



<u>Committee and Date</u>
Council
15.07.21

<u>Item</u>
<u>Public</u>

APPOINTMENT TO STATUTORY ROLES

Responsible Officer Tim Collard, Interim Assistant Director Legal and Democratic Services
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1. Summary

- 1.1. This report deals with the appointment of officers to the statutory roles of Returning Officer, Electoral Registration Officer and Scrutiny Officer.

2. Decisions

- 2.1. That Andy Begley (Chief Executive) be appointed as Returning Officer in accordance with section 35(1) of the Representation of the People Act 1983 with immediate effect.
- 2.2. That Tim Collard (Interim Assistant Director Legal and Democratic Services) be appointed as the Deputy Returning Officer in accordance with section 35(1) of the Representation of the People Act 1983 with immediate effect.
- 2.3. That Andy Begley (Chief Executive) be appointed as the Electoral Registration Officer in accordance with section 8(2)(a) of the Representation of the People Act 1983 with immediate effect
- 2.4. That Tim Collard (Interim Assistant Director Legal and Democratic Services) be appointed as the Deputy Electoral Registration Officer in accordance with section 8(2)(a) of the Representation of the People Act 1983 with immediate effect
- 2.5. That Alden Whitaker-Brown (Interim Assistant Director– Business Intelligence) be appointed as the Statutory Scrutiny Officer in accordance with section 9FB of the Local Government Act 2000

REPORT

3. Risk Assessment and Opportunities Appraisal

(NB This will include the following: Impact on Children and Vulnerable Adults, Risk Management, Human Rights, Equalities, Community and other Consultation)

3.1 The recommendations enable Shropshire Council to comply with the requirements for the appointment of statutorily required officers.

4. Financial Implications

4.1. There are no additional costs for these appointments.

5. Climate Change Appraisal

5.1. There are no climate change implications from this report.

6. Background

6.1 The Council is required to appoint a Returning Officer in accordance with Section 35(1) of the Representation of the People Act 1983 to administer local elections. Elections are conducted by the Returning Officer who has a personal responsibility in law independent and separate from their duties as an employee of the Council. To ensure electoral procedures are not jeopardised in the event of the absence of the Returning Officer it recommended that deputies are appointed. Council is asked to agree that Andy Begley is appointed as Returning Officer and that Tim Collard is appointed as the Deputy Returning Officer.

6.2 The Council is required to appoint an Electoral Registration Officer in accordance with Section 8(2)(a) of the Representation of the People Act 1983. The Electoral Registration Officer is the person with statutory responsibility for the creation and maintenance of the register of electors Council is asked to agree that Andy Begley is appointed as Electoral Registration Officer. For parliamentary elections the Electoral Registration Officer is designated to be the Acting Returning Officer, the Returning Officer being the Sheriff of the county.

6.3 Section 52 (2) & (3) of the Representation of the People Act 1983 Act allows for discharge of the Electoral Registration Officer duties by any Deputy approved by the Council who appointed the Electoral Registration Officer. If the Council does not appoint a Deputy Electoral Registration Officer there would be no-one to take on the Returning Officer role in the absence of the Chief Executive should a parliamentary election or by-election be called, or any other national electoral event such as referenda. Furthermore, there

would be no-one legally empowered to discharge the statutory functions of the Electoral Registration Officer. Council is asked to agree that that Tim Collard is appointed as Deputy Electoral Registration Officer.

- 6.4 The Council is required to designate one of its officers to discharge the functions of statutory scrutiny officer and that officer may not be the head of the authority's paid service, the authority's monitoring officer or the authority's chief finance officer. Council as asked to agree that Alden Whitaker-Brown is appointed as the Statutory Scrutiny Officer with immediate effect.

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)

N/A

Cabinet Member (Portfolio Holder)

Lezley Picton

Local Member

N/A

Appendices

N/A