



Hastings District Council

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ADDITIONAL ITEM

COUNCIL MEETING

Meeting Date: **Thursday, 28 June 2018**

Time: **1.00pm**

Venue: **Council Chamber
Ground Floor
Civic Administration Building
Lyndon Road East
Hastings**

Council Members	Chair: Mayor Hazlehurst Councillors Barber, Dixon, Harvey, Heaps, Kerr, Lawson, Lyons, Nixon, O'Keefe, Poulain, Redstone, Schollum, Travers and Watkins
Officer Responsible	Acting Chief Executive – Mr N Taylor
Council Secretary	Mrs C Hunt (Extn 5634)

20B. Position of Chief Executive - Appointment of Acting Chief Executive

REPORT TO: COUNCIL

MEETING DATE: THURSDAY 28 JUNE 2018

**FROM: GENERAL COUNSEL
SCOTT SMITH**

**SUBJECT: POSITION OF CHIEF EXECUTIVE - APPOINTMENT OF
ACTING CHIEF EXECUTIVE**

1.0 SUMMARY

1.1 The purpose of this report is to ensure there is no ambiguity in relation to the appointment of Mr Neil Taylor as Acting Chief Executive, and to clarify the delegated authority Mr Taylor may exercise during his time as Acting Chief Executive.

2.0 BACKGROUND

2.1 The Council's former Chief Executive, Mr McLeod, resigned effective 5.00pm on 21 June 2018. Pursuant to a resolution of the Council made on 26 April 2018, Mr Taylor was offered employment as Acting Chief Executive and he accepted that offer. As such, his employment is complete but the Council has not formally noted it.

3.0 CURRENT SITUATION

3.1 While Mr Taylor has taken up the offered position, it would be prudent for the Council to be clearer about that appointment, and the delegated authority that Mr Taylor is given during his time as Acting Chief Executive.

4.0 OPTIONS

4.1 The Council make Mr Taylor's appointment and delegated authority as the Council's Acting Chief Executive clear, by passing the resolutions recommended in this report (or a variation thereof); or

4.2 The Council could decline to do so, and leave the status quo to remain.

5.0 SIGNIFICANCE AND CONSULTATION

5.1 This matter in the context of the appointment of an Acting Chief Executive does not trigger the significance or consultation policy.

6.0 ASSESSMENT OF OPTIONS

6.1 If the status quo was to remain, there would be a lingering ambiguity in relation to the authority Mr Taylor may exercise. That ambiguity would most likely manifest at the time that a decision of the Acting Chief Executive was being challenged. That has the potential to undermine the smooth operation of the Council and your intent in offering Mr Taylor the role of Acting Chief Executive.

7.0 PREFERRED OPTION AND REASONS

- 7.1 It is recommended that you seek to remove any current ambiguity, and act to clarify the matter. The recommended option is to confirm the appointment of and delegated authority given to Mr Taylor by making the following resolutions.

8.0 RECOMMENDATIONS

- A) That the report of the General Counsel titled “Position of Chief Executive - Appointment of Acting Chief Executive” dated 28/06/2018 be received.**
- B) That the Council welcomes Mr Neil Barry Taylor to the Council in the position of Acting Chief Executive, and confirms that:**
- (i) That pursuant to Section 42 of the Local Government Act 2002 the Council appoints Neil Barry Taylor as Acting Chief Executive from 5pm on 21 June 2018 until 8am on the first day the new Chief Executive commences employment in that role;**
 - (ii) The “Acting” aspect of Mr Taylor’s role is due to its limited duration, and that in all other respects Mr Taylor is the Council’s Chief Executive; and**
 - (iii) During his time as Acting Chief Executive Mr Taylor has all of the powers and duties of the Chief Executive, including all delegations made by the Council to the Chief Executive (and any rights of sub-delegation that attached to them).**

Attachments:

There are no attachments for this report.