

Essex County Council  
**Chief Executive's Office**  
County Hall  
Chelmsford  
Essex CM1 1QH



Cllr Mark Coxshall  
Leader of the Council

Date: 27<sup>th</sup> April 2023

Email: [MCoxshall@thurrock.gov.uk](mailto:MCoxshall@thurrock.gov.uk)

Dear Councillor Coxshall,

As we have discussed, following the Ministerial announcement on 16 March and the Secretary of State's Directions pursuant to his powers under section 15(5) and (6) of the Local Government Act 1999 issued on the same day, Commissioners now have powers to exercise the functions of the Council relating to the appointment and designation of persons as statutory officers.

As Dr Dave Smith was appointed Managing Director Commissioner by the Secretary of State to fulfil the role of a Chief Executive for the Council and be responsible for day-to-day operations, ECC as Commissioner have used their powers to appoint Dr Smith as Head of Paid Service and Chief Executive. His title will be Chief Executive & Managing Director Commissioner. They have done so in accordance with Section 4(1) of the Local Government and Housing Act 1989 and the Local Authorities (Standing Orders) (England) Regulations 2001 (SI 2001/3384). These Regulations set out the process for such appointments, which must be incorporated into an authority's Standing Orders.

Those Regulations, at Schedule 1 Pt 2 para 4(1), require such an appointment to be approved by the authority. This would normally be done by Full Council. However, as there is now some time before an appropriate meeting, ECC as Commissioner have also exercised their power to do so on behalf of the Authority, as provided by the Directions.

The Monitoring Officer is making arrangements to provide Full Council with an opportunity to endorse this decision at the earliest opportunity.

Yours sincerely

A handwritten signature in black ink, appearing to read "Gavin Jones".

**Gavin Jones**  
**ECC Commissioner**

**CC:** Cllr Kent  
Cllr Byrne