

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Committee for the Appointment of a Chief Executive **Date:** Tuesday, 16 November 2010

Place: Cabinet Room, Civic Offices, High Street, Epping **Time:** 6.30 - 8.25 pm

Members Present: Councillors Mrs D Collins, A Green, Mrs A Grigg, S Murray, Mrs C Pond, C Whitbread and J M Whitehouse

Other Councillors: Councillors

Apologies: -

Officers Present: P Maginnis (Assistant Director (Human Resources)) and I Willett (Assistant to the Chief Executive)

Also in attendance: J Houlihan

1. ELECTION OF CHAIRMAN

RESOLVED:

That Councillor Mrs D Collins be elected Chairman of the Committee for the remainder of the municipal year.

2. APPOINTMENT OF VICE CHAIRMAN

RESOLVED:

That Councillor C Whitbread be appointed as Vice-Chairman of the Committee for the remainder of the municipal year.

3. MINUTES

The Committee noted that this was the first formal meeting of the Committee and there were no minutes to confirm.

4. TERMS OF REFERENCE

The Committee noted that the following Terms of Reference for this Committee had been agreed by the Council at its meeting on 30 July 2010 (Minute 61):

“(a) To consider, in consultation with the Council’s Recruitment Consultants, the person specification, job description and associated matters relating to the recruitment and appointment of a Council’s Chief Executive (Head of Paid Service);

(b) To consider arrangements for advertising the vacancy;

(c) To consider the arrangements for interviewing, assessment and appointment to the Chief Executive position;

- (d) To report back to full Council on progress on 28 September 2010;
- (e) To report back subsequently to full Council with a recommendation on the person to be appointed to the position of Chief Executive;
- (f) To consider alternative means by which the duties of the Chief Executive may be conducted; and
- (g) To consider the remuneration appropriate to the role recommended by the Appointment Committee”.

5. CHIEF EXECUTIVE RECRUITMENT - APPOINTMENT OF A PROPER OFFICER UNDER PART II OF SCHEDULE 2 TO THE LOCAL AUTHORITIES (STANDING ORDERS) REGULATIONS 2001

The Committee considered a report of the Assistant to the Chief Executive concerning a requirement of the 2001 Regulations for the appointment of a Proper Officer in connection with the making of an offer of the position of Chief Executive to a successful Candidate.

The Committee noted that the Regulations identified an “Appointor” (being the Council body or officer) to make any appointment and a “Proper Officer” to carry out actions required by those Regulations. The Committee was advised that in this case the Appointor would be the full Council and under the Regulations the Council would be required to notify a Proper Officer of the name and any other relevant particulars of the appointment proposed. The Proper Officer was then required to notify every member of the Cabinet of the name and the particulars of that person and provide a period during which an objection to the making of the offer could be made by the Leader on behalf of the Executive.

The Assistant to the Chief Executive pointed out that as the “Appointor” in this case was the Council itself, and there was no appointed Proper Officer to carry out this task, two actions were necessary:

- (a) to delegate the task and notifying the Proper Officer of the intended appointment to this Committee; and
- (b) to appoint a Proper Officer.

RESOLVED:

That a report be submitted to the Council recommending as follows:

- (a) that this Committee be delegated the task under Regulation 3(i) and Part II of Schedule 2 to the Local Authorities (Standing Orders) Regulations 2001 of notifying the Proper Officer of the person to whom it is intended to make an offer of the position of Chief Executive; and
- (b) that the Assistant to the Chief Executive be appointed as Proper Officer under those Regulations.

6. ACTING CHIEF EXECUTIVE - EXTENSION OF CONTRACT

The Committee considered a report of the Assistant to the Chief Executive on the appointment made at the Council meeting on 27 July 2010, whereby Mr D Macnab

took up the position of Acting Chief Executive with effect from 28 July until 31 December 2010 (Minute 61).

The Committee noted that as the Council had now decided to launch a new recruitment process for a Chief Executive, the process of making that appointment was likely to take longer than originally anticipated. Therefore Mr Macnab's appointment as Acting Chief Executive would need to be extended. This would also allow time for current discussions regarding joint working with other neighbouring District Councils and the effect of the Government's Comprehensive Spending Review to be taken into account when determining the appointment to be made.

RESOLVED:

That a report be submitted the Council recommending that Mr D Macnab's appointment as Acting Chief Executive (including Acting head of Paid Service) be extended to 31 August 2011 on the same terms as agreed by the Council pursuant to the decisions made on 27 July 2010, subject to this appointment being terminated at an earlier date if it proves possible to appoint a Chief Executive at an earlier date or the Council decides to pursue another collaborative arrangement for a Chief Executive.

7. OPTIONS FOR THE DELIVERY OF THE CHIEF EXECUTIVE ROLE

The Committee considered a discussion paper on alternative ways of delivering the role of the Chief Executive.

The Chairman of the Committee outlined some of the options available to the Council, one of which was joint management arrangements with neighbouring District Councils (Harlow and Uttlesford District Councils). The Committee noted that these discussions were at a very early stage but might form the basis of a management grouping which would mean an appointment by this Council of its own Chief Executive would not be necessary. It was recognised that this Council was in a very influential position in those discussions in that it was the only one which had a vacancy for a Chief Executive at the present time. The Committee felt that another determining factor was the Government's forthcoming announcements following the Government's recent comprehensive spending review. The extent to which each of the three authority's budgets were reduced would influence the decision as to whether this Council should appoint its own Chief Executive or pursue a collaborative arrangement.

Another option which had been promoted by Essex county Council was for a Chief Executive for all of Essex with a number of Location Manager positions for groups of Districts around the County council area. A local solution involving neighbouring Councils, if this became possible, was preferred.

The Committee reached the conclusion that the Council was obligated to consider all savings proposals in relation to the Chief Executive appointment but acknowledged that until the financial position was known in greater detail and the discussions with neighbouring Councils had proceeded further, it would be premature to reach a firm conclusion at this stage.

It was agreed therefore that political groups should review the current position as described at this meeting and report back when the Committee next meets on the views of their members by which time further information would be available on the discussions taking place and also on future financial position.

With this in mind, the Committee decided that the Council should make a decision by 1 March 2011 on whether the recruitment process for its own Chief Executive should commence. Bearing in mind the decision already made to extend the contract of the Acting Chief Executive, a potential timescale would be as follows:

- (a) Advertising March 2011;
- (b) April – long listing of Candidates;
- (c) May 2011 shortlisting and appointment;
- (d) September 2011 – new Chief Executive takes up appointment.

The Committee noted that by virtue of the decision made earlier in the meeting for an earlier termination of the Acting Chief Executive appointment if necessary, the Council would retain some flexibility about appointing a Chief Executive at an earlier stage if it was clear that discussions on joint working and joint management with the other District Councils involved were not going to reach a speedy conclusion.

RESOLVED:

That a report be submitted to Council describing the action being taken by the Committee in relation to the recruitment of a Chief Executive and in particular:

- (a) the provisional timetable outlined during this discussion; and
- (b) the deadline for deciding when recruitment should be launched (1 March 2011).

8. CHIEF EXECUTIVE POST - JOB DESCRIPTION, PERSON SPECIFICATION AND REMUNERATION

RESOLVED:

That the report on the Job Description, Person Specification and Remuneration arrangements for the Council's own Chief Executive be deferred for consideration at a later meeting.

9. DATE OF NEXT AND FUTURE MEETINGS

RESOLVED:

That the next meeting of this Committee be held on 20 December 2010 at 6.30 p.m. in the Cabinet Room and that the LDF Framework Cabinet Committee scheduled to commence at 7.30 p.m. on that date be deferred to 8.00 p.m. to accommodate the next meeting of the Committee.

CHAIRMAN