

THE VALE OF GLAMORGAN COUNCIL

COMMUNITY LIAISON COMMITTEE

REQUEST FOR CONSIDERATION OF A MATTER BY THE COMMITTEE
(*TO BE MADE BY THE TOWN / COMMUNITY COUNCIL VIA THEIR CLERK*)

Date 30 January, 2019

Name of Town/Community Council : Llandough

It is requested that the Community Liaison Committee consider the following matter. (N.B. Items that are site specific should be referred to the appropriate Council department):

To receive an explanation of the rationale for election expenses charged to community and town councils and to indicate how such expenses may be reduced (e.g. poll cards) or repaid over an agreed period of time.

Reason(s) for request:

The Council is aware that there is some concern about the costs of elections and in particular the costs of bye-elections.

PLEASE RETURN TO: Room 26
Democratic and Scrutiny Services
Directorate of Resources
The Vale of Glamorgan Council
Civic Offices
Barry
CF63 4RU

FOR COUNCIL USE ONLY:

Date Received

Subject Matter

Copy of request passed to Director(s)/Officer(s):

Copy to Chairman/Vice Chairman **YES/NO**

FOR COMMITTEE AGENDA **YES/NO**

If yes: Report/Presentation

If no please state reason:

Managing Director's comments

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Date of written response to Town/Community Council

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Name of Committee:	Community Liaison Committee
Date of Meeting:	02/07/2019
Relevant Scrutiny Committee:	Corporate Performance and Resources
Report Title:	Town and Community Council Election Costs
Purpose of Report:	To advise Town and Community Council Clerks and Members of the costs incurred and recharged for elections and options available to reduce the cost.
Report Owner:	Cabinet Member for Legal, Regulatory and Planning Services
Responsible Officer:	Rob Thomas, Managing Director
Elected Member and Officer Consultation:	Electoral Registration Officer/Returning Officer Electoral Registration Manager
Policy Framework:	This is in part a matter for Executive decision by Cabinet and also Council
<p>Executive Summary:</p> <ul style="list-style-type: none"> • A request was submitted for 'Election Costs for Community and Town Councils' to be included at the Community Liaison meeting. • The noting report provides information on how the recharges are calculated for Town and Community Council elections and by-elections. • The Returning Officer has a personal responsibility for the conduct of local elections and this is not a function of the Vale of Glamorgan Council. The Returning Officer is directly accountable to the courts as an independent statutory office holder. • The report considers options, where applicable, for reducing the cost of elections and by-elections. • The report highlights that some costs are currently absorbed by the Vale of Glamorgan Council and not recharged to Town and Community Councils, for instance the production and printing of casual vacancy notices, special leave for Vale of Glamorgan Council staff, payroll costs, the use of election equipment and stationery and the use of committee rooms. • VAT may be recovered by Town and Community Councils. 	

1. Recommendation

- 1.1** T H A T Committee note the report.
- 1.2** T H A T in advance of each by-election Poll the relevant Clerk of the Town or Community Council advise the Returning Officer of the preferred number of Count Assistants to be employed.
- 1.3** T H A T Town and Community Councils participate in the polling districts, places and stations review scheduled for consultation in September 2019.

2. Reasons for Recommendations

- 2.1** To advise Committee of the cost headings associated with Town and Community Council elections and by-elections.
- 2.2** To provide Town and Community Councils with an option to reduce the number of count assistants employed at a by-election Poll.
- 2.3** To encourage Town and Community Councils to participate in the polling districts, places and stations review in 2019.

3. Background

- 3.1** Since the local government elections in May 2017 27 casual vacancy notices for Town and Community Councils have been published within the Vale of Glamorgan, 6 have proceeded to a by-election. Therefore, on average around 78% of Casual Vacancies are filled by co-option.
- 3.2** The current practice is that there are no recharges for the production and publication of casual vacancy notices.
- 3.3** Every attempt is made to ensure best value is obtained by following the procurement policy of the Vale of Glamorgan Council in obtaining three quotes for the production and printing of stationery used, e.g. ballot papers, poll cards and postal voting packs.
- 3.4** When issuing an invoice to the Town and Community Councils, a two year payment plan is offered to spread the cost.
- 3.5** It is imperative that all Town or Community Councils take into account the cost of full local government elections every five years (previously four years) and potential by-elections when setting their precepts. The cost of elections will vary and cannot be set in advance due to evolving changes to electorate figures, number of postal voters, the cost and production of printing at the time of the poll, postage costs at the time of the poll and hire costs of polling stations at the

time of the poll. The Welsh Assembly is considering the Senedd and Elections (Wales) Bill which will reduce the voting age for Welsh Assembly Elections to 16 year olds; following on from this the Local Government and Elections (Wales) Bill will also potentially reduce the voting age at Local Government Elections to 16 year olds. Therefore, in 2022 all community wards may see an increase in their electorate.

3.6 Due to the financial pressures in the public sector the Vale of Glamorgan Council has since 2010 been required to make savings of £55 million . In 2019/20 the Council will need to find savings of an additional £3 million and in 2020/2022 a further £12 million worth of savings will need to be found. The Vale of Glamorgan Council is therefore neither in a position to absorb the cost of elections or by-elections for Town and Community Councils, nor would it be appropriate given that Town and Community Councils are separate legal entities to the Vale of Glamorgan Council.

3.7 Hire of Polling Stations

3.7.1 The Electoral Registration Officer / Returning Officer has a statutory duty to ensure there is a designated polling place for each polling district unless the size or other circumstances of a polling district are such that the situation of the polling station does not materially affect the convenience of the electors.

3.7.2 Town and Community Councils are encouraged to make representations regarding the number and location of polling stations in respect of their individual Councils as part of the pending review of polling districts, polling places and polling stations. This takes place every five years and the next one is scheduled for consultation in September 2019. It will be appreciated that a reduction in the number of polling stations, will equate to a reduction in the hiring cost of the same and the need to staff the same with Presiding Officers and Poll Clerks albeit this must be considered against the statutory obligation of designating a polling place for each polling district unless special circumstances make it desirable to designate an area wholly or partly outside the district (for example, if no accessible polling place can be identified in the district).

3.7.3 Polling stations are determined at the Review stage as opposed to establishing them prior to a poll. A review may be undertaken during other times but the change would need to be clearly justified to avoid elector confusion on poll day.

3.7.4 The cost of polling stations varies throughout the Vale of Glamorgan as the re-charges are based on the hire costs of each venue. If a permanent venue cannot be established the polling station allocated may be a portacabin. Should a portacabin be required this can significantly impact on the overall costs as the price of hiring a portacabin, portaloos and generator will be recharged, which is approximately £1,000. It is the Returning Officer's view that the use of portacabins should be minimised.

3.7.5 Proposals for electoral reform in the UK includes the option of electronic voting and digital alternatives for the poll which to date has involved consultations and pilot schemes. Should electronic voting be introduced then cost savings will be made in the hire of polling stations.

3.8 Poll Cards – printing and production

3.8.1 A quote from three suppliers is required to ensure best value is received and it also provides an opportunity to ensure the print company can meet the condition of the poll card template and design (as per legislation and Royal Mail technical specifications) along with the capability of meeting the dates for production.

3.9 Poll Cards – postage

3.9.1 A quote from three suppliers is required to ensure best value, and during the last few years options have been included for downstream access postage which is one of the cheapest postage options on the market in comparison to Royal Mail.

3.10 Ballot Papers – printing and production

3.10.1 The legislation provides a detailed specification on the ballot paper requirements and the Town or Community Council is recharged the exact amount invoiced to the Vale of Glamorgan Council. There are three sets of ballot papers produced, postal ballot papers, polling station ballot papers and tendered ballot papers. In line with Electoral Commission guidance 100% of ballot papers are printed to match the current electorate for each community ward.

3.11 Postal Mailers – printing and production

3.11.1 A quote from three suppliers is required to ensure best value is received. It also provides an opportunity to ensure the print company can meet the requirements of the postal mailer specification outlined in the legislation along with the capability of meeting the dates for production. The volume of postal mailers produced is determined by the number of postal voters in the community ward which has significantly increased over the past decade. A postal mailer consists of the postal vote statement, an explanatory insert, business reply envelope, ballot paper and outgoing envelope. Both the legislative requirements and Royal Mail specifications must be adhered to for postal voters.

3.12 Postal Mailers – postage

3.12.1 Postal mailers are sent first class using Royal Mail to ensure they are delivered promptly giving electors plenty of time to complete and return their ballot packs. A discount of clean mail advance is used with Royal Mail and the Town and Community Council is recharged the amount invoiced by Royal Mail. As per the

Electoral Commission's guidance, the receipt for the postal mailers should be endorsed by Royal Mail for safe acknowledgement of all postal votes.

3.12.2 Postal mailers may also be delivered by hand, however this is not deemed a viable option by the Returning Officer as the process would include the recruitment of canvassers, administration of canvass rounds, and payment to canvassers. Postal voting also forms part of our integrity planning to which there is a higher risk of fraud, reducing the number of people handling postal votes assists in reducing potential election fraud.

3.13 Postal Mailers – postage (response)

3.13.1 All postal voting packs include a first class business reply envelope, the specification of the envelope is set by Royal Mail to ensure priority returns to the Vale of Glamorgan Council. The cost recharged to the Town or Community Council is determined by the response rate of the postal vote electors. Therefore, the amount recharged to the Town or Community Council is the exact amount invoiced by Royal Mail. As will be appreciated, Electors may also hand deliver their postal ballot packs to the Civic Offices or a polling station on poll day.

3.14 Staff Fees

3.14.1 The Returning Officer Fee was set over ten years ago ; the recharge is checked by a Senior Accountant and approved by the Section 151 Officer of the Vale of Glamorgan Council and the Town or Community Council is recharged the amount paid to the Returning Officer.

3.14.2 It should be noted that the Returning Officer role is a separate duty from the Vale of Glamorgan Council. A local government Returning Officer has a personal responsibility for the conduct of local government elections. This is not a function of the Vale of Glamorgan Council. The Returning Officer is directly accountable to the courts as an independent statutory office holder with various personal statutory obligations resting with the Returning Officer which carry criminal liability sanctions.

3.14.3 The majority of staff fees for posts including Presiding Officer, Poll Clerk and Count Assistants have been the same since 2009 with the exception of a slightly increased fee if the Poll is a combined poll. Whenever possible, Polls will be combined in order to minimise the re-charge to Town and Community Councils, and this was the case in February 2019 by-election for the Rhoose Ward of the Vale of Glamorgan Council which was combined with the by-election for the Cowbridge with Llanblethian Town Council, Llanblethian East Ward.

3.14.4 The Town or Community Council is recharged the exact amount paid to the staff. This is checked by a Senior Accountant and payments are audited.

3.14.5 Due to recruitment difficulties experienced with election work, staff employed by the Vale of Glamorgan Council are released to conduct election duties and receive special leave. The Vale of Glamorgan Council does not currently re-charge Town and Community Councils for the Special Leave cost incurred. The Vale of Glamorgan Council also absorbs the cost of providing training and conducting the payroll functions for election staff.

3.14.6 One opportunity arises to reduce staff fees for the verification and count. The Returning Officer aims to conduct the verification and count as swiftly as possible to ensure the declaration of results is announced promptly however, the number of count staff could be reduced which will marginally reduce staff costs. The reduction of the number of count staff will in turn mean the process will take longer and candidates and agents will have a longer wait for the declaration of results.

3.15 Equipment and Stationery

3.15.1 Town and Community Councils are recharged for the costs of Polling Station sundry packs as these are ordered for the relevant Election; however; there is currently no re-charge for general printing and stationery costs such as the production of polling station notices, corresponding number lists, copies of the register or postal opening notices and documentation or the notices and documentation used at the verification and the count.

3.15.2 There is no re-charge for the use of election equipment such as polling booths, ballot boxes and signage.

3.16 Room hire

3.16.1 There is currently no re-charge for the hire of committee rooms at the Civic Offices for the conduct of postal vote opening sessions.

3.17 VAT

3.17.1 On receipt of the invoice, Town and Community Councils may recover the VAT incurred.

4. Key Issues for Consideration

4.1 For Town and Community Councils:

- to respond to the Review of polling districts, polling places and polling stations which will be subject to consultation in September 2019;
- to consider the number of count agents recruited for a poll; and

- to recover the VAT incurred in respect of the cost of the election or by-election.

5. How do proposals evidence the Five Ways of Working and contribute to our Well-being Objectives?

- 5.1** The re-charges support the reshaping needs of the Vale of Glamorgan Council.
- 5.2** Informing Town and Community Councils of how the recharges for elections and by-elections are calculated will assist with planning for the future.
- 5.3** The Returning Officer works in collaboration with the Town and Community Councils to deliver by-elections effectively.
- 5.4** The noting report ensures engagement with the relevant stakeholders.

6. Resources and Legal Considerations

Financial

- 6.1** The cost of each election and by by-election varies for the reasons detailed in the report.
- 6.2** The publishing and administrative costs of the Review of polling districts, polling places and polling stations will be met from the Electoral Registration Services existing budget.

Employment

- 6.3** There are no direct implications arising from this report.

Legal (Including Equalities)

- 6.4** The duties of the Returning Officer are separate from the duties as a local government officer. The Returning Officer is not responsible to the council in exercising the functions associated with the administration of an election but is directly accountable to the courts as an independent statutory office holder.

7. Background Papers

Representation of the People Act 1983.

Electoral Commission Guidance.