

<b>REPORT TITLE</b>	<b>APPOINTMENT OF A LOCAL RETURNING OFFICER FOR THE ELECTION OF A COMBINED AUTHORITY MAYOR</b>
<b>REPORT OF</b>	<b>CHIEF EXECUTIVE</b>

**REPORT SUMMARY**

The Combined Authority (Mayoral Elections) Order 2017 formally requires that each constituent council shall appoint an officer of the council to be the Local Returning Officer (LRO) for the election of a combined authority Mayor.

**RECOMMENDATION/S**

It is recommended that Wirral Borough Council appoint the Chief Executive to act as the Local Returning Officer (LRO) in respect of the Liverpool City Region Combined Authority Mayoral election which will take place on 4<sup>th</sup> May 2017.

## SUPPORTING INFORMATION

### 1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 As outlined in this report, there is a legal requirement that a formal appointment should be made to the position of Local Returning Officer for the election of a combined authority Mayor and it is recommended that this position is appointed to the Returning Officer for Wirral Borough Council.

### 2.0 OTHER OPTIONS CONSIDERED

- 2.1 No other options were considered.

### 3.0 BACKGROUND INFORMATION

- 3.1 All Councils are required to appoint an officer to be its Returning Officer in accordance with section 35 of the Representation of the People Act 1983. The Returning Officer's general duty at those elections is to do all such acts and things as may be necessary for the effectual conduct of those elections. For Wirral Borough Council that is normally the Chief Executive.
- 3.2 Ordinarily, statutory provisions will provide that a council's Returning Officer will also be the Returning Officer for any other polls held in the Borough (such as the Police and Crime Commissioner).
- 3.3 There is a lack of clarity around the Combined Authority (Mayoral Elections) Order 2017. Article 5 implies that the constituents' council Returning Officer will be the Local Returning Officer for the election of the combined authority mayor. However the rules also provide that each constituent council **shall appoint** an officer of the council to be the Local Returning Officer specifically for this election.
- 3.4 As a precaution it is deemed sensible for the Council to formally appoint the Returning Officer for Wirral to also undertake the role of Returning Officer for the Combined Authority Mayor.

### 4.0 FINANCIAL IMPLICATIONS

- 4.1 None

## **5.0 LEGAL IMPLICATIONS**

5.1 The legal implications have been set out within the main body of this report.

## **6.0 RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS**

6.1 None

## **7.0 RELEVANT RISKS**

7.1 The Council is under a statutory duty to ensure a Local Returning Officer is appointed.

## **8.0 ENGAGEMENT/CONSULTATION**

8.1 None

## **9.0 EQUALITY IMPLICATIONS**

9.1 (b) No because there is no relevance to equality.

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## **APPENDICES**

None

## **REFERENCE MATERIAL**

None

## **SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>