

RECORD OF EXECUTIVE DECISION TAKEN BY AN EXECUTIVE MEMBER OR OFFICER

This form can be used for any decision but **MUST** be used to record:

- any decision taken by the Elected Mayor or an individual Councillor
- a key decision taken by a Council Officer

In these circumstances the form must be completed and passed to the Head of Members' Services no later than NOON on the second working day after the day on which the decision is taken. No action may be taken to implement the decision(s) recorded on this form until 7 days have passed and the Head of Members' Services has confirmed the decision has not been called in.

1. Description of decision

To authorise receipt of grant funding from Government for the specific purpose of funding costs to be incurred as part of the transition to Individual Electoral Registration over the next two/three years.

2. Date of decision

3rd May 2013

3. Reasons for decision

Specific grant funding under Section 31 of the Local Government Act 2003 has been approved for Councils in order to meet the additional costs falling on Electoral Registration Officers from the introduction of Individual Electoral Registration (IER). The first phase of the grant for this Council is £7,890.33 and further funding will be forthcoming as the transition to IER progresses.

4. Alternatives considered and rejected

The Council is required by Section 54 of the Representation of the People Act 1983 (as amended by Section 17 of the Electoral Representation and Administration Act 2013) to meet the costs incurred by the Electoral Registration Officer in implementing IER. As such the alternative option for the Council would be to meet those additional costs without grant funding to cover those costs. This was rejected as it was not in the interests of Council Tax payers in the Borough.

5. How decision is to be funded

The grant funding will provide the monetary resource to cover the costs of the Electoral Registration Officer in implementing the transition to IER. Any costs of the Electoral Registration Officer in excess of the grant amounts will be the subject of separate requests for additional funding from Government.

6. Conflicts of interest

Name of all Executive members who were consulted AND declared a conflict of interest.	Nature of interest	Did Standards Committee give a dispensation for that conflict of interest? (if yes give details and date of dispensation)
None		

The Mayor has been consulted on this decision

Signed Dave Hodgson Date 3rd May 2013

Name of Decision Taker MAYOR DAVE HODGSON

This is a public document. A copy of it must be given to the Head of Members' Services as soon as it is completed.

Date decision published: 7th May 2013

Date decision can be implemented if not called in: 16th May 2013

(Decision to be made exempt from call in.....**YES** or NO.....)

BEDFORD BOROUGH COUNCIL – MAYOR OF THE BOROUGH
30 APRIL 2013

REPORT BY THE HEAD OF REGISTRATION AND RECORDS

Subject: INDIVIDUAL ELECTORAL REGISTRATION – GOVERNMENT GRANT
TO FUND TRANSITIONAL COSTS

1. Executive Summary

1.1 This report is to advise the Mayor that the Government has made, and intends to make further, grant funds available to meet the additional costs to be associated with the implementation of Individual Electoral Registration over the next two/three years. Consequently, the Mayor is requested to authorise the approval for the receipt of those grant funds and thereby provide for the costs concerned to be met.

2. Recommendation

2.1 That the Mayor considers the report and, if appropriate, authorises the receipt of grant funding from Government for the specific purpose of funding costs to be incurred as part of the transition to Individual Electoral Registration over the next two/three years.

3. Reasons for Recommendation

3.1 To enable the grant funding from Central Government to be received and therefore meet the costs of the transition to Individual Electoral Registration in the period referred to.

4. Key Implications

4.1 Legal Issues:

4.1.1 The grant funding to which this report refers has, in part, been made under Revenue Determination (2013-14) [No31/2125] and has been provided to enable the Council to fulfil its legal obligation (set out in the Electoral Registration and Administration Act 2013) to support its Electoral Registration Officer as he makes the transition to IER. If the Council fails to provide the ERO with the necessary funding an ERO will be in breach of their statutory duties.

4.1.2 Section 54 of the Representation of the People Act 1983 requires the local authority to meet the expenses of the ERO in performance of his registration duties. This provision has been amended by virtue of Section 17 of the Electoral Registration and Administration Act 2013 to incorporate duties arising from the 2013 Act.

4.2 Policy Issues: None.

4.3 Resource Implications:

4.3.1 In line with its New Burdens Doctrine, the Government is committed to ensuring that local authorities are not left with unfunded burdens.

4.3.1 The grant funding to which this report refers is made under section 31 of the Local Government Act 2003 and is intended to be a supplementary funding to cover only the cost of the additional responsibilities arising from the Electoral Registration and Administration Act 2013.

4.3.2 The funding grant is not intended to meet any of the usual registration costs defined by the duties arising from the Representation of the People Act 1983, which is already provided for through the formula grant given by the Department for Communities and Local Government.

4.3.3 It is the responsibility of the Council, through its section 151 officer, to allocate budgets to meet its statutory responsibilities.

4.4 Risk Implications:

4.4.1 The primary risk identified is that the funding grant is not accepted and this results in a failure to comply with statutory duties. Offences could be committed; including by that officer in relation to breach of official duties (including under Section 63 of the Representation of the People Act 1983). Currently the level of fine that can be imposed under Section 63 is £5,000 for each breach.

4.5 Environmental Implications: None.

4.6 Equalities Impact:

4.7 In preparing this report, due consideration has been given to the Borough Council's statutory Equality Duty to eliminate unlawful discrimination, advance equality of opportunity and foster good relations, as set out in Section 149(1) of the Equality Act 2010.

4.8 A relevance test for equality has been completed. The equality test determined that the activity has no relevance to Bedford Borough Council's statutory equality duty to eliminate unlawful discrimination, advance equality of opportunity and foster good relations. An equality analysis is not needed.

5. Details

5.1 With the enactment of the Electoral Registration and Administration Act 2013, the legislative framework is now in place for the introduction and implementation of a new form of electoral registration which is to be called 'Individual Electoral Registration' (IER). The introduction of IER will commence in 2014 and has the aim of tackling electoral fraud. In so doing

the intention is to increase public trust in the system of Registration, encourage people to take individual responsibility for their own votes. It also provides for online registration from 2014 which will make it easier and more convenient for individuals to ensure that they are registered to vote.

- 5.2** In 2013 there will be a data matching exercise to identify the extent to which the details from the register of electors can be matched against data held in databases by the Government's Department for Works and Pensions. There will also be systems work by suppliers of Electoral Management Systems to ensure that they can accommodate the changes to be introduced and other preparatory work involving Councils to ensure that their own ICT systems and manual processes can accommodate the additional workload involved.
- 5.3** Government expects that the implementation of IER will involve additional staff time pertaining to implementing the necessary changes. Government also expects that the data matching exercise in the summer of 2013 will involve additional staff resource. These additional costs are the purpose of the grant funding allocated in April 2013; of which £7,890.33 is to be provided to this Council.
- 5.4** The first main impact of the introduction of IER will be that the annual canvass of electors under the existing Household Registration process is being delayed such that it will not start until October 2013. This will result in the annual publication of the revised register of electors being delayed from 1 December 2013 to 17 February 2014. This register (with monthly and pre-election updates) will be the register used for the European Parliamentary elections in May/June 2014.
- 5.5** In July 2014 there will be a live data matching exercise between the electoral register and the DWP databases. As a consequence of this data matching exercise, (hopefully most) electors will be advised that they are registered under IER and need to take no further action other than to check their details. Where a match is not successful, the electors will be invited to provide the necessary personal identifiers that will enable them to fulfill the requirements for IER.
- 5.6** From July 2014, anyone moving home or otherwise becoming eligible for registration will need to supply the necessary personal identifiers that will enable them to fulfill the requirements for IER. However, registered electors who do not change the basis of their registration and who have not been data matched will not have their details automatically removed until after the Parliamentary, Mayoral, Borough Council and Parish Councils election scheduled for May 2015.
- 5.7** Should the £7,890.33 allocated to this Council for 2013/14 not be sufficient to meet the costs to be incurred, Government has provided a mechanism for additional funds to be claimed. It also envisages further specific funding in 2014/15 although details have still to be published. It is not envisaged that this detail will be published until the outcome of the data matching exercise programmed for this summer is complete and the findings analysed

nationally. Before any decision is taken regarding funding for 2015/16 onwards, Government officials will engage with EROs to ensure that Government has a full and accurate understanding of the costs involved.

- 5.8 In addition to the grants under Section 31 of the Local Government Act 2003 directly to Councils, Government is directly funding training, development of the registration portal and core work by the suppliers of Electoral Management Systems.

6. **Summary of Consultations and Outcome**

- 6.1 The following Council Departments or Officers and/or other organisations have been consulted in preparing this report.

Chief Executive
Assistant Chief Executive (Governance)

No adverse comments have been received.

7. **Ward Councillor Views**

- 7.1 Not applicable to the issues in this report.

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Previous Relevant Minute(s): None

Background Papers: None

Appendices: None