

Divisions Affected: N/A

COUNCIL – 1 APRIL 2025

INTERIM ARRANGEMENTS FOR TAKING EMERGENCY DECISIONS IMMEDIATELY FOLLOWING THE COUNTY COUNCIL ELECTIONS

Report by Director of Law & Governance and Monitoring Officer

RECOMMENDATION

Council is **RECOMMENDED** to agree a temporary variation to Part 7.2 of the Scheme of Delegation to Officers with effect that from 5 May to 20 May 2025 paragraph 6.3 (c) is to be read as follows:-

“(c) Any function of the Cabinet or of a Council committee or sub-committee, after consultation with the appropriate Director and thereafter with the Chair and Vice-Chair of the Council and the Leader, as appropriate.”

Introduction

1. This report seeks approval to a temporary variation to the delegated powers of the Chief Executive to aid effective decision making in the period between the retirement of councillors following the elections in May and the Annual Council meeting on 20 May 2025.

Background

2. Under the provisions of section 7 of the Local Government Act 1972 (as amended), all the existing County Councillors will retire together on the fourth day following the elections (i.e. on 5 May 2025) and the newly elected and re-elected Councillors will take office from that day. All positions under the Council's political management arrangements except for the Chair and Vice-Chair of the Council and the Leader (for each of which there is a specific statutory exemption) fall vacant on that day, until they are filled at the first meeting of the County Council on 20 May 2025. In terms of formal member decision making there will therefore be a hiatus during this period and some provision will need to be made in the event that any urgent decisions are required.
3. Under the Constitution the Chief Executive has delegated power to take any Executive or non-Executive decision after consultation with the appropriate Director and following consultation with the Leader and Deputy Leader of the

Council or (in the case of non-executive functions) the relevant Committee Chair and Deputy Chair:

“6.3 (c) Any function of the Cabinet or of a Council committee or sub-committee, after consultation with the appropriate other officer and thereafter:

- (i) in the case of an executive function, with the Leader of the Council or, in their absence, the Deputy Leader of the Council; or
 - (ii) in any other case, with the Chair of the relevant committee or sub-committee or, in their absence, the Deputy Chair of the relevant committee or sub-committee.”
4. As the positions of Chair and Vice-Chair of the relevant Committee will not be confirmed until 20 May 2025 this delegation will need to be temporarily varied so that these powers can be exercised following consultation with the Chair and Vice-Chair of the Council. In relation to executive functions this delegation will confirm consultation is only required with the Leader.

Financial Implications

5. There are no financial implications arising directly from this report.

Comments checked by:

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Legal Implications

6. The recommendation supports the formal, effective and timely decision-making process following the retirement of councillors and prior to the Annual Council meeting. Relevant law is referred to in the body of this report.

Comments checked by:

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Equality & Inclusion Implications

7. There are no equality and inclusion implications raised directly by the recommendations in this report.

ANITA BRADLEY

Director of Law & Governance and Monitoring Officer

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March 2025