

BRECKLAND DISTRICT COUNCIL

Report of: Maxine O'Mahony- Executive Director of Strategy & Governance & Electoral Registration Officer

To: Council – 13 September 2018

Author: Rory Ringer – Democratic Services Manager

Subject: Appointment of Deputy Electoral Registration Officer

Purpose: To appoint a Deputy Electoral Registration Officer

Recommendation(s):

- 1) That the Democratic Services Manager be appointed as the Deputy Electoral Registration Officer to act in the absence of the Electoral Registration Officer

1.0 BACKGROUND

- 1.1 Under section 8 (2) of the Representation of the People Act 1983 Council must appoint an officer to the position of 'Electoral Registration Officer'. This position is responsible for maintaining the Electoral Register for the area. The Executive Director of Strategy & Governance is the appointed Electoral Registration Officer in Breckland.
- 1.2 Under Section 52(2) of the Representation of the People Act 1983, the Council may appoint a Deputy Electoral Registration Officer who is able to perform and exercise any of the duties and powers of the Electoral Registration Officer.
- 1.3 One of the roles of the Electoral Registration Officer is to hold a hearing in respect of any reviews of registration or any objections received for an application to be included on the Register of Electors. Reviews and objections can be made at any time during the life of the Register. For objections, the legislation provides that these hearings must be held no earlier than the third day and no later than the seventh day after the notice of objection was received. If a hearing is not held within this timescale then the Council will be in breach of the legislation.
- 1.4 Since the Council does not currently have a Deputy Electoral Registration Officer then there is a risk the Council could be in breach of the legislation if the Electoral Registration Officer is absent for a period when a hearing needs to take place. Therefore it is recommended that permanent appointment is made to this post in order to remove that risk.

2.0 OPTIONS

- 2.1 Approve the appointment of a Deputy Electoral Registration Officer to mitigate risks in the event that the Electoral Registration Officer is unavailable to deal with electoral register hearings within the statutory timetable.
- 2.2 Do Nothing- This would put the Council at increased risk of not being able to deal with electoral register hearings within the statutory timetable if the Electoral Registration Officer is unavailable.

3.0 REASONS FOR RECOMMENDATION(S)

- 3.1 To mitigate risks in the event that the Electoral Registration Officer is unavailable to deal with electoral register hearings within the statutory timetable.

4.0 IMPLICATIONS

In preparing this report, the report author has considered the likely implications of the decision - particularly in terms of Carbon Footprint / Environmental Issues; Constitutional & Legal; Contracts; Corporate Priorities; Crime & Disorder; Equality & Diversity/Human Rights; Financial; Health & Wellbeing; Reputation; Risk Management; Safeguarding; Staffing; Stakeholders/Consultation/Timescales; Transformation Programme; Other. Where the report author considers that there may be implications under one or more of these headings, these are identified below.

4.1 Constitution & Legal

- 4.1.1. The appointment of the Deputy Electoral Registration Officer will mitigate risks in the event that the Electoral Registration Officer is unavailable.

4.2 Financial

- 4.2.1.. No Issues

4.3 Risk Management

- 4.3.1 Reduces the chance of the Council being without an Electoral Registration Officer and thereby reduces the risk the Council would be in breach of statutory time limits for dealing with electoral register hearings.

5.0 WARDS/COMMUNITIES AFFECTED

- 5.1 All Wards

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Key Decision: No

Exempt Decision: No

This report refers to a Mandatory Service