



## **REGULATORY AND GENERAL PURPOSES COMMITTEE**

**01 February 2023**

<b>Report Title:</b>	<b>BOROUGH ELECTION FEES AND CHARGES</b>
<b>Report of:</b>	<b>DIRECTOR OF LAW &amp; GOVERNANCE</b>

### **REPORT SUMMARY**

This report details the proposed fees to be paid to the Returning Officer and his staff employed to undertake duties at the local elections held within the Borough.

The next scheduled local elections will take place on Thursday 4<sup>th</sup> May 2023.

This affects all wards and contributes to all of the Wirral Plan pledges by ensuring the delivery of the local elections.

The local election fees for 2023 are set out in Appendix 1.

Fees and charges have been considered and endorsed by the Returning Officer.

### **RECOMMENDATION/S**

The Regulatory and General Purposes Committee is recommended to endorse the decision of the Returning Officer pertaining to the fees as outlined in Appendix 1.

## **SUPPORTING INFORMATION**

### **1.0 REASON/S FOR RECOMMENDATION/S**

1.1 It is considered good practice to present local election fees to this Committee.

### **2.0 OTHER OPTIONS CONSIDERED**

2.1 Consideration has been given to a range of fees which could be paid to the Returning Officer (RO) and his staff. The recommendation put forward has been informed by both national guidance and information gathered from other Merseyside Local Authorities. Fees are updated on an annual basis using the retail price index percentage increase.

### **3.0 BACKGROUND INFORMATION**

3.1 In accordance with the Representation of the People's Act 1983, the cost of a local government election is met from the local authority budget.

The local authority is required to appoint a Returning Officer (RO) to conduct these elections on their behalf. The RO has overall responsibility for the conduct of elections held within the Borough and although appointed by the Council, the RO is personally (not corporately) responsible for the management of elections. The Returning Officer role is distinct and separate from their duties as an employee of the Council.

3.2 The Returning Officer plays a central role in the democratic process and in ensuring that the election is administered effectively and that, as a result, the experience of voters and those standing for election is a positive one.

3.3 The Returning Officer is personally responsible for: -

- publishing the notice of election
- administering the nomination process
- preparation of all ballot papers.
- publishing the notice of poll and statement of persons nominated
- provision and notification of polling stations.
- appointment of presiding officers and polling clerks.
- appropriate administration and security of polling stations.
- Managing the postal voting process
- Verifying and counting the votes
- Declaring the result.
- issue, receipt and counting of postal ballot papers.

3.4 The role of Returning Officer is independent from their duties as a local government officer. The Returning Officer is directly accountable to the courts system as an independent statutory office holder and as such this is considered one of the fundamental reasons why a Returning Officer fee is paid.

3.5 The Returning Officer is the employer of the staff engaged specifically to run elections. The Council has a statutory obligation to provide the Returning Officer such resources considered necessary by the Returning Officer to run effective elections.

3.6 Appendix 1 sets out the proposed scale of fees for the Returning Officer and his staff employed in relation to running Borough elections.

3.7 The fees have been determined by comparing the current agreed fees increased (or decreased as the case may be) by the Retail Price Index set for January each year, a comparison of fees from other Merseyside authorities where available and considering the Council's Living Wage policy. It has been decided that the RO will increase the fees by 2.5% from the fees set for the May 2022 election.

#### **4.0 FINANCIAL IMPLICATIONS**

4.1 The fees and charges payable are set out in Appendix 1 of this report. Fees and charges will be met within the Elections Budget.

#### **5.0 LEGAL IMPLICATIONS**

5.1 Such implications are set out in this report  
The role of the Returning Officer is prescribed by legislation and the Council has a statutory duty to provide the Returning Officer with such resources as are considered necessary by the Returning Officer to run effective elections as detailed in section 3 of the report.

#### **6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS**

6.1 Such implications are set out in this report. The Council has a statutory obligation to provide the Returning Officer such resources considered necessary by the Returning Officer to run effective elections.

#### **7.0 RELEVANT RISKS**

7.1 In order for elections to be administered, election staff must be paid for work undertaken. Furthermore, it is imperative that election staff are engaged in election training for which a training fee is paid.

7.2 Failure to agree a fees and charges structure could undermine the effective administration of elections and result in the Returning Officer not being able to appoint the staff required to run elections which will expose the Council and Returning Officer to considerable risk and liability.

#### **8.0 ENGAGEMENT/CONSULTATION**

8.1 The five Merseyside authorities have been consulted and election fees have been compared. The Returning Officer has considered and agreed the fees and charges.

#### **9.0 EQUALITY IMPLICATIONS**

9.1 There are no direct equality implications relating to this report. The temporary election roles are open to all people who have relevant experience.

#### **10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS**

10.1 There are no known environment or climate implications.

## 11.0 COMMUNITY WEALTH IMPLICATIONS

11.1 Residents from the Wirral and Combined Authority area are employed in temporary roles. Elections create local employment opportunities. Local venues are hired for use as polling places. Not only does this create a source of income for local businesses but it also generates interest and inclusion in local business events that may not have existed if the footfall into venues had not been created.

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## APPENDICES

Appendix 1- scale of fees for the Returning Officer and his staff employed in relation to running Borough elections.

## BACKGROUND PAPERS

Representation of the People Act 1983  
MRA Allocations for the Police Area and Local Returning Officers at the Police and Crime Commissioner Elections on 6 May 2021 (including subsequent by-elections)  
Retail Price Index- Office for National Statistics

## TERMS OF REFERENCE

This report is being considered by the Regulatory and General Purposes Committee in accordance with Section 8.2(i) of its Terms of Reference: 'functions relating to elections and electoral registration not otherwise reserved to Full Council, including the making of recommendations to the Council as to recommendations to the Secretary of State on ward boundaries.'

## SUBJECT HISTORY (last 3 years)

<b>Council Meeting</b>	<b>Date</b>
<b>Regulatory and General Purposes Committee</b>	<b>20 March 2019</b>
<b>Regulatory and General Purposes Committee</b>	<b>22 March 2021</b>
<b>Regulatory and General Purposes Committee</b>	<b>23 March 2022</b>