

APPOINTMENT OF RETURNING OFFICER (RO) AND ELECTORAL REGISTRATION OFFICER (ERO)

Councillor A Macpherson
Leader of the Council

1 Purpose

- 1.1** To appoint an RO and ERO (and confirm the appointment of Deputies) consequent upon the resignation of the Director, Tracey Aldworth, to take up an appointment at Milton Keynes Council.

2 Recommendation

- 2.1** That Teresa Lane, Assistant Director Commercial Property and Regeneration be appointed as the Returning Officer and Electoral Registration Officer with effect from this meeting until (and including) 31 March 2020, in accordance with the requirements of the Representation of the People Act, 1983.
- 2.2** That Ifty Ali (Lead Legal and Monitoring Officer) be appointed Deputy Electoral Registration Officer for the same period.
- 2.3** That Ifty Ali (Lead Legal and Monitoring Officer) Andy Barton (Assistant Director Business Strategy and Support), Bill Ashton (Democratic and Electoral Manager), Jo Hart (Electoral Specialist) and Craig Saunders (Democratic Specialist) be appointed as Deputy Returning Officers for all elections and as Deputy Counting Officers for Neighbourhood Plan Referendums (also for the period referred to in 2.1 above).

3 Supporting information

- 3.1** The RO is the person who has overall responsibility for the conduct of elections within the District of Aylesbury Vale. Section 35 of the Representation of the People Act 1983 requires the Council to appoint an officer of the Council to be the RO in local elections. The RO is an officer of the Council but the role of RO is a personal responsibility, independent and separate from their duties as an employee of the Council. The RO may appoint one or more persons to act as Deputy Returning Officer(s) to discharge all or any of their functions. To put matters beyond doubt it is recommended that the Deputy Returning Officers should be Ifty Ali (Lead Legal and Monitoring Officer), Andy Barton (Assistant Director Business Strategy and Support), Bill Ashton (Democratic and Electoral Manager), Jo Hart (Electoral Specialist) and Craig Saunders (Democratic Specialist).
- 3.2** The ERO is the person with statutory responsibility for the creation and maintenance of the Register of Electors and the Absent Voters List. This person takes responsibility for publishing a revised electoral register and issuing alteration notices. The ERO is also the Acting Returning Officer for UK Parliamentary Elections.
- 3.3** The ERO is an officer of the Council but the role of ERO is a personal responsibility, independent and separate from their duties as an employee of the Council. These two roles, the RO and ERO are typically combined and performed by one person. The appointments must be made by the full Council.
- 3.4** It is the duty of the RO to organise and conduct elections, including:-

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- Dealing with the nominations process for candidates and political parties.
- Dealing with the provision, administration, security and notification of polling stations.
- Appointing staff such as Presiding Officers, Poll Clerks and Counting staff.
- The preparation and issue of ballot papers, issue, receipt and counting of postal ballot papers.
- Organising and delivering the count and the declaration of results.
- The receipt of all candidates' election expenses returns.
- Presentation of final accounts and claiming appropriate funding from Central Government as prescribed in legislation and statutory guidance.
- Retention of election documents.

3.5 The ERO is the person with statutory responsibility for the creation, maintenance, security and distribution of the Register of Electors and the Absent Voters List. At an election, the ERO has a statutory obligation to provide registers and Absent Voters Lists for each polling station as well as to candidates at the election and to the RO.

3.6 In the event of a Parliamentary election being called, the ERO would be the Acting Returning Officer.

3.7 At AVDC, the RO and ERO roles have traditionally been held by the Head of the paid Service (previously Andrew Grant). Following Andrew Grant's departure, Council agreed to divide his responsibilities between the remaining two Directors. Andrew Small took on the role of Head of Paid Service and the roles of RO and ERO were passed to Tracey Aldworth.

3.8 Tracey Aldworth has given notice of her intention to leave AVDC to take up the appointment of Deputy Chief Executive at Milton Keynes Council. In the circumstances, the Head of Paid Service, who is also the Council's lead officer in relation to the transition to a new unitary authority has recommended that the roles of RO and ERO be passed formally to Teresa Lane, Assistant Director Commercial Property and Regeneration. Teresa Lane has a number of years' experience in relation to the conduct of all types of elections, ranging from local elections, UK Parliamentary Elections and EU Parliamentary Elections through to referendums such as that held in connection with the UK's continued membership of the European Union.

3.9 The appointment Of Teresa Lane (and the other officer roles) will last only until 31 March, 2020. It will then be the responsibility of the new Buckinghamshire Council to appoint an RO, ERO and Deputies. It would also be prudent to appoint a Deputy ERO and it is recommended that this should be Ifty Ali (Lead Legal and Monitoring Officer).

4. Resource Implications

4.1 The Representation of the People Act 1983 makes provision for a scale of expenses to be fixed for the purposes of determining the RO's expenditure. Elections are categorised as either "local" (i.e. Parish, District, County) or Parliamentary. The latter have their own fees and charges set by the Cabinet Office and appropriate expenditure on these elections is reclaimed from

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Central Government. There is no change to the current budgetary position. The costs associated with Neighbourhood Plan Referendums are met by grant from Central Government.

Contact Officer
Background Documents

Bill Ashton (01296) 585040
None