

Report to	Democratic Services Committee
Date of meeting	27 November 2023
Lead Member	Councillor Julie Matthews, Lead Member for Corporate Strategy, Policy and Equalities
Head of Service	Catrin Roberts, Head of Corporate Support Service: People
Report author	Steve Price, Democratic Services Manager
Title	Single Transferable Vote

1. What is the report about?

1.1 On 6 May 2022, the provisions of the Local Government and Elections (Wales) Act 2021 (the 2021 Act) relating to the single transferable vote system at the election of councillors to a principal council (a county or county borough council) in Wales came into force. These provisions allow those councils to decide to conduct elections using the single transferable vote system instead of the simple majority system, often referred to as first past the post.

2. What is the reason for making this report?

2.1. The Local Elections (Principal Areas) (Single Transferable Vote) (Wales) Rules 2023 have now been formally agreed by the Senedd and have come in to force. These are the new Rules that set out the process for an election carried out using the Single Transferable Vote from 2027.

2.2. A decision on whether to change this Council's voting system is not required. The new provisions are powers not duties. However, there is a deadline set in November 2024 for concluding the consultation and decision-making processes should the Council want to consider changing the voting system.

3. What are the Recommendations?

- 3.1 That the Democratic Services Committee considers the options available for principal council elections and recommends accordingly.

4. Report details

- 4.1. The existing voting system for local government elections is the First Past the Post system. This system is also used for UK Parliamentary and from 2024 for Police and Crime Commissioner elections. Senedd elections use the first past the post system for the constituency element of Senedd elections together with party candidate lists for regional Senedd members under a proportional representation system called the Additional Member System.
- 4.2. The Single Transferable Vote (STV) system is a form of proportional representation with the Wales STV provisions having multi-member wards each with between 3 and 6 councillors representing the ward. The STV system is designed to allow voters more choice than exists in single member wards, and to avoid votes being 'wasted'. Under the first past the post system, it is argued that votes for minority parties or candidates can be 'wasted' as they do not contribute to the election of any candidates and the results therefore may not be proportionally representative of the electorate as a whole.
- 4.3. Principal councils can now choose which voting system they wish to use, either the existing simple majority system (first past the post) or the single transferable vote system. Each council continues to use the first past the post system unless it decides to change to the single transferable vote system. This would require a resolution supported by a two-thirds majority of the full council, at a meeting specially convened for the purpose, with written notice given at least 21 days before the meeting.
- 4.4. A resolution to change the voting system would need to be passed before the 15th November in the year three years before the next ordinary election is due. To change the system for the next local government elections in 2027, this would be before the 15th November 2024. Before it can exercise its power to change the voting system, Denbighshire would have to consult locally. This would include local government electors, each community council in the area and any other people it considers appropriate.

- 4.5. Any council opting to change its voting system would be required to use the new system for the next two rounds of ordinary elections, so for a period of 10 years. In the case of a by-election for a casual vacancy after the Council had changed to STV but before the first round of ordinary elections using STV had been held, the voting method at the previous ordinary election would be used. After those two rounds, the council could decide to return to the previous voting system.
- 4.6. If a council exercises its power to change the voting system, the council must notify the Welsh Ministers and the Local Democracy and Boundary Commission for Wales of the change. After receiving a notification, the Welsh Ministers may direct the Local Democracy and Boundary Commission for Wales to conduct an initial review of the area of the council. The provisions for these initial reviews include requiring that the number of councillors for each electoral ward would be no less than three, but no more than six.

5. How does the decision contribute to the Corporate Plan 2022 to 2027: The Denbighshire We Want?

- 5.1. This report does not directly contribute to the Corporate Plan.

6. What will it cost and how will it affect other services?

- 6.1. The Council would need to undertake stakeholder engagement and communications prior to an election using the Single Transferable Vote (STV) system.
- 6.2. Experiences in other areas of the UK where manual counting for STV has been used indicates that it is a complex and lengthy process that takes place in stages and can take several days to complete. Staff and venue costs for the period required to complete a STV count would be significantly increased when compared to the First Past the Post counting system.

7. What are the main conclusions of the Well-being Impact Assessment?

- 7.1. A well-being impact assessment is not required for this report.

8. What consultations have been carried out with Scrutiny and others?

8.1. This purpose of this report is to consult with the Democratic Services Committee on single transferable voting.

9. Chief Finance Officer Statement

9.1. Not required for this report.

10. What risks are there and is there anything we can do to reduce them?

10.1. The new legislative powers would, if taken forward, be supported by a public consultation exercise and a boundary review of the county. Communication and engagement with voters, political parties and potential candidates would be necessary to address the risk of confusion.

11. Power to make the decision

11.1. The Local Government and Elections (Wales) Act 2021.