



RECORD OF URGENT DECISION

Report to: John Robinson, Chief Executive and Head of Paid Service
Decision Date: 3 May 2024
Portfolio Holder: Councillor Paul Peacock, Leader of the Council and Portfolior Holder for Strategy, Performance & Finance
Director Lead: Sue Bearman, Assistant Director – Legal & Democratic Services
Lead Officer: Nigel Hill, Business Manager, Elections & Democratic Services, Ext: 5243

Part D, Section 6 of the Council’s Constitution sets out the procedure for taking urgent decisions.

In accordance with the Cabinet Scheme of Delegation in Part C of this Constitution – Responsibility for Functions, the Leader is responsible overall for the discharge of Cabinet functions and may discharge any such function themselves regardless of whether the given function has been delegated to Cabinet.

In the event that any matters arise in circumstances rendering it impossible for the Leader, Cabinet or Council to give instructions within sufficient time in the normal conduct of their business for such matters to be properly dealt with, the Head of Paid Service (or in their absence a nominated deputy) shall have delegated authority to take or authorise all necessary steps to deal with the matters sufficiently to protect the interests of the Council and the public provided that they comply with the applicable legislative requirements for determining decisions, including identifying the decision as being urgent and as such not subject to ‘Call-In’, and shall, before taking action, consult: the Monitoring Officer and the Section 151 Officer (or their deputies); and in respect of Executive functions, either the Leader (or in their absence the Deputy Leader or in their absence another Cabinet Member), and the Leader of the Council’s largest opposition group.

Note – this urgent decision record will be reported to the next available meeting of the Full Council.

Report Summary	
Type of Report	Open Report, Non-Key Decision
Report Title	Appointment of Representatives to Southwell Leisure Centre Trust
Purpose of Report	To make replacement appointments to Southwell Leisure Centre Trust until the end of the 2023/4 Municipal Year.

Recommendation	That the following individuals be appointed as the District Council's representatives to Southwell Leisure Centre Trust in place of Councillors Keith Melton, Penny Rainbow and Tim Wendels: - <ul style="list-style-type: none"> • Julie Bostock • Roger Blaney • Paul Handley
Alternative Options Considered	The alternative is to retain District Councillor nominations, but this means the Trust is considered inquorate when dealing with matters relating to any legal agreement between the Council and the Trust due to the potential for conflict of interest.
Reason for Recommendation	To ensure the Trust has a quorum for considering matters relating to any legal agreement between the Council and the Trust including the lease of Southwell Leisure Centre.
Decision Taken	As per the recommendation.
Members and Officers Consulted	Councillor Paul Peacock Councillor Rhona Holloway Monitoring Officer Section 151 Officer
Reason for Urgency	The Trust is due to hold a meeting on Saturday 4 May to consider matters relating to the lease of Southwell Leisure Centre.

1.0 Background

- 1.1 Under the Council's governance arrangements the appointment of representatives on outside bodies is reserved to the Leader of the Council.
- 1.2 The current nominees to Southwell Leisure Centre Trust (the Trust) were appointed on 15 June 2023 for 2023/4 municipal year.
- 1.3 The Trust is considered inquorate when dealing with matters relating to any legal agreement between the Council and the Trust due to the potential for conflict of interest.

2.0 Proposal/Options Considered and Reasons for the Decision

- 2.1 Councillor Keith Melton has resigned from the Trust, leaving one vacancy. It is considered appropriate to replace two further District Councillor Trustees as three suitable nominees have been identified: local resident Julie Bostock, Roger Blaney and Paul Handley, the two having both previously been on the Trust including acting as Chairs.
- 2.2 Appointments for the 2024/5 Municipal Year will be made in due course.

2.3 Other than in exceptional circumstances appointments to outside bodies are made by the Leader normally after the Annual Meeting of the District Council. Outside body appointments made by the Council are normally to elected members of the District Council. It is considered that the current circumstances are exceptional and justify replacement appointments of non District Councillors.

3.0 Implications

In taking this decision, officers still need to give consideration to the following implications; Data Protection, Digital and Cyber Security, Equality and Diversity, Financial, Human Resources, Human Rights, Legal, Safeguarding and Sustainability, and where appropriate they have made reference to these implications and added suitable expert comment where appropriate.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

May 2023 appointment to outside bodies are published - <https://democracy.newark-sherwooddc.gov.uk/ieDecisionDetails.aspx?ID=765>