

Report to the Cabinet

Report reference: C/060/2006-07.
Date of meeting: 9 October 2006.



Portfolio: Leader of the Council.

Subject: Elections - May 2006 and 2007 and Electoral Registration.

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Recommendations:

- (1) That the reasons for the budget overspend for elections in May 2006 be noted;**
- (2) That action to budget on a different basis in future and a CSB supplementary estimate of £12,000 be recommended to the Council for approval;**
- (3) That, to act as a contingency in respect of any District Council by election which may be necessary in 2006/7, a second CSB supplementary estimate in the sum of £2,500 for 2006/07 be recommended to the Council for approval;**
- (4) That, in respect of the estimated cost of elections in 2007/8, a CSB growth bid in the sum of £26,000 be made, as a result of a worst case re-assessment of likely electoral costs following the overspending in May 2006; and**
- (5) That, in respect of increased costs in preparing the electoral register, a CSB supplementary estimate in the sum of £6,000 be recommended to the Council for approval.**

May 2006 Elections - Budget Overspending:

1. Budget provision for elections in 2006/07 was £59,000. This included a budget increase of £9,000 to cover new requirements of the Electoral Services Act. As shown in the attached Appendix, the actual net cost of the May 2006 election will be approximately £12,000 more than the budget provision.
2. The Returning Officer has analysed the reasons for this overspend and it appears to arise for two reasons:
 - (a) Electoral Pilot

When the budget was prepared, discussions were taking place about a possible electoral pilot. However, after the abandonment of the pilot, which included electronic counting, it became necessary to increase the number of count assistants from 12 to 92. This increased the Council's costs by approximately £4,500. When discussing abortive costs with the DCA, officers made a case for the reimbursement of this sum in addition to other costs but the DCA officials took the view that as this was a cost which would have been incurred had the Council not intended to undertake a pilot, it would have to be borne locally.

(b) Budgeting Method

There had been no similar election in recent years, which could have been used as a base for this year's budget. In May 2006, one-third of District Council seats were up for election and there was a town council by-election. In May 2005, there was a combined Parliamentary Election for the Epping Forest Constituency and elections for the seven County Council divisions in the District. In June 2004, there was a combined European Parliamentary Election for the Eastern Region, one-third of District Council seats and half of the parish/town councils in the District. In May 2003, there was one-third of District Council seats up for election and half of the parish/town councils in the District. These elections were also the subject of an Electoral Pilot Scheme involving the use of touch screens in polling stations, electronic transmission to the Count Centre and electronic counting. As a result, Central Government met some of the costs. In May 2002, there were full-District Council elections (58 seats) following a review of ward boundaries by the Electoral Commission. These elections were also the subject of an Electoral Pilot Scheme involving the use of electronic counting machines. As a result, Central Government met some of the costs.

3. Combined elections and electoral pilots have masked the need to increase the budget more than inflation. When combined elections are held, the costs of staff, polling stations etc are shared. For example, when a District Council election is combined with a Parliamentary Election, half of the costs fall on the Council and half on Central Government. Unlike other Council budgets, it is considered that there is a need to estimate afresh the elections budget each year rather than simply increase the previous year's provision by inflation. This should ensure that fluctuations in budget overspending and underspendings on elections are avoided in future.
4. Members will appreciate that there will be no provision for any unforeseen by-elections which may arise during the remainder of the current Council year. Authority is sought therefore for a further supplementary estimate in the sum of £2,500.

May 2006 Elections - Budget Provision:

5. The budgetary position has already been reported to Overview and Scrutiny as part of the annual review of the elections. Overview and Scrutiny noted the position and emphasised the importance of a new approach to compiling the budget.

May 2007 Elections:

6. The gross expenditure on elections estimated for 2007/8 is £95,000. Approval is sought for CSB growth in an additional sum of £26,000. This figure is arrived at on the following basis:
 - (a) a worst case assessment of District Council costs including assumption that parish or town council elections rechargeable expenditure will total £10,000;
 - (b) uprating of costs for inflation based on the equivalent 2004 round of elections;
 - (c) contribution of the £9,000 additional costs for new legislative requirements including:
 - new framework for local authorities to review polling places regularly over a four-year cycle, to ensure that they provide proper access to people;
 - reduction in the minimum age for candidacy for election to Parliament, and to other specified elected bodies, from 21 to 18;

- new requirements as to immigration status, which Commonwealth citizens must have in order to qualify to stand for election;
- giving returning officers a specified period for determining the validity of nomination papers and publishing the statements of nominated candidates;
- Introducing new means of paying the deposit required to stand as a candidate, enabling credit and debit cards to be used; and
- conferring a power on the Returning Officer to make correction to minor errors in nomination papers.
- to remedy a defect which currently restricts the activities upon which third party expenditure unauthorised by an election agent can be spent;
- to allow the Electoral Commission greater flexibility in prescribing the information to be included on candidates' election expenses returns; and
- to set out in fuller detail on what items qualify as candidates' election expenses.
- New offence of applying for a postal or proxy vote with the intention, in effect, of stealing another person's vote. This can be by a person personating another elector or by wrongfully redirecting another elector's postal vote.
- New provisions governing the custody, inspection and supply of the marked registers after an election which have been used at polling stations and provides for the production of marked lists of returned postal and postal proxy votes.
- New power for Returning Officers to correct errors made by themselves or others involved in the conduct of the election.

(d) provision for one District Council by election in the current Council year.

7. Any parish/town council elections held will be rechargeable and the overall budget should therefore be regarded as a gross figure. An assumption of income from Parish and Town Councils of £10,000 has been assumed.

Electoral Registration:

8. A sum of £11,000 was added to the budget for 2006/7 in order to cover the requirements of the Electoral Services Act, which has now become law. The new requirements placed on the Registration Officer are summarised below:

(a) Part 2 makes a number of provisions to improve the electoral registration process, including by:

- establishing a new duty on EROs to take steps to register eligible electors. This sets out the steps that should be taken to ensure registers are as complete and accurate as possible;
- improving registration for service personnel by providing for the extension of service voter declarations by up to 5 years and requiring the Ministry of Defence to maintain a record of registration options of service personnel;

- establishing a scheme of anonymous registration for people for whom the publication of their name and address on the electoral register would pose a threat to safety;
 - moving the closing date for registration closer to the date of the poll;
 - allowing for the correction of clerical errors and changes following court decisions to be made up to, and including, polling day;
 - extending the provision for public objections to registration, so that such objections may be made after a person has been registered as an elector, not just before registration. It also empowers a registration officer to remove ineligible entries from the register at any time; and
 - including a new section on the registration form to register nationality.
9. The additional funding agreed last year is considered sufficient to meet the cost of the Act. A further £6,000 is thought necessary to cover the cost of increased postage and canvassing which are required as a result of the new Act and a decline in income from the sale of registers.

Statement in Support of Recommended Action:

10. It is necessary to place the budgeting for elections on a new footing to avoid overspendings of the kind experienced in 2006 and underspendings which have occurred in previous years. Each year a fresh look will be taken at the elections budget so that the budget does not fall behind the effects of inflation.

Other Options for Action:

11. None. The current budget provision even with an inflationary increase is not a reliable guide to actual spending.

Consultation Undertaken:

12. Returning Officer.

Resource Implications:

Budget Provision: Elections (2006/7) - £59,000 (excl. overheads) and supplementary estimate of £14,500. Electoral Registration £66,000 (excl. overheads) and supplementary estimate of £6,000.

Personnel: New legal requirements for the register of electors and elections may have staffing implications of which will be monitored.

Land: Nil.

Community Plan/BVPP: Nil.

Relevant Statutory Powers: Representation of the People Acts; Local Government Acts.

Background Papers: Nil.

Environmental/Human Rights/Crime and Disorder Act Implications: Some elements of the Electoral Administration Act 2006 reflect the protection of human rights especially of disabled persons.

Key Decision Reference (if required): N/A.