

Decision Maker: GENERAL PURPOSES AND LICENSING COMMITTEE

Date: 11 February 2020

Non-Urgent

Non-Executive

Non-Key

Title: FEEDBACK ON THE 2019 UK PARLIAMENTARY (GENERAL) ELECTION

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Ward: Not Applicable

1. Reason for report

To advise Members on the key issues relating to the UK Parliamentary (General) Election held on Thursday 12 December 2019, and to give Members the opportunity to comment on the electoral arrangements.

2. **RECOMMENDATION(S)**

Members note the content of the report and consider if there is any feedback they want to give the Acting Returning Officer for him to take into account when planning for future elections.

Impact on Vulnerable Adults and Children

1. Summary of Impact: Not Applicable
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Corporate Policy

1. Policy Status: Not Applicable
 2. BBB Priority: Excellent Council
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Financial

1. Cost of proposal: Not Applicable
 2. Ongoing costs: Not Applicable
 3. Budget head/performance centre: Conducting Elections
 4. Total current budget for this head: Not Applicable
 5. Source of funding: The Cabinet Office funds UK Parliamentary (General) Elections
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Personnel

1. Number of staff (current and additional): 5 full time, 4 casual staff and approximately 1,250 temporary staff recruited by the Acting Returning Officer for staffing polling stations, opening and verifying postal votes and counting the votes
 2. If from existing staff resources, number of staff hours: Not Applicable
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Legal

1. Legal Requirement: Statutory Requirement The Council is required to designate one of its officers as Electoral Registration Officer under section 8 of the Representation of the People Act 1983. The Electoral Registration Officer also acts as Acting Returning Officer for UK Parliamentary (General) Elections (section 28 of the 1983 Act). The Acting Returning Officer is personally responsible for the conduct of these elections.
 2. Call-in: Not Applicable
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Procurement

1. Summary of Procurement Implications: Not Applicable
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected): c240,000 registered electors, candidates, agents and staff
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments:

3. COMMENTARY

BACKGROUND

- 3.1 After a period of parliamentary deadlock, Royal Assent was received and Parliament was given to the Early Parliamentary Election Act 2019. Parliament was dissolved just after midnight on Wednesday 6 November 2019. This Act set the date for a General Election as Thursday 12 December 2019.
- 3.2 For the second time in 2019 (European Parliamentary election was held in May), electors were going to the polls for an unscheduled election being planned for and delivered in just 25 working days.

ROLES AND RESPONSIBILITIES

- 3.3 At a General Election, the Returning Officer (the Mayor) is a largely ceremonial position – receiving the writs and declaring the results.
- 3.4 The administration of this election is the responsibility of the Acting Returning Officer (the Director of Corporate Services). His duties as an Acting Returning Officer are separate from his duties as a local government officer. He is not responsible to the Council, but personally responsible for the conduct of the election, and is directly accountable to the courts as an independent statutory office holder.
- 3.5 The Acting Returning Officer is responsible for delivering the General Election in the three constituencies of Beckenham, Bromley & Chislehurst and Orpington in the London Borough of Bromley.
- 3.6 The three wards of Clock House, Crystal Palace and Penge & Cator form part of the Lewisham West and Penge constituency, and are the responsibility of the Acting Returning Officer for the London Borough of Lewisham.
- 3.7 It was agreed between the respective Acting Returning Officers that Lewisham would be responsible for administering the nomination process, publishing the statutory notices, issuing, receipting and verifying the postal votes, and counting the votes; and Bromley would be responsible for issuing the poll cards, and setting up and staffing the polling stations in the three wards.

CONTINGENCY PLANNING FOR A WINTER ELECTION

- 3.8 This was the first General Election to be held in the month of December since 1923, and the first winter election since 1974.
- 3.9 The timing of this poll brought many additional challenges:
- The weather – will it be cold, wet, snowy, stormy
 - The short hours of daylight
 - The availability of staff
 - The availability of polling stations and the count venue
 - Our duty of care to the voter
- 3.10 Factors not normally an issue in spring and summer elections included:

- Identifying polling places which needed additional heating and lighting
- Identifying polling places which may be at 'risk' due to bad weather
- Liaising with transportation/highways on priority gritting routes and additional gritting routes to ensure all polling stations are covered
- Providing all polling stations with salt and shovel/spreading tool so that they can provide walkable surfaces to reach the polling station door
- Assigning staff to polling places close to home, where practicable
- Providing Polling Station Inspectors with spare registers, ballot papers, CNLs and ballot boxes to ensure polls could commence at 7am if some staff were unable to reach a polling station due to adverse weather
- Providing information in the polling station staff training on elements relating to the weather e.g. telling staff to go prepared with additional clothes, blankets, hot meals and taking their own torch
- Securing additional lighting and generators

3.11 Whilst there were conflicting weather forecasts up until a short time before election day, the weather on polling day was not an issue but the Acting Returning Officer still had to prepare for adverse weather.

NOMINATIONS

3.12 Following the dissolution of Parliament, the writs requiring the General Election to be run in our 3 constituencies were received by the Returning Officer/the Mayor on Thursday 7 November 2019. Notice of election was published in each constituency triggering the statutory election timetable (giving just 25 working days to polling day) and the start of nominations.

3.13 The Acting Returning Officer was responsible for processing the nominations for our 3 constituencies with a deadline of 4pm, on Thursday 14 November 2019.

3.14 In total there were 4 valid nominations in the Beckenham constituency (with candidates from the Conservatives, Green, Labour and Liberal Democrats parties), 6 in the Bromley & Chislehurst constituency (with candidates from the Christian Peoples Alliance, Conservatives, Green, Labour, Liberal Democrats and Renew parties) and 4 in the Orpington constituency (with candidates from the Conservative, Green, Labour and Liberal Democrats parties). No nomination papers were rejected by the Acting Returning Officer at this election.

ELECTORAL REGISTRATION

3.15 The revised register is usually published by 1 December. However with a General Election taking place on 12 December 2019 and to avoid complications with poll cards and polling station registers (having different poll numbers – meaning that poll staff would not be able to use elector numbers on poll cards to find electors on the polling station register) the revised register was published a month early on 1 November 2019.

3.16 The deadline for registering to vote at this election was Tuesday 26 November 2019.

3.17 As previously reported, online registration makes it easier and quicker for local residents to engage in the democratic process, but it does lead to the potential for high number of applications for registration close to the deadline for the election and for duplicate applications

(i.e. where an application can be matched to an individual already on the register at the same address. Only individuals not on the register, needed to register. There was no need to register separately for this General Election. National publicity does not always make this clear. In the UK individuals are obliged to ensure they are on the electoral register at all times and not merely when there is a particular election. This is a personal duty on individual electors and numerous individuals who had failed to comply with their obligation created unnecessary pressure on the service through late registration applications.

3.18 Details of the registration applications received in Bromley are as follows:

- Total number of registration applications received from the day the election was announced (31 October 2019) until the deadline of Tuesday 26 November was **21,485** (18,140 online)
- Total number of registration applications received in the last two days (up until the deadline) was **6,677** (6,144 online)
- Total number of duplicate applications received was **7,784**

OVERSEAS ELECTORS

3.19 UK citizens living abroad are entitled to register to vote at UK national elections and referendums. Citizens must have registered to vote as a resident in the UK in the last 15 years and be eligible to vote in the General Election. They can vote by post or proxy.

3.20 Following issues at the European Election in May 2019 across the UK (some postal votes arrived too late to be counted), we contacted all our overseas voters advising them that due to the short timetable, there was a risk that overseas voters would not receive their postal vote with enough time to return them to use by the close of poll, and we urged them to appoint a proxy rather than relying on a postal vote – but it was for the voter to decide how he wanted to vote.

3.21 Cabinet Office worked with the Royal Mail to expedite deliveries abroad and provide a better service for overseas voters. All overseas postal votes were sent from our printers to Heathrow for Royal Mail to sort and dispatch as quickly as possible increasing the chances of a postal voter getting and being able to return their ballot from overseas.

3.22 Bromley had over 1,700 overseas elector registered to vote at the General Election with about 723 postal votes being sent to overseas destinations. Unfortunately we are aware that a small number of overseas voters did not receive their postal votes in time to return them by close of poll.

POLL CARDS

3.23 A Royal Mail strike threatened to disrupt the delivery of poll cards, postal votes and Christmas post. However, the High Court ruled that CWU's ballot of Royal Mail employees for industrial action was unlawful and so the strike did not take place during the election period.

3.24 The Acting Returning Officer was able to secure early despatch dates and poll cards were sent out from our printers via Royal Mail to 229,934 electors in the borough on 7 November 2019. A further 11,380 were sent up to a week or so before polling day, to those residents who registered close to the relevant deadlines.

ABSENT VOTING

- 3.25 About 34,005 **postal vote** packs were despatched from our printers (via Royal Mail) with the bulk of these going out on Wednesday 27 November 2019. Postal vote packs sent to overseas addresses were despatched a few days earlier.
- 3.26 There were some reported cases from local residents of non receipt of their postal vote packs and they were all offered (and most accepted) replacement postal vote packs which are available up to 5pm on polling day.
- 3.27 The personal identifiers (signature and date of birth) on every returned postal vote statement must be checked and verified against those held on file from the original application. This is a huge logistical operation requiring suitable accommodation, IT and staff.
- 3.28 The table below shows the number of postal votes issued, returned and rejected in our 3 constituencies:

Constituency	Issued	Received	%	Rejected
Beckenham	11,906	10,342	86.86%	221
Bromley & Chislehurst	10,760	9,169	85.21%	198
Orpington	11,339	9,804	86.46%	191
TOTALS	34,005	29,315	86.21%	610

- 3.29 Following the scanning and verifying of the personal identifiers, some 610 postal votes were rejected for either want of a signature and/or a date of birth, or mismatched signature and/or date of birth, or ballot paper unreturned, or a postal vote statement unreturned. In accordance with the law, these voters have been contacted and advised that their postal vote was rejected (and given the reason why it was rejected).
- 3.30 Once the personal identifiers were verified, the postal ballot papers were placed in ballot boxes, sealed and securely stored until the counting of votes was undertaken following close of poll.
- 3.31 The total number of **proxy votes** substantially increased at this election with 1,770 being registered in Bromley's 3 constituencies on polling day.

POLLING STATIONS

- 3.32 There was much media attention across the country regarding disruption to and unavailability of polling places for this election. With just 6 weeks' notice of this election, the Acting Returning Officer and his staff worked closely with many polling places (especially schools) to ensure that disruption to such activities as Christmas plays and carol concerts was kept to a minimum by using different rooms and/or entrances. The Acting Returning Officer would like to express appreciation to the schools used for their valuable contribution to the democratic process.
- 3.33 The Acting Returning Officer was able to secure access to all venues designated as polling places in the borough except for one at Southborough Lane Baptist Church – and this was due to extensive building works being undertaken at the time.
- 3.34 After extensive work by election staff, an alternative venue was identified, visited and used at this election at St James the Great RC Church Hall in Lakeswood Drive. Details of the change

were included on the poll cards and the Council website and signage was displayed at the Southborough Lane Baptist Church. The arrangements at St James the Great RC Church Hall worked well with excellent feedback being received from staff and voters. Enquiries are being made as to future availability.

POLLING DAY

- 3.35 Polling day ran well with no severe weather or any major issues being reported. The Returning Officer, Acting Returning Officer and the Chief Executive visited a number of polling stations in the borough and were impressed by the standards and attitude of the staff. Polling stations were busy and turnout was expected to be high.
- 3.36 There were two reported incidents involving tellers but polling went smoothly in all polling stations.
- 3.37 Polling finished at 10pm. Presiding Officers working at polling stations in the constituencies of Beckenham, Bromley & Chislehurst and Orpington returned their sealed ballot boxes to the count venue at Kent County Cricket Ground in Beckenham, whilst the Presiding Officers working in the 3 wards of Lewisham West & Penge returned their ballot boxes to Haberdashers' Aske's Academy in Downham.

THE COUNT

- 3.38 The law requires the Acting Returning Officer to take reasonable steps to begin the counting of votes (Stage 2 – see below) at a General election as soon as practicable and within 4 hours of the close of poll i.e. an overnight count.
- 3.39 The count took place at the Kent County Cricket Ground (using the layout that has been successfully used at recent elections) starting at 10pm with the postal vote ballot boxes which were already at the venue. The ballot boxes from the polling stations began to arrive shortly after 10.15pm and were all received within an hour or so.
- 3.40 In accordance with guidance issued by the Electoral Commission, arrangements for each constituency have to be structured in such a way as to break down the verification (Stage 1) and sorting/counting of votes (Stage 2) into a number of self-contained 'areas' smaller than the constituency, with the totals of these 'areas' being aggregated into a single total for the constituency.
- 3.41 Following previous practices at General elections, the Acting Returning Officer decided to undertake the verification and count processes in each constituency at ward level (although postal votes could not be identified/sorted down to ward level as they came from anywhere in the constituency, but were 'mixed' in the ward counts) with the results from each ward aggregated to achieve an overall result for the constituency.
- 3.42 Under the election rules, the total number of ballot papers in each ballot box is verified with the number on the ballot paper account submitted by the Presiding Officer at each polling station (or by the Supervisor in charge of the postal vote session) (known as Stage 1). This stage is critical in ensuring the accuracy of the result as it means that when the votes are sorted into votes for each candidate and counted (known as Stage 2), the count total can be compared to the verification total to identify any discrepancies. In most cases any discrepancies are of little importance because of the size of majorities, but where there are only a few votes between candidates, any discrepancy takes on a much greater significance.
- 3.43 The count process went smoothly with verification (Stage 1) being concluded and the sorting/counting of votes (Stage 2) being started in all 3 constituencies before 2am on the Friday morning.

3.44 The counts proved uneventful with the 3 constituency results being declared by the Returning Officer (the Mayor) by 3.30am on the Friday morning (see Appendix for breakdown of results at ward level in each constituency – the ward figures are slightly distorted as the postal votes could only be identified at constituency level, and so verified postal ballot boxes were ‘allocated’ to a ward and did not specifically relate to that ward).

POST ELECTION

3.45 There remains a considerable amount of work for the Acting Returning Officer and his electoral team after the announcement of results:

- Writs returned to the Clerk of the Crown
- Count venue and Civic Centre rooms cleared and equipment returned to storage
- Deposits returned (either to the candidate or the Cabinet Office)
- Election materials sorted, cleared and stored away (as provided in the election rules)
- Marked registers prepared
- Staff, polling stations and suppliers paid
- Various returns completed for the Electoral Commission and Government departments
- Candidates election expenses received, and
- Public notice given of their availability for inspection
- Accounts prepared and submitted to the Election Claims Unit

CONCLUSION

3.46 The ‘snap’ General election held on 12 December 2019 was the second unscheduled poll to be held in 2019. Not only did the Acting Returning Officer have to contend with the usual logistical challenges elections bring, but also a number of additional challenges due to the short timetable (25 working days) and timing of the poll (winter election and run up to Christmas).

3.47 Notwithstanding all these challenges, the Acting Returning Officer and his staff delivered a safe, secure and accurate poll with no legal challenges to the results or allegations of electoral fraud.

4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

None arising from this report

5. POLICY IMPLICATIONS

None arising from this report

6. FINANCIAL IMPLICATIONS

The funding for UK Parliamentary (General) election is met by an allowance from the Cabinet in respect of each constituency.

7. PERSONNEL IMPLICATIONS

- 7.1 The Acting Returning Officer has a statutory right under section 35(6) of the Representation of the People Act 1983 to require the Council to provide as many staff as required for election purposes.
- 7.2 Some Council employees were recruited by the Acting Returning Officer to help with various duties regarding the conduct of this election. However, a majority of staff were recruited from other sources.

8. LEGAL IMPLICATIONS

- 8.1 The Council is required to designate one of its officers as Electoral Registration Officer under section 8 of the 1983 Act. The Electoral Registration Officer also acts as Acting Returning officer for UK Parliamentary (General) elections (section 28 of the 1983 Act). The Acting Returning Officer is personally liable for the conduct of these elections
- 8.2 The rules and regulations for the conduct of the UK Parliamentary (General) election are primarily contained in the Representation of the People Act 1983, 1985 and 2000, the Representation of the People (England and Wales) Regulations 2001, the Electoral Administration Act 2006, the Fixed Term Parliament Act 2011 and the Electoral Registration and Administration Act 2013.

9. PROCUREMENT IMPLICATIONS

Not applicable

Non-Applicable Sections:	[List non-applicable sections here]
Background Documents: (Access via Contact Officer)	[Title of document and date]