

## PORTFOLIO HOLDER DECISIONS



**Please refer to Guidance Notes overleaf**

Forward Plan Ref. No.	2017 277 May	Date of decision:
Name of Portfolio Holder	Nigel Taylor	
Name of Officer	Curtis Lakin	
Details of Decision	Quickly employ contractor EHO to assist with EP and Glastonbury Festival work, part-time summer employment	
Details of consultation carried out:		
Chief Executive/ Deputy Chief Executive	Name: Tracy Aarons	Date: 18/05/17
Legal	Name: Lesley Dolan	Date: 18/05/17
Finance	Name: Paul Deal	Date: 18/05/17
Group Manager	Name: Claire Malcolmson	Date: 17/05/17
Portfolio Holder	Name: Nigel Taylor	Date: 17/05/17
Ward Member (mark NA if necessary)	Name: NA	Date:
Reasons for Decision	<p>Business continuity / resilience</p> <p>Exemption from the full procurement exercise is requested to address the urgent requirement to contract an officer before 5<sup>th</sup> June 2017. The environmental protection (EP) team currently have significant resource challenges to effectively meet service demands from the community MDC serves. This is in the main part historic due to severe disruption to the team skills base with 2 experienced staff having retired, in addition another experienced officer is on long term sick leave plus another unexpected vacancy which we are now trying to fill. Operationally we are currently at 60% of permanent staff compliment and this has been the case for the past 12 months. Two agency staff currently assist the team as a stop gap and their performance is entirely satisfactory. Nevertheless, this arrangement is vulnerable and persons involved could leave at short notice. One of our agency staff is F/T but has just informed us that he does not wish to continue F/T after the end of June. The situation is exacerbated by the fact that the summer is our busiest time and Glastonbury festival places additional strain on the service, particularly this year given the loss of experience. In order to ensure risks to business continuity are limited (and that retained staff wellbeing is protected as best as possible) we wish to employ an independent experienced EHO who is known to us, for a number of weeks working 2 days a week. We have identified such a person who is willing to start a contract w/c 5<sup>th</sup> June 2017. He was formerly Environmental Protection Manager at Forest of Dean DC. It is our preferred option to work with him because he is familiar with our staff and has good experience</p>	

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	of noise monitoring at Glastonbury Festival having worked with the team for a number of years. We are confident he can provide MDC with the skills required until we can recruit and train additional permanent officers.
Any alternative options considered and rejected	We have considered further agency staff employment however this is not our preferred option knowing that this competent officer is available. The previous agency staff with less skills cost the equivalent of £462 per 2 days. We believe the proposed contractor will be more cost effective and reduce the burden in managing further agency staff and uncertainties associated with securing effective skill sets and experience.
Financial and personnel implications	£500 per week (2 days) plus mileage Maximum 10 weeks The cost will be taken from existing budgets / and transfer of expenditure on existing agency staff
Any relevant personal Interest under the Code of Conduct	No
Reports and Background papers relevant to the decision	None
Date e-mailed to Members incl Scrutiny Board Chair	<b>24 May 2017</b>
Date of Publication of Notice	<b>24 May 2017</b>
Date Decision comes into force (*see below)	<b>1 June 2017</b>
* <b>Please Note:</b> The decision detailed above will come into force, and may be implemented, 5 clear working days after Publication unless subject to call-in by the Scrutiny Board.	
<b>Signature of Portfolio Holder</b>	.....

**Please complete and return to Democratic Services**

## Guidance for Officers

1. The Council's Constitution sets out some quite specific procedures to be followed when decisions are made by individual members of the Cabinet. These are based on statutory requirements and are intended to ensure that:
  - (a) such decisions are made available to the public in the same way as decisions made by the Cabinet as a whole; and
  - (b) Scrutiny Board has an opportunity to consider whether to call-in such decisions for review before they become effective.
  
2. The information required overleaf should be completed in relation to each decision made by a portfolio-holder. Any relevant reports and background papers should be attached as these must be available for public inspection.  
**Please note** that, to comply with the Constitution, the form needs to confirm that various parties have been consulted and to give details of any relevant personal interest of the portfolio-holder.
  
3. The form and attachments should then be forwarded to Democratic Services within 2 days of the decision being made. They will add the date of publication and the date on which the decision will come into force if not called-in, and make the necessary publication arrangements. These will include:
  - publishing the decision on the Council's web-site
  - storing a copy of the form centrally on SharePoint
  - e-mailing a copy of the form to all members, including the chair of Scrutiny Board.

Other methods of publicising the decision may also be used from time to time.
  
4. Democratic Services will return a copy of the form to the officer submitting it giving the date of publication and the date that the decision can be implemented.  
**Please note: It is important to be aware that the decision cannot be implemented until it comes into force – under the current constitutional arrangements this will be 5 working days after publication, provided the decision is not called-in.**
  
5. Decisions should only be called in under exceptional circumstances. If this happens, the procedures in paragraph 14 of the Overview and Scrutiny Rules in Part 8 of the Constitution will be followed, and the decision cannot be implemented until these procedures have been gone through as appropriate.
  
6. Any queries on this procedure should be addressed to Democratic Services or Donna Nolan (ext. 210).