

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

COUNCIL

28 September 2017

Report of the Head of Corporate Strategy and Democratic Services – Karen Jones

Matter for Decision

Wards Affected:

All Wards

ELECTORAL REFORM IN LOCAL GOVERNMENT IN WALES

Purpose of the Report

1. To advise Members of the Welsh Government's consultation exercise in relation to Electoral Reform in Local Government in Wales and to seek approval in relation to the proposed response.

Background

2. With the relevant provisions of the Wales Act 2017 on electoral and registration matters due to come into effect next year, the Welsh Government and the Assembly are consulting on how Welsh Democracy functions, how individuals become eligible to vote, how they exercise their right to vote and how elections are organised.

3. Up until this year, the Assembly has had very limited powers in relation to local elections and registration of electors, with its powers confined to the appointment of Returning Officers (where constituencies crossed county boundaries) and Regional Returning Officers. In addition, the Assembly has held responsibility for the financing of these elections through providing funds to Returning Officers and the costs of distributing candidates' literature to Royal Mail.
4. The transfer of competence by the Wales Act, has provided the Welsh Government with the opportunity to review the framework of legislation applying to Welsh local elections.

Draft Consultation Response

5. An initial draft of the consultation response is attached at Appendix 1 for Members consideration.
6. In preparing the initial draft response consideration has been given to the technical and administrative aspects of practically implementing the reforms as proposed by Welsh Government.
7. However, certain questions posed by the consultation are more political in nature and as such will require Members to consider their collective view in relation to the prepared draft response.
8. The deadline for the submission of all consultation responses is Tuesday, 10 October, 2017.

Financial Impact

9. The consultation document proposals for reforms are likely to have significant financial costs and benefits. The main proposals outline major structural change to the delivery of electoral services. The proposed reforms are wide-ranging and include a range of variables and it is too soon to make any assessment of likely costs or benefits without undertaking a detailed analysis once it is clear which proposals Welsh Government wish to implement.

Equality Impact Assessment

10. A screening assessment has been undertaken to assist the Council in discharging its Public Sector Equality Duty under the Equality Act 2010. After completing the screening assessment it has been determined that this decision does not require a full Equality Impact Assessment.

Workforce Impacts

11. It is not yet clear what the workforce implications will be in relation to electoral reforms proposed by Welsh Government. However, it must be understood that fundamental changes to the registration of electors and administration of elections will result in the implementation of additional or alternative administrative arrangements and demand current staff to up-skill in relation to new areas of technology, while Electoral Registration Officers and Returning Officers may also be required to provide their electoral services offices with additional workforce resource.

Legal Powers

12. The Wales Act 2017 received Royal Assent on 31 January this year and contains provisions which have the effect of transferring competence to the National Assembly to legislate in relation to the administration of elections to the Assembly itself and of those to local government. In addition, legislative competence for the registering of electors eligible to vote in these elections and the franchise applying to them are also devolved. An exception to this is the digital registration system operated by the UK Government.

<http://www.legislation.gov.uk/ukpga/2017/4/contents>

Risk Management

13. There is considerable risk associated with any change to the structure of democratic arrangements in Wales. Significant care will be required to ensure that any new legislation is fit for purpose, implemented in a reasonable and practical way and is fully funded by Welsh Government.

Consultation

14. The relevant consultation document was published by Welsh Government on 18 July, 2017.

Recommendation

15. To seek Council approval of the current draft consultation response.

Appendices

16. Appendix 1 - Draft Consultation Response - Electoral Reform in Local Government in Wales

List of Background Papers

17. Welsh Government Consultation Document - Electoral Reform in Local Government in Wales

<https://consultations.gov.wales/consultations/electoral-reform-local-government-wales>

White Paper - Summary of Responses - Reforming Local Government: Resilient and Renewed

<https://consultations.gov.wales/consultations/reforming-local-government-resilient-and-renewed>

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