

24 March 2015

Ordinary Council

Appointment of Electoral Registration Officer and Returning Officer

Report of: Christopher Potter, Monitoring Officer and Head of Support Services

Wards Affected: All

This report is: Public

1. Executive Summary

1.1 The Council must appoint a named individual to the roles of the Electoral Registration Officer and Returning Officer.

1.2 The purpose of this report is to make the appointments to these roles.

2. Recommendation(s)

2.1 That Graham Farrant be appointed as the Registration Officer under section 8 of the Representation of the People Act 1983.

2.2 That Graham Farrant be appointed as the Returning Officer under section 35 of the Representation of the People Act 1983.

3. Introduction and Background

3.1 There are parliamentary, borough and parish elections in May this year. There is a need now for the Council to appoint to the roles of the Electoral Registration Officer and Returning Officer.

3.2 Over recent years the roles of Electoral Registration Officer and Returning Officer have been undertaken by the Managing Director/Chief Executive.

4. Issue, Options and Analysis of Options

4.1 The Council is required under section 8(2) of the Representation of the People Act 1983 to appoint an officer of the Council to be registration officer for any constituency or part of a constituency coterminous with or situated in the Borough known as the Electoral Registration Officer.

- 4.2 The Electoral Registration Officer is the person with statutory responsibility amongst other things for the creation and maintenance of the register of electors and the absent voters list. This person takes responsibility for publishing a revised electoral register and issuing monthly alterations notices.
- 4.3 The Council is required under section 35(1) of the Representation of the People Act 1983 to appoint an officer of the Council to be the returning officer for local elections i.e. county, borough and parish elections.
- 4.4 The returning officer for local elections may by writing under his hand appoint one or more persons to discharge all or any of his functions
- 4.5 Under section 28(1) of the Representation of the People Act 1983 the duties of the returning officer for a parliamentary election registration officer is discharged as acting returning officer by the registration officer.
- 4.6 An acting returning officer has power to appoint deputies to discharge all or any of those duties (see Section 28(5) of the Representation of the People Act 1983).
- 4.7 The Council therefore needs to formally appoint to these posts of Registration Officer and Returning Officer (for local elections), and it is recommended that the Chief Executive be duly appointed.

5. Reasons for Recommendation

- 5.1 The appointments are legally required in order that the Council can continue to meet its statutory responsibilities in respect of electoral administration.
- 5.2 As stated at paragraph 3.2 to this report, the roles have in the past been allocated to the Managing Director/Chief Executive and Graham Farrant is the Council's Chief Executive and has previous experience in undertaking these roles.

6. Consultation

- 6.1 None.

7. References to Corporate Plan

- 7.1 None.

8. Implications

Financial Implications

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8.1 None arising from this report.

Legal Implications

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8.2 The Representation of the People Act 1983 requires appointments to be made. Under Chapter 3 of the Council's Constitution, electoral matters are reserved to full Council (see Part 3.1, rule 1.2(i) on page 27).

Other Implications (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

8.3 None.

9. **Background Papers** (include their location and identify whether any are exempt or protected by copyright)

9.1 None.

10. **Appendices to this report**

None.

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