

This Report will be made public on 14 April 2022



Report Number **C/21/103**

To: Cabinet
Date: 26 April 2022
Status: Non key Decision
Responsible Officer: Amandeep Khroud, Democratic Services and Law
Cabinet Member: Councillor David Monk, Leader of the Council

SUBJECT: District, Parish and Town Council Elections – Kent scale of election fees

Summary: This report sets out the annual changes to the Kent scale of election fees of Folkestone & Hythe's Returning Officer to undertake the arrangements for managing and conducting district, parish and town council elections from 01 April 2022.

Reasons for recommendations:

The scale of fees enables a fair and reasonable recharge to be made by Folkestone & Hythe District Council to district, town and parish councils for their elections.

Recommendations:

1. To receive and note report C/21/103.

1. BACKGROUND

- 1.1 For a district election (including by-elections), Section 36 (4) of the Representation of the People Act 1983 states that the council may set a maximum scale of charges for the Returning Officer to use. The legislation states that a Returning Officer's expenses for conducting an election shall be paid by the council but if a scale is set, the expenses shall not exceed those laid down in the scale.
- 1.2 For parish/town council elections, Section 36 (5) states that the council may similarly set a maximum scale of charges for the Returning Officer to use, which the district council is responsible for paying, but which shall be repaid to the district council by the town / parish council for which the election is held, if the district council so requires it to be paid. It is the policy of this council that town and parish councils are required to pay for their own elections and by-elections.
- 1.3 In Kent the costs of conducting district, borough, town and parish elections are applied through the Kent Scale of Fees which, since 1998, has largely mirrored the National Scale.
- 1.4 Each year the Kent Association of Electoral Registration Officers and their staff (KAEROS) submit the Kent Scale to the Joint Kent Chiefs (JKC) for approval. This scale is then put forward to be adopted by all of the 13 local authorities in Kent as the maximum amounts for Returning Officers to charge for conducting local elections, a neighbourhood planning referendum and town / parish polls.
- 1.5 A variant of the scheme is also adopted by the County Council with amendments for Deputy Returning Officers to manage and conduct elections on the county's behalf.
- 1.6 Cabinet agreed at its meeting on 23 March 2016 to:
 - 1.6.1 Automatically adopt annually revised versions of the Kent scale of fees and charges in line with the NJC pay award;
 - 1.6.2 agree the revised Kent scale of fees and charges takes effect on 01 April of each year; and
 - 1.6.3 instruct officers to submit a report to Cabinet, as soon as possible after any pay award that changes the Kent scale of fees and charges for noting.
- 1.7 This report is submitted to inform Cabinet of the changes (maximum fees) that will take effect from 01 April 2022.

2. THE KENT SCALE OF ELECTION FEES

- 2.1 The Kent scale of election fees is revised each year in accordance with the annual National Joint Council APT & C pay award; the current fees will be

revised in line with the NJC local government pay award for 2022/23 which averages a 2% increase across all spinal points.

- 2.2 With the exception of polling staff, their travel costs and official poll card delivery costs, the scale uses a “per elector” charge on which to base its charges, e.g. Scale item 22 - The present maximum charge per 500 electors or part in a contested election for the employment of persons in connection with the counting of votes, clerical and other assistance required by the Returning Officer is £81.28.
- 2.3 Poll cards are only a statutory requirement at national elections, referendums and district elections.
- 2.4 Poll cards at parish elections are only sent out if the parish or town council so require by way of notification to the Returning Officer not later than noon on the nineteenth day before an election. However, if the poll is combined, an official poll card must be sent. Part of the combined costs may be recovered from the parish or town council.
- 2.5 Without adopting a scale of election fees the Council will be obliged to pay the Returning Officer’s expenses without setting what it considers a reasonable scale of expenses applicable to district, town and parish elections in Folkestone & Hythe. In addition, the scale does provide some indication to parish and town councils of the likely costs they will be liable to incur if there are contested elections in their area.
- 2.6 In the interests of transparency the Kent scale of fees (which represents the maximum) is published on the Folkestone & Hythe District Council website.

3. RISK MANAGEMENT ISSUES

- 3.1 There perceived risks are as follows:

Perceived risk	Seriousness	Likelihood	Preventative action
Failure to adopt a scale of fees.	Low	Low	Adopt scale of fees.

4. LEGAL/FINANCIAL AND OTHER CONTROLS/POLICY MATTERS

4.1 Legal Officer’s comments (AK)

All legal issues are set out in the report

4.2 Finance Officer’s comments (CS)

The proposed changes in fees and charges represent a marginal increase on the existing position and will therefore have a minimal impact on the financial position.

4.3 Diversities and Equalities implications (PB)

No diversity and equalities implications.

4.4 **Climate Change Implications (AT)**

No climate change implications.

5. **CONTACT OFFICERS AND BACKGROUND DOCUMENTS**

Councillors with any questions arising out of this report should contact the following officer prior to the meeting

Paul Butler, Democratic Services and Elections Lead Specialist

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The following background documents have been relied upon in the preparation of this report:

None

Appendix:

Appendix 1: Kent scale of fees from 01 April 2022

ELECTORAL REGISTRATION OFFICERS AND STAFF (Kent AEROS) – SCALE OF FEES

Proposed scale of fees for District/Borough and Parish Council elections and Neighbourhood Referendum held on or after 1st April 2022

1. The scale of fees are uplifted annually, by using the NJC award pay award for local government and approved by the Kent Chief Executives Group.
2. Kent County Council's scale of fees uses a calculation based upon per 1000 electorate. Kent AEROS' scale uses a calculation of per 500 electorate because of small parishes.
3. In order to ensure consistency the Kent AERO's scale reflects the KCC 2021 Scale and is usually in line with the NJC increase
4. The Kent AEROS' scale has been uplifted by 2% as the NJC awards are yet to be agreed.

	Item	Current 2021/22 £	Proposed 2022/23 £
Stationery and Equipment			
1.	Printing and publishing all notices, forms and other documents, providing stationery and sundries, and other miscellaneous expenditure including postage, telephone calls and faxes		
2.	Stationery and equipment at each polling station, including depreciation	Reasonable and appropriate cost	Reasonable and appropriate cost
3.	Hire of any building or room for the purpose of the election and the expenses attending the use of any building or room, including		

	temporary polling stations if necessary		
4.	Fitting-up polling stations including the provision, transport and erection of voting compartments, the hire of necessary furniture (where this is not otherwise available) and the return to store afterwards		
5.	Ballot Papers – provision and printing		
6.	Register of Electors – purchase		
7.	Printing or production of official poll cards and postal vote packs		
8.	Delivery of official poll cards by hand	Second class postage rate	Second class postage rate
Travelling expenses			
9.	Travelling expenses to DRO's staff to make arrangements for the poll or otherwise in connection with the conduct of the election	49p per mile	50p per mile
10.	Presiding Officer travelling expenses	15.63	15.94
11.	Poll Clerk travelling expenses	9.08	9.26
12.	Travelling expenses for staff in connection with the counting of votes, at the discretion of the DRO	9.08	9.26

Polling Station Staff			
13.	One Presiding Officer at each Polling Station – single election	227.82	232.38
14.	For each PO at a Polling Station – combined election or difficult station due to local circumstances (at the discretion of the Returning Officer (RO))	279.86	285.46
15.	For a PO who acts as a supervisor at a Polling Place where there is more than one Polling Station	(additional) 11.04	(additional) 11.26
16.	Supervising Officer (SO) – for every 10 polling station overseen	227.82	232.38
17.	For each Poll Clerk (PC) at a Polling Station – single election	142.31	145.16
18.	For each Poll Clerk at a Polling Station – joint election or difficult station due to local circumstances (at the discretion of the Returning Officer (RO))	169.23	172.61
19.	For each training session provided by the DRO for Presiding Officers, Poll Clerks or count staff	195.30	199.21
20.	For each Presiding Officer and Poll Clerk attending training	50.57	51.58

21.	An allowance for each polling station to have available a mobile phone on polling day	5.47	5.58
22.	For the employment of persons in connection with the counting of the votes, clerical and other assistance required by the RO – for each 500 electors or part in a contested election	79.69 (per 500)	81.28 (per 500)
23.	For the employment of persons in connection with the issue and opening of postal ballot papers – for each 100 postal voters or part	78.11	79.67
24.	For the recount of votes – for each 500 electors or part	4.59	4.68
25.	Payment to the District/Borough for the use of Council staff to support the RO in the conduct of elections as follows:		
(a)	Contested election – (i.e. without District/Borough) for each 500 electors (or part)	61.73 (per 500)	62.96 (per 500)
(b)	Contested joint election (i.e. with District/Borough) – for each 500 (or part)	30.87 (per 500)	31.49 (per 500)
26.	Contested single election – payment to DRO for	34.50	35.19

	the management and conduct of the election – for each 500 electors or part		
27.	Contested joint election – payment to DRO for the management and conduct of the election – for each 500 electors or part	47.63	48.58
28.	For each Counter attending training	16.39	16.72
29.	For each Count Supervisor and Count General Assistant attending training	32.79	33.45
30.	Reasonable refreshments for staff involved in the verification and count	Maximum £5.36 per head	Maximum £5.47 per head
31.	Payment to District/Borough Council for the use of Council staff at an uncontested election – for each 500 electors or part	17.02 (per 500)	17.36 (per 500)
32.	RO fee for the conduct of elections as follows:		
(a)	Uncontested District/Borough election – single fee	59.08	60.26
(b)	Uncontested Parish election – single fee	20.25	20.66
33.	For clerical and other assistance required by the Returning	21.68	22.11

	Officer at an uncontested election – for each 500 electors (or part)		
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Notes

1. The fees are calculated on the number of local government electors on the register of electors and entitled to vote at the last day for publication of the notice of election.
2. At parish polls the fees relating to polling staff **may** be pro rata.
3. **Items 10, 11 and 12** – variable mileage rates may be applied where fixed travel is considered appropriate.
4. **Item 24** – in special circumstances, the RO may recover actual costs
5. **Item 31** – the payment referred to applies (in the case of a parish election) to each ward of the parish.
6. Please note that the content of the Elections Bill will have implications for polling station staff (Voter ID) and so when more detail is known the fees will need to be reviewed to reflect this.