

## Request

I would like to know how much it cost the council to run the by-election for the vacant Ashton seat on December 15, 2022.

Can I have the total cost broken down into individual costs such as police presence at polling station, staff officers time, information relating to advertising/notifying residents of the election.

## Response

With reference to your request for information relating to this request, I would like to draw your attention to the distinction between the roles of the local authority and those of the Returning Officer for local elections.

The role of the Returning Officer is separate from that of the Chief Executive of the local authority and the responsibilities and duties associated with the former roles are personal to the postholder. A list of public bodies and local authorities that are subject to the provisions of the Freedom of Information Act is available at the following website:

<http://www.legislation.gov.uk/ukpga/2000/36/schedule/1>

As you will see, the Freedom of Information Act does not list any person appointed under the Representation of the People Act 1983 (or related electoral legislation). It therefore follows that the (Acting) Returning Officer or any other person appointed under the 1983 Act (or related electoral legislation) such as the Counting Officer, are not subject to the provisions of the Freedom of Information Act.

Therefore, as there is no statutory obligation to provide you with this information, I am on this occasion unable to supply any answers to your question.

It should be noted that the law provides that a Council **must** hold a by election if two electors call for a by election. It is the electors request that triggers a by election.