

HAVANT BOROUGH COUNCIL

FULL COUNCIL

22 March 2023

APPOINTMENT OF S151 OFFICER & DEPUTY ELECTORAL REGISTRATION OFFICER

FOR DECISION

Portfolio Holder: Cllr Tony Denton

Key Decision: No

Report number: HBC/127/2023

1. Purpose

This report seeks to appoint Head of Corporate Finance as the S151 Officer and the Executive Head of Internal Services as Deputy Electoral Registration Officer

2. Recommendation

2.1. That the Council APPOINTS:

2.1.1. The Head of Corporate Finance S151 Officer until 3rd April 2023; and

2.1.2. The Executive Head of Internal Services as Deputy Electoral Registration Officer

3. Executive Summary

See paragraph No 5 below which briefly sets out this out

4. Additional Budgetary Implications

4.1. None

5. Background and relationship to Corporate Strategy and supporting strategies and policies

5.1. Current situation / proposal re s.151 Officer

5.1.1. Mr Steve Pink as Chief Finance Officer was designated as the statutory officer for the purposes of s151 Local Government Act 1972 by January Council. Unfortunately, Mr Pink is unable to start in this role until next month and the previous incumbent who was covering the role on a interim basis left the

organisation in February. This has meant that for the intervening period no officer has responsibility for the functions set out in section 151.

5.1.2. To cover this gap, a stand-in will be required and this report recommends that this be the current Deputy s.151 Officer, namely the Head of Corporate Finance.

5.1.3. This officer will be designated to this role until the permanent Chief Finance Officer is able to start on 3rd April 2023 when the designation will revert to Mr Pink as Chief Officer as per the decision made in January Council aforesaid.

5.2. . Current situation / proposal re Electoral Registration Officer

5.2.1. The Electoral Registration Officer is responsible for the preparation and maintenance of the registers of parliamentary electors for any parliamentary constituency (or part of a constituency) within its area, and of local government electors for its area

5.2.2. The Chief Executive Officer currently performs the statutory function of Electoral Registration Officer (ERO) (who is designated as the Proper Officer for these functions within the Council's Constitution)

5.2.3. In view of the forthcoming local elections, it is considered prudent and necessary to designate an officer as Deputy ERO and this report recommends that this be designated to The Executive Head of Service for Internal Services.

6. Options considered

None, at least one of these roles is a statutory requirement.

7. Resource implications

7.1. Financial implications

None, the costs are within the existing budgets

Section 151 Officer comments

Not appropriate given the (part) subject matter of the Report

7.2. Human resources implications

None

7.3. Information governance implications

None

7.4. Climate and environment implications

None

7.5. Other resources implications

None

8. Legal implications

- 8.1. S151 of the Local Government Act 1972 and provides that every local authority shall make arrangements for the proper administration of their financial affairs and shall secure that one of their officers has responsibility (designation) for the administration of those affairs
- 8.2. Sections 52 Representation of the People Act 1983 anticipates that that every local authority shall appoint an ERO who shall comply with any general or special directions which may be given by the Secretary of State with respect to the arrangements to be made by the registration officer for carrying out his or her functions under this Act.
- 8.3. Specifically, section 52(2) of the above Act provides that any of the duties and powers of an ERO may be performed and exercised by any deputy for the time being approved by the council which appointed that officer.

Monitoring Officer comments

As per Legal Implications above.

9. Risks and mitigations

None

10. Consultation

Informal consultation with Management Team and the individual officers affected.

11. Communications

None planned

12. Appendices

None

13. Background papers

None

Agreed and signed off by:

Portfolio Holder: Cllr Tony Denton 7th March 2023

Monitoring Officer: Mark Watkins 7th March 2023

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