

ELECTORAL AND BOUNDARY REVIEW COMMITTEE

Thursday, 1st March, 2012

10.00 am

Bowl Room, Sessions House, County Hall Maidstone





AGENDA

ELECTORAL AND BOUNDARY REVIEW COMMITTEE

Thursday, 1 March 2012 at 10.00 am
Bewl Room, Sessions House, County Hall
Maidstone

Ask for: Peter Sass
Telephone: 01622 694002

Tea/Coffee will be available 30 minutes before the meeting

Membership

Conservative: Mr G K Gibbens (Chairman), Mr J F London (Vice-Chairman),
Mr A R Chell, Mr K A Ferrin, MBE, Mr M J Harrison, Mr M V Snelling
and Mrs P A V Stockell

Liberal Democrat: Mr T Prater

UNRESTRICTED ITEMS

(During these items the meeting is likely to be open to the public)

Item

- 1 Substitutes
- 2 Declarations of Interest on any items on this agenda
- 3 Minutes - 21 June 2011 (Pages 1 - 2)
- 4 The Kent County Council Scale of Election Fees and Expenses (Pages 3 - 10)

EXEMPT ITEMS

(At the time of preparing the agenda there were no exempt items. During any such items which may arise the meeting is likely NOT to be open to the public)

Peter Sass
Head of Democratic Services
(01622) 694002

Wednesday, 22 February 2012

Please note that any background documents referred to in the accompanying papers may be inspected by arrangement with the officer responsible for preparing the relevant report.

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KENT COUNTY COUNCIL

ELECTORAL AND BOUNDARY REVIEW COMMITTEE

MINUTES of a meeting of the Electoral and Boundary Review Committee held in the Wantsum Room, Sessions House, County Hall, Maidstone on Tuesday, 21 June 2011.

PRESENT: Mr G K Gibbens (Chairman), Mr J F London (Vice-Chairman), Mr A R Chell, Mr K A Ferrin, MBE, Mr M J Harrison, Mr T Prater, Mr M V Snelling and Mrs P A V Stockell

UNRESTRICTED ITEMS

1. Declarations of Interest on any items on this agenda

(Item 1)

There were no interests declared by Members of the Committee in any item on the agenda.

2. Minutes - 8 March 2010

(Item 2)

(1) It was noted that this Committee should meet as soon as possible following the announcement of the recommendations concerning the review of Parliamentary boundaries in September 2011, to discuss any implications for the County's boundaries and electoral divisions.

(2) Mr Harrison asked the Committee not to lose sight of his request to review two-Member divisions.

Resolved: that the minutes of the meeting held on 8 March 2010 be approved as a correct record and signed by the Chairman.

3. Review of the County Election Arrangements and the County Returning Officer's Fee

(Item 3)

(1) The Director of Governance and Law introduced the report, stating that over the previous 18 months he had overseen a rigorous examination of the various procedures and processes involved in the County Council elections, which had involved extensive consultation and negotiation with District/Borough Councils. He added that the elections function had transferred to his control from April 2011 as a result of the implementation of Change to Keep Succeeding and that his review had examined every aspect of the elections function, including funding of the elections and remuneration for those individuals most closely involved, with a view to achieving much more objectivity and Member-level control than had existed hitherto.

(2) There was a discussion about the legal position relating to the payment of election fees and expenses, with particular reference to the method of calculation and

authorisation of the fee for the County Returning Officer and the Deputy Returning Officers (paragraphs 1.5-1.6 and 2.1 of the report refer).

(3) Mr Prater proposed that the County Council should seek urgent advice on the recovery of the payments made to the County Returning Officers in 2005 and 2009, on the basis that they were not permitted in law. Other Members thought that it was more important to place the fee arrangements on a firmer footing going forward, than to seek to recover monies already paid in previous years, particularly as there was no suggestion at the time that the payments made were not lawful. Mr Prater's proposal was not seconded and fell.

(4) The Director of Governance and Law stated that the proposals contained in the report represented a proper way forward, not just in relation to the proposed amounts set out in KCC Scale of Fees, but also in relation to the role of this Committee in formally reviewing the fees and charges on an annual basis.

(5) Mr Ferrin stated that the Committee should accept the recommendations in the report, in case there was a by-election in the near future, but that further work needed to be done by the officers to establish the mechanism in each District/Borough Council in Kent for the Deputy Returning Officer (normally the Chief Executive) to be remunerated for his or her role at County Council elections. He also proposed that KCC should investigate alternative methods of running County Council elections as a matter of urgency.

After further discussion, it was:

Resolved: that (1) the proposed KCC Scale for 2011 as set out in Appendix 2 of the report be adopted and that it be reviewed annually by the Committee thereafter;

(2) the arrangements for the payments to Deputy Returning Officers be approved as set out in the table in paragraph 2.5;

(3) KCC staff undertaking duties in respect of KCC elections should have those duties embedded within the job descriptions and for these to be evaluated to reflect the additional duties, as described in paragraph 3.2;

(4) Officers be requested to contact all of the District/Borough Councils in Kent to establish whether the Chief Executives (or other officers) are remunerated separately for their role as Deputy Returning Officer for County Council elections and, if so, how and at what level; and

(5) Officers investigate alternative methods of running County Council elections and report back to this Committee at its next meeting.

To: Electoral and Boundary Review Committee – 1 March 2012

By: Geoff Wild, Director of Governance and Law
Peter Sass, Head of Democratic Services

Subject: The KCC Scale of Election Fees and Expenses

Classification: Unrestricted

Summary This report considers the KCC Scale of Election Fees and Expenses for KCC Elections for 2012/13.

1. Background

1.1 At the meeting of this Committee on 8 March 2010 it was agreed that:

- the proposed Kent Scale of Expenses for KCC elections for 2011 be reviewed by this Committee at a meeting in September 2010
- the Committee would assume responsibility for authorising and approving the Kent Scale of Fees and Expenses for KCC elections each year thereafter
- the Committee would consider and determine whether payment should be made in future to the County Returning Officer (CRO) and, if so, whether any part of that payment should be apportioned amongst KCC election staff

1.2 Because of the cancellation of the Committee meeting on 18 August 2010, the next available date on which this could be considered was on 21 June 2011, where the Committee agreed that the proposed KCC Scale for 2011 be adopted and that it be reviewed annually by the Committee thereafter.

1.3 The staffing costs of conducting Parliamentary and European Parliamentary elections are regulated by Returning Officers' Fees and Charges Orders made by Government ("the National Scale"). In the case of District and Parish/Town Council elections in Kent, these costs have been applied through a scale of fees and charges known as "the Kent Scale", which largely mirror the latest National Scale.. Each year the Kent Association of Electoral Registration Officers (KAEROS) compiles and submits the Kent Scale (which is revised in accordance with the annual National Joint Council APT&C pay award) to the Kent Chief Executives for approval. The approved Kent Scale for the period 1 April 2012 to 31 March 2013 is attached at **Appendix 1**.

1.4 For County elections, the Kent Scale is supplemented annually by the Kent Scale of Fees and Expenses ("the KCC Scale"). The KCC Scale has traditionally replicated the Kent Scale with the exception that provision is also made for payments to Deputy Returning Officers to manage the KCC election locally. Attached at **Appendix 2** is the proposed KCC Scale for 2012/13, which has been the subject of consultation with the Kent Chief Executives and KAEROS. The proposed Scale reflects the Committee's decisions in June 2011 in respect of fees to Deputy Returning Officers.

1.5 The Committee's attention is drawn to a new item in both the Kent Scale and KCC Scale, which relates to payments to Supervising Officers, and shows the rate of pay is the same as a Presiding Officer at a polling station for a single election. KAEROS advises that the inclusion of the Supervising Officer in the Kent Scale mirrors the inclusion of the role in the National Scale for the first time in 2011 and represents a formal recognition of what has become an important role on election days. As Members may be aware, Presiding Officers and other polling station staff may not leave the polling station during polling hours and it is the responsibility of the Supervising Officer to visit a number (ten or more) of polling stations at least two (if not three or more) times during polling hours to assist with and/or co-ordinate a number of functions and activities, including:

- (i) assisting with any item of polling equipment that isn't working properly during the day and carrying spare stationery and copies of official notices and signs in case any go missing during the day or are missing from the ballot box for whatever reason
- (ii) liaising with Presiding Officers, candidates, their agents and the police about the activity of candidates, tellers and other political party staff/volunteers, in relation to the rules in and around polling stations, although the Presiding Officer is expected to deal with these things in the first instance; and
- (iii) collecting any postal votes delivered to the polling stations. Postal votes need to be verified before being counted, which takes up time at the Count itself if they are not verified beforehand, so the supervisors will collect postal votes from polling stations during the day as part of their duties, which are then verified back at the District Council offices and kept in a locked ballot box for counting later on

1.6 It is proposed that the KCC Scale for the period 1 April 2013 to 31 March 2014 will be submitted to this Committee for approval in early 2013.

2. Recommendations

2.1 The Committee is invited to approve the proposed KCC Scale for the period 1 April 2012 to 31 March 2013.

**KENT ASSOCIATION OF ELECTORAL REGISTRATION
OFFICERS AND STAFF (KAEROS)**

Proposed scale of fees for District/Borough and Parish Council elections held
on or after 1st April 2012

ITEM	Current 2011 £	Proposed 2012 £	% increase
1. For each Presiding Officer at a Polling Station – single election	197.25	197.25	nil
2. For each Presiding Officer at a Polling Station – combined election or difficult station due to local circumstances (at the discretion of the Returning Officer)	242.32	242.32	nil
3. For a Presiding Officer who acts as a supervisor at a Polling Place where there is more than one Polling Station	(additional) 9.56	(additional) 9.56	nil
4. Presiding Officer travel (see note 4 below)	13.52	13.52	nil
5. For each Poll Clerk at a Polling Station – single election	118.35	118.35	nil
6. For each Poll Clerk at a Polling Station – combined election (at the discretion of the Returning Officer)	146.52	146.52	nil
7. Poll Clerk travel (see note 4 below)	7.86	7.86	nil
8. Supervising Officer – for every 10 polling stations overseen	–	197.25	–
9. For each Presiding Officer, Poll Clerk and Supervising Officer attending training	43.78	43.78	nil
10. For each training session provided by the Returning Officer to Presiding Officers and Poll Clerks	169.09	169.09	nil
11. For the delivery of official Poll Cards by hand	0.34	0.34	nil

ITEM	Current 2011 £	Proposed 2012 £	% increase
12. For the employment of persons in connection with the counting of votes, clerical and other assistance required by the Returning Officer – for each 500 electors (or part) in a contested election	69.01	69.01	nil
13. For the employment of persons in connection with the preparation, issue and opening of postal ballot papers – for every 100 (or part) postal ballot papers issued. (Further resources may be needed to meet the effects of the Electoral Administration Act 2006)	67.63	67.63	nil
14. For each recount of the votes – for each 500 electors (or part) (see note 3 below)	3.97	3.97	nil
15. Travel of staff in connection with the counting of votes (at the discretion of the Returning Officer – see note 4 below)	7.86	7.86	nil
16. For clerical and other assistance required by the Returning Officer at an uncontested election – for each 500 electors (or part)	18.77	18.77	nil
17. Payment to the District/Borough for the use of Council staff to support the Returning Officer in the conduct of elections as follows:			
(a) contested election – (i.e. without District/Borough) for each 500 electors (or part)	53.45	53.45	nil
(b) contested joint election (i.e. with District/Borough) – for each 500 electors (or part)	26.72	26.72	nil
18. Payment to the District/Borough for the use of Council staff at an uncontested election – per uncontested election (see note 5 below)	14.74	14.74	nil
19. Returning Officer's fee for the conduct of elections as follows:			

ITEM	Current 2011 £	Proposed 2012 £	% increase
(a) contested District/Borough OR Parish election – for each 500 electors (or part)	29.87	29.87	nil
(b) contested joint District/Borough AND Parish election – for each 500 electors (or part)	41.26	41.26	nil
(c) uncontested District/Borough election – single fee	51.15	51.15	nil
(d) uncontested Parish election – single fee	17.52	17.52	nil

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. Item 14 – in special circumstances, the Returning Officer may recover actual costs.
4. Items 4, 7 and 15 – variable mileage rates may be applied where fixed travel is considered inappropriate.
5. Item 18 - the payment referred to applies (in the case of a parish election) to each ward of a parish.

KCC SCALE OF EXPENSES
1 April 2012 – 31 March 2013

<u>STATIONERY AND EQUIPMENT</u>		
1	Printing and publishing all notices, forms and other documents, providing stationery and sundries, and other miscellaneous expenditure including postage, telephone calls and faxes.	Actual and necessary cost
2	Stationery and equipment at each polling station.	
3	Hire of any building or room for the purpose of the election and the expenses attending the use of any building or room.	
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.	
8	Delivery of official poll cards: (a) by hand – at the discretion of the Deputy Returning Officer – overall maximum not to exceed (b) by post	34p/card Actual and necessary cost
<u>TRAVELLING EXPENSES</u>		
9	Travelling expenses to Deputy Returning Officers staff to make arrangements for the poll or otherwise in connection with the conduct of the election.	45p/mile
10	Presiding Officer travelling expenses.	£13.52
11	Poll Clerk travelling expenses.	£7.86
12	Travelling expenses for staff in connection with the counting of votes at the discretion of the County Returning Officer.	£7.86
<u>POLLING STATION STAFF</u>		
13	One Presiding Officer at each Polling Station –	£197.25

	single election.	
14	One Presiding Officer at each Polling Station – combined election or difficult station due to local circumstances (at discretion of CRO).	£242.32
15	Presiding Officer who acts as a supervisor in a Polling place where there are a number of polling stations (additional).	£9.56
16	Supervising Officer – for every 10 polling stations overseen	£197.25
17	One Poll Clerk at each Polling Station.	£118.35
18	One Poll Clerk at each Polling Station – combined election or difficult station due to local circumstances (at discretion of CRO).	£146.52
19	For each training session provided by the Returning Officer for Presiding Officers and Poll clerks.	£169.09
20	For each Presiding Officer and Poll Clerk attending training	£43.78
<u>COUNTING OF THE VOTES, POSTAL VOTING, CLERICAL /OTHER ASSISTANCE</u>		
21	For the employment of persons in connection with the counting of the votes, clerical and other assistance required by the Deputy Returning Officer – for each 1000 electors or part in a contested election.	£138.02
22	For the preparation of stationery and the employment of persons in connection with the issue and opening of postal ballot papers – for each 100 postal voters or part.	£67.63
23	For the recount of votes – for each 1000 electors or part.	£7.94
24	Contested Election – payment to District/Borough Council for the use of Council staff in the conduct of the election – each 1000 electors or part.	£106.9
25	Contested Joint Election – payment to District/Borough Council for the use of Council staff in the conduct of the election – each 1000 electors or part.	£53.44
26	Contested single election – payment to DRO for the management and conduct of the election – each 1000 electors or part	£44.81

27	Contested joint election – payment to DRO for the management and conduct of the election – each 1000 electors or part	£61.89
<u>UNCONTESTED ELECTION</u>		
28	For clerical and other assistance required by the Deputy Returning Officer at an uncontested election – for each 1000 electors or part.	£37.54
29	Payment to District/Borough Council for the use of Council staff (including the provision of a Deputy Returning Officer) in the conduct of an uncontested election – for each 1000 electors or part.	£29.48
<u>COUNTY RETURNING OFFICER ONLY</u>		
30	In the event of an uncontested election the payment of all costs, charges and expenses whatsoever incurred in and about the conduct of the election other than those whose provision is otherwise made in this scale.	Such amount as may be approved by the Electoral and Boundary Review Committee.
31	Insurance in respect of employer's liability and for injury or damage to persons and property of third parties, and for such other risks as advised by the County Council's Finance Director and the insurer's to the County Council. Costs incurred by the County Returning Officer only.	Actual and necessary cost.
32	Additional expenses (if any) involved in and about the conduct of the election including (a) professional, clerical and other assistance, (b) professional and legal advice, (c) additional costs associated with a recount of the votes and (d) other disbursements.	Such amount as may be approved by the Electoral and Boundary Review Committee.