

Appendices: 1



**NORTHAMPTON**  
BOROUGH COUNCIL

## GENERAL PURPOSES COMMITTEE REPORT

<b>Report Title</b>	<b>Returning Officer Fees and Expenses</b>
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**AGENDA STATUS: PUBLIC**

<b>Committee Meeting Date:</b>	<b>18 March 2019</b>
<b>Policy Document:</b>	No
<b>Directorate:</b>	Borough Secretary and Monitoring Officer

### 1. Purpose

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- 1.1 To approve the scales of election fees paid to the Returning Officer for any Borough or Parish Council elections during 2019/20.

### 2. Recommendations

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- 2.1 That the scale of election fees appended to this report be adopted for 2019/20 in relation to any Local by-elections or Referendums which may be required.

### 3. Issues and Choices

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#### 3.1 Report Background

- 3.1.1 The local authority is required to appoint a Returning Officer to conduct these elections on their behalf. The Returning Officer is legally responsible and accountable for the management of elections. Each local authority is required to place the services of its staff at the disposal of the Returning Officer to help run the election.
- 3.1.2 In order for the Returning Officer to be able to carry out their duties, Section 36 (4) of the Representation of the People Act 1983 (For a district election including by-elections) 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.

3.1.3 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 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 parish councils are required to pay for elections.

3.1.4 The local authority is required to appoint a Returning Officer to conduct these elections on their behalf. The Returning Officer is personally (not corporately) responsible for the management of elections. Each local authority is required to place the services of its staff at the disposal of the Returning Officer to help run the election.

3.1.5 In Northampton Borough Council, the Returning Officer is the Council's Borough Secretary and Monitoring Officer. Even though the Returning Officer is also an employee of the Council, at the time of an election his responsibility is completely separate. In order to run a local election the Returning Officer needs to employ and pay additional staff with different levels of responsibility. It is important that this is done fairly and transparently. In order to achieve this, the Council must agree a schedule of fees which they all use to pay staff to ensure that there is a consistent approach for everyone.

3.1.5 There is no formal consensus of fees between the Northamptonshire local authorities. The proposed fees for NBC are in line with those paid by Daventry District Council.

3.1.6 The fees will be increased each year in line with the Annual Pay Award.

## **4. Implications (including financial implications)**

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### **4.1 Policy**

4.1.1 The scale of the proposed election fees are in line with the Councils existing pay policy.

### **4.2 Resources and Risk**

4.2.1 The costs of Parish Council elections are recoverable from the relevant Parish Council

4.2.2 Northampton Borough Council has to meet the costs of any Borough Council elections including by-elections. It is important to ensure that the Returning Officer has sufficient funding to run the election, and can attract experience and committed staff to comply with legislation

### **4.3 Legal**

4.3.1 Legal issues are covered within the body of the report

### **4.4 Equality**

4.4.1 There are no diversity and equalities implications arising from the report

## **5. Background Papers**

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5.1.1. None

**Francis Fernandes**  
**Borough Secretary & Returning Officer**