

NORTH LINCOLNSHIRE COUNCIL

COUNCIL

**POLICE AND CRIME COMMISSIONER ELECTION
IN ENGLAND AND WALES - 15 NOVEMBER 2012**

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To inform members about the arrangements for the Police and Crime Commissioner Election in England and Wales to be held on 15 November 2012.

2. BACKGROUND INFORMATION

- 2.1 The Police Reform and Social Responsibility Act 2011 makes significant changes to the governance of policing and community safety. The Act also sets out provisions for a Police and Crime Commissioner to be elected for each of the 41 police force areas in England and Wales. The election for Police and Crime Commissioners will be held on 15 November 2012 and at midnight on 21 November local Police Authorities will be abolished and the incoming Police and Crime Commissioners will take up office.
- 2.2 The responsibilities of Police and Crime Commissioners are detailed in Appendix A to the report but are essentially the same as those of a Police Authority. A Police and Crime Panel, comprised of local councillors and independent members, will also be established in every force area to undertake an important scrutiny function, acting as a critical friend to the Police and Crime Commissioner. A separate report on the agenda for this meeting deals with the establishment of Police and Crime Panels.
- 2.3 As previously indicated the first election for Police and Crime Commissioners will take place on 15 November 2012 using the supplementary vote (sv) system. The second election will be held in May 2016 and thereafter every four years.
- 2.4 The Police and Crime Commissioner election is generally being overseen by the Electoral Commission which will, as in previous years, provide information and guidance about the conduct of the election. The Act and supporting secondary legislation provides for the appointment of Police Area Returning Officers (PAROs) who have been designated to oversee the election in each Police Authority Area. The Police Area Returning Officer will have a similar role to regional

Returning Officers in European elections. In the Humberside Police Area, the Police Area Returning Officer will be the Chief Executive of the East Riding of Yorkshire Council. That authority will therefore be the lead authority for the election.

2.5 The Police Area Returning Officer is responsible for -

- The giving of notice of any Police and Crime Commissioner election.
- The conduct of nomination procedures for candidates.
- Ensuring that the requirements as to the content of candidates election addresses, and the procedure for submitting them, are complied with.
- The calculation of votes given for each candidate and the declaration of the result.

2.6 Although the Police Area Returning Officer will have ultimate responsibility for the Police and Crime Commissioner election in Humberside there are of course four separate local authorities within the area. The Act and associated secondary legislation provides therefore for each distinct local authority area to have a Local Returning Officer (LRO) who will be responsible, as regards that voting area, for -

- The conduct of the Poll.
- The printing of the Ballot Papers.
- The issue and receipt of Postal Ballot Papers for electors and their proxies.
- The verification of the Statements made under Rule 49(6) of the PCC Election Rules (Ballot Paper Accounts) and
- The counting of the votes given.

In North Lincolnshire the council's Chief Executive will be the Local Returning Officer for the Police and Crime Commissioner election.

2.7 The Police Area Returning Officer will have power to give directions to Local Returning Officers for any voting area within the police area as follows -

- Directions about the discharge of their functions in relation to Police and Crime Commissioner elections.
- Directions requiring them to take specified steps in preparation for a Police and Crime Commissioner election.

- Directions requiring them to provide the Police Area Returning Officer with information that they have or are entitled to have.
- 2.8 Generally speaking the conduct of the election will replicate existing elections practice wherever possible, for example rules about registration, but clearly there will be differences from other polls, for example novel boundaries based on police force areas and the supplementary vote(sv) system.
- 2.9 A person may stand for office as a Police and Crime Commissioner if -
- They are 18 years or over.
 - They are a British, Commonwealth or EU citizen.
 - They are registered to vote in the force area in which they wish to stand.

A person may not stand for office as a Police and Crime Commissioner if -

- They have been convicted of an imprisonable offence.
- They are a serving civil servant, judge, police officer, member of the regular armed forces, employee of any council within the force area, employee of a police related agency, employee of another government agency, politically restricted postholder, member of police staff (including PCSOs) or member of a police authority.
- MEPs, MSPs, AM and MPs will be able to stand as a Police and Crime Commissioner but will need to stand down from their existing post before being able to accept the post of Police and Crime Commissioner.
- All candidates will be required to tender a £5,000 deposit and to be nominated by 100 electors in that force area.

DRAFT TIMETABLE AND LOCAL ARRANGEMENTS

- 2.10 As previously mentioned the Chief Executive of the East Riding of Yorkshire Council is the Police Area Returning Officer for this area and preparatory work has already begun in preparing for the election. A draft Police Commissioner Election Timetable has now been produced and a copy is attached as Appendix B for information. This will in due course be finalised, at which point members will be sent the final version of the timetable.

- 2.11 The Police Area Returning Officer's staff will be arranging meetings at officer level to discuss the detailed arrangements for the election. Clearly the task of organising the election will be, as with all elections, a complex logistical exercise requiring detailed planning and work to ensure that the outcomes required by the Electoral Commission are met. Preparatory work has started but much will need to be done before the polls on 15 November.
- 2.12 The Police Area Returning Officer has directed that the arrangements for the verification of ballot boxes and the count will be as follows:-
- Verification of ballot papers to be carried out within each local authority area at a venue to be determined by each local authority on the evening of 15/16 November 2012 following the close of polls.
 - On completion of the verification process the ballot papers will immediately be transported to the Spa, Bridlington under police escort.
 - Counting of ballot papers to take place at a time to be determined on Friday 16 November 2012 at the Spa, Bridlington.

Each of the Local Returning Officers will be responsible for carrying out the count for their area at the Spa, Bridlington on 16 November and will therefore need to provide the necessary staff to carry out that task.

- 2.13 Many of the details and arrangements for the conduct of the Police and Crime Commissioner election have yet to be finalised. Over the next few months the preparations will gain momentum and members will be kept informed as details emerge.
- 2.14 Members may also be aware that as a result of the Police and Crime Commissioner election the annual canvass for the Electoral Register has started earlier than in previous years in order to ensure that the register to be used for the election is fully up-to-date. The deadline for completion of the new register is 8 October, 2012.

3. OPTIONS FOR CONSIDERATION

- 3.1 There are no options associated with this report.

4. RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)

4.1 Financial

The costs associated with the PCC election will be funded by Central Government.

4.2 **Staffing**

Arrangements will be made to appoint staff for all the activities related to the polls in line with directions issued by the Electoral Commission in due course. There are no other staffing implications.

4.3 **Property**

All polling stations have now been booked for the polls along with the required accommodation at the Civic Centre to deal with postal votes etc. The venue for the verification process has yet to be determined.

5. **OTHER IMPLICATIONS (STATUTORY, ENVIRONMENTAL, DIVERSITY, SECTION 17 - CRIME AND DISORDER, RISK AND OTHER)**

5.1 **Statutory**

The election is being dealt with in accordance with all the legislation and secondary legislation currently in place.

5.2 **Section 17 - Crime and Disorder**

All security issues for the election are being considered by the Police Area Returning Officer and the Local Returning Officer as appropriate in consultation with Humberside Police.

6. **OUTCOMES OF CONSULTATION**

6.1 The Electoral Commission and the Police Area Returning Officer are consulting on and directing the management of the election process and no other consultation is required.

7. **RECOMMENDATION**

7.1 That the outline arrangements for the Police and Crime Commissioner election as set out above be noted and that members be kept informed of developments.

CHIEF EXECUTIVE

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Date: 27 June 2012

Background Papers used in the preparation of this report - The Police Reform and Social Responsibility Act 2011

Appendix A

Police & Crime Commissioner for Humberside (P&CC) is a corporate sole (aka: elected local policing body):

- Declaration of acceptance to be made to Appropriate Officer, lay justice or commissioner appointed by high court; within 2 months.
- To be paid a salary and expenses (determined by the Secretary of State) *NB can not be paid until declaration of acceptance made (but can be paid retrospectively)*

Functions: Secure the maintenance of the police force for that area; and secure that the police force is efficient and effective

- Appoint/suspend/remove Chief Constable (CC) – including receiving complaints against
- Hold CC to account for CC's functions and those of persons under the CC's direction & control. Inc. duty to have regard to Police & Crime Plan, Strategic Policing requirements, effectiveness of engagement with local people, value for money and duties relating to equality & diversity.
- Hold the police fund and may pay out damages and costs in legal proceedings; and Enter into contracts or other agreements, acquire/dispose of property (inc. Land) and borrowing of money
- Obtain the views of the community and victims on policing matters and finance (inc Plan & Precept)
- Publish information for the public to assess performance
- Provide information relevant and reasonably required by the P&CP and must attend P&CP meetings (inc. staff)), give a response to any report or recommendations made by the panel – More specifically on Police & Crime Plan, Annual Report, Proposed Precept and Appointment of CC. **(Please see P&CP)**
- Receive HMIC programme and reports and may request HMIC to inspect force (HMIC must be paid)
- Ensure ICV provision
- Commissioning relationship re: crime & disorder grants,
- Entering and reviewing of collaborative agreements
- Receive CC suspension of other ACPO notifications
- Must have regard to CSPs' objectives and may make combination agreements – require reports (must chair meeting)
- Must make arrangements to provide an efficient and effective local CJS (LCJB)
- Must comply with equality/diversity/HR legislation

Issuing of Strategic documents: Police & Crime Plan, Annual Report, Precept

Staff: Commissioner's Chief Executive (who will be monitoring officer), Chief Finance Officer and other staff (as appropriate) -A P&CC and staff have no personal liability. Pay remuneration, allowances (expenses), gratuities and pension. **Misc:** A P&CC can delegate functions to DP&CC (exclusions apply)



POLICE COMMISSIONER ELECTION TIMETABLE 2012

Event	Working days before poll (deadline if not midnight)	Date
Notice of election for local government election published and notice of referendum	Not later than 28 days	Not later than Monday, 8 October 2012
Delivery of nominations	From the date of the publication of the notice of election	On any working day during the hours stated on the notice of election until the close of nominations
Close of nominations	19 days (noon)	Noon on Friday, 19 October 2012.
Publication of statement of persons nominated	17 days (noon)	Noon on Tuesday, 23 October 2012.
Deadline for withdrawals of nomination	16 days (noon)	Noon on Wednesday, 24 October 2012.
Deadline for notice of appointment for election agents and publication of notice	16 days (noon)	Noon on Wednesday, 24 October 2012.
Deadline for requesting a new postal vote or to change or cancel an existing postal or proxy vote	11 days (5.00 pm)	5.00 pm on Wednesday, 31 October 2012.
Last day for applications to be included on the register of electors	11 days	Wednesday, 31 October 2012.
Publication of notice of poll	6 days	Wednesday, 7 November 2012.
Publication of situation of polling stations	6 days	Wednesday, 7 November 2012.
Deadline for applying for a new proxy vote (not postal proxy) except for medical emergencies	6 days (5pm)	Wednesday, 7 November 2012.
Publication of notice of alteration to the register	5 days (5pm)	Thursday, 8 November 2012.
Last day for the appointment of polling and counting agents	5 days	Thursday, 8 November 2012.
First day to apply for a replacement postal vote if	4 days	Friday, 9 November 2012.

lost/spoilt		
Polling Day	Day 0 (7am to 10pm)	Thursday, 15 November 2012.
Deadline for the issue of replacement for spoilt or lost postal ballot papers*	Polling Day (5pm)	Thursday, 15 November 2012.
Deadline for new applications to vote by proxy on grounds of a medical emergency*	Polling Day (5pm)	Thursday, 15 November 2012.
Deadline for making alterations to the register to correct a clerical error	Polling Day (9pm)	Thursday, 15 November 2012.
Verification of votes	Polling Day (from 10.00pm)	Thursday, 15 November 2012
Counting of votes local election	Day after Polling Day	Friday, 16 November 2012

*In these instances please telephone Electoral Services as it is possible that attendance at County Hall will be required.

Nigel Pearson
Returning Officer

Enquiries: Electoral Services Office, East Riding of Yorkshire Council, County Hall,
Beverley, HU17 9BE

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