

Public Document Pack

County Council

Meeting Venue
Hybrid meeting - Zoom - County Hall

Meeting date
Thursday, 7 December 2023

Meeting time
10.30 am

For further information please contact
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County Hall
Llandrindod Wells
Powys
LD1 5LG

1/12/2023

Mae croeso i chi siarad yn Gymraeg neu yn Saesneg yn y cyfarfod, a bydd gwasanaeth cyfieithu ar y pryd ar gael.
You are welcome to speak Welsh or English in the meeting, and a simultaneous translation service will be provided.

AGENDA

1.	APOLOGIES
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To receive apologies for absence.

2.	MINUTES
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To authorise the Chair to sign the minutes of the meetings held on 3rd October and 5th October 2023 as correct records.
(Pages 9 - 36)

3.	DECLARATIONS OF INTEREST
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To receive any declarations of interest from Members relating to items to be considered on the agenda.

4.	CHAIR'S ANNOUNCEMENTS
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To receive any announcements from the Chair of Council.

5.	LEADER'S ANNOUNCEMENTS
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To receive any announcements from the Leader.

6.	CHIEF EXECUTIVE'S BRIEFING
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To receive a briefing from the Chief Executive.

7.	PUBLIC QUESTIONS
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7.1. Question for Cabinet Member for Finance and Corporate Transformation from Nigel Williams

What sanctions are placed on the head of departments that year after year fail to meet the budget requirements they have proposed and yet annually fail to achieve? It seems pointless setting these targets, as for some heads of department, they are meaningless and are ignored on an annual basis.

(Pages 37 - 38)

7.2. Question for Cabinet Member for a Greener Powys from Peter Foulkes

Why are PCC so reluctant to convert the Byway Open to all Vehicles (BOAT) status of the Monks Trod, as it crosses Powys' section of the Elenydd, into a Bridleway? This updating of the route's Public Right of Way (PROW) status is the stand out solution to the terrible damage still being inflicted on this ancient route, part of which crosses a National Nature Reserve (NNR).

(Pages 39 - 40)

7.3. Question for Cabinet Member for a Greener Powys from John Williams

Given the evidence provided, and the overwhelming support for changing these 2 roads back to 30mph, when can this be implemented? (please see the background attached as an enclosure).

(Pages 41 - 46)

7.4. Question for Cabinet Member for a Greener Powys from Ian and Jane Whyte

We run a small but busy glamping site between Llansaintffraid and Llanfechain attracting campers from all over the country and Europe.

Time after time we are given negative feedback about the poor state of the public footpaths in our surrounding area, specifically with the lack of signage, padlocking of access gates, overgrown paths and aggressive

landowners.

Surely we need to attract as many tourists as possible to our beautiful area and encourage them to return. I'm also sure all local walkers would love to be able to have more access our countryside footpaths.

Simple question..... why is there no basic maintenance of these footpaths and how could this problem be remedied?

(Pages 47 - 48)

8.	BUDGET VIREMENTS
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To consider budget virements requiring Council approval.

(Pages 49 - 50)

9.	CONSIDERATION OF SINGLE TRANSFERABLE VOTING SYSTEM
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To consider a report by the Leader, County Councillor James Gibson-Watt.

(Pages 51 - 128)

10.	REVIEW OF POLLING DISTRICTS AND POLLING PLACES
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To consider a report by the Head of Legal Services and Monitoring Officer.

(Pages 129 - 132)

11.	APPOINTMENTS TO OUTSIDE BODIES
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To consider making appointments to

1. Powys Community Endowment Fund

This panel, made up of two Councillors from each of the historic shire areas, meets twice a year to make grants to groups and individuals from funds formerly managed by the Council. There is a vacancy for a Radnorshire member – County Councillor Geoff Morgan has been nominated.

2. Friends of St Mary's Church Brecon

The Council has been asked to appoint a member. County Councillor Chris Walsh has been nominated.

12.	NOTICE OF MOTION - FARM SALES
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We call on the Council to ask Cabinet to immediately refrain from considering any future proposals in the current financial year for farm sales pending approval by Full Council of a County Farms Policy that has been properly scrutinised and includes a

transparent and specific disposal/sales policy in respect of farms and farm property owned by the council.

We are calling on this due to:

- The ongoing uncertainty being caused to all County Farm tenants which is impacting their ability to effectively plan for their future business, livelihoods and housing needs;
- The concern that without such a transparent policy, the progression of farm sales is bringing the Council into disrepute; and
- The concern that without such a transparent and scrutinised policy, decisions are being made which may not be best value for the Council nor the best use of public resources.

Proposed by County Councillor Amanda Jenner

Seconded by County Councillor Gareth D Jones

Financial Assessment

The majority of the sales to date have come from vacant properties that were not viable to relet in their current condition and the amount of land to create a viable business opportunity. Where possible land has been reallocated to neighbouring farms to increase the viability, whilst reducing the maintenance liability of the council and still maintaining a regular rental stream from the remaining farms estate.

Over the last three years the rationalisation of farms and farmland has generated £2,875,500 in sales with a further £406,000 received so far in 2023/24. These sale receipts (capital receipts) are utilised to support the Councils capital expenditure reducing the need to borrow and saving revenue costs.

	Land & Building	Land only	Total
2020/21	715,000	15,000	730,000
2021/22	-	400,000	400,000
2022/23	1,008,500	737,000	1,745,500
Total	1,723,500	1,152,000	2,875,500
2023/24 to 31/10/23	350,000	56,000	406,000
Grand total	2,073,500	1,208,000	3,281,500

Using the £3,281,500 of capital receipts above instead of borrowing to fund the council capital programme, will save an estimated £197,000 per year to the revenue budget in reduced borrowing costs, over 50 years the total saving is £9,850,000. The councils farm estate currently includes holdings already approved for disposal of £5,725,000.

Other vacant holdings of £600,000 (which require investment of an estimated £100,000 before they can be relet) and further additional opportunities for rationalisation which, if released, would generate additional capital receipts estimated at £2,757,000. These include a farm where the tenant has recently passed away, other separate pieces of land and a specific piece of land required to

support the Levelling Up project in Montgomery.

If approved this motion will prevent the release of the estimated £3,357,000 of capital receipts (outlined above) from currently unoccupied farms, whilst maintaining and in some cases increasing the council's liability for these properties as a number are not in a condition to be relet or would not make viable businesses going forward due to their size. This would also impact any further properties that become vacant due to various reasons, e.g. surrender of lease by tenant, death of tenant, tenants lease terms ending (where a further term does not form part of the existing agreement).

Having vacant/surplus properties unoccupied incurs costs to the Council to maintain them. Insurance, council tax and regular inspections to ensure they remain safe and secure would continue if sales cannot be progressed. There is also the risk of damage to vacant properties, vandalism, leaks and other damage, especially during the winter months.

Using the estimated £3,357,000 of capital receipts instead of borrowing to fund the council's capital programme will save an estimated £201,000 per year to the revenue budget in reduced borrowing costs, over 50 years the total saving is £10,050,000.

It should be noted that this motion goes against the council's **The Corporate Asset Policy (CAP)** which states:

"To assist the Council in delivering the priorities of the Corporate Improvement Plan, the Council is committed to prompt and ongoing rationalisation of its buildings and land." (3-A 1.1)

The motion also ties the council's hands in making further decisions as tenancies that are due to end shortly become subject to review.

The financial challenge facing the Council in the next few years cannot be underestimated and to change policy independently now without considering the wider implications of the full budget proposal is not advised.

13.	NOTICE OF MOTION - PLANNING FEES
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Background

In my capacity as the Portfolio Holder responsible for Planning at Powys County Council I have written three times to Julie James, the Minister responsible for planning, without reply.

I am now seeking the added gravitas, which comes with the support of this Council, to once again request that the Powys Planning Service be allowed to set its own fees to put it on a course for full cost recovery.

The precarious financial situation facing the U.K. economy and public finances in Wales is much publicised and clear for all to see. Powys Council is transforming itself in an attempt to place service delivery on a sustainable footing and yet increased

fee income, in a range of services including planning, is not an option without positive intervention from Cardiff.

The effect of phosphates on a range of planning applications, and the rules governing developments of national significance; being handed over to PEDW, have severely impacted on Powys' planning fee income and yet non-fee earning work, such as planning enforcement, has remained buoyant, contributing to severe budgetary pressure.

POSW, the Planning Officers Society Wales has similarly lobbied civil servants for a fee increase and further steps towards cost recovery, but to no avail. A review in England has led to a fee increase from April 2024 and the overdue review in Wales is now needed to rebalance the charging regime to ensure that transgressors pay their way, as well as applicants, rather than the costs of enforcement falling on hard-pressed taxpayers, thereby promoting greater fairness within our communities.

This Council Therefore

Invites the Minister to urgently review the fees regulations for Planning Services to allow for local fee setting and the delivery of the full cost recovery principle for Development Management, and to consider the following propositions:

- Planning application fees based on full cost recovery, amended annually in line with inflation.
- Free “second go” applications following withdrawal or refusal should be removed and replaced with a 50% fee. This would promote pre-application engagement and better-quality initial planning application submissions, whilst addressing the financial cost of processing re-submissions.
- Where a landowner is in breach of planning control, doubling the fee for retrospective applications, where development has taken place without any planning permissions being sought.
- Where a landowner is in breach of planning control but refuses to submit a retrospective application and enforcement action is not expedient, the local Planning Authority be given powers to fine the transgressor, possibly double the relevant planning application fee.
- Remove the requirement to advertise individual planning applications in the print media or transfer the cost of doing so to applicants.
- Unless properly funded, Local Planning Authorities should not be required to submit a Local Impact Report for Developments of National Significance, (Planning performance agreements with developers do not provide for full cost recovery) nor should they be “required” to attend an Examination in Public.
- Landowners promoting sites within the LDP be required to pay an appropriate fee. This will not only assist the Council financially but will hopefully ensure that those putting sites forward are serious about their delivery and the benefits the allocations, for affordable housing etc. bring to our communities.

Proposed by County Councillor Jake Berriman

Seconded by County Councillor Karl Lewis

Financial assessment

This motion proposes lobbying Welsh Government and can be managed within existing resources. Officers will be able to accommodate supporting this activity as part of their role.

14. NOTICE OF MOTION - NEW NATIONAL PARK DESIGNATION

Council Notes

1. The existence of the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty already exists.
2. The commitment in the LB/PC programme of Government to create a new National Park in NE Wales
3. The publication on 18th July 2023 of guidance documents for the North East Wales National Park Designation Project with NRW asked to look at the case for a new National Park.

Council expresses concern that

1. The consultation boundary has been extended well beyond what is in the Programme of Government to include a large area of Montgomeryshire as far south as Llangadfan and Llanerfyl on the A458.
2. This new proposed designation has the potential to increase pressures on house prices, increased tourism pressures with the creation of honey pots and congestion in an area of limited road infrastructure, and further uncertainty for the farming community.
3. With the existing National Parks already face cuts and financial pressures, it is inevitable therefore that the creation of a extra local authority in essence will draw from the same ever diminishing pot of money to the detriment of residents and businesses located within Bannau Brycheiniog.

Council believes that

1. In view of the immense financial pressures on local government with Powys having to save circa £18m next year it is difficult to justify the creation of another authority which will increase the demand for resources in future years.
2. The relatively small representation from Powys on committees will lead to a democratic deficit in respect of planning and economic development decisions.

Council resolves to

Formally oppose the inclusion of areas of Powys within the new National Park area and recommends a maximum southern boundary based on the county boundary and the summit ridges of the Berwyn Hills.

Proposed by County Councillor Elwyn Vaughan

Seconded by County Councillor Bryn Davies

Finance Assessment

The motion being proposed requests the exclusion of any parts of Powys from the new national park in North East Wales. There does not seem to be any further action required from this motion, therefore there should be no additional financial cost.

The following item will be taken at 12.00 p.m.

15. PRESENTATION BY THE CHIEF FIRE OFFICER

To receive a presentation from the Chief Fire Officer, Roger Thomas.

Following the meeting the Chief Executive will brief Councillors on the Corporate Leadership Structure

**MINUTES OF A MEETING OF THE COUNTY COUNCIL HELD AT COUNTY HALL
AND ON ZOOM ON TUESDAY, 3 OCTOBER 2023**

PRESENT

County Councillor B Baynham (Chair)

County Councillors D Bebb, L Brighouse, J Charlton, R Church, S Cox, A W Davies, A Davies, B Davies, B Davies, S C Davies, M J Dorrance, D Edwards, L George, J Gibson-Watt, P James, A Jones, E A Jones, E Jones, G D Jones, G E Jones, J R Jones, A Kennerley, P Lewington, K Lewis, W Lloyd, I McIntosh, S McNicholas, DW Meredith, C Johnson-Wood, G Mitchell, G Morgan, WD Powell, G Preston, G Pugh, J Pugh, L Rijnenberg, L Roberts, P Roberts, C Robinson, E Roderick, D Selby, D A Thomas, J Brignell-Thorp, E Vaughan, C Walsh, A Williams, D H Williams and J M Williams

1.	APOLOGIES
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Apologies for absence were received from County Councillors G W Ratcliffe, B Breeze, I Harrison, A Jenner, G Morgan, R G Thomas and S L Williams.

2.	DECLARATIONS OF INTEREST
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There were no declarations of interest reported.

3.	EXEMPT ITEMS
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RESOLVED to exclude the public for the following item of business on the grounds that there would be disclosure to them of exempt information under category 1 of The Local Authorities (Access to Information) (Variation) (Wales) Order 2007).

4.	APPOINTMENT OF CHIEF EXECUTIVE
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Council received independent advice from Chris Llewelyn, Chief Executive of the WLGA.

Council interviewed Emma Palmer for the post of Chief Executive.

RESOLVED to appoint Emma Palmer to the post of Chief Executive of Powys County Council.

County Councillor B Baynham (Chair)

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**COFNODION CYFARFOD O'R CYNGOR SIR A GYNHALIWYD YN NEUADD Y SIR
AC AR ZOOM DDYDD MAWRTH, 3 HYDREF 2023**

YN BRESENNOL

Y Cynghorydd Sir B Baynham (Cadeirydd)

Y Cynghorwyr Sir D Bebb, L Brighouse, J Charlton, R Church, S Cox, A W Davies, A Davies, B Davies, B Davies, S C Davies, M J Dorrance, D Edwards, L George, J Gibson-Watt, P James, A Jones, E A Jones, E Jones, G D Jones, G E Jones, J R Jones, A Kennerley, P Lewington, K Lewis, W Lloyd, I McIntosh, S McNicholas, DW Meredith, C Johnson-Wood, G Mitchell, G Morgan, WD Powell, G Preston, G Pugh, J Pugh, L Rijnenberg, L Roberts, P Roberts, C Robinson, E Roderick, D Selby, D A Thomas, J Brignell-Thorp, E Vaughan, C Walsh, A Williams, D H Williams a J M Williams

1. YMDDIHEURIADAU

Derbyniwyd ymddiheuriadau am absenoldeb oddi wrth y Cynghorwyr Sir G W Ratcliffe, B Breeze, I Harrison, A Jenner, G Morgan, R G Thomas a S L Williams

2. DATGANIADAU O FUDDIANT

Ni chafwyd unrhyw ddatganiadau o fuddiant.

3. EITEMAU EITHRIEDIG

PENDERFYNWYD gwahardd y cyhoedd ar gyfer yr eitem fusnes a ganlyn ar y sail y byddai gwybodaeth eithriedig yn cael ei datgelu iddynt o dan gategori 1 Gorchymyn Awdurdodau Lleol (Mynediad at Wybodaeth) (Amrywio) (Cymru) 2007).

4. PENODI PRIF WEITHREDWR

Derbyniodd y Cyngor gyngor annibynnol gan Chris Llewelyn, Prif Weithredwr CLILC.

Cyfwelodd y Cyngor Emma Palmer ar gyfer swydd y Prif Weithredwr.

PENDERFYNWYD penodi Emma Palmer i swydd Prif Weithredwr Cyngor Sir Powys.

Y Cynghorydd Sir B Baynham (Cadeirydd)

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**MINUTES OF A MEETING OF THE COUNTY COUNCIL HELD AT COUNTY HALL
AND ON ZOOM ON THURSDAY, 5 OCTOBER 2023**

PRESENT

County Councillor B Baynham (Chair)

County Councillors G W Ratcliffe, D Bebb, G Breeze, J Berriman, J Charlton, R Church, T Colbert, S Cox, A W Davies, A Davies, B Davies, B Davies, S C Davies, D Edwards, L George, J Gibson-Watt, I Harrison, K Healy, H Hulme, P James, A Jenner, E A Jones, E Jones, G D Jones, G E Jones, J R Jones, A Kennerley, C Kenyon-Wade, P Lewington, K Lewis, P E Lewis, I McIntosh, S McNicholas, DW Meredith, C Johnson-Wood, G Mitchell, G Morgan, WD Powell, G Preston, G Pugh, J Pugh, L Rijnenberg, L Roberts, P Roberts, C Robinson, E Roderick, D Selby, D A Thomas, R G Thomas, J Brignell-Thorp, E Vaughan, C Walsh, A Williams, D H Williams, J M Williams and S L Williams

1.	APOLOGIES
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Apologies for absence were received from County Councillors B Breeze and G Morgan.

2.	MINUTES
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The Chair was authorised to sign the minutes of the two meetings held on 20th July 2023 as correct records.

3.	DECLARATIONS OF INTEREST
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County Councillor Gareth E Jones advised that he was president of Aberedw YFC and treasurer of Brecknock Federation.

4.	CHAIR'S ANNOUNCEMENTS
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The Chair gave details of her engagements, including the honour of welcoming His Majesty The King to Brecon on 20th July. She spoke about the work of Hope House hospice who had a stand in the foyer. She congratulated Councillors Benjamin Breeze and Karl Lewis both of whom had become fathers and she thanked three retiring Councillors, Matt Beecham, Sarah-Jayne Beecham and Anita Cartwright for their service. She also thanked Nigel Brinn who was leaving the authority to become Chief Executive of the Forest of Dean District Council and Jack Straw for his work as Interim Chief Executive. Finally, she congratulated Emma Palmer on her appointment as Chief Executive.

5.	LEADER'S ANNOUNCEMENTS
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The Leader advised that the first tranche of £4m Growing Mid Wales funding had been received. He referred to the project to develop 18 social homes on the site of the former Red Dragon pub. He advised that the authority was working closely with Natural Resources Wales to address the negative impact of the phosphates issue was having on development in the south of the county. The Leader referred

to the visit by the First Minister to Flying Start and to a recycling trial in Brecon. He said that the Council was proud to have become the first in Wales to sign up to UNISON's anti racism charter and that it would be signing up to the Marches Partnership with neighbouring Welsh and English councils in November. He closed by thanking Nigel Brinn for his service and he congratulated Matt Perry, Diane Reynolds on their appointments as interim directors and Emma Palmer on her appointment as Chief Executive.

6.	PUBLIC QUESTIONS
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6.1. Question for the Cabinet Member for the Cabinet Member for a Learning Powys from Laura Hares

What is being done to promote wellbeing and limit adverse childhood experiences amongst our ALN children in mainstream schools? Why does it take 1-2 years and often tribunal proceedings typically in Powys before our ALN Childrens needs are met? Who is held to account for the neglect of our children's needs and why is early intervention never put in place? My child is now on a very part time timetable and his paediatrician has explicitly expressed how PCC not meeting his needs is creating physical and mental health issues and yet over a year on from the school asking for support via a 1:1 TA for him, nothing is still in place. When will our education body catch up with the support offered over the border in Shropshire and with the legal requirements?

In March 2021 Welsh Government issued the framework for embedding a whole-school approach to emotional and mental well-being as statutory guidance to governing bodies of maintained nursery, primary, secondary, middle, pupil referral units (PRUs), and special schools and local authorities in Wales. The majority of schools within Powys have been provided with training to support Adverse Childhood Experiences (ACEs) and/or Trauma Informed Practice. The individual schools will look to implement the training within their daily practice in order to support the children and young people that need support.

Powys offers schools a range of support services that can be accessed to assist in early help advice and guidance, through the role of a wellbeing officer, and through the provision of specialist teachers and educational psychology service. In addition, programmes to support the emotional health of children is offered through a programme called ELSA (Emotional Literacy Support Assistants), and individual schools will decide on the appropriateness of accessing and implementing this resource.

There is a national process, that is dictated via statutory documentation that describes the processes for assessing and meeting the Additional Learning Needs (ALN) of children and young people. This is adhered to by Powys County Council, but there are a few occasions where there are extenuating circumstances, such as complex cases or disagreements that extend the time scales. Schools and local authorities are routinely inspected by statutory bodies, such as Estyn, to ensure that they are compliant with statutory guidance and processes.

Part time timetables are a local agreement between a school and parent, and the local authority does not intervene with these decisions. Families should not feel obliged to agree to a reduced timetable, but to work with the school to ensure

that a pastoral support plan is implemented, with realistic and achievable targets, that a regularly reviewed and evaluated. The local authority delegates ALN funding to all schools in order to support the needs of children. Research conducted by the Education Endowment Fund (EEF) demonstrates that 1:1 support has a detrimental impact on the progress of children, and inhibits their independence skills; although it is recognised that there are occasions where children need a more bespoke package of support to meet specific needs, and in particular where there is a serious medical condition. Panels within Powys are multi-agency, and they make decisions based upon the information provided to them by schools, families and other agencies. Education provision and processes differ between local authorities and in particular there is distinct legislation between England and Wales. The support provided by Powys County Council meets statutory guidance and is compliant with requirements imposed by law. We wouldn't comment publicly on individual cases and will always respect the privacy and consent of children, young people and their families.

In response to the supplementary question why the Council was spending so much on litigation if it was following the ALN code of practice and the safeguarding of children, the Cabinet Member for a Learning Powys advised that officers would respond directly to Ms Hares.

6.2. **Question for the Cabinet Member for a Greener Powys from Philip Ellison**

What are the missed collections on recycled bin collections in Llandrindod's four wards? What are the missed collections on recycled bin collections in Llansantffraid & Llanrhaeadr Wards? Why is there such a discrepancy?

I am making these inquiries as I think it poses a health risk to elderly people who put their bins out every Tuesday in my area and then have to bring them back in again as they not coming for that week.

I would also like to take this opportunity as well as point out that Shropshire (and many others) put it on their home page of any changes, and I am sure that this can be done as soon as there is a problem being either the evening before or at 7 am in the morning on Powys Council website.

Response

It is not possible to give an exact answer to the first part of this question as rounds do not correspond to electoral wards. However, the following data is available:

In 2023 to date there have been 12 missed rounds that contain properties within the four wards of Llandrindod, 4 of which were down to inclement weather. This compares to 18 missed rounds that contain properties within the Llansantffraid and Llanrhaedr wards (5 of which were down to inclement weather) during the same period.

However, to put this into a bit more context, there are 2364 individual properties that would have been affected in the Llandrindod wards compared to 1352 in Llansantffraid and Llanrhaedr. In statistical terms, this equates to 1.8 times per property in Llandrindod and 1.7 in Llansantffraid and Llanrhaedr.

The reason for the discrepancy is that these wards are serviced from different depots in the mid and north of Powys. The problems with recruitment of staff have been more acute in the north of the county and this is a problem that has been experienced by other local authorities in North Wales as well as the private sector.

We do appreciate that it is an inconvenience for residents to wait an additional week for their recycling collections, but if the materials are cleaned and the food stored securely, there shouldn't be a health issue. We do try to ensure that residual waste rounds are not missed due to the three weekly cycle of collections and do catch up as quickly as possible if this does occur.

With regards to informing residents of missed collections, it is generally not possible to do this the evening before as we would not be aware of short term staff sickness and vehicle breakdowns until the day in question. As soon as we are aware that a round is going to be missed, a message is sent to all the affected Councillors, the helpdesk is informed, and our missed bin reporting form and collection day finder are updated on the website so that if someone puts in their address they will be informed of the change. Whilst individual missed rounds are not put on social media, there are regular messages asking people to check online if their collection is missed.

The service is working very hard to minimise these disruptions and there has been some success with recruiting additional staff. It is, however, an ongoing issue, but hopefully the collections should now be stabilising.

Council was advised that Mr Ellison was unable to be present, but the Cabinet Member indicated that she would be happy to respond to a supplementary question if submitted.

6.3. Question for the Cabinet Member for a Connected Powys from Penny Higgs

In what instances would the Planning Committee not push for enforcement action, when there are serious planning breaches?

Response

The Council's approach to planning enforcement can be found on the following webpage.

[Planning Enforcement - Powys County Council](#)

The Council's approved Planning Enforcement Policy and Procedure can be read on the following webpage. The policies set out where enforcement action by the Local Planning Authority would be expedient or not expedient:

[Planning Enforcement Policy and Procedure - Powys County Council](#)

There was no supplementary question.

7.	APPOINTMENT OF INTERIM RETURNING OFFICER AND ELECTORAL REGISTRATION OFFICER
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Following the appointment of Emma Palmer as Chief Executive this report was withdrawn.

8. SINGLE TRANSFERABLE VOTE

Council considered a report on the Single Transferable Voting system which local authorities in Wales could choose to adopt under the Local Government and Elections (Wales) Act 2021. If Council decided that it would like to consider moving to the STV system, it would be required to consult with voters, each Town and Community Council and with other appropriate persons or bodies and then consider the results of the consultation and decide whether or not to adopt the STV system for its 2027 local elections.

County Councillor Pete Lewington proposed that consideration of the report be delayed until the next full Council meeting on 7 December, seconded by County Councillor Amanda Jenner. By 34 votes to 25 it was

RESOLVED that consideration of the STV report be delayed to the next full Council meeting.

9. POWYS PSB SCRUTINY COMMITTEE
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Council considered the recommendations of the Democratic Services Committee on appointments to the PSB Scrutiny Committee. It was proposed by County Councillor James Gibson-Watt and duly seconded and by 59 votes to 1 with 1 abstention it was

RESOLVED

- 1. that the membership of the PSB Scrutiny Committee be amended to accommodate co-opted Members from other organisations and also complying with the following provisions:**
 - **A maximum of three co-opted Members (in accordance with the Statutory Guidance arising from the Local Government Measure 2011);**
 - **That those co-opted members can not:**
 - **be drawn from the executive of the organisation.**
 - **be officers from the organisation.**
 - **be Powys County Council representatives on those organisations**
- 2. that the Terms of Reference for the PSB Scrutiny Committee be amended to the effect that the requirement for meetings of the Committee would be set as a minimum of one and a maximum of two per year**
- 3. That the Head of Legal Service and the Monitoring Officer is authorised to amend Section 7 of the Constitution and**

to make such other consequential amendments as may be required.

It was proposed by County Councillor James Gibson-Watt and seconded by County Councillor Matthew Dorrance that the Chair and the Monitoring Officer accept nominations.

RESOLVED that the Chair and the Monitoring Officer accept nominations with the proviso that they are widely publicised.

10. APPOINTMENTS TO OUTSIDE BODIES

Brecon County Scholarship Fund

County Councillors William Powell and Iain McIntosh were nominated. Following a ballot it was

RESOLVED that County Councillor William Powell be appointed to the Brecon County Scholarship Fund.

Wye Navigation Advisory Committee

County Councillor Corrina Kenyon-Wade was nominated.

RESOLVED that County Councillor Corrina Kenyon-Wade be appointed to the Wye Navigation Advisory Committee.

11. NOTICE OF MOTION - PROPOSAL TO REINSTATE THE UP TO 1 HOUR CAR PARKING CHARGE IN DESIGNATED LONG STAY CAR PARKS.
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Council considered the following notice of motion proposed by County Councillor Gareth E Jones and seconded by County Councillor Jeremy Pugh:

1. To reintroduce the up to one hour parking period into all the current designated long stay car parks run by the authority, which are currently subject to a parking charge with effect from 1st November 2023.
2. That the charge for up to one hour parking in the designated long stay car parks should be set at £1.40 in line with the charge for the same time period in the designated short stay car parks.

County Councillor Pete Lewington proposed an amendment seconded by County Councillor Iain McIntosh:

Delete 2 and replace with:-

That the charge for up to one hour parking in both short stay and long stay car parks should be reintroduced at £1.00 with effect from 1st November 2023.

This amendment was put to the vote and lost by 24 votes to 35.

County Councillor Gareth Ratcliffe proposed an amendment seconded by County Councillor Angela Davies:

In light of the motion coming forward, we propose the council hold off on any change in parking charges and refer the original motion to the cross-party car parking review group established by the Portfolio Holder to be considered with other options, including options to consult with communities and the council to seek their views as to whether they would like Powys County Council to reintroduce the 1-hour parking in their community long-stay car park or to forgo the 1 hour and stay with a 2-hour minimum with 50p from every 2-hour ticket issued going back into the community to help them run tourist facilities such as public toilets and community activities. Any recommendations from the review board are to be brought back to scrutiny prior to being considered by the cabinet.

The amendment was put to the vote and by 30 votes to 27 with 1 abstention it was

RESOLVED that the council hold off on any change in parking charges and refer the original motion to the cross-party car parking review group established by the Portfolio Holder to be considered with other options, including options to consult with communities and the council to seek their views as to whether they would like Powys County Council to reintroduce the 1-hour parking in their community long-stay car park or to forgo the 1 hour and stay with a 2-hour minimum with 50p from every 2-hour ticket issued going back into the community to help them run tourist facilities such as public toilets and community activities. Any recommendations from the review board are to be brought back to scrutiny prior to being considered by the cabinet.

Council adjourned at 13:05 and reconvened at 14:00.

12.	PRESENTATION BY BRECKNOCK, MONTGOMERYSHIRE AND RADNOR YFCS
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Members of Brecknock, Radnor and Montgomeryshire Young Farmers Clubs gave a presentation on their work in 45 clubs across the county.

The Cabinet Member for Future Generations advised that she would report back on what percentage of young persons contacts was made up of contacts with the YFC. She would also follow up on the point that YFC was not mentioned on the Council's website.

13.	QUESTIONS IN ACCORDANCE WITH THE CONSTITUTION
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13.1. Question to the Cabinet Member for Future Generations from Councillor Elwyn Vaughan

This Council has on several occasions expressed support for the Welsh language and the cross-party political will is clear with regard to that wish. However, whilst recently highlighting English only street signs on a new housing development in Ceri to the Planning Department the response was that they weren't responsible, even though it is a new estate supervised by the Planning Department! It was stated that it was the Highways Department that was at fault.

On questioning the Highways Department the response was it was the developer's fault and the development will be completed within the year. This was even though the development has already been completed and every house has a resident! The only conclusion one can come to is that everyone is trying to blame someone else instead of taking responsibility in the hope that the issue will be forgotten. Well, I can assure you it will not be forgotten.

In light of this, your responsibility for the Welsh language within the Council, the expectations of the Language Standards from the Commissioner, the desire of this Council and common sense. Do you agree with me that this situation is unsatisfactory and that you will try to get to the bottom of the matter to rectify the situation?

Response

From a Welsh Language Standards perspective, Powys' position is clear. All street signs should be bilingual with Welsh shown so that it is likely to be read first, i.e. to the left or above the English. We followed the Welsh Language Standards in that the street naming officer opposed an application from Ceri Community Council for street names that were in English only. We translated the English names the community council suggested.

There was no supplementary question.

13.2. Question to the Cabinet Member for a Learning Powys from Councillor Elwyn Vaughan

During the discussions on the Marches Partnership in the Cabinet meeting on 19/09 it was noted that the education portfolio holder stated -

Powys is intending to offer Welsh medium education to children from England as part of a new partnership with the counties over the border.

Powys will be co-operating with Monmouthshire, Herefordshire and Shropshire on matters including transport, housing, the environment and energy.

The council's education portfolio holder, Pete Roberts said "there are many families in Oswestry coming from Welsh-speaking backgrounds". "So I hope one of these opportunities will be working with colleagues in Oswestry and along the border to extend the ability for families to take part in Welsh medium education."

In noting this, what consideration has been given to the European minority or Regional languages Charter and those powers in this context?

Given that a review is being held of the schools in the Llanfyllin area, including the future of Ysgol Bro Cynllaith, how is it anticipated that the task of providing access to Welsh medium education to those from Oswestry would be undertaken better, and what is the timetable?

Response

Your previous correspondence with me in regards to the European minority or Region Languages Charter was one of the factors in identifying this potential opportunity as it offers a way forward in confirming responsibilities for the provision of school transport.

In terms of the impact on the wider catchment review. The way forward approved by Cabinet identifies [Ysgol Gynradd Llanrhaeadr Ym Mochnant](#) as a site for extending Welsh medium in the NW of the catchment and there are further opportunities in Welsh Stream or Welsh medium education within reach of Oswestry and Shrewsbury.

In the medium term the review also identifies the possibility of developing further Welsh Medium provision in one of the settlements along the A483 between Welshpool and the county border. As a first stage the plans call for the enhancement of Cylch Meithrin and Ti a Fi provision in the area. Given the good road links to Oswestry support from across the border may strengthen the business case for moving forward with this proposition.

There was no supplementary question.

13.3. Question to the Leader from Councillor Aled Davies

How much does WLGA membership cost the Council?

The WLGA annual subscription is £115,799.66 (£96,499.72 plus VAT £19,299.94).

The Welsh Local Government Association (WLGA) is a membership organisation that represents all 22 local authorities in Wales, the 3 fire and rescue authorities and the 3 national park authorities are associate members.

The WLGA represents the interests of local government and promotes local democracy in Wales. Its primary purposes are to promote better local government, to promote its reputation and to support authorities in the development of policies and priorities which will improve public services and democracy.

The WLGA is a politically led cross party organisation that seeks to give local government a strong voice at a national level. Membership of the Welsh Local Government Association gives this Council a seat at the top table when negotiating with and lobbying Welsh Government. It gives access to Ministers and influence that individual councils would not have on their own.

The WLGA is recognised under the statutory Local Government Partnership Scheme as the negotiating body representing local government. WLGA spokespersons represent the whole of local government in discussions and negotiations with the Welsh Government, the UK Government and all other national partners in their particular service areas. In addition, a small team of officers provide professional expertise and support to assist in the lobbying, improvement and policy development process.

The WLGA is a resource for Councils to tap into and share expertise and good practice through cabinet member networks and policy papers. The Chief Executive of the WLGA has recently advised this Council on the appointment of a new Chief Executive. It also offers support in member development and for years this council has benefited by sending councillors from all political groups to the leadership academy.

Councillor Davies asked as a supplementary question whether the Leader would suggest to the WLGA that it reform so it represented the whole of Wales or consider withholding the payment. The Leader said it was well worth remaining a member of the WLGA and he noted the support it gave to the Council and its officers. He also noted that the WLGA was having an internal review and said it would be worth seeing the outcome of that review.

13.4. Question to the Leader from Councillor Gwynfor Thomas

What communications have Powys County Council had with Bute Energy/Green Gen Cymru?

Response

Many thanks for your interesting question, it begs the further question of the extent to which we, Powys County Council, should engage with potential major investors seeking to develop in Powys, in this instance in energy and infrastructure. Bute Energy is just one of a number of companies proposing multi-million-pound investments, the sum total of which far outweighs the Mid-Wales Growth deal.

Powys Council has declared nature and climate emergencies and is making progress with plans to adapt to the changes which will need to be made by us all.

And so, in this context, I strongly suspect that we need to be engaging much more with any and everyone who has a potential contribution to make.

That said, and to directly answer your question, I shared the same table at the President's lunch on the first day of the Royal Welsh Show 2022, with two employees of Bute, but to my best recollection no discussions took place about any proposals they had for Powys. A few months ago, I attended an online information meeting with PCC and Bute officers and I believe Bute officers attended one of PCC's events at this year's Royal Welsh Show and were also present at this year's WLGA Conference, but I had no contact with them.

I am also aware that the Cabinet Member for a Connected Powys met Bute Energy and other major developers in a round table event he had organised on community benefit. He had one follow up meeting with the community benefit team and also attended a public pre-application meeting for the Radnor Forest proposals, hosted by Cllr Geoff Morgan. I also understand that he visited the Bute stand at the Royal Welsh Show, as you and other members may have done, but for which I can't account. Like myself, he has not knowingly spoken with anyone at Green Gen Cymru.

Planning services have been approached on a number of projects by Bute Energy/Green Gen Cymru in relation to seeking pre application advice.

As a supplementary question Councillor Thomas asked the Leader to take up Bute Energy on their assertion that they were in conversation with senior members and Officers and were helping deliver the curriculum. He also asked the views of local members to be taken on board. The Leader said that there had to be contact between officers and commercial organisations but that boundaries had to be respected and full propriety observed at all times.

14.	URGENT QUESTION TO THE LEADER FROM COUNCILLOR ALED DAVIES
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The Leader said that there was no relevant additional information had come to light since the Cabinet took the decision. He thought that the Cabinet decision was sound and that he was very satisfied with the way the Cabinet and officers had dealt with it. In response to Councillor Davies' supplementary question if the Leader would resign if the Scrutiny Committee found that the report had misled the Council, the Leader confirmed that he would. He was absolutely confident that the decision the Cabinet took was sound.

County Councillor B Baynham (Chair)

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**COFNODION CYFARFOD O'R CYNGOR SIR A GYNHALIWDYD YN NEUADD Y SIR
AC AR ZOOM DDYDD IAU, 5 HYDREF 2023**

YN BRESENNOL

Y Cynghorydd Sir B Baynham (Cadeirydd)

Y Cynghorwyr Sir G W Ratcliffe, D Bebb, G Breeze, J Berriman, J Charlton, R Church, T Colbert, S Cox, A W Davies, A Davies, B Davies, B Davies, S C Davies, D Edwards, L George, J Gibson-Watt, I Harrison, K Healy, H Hulme, P James, A Jenner, E A Jones, E Jones, G D Jones, G E Jones, J R Jones, A Kennerley, C Kenyon-Wade, P Lewington, K Lewis, P E Lewis, I McIntosh, S McNicholas, DW Meredith, C Johnson-Wood, G Mitchell, G Morgan, WD Powell, G Preston, G Pugh, J Pugh, L Rijnenberg, L Roberts, P Roberts, C Robinson, E Roderick, D Selby, D A Thomas, R G Thomas, J Brignell-Thorp, E Vaughan, C Walsh, A Williams, D H Williams, J M Williams a S L Williams

1. YMDDIHEURIADAU

Derbyniwyd ymddiheuriadau am absenoldeb oddi wrth y Cynghorwyr Sir B Breeze a G Morgan.

2. COFNODION

Awdurdodwyd y Cadeirydd i lofnodi cofnodion y ddau gyfarfod a gynhaliwyd ar 20 Gorffennaf 2023 fel cofnodion cywir.

3. DATGANIADAU O FUDDIANT

Dywedodd y Cynghorydd Sir Gareth E Jones ei fod ef yn llywydd CFFl Aberedw ac yn drysorydd Ffederasiwn Brycheiniog.

4. CYHOEDDIADAU'R CADEIRYDD

Rhoddodd y Cadeirydd fanylion am ei hymrwymiaid, gan gynnwys yr anrhydedd o groesawu ei Fawrhydi'r Brenin i Aberhonddu ar 20 Gorffennaf. Siaradodd am waith hosbis Tŷ Gobaith a oedd â stondin yn y cyntedd. Llongyfarchodd y Cynghorwyr Benjamin Breeze a Karl Lewis oedd wedi dod yn dadau, a diolchodd i dri Chynghorydd a oedd yn ymddeol, Matt Beecham, Sarah-Jayne Beecham ac Anita Cartwright am eu gwasanaeth. Diolchodd hefyd i Nigel Brinn a oedd yn gadael yr awdurdod i ddod yn Brif Weithredwr Cyngor Dosbarth Fforest y Ddena ac i Jack Straw am ei waith fel Prif Weithredwr Dros Dro. Yn olaf, llongyfarchodd Emma Palmer ar ei phenodiad yn Brif Weithredwr.

5. CYHOEDDIADAU'R ARWEINYDD

Dywedodd yr Arweinydd fod y gyfran gyntaf o £4m o gyllid Tyfu Canolbarth Cymru wedi dod i law. Cyfeiriodd at y prosiect i ddatblygu 18 o gartrefi cymdeithasol ar safle cyn dafarn y Red Dragon. Dywedodd fod yr awdurdod yn gweithio'n agos gyda Chyfoeth Naturiol Cymru i ymdrin â'r effaith negyddol yr oedd ffosffadau yn ei gael ar ddatblygiadau yn ne'r sir. Cyfeiriodd yr Arweinydd

at ymweliad y Prif Weinidog â Dechrau'n Deg ac i weld treial ailgylchu yn Aberhonddu. Dywedodd fod y Cyngor yn falch o fod y cyntaf yng Nghymru i lofnodi siarter gwrth hiliaeth UNSAIN ac y byddai'n ymuno â Phartneriaeth y Gororau gyda chynghorau cyfagos yng Nghymru a Lloegr ym mis Tachwedd. Diwedodd trwy ddiolch i Nigel Brinn am ei wasanaeth a llongyfarchodd Matt Perry a Diane Reynolds ar eu penodiadau fel cyfarwyddwyr interim ac Emma Palmer ar ei phenodiad yn Brif Weithredwr.

6.	CWESTIYNAU CYHOEDDUS
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6.1. Cwestiwn i'r Aelod Cabinet dros Bowys yn Dysgu gan Laura Hares

Beth sy'n cael ei wneud i hyrwyddo lles a chyfyngu ar brofiadau niweidiol yn ystod plentyndod ymhlith ein plant ADY mewn ysgolion prif ffrwd? Pam mae'n cymryd 1-2 flynedd ac yn aml achos tribiwnlys fel arfer ym Mhowys cyn i anghenion ein Plant ADY gael eu diwallu? Pwy sy'n cael ei ddwyn i gyfrif am esgeuluso anghenion ein plant a pham nad yw ymyrraeth gynnar byth yn cael ei rhoi ar waith? Mae fy mhlentyn bellach ar amserlen ran amser iawn ac mae ei bediatregydd wedi mynegi'n glir sut mae'r ffaith nad yw CSP yn diwallu ei anghenion yn creu problemau iechyd corfforol a meddyliol ac eto dros flwyddyn ar ôl i'r ysgol ofyn am gymorth trwy gael Cynorthwydd Addysgu 1:1 iddo, nid oes dim wedi digwydd hyd yma. Pryd fydd ein corff addysg yn dal i fyny â'r cymorth a gynigir dros y ffin yn Swydd Amwythig a chyda'r gofynion cyfreithiol?

Ym mis Mawrth 2021, cyhoeddodd Llywodraeth Cymru'r fframwaith ar gyfer gwreiddio ymagwedd ysgol gyfan at les emosiynol a meddyliol fel canllawiau statudol i gyrff llywodraethu ysgolion meithrin, cynradd, uwchradd, canol, unedau cyfeirio disgyblion (UCD), ac ysgolion arbennig ac awdurdodau lleol yng Nghymru. Mae'r mwyafrif o ysgolion ym Mhowys wedi cael hyfforddiant i gefnogi Profiadau Niweidiol yn ystod Plentyndod (ACEs) a/neu Ymarfer sy'n Ystyriol o Drawma. Bydd yr ysgolion unigol yn ceisio gweithredu'r hyfforddiant o fewn eu hymarfer dyddiol er mwyn cefnogi'r plant a'r bobl ifanc sydd angen cymorth.

Mae Powys yn cynnig ystod o wasanaethau cymorth i ysgolion y gellir eu cyrchu i gynorthwyo gyda chyngor ac arweiniad cynnar, trwy rôl swyddog lles, a thrwy ddarparu athrawon arbenigol a gwasanaeth seicoleg addysg. Yn ogystal, cynigir rhaglenni i gefnogi iechyd emosiynol plant trwy raglen o'r enw ELSA (Cynorthwywyr Cefnogi Llythrennedd Emosiynol), a bydd ysgolion unigol yn penderfynu ar briodoldeb cael mynediad i'r adnodd hwn a'i roi ar waith.

Mae yna broses genedlaethol, a bennir trwy ddogfennaeth statudol sy'n disgrifio'r prosesau ar gyfer asesu a chwrdd ag Anghenion Dysgu Ychwanegol (ADY) plant a phobl ifanc. Cedwir at hyn gan Gyngor Sir Powys, ond ceir ambell achlysur pan fo amgylchiadau arbennig, megis achosion cymhleth neu anghytundebau sy'n ymestyn yr amserlenni. Mae ysgolion ac awdurdodau lleol yn cael eu harolygu'n rheolaidd gan gyrff statudol, fel Estyn, i sicrhau eu bod yn cydymffurfio â chanllawiau a phrosesau statudol.

Mae amserlenni rhan amser yn gytundeb lleol rhwng ysgol a rhiant, ac nid yw'r awdurdod lleol yn ymyrryd â'r penderfyniadau hyn. Ni ddylai teuluoedd deimlo rheidrydd i gytuno ar amserlen lai, ond dylent weithio gyda'r ysgol i sicrhau bod cynllun cymorth bugeiliol yn cael ei weithredu, gyda thargedau realistig a chyraeddadwy, sy'n cael eu hadolygu a'u gwerthuso'n rheolaidd. Mae'r

awdurdod lleol yn dirprwyo cyllid ADY i bob ysgol er mwyn cefnogi anghenion plant. Mae ymchwil a gynhaliwyd gan y Gronfa Gwaddol Addysg (EEF) yn dangos bod cymorth 1:1 yn cael effaith andwyol ar gynnydd plant, ac yn amharu ar eu sgiliau annibyniaeth; er y cydnabyddir bod adegau pan fo angen pecyn cymorth mwy pwrpasol ar blant i ddiwallu anghenion penodol, ac yn arbennig pan fo yna gyflwr meddygol difrifol. Mae paneli ym Mhowys yn rhai aml-asiantaeth, ac maent yn gwneud penderfyniadau ar sail y wybodaeth a ddarperir iddynt gan ysgolion, teuluoedd ac asiantaethau eraill. Mae darpariaeth a phrosesau addysg yn amrywio rhwng awdurdodau lleol ac yn benodol mae deddfwriaeth wahanol yng Nghymru a Lloegr. Mae'r cymorth a ddarperir gan Gyngor Sir Powys yn bodloni canllawiau statudol ac yn cydymffurfio â gofynion a osodir gan y gyfraith. Ni fyddem yn gwneud sylwadau cyhoeddus am achosion unigol a byddwn bob amser yn parchu preifatrwydd a chaniatâd plant, pobl ifanc a'u teuluoedd.

Mewn ymateb i'r cwestiwn atodol pam fod y Cyngor yn gwario cymaint ar ymgyfreitha os oedd yn dilyn y cod ymarfer ADY a diogelu plant, dywedodd yr Aelod Cabinet dros Bowys yn Dysgu y byddai swyddogion yn ymateb yn uniongyrchol i Ms Hares.

6.2. Cwestiwn i'r Aelod Cabinet dros Bowys Wyrddach gan Philip Ellison

Pa gasgliadau a fethwyd o ran casgliadau biniau'r deunydd wedi'i ailgylchu ym mhedair ward Llandrindod? Pa gasgliadau a fethwyd o ran casgliadau biniau'r deunydd wedi'i ailgylchu yn Wardiau Llansanffraid a Llanrhaeadr? Pam fod yna gymaint o wahaniaeth?

Rwy'n gwneud yr ymholiadau hyn gan fy mod yn meddwl ei fod yn peri risg iechyd i bobl oedrannus sy'n rhoi eu biniau allan bob dydd Mawrth yn fy ardal i ac yna'n gorfod dod â nhw yn ôl i mewn eto gan nad ydy'r lori'n dod am yr wythnos honno.

Hoffwn gymryd y cyfle hwn hefyd i nodi bod Swydd Amwythig (a llawer o rai eraill) yn cynnwys unrhyw newidiadau ar eu tudalen hafan, ac rwy'n siŵr y gellid gwneud hyn cyn gynted ag y bydd problem yn codi naill ai'r noson cynt neu am 7 y bore ar wefan Cyngor Powys.

Ymateb

Nid yw'n bosibl rhoi union ateb i ran gyntaf y cwestiwn hwn gan nad yw rowndiau'n cyfateb i wardiau etholiadol. Fodd bynnag, mae'r data canlynol ar gael:

Yn 2023 hyd yma fe fethwyd 12 rownd sy'n cynnwys eiddo o fewn pedair ward Llandrindod, gyda 4 ohonynt oherwydd tywydd garw. Mae hyn yn cymharu â 18 rownd a fethwyd sy'n cynnwys eiddo yn wardiau Llansanffraid a Llanrhaeadr (5 ohonynt oherwydd tywydd garw) yn ystod yr un cyfnod.

Ond i roi hyn mewn ychydig mwy o gyd-destun, byddai 2364 eiddo unigol wedi cael eu heffeithio yn wardiau Llandrindod o gymharu â 1352 yn Llansanffraid a Llanrhaeadr. Mewn termau ystadegol, mae hyn yn cyfateb i 1.8 gwaith ar gyfer pob eiddo yn Llandrindod ac 1.7 yn Llansanffraid a Llanrhaeadr.

Y rheswm am yr anghysondeb yw bod y wardiau hyn yn cael eu gwasanaethu o wahanol ddepos yng nghanol a gogledd Powys. Mae'r problemau o ran recriwtio staff wedi bod yn fwy difrifol yng ngogledd y sir ac mae hon yn broblem a brofwyd gan awdurdodau lleol eraill yng Ngogledd Cymru yn ogystal â'r sector preifat.

Rydym yn gwerthfawrogi ei bod yn anhwylyd i drigolion aros am wythnos ychwanegol am eu casgliadau ailgylchu, ond os caiff y deunyddiau eu golchi a'r bwyd ei storio'n ddiogel, ni ddylai hyn fod yn broblem iechyd. Rydym yn ceisio sicrhau na chaiff rowndiau gwastraff gweddilliol eu methu oherwydd y cylch tair wythnos o gasgliadau ac rydym yn dal i fyny cyn gynted â phosibl os bydd hyn yn digwydd.

O ran rhoi gwybod i drigolion am gasgliadau a fethwyd, yn gyffredinol nid yw'n bosibl gwneud hyn y noson gynt gan na fyddem yn ymwybodol o salwch tymor byr y staff a cherbydau'n torri i lawr tan y diwrnod dan sylw. Cyn gynted ag y byddwn yn ymwybodol fod rownd yn mynd i gael ei methu, anfonir neges at yr holl Gynghorwyr yr effeithir arnynt, hysbysir y ddesg gymorth, a chaiff ein ffurflen rhoi gwybod am finiau a fethwyd a gwybodaeth am y diwrnod casglu eu diweddarau ar y wefan fel os bydd rhywun yn rhoi eu cyfeiriad y byddant yn cael gwybod am y newid. Er nad yw rowndiau unigol a fethwyd yn cael eu rhoi ar y cyfryngau cymdeithasol, mae yna negeseuon rheolaidd yn gofyn i bobl checio ar-lein a yw eu casgliad yn cael ei fethu.

Mae'r gwasanaeth yn gweithio'n galed iawn i leihau'r amhariadau hyn a bu peth llwyddiant wrth recriwtio staff ychwanegol. Y mae hon yn broblem barhaus, ond fe ddylai'r casgliadau gobeithio fod yn sefydlogi bellach.

Hysbyswyd y Cyngor nad oedd Mr Ellison yn gallu bod yn bresennol, ond dywedodd yr Aelod Cabinet y byddai'n hapus i ymateb i gwestiwn atodol pe bai un yn cael ei gyflwyno.

6.3. Cwestiwn i'r Aelod Cabinet dros Bowys Gysylltiedig gan Penny Higgs

Ym mha achosion na fyddai'r Pwyllgor Cynllunio yn gwthio am gamau gorfodi, pan fo achosion difrifol o dorri rheolau cynllunio?

Ymateb

Mae dull y Cyngor o ymdrin â gorfodi rheolau cynllunio i'w weld ar y dudalen we ganlynol.

[Gorfodi Cynllunio - Cyngor Sir Powys](#)

Gellir darllen Polisi a Gweithdrefn Gorfodi Cynllunio a gymeradwywyd gan y Cyngor ar y dudalen we ganlynol. Mae'r polisiâu'n nodi lle byddai camau gorfodi gan yr Awdurdod Cynllunio Lleol yn fanteisiol neu ddim yn fanteisiol:

[Polisi a Gweithdrefn Gorfodi Cynllunio - Cyngor Sir Powys](#)

Nid oedd cwestiwn atodol.

7.	PENODI SWYDDOG CANLYNIADAU INTERIM A SWYDDOG COFRESTRU ETHOLIADOL
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Yn dilyn penodi Emma Palmer yn Brif Weithredwr, tynnwyd yr adroddiad hwn yn ôl.

8.	PLEIDLAIS SENGL DROGLWYDDADWY
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Ystyriodd y Cyngor adroddiad ar y system Pleidleisio Sengl Trosglwyddadwy y gallai awdurdodau lleol yng Nghymru ddewis ei mabwysiadu o dan Ddeddf Llywodraeth Leol ac Etholiadau (Cymru) 2021. Pe bai'r Cyngor yn penderfynu y byddai'n hoffi ystyried symud i'r system STV, byddai'n ofynnol iddo ymgynghori â phleidleiswyr, pob Cyngor Tref a Chymuned a phobl neu gyrff priodol eraill ac yna ystyried canlyniadau'r ymgynghoriad a phenderfynu a ddylid mabwysiadu'r system STV ai peidio ar gyfer ei etholiadau lleol yn 2027.

Cynigiodd y Cynghorydd Sir Pete Lewington y dylid gohirio ystyried yr adroddiad tan gyfarfod llawn nesaf y Cyngor ar 7 Rhagfyr, ac eiliwyd hynny gan y Cynghorydd Sir Amanda Jenner. O 34 pleidlais i 25

PENDERFYNWYD gohirio ystyried yr adroddiad ar Bleidleisio Sengl Trosglwyddadwy tan gyfarfod nesaf y Cyngor llawn.

9.	PWYLLGOR CRAFFU POWYS AR Y BGC (PSB)
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Rhoddodd y Cyngor ystyriaeth i argymhellion y Pwyllgor Gwasanaethau Democrataidd ar benodiadau i Bwyllgor Craffu'r BGC. Cynigiwyd gan y Cynghorydd Sir James Gibson-Watt ac eiliwyd yn briodol ac o 59 pleidlais i 1 gydag 1 yn ymatal

PENDERFYNWYD

- 1. diwygio aelodaeth Pwyllgor Craffu'r BGC i gynnwys Aelodau cyfetholedig o sefydliadau eraill a hefyd cydymffurfio â'r darpariaethau a ganlyn:**
 - Uchafswm o dri Aelod cyfetholedig (yn unol â'r Canllawiau Statudol sy'n deillio o Fesur Llywodraeth Leol 2011);
 - Na all yr aelodau cyfetholedig hynny:
 - gael eu tynnu o weithrediaeth y sefydliad.
 - fod yn swyddogion o'r sefydliad.
 - fod yn gynrychiolwyr Cyngor Sir Powys ar y sefydliadau hynny
- 2. diwygio Cylch Gorchwyl Pwyllgor Craffu'r BGC i'r perwyl y byddai'r gofyniad am gyfarfodydd y Pwyllgor yn cael ei osod fel isafswm o un ac uchafswm o ddau y flwyddyn**
- 3. Awdurdodi Pennaeth y Gwasanaeth Cyfreithiol a'r Swyddog Monitro i ddiwygio Adran 7 y Cyfansoddiad a**

gwneud unrhyw ddiwygiadau canlyniadol eraill a allai fod yn ofynnol.

Cynigodd y Cyngorydd Sir James Gibson-Watt ac eiliwyd gan y Cyngorydd Sir Matthew Dorrance fod y Cadeirydd a'r Swyddog Monitro yn derbyn enwebiadau.

PENDERFYNWYD bod y Cadeirydd a'r Swyddog Monitro yn derbyn enwebiadau ar yr amod eu bod yn cael cyhoeddusrwydd eang.

10. PENODIADAU I GYRFF ALLANOL

Cronfa Ysgoloriaeth Sir Frycheiniog

Enwebwyd y Cyngorwyr Sir William Powell ac Iain McIntosh. Yn dilyn pleidlais

PENDERFYNWYD penodi'r Cyngorydd Sir William Powell i Gronfa Ysgoloriaeth Sir Frycheiniog.

Pwyllgor Ymgynghorol Mordwyo Gwy

Enwebwyd y Cyngorydd Sir Corrina Kenyon-Wade.

PENDERFYNWYD penodi'r Cyngorydd Sir Corrina Kenyon-Wade i Bwyllgor Ymgynghorol Mordwyo Gwy.

11. RHYBUDD O GYNNIG - CYNNIG I ADFER Y TÂL PARCIO CEIR HYD AT 1 AWR MEWN MEYSYDD PARCIO ARHOSIAD HIR DYNODEDIG.

Rhoddodd y Cyngor ystyriaeth i'r rhybudd o gynnig a ganlyn a gynigiwyd gan y Cyngorydd Sir Gareth E Jones ac a eiliwyd gan y Cyngorydd Sir Jeremy Pugh:

1. Ailgyflwyno'r cyfnod parcio hyd at 1 awr i'r holl feysydd parcio arhosiad hir dynodedig presennol sy'n cael eu cynnal gan yr awdurdod, sydd ar hyn o bryd yn destun tâl parcio o 1 Tachwedd 2023.
2. Y dylid gosod y tâl am hyd at awr o barcio yn y meysydd parcio arhosiad hir dynodedig ar £1.40 yn unol â'r tâl am yr un cyfnod yn y meysydd parcio arhosiad byr dynodedig.

Cynigiodd y Cyngorydd Sir Pete Lewington welliant a eiliwyd gan y Cyngorydd Sir Iain McIntosh:

Dileu 2 a rhoi'r canlynol yn ei le:-

Y dylid ailgyflwyno'r tâl am barcio hyd at awr mewn meysydd parcio arhosiad byr ac arhosiad hir ar £1.00 o 1 Tachwedd 2023.

Rhoddwyd y gwelliant hwn i bleidlais ac fe'i collwyd o 24 pleidlais i 35.

Cynigiodd y Cyngorydd Sir Gareth Ratcliffe welliant a eiliwyd gan y Cyngorydd Sir Angela Davies:

Yng ngoleuni'r cynnig sy'n dod gerbron, rydym yn cynnig bod y cyngor yn gohirio unrhyw newid mewn taliadau parcio ac yn cyfeirio'r cynnig gwreiddiol at y grŵp trawsbleidiol i adolygu meysydd parcio a sefydlwyd gan yr Aelod Portffolio i'w ystyried gydag opsiynau eraill, gan gynnwys opsiynau i ymgynghori â chymunedau ac y dylai'r cyngor ofyn eu barn ynghylch a hoffent i Gyngor Sir Powys ailgyflwyno'r tâl parcio am 1 awr yn eu maes parcio arhosiad hir cymunedol neu i roi'r gorau i'r 1 awr ac aros gydag isafswm o 2 awr gyda 50c o bob tocyn 2 awr a roddir yn mynd yn ôl i'r gymuned i'w helpu i gynnal cyfleusterau twristiaeth fel toiledau cyhoeddus a gweithgareddau cymunedol. Bydd unrhyw argymhellion gan y bwrdd adolygu yn cael eu dwyn yn ôl i'r pwyllgor craffu cyn iddynt gael eu hystyried gan y cabinet.

Rhodddwyd y gwelliant i bleidlais ac o 30 pleidlais i 27 gydag 1 yn ymatal

PENDERFYNWYD bod y cyngor yn gohirio unrhyw newid mewn taliadau parcio ac yn cyfeirio'r cynnig gwreiddiol at y grŵp trawsbleidiol i adolygu meysydd parcio a sefydlwyd gan yr Aelod Portffolio i'w ystyried gydag opsiynau eraill, gan gynnwys opsiynau i ymgynghori â chymunedau ac y dylai'r cyngor ofyn eu barn ynghylch a hoffent i Gyngor Sir Powys ailgyflwyno'r tâl parcio am 1 awr yn eu maes parcio arhosiad hir cymunedol neu roi'r gorau i'r 1 awr ac aros gydag isafswm o 2 awr gyda 50c o bob tocyn 2 awr a roddir yn mynd yn ôl i'r gymuned i'w helpu i gynnal cyfleusterau twristiaeth fel toiledau cyhoeddus a gweithgareddau cymunedol. Bydd unrhyw argymhellion gan y bwrdd adolygu yn cael eu dwyn yn ôl i'r pwyllgor craffu cyn iddynt gael eu hystyried gan y cabinet.

Fe wnaeth y Cyngor ohirio am 13:05 ac fe wnaeth y Cyngorwyr ailymgynnull am 14:00.

12. CYFLWYNIAD GAN CFFI BRYCHEINIOG, MALDWYN A MAESYFED

Cafwyd cyflwyniad gan aelodau o Glybiau Ffermwyr Ifanc Brycheiniog, Maesyfed a Maldwyn ar eu gwaith mewn 45 o glybiau ar draws y sir.

Dyweddodd yr Aelod Cabinet dros Genedlaethau'r Dyfodol y byddai'n adrodd yn ôl ar ba ganran o gysylltiadau pobl ifanc oedd yn cynnwys cysylltiadau â'r CFfl. Byddai hefyd yn mynd ar drywydd y pwynt nad oedd y CFfl wedi'u crybwyll o gwbl ar wefan y Cyngor.

13. CWESTIYNAU YN UNOL Â'R CYFANSODDIAD

13.1. Cwestiwn i'r Aelod Cabinet dros Genedlaethau'r Dyfodol gan y Cyngorydd Elwyn Vaughan

Mae'r Cyngor hwn ar sawl achlysur wedi mynegi cefnogaeth i'r Gymraeg ac mae'r ewyllys gwleidyddol trawsbleidiol yn glir o ran y dymuniad hwnnw. Ond wrth dynnu sylw'r Adran Gynllunio yn ddiweddar at arwyddion stryd uniaith Saesneg ar ddatblygiad tai newydd yng Ngheri yr ymateb oedd nad nhw oedd yn gyfrifol, er ei bod yn stad newydd o dan oruchwyliaeth yr Adran Gynllunio! Dywedwyd mai'r Adran Briffyrdd oedd ar fai.

Wrth holi'r Adran Briffyrdd yr ymateb oedd mai'r datblygwr oedd ar fai ac y byddai'r datblygiad yn cael ei gwblhau o fewn y flwyddyn. Roedd hyn er bod y datblygiad eisoes wedi'i gwblhau a bod yna rywun yn byw ym mhob un o'r tai! Yr unig gasgliad y gall rhywun ddod iddo yw bod pawb yn ceisio beio rhywun arall yn lle cymryd cyfrifoldeb yn y gobaith y bydd y mater yn cael ei anghofio. Wel, gallaf eich sicrhau na chaiff ei anghofio.

Yng ngoleuni hyn, eich cyfrifoldeb chi dros y Gymraeg o fewn y Cyngor, disgwyliaidau'r Safonau Iaith gan y Comisiynydd, dymuniad y Cyngor hwn a synnwyr cyffredin, a gytunwch â mi fod y sefyllfa hon yn anfodhaol ac y byddwch yn ceisio mynd at wraidd y mater i unioni'r sefyllfa?

Ymateb

O safbwynt Safonau'r Gymraeg, mae safbwynt Powys yn glir. Dylai pob arwydd stryd fod yn ddwyieithog gyda'r Gymraeg yn cael ei dangos fel ei bod yn debygol o gael ei darllen yn gyntaf, hy i'r chwith neu uwchben y Saesneg. Dilynydd Safonau'r Gymraeg gennym gan fod y swyddog enwi strydoedd wedi gwrthwynebu cais gan Gyngor Cymuned Ceri am enwau strydoedd uniaith Saesneg. Fe wnaethom gyfieithu'r enwau Saesneg a awgrymwyd gan y cyngor cymuned.

Nid oedd cwestiwn atodol.

13.2. Cwestiwn i'r Aelod Cabinet dros Bowys yn Dysgu gan y Cyngorydd Elwyn Vaughan

Yn ystod y trafodaethau ar Bartneriaeth y Gororau yng nghyfarfod Cabinet 19/09 nodwyd bod yr Aelod Portffolio dros faterion Addysg wedi datgan -

Mae Powys yn bwriadu cynnig addysg Gymraeg i blant o Loegr fel rhan o bartneriaeth newydd gyda'r siroedd dros y ffin.

Bydd Powys yn cydweithredu â Sir Fynwy, Swydd Henffordd a Swydd Amwythig ar faterion gan gynnwys trafndiaeth, tai, yr amgylchedd ac ynni.

Dyweddodd yr aelod portffolio dros faterion Addysg y Cyngor, Pete Roberts "mae llawer o deuluoedd yng Nghroesoswallt yn dod o gefndiroedd Cymraeg eu hiaith". "Felly rwy'n gobeithio mai un o'r cyfleoedd hyn fydd gweithio gyda chydweithwyr yng Nghroesoswallt ac ar hyd y ffin i ymestyn y gallu i deuluoedd gymryd rhan mewn addysg cyfrwng Cymraeg."

Wrth nodi hyn, pa ystyriaeth a roddwyd i Siarter Ieithoedd Rhanbarthol neu Leiafrifol Ewrop a'r pwerau hynny yn y cyd-destun hwn?

O ystyried bod adolygiad yn cael ei gynnal o ysgolion yn ardal Llanfyllin, gan gynnwys dyfodol Ysgol Bro Cynllaith, sut y rhagwelir y byddai'r dasg o ddarparu mynediad i addysg cyfrwng Cymraeg i'r rhai o Groesoswallt yn cael ei chyflawni'n well, a beth yw'r amserlen?

Ymateb

Eich gohebiaeth flaenorol â mi mewn perthynas â Siarter Ieithoedd Rhanbarthol neu Leiafrifol Ewrop oedd un o'r ffactorau wrth nodi'r cyfle posib hwn gan ei fod yn cynnig ffordd ymlaen o ran cadarnhau cyfrifoldebau am ddarparu cludiant ysgol.

O ran yr effaith ar adolygiad y dalgylch ehangach mae'r ffordd ymlaen a gymeradwywyd gan y Cabinet yn nodi [Ysgol Gynradd Llanrhaeadr ym Mochnant](#) fel safle ar gyfer ehangu addysg cyfrwng Cymraeg yng Ngogledd Orllewin y dalgylch ac mae cyfleoedd pellach mewn Ffrydiau Cymraeg neu addysg cyfrwng Cymraeg o fewn cyrraedd i Groesoswallt a'r Amwythig.

Yn y tymor canolig mae'r adolygiad hefyd yn nodi'r posibilrwydd o ddatblygu mwy o ddarpariaeth cyfrwng Cymraeg yn un o'r aneddiadau ar hyd yr A483 rhwng y Trallwng a'r ffin sirol. Fel cam cyntaf mae'r cynlluniau'n galw am wella darpariaeth Cylchoedd Meithrin a Ti a Fi yn yr ardal. O ystyried y cysylltiadau ffyrdd da i Groesoswallt, efallai y bydd cymorth o'r ochr arall i'r ffin yn cryfhau'r achos busnes dros symud ymlaen â'r cynnig hwn.

Nid oedd cwestiwn atodol.

13.3. Cwestiwn i'r Arweinydd gan y Cynghorydd Aled Davies

Faint mae aelodaeth CLILC (WLGA) yn ei gostio i'r Cyngor?

Tanysgrifiad blynyddol CLILC (WLGA) yw £115,799.66 (£96,499.72 ynghyd â TAW £19,299.94).

Mae Cymdeithas Llywodraeth Leol Cymru (CLILC) yn sefydliad gydag aelodaeth sy'n cynrychioli pob un o'r 22 awdurdod lleol yng Nghymru, mae'r 3 awdurdod tân ac achub a'r 3 awdurdod parc cenedlaethol yn aelodau cyswllt.

Mae CLILC yn cynrychioli buddiannau llywodraeth leol ac yn hyrwyddo democratiaeth leol yng Nghymru. Ei phrif ddibenion yw hybu gwell llywodraeth leol, hybu ei henw da a chefnogi awdurdodau i ddatblygu polisiâu a blaenoriaethau a fydd yn gwella gwasanaethau cyhoeddus a democratiaeth.

Mae CLILC yn sefydliad trawsbleidiol a arweinir yn wleidyddol sy'n ceisio rhoi llais cryf i lywodraeth leol ar lefel genedlaethol. Mae aelodaeth o Gymdeithas Llywodraeth Leol Cymru yn rhoi sedd wrth y bwrdd mawr i'r Cyngor hwn wrth drafod gyda a lobio Llywodraeth Cymru. Mae'n rhoi mynediad at Weinidogion a dylanwad na fyddai gan gynghorau unigol mohono ar eu pen eu hunain.

Mae CLILC yn cael ei chydabod dan y Cynllun Partneriaeth Llywodraeth Leol statudol fel y corff negodi sy'n cynrychioli llywodraeth leol. Mae llefarwyr CLILC yn cynrychioli llywodraeth leol gyfan mewn trafodaethau gyda Llywodraeth Cymru, Llywodraeth y DU a'r holl bartneriaid cenedlaethol eraill yn eu meysydd gwasanaeth penodol. Yn ogystal, mae tîm bach o swyddogion yn darparu arbenigedd a chefnogaeth broffesiynol i gynorthwyo yn y broses lobio, gwella a datblygu polisi.

Mae CLILC yn adnodd i Gynghorau ei ddefnyddio a rhannu arbenigedd ac arfer da trwy rwydweithiau aelodau cabinet a phapurau polisi. Mae Prif Weithredwr CLILC wedi cynghori'r Cyngor hwn yn ddiweddar am benodi Prif Weithredwr newydd. Mae hefyd yn cynnig cymorth i ddatblygu aelodau ac ers blynyddoedd

mae'r cyngor hwn wedi elwa drwy anfon cynghorwyr o bob grŵp gwleidyddol i'r academi arweinyddiaeth.

Gofynnodd y Cynghorydd Davies fel cwestiwn atodol a fyddai'r Arweinydd yn awgrymu i CLILC ei bod yn diwygio ei hun fel ei bod yn cynrychioli Cymru gyfan neu'n ystyried atal y taliad. Dywedodd yr Arweinydd ei bod yn wir werth parhau yn aelod o CLILC a nododd y gefnogaeth a roddai i'r Cyngor a'i swyddogion. Nododd hefyd fod CLILC yn cael adolygiad mewnol a dywedodd y byddai'n werth gweld canlyniad yr adolygiad hwnnw.

13.4. Cwestiwn i'r Arweinydd gan y Cynghorydd Gwynfor Thomas

Pa gyfathrebiadau mae Cyngor Sir Powys wedi'u cael gyda Bute Energy/Green Gen Cymru?

Ymateb

Diolch yn fawr am eich cwestiwn diddorol, mae'n codi cwestiwn pellach sef i ba raddau y dylem ni, Cyngor Sir Powys, ymgysylltu â darpar fuddsoddwyr mawr sy'n ceisio datblygu ym Mhowys, yn yr achos hwn ym maes ynni a seilwaith. Dim ond un o blith nifer o gwmnïau sy'n cynnig buddsoddiadau gwerth miliynau o bunnoedd yw Bute Energy, y mae eu cyfanswm yn llawer mwy na Bargen Twf Canolbarth Cymru.

Mae Cyngor Powys wedi datgan argyfyngau natur a hinsawdd ac yn gwneud cynnydd gyda chynlluniau i addasu i'r newidiadau y bydd angen i bob un ohonom eu gwneud. Ac felly, yn y cyd-destun hwn, rwy'n amau'n gryf fod angen inni ymgysylltu llawer mwy ag unrhyw un a phawb sydd â chyfraniad posibl i'w wneud.

Wedi dweud hynny, ac i ateb eich cwestiwn yn uniongyrchol, fe wnes i rannu'r un bwrdd yng nghinio'r Llywydd ar ddiwrnod cyntaf Sioe Frenhinol Cymru 2022, gyda dau o weithwyr Bute, ond hyd y cofiaf ni chynhaliwyd unrhyw drafodaethau am unrhyw gynigion a oedd ganddynt ar gyfer Powys. Ychydig fisoedd yn ôl, bŵm mewn cyfarfod gwybodaeth ar-lein gyda swyddogion Cyngor Sir Powys a Bute a chredaf fod swyddogion Bute wedi mynychu un o ddiwyddiadau CSP yn Sioe Frenhinol Cymru eleni a'u bod hefyd yn bresennol yng Nghynhadledd CLILC (WLGA) eleni, ond ni chefais unrhyw gysylltiad â nhw.

Rwyf hefyd yn ymwybodol fod yr Aelod Cabinet dros Bowys Gysylltiedig wedi cyfarfod â Bute Energy a datblygwyr mawr eraill mewn digwyddiad bord gron yr oedd wedi'i drefnu ynghylch budd cymunedol. Cafodd un cyfarfod dilynol gyda'r tîm budd cymunedol a bu hefyd mewn cyfarfod cyhoeddus cyn ymgeisio ar gyfer cynigion Coedwig Maesyfed, a gynhaliwyd gan y Cynghorydd Geoff Morgan. Deallaf hefyd iddo ymweld â stondin Bute yn Sioe Frenhinol Cymru, fel y gallech chi ac aelodau eraill fod wedi gwneud efallai, ond dydw i ddim yn gwybod mwy na hynny. Fel fi, dydy o ddim yn ymwybodol ei fod wedi siarad ag unrhyw un yn Green Gen Cymru.

Cysylltwyd â'r gwasanaethau cynllunio ynghylch nifer o brosiectau gan Bute Energy/Green Gen Cymru mewn perthynas â cheisio cyngor cyn ymgeisio.

Fel cwestiwn atodol gofynnodd y Cynghorydd Thomas i'r Arweinydd ateb haerid Bute Energy eu bod yn cynnal sgysiau ag uwch aelodau a Swyddogion a'u bod

yn helpu i gyflwyno'r cwricwlwm. Gofynnodd hefyd am sicrhau bod barn yr aelodau lleol yn cael ei hystyried. Dywedodd yr Arweinydd bod yn rhaid cael cyswllt rhwng swyddogion a sefydliadau masnachol ond bod yn rhaid parchu ffiniau a chadw at briodoldeb llwyr bob amser.

14. CWESTIWN BRYN I'R ARWEINYDD GAN Y CYNGHORYDD ALED DAVIES

Dywedodd yr Arweinydd nad oedd unrhyw wybodaeth ychwanegol berthnasol wedi dod i'r amlwg ers i'r Cabinet wneud y penderfyniad. Credai fod penderfyniad y Cabinet yn gadarn a'i fod yn fodlon iawn â'r ffordd yr oedd y Cabinet a'r swyddogion wedi ymdrin ag ef. Mewn ymateb i gwestiwn atodol y Cyngorydd Davies a fyddai'r Arweinydd yn ymddiswyddo pe bai'r Pwyllgor Craffu yn canfod bod yr adroddiad wedi camarwain y Cyngor, cadarnhaodd yr Arweinydd y byddai. Roedd yn gwbl hyderus fod penderfyniad y Cabinet yn gadarn.

Y Cyngorydd Sir B Baynham (Cadeirydd)

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7.1

CYNGOR SIR POWYS COUNTY COUNCIL

County Council
7 December 2023

REPORT AUTHOR: County Councillor David Thomas
Cabinet Member for Finance and Corporate
Transformation

SUBJECT: Question from Nigel Williams

What sanctions are placed on the head of departments that year after year fail to meet the budget requirements they have proposed and yet annually fail to achieve. It seems pointless setting these targets, as for some heads of department, they are meaningless and are ignored on an annual basis.

The Council operates within its Constitution, which sets out how the council conducts its business, including the roles and responsibilities of officers and who makes decisions. There is a set of Procedure Rules including Section 15 Budget Procedure Rules and Section 16 which sets out the Councils Financial Regulations. These cover the financial framework and procedures for managing the Councils' financial affairs. [Council constitution and corporate governance - Powys County Council](#)

The Section 151 Officer ensures these arrangements are effectively complied with across the Council by all Services, all staff and councillors. Included within the Financial Procedure Rules are rules that set out how the budget is set and how the budget is managed through the year.

The annual budget is approved each year after Service Heads provide assurance that they are setting a sound deliverable budget, thus allowing the Section 151 Officer to confirm that the overall budget proposal is robust and achievable. Service Heads set out their known risks and possible issues that may occur in delivering their budget, and this highlights where services may be unable to deliver all their savings, or unforeseen cost pressures may materialise.

The Service Head has some flexibility to move their budgets around to accommodate budgets that are well above or below forecast provided they remain within their overall budget. The Council addresses overspending budgets as soon as they materialise, ensuring services take action to mitigate the overspend and submit a plan to recover their position. A recovery plan is not always feasible, especially if those services are facing increasing demands which cannot be stopped or reduced, therefore a mitigation plan that includes drawing from the centrally risk budget may be needed. The use of this budget can only be used after the Service Head has explained the circumstances about the pressure creating that overspend and why it cannot be addressed within other budgets in that service, this has to be approved by Cabinet.

Heads are then expected to realign budget pressures as part of the next budget planning process to ensure they address the budgets issues so they do not reoccur every year.

Performance against budget is routinely reported and budget managers are challenged on their financial performance through their individual performance reviews. Any issues or concerns around financial management would be addressed through the disciplinary procedure.

To gain a further understanding of budget issues we also rely upon the challenge and support from Scrutiny Committees and Internal Audit who will also review Service spend, actions being taken and controls that are in place.

7.2

CYNGOR SIR POWYS COUNTY COUNCIL

County Council
7 December 2023

REPORT AUTHOR: County Councillor Jackie Charlton
Cabinet Member for a Greener Powys

SUBJECT: Question from Peter Foulkes

Why are PCC so reluctant to convert the Byway Open to all Vehicles (BOAT) status of the Monks Trod, as it crosses Powys' section of the Elenydd, into a Bridleway? This updating of the route's Public Right of Way (PROW) status is the stand out solution to the terrible damage still being inflicted on this ancient route, part of which crosses a National Nature Reserve (NNR).

The Monk's Trod is an ancient route that traverses over a fragile landscape and we are working towards finding a way forward that will allow for its sustainable use, through a collaborative approach, across the various stakeholders and user groups.

It is the local authority's view that a legal restriction or status change alone is highly unlikely to resolve the issues. This is open, unfenced country; which makes managing, monitoring and enforcing any form of restriction extremely challenging.

To achieve a positive outcome, we consider we must continue to engage with the user groups who access this area and increase awareness of the reasons why we need to protect it. The Countryside and Recreation team are also exploring funding options; for the Monks Trod is an iconic cross-border route that does have very significant potential for tourism.

In summary, work is ongoing to look at all options and particularly, to achieve collaboration with all of those with an interest, as no solution will be effective without that.

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7.3

CYNGOR SIR POWYS COUNTY COUNCIL

County Council
7 December 2023

REPORT AUTHOR: County Councillor Jackie Charlton
Cabinet Member for a Greener Powys

SUBJECT: Question from John Williams

Background

In Early October, a poll was carried out within 3 of the more popular community Facebook groups in Newtown, to determine how people felt about the imposition of 20mph zones on Pool Rd and Kerry Road in Newtown. In just 2 days, the overwhelming majority of recipients were in favour of returning both Pool and Kerry road to 30mph.

Given the evidence provided, and the overwhelming support for changing these 2 roads back to 30mph, when can this be implemented?

[Mr Williams undertook research on how both roads might qualify for exemption from 20mph and this is provided as supporting information]

The new legislation which changed the default speed limit on 'restricted roads' from 30mph to 20mph in Wales came into force on 17th September 2023. In advance of this date, all highway authorities, identified a number of locations where it was considered that the new 20mph speed limit should not apply and the current 30mph limit should remain in place.

The criteria, set by Welsh Government, was based on the density of adjacent residential and retail premises fronting a road and the proximity of facilities such as educational establishments, community centres and hospitals as well as active travel routes. Whilst this was not an explicit procedure and is open to interpretation it is acknowledged that some areas may require reassessing.

We are currently awaiting the publication of Welsh Government's update to the 'Setting Local Speed Limits in Wales' guidance document. This document is anticipated to be published in 2024 and will encompass updated guidance on what roads should be 30mph or 20mph.

Since the introduction of the new 20mph restrictions there has been considerable discussion amongst highway authorities across Wales about the process of

reviewing its exception sites. The consensus is that the new 20mph restrictions should be allowed to settle for around 12 months and in the meantime, authorities are collating all requests and comments received for consideration in the future. Those reviews will then be conducted after a period of 12 months has elapsed and the WG revised guidance has been produced.

Question to the Cabinet Member for a Greener Powys on speed limits in Newtown

Background provided by Mr John Williams

In Early October, a poll was carried out within 3 of the more popular community Facebook groups in Newtown, to determine how people felt about the imposition of 20mph zones on Pool Rd and Kerry Road in Newtown. In just 2 days, the overwhelming majority of recipients were in favour of returning both Pool and Kerry road to 30mph.

I subsequently undertook research on how both roads might qualify for exemption from 20mph and came up with the following information

1) Pool Road Newtown (A4811) – that section recently revised to 20mph (840m approx.)

On this section of road pedestrians and cyclists do not mix in a frequent manner, there are pavements either side of the public highway, and one of these has a dedicated to cyclists lane incorporated into its design, **this is a valid reason for an exemption from 20 mph, as stated by Welsh Gov Guidance (Setting exceptions to the 20mph default speed limit for restricted roads)**

Whilst I have not undertaken any research, I travel this section of Pool rd on a regular basis both by car and cycle, I would not say that there are significantly more pedestrians or cyclists travelling long that road, I would say that mechanically propelled vehicle use is anecdotally far higher. **This is a valid reason for an exemption from 20 mph , as stated by Welsh Gov Guidance.**

Do pedestrians and cyclists mixing with motor traffic? Not significantly, there are dedicated cycle and pedestrian paths on this route. **This is a valid reason for an exemption from 20 mph, as stated by Welsh Gov Guidance.**

Pool Road is an A road, this is one of the main arterial route for traffic passing through Newtown

Most exceptions are expected to be made on A and B classified roads. These generally form the main routes carrying traffic through urban areas. **This is a valid reason for an exemption from 20 mph , as stated by Welsh Gov Guidance.**

Place criteria

1. Within a 100m walk of any educational setting (e.g. primary, secondary, further education and higher education) The nearest educational setting is is Ysgol Calon y Dderwen, this is over 900m distant when walking **This is a valid reason for an exemption from 20 mph , as stated by Welsh Gov Guidance.**

2. Within 100m walk of any community centre The nearest community centre I can find is Newtown public library approximately 850m distant. **This is a valid reason for an exemption from 20 mph , as stated by Welsh Gov Guidance.**

3. Within 100m walk of any hospital The nearest hospital is 1km distant, and not on pool rd. **This is a valid reason for an exemption from 20 mph , as stated by Welsh Gov Guidance.**

4. Where the number of residential and/or retail premises fronting a road exceeds 20 properties per km. **All** the retail premises on this section of road, apart from the BP garage (for obvious reasons) do not have direct access from the main road, they all use service roads. **This is a valid reason for an exemption from 20 mph , as stated by Welsh Gov Guidance.**

There are 9 residential properties on this section, the majority of which are set back some considerable distance from the road, all are well served by footpath, cycle paths. This is considerably less than the 20 threshold. **This is a valid reason for an exemption from 20 mph , as stated by Welsh Gov Guidance.**

I have no information on accidents on pool road, and whilst Powys does have the highest road casualty figures in Wales, this is undoubtedly a reflection on the counties extremely large road network. Road casualties in Powys have declined by over a quarter in the past 7 years. There are several factors that in themselves serve to reduce vehicle speed on pool road, without having to recourse to a default 20;

- The Tesco traffic lights,
- Morrison/Aldi roundabout
- 3 sets of traffic calming bollards, a pedestrian crossing.

All of these are significant road safety features that make a default 20mph redundant.

The section of road we are discussing is significantly higher than the threshold for minimum length of speed limit (300m SLSLW recommendation) . **This is a valid reason for an exemption from 20 mph , as stated by Welsh Gov Guidance.**

With all of the above factors taken into consideration, I believe that the decision taken by Powys CC Highways to advise a default 20mph speed limit set for this section of pool road, was one made in error, and needs to be addressed. The Welsh government guidance states that the highway authorities continue to have the flexibility to set local speed limits that are right for individual roads, reflecting local needs and considerations. I hope that you can meet this expectation.

2) Kerry Road Newtown (A489) – that section recently revised to 20mph (600m approx.)

On this section of road pedestrians and cyclists do not mix in a frequent manner, there is a pavements on the side of the public highway, this is primarily due to the severity of the hill en-route to Kerry that deters all but the most fit and keen cyclist. **This is a valid reason for an exemption from 20 mph, as stated by Welsh Gov Guidance (Setting exceptions to the 20mph default speed limit for restricted roads)**

Whilst I have not undertaken any research, I travel this section of Kerry Rd on a regular basis both by car, I would not say that there are significantly more pedestrians or cyclists travelling long that road, I would say that mechanically

propelled vehicle use is anecdotally far higher than cyclist. **This is a valid reason for an exemption from 20 mph , as stated by Welsh Gov Guidance.**

Do pedestrians and cyclists mix with motor traffic? Although you might expect to see the occasional cyclist between the Pool/kerry Road traffic lights and the pedestrian controlled traffic lights leading to a nearby path to the Treowen estate, the road is quite wide, and with good visibility, **The absence of any significant mixing is a valid reason for an exemption from 20 mph, as stated by Welsh Gov Guidance.**

Kerry Road is an A road, this is one of the main arterial route for traffic passing through Newtown

Most exceptions are expected to be made on A and B classified roads. These generally form the main routes carrying traffic through urban areas. **This is a valid reason for an exemption from 20 mph , as stated by Welsh Gov Guidance.**

Place criteria

1. Within a 100m walk of any educational setting (e.g. primary, secondary, further education and higher education) The nearest educational setting is is Ysgol Calon y Dderwen, this is over 900m distant when walking **This is a valid reason for an exemption from 20 mph , as stated by Welsh Gov Guidance.**

2. Within 100m walk of any community centre The nearest community centre I can find is Newtown public library approximately 850m distant. **This is a valid reason for an exemption from 20 mph , as stated by Welsh Gov Guidance.**

3. Within 100m walk of any hospital The nearest hospital is 1km distant, and not on pool rd. **This is a valid reason for an exemption from 20 mph , as stated by Welsh Gov Guidance.**

4. Where the number of residential and/or retail premises fronting a road exceeds 20 properties per km. **There are only 2** retail premises on this section of road, neither have direct frontage onto Kerry road, they both use a service road. **This is a valid reason for an exemption from 20 mph , as stated by Welsh Gov Guidance.**

There are 5 residential properties on this section, all bar 2 are set back some considerable distance from the road, all are well served by footpath, cycle paths. This is considerably less than the 20 threshold. **This is a valid reason for an exemption from 20 mph , as stated by Welsh Gov Guidance.**

I have no information on accidents on Kerry road, and whilst Powys does have the highest road casualty figures in Wales, this is undoubtedly a reflection on the counties extremely large road network. Road casualties in Powys have declined by over a quarter in the past 7 years. There are several factors that in themselves serve to reduce vehicle speed on kerry road, without having to recourse to a default 20;

- Build up of traffic approaching Pool road traffic light.
- 1 pedestrian crossing.

Both of these are significant road safety features that make a default 20mph redundant.

The section of road we are discussing is significantly higher than the threshold for minimum length of speed limit (300m SLSLW recommendation) . **This is a valid reason for an exemption from 20 mph , as stated by Welsh Gov Guidance.**

With all of the above factors taken into consideration, I believe that the decision taken by Powys CC Highways advise a default 20mph speed limit set for this section of Kerry road, was one made in error, and needs to be addressed. The Welsh government guidance states that the highway authorities continue to have the flexibility to set local speed limits that are right for individual roads, reflecting local needs and considerations. I hope that you can meet this expectation.

7.4

CYNGOR SIR POWYS COUNTY COUNCIL

County Council
7 December 2023

REPORT AUTHOR: County Councillor Jackie Charlton
Cabinet Member for a Greener Powys

SUBJECT: Question from Ian and Jane Whyte

We run a small but busy glamping site between Llansaintffraid and Llanfechain attracting campers from all over the country and Europe.

Time after time we are given negative feedback about the poor state of the public footpaths in our surrounding area , specifically with the lack of signage, padlocking of access gates, overgrown paths and aggressive landowners.

Surely we need to attract as many tourists as possible to our beautiful area and encourage them to return. I'm also sure all local walkers would love to be able to have more access our countryside footpaths.

Simple question..... Why is there no basic maintenance of these footpaths and how could this problem be remedied?

Powys County Council is responsible for a Rights of Way network extending over 9250km, and the core budget to support its maintenance is extremely limited which presents its own challenges. These challenges are acknowledged in our Rights of Way Improvement Plan at: [Rights of Way: Improvement Plan - Powys County Council](#)

Budgetary pressures are reviewed each year by the local authority, however there continues to be significant pressures across the Council in delivering statutory and important services, and there is a present and future financial gap that the authority needs to manage by prioritising its resources. This financial picture is unfortunately not likely to improve over the short to medium term, however the dedicated Countryside and Recreation team continue to seek funding opportunities where possible, to try and ease the strain on core funding and support our local communities.

Recent grant successes include the Welsh Government Access Improvement Grant 2022-25, Shared Prosperity Funding and more recently provisional levelling up funding.

The team will continue work tirelessly with local communities endeavouring to support them in looking for potential funding sources and they will also continue to encourage and work alongside our strong network of volunteers. Anyone who would like to get involved with volunteering for this type of activity, please feel free to contact the Countryside and Recreation team.

CYNGOR SIR POWYS COUNTY COUNCIL.

Full Council
7th December 2023

REPORT AUTHOR: County Councillor David Thomas, Cabinet Member for Finance and Corporate Transformation

REPORT TITLE: Revenue Virement

REPORT FOR: Decision

1. Purpose

- 1.1 This report sets out a Cabinet recommendation to Council for a revenue virement that was approved on the 21st November 2023.

2. Advice

- 2.1 The Revenue Outturn Forecast as at 30th September 2023 was reported to Cabinet on the 21st November 2023. The report included a budget virement which Cabinet approved for consideration and approval by Council.

- 2.2 A Virement is the process of amending a budget during the financial year from the amount which was originally agreed when the budget was approved. Virement authorisation limits over £500k require sign off by the Head of Service, the Section 151 Officer and Full Council.

- 2.3 Revenue virements have been requested for the following items:

2.3.1 Pay Awards -

- 2.3.2 2022-23 - Last years pay award included an additional day annual leave for National Joint Council (NJC) staff which was implemented in April 2023. There is a financial consequence of this for those services that will need to provide staff cover on that days' leave, the areas that require cover include Social Care carers, Waste Collection, teaching assistants, Catering and Cleaning staff. The annual cost of providing this cover is £200,000 with an amount to be vired from the centrally held cost of borrowing budget.

- 2.3.3 2023-24 - The approved budget in March 2023 assumed a 5% pay increase for NJC. National negotiations have now concluded for NJC staff with the approved pay award exceeding our budget, creating a recurrent unbudgeted cost pressure. The pay award has now been calculated and paid to staff in their November pay and we have more accurately costed up the budget requirement, using the £1,925 per employee plus on-cost, we have excluded all grant funded and income generated posts from the calculation.

- 2.3.4 The full year effect of this year's teachers pay award will need to be funded in 2024-25, this year it has been funded by a one off Welsh Government grant, this is about £0.8 million, and covers the period April to August 2024.

- 2.3.5 The overall recurrent budget required to fully fund the pay awards is £1.1 million and is less than originally forecast due to the pay profile of employees.
- 2.3.6 In 2023-24 the virement required is only for the NJC pay award and the additional days leave totalling £0.5 million.
- 2.3.7 The budget will be transferred from the centrally held borrowing budget held corporately that funds the financing costs for the Capital Programme. This budget is underspent due to borrowing costs being lower than projected with capital schemes being re-profiled into future years. The virement is affordable recurrently as we are able to delay borrowing needed into future years as capital schemes are not incurring outlay in line with original plans. We can confirm borrowing requirements for the next two years will not increase beyond the revised budget. We plan to use other funding sources such as capital receipts before borrowing. Although a reserve has been set aside for the pay award, we do not plan to draw on this, instead realigning budgets in year to address the funding gap. This approach reduces the budget gap in next financial year and allows us to retain this reserve for the likely pressures that may need supporting in future years.

4. Resource Implications

- 4.1 The funding of the additional £1.3 million recurrent pay award cost pressure will be made from the centrally held cost of borrowing budget. This realigns budgets on a permanent basis and removes a significant pressure from next year's budget plan, reducing the budget gap projected.
- 4.3 The Head of Finance (Section 151 Officer) supports the recommendation.

4. Legal implications

- 4.1 Legal acknowledge this report and have nothing further to add.

5. Data Protection

- 5.1 The proposal does not involve the processing of personal data.

6. Comment from local member(s)

- 6.1 N/a

7. Integrated Impact Assessment

- 7.1 No impact assessment is required

8. Recommendation

- 8.1 That Council approve the virement set out in section 2.3.

Contact Officer:	Jane Thomas, Head of Financial Services
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CYNGOR SIR POWYS COUNTY COUNCIL.**Report To Powys County Council
7th December 2023****REPORT AUTHOR: Councillor James Gibson Watt (Leader of Council)****REPORT TITLE: Consideration of Single Transferable Voting system**

REPORT FOR: Decision

1. Purpose

To allow Council to reconsider the issue of a possible move a Single Transferable Voting (STV) system (as opposed to the current first past the post system) following consideration by the Democratic Services Committee on 16th November 2023.

2. Background

- 2.1 Members will recall that the Monitoring Officer took a report to Full Council on 5th October 2023 for Council to consider whether or not it wished to consider moving to an STV system of voting at future local elections, the first step being to go out to consultation with persons entitled to vote as electors at a local government election, Town and Community Councils and such other persons as the Council considers appropriate. Council resolved to ask for the issue to be discussed by the Democratic Services Committee before the issue is brought back to Council. STV was discussed by the Democratic Services Committee on 16th November 2023. The comments and recommendation of the Democratic Services Committee are found at Appendix 3.
- 2.2 Sections 8 and 9 of the Local Government and Elections (Wales) Act 2021 ("the 2021 Act") allows local authorities in Wales to choose to adopt the Single Transferrable Voting system ("**STV**") as the type of electoral system to be used after 2027 instead of the current First Past the Post System ("**FPTP**"). FPTP is currently used for county or county borough council elections in all 22 local authorities in Wales.
- 2.3 Prior to the 2021 Act coming into force, Welsh Government commissioned research exploring the introduction of the STV system in future local elections in Wales. A copy of the WG summary of the research is attached as Appendix 1, a full copy of the research is found at Appendix 2 and the Monitoring Officer's summary of the full research is at Appendix 4.

3. What is a Single Transferrable Voting system (STV)?

- 3.1 STV is a form of proportional representation used in Northern Ireland, the Republic of Ireland, Malta, Scotland, Estonia and Australia for some of their elections.
- 3.2 Under STV, political parties may nominate several candidates for a multi-member ward and voters can choose between those candidates and independents.
- 3.2 If the County Council decides to adopt STV for its 2027 election or for elections at a later date, the following are the main changes:
- At present there are 52 single member wards and 8 multi member wards. Under STV each new electoral ward would have no less than 3 councillors but no more than 6 councillors, the number to be determined by Welsh Government upon recommendations from the Local Democracy and Boundary Commission for Wales (“the Boundary Commission”). The boundary Commission would make recommendations to Welsh government based upon their aim of establishing, in so far as it is possible to do so, wards with a similar number of constituents per councillor which reflect local communities. The council would in future have between 12 and 23 wards instead of the current 60 wards but would retain 68 councillors.
 - The process is not the same as that currently used or proposed by the Welsh Government for elections to the Welsh Parliament, nor that previously used for the Police & Crime Commissioner elections.
 - Under STV voters rank candidates in order of preference i.e. voters would place “1” next to their favourite candidate, “2” next to the second favourite and so on. There would be no obligation to follow party ‘slates’.
 - Voters can rank as many or as few candidates as they wish.
 - To be elected, candidates must reach a Quota, calculated according to the number of seats and the number of votes cast and set out in the regulations.
 - Ballot papers are sorted into first preference votes. Candidates reaching the Quota are immediately elected:
 - Surplus votes from candidates reaching the quota are reallocated to second preference candidates;
 - The candidates with the fewest first preference votes who do not reach the quota are eliminated. Their votes are reallocated to second preference candidates as set out in regulations;

- Following the reallocation of votes, candidates reaching the quota are in turn elected. Their surplus votes are then reallocated until all vacancies are filled.
- Where no candidate reaches the quota, the candidate with the fewest votes is excluded and their votes transferred to the remaining candidates until the number of candidates remaining is the same as the number of vacancies to be filled.
- While manual STV counts may take longer than under our present system, the experience in Northern Ireland is that some councils complete their count in one day, others take two days and some choose to do it over two days. Longer counts are normally only required in national elections where the electorate and the turnout is much larger.

4. The Process to Move to STV

4.1 If Full Council were to decide that it would like to consider moving to the STV system, the following process should be followed:-

- A decision taken by a simple majority of Council to consult with voters, each Town and Community Council and with other appropriate persons or bodies;
- Council considers the results of the consultation process and decides whether or not to adopt the STV system for its 2027 local elections. **In order for Council to make this decision at least a 2/3 majority of the total number of Members in full council will be required;**
- The 2021 Act requires the Council to make such a decision by the **15th November 2024** if STV is to be used for the 2027 elections, so as to allow sufficient time for the Boundary Commission to undertake the necessary work and to make recommendations on boundary changes to Welsh Government;
- A decision to move to STV following the consultation must be taken at a meeting which is specifically held for that purpose (ie no other Council Business) and the agenda for the meeting must be published at least 21 days before the date of the meeting;
- Welsh Ministers and the Local Democracy and Boundary Commission must be notified of the decision to move to STV within 14 days of the date of the resolution;
- If the Councils opts to change to STV, it will be used for the next two rounds of ordinary local elections as a minimum;

- Appendix 2 sets out research by the Welsh Government of the experience of STV elections in other Local Elections. This will help to inform debate during any consultation period leading up to the Council taking a final decision.

5. Resource Implications

5.1 The Council is required to consult with those entitled to vote in local elections and with town and community councils. How that consultation is done is not set out in the regulations.

5.2 While a separate mailshot to every household may cost up to £50k, there is no requirement to do that, and with the current budgetary pressures on the council this is not an expenditure which the cabinet could support.

5.3 Using similar means of consultation as the Council uses for many other consultations that it carries out, through the media, social media, public meetings and the Council's website, the costs should not exceed £10,000. The recent consultation on Leisure Services provision for example, which achieved a high response rate, cost less than £10,000.

5.4 Current costs incurred for the Count are around £27.5k for one day. If a STV count needed to take place over a second day provision will be needed for that in the budget for 2027/28.

5.5 The Head of Finance (Section 151 Officer) confirms that additional budget would need to be identified to meet the costs of the consultation exercise. Should Council decide to consult, the additional pressure would be added to the Council's budget plan for consideration at budget setting.

6. Legal Implications

6.1 The Head of Legal Services and the Monitoring officer has commented as follows: "The requirements of Sections 8 and 9 of the Local Government and Elections (Wales) Act 2021 will be followed and as such the recommendations can be supported from a legal point of view."

7. Recommendation

- 7.1 Recommended that Council resolves to allow the matter to be considered further following a statutory consultation process and to reach a final decision before 15th November 2024.**

Appendix 1

Welsh Government research - summary

Appendix 2

Welsh Government research – full copy

Appendix 3

Democratic Services Committee Comments

Appendix 4

Summary of Research for Welsh Government

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Llywodraeth Cymru
Welsh Government

RESEARCH

Implementation of a Single Transferable Vote system for local elections in Wales (summary)

To explore the introduction of a Single Transferable Vote (STV) system in future local elections in Wales as laid out in the Local Government and Elections (Wales) Bill 2021.

First published: 3 March 2021

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Research aims and methodology

This report was commissioned by the Welsh Government to explore the introduction of STV in future local elections in Wales as laid out in the Local Government and Elections (Wales) Act 2021.

The aims of this research were to assess the relative merits of different variants of STV and its implementation. The report focuses on six aspects of STV electoral systems in detail.

1. Quota system
2. Transfer system
3. Counting method
4. Ballot structure
5. District magnitude
6. Voter and stakeholder understanding

The research employed a mixed-methods approach including a review of existing academic and grey literature; semi-structured interviews with stakeholders, including election officials, academics, former politicians and lobbying groups; and simulations of election outcomes under different variants of STV electoral systems. The simulations focused specifically on the quota system

used (Hare vs Droop) and the transfer method for allocating preferences (random transfer method, Simple Gregory, Inclusive Gregory, and Weighted Inclusive Gregory).

Main findings

Quota system

The quota sets a threshold number of votes a candidate must reach in order to be elected. The research focused on the use of two quota variations: The Hare quota and the Droop quota. The Droop quota produces a lower threshold for candidates to meet compared to the Hare quota.

The Droop quota is the most widespread quota used in STV electoral systems and has almost universally replaced the Hare quota. This includes within the UK, where elections in Northern Ireland and local election in Scotland both employ the Droop quota. The simulations found almost no substantive difference in electoral outcomes when either quota is used. Given its use in elections in the UK already, we therefore recommend the adoption of the Droop quota.

Transfer method

The transfer method refers to the way voters' preferences are transferred once a candidate is elected or eliminated. This report explores the use of four transfer systems: a random transfer method such as that used in the Republic of Ireland, the Simple Gregory Method used in Northern Ireland, the Inclusive Gregory Method used in several Australian elections, and finally the Weighted Inclusive Gregory Method which is used in Scottish local elections.

Our research identifies two methods suitable for use in local elections in Wales: The Weighted Inclusive Gregory Method and the Simple Gregory Method.

Weighted Gregory was identified by interviewees and in existing literature as the optimal method. Here, all preferences from an elected candidate's surplus are

transferred but at a fraction of their original value. Preferences are also weighted to prevent ballots increasing in value as the count progresses. It is considered to produce the 'fairest' electoral outcomes. However, the calculations required mean that it is dependent on the use of computer assisted counting. It is not suitable for hand counting.

Simple Gregory Method was recommended by interviewees as an alternative to the Weighted Gregory Method if manual counting was adopted. This method only transfers the most recently received ballots on an elected candidate's pile but at a fraction of their original value. In simulations, it produced less errors than the random transfer method and the Inclusive Gregory Method, but more than Weighted Gregory. If electronic counting is not adopted, we recommend the use of this method.

Counting method

There was consensus in both the existing literature and among interviewees that electronic counting was preferable to manual hand counting of ballots. Electronic counting was argued to increase the legitimacy of electoral outcomes by reducing the likelihood of human error in the counting process, and to improve efficiency by providing results swiftly. Electronic counting also has additional benefits to election agents and parties as it can provide standardised accurate data for each polling place. As noted above, it would also enable the adoption of the Weighted Inclusive Gregory method.

Our analysis also highlighted several downsides to electronic voting. Foremost among these are the considerable start-up costs incurred in procuring the necessary hardware and software needed to compute the count and provide results, the training required to operate these systems, and necessary cyber and network security measures. This may be prohibitively expensive for individual local authorities to procure. Additionally, there are ramifications for designing, producing, and filling in ballots that can be read accurately by electronic counting software.

However, the conclusion from qualitative research was that electronic voting, while costly, was worth the investment to ensure the voters had confidence in

the system. It was suggested that a central fund should be created from which local authorities could draw down from to fund electronic counting.

Ballot structure

Ballot papers should be designed in a way that does not induce any undue electoral advantage to a particular party or candidate over another. There are a number of alternative means of regulating the order of candidates for voters to express their electoral preferences in STV elections, each with their own knock-on effects.

Of primary concern to this report was the ordering of candidates on the ballot paper. Three substantial options were considered: alphabetical ordering of candidates within party clusters; allowing parties to order the candidates in their party cluster; and a form of randomisation of candidate order. The report recommends the second option as it removes the small but significant issue of candidate order effects. While randomisation removes the possibility of order effects, it creates additional accessibility challenges and requires electronic voting.

A final consideration regarding the ballot is how many candidates voters are obligated to vote for: whether they must provide a preference for all candidates, or a minimum number, and so on. Most interviewees justified their beliefs on first principles, that an electoral system should improve choice and fairness, and as such were broadly against setting a compulsory number of preferences.

District magnitude

District magnitude refers to the number of seats to be filled in a district (or ward). The consensus in both the literature and among interviewees was that greater district magnitude is preferable as it leads to more proportional electoral outcomes.

Greater district magnitude does come with challenges, however, especially in more rural districts where it may be difficult to find the necessary number of

candidates to stand. In these districts expanding the geographic size of districts to accommodate more potential candidates may not be desirable as it can erode a sense of locality and create greater barriers to candidate-orientated campaigns. As such, local authorities should allow for some variation in the district magnitude of wards.

The Local Government and Elections (Wales) Bill allows for district magnitude between three and six. We recommend a district magnitude of five or six, with a provision for rural areas to apply for districts with a magnitude of three or four.

Voter and stakeholder understanding

Neither the literature review nor interviews provided reason for concern regarding voter understanding of STV electoral systems. While the rate of ballots spoiled does increase as compared with FPTP systems, evidence from countries as diverse as Estonia, New Zealand and the Republic of Ireland shows that voter understanding of STV systems is relatively high. Instead, interviewees stressed the importance of election official and candidate understanding.

There was some concern in Scotland that there appears to be a higher proportion of rejected ballots in council wards experiencing greater levels of economic deprivation. Local authorities should take pre-emptive measures to address these concerns. Generally, interviewees stressed that it was not necessarily important for voters to understand the mechanics of a vote transfer method, but rather how to fill in a ballot correctly.

Recommendations

Based on the literature review, interviews and modelling conducted for this study, we make the following recommendations regarding the implementation of an STV system for local elections in Wales. Some of these recommendations are contingent on other decisions; particularly the relationship between transfer rules, counting method, and ballot structure. The full report therefore presents plausible combinations of transfer and counting method

Quota system

- Local elections in Wales should adopt the Droop Quota.

Transfer method

- Local elections in Wales should adopt the Weighted inclusive Gregory method.
- If e-counting is not used, the Simple Gregory Method should be adopted.

Counting method

- Local elections in Wales should adopt e-counting.
- Local elections in Wales should be supported by a central fund from which councils can draw down.
- If manual counting is adopted, Simple Gregory should be adopted as the transfer method.

Ballot structure

- Cluster candidates by party.
- Allow parties to order candidates within their cluster *or* order candidates alphabetically within their cluster.
- Do not adopt randomisation of candidate ordering.

District magnitude

- A district magnitude of five or six is the ideal point for local elections in Wales.
- Provision should be made for rural areas to apply for a lower district magnitude.

Voter and stakeholder understanding

- Significant effort should go into educating candidates and parties, which would typically be led by the Electoral Commission.
- Returning Officers in deprived areas should be provided with greater resources to proactively address any misunderstanding among voters.
- Voter educational material should focus on how to fill in a ballot and avoid discussion of transfers.

Contact details

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Views expressed in this report are those of the researchers and not necessarily those of the Welsh Government.

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Implementation of a Single Transferable Vote (STV) system for local elections in Wales

Mae'r ddogfen yma hefyd ar gael yn Gymraeg.

This document is also available in Welsh.

Implementation of a Single Transferable Vote (STV) system for local elections in Wales

Authors: Daniel Devine (University of Oxford), Jac Larner (Cardiff University), Stuart Turnbull-Dugarte, and Will Jennings (University of Southampton)¹

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Views expressed in this report are those of the researcher and not necessarily those of the Welsh Government

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¹ Alphabetically ordered.

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Glossary

Acronym / Key word

Definition

STV

'Single Transferable Vote'

FPTP

'First past the post'

MSP

Member of the Scottish Parliament

MS

Member of the Senedd

AM

Assembly Member

1. Background

- 1.1 The Local Government and Elections (Wales) Bill, introduced by Julie James MS, Minister for Housing and Local Government, opens the option for 22 principal Welsh councils to choose between ‘first past the post’ (FPTP) and ‘single transferable vote’ (STV) systems for council elections after May 2022, in time for May 2027 elections. FPTP has been in use in elections in Wales – for the UK Parliament, National Assembly for Wales² and councils – since the 19th century.
- 1.2 FPTP is a plurality voting system. In single member districts, one representative is elected per voting district if that representative achieves one vote or more than the other candidates; in multi member districts, the candidates with the most votes win up to the number of seats to be filled. For instance, if there are five seats to be filled, the five candidates with the highest number of votes are elected. Voters may choose as many candidates as seats need to be filled, identified by a mark next to the candidate’s name (typically but not only an X). Instead, in STV systems, voters rank candidates in order of preference, and more than one representative may be elected in each district. The proposed Welsh legislation allows no fewer than three but no more than six representatives per district. STV is seen as a proportional system where the percentage of votes reflect seats. A change from FPTP to STV, a system different in both principle and practice, therefore presents a potentially significant change to Welsh politics.
- 1.3 However, STV systems currently in place in other countries (most significantly in Australia, Malta, Republic of Ireland, Northern Ireland, and New Zealand)³ differ substantially. For instance, voters may have to rank all candidates, or as many as they want; votes may be counted manually or electronically; a different number of representatives may be elected, and so on. This raises a number of questions about how STV may be best implemented in the Welsh context.

² Now known as Senedd Cymru or the Welsh Parliament. The Senedd comprises 60 members elected through an additional member system: 40 elected via FPTP and 20 elected via the D’Hondt method of proportional representation.

³ STV is also used in a number of non-national elections, such as within organisations and political parties.

1.4 The Welsh Government commissioned a team of researchers from the Universities of Cardiff, Oxford and Southampton, led by the University of Southampton, to combine the technical and design aspects of STV with lessons learned from implementation in other countries and jurisdictions to inform the design of STV in future Welsh local elections.

Aims and objectives

1.5 The fundamental aim of the research was to understand the relative merits of options for quotas, surplus transfers, and other aspects of STV to inform the design and application of STV in Wales.

1.6 The specific objectives were to:

- (i) explore the relative advantages and disadvantages of different options for quota formulae, including how the divisors are calculated;
- (ii) explore the relative advantages and disadvantages of different options for transfer of surplus formulae;
- (iii) understand the impact of these options on the choice of electronic or manual counting methods and election outcomes;
- (iv) make recommendations on which mix of options would be best suited to implementing an STV system for local elections in Wales.

1.7 In the remainder of the report, we describe our methodology and then our quantitative and qualitative findings. We then discuss our conclusions and specific recommendations for the design and implementation of a new STV electoral system for local elections in Wales.

2. Methodology

2.1 The analysis in this report is based on secondary analysis of existing literature, semi-structured interviews with leading stakeholders and experts in STV, and quantitative simulations of election results under different configurations of STV.

2.2 This mixed methods approach allows us to build on previous research which has studied the implementation and functioning of STV systems around the world whilst providing context-specific recommendations for the implementation of the electoral system for local elections in Wales. Building on this academic knowledge, we provide a configuration of STV and advice for its implementation in the Welsh context.

Literature review

2.3 The literature review consisted of an audit of the existing empirical evidence and theoretical literature on the qualities of different variations in models of STV in countries where the system is in use.

2.4 Our secondary analysis of the literature focused on issues related to the design of STV (district size; quotas, transfer rules and ballot design) as well as issues related to implementation (stakeholder knowledge and understanding, counting, and other concerns). To identify the literature of interest, we first focused on surveying the primary academic journals orientated towards the assessment of electoral systems and electoral politics (for instance, *Electoral Studies*). This survey provided the bulk of the literature source material. We expanded on this by seeking out the relevant referenced material within these articles – effectively relying on the existing literature we were aware of, to identify cited texts of interest. Beyond the academic texts, we engaged in a search of publicly accessible reports from independent research organisations and electoral institutions that had analysed and assessed the implementation of STV in those countries where it has been adopted. Our review of the literature identified 52 relevant publications that inform the findings presented in the report.

Qualitative analysis

- 2.5 The qualitative analysis consisted of seven semi-structured interviews lasting approximately 30 to 45 minutes, conducted online between July and September 2020 via Microsoft Teams. The interviews followed a topic guide developed with the Welsh Government before interviews began, which was lightly amended to fit the expertise of the interviewees and in light of previous interviews. The interviews followed two main topics: the technical aspects of STV (such as surplus transfers and district magnitude) and the implementation of STV (such as ballot structure and counting method).
- 2.6 Participants were broadly defined as stakeholders, including election officials, academics, former politicians and lobbying groups. Interviewees were chosen based on their knowledge or experience of STV systems in the UK and elsewhere. Most interviewees were chosen prior to the research being conducted. Two, however, were chosen following recommendations from other interviewees ('snowball sampling').
- 2.7 Interviewees were contacted by email. The introductory email set out the purpose of the research and included details on the ethics of the research, their rights regarding the interview data, and who to contact should they wish to withdraw from the research. If no response was received, the interviewee was contacted once more, not less than a week later. If no response was received again, they were not recontacted. Only one of those contacted did not reply; three declined, one of which suggested an additional two colleagues who were subsequently interviewed; one contact agreed to be interviewed but no subsequent interview was conducted.
- 2.8 Interviews were recorded (visual and audio) and transcribed by a professional transcription service. Quotes, where used, are lightly edited for readability. Verbal consent was also recorded before the interview. All transcripts were held anonymously and securely and will remain with the Welsh Government.
- 2.9 The interviews were analysed in a broadly thematic approach, identifying common patterns and potential conflicts between interviewees. The similar topic guide between interviewees meant that answers could be compared.

2.10 Where these are discussed and quoted below, we refer to them by the primary role we were interested in interviewing them for (e.g. 'Academic').

Result simulations

- 2.11 To simulate the outcomes of an election under different variations of STV, we constructed three fictitious local authorities; one based on an urban local authority, one on a rural local authority, and one which has a mix of urban/rural sized wards (further details are available in the annex).
- 2.12 Using these profiles, we ran election simulations to examine the effect of varying; 1) the quota formula and 2) the system for used for transferring preferences from one candidate to another.
- 2.13 For the quota analysis, we compared results using the Droop and the Hare formula.
- 2.14 For our analysis of preference transfer system, we compared the effect of four transfer methods: a random transfer method such as that used in the Republic of Ireland, the Simple Gregory Method used in Northern Ireland, the Inclusive Gregory Method used in several Australian elections, and finally the Weighted Inclusive Gregory Method which is currently used in Scottish local elections.
- 2.15 The vote distributions and number of parties and candidate used in the simulations are taken from real STV elections in Scotland between 2014 and 2017 to better replicate how parties might be expected to behave. The parties have been anonymised and the transfer preferences between them are fictional but consistent across wards.
- 2.16 The district magnitude – i.e. the number of seats available in each ward – has been changed to reflect the allowances for a greater range of district sizes outlined in the Local Government and Elections (Wales) Bill. The number of seats available is correlated to number of eligible votes cast.
- 2.17 The simulations do not account for incomplete ballots and therefore assume that voters provide a complete ranking of their preferences. In practice this is unlikely to happen unless made compulsory (as in Australia, for example). However, as we are only interested in comparing the outcomes of different quota and transfer systems, we do not foresee this being an issue.

2.18 The simulations also assume that aggregated preference rankings are the same for each ward. Again, this is unlikely to be the case in real world elections as local dynamics and candidates shape voters' preferences (see the appendix for more information).

3. Findings

3.1 In this section, we present our findings. First, we provide the literature review, then the analysis of the interviews, and finally the simulations. Both the literature review and the interviews aim to address the key aspects of the design of electoral systems: on the technical side, the district magnitude, quota and transfers; on implementation, ballot design, counting of ballots and voter understanding.

Literature review

District magnitude

3.2 STV is often adopted as an electoral system because of its ability to distribute seats among political parties and candidates that is proportional to the distribution of votes received by each party. It is worth emphasising that the capacity of STV to reduce disproportion outcomes is largely a function of the number of seats available within individual electoral districts. In short: the larger the district magnitude, the greater the level of proportionality. Increase district magnitude, however, comes at the cost of reduced sense of locality and candidate-orientated campaigns (Farrell and Katz, 2014).

3.3 In a system where there are only three or four seats available, a party gaining a majority of the seats with less than 50% of the vote is still a possible (if not probable) outcome. Analysis based on simulations in Scotland show that in some Scottish wards, one of Scotland's main parties would bank a majority of seats with less than 45% of the vote (Curtice and Herbert, 2005).

3.4 There is a point at which a low district magnitude does not impart the benefits of proportionality. A district magnitude of three or four, as adopted by the Scottish Government via their introduction of STV, produced a relatively small reduction in disproportionality (Bennie and Clark, 2008).

3.5 Curtice (2007), relying on the Gallagher measure of disproportionality, shows that relying on districts of only 3 to 4 members meant that the reduction in proportionality brought about by moving away from the FPTP system to STV in local elections in Scotland was markedly smaller than that observed in Australia, Malta and the Republic of Ireland.

3.6 Farrell (1997: 128) recommends that the number of elected representatives per STV constituency is “at least” five. This recommendation is also echoed in Taagepera and Shugart (1984). In Northern Ireland and the Republic of Ireland where STV is used for different elections, the district magnitude employed is notably larger than that introduced in Scotland. The Northern Ireland Assembly was originally constituted by constituencies that elect six representatives. After a series of boundary changes, this was reduced to five as of the 2017 elections. In the Republic of Ireland, constituencies of the lower house of parliament (Daíl) elect between three and five representations with the majority electing three. Malta employs 5-member districts and, among countries that use STV, that is where the highest level of proportionality is observed. In other words, assuming that the desired outcome of implementing STV is to distribute seats in a way that most closely approximates the distribution of voter preferences, the five member district magnitude adopted in Malta is that which does this best (Farrell et al., 1996).

Transfers

3.7 One of the largest aspects of cross-national variation in the implementation of STV is regarding the question of how surplus votes (those excess preference votes received by candidates above those required by the quota threshold) are to be transferred to from elected and excluded candidates to subsequent candidates. We focus on assessing the role of different quotas and transfers in section 3.86 onwards.

Ballot design

3.8 Ballot papers should be designed in a way that does not induce any undue electoral advantage to a particular party or candidate over another. There are a number of alternative means of regulating the order of candidates for voters to express their electoral preferences in STV elections, each with their own knock-on effects.

3.9 The most common, and that currently exercised in Scotland, Northern Ireland, the Republic of Ireland and New Zealand, is to order the collection of candidates alphabetically by their surname. The primary complaint against this ordering approach is that it can result in a first-candidate bias (primacy effects) whereby those candidates whose name is ranked higher because of their position in the

alphabet, enjoy a significantly greater probability of being marked as a voter's first preference in comparison to the other candidates.

- 3.10 These ordering effects are not trivial and, as evidenced by the amount of attention the issue of ordering and primacy effects receives in the literature, is clearly an important concern. Ordering effects have been observed in all countries where STV is in practice (Bennie & Clark, 2008; de Miño & Lane, 1996; Marsh, 1987; Reidy & Buckley, 2015; Robson & Walsh, 1974).
- 3.11 Ordering effects occur when ballots are presented as a running list of all candidates *and* when candidates are presented within party blocks. Primacy effects favour candidates placed at the top of a party block's list.
- 3.12 The discontent amongst candidates can, therefore, come from (i) parties who feel that their candidates are disadvantaged because candidates from a rival party enjoys a primacy effect, as well as (ii) individual candidates who feel that their peers from the same party enjoy an advantage over them.
- 3.13 In terms of the magnitude of the primacy effect, the empirical evidence suggests that it is not insignificant. Most quantitative assessment point towards ordering effects in the range of two percentage points but this can be as large as four percentage points (Blom-Hansen et al., 2016). In competitive races, primacy effects can be decisive and their potential role in the design of ballots should be considered with care.
- 3.14 The evidence of alphabetical ordering effects, however, is not uncontested. Villodres and de la Puerta (2004), analysing voter STV preferences in the 2002 and 2003 elections in Ireland and Malta, respectively, finds that "the number of preferences votes received by candidates of the same party is unrelated to their alphabetical placement on the ballot". Despite the conflicting evidence, the consensus view among scholars of STV is that ballot ordering matters: "[...] the balance of academic research is persuasive. There are strong indications that ballot position has an impact. It follows directly then that candidates and parties might be likely to take advantage of these effects." (Reidy and Buckley, 2015: 624)

- 3.15 STV candidate order in Maltese elections was originally structured in a similar way to that in practice in Scotland with candidates fully ordered alphabetically by their surname. Following an electoral reform in 1976, however, this process has been changed. Candidates are now presented in party-clustered blocks, within which candidates are presented in alphabetical order by their surname. In the case of Malta, where this party-clustered ordering is in operation, we observe less evidence of alphabet-ordering biases in electoral preferences (de Miño & Lane, 1996). Ballots that rely on party clusters alphabetise the presentation of these parties. For example, in the case of Malta, on the 2013 General Election ballot paper there were three political parties. The presentation of these parties on the ballot paper are ordered alphabetically - (i) *Alternattiva Demokratika*, (ii) *Partit Laburista*, (iii) *Partit Nazzjonalista*. Should an independent candidate run, in Malta this candidate would appear alphabetically. In Australia, where party clustered blocks are also used, independent candidates are placed at the end of the ballot paper.
- 3.16 A recurring theme across assessments of ordering effects in the Republic of Ireland, Scotland and Malta (prior to reform) is the potential that political parties strategically select candidates with surnames that appear earlier in the alphabet in order to front-load ballot papers that rely on alphabetised ordering on complete candidate lists (de Miño & Lane, 1996). Mackerras (1970) shows, for example, that in Australian elections, political parties have opted to select candidates whose name comes earlier in the alphabet as a means of increasing their electoral prospects. Such “front-loading” strategies, however, are less viable when alphabetisation occurs within the slates of party candidates.
- 3.17 One particular extract from a study on ballot paper design and ordering effects in Irish elections is worth citing:
- It is entirely logical that political parties and candidates will alter their direct behaviours in response to the clear evidence of primacy effects. Irish election lore is littered with examples of candidates changing their names to get a position higher up the ballot. Beverly Cooper Flynn (Mayo TD 1997–2011) is a recent example. She opted for a double barrelled name upon marriage but unusually decided to put her own surname last as her husband’s surname*

placed her on a higher point on the ballot. Nicknames have been incorporated into family names such as in the case of Pat ‘the Cope’ Gallagher and Sean ‘Dublin Bay Rockall’ Loftus. Loftus was a Dublin based councillor who changed his name to highlight political causes but the change had the added advantage of raising his position on the ballot paper. Changing surnames from English to Irish language versions and vice versa for ballot position advantage is also present in popular memory of Irish politics. (Reidy & Buckley, 2015: 624)

- 3.18 One potential remedy to the issue of ordering effects would be to rely on randomisation in the allocation of candidates’ position on the ballot paper. This is, for example, the recommendation communicated by Reidy and Buckley (2015) in their report on the role of primacy effects in Ireland local elections.
- 3.19 Randomisation would involve the production of a number of individual ballot papers equal to the total number of potential outcomes from the different permutations of randomised assignment.
- 3.20 Having a potentially infinite number of ballot designs would complicate the already complex process of manual counting, beyond what we might consider reasonable for manual counters. Randomisation, as a result, is only viable should electronic means of counting ballots be considered.
- 3.21 We do not recommend the use of randomised ordering in the absence of electronic counting. In line with the evidence regarding the potential for ordering bias to provide some candidates (and parties) with an unfair advantage, our recommendation would be to structure ballots with candidates grouped together in blocks by their partisan affiliation. Within these blocks we recommend either i) the ordering of candidates within parties be determined by intra-party processes, or ii) candidates be ordered alphabetically. Independent candidates could appear at the end of the ballot paper after party blocks have been presented, as is the case in Australia
- 3.22 Darcy and Marsh (1994), however, show that ordering candidates within these party blocks may reduce the “split-ticket” voting whereby a voter’s ordered preferences

“split” party lines. We do not view split-ticket voting to be either necessarily desirable or particularly problematic.

- 3.23 It is worth noting that evidence on the response of political parties to the implementation of STV in Scotland, points towards parties developing their own tools to combat ordering effects. Gilmour (2015, 2018), for example, shows that parties develop and deploy “supporter instructions” and “How to vote” guides that aim at mediating the potential bias against down-ballot candidates that may emerge. These formative pieces of partisan communications, examples of which are reproduced in Gilmour (2015), give area-specific instructions to party sympathisers on the strategic ordering of preferences in order to achieve an optimal amount of support for all the party’s candidates.
- 3.24 Ballots can also be structured landscape or portrait. The Electoral Commission recommend portrait ballots based on its effects on voter understanding and ease of counting. Ballots in Malta, New Zealand and Republic of Ireland are structured in portrait whilst Australian ballots are landscape.
- 3.25 Finally, it is uncommon for countries that employ STV to place a minimum number of preferences required for ballots to be viewed as valid but this is the case in Australia where *all* candidates must be assigned a preference. In Australia, where voting is compulsory, voters are required to provide a complete list of preferences in order to ensure that those candidates that are elected after numerous and subsequent rounds of counting do so after having reached the necessary quota. Requiring preference allocations for all candidates tends to lead to “donkey voting” (Bowler & Grofman, 200) which essentially results in voters consequentially ordering preferences on the ballot in the order they appear until the ballot is full. *Requiring* preferences for all candidates also has the negative effect of (i) reducing choice for voters (they cannot limit their preferences to only those candidates for which they actually have a preference) and, (ii) increases the ‘costs’ associated with the voting process as completing the ballot becomes more cumbersome. Moreover, there is also evidence that requiring all candidates review an ordered preference, as in Australia, leads to more spoilt ballots: there is an increasing probability that voters will repeat a number or make a mistake (McAllister and Makkau, 1993).

Stakeholder understanding and knowledge

- 3.26 Evidence from the implementation of STV in the local elections in Scotland provides some evidence of the potential complexities of STV for voters that have been socialised to participate in the FPTP system in use in general elections.
- 3.27 The first piece of evidence is provided by the number of spoilt ballots returned during STV's maiden use at the Scottish local elections polls. Denver and Bochel (2007), compare the proportion of rejected ballots in the 2007 local elections, during which STV was used for the first time, and compare this to the proportion observed in the previous two local elections that took place beforehand.
- 3.28 In 1999 and 2003, only 13,597 (0.59%) and 14,579 (0.77%) of ballots were rejected, respectively. This proportion almost doubled with the introduction of STV, with 36,351 (1.83%) of ballots being rejected. Given the high level of unfamiliarity with the new voting system, the authors argue that a ballot rejection rate of 1.83% should be considered a successful level of implementation with the vast majority of those voters who wished to cast a valid STV voting ballot able to do so. Moreover, the introduction of STV in the Scottish local elections coincided with the Scottish Parliamentary elections and involved a number of innovations such as the presented of the two mixed-member parliamentary votes on the same ballot paper (Electoral Commission, 2008). These additional innovations are likely to have played an additive effect in explaining the spoilt ballots observed in the local elections. The higher level of rejected ballots continued in 2012. Whilst a lower percentage were rejected (1.71%) this was still higher than that observed in either 2003 and 1999 when FPTP was still used (Curtice, 2012).
- 3.29 The higher level of rejected ballots compared to local elections when FPTP was in use was observed in the 2017 Scottish local elections. In 2017, 37,492 ballots were rejected: 1.95% of the ballots cast. The primary reason for ballot rejection was because of the presence of more than one first preference. Of the 37,492 rejected ballots in 2017, 82.2% of these were rejected because of multiple first preferences. The second largest reason was lack of a first preference (12%). This suggests that whilst the 2017 local election was the third iteration of STV in the local elections, a lack of voter understanding remains as the rejection rate is still significantly higher

that the pre-STV period (Bochel and Denver, 2017). In the Scottish local elections of 2017, there is also a positive correlation between the number of candidates presented on the ballot of the rate of ballot rejection. In other words, the more candidates' voters have to choose from, the greater the likelihood that a ballot will be rejected. Among ballots with four candidates the average rejection rate was 1.25% and this rate increases to 2.62% among those ballot papers that present ten candidates or more (Bochel and Denver, 2017).

- 3.30 The rise of around one percentage-point in spoilt ballots observed in Scotland's maiden use of STV echoes the rise in rejected ballots observed in those localities in New Zealand who also adopted the system. Vowles (2007) shows that, compared to FPTP, there was between a 0.7 and 1 percentage point rise in spoilt ballots during 2004 when STV was adopted by some local authorities.
- 3.31 Complexity in completing the ballot appears to be one of the primary causes of ballot rejection in the transition to STV. Of the 38,351 ballots rejection during STV's pilot use in 2007, two in five ballots (39.9%) were rejected because voters had marked more than one first preference (1) choice on the ballot paper (Denver et al., 2009). The majority of ballots (59.6%) were rejected because counters were unable to ascertain voters' intentions from the marks (or absence of) on the ballot.
- 3.32 Comparing the rejection rate of STV ballots in Scotland to that of Northern Ireland, Curtice (2007) argues that the proportion of invalid ballots is comparable so "voters in Scotland coped just as well with STV as well as voters in Northern Ireland" even if the rate of rejection is significantly larger than that observed previously non-STV voting. This sentiment is echoed by a report from the Electoral Reform Society (2008), which highlighted the successful implementation of STV.
- 3.33 The generally low level of ballot rejection coincides with voters' subjective claims of ballot complexity. Relying on post-electoral survey data from the Scottish Election Study, Denver and Bochel (2007) show that some 84% of respondents claimed that the new STV ballot was "not very" or "not at all" difficult.
- 3.34 It is worth noting, however, that evidence from the transition to STV in the Scottish local elections demonstrates that voter understanding was weaker in deprived areas. Taking the proportion of rejected ballots as a measure of voter understanding

of the new process, Denver et al. (2009) show that council wards experiencing greater levels of economic deprivation reported a significantly higher proportion of rejected ballots.

- 3.35 Evidence from the introduction of STV in certain local elections in New Zealand does not point towards any issues of voter understanding of note. Taking the level of participation in those districts that rely on FPTP and STV, Zulum (2014) reports that there was no significant difference in turnout among STV-adopting areas and concludes that the introduction of a new electoral system did not necessarily deter individuals from taking part in the electoral process.
- 3.36 In Estonia, where STV was only used once at the local level in 1989 and once again at the national level in 1990, there were no reported issues regarding the understanding of how to complete the ballots. There was, however, a lack of understanding amongst voters on how their votes would actually be changed into seats (Taagepera, 1996), an issue echoed later in our interviews
- 3.37 The literature does not provide any evidence that political party stakeholders suffer from any problems relating to the transition to STV. On the contrary, evidence points towards political parties being a core medium of informing the public as how to complete their ballot. Literature produced by political parties, largely focused on rallying electoral support, provided instructions to supporters on how to vote (Gilmour 2015, 2017).
- 3.38 In the lead up to the novel use of STV in 2007, the Electoral Reform Society also published a guide, "Campaigning under the single transferable vote: a guide for agents and parties in Scotland" (2008), for political organisations in which it provided publicly accessible advice regarding some of the considerations parties may consider.

Counting

- 3.39 Scotland, New Zealand and Malta (as of 2019) rely on electronic counting methods to count ballots. The physical task of counting ballots under the STV system can be more arduous and labour-intensive than that of the FPTP system where election

officials count the number of ballots that have an “X” next to the name of each candidate.

- 3.40 There is a large consensus in the literature regarding a preference for electronic counting over manual counts. In many instances, and in systems where there are a large number of candidates (as in the case in Malta), the assumption taken by scholars is that the *only* viable means of counting STV ballots is by electronic counting.
- 3.41 Electronic counting comes with substantive start-up costs. Notable costs include the necessary hardware to count ballots, software to compute the count and provide results and the requisite training needed to operate the systems. These costs should not be considered trivial.
- 3.42 Electronic counting is used in the UK to count votes in Scottish elections as well as the in the Mayor of London and London Assembly elections. Data from these counts provide an insight into the relative cost of electronic counting.

For example, the contract for electronic counting in the 2020 London mayoral elections and the assembly elections was contracted to cost £8,991,132 (Greater London Authority, 2018).

In Scotland, the costs of local elections are covered by the local authority. The only exception to this is costs incurred from the electronic count. The cost of the electronic count in the Scottish local elections of 2012 was £5,600,000 (Scottish Government, 2018). Of this total sum, £3,693,759 was paid directly to local authorities in order to cover the electronic counting costs. The funds received by each individual authority for the electronic count ranged from £90,301 (Orkney Islands) to £193,599 (Glasgow City Council). The remaining costs were incurred directly by the Scottish Government.

The costs of electronic counting increased in the most recent local elections held in Scotland (2017) increased to a total sum of £5,887,008 although the value allocated to individual local authorities decreased to £3,247,714. These local authority costs ranged from £13,499 (Orkney Islands) to £368,668 (Glasgow City Council).

- 3.43 Whilst electronic counting is deemed desirable because of its capability to deal with a more complex counting process and reduce the chance of error, it is worth noting that electronic counting does not erase risk and there are also potential issues that may arise from digitising the process. Denver and Bochel's (2007) account of the implementation of STV in Scotland, for example, highlights that the introduction of electronic counting was not without error and during a number of the pre-election trials the system employed by the Scottish Government crashed.
- 3.44 Counting delays and errors may occur because of the issues with third party contractors. In New Zealand, for example, counting of STV ballots in 2004 was carried out by two external organisations (Datamail and Elextionz.com). The announcement of the result from these elections was delayed by more than three weeks because of a "technical glitch" (Zvulum, 2012). These errors arose because the ballot-reading software was unable to translate ballot preferences into the spreadsheet format necessary to begin counts. The decision to use electronic counting also plays a role in ballot design. In Malta, for example, the dimensions of the ballot paper are legislated so they comply with the electronic voting equipment.
- 3.45 As part of the Electoral Commission's independent review of the adoption of electronic counting in Scotland which coincided with the adoption of STV, the report highlighted that this led to substantial delays in the production and receipts of ballot papers. Since ballots for electronic counting must conform with technical requirements, the Returning Officers had to delegate the production of ballots to the electronic counting contractor. A number of ballots were rejected after printing because they failed to provide clear authentication marks.
- 3.46 The Electoral Commission's report also highlights the potential for ballot paper instructions designed to facilitate electronic reading to be detrimental to the principal of a secret ballot. Folding ballot papers was considered to slow down the efficacy of the scanners involved in the electronic count. As a result, voters are required to carry their marked ballot paper from the polling booth to the ballot box unfolded which may allow others to observe who they voted for.
- 3.47 One additional potential drawback from the use of electronic counting is the potential lack of public trust in the voting and counting process. Digitising the count

of ballots requires that necessary cyber and network security procedures are implemented to ensure the integrity (and public perception of integrity) of the counting process (IDEA 2011).

Qualitative analysis

- 3.48 As mentioned, qualitative analysis was conducted with expert interviewees. In what follows, we build on the literature review to elicit the views of key stakeholders on the broad categories of the previous section.

District size magnitude

- 3.49 Generally speaking, interviewees did not consider district magnitude a major issue, and only one raised it without being prompted. The interviewee that did only raised the issue of having a district magnitude larger than five, which puts a burden on voters and leads to overly long ballot papers:

District magnitude is a huge feature of proportional systems; the higher the district magnitude, the fairer the outcome, but with single transferable vote the trade-off problem is the larger the number of candidates, the larger the ballot paper, the more you exhaust the voters and the more confused they get as to where the constituency boundaries end. And so the sort of rule of thumb of maybe around five seems to work particularly well in the case of STV.

(Academic, Ireland)

- 3.50 However, when prompted, some interviewees commented that larger district magnitudes (three or more) posed problems for more rural areas that might not have a large number of candidates or have 'natural boundaries' larger than towns and cities. For instance:

I personally think they should have gone up the way to five and six, for what you might call medium-sized towns where the identity is of the town. But I think two is essential for some areas, and my own council amongst others has lobbied for that freedom, recognising that it reduces proportionality.

(Election Official, Scotland)

- 3.51 The interviewee went on to praise the Boundary Commission being allowed to create two-member wards to 'allow for appropriate local representation', though

again acknowledging that this comes at a cost of proportionality. Nonetheless, they also pointed out that in rural areas, many candidates are independents, and so the proportional representation of parties is less important than facilitating community representation.

- 3.52 This trade-off arises in the case where representatives may cover vast areas that are not actually similar, unlike in towns or cities where the community is defined by the urban boundaries. By having smaller wards, those in rural areas can be represented on a smaller magnitude. As one interviewee said: 'that's the balance between proportionality and the locality: the larger your wards get, the more proportional it gets, but the less there's an identification locally'.
- 3.53 All being said, whilst district magnitude is of course a decision to be made, there is no great need to amend the current plan to allow for a district magnitude of three to six.

Ballot design

- 3.54 Interviewees were in agreement that ballot design was a fundamental consideration. The primary concern is how ballots are structured and candidates are ordered. Interviewees did not raise other design issues, such as colour, font, and so on, given that these are not controversial issues and which are backed by considerable research by bodies such as the Electoral Commission.
- 3.55 One of the more contentious areas was candidate (and party) ordering on the ballot. This varies across countries, where in some (Scotland) candidates are listed alphabetically and others, at the opposite end of the scale, use Robson Rotation, which randomises the order at a certain number of ballots. The issue, as highlighted in the literature review, is that alphabetical ordering of candidates leads candidates with names earlier in the alphabet being disproportionately elected.
- 3.56 This arises particularly in systems with strong party voting, and may be an issue for candidates rather than party performance, though can also undermine how parties strategically position candidates. As one of the interviewees said:

[Voters] show up with an intention, by and large, to vote for a party. They come to the first name on the ballot paper for that party, they put a first

preference next to it, then they put a second preference next to the second one from that party. So, ballot order is immeasurably important, not at deciding which party does best, but who does best within each party (Former Minister and MSP)

- 3.57 Whilst candidate (and party) ordering should be first and foremost decided by fairness in the electoral process, this also needs to be weighed against possible costs. If one were to randomise candidates in some way, this leads to issues of costs and accessibility. One interviewee raised both of these issues together:

You then get into the question of how [randomisation] affects voters with disabilities; how does that fit with the tactile voting device that's used to support voters with a visual impairment? As soon as you go into randomising the ballot paper, you are effectively having to do an electronic count, [as it] becomes very difficult to do a manual count. (Election Official, Scotland)

Randomisation, complete randomisation, would have – I accept – been a total nightmare for electoral administrators. (Election Official, Scotland)

- 3.58 Another interviewee also involved in election administration put this more strongly, though again highlighted how this conflicts with a latent desire for randomisation:

I think [randomisation] is discriminatory against voters with particular special needs, a lot of whom memorise the ballot paper and then will go to a polling station, and they work off a memorised paper. But I do think there is an argument for randomisation of that paper. (Election Official, Scotland)

- 3.59 Overall, any randomisation would lead to a necessity for electronic counting and require extreme care as regards how voters with visual and other impairments are assisted to vote.

- 3.60 A related decision is the structure of the ballot, which varies considerably between countries that use STV. In Ireland and Scotland, the ballot is essentially the same as Westminster elections, with candidates listed alphabetically. However, in Malta, for instance, candidates are grouped by party then, within that, listed alphabetically; in parts of Australia, candidates are also grouped by party and parties decide the ordering of candidates.

- 3.61 Although many interviewees, given their positions, were not comfortable with providing policy recommendations, those that did suggested either the Maltese or Australian systems as a way of overcoming alphabetical bias and giving more power to parties to order their candidates.
- 3.62 A final consideration regarding the ballot is how many candidates voters are obligated to vote for: whether they must provide a preference for all candidates, or a minimum number, and so on. Most interviewees justified their beliefs on first principles, that an electoral system should improve choice and fairness, and as such were broadly against making a number of preferences compulsory:

I think that you need to maintain choice. So choosing not to vote is a choice, choosing not to rank all the candidates, that is a choice too. (Campaigner)

- 3.63 However, one interviewee pointed out that whilst they were in favour of 'optional preference voting' – i.e. not being obligated to rank all candidates – there was a justification for compulsory ranking, since without it some candidates may be elected without reaching the quota, and this may undermine the legitimacy of the elections, which is why one reason for the Australian policy:

But then there is another side to the coin, which is if a lot of voters don't complete a lot of preferences then in the final stages of the election count you will end up with politicians who are being elected without reaching the quota, which happens quite a lot in Irish elections (Academic, Ireland)

- 3.64 However, as our simulations indicate, this is unlikely to be an issue in Welsh elections.

Voter and Stakeholder Understanding

- 3.65 Interviewees were not concerned that moving from FPTP to STV, with the former being a uniquely simple system, would be a major problem for either voters or stakeholders, such as party agents or politicians. Given the answers provided below, what goes on 'under the hood' of the voting system is irrelevant for voter understanding. If anything, interviewees suggested that stakeholder understanding was more of a problem than voter understanding since parties need to know the technical aspects to campaign, and can mistakenly inform voters.

3.66 All interviewees said that understanding is best obtained by keeping things simple, and that voters did not need to understand the mechanics behind the system, only how to use their ballot and that they were now voting preferentially and with numbers, rather than just with an 'X'.

It's never been perceived here [Scotland] as a problem in that sense because it's just about telling them what they need to do. (Election Official, Scotland)

[We tried to explain] STV and how you did it and all the rest of it. It totally panned with the electorate, because it was too complicated [...] stick to one, two, three, four and so on. (Election Official, Scotland)

Voters don't need to know Droop or Gregory or any of that kind of malarkey, they just need to know 'how do I use my ballot paper' and roughly how does this translate into an electoral outcome (Academic, Ireland)

We do find that just 1 beside your first choice, 2 beside your second choice, is easy enough for people to understand [...] voters never really grasp the actual calculation method and I think trying to explain the calculation method is a bad idea because you see the eyes glazing over if you try. (Former Minister and MSP, Scotland)

3.67 It was often brought up that countries which use STV – in this case, Ireland, Scotland and New Zealand – have a range of successful educational materials on all platforms, and that the Welsh Government should, at a national level, learn from these best practices.

3.68 Of relatively more concern, as noted, was stakeholder understanding, and that this may feed into widespread misunderstanding if polling clerks, presiding officers and candidates attempt to explain the details to voters but express themselves incorrectly or get the details wrong:

We try and discourage, for example, presiding officers and poll clerks, in polling places, from explaining it to people. Because they will invariably get it wrong, and then it just adds to the confusion. (Election official, Scotland)

3.69 As such, considerable effort went into educating stakeholders, especially those public-facing, in how the system works in Scotland. This is important not just for voter understanding, but also so parties can organise and campaign appropriately:

That means that you try and ensure that the candidates have got an understanding of the process themselves, so that they can communicate that to voters but also communicate amongst themselves. So we always sit down at a candidates and agents briefing session, before any election, and I've got a presentation that I go through with them that explains how the system works, where the quota is, how we transfer surpluses when people are excluded
(Election official, Scotland)

- 3.70 Interviewees did not believe that there were no mistakes, and acknowledged that some voters will, for instance, mark many Xs, or put a 'three in box number three', but felt that that was the cost for a more proportional system. As the literature indicates, there is not a disproportionate number of failed ballots in STV systems as opposed to FPTP systems.
- 3.71 Interviewees were also keen to highlight that a blanket approach would not be appropriate. Some areas, particularly those that are deprived or with low educational attainment, would need greater resources to ensure accurate ballots. One interviewee from Scotland illustrated the difference between the worst ward for spoiled ballots (Canal, Glasgow) and a middle-class ward in Edinburgh (Colinton/Fairmilehead), with the former having a spoiled rate of 6% and the latter 1% at the 2017 elections. It is worth noting that this disparity between areas based on deprivation is the case for all voting systems, and that areas should converge over time. The Returning Officer in a given ward should be responsible for supporting voter education, with support from the relevant Electoral Commission.
- 3.72 Drawing on past experience, some interviewees raised particular points that they would like the Welsh Government to be aware of.
1. That there will need to be a concerted effort to explain *why* a change in electoral system is occurring;
 2. Crucially, interviewees in high-level electoral management in Scotland were pessimistic with regard to the Welsh proposal of allowing councils to choose the system. As one put it: 'I think that the potential for voter confusion is huge; [it's] one element of the Welsh proposal I always felt is unwise'.

3.73 To expand on the final point, often interviewees were more focused on the principles of the system rather than the technicalities, and that selective switching to STV would undermine the principle of the change: to improve democratic outcomes. Instead, it would feed the potential for conspiracy theories or that the change was mere politicking.

Manual counting and E-counting

3.74 Consistent with the literature review, interviewees were in broad agreement of the benefits of e-counting over manual counting, though all recognised the increased cost associated with electronic counts. However, many highlighted that there is also a financial cost associated with training and employing staff for manual counts.

3.75 Interviewees' arguments for opting for e-counting can be summarised as *legitimacy* and *efficiency*.

3.76 Views regarding legitimacy were often made by comparing the situation in Scotland (which uses e-counting) and Ireland and Northern Ireland (which use manual counting). As a senior official who is closely involved in e-counting in Scotland commented:

In delivering an election count, our concern is always for traceability and for every paper to be accounted for. In the manual STV system, moving around large piles of paper makes everything a lot harder to trace and to account for; whereas in an electronic count, there are checks and balances and it is relatively straightforward to deliver. (Election Official, Scotland)

3.77 Another senior Scottish election official who visited a count in North Antrim, a highly contested seat with strong community tensions, pointed both to the perceived legitimacy of the election and the length of time it took (efficiency). Whilst the political situation in Wales is unlikely to lead to the same type of legitimacy concerns, one interviewee also warned against complacency in accepting the election results, particularly with a new system.

I marvel at those officials who manage to deliver a result that people accepted as accurate, but that count [in North Antrim] took nearly two days [...] if there was a feeling for a new system, you don't want it to start like this (Election Official, Scotland)

- 3.78 The same concerns were echoed in Malta following their 2019 transition from manual to e-counting, with the Nationalist Party distrusting of the process.⁴
- 3.79 Whilst the gains in legitimacy are important, this also provides benefits to election agents and parties. An interviewee, a former Scottish Minister and MSP, said of the counts: ‘you get a live tally of the bar charts appearing, so early on you get sight of how the preferences are distributing. You also get data afterwards, that’s 100% accurate to polling place.’ This serves as a legitimacy check but also as a benefit to politicians.
- 3.80 A clear benefit of electronic over manual counting is *efficiency*. All interviewees brought up the issue of how long manual counts take, as noted in the quote above. A by-election count, says one interviewee, will take about an hour with electronic counting once the ballot boxes are in. However, one interviewee, commenting again on general elections in Ireland, said: ‘they were taking three days - three or four days - to process’. Interviewees were also keen to stress that manual counting, due to the time taken, limits ballot structure and the type of quota formulas to only the simplest.
- 3.81 One interviewee, who has long been involved in election administration in Scotland, summarised the decision in Scotland to adopt e-counting as follows, which also summarises the views of all interviewees:
- we were all not just convinced logically but convinced emotionally, as it were, that this system, when demonstrated to candidates, agents, parties, would inspire confidence. It was to get the system off on a good start by having a count that was no slower than the manual counting, and a lot quicker in most cases. And there was certainly a desire not to have counts that looked back in time* (Election Official, Scotland)
- 3.82 Regarding the costs, interviewees were sympathetic, but ultimately stressed that if there was desire to make the system work, then it was worth the investment; failing to finance it properly would, in one interviewees’ opinion, be a political decision:

⁴[No more manual counting: is Malta justified in joining the voting future?](#)

You've got to be careful not to make the ideal the enemy of a first step and trying something that might evolve over time. But I think there is a danger in getting it wrong as well, because it discredits it and it will never go any further
(Campaigner)

3.83 This needs to be seen in the context of the Welsh legislation that permits councils to choose, in which e-counting may be too burdensome for individual councils. Our view is consistent with the interviewees who suggested that e-counting would be the best start for a new system. To mitigate the cost and increase uptake, some interviewees suggested the Scottish system of a central Government fund that Councils can then draw down from; and whilst expensive, it was necessary to get off to a good start.

3.84 Whilst electronic counting was the preference, most interviewees also emphasised necessity for caution and to conduct rigorous testing. Reflecting on Ireland's experience, one interviewee said:

We had a rather rancorous debate here in Ireland 15 or 20 years ago, where a government tried to introduce computer voting and it hit them in the face because they hadn't built into the system proper checks to make sure that if any hacking had occurred you could double check things (Academic, Ireland)

3.85 Nonetheless, we are very aware that electronic counting and with a central fund may not be possible. What this does, as we will return to in the concluding sections, is reduce the range of options open regarding the type of formula:

I would probably say, from the administrative point of view, if you're going to choose a system, you'd probably want to choose one which is do-able manually as well as electronically. (Election Official, Scotland)

3.86 If electronic counting is to be adopted, which is the consensus, there should also be finance available to pay for it. Councils may not opt for STV if it incurs significant costs or may attempt to do so without appropriate funding, increasing the potential for failure. The option must be backed by political will.

Quantitative analysis

3.87 Our final analysis compared viable quotas and transfers to understand how these decisions impact political outcomes.

Comparison of quotas

3.88 To compare the effect of quotas, we simulate results for three fictional local authorities under the Inclusive Gregory Method using the Droop and Hare quota formulas.

3.89 The Hare quota is calculated using the formula:

$$\frac{\textit{total number of valid votes}}{\textit{number of seats to be filled at election}}$$

3.90 The Droop quota is calculated using the formula:

$$\left(\frac{\textit{total number of valid votes}}{\textit{number of seats to be filled at election} + 1} \right) + 1$$

3.91 Table 1 illustrates how the two quota formulae differ in practice: the Droop quota produces a lower threshold for candidates to meet compared to the Hare quota. In the example given, Candidates 1 and 2 first preference votes exceed the Droop quota and would therefore be elected prior to the transfer of any preferences. However, if the Hare quota were used, none of the candidates' vote totals meet the electoral threshold required. In this scenario, candidate 6 would be excluded, and their votes transferred according to secondary preferences.

Table 1. Example calculation of Hare vs Droop Quotas

Party	Candidate	FPv%	First Pref Votes
Party B	1	30.52%	1397
Party C	2	27.09%	1240
Party B	3	24.43%	1118
Party C	4	9.02%	413
Party A	5	4.50%	206
Party D	6	4.44%	203
Seats	3		
Hare Quota	1,526		
Droop Quota	1145		

3.92 Results of the simulations are presented in Tables 2 to 4. The district magnitude for each ward was between 3 and 6 seats, with magnitude correlated with the number of votes cast in each ward (I.e. larger wards had a greater district magnitude).

Table 2. Simulation results for County A

	FP Vote Share	# of Candidates	Droop Seat Share	Hare Seat Share
Party A	16.96%	12	11%	11%
Party B	28.12%	13	24%	24%
Party C	26.34%	16	31%	31%
Party D	15.30%	14	22%	22%
Party E	11.89%	11	11%	11%
Party F	0.15%	3	-	-
Party G	0.17%	3	-	-
Party H	1.01%	6	-	-
Party I	0.05%	1	-	-

Table 3. Simulation results for County B

	FP Vote Share	# of Candidates	Droop Seat Share	Hare Seat Share
Party A	12.97%	10	13%	13%
Party B	15.16%	10	13%	15%
Party C	22.66%	12	28%	28%
Party D	6.55%	9	3%	3%
Party E	2.64%	3	3%	3%
Party F	0.08%	1	-	-
Party G	21.92%	10	23%	23%
Party H	12.86%	9	15%	13%
Party I	3.33%	7	3%	3%
Party J	1.29%	4	-	-
Party K	0.53%	1	-	-

Table 4. Simulation results for County C

	FP Vote Share	# of Candidates	Droop Seat Share	Hare Seat Share
Party A	4.38%	8	6.90%	3.45%
Party B	33.85%	9	31.03%	31.03%
Party C	30.43%	14	27.59%	27.59%
Party D	5.37%	7	3.45%	3.45%
Party E	-	0	-	-
Party F	-	0	-	-
Party G	14.06%	6	20.69%	20.69%
Party H	8.27%	5	10.34%	13.79%
Party I	3.40%	4	-	-

- 3.93 The different quota systems produced almost identical outcomes in terms of seats allocated to each party. Only on two occasions did the use of the Hare quota produce a result different to the Droop quota. These differences occurred in the final round of counting where the larger Hare quota had ensured that more preferences were taken into account. This is only likely to happen in wards with a large district magnitude and many candidates standing for election.
- 3.94 Under the Droop formula, each candidate elected met the quota. However, the larger Hare formula meant that multiple candidates in every ward were elected without meeting the quota. Rather, they were elected as the 'last candidate standing' once all other candidates had been eliminated. As such, the Hare quota may lead to some confusion among voters when results are reported: under the Hare quota it is possible for candidates to be elected despite only obtaining a small

fraction of the votes required by the quota even after all preference have been allocated. As such, the Hare quota is no longer used in any STV elections of note.⁵

Comparison of Transfer Rules

- 3.95 The method of transferring preferences is another key consideration in STV electoral systems. Different methods can produce small but significant differences in which candidates are elected.
- 3.96 In our simulations we focused on four methods of transferring preferences between candidates: 1) random transfer of ballots, 2) simple Gregory method, 3) inclusive Gregory method, and 4) weighted inclusive Gregory method.
- 3.97 **Random transfer method:** This system is used in the Republic of Ireland's lower house (*Dáil*) and was used in the Australian Senate until 1984. It can be counted by hand relatively straightforwardly without the aid of computer or electronic counting.
- 3.98 Ballots are sorted into 'bundles' of votes for each candidate standing, according to the first preference marked on each ballot. Once all ballots for a district have been sorted and the total number of votes counted, the quota is then calculated. Any candidates that exceed the quota are elected. If no candidates exceed the quota, then the candidate with the fewest votes is eliminated and all of their ballots are transferred according to given preferences
- 3.99 When a candidate is elected using this method, the number of ballots transferred to other candidates is equal to the surplus (calculated as number of ballots received minus the quota). So, if a candidate has a surplus of 100 votes, 100 ballots are taken from the elected candidate's bundle of votes and sorted into the remaining candidates bundles according to preferences stated on the ballot. At the first round of counting, all of the elected candidates votes are examined and a sample of these votes is distributed proportionally to reflect the preferences (the 'initial surplus').
- 3.100 However, it is in subsequent rounds where an element of randomness is introduced to the transfer system. After the first round, only the last parcel of ballots added to an elected candidate's bundle is examined when choosing the sample of votes to

⁵ The Hare quota is still used for certain elections in Brazil, where seats are allocated via the D'Hondt method, not STV.

be transferred. This parcel will necessarily have been received from an elected or eliminated candidate (the 'secondary surplus'). The sample taken from this will therefore be unlikely to be representative of the first preference ballots of the elected candidate.

- 3.101 Ballots with a lower preference for candidates elected in later counting rounds will therefore take preference over ballots with a higher preference for those candidates (Weeks, 2011).
- 3.102 This can have implications for which candidates are elected later on in the count, particularly in very close contests. As Farrell and McAllister highlight 'Depending on which ballot papers were selected from the pile at an earlier stage in the counting process, in a close finish the fate of a candidate could be sealed by the particular pattern of preferences that predominated in those ballot papers' (p. 482). Whilst the probability of the 'incorrect' candidate being elected in any given contest are slim, analysis has repeatedly shown that this has happened (see Gallagher & Unwin, 1986; Coakley & O'Neill, 1984; Meek, 1994; Farrell & McAllister, 2003).
- 3.103 This is often referred to as 'Bonner Syndrome' named after 1974 Australian Liberal Party candidate Neville Bonner who was elected as a result of votes transferred from another candidate. In the next round of counting, only these transferred ballots, and none of the second preferences from Bonner's first-preference votes, were distributed in the next round of counting, skewing the preferences and resulting in the 'wrong' candidate being elected in a later round.
- 3.104 In our analysis, we simulate this random element by introducing variation in the fictional preference orderings of each party. This variation was greater when a small number of votes was being transferred, and smaller when a larger number of votes was to be transferred.
- 3.105 **Simple Gregory method:** This system is used in elections to the Northern Irish Assembly, as well as the Irish Upper House (Seanad). As such it is also sometimes referred to as 'Senatorial Rules'. Like the random transfer method, it can be counted by hand with relative ease and does not require computer assisted counting.

3.106 In this system, transfers still only consider the last parcel of votes received by an elected candidate. It is more inclusive than the random transfer system however as it considers the entirety of the last parcel received, not just a sample.

3.107 This is done by transferring all of the votes in the last parcel received but at a fraction of their value. This is called the transfer value.

3.108 The transfer value is calculated thus:

$$\text{Transfer value} = \text{Surplus} / \text{Last bundle of ballot papers received.}$$

3.109 This method reduces the probability of Bonner syndrome occurring, but does not eliminate it.

3.110 **Inclusive Gregory Method:** This system is used for elections in Australia to the Senate and Legislative Councils in Victoria and South Australia.

3.111 In this system, ballots are again sorted into piles, the quota calculated, and the preferences of voters for elected candidate (those with more votes than the quota) are distributed.

3.112 Similar to the simple Gregory method, the inclusive Gregory method transfers votes at a fraction of their value. However, all ballots in an elected candidate's bundle are transferred this time rather than just those in the last parcel received.

3.113 The transfer value of a ballot is calculated thus:

$$\text{Transfer value} = \text{Surplus} / \text{total number of ballots in bundle.}$$

3.114 So, for example, if an elected candidate has a surplus of 100 from 1000 votes, those 100 votes will be transferred to remaining candidates at a value of 0.1. The transfer value is usually capped between two and five decimal places, rounded down. Eliminated candidates' ballots are transferred at full value.

3.115 This system removes the problem of 'Bonner Syndrome' as all preferences are taken into account. It also retains the ability to still be carried out by hand without the use of electronic counting of voting equipment (with the exception of a calculator).

3.116 The Inclusive Gregory Method introduces a new potential problem however, whereby a single ballot paper can *increase* in value in later stages of a count as

subsequent transfer values are applied. This leads to the possibility that the weight of a single ballot has an eventual value of greater than one. The probability of this affecting an individual electoral contest in a substantive way is small, but not negligible (see Farrell and McAllister, 2003). In very competitive contests in districts with many candidates standing and a high number of seats, this increasing transfer value has the possibility to have an impact on the eventual outcome.

3.117 This also raises substantial philosophical questions of fairness. As it is the larger parties who tend to win seats in the first round/s of counting, it is invariably these ballots which increase in value over the course of a count, meaning that supporters of larger parties will have the biggest influence over an electoral contest.

3.118 **Weighted Inclusive Gregory:** This system is designed to avoid the pitfalls of both Bonner Syndrome and the possibility of ballots increasing in value. This system is currently employed in Scottish local elections and is a method considered to be the fairest of those analysed in this report (Farrell, 2011).⁶

3.119 It differs from Inclusive Gregory in that ballots received in transfers from other candidates retain their original transfer value (see Dummet, 1997, p. 129). So, for votes that a candidate has received at full value, the transfer value is:

$$\text{Transfer value} = \text{Surplus}/\text{total vote}$$

3.120 For votes that a candidate has received via transfer from another candidate's surplus, the transfer value is calculated as:

$$\text{Transfer value} = (\text{Surplus}/\text{total vote}) \times \text{transfer value of votes gained from surplus votes to the previous candidate}$$

3.121 The method therefore guarantees that the weight of a single ballot cannot exceed a value of one.

3.122 The added complexity in this method necessitates computer assisted counting (as employed in Scottish local elections). Whilst it is technically possible to calculate the results of an election using Weighted Inclusive Gregory by hand, in practice the

⁶ The Meeks system, used in New Zealand, is generally accepted to produce the fairest electoral outcomes, but is more complex again than Weighted Inclusive Gregory (Weeks, 2011).

process becomes increasingly complex with each round of counting and would be extremely difficult to calculate without the assistance of computer software. As such, it may not be a viable option when only used in a small number of local authorities in Wales.

Simulation Results

- 3.123 The simulation results are presented in Tables 5, 6, and 7 for each of our fictional local authorities.
- 3.124 The different transfer methods produced largely the same outcomes with little variation. For example, in County B (Table Y2), our simulations produced the same outcomes under each transfer method.
- 3.125 This is likely a result of County B's smaller average district magnitude than the other two local authorities (being based on a rural local authority). In only 2 of the 10 wards modelled was a candidate elected who would not have been elected under a plurality system such as multi-member first past the post.
- 3.126 In County A and County C, there were very small differences in the outcomes produced by different transfer methods, yet it is these small differences in outcomes which can have a substantive effect on the overall results of an electoral contest.
- 3.127 The differences observed between the four systems are a result of the issues discussed above. The simulations for the random transfer method and Weighted Inclusive Gregory produced results that were most different from each other. Given that we know Weighted Inclusive Gregory produces the most 'fair' results, we can assume that the different results produced by the random transfer were a result of the non-representative way that preferences are transferred.
- 3.128 Inclusive Gregory Method only produced one result that differed from the Weighted Inclusive Gregory, yet ballots frequently increased in value in different stages. While this had a minimal impact on the final electoral outcomes, it is perhaps more worrying from an ethical standpoint that some ballots were consistently worth more than others.
- 3.129 Simple Gregory method produced two different results to the Weighted Inclusive Gregory, likely as a result of preferences only being taken from the last parcel of

votes received by an elected candidate. However, as it keeps much of the simplicity in counting of the random transfer method and does not have the problem of ballots increasing in value, we feel that it is the strongest option for hand-counting.

Table 5. Simulation results for County A under different transfer rules

	FP Vote Share	Random Seat Share	Simple Seat Share	IGM Seat Share	WIG Seat Share
Party A	16.96%	11%	11%	11%	11%
Party B	28.12%	27%	24%	24%	24%
Party C	26.34%	27%	29%	31%	31%
Party D	15.30%	18%	22%	22%	22%
Party E	11.89%	18%	13%	11%	11%
Party F	0.15%	0%	0%	0%	0%
Party G	0.17%	0%	0%	0%	0%
Party H	1.01%	0%	0%	0%	0%
Party I	0.05%	0%	0%	0%	0%

Table 6. Simulation results for County B under different transfer rules

	FP Vote Share	Random seat share	Simple Seat Share	Droop Seat Share	WIG Seat Share
Party A	12.97%	13%	13%	13%	13%
Party B	15.16%	13%	13%	13%	13%
Party C	22.66%	28%	28%	28%	26%
Party D	6.55%	3%	3%	3%	5%
Party E	2.64%	3%	3%	3%	3%
Party F	0.08%	0%	0%	0%	0%
Party G	21.92%	23%	23%	23%	23%
Party H	12.86%	15%	15%	15%	15%
Party I	3.33%	3%	3%	3%	3%
Party J	1.29%	0%	0%	0%	0%
Party K	0.53%	0%	0%	0%	0%

Table 7. Simulation results for County C under different transfer rules

	FP Vote Share	Random seat share	Simple Seat Share	ICM Seat Share	WIG Seat Share
Party A	4.38%	6.90%	6.90%	6.90%	6.90%
Party B	33.85%	31.03%	31.03%	31.03%	31.03%
Party C	30.43%	24.14%	27.59%	27.59%	31.03%
Party D	5.37%	3.45%	3.45%	3.45%	3.45%
Party G	14.06%	20.69%	20.69%	20.69%	20.69%
Party H	8.27%	13.79%	10.34%	10.34%	6.90%
Party I	3.40%	0.00%	0.00%	0.00%	0.00%

Table 8. Summary table of transfer rules

Transfer Method	Advantages	Disadvantages
Random transfer method	<ul style="list-style-type: none"> • Very simple to count; can be done by hand with little specific training 	<ul style="list-style-type: none"> • Bonner Syndrome – element of randomness selecting which ballots are transfers leads to real possibility of ‘wring’ candidates being elected.
Simple Gregory Method	<ul style="list-style-type: none"> • Can be counted by hand with relative ease • Reduces probability of Bonner syndrome compared to random transfer method • Already used in UK (multiple Northern Ireland elections) 	<ul style="list-style-type: none"> • Bonner syndrome still possible due to last parcel rule
Inclusive Gregory Method	<ul style="list-style-type: none"> • Can be counted by hand, but more complex • Transfers <i>all</i> preferences of elected candidates, eliminating the problem of Bonner Syndrome 	<ul style="list-style-type: none"> • Possibility that the weight of a single ballot increases to a value of greater than one.
Weighted Inclusive Gregory	<ul style="list-style-type: none"> • Eliminates problem of Bonner Syndrome • Ballots cannot increase in value throughout the count. • Produces outcomes most representative of preferences • Already used in UK (Scottish Local Elections) 	<ul style="list-style-type: none"> • Too complex to be counted by hand. • Computer assisted counting may be prohibitively expensive if STV only adopted by a very small number of local authorities.

4. Conclusions

- 4.1 This report presented evidence from a comprehensive literature review, semi-structured interviews with a range of stakeholders, and quantitative simulations of election results under different configurations of the Single Transferable Vote. Our findings have shed light on the key objectives and the broader aim of informing the configuration of STV to be adopted in local elections in Wales. In this section, we briefly summarise our conclusions; in the following section, we provide our specific recommendations.
- 4.2 The first objective concerned understanding the differences between quota formulae. Our conclusion is that this is a minor concern. Our simulations indicate that the difference between Hare and Droop quotas are minimal and only likely to matter in large districts with many candidates. Interviewees rarely brought this up unless prompted.
- 4.3 The second objective concerned transfer of surplus formulae. Our conclusions regarding transfer rules are more consequential, with the choice potentially resulting in different electoral results. If the intention is to produce the most proportional outcomes, then the Weighted Inclusive Gregory method is the best option; the issue is that this necessitates electronic counting. In lieu of this, the Simple Gregory method is one that both our simulations, literature review and interviewees point to. This may provide a suitable intermediate step, and if e-counting were later introduced, the step to the weighted variety would be intuitive.
- 4.4 Our third objective was to understand how these decisions influenced counting method. As implied in the previous paragraph, the counting method and transfer method are mutually dependent. The most proportional transfer method – Weighted Inclusive Gregory - is not viable with hand counting. As such, hand counting necessitates either Simple Gregory, Inclusive Gregory, or, at worst, the random transfer method as used in the Republic of Ireland.
- 4.5 Another implication is ballot structure. Although we defer to the Electoral Commission in terms of presentation (for instance, font and colour), there are policy decisions to be made regarding how candidates are ordered. The main concern is that ordering candidates alphabetically provides candidates with names that come

earlier in the alphabet an electoral bonus, with academic research indicating this can be as much as a 4 percentage point increase in vote share in comparison to other candidates (Blom-Hansen et al., 2016). One complete solution to this is full randomisation of candidates, but this can only be done with electronic counting and introduces a range of accessibility concerns. A second partial solution is to cluster the candidates by party, which reduces the alphabetical effect; an additional solution is to let parties order their candidates within those clusters, which puts power into the hands of parties.

- 4.6 Another consideration with respect to the ballot is whether voters should have to rank all candidates (forced preferences) or can rank as many or few as they want (optional preferences). The former is used to minimise candidates being elected without reaching the quota. We do not consider this such a problem as to outweigh the problems posed by forced preference ranking, such as a loss of choice, increase in spoiled ballots, or 'running the slate', where voters arbitrarily number candidates to complete the ballot.
- 4.7 Finally, neither the literature review nor interviews gives us concern regarding voter understanding. Whilst spoiled ballots do increase between FPTP this is marginal (about a 1 percentage point increase moving from FPTP to STV). Evidence from countries as diverse as Estonia, New Zealand and the Republic of Ireland show that voter understanding is relatively high. Yet we also note that there are large disparities, with more deprived areas having larger numbers of spoiled ballots. We provide recommendations to overcome this.

5. Recommendations

5.1 In this final section, we make clear recommendations, noting their area and evidence base. This is presented in Table 9. In the first column, we indicate which area of STV the recommendations relate to.

Table 9. Summary of recommendations

Area	Recommendation	Primary evidence base
Quota (Objective 1)	1. Adopt Droop quota	Simulations; literature review
Transfer (Objective 2)	1. Weighted inclusive Gregory if e-counting is adopted 2. Simple Gregory if manual counting is adopted	Simulations; Interviews; literature review
Counting Method (Objective 3)	1. Adopt e-counting 2. Allow councils to draw down from a central fund 3. If manual counting is adopted, Simple Gregory should be adopted as the transfer method.	Literature review; interviews
Ballot structure	1. Cluster candidates by party 2. Allow parties to order candidates within their cluster or; 3. Order candidates alphabetically within their cluster 4. Do not adopt randomisation of candidate ordering.	Literature review; interviews
District magnitude	1. A district magnitude of five or six is the ideal point 2. Provision should be made for rural areas to apply for a lower district magnitude.	Literature review; interviews

Voter and stakeholder understanding

1. Significant effort should go into educating *candidates* and *parties*, usually by the Electoral Commission.
2. Returning Officers in deprived areas should be provided with more resources to address misunderstanding in those areas
3. Voter educational material should focus on how to fill in ballots and avoid discussion of transfers.

Literature review; interviews

5.2 We recognise that some of these recommendations are contingent on other decisions – particularly the relationship between transfer rules, counting method, and ballot structure. To make these trade-offs clear, we present what we consider plausible combinations of transfer and counting method in Table 10. We also include our proposed ballot structuring. We assume no randomisation of ballot structure, which would always require electronic counting and in our view has accessibility problems.

Table 10. Combinations of transfer, counting and ballot structures

Transfer System	Counting Method	Ballot structure
Random	Hand <i>or</i> e-counting	Candidates clustered by party, with either
Simple Gregory	Hand <i>or</i> e-counting	alphabetical; <i>or</i> party-
Inclusive Gregory	E-counting preferable	organised ranking within party clusters
Weighted inclusive Gregory	E-counting only	

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Annex A – Topic Guide

The below presents a skeleton version of the topic guide. The topic guide was edited for each interviewee to make the most of their expertise, but the broad structure was kept as consistent as possible in terms of technical and implementation questions.

Overview and introductory questions

1. First, can you briefly talk us through your experience/background with STV (Single Transferable Vote) systems?
2. What would you say is the strongest benefit of STV - with respect to FPTP and other PR systems? Which aspects of STV provide these benefits?

Technical questions

3. One of our main concerns is to get the quota and surplus formulae correct. We have a few questions on this topic. Can you describe the choices of quotas in STV systems? Which would you recommend? Are smaller quotas preferable to larger ones?
4. There are also variations on how the surpluses are distributed, which can impact the election results and implementation. What do you consider the benefits and drawbacks of the various methods (if needed, prompt: such as Hare and Gregory)?
 - a. Do you think these could have political consequences, such as changing the election results?
5. A final question relates to how the ballot is constructed. For instance, Australian voters are required to rank a certain number of candidates for their ballot to be considered valid, whereas other systems (like the Republic of Ireland) only require voters to mark a single preference. What consequences do you think this could have?

Implementation

6. We are also interested in implementation. In Scotland, this proved difficult in the 2007 local elections (the first time STV was used). Thinking about your views on the quotas and surpluses as well, how do you think counting should be conducted (if needed, prompt: for instance, manual or electronic counting)?
7. How do you think voters will receive STV? Will they understand it, particularly given the multiple tiers of elections - i.e. MMP at Senedd elections? Which elements of STV add to its complexity?
8. Do you think voters will understand how votes are transferred?
9. How do you think voter engagement/knowledge could be enhanced?

Annex B - Simulations

To simulate the outcomes of an election under different variations of STV, we constructed three fictitious local authorities; one based on an urban local authority, one on a rural local authority, and one which has a mix of urban/rural sized wards.

Vote distributions, the number of parties, and the number of candidates from each party standing in a ward were taken from real-world vote returns at the 2017 and 2014 Scottish local elections. However, as the district magnitude and the preferences are fictitious, the simulations will differ considerably from these results.

District Magnitude

- County A, modelled on a urban local authority, had eleven wards. Of these, one ward was modelled as having six seats, one ward with five seats, seven wards with four seats, and two wards with three seats.
- County B, modelled on a rural local authority, had ten wards. Of these, two wards had five seats, five wards had four seats, and three wards had three seats.
- County C, modelled on a semi-rural local authority, had eight wards. Of these, five had four seats, and three had three seats.

Transfer Preferences

	→ A	→ B	→ C	→ D	→ E	→ F	→ G	→ H	→ I
Party A	.	0.25	0.1	0.3	0.2	0.01	0.1	0.03	0.01
Party B	0.35	.	0.05	0.05	0.15	0.01	0.25	0.1	0.04
Party C	0.1	0.05	.	0.25	0.4	0.02	0.1	0.05	0.03
Party D	0.2	0.05	0.1	.	0.5	0.01	0.1	0.02	0.02
Party E	0.1	0.05	0.35	0.25	.	0.03	0.1	0.1	0.02
Party F	0.125	0.125	0.125	0.125	0.125	.	0.125	0.125	0.125
Party G	0.25	0.3	0.1	0.2	0.1	0	.	0.03	0.02
Party H	0.125	0.125	0.125	0.125	0.125	0.125	0.125	.	0.125
Party I	0.125	0.125	0.125	0.125	0.125	0.125	0.125	0.125	.

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Democratic Services Committee

Observations to Council on: Consideration of Single Transferable Voting system

The Democratic Services Committee [DSC] met on 16 November 2023 and considered the following documents:

- Consideration of Single Transferable Voting system – Head of Legal Services' report, including:
- Appendix 1 Welsh Government Report - Implementation of a Single Transferable Vote system for local elections in Wales (summary) and
- Appendix 2 - Welsh Government Report - Implementation of a Single Transferable Vote system for local elections in Wales

DSC made the following observations:

- The cost of consulting the public and town and community councils is £50K, at a time when the council's resources are scarce and there are more pressing priorities,
- after consultation 66% of members would then need to agree to moving to STV and it was considered that this level of support would not be achieved in the council,
- the cost of an election and running a "Count" using the STV system would be more expensive, again at a time when the Council has limited resources,
- STV would benefit political parties and the voice of independent councillors would be lost, so damaging the democratic process,
- the process for voting is confusing and complex, which would lead to a lower voter turnout,
- unnecessary cost to residents,
- other councils have already dismissed STV,
- a multi member ward would lose the links which local councillors now have with communities,
- the bond between the voter and the councillor, as they would be voting for a party,
- the ward sizes would increase making them large and unserviceable and
- voters vote for the person and not the party.

Membership of the DSC on 16 November 2023:

County Councillors E Vaughan (Chair), G Breeze, D Bebb, H Hulme, P Lewington and P E Lewis

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Appendix 4

1. Summary of Research for Welsh Government (See Appendix 2)

Members will see from the research in Appendix 2 that:

- There is some evidence that voters have found STV to be more complex to understand than first past the post (see paragraphs 3.26 to 3.38) :
 - An increased number of spoilt ballots since STV was adopted in Scotland in 2007 as compared to the number of spoilt ballots in the two elections before 2007. In 1999 and 2003, only 13,597 (0.59%) and 14,579 (0.77%) of ballots were rejected, respectively. This proportion almost doubled with the introduction of STV, with 36,351 (1.83%) of ballots being rejected. The researchers thought that the increased level of spoilt papers may have been reasonable bearing in mind the introduction of a new voting system and the fact that the 2007 elections coincided with the Scottish Parliamentary elections which itself included the introduction of 2 mixed member parliamentary votes on the same ballot paper. However, the higher level re of rejected ballot papers continued in 2012 when 1.71% were rejected and 1.95% were reject it in 2017. (see para 3.27-3.28 of Research);
 - In the first STV election in Scotland in 2007, the majority of ballots (59.6%) were rejected because counters were unable to ascertain voters' intentions from the marks (or absence of) on the ballot. (see research para 3.31);
 - In the Scottish 2017 election, the primary reason for ballot rejection was the presence of more than one first preference. Of the 37,492 rejected ballots in 2017, 82.2% of these were rejected because of multiple first preferences. The second largest reason was lack of a first preference (12%). This may suggest that whilst the 2017 local election was the third iteration of STV in the local elections, a lack of voter understanding remains, as the rejection rate is still significantly higher (see para 3.29 pf Research);
 - A similar increased in spoilt papers was also found in New Zealand where there was a 0.7% to 1% increase (see para 3.30 of Research)
 - In the Scottish 2017 election, there was a positive correlation between the number of candidates presented on the ballot of the rate of ballot rejection. In other words, the more candidates' voters have to choose from, the greater the likelihood that a ballot will be rejected. Among ballots with four candidates the average rejection rate was 1.25% and this rate increases to 2.62% among those ballot papers that present ten candidates or more (see para 3.29 pf Research) ;
 - In 2008 the electoral form STC declared the introduction of STV in Scotland and Northern Ireland to have been successful;

- Following the 2007 elections in Scotland, 84% of respondents to a survey claimed that the new STV ballot was “not very” or “not at all difficult” (see para 3.33 of Research) ;
 - The Scottish local elections demonstrates that voter understanding was weaker in deprived areas. Taking the proportion of rejected ballots as a measure of voter understanding of the new process showed that council wards experiencing greater levels of economic deprivation reported a significantly higher proportion of rejected ballots. This was not an issue in New Zealand and Estonia (see paras 3.34 – 3.36 of Research);
 - The Research made 3 recommendations to deal with voter and stakeholder understanding namely (1) significant effort should go into educating *candidates* and *parties*, usually by the Electoral Commission. (2) Returning Officers in deprived areas should be provided with more resources to address misunderstanding in those areas; and (3) voter educational material should focus on how to fill in ballots and avoid discussion of transfers.(see para 5.1 of Research) ;
- The physical task of counting ballots under the STV system can be more arduous and labour-intensive than that of the FPTP system. Scotland, New Zealand and Malta used electronic counting methods to count ballots. E-counting would be the best start for a new system but this has been ruled out by WG as being too expensive (see para 3.88 and 3.39 of Research) ;
 - Whilst electronic counting is deemed desirable because of its capability to deal with a more complex counting process and reduce the chance of error, it is worth noting that electronic counting does not erase risk and there are also potential issues that may arise from digitising the process (see para 3.43 of research);
 - Multi member wards may lead to longer ballot papers, and candidate ordering on the ballot can be an issue if candidates are listed alphabetically rather than using a system which randomises the order which may be expensive (see para 3.55 -3.57 of research);
 - There is a financial cost associated with training and employing staff for manual counts (see para 3.74 of research) ;
 - A manual STV count will take at least 2 days. A general election in Ireland took 3-4 days to process (paras 3.77-3.80 of Research)

CYNGOR SIR POWYS COUNTY COUNCIL.

07 December 2023

REPORT AUTHOR: Head of Legal Services and Monitoring Officer**SUBJECT:** Review of Polling Districts and Polling Places

REPORT FOR: Decision

1. The purpose of this report is to seek approval from Council of plans for a statutory review of polling districts and polling places.
2. The Representation of the People Act 1983 and Electoral Administration Act 2006, as amended, places a duty upon the council to divide its area into polling districts and to designate a polling place for each district. The next review must be undertaken within a 16-month window between 1 October 2023 and 31 January 2025.
3. The intention of the legislation was reviews would be completed by the January before a UK parliamentary general election. However, since the repeal of the Fixed Term Parliaments Act 2011, there is no longer any certainty as to when the next general election will be. The next general election must take place before Tuesday 28 January 2025.
4. In addition, the Boundary Commission for Wales has undertaken a review of parliamentary constituency boundaries. The Commission has published its final recommendations and Orders for the new parliamentary constituency boundaries will be made shortly. Once the Orders for new parliamentary constituencies have been made, the new boundaries will be used for the next general election.
5. The two parliamentary constituencies; falling within the Powys county area will be the county constituency of Brecon Radnor and Cwm Tawe and the county constituency of Montgomeryshire and Glyndwr. Each constituency is divided into polling districts and polling places.
 - “Polling districts” are geographical electoral areas into which wards and constituencies may be sub-divided.
 - “Polling places” are the buildings or areas designated by the council where electors in a polling district go to vote in person.
 - “Polling stations” are the number of issuing desks in the building or area that is the designated polling place.
6. The location of proposed polling districts and places are the responsibility of the Local Authority and the locations of the polling stations are the responsibility of the Returning Officer. When designating polling districts, the Authority must
 - (a) seek to ensure that all electors in the constituency have such reasonable facilities for voting as are practicable in the circumstances;
 - (b) and ensure unless there are special circumstances that lead the Authority to determine otherwise, that each community is in a separate polling district.

7. Strictly speaking the statutory review of polling districts and polling places is confined to parliamentary polling districts and places only. Whilst Local Government arrangements are not automatically part of the review, the Electoral Commission have advised that polling districts and places for parliamentary and local government elections should wherever possible be the same. Therefore, we propose to conduct a review of both arrangements simultaneously.
8. For the avoidance of any doubt it is confirmed that the required review will not consider the boundaries of the parliamentary constituencies or the borders and names of local authorities and electoral areas within local authorities or warding arrangements of communities.
9. Schedule A1 to the Representation of the People Act 1983 sets out the steps and procedures which the County Council must follow in undertaking any review of polling districts and polling places. The Council is required to consult on existing and proposed arrangements, publishing a statutory notice of the review. A largely online consultation exercise is appropriate along with writing / emailing our main stakeholders. Powys County Council is also required to consult the Returning Officer and to actively seek representations from such persons as it thinks have particular expertise in relation to: access to premises; or facilities for persons who have different forms of disability.
10. Additionally, all key stakeholders in the electoral process will be given the opportunity to participate. The review process will engage with all members of the County Council, Community Councils, elected representatives, constituency political parties and any elector in the constituencies will have the opportunity to make representations on existing arrangements.
11. It may, of course, be the case that, as a result of the consultation process, proposals come forward for alterations to polling districts and polling places which the Council may wish to adopt as part of the final arrangements at the County Council meeting on the 11 July 2024.
12. It is proposed that discussions will take place with those individual Councillors where proposals to change are being put forward or being suggested in relation to polling districts/places within/affecting their electoral divisions. Accordingly, the views of the relevant local members will be included in any reports
13. The proposed timetable for the review is:

Review Schedule	Period or Date
Notice of Review and Commencement of Consultation	29 January 2024
End of consultation period (6 wks)	8 March 2024
Consideration of representations received and consultation with local members on proposals	April/May
Powys County Council	11 July 2024
Publish Review Result (subject to Council Approval)	15 July 2024
Publication of Register of Electors (if necessary)	1 September 2024

14. Resource Implications

14.1 The cost of the review will be covered within the existing budget

14.2 Head of Finance (S151 Officer) notes the above and can support the recommendations

15 Legal implications

15.1 Legal: The recommendations can be supported from a legal point of view

15.2 The Head of Legal Services and the Monitoring Officer has commented “ I note the legal Comment and support the recommendations “

Recommendation:	Reason for Recommendation:
<p>1. That Council approve the commencement of the compulsory polling district and places review in accordance with the timetable in paragraph 13 of the Report.</p> <p>2. That a Consultation Report is brought back to Council in July 2024 for decision following completion of the review process.</p>	<p>To put in place appropriate arrangements to undertake a review of polling districts and polling places in accordance with legislative requirements.</p>

Person(s) To Action Decision:	Sandra Matthews, Principal Elections Officer
Date By When Decision To Be Actioned:	As per timetable

Relevant Policy (ies):			
Within Policy:	Y	Within Budget:	Y

Contact Officer Name:	Tel:	Fax:	Email:
Sandra Matthews	01597 826747	01597 826220	sandram@powys.gov.uk

Relevant Portfolio Member(s):	County Councillor James Gibson-Watt
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Background Papers used to prepare Report:

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