

POLICY & RESOURCES

CABINET BOARD

1ST APRIL 2010

DIRECTORATE OF FINANCE & CORPORATE SERVICES

**REPORT OF THE HEAD OF LEGAL AND DEMOCRATIC SERVICES
– DAVID MICHAEL**

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SECTION A – MATTER FOR DECISION

ITEM 1

RETURNING OFFICER AND ACTING RETURNING OFFICER - INDEMNITY

Purpose of Report

To obtain the decision of the Policy and Resources Cabinet Board on the provision of an indemnity to the Chief Executive in respect to him carrying out the duties of Returning Officer at Elections.

Background

In accordance with the provisions contained in the Representation of the People Act 1983 (as amended) the Authority's Chief Executive (Mr. Steven Phillips) has been designated by the Council to act as the Returning Officer for the County Borough and Community Council Elections taking place within the County Borough.

In addition, by virtue of the provisions contained in the above referred to Act, the Chief Executive is also designated as the Acting Returning Officer for any Parliamentary Elections taking place within the County Borough.

The Council already retains insurances to cover the liability of the Returning Officer/Acting Returning Officer. It has power also to provide an indemnity to cover any risks not covered by any insurance policies.

Recommendations

1. The Authority provide an appropriate indemnity under The Local Authorities (Indemnities for Members and Officers) (Wales) Order 2006 to Mr. Steven Phillips in relation to his carrying out his duties as Returning Officer and/or Acting Returning Officer for all Elections and Referenda (with the exclusion of any European Parliamentary Elections) taking place within the County Borough.
2. The Authority delegates to the Director of Finance and Corporate Services and to the Head of Legal and Democratic Services, the power for either of them to extend the indemnity referred to in Recommendation 1 above to any European Parliamentary Elections in those circumstances where the Chief Executive is required to carry out the duties of Acting Returning Officer.

List of Background Papers

The Representation of the People Act 1983 (as amended).

Wards Affected

All

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COMPLIANCE STATEMENT

PROVISION OF AN INDEMNITY TO THE CHIEF EXECUTIVE

Implementation of Decision

The decision is proposed for immediate implementation.

Sustainability Appraisal

Community Plan Impacts

Economic Prosperity	-	No impact
Education & Lifelong Learning	-	No impact
Better Health & Well Being	-	No impact
Environment & Transport	-	No impact
Crime & Disorder	-	No impact

Other Impacts

Welsh Language	-	No impact
Sustainable Development	-	No impact
Equalities	-	No impact
Social Inclusion	-	No impact

Consultation

There has been no requirement under the Constitution for external consultation on this item.