



Office of the
Deputy Prime Minister

Creating sustainable communities

Elected Regional Assemblies

Consultation on registration and spending
limits for those wishing to campaign in the
regional and local referendums

Final report on responses



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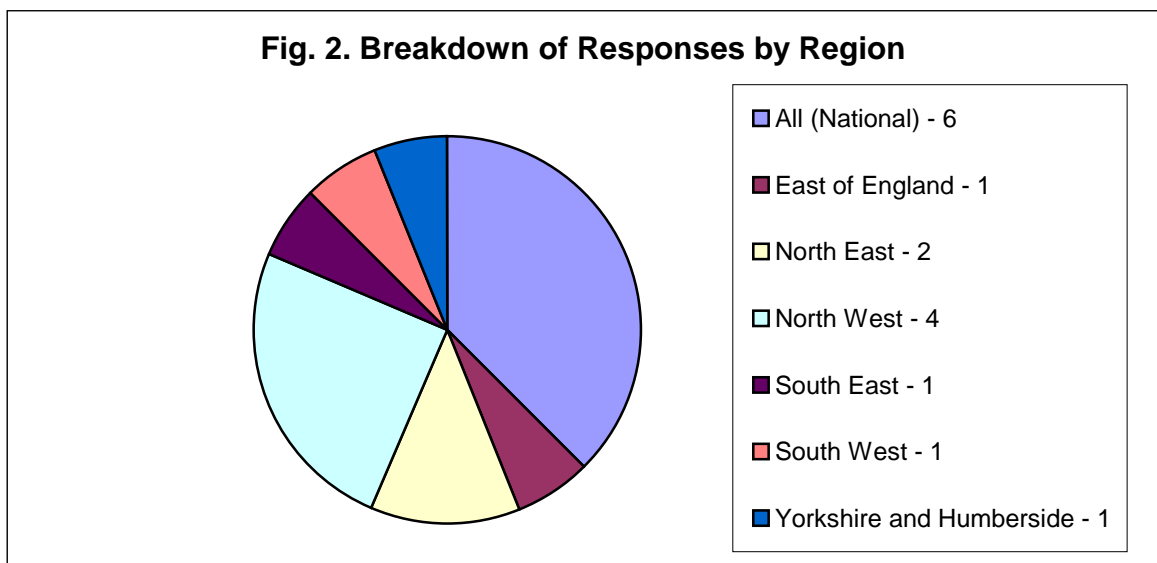
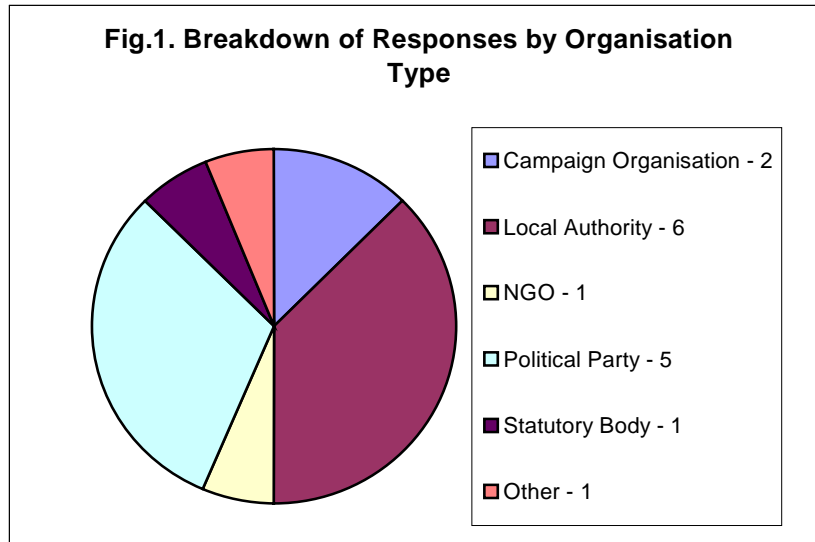
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Introduction

1. The Regional Assemblies (Preparations) Act 2003 provides for the holding of regional and local referendums on the issue of creating elected regional assemblies. In June 2003 the Deputy Prime Minister announced that such referendums would be held in the three Northern regions of England, in the Autumn of 2004.
2. In December 2003 the Government issued a consultation paper that discussed how those wishing to campaign in the local and regional referendums ("permitted participants") should register and how much money they should be allowed to spend on their campaign. The Government invited comments on the principles set out in this consultation paper and on the draft Participant Expenditure Limits Order and Schedule 2 of the draft Local Government (England) Order, which was set out in an appendix to the paper.
3. Copies of the consultation paper were sent to stakeholders in the North West, North East and Yorkshire and the Humber, all English local authorities, regional chambers and a range of bodies that have an interest in the issues. Responses were requested by February 16th 2004.
4. This report examines the responses received to the consultation paper.
5. The next step is for the Government to lay the Order before Parliament, following statutory consultation with the Electoral Commission.

Overview of Responses

In total, **16 responses** to the consultation were received. The charts below breakdown the responses received by organisation type and region:



Analysis of Responses

An analysis of the responses received to each question in the consultation document is set out below:

1.a+b. Do you agree that there should be a single registration process for both local and regional permitted participants?

There was a unanimous response in favour of this proposal from respondents who expressed an opinion, with **14 of respondents answering Yes and 2 either not answering the question or not expressing a firm opinion.**

Most agreed that the regional and local issues were interdependent and inextricably linked. A single registration process would be fairer and more transparent. It would also be simple to understand and administer. However:

- One respondent stated that there should be a new registration period in the event that a referendum had to be run again.

2.a+b. Do you agree that all permitted participants in a region should be subject to the same set of spending limits whether they are campaigning on local issues, regional issues, or both?

There was an overwhelming response in favour of this proposal, with **12 of respondents answering Yes, only 2 answering No and 2 either not answering the question or not expressing a firm opinion.**

There was agreement that this proposal was consistent and fair, and easy for participants to understand. There was also recognition that such limits were important in ensuring that one side or another did not enjoy an overwhelming advantage in financial resources. However:

- One respondent from a political party did not believe that local campaigners should be allowed to spend as much as regional campaigners, as there were many more new issues to be explored with regard to the regional question, and the geographical reach of those issues would probably be very different.
- One Local Authority respondent also stated that Local Authorities should be allowed to campaign for the options that they believed best suited their electorates.

3.a+b. Do you agree that there should be a new category of 'neutral' participant.

A large majority of respondents were in favour of this proposal, with **12 answering Yes, 3 answering No and 1 either not answering the question or not expressing a firm opinion.**

It was noted that those organisations interested only in local government reorganisation would not be deterred from campaigning. However:

- Those opposed to this idea asserted that local government campaigners would have a vested interest in the result of the regional referendum, and so could easily declare themselves 'for' or 'against'.
- There was some disagreement over whether regional campaign groups should be allowed to express views or campaign on local government issues. One political party supported regional campaigners' right to do this, as one of the legitimate arguments against having elected regional assemblies was concern over the abolition of a tier of local government. However, the Electoral Commission believed that this might be unfair to those organisations registered as 'neutral' who were campaigning on local government reorganisation. Additional resources might be brought to bear in favour or against a particular option that might otherwise not have been available.
- The Electoral Commission did not believe that the label 'neutral' was appropriate, and stated that its use should be avoided.

4.a+b. Do you agree that organisations should only be designated for the regional referendums, and not for the local referendums?

A significant majority of respondents were in favour of this proposal, with **11 answering Yes, 2 No and 3 either not answering the question or not expressing a firm opinion.**

There was agreement that designating for local options would be very complex and confusing, particularly if there were more than two. The Electoral Commission itself was firmly in favour of this proposal.

The Local Government Information Unit expressed the view that if no organisations were designated for local options, the Electoral Commission and the Government would have to provide clear, impartial information regarding the options for local government reorganisation. There was also a need for clear guidelines from the Government on what Local Authorities could say and do in the lead up to the referendums.

5.a+b+c. Do you think the spending limits for designated organisations are reasonable?

A significant majority of respondents were in favour of this proposal, with **12 answering Yes, 1 No and 3 either not answering the question or not expressing a firm opinion.**

The proposed limits struck the right balance between allowing organisations to mount credible campaigns but not triggering an 'arms race' in spending. However:

- A respondent from one of the regional No campaigns expressed concern over the short period of time between designation and the referendum itself. This would be advantageous for those campaigning for a change to the status quo, backed up by significant donations from interest groups. No campaigns had very little funding, due to the lack of public interest in the issue.
- A respondent from a political party asserted that the spending limits were much too high, and saw no reason why national limits should be applied to regional referendums. Core costs would be significantly lower outside London, and levels of funding at less than half of those proposed were suggested as being more appropriate.
- The Electoral Commission expressed concern at the lack of provisions for preventing the circumventing of spending limits. There was no provision to make participants that shared a common plan also share one expenditure limit, as there was for normal elections.

6.a+b+c. Do you think that the spending limits for political parties are reasonable?

An overwhelming number of respondents were in favour of this proposal, with **13 answering Yes and 1 answering No and 2 either not answering the question or not expressing a firm opinion.**

Most respondents felt that the limits were indeed reasonable. However:

- A Local Authority political group asserted that the Conservative's spending limit should be higher, as they had received a greater share of the vote in Yorkshire and Humberside.
- There was also some concern over which voting figures were used as the basis for calculations of spending limits. One political party believed that the June 2004 European election results would provide a more relevant basis, and indeed, final limits will be determined on the basis of these results. Another believed that using the most recent general election results would be better, as support for parties expressed then had a greater bearing on regional questions.

7.a+b+c. Do you agree with the spending limits for other permitted participants?

A significant majority of respondents were in favour of this proposal, with **10 answering Yes and 4 answering No and 2 either not answering the question or not expressing a firm opinion.**

Again, most respondents felt that the limits were reasonable. However:

- Two political parties, and the Electoral Commission, disagreed with the contention that limits should not vary between regions. The spending limits should be related to the size of the electorates and take into account regional differences.
- One political party advocated a system, similar to that operating in Parliamentary elections, whereby limits are decided on the basis of a £500 sum per constituency that is being campaigned in.

8. Do you have any comments on the draft Orders?

One Campaign Organisation respondent raised a number of issues:

- There was a need for clarity on what would be deemed money spent during the referendum period. In particular, if there would be a retrospective evaluation of activity prior to the 12 week period.
- Whether the restrictions on publishing information in the last 28 days applied to all Local Authorities and the Government, or just those in the North.
- How the role of Local Authority Officers would be monitored.
- When would designated status take effect, and when would funds flowing from that designation become available.

Two Local Authority respondents raised issues related to the ability of Local Authorities to campaign or publish information during the referendums:

- Local Authorities should be allowed to contribute to a debate that directly affected the residents they represent. A limit of £10,000 on their expenditure would prevent them from properly performing their representative role
- Any restrictions applied to Local Authorities should also apply to central Government and agencies.