

**Report for: Cabinet**

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Date of Meeting:	10 December 2024
<b>Subject:</b>	<b>Updating Election Fees</b>
Cabinet Member:	Cllr Jane Lock, Deputy Leader and Cabinet Member for People & Development
Responsible Officer:	Stephen Walford, Chief Executive (Returning Officer)
Exempt:	N/A
Wards Affected:	All
Enclosures:	None

**Section 1 – Summary and Recommendation(s)**

Election fees should be reviewed regularly to take into account inflation as well as any changes in legislative responsibility. Locally-originated fees have not been reviewed or updated in over 20 years and this report updates that position.

**Recommendation(s):**

- 1. That the revised fees for Mid Devon District and Parish elections are approved, as per section 3, to take effect from 1<sup>st</sup> April 2025.**
- 2. That fees are updated annually from 2026 onwards in line with either the uplift of the previous year's staff pay award, or by CPI at the prevailing rate the September previously, should the annual pay award be expressed as a flat cash rate rather than as a percentage.**

**Section 2 – Report**

- 1.0 The Council is required to designate an Electoral Registration Officer and Returning Officer (RO) to run elections on its behalf, which the Council last did in 2022, following the retirement of the previous designated officer. The Council is also required to make sufficient resources available to the RO in order that elections can be run safely and securely. The fees and costs for running and administering specific election events are separate to the duties undertaken by officers in their council roles.

- 1.1 The Returning Officer is personally, not corporately, responsible for the delivery of elections and although they must be an employee of the Council at the time of an election, their responsibility and accountability for the running of an election is totally separate to their local authority duties. A Returning Officer may be held personally liable by the courts for any failure in their duty. Returning Officers must be impartial and ensure that elections are run in accordance with law. A Returning Officer appointed by a District Council will normally act as Returning Officer for each Town and Parish election held within the District Council's area and will undertake the role of Deputy Returning Officer for County Council elections, Acting Returning Officer for Parliamentary elections, Local Returning Officer for the election of a Police and Crime Commissioner, and Counting Officer for national and local referenda. Returning Officers are responsible for delivering fair and open elections that deliver accurate results which are not challenged. In order to run local elections, the Returning Officer needs to directly employ and pay in excess of 500 staff with differing levels of responsibility, and hire a sufficient number of venues to administer any poll effectively.
- 2.0 Election fees are set by the body overseeing them i.e. national election events such as parliamentary or national referenda fees are set by government. County election fees are set by Devon County Council. District and Parish fees are set by MDDC.
- 2.1 Each overseeing authority will typically review the fees ahead of each election cycle in order to take account of inflation since the last review, together with any changes in legislation or responsibility since that time. Central government updated its fees in advance of the 2024 general election and DCC has just updated its fees ahead of the county elections in May 2025. MDDC fees have not been updated for over 20 years.
- 2.2 The Returning Officer pays for polling staff, postage, mileage and venue hire at prevailing rates in order to run elections. These have therefore increased over time, while the core team fees are set in the context of the headline Returning Officer fee as set by the council. This variance over the decades since the fees were last updated has meant that, for the last few local election events, individual polling station staff have been paid more than the team responsible for running, administering and counting at the election. This has led to some understandable concern around when an updated position on fees would be agreed.
- 3.0 As it has not been possible to determine exactly when fees were last reviewed, it has not been possible to simply recommend adjusting the fees by an exact number of years' inflation, although an estimate has been included in table 3.3 for context. As such, attention has been paid to the most recent updates undertaken by neighbouring election areas, particularly those with whom Mid Devon may share a staff bank, since we seek to co-ordinate casual staff pay rates across district boundaries where possible so

that those volunteering for election duties are paid the same across different types of election events, for example.

- 3.1 The two districts that have published updated fee schedules in the last few years are Teignbridge (2022) and East Devon (2023). These adopt two slightly different approaches, with one having a significantly larger minimum/base with smaller weightings for size, and the other having no minimum and doing all calculations based on size of the election event. These alternate approaches reflect the view that a certain amount of work is required irrespective of the size of election event, which might seem to justify a larger minimum amount, versus the view that smaller election events might then become disproportionately more expensive for election events outside the regular cycles i.e. single ward by-elections or unscheduled parish elections. Over the last 20 years MDDC has never included a significant minimum base amount, and it is not recommended that one is incorporated at this time.
- 3.2 The difference between MDDC’s current fees and the most up to date schedule adopted within Devon in 2023, is broadly equivalent to the increase that would have taken place if normal CPI inflation had been applied each year (see below table). Therefore, it is proposed to simply adopt the same fee structure to provide some area-based consistency.

3.3 Table of fees (Schedule 1):

	scale Para 3(1)(a)(i) first 1000 electors	(a)(ii) fee for each 250 over 1000	(a)(iii) fee for each candidate elected after first	3(1)( c) postal votes fee per 100 or part	uncontested election per ward 3(1)(b)
MD rates 2000 (est)	87.95	11.45	30.6	11.45	57.35
Updated with CPI weighting	161.83	21.07	56.30	21.07	105.52
ED 2023 as adopted	165	21	n/a	108	76

**Financial Implications**

It is known that some parishes hold reserves to cover the cost of running elections in their parish, since they will be able to estimate the cost based on their own population figures. As such, it is proposed that these revised fees do not take effect until next financial year to ensure that any parish election events in the remainder of this financial year are not impacted by the change. The impact on the council’s annual election budget will vary depending on number of unscheduled election events (by-elections) but is estimated to be around £4-5k.

### **Legal Implications**

The running of elections by the Returning Officer is overseen and monitored by the Electoral Commission. There are no legal implications associated with this decision.

### **Risk Assessment**

The main risks are around the safe and secure running and resourcing of election events in the district. An up to date fee structure is considered good practice, and updating one that has not been reviewed in over 20 years is considered essential.

### **Impact on Climate Change**

None.

### **Equalities Impact Assessment**

There are no equalities impacts arising from this decision.

### **Relationship to Corporate Plan**

N/A

## **Section 3 – Statutory Officer sign-off/mandatory checks**

**Statutory Officer:** Andrew Jarrett

Agreed by or on behalf of the Section 151

**Date:** 24/11/24

**Statutory Officer:** Maria De Leburne

Agreed on behalf of the Monitoring Officer

**Date:** 24/11/24

**Chief Officer:** Stephen Walford

Agreed by or on behalf of the Chief Executive

**Date:** 19/11/24

**Performance and risk:** Steve Carr

Agreed on behalf of the Corporate Performance & Improvement Manager

**Date:** 29/11/2024

**Cabinet member notified:** Yes

## **Section 4 - Contact Details and Background Papers**

**Contact:** Stephen Walford

Email: [swalford@middevon.gov.uk](mailto:swalford@middevon.gov.uk)

Telephone: 01884 255255