

15 March 2023

RETURNING OFFICER'S FEES AND DISBURSEMENTS

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Exempt / confidential / not for publication	No
Council Plan reference	Not in Council Plan
Wards affected	All wards

Executive summary

It has been the practice for the Council to adopt a schedule of fees and disbursements broadly consistent with other neighbouring Councils.

The introduction of Voter-ID requirements for polls from May 2023 has significantly increased the degree of complexity in administering the election for polling station staff. They will be required to accept or refuse ID in line with the new requirements and complete new forms as directed by legislation introduced via the Elections Act in April 2022. Due to these changes, fees for polling station staff have been uprated after consultation with neighbouring councils and are shown in **Annex A**. Presiding Officers' fees have been uprated by £60 for an un combined poll, and Poll Clerks' fees by £30.

Fees paid to the Returning Officer have again not been increased.

The Returning Officer is satisfied that these fees will enable the recruitment of appropriate and necessary staffing levels; and any additional fees would not pressure the 2023/24 election budget as the government is funding additional burdens introduced by The Elections Act 2022.

Additionally this report seeks authority to appoint two Deputy Electoral Registration Officers to ensure the timely provision and fulfilment of Temporary Voter Authority Certificates, which must be authorised with a wet ink signature.

1. Decision/s to be made

- 1.1 That the schedule of fees and disbursements for Principal Area and Parish elections (attached at **Annex A**) be adopted for 2023/24.
- 1.2 That the council appoint the Head of Democratic Services and the Electoral Services Manager as Deputy Electoral Registration Officers to provide certainty and resilience to support the timely issue of Temporary Voter Authority Certificates.

1.3 Why is the decision needed?

Fees and Disbursements

- 1.4 Section 35(4) of the Representation of the People Act 1983 requires the Council to pay all expenditure properly incurred by the Returning Officer in relation to holding an election. Costs incurred by the Council in administering Principal Area and Parish elections are met by the Council itself and it is therefore appropriate to set a financial framework.

Deputy Electoral Registration Officer Appointments

- 1.5 A temporary Voter Authority Certificate is valid only on the relevant date of a specific election and it must be collected by the applicant; it cannot be sent via post.
- 1.6 A Temporary Voter Authority Certificate is issued locally (as opposed to VACs which are printed and issued centrally). It can only be issued where an ordinary Voter Authority Certificate has been:
 - a) applied for by the statutory deadline (5pm 6 working days before the poll);
 - b) subsequently 'issued'; and
 - c) in the opinion of the Electoral Registration Officer is satisfied that it may not be delivered to an applicant in time to be used on polling day.
- 1.6 A Temporary Voter Authority Certificate must be signed in wet ink by the Electoral Registration Officer or a properly authorised deputy. Unlike Deputy Returning Officer appointments there is no discretion for the ERO to appoint deputies without a specific delegation.

2. Consultation and Scrutiny

- 2.1 Consultation has been undertaken with the Council's appointed Returning Officer (Sharon Bridglalsingh), who is content with the current schedule of fees and disbursements. Returning Officer fees have not been increased.

3. Implications of the decision

Financial	Y	Human rights, equalities, diversity	N
Legal	Y	Policies or Council Plan	N
Communication	N	Procurement	N
Energy Efficiency	N	Workforce	N

a) Financial implications

Appropriate new burdens funding was allocated to cover the costs of new Election Act 2022 provisions which alongside the election pressure agreed as part of the 2023/24 budget will be sufficient to cover the increased fees for polling station staff.

b) Legal implications

Section 35(4) of the Representation of the People Act 1983 requires the Council to pay all expenditure properly incurred by a Returning Officer in relation to the holding of an election. Although not explicitly required, a scale of fees may be fixed by an authority for the conduct of elections and must not be exceeded by the Returning Officer. Setting an agreed framework, provides a safeguard to the Council in relation to its legal duties.

Regulation 18(2) of the Voter Identification Regulations 2022 provides for the provision of Temporary Voter Authority Certificates, whilst Section 52(2) Representation of the People Act 1983, sets out the arrangements for the appointment of Deputy Electoral Registration Officer(s).

4. Alternatives

- 5.1 To not increase fees. This is not recommended as it would pose a risk to the Returning officer's ability to recruit and appoint suitable Presiding Officers, some of whom are concerned about the significant new responsibilities.

5. Timetable for implementation

- 6.1 If adopted, the schedule of fees and disbursements will be effective from 1 April 2023.

Annexes: Schedule of Returning Officer's Fees and Disbursements 2023/24

Background Papers: None