

**APPOINTMENT OF CHIEF EXECUTIVE AS RETURNING OFFICER, LOCAL RETURNING OFFICER AND ELECTORAL REGISTRATION OFFICER**

Report of the Assistant Director for Legal & Democratic Governance

Report of the Monitoring Officer

**1. INTRODUCTION AND PURPOSE OF REPORT**

- 1.1. The report details proposals for the appointment of Returning Officer for local government elections and Electoral Registration Officer.
- 1.2. It is further proposed to make arrangements for the appointment of Local Returning Officer for the election of a Combined Authority Mayor.
- 1.3. The three roles of Returning Officer, Local Returning Officer and Electoral Registration Officer are typically combined and performed by a single person. The Council must appoint named individuals to these positions.
- 1.4. Although the Council's constitution provides for the person appointed as Chief Executive to undertake these roles, it is considered best practice to ensure that the Council Meeting formally appoints a named individual.
- 1.5. Finally, it is noted that the Council Meeting has previously appointed Vicki Bates as the Deputy Electoral Registration Officer, and it proposed to confirm that appointment.

**2. RETURNING OFFICER**

- 2.1 The Returning Officer is the person who has the overall responsibility for the conduct of elections in Stockport.
- 2.2 The Representation of the People Act 1983 Section 35 requires the council to appoint an officer of the council to be the Returning Officer in local elections.
- 2.3 The Returning Officer is an officer of the council but the role of the Returning Officer is a personal responsibility independent and separate from their duties as an employee of the council. The Returning Officer may appoint one or more persons to discharge all or any of his/her functions.
- 2.4 At an election, the Returning Officer may appoint election specific deputies to discharge all or any of the duties placed upon them.

**3. ELECTORAL REGISTRATION OFFICER AND DEPUTY ELECTORAL REGISTRATION OFFICER**

- 3.1 The Electoral Registration Officer (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, issuing monthly alterations notices and conducting the annual electoral registration canvass.

The ERO also discharges the responsibilities of Acting Returning Officer at UK parliamentary elections.

- 3.2 The Electoral Registration Officer must be an officer of the council but the role of the Electoral Registration Officer is a personal responsibility, independent and separate from their duties as an employee of the council.
- 3.3 The Deputy Electoral Registration Officer acts as Deputy for the ERO in the event that they are unable to fulfil their responsibilities.

#### **4. LOCAL RETURNING OFFICER**

- 4.1 The Combined Authority (Mayoral Elections) Order 2017 formally requires that each constituent Council in Greater Manchester shall appoint an officer of the Council to be the Local Returning Officer for the election of a Combined Authority Mayor.
- 4.2 Paragraph 1(5) of Schedule 2 of the 2017 Order provides that a separate Returning Officer appointment should be made for a Combined Authority Mayoral Election.

#### **5. CONCLUSIONS AND RECOMMENDATIONS**

The Council Meeting is recommended to:-

- (1) Appoint Michael Cullen as Returning Officer by virtue of section 35 (returning officers: local elections) of the 1983 Act, as modified by Schedule 2
- (2) Appoint Michael Cullen as Electoral Registration Officer by virtue of Section 8 of The Representation of the People Act 1983.
- (3) Appoint Michael Cullen as Local Returning Officer by virtue of Paragraph 1(5) of Schedule 2 of the Combined Authority (Mayoral Elections) Order 2017
- (4) Confirm the appointment of Vicki Bates as Deputy Electoral Registration Officer by virtue of Section 52(2) of The Representation of the People Act 1983

#### **BACKGROUND PAPERS**

There are none

Anyone wishing to inspect the above background papers or requiring further information should contact Vicki Bates on telephone number Tel: 0161 474 3219 or alternatively email [vicki.bates@stockport.gov.uk](mailto:vicki.bates@stockport.gov.uk)