

Report to Constitution and Members' Services Scrutiny Standing Panel

Date of Meeting: 21 June 2007



Portfolio: Leader's Portfolio

Subject: Elections - May 2007

Officer contact for further information:

I Willett (01992 564243), G Lunnun (01992 564244) and W MacLeod (01992 564023)

Democratic Services Assistant: Z Folley (01992 564532)

Recommendation:

To consider this review of the elections held on 3 May 2007.

Introduction

1. 17 District Council seats were contested on 3 May 2007. One ward was uncontested. In addition, 7 Parish/Town Council wards were contested.
2. There was an average turnout in 2007 of 37%. The highest turnout was in respect of the Epping Hemnall Ward (43.02%) and the lowest related to the Waltham Abbey Honey Lane Ward (24.27%).
3. In May 2006 the average turnout in the wards contested was 41.48%.
4. The May 2007 elections featured some of the new provisions contained in the Electoral Administration Act 2006. In particular, changes to postal voting and the format of ballot papers.

Polling Stations

(a) Lower Nazeing Ward

5. In view of the cost of hiring (approximately £3,000) and health and safety considerations associated with the use of a portakabin, discussions were held with the owner of Fire Trade, Nazeing to use a building at the garden centre rather than a portakabin.
6. This did not prove possible and local members were consulted on the possibility of relocating the polling station for the Riverside Polling District to St Giles Hall where it would be combined with a polling station for the Nazeingbury Polling District.

7. Local members agreed and a letter was sent to every property in the Riverside Polling District regarding the change. Attention was drawn to the availability of postal votes for electors finding it difficult to get to the new polling station.
 8. On election day, polling station staff at St Giles Hall were asked to note any comments made by electors about the change of polling station. No comments were made to staff. Since the election, three adverse views have been received:
 - (a) it was environmentally unfriendly to drive rather than walk to the polling station;
 - (b) it was exhausting to walk to the polling station;
 - (c) it was wrong to make the change for disability access reasons (the last comment was based on a misunderstanding).
 9. One of the Ward Councillors has requested that consideration be given to an alternative venue within the Riverside Polling District and has suggested that the Crown Public House in Old Nazeing Road may be suitable. This will be investigated but members should bear in mind the need for there to be a separate entrance, disabled access and a separate room or an area which can be screened off easily from the bar area.
 10. The turnout for the Lower Nazeing Ward was 37.60% which when compared with overall turnout for all wards suggests that few, if any, electors did not vote as a result of the change of polling station.
- (b) Lower Sheering Ward**
11. In consultation with the local District Councillor, a polling station within the Lower Sheering Ward was provided after a break of several years during which time electors used the polling station in Sheering Village in the adjoining Hastingwood, Matching and Sheering Village Ward. The new polling station, the Railway Hotel Public House, was able to offer all the necessary facilities and appears to have been well received by electors. There was a 32.56% turnout for this ward.
 12. It is proposed, subject to availability, to use this venue in future and full-length screens will be acquired to completely separate the polling station from the adjoining bar area.
- (c) Epping Upland Ward**
13. Due to the Redwings site being redeveloped it was necessary to use the room in Broadlands, the house adjacent to the stables. This will not be available in the future and it seems unlikely that there will be any acceptable accommodation for a polling station on site following redevelopment. Officers will investigate alternative locations.
- (d) Epping Lindsey and Thornwood Common Ward**
14. The Conference Room in Epping Hall proved to be a good replacement polling station for the Adult Education building (now closed) in St Johns Road, Epping.
- (e) Chipping Ongar, Greensted and Marden Ash Ward**
15. Traditionally electors in the Greensted Polling District voted at St James Church Hall along with the electors from Marden Ash. Following the Chipping Ongar Polling District joining that ward, representations were made for electors in the Greensted

Polling District to vote at the Budworth Hall which is considered more easily accessible.

16. This change was made and the use of the Budworth Hall rather than the St James Church Hall for Greensted Polling District electors appears to have been well received. The turnout for the Chipping Ongar, Greensted and Marden Ash ward was 41.14%.

(f) Review

17. The Electoral Registration Act 2006, requires the Council to carry out the review of polling districts and polling places by January 2008 (then every 4 years). As part of that review there must be consultation with people who have particular expertise in relation to access to premises for people who have different forms of disability.
18. Officers will be undertaking this review during the summer months and members, access groups and others will be consulted as part of that process. The review forms part of the workplan for this Scrutiny Panel in the current year.

Postal Votes

19. The total number of postal votes issued was 3925 with approximately 70% returned.
20. The new software and scanners for checking personal identifiers (signature and date of birth) worked very well. Other authorities using different software were not so fortunate and there have been reports of some authorities needing to resort to manual checking of the personal identifiers.
21. There was no evidence of any postal vote fraud although a small number of postal votes were rejected because of a lack of comparison between signatures and/or dates of birth. In relation to those rejected due to a mismatch of dates of birth it was apparent that several electors put the date of signing the postal vote statement rather than their date of birth.

Spoilt Papers

22. There were very few ballot papers rejected except in the Waltham Abbey Paternoster ward of the Waltham Abbey Town Council election where 63 papers were rejected through being unmarked or wholly void for uncertainty. The reason for this is not apparent as the ballot paper was not unduly complicated requiring voting for no more than two of the four candidates. It is possible that electors decided not to mark their papers because their choice of political party was not standing.

Police Liaison

23. Early discussions were held with the police about security for the election and their response was very satisfactory. A dedicated policing team was in place on election day and this resulted in police teams touring key sites throughout the day. There was good support provided in overseeing the return of ballot boxes at the close of poll for storage overnight. On the morning of the count, police officers also attended to escort the delivery of the ballot boxes to the count centre at Waltham Abbey Town Hall. There was also a police presence throughout the hours of the count.

Complaints and Queries Received in the Elections Office

24. Very few complaints were made by electors, candidates or agents in the lead-up to the election or on Election Day. The vast majority of telephone calls made to the Elections Office were from electors complaining that they had not received poll cards. Most of those were from people in wards which were not up for election but having seen publicity about elections had assumed that they would be voting. However, it is apparent that some electors in Ongar did not receive poll cards and this matter is being taken up with the Royal Mail.
25. There were very few complaints from people unable to vote because they were not included on the Electoral Register.

Count

26. In May 2006, a centralised count was held at the Theydon Bois Village Hall. When members reviewed the 2006 elections held there was support for a centralised count in future years but it suggested that the village hall was not large enough and that the use of the side hall for the counting of certain wards was not ideal.
27. In 2007, postal vote signature and date of birth comparison was only possible using computers networked for the Xpress Elections Management System, i.e. in a restricted number of computers in the Civic Offices. This was a major consideration in deciding to hold the count on the day following the election rather than commencing at the close of poll. Postal votes delivered to polling stations during polling hours were verified prior to attending the Count Centre on the Friday morning. Verification at the Count Centre, being a remote location would not have been possible.
28. Waltham Abbey Town Hall was chosen as the Count Centre as being the only hall large enough in the district in which it was possible to undertake a count in one room. School Halls used in the past on the nights of elections were not available as they were required for school purposes.
29. The Waltham Abbey Town Hall proved to be a good venue although lacking a little in circulation space for candidates, election agents, counting agents etc. The layout of the hall provided for 70 counters which was considered to be the number required to achieve an efficient count in a reasonable time.
30. Members are reminded that those permitted to attend the count are:
 - (a) the Returning Officer and his staff;
 - (b) candidates and their guests;
 - (c) Election Agents;
 - (d) Counting Agents;
 - (e) Electoral Commission representatives; and
 - (f) accredited observers.
31. There was a total of 48 District Council candidates and 30 election agents (one or two candidates acting as their own agent). The number of counting agents who are permitted to attend the count on behalf of each candidate is calculated by dividing the

number of counting staff to be employed by the Returning Officer by the number of candidates contesting that election.

32. The Returning Officer has powers to permit persons to attend if he is satisfied this will not impede the efficient counting of votes. Media representatives have no right of entry to the count and it is up to the Returning Officer to decide whether or not to allow them to attend the count. By using the Waltham Abbey Town Hall, it was possible to provide a media centre in the bar area.
33. If the Town Hall is used again for the count centre it may be possible to reduce slightly the number of counters and to amend the layout in order to provide slightly more space for others permitted to attend.
34. This was the first election at which the Xpress count software was used to produce result sheets etc and this enabled up to the minute results to be displayed on two screens, one in the main hall and one in the bar area. This worked well although this particular part of the Xpress system is not widely used by other authorities and does not appear to have been reviewed by the company for some time. Officers have fed back to Xpress a number of suggestions which if implemented would improve the system. Problems were experienced in extracting verification of the votes cast from the system. On occasions some wards proceeded straight to the provisional result stage without prior consultation with agents on verified votes. This will be addressed as part of discussions with the software provider.
35. It is proposed to develop the count software for future elections and consideration will be given to the use of plasma televisions as well as screens to improve display. A venue with IT infrastructure is vital in this respect.
36. It is also proposed that 'bus stop' type signs be acquired which will show at any stage of the count which counting table is counting which ward.
37. Use of the Waltham Abbey Town Hall having a link to the Council's IT System also enabled the results to be placed on the Council's Website without delay. This IT link would require investment to enable the sufficient network capability to use the postal vote scanning equipment at the location should a count on the evening of the election be agreed.
38. Whilst some members have expressed a preference for the count to take place immediately following the close of poll it should be borne in mind that this would have resulted in the count being completed at approximately 5 a.m. on Friday 4 May 2007. It would not have been possible under the working time directive to use polling station staff as counters as this would have resulted in them working almost 24 hours non-stop.
39. Authorities who did undertake their counts immediately after the close of poll found it difficult to appoint the required number of counters as polling station staff were either not invited or did not volunteer due to the long hours to which they were already committed. Counters appeared reluctant to volunteer in the knowledge that they would be committing themselves to working between 10.00 p.m. and the early hours of Friday morning.

Meeting with Election Agents

40. Election agents were invited to attend a debriefing on 22 May 2007 in order to express views on the running of the election and the count. Five attended.

41. Generally agents were content with the processes. Set out below are the issues raised and the responses given:

(a) Publication of Nominations before the Easter Bank Holiday

Agents queried why this had not been possible. The statutory timescale provided for publication no later than the Tuesday after Easter; the advice from the former Eastern Region Co-ordinator was that the timescale had been agreed to enable administrators to check nominations to ensure that errors were not made; authorities who published their details immediately after the close of nominations on noon on the Thursday before Easter obviously decided that they did not need this extra time for checking; the situation will not arise again for several years until Good Friday follows the closing day for nominations; at that time consideration will be given to publication before the Easter break.

(b) Display Screens at the Count

Agents thought these were good but would have been better if there had been one in the centre which would have been visible from all parts of the hall. As indicated above, consideration will be given to increasing the number of screens and/or providing displays on plasma television screens. This will involve additional costs.

(c) Congestion at the Count

Some candidates and agents at the count were drawn to particular counts, not necessarily their own and this resulted in the area around these counting tables becoming very congested. It is not possible to restrict candidates and agents to the tables in which they are directly involved; when drawing up a plan for the layout of the count it appeared that 70 counters could be accommodated easily but when arriving at the hall for the count it was apparent that the required layout of tables could only be achieved by restricting the amount of space for candidates, agents etc; if the Town Hall is used again there will be a slight reduction in the number of counters which will enable the tables to be nearer the centre in order to achieve more circulation space for candidates, agents etc.

(d) Screen Delay

There was a delay in providing information on the screens at the count resulting in candidates missing the start of their counts. Improved signage will be used in future which together with more screens should ensure that everyone present will be aware which ward is being counted at which table.

(e) Rejected Postal Votes

Agents queried what % of postal votes were rejected because the software rejected signatures and/or dates of birth. Very few were rejected; all those questioned by the software were adjudicated manually at which stage many were included; one issue is whether it is the control document for signature/date of birth comparison which is wrong or the statement submitted with the postal vote; the control documents cannot be examined and this could be an issue until the forms are reviewed in five years.

(f) Lower Nazeing

Agents asked what was the impact of postal voting of the change of polling station in the Lower Nazeing ward. The effect was marginal - approximately 10 voters requested postal votes.

(g) Cancellation of Postal Votes

The Returning Officer was asked whether existing postal voters were given the opportunity to cancel their postal votes when they were advised of the new arrangements this year. All received a letter which included a cancellation form.

(h) Postal Votes Delivered at the Close of Poll

11 postal votes were delivered to the Civic Offices at the close of poll.

(i) Count

Agents were worried that having the count on the day following the election made it very difficult for candidates who work fulltime; a count immediately after the close of poll was preferred. Agents were advised of the comments set out in paragraphs 38 and 39 above.

(j) Postal Voters

The current percentage of postal voters is 7% overall.

(k) Tellers

Despite the local agreement, some tellers insisted on asking for electors' numbers on their way into the polling station as this approach complies with Electoral Commission guidance. Agents asked why the advice to agents remains that tellers should only seek information from electors on their way out. The approach adopted locally is preferred following previous consultation and will continue even if not universally accepted.

(l) Election Material

Agents queried the use of the word 'promoted' instead of 'published' on election material; this had caused some confusion. It was explained that the use of the word 'promoted' is now in force but was not on 3 May 2007.

(m) Senior Counters

Senior Counters were working on the same side of the table as counting agents and agents queried whether this is normal. It was explained that they prefer to work this way rather than reach over the counters, it has not caused a problem in the past. Hopefully if more room is provided outside of the tables this will not be an issue in future.

(n) Verification

There were instances of ballot papers being sorted face down during verification. It was explained that papers should be face up at the count, an announcement had been made when attention was drawn to a table verifying papers face down.

42. At the conclusion of the meeting, agents were advised that the following matters would be considered -
- (a) improved layout of the count centre;
 - (b) improvements to the display screens and signage at the count;
 - (c) the possibility of a Thursday evening count and alternative count centres with the improved technology;
 - (d) earlier publication of nominations.