

PART 1 (OPEN TO THE PUBLIC)

ITEM NO.

REPORT OF THE LEAD MEMBER FOR CORPORATE SERVICES

TO THE CABINET
ON
5TH DECEMBER, 2000

TITLE : LOCAL GOVERNMENT ACT 2000 - APPOINTMENT OF PROPER OFFICER

RECOMMENDATION :

THAT Mr. John Willis be appointed as the Proper Officer for the purposes of Sections 4, 7 8, 11, 13 and 14 of the Local Authorities (Referendums) (Petitions and Directions) (England) Regulations 2000, with immediate effect.

EXECUTIVE SUMMARY :

This report seeks approval to the appointment of a Proper Officer for the purposes of the above Regulations, which have been made in accordance with the Local Government Act 2000.

BACKGROUND DOCUMENTS :
(Available for public inspection)

1. Local Government Act 2000
 2. Local Authorities (Referendums) (Petitions and Directions) (England) Regulations 2000
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CONTACT OFFICER : GRAHAM CHINN TEL. NO. 793 3003

WARD(S) TO WHICH REPORT RELATE(S) Not applicable.

KEY COUNCIL POLICIES : New decision making process.

DETAILS :

1. s.34(2)(c) of the Act provides that (the Secretary of State may make Regulations) "for or in connection with requiring an Officer of the Local Authority to publish the number of Local Government Electors for the Authority's area who must support any petition presented to the Authority."
2. The Regulations contain sections relating to the appointment of a Proper Officer for the following functions:-
 - ◆ s.4 relates to the duties to publish the number equal to 5% of the number of Local Government Electors for the Authority's area and to require an Electoral Registration Officer to provide such information
 - ◆ s.7 relates to notifying the Secretary of State and petition organiser as to petitions and for determination as to whether a petition is valid
 - ◆ s.8 relates to the amalgamation of petitions
 - ◆ s.11 relates to procedure on receipt of petitions
 - ◆ s.13 relates to publicity for valid petitions
 - ◆ s.14 relates to publicity for invalid petitions
3. Cabinet are requested to appoint Mr. John Willis as Proper Officer for the purposes outlined in paragraph 2 above. This decision will need to have immediate effect, as the Proper Officer is required to advertise the information in relation to the number of Local Government Electors for the Authority's area by 14th December, 2000. Policy Committee will be asked to give retrospective approval to this decision.