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2019-07-30

Submission to Local Government Victoria on Victoria's Local Government Bill 2019

www.localgovernment.vic.gov.au/our-programs/local-government-act-review

www.prsa.org.au/2019-07-30_local_government_bill.pdf

Summary:

This submission puts the case for modifying the Government's proposed 'Reform 2'.

That 'reform' is to remove the now widely-accepted option for multi-councillor wards for Victoria's municipal councils, and to leave - as the only option for nearly all councils - the other present less widely-accepted option of single-councillor wards.

Multi-councillor wards are much superior to single-councillor wards, and should remain an option, but with a condition that would rationalize the present provisions for such wards.

The Bracks Labor Government introduced the present options in 2003. The result of the many choices various Local Government Ministers have freely made since then has tended substantially towards the use of multi-councillor wards rather than single-councillor wards. That evolutionary progress and ministerial discretion should not be abruptly reversed by the gratuitous change to the law that is proposed.

APPENDIX 1 refers to Victoria's unimpressive decade-long trial of single-councillor wards.

APPENDIX 2 details some of the disadvantages of single-councillor wards.

Key recommendations:

PRSAV-T Inc's recommendations are to:

- Alter 'Reform 2' so that it retains an option for multi-councillor wards, but includes the important provision for [parity](#) in the since-lapsed [Local Government Bill 2018](#) that would have enacted a [Section 12\(4\)\(b\)](#), to have required that all wards within a particular municipality be represented by the same number of councillors.
- Provide for - in multi-councillor wards or electoral districts - partial optional preferential voting, to reduce the incidence of informal voting, and to make the formality requirement the same for voters as the other two elections they vote in, namely the Senate, and Victoria's Legislative Council, which will effectively solve the present problem of very large numbers of candidates making the completion of a formal ballot paper an unnecessarily onerous and forbidding task.

The case for altering the proposed Reform 2:

'Reform 2', as presently proposed, will fail to improve 'accountability' because, as past results show, single-councillor wards lead to far fewer contested elections and to less accountability to voters.

'Reform 2' would reverse Victoria's carefully considered, gradual move away from single-councillor wards to multi-councillor wards or undivided electoral districts.

'Reform 2' risks re-introducing all the bad representation and governance seen in Mornington Peninsula Shire Council and Greater Geelong City Council, which led to the latter council being dismissed, and a Commission of Inquiry being appointed. The Andrews Government implemented the recommendation of that Inquiry, in its [115-page report](#), to replace the single-councillor wards with multi-councillor wards, but the present form of 'Reform 2' would, perversely, reverse that implementation.

Numerous municipal representation reviews by the Victorian Electoral Commission have compared the option of single-councillor wards with the option for multi-councillor wards, and have predominantly concluded that multi-councillor wards will improve accountability.

Salutory example of Greater Geelong City Council in 2 articles below in the *Geelong Advertiser*:

1. Keith Fagg, Mayor of Greater Geelong, 2012-13, states why a multi-councillor option [should be retained](#).

2. [Geelong Advertiser, 18 June 2019, by Harrison Tippet,](#)

Deakin political expert Geoff Robinson surprised at State Government local reform plans.

The State Government has mooted the return of a single-councillor ward system, - despite Geelong's 2016 Commission of Inquiry slamming the structure. Local Government Minister Adem Somyurek yesterday revealed the Government's intention to introduce a new Local Government Act with six new proposed reforms - including a preference for - single-councillor wards. Mr Somyurek suggested the system would make councillors more accountable to their communities, despite the [2016 Commission of Inquiry into Greater Geelong City Council](#) report slamming the system.

The report, which led to the sacking of Geelong Council, suggested the abolition of single-councillor wards would strengthen council leadership, corporate behaviour and decision making. "Single-councillor wards have had the effect of undermining good governance, compromising decision-making by trading off decisions for the common good in favour of ward interests and distorting resource allocation and rational priorities," the report noted.

"This has led to councillor and senior management relationships that have been destructive of frank advice and ingrained second-guessing by council officers of future council decisions." Deakin University politics expert Geoff Robinson said the proposed reform was "odd". "We had this whole review of local government in Geelong and one of the conclusions was the single member ward system encouraged provincialism, it discouraged councillors from taking an 'all of council' focus and just look after their patch, so I'm a bit surprised to see it suddenly rear its head again," Dr Robinson said. "Maybe it's just an example of government lacking a sense of corporate memory or remembering what's been discussed previously. It's strange ... it just seems odd to me. I'd like to know more about what the thinking behind it is".

***Geelong Advertiser* Editorial, Wednesday 19 June 2019, Page 17,**

This is our own Utopia

Readers of this newspaper yesterday might have thought they were caught in a real-life version of TV's Hollowmen, Utopia or Yes Minister. Apparently, the State Government's favoured structure for local councils is to have single-councillor wards. If it wasn't so farcical, it would almost be funny. The single-councillor ward system was in use at the City of Greater Geelong, and has only recently been dismantled ... by this State Government.

It took a number of scandals and independent reviews to bring down the system. In 2013 this newspaper revealed a secret ward-funding program at City Hall. More than \$7 million of ratepayers' money was spent annually through the rort, with all 12 councillors allocating money to projects in their own ward at their whim with limited scrutiny. The cosy arrangement cooked up by councillors in the early 2000s ran for almost a decade, at a cost nudging \$60 million. Councillors often ignored advice from City staff to fund their favoured projects. While many of the projects they supported were worthy, the lack of process was condemning. At its worst, the ward funding scheme allowed councillors to feather their own nests; to support groups they were associated with, or those they thought might deliver for them at the ballot box.

At its best, it was a well-meaning system applied with poor governance. A report delivered in late 2014 described the scheme as "flawed" rather than fraud. Fifteen months later a [commission of inquiry](#) cited that report in calling for the dismissal of council and a revamped ward structure. "The single ward councillor system has not served the city well ... there should be multi-councillor wards to share representative responsibilities," the commission found. But now, new Local Government Minister Adem Somyurek has a report that says single-councillor ward systems are the best as they keep the elected rep's accountable. What a Utopian world we live in!

Mornington Peninsula Shire Council had 6 of its 11 single-councillor wards in 2008 uncontested:

The Victorian Electoral Commission's [final report in 2011](#), which the then Local Government Minister accepted and implemented, recommended that the Shire should change from having single-councillor wards only to having the great majority of its councillors elected from multi-councillor wards, which is still the present arrangement. In 2008, the Shire's unopposed elections in 6 of its 11 single-councillor wards strengthened the case for the change in 2011 to introducing multi-councillor wards. At the Shire's elections since that change, in 2012 and 2016, there have been no unopposed elections.

The case for the retention of the existing options:

Multi-councillor wards in local government are much more representative, much more democratic, and provide much more accountability than single-councillor wards.

Since the Bracks Labor Government's *Local Government (Democratic Reform) Act 2003*, which provided for the first time in Victoria that councillors for multi-councillor wards must be elected by proportional representation using the single transferable vote (PR-STV), a steadily increasing percentage of Victoria's municipal voters have benefited from the better representation provided by multi-councillor wards, leading to [49 out of Victoria's 78 municipalities \(62%\)](#) now consisting entirely of one or more multi-councillor electoral districts.

The options and procedures introduced by that Bracks Labor Government's reforms have resulted in many municipalities now being either subdivided with 3-councillor wards, or being undivided electoral districts, although a lesser number of municipalities with single-councillor wards remain.

Because those multi-councillor wards councillors are elected by PR-STV, minority opinions are represented on the council as well as majority opinions, in accordance with their relative levels of voter support, which is an altogether more democratic system. With a council consisting solely of single-councillor wards, which are necessarily *winner-take-all* wards, it is possible that all the councillors are from one group or opinion in the community, but represent only a tiny majority of the voters, and a large minority of the voters can be left completely unrepresented.

With 3-councillor wards, each councillor is elected by a quota of $\frac{1}{4}$ of the votes + 1, meaning that over $\frac{3}{4}$ of all the votes contribute to the election of the ward's 3 councillors. This means that a bigger percentage of the community is represented on the council and local democracy is thus strengthened, as councillors are elected by 50% more voters than the bare half of the voters that applies with single-councillor wards.

Since multi-councillor wards at general elections were introduced in Victoria, there have been very few uncontested elections in such wards, unlike previously where particular individual councillors became entrenched in their *winner-take-all* single-vacancy wards, and local democracy withered. The classic past case of that was in the former ALP-dominated Council of the former City of Richmond, where the then ALP Government dismissed the council for corruption, and conducted [a special election](#), using PR-STV to elect a new council.

Another advantage of multi-councillor wards is that casual vacancies are elected by [countback](#), requiring a recount of the votes rather than the *winner-take-all* by-election poll specified for single-councillor wards. Countback thus saves money and voters' time, and reflects the wishes of the voters at the time of the council's election.

The great strengths of multi-councillor wards can be summed up as bringing:

- fewer uncontested elections,
- councils that more fairly represent the breadth of opinions within the community,
- easier and cheaper filling of casual vacancies through the countback system, and
- a much higher percentage of the votes cast electing councillors than is the case with single-councillor wards.

PRSAV-T Inc. has adopted as **its policy** that Victoria should adopt a more consistent set of electoral options - not by removing the option for multi-councillor wards - but instead by rationalizing the present options so that all councils consist of an odd number of councillors, with either a single undivided electoral district; or several multi-councillor wards each with the same odd number of councillors being either three or five; with an upper limit of 15 councillors in a municipality.

The 2019 Bill will retain an option for single-councillor wards, but it is most important that it should not, - in the proposed draconian fashion - remove the currently well-accepted option for multi-councillor wards, or undivided municipal districts, that now applies to **49 out of Victoria's 78 municipalities (62%)**.

The case for an undivided municipality where the total number of councillors is only 5 or 7:

Consider the case for an undivided municipality, with a 7-member Council. With an undivided municipal area as a single electoral district for the election of all 7 councillors, the quota of votes for the election of each councillor is 12.5% of the overall vote plus one vote.

As each quota of votes represents a different one-eighth part of the voters, seven-eighths of them have the advantage that the full value of their vote is used to actually elect a representative of theirs to a seat on the Council. If that system with a single-councillor ward system that seven-eighths of effective votes would be reduced to just barely above a mere four-eighths of the voters casting effective votes, i.e. votes whose direction has effect in deciding which candidates are or are not elected.

The advantages of an undivided district, without any wards, for a 5 or 7-member Council include:

- such an undivided district is the only way in which proportional representation can be applied for a 5 or 7-member Council in a symmetrical even-handed manner,
- an undivided district is the only system that ensures that the majority of councillors have been elected by the affirmative votes of an absolute majority of voters over the entire municipal area,
- ward boundaries do not require periodic re-adjustment to cater for changes in relative enrolment numbers,
- councillors, who always have to vote on all issues in all wards, are given a compelling motive to become equally informed about all the areas they are collectively voting on, rather than tending to confine their knowledge to their own ward,
- citizens have the maximum choice of councillors to approach to engender action on their concern, and
- citizens do not become confused, or uncertain, about which ward they are in, or what its boundaries are.

All candidates in an undivided municipality are on exactly the same footing when it comes to conveying their views to the electors. By contrast, in municipalities with wards, the candidates in different wards are not, as:

- some wards are larger in area than others,
- one ward can legally have up to 22% more electors than another, and
- at a particular general election, the number of opposing candidates per ward can vary from zero in some wards to quite a large figure in others.

It is recognized that there is, in an undivided municipality, a greater effort required to convey candidates' views to a larger number of electors, but what really matters most in electoral terms is the **relative** impact candidates have, and that is, as always, dependent on their perceived qualities, and on the support they can muster.

Each councillor will be voting on matters relating to the whole municipal area, so it is not inappropriate that he or she should seek support over that area in full and free competition with all other contenders, rather than being compartmentalized and cushioned against direct comparison with the best candidates, who may in divided municipalities be fruitlessly pitted against each other in a single ward.

PR-STV ensures a major increase in the percentage of effective votes, making minority control harder: Just as the single-councillor system leads to a large proportion of wasted votes, it also allows for minority groupings to control a Council with much less than 50% support. Since 50% of the vote in just 4 of the 7 wards would be all that is needed to gain control, and those 4 wards would represent just over 57% of the electors, it is theoretically possible for a minority with almost 29% support to achieve control of the Council. In practice the support for such a grouping would usually be higher than that but, with single-councillor wards, minorities are regularly gaining control of elected bodies at the expense of majorities.

Table 1: Minimum percentage of effective votes and of overall vote to gain control of council

No. of councillors per electoral district	Minimum % of effective votes	Minimum % of overall vote required to gain control of Council
Single councillor in each of seven wards	50.0%	29%
Single councillor in each of five wards	50.0%	30%
Five councillors in an undivided municipality	83.3%	50%
Seven councillors in an undivided municipality	87.5%	50%

Communities of interest need not be so rigidly set as geographic - let voters choose to combine: Part of the desire for dividing municipalities into wards seems to rely on a perception that allowance must be made for what are called 'communities of interest'.

The idea that a system of single-councillor wards protects 'communities of interest' is entirely false. Firstly, the only 'community of interest' that is favoured by single-councillor systems is a geographical community of interest, but there are also important non-geographical communities of interest.

Secondly, the drawing of ward boundaries can and often does arbitrarily divide geographical communities of interest, particularly as each small ward does rightly need to contain close to the same number of electors. For example, other 'communities of interest' could be those for or against policies on climate change, paid parking, protected bicycle lanes or an extra fee to collect rubbish.

Single-councillor wards leave all ward electors' eggs in one basket – 7 baskets would be safer: Not all elected councillors prove to be outstanding, exemplary, or even adequate, but a certain number usually are. Without councillors being compartmentalized by themselves in small wards, there is a much greater likelihood that the occasional poor performer will be compensated for by his or her colleagues.

If there are only one or two councillors for a ward, and those councillors prove, without quite invoking the legal provisions for their dismissal or reproach, to be lazy, unreliable, inaccessible, or to be absent too often, the constituents in that ward face serious neglect.

The Government's 2019 Consultation Paper entitled, '[Local Government Bill 2019 – A reform proposal](#)', states under 'Reform 2' on Page 8,

“Why is this proposed?”

Single member wards for each council enable residents to more effectively receive direct representation. Councillors will be more accountable to local communities, fostering true 'local' government. Consistent application of this model also ensures that all councillors are elected under the same system with equal vote shares within their council. This more closely reflects the way members of Parliament are elected.”

That Government 'explanation' above, particularly its last sentence, ignores the fact that in each of Australia's six bicameral parliaments, one of the two houses is elected from multi-member electoral districts using PR-STV. In Victoria's Lower House, several single-member districts have, even quite recently, burdened the parties of their MLAs and their electors with MLAs that have flagrantly transgressed accepted standards of behaviour for a public official.

Examples are the last Liberal MLA for [Frankston](#), the last Nationals MLA for [Mildura](#), and recent Labor MLAs for [Tarneit](#), and [Melton](#). In each of those, and similar cases, the voters in those single-member districts had no other representation, unlike the situation that would apply even in 3-member districts.

With small single-councillor wards, each councillor's ward is an electoral base in only a small part of the whole municipal area that he or she has to understand in order to register meaningful votes on motions in the Council, most of which will necessarily relate to areas outside that ward. In contrast, with an undivided Council, the entire body of councillors has a geographical area in common and an electoral motive to understand that area.

There is potent electoral incentive for sensible motions relating to that area that are moved by one of the councillors to be seconded by one of the other councillors, whereas with single-member wards a lack of knowledge of, or lack of motivation for interest in a ward, by all the other councillors can make informed seconding of, and voting on, motions much more problematical.

What can be termed 'geographically-diverse communities of interest' can also include communities of electors with environmental concerns, business interests, electors wanting to keep rates low, and so on. Under PR-STV, both these geographically diverse communities of interest, and the geographically based communities of interest, can be served.

It will be up to the voters to decide what community of interest they belong to, whether it be geographical – where electors predominantly vote for an identity from their immediate area – or some other community of interest – where people supportive of wider environmental concerns and practices predominantly vote for 'green' candidates, and those rejecting such views vote for their opponents, with each electing a councillor or two if they can muster the necessary quotas of votes.

Voters need the flexibility to aggregate as they wish, and not the present arbitrary and rigid segregation. If each of the 7 councillors in an undivided Council can each gain a quota, which requires each to gain 75% more votes than would be required in a single-councillor ward, they can each be regarded as more substantial representatives than their single-councillor ward counterparts would be.

The strength of representation that the more dominant viewpoint gains can vary from just one of the seven councillors in the ward to all seven, whereas the alternative winner-take-all system fails to give any graded response, and can all too often hand all the representation of a ward to a candidate that is purely negative.

PR-STV does not reduce geographically based communities of interest, but single-councillor ward systems arbitrarily and unnecessarily disrupt any non-geographical communities of interest.

PR-STV works far better in districts with an odd, rather than an even number of councillors:

Districts electing an even number of councillors are most unsatisfactory, as they flout the important democratic principle that a majority view should be represented by a majority of elected councillors.

Were a two-councillor ward to be recommended, for example, the serious anomaly may arise that, in that ward, one candidate or group might win 65% of the vote and another just 35%, yet the two groups would still have equal representation under proportional representation, creating a '[stalemate ward](#)'.

Unfortunately four-councillor wards have been recommended for several municipalities in some VEC representation reviews. In those wards, a minority group with just on 40% of the vote will be able to achieve equal representation with a majority group achieving just under 60% of the vote.

Only by having an odd number of councillors elected in each ward can the important democratic principle that majority support should lead to majority representation be maintained.

Any wards to be used should be multi-councillor, each with the same number of councillors:

Arrangements of wards with differing numbers of councillors are intrinsically anti-democratic, as they have very different quotas for election in their distinct components, and will result in too much attention being given to where various boundaries are set out, at the expense of a community-oriented spirit. They are also very confusing to electors, and have led to considerable inconsistency across the State.

*Lack of **parity** in the quotas for election makes it easier to be elected in some wards than others. That is an undesirable feature that can induce candidates to stand in a particular ward just for their convenience.*

APPENDIX 1 – Victoria's unsuccessful trial of single-councillor wards

The long and generally widespread wisdom of avoiding single-councillor districts:

Single-councillor districts are, and have been, very little used world-wide, certainly in the English-speaking democracies. The first election in Australia for any level of government, preceding elections for parliaments, was a municipal election, which was for Adelaide City Council in 1840. That [pioneering Australian election](#) was held with multi-councillor wards, and was the first use of proportional representation ([PR-STV](#)) for the election of a public body in the world. Since then, consistent with long-standing and continuing world practice, multi-councillor districts have always applied for all municipal elections in all the States and Territories of Australia, except for the gratuitous introduction, only in Victoria, and only for some of its councils, of single-councillor wards in the mid-1990s.

Victoria's clumsy initial introduction of triennial elections without proportional representation:

Until Victoria's neighbouring states - [New South Wales](#), [South Australia](#), and [Tasmania](#) - adopted [PR-STV](#) as the prevalent system in their municipal electoral districts, which were, and still are, all multi-councillor districts, they generally conducted *winner-take-all* elections for one of the three councillor positions in each ward annually in rotation. Those neighbouring states all abandoned such annual elections in the 20th Century by changing to a system of general elections with multi-councillor districts with proportional representation being the prevailing system. When [Victoria](#) abandoned such annual elections, it not only failed to retain multi-councillor districts throughout, resulting in many single-councillor wards, but it also retained for its remaining multi-councillor wards - by default owing to opposition to proportional representation by the then Opposition-dominated Legislative Council - the *winner-take-all* system that had been used for counting Senate elections from 1919 until it was discredited and replaced by the present [PR-STV](#) system in 1948.

Unable to choose PR, Victorian councils decided to choose the lesser of two evils:

Because that *winner-take-all* multi-councillor system was as unrepresentative and lopsided as its [1919-46 Senate counterpart](#), many amalgamated councils had little choice but to seek some slightly improved diversity by preferring the newly-imposed single-councillor wards. The abhorrently unrepresentative nature of both the *winner-take-all* Senate systems used prior to 1949 is demonstrated by the extraordinary fact of the five Senate elections, those of [1910](#), [1917](#), [1925](#), [1934](#) and [1943](#), where **100%** of the senators elected for **all** States were of the same party. Of course such a silly outcome has not occurred since 1948.

Since that unfortunate and short-lived period when all that was available were two *winner-take-all* systems, with one being distinctly worse than the other, Victoria now has the far more satisfactory and representative system of multi-councillor wards with [PR-STV](#).

That undesirable *winner-take-all* system for multi-councillor wards is no longer available under the present *Local Government Act 1989*, which fortunately now requires that polls in multi-councillor districts must be counted on a proportional representation basis only.

APPENDIX 2 – Some of the disadvantages of single-councillor wards

Single-councillor wards minimize voters' choices, yet maximize candidates' choice of voters:

With single-councillor systems, the voters' choice of candidates is reduced to the minimum possible, for a given total number of candidates overall, but the candidates' choice of which ward to contest is maximized. With an undivided Council, the voters' choice of candidates, for a given total number of candidates overall, is maximized by comparison with single-councillor wards, and the candidates' choice of which ward to contest is minimized, as is their ability to **avoid scrutiny** by a wider electorate.

The electoral system should emphasize as much as practicable the importance of letting voters choose their candidates, rather than that of letting candidates choose their voters. The choice of candidates open to voters should be arranged so that it is the maximum practicable, and candidates should face, and be electorally assessed by, a wider cross-section of the municipality they make decisions for.

Single-councillor wards with incumbents elected unopposed facilitate unopposed succession:

Once a councillor has been able to be elected unopposed, particularly if consecutive unopposed elections have been involved, a notorious weakness of the single-councillor ward system can be utilized by that councillor when he or she eventually chooses not to contest the next election.

Such retiring councillors do not have to give, and often do not give, any public notice or even suggestion, prior to the nomination deadline, of their private decision that they will not be maintaining their past practice of nominating for another term. The public is lulled into the misconception that the councillor will probably be nominating again. What happens is that the retiring councillor discreetly chooses not to nominate, and quietly encourages a protégé to nominate at a few minutes before the deadline. That scenario is far less likely in a multi-councillor ward, as explained in the point just above.

*Once that surreptitious unopposed transition is a **fait accompli**, the ward in question soon finds to its surprise that it has a new councillor that hardly anybody realized would be so effortlessly installed.*

Single-councillor ward boundary location has an undue influence on representation:

Setting and adjusting the intricate and cumulatively long boundaries for seven single-councillor wards is a contentious, time-consuming and expensive task. No internal boundaries are needed for an undivided municipality, compared with at least six for seven single-councillor wards. Few electors know the boundaries of their ward, and few councillors, including Mayors, know the boundaries of wards other than their own. The resources needed for boundary and ward size control and maintenance can be used for more productive purposes.

It has long been recognized, that with single-councillor wards, even where the number of electors in each is as equal as possible, variations in the positioning of boundaries between wards can alter the overall result of polls without any change having taken place in the way electors vote. The excellent U.S. on-line adaptation of the Proportional Representation Society of Australia's "Gerrymander Wheel", accessible at www.prsa.org.au/history.htm#gerrymander demonstrates that.

The reason for that is that boundaries between single-councillor wards of a particular shape can in many circumstances just manage to amalgamate a bare majority where a different configuration would not. It has long been called "gerrymandering" when done deliberately, but it is just as effective when it happens as a by-product of impartial boundary-setting. The remedy is to have fewer unnecessary boundaries, as multi-councillor ward arrangements facilitate.

'Dummy candidates' are a single-councillor ward device that is little use in an undivided Council:

Single-councillor wards using preferential voting are very much more vulnerable to manipulation by the use of so-called 'dummy candidates'. These are candidates that do not expect or wish to be elected, but that are encouraged to stand for election by more serious candidates in the hope that they will garner first preference votes that the more serious candidate might not expect to get.

The hope is that those votes will, on the exclusion of the 'dummy candidates', be transferred to the serious candidate, and that there will be enough of such votes to produce an absolute majority for the serious candidate, and thus achieve his or her election.

Proportional representation using the single transferable vote is far less conducive to the fielding of 'dummy candidates'. The reason for that is because, unlike preferential voting in single-councillor wards, where the only type of vote transfer that can occur is the exclusion of minor candidates, there is an extra stage in the transfer process at the vote count, which takes priority over the transfer of votes from excluded candidates.

That extra, prior stage is the transfer of surplus votes from candidates that gain more than a quota of first preference votes. Transfer of votes from excluded candidates occurs in PR-STV counts, but it is not the only transfer, and it occurs only after transfer of surplus votes, or if there are no surplus votes.

As several councillors are to be elected in a PR-STV count, it is much more likely that at least one will gain a quota of first preference votes than it is that any one of many candidates in a single-councillor ward will gain an absolute majority of first preference votes.

Once a candidate in a PR-STV count has gained a quota of first preference votes there must then be a transfer of surplus votes before any transfers arising from exclusion can occur. Unless a single candidate in a single-councillor ward can gain an absolute majority of first preference votes and be elected forthwith, such a count has to proceed to the transfer of excluded candidates, which involves transfer, at full value, of the votes of the lowest-polling candidates, often 'dummy candidates'.

It is most significant that transfers of surplus votes are, by definition, from candidates that have secured election early in the count, before the count is completed, i.e. serious candidates rather than 'dummy candidates'. Such transfers of surplus votes come into operation in the positive circumstance of a candidate being elected. Those transfers are derived from that candidate's total parcel of ballot-papers, whereas the only transfers available in single-councillor counts are necessarily those transfers arising from exclusions of candidates.

Such exclusions are initiated in the negative circumstance of no candidate being elected, and are derived from the ballot-papers of the candidate with the lowest prospect of being elected, viz. the candidate with the lowest progress total in the poll, which is where 'dummy candidates' usually appear.

Transfers of surplus votes are positive in outcome as they give effect to the support for a particular point of view that is large enough to have already achieved at least one elected representative and to contribute towards the election of another. By contrast, transfers arising from exclusions of candidates, although necessary and justified, are of lower priority, but not value, as reflected in the rules for a PR-STV count, because they are derived from the smallest aggregations of opinion, rather than the larger aggregations represented by parcels of votes exceeding a quota.

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