

Report to the Cabinet

Report reference: C-029-2011/12
Date of meeting: 24 October 2011



**Epping Forest
District Council**

Portfolio: Leader of the Council

Subject: Police & Crime Commissioner Elections – Budget Provision 2012/13

Responsible Officer: Ian Willett (01992 564243).

Democratic Services Officer: Gary Woodhall (01992 564470).

Recommendations/Decisions Required:

- (1) That a DDF growth expenditure item in a sum of £ 148,000 (and a balancing DDF income item in the same sum) be included in the draft budget for 2012/13 in respect of the election of a Police & Crime Commissioner for Essex; and
- (2) That, in the event that there is any change in the funding regime when regulations are published, the Leader of Council be authorised to consider and include any revised figure for approval by the Council as part of next year's draft budget.

Executive Summary:

This report seeks budgetary provision in 2012/13 so as to provide resources to administer elections in the District for a Police & Crime Commissioner for Essex under new Government legislation. The sum in question is £148,000 which is based on the cost of last year's Referendum on the voting system. This cost is likely to be refunded by Central Government.

The report explains that the current date for this election is likely to be in November 2012 which means that additional provision is required in next year's budget separate from the CSB budget for the District and Parish council elections in May 2012. The effect of holding the election in November 2012 will be to lose unit economies achievable if the Police election were held alongside those May elections.

The report also outlines the basis of funding for these elections to be provided by central Government.

Reasons for Proposed Decision:

It will be a statutory responsibility for the Council's Returning Officer to administer this new election as part of an Essex-wide arrangement.

Other Options for Action:

None.

Report:

1. The Police Reform & Social Responsibility Act 2011 is now in force. One of the main provisions in the Bill is the creation of new elected positions of Police & Crime Commissioners. These will be elected on a County basis and will effectively replace the present Police Authorities comprising elected and co-opted members.

2. The Government's original intention was to hold the first elections to these new positions concurrently with the local authority elections in May 2012. However, they have been deferred to November of next year. The elections will be administered on a County basis and, in Essex, one District Council Returning Officer will be designated as the lead officer or Police Area Returning Officer for this purpose.

3. The detailed financial arrangements for the Commissioner elections have yet to be announced and will not be known until regulations are made by the Secretary of State. The cost will however be funded from Central Government funds with an overall limit set in regulations. Provided that the target figure is not exceeded and the Government's audit of each claim is positive, the Act requires the expenditure will be reimbursed. In the event that the target expenditure is exceeded, special approval will be required for the claim, the Secretary of State having to be satisfied that the excess is justified.

4. The precedent for this arrangement is last year's referendum. The Council must make provision in its budget and then seek reimbursement afterwards. Thus, provision for the Commissioner elections will be a District Development Fund (DDF) item separate from the other elections in May.

5. The Commissioner elections will be similar to the referendum in that a full complement of polling stations and other arrangements will be required. The cost will be of the order of £148,000. The detailed arrangements adopted in legislation could affect that figure. Had these elections been held in May 2012, a greater degree of sharing of costs could have been achieved between the District and Parish Council elections and the Commissioner poll. However, the figure for the November election will now be in addition to the Continuing Services Budget (CSB) sum for May, (which is a gross amount of £130,000 from which will be deducted costs re-charged to Parish and Town Councils).

6. It is recommended that provision in the budget be made as set out in recommendation (1). Recommendation (2) is designed to facilitate changes to the budgeted figure should they be necessary when the regulations are published.

Resource Implications:

There is no current provision in the budget for next year. There are no additional staffing implications other than those costs to be met from the proposed budget.

Legal and Governance Implications:

The responsibility for this election will be placed with the Returning Officer for this District under the direction of a Police Area Returning Officer appointed by the Home Office for the County of Essex.

Safer, Cleaner and Greener Implications:

None.

Consultation Undertaken:

None.

Background Papers:

None.

Impact Assessments:

Risk Management

Every election is subject to an overall risk assessment which is reviewed on an ongoing basis. There have been identified a risk of expenditure not being reimbursed if the target figure is exceeded and the Secretary of state is not satisfied that the excess is reasonable. This risk will be mitigated by careful control of all expenditure and careful justification of all claims made.

Equality and Diversity

Did the initial assessment of the proposals contained in this report for relevance to the Council's general equality duties, reveal any potentially adverse equality implications? No

Where equality implications were identified through the initial assessment process, has a formal Equality Impact Assessment been undertaken? No

What equality implications were identified through the Equality Impact Assessment process?
None. However, many statutory requirements and Electoral Commission advice require action by the Returning Officer during elections, including access arrangements for voters.

How have the equality implications identified through the Equality Impact Assessment been addressed in this report in order to avoid discrimination against any particular group?
Equality and risk assessments apply to all elections.