

Scrutiny Report



19 December 2019

Fullers Slade Regeneration Ballot Report

Name of Scrutiny Committee Regeneration Scrutiny Committee

Report sponsor **Peter Brown**
Head of Democratic Services

Report author **Peter Taylor**
Electoral Services Manager
Peter.Taylor@milton-keynes.gov.uk
Tel 01908 253930

Exempt / confidential / not for publication	No
Council Plan reference	3.4 - Build 500 more new council homes by 2022 3.8 - Ensure the £165m council home refurbishment programme is delivered efficiently and to a high standard
Wards affected	Stony Stratford

Executive Summary

The Fullers Slade Regeneration ballot took place on the 29 and 30 November 2019, with the count taking place immediately after the end of the poll on 30 November.

The results were declared by the Head of Democratic Services as the Deputy Returning Officer for the poll and were accepted by all the resident groups present.

Residents voted on three options and Option Three - i.e. refurbishment, new home and estate improvements, had the highest number of votes:

- The electorate was 585 - 380 voted giving a turnout of 65%;
- 110 voted by post and 270 in the polling station;
- 110 voted for Option 1 = 29%;
- 61 voted for Option 2 = 16%;

- 209 voted for Option 3 = 55%.

Polling Day(s):

- A member of the Elections team who had been involved in the process was also the Presiding Officer for both days.
- This worked well as she understood the process of registration and any challenges or issues that the Elections Team and residents had faced during registration.

Key Issues

Following the first Milton Keynes Council regeneration ballot at Serpentine Court in November 2018, the Elections Officer wrote a post-ballot briefing note with key recommendations which needed to be considered for any further ballots that Electoral Services (ES) were required to conduct.

Regrettably, some of these considerations were not taken into account during the Fullers Slade Regeneration ballot, which led to a fraught process.

What Happened

Listed below are the key recommendations which were made in 2018 following the Serpentine Court Regeneration ballot. Each one is annotated with the actions which were taken for the Fullers Slade Regeneration ballot.

- 1. The date of the ballot should be agreed before the process is started.**
 - a. The date of the ballot was agreed and then moved again, which had also happened for the Serpentine Court ballot. I understand that this was a request made by the Residents' Steering Group.
 - b. The opening times on both polling days were extended by 2 hours from 4pm to 9pm to 2pm to 9pm on Friday and then from 10am to 2pm to 10am to 4pm on Saturday.
- 2. Ballots should not be held at the same time as other major electoral events, such as borough wide elections, or the annual canvass of the electoral register.**
 - a. The ballot was planned for the end of the annual canvass when Electoral Services (ES) would be busy making final administrative checks to the register before the expected publication on 1 December 2019.
 - b. Coupled with the canvass, ES were obliged to administer a contested parish by-election which was held on Thursday 21 November 2019.
 - c. Finally, after months of speculation, a UK parliamentary general election was called for 12 December 2019, giving just 6 weeks' notice for the poll to be organised.

- d. The capability and resilience of the Electoral Services Team were challenged by having to hold the Fullers Slade ballot whilst also planning for a general election.
- e. The Elections Team used the new electoral specialist printers; Adare, who had won the tender in the summer and who had not run a regeneration ballot before.
- f. We had many challenges with Adare as their systems were configured to provide election printing based on data from Milton Keynes Council via the elections management system (EMS). As Fullers Slade was run outside of the Council's EMS due to not using the electoral register, they were not able to accept some of the Council's data.
- g. The dispatch of poll cards was delayed by 4 days as the ES team had to send these out after initially agreeing for the printer to send the poll cards. The issue was resolved later in the process so that postal votes could be sent out directly by the printers.
- h. Postal votes were also delayed by a week due to Adare focusing on planning for the general election and therefore not being able to meet the deadlines set with them for the ballot. They also took some time to develop the artwork for postal votes as it was bespoke for the ballot e.g. having two polling dates on the postal voting statement instead of the usual single date.

3. The Elections Team will need at least 4 months to carry out the whole process.

- a. I joined Electoral Services as part of the restructure of Democratic Services and Elections on the 2 September 2019 and I understand that the date of the ballot had not been fully confirmed then as the Residents' Steering Group (RSG) had requested a change in date.
- b. The Elections Team did not have 4 months as recommended and this affected the planning and conducting of the ballot.

4. A period of at least 6 weeks should be allowed to obtain the elector names in order to compile the register.

- a. This did not happen as I understand some issues needed to be confirmed with the Regeneration Cabinet Sub-Committee, which met on 12 September 2019. Residents had approximately 4 weeks in which to register to vote from approximately 23 September to 11 October 2019 when registration forms were sent out.
- b. After complaints were raised by residents who had not received a poll card as they had registered too late or did not register at all, the Council took the decision to extend registration by another week to Friday 15 November. Poll card letters for those registering up until the revised deadline were delivered by the Regeneration Team during the week commencing 18 November.

- c. This extension added 24 extra electors to the register with 4 duplicates so in effect only 20 new registrations.
- 5. The process and the timetable should be agreed well in advance and adhered to.**
- a. The day and time of the ballot changed.
 - b. The registration deadline changed.
 - c. These changes were made elsewhere within the Council without consultation with the Elections Team.
 - d. The Elections Team, in effect did not drive the process as it should have done in accordance with the timetable as agreed at the start.
 - e. Although the ballot was a local government advisory poll, it was imperative to adhere to deadlines to uphold the impartiality and integrity of the process.
- 6. The date of the ballot should be on the registration forms.**
- a. This was implemented.
 - b. However, there was no space to include addresses and therefore this information had to be added to the form by the Regeneration Team once the forms were returned.
- 7. Only Milton Keynes Council staff (or those employed on behalf of the Council) should be involved in the election process, including obtaining registration forms.**
- a. The registration and some postal vote forms were received by the Regeneration Team who started compiling all forms returned. This part of the process should have been solely handled by the Electoral Services Team as it led to issues with the Regeneration Team and Electoral Services having different lists that did not follow the same format e.g. first names were an initial instead of the full name, which caused issues on the register on polling day.
- 8. Steering Groups and other interested parties should be registered as campaign groups as in Neighbourhood Plan Referenda. Guidance about how they conduct themselves during the election process should be agreed in advance and written instructions provided to them.**
- a. An adapted Code of Conduct Guidance was issued to steering groups as well as resident association groups.
 - b. There was, however, no official registration of any groups.
 - c. Several groups raised various queries around the process with Electoral Services who were unsure who they were and how much information could be divulged to them.
 - d. There was the Residents' Steering Group (RSG), which then had an independent PPCR Associates team advising them, who were directly

questioning the process, door knocking residents and providing information which was either incorrect or incomplete.

- e. The Election Services Manager spent hours having to respond to queries from the Residents of Regeneration Estates Group (RORE) and the RSG, impacting on the organisation of the UK Parliamentary General Election poll.
- f. There was clearly a lack of understanding of the process and deadlines from representatives of these groups which needs to be addressed in further regeneration ballots.

9. All communications with electors should either be sent out via the Elections Team or at least have the prior approval of the Elections Team.

- a. The Election Services Team had no clear sight of all communication regarding voting as there were too many groups or individuals giving different messages e.g. that a voter who has a postal vote could vote in a polling station if they had not already voted by post.
- b. The Elections Service Team did not formally see all information sent to residents or discussed at committee meetings. The Elections Service Manager only heard about some issues indirectly from the start.
- c. Weekly meetings held between the Elections Services Team and the Regeneration Team were pro-active and helped to dispel myths about the process and respond to the resident groups who were very divided on the future of Fullers Slade.

10. Information about the options should be sent out well in advance of the referendum day, giving postal voters the opportunity to consider them before returning their postal ballot papers. A simple explanation of the options should be provided so that everyone is able to understand it.

- a. This was done very well by the Regeneration Team as well as the Communications Team.
- b. Many drop-in sessions were organised at the Rowans Children's Centre. These were organised by the FS RSG / MKC Regen Team and held at the Children's Centre for want of an alternative venue.

11. The integrity of the election needs to be maintained at all times. Holding other events at the same time should only be done with the prior agreement of the Elections Team. Access to the polling station should be limited to the Elections staff and the electors.

- a. This was upheld; however there were several people outside the polling station in the lobby, including members of the RSG and RORE, acting almost like tellers.
- b. The Presiding Officer (PO) did not feel any voters were impeded or harassed by people outside the polling station.

- c. Members of the RSG wanted to take photographs inside the polling station, which was rightly declined by the PO.
 - d. The PO requested that a member of Housing/Regeneration team be present so she could direct queries around the options to them enabling her to focus on the voting process.
 - e. 16 residents were unable to vote on the day as they had not registered to vote in the ballot. None of these electors wanted to make a complaint.
- 12. All postal ballots should be encouraged with information about the options sent out with the postal vote packs. If polling stations are used, voting should only be held over one day as per usual council elections.**
- a. Voting was once again done over two days which presented the Elections Team with the logistical challenges of holding the final polling day on a Saturday as well as the count.
 - b. A separate room at the venue was used for the postal vote opening session which worked well as the ballot box from this session was brought into the count room just before the start.

Lessons Learned

1. That the recommended time period of a minimum of 4 months in which to organise a regeneration ballot be adhered to.
2. Moving the date of the ballot is disruptive to both the Elections Team and to residents, breeding uncertainty about the process.
3. A period of at least 6 weeks should be allowed for residents to register for the ballot; realistically the 4 weeks registration period for the Fullers Slade ballot was not long enough.
4. The format of the registration form should include space for the applicant's address and all other relevant details.
5. More clarity as to what the options are needs to be available from the beginning of the process and not be constantly changing, which can lead to delays in the process and confusion for residents.
6. Only Milton Keynes Council staff (or those employed on behalf of the Council) should be involved in the election process, including obtaining registration forms.
7. All queries about the ballot process should be directed to the Elections Team.
8. There was clearly a lack of understanding of the process and deadlines from representatives of the various residents' groups which needs to be addressed in any future regeneration ballots.

9. Holding a ballot over 2 days is disruptive and raises issues of overnight security for ballot boxes, ballot papers etc. (i.e. arrangements need to be made for late / early access to Civic Offices, possibly over a weekend period).
10. All communications with electors should either be sent out via the Elections Team or at least have the prior approval of the Elections Team.
11. The Elections Team, in effect did not drive the process as it should have done in accordance with the timetable as agreed at the start.
12. Although the ballot was a local government advisory poll, it was imperative to adhere to deadlines to uphold the impartiality and integrity of the process.

Key Recommendations

1. That Milton Keynes Council considers using an external provider to run future regeneration ballots which will ensure that the provider is fully dedicated to the process and unscheduled elections such as parish by-elections or a snap general election does not draw on resources in the small core Elections Team.
2. That residents' groups may welcome the proposal for an independent elections company to run the ballot which will mean the Council does not have overall control on the process which should bring further impartiality and integrity to the process.

There are many well-known organisations that provide this service and have sophisticated voting techniques such as secure online voting.