



## **Appointment of Monitoring Officer, Electoral Registration Officer and Returning Officer**

### **SUMMARY**

1.1 The Director of Legal and Democratic Services will retire on 11 January 2013. Three of the statutory roles he fulfils are:

- Monitoring Officer
- Electoral Registration Officer
- Returning Officer

To ensure continuity, each of these roles must be re-assigned.

1.2 The Director of Legal and Democratic Services Designate is Janie Berry and her employment with the Council will begin on 2 January 2013

1.3 The Role Description to which Ms Berry was appointed included the three roles.

1.4 Ms Berry's appointment to the three roles can coincide with the current Director's departure.

1.5 Olu Idowu – Head of Legal Services –General, will continue as Deputy Monitoring Officer

### **RECOMMENDATION**

2.1 To approve the appointment of Janie Berry, Director of Legal and Democratic Services Designate as:

- Monitoring Officer
- Electoral Registration Officer
- Returning Officer

With effect from 11 January 2013

### **REASONS FOR RECOMMENDATION**

3.1 Under the provisions of the Local Government and Housing Act 1989, Councils have a duty to appoint a Monitoring Officer.

3.2 It is a requirement of the Representation of the People Act that the Council appoints an Electoral Registration Officer for the City, to be responsible for the registration of

electors, absent voters etc. The Electoral Registration Officer is also designated as Acting Returning Officer at Parliamentary and European elections.

- 3.3 Section 35 of the same Act, requires the Council to appoint a Returning Officer to be responsible for the conduct of local government elections.

#### **SUPPORTING INFORMATION**

- 4.1 None

#### **OTHER OPTIONS CONSIDERED**

- 5.1 None

**This report has been approved by the following officers:**

<b>Legal officer</b>	Stuart Leslie – Director of legal and Democratic Services
<b>Financial officer</b>	NA
<b>Human Resources officer</b>	NA
<b>Service Director(s)</b>	Stuart Leslie – Director of legal and Democratic Services
<b>Other(s)</b>	Philip O'Brien – Head of Democratic Services

<b>For more information contact:</b>	Philip O'Brien 01332 643644 phil.o'brien@derby.gov.uk
<b>Background papers:</b>	None
<b>List of appendices:</b>	Appendix 1 – Implications

<b>IMPLICATIONS</b>
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**Financial and Value for Money**

- 1.1 None arising directly from this report

**Legal**

- 2.1 Under the provisions of the Local Government and Housing Act 1989, Councils have a duty to appoint a Monitoring Officer.
- 2.2 It is a requirement of the Representation of the People Act that the Council appoints an Electoral Registration Officer for the City.
- 2.3 Section 35 of the same Act, requires the Council to appoint a Returning Officer to be responsible for the conduct of local government elections.

**Personnel**

- 3.1 None arising directly from this report

**Equalities Impact**

- 4.1 None arising directly from this report

**Health and Safety**

- 5.1 None arising directly from this report

**Environmental Sustainability**

- 6.1 None arising directly from this report

**Asset Management**

- 7.1 None arising directly from this report

**Risk Management**

- 8.1 None arising directly from this report

**Corporate objectives and priorities for change**

- 9.1 These constitutional appointments underpin and facilitate many of the Council's Corporate values and Priorities.

