

# COUNCIL

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| <b>DATE</b>      | 12 <sup>th</sup> December 2024 |
| <b>REPORT OF</b> | Rob Walsh - Chief Executive    |
| <b>SUBJECT</b>   | Statutory Officer Designations |
| <b>STATUS</b>    | Open                           |

## CONTRIBUTION TO OUR AIMS

Good governance arrangements contribute directly to the achievement of the Council's strategic aims.

## EXECUTIVE SUMMARY

This report seeks confirmation of Statutory Officer Designations relating to the appointment of a Statutory Scrutiny Officer and a Deputy Electoral Registration Officer for North East Lincolnshire Council.

## RECOMMENDATIONS

1. That Council approves the designation of the Assistant Director Policy Strategy and Resources as the Council's Scrutiny Officer for the purposes of Section 31 of the Local Democracy, Economic Development and Construction Act 2009 with immediate effect.
2. That the Assistant Director for Law and Governance (Monitoring Officer) for North East Lincolnshire Council be appointed as Deputy Electoral Registration Officer with immediate effect.

## REASONS FOR DECISION

To ensure compliance with legislation regarding the Council's scrutiny arrangements and to provide organisational resilience to enable the Council to discharge its duties with respect to Electoral Registration.

### 1. BACKGROUND AND ISSUES

#### Statutory Scrutiny Officer

- 1.1 The former Assistant Chief Executive was designated the Council's Statutory Scrutiny Officer (SSO) for the purposes of Section 31 of the Local Democracy, Economic Development and Construction Act 2009. She has now retired from the organisation.

1.2 The functions of the SSO are to:

- Promote the role of Scrutiny in the Authority.
- Provide support to the Authority's Scrutiny arrangements and the members of the Scrutiny Panels.
- Provide support and guidance to members of the Authority, members of the Executive and officers in relation to the functions of the Authority's Scrutiny Panels.

1.3 The person designated SSO cannot be the Head of Paid Service, the Monitoring Officer or the Chief Finance Officer.

1.4 The Assistant Director Policy Strategy and Resources currently has responsibility for a range of corporate support functions, including leading on the development of the Council Plan, and is therefore well versed in the Council's scrutiny arrangements. It is therefore recommended that the postholder be designated as the statutory Scrutiny Officer.

Deputy Electoral Registration Officer

1.5 Under section 8 (2) of the Representation of the People Act 1983, the Council must appoint an officer to the position of 'Electoral Registration Officer'. This position is responsible for maintaining the Electoral Register for the area. The Chief Executive is the appointed Electoral Registration Officer for North East Lincolnshire Council.

1.6 Under Section 52(2) of the Representation of the People Act 1983, the Council may appoint a Deputy Electoral Registration Officer who is able to perform and exercise any of the duties and powers of the Electoral Registration Officer.

1.7 One of the roles of the Electoral Registration Officer is to hold a hearing in respect of any reviews of registration or any objections received for an application to be included on the Register of Electors. Reviews and objections can be made at any time during the life of the Register. For objections, the legislation provides that these hearings must be held no earlier than the third day and no later than the seventh day after the notice of objection is received. If a hearing is not held within this timescale, then the Council will be in breach of the legislation.

1.8 The role of DERO was previously discharged by the Assistant Chief Executive. Following the recent retirement of the postholder, it is recommended that the Assistant Director Law and Governance (Monitoring Officer) is designated the Council's Deputy Electoral Registration Officer.

## **2 RISKS AND OPPORTUNITIES**

2.1 The designation of Scrutiny Officer is a requirement of legislation.

2.2 By appointing a DERO, the Council reduces its chances of being without an

Electoral Registration Officer and therefore reduces the risk of the Council being in breach of statutory time limits for dealing with electoral register hearings.

### **3 OTHER OPTIONS CONSIDERED**

- 3.1 Do nothing – this would put the Council at risk of not being able to deal with electoral register hearings within the statutory timetable, should the Electoral Registration Officer be unavailable.

### **4 REPUTATION AND COMMUNICATIONS CONSIDERATIONS**

- 4.1 There are no reputational and communication considerations arising from this report.

### **5 FINANCIAL CONSIDERATIONS**

- 5.1 There are no financial consequences arising from these appointments.

### **6 CHILDREN AND YOUNG PEOPLE IMPLICATIONS**

- 6.1 There are no implications for children and young people arising from the recommendations in this report.

### **7 CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS**

- 7.1 There are no climate change and environmental implications arising from the recommendations in this report.

### **8 CONSULTATION WITH SCRUTINY**

- 8.1 No consultation has been undertaken.

### **9 FINANCIAL IMPLICATIONS**

- 9.1 There are no direct financial implications arising from the recommendations in this report.

### **10 LEGAL IMPLICATIONS**

- 10.1 The relevant statutory requirements are referred to in the main body of the report. The appointments will provide additional resilience for the organisation.
- 10.2 Appointing a Deputy Electoral Registration Officer is common practice across Local Authorities.

### **11 HUMAN RESOURCES IMPLICATIONS**

- 11.1 The employees are happy to undertake this role as part of their current job.

**12 WARD IMPLICATIONS**

12.1 None directly arising.

**13 BACKGROUND PAPERS**

13.1 None.

**14 CONTACT OFFICER(S)**

Laura Cowie – Elections Manager (01472) 324295

Paul Windley – Democratic and Scrutiny Team Manager (01472) 324121

**ROB WALSH**  
**CHIEF EXECUTIVE**