

**SPECIAL URGENCY NOTICE OF A KEY DECISION TO BE MADE BY CABINET
NOT PREVIOUSLY INCLUDED ON THE PUBLISHED FORWARD PLAN AND NOT
SUBJECT TO CALL-IN TO THE CORPORATE PERFORMANCE PANEL**

Under Regulation 9 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, local authorities are required to publish a Forward Plan of key decisions to be made by the Executive at least 28 clear days before the date of the meeting at which the decision is to be taken.

In the event that the publication of the intention to make a key decision at least 28 days before the meeting is impracticable due to special urgency, the local authority obtain the agreement of the Chair of the relevant overview and scrutiny committee (Corporate Performance Panel) that the making of the decision is urgent and cannot reasonably be deferred (Regulation 11 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012)

The following notice is hereby provided:

Matter about which the decision is to be made

Cabinet will be considering the following key decisions at its meeting on 9 May 2024:

Cabinet Resolves:

1. that the post of Chief Executive is required

Recommendations to Full Council:

2. the job description and person specification attached at Appendix A is approved

Reason decision is urgent and cannot reasonably be deferred

The Council's constitution defines a key decision as follows:

an executive decision which is likely –

(a) to result in the local authority incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates; or

(b) to be significant in terms of its effect on communities living or working in the area comprising two or more wards and electoral divisions in the Council's areas where significant under a) above is £500,000 or more and significant under b) above is one third of the resident population in a ward.

It was brought to the attention of the Monitoring Officer on 29 April 2024 that Standing Order 23.2 and 23.3 of the Council's Constitution has not been complied with in respect of the ongoing recruitment of a new Chief Executive (Head of Paid Service).

23.2 No step shall be taken to advertise or fill a vacancy for any post designated as that of a chief officer (as defined in the Local Authority (Standing Orders) Regulations 1993) until such time as the Cabinet has determined whether that post is necessary.

23.3 When the Council proposes to appoint such a chief officer, and it is not proposed to appoint that person from a pool limited to officers who are employed by the Council, the Council shall:-

(a) cause to be prepared, for its approval, a statement specifying the duties attaching to that post and any qualification or qualities required of any person who desires to be appointed to it;

The recruitment process has already commenced. The closing date for the job advert for the post of Chief Executive closed on 27 April 2024. In balancing the public interest in not ending the process that has already commenced, the matter must now be put before Cabinet and Full Council as a matter of urgency.

If Cabinet determines that the post of a Chief Executive is necessary then a recommendation must be made to Full Council that this decision be ratified with a motion to suspend the following highlighted part of Standing Order 23.2:

*23.2 No step shall be taken to **advertise or** fill a vacancy for any post designated as that of a chief officer (as defined in the Local Authority (Standing Orders) Regulations 1993) until such time as the Cabinet has determined whether that post is necessary*

The Chair of the Corporate Performance Panel has agreed in accordance with Standing Order 12.15 that this decision cannot be called in subject to members of the Corporate Performance Panel being entitled to ask questions at Cabinet under Standing Order 34.



Signed:

Name

Lorraine Gore, Chief Executive

Date:

1 May 2024