

**RIBBLE VALLEY BOROUGH COUNCIL  
REPORT TO POLICY AND FINANCE COMMITTEE**

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meeting date: TUESDAY, 14 SEPTEMBER 2021  
title: ELECTIONS BILL 2021  
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1 PURPOSE

1.1 To information Committee of the provisions of the Elections Bill 2021.

1.2 Relevance to the Council’s ambitions and priorities:

- Community Objectives – } The Council aims to be a well-managed Council. An
- Corporate Priorities – } early understanding of the changes to the electoral
- Other Considerations – } process will assist in this.

2 BACKGROUND

2.1 The Government has introduced the Elections Bill 2021 (“Bill;”) to the House of Commons on 5 July 2021. A full copy of the bill can be found at <https://publications.parliament.uk/pa/bills/cbill/58-02/0138/210138.pdf>.

2.2 This Bill makes new provision for and amends existing electoral law to ensure that UK elections remain secure, fair, modern, inclusive, and transparent. The Bill will allow the Government to meet some of its 2019 manifesto commitments, including to “protect the integrity of the UK’s democracy, by introducing identification to vote at polling stations, stopping postal vote harvesting and measures to prevent any foreign interference in elections” and to “make it easier for British expats to vote in Parliamentary elections, and get rid of the arbitrary 15-year limit on their voting rights.”

2.3 The Bill is in seven parts:

- Part 1 introduces new measures to strengthen the integrity of the electoral process, including: a requirement for voters to show an approved form of photographic ID before collecting their ballot paper to vote at a polling station in a UK parliamentary election in Great Britain; new safeguards for postal and proxy voting relating to the period for which a person may hold a postal vote the handling and handing in of postal votes by persons other than the voters to whom they are issued, how many electors a proxy voter may act on behalf of, and extending secrecy provisions to postal and proxy voting. It also clarifies and updates the law on the undue influence of electors, and on assistance available to voters with a disability.
- Part 2 removes the 15 year limit on the exercise of voting rights currently placed on British electors living overseas, and makes amendments to the registration process, including how an applicant’s identity and connection to a UK address will be verified. It also lays out the new rules for voting and candidacy eligibility of

EU citizens voting and standing in local elections in Northern Ireland, England, and PCC elections in England and Wales following the UK's departure from the European Union.

- Part 3 amends current provisions for the parliamentary accountability of the Electoral Commission, by: introducing a new Strategy and Policy Statement to be approved by Parliament; amending the functions and membership of the Speaker's Committee on the Electoral Commission; and amending the Electoral Commission's powers to expressly prevent them from bringing criminal prosecutions in England, Wales or Northern Ireland, which is to maintain the current position in which the Electoral Commission does not bring prosecutions.
- Part 4 amends the law about political finance and expenditure in elections, including by clarifying the rules on notional spending, strengthening rules so that all third-party spending is restricted to UK based entities and eligible Overseas Electors only, and increasing transparency around third-party campaigning. It also introduces a new lower tier of third-party campaigners subject to reduced regulation and joint campaigning rules for political parties and third parties campaigning as part of a plan with a common purpose. It also makes provision for changes to the registration of political parties and prohibiting parties and campaigners from unfairly expanding their spending limits
- Part 5 introduces a new disqualification order which a court must impose, unless the court considers it unjust to do so, if a person is convicted of an intimidatory criminal offence motivated by hostility towards a candidate, future candidate, campaigner, substitute or nominee (in Northern Ireland), or holder of a relevant elective office. The effect of a disqualification order is that the person will be disqualified from standing for, being elected to, and holding any relevant elective office for five years.
- Part 6 introduces a new requirement for digital campaigning material to display a digital imprint, with the name and address of the promoter of the material or any person on behalf of whom the material is being published (and who is not the promoter).
- Part 7 makes miscellaneous and general provisions.

### 3 ISSUES

3.1 The Local Government Association has produced a briefing note on the Bill, which can be found at <https://www.local.gov.uk/parliament/briefings-and-responses/elections-bill> This identifies several issues which will impact on the way in which the Council administers electoral registration and elections. Most notable are:

- Voters will have the right to a free voter identification card from the Council. Regulations will determine how the "Voter card" will be applied for and how the Registration officer will determine whether to accept or refuse the application. Other forms of ID will however be accepted including a Passport or Driver's

Licence. It is not able to determine therefore the level of resources this will require to administer at this stage.

- Polling station protocols will be amended to accommodate the introduction of Voter ID, including a change to the questions to be posed to voters and a requirement to keep a ballot paper refusal list. Polling staff will therefore be involved in enforcing the new rules associated with Voter ID, including refusing a ballot paper. This will require additional training and may make it more difficult to recruit and retain polling staff.
- The Bill updates and extends the definition of a companion for disabled voters to any person over 18. Polling Stations will no longer be required to have tactile voting devices for voters with sight loss. Instead, the Returning officer must provide such equipment as is reasonable to provide to enable or make it easier for disabled voters. Disability is not limited to visual impairment. The steps which the Council will need to comply with this requirement will need to be fully assessed in advance of its introduction.
- The Bill limits the period for which someone can apply by post or proxy to a maximum of three years. This is a shorter period than currently allowed and so additional resources will be required in administering this more frequently.

#### 4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications:

- Resources – Significant additional resources will be required in order to implement the provisions of the Bill.
- Technical, Environmental and Legal – The Council will implement the provision once the Bill has come into force and has an implementation date.
- Political – No implications identified.
- Reputation – Early understanding of these issues will enhance the Council's reputation.
- Equality & Diversity – The Government has completed an Equality Impact Assessment for the implications of the proposed amendments to the voting process.

#### 6 RECOMMENDED THAT COMMITTEE

6.1 Note the content of this report.

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