# electoral reform in local government

## a Local Government Association consultation

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# Introduction and consultation questions

Electoral reform is on the national political agenda. The adoption of new voting systems for the election of the Scottish Parliament, the Welsh Assembly and members of the European Parliament has already established this principle in national elections. The use of alternative systems for the election of the Mayor and Assembly of London has introduced the principle into elections at a more local level. The probability of change in Scotland so that future local elections are fought under Proportional Representation (PR) may eventually confront England and Wales with the same possibility.

If electoral systems for English and Welsh local government were to be changed, it is essential that the voice of local government itself is heard and that local interests are protected.

The LGA therefore commissioned a Democracy Task Group, comprised of elected members from the four political groups, to undertake an assessment of the case for and against reform. The Task Group's report, including details of its membership, terms of reference, a set of key principles against which the various models were assessed, and conclusions, is **attached at Annex A.**

The Task Group's report was considered by the LGA Executive on 22 June, 2000 when it was agreed that it should be debated by the Strategy and Finance Forum. The Forum meeting, on 14 September, 2000 also considered a supplementary proposal from the LGA's chairman, Cllr Sir Jeremy Beecham, **attached at Annex B.**

A note of points made in the Strategy and Finance Forum debate is **attached at Annex C**.

This consultation with member authorities is the third step in the LGA's consideration of the complex issues involved in electoral reform.

The LGA is now keen to hear Council's views on all the issues raised by this subject. We would find it helpful if in your response you could address the consultation questions set out below – and then let us have any other observations you would like to make.

## The consultation questions

**Views are invited on the Task Group's conclusions**

**Question 1**

Should the First Past the Post (FPTP) system of elections in local government be retained and developed?

**Question 2**

If the Government does intend to replace FPTP, should a Local Government Additional Member System (LGAMS), as suggested by the Task Group, be adopted as the best alternative system?

**Question 3**

Would the introduction of LGAMS be realistically compatible with annual elections for local authorities?

**Question 4**

Should LGAMS be considered as the electoral system for those councils that opt for an elected mayor before it is introduced elsewhere?

**Question 5**

If LGAMS were to be introduced, should consideration be given to adding top-up councillors to the existing number of directly elected councillors in authorities with single member seats, thereby preserving current ward size and boundaries.

**Comments are also invited on the proposal by Cllr Sir Jeremy Beecham**

**Question 6**

Should attempts be made to allow for at least some minority representation with a simple additional member system under which a proportion of seats are allocated on the basis of votes cast, with the rest of the council elected in the traditional FPTP system?

**Comments are also invited on the key principles which guided the Task Group:**

**Question 7**

The Task Group identified a set of key principles as being essential to the working of a successful electoral system. Are there other factors which might be included when seeking the best electoral system for local government in England and Wales?

**Other issues**

Comments are welcomed on other aspects of electoral reform which you consider need to be taken into account.

**Views should be submitted to**

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# electoral reform in local government

## an assessment by the LGA's Democracy Task Group

# electoral reform in local government — an assessment
## Report of the Democracy Task Group

### aims of the assessment

Electoral reform for local government is now on the agenda. The adoption of new voting systems for the election of the Scottish Parliament, the Welsh Assembly and members of the European Parliament has already established this principle in national elections. The use of alternative systems for the election of the Mayor and Assembly of London has introduced the principle into local elections. The probability of change in Scotland so that future local elections are fought under Proportional Representation (PR), confronts England and Wales with the same possibility.

If electoral structures for English and Welsh local government are to be changed, it is essential that the voice of local government itself is heard and that local interests are protected. Accordingly, the LGA Executive commissioned the Democracy Task Group[1] to undertake an assessment of the case for electoral reform in local government according to the following terms of reference:

➤ to review the current electoral system in local government and consider whether it should be retained or replaced;

➤ to assess alternative electoral systems that could be used in local government, identify principles governing the choice of alternative systems and consider which might best suit the needs and interests of local government;

➤ to report to the LGA Executive accordingly.

The Democracy Task Group met with selected academics[2] on 23 February 2000 to consider evidence. The Task Group met again on 9 May to review the first draft of its assessment. This report constitutes the Task Group's assessment of electoral reform in local government and is offered to the LGA Executive for consideration.

### key principles for reform

The Task Group agreed that, before considering electoral reform itself, the wider context had to be noted. Local government is experiencing a significant period of change represented by the Local Government White Paper in 1998, a Local Government Act in 1999 and a Local Government Bill currently before Parliament. Local authorities are being pressed to deliver Best Value in their services, to reform their political management arrangements and to "reconnect" to local communities, in particular by increasing turnout in local elections. The LGA continues to press for a real and irreversible shift of power from the centre in Whitehall back to local government. This is the context in which the debate about electoral reform has to take its place.

Before the Task Group considered the academics' evidence, they agreed that — whatever electoral system was ultimately chosen — it would need to conform to a series of "key principles" that were agreed as being essential to the working of a "successful" electoral system from the perspective of local government:

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[1] Cllrs Sir Harry Jones (Chair), Michael Capes, Graham Forshaw, Nicky Gavron, Keith House, Trevor Jones, Jim Mallory, Rita Stringfellow, Sir Ron Watson
[2] Michael Thrasher (Univ. of Plymouth), Steve Leach (de Montfort Univ.), Patrick Dunleavy (LSE)

1. **the electoral system must provide strong support for authorities' community leadership role and the constitutional position of local government;**

2. **it must maintain a link between councillors and defined communities;**

3. **it must support stable, coherent leadership in authorities;**

4. **it should minimise complexity so as not to deter voters;**

5. **it must not reduce, and preferably should help to increase, electoral turnout in local elections;**

6. **it must be relatively easy to introduce across the country;**

7. **it must allow for the existence of independent councillors — the system should not be subjugated to national party machines, but should allow for local diversity and choice.**

As well as these key principles, the Task Group agreed that there should also be some consideration, when assessing rival systems, of the principle of proportionality — ie. how well do votes translate into seats?

However, the Task Group was unable to recommend proportionality as a key principle — members agreed that, although a consideration, how important proportionality was would ultimately depend on political standpoints outside of the Task Group's terms of reference.

## some background factors

Before considering different systems, the Task Group considered some of the background factors in the workings of electoral systems that can have a big impact on outcomes. Michael Thrasher's evidence, in particular, detailed the following:

➤ the way in which systems are put together is crucial. In designing a system key elements include the nature of the ballot, district magnitude, electoral formula, electoral threshold, and assembly size. Altering one element will possibly have consequences for the other elements.

➤ The nature of the current system is **categoric** – ie. the voter is given only a **single choice** and can choose only one category of candidate. In an **ordinal** ballot the voter can express a **preference order** over all candidates. These ballots represent opposite ends of a continuum and there are many variations that exist in between.

➤ **District magnitude** is the number of seats for any given constituency or ward and is critical in relation to proportional representation. Under FPTP large district magnitudes — ie. the more members in a ward — result in greater disproportionality.

➤ The **electoral formula** is simply the set of rules that determine the winner; some are kind to large parties and unhelpful to small parties, but others impact in the opposite way. Modifications can make the system better or worse for large/small parties and can affect proportionality.

➤ The **electoral threshold** is the minimum vote a candidate or party requires to be guaranteed a seat. Legal (or *de jure*) thresholds penalise all small parties and independents and have an adverse effect on proportionality.

➤ The smaller the **assembly size**, the more difficult it is to achieve proportionality. Under FPTP elections, small assembly size can lead to large disproportionality.

Any electoral system represents a combination of these background factors producing the possibility of different outcomes. Even a supposedly "simple" system such as First Past the Post (henceforth referred to as FPTP), can actually allow for variation — wards with one, two, three or even four members can be found in different types of local authority in England and Wales. The size of the authority also differs across the country. Some authorities elect a third of members in three years out of four; others have all out elections every fourth year.

### the pros and cons of First Past the Post

This electoral system is currently in use throughout England and Wales. It is a simple majoritarian or plurality system where the candidate with the most votes is elected to represent a simple geographical area such as a constituency or ward. FPTP is used in local government with single member and multi-member wards.

> **The Task Group considered the pros and cons of the system and agreed that a consensus does not exist across local government about whether to retain or replace this electoral system. However, a majority of members of the Task Group do support retention of FPTP for elections in local government.**

It was agreed to note the pros and cons of the system as it works in local government and to forward these for the attention of the Executive.

**Factors in favour of FPTP**
These include:

➤ Ensuring a direct relationship between elected representatives and the electorate. FPTP always ties an elected member to a geographical area. It is a "representational" system. Ward boundaries can be constructed to reflect communities of local interest (since there is no pre-requisite for large district magnitudes) thereby reinforcing this representational characteristic.

➤ The system usually offers a "winner's bonus" to the party that wins the most votes in the locality; ie. it wins "extra" seats beyond the proportion of the votes it gained. This increases the probability that the largest party will win sufficient seats to enjoy a secure majority in the council. Supporters of FPTP argue that such majorities bring with them "stability" and "strong" local government.

➤ It is an easy system for voters to understand both in terms of the mechanics of voting itself and having a clear view of the political "chain of command" from the ward level to the council.

➤ It allows for instrumental voting — although electors vote for many different reasons, they may be voting for or against a ruling administration and can use their vote to directly change the council's leadership.

➤ The system favours a strong two-party system which tends to mean a "party of government" and a "party of responsible opposition" in each locality. Fringe and extremist parties tend to be squeezed out of the system.

**Factors against FPTP**
These include:

➤ The system almost always leads to a distortion of the seat/vote ratio and to disproportional outcomes. There is no automatic relationship between votes cast and seats won.

➤ The "winner's bonus" means over-representation of the party that came first. These "extra" seats can lead to parties dominating councils on the basis of a minority of the votes cast. It also produces the phenomenon of "single party" councils where one party has more than 80%+ of the seats.

➤ Sometimes the "winner's bonus" doesn't go to the winner — the party which wins the most votes does not win the most seats. This is often associated with an uneven distribution of support between parties and/or unequal electoral divisions and can allow minority groups of voters to dominate councils.

➤ To benefit under FPTP, parties need to concentrate votes in geographical areas where there are plenty of seats to be won. Parties whose support is well spread out across the area will tend to be under-represented. Third parties, in particular, tend to suffer from this.

➤ This aspect of FPTP voting produces the phenomenon of "wasted", "surplus", "floating", "swing" and "tactical" votes. Not all votes are equal under FPTP — some stack up in "safe" wards not really contributing much to the winning of the seat, others can swing from one candidate to another in a marginal ward and determine the outcome. As parties have become more sophisticated in targeting marginal seats and swing voters, so "tactical" or insincere voting has been encouraged, while "heartland" voters stuck in safe seats may feel they are being excluded from campaigns aimed at key swing voters in marginal seats.

➤ The growth of councils with no overall control in the last decade[3] suggests FPTP may not be as good as its supporters claim in delivering majoritarian administrations. FPTP works best when there is a clear two party system. The rise of three, or even four, party systems in localities is much more likely to produce NOC outcomes.

## alternative electoral systems

**A majority of members of the Task Group support the retention and development[4] of FPTP as the electoral system of local government in England and Wales.**

However, the LGA Executive asked the Task Group to assess alternative systems that could be used if it was determined, for instance by Government, that FPTP should be replaced for council elections. The Task Group's assessment suggested that there are three basic systems that are the lead alternatives to FPTP for use in local government:

➤ **the Alternative Vote (AV)**
like FPTP, but votes are cast in order of preference for the candidates. If no candidate wins more than 50%, the bottom candidate drops out and the 2nd preferences are reallocated. This process continues until one candidate gets more than 50% and he/she takes the seat. AV is not a proportional system, but it does

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[3] A third of authorities are now NOC, up from less than a quarter in the late 1980s.
[4] For example, measures to reform electoral arrangements such as the use of full postal ballots.

ensure that every councillor has more than 50% support in his/her ward rather than a simple plurality.

➤ **the Single Transferable Vote (STV)**
electors vote for candidates in order of preference in multi-member constituencies. A candidate is elected when he/she achieves an electoral "quota" after bottom candidates have been eliminated and 2<sup>nd</sup> etc. preferences have been reallocated. Although generally seen as a PR system, STV can produce less proportional outcomes and is generally seen as being less proportional than AMS.

➤ **the Additional Member System (AMS)**
in this system, a proportion of councillors are elected directly via FPTP constituencies/wards. These are then "topped-up" with additional councillors elected from party lists according to the proportion of votes the party won in the election. Depending on what proportion of councillors come from the top-up list, this should ensure a council that is more or less proportional.

**APPENDIX 1** contains the Task Group's assessment of the four electoral systems — FPTP, AV, STV and AMS — against the "key principles" proposed above and an assessment of proportionality.

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**If FPTP was to be replaced, the Task Group considers that a local government variant of AMS would best fit the key principles for reform proposed above.**

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The reasons for proposing this are:

➤ It is the most proportional alternative to FPTP. Only a third of "top-up" councillors would be needed in each council to ensure a proportional outcome. This compares favourably with STV which can produce unproportional outcomes.

➤ AMS will be easier to introduce without complicated boundary changes and with less risk of huge ward sizes which, particularly in rural and county areas, could be difficult to represent effectively.

➤ Two-thirds of members under AMS are directly elected and enjoy the same councillor-constituent relationship as at present. Top-up members could be elected for sub-authority areas thereby giving them a geographical locus as well. Under STV, the ward sizes are bigger and it is arguable that this may make members more remote from their constituents. (The problem of large size multi-member wards in rural and sparsely populated areas is considered in more detail later in this report.)

➤ AMS is clearly becoming the "convergent" alternative electoral system in the UK to FPTP. It is already used in Scotland, Wales and for the Greater London Assembly. Its introduction is widely expected for the next round of European elections. It is undesirable to burden the electorate with many different systems of voting for different tiers of government.

The Task Group also considered the merits of the Alternative Vote system. While AV is not suitable as a complete alternative system — it is not proportional — it may have merits as the system for the directly elected members under AMS. This is because members have to secure more than 50% of the vote before being elected. The fact that AV is an ordinal system — voters rank candidates in order of preference — also serves to increase voter choice for the directly elected members.

## an alternative electoral system for local government

The Task Group's suggested alternative if FPTP is to be replaced is a **Local Government Additional Member System (LGAMS)** with the following features:

➤ two-thirds of the members of each council will be directly elected from wards using FPTP. Wards can be single or multi-member as at present.

➤ The remaining third of the council will be elected from a "top up" pool of members to ensure proportionality between votes cast and seats won.

➤ The Task Group felt it was important that the top-up members should be elected from an **open list** — ie. electors should be able to vote for names from the party list if they chose rather than have to accept the party's order of preference;

➤ The top-up members could be allocated on an authority-wide basis (therefore following the model of the London Assembly). Alternatively, as with Scotland and Wales, top-ups could be on a sub-authority basis. The Task Group recommends this approach where possible because the top-up members will then have been elected from a geographical area within the authority and this will help to counteract problems of legitimacy with top-up members supposedly being "second class".

## other related issues

In its assessment, the Task Group encountered a number of supplementary issues that need to be considered alongside alternative systems when considering the case for reform.

### annual elections

A move to annual elections for authorities[5] was proposed in the Local Government White Paper of 1998. Proposals in the current Local Government Bill will allow the Secretary of State to change the timing of elections by Order.

The Task Group are strongly of the opinion that annual elections, although feasible with FPTP, are unsuitable for use with proportional electoral systems in local government.

Under the suggested alternative of LGAMS, very large multi-member wards (of 6 or more members) would be needed to allow an election to take place every year. If the number of councillors nationally were not to multiply dramatically, large scale boundary changes would be needed to amalgamate wards. This process would also produce very large ward sizes that would be difficult to represent, especially in county and rural areas. In the Task Group's opinion this would threaten to take the "local" out of local government.

### automatic AMS for authorities opting for elected mayors

The Task Group noted that AMS was being used for the election of the London Assembly which would provide the scrutiny function in the new GLA. The current Local Government Bill provides for split executive and scrutiny functions in all authorities with the option of elected mayors in those areas that vote for it in a referendum. The issue therefore arises as to whether the council/assembly in those authorities with mayors should be elected by LGAMS.

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[5] In fact, election by thirds, 3 out of 4 years, in unitaries and elections by halves every other year in two-tier areas with the county and districts taking turns each year.

Steve Leach's evidence suggested that there was a risk that scrutiny arrangements may not work very well in authorities dominated by one party. With mayors and councils being elected on separate mandates, there is a risk that the mayor might be confronted by a council dominated by an opposition party. It should be remembered that the "winner's bonus" under FPTP is defended as ensuring that one party has a majority and can therefore form a stable administration. However, once the executive is vested in a single person elected by a separate system, this justification is not as relevant. LGAMS would ensure that the assembly responsible for scrutinising the mayor's administration would be representative of all the political forces enjoying popular support in the area.

> **The Task Group therefore suggests that the use of LGAMS for councils with elected mayors could be considered before it is introduced elsewhere.**

### ward size and re-warding

One of the Task Group's key principles was that the electoral system must maintain a link between councillors and defined communities. The representational role for councillors for specified geographical areas, or wards, is strongly supported throughout local government. Therefore, the Task Group would not support any form of electoral reform that undermined this role.

Clearly, the size of wards is closely related to this issue. If wards become too large then, as suggested above under annual elections, it becomes difficult for councillors to perform their representational role.

Another of the Task Group's key principles was that any new electoral system must be easy to introduce across the country. This led the Task Group to reject STV because it would require significant re-warding; ie. revision of ward boundaries to create the new multi-member wards needed for STV elections. Local government experience suggests that boundary reviews are a complex and time consuming process that can take years. If significant re-warding was necessary, the Task Group concluded that it would be extremely difficult to introduce electoral reform within a reasonable time scale.

How do the ward size and re-warding issues apply to the introduction of LGAMS? The answer depends on how the top-up councillors (which constitute one-third of the members) are introduced to each authority. There are two options:

➤ find the top-ups from within the existing number of councillors by amalgamating wards to reduce the number of directly elected councillors by one-third;

➤ add new councillors to the total so that the overall number of directly elected members remains unchanged.

The second option has no implications for ward size or re-warding. However, the first option does – authorities with one or two member wards will require re-warding so that one-third of the existing councillors become top-ups. The size of the new wards will also be greater than the previous divisions. (Obviously, in three member wards, one member could be removed to become the top-up, thereby preserving the existing ward boundaries.)

The Task Group was concerned about the implications of LGAMS for ward size and re-warding. All county authorities have single member wards while most of the districts and unitaries have two member wards. Therefore, an enormous boundary

revision involving thousands of wards would be necessary to introduce LGAMS and this could take years.

The new ward sizes would also be problematic. In the counties, three existing one-member seats would need to be combined and then divided in two to create the new single-member seats and have one-third of members as top-ups. In districts, a similar process could be followed with two-member wards. In each case, the new wards are one and a half times as big as the old ones. The Task Group felt such ward sizes were untenable in rural and sparsely populated areas. Indeed, even in urban areas, ward sizes of 30,000 or more could result.

The Task Group therefore favoured the second option of increasing the total number of councillors by one third so that the existing number of directly elected councillors would be maintained. Patrick Dunleavy, in his evidence to the Task Group, thought the Government was unlikely to be sympathetic to this idea. However, it should be remembered that in Great Britain there are fewer councillors per head of population than in most Western European countries.

> **The Task Group notes that the introduction of LGAMS requires a choice to be made between retaining existing ward boundaries or increasing the total number of councillors.**
>
> **In order to avoid significant re-warding or excessive ward size, the Task Group agreed that the existing number of directly elected councillors should be maintained and new "top-up" councillors added to achieve the desired 2:1 ratio.**
>
> **An increase in the total number of councillors in England and Wales will have to be accepted as a by-product of replacing FPTP with an AMS-style system.**

### electoral reform and "weak" council leadership

The Task Group is concerned that replacement of FPTP with a proportional system will inevitably lead to an increase in the number of No Overall Control (NOC) authorities. This may have implications for stability of leadership at a time when authorities are under pressure to separate executive and scrutiny functions and to establish themselves a strong, dynamic local community leaders. Steve Leach's evidence to the Task Group explicitly addressed this issue of leadership and the key elements of his evidence are attached to this report as **APPENDIX 2**.

### proportional representation in action

In the absence of pilot studies of electoral reform in particular authorities, the Task Group decided to consider the actual experience with new systems for other elections in Great Britain. Since 1997, new electoral systems have been introduced for the European elections and the new devolved institutions in Scotland, Wales and London. To date (June 2000), four different elections have been held using proportional systems as follows:

| Scottish Parliament | 6 May 1999 | AMS |
| --- | --- | --- |
| Welsh Assembly | 6 May 1999 | AMS |
| European | 19 June 1999 | closed list PR |
| Greater London Assembly | 4 May 2000 | AMS |

[note that the mayor of London was elected using the non-proportional Supplementary Vote system]

The Task Group was interested in what these actual elections indicated for three key issues:

➤ was there any relationship between the introduction of a new system and the resulting turnout? Was turnout increased because PR was used?

➤ was the increased complexity of the new systems compared with FPTP problematic for voters?

➤ how representative were the outcomes using the new systems and what difference would using FPTP have made to the outcomes?

**APPENDIX 3** shows key results for the four elections listed above including:

➤ a turnout figure for each election;

➤ the proportion of the votes received by each party in the constituency part of the election (for the party list for the European election);

➤ the proportion of seats received by each party;

➤ the proportion of directly elected constituency seats received by each party (not European).

**Turnout**
It is difficult to infer anything one way or the other from the turnouts listed in Appendix 3. The turnout for Europe (23%) was less than in 1994. The turnouts in Scotland and Wales (58 and 46%) were less than for UK Parliamentary elections, but greater than for local elections. The turnout for the Greater London Assembly (33%) was no better than for the London Borough elections of 1998. Michael Thrasher's evidence to the Task Group suggested that international comparisons indicated that turnout under PR was, on average, 6–7% higher than in FPTP elections. However cultural and institutional factors, such as compulsory voting, could not be discounted from this result.

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**The Task Group agreed that the results of the four PR elections held so far in this country did not suggest that electoral reform, of itself, would raise electoral turnout.**

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**Complexity**
The four elections featured systems which involved greater complexity for the voter; ie. in order to vote, a simple " X" against a candidate's name, as under FPTP, would not suffice. The Task Group was concerned that added complexity might depress turnout or demoralise voters. In particular, they noted that there had been a

particularly high number of spoilt votes recorded in the London election — about 500,000, or 8%.

The election in London for the Assembly was fought under AMS, the same as in Scotland and Wales where spoilt votes have not been a similar factor. Why the figure should be so much higher in London was finally cleared-up by the Returning Officer, Robert Hughes, in a DETR press release on 15 May 2000:

"Across London over 6.5m individual votes were cast by around 1.75m electors. About 500,000 – or 8% – of these votes were recorded as 'rejected'. They were made up of:

- multiple votes where the voter had given more than one choice;

- papers where marks identified the voter;

- blank papers where no vote had been cast; and,

- uncertain votes where after personal adjudication the voter's intention was still not clear.

"Each of the four opportunities to vote — first choice for Mayor, second choice for Mayor, constituency Assembly Member and the London Member Assembly votes — were recorded separately. If a voter decided not to vote in any of the four ballots, which they had every right to do, this was recorded as a 'rejected' vote as it was blank.

"For example, if a voter selected a first choice for Mayor, but no second choice and decided not to vote in the Assembly ballot at all, a total of one valid vote and three 'rejected' votes would have been recorded.

"Early evidence suggests that the vast majority of 'rejected' votes fall into the category of blank papers. It appears that a large number of voters chose not to give a second preference for Mayor or vote in one or both parts of the Assembly ballot.

"The true figure for 'spoilt' votes rather than these blank votes is likely to be in the region of 1% — about average for an election in this country."

This evidence suggests that complexity does not seem to have produced more genuinely "spoilt" votes than is generally the case under FPTP. It would appear to be the case that voters in Britain, as elsewhere in Europe, can adapt to and deal with the additional complexity of voting under PR conditions.

**Representativeness**
What would have happened if these elections had been fought under FPTP? For Scotland, Wales and London some indication is available because up to two-thirds of the seats in each case were directly elected by FPTP. The key result is that, in each case, one party would have ended up with a majority of the seats — in Scotland, Labour with 73% of the seats; in Wales, Labour with 67% and in London, the Conservatives with 57%. As is to be expected, FPTP confers a "winner's bonus" on the largest party boosting their share of the seats well beyond their share of the vote.

How "representative" are these results under FPTP? As noted above, there is no automatic relationship under FPTP between votes cast and seats won. Outcomes under FPTP are likely to become more unrepresentative if voting is spread across three or more parties rather than concentrated on two very large parties. Scotland, Wales and London all feature four party systems with large votes for third and fourth parties (ie. not Labour or Conservative):

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| **Scotland** | 43% of the vote to LibDems and Nationalists |
| **Wales** | 42% of the vote to LibDems and Nationalists |
| **London** | 29% of the vote to LibDems and Greens |

The existence of four party systems would produce very unrepresentative outcomes if these elections had been fought under FPTP:

➤ Scotland — Labour took 73% of the seats on 39% of the vote; the Conservatives, on 16% had no seats. The Liberal Democrats took fewer votes than the Conservatives or Nationalists, but more seats (16% against 0 and 10%).

➤ Wales — Labour took 67% of the seats on 38% of the vote. Again, the Conservatives ended up with fewer seats than the Liberal Democrats even though they had more votes.

➤ London — the Conservatives only just had more votes than Labour – 33 to 32% – but took 57% of the seats. (Note that, for the London-wide members, Labour actually took more votes than the Conservatives.) Despite taking almost 30% of the constituency vote, the Liberal Democrats and the Greens would have had no seats at all in the Assembly.

Although it is difficult to make similar comparisons for the European elections held under a closed-list PR system, it does seem certain that the Conservatives, on 36% of the vote, would have taken a substantial majority of the 74 seats if this had been a FPTP election. Equally, Labour would have won significantly fewer than the 29 seats it actually got under PR. It is highly likely that the Liberal Democrats, the Greens, the Nationalists and the UK Independence Party would have won no seats at all despite taking more than 30% of the vote.

It is difficult to say what affect these unrepresentative outcomes would have on the institutions that were being elected. Supporters of FPTP would point out that, in each case, there would have been a solid majority to provide a stable administration (although how relevant this is in London, with its separately elected Mayor, is open to question).

Britain's experience of FPTP in Parliamentary elections (and to a lesser extent in local elections) has been based on about 75–80% of the vote going to two large parties and the winning party taking more than 40% of the vote. In the elections analysed above, the "winning" party in each case took less than 40% of the vote. We do not know what the "threshold of credibility" is below which the electorate will not accept the legitimacy of the outcome under FPTP. However, the experience in Scotland, Wales and London suggests we may find out if PR were to give way to FPTP for future elections to these institutions.

## conclusions

To conclude, the Task Group makes the following recommendations to the LGA Executive:

> ➤ **that, although a consensus does not exist either to retain or replace the FPTP system in local government, a majority of the Task Group favour retaining and developing the existing system;**

➤ that, if the Government do intend to replace FPTP, LGAMS should be adopted as the best alternative system;

➤ that the introduction of LGAMS is not realistically compatible with annual elections for local authorities;

➤ that LGAMS could be considered as the electoral system for those councils that opt for an elected mayor before it is introduced elsewhere;

➤ that if LGAMS is being introduced, in authorities with single member seats consideration should be given to adding top-up councillors to the existing number of directly elected councillors thereby preserving current ward size and boundaries.

# Task Group Assessment of four electoral systems in local government

| | first past the post | alternative vote | single transferable vote | additional member system |
|---|---|---|---|---|
| **how easy to introduce?** | Already exists. | Could be easily introduced as existing wards and boundaries are used. It's the system of counting votes that changes. | Difficult to introduce. Large multi-member wards are needed (smaller wards risk less proportionality) and it is difficult to see how a wholesale boundary review could be avoided. | Difficult to introduce if top-ups have to be found from existing cllr numbers. Like STV, a full scale boundary review would be needed. Easy if top-up cllrs are added to existing ones representing wards. |
| **link between councillors and communities?** | Each voter has at least one councillor for the area in which they live. | Same as for FPTP. | Although each voter as a number of councillors for the area they live in, the ward sizes are likely to be much larger. However, the voter is much more likely to have someone of their political choice representing their area. | Voters have at least one councillor representing their area. Top-up councillors could also be linked to defined areas within authorities. |
| **supports stable, strong leadership in councils?** | Provides majoritarian leadership to c.two-thirds of councils. However, NOC councils have increased and party control can change with quite small swings of votes. | Probably the same as for FPTP, although perhaps some increase in NOC councils? | As STV is more proportional, it is likely to significantly increase the number of NOC councils. See discussion in APPENDIX 2 as to whether this means "weak" councils. | This depends on attitudes to the relationship between NOC councils and "strong" government. See discussion in APPENDIX 2. |
| **support for community leadership role?** | With majoritarian control, most councils have a clearly defined leadership. | Same as for FPTP. | Depends on whether NOC councils can offer clearly defined leadership for the area. See APPENDIX 2. | As above. |
| **how complex for voters to understand?** | Very simple system — voting is categoric. | Slightly more complicated than FPTP — voting is ordinal. | Long and complex ballot paper if there are many candidates. The counting system to determine who has won can also baffle voters. | As straightforward as FPTP for the directly elected members. Voters may be confused by having two votes and whether the party list is "open" or "closed" may add further complexity. |
| **Support for increased turnout?** | Turnout has fallen under FPTP. Difficult to see how the system itself could increase turnout. Problem of "wasted" votes may depress turnout. | Depends on whether voters will be encouraged by need for candidates to get more than 50% and by the ability to express preferences on the ballot paper. | Depends whether voters are encouraged by preferential voting and more proportional outcomes of STV. There are no "wasted" votes under STV and system maximises voter choice. | Turnout seems to be 6–7% higher in PR elections internationally. But may be due to political culture or other factors (eg. compulsory voting). No evidence that it has increased turnout in Scotland, Wales or London. |

|  | first past the post | alternative vote | single transferable vote | additional member system |
|---|---|---|---|---|
| **compatible with existence of independent councillors?** | FPTP has supported a strong tradition of independent councillors in England and Wales. | Probably same as for FPTP, although possible some independents may be squeezed by need to pick up 2nd etc. preferences? | STV as used in Irish elections certainly is although there is some suggestion that this is down to political culture rather than electoral systems. | Two-thirds of cllrs will still be directly elected, so the scope for independents should still exist. |
| **how proportional?** | No inherent proportionality. Disproportional outcomes are likely. | No inherent proportionality and analysis suggests often even worse than FPTP. | Some deny STV is a true PR system. Irish results suggests unproportional outcomes are more than possible[6]. | As long as at least one-third of members are top-ups, there should be a strongly proportional outcome. The minimum threshold will depend on proportion of votes necessary to elect one member — ie. depends on the assembly size. |

## Does Proportional Representation lead to "weak" council leadership?

The most common concern registered by opponents of PR is that it leads to "weak government" because the majoritarian "winner's bonus" under FPTP is removed by proportionality. As in most cases parties are unlikely to win more than 50% of votes, so PR must result in minority or coalition government.

In the context of local government, this means an increase in authorities under No Overall Control (NOC). Does this mean the introduction of PR would weaken local government? The Task Group was interested to investigate this idea and took evidence from Steve Leach who has been conducting research at de Montfort University commissioned by Joseph Rowntree on political behaviour under proportional representation.

The key findings of his research so far are:

➤ one third of authorities in Britain are already NOC and this is the most prevalent form of council control after Labour control.

➤ Under AMS, this proportion would rise to 60-65% — only 10 out of 32 London Boroughs and 18 out of 36 Metropolitan districts, for example, would have majority control.

➤ One party dominated authorities would disappear. Currently about 85 authorities are dominated by one party holding 80% or more of the seats.

➤ Academic research since 1981 suggests that NOC authorities at best operate as effectively as majoritarian authorities in speed and consistency of decision making. Although at worst they can be far more fragmented, there is evidence that, since 1990, NOC authorities have operated in a more integrated and stable fashion as the political parties have got used to making them work.

➤ NOC authorities also appear to benefit from transparency of decision making and openness of political debate. Several NOC councils are among the innovators in the cabinet government structure; 1, 2 and 3 party cabinets are all in existence and the move to cabinet style government is likely to lead to more coalitions than minority administrations.

➤ Therefore, a move to PR would not hamper the introduction of the split executive/scrutiny model of local political leadership. It is possible that a greater democratic danger would be posed if PR were not introduced, allowing one party councils to remain with poorly developed oppositions. This could pose problems for the effective development of the scrutiny function in those areas.

It should be noted that the Task Group did not necessarily agree with this research. Some members noted that, in their experience, most councillors who had actually experienced NOC tended to prefer majoritarian administrations.

# Key results from four recent elections held under proportion representation

| | European | | | | Scottish Parliament | | | | Welsh Assembly | | | | Greater London Assembly | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | turn[1] | vote[2] | seats[3] | sts$_{FPTP}$[4] | turn | vote[5] | seats | sts$_{FPTP}$ | turn | vote[5] | seats | sts$_{FPTP}$ | turn | vote[6] | seats | sts$_{FPTP}$ |
| Cons | | 36 | 43 | na | | 16 | 14 | 0 | | 16 | 15 | 3 | | 33 | 36 | 57 |
| Lab | | 28 | 35 | na | | 39 | 43 | 73 | | 38 | 47 | 67 | | 32 | 36 | 43 |
| LibDem | | 13 | 12 | na | | 14 | 13 | 16 | | 14 | 10 | 8 | | 19 | 16 | 0 |
| Nats | | 5 | 5 | na | | 29 | 27 | 10 | | 28 | 28 | 22 | | - | - | - |
| Green | | 6 | 2 | na | | - | 0.8 | 0 | | - | 0 | 0 | | 10 | 12 | 0 |
| other | | 12 | 3 | na | | 2 | 1.6 | 1 | | 5 | 0 | 0 | | 6 | 0 | 0 |
| total | **23** | | | na | **58** | | | | **46** | | | | **33** | | | |

*all figures are expressed in percentages rounded-up to nearest whole number (and therefore figures may not add-up to 100% in each case)*

NOTES

1. turnout as a percentage of the total electorate.

2. proportion of the total vote received by party (Great Britain rather than UK).

3. proportion of the total seats received by party.

4. proportion of the directly elected seats received by party (for those elections held under AMS).

5. proportion of the votes cast for the constituency members rather than regional top-up members.

6. proportion of the votes cast for the London-wide members of the Assembly.

# Electoral Reform in Local Government

Those who do not support proportional representation in local government may still feel that the present system should be modified to facilitate at least some minority party representation in authorities where, despite receiving a significant percentage of votes, minority parties of any political colour fail to obtain any presence in the Council Chamber.

This could be achieved by a simple additional member system under which a proportion of seats on the Council, say a quarter or a third, are allocated on the basis of votes cast with the rest of the Council elected on the traditional first past the post system in wards.

This would not render the system overall proportional, nor would it be likely to affect the political balance to any significant extent, but it would allow at least some minority representation and provide an incentive for supporters of minority parties in " safe" wards across a local authority area to vote in the knowledge that they could at least contribute to electing a councillor of their own political colour. The proposal has been likened to creating directly elected Aldermen.

**Cllr Sir Jeremy Beecham**
**Chairman, LGA**

# Debate at the Strategy and Finance Forum

The Strategy and Finance Forum received a presentation from Professor Michael Thrasher of the University of Plymouth who advised that the literature about electoral reform was most often about the parliamentary level rather than local. Data was difficult to obtain at the local level, although some information about the operation of different systems locally in other European countries was available. He had himself been engaged in a study, together with Colin Rallings and Gerry Stoker, for the Joseph Rowntree Foundation and the report *Proportional representation for local government: lessons from Europe* would be published shortly.*

He also reminded members of the dichotomy inherent in the definition of what the electoral system is designed to do – ensuring that councillors can represent constituencies *and* producing a single administration while also ensuring that views across the system as a whole were reflected.

The Forum was advised by the chair of the Democracy Task Group, Cllr Sir H G Jones CBE (Newport) that the task group itself had represented all four political groups in the LGA and a range of types of authority – county, metropolitan, rural and urban. Working in an open and collaborate way to fulfil the remit, they began by spending a good deal of time looking at facts and figures which did not appear in the report. This detail set out the impact of several different electoral systems used in other countries and had included for example, the French regional assembly with many different parties involved; Stockholm with a smaller number of parties; a different formula; a party list system; and counties and county boroughs in Ireland where there are STV elections and what that implied for the composition of the council.

In the Forum debate, members commented on the following points:-

• political affiliation has a role when councillors are considering electoral systems

• concerns at the increasing number of 'no overall control' authorities – although NOC councils might be able to work in open and consensual ways which were responsive to the public; an advantage of a clear controlling group, however, was that the public knew who was responsible, and particularly knew who to blame

• many were in support of the current first past the post system, believing it had served well and had strong links to the community leadership role; members were strongly identified with their area under this system

• the importance of the electorate understanding the system

• that a proportional representation system would not of itself increase voter turnout; whether turnout was related to the powers of the body being elected – the result might be different if more was at stake – or if turnout was higher in the marginal seats

• possible problems of patronage and lack of accountability in additional member systems.

Professor Thrasher responded to a number of points made, including advising that voter turnout was a background preoccupation to the debate. He referred to work being done for the LGA on the experiments to increase turn-out undertaken in the May 2000 elections. Falling turnout affected not only the UK – and efforts to turn this around had cost implications.

Recent research had shown that turnout was better at some times of the year – April, May and June were favoured. There was a danger though of the local government voice being drowned out if elections were tied for example to the parliamentary election date.

His comments on the systems which might replace FPTP were:

| | |
|---|---|
| Alternative member | The proportion of top-up seats to constituency seats was problematic – the more it diverged from a 50:50 split, the less it reflected proportionality |
| Single transferable vote | The member/ward relationship would be disrupted; the impact on local elections should be carefully considered |
| Additional vote | This was the most disproportionate system – he did not agree with the Jenkins report figures. |

\* The report has now been published. A summary is available in the *findings* series, available on the Joseph Rowntree Foundation website at www.jrf.org.uk or telephone 01904 615905.