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DRAFT STATUTORY INSTRUMENTS

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**2024 No.**

The North East Mayoral Combined Authority  
(Establishment and Functions) Order 2024

PART 4

Election of Mayor

**Cancellation of the election for the mayor of the Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority in 2024**

13.—(1) The 2018 Order is amended as follows.

(2) In article 5 (Mayor) for paragraphs (3), (4) and (5) substitute—

“(3A) There are to be no subsequent elections for the return of a Mayor following the election that took place on 2nd May 2019.

(4A) The term of office of the Mayor elected on 2nd May 2019 is to continue until the end of 6th May 2024.”.

**The Mayor**

14.—(1) There is to be a Mayor for the Combined Area.

(2) The first election for the return of a Mayor is to be held on 2nd May 2024.

(3) Subsequent elections for the return of the Mayor must take place—

(a) on the ordinary day of election of councillors in England in 2028; and

(b) in each subsequent fourth year on the ordinary day of election of councillors in England in that year.

(4) In this article, “the ordinary day of election of councillors in England” means, in relation to any year, the day that is the ordinary day of election in that year of councillors in England in accordance with section 37 of the Representation of the People Act 1983(1).

**The Mayor’s first and subsequent terms of office**

15.—(1) The term of office of the Mayor for the Combined Area who is elected in 2024—

(a) begins with 7th May 2024; and

(b) ends with the fourth day after the day of the poll at the next election for the return of a Mayor for the Combined Area.

(2) The term of office of the Mayor who is elected in 2028 and in each subsequent fourth year—

(a) begins with the fourth day after the day of the poll at the election for the return of a Mayor for the Combined Area; and

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(1) 1983 c. 2. Section 37 was amended by section 18(2) of the Representation of the People Act 1985 (c. 50), section 17 of and Schedule 3 to the Greater London Authority Act 1999 (c. 29), and section 6(16) of the Wales Act 2017 (c. 4).

- (b) ends with the fourth day after the day of the poll at the next election for the return of a Mayor for the Combined Area.

### **Modification of the Combined Authorities (Mayoral Elections) Order 2017**

**16.**—(1) The Combined Authorities (Mayoral Elections) Order 2017 (“the 2017 Order”)(2) has effect for the purposes of the election to be held for the return of the Mayor on 2nd May 2024 with the modifications specified in paragraphs (2) to (7).

(2) Article 2 (interpretation) is to be read as if—

- (a) the existing paragraph were numbered “(1)”;  
 (b) there were inserted after that paragraph—

“(2) In this Order, any reference to a “combined authority” includes a reference to the North East Mayoral Combined Authority, to be established by article 5 of the North East Mayoral Combined Authority (Establishment and Functions) Order 2024.”.

(3) Article 6 (combined authority returning officer) is to be read as if—

- (a) at the beginning of article 6(1) there were inserted “Subject to paragraph (1A),”;  
 (b) after paragraph (1) there were inserted—

“(1A) In relation to the election on 2nd May 2024 to be held for the return of a Mayor for the North East Mayoral Combined Authority, which is to be established by article 5 of the North East Mayoral Combined Authority (Establishment and Functions) Order 2024, (“the election”), the Sunderland City Council returning officer is to be the combined authority returning officer in relation to the election, but in the event that they are unable to act, the deputy Sunderland City Council returning officer is to be the returning officer for the election.”.

(4) Article 8 (free delivery of elections addresses) is to be read as if for paragraph (2) there were substituted—

“(2) Candidates’ election addresses are to be delivered at the expense of the constituent councils, such expenditure to be reimbursed by the North East Mayoral Combined Authority following its establishment.”.

(5) In Schedule 1 (the Combined Authority Mayoral Elections Rules)—

(a) rule 28(6) is to be read as if for sub-paragraph (b) there were substituted—

“(b) the following notice which must be exhibited in every compartment of every polling station—

“NORTH EAST MAYORAL COMBINED AUTHORITY MAYORAL ELECTION

Vote for ONLY ONE CANDIDATE by putting a cross [X] in the box next to your choice.

PUT NO OTHER MARK ON THE BALLOT PAPER OR YOUR VOTE MAY NOT COUNT.”

(b) rule 59 is to be read as if for paragraph (17) there were substituted—

“(17) The combined authority returning officer, or as the case may be, their deputy, acting in their capacity as the combined authority returning officer in relation to the election must inform the respective proper officers(3) of the Durham, Gateshead, South

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(2) [S.I. 2017/67](#), which was amended by section 2(4) of the Local Government (Disqualification) Act 2022 (c. 17) and other relevant amending instruments are [S.I. 2018/19](#), [1310](#), [2019/350](#), [2022/1353](#), and [1382](#).

(3) See section 270(3) of the Local Government Act 1972 (“the 1972 Act”) in relation to the meaning of “proper officer”.

Tyneside and Sunderland Combined Authority and the Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority of the result of the election.”.

(6) In Schedule 2 (modifications of Acts and statutory instrument), in paragraph 1 (modification of the Representation of the People Act 1983), the existing modification of section 36 of the Representation of the People Act 1983 made by sub-paragraph (6)(b) is to be read as if for the inserted subsection (4C) there were substituted—

“(4C) All expenditure properly incurred by a returning officer or combined authority returning officer in relation to the holding of a combined authority mayoral election must, in so far as it does not, in cases where there is a scale fixed for the purposes of this section by the Durham, Gateshead, South Tyneside and Sunderland Combined Authority and the Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority, exceed that scale, be paid by the constituent councils of the North East Mayoral Combined Authority, and reimbursed by the North East Mayoral Combined Authority.”.

(7) In Schedule 3 (Combined Authority Mayoral Election (Combination of Polls) Rules)—

(a) in rule 28(8)(b), the entry “[Specify name of combined authority] COMBINED AUTHORITY MAYORAL ELECTION ([specify colour] ballot paper)” is to be read as if for it there were substituted—

“NORTH EAST MAYORAL COMBINED AUTHORITY MAYORAL ELECTION ([specify colour] ballot paper)”;

(b) rule 59 is to be read as if for paragraph (18) there were substituted—

“(18) The combined authority returning officer, or as the case may be, their deputy, acting in their capacity as the combined authority returning officer in relation to the election must inform the respective proper officers of the Durham, Gateshead, South Tyneside and Sunderland Combined Authority and the Newcastle Upon Tyne, North Tyneside and Northumberland Combined Authority of the result of the election.”.

### **Political adviser**

17.—(1) The Mayor may appoint one person as the Mayor’s political adviser.

(2) Any appointment under paragraph (1) is an appointment as an employee of the Combined Authority.

(3) No appointment under paragraph (1) may extend beyond—

(a) the term of office for which the Mayor who made the appointment was elected; or

(b) where the Mayor who made the appointment ceases to be the Mayor before the end of the term of office for which the Mayor was elected, the date on which the Mayor ceases to hold that office.

(4) A person appointed under paragraph (1) is to be regarded for the purposes of Part 1 of the 1989 Act (political restriction of officers and staff) as holding a politically restricted post under a local authority.

(5) Subject to paragraph (6), section 9(1), (8), (9) and (11) of the 1989 Act (assistants for political groups(4)), apply in relation to an appointment under paragraph (1) as if—

(a) any appointment to that post were the appointment of a person in pursuance of that section; and

(b) the Combined Authority were a relevant authority for the purposes of that section.

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(4) Section 9 was amended by sections 61 and 204 of, and paragraph 2 of Schedule 2 to, the Local Government and Public Involvement in Health Act 2007 and by [S.I. 2001/2237](#). There are other amendments not relevant to this Order.

(6) Subsection (3) of section 9 of the 1989 Act applies in relation to an appointment under paragraph (1) as if the words from “and that the appointment terminates” to the end of that subsection were omitted.