

Council Report



10 March 2021

RETURNING OFFICER'S FEES AND DISBURSEMENTS

Name of Cabinet Member	Councillor Rob Middleton Cabinet Member for Resources and Innovation
Report sponsor	Peter Brown Head of Democratic Services
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Exempt / confidential / not for publication	No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 consistent with other Buckinghamshire Councils and this has continued to be the case for the new Buckinghamshire Council, which vested on 1 April 2020.

Some fees have been provisionally updated from those adopted last year to take account of changes in the Minimum / Living Wage and the anticipated additional costs of staff working on polling and counting duties, given the context of delivering a Covid secure election. Fees paid to the Returning Officer have not been increased.

1. Decision/s to be made

- 1.1 That the attached schedule of fees and disbursements for Principal Area and Parish elections be adopted for 2021/22.

2. Why is the decision needed?

- 2.1 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.

3. Consultation and Scrutiny

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

4. 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

Polls will be combined with Police and Crime Commissioner (which are centrally funded), and Parish elections (which are not), but it has not been the practice of the Council to recover costs from town and parish councils. Actual and necessary expenditure over and above the allocated budget has previously been met from a now exhausted election reserve but this was addressed as part of the budget setting exercise for 2021/22. Additional funds will also be made available by government to cover Covid related costs.

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.

5. Alternatives

- 5.1 To not increase fees, which were last set in 2020/21. This option is not recommended as it presents an additional risk that the Returning Officer will be unable to recruit sufficient staff, given challenges of securing the required staff for a Covid election.

6. Timetable for implementation

- 6.1 If adopted, the schedule of fees and disbursements will be effective from 1 April 2021.
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List of Annexes: Schedule of Returning Officer's Fees and Disbursements 2020/21

Background Papers: None