1.0 Purpose of Report

1.1 The purpose of this report is to inform Members of the mechanism for determining the scale of fees payable for elections and to note the current scale of fees for District and Parish elections.

2.0 Recommendations

2.1 Constitutional & Electoral Working Group is asked to RESOLVE that

(1) The current scale of fees for Gloucestershire District and Parish election fees be noted.

2.2 Organisational Development Committee is asked to RESOLVE that

(1) The current scale of fees be approved for continued use.

(2) With the exception of Local Government National Pay Award increases, any changes to the fee structure be approved by the Committee.

3.0 Background and Key Issues

3.1 The Chief Executive has been appointed by the Council to act as the Returning Officer for all relevant elections. The Returning Officer has a statutory duty to ensure that elections are conducted in accordance with the relevant legislation and regulations, and, to assist in this, Deputies are usually appointed, often with varying powers.

3.2 In respect of Parliamentary and European Parliamentary elections, the Returning Officer is responsible for expenditure to central Government through the Election Claims Unit. For County Council elections, he is responsible to the County
Returning Officer. However, for District and Parish elections, he is accountable to this Council.

3.3 With particular regard to District and Parish elections, the Council is required to provide sufficient funding for the conduct of these elections and may set a scale of fees for this purpose. The fees vary from year to year depending on the nature and number of elections.

3.4 A Scale of Returning Officer Charges is produced for each Parliamentary election, by way of a Statutory Instrument. Past practice has seen such Scale used as a basis for the fees for County, District and Parish elections also, subject to an annual updating by a percentage sum the equivalent of the Local Government National Pay Award. This practice is adopted by all of the Gloucestershire District Councils and the County Council.

3.5 The current scale of fees for Gloucestershire District and Parish Elections is attached at Appendix 1 and was agreed in 2009; there has been no Local Government National Pay Award since that time.

3.7 Given the nature of the county-wide agreement it is suggested that approval be given to continue using the existing Scale of Fees. With the exception of any Local Government National Pay Award increases, Members will be asked to approve any changes proposed to the fee structure.

4.0 Alternative Options Considered

4.1 The Returning Officer has the authority to depart from the county-wide agreed scale of fees, however, the benefits of the agreement outweigh those offered by setting a separate scale.

5.0 Reasons for Recommendations

5.1 To inform Members of the method for setting election fees and the current scale of fees used for District and Parish elections.

6.0 Future Work and Conclusions

6.1 The scale of fees for District and Parish Elections is kept under review and updated with the agreement of each of the District Councils.

6.2 The scale of fees for County elections is under review and will be finalised in advance of the Gloucestershire County Council elections in May 2013.

7.0 Financial Implications

7.1 The financial implications are detailed in the body of the report.

(Financial Services have been consulted in the preparation this report.)
8.0 Legal Implications

8.1 Section 35(1) of the Representation of the People Act 1983 requires the Council to appoint a Returning Officer for District and Parish elections. Section 36(4) of the Act requires the Council to cover all expenditure incurred by the Returning Officer in the holding of an election for all or any seats on it.

(Legal Services have been consulted in the preparation this report.)

9.0 Risk & Opportunity Management Implications

9.1 Maintaining a scale of election fees minimises risk by enabling the Council to set a budget for the cost of running elections.

10.0 People Impact Assessment (PIA):

10.1 The PIA Screening Stage was completed and did not identify any potential or actual negative impact, therefore a full PIA was not required. The scale of fees is set on the basis of the latest statutory scale for Parliamentary elections and agreed county-wide; it would not result in any negative impact on individuals or groups.

11.0 Other Corporate Implications

Community Safety

11.1 There are no community safety implications arising from this report.

Sustainability

11.2 There are no sustainability implications arising from this report.

Staffing & Trade Union

11.3 The Returning Officer is responsible for providing adequate resources for the staffing of elections.

Background Documents:

1. Representation of the People Act 1983