

<b>Item No.</b>	<b>Classification:</b> Open	<b>Date:</b> 25 <sup>th</sup> February 2003	<b>Meeting Name</b> Executive
<b>Report title:</b>		Motion Submitted in accordance with Council Procedure Rule 3.9 – Electoral Arrangements	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		Chief Executive (Borough Solicitor and Secretary)	

### **RECOMMENDATION**

1. That the Executive consider the motion as set out in paragraph 4 below.

### **BACKGROUND INFORMATION**

2. At the Council Assembly meeting on 22<sup>nd</sup> January 2003 a motion was submitted in accordance with Council Procedure Rule 3.9 (1) by Councillor Toby Eckersley, seconded by Councillor William Rowe.
3. Council Assembly considered this motion and it was subsequently amended. The amended motion was referred to the Executive:-

‘That the Council is of the view that the Government’s policies with regard to electoral arrangements do not strike the right balance between increasing turnout and maintaining confidence in the electoral process. The Council therefore has sympathy with the views expressed by Councillor John Hemming (Leader, Liberal Democrats, Birmingham) on the increased risks of fraudulent voting resulting from moves away from voting at polling stations, (Local Government First, 12th October 2002) and requests the Chief Executive to enquire into the progress of Councillor Hemming’s expressed intention to initiate judicial review of this matter, and report back to the Executive.’

### **KEY ISSUES FOR CONSIDERATION**

4. In accordance with Council Procedure Rule 3.9 (3), the above motion was referred to the Executive, which shall report upon the outcome of their deliberations upon the motion to the next meeting of Council Assembly.
5. Any key issues, policy or funding implications are included in the advice from the Chief Executive.

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Borough Solicitor and Secretary**

6. As the motion indicates, decisions regarding the voting methods in force in any election are decided the Government, and are primarily political choices. There are no specific legal or election issues to support one choice over another.
7. Were any change to be proposed there would be widespread consultation and the views of the Electoral Commission and Returning Officers in the country would be sought on practical issues and in particular on likely impact on voter turnout.

### **Legal Implications**

8. There are no specific legal implications arising from the consideration of this report.

### **REASONS FOR URGENCY**

9. Any potential action arising from the consideration of the motion will be delayed by two weeks, which is when the next meeting of the Executive is scheduled to take place.

### **REASONS FOR LATENESS**

10. It was not possible to complete the report in time for the agenda despatch as the necessary consultation with other officers was completed after the despatch of the agenda.

### **BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Original Motions	Room 315, Town Hall, Peckham Road, London SE5 8UB	Beverley Olamijulo 020 7525-7222

## APPENDIX A

### Audit Trail

<b>Lead Officer</b>	Ian Millichap, Constitutional Support Manager	
<b>Report Author</b>	Beverley Olamijulo, Constitutional Support Officer	
<b>Version</b>	Final	
<b>Dated</b>	20.02.03	
<b>Key Decision</b>	No.	
<b>CONSULTATION WITH OTHER OFFICERS/ DIRECTORATES/EXECUTIVE MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Borough Solicitor & Secretary	Yes	Yes
Chief Finance Officer	No	No
Chief Executive (Head of Social Inclusion)	No	No
<b>Executive Member</b>	-	-
<b>Date Final Report sent to Constitutional Support Services</b>	20.02.03	