

Committee: General Purposes Committee	Date: 13 th June 2007	Classification: Unrestricted	Report No:	Agenda Item No:
Report of Assistant Chief Executive (Legal Services)		Title: Electoral Matters – Update		
Originating Officer: Tim Revell Interim Electoral Services Manager		Ward(s) Affected: All		

Summary

1. This report updates members of the Committee on current electoral issues.

Recommendations

2. That the Committee note the information in the report which will subsequently be circulated to all members using the Members' Bulletin.

LOCAL GOVERNMENT ACT 2000 (SECTION 97)

LIST OF "BACKGROUND PAPERS" USED IN THE PREPARATION OF THIS REPORT

Brief description of "background papers"	Tick if supplied register	copy for	If not supplied, name and telephone number of holder
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Estimate of future electorate

Tim Revell; 020 7364 3139

Review of Polling Districts & Polling Places

3. Formal notice of the commencement of the review was published in East End Life and on the website on 30th April 2007 and subsequently the Returning Officer's representations (copy *attached*) were published on 30th May 2007. In drawing up the representations the following criteria were used:

- approximately 1,500 electors per polling station; so there are proposals to have additional polling stations at some venues where space permits or use of another venue.
- anticipated growth in the electorate; based on residential units in construction in each current polling district the growth in the electorate has been estimated. This is not an exact science but clearly some polling districts & indeed wards will have large increases in their electorates.
- known changes to current venues; ie Cheviot House & Southern Grove will not be available in future.
- alternatives to current venues where there is a better alternative; ie Bow IDEAS store instead of Bow Community Hall.
- projected increases in the population of LBTH assuming that the same % as at present are eligible to go on the register; ONS projections for the next four years are:

2008	222,700
2009	225,600
2010	228,400
2011	231,200

It is therefore prudent to plan for a steady increase in the electorate.

- an increase in the return rate on the canvass will result in an increase in the electorate.
 - views put forward at the previous meeting and by ward councillors.
4. Consultation as set out in the report to the April meeting of the Committee is currently taking place. Ward councillors, elected representatives, political parties, election agents and groups representing people with disabilities have been sent the Returning Officer's representations. Electors generally have been invited to comment through East End Life and the website. The review will also be discussed at the Tower Hamlets Access Group on 20th June. The consultation period will extend until 31st July 2007. The Returning Officers proposed changes will be finalised during August after consideration of the outcome of consultation. The final proposed changes will be circulated to the Committee and Group Leaders at the end of October so they can comment prior to the final report to this committee on 14 November and onwards to

Council on 28 November.

Anonymous Registration

5. The government has introduced a system of anonymous registration in the Electoral Administration Act 2006 which came into force on 1st June 2007. The Electoral Commission has published detailed guidance on the operation of this provision. An applicant for anonymous registration must meet the normal requirements (ie age, nationality, residence, not disqualified) and must also satisfy the Electoral Registration Officer (ERO) that that their safety or that of any other person in the same household would be at risk if their details were made public. This is achieved by the applicant giving (a) a reason for their application and (b) documentary evidence or an attestation in support of this reason. The safety test is that, “the safety of the applicant for an anonymous entry or that of any person of the same household would be at risk if the register contains the name of the applicant or his qualifying address”.
6. The documentary evidence must be a court order of the type specified in the legislation ie injunctions under the Protection from Harassment Act 1997 and an attestation must be from one of the qualified persons ie a chief officer of police, a director of children’s services or a director of adult social services. The attestation cannot be delegated to a more junior person.
7. The anonymous registration record is a very sensitive document and EROs are required to take proper precautions to ensure that there is no unauthorised access. Access is only permitted to specified people and organisations ie Returning Officers, the security services and police forces. Any contact with an anonymously registered person ie by a candidate would be through the Returning Officer.

Canvass 2007

8. Under Section 9 of the Representation of the People Act 1983 (RPA 1983) an ERO has a duty to maintain registers of parliamentary and local government electors containing the name, qualifying address and electoral number of those persons “appearing to the registration officer to be entitled to be registered in it”. This includes removing those whom it appears are not entitled to be on the register as well as adding those who are entitled. Additionally, under Section 9A of the RPA 1983, an ERO has the duty to take all steps that are necessary for the purpose of complying with the registration officer’s duty under S9 of the RPA 1983. This is an ongoing duty and does not just apply to the annual canvass period. The Electoral Commission’s view is that the duty on the ERO to maintain the register requires them to conduct an annual canvass, which includes ascertaining any persons who are not registered but are entitled to be.
9. Under the recent amendments to the Act the ERO must take the following steps in conducting the canvass: (these steps were used in the last canvass which had an 82% return)

- sending more than once to any address the form to be used for the canvass;
 - making on one or more occasions house to house inquiries;
 - making contact by such other means as the registration officer thinks appropriate with persons who do not have an entry in a register;
 - inspecting any records held by any person which he is permitted to inspect under or by virtue of any enactment or rule of law eg council tax, houses in multiple occupation register, and housing benefit;
 - providing training to persons under his direction or control in connection with the carrying out of the duty. (Training to canvassers is provided annually)
10. At present a task based canvass plan is being prepared which will provide an overview of how the canvass is to be managed, including clarification of roles and responsibilities, risk assessment and management, lines of reporting and mechanisms for monitoring and ensuring quality. Best practice from other Boroughs is also being reviewed particularly how to access different communities and gated properties.
11. The canvass will begin in late August with the despatch of canvass forms (Form A) to every address in the borough followed by a reminder three to four weeks later if no reply has been received. Where a reply has still not been received house to house enquiries will be made by the team of canvassers who will attempt to contact each property. Intensive personal canvassing has been found to be the most effective way of producing an accurate electoral register. The canvass will be supported by a publicity campaign using a variety of media (radio, press and public venues including our TV bulletin board in the one stop shop) to ensure widespread awareness of the electoral register, its importance and the legal requirement to complete and return forms to the ERO.

Comments of Assistant Chief Executive (Legal Services)

12. The relevant legal implications are dealt with in each section of this report.

Comments of Chief Financial Officer

13. The Electoral Services budget includes provision to undertake an effective canvass. Any financial implications arising from the polling districts review will be dealt with in the final report to this Committee in October 2007.

Equal Opportunities Implications

17. There are no equal opportunities implications arising from this report.

Anti Poverty Implications

18. There are no implications in this report.

Sustainable Action for a Greener Environment

19. There are no implications in this report.