

CITY COUNCIL – 13 OCTOBER 2008

REPORT OF THE PORTFOLIO HOLDER FOR RESOURCES, ECONOMIC DEVELOPMENT AND REPUTATION

APPOINTMENT OF DEPUTY ELECTORAL REGISTRATION OFFICERS

1 SUMMARY

This report enables the Council to appoint Deputy Electoral Registration Officers (DERO), in accordance with the requirements of the Representation of the People Act 1983, to determine objections and reviews.

2 RECOMMENDATIONS

IT IS RECOMMENDED that:-

- (1) the Director of Legal and Democratic Services and Monitoring Officer, or successor in title, be appointed Deputy Electoral Registration Officer to perform and exercise any and all of the Deputy Chief Executive's current duties and powers as Electoral Registration Officer, including adjudicating upon hearings and appeals to objections and reviews of entries to the Register of Electors;
- (2) the Head of Democratic Services and Legal Services Managers, or successors in title, be appointed DEROs to determine objections and reviews, including adjudicating upon hearings and appeals to objections and reviews of entries to the Register of Electors;
- (3) the Electoral Registration Officer (ERO) and her deputy with full powers above be authorised to appoint additional DERO's as necessary.

3 BACKGROUND

- 3.1 The Electoral Administration Act 2006 and subsequent regulations have introduced a duty for the ERO to take necessary steps to maintain an accurate and complete electoral register.

3.2 Part of this process involves two new and significant systems for removing entries from the electoral register. These processes are as follows:

- (a) an objection can now be made to an entry in the electoral register at any time, as opposed to within 5 days of an application being made;
- (b) the ERO may now be required to conduct a review of an entitlement to registration at any time.

3.3 The culmination of the complex procedures involved in these processes may result in a quasi-judicial hearing being held over which the ERO must preside. Hearing dates for an application/objection must be set to take place no earlier than three days and no later than seven days after the date of the notice of the hearing.

3.4 In these circumstances it is unlikely that the ERO would be available to preside personally over the hearing. It is therefore recommended that DEROs be appointed to ensure that the requirements are met.

4 LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION

None.

5 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

Electoral Administration Act 2006 and Representation of the People Act 1983.

**COUNCILLOR GRAHAM CHAPMAN
PORTFOLIO HOLDER FOR RESOURCES, ECONOMIC
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