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## **NORTH AYRSHIRE COUNCIL**

**7 November 2018**

### **North Ayrshire Council**

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**Title:** **Chief Executive Roles**

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**Purpose:** To advise Council of the various roles to be undertaken by the newly appointed Chief Executive, Craig Hatton, in terms of the Scheme of Delegation to Officers; and to seek approval for the Chief Executive to be appointed as a Director of North Ayrshire Ventures Trust.

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**Recommendation:** That Council notes the various roles to be undertaken by the Chief Executive in terms of the Scheme of Delegation to Officers; and agrees to appoint the Chief Executive as a Director of North Ayrshire Ventures Trust.

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### **1. Executive Summary**

- 1.1 This report outlines various roles to be undertaken by the Chief Executive in terms of the Council's Scheme of Delegation to Officers. The report also seeks approval to appoint the Chief Executive as a Director of North Ayrshire Ventures Trust.

### **2. Background**

- 2.1 The Council's former Chief Executive, Elma Murray OBE held a range of roles including Head of Paid Service in terms of Section 4 of the Local Government and Housing Act 1989. Upon Ms Murray's retirement these roles require to be filled by the newly appointed Chief Executive, Craig Hatton.

### **3. Proposals**

- 3.1 The Scheme of Delegation to Officers which was approved by Council at its meeting in June 2018, sets out a number of specific provisions for the Chief Executive. Council is asked to note that the newly appointed Chief Executive, Craig Hatton, will assume the following roles:

#### **a) Head of Paid Service**

The Chief Executive will act as the Head of Paid Service in terms of Section 4 of the Local Government and Housing Act 1989. The duties of the Head of Paid Service are detailed in Section 12A of the Act.

**b) Proper Officer**

The Chief Executive will act as the Proper Officer for the following purposes of the Act:

- Section 33A – Declaration of Acceptance of Office as a Councillor;
- Section 34 – Receipt of Resignation of Councillors;
- Section 50B, C, D & F – Access to information;
- Section 194(1) Execution of Deeds;

**c)** In terms of Section 50(D) of the Local Government (Access to Information) Act 1985 the Chief Executive will also be responsible for the “Listing of background papers for a report to Members”;

**d)** In terms of Section 193 the Local Government (Scotland) Act 1973, the Chief Executive is also a ‘Proper Officer’ responsible for the authentication of documents.

**e) Returning and Counting Officer**

In terms of Section 41 of the Representation of the People Act 1983, the Chief Executive will undertake the statutory responsibility of Returning Officers as well as Counting Officer in respect of Council and Parliamentary elections, referenda and ballots for Business Improvement Districts.

**f) Authorising Officer**

The Chief Executive will also act as Authorising Officer under the Regulations of Investigatory Powers (Scotland) Act 2000 for all types of authorisation.

3.2 The former Chief Executive was also a Director of North Ayrshire Ventures Trust and resigned from this role with effect from 29 October 2018. It is proposed that Council agrees to appoint the new Chief Executive, Craig Hatton, as a Director of North Ayrshire Ventures Trust.

**4. Implications**

<b>Financial:</b>	There are no financial implications arising from this report.
<b>Human Resources:</b>	There are no human resources implications arising from this report.

<b>Legal:</b>	The appointment of Mr Hatton satisfies the Council's obligations in terms of the various Acts outlined in this report.
<b>Equality:</b>  <b>Children and Young People:</b>	There are no equality implications arising from this report.
<b>Environmental &amp; Sustainability:</b>	There are no environmental or sustainability implications arising from this report.
<b>Key Priorities:</b>	There are no implications for key priorities arising from this report.
<b>Community Benefits:</b>	There are no Community Benefits arising from this report.

## 5. Consultation

- 5.1 Consultation has taken place with the Andrew Fraser, Head of Democratic Services in his capacity as Monitoring Officer and Laura Friel, Executive Director (Finance and Corporate Support) in her capacity as Chief Financial Officer (Section 95 Officer).



**Andrew Fraser**  
**Head of Democratic Services**  
**& Monitoring Officer**

For further information please contact Barry Tudhope, Strategic Support & Elections Manager on 01294 324113.

## Background Papers

- Scheme of Delegation to Officers (approved June 2018)
- Local Government (Scotland) Act 1973
- Representation of the People Act 1983
- Local Government (Access to Information) Act 1985
- Local Government and Housing Act 1989
- Regulations of Investigatory Powers (Scotland) Act 2000