

Title of Report	APPOINTMENT OF DEPUTY ELECTORAL REGISTRATION OFFICER	
Presented by	Councillor Richard Blunt Leader of the Council	
Background Papers	Confidential Council Report – Appointment of Chief Executive – 10 May 2022 Council's Constitution Review of the Constitution report – Item 16 of this agenda	Public Report: Yes
Financial Implications	There are no additional financial implications. The Deputy Electoral Registration Officer would not receive any additional payment.	
	Signed off by the Section 151 Officer: Yes	
Legal Implications	The appointment of the Deputy Electoral Registration Officer will mitigate risks in the event that the Electoral Registration Officer is unavailable as her deputy will be able to make legal judgments regarding the Electoral Register and sign any Temporary Voter Authority Certificates during the election period on her behalf.	
	Signed off by the Monitoring Officer: Yes/No	
Staffing and Corporate Implications	There are no staffing and corporate implications.	
	Signed off by the Head of Paid Service: Yes	
Purpose of Report	For Council to appoint Deputy Electoral Registration Officers to carry out the duties of the Electoral Registration Officer in their absence.	
Recommendations	<p>THAT:</p> <ol style="list-style-type: none"> 1. THE DEMOCRATIC SERVICES TEAM MANAGER BE APPOINTED AS THE DEPUTY ELECTORAL REGISTRATION OFFICER, WITH THE FULL POWERS OF THE ELECTORAL REGISTRATION OFFICER IN THEIR ABSENCE WITH IMMEDIATE EFFECT 2. THE HEAD OF LEGAL AND COMMERCIAL SERVICES AND THE ELECTORAL SERVICES OFFICER BE APPOINTED AS DEPUTY ELECTORAL REGISTRATION OFFICERS, WITH LIMITED POWERS OF THE ELECTORAL REGISTRATION OFFICER TO SIGN TEMPORARY VOTER AUTHORITY CERTIFICATES ON 4 MAY 2023 	

1.0 BACKGROUND

- 1.1 The appointment of the Electoral Registration Officer is prescribed in Section 8 of the Representation of the People Act 1983. In England, the council of every District and

London borough is required to appoint an officer of the Council to be the Electoral Registration Officer.

- 1.2 The Electoral Registration Officer is an official appointed by the Council to prepare and maintain the Register of Electors. If there were a legal challenge to any act of including, or refusing to include, somebody within the register of electors, it is the Electoral Registration Officer that would convene and conduct the hearing required by statute.
- 1.3 Following the implementation of the Election Act 2022 in November 2022, specifically the introduction of Voter ID, the Electoral Registration Officer is now required to sign Temporary Voter Authority Certificates that can be provided for the five days (including the day of the election) prior to election day.
- 1.4 Unlike Returning Officers, S.52(2) of the Representation of the People Act 1983 provides that the Electoral Registration Officer cannot appoint a deputy themselves, unless power to do so has been delegated to them by Council.

2.0 THE COUNCIL'S CONSTITUTION

- 2.1 Section 7 part 3 of the Council's current constitution has a delegated function for undertaking the duties of Electoral Registration Officer to the Chief Executive. However, there is no delegated power to the Chief Executive, as the Electoral Registration Officer, to appoint a deputy. Therefore, if the Electoral Registration Officer were unavailable, there is currently no contingency.
- 2.2 The report at item 16 of this agenda, which presents the new constitution for adoption by Council, resolves this issue as the scheme of delegation specifically delegates power to the Chief Executive to appoint Deputy Electoral Registration Officers and the Proper Officer table also indicates that the Chief Executive can appoint a Deputy Electoral Officer
- 2.3 Therefore, authorisation is sought from Council for the Chief Executive to appoint the Democratic Services Team Manager as the Deputy Electoral Registration Officer, with the full powers of the Electoral Registration Officer in their absence with immediate effect.
- 2.4 Authorisation is also sought for the Head of Legal and Commercial Services and the Electoral Services Officer to be appointed as Deputy Electoral Registration Officers, with limited powers of the Electoral Registration Officer to sign temporary voter authority certificates on 4 May 2023.

Policies and other considerations, as appropriate	
Council Priorities:	Supporting Coalville to be a more vibrant, family-friendly town Support for businesses and helping people into local jobs Developing a clean and green district Local people live in high quality, affordable homes Our communities are safe, healthy and connected
Policy Considerations:	Not applicable
Safeguarding:	Not applicable
Equalities/Diversity:	Not applicable
Customer Impact:	As detailed in the legal implications and risks
Economic and Social Impact:	Not applicable.

Environment and Climate Change:	Not applicable
Consultation/Community Engagement:	Not applicable
Risks:	The appointment of the Deputy Electoral Registration Officer will mitigate risks in the event that the Electoral Registration Officer is unavailable as her deputy will be able to make legal judgments regarding the Electoral Register and sign any Temporary Voter Authority Certificates during the election period on their behalf.
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