

North York Moors National Park Authority

27 July 2020

Interim Arrangements for Chief Executive

1. Purpose of the Report

- 1.1 To approve formally the basis of the arrangements for the use of the CEO's powers between the departure of the current CEO on 31 July 2020 and the arrival of Mr Tom Hind his successor on 28 September 2020.

2. Current CEO Recommendations

- 2.1 The current Chief Executive recommends the delegation of all his powers to the Director of Planning, Chris France, from 31 July 2020 until the point that Tom Hind's employment commences on 28 September 2020.
- 2.2 This is based on the following reasoning. Members are asked to approve the delegation and the reasoning and points below.
1. The Authority must have someone in post with the powers of the Chief Executive over the two month period before Tom Hind starts to guarantee the effective running of the Authority.
 2. Members should formally approve the arrangements.
 3. Chris France is the right person to carry out this role for a broad range of reasons.
 4. The Authority has an experienced and highly competent Senior Leadership Team as a whole, well capable of carrying extra responsibility.
 5. It would be unmanageable for any one individual to take on the whole of the CEO's workload as well as carrying out anything approaching their normal Directorial responsibilities.
 6. It would be preferable if major decisions with long term or political consequences were taken in due course by Tom as the new CEO.
- 2.3 The letter of delegation will be accompanied with guidance as to how manage workloads and responsibilities during this period. This will include the following points:
- a. Where practicable major decisions are delayed until Tom Hind arrives.
 - b. All SLT, especially Directors, and including Pete Williams, take on extra responsibility to progress their work within the confines of agreed policy and practice.
 - c. If major decisions/changes are necessary then SLT or Directors should discuss the issue and if possible reach a unanimous conclusion (or else a majority view).
 - d. Chris France must reach an individual decision if collective discussion is not appropriate and in any event has formal responsibility for majority decisions.
 - e. He will also need to deal with unexpected urgent and important matters that arise which cannot be postponed.
 - f. Due recognition should continue to be given to the Monitoring Officer and S151 Officer roles and the valuable experience of the Deputy Monitoring Officer.

- g. It will be appropriate to make Tom aware of any important long term decisions that have to be taken so he is not taken by surprise, though few if any of these are expected to occur.
- h. Informing and consulting Members should continue as outlined in the existing scheme of delegation, with heightened awareness given to the Covid position.

2.4 This guidance above has the merit of following closely the arrangements that have been used over the last 20 years when the CEO has been absent. Directors are familiar with this process and it has worked well on every occasion. It does go somewhat further in its scope but that is appropriate since this situation is different.

3. Required Detailed Changes in Delegation Arrangements

3.1 A temporary delegation of Planning Committee powers was resolved by Planning Committee on 9 April 2020, extended on 21 May 2020 and ends on 4 September 2020. The delegation requires separate roles for the Director of Planning and the Chief Executive. It is appropriate that Richard Smith, as Deputy Monitoring Officer, performs the Chief Executive's role for the remainder of that delegation.

3.2 Other elements of delegated powers require separate roles for the Director of Planning and the Chief Executive, such as complaints handling, performance appraisals, HR/personnel matters and agreeing external funding outputs. No significant issues of this nature are expected to arise during the period of this interim arrangement, but if they did then it is expected that they can be dealt with through engagement with Members or deferred until the arrival of Tom Hind. Accordingly no specific additional provisions are required for these.

4. Financial and Staffing Implications

4.1 The staffing arrangements are set out above. There are no significant financial implications.

5. Contribution to National Park Management Plan

5.1 Effective delivery of the Authority's functions is necessary to deliver the Management Plan.

6. Legal Implications

6.1 This arrangement accords with the Authority's statutory position and constitutional structure. It is sensible to clarify this arrangement in order to reduce the risk of problems arising in its implementation and reduce the risk of challenges to its implementation.

7. Recommendation

7.1 That Members approve the time limited delegation of the Chief Executive's functions to the Director of Planning as set out in this report.

Contact Officers
Andy Wilson
Chief Executive (National Park Officer)
Richard Smith, Solicitor