to consider its electoral cycle because where authorities vote by thirds, the Commission is required to have a presumption in favour of delivering a uniform pattern of three Member wards (requiring the overall number of councillors to be divisible by three). Any departure from this pattern would need to be justified on a ward-by-ward basis. Whole Council elections do not require the Commission to have this presumption and allows it to consider a range of single and multi-member wards that may better reflect communities.
- 3.3 At its meeting on 13<sup>th</sup> July 2023, Council resolved to commence a consultation process in accordance with the 2007 Act as to whether it should move to whole council elections from May 2026. The consultation commenced on 14<sup>th</sup> August 2023 and ended on 25<sup>th</sup> September 2023.
- 3.4 Members are reminded that under the provisions of the 2007 Act, Councils that elect by thirds can choose to move to whole-council elections by passing a resolution at a special meeting of the Full Council. The resolution would only be deemed carried if two-thirds of the Members present were to vote in favour of a proposed change to the electoral cycle. Should Council pass such a resolution, the 2007 Act also enables the Council to make an Order to change the electoral cycle of parish and town councils.
- 3.5 There are statutory arrangements that must be met should the Council resolve to change to whole Council elections, including a requirement to publicise the fact that a resolution has been passed and produce an explanatory document; and to notify the Electoral Commission of the resolution.

## Consultation process and findings

- 3.6 A wide range of channels and messages were used to achieve the objective as follows:
- 3.6.1 An online survey was promoted through communication channels.
- 3.6.2 Paper copies were made available in Libraries.
- 3.6.3 A page was added to the Council's website providing an overview of the consultation and the key elements of both options.
- 3.6.4 The article placed in the September edition of The Link magazine was distributed to 40,000 households.
- 3.6.5 A QR code linking to the survey was in the Resident Survey letter sent to c.7,000 households.
- 3.6.6 Articles that promoted awareness of the consultation were in the following: Swindon Advertiser (25<sup>th</sup> July 2023), Swindonian (14<sup>th</sup> August 2023), The Link (online)(8<sup>th</sup> September 2023), The Link (online)(11<sup>th</sup> September 2023), Swindon

# The frequency of Council elections in Swindon

Council

Date: 12<sup>th</sup> October 2023

Advertiser (12<sup>th</sup> September 2023), and The Link (hard copy magazine)(September).

3.7 In total, 794 responses were received. 5 were completed on paper copies in Libraries, 51 were completed online through the QR code, and 738 were completed online through the survey link.

3.8 The outcome was as follows:

|  | Total responses (n) | Total responses (%) |
|--|---------------------|---------------------|
| <b>Option 1: "I would prefer to elect councillors by thirds"</b>                 | 329                 | 41.4                |
| <b>Option 2: "I would prefer to elect all councillors once every four years"</b> | 465                 | 58.6                |
| <b>Total</b>   | 794                 | 100                 |

3.9 Respondents were invited to explain their reasons for choosing one of the above options, the details of which are set out in the full analysis of the consultation responses attached at Appendix 1.

## Next steps

3.10 For the recommendations in section 2 to take effect, two thirds of councillors present will have to vote in favour of them (S. 33 of the 2007 Act refers). The number of Members required to reach this threshold at each level of attendance is attached at Appendix 2. Should the recommendations fail to achieve the two-thirds threshold, the Council's electoral cycle would remain by thirds.

3.11 If Council approve the change, officers will proceed to implement the decision as set out in Sections 35 and 36 of the 2007 Act. This will include:

3.11.1 Producing an explanatory document for the public and notifying the public and other stakeholders how and where they may obtain this document.

3.11.2 Giving notice of the change to the Electoral Commission.

## **4. Alternative Options**

4.1 Members could choose not to support the proposal, in which case the frequency of elections would remain unaltered.

# The frequency of Council elections in Swindon

Council

Date: 12<sup>th</sup> October 2023

---

## 5. Implications, Diversity Impact Assessment and Risk Management

### Financial and Procurement Implications

- 5.1 The report to Corporate Governance Review Working Group on 25th June 2019 set out that over a four-year period, the cost of elections by thirds would be £650k, while the anticipated cost of an all-out election could be £360k. Therefore, changing to all-out elections could generate in the region of £300k cash savings every four years.
- 5.2 After adjusting for inflation, the saving is estimated to be in the region of £320k over four years (£80k per year).
- 5.3 The cost of any notices and consultation would have to be covered within existing departmental budgets.

### Legal and Human Rights Implications

- 5.4 Legal and Human Rights considerations have been taken fully into account in compiling this report. The Council is required to comply with the requirements of relevant legislation and associated Regulations and Statutory Instruments.

### All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

- 5.5 There are no specific implications that relate to staff, sustainability, health, rural, crime and disorder within this report.

### Equalities Impact Assessment

- 5.6 No Equalities Impact Assessment has been undertaken as this report refers specifically to the statutory process for the Council to amend its election cycle.

### Risk Management

- 5.7 A risk assessment has not been completed as this report refers specifically to the statutory process for the Council to amend its election cycle.

## 6. Consultees

- 6.1 The Director of Finance and Audit (S151 officer) and Chief Legal Officer (Monitoring Officer) are consulted in respect of all reports.

## 7. Background Papers

- 7.1 None.

# The frequency of Council elections in Swindon

Council

Date: 12<sup>th</sup> October 2023

---

## 8. Appendices

8.1 Appendix 1 – analysis of the Council Election Cycle Consultation 2023.

8.2 Appendix 2 – number of Members required to reach voting threshold.