



North Tyneside Council

Extraordinary Council

To All Members of the Council

Monday 16 December 2024

You are hereby summoned to attend an Extraordinary Meeting of the Council of the Borough of North Tyneside to be held in **Chamber - Quadrant, The Silverlink North, Cobalt Business Park, North Tyneside, NE27 0BY** at 6.00 pm on **Monday, 6 January 2025** for the transaction of the following business.

<u>Agenda Item</u>	<u>Page(s)</u>
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Council Guideline on Procedure	3 - 4
1. Apologies	
2. To receive any Declarations of Interest	

You are invited to declare any registerable and/or non-registerable interests in matters appearing on the agenda, and the nature of that interest.

Please complete the Declarations of Interests card available at the meeting and return it to the Democratic Services Officer before leaving the meeting.

If you need us to do anything differently (reasonable adjustments) to help you access our services, including providing this information in another language or format, please contact democraticsupport@northtyneside.gov.uk.

Sonia Stewart Tel: (0191) 643 5359 Email: soniastewart@northtyneside.gov.uk

You are also invited to disclose any dispensation from the requirement to declare any registerable and/or non-registerable interests that have been granted to you in respect of any matter appearing on the agenda.

3. Designation and Appointment to Statutory Roles

5 - 10

Council is requested to designate an officer of the Authority to the statutory role of Head of Paid Service, in the light of the departure from the organisation of Paul Hanson on 5 January 2025. Mr Hanson currently holds the designation of Head of Paid Service.

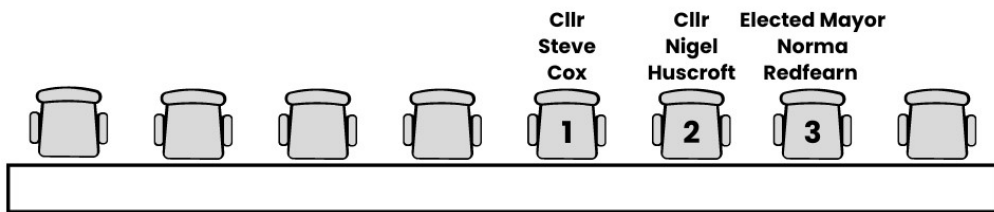
Council is also requested to appoint an officer of the Authority to undertake the roles of Returning Officer and Electoral Registration Officer for the Authority. These are roles also held by Mr Hanson.

The responsibility for the designation and appointment of the roles referred to above is reserved to full Council.

Yours faithfully



Chief Executive



- Cllr Liam Bones **53**
- Cllr John Johnsson **54**
- Cllr Jay Bartoli **55**
- Cllr Dave Lilly **56**
- Cllr Lewis Bartoli **57**
- Cllr Ian McAlpine **58**
- Cllr Claire McGinty **59**
- Cllr Ollly Scargill **60**

- 4** Cllr Peter Earley
- 5** Cllr Janet Hunter
- 6** Cllr John Harrison
- 7** Cllr Karen Clark
- 8** Cllr Julie Cruddas
- 9** Cllr Willie Samuel
- 10** Cllr Anthony McMullen
- 11** Cllr Matthew Thirlaway
- 12** Cllr Sandra Graham
- 13** Cllr Carl Johnson
- 14** Cllr Hannah Johnson
- 15** Cllr Steve Phillips
- 16** Cllr Eddie Darke

- 17** Cllr Joan Walker
- 18** Cllr Martin Murphy
- 19** Cllr Davey Drummond
- 20** Cllr Sarah Day
- 21** Cllr Julie Day
- 22** Cllr Tom Bailey
- 23** Cllr Andrew Spowart
- 24** Cllr Andy Newman
- 25** Cllr James Webster
- 26** Cllr Josephine Mudzingwa
- 27** Cllr Louise Marshall
- 28** Cllr Ian Grayson
- 29** Cllr Tricia Neira
- 30** Cllr Andy Holdsworth
- 31** Cllr Joe Kirwin
- 32** Cllr John O'Shea
- 33** Cllr Jane Shaw
- 34** Cllr Jim Montague

- 35** Cllr Linda Darke
- 36** Cllr Pat Oliver
- 37** Cllr Linda Bell
- 38** Cllr Louise Bell
- 39** Cllr Tommy Mulvenna
- 40** Cllr Kristin Nott
- 41** Cllr Brian Burdis
- 42** Cllr Rebecca O'Keefe
- 43** Cllr Bruce Pickard
- 44** Cllr Joanne Sharp
- 45** Cllr Paul Bunyan
- 46** Cllr Bryan Clark
- 47** Cllr Sarah Burtenshaw
- 48** Cllr Charlie Gray
- 49** Cllr Tracey Hallway
- 50** Cllr Wendy Lott
- 51** Cllr Frank Lott
- 52** Cllr Liz McMullen

Cllr Judith Wallace **61**

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GUIDANCE NOTES ON THE COUNCIL RULES OF PROCEDURE AND INTERESTS FOR MEMBERS

This brief guidance note is produced to assist Members on some of the issues that are likely to arise during meetings of full Council.

Chairing of Council (Paragraph 17 of the Rules)

When the Chair stands, raises their hand or indicates using any other agreed means for the meeting to stop during a debate, any Member speaking at the time must stop and be seated. The meeting must be silent. If necessary, the microphones in the Chamber will be silenced at the Chair's discretion.

The Chair's interpretation of the Rules (Paragraph 21 of the Rules)

The ruling of the Chair of the Council as to the interpretation or application of the any of the Rules of Procedure, or as to any proceedings of the Council, shall not be challenged at any meeting of the Council. The ruling of the Chair will be given following such consultation with the Monitoring officer as is necessary.

Personal Explanation (Paragraph 12 (7) of the Rules)

A Member may make a personal explanation. A personal explanation may only relate to some material part of an earlier speech by the Member which may appear to have been misunderstood in the present debate. **The ruling of the Chair on the admissibility of a personal explanation will be final.** When making a point of personal explanation, Members must await the conclusion of the relevant Member's speech.

Point of Order (Paragraph 12 (28) of the Rules)

A Member may raise a point of order at any time. The Chair will hear them immediately. A point of order may only relate to an alleged breach of the Rules of Procedure or the law. The Member must indicate the Rule or law which they consider has been broken, and how they consider it to have been broken. The ruling of the Chair on the matter will be final.

Members Conduct (Council Rule of Procedure – Paragraph 17)

When a Member wishes to speak at full Council they must indicate their request by raising their hand or by any other agreed means. If more than one Member indicates a wish to speak, the Chair will ask one to speak and the others must remain silent until they are invited to address the meeting, unless they wish to make a point of order or a point of personal explanation. When a Member is speaking they may stand or sit to address the meeting.

If a Member persistently disregards the ruling of the Chair by behaving improperly or offensively or deliberately obstructs business, the Chair may move that the Member be not heard further. If seconded, the motion will be voted on without discussion.

If the Member continues to behave improperly after such a motion is carried, the Chair may move that either the Member leaves the meeting or that the meeting is adjourned for a specified period. If seconded, the motion will be voted on without discussion.

If there is a general disturbance making orderly business impossible, the Chair may adjourn the meeting for as long as the Chair thinks necessary.

Disturbance by the Public (Council Rules of Procedure -Paragraph 19)

If a member of the public interrupts proceedings, the Chair will warn the person concerned. If the person continues to interrupt, the Chair will order their removal from the meeting room.

If there is a general disturbance in any part of the meeting room open to the public, the Chair may call for that part to be cleared.

Procedural Advice

If any Member requires clarification on a procedural point in the Rules of Procedure, then they are encouraged to contact the Monitoring Officer or one of his team as soon as possible after receipt of the Council agenda and reports. Any advice will be given in confidence.

Advice of Interests

If any Member requires advice on whether or not they need to declare an interest in an item of business to be discussed at a meeting of Council, then members are encouraged to contact the Monitoring Officer or one of his team as soon as possible after receipt of the Council agenda and reports. Any advice will be given in the strictest confidence.

Title: Designation and Appointment to Statutory Roles
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North Tyneside Council

Report to Extraordinary Council Meeting

Date: 6 January 2025

Portfolio(s): Elected Mayor

**Cabinet
Member(s):**

**Dame Norma
Redfearn DBE**

Report from Service

Area: Resources

**Responsible Officer: Jon Ritchie, Director of Resources
Tel: 07581 045 261**

Wards affected: All Wards

PART 1

1.1 Executive Summary:

Council is requested to designate an officer of the Authority to the statutory role of Head of Paid Service, in the light of the departure from the organisation of Paul Hanson on 5 January 2025. Mr Hanson currently holds the designation of Head of Paid Service.

Council is also requested to appoint an officer of the Authority to undertake the roles of Returning Officer and Electoral Registration Officer for the Authority. These are roles also held by Mr Hanson

The responsibility for the designation and appointment of the roles referred to above is reserved to full Council.

1.2 Recommendation(s):

It is recommended that:

- (i) Council designate Jacqueline Laughton, Assistant Chief Executive as the Head of Paid Service for the Authority with effect 6 January 2025; and
- (ii) Council appoint Jacqueline Laughton, Assistant Chief Executive, as Returning Officer and Electoral Registration Officer for the Authority with effect from 6 January 2025.

1.3 Forward plan:

It has not been practicable to give twenty-eight days' notice of this report. However, it is required to be considered without the twenty-eight days' notice being given to ensure that the Authority fulfils its duties under the Local Government and Housing Act 1989 and the Representation of the People Act 1983.

The Report first appeared in the Forward Plan on 12 December 2024 which was the earliest practicable date that the item could appear on the Forward Plan. However advance notice of the proposals contained in this report have been shared widely as soon as they became known.

1.4 Council plan and policy framework:

Appointment to these roles ensures that the Authority acts in compliance with prevailing legislation and in turn supports all priorities within the Council Plan.

1.5 Information:

Background

The Authority has a duty under section 4 of the Local Government and Housing Act 1989 to designate an officer of the Authority to be its Head of Paid Service. The designation has been held by the Chief Executive, Paul Hanson, who is to leave the Authority on 5 January 2025. It is therefore necessary for full Council to transfer that responsibility and designate an officer of the Authority to be the Head of Paid Service.

It is proposed that Jacqueline Laughton, Assistant Chief Executive should undertake the responsibilities of the Head of Paid Service on an interim basis

pending completion of a process to permanently appoint to the role of Chief Executive. The Head of Paid Service has responsibility for ensuring that all the Authority's functions are properly co-ordinated as well as organising staff and appointing appropriate management.

In addition to being designated the Head of Paid Service, Mr Hanson was appointed the Returning Officer and Electoral Registration Officer for the Authority pursuant to the requirements of the Representation of the People Act 1983. The Returning Officer is the official with responsibility for the arrangements for the election of the Authority's Councillors. The Electoral Registration Officer has the responsibility for the preparation and maintenance of the register of electors and list of absent voters in North Tyneside. The Returning Officer also acts as an Acting Returning Officer for parliamentary elections and must fulfil all the duties and responsibilities relating to the delivery of such elections on behalf of the Authority. The reallocation of these roles by full Council is necessary in order to secure continuity. It is proposed that the roles of Electoral Registration Officer and Returning Officer are undertaken by Ms Laughton with effect from 6 January 2025.

1.6 Decision options:

Council may choose to:

- Designate Jacqueline Laughton, Assistant Chief Executive, as the Head of Paid Service
- Appoint Jacqueline Laughton, Assistant Chief Executive, as the Returning Officer, Electoral Registration Officer and Acting Returning Officer
- Decline to make any or all of the designations / appointments and defer the designation(s) / appointment(s) to another extraordinary meeting of Council to enable suitably experienced officers as alternative candidates for the relevant role(s) to be proposed.

1.7 Reasons for recommended option:

The recommended approach fulfils the Authority's duties in relation to the statutory roles outlined above. The Authority, through full Council, is required to designate and appoint officers of the Authority to the roles referred to in the report to comply with legislative requirements.

1.8 Appendices:

None.

1.9 Contact officers:

Stephen Ballantyne, Head of Law Tel (0191) 643 5329

1.10 Background information:

The following background papers/information have been used in the compilation of this report and are available at the office of the author.

Representation of the People Act 1983

Local Government and Housing Act 1989

The Local Authorities (Functions and Responsibilities) Regulations 2000

North Tyneside Council Constitution including Officer Delegation Scheme

PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING

2.1 Finance and other resources

There are no specific financial implications arising from this report.

2.2 Legal

The Authority is required to designate an officer of the Authority as Head of Paid Service pursuant to Section 4 of the Local Government and Housing Act 1989.

Section 8 of the Representation of the People Act 1983 (the 1983 Act) requires the Authority to appoint an officer to be an Electoral Registration Officer for any constituency or part of a constituency situated in the Borough.

Section 35 of the 1983 Act requires the Authority to appoint an officer to be the Returning Officer. Section 28 of the 1983 Act states that the duties of the Returning Officer for a parliamentary election shall be discharged as the Acting Returning Officer.

A Returning Officer can appoint a deputy or deputies. An Electoral Registration Officer however can only appoint a deputy or deputies with the approval of full Council.

The designation of the Head of Paid Service, the appointment of the Electoral Registration Officer and the appointment of the Returning Officer is a matter

for full Council by virtue of Schedule 1 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000.

2.3 Consultation/community engagement

The Elected Mayor has been consulted on the proposals and the Elected Mayor advised all Members (and partner organisations) of the proposals on 11 December 2024.

2.4 Human rights

There are no human rights implications arising from this report.

2.5 Equalities and diversity

There are no equalities and diversity implications arising from this report.

2.6 Risk management

Any failure to designate or appoint the officers to the roles referred to above could result in the Authority being challenged for failing to meet its statutory duties.

2.7 Crime and disorder

There are no crime and disorder implications arising from this report.

2.8 Environment and sustainability

There are no environment and sustainability implications arising from this report.

PART 3 – SIGN OFF

- Chief Executive X
- Director of Service X
- Mayor/Cabinet Member(s) X

- Chief Finance Officer
- Monitoring Officer
- Interim Director Corporate Strategy and Customer Service