


## Record of a decision by the chief executive under emergency powers

Local Government Act 2000 and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

<b>Decision made by</b>	Mark Stone, Chief Executive
<b>Key decision?</b>	No.
<b>Date of decision</b> (same as date form signed)	2 July 2020
<b>Name and job title of officer requesting the decision</b>	Margaret Reed, Head of Legal and Democratic
<b>Officer contact details</b>	Tel: 01235 422550/07801 203603 Email: <a href="mailto:margaret.reed@southandvale.gov.uk">margaret.reed@southandvale.gov.uk</a>
<b>Decision</b>	<p>In exercise of the chief executive's (head of paid service) specific delegation 4.3 in the constitution of South Oxfordshire District Council and Vale of White Horse District Council published on 18 May 2020 "To take any action considered necessary in an emergency." (in consultation with group leaders):</p> <ol style="list-style-type: none"> <li>1. I authorise Simon Hewings, Interim Head of Finance, and Steven Corrigan, Democratic Services Manager, to sign any document that is necessary to any legal procedure or proceedings on behalf of the council, unless any enactment otherwise authorises or requires, or the council has given requisite authority to some other person;</li> <li>2. I authorise Simon Hewings, Interim Head of Finance, and Steven Corrigan, Democratic Services Manager, to attest the affixing of the common seal to any document that needs to be sealed.</li> </ol> <p>These authorisations shall remain in place from the date of this decision until 6 May 2021 or until the constitution is amended to include such authorisations, whichever is the earlier.</p>
<b>Reasons for decision</b>	In the course of the council's business, there is a need to sign documents which are required for legal procedures or proceedings and to seal and documents required to give effect to council decisions.

	<p>The constitution currently includes the following authorisations:</p> <p><b>Authentication of documents</b></p> <p>Where any document is necessary to any legal procedure or proceedings on behalf of the council, it will be signed by the head of legal and democratic, the chief executive, the legal services manager or a senior lawyer unless any enactment otherwise authorises or requires, or the council has given requisite authority to some other person.</p> <p><b>Common seal of the council</b></p> <p>The common seal of the council will be kept in a safe place in the custody of the head of legal and democratic. A decision of the council, or of any part of it, will be sufficient authority for sealing any document necessary to give effect to the decision. The common seal will be affixed to those documents, which in the opinion of the head of legal and democratic should be sealed. The affixing of the common seal will be attested by the head of legal and democratic, the chief executive, the legal services manager or a senior lawyer.</p> <p>Current working arrangements in response to Covid-19 and the retirement of the senior litigation and planning lawyer at the end of June 2020 mean that there are insufficient officers available to attend the council offices at Milton Park to sign documents and to attest the affixing of the common seal when required.</p> <p>Since the closure of the offices, the frequency of attending to these tasks has been minimised as far as possible so that this is currently undertaken once a fortnight or in cases of urgency.</p> <p>Simon Hewings, Interim Head of Finance, and Steven Corrigan, Democratic Services Manager have agreed to be authorised to undertake these tasks for the time being to enable documents to be signed and sealed. These arrangements will be kept under review as circumstances evolve.</p> <p>As part of the next constitution review, a delegation will be sought for the chief executive to authorise additional senior officers to sign documents and to attest the affixing of the common seal if this becomes necessary.</p>
<p><b>Alternative options rejected</b></p>	<p>Not to authorise additional officers to sign documents and to attest the affixing of the common seal when required would prevent the council from conducting its business and giving effect to council decisions which would not be in the interests of the council and its area.</p>

<b>Legal implications</b>	These authorisations will enable council business to proceed and enable implementation of council decisions.			
<b>Financial implications</b>	There are no direct financial implications arising from this authorisation. These duties will be carried out within existing resources and budgets.			
<b>Other implications</b>	None.			
<b>Background papers considered</b>	None.			
<b>Declarations/conflict of interest?</b>	None.			
<b>Declaration of councillors consulted?</b>	All group leaders consulted by email on 26 June 2020.			
<b>List consultees</b>		<b>Name</b>	<b>Outcome</b>	<b>Date</b>
	Group leaders	Robin Bennett	Approved.	29 June 2020
		Sue Cooper	Approved.	26 June 2020
		Stefan Gawrysiak	Approved.	29 June 2020
		Simon Hewerdine	Approved.	29 June 2020
		Mocky Khan	Approved.	29 June 2020
		Jane Murphy	Accept this however, we as a group, would like it noted that we remain concerned generally about the disempowerment of councillors during this period.	29 June 2020
Ward councillors	N/A			

	Legal	Pat Connell	Approved.	30 June 2020
	Finance	Simon Hewings	Approved.	26 June 2020
	Human resources	N/A		
	Sustainability	N/A		
	Diversity and equality	N/A		
	Climate and biodiversity	N/A		
	Communications	N/A		
	Senior Management Team	Margaret Reed	Approved.	26 June 2020
	Simon Hewings	Approved.	26 June 2020	
	Mark Stone	Approved.	2 July 2020	
<b>Confidential decision?</b> If so, under which exempt category?	No.			
<b>Call-in waived by Scrutiny Committee chairman?</b>	Not applicable.			
<b>Has this been discussed by Cabinet members?</b>	No.			
<b>Chief executive's signature</b> To confirm the decision as set out in this notice.	<p>Signature </p> <hr/> <p>Date 2 July 2020</p>			

**ONCE SIGNED, THIS FORM MUST BE HANDED TO DEMOCRATIC SERVICES IMMEDIATELY.**

For Democratic Services office use only		
Form received	Date:	Time:
Date published to all councillors	Date:	
Call-in deadline	Date:	Time: