

# North Yorkshire County Council

## Executive

7 February 2023

### Consideration of the Motion on Proportional Representation referred to the Executive at the meeting of the County Council on 16 November 2022

#### Report of the Assistant Chief Executive (Legal and Democratic Services)

#### 1.0 PURPOSE OF REPORT

- 1.1 To enable the Executive to consider the motion regarding Proportional Representation that was referred by County Council at their meeting on 16 November 2022 and to make recommendations to the meeting of the County Council on 22 February 2023.

#### 2.0 BACKGROUND

- 2.1 At the meeting of the County Council on 16 November 2022, a Notice of Motion regarding Proportional Representation was considered. County Council resolved that the motion be referred to a meeting of the Executive for consideration, with recommendations to be brought back to the meeting of the County Council on 22 February 2023. The motion is at Appendix 1.

- 2.2 The Council's Constitution (Council Procedure Rules, section 11, page 193) states:

(h) If a motion is referred to the Executive or one committee only, the Executive or that committee shall report to the Council upon that motion together with its recommendation. If a motion is referred to more than one committee, the Executive shall report to the Council upon that motion together with its recommendations. The report of the Executive or any committee to which a motion has been referred shall contain a statement of that motion.

(i) When the Executive or a committee reports back on a motion, the motion, as originally moved and seconded at the earlier meeting, will be the matter before the Council. Any recommendation of the Executive or committee to amend the motion will therefore be an amendment to the motion and any recommendation to support or oppose the motion will be only an expression of views.

#### 3.0 WHAT IS PROPORTIONAL REPRESENTATION?

- 3.1 Proportional Representation ("PR") is an electoral system in which the distribution of seats corresponds closely with the proportion of the total votes cast for each party. For example, if a party gained 40% of the total votes, a perfectly proportional system would allow them to gain 40% of the seats. A number of countries/regions adopt a PR-style electoral system as an alternative to the traditional 'First-Past-The-Post' system (see 4.1), in order to try and achieve a greater degree of proportionality in their government/administration.

- 3.2 There are three main forms of PR in use in parts of the UK, Europe and further abroad. Some are focussed on achieving the PR of different political parties while others permit the voter to choose between individual candidates. The degree of proportionality also

varies; it is determined by factors such as the precise formula used to allocate seats, the number of seats in each constituency or in the elected body as a whole and the level of any minimum threshold for election.

3.3 Further sources of detailed information on PR are listed under “Background information” if helpful. This is a very nuanced area of electoral administration, as it is applied in different ways across the world and with differing outputs; factoring in differing levels of voter choice, motivation and geographical and political landscapes. As such, it is difficult to make neat comparisons which do full justice to the breadth of academic or governmental study on electoral systems and their impacts. Any summary provided herein is intended to just draw out some of the overarching themes and assumptions. An outline of the key PR systems and where they are used in the UK and Europe is provided below, along with their key features and impacts (possible pros and cons).

### 3.4 **Party-List PR**

Party-List PR is the most commonly-adopted type of PR system in Europe, with 31 European countries using this approach including Belgium, Denmark, Greece, Netherlands, Norway and Spain. Multiple candidates are elected according to their ordered position on a predetermined electoral list. Parties are awarded seats in Parliament according to the overall proportion of votes they receive within their district or constituency.

3.5 Two main voting methods are used in Party-List systems: open and closed lists. On an open list system, each ballot contains a candidate list and so a vote for a candidate equals a vote for that candidate’s party. In the closed list system, voters tick the box on the ballot that corresponds with their preferred party rather than selecting an individual candidate (parties choose an ordered list of candidates beforehand). Once the election concludes, seats are allocated to each party based on the percentage of votes they receive. As such, if a party gets 40% of the votes in a ten-seat constituency, they would win four parliamentary seats. Candidate lists vary so are tailored to the voters the party seeks to attract, e.g. taking into account factors such as gender and geography.

### 3.6 Key features and impacts of the Party-List PR system:

In the longer-term, a Party-List PR system can ensure that the needs and concerns of diverse groups will have a voice in Parliament as countries with Party-List PR tend to have lots of parties and newer/smaller parties also have a better chance of gaining seats. Proponents of this system argue that it leads to greater voter participation due to the broader range of choices available.

3.7 Conversely, a criticism of this system is that it can give too much power to parties. Local party members often have no say in the selection and voters may also end up being stuck with a less popular candidate for that party. There is arguably less of a local/constituency link, with voting areas covering vast areas in some cases (for example, the Netherlands is one large constituency). The system is also more likely to result in more minority/coalition governments.

### 3.8 **Single Transferable Vote (STV).** STV is used for:

- Northern Ireland Assembly elections
- Local elections in Scotland and Northern Ireland;
- Republic of Ireland’s general elections.

STV is a form of PR which uses preferential voting, usually in multi-member constituencies. Voters rank candidates in order of preference by marking 1, 2, 3 and so on. A voter can rank as many or as few candidates as they like or vote for only one candidate. Each candidate needs to reach a quota. This is the minimum number of votes calculated according to the number of seats and votes cast. The first preference votes for each candidate are added up. Candidates who achieve this quota are elected. Surplus votes from candidates who hit the quota go to second preference candidates. Votes from the candidates with the fewest first preference votes who do not achieve the quota are eliminated. Their votes go to the second preference. Outside of the UK, Malta also uses the STV voting system.

### 3.9 Key features and impacts of STV:

Voters can choose between candidates from the same party or different parties. Constituencies cover a whole town or county, therefore arguably creating a recognisable local link with a choice of representatives for voters to talk to. In a STV system, very few votes are 'wasted'; namely fewer votes are cast for losing candidates or unnecessarily cast for a run-away winner. STV reduces/removes the need for tactical voting. Elected bodies with broader representation are more likely to be both reflective of the electorate's views and more responsive to them.

3.10 In terms of potential disadvantages, in sparsely populated areas, like the Scottish Highlands, STV could lead to enormous constituencies and is a key reason why it has not been promoted in such areas. A voting system that allows voters to rank candidates can also be prone to what has been termed "donkey voting", whereby voters vote for candidates in the order they appear on the ballot.

3.11 **Additional Member System (AMS)** - also known in some countries as the Mixed Member Proportional (MMP) system. The AMS system is used in the UK by:

- The Scottish Parliament
- The National Assembly for Wales
- The London Assembly.

Voters are given two votes on separate ballot papers. One vote is for a constituency member and one vote is for a party list. In Scotland and Wales, list members are elected by region. In London there is a single London-wide list. Constituency votes are counted first and the members for each constituency are elected using first-past-the-post (see 4.1). Additional members are then elected by counting the party list votes in each region. The number of members elected from the list is based on the percentage of the votes cast but also takes into account the number of constituency members already elected in the region. So, if a party has five MPs from the constituencies and its fair share is eight MPs then three candidates from its list become MPs. This is designed to make the result more proportional to the number of votes cast. In addition to the above nations/regions, AMS (MMP) is also used as a voting system within Europe in Germany and Hungary.

### 3.12 Key features and impacts of AMS:

This system has become popular in some areas as some see it as a compromise solution between the Westminster system and highly proportional PR. The 'list' MPs can provide a second layer of representation should the voter feel their MP does not represent them. It also ensures that every party can potentially win seats in every area. Voters have more choice when they go to vote, every vote counts and the overall result is fairer to all parties

or more proportional. For example, the 2016 Scottish Parliament elections saw a maximum difference of 5% between the votes received and the MSPs returned.

- 3.13 However, as a compromise, it is also argued that it ensures that 'safe seats' rarely change hands and parties still have a lot of control over who gets elected, with parties deciding the order of candidates on the list. AMS increases the likelihood of electoral outcomes that lead to minority and coalition governments. AMS is also not as proportional a system as other PR systems and smaller parties still have less representation. Some also argue that it is not as easy a system for the voter to understand as some others.
- 3.14 The only other voting system in use within the UK is the Supplementary Vote (SV) system, which is used specifically for mayoral and Police and Crime Commissioner elections. This is not a proportional voting system and is akin to the Alternative Vote (AV) system used in some parts of the world (see also 4.4).

#### **4.0 FIRST PAST THE POST**

4.1 The House of Commons and local councils in England and Wales use the First-Past-The-Post ("FPTP") system. At a general or local election, voters put a cross (X) next to their preferred candidate on a ballot paper. Ballot papers are counted. The candidate with the most votes represents the constituency or ward. In addition to voting for a local MP, voters are also taking part in choosing a government. The party with the most MPs becomes the government. A number of former British colonies use this system. Canada, India and many Caribbean and African states also still use this system. In Europe, aside from Belarus, only France uses a 'one-person-wins-all'-type voting system at presidential, legislature and regional elections.

#### **4.2 Key features and impacts of FPTP:**

In terms of potential advantages, the FPTP system is easy to understand and familiar to voters in the UK. FPTP arguably results in a strong constituency-MP relationship due to one MP being elected for each constituency. Additionally, if voters do not like their MP they can vote to remove an individual person. There are also arguments in favour of having a one-party strong government – as opposed to a coalition/minority government - which then has five years to put its plans into action.

- 4.3 On the converse side, an MP can be elected on a minority of the total vote (as low as 35%), bringing into question the representative and reflective nature of the system and its elected individuals. The winning party is also usually elected by less than 50% of voters. For example, the Conservatives won 43.6% of the vote at the 2019 General Election. As such, millions of voters can support one party and get a single MP, while a few hundred thousand people who support a different party can get ten times as many. This system tends to generate two large parties so smaller parties without a geographical base find it hard to win seats and do not gain fair representation. For example, in 2015, UKIP polled 12.6% of the vote but returned only one MP. Critics of FPTP would highlight that issues that are important in Westminster aren't necessarily the same as issues that the public is feeling strongly about locally/regionally and as such the lack of proportionality also results in a less reflective and representative administration. It is argued that FPTP encourages tactical voting (or people not bothering to vote at all) as individuals are potentially more likely to think their vote will have little chance of helping to elect their candidate.
- 4.4 There is a common misconception that the UK has already held a referendum proposing the implementation of PR. However, for clarity, the 2011 referendum had regard to proposing to change the voting system to the Alternative Vote (AV), not PR. In an AV system, voters put a number by candidates in order of preference. If more than half of

voters have the same favourite candidate, that person becomes the MP. If nobody gets half then the counters remove whoever came last and review the ballot papers which had that person as favourite. Rather than throwing away these votes, they move each vote to the voter's second favourite candidate. The process is repeated until one person has half the votes and becomes MP. As such, voters can vote for their favourite without worrying about a 'wasted' vote. However, the seats won would not reflect the overall distribution of public support and in the main therefore, AV is not a proportional voting system. In 2011, 67.9% of voters sought to keep with the current FPTP system at this referendum (turnout was 42.2%).

## 5.0 THE EXPERIENCE OF PR IN THE UK AND NORTHRN IRELAND

- 5.1 The Motion put forward for consideration by the Executive (Appendix 1) outlines that governments which use a PR voting system are ones which "better reflect the age, gender and protected characteristics of local communities and the nation. MPs & Councillors better reflecting their communities leads to improved decision-making, wider participation and increased levels of ownership of decisions taken." It wouldn't be possible to categorically compare like for like in terms of the experience of recent years in Scotland, Wales and Northern Ireland with that of Westminster elections as one would have to simultaneously conduct both a FPTP and PR system of voting.
- 5.2 Looking at the devolved administrations' experiences though, while it's true that single-party majorities are rare now in Scotland, Wales and Northern Ireland, recent elections there have generally produced more proportional – and as such more reflective - results. The Gallagher Index measures the gap between votes received and seats won, with a lower score indicating a more proportional result. The Institute for Government highlights that "*since devolution in 1999, the Northern Ireland assembly's STV system has consistently been the most proportional in the UK, with an average disproportionality score of 3.8. The Scottish Parliament and, especially, the Senedd [Wales] are less proportional [with AMS systems], with average scores of 7.0 and 10.5 respectively. Both, though, are more proportional on average than the UK as a whole: Westminster general elections have averaged 14.2 over the same timeframe.*"<sup>1</sup>
- 5.3 The question of whether PR has a direct causal relationship with higher voter participation is more complex. Research carried out in 2003 suggests that on average, turn-out in countries with some form of PR tends to be about five percentage points higher than in those with FPTP systems.<sup>2</sup> However, in the experience of the UK's devolved administrations moving to a PR system, voter turnout fell initially in each after devolution, before climbing up gradually. For example, turnout for the UK General Election in December 2019 was 68.1%. In Scotland, the elections to its Parliament in 2021 hit a high at 63.2%. In Northern Ireland in 2022, voter turnout was at 63% (down by 1.2%). Welsh Assembly elections have continued to be particularly low compared to the other nations, with turnout in 2021 at 47%, although this was the highest since devolution.
- 5.4 Across Europe, it has been found that countries under PR with relatively high turnout are those that operate 'closed list' systems, which make the least connection between individual candidates and constituents; a feature which is highly-valued in the UK context. It is therefore impossible to compare like for like across these results and this points to the fact that voter participation is likely to be similarly determined by a number of specific external factors - such as motivations of individuals, the perceived differences (or lack of) between political parties in a given election, ease of voting, voter knowledge, etc. It is

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<sup>1</sup> See <https://www.instituteforgovernment.org.uk/explainer/electoral-systems-across-uk>; 27 Feb 2020.

<sup>2</sup> See [The Governance of Britain: Review of Voting Systems: The experience of new voting systems in the United Kingdom since 1997 CM 7304 \(publishing.service.gov.uk\)](#); p.93; Jan 2008.

reasonable to conclude though that any system whereby voters feel that their vote is not 'wasted' and there is a higher likelihood of a chosen candidate or party being successful is going to be more conducive to wider participation.

- 5.5 In terms of how well PR voting systems best reflect diverse communities and those with protected characteristics, the experience of multi-member constituencies with an STV system in Europe is that having four or five representatives elected for that area, rather than one MP, makes for a more diverse range of views and experiences. Research has particularly shown that a PR system offers several advantages to female candidates and that women's representation is higher under PR than under a majority voting system.<sup>3</sup> This may be because parties have to publish candidate lists and are encouraged to ensure a more even balance across gender and potentially across other demographic factors plus protected characteristics. PR systems enable smaller parties – with interest in particular community/demographic issues – to get more of a 'foothold' and as such could arguably be more conducive to ensuring a more reflective administration.
- 5.6 The 2019 General Election (FPTP) was the most diverse so far for returned MPs in terms of gender, race and ethnicity, although only 220 of the 650 seats were occupied by women, so still way behind many European countries and behind the proportion of women elected to the Scottish, Welsh and London Assemblies.<sup>4</sup> Conversely, 45 out of the 650 MPs elected in 2019 were openly gay/lesbian/bisexual, which is a higher proportion than captured for the English and Welsh population in the 2021 Census. Again, this speaks to the notion that factors around proportionality and representation under PR, as compared with a Westminster-style system, are complex and nuanced. Indeed, a study by the Ministry of Justice in 2008 also noted that during the first ten years of devolution "*there has been very little improvement in the representation of BME groups across all voting systems and it is clear that for both ethnic and gender representation, party behaviour in terms of selecting candidates is more critical than the voting system alone*".<sup>5</sup>

## 6.0 CONCLUSIONS

- 6.1 PR systems of voting enable a greater number of parties to be represented in Parliament and as such makes for an administration which would be more reflective of the votes cast by a broad range of communities. Voters are more likely, on balance, than under a FPTP system, to feel personally invested in the electoral process if their vote counts and their elected representative is someone they can identify with and as such it will tend to have a bearing on voter participation.
- 6.2 This needs to be balanced against the fact that while PR enables a greater number of parties to be represented, there is a strong likelihood of coalition government. Research tends to show that both FPTP and coalition governments can be effective and stable but the longevity of represented parties in a PR system can differ according to the political context. As identified in the Ministry of Justice study, "the political culture rather than the voting system determines the number of parties in parliament, the longevity of governments and political behaviour. The voting systems are more likely to be enablers for change, rather than the causes of change."
- 6.3 If the Council were to decide to write to the government seeking a change in the voting system, this would currently fall within the remit of Minister Lee Rowley MP at the Department for Levelling Up, Housing and Communities.

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<sup>3</sup> <https://www.tandfonline.com/doi/full/10.1080/15705850701640884> ; 12 May 2008

<sup>4</sup> <https://www.bbc.co.uk/news/election-2019-50808536> ; BBC News; 17 Dec 2019.

<sup>5</sup> "Review of Voting Systems: the experience of new voting systems in the UK since 1997"; MoJ; Jan 2008.

## **7.0 FINANCIAL IMPLICATIONS**

7.1 There are no financial implications for the Council resulting from further consideration of this matter

## **8.0 LEGAL IMPLICATIONS**

8.1 A change to the way that voting is undertaken locally/regionally and nationally would require a change in current electoral law. This would be a matter for Parliament to determine. Any legal implications for the Council would only arise for example if a change in voting is agreed and this impacts on the Council's role in ensuring a fair and robust election process locally.

## **9.0 CLIMATE CHANGE IMPLICATIONS**

9.1 There are no immediate climate change implications arising for the Council from further consideration of this report.

## **10.0 EQUALITIES IMPLICATIONS**

10.1 There are no immediate equalities implications arising from this report.

## **11.0 RECOMMENDATION**

11.1 The Executive is asked to consider the motion on Proportional Representation that has been referred by County Council and make recommendations for consideration at the meeting of County Council on 22 February 2023.

BARRY KHAN  
Assistant Chief Executive (Legal and Democratic Services) and Monitoring Officer

County Hall  
NORTHALLERTON

27 January 2023

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## **Background Documents**

The Council's Constitution  
<https://edemocracy.northyorks.gov.uk/documents/s12593/Issue42May2022Covid19Edition.pdf>

Sources used and referenced:

BBC News – various articles including <https://www.bbc.co.uk/news/election-2019-50808536> ;

17 Dec 2019.

Electoral Reform Society - <https://www.electoral-reform.org.uk>

Institute for Government - <https://www.instituteforgovernment.org.uk/explainer/electoral-systems-across-uk>; 27 Feb 2020

UK Parliament - <https://www.parliament.uk/about/how/elections-and-voting/voting-systems/>

Ministry of Justice: "The Governance of Britain; Review of Voting Systems: the experience of new voting systems in the United Kingdom since 1997"; Jan 2008.

Stockemer, D.; "Why are there differences in the political representation of women in the 27 countries of the European Union?" ; 12 May 2008;

**Appendices:**

Appendix 1 - Notices of Motion regarding Proportional Representation that was referred from County Council at their meeting on 16 November 2022.



## **Notices of Motion for the meeting of the County Council on 16 November 2022**

### **1) Proportional representation**

Proposer – Cllr Chris Aldred

Seconder – Cllr Andy Brown

“Council resolves to write to H.M. Government calling for a change in our outdated electoral laws to enable Proportional Representation to be used for General, Local and Mayoral elections

First Past the Post (FPTP) originated when land-owning aristocrats dominated parliament and voting was restricted to property-owning men.

In Europe, only the UK and authoritarian Belarus still use archaic single round FPTP for general elections. Meanwhile, internationally, Proportional Representation (PR) is used to elect parliaments in more than 80 countries. Those countries tend to be more equal, freer and greener.

PR ensures all votes count, have equal value, and those seats won, match votes cast. Under PR, MPs and Parliaments better reflect the age, gender and protected characteristics of local communities and the nation. MPs & Councillors better reflecting their communities leads to improved decision-making, wider participation and increased levels of ownership of decisions taken.

PR would also end minority rule. In 2019, 43.6% of the vote produced a government with 56.2% of the seats and 100% of the power. PR also prevents ‘wrong winner’ elections such as occurred in 1951 and February 1974.

PR is already used to elect the parliaments and assemblies of Scotland, Wales and Northern Ireland. So why not Westminster & Local Government here in North Yorkshire.”