

<b>MEETING</b>	<b>COUNCIL</b>
<b>MEETING DATE:</b>	<b>19 July 2013</b>
<b>TITLE OF REPORT:</b>	<b>APPOINTMENT OF ELECTORAL REGISTRATION OFFICER AND RETURNING OFFICER</b>
<b>REPORT BY:</b>	<b>CHIEF EXECUTIVE</b>

## **1. Classification**

Open.

## **2. Key Decision**

This is not a key decision.

## **3. Wards Affected**

County-wide.

## **4. Purpose**

To designate the post of Head of Governance as Electoral Registration Officer and Returning Officer, this is undertaken independently of the Council.

## **5. Recommendation(s)**

**THAT: The post of Head of Governance be designated Electoral Registration Officer and Returning Officer.**

## **6. Alternative Options**

- 6.1 Currently the scheme of delegation included in the Council's Constitution designates the post of Chief Executive as Electoral Registration Officer and Returning Officer. This could continue if felt appropriate. Alternatively another senior post within the staff structure could be to delegate these statutory functions.

## **7. Reasons for Recommendations**

- 7.1 Currently the Chief Executive holds the statutory posts of Electoral Registration Officer and Returning Officer. Section 35(1) of the Representation of the People Act 1983, requires every Council to appoint an officer of the Council to be Returning Officer for elections and Section 8 of the same Act requires Councils to appoint an Electoral Registration Officer; they do not need to be the same person, but often are.
- 7.2 The responsibilities for both elections and the electoral register are personal to the post holder and not duties of the authority. The Council is however required by the above

mentioned Act to make available to both the Electoral Registration Officer and the Returning Officer the necessary resources for her/him to undertake the statutory duties.

- 7.3 Currently the Chief Executive, acting as Electoral Registration Officer and Returning Officer delegates full responsibility for the preparation and maintenance of the Elector Register and the organisation of all elections to the Head of Governance acting as his deputy with full powers. The proposals in this report simply recognise the actual working arrangements.

## **8. Key Considerations**

- 8.1 The transfer of responsibility for elections and electoral registration to the Head of Governance allows the Chief Executive to concentrate on the strategic management of the Council.
- 8.2 The Head of Governance has over 30 years practical experience running elections and has 10 years' experience of acting as Returning Officer and Electoral Registration Officer.
- 8.3 The recommendation above reflects the current working practice.
- 8.4 There is no additional cost associated with this recommendation.

## **9. Community Impact**

- 9.1 There is a statutory duty on the Electoral Registration Officer and Returning Officer to ensure the electorate of Herefordshire is included on the Register of Electors and are able to exercise their right to vote at elections.

## **10. Equality and Human Rights**

- 10.1 Please see above.

## **11. Financial Implications**

- 11.1 There are no additional financial implications associated with the recommendation set out above.

## **12. Legal Implications**

- 12.1 The legal requirements are referred to in the body of the report.

## **13. Risk Management**

- 13.1 None

## **14. Consultees**

- 14.1 Group Leaders have been consulted.

## **15. Appendices**

15.1 None.

## **16. Background Papers**

16.1 None.