

<b>Report Title</b>	<b>Appointment of Electoral Registration Officer and Returning Officer</b>
<b>Purpose of Report</b>	To appoint the Director of Tenant and Corporate Services as Deputy Electoral Registration Officer with full powers.
<b>Decision(s)</b>	<p><b>Council RESOLVES to:</b></p> <ol style="list-style-type: none"> <li>1. Appoint the Director of Tenant &amp; Corporate Services as Electoral Registration Officer pursuant to section 8(2)(a) of the Representation of the People Act 1983 with effect from 5<sup>th</sup> October 2018 to the day on which the new Chief Executive takes up post.</li> <li>2. Appoint the Elections Manager as Deputy Electoral Registration Officer with full powers of the Electoral Registration Officer from 5<sup>th</sup> October 2018 to the day on which the new Chief Executive takes up post.</li> <li>3. Appoint the Director of Tenant &amp; Corporate Services as Returning Officer pursuant to section 35(1) of the Representation of the People Act 1983 for any elections held in the period from the 5<sup>th</sup> October 2018 to the day on which the new Chief Executive takes up post.</li> </ol>
<b>Consultation and Feedback</b>	This is an interim arrangement. There has not been any consultation, nor is any required. The name of (Acting) Returning Officer will be confirmed with the Parliamentary authorities
<b>Financial Implications and Risk Assessment</b>	<p>There is no budget impact arising from this decision. Any cost arising from these appointments, should an election be held, will either be recovered from the electing body or is included within service budgets</p> <p>Andrew Cummings – Head of Finance &amp; S151 Officer Tel: 01453 754115 Email: <a href="mailto:andrew.cummings@stroud.gov.uk">andrew.cummings@stroud.gov.uk</a></p>

<b>Legal Implications</b>	<p>Section 8(2)(a) Representation of the People Act 1983 (RPA 1983) requires the Council to appoint an officer of the Council as the electoral registration officer for any constituency or part of a constituency within the boundaries of the District. (Regulation 7 Returning Officers (Parliamentary Constituencies) (England) Order 2007 in effect provides that the same person shall discharge the duties of the returning officer at a parliamentary election for the Stroud Constituency). Section 52(2) RPA 1983 enables the Council to appoint a deputy electoral registration officer.</p> <p>Section 35(1) RPA 1983 requires the Council to appoint an officer to be the returning officer for the election of district and town/parish councillors within the district. r3007d2507c3007</p> <p>Mike Wallbank, Solicitor mike.wallbank@stroud.gov.uk</p>
<b>Report Author</b>	David Hagg <a href="mailto:david.hagg@stroud.gov.uk">david.hagg@stroud.gov.uk</a>
<b>Options</b>	The Council could rely on the current “proper officer” provisions in the Constitution. However, given the start of the annual electoral registration, this is not recommended. The opportunity is also taken to provide support to this interim arrangement by the designation of a Deputy Electoral Registration Officer. This is not a prerequisite but would be good practice given the circumstances.
<b>Background Papers</b>	None used in the preparation of this report

1. Section 8(2) of the Representation of the People Act 1983, the Council must appoint a “proper officer” as Electoral Registration Officer (ERO), who is responsible for maintaining the electoral register for Stroud District. The Chief Executive is the “proper officer”.
2. With the retirement of the Chief Executive on October 5<sup>th</sup> and the new Chief Executive arriving some weeks later, it is important that there is a designated “proper officer” during the interim period. The Constitution provides for one or more of the Directors to act in this capacity in the absence of the Chief Executive. However, given the start of the annual canvass and the current speculation about a parliamentary election in the autumn, it is sensible for the Council to have confirmed interim arrangements. This provides clarity, particularly in relation to the serving of a writ to hold a parliamentary election. It also provides the opportunity to designate a Deputy Electoral Registration Officer with full powers of the Electoral Registration Officer.
3. Whoever is appointed Electoral Registration Officer becomes responsible for the conduct of a parliamentary election as Acting Returning Officer. The High Sheriff is the Returning Officer but does not conduct the election and all powers are vested in the Acting Returning Officer. It is sensible for the Electoral Registration Officer to be the “proper officer” for all other elections under Section 35 of the Representation of the People Act 1983.