Summary of Responses and Conclusions

Local Government Elections (Scotland) Bill Consultation

David Davidson MSP

Introduction

General

1. What do you think are the problems that are currently generated by holding elections on the same day? ________________________

2. What new problems do you think will be created as a result of the introduction of the Single Transferable Vote for local government elections? _________________________________

3. To what date would you like to see the local government elections moved, if at all? _________________________________

4. What benefits, if any, do you think separate local government elections will create? _________________________________

5. What are the financial consequences of holding local government elections separately? _________________________________

Conclusions

Introduction

This report is a breakdown of the results of the consultation carried out by my former colleague David Mundell from 18 February to 15 June 2005. David stood down as MSP in June 2005 and I now intend to take it forward, therefore I have analysed the responses he received to the consultation. The responses are all available for individual viewing at the Scottish Parliament reference centre.

I wholeheartedly agree with David’s motivation for introducing this bill that separate elections for local government and the Scottish Parliament would allow for real local accountability as the responsibilities of local government would receive their time in the limelight, whereas at the moment there is a tendency for them to be overshadowed by Scottish Parliament election issues.

I also believe that the introduction of the Single Transferable Vote for local government elections from May 2007 requires the elections to be decoupled to prevent voter confusion and damage to democracy through an increase in spoilt or inadmissible votes.

I thank all those who responded to the Local Government Elections (Scotland) Bill Consultation and I present a summary of the responses given in the next few pages. I also thank the Convention of Scottish Local Authorities (COSLA) who agreed to support the main provisions of the Bill at their meeting in December 2004.

David Davidson MSP
June 2006
**General**

The consultation received 35 responses out of 152 copies sent out - of these 25 were in favour, 3 were against, 6 made no comment and 1 was undecided. This corresponds to 71% support of the Local Government Elections (Scotland) Bill, with 9% against, 17% making no comment and a further 3% undecided. The results are set out in the chart below with the full list of respondents provided in Annex A.

![Responses Chart]

The responses came from a number of sectors including: the Convention of Scottish Local Authorities (COSLA); 17 local authorities; 4 Councillors; the Conservative Group at Stirling Council; the Association of Electoral Administrators; the Society of Local Authority Lawyers and Administrators in Scotland (SOLAR); Phil Gallie MSP; Professor David Denver and Dr Michael Dyer; Fairshare; Voxscot; Unison; 1 individual; Youthlink; The Law Society of Scotland and the Scottish Refugee Council.

- COSLA support the proposal in the Local Government Elections (Scotland) Bill [hereafter the Bill] to de-couple local authority elections.

- Of the 17 councils, 11 were in agreement with the Bill to move local government elections to 2008, however 2 of these added the caveat that this would only be necessary with two electoral systems. The councils in support are Angus Council, Argyll and Bute Council, Dumfries and Galloway Council, East Lothian Council, Edinburgh City Council, Falkirk Council, Glasgow City Council, North Lanarkshire Council, Scottish Borders Council, Stirling Council and West Dunbartonshire Council.

- A further 3 councils were in favour of the status quo of combined elections: Perth and Kinross Council, South Ayrshire Council and West Lothian Council.
• 2 councils offered no comment: Renfrewshire Council and the Western Isles, and 1, Highland Council, was undecided – they supported de-coupling if the “issues of voter education, resourcing of elections, separation of counts and a change to conduct counts during daytime” are left unaddressed.

• The 4 Councillor respondees are all in favour of the Bill, they are 3 Independent Councillors from Moray Council and 1 Conservative Councillor from Aberdeen City Council. In addition the Conservative Group of Councillors at Stirling Council and the Conservative MSP signalled their support for the Bill.

• The Association of Electoral Administrators and the Society of Local Authority Lawyers and Administrators in Scotland (SOLAR) both support the Bill.

• Professor David Denver of Lancaster University and Dr Michael Denver of Aberdeen University both support the proposals in the Bill.

• Also in support are VoxScot, Unison and the Individual respondee, Fairshare made no commitment to the Bill, preferring to solve the solution of two different voting systems on the same day by changing Scottish Parliament elections to those of STV.

• Youthlink asked for further information before making a commitment to the Bill and The Law Society of Scotland and the Scottish Refugee Council felt they were unable to comment on the Bill.

The responses to the consultation varied in their content. 11 of them just signalled support or dissent and 3 gave short statements of support which are set out below:

“We believe that holding the elections on the same day de-values local government. Separate elections would increase local government accountability….We recognise that the practical application of this would be to delay the next local government elections to May 2008.”
Unison, 10 June 2005

“I very much support your Bill as I am against contending political events. One always overshadows the other to the confusion of the voter and the detriment of democracy.”
Nigel Smith, VoxScot, March 2005-09-02

“I strongly support your proposal….separating the two [elections] would allow local elections to fulfil more clearly their primary function – to allow local voters to pass judgement up on the quality of their local representatives and hold their local administration accountable.”
Professor David Denver, Lancaster University
Over half of the respondents, (20), did provide substantive replies to each of the questions for consultation and their responses are detailed below in order to provide a clear picture of the opinions with regard to the proposals within the Bill. The figures given with regard to the consultation questions are of those that presented a detailed answer.

1. **What do you think are the problems that are currently generated by holding elections on the same day?**

The majority of the respondents (12 or 60%) thought that the current combined elections led to voter confusion and subsequently this caused voter turn-off and disengagement from our democratic process.

Some respondents thought that the combined elections also led to a diminution of Councils and Councillors and the important role that they have in Scotland’s public sector. (4 or 20%)

One respondent added that arguments in favour of combined elections based on raising turnout are outweighed by the loss in local democracy and accountability.

25% (5) thought the status quo led to considerable pressure on Returning Officers, Electoral Registration Officers and their staff to administer the combined polls and the respective counting of votes for each election. The respondents that hold this view includes the Association of Electoral Administrators and the Chief Executive with the backing of Highland Council.

Alongside this 20% (4) of submissions thought that the timing of the combined elections was a very pressing problem. Again those that thought this included the Chief Executive with the backing of Highland Council, East Lothian Council and the Chief Executive with the backing of Edinburgh City Council, who wrote:

“I am clear that it is unacceptable practice to have count staff working from 9 or 10 in the evening to 6 or 7 the following morning. To do so I believe seriously risks compromising the integrity of the electoral process.”

**City of Edinburgh Council, 13 June 2005**

Concerns were raised regarding inadequacy of funding for national elections by 15% (3) of submissions.

Also raised were concerns with regard to confusion over local authority borders crossing those of Parliamentary elections; the lack of media interest as a result of the combined elections; and the lack of voter education.

One respondent thought that there were no insuperable problems with the current state of affairs of combined Scottish Parliament and local government elections, this was North Lanarkshire Council.
A summary of the responses to the first question is available below:

Problems currently generated

- Voter confusion
- Pressure on staff
- Diminuation of Council
- Timing of count
- Inadequate funding for elections
- Cross border issues
- Media interest lost
- Lack of voter education
2. **What new problems do you think will be created as a result of the introduction of the Single Transferable Vote for local government elections?**

The majority of the respondents (12 or 60%) thought that the introduction of the Single Transferable Vote (STV) will lead to higher voter confusion with a corresponding increase in the level of spoilt votes and unacceptable ballots (10 or 50%). Many thought this would lead to a disenfranchisement of voters and as North Lanarkshire Council outlined in their response, it “will be severely harmful to the democratic process”.

There were also major concerns for the complexity and duration of the count and, as identified by the Society of Local Authority Lawyers & Administrators in Scotland, this will place an “intolerable burden on electoral administrators”. 35% (7) of respondents, including the Association of Electoral Administrators, thought that STV will bring with it an increased administrative burden for election staff and Edinburgh City Council called for more funding to help address this.

The rural respondents set out the additional challenges that will STV will present them. For example, Argyll and Bute explained how its count “is dependent on the availability of helicopter transport for ballot boxes from the islands and remote parts of Argyll to the count in Lochgilphead and then on reasonable weather conditions.”

Respondents thought that STV would lead to local government elections being dominated by Scottish Parliament elections, (3 or 15%). Edinburgh City Council highlighted in their response that with combined elections 41,837 voters voted in the 2003 local government election than the 2003 Scottish Parliament election as voters have more consideration of national issues than local ones.

The importance of improved voter education in both the process and in the individual candidates will be essential with the introduction of STV, according to 10% (2) of respondents. A similar 10% (2) thought that STV and its complexities will deter voters leading to a low turnout: and 10% (2), including North Lanarkshire Council, thought that the introduction of STV will damage the link between a councillor and constituents.

Further problems put forward by respondents are the subsequent difficulty for constituents in identifying which of the multi member councillors they should contact (Conservative Group at Stirling Council); the need for a computerised system to enable e-counting of the vote (Edinburgh City Council); the added difficulties for disabled voters with the new system (West Dunbartonshire Council) and the increased complexity for postal voters (West Dunbartonshire Council).
A summary of the responses to the second question is available below:

![Bar chart showing problems created by STV](chart.png)

- Confusion
- Spoilt votes
- Burden on staff
- Local gov overshadowed
- Voter education
- End direct link to Cllr
- Lower turnout
- Difficulty in contact
- Need e-counting
- Complex for disabled people
- Complex for postal voters
3. **To what date would you like to see the local government elections moved, if at all?**

A number of respondents, while supporting the separation of elections, made no indication as to a date they would wish to see the local government elections moved to, (7 or 35%).

Of those that cited a date, 50% (10) were in favour of the Bill’s proposal to move local government elections to May 2008. The Association of Electoral Administrators wished local government elections moved to a Tuesday in mid May, so avoiding the public holidays and allowing the vote counting to take place on the Wednesday and Thursday.

Argyll and Bute Council responded that local government elections should be mid-term between Scottish Parliament elections and should be reached on a staggered basis, with the next one in 2008, then 2013, 2017 and so on. However, if the two 5 year terms were unacceptable, the council would accept 2008 and 2012.

Renfrewshire Council replied that the council was concerned the coincident elections would still occur if local government elections were moved, for example local government elections could coincide with a Westminster Parliament election.

A summary of the responses to the third question is available below:
4. What benefits, if any, do you think separate local government elections will create?

Two respondents gave brief replies to this question: Renfrewshire Council replied that “this is a matter on which the political parties may wish to from a view”; and Argyll and Bute Council wrote that the “benefits are to remove and reverse the disincentives that are associated with combined elections that we have discussed”.

The majority (11 or 55%) of the remaining responses thought that separating local government elections will ensure that the issues before local government are given greater prominence. COSLA feels the proposal to separate elections will highlight “the role of local government as a separate sphere of government with its own autonomous legitimacy”.

30% (6) of the submissions felt that the separate elections would reduce confusion, for voters, politicians and election staff alike. As COSLA set out: “it will reduce the confusion that having three different voting arrangements running on the same day is likely to cause, with the introduction of STV needing particular attention”.

15% (3) of the respondents thought separate elections would allow for better discussions of local government in the media. 15% (3) thought that separate elections would also reduce the number of spoilt votes otherwise expected and a further 15% (3) thought that the two elections would enable voters to get to know the new voting system and remove the fear factor that will otherwise lead to voter apathy.

5% (1) thought that de-coupling the elections would increase voter turnout and 5% (1) thought a further benefit would be to enable a move away from party politics, allowing more focus on the individual candidates than party allegiances.

Some respondents thought that there would be disadvantages to separating the elections. 20% (4) responded that the turnout would reduce and 10% (2) thought that there would be increased apathy from voters being asked to vote in too many elections. In addition Youthlink raised concerns that postponing the elections and removing young people’s opportunity to vote would actually increase the existing democratic deficit.
A summary of the responses to the fourth question is available below:

**Benefits of de-coupling**

- Local issues greater prominence
- Reduce confusion
- Media attention
- Reduce spoilt votes
- Allow experience of STV
- Increase voter turnout
- Move away party politics
- Disadvantages - damage turnout
- Disadvantages - increase apathy
- Disadvantages - increase democratic deficit
5. **What are the financial consequences of holding local government elections separately?**

60% (12) of respondents replied to this question with regards to the financial consequences of holding local government elections separately to Scottish Parliament elections.

All of these respondents agreed that it would be more expensive to have separate polls, as local authorities would have to bear the full cost of the election while currently the costs are shared with the Scotland Office.

20% (4) of the respondents also highlighted that the costs would also be increased for the Scottish Parliament elections for the Scotland Office.

A further 20% (4) of the respondents felt that the extra costs would be outweighed by the benefits to democracy and accountability that are gained by separating the elections.

10% (2), including the Association of Electoral Administrators (AEA), outlined that the costs will go up in 2007 anyway due to the introduction of the STV. These costs include training staff and running an information campaign for voters.

AEA added that the “combined polls in 1999 and 2003 placed an intolerable burden on the limited staff resources available to conduct these elections. The issue of staff fatigue had not really ever been adequately addressed and will be of even greater significance in 2007 if the elections remain combined”.

The Conservative Group at Stirling Council highlighted that there would be additional expenses for political parties due to the additional campaigning for two separate elections. However they felt that these additional expenses would be justified in the interests of democracy and local accountability.

Phil Gallie MSP raised the point that there will “a price to pay with respect to a day’s lost education for some children”, as many schools are used as polling stations.

Edinburgh City Council and Highland Council provided detailed costings for the four recent elections for comparison and background information in answer to this question, a table is attached below setting out the figures.
Election Costs

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Edinburgh City Council added in conclusion that “it is interesting to note that in spite of the opportunity for economies of scale in the combined elections in 2003, the Scottish Parliament Election is significantly more expensive to organise than any other. The same was true for the cycled of elections between 1997 and 1999”. This is also reflected in the Highland data.
Conclusions

To sum up, there are a number of clear issues with regard to each of the consultation questions:

1. What do you think are the problems that are currently generated by holding elections on the same day?

   - Voter confusion
   - Pressure on electoral staff
   - Diminution of Councillors and Councils
   - Difficulties regarding the timing of the count
   - Inadequate funding for national elections
   - Cross border issues of confusion
   - Loss of media interest
   - Lack of voter education

2. What new problems do you think will be created as a result of the introduction of the Single Transferable Vote for local government elections?

   - Increased confusion
   - Increased number of spoilt votes
   - Increased burden on staff
   - Local government overshadowed by national Parliaments
   - Difficulties of voter education
   - The ending of the direct link between Councillors and their constituents
   - Lower turnouts
   - Difficulty in knowing which Councillor to contact
   - The necessity for e-counting
   - Voting will be made more complex for disabled voters and postal voters

3. To what date would you like to see the local government elections moved, if at all?

   - 50% of respondents favoured May 2008
   - 35% of respondents wanted the elections separated but gave no specific date

4. What benefits, if any, do you think separate local government elections will create?

   - Local issues will be given greater prominence
   - It will reduce confusion
   - Increase media attention
• Reduce spoilt votes
• Allow for the experience of STV
• Increase voter turnout
• Move away from party politics

• Disadvantages include potential damage to turnout from frequent voting and a subsequent increase in apathy

5. What are the financial consequences of holding local government elections separately?

• It was agreed that this would increase costs for local government elections, and Scottish Parliament elections. However, a third of respondents thought that this increase in costs would be outweighed by the benefits accrued.
Annex A

List of Respondents

Total Respondents: 35

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<td>Phil Gallie MSP</td>
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<td>Dr Michael Dyer – Senior Lecturer Aberdeen University</td>
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<td>Professor David Denver - Lancaster University</td>
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