

Amber Valley Borough Council		Status	Draft	Agenda Item No	
Report To	Special Full Council Meeting	Date	5 November 2008		
Report By	Chief Executive				
Report Title	Whole Council Elections				

1. Purpose of report

- 1.1 To consider passing a resolution (which must be passed by at least a majority of two-thirds of the members voting) to move from elections by thirds to whole council elections every four years.

2. Recommendations

- 2.1 That the representations received in response to the consultation exercise, the comments thereon and supporting appendices, be considered;
- 2.2 that the Council determine whether it wishes to resolve, in accordance with Section 33 of the Local Government and Public Involvement in Health Act 2007, that the Council's electoral cycle move from the holding of ordinary elections by thirds, to whole council elections for all councillors of the Borough Council with Parish Council elections taking place on the same day, to come into effect for the May elections in 2011 and every four years after;
- 2.3 that in the event of a resolution for whole council elections being passed, an explanatory document be prepared for submission to the next meeting of the Council; and
- 2.4 that in the event of a resolution for whole council elections being passed, the Electoral Commission be informed accordingly.

3. Reason for Recommendations

- 3.1 It is good practice for the Council to review its electoral arrangements periodically.

4. Background Information and Options

- 4.1 A report was considered at a meeting of Full Council on 26 March 2008 (Minute No. 2690) when it was resolved to authorise the Officers to commence work on a scheme for the introduction of whole council elections and to approve a list of persons to be consulted on such a change which would take effect in 2011.
- 4.2 The consultation exercise ran from 1 June to 30 June 2008. A letter was sent to persons and organisations on the approved list; public notice was given in the local newspapers and the Council's web site carried all the required information. A copy of the consultation document, and approved list of consultees, is set out as Appendix 1.
- 4.3 In response to the consultation, sixteen representations have been received – four are in favour of moving to whole council elections, and twelve wish the Council to remain with elections by thirds. Copies of the representations are attached to this report as Appendix 2, with comments on each representation as Appendix 2A.
- 4.4 If the Council wish to proceed with whole council elections in 2011, then the resolution must be passed before 31 December 2010. Following the passing of the resolution, the Council must produce an explanatory document, which sets out

details of the new electoral system as it applies to Amber Valley, and make it available for public inspection. The Electoral Commission must be notified that the Council has passed the resolution.

- 4.5 At the 26 March 2008 meeting, the Officers were also asked to report on the Councillors Commission and its recommendations. The Councillors Commission published a report – Representing the Future in December 2007 and a copy of their recommendations is attached as Appendix 3. The Commission was established in the light of the Local Government White Paper – Strong and Prosperous Communities (Communities and Local Government 2006) to seek ways of encouraging able, qualified and representative people to come forward for election as councillors, to secure public interest and recognition for the work they carry out. The Government’s response to the recommendations, which was published on 9 July 2008, is set out as Appendix 4. Many of the recommendations put forward by the Commission could not be implemented without legislative change.

5. Implications

5.1 Legal

- 5.1.1 The Local Government and Public Involvement in Health Act 2007 allows local authorities to resolve to move away from elections by thirds to whole council elections. Section 35 of the Act states that the Council, after passing a resolution to move to whole council elections, must produce an explanatory document and make it available for public inspection. Section 36 of the Act states that the Council, after passing the resolution, must give notice of the resolution to the Electoral Commission.

5.2 Resources

- 5.2.1 Resources - the Council currently budgets £100,000 each financial year for elections by thirds for three out of four years. It is estimated that for four yearly elections, the net cost would be £125,000 - a saving of £175,000 over a four yearly period.

5.3 Efficiency:

E1 Reducing inputs (money, people, assets) for the same output	Less resources will be required to elect each member for a term of office of four years
E2 Reducing prices (procurement, labour, costs) for the same output	
E3 Getting greater outputs or improved quality (extra service, productivity) for the same input	
E4 Getting more outputs or improved quality in return for an increase in resources that is proportionately less than the increase in	

output or quality	
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5.4 Forward Planning and Strategic

5.4.1 This item falls outside the Cabinet Forward Plan.

5.5 Human Rights

5.5.1 None arising

5.6 Risk Identification and Management

5.6.1

Strategic Risk	Risk Detail	Action	Rating
Strategic	Opportunity for long term planning	Consider the move to whole Council elections	Medium
Operational	Time spent in preparation for the elections		Medium
Regulatory	None		Low
Financial	Saving in time and costs		Medium
Reputation	None	None	Low
Information	None	None	Low
People and Management	None	None	Low

References			
Author / Ext	Sheila Parkin, Democratic Services Officer	Ext	1631
Email Details	sheila.parkin@ambervalley.gov.uk		
Consultations with Statutory Officers	None		
Consultations with Members	consultation letter dated 29 May 2008		
Other Consultations	letter dated 29 May 2008 to persons on approved list of consultees (attached to 26 March report)		
Documents used in Preparing this Report	Local Government and Public Involvement in Health Act 2007.		
Members' Services Officer		Ext	
Document URL			
Keywords			
Index of Appendices			
Forward Plan Reference	Ref No:		Contact:
Forward Plan Description			