

**Council**

**18 October 2023**

**Appointment of an Interim Chief Executive**

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**Report of: Alex Thompson, Director of Finance and Customer Services**

**Report Reference No: C/11/23-24**

**Ward(s) Affected: All**

**Purpose of Report**

- 1 To inform Council that, the Appointments Committee successfully completed the interview process for the post of Interim Chief Executive at its meeting on 2 October 2023.
- 2 The Appointments Committee therefore wishes to recommend an appointment to Council for approval.

**RECOMMENDATIONS**

Full Council is recommended to:

1. Approve the recommendation of the Appointments Committee that David Parr be appointed as Cheshire East Council's Interim Chief Executive (Head of Paid Service) with effect from 18 October 2023.
2. Appoint David Brown, Director of Governance and Compliance (and Monitoring Officer) as the Council's Interim Electoral Registration Officer and Returning Officer pursuant to the Representation of the People Act 1983

## **Background**

### **Appointment of Interim Chief Executive**

- 3 The recruitment process for the post of Interim Chief Executive has been conducted by the Appointments Committee in accordance with the Council's Employment Procedure Rules.
- 4 Applications were sought using Commensura which is the Council's compliant procurement framework for agency and interim workers, and eleven applications were received.
- 5 Two candidates were shortlisted and subsequently interviewed by a sub-group of the Appointments Committee. In addition, the candidates met members of the Corporate Leadership Team and the current Chief Executive during week commencing 25 September 2023. Feedback from these meetings was provided to the sub-group of the Appointment Committee.
- 6 One candidate, David Parr, was invited for formal interview which took place with the Appointments Committee on 2 October 2023.
- 7 The Appointments Committee members unanimously agreed to recommend to Council that the preferred candidate, David Parr, be recommended to Council for appointment as the Interim Chief Executive.
- 8 David Parr has extensive experience in local government, having been Chief Executive in three authorities, including former Macclesfield Borough Council (before it was reorganised as part of Cheshire East Council in 2009). David's partnership approach has delivered many significant achievements and opportunities for the communities he has served, most notably the delivery of the £1.5 billion Mersey Gateway Bridge project and brings valuable experience of all areas of local government.
- 9 In 2019, he was awarded an OBE for services to local government in Halton and Cheshire and prior to this he was awarded an Honorary Doctorate in Business Administration by the University of Chester for services to Cheshire and local government.
- 10 He will be contracted at a daily rate of £1200 plus VAT and 15% mark up (equates to £1380 plus VAT) and working the equivalent of 3 days per week. This is affordable within the current Corporate Services – Directorate budget for the 2023/24 financial.

## **Electoral Matters**

- 11 It is a statutory requirement that each local authority has an Electoral Registration Officer, pursuant to Section 8 of the Representation of the People Act 1983; and a Returning Officer, pursuant to Section 35 of the 1983 Act. It is common to appoint the same person to carry out both responsibilities, but this is not a requirement of the legislation.
- 12 Lorraine O'Donnell is currently the Electoral Registration Officer and Returning Officer.
- 13 Council is recommended to formally designate David Brown, Director of Governance and Compliance (Monitoring Officer) as the Council's Interim Electoral Registration Officer and Returning Officer until the new permanent Chief Executive takes up post. Under this designation, the Returning Officer will be responsible for the proper conduct of all Borough and Parish elections for the wards and parishes of the Borough of Cheshire East. The holder of this office also acts as the Acting Returning Officer for Parliamentary Elections and the Local Counting Officer for other elections or referenda held within the Borough. This approach enables the Interim Chief Executive to concentrate on other priority issues for the organisation during their tenure.
- 14 The duties of both office holders for electoral matter are personal responsibilities and separate to their normal responsibilities in their employment by the Council. Once appointed, the office holder is responsible to the Court for the proper carrying out of their duties.
- 15 The person designated as Electoral Registration Officer has a duty to maintain a register of parliamentary and local government electors and to take certain steps for the purpose of complying with that duty.

## **Consultation and Engagement**

- 16 No consultation or engagement is required as the recruitment to the post of Chief Executive is a member appointment as set out in the Constitution.
- 17 In accordance with the Constitution, Council must approve the appointment of the Council's Chief Executive as a Statutory Officer.

## **Reasons for Recommendations**

- 18 In accordance with the Constitution, Council has the responsibility for approving the appointment of the Council's Chief Executive as the post is a Statutory Officer.

## **Other Options Considered**

19 Not considered.

## **Implications and Comments**

### *Monitoring Officer/Legal*

20 The designation of the Interim Head of Paid Service (Chief Executive) must be approved by Council in accordance with section 4 of the Local Government and Housing Act 1989.

The Representation of the People Act 1983 requires the Council to appoint a Returning Officer and an

Electoral Registration Officer from amongst its officers.

### *Section 151 Officer/Finance*

21 The post of Chief Executive sits within the Council's senior management structure and funded within the Council's Corporate Services – Directorate staffing budget.

22 The interim arrangements are for three days per week based on a daily rate of £1200 and a 15% mark-up plus VAT. The cost would be in the region of £91,000 if the appointment ran from mid-October 2023 to 31 March 2024. This means that the cost can be met from the existing budget for the post of Chief Executive.

23 With regard to Returning Officer fees, for each general or regional election the scale of fees is set by Government and the Returning Officer is directly accountable in law to the Government in regards to their electoral duties. For Borough and Parish Council elections, the Returning Officer fee is calculated in accordance with a local Scale of Fees.

### *Policy*

24 There are no policy implications.

### *Equality, Diversity and Inclusion*

25 There are no equality implications.

### *Human Resources*

26 Actions have been undertaken in accordance with the Constitution and appropriate policies and procedures.

### *Risk Management*

27 Actions have been taken in accordance with appropriate policies and procedures.

### *Rural Communities*

28 There are no implications to rural communities.

### *Children and Young People including Cared for Children, care leavers and Children with special educational needs and disabilities (SEND)*

29 There are no implications to children and young people, and cared for children.

### *Public Health*

There are no public health implications

### *Climate Change*

30 There is no implications on climate change.

<b>Access to Information</b>	
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Appendices:	None
Background Papers:	None