



Full Council

Monday, 1 March 2021

**Subject: Appointment of an Electoral Registration Officer and Returning Officer**

Report by:	Director of Corporate Services and Monitoring Officer
Contact Officer:	Alan Robinson Director of Corporate Services and Monitoring Officer  alan.robinson@west-lindsey.gov.uk
Purpose / Summary:	To make an appointment to the positions of <b>Electoral Registration Officer and Returning Officer</b> of for West Lindsey District Council, in accordance with the requirements of Sections 8 and 35 of the Representation of the Peoples Act 1983

**RECOMMENDATION(S):**

That

- (a) In accordance with the requirements of Sections 8 and 35 of the Representation of the Peoples Act 1983, Mr Ian Knowles, Chief Executive, be appointed as the Council's Electoral Registration Officer and Returning Officer with immediate effect.
- (b) The Constitution be amended, as necessary, to reflect this revised appointment.

## IMPLICATIONS

### **Legal:**

The Council is required under Section 8 of the Representation of the Peoples Act 1983 to appoint an Electoral Registration Officer and under Section 35, a Returning Officer.

### **Financial :**

FIN/151/21/SL

There are no financial implications arising from this report.

(N.B.) All committee reports **MUST** have a Fin Ref

### **Staffing :**

(N.B.) Where there are staffing implications the report **MUST** have a HR Ref

### **Equality and Diversity including Human Rights :**

*NB: Please explain how you have considered the policy's impact on different groups (for example: young people, elderly, ethnic minorities, LGBT community, rural residents, disabled, others).*

### **Data Protection Implications :**

### **Climate Related Risks and Opportunities :**

### **Section 17 Crime and Disorder Considerations :**

### **Health Implications:**

### **Title and Location of any Background Papers used in the preparation of this report:**

*Wherever possible please provide a hyperlink to the background paper/s  
If a document is confidential and not for public viewing it should not be listed.*

**Risk Assessment :**

**Call in and Urgency:**

**Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?**

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

**Yes**

**No**

**Key Decision:**

A matter which affects two or more wards, or has significant financial implications

**Yes**

**No**

## 1 Background

- 1.1 Under the Representation of the Peoples Act 1983 each Council in England are required to appoint an officer to be the Electoral Registration Officer and Returning Officer.
- 1.2 These roles are currently assigned to Alan Robinson, Director of Resources and have been since 2017.
- 1.3 Council will be aware that Mr Robinson is due to depart the authority on 31 March, to take up a position with South Kesteven District Council.
- 1.4 Due to the departure of the current post holder, it is essential that a new appointment is made.

## 2. Summary of Statutory Duties

2.1 Statutory duties of the Electoral Registration Officer are:

- Maintain a register of Parliamentary electors
- Maintain a register of local government electors
- Conduct an annual canvass
- (Expenses in performance of these functions shall be paid by the council)
- If ERO found guilty of any act or omission in breach of their official duties they shall be liable on summary conviction to a fine.

2.2 Statutory duties of the Returning Officer are:

- Be impartial and ensure that the conduct of an election is in accordance with the law.
- Report any discrepancy or alleged unlawful act to the police.
- **Responsibility is of a personal nature and is distinct from his/her duties as an employee of the Council.**
- **If RO found guilty of any act or omission in breach of their official duties they shall be liable on summary conviction to a fine.**

## 3. Recommendation

It is recommended that

- (a) In accordance with the requirements of Sections 8 and 35 of the Representation of the Peoples Act 1983, Mr Ian Knowles, Chief Executive, be appointed as the Council's Electoral Registration Officer and Returning Officer with immediate effect.
- (b) The Constitution be amended, as necessary, to reflect this revised appointment.