



Meeting: **Constitution Committee**

Date/Time: **Wednesday, 17 March 2021 at 2.00 pm**

Location: **Microsoft Teams**

Contact: **Mr. E. Walters (Tel: 0116 305 2583)**

Email: **euan.walters@leics.gov.uk**

Membership

Mr. N. J. Rushton CC (Chairman)

Dr. T. Eynon CC Mr. B. L. Pain CC
Mr. S. J. Galton CC Mr. R. J. Shepherd CC

Please note: This meeting will not be open to the public in line with Government advice on public gatherings. The meeting will be filmed for live or subsequent broadcast via YouTube:

<https://www.youtube.com/channel/UCWFpwBLs6MnUzGOWjejrQtQ>.

AGENDA

<u>Item</u>	<u>Report by</u>
1. Minutes of the meeting held on 27 November 2020.	(Pages 3 - 4)
2. Question Time.	
3. Questions asked under Standing Order 7(3) and 7(5).	
4. To advise of any other items which the Chairman has decided to take as urgent.	
5. Declarations of interest.	
6. County Council Elections 2021 - Scale of Election Expenses.	(Pages 5 - 10)



7. Any other items which the Chairman has decided to take as urgent.



Minutes of a meeting of the Constitution Committee held via Microsoft Teams video conferencing on Friday, 27 November 2020.

PRESENT

Mr. N. J. Rushton CC (in the Chair)

Dr. T. Eynon CC
Mr. S. J. Galton CC

Mr. B. L. Pain CC
Mr. J. B. Rhodes CC

Note: The meeting was not open to the public in line with Government advice on public gatherings however the meeting was broadcast live via YouTube.

11. Minutes of the previous meeting.

The minutes of the meeting held on 18 September 2020 were taken as read, confirmed and signed.

12. Question Time.

The Chief Executive reported that no questions had been received under Standing Order 35.

13. Questions asked by members.

The Chief Executive reported that no questions had been received under Standing Order 7(3) and 7(5).

14. Urgent items.

There were no urgent items for consideration.

15. Declarations of interest.

The Chairman invited members who wished to do so to declare any interest in respect of items on the agenda for the meeting.

No declarations were made.

16. Statement of Accounts and Pension Fund Accounts 2019/20.

The Committee considered a report of the Director of Corporate Resources which presented the 2019/20 financial statements for approval and reported the key findings from the external audit of the accounts. A copy of the report, marked 'Agenda item 6', is filed with these minutes along with a supplementary report which set out the more detailed financial information.

The Director of Corporate Resources clarified that the audit of the accounts was almost complete but some work was still ongoing. The audit was required to be completed by 30 November 2020. In response to a concern raised by a member that the auditors had proposed an increase in their fees at a time when the income of many organisations was reducing the Director of Corporate Resources stated that the Corporate Governance Committee had already raised this issue with the auditors and further negotiation would take place with the auditors regarding the fees.

The Director of Corporate Resources acknowledged the concerns of members regarding the Dedicated Schools Grant deficit and explained that this was a national problem and it was hoped that additional funding would be received from the Government for schools.

In response to a question from a member the Director of Corporate Resources clarified that highways infrastructure was owned by the County Council and featured on the balance sheet at depreciated historic cost in line with accounting requirements. This contrasted with depreciated replacement cost which would be a much more significant amount and would give a false impression of the Council's assets were it to feature on the balance sheet given that the Council could not sell highways infrastructure to raise income.

The Committee thanked the Director of Corporate Resources for his work in producing the financial statements.

RESOLVED:

That the financial statements for 2019/20 be approved.

12.30 - 12.50 pm
27 November 2020

CHAIRMAN



CONSTITUTION COMMITTEE

17 MARCH 2021

COUNTY COUNCIL ELECTIONS 2021

SCALE OF ELECTION EXPENSES

REPORT OF THE CHIEF EXECUTIVE

Purpose

1. The purpose of this report is to seek the Constitution Committee's approval with regard to a Scale of Fees to be used at the County Council elections in May 2021.

Background

2. The Chief Executive is the Returning Officer for elections of County Councillors and, as such, is responsible for conducting the elections in accordance with statutory rules. Officers of the District Councils are appointed as Deputy Returning Officers and the majority of the election work is carried out by their staff.
3. This election will be taking place during unprecedented times and will be administered in accordance with the Government's and the Electoral Commission's guidance to ensure that it is Covid compliant.
4. The County Council meets the fees and expenses of the elections, subject to these not exceeding a scale fixed by the Council for the purpose. The Scale of Fees which the County Council adheres to is normally one which is used by all the districts within the County as well as Leicester City Council and is known as the Leicestershire Scale of Fees.
5. In the past it has been the County Council's practice for members to agree the Leicestershire Scale of Fees for a general election of councillors and for the Returning Officer to be authorised to approve amendments to the scheme for any intervening by-elections.

Financial Implications

5. It is calculated that the total expenditure for the County Council election will be within the budget figure set of £0.8million. It should be noted that the costs of the election will be shared with the Police and Crime Commissioner election which are being held at the same time.

6. The Director of Corporate Resources has been consulted on the resource implications of this report.

Decisions Required

7. The Council's functions relating to elections are exercised by this Committee and this would normally include agreeing the Scale of Fees to apply to County Council elections. It has been the practice for the scale to be fixed by Members for a general election of Councillors and for the Returning Officer to be authorised to fix a scale for intervening by-elections (to enable the scale to be updated for inflation).

Equality and Human Rights Implications

8. The County Council, in conjunction with the District Councils, will ensure that everyone eligible to vote will be able to do so in a Covid compliant way whether that be by post, by appointing a proxy or in person at a polling station.
9. All polling stations will be kept under review, in accordance with the Electoral Commission's guidance, to ensure they are accessible to the whole of the Leicestershire community.
10. Various sections of the community will be employed as presiding officers, poll clerks and counting assistants. All those employed will be provided with the current advice re Covid as well as the appropriate personal protective equipment to perform their duties.

Recommendations

10. That the Constitution Committee agree:-
 - (a) that the attached scale of expenses be used at the County Council elections to be held on 6th May 2021 and for any subsequent by-elections held before 31st March 2022.
 - (b) that the Chief Executive be authorised to fix a scale for the purpose of by-elections occurring between 1st April 2022 and the next County Council elections.

Background Papers

None.

Circulation Under Local Issues Alert Procedure

None.

Officer to Contact

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Appendix

Recommeneded scale of fees.

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LEICESTERSHIRE SCHEDULE – RECOMMENDED SCALE OF FEES AND EXPENSES PAYABLE TO RETURNING OFFICERS AT LOCAL ELECTIONS – 01.04.21 TO 31.03.22

(COUNTY COUNCIL ELECTIONS 2021)

DESCRIPTION OF DUTIES	GROSS
Deputy Returning Officer fee (Lead DRO) (including all disbursements and expenses not otherwise provided for in this scale) in the case of a contested election for all duties preparatory to taking the Poll and Counting of the votes and making the return of the election for each 500 local government electors or part thereof on the Register of Electors for each division separately returning a Councillor or Councillors	£23.75 (Minimum £2500 per District/Borough)
Deputy Returning Officer's fee (Lead DRO) in the case of an uncontested election – for each division separately returning a Councillor or Councillors	£54.37
Deputy Returning Officers' fee for supporting DRO with full powers to be a matter of local determination. Authorities in calculating the amount that DROs receive are advised to take into account the level of duties actually undertaken, current budgetary constraints and any other payment made to the DRO arising out of their duties in connection with the election	Discretionary but recommended equivalent to 50% of the Lead DRO fee
All equipment to be purchased, hired, altered or repaired	Actual and necessary cost
Hire and fitting up of Polling Stations including heating, lighting, cleaning and damages and expenses paid in respect thereof	Actual and necessary cost
Stationery at Polling Stations	Actual and necessary cost
Printing and providing nomination forms, notices, ballot papers and other forms and documents required in and about the election or poll	Actual and necessary cost
Returning Officers' travelling expenses and those of Presiding Officer's and Poll Clerks	Casual Users' rate as laid down by the N.J.C. or local agreement
Conveyance of Ballot Boxes	Actual and necessary cost
Each Presiding Officer - standalone	£195.00
Each Presiding Officer where the County Council Election is held simultaneously with District/Parish/General/PCC Elections (20%)	£234.00
Each Poll Clerk standalone	£115.00
DESCRIPTION OF DUTIES	GROSS
Each Poll Clerk where the County Council Election is held simultaneously with District/Parish/General/PCC Elections (£138.00

(20%)	10	
Each part-time Poll Clerk where acting for 4 hours		£35.48
Remuneration of persons employed at the Counting of Votes at the Election		Local Discretion within each District
For the production and printing of postal ballot packs		Actual and necessary cost
Remuneration of persons employed for work associated with despatch and receipt of postal ballot papers:		Local Discretion within each District
1) Postal vote Supervisor fee – per hour – standard rate		£12.50
2) Postal Vote Assistant fee – per hour – standard rate		£10.00
Clerical assistance		Actual and necessary cost
For the employment of persons in connection with the preparation, completion and issue of Official Poll Cards, for every 100 cards or fraction thereof issued		£10.37
DESCRIPTION OF DUTIES		GROSS
For the attendance at training of persons employed at the election – per category of job, subject to local conditions and annual review		£30.00
For printing and providing Official Poll Cards		Actual and necessary cost
For general stationery, postages and miscellaneous expenses		Actual and necessary cost

***All payments may be subject to an enhancement based upon local arrangements linked to living wage/minimum wage allowances/local discretion.**

The Scale of Fees also include all necessary arrangements to ensure that the elections are Covid compliant.