



Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL COUNCIL

13 March 2024

Report of the Chief Executive

Matter for Decision

Wards Affected: All Wards

Voting Systems for Principal Area - Local Government Elections

Purpose of the Report:

The purpose of this report is to seek the Council's decision in respect of future local government election arrangements. This is in response to the commenced legislation for local authorities providing powers to potentially change the voting system for principal area elections from a simple majority model (First Past the Post) to a proportional representation model (Single Transferable Vote).

Executive Summary:

All councillors in Wales are currently elected using a simple majority system, commonly known as first past the post (FPTP). Each council will continue to use this method unless it decides to change to a system known as the single transferable vote (STV).

Background:

Members were initially advised on the proposals regarding local government voting systems as part of the Welsh Government's consultation on draft election rules for principal area elections.

A detailed report and consultation response was discussed and approved by council on 5 April, 2023.

This was followed by an all-member seminar held on 9 November, 2023 which outlined the differences and challenges of the First Past the Post (FPTP) system and the Single Transferable Vote (STV) method.

Members were also provided with further information detailing the relevant legislative rules introduced by Welsh Government.

At present the first past the post voting system is used for county and county borough council elections in all 22 local authorities in Wales.

The Local Government and Elections (Wales) Act 2021 (“the 2021 Act”) enables councils to consider holding future elections using the single transferable vote method. However, principal councils will continue to use first past the post unless there is any determination to change.

In addition, it outlines the steps a local authority must take if it is minded to change its voting system.

Power to change the voting system

A change to the Council’s voting system would require a resolution supported by at least a two-thirds majority of the full council (i.e. 40 out of 60 members).

Such a resolution must be considered at a meeting specifically convened for the purpose, with written notice given to all members at least 21 days before the date of the meeting (beginning with the day on which the notice is given).

A resolution to change the voting system would need to be passed by 15 November in the year three years before the next ordinary elections are due.

To change the system for the next local government elections in 2027, this would be by 15 November 2024.

It is important to note that before a Council can exercise its power to change its voting system, it would have to consult locally. This would include people entitled to vote at the local government elections, each town/community council in the area and any other persons it consider appropriate.

Local authorities opting to change their voting system would be required to use the new system for the next two rounds of ordinary elections.

In the case of a by-election for a casual vacancy that arises in the period following the passing of the resolution to change the voting system and the next ordinary local government elections, the voting method used at the previous ordinary elections would be used.

After two rounds of ordinary elections, the Council could decide whether to return to the previous voting system.

Boundary Changes

In the event of a resolution to change the voting method, the Council would have to notify Welsh ministers and the Local Democracy and Boundary Commission for Wales of the change.

Following notification, Welsh ministers would direct the commission to conduct an initial review of the council's electoral ward boundaries.

Provisions for initial reviews are set out in the 2021 Act and include a requirement that if a council adopts the single transferable vote method, the number of councillors for each electoral ward is to be no less than **three**, but no more than **six**.

There is therefore, a significant element of work that would need to be undertaken to progress to the point of adopting the alternative voting system.

The First Past the Post Method (FPTP)

When an elector votes in an election that uses that first past the post voting system, they are given one ballot paper.

The instructions at the top of the ballot paper explain how many candidates the elector is allowed to vote for.

At the 2022 local government elections held in Neath Port Talbot, the size of the electoral wards varied from a single member up to three members.

If the elector was voting for a single member ward election they would place an 'X' in the box next to the name of the candidate they had selected.

If the elector was voting in a multi-member ward, they would follow the instructions on the ballot paper and vote for up to the maximum number of candidates allowed.

The successful candidate(s) would be the individual(s) who received one or more votes than the other candidates standing.

The Single Transferable Vote Methods (STV)

For elections using the single transferable vote method, a group of representatives are elected in each electoral ward, and electors rank candidates in order of preference.

Voters will place '1' next to the name of their preferred candidates '2' next to their second choice and so on. They can make as many or as few choices as they wish.

Successful candidates must reach a quota. This is the minimum number of votes calculated according to the number of seats and votes cast.

Ballot papers are sorted into first preference votes and candidates that reach the quota are immediately elected.

Surplus votes from candidates reaching the quota are re-allocated to second preference candidates.

Votes from the candidate with the fewest first preference votes who do not reach the quota are eliminated. Their votes are re-allocated to second preference candidates.

Following the re-allocation of votes, candidates reaching the quota are in turn elected. Their surplus votes are then re-allocated until all vacancies are filled.

Where no candidates reach the quota, the candidate with the fewest votes is excluded and their votes transferred to the remaining candidates.

Counting votes using this method is complex and can result in voter confusion, however it is also considered to be a more proportionate weighting to an individual's vote.

Many single transferable vote elections are counted electronically to aid speed and accuracy, in Scotland for example. However, Welsh Government have already ruled out funding an electronic counting system. On that basis any single transferable vote count process would have to be undertaken manually.

Other considerations

The Welsh Government remain conscious that a manual single transferable vote count can be a lengthy process and experiences in other areas of the UK where the method is used indicate that it is not unusual for counts to last 2-3 days as a minimum.

This means that count venues will need to be accessible for a minimum of two days from when ballot boxes are open, with mitigations in place for up to four days.

Appropriate staffing levels will also be key, particularly for the verification and the first stage of the count significantly increasing the overall cost of administering a single transferable vote count process as compared to the more straightforward first past the post count exercise.

STV counts also require regular movement of large volumes of ballot papers and it is important to ensure that this can be done in a safe and transparent manner.

Town and Community Councils

A further consideration is the handling of ordinary town/community council elections that coincide and are invariably 'combined' with ordinary principal council elections.

The two sets of ordinary elections are combined because of the significant savings to town/community council and the convenience of voters.

The single transferable voting method in the 2021 Act does not apply to town/community councils, whose elections will continue to use the first past the post system

As such a local authority which opted for single transferable vote would in effect have to operate a separate counting model for both principal council and town/community council elections.

This would result in the loss of some combination cost savings in administering the local polls and likely increase the potential for voter confusion with different voting systems in operation at the same time.

Financial Impacts:

Members are advised that to implement any new voting arrangements would likely require significant additional financial resources.

However, at this stage it remains difficult to fully assess the total costs that would be required to introduce what would be a significant change to election arrangements within Neath Port Talbot.

Nevertheless, based on previous costs incurred for electoral events held in 2021 and 2022 the current average cost of undertaking a 'First Past the Post' count based on daytime count arrangements over 1.5 days with 100 count assistants and 20 supervisory/ancillary staff is just under £60K.

A standard Single Transferable Vote count method, excluding any additional time required for undertaking 'First Past the Post' count processes for Town and Community Councils would likely take a minimum of 2 additional days to complete. This would result in standard local government counts taking at least 3.5 days to conclude and possibly up to 4/5 days.

Utilising this assumption, it is estimated that for each supplementary day required to undertake an extended Single Transferable Vote verification and count administrative process this would result in an overall additional cost of £20K-£25K per day.

This would result in the standard logistical administrative costs of undertaking the verification and count process to increase from around £60K to approximately £100-£110K as a minimum.

These costs would include:

Hire of Count Centre *(over a minimum of 3.5 days)*

Appointment of additional count staff *(over a minimum of 3.5 days)*

Supervisory, ancillary and IT staff pay

Count staff training

Additional accommodation costs

Equipment costs

Transport costs

Security costs

The above estimate does not include any additional core staffing resilience costs that would likely be required to transition from a First Past the Post voting system to a Single Transferable Vote voting method.

It is estimated that an additional FTE Electoral Services Officer (Grade 7) would be required to enhance the resilience of the Electoral Services team, support any proposed transition programme, aid with any public consultation exercise and the subsequent electoral review process and provide extra capacity resource. This additional staff cost would be approximately £32K plus any on costs.

Administrative costs related to any bespoke 'one-off' public consultation exercise are also estimated to be a minimum of £15K.

No additional grant funding is being offered by Welsh Government to the local authority to transition to the proposed new voting arrangements and all additional costs would need to be found from within the council's existing budgets.

Integrated Impact Assessment:

A first stage impact assessment has been undertaken to assist the Council in discharging its legislative duties (under the Equality Act 2010, the Welsh Language Standards (No.1) Regulations 2015, the Well-being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016.

The first stage assessment has indicated that a more in-depth assessment is not required.

Valleys Communities Impacts:

There are no direct valley community impacts as a result of the recommendations set out in this report.

Workforce Impacts:

There will be staffing implications if the decision is taken to move to an alternative method of voting such as the single transferable vote (STV) system due to the increased time needed to complete the verification and count process.

Legal Impacts:

The provisions of the 2021 Act are included in the substantive sections of this report.

Risk Management Impacts:

The implementation of new voting arrangements will have financial and staffing implications for the Council.

Consultation:

There is no requirement for external consultation on this item. However further public consultation will be required in the event that the council takes the decision to proceed with changing its voting system for principal area elections.

Decision Required:

The following question shall be put to elected members:

- Do you wish to consider changing the voting system for local elections from First Past the Post to the Single Transferable Vote?

Members will be entitled to vote either Yes, No or shall be entitled to abstain.

If a majority of the members vote 'yes', a consultation exercise would need to be embarked on in accordance with the requirements of the 2021 Act on a proposal to change the Council's voting system from the first past the post method to the single transferable vote option.

Following this consultation, a report would be brought back to Full Council for members to make a final determination (where a two thirds majority will then be required to approve the change).

If the majority of the members vote 'no', there will be no further action.

Reasons for Proposed Decision:

A decision is required to determine the Council's position in relation to the new powers as outlined in the Local Government and Elections (Wales) Act 2021.

Implementation of Decision:

The decision is proposed for implementation immediately

Appendices:

None.

List of Background Papers:

[Local Government and Elections \(Wales\) Act 2021](#)

[Local Elections \(Principal Areas\) \(Wales\) Rules 2021](#)

[Local Elections \(Principal Areas\) \(Single Transferable Vote\) \(Wales\) Rules 2023](#)

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