

# North Tyneside Council

## Report to Extraordinary Council Meeting

**Date: 6 January 2025**

Title: Designation and Appointment to Statutory Roles
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**Portfolio(s): Elected Mayor**

**Cabinet Member(s):**

**Dame Norma Redfearn DBE**

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### Report from Service

**Area:**

**Resources**

**Responsible Officer:**

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

**Wards affected:**

**All Wards**

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## **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