

# **Council**

## **26 January 2018**

### **Recharging for Town and Parish Council elections**

#### **For Decision**

#### **Portfolio Holder**

Sherry Jespersen, Community and Regeneration

#### **Senior Leadership Team Contact:**

S Caundle, Assistant Chief Executive

#### **Report Author:**

J Andrews, Corporate Manager, Democratic & Electoral Services

#### **Statutory Authority**

Section 36(5) Representation of the People Act 1983

#### **Purpose of Report**

- 1 To invite Full Council to consider the introduction of a recharge to town and parish councils for the costs incurred by the District Council in organising town and parish scheduled ordinary elections.

#### **Recommendations**

- 2 (a) Cabinet recommends to Full Council that, as from May 2019, in relation to any town or parish council elections thereafter that the expenditure properly incurred by the Returning Officer in relation to the holding of the election of a parish, and paid by the district council, shall be repaid to the Council by the relevant parish for which the election is held, and  
  
(b) that the costs are recharged on a recovery basis ie costs incurred in 2019 are recoverable in 2020/21.

#### **Reason for Decision**

- 3 The Council has discretionary power under Section 36(5) of the Representation of the People Act 1983 to recharge town and parish councils for the cost of elections conducted on their behalf. In view of the current economic climate, it is considered no longer sustainable for the District Council to subsidise the cost of scheduled elections.

## **Background and Reason Decision Needed**

- 4 In 2012, Full Council resolved to recharge town and parishes for elections arising as a result of a casual vacancy. However, at that time a decision was taken not to recharge for the scheduled elections that coincided with the four yearly district council elections.
- 5 Since that decision was taken, North Dorset District Council has joined in Partnership with West Dorset District Council and Weymouth & Portland Borough Council and the financial position of the Council has also changed significantly. In view of the current financial climate, Members are being invited to consider whether it is still sustainable to continue subsidising town and parish elections.
- 6 Christchurch Borough Council and East Dorset and Purbeck District Councils all recharge town and parishes for contested scheduled elections and casual vacancies, and West Dorset District Council has taken a decision to do so with effect from 2019. Although North Dorset District Council recharges for casual vacancy elections, it is the only Council in Dorset that does not, or has not yet taken a decision, to recharge for scheduled elections.
- 7 Under current grant funding regulations, when parish and town elections are held at the same time as a national election, the government will only reimburse a proportion of the costs eg in 2015 when there was a Parliamentary election held at the same time as a district and parish elections, the government would only reimburse 1/3<sup>rd</sup> of the costs where the town or parish council election was contested. The remaining 2/3<sup>rd</sup>s was covered by the District Council; 1/3<sup>rd</sup> being the District election costs and 1/3<sup>rd</sup> being the town or parish council costs.
- 8 Under the current arrangements, the District Council bears the cost of all scheduled town and parish elections.

## **Encouraging democracy**

- 9 North Dorset has 33 Parish Councils, 9 Grouped Councils and 5 Town Councils.
- 10 When Council previously considered introducing a recharge for town and parish councils, concerns were expressed about the potential impact on democracy with anecdotal evidence of potential candidates being discouraged from standing in order to avoid the need for a poll and therefore any recharge costs. In addition to the statutory notices produced by the District Council, it is for the town and parish councils to promote the elections in their areas encouraging candidates to stand for election. There have, in fact, been 15 charged by-elections since the recharge for casual vacancies was introduced, and only 21 scheduled elections where no recharge was made during that same period. This would suggest that the principle of recharging does not in fact deter elections.

- 11 It should be noted that even without a recharge being made to North Dorset town and parish councils, the last 3 scheduled elections have seen very few contested parishes: 5 in 2007, 13 in 2011 and 8 in 2015.

## **How election recharges are calculated**

- 12 The cost of running an election varies depending on the size of the electorate. The main elements of expenditure are:
- Hire of premises (polling stations/count venue)
  - Staff (polling stations, opening of postal votes, counting of votes, general administration)
  - Postage (poll cards and postal votes)
  - Printing (poll cards, postal vote packs, ballot papers, election notices)
- 13 If the town or parish election is run alongside a district and/or national election, all costs (except those that can be solely attributed to a particular election) will be apportioned equally among the polls.
- 14 If, following a recommendation from Cabinet, Full Council decide to introduce a recharge for scheduled parish elections, the Electoral Services Team will write to all parish councils in the District with indicative figures of the possible cost of an election. The figures given will be very broad guidelines as the cost is determined by a number of factors including the size of the electorate, the number of polling stations, the number of postal votes and the cost of staff determined by the size of election.

## **Options for charging**

- 15 Town and parish councils have the power to finance the cost of their elections from the local precept. Local district council tax payers currently bear the burden of the cost of scheduled town and parish elections through the District precept, regardless of whether they reside in one of the areas where there is an election. Elections for casual vacancies are currently recharged to the relevant town or parish council, and therefore met by the local residents of that area through the parish precept.
- 16 If Full Council agree to introduce recharges for scheduled elections in addition to the current policy of recharging for casual vacancies, it is recommended that recharging would be on a “recovery” basis eg any costs for 2019 elections could be included in the town or parish budget and precept for 2020/21.

## **Implications**

### **Financial**

- 17 Implementation of a policy change in time for the 2019 elections could produce a reduction in the District Council spend but this figure is difficult to quantify accurately as it is entirely dependent on the number of town or parish elections that are contested.

## **Risk Management (including Health & Safety)**

- 18 It is important to ensure that the basis of charging is not so complex that the costs of administration outweigh the anticipated saving.

## **Consultation and Engagement**

- 19 The Dorset Association of Parish and Town Councils (DAPTC) has been consulted on the recommendation to introduce a recharge for scheduled parish and town council elections. They have forwarded individual responses received from their members, and these are set out in the document at Appendix 1.
- 20 On 22 November 2017, the Overview & Scrutiny Committee considered a report in respect of recharging for scheduled elections and resolved that a recommendation to this effect should be supported. The Committee emphasised the importance of ensuring that any change to the recharge policy should be communicated clearly.

## **Footnote**

Issues relating to financial, environmental, economic and equalities implications have been considered and any information relevant to the decision is included within the report.

**Report Author:** Jacqui Andrews

**Telephone:** 01258 484325

**Email:** jandrews@dorset.gov.uk

**Date:** 14 December 2017

**Comments received by the Dorset Association of Parish and Town Councils in respect of a proposal to recharge for scheduled Town and Parish Council Elections**

**Ibberton Parish Council**

I think the problem for a small council like Ibberton, with a precept of £500, is that even a nominal £100 for any election, even if uncontested, leaves us with no money to do anything else in the year. To lose 20% of our income is too much. Also, should we have a contested election - something in principle to be welcomed democratically - then we have no idea what the cost will be, but presumably a lot more than £100. How will parish meetings fare - they will not have a charge I imagine, and an election charge like this might mean us becoming a parish meeting with no influence then on planning or other matters in the parish.

NB - I'm also clerk at Shillingstone and Hazelbury Bryan - here it is not so much of an issue given a much bigger precept

**Stours Parish Council**

1. It is the charge for uncontested elections (2a) that is unfair to small councils. This should also be on a costs basis, rather than a fixed administrative fee (of a suggested £100). Otherwise, I am in agreement with the cost of local elections coming out of our share of the precept rather than NDDC's. NDDC has a governmental limit on the amount they can increase their precept, we do not.

2. I agree. If a provision could be included to exempt parish councils with a precept below a certain level (like ours) that would be useful.

3. I would agree with Para 11 but as the whole question of recharge seems to be "done and dusted" in Dorset what can one say? Apart from the fact that it bears disproportionately heavily on small parishes which rarely hold elections.

4. These extra costs to local councils are inevitably going to increase because of Government cut-backs. The problem may be getting this across to residents, who do not attend parish meetings in droves.

**Bryanston Parish Council**

Bryanston Parish Council don't think that enough thought has been given to the recommendation to introduce charges for town and parish elections by NDDC. We feel that it is quite unfair that a very small council like ours should be charged at the same rate as a bigger more affluent council. In fact the proposition was muddled and not very clear at all.

**Ashmore Parish Council**

Ashmore Parish Council has considered the draft report to North Dorset's Overview and Scrutiny Committee asking North Dorset District Council Members to consider a recommendation to Cabinet and Council in respect of the introduction of charges for scheduled town and parish council elections.

We object to the recommendation that Parish Councils should pay the election charges on the following grounds:

1. Passing on the cost does not reduce costs.
2. Parish ratepayers already pay the election costs via rate payments to the District Council.
3. Parish Councils, if liable, will have no control over the election costs while District Councils will have no incentive to minimise costs if they can pass the liability to Parish Councils.

### **Compton Abbas, Fontmell Magna, Stourpaine and Sutton Waldron Parish Councils**

The Parish Councils have reviewed this email and have agreed the same.

The Parish Councils oppose this proposal on the following grounds:

1. As indicated in the document this is an attack on democracy. The document states there is anecdotal evidence of potential candidates being discouraged from standing in order to avoid the need for a poll and therefore recharge costs. The fact is this is likely to be the case. The Parish Councils precepts are small and any potential costs are likely to substantially increase in an election year. Ultimately the Parishioners of all of the Parishes pay for the elections through their Council Tax and at present the cost is spread between all of the Parishes and therefore the impact on the Parish residents is small. If recharging were introduced the impact on the Parishes who have contested elections will be significant and it is unlikely that the residents of the Parishes where the elections are uncontested will actually see any reduction in their Council Tax.

2. There is no financial analysis as to the cost to the District Council of a poll for Parish Councils. The Parish Councils would suggest that before adopting any policy to recharge for elections this analysis should be carried out to analyse the actual savings against the cost of the increased administration in working out the costs attributable to the Parish Councils. As the document also states the number of contested Parishes is small and therefore the Parish Councils question the cost savings that will actually be achieved.

### **Blandford Town Council**

The Town Council objects to the proposal of charging for local elections on the basis that it stands in the way of local democracy.

### **Buckhorn Weston & Kington Magna Parish Council.**

“Having read the paper the Buckhorn Weston & Kington Magna Parish Council are firmly of the position that we should not be charged for uncontested elections as the amount raised across the district is trivial. Equally, a charge for contested elections could see us having to raise considerable funds in proportion to our precept with a resultant significant increase to our parishioners in the following year.

Also if NDDC's efforts at cost savings continue, we are going to get increasing queries as to just what residents are paying local rates for!

Buckhorn Weston & Kington Magna Parish Council are not in favour."

### **Tarrant Monkton & Launceston Parish Council**

As you guessed, our Parish Council is not in favour of paying for elections. It seems pointless to charge, as any PC will have to include such a charge in its precept, which comes via the district tax anyway. Is it not just moving budgets?

### **Lower Winterborne Parish Council**

Lower Winterborne Parish Council objects strongly to this. Councillors feel this is tantamount to asking the electorate to pay for the privilege to vote and may discourage people from standing for election in order to keep the precept down. For smaller parishes, there is a chance that any such cost could have a profound effect on their precept.

### **Motcombe Parish Council, Iwerne Minster Parish Council, Bryanston Parish Council and Blandford St Mary Parish Council**

The above Parish Councils all feel that there is not sufficient information for them to comment on the proposals for charges for scheduled Town and Parish Council elections.

### **Individual Bourton Parish Councillors**

1. My view is that democracy is not something that is done to us, rather that it is our general obligation to take part in it. So, provided that we are not asked to pay for the cost of any excessive process, I would suggest that we should accept being recharged but I do not think that this should automatically put the precept up. In scheduled election years we may have to forego some other expenditure and such an impact can be made public.

2. I have read the document which is clear and I can see the inevitability of these charges given the current financial stringency. The £100 charge for uncontested elections is trivial I think. I fear it will lead to councils engineering replacements of councillors to avoid an expensive election so almost all will be uncontested. This seems to damage democracy to me and can lead to parish councils becoming less diverse and even worse, cliques. I would rather we paid and kept up with contested elections. We would have to charge but we will need to help the local community see that this is a minimal price for a democratic principle .

3. I would just add that we must be careful that this does not apply to the NP Referendum process where NDDC already receive funding from Government.