

## UTTLESFORD DISTRICT COUNCIL

### RECORD OF DECISION TAKEN BY ASSISTANT DIRECTOR GOVERNANCE AND LEGAL AND MONITORING OFFICER on 28 OCTOBER 2021

The Assistant Director of Governance and Legal and Monitoring Officer intends to make the following decision on: Appointment of an Electoral Registration Officer and Deputies and a Returning Officer.

Reasons for Urgency: These appointments were not made when the new CEO was appointed. They are Council appointments, which need to be put in place with immediate effect and the next Council meeting is not until 7<sup>th</sup> December 2021.

Decision	Decision Maker	Date of Decision	Brief information about the item and details of documents submitted for consideration	Contact officer from where the documents can be obtained
I. To appoint Mr Peter Holt CEO as Returning Officer (RO) to the Council.	Jane Reynolds, Assistant Director - Governance and Legal and Monitoring Officer	28 October 2021	<b><u>1. Appointment of a Returning Officer (RO) District and Parish Elections</u></b>	Jane Reynolds - Assistant Director Governance and Legal and Monitoring Officer <a href="mailto:Jreynolds@uttlesford.gov.uk">Jreynolds@uttlesford.gov.uk</a>
II. To appoint Mr Peter Holt CEO as Electoral Registration Officer (ERO) to the Council.			<b><u>District &amp; Parish Council</u></b>	
III. To appoint Mr Adrian Webb Director of Finance and s151 Officer and Mr Philip Hardy Electoral Services Manager to			Section 35(1) Representation of the People Act 1983 (the Act) requires the Council to appoint an officer of the Council to be the Returning Officer (RO) in local elections (district and parish).  It is the RO's duty to organise and conduct elections.  The RO is an officer of the Council, and the role of RO is an also personal responsibility, independent and separate from their duties as an employee of the Council.  Although the term "Returning Officer" is used to describe the	

<p>the role of Deputy ERO.</p> <p>IV. That authority be given to the AD Governance and Legal and MO to make any corresponding amendments to the Constitution</p>			<p>individual responsible for the overall conduct of District and Parish Elections within a Local Government District, there are in fact a number of other Elections the RO may be called upon to act in which are outlined below:</p> <p><b>Parliamentary Elections</b> As an Acting RO. The role involves administering the process dependent upon the type of constituency and is carried out by the relevant ERO (see further below).</p> <p><b>County Elections</b> As a Deputy RO. In this case the appointment is made under delegation from RO of the Authority conducting the County election.</p> <p><b>National Referendums</b> The Chairman of the Electoral Commission or a person appointed by them acts as Chief Counting Officer at national referendums. The Chief Counting Officer appoints a Counting Officer for each local authority area. Although not specified, the appointment normally rests with the RO for district council or London borough elections.</p> <p><b>Local Authority Referendums</b> Executive arrangements In England, the RO for district council or London borough elections is responsible as Counting Officer for the administration of any referendum required under the Local Government Act 2000 (as amended) relating to the executive governance of the authority.</p> <p><b>Council tax referendums and Neighbourhood planning</b></p>	
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			<p>local government electors for the local authority area;</p> <ol style="list-style-type: none"><li>2. the duty to maintain a list of relevant citizens of the European Union entitled to vote at European Parliamentary elections</li><li>3. the requirement to take reasonable steps to obtain information for those purposes and to ensure that persons who are entitled to be registered (and no others) are;</li><li>4. the requirement to conduct an annual electoral registration canvass and to give persons invitations to register to vote;</li><li>5. the requirement to take steps to encourage participation by electors in the electoral process;</li><li>6. the requirement to meet such standards of performance as set by the Electoral Commission.</li></ol> <p><b>Both the ERO and deputy ERO must be appointed by Council.</b></p> <p>The above-mentioned arrangements will allow Mr Peter Holt CEO to cover all necessary duties as RO to the Council and Parishes and delegate the role as deputy to Mr Adrian Webb and Mr Philip Hardy in writing. It will also provide for Mr Peter Holt CEO to act as ERO to the Council (and therefore act as RO at any parliamentary election) and for these duties to be formally carried out by Mr Adrian Webb and Mr Philip Hardy in his absence.</p>	
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