

20 May 2008

Keith Robinson
Chief Executive
Wiltshire County Council
County Hall
Bythesea Road
Trowbridge
WILTS BA14 8JA

Dear Chief Executive,

The Structural Change Order (S.I. 2008 No. 490) for your County area defers any parish elections due in 2011 to 2013, thus resulting in a 6 year term for many parish councillors. This approach was designed to put parish elections on the same cycle as the elections to the new unitary authority without unduly shortening the terms of any current parish councillors.

During Parliamentary consideration of the Structural Change Order the possibility was raised of holding further parish elections in 2009 and in reply the Minister undertook to consult your Implementation Executive about this possibility. **I am now writing to seek the views of your Implementation Executive on whether in Wiltshire there should be parish elections in 2009 for all your parish councils notwithstanding that the last elections for those parishes were held in 2007.**

As recognised during the parliamentary debates, parish elections in 2009 would mean that extended terms of office for parish councillors of up to 6 years would be avoided and perhaps most significantly, that there would be newly elected parish councils coinciding with the introduction of the new unitary governance arrangements, including those new key arrangements for the empowerment and engagement of communities at the most local level. There is a close interconnection between these new community arrangements and parish councils, and hence having newly elected parish councils from the start of the new community arrangements could enhance the overall legitimacy and effectiveness of the community and neighbourhood engagement and empowerment. Moreover, parish elections in 2009 would also coincide with the elections to the principal council bringing the benefits that parishes would not have to meet electoral costs; that in any event those costs would be lower due to the combination; and that it would also potentially increase turnout.

P Rowsell
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However this approach has the downside of reducing the terms of office of many parish councillors, as previously recognised, to 2 years. It also creates additional parish elections in circumstances where there might already be reluctance for people to put themselves forward as candidates. If, in the 2007 elections, there were a number of uncontested seats there is a clear risk that the situation would not improve - indeed it may worsen - if another election is held relatively soon after that unsuccessful ballot. Seeking to hold elections in such circumstances risks being wasteful of resources.

It was in the context of these competing arguments that the Minister undertook in the Parliamentary debate that, if there “appears to be a widespread sense that we should have parish council elections in 2009” we would bring forward an amending Order to make that change.

Accordingly we would be grateful now for the views of your Implementation Executive on whether their judgement is that such a sense about parish elections currently exists in Wiltshire.

In their response the Implementation Executive may wish to refer to the views of other stakeholders on this issue. In particular, if your Implementation Executive wishes to propose that there should be 2009 parish elections it would be important to bring forward evidence that, were such elections to be held, there is a reasonable expectation of there being:

- a genuine local appetite for such elections;
- a significant proportion of the seats contested.

Finally, I would draw your attention to two matters to which your Implementation Executive may wish to have regard when framing its response:

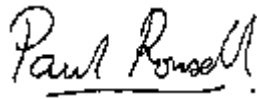
- first the Secretary of State has a general power under section 37A of the Representation of the People Act 1983 (which was inserted by the Local Government and Public Involvement in Health Act 2007) to move by Order the local government elections in any year when there are European parliamentary elections so that the local elections are held on the same day as the European elections. We have today issued a consultation paper on whether or not the date of the 2009 local elections should be moved to coincide with elections for the European Parliament. Were such an order to be made in relation to 2009 (and the statutory timetable would require this to be done by 7 November 2008) the result in Cornwall might be 3 elections on the one day – European Parliamentary elections, elections to the new unitary authority, and parish elections. The statute also provides an option, were an Order moving the date of the local elections to be made, of leaving parish elections on the usual May election date. This of course would mean that the benefit of having combined parish and local elections would not be available.
- secondly, under the restructuring legislation, an option could be that some, but not all, parish elections are held in 2009 and others continue to be deferred until 2013. However, were any such distinction to be made there

would need to be a reasoned basis for deciding which parish elections are held when.

We would be grateful for your Implementation Executive's response by 28 July. This timetable will allow us to seek Parliamentary approval for any amending Order and, if approved, for the Order to be made and come into force before the end of 2008. Making any changes to this timetable would allow a sufficient period for the preparation of parish elections including the nomination of candidates.

I am copying this letter to the Electoral Commission.

Yours sincerely,

A handwritten signature in black ink that reads "Paul Rowsell". The signature is written in a cursive style with a horizontal line underneath the name.

P Rowsell