

Council
(Extraordinary Meeting)
13 January 2016

Published 21 December 2015

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To the Members of the Borough Council

You are summoned to attend an **extraordinary meeting** of the **Eastbourne Borough Council to be held at the Town Hall, Eastbourne, on Wednesday, 13 January 2016 at 6.00 pm.**

Agenda

- 1. Minutes of the meeting held on 18 November 2015.**
- 2. Declarations of disclosable pecuniary interests (DPIs) by members as required under section 31 of the Localism Act and of other interests as required by the Code of Conduct.**

Declarations of disclosable pecuniary interests (DPIs) by members as required under Section 31 of the Localism Act and of other interests as required by the Code of Conduct (please see note at end of agenda).

3. Apologies for absence.

4. Public right of address.

The Mayor to report any requests received from a member of the public under council procedure rule 11 in respect of any referred item or motion listed below.

5. Order of business.

The Council may vary the order of business if, in the opinion of the Mayor, a matter should be given precedence by reason of special urgency.

6. Exclusion of the public.

The Chief Executive considers that discussion of the following item is likely to disclose exempt information as defined in Schedule 12A of the Local Government Act 1972 and may therefore need to take place in private session. The exempt information reasons are shown beneath the item listed below. Furthermore, in relation to paragraph 10 of Schedule 12A, it is considered that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

7. Appointment of Shared Chief Executive and Head of Paid Service. (Pages 1 - 6)

Report of Head of Organisational Development.

Exempt information reasons 1, 2 and 3. Information relating to any individual or likely to reveal the identity of an individual and information relating to the financial or business affairs of any particular person (including the authority holding that information).

(Note: The Council declared the report open at the meeting).



**Alan Osborne
Deputy Chief Executive**

Guidance notes:

Public right of address - A request by a member of the public to speak on a matter which is listed on the agenda must be **received** by no later than 12 noon on Monday, 11 January 2016. The request should be made to Local Democracy at the address listed below. The request may be made by phone, fax, letter or electronic mail. For further details on the rules about speaking at meetings please contact Local Democracy.

Disclosure of interests - Members should declare their interest in a matter at the beginning of the meeting, and again, at the point at which that agenda item is introduced.

Members must declare the existence and nature of any interest.

In the case of a disclosable pecuniary interest (DPI), if the interest is not registered (nor the subject of a pending notification) details of the nature of the interest must be reported to the meeting by the member and subsequently notified in writing to the Monitoring Officer within 28 days.

If a member has a DPI or other prejudicial interest he/she must leave the room when the matter is being considered (unless he/she has obtained a dispensation).

Further information – Councillor contact details, committee membership lists and other related information are also available from Local Democracy.

Local Democracy – 1 Grove Road, Eastbourne, BN21 4TW
Tel (01323) 415003/415021. Text Relay: 18001 01323 410000
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For general Council enquiries telephone (01323) 410000
E-mail enquiries@eastbourne.gov.uk
Website at www.eastbourne.gov.uk

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Agenda Item 7

Body: Council

Date: 13 January 2016

Subject: Appointment of Shared Chief Executive and Head of Paid Service

Report of: Head of Organisational Development

Ward(s): All

Purpose: To receive the recommendations of the Recruitment Panel, and confirm the appointment of an Eastbourne Borough and Lewes District shared Chief Executive and Head of Paid Service.

Contact: Becky Cooke, Head of Organisational Development, 1 Grove Road, Eastbourne, BN21 4TW Tel: 01323 415106
E-mail: becky.cooke@eastbourne.gov.uk

Recommendation: **To approve the recommendation of the Recruitment Panel and confirm the appointment of Robert Cottrill as the Shared Chief Executive and Head of Paid Service for Eastbourne Borough Council and Lewes District Council on the agreed terms and conditions. This appointment is to take effect from Monday 18 January 2016.**

1.0 Introduction

- 1.1 At Cabinet meetings on 24 September 2015 (Lewes) and 21 October 2015 (Eastbourne), Members considered a Shared Services Outline Business Case, as set out in an independent report from the Improvement and Efficiency Social Enterprise (iESE). That report had been commissioned by both Authorities to set out the options for the development of shared services and wider integration between Lewes District Council (LDC) and Eastbourne Borough Council (EBC).
- 1.2 Both Cabinets agreed to adopt a strategy for the integration of services across both Councils, and authorised iESE to conduct a more detailed business case to include a project plan and implementation timetable.
- 1.3 The integration of services anticipates the early requirement for a single Chief Executive; this is also recommended by the iESE Shared Services Outline Business Case considered by the Cabinets. Accordingly, an early move to the

position of having singular leadership with clarity of purpose to take forward this significant programme of change is necessary, and with this in mind the Council Leaders of EBC (Councillor David Tutt) and LDC (Councillor Andy Smith) instigated a process to enable this to happen.

2.0 The Process

- 2.1 Technical expertise and advice has been sought from a range of sources including the Monitoring Officers of both EBC and LDC, and the already shared Section 151 Officer. Independent HR advice and support has been provided by representatives of the East Sussex County Council HR team.
- 2.2 Each Council's Constitution contains relevant provisions for the appointment to the role of Head of Paid Service. EBC provides for the establishment of a Recruitment Panel (at least 6 councillors, nominated by the Group Leaders in accordance with the constitution). LDC provides for the establishment of an Appointments Committee (currently 7 councillors, nominated by the Group Leaders in accordance with the constitution). Accordingly, both of these groups were formed in order to deal with this process.
- 2.3 From within the nominated members of the above bodies, group leaders appointed a joint working sub-group comprising 3 members from EBC (Leader, Deputy Leader and Leader of the Opposition) and 3 members from LDC (Leader, Deputy Leader, Leader of the largest Opposition Group). This Joint Working Sub-Group was an advisory only group which was initially set up to review and agreed a proposed salary and job description for the new role of Shared Chief Executive and Head of Paid Service, prior to formal consultation commencing with the two current Chief Executives.
- 2.4 The new role of Shared Chief Executive is sufficiently similar to the roles that current Chief Executives occupy now, that both existing roles were in a 'ring fence' position, with the current incumbents eligible to express an interest. Confirmation was given that, in the event both current Chief Executives express an interest in applying, there would be a selection process consisting of an interview and presentation. It is of note that both post holders were previously recruited following external recruitment and a rigorous selection process.
- 2.5 Confirmation was also given that, as there is a reduction of one post, invitations were offered for current post holders to express an interest in voluntary redundancy. In the event one request for voluntary redundancy was received and accepted, the remaining employee would be appointed to the new Shared Chief Executive role, subject to recommendation to respective Full Councils from the LDC Appointments Committee and the EBC Recruitment Panel.

3.0 Consultation Outcomes

- 3.1 The formal consultation process commenced on 16 November 2015 (Jenny Rowlands) and 18 November (Robert Cottrill), and both parties were asked for their comments on the proposals, including the salary and job description previously endorsed by the Joint Working Sub-Group, with a response

deadline of Monday 30 November 2015.

- 3.2 Arising from this consultation, both Chief Executives confirmed that they had no comments on the proposals. Jenny Rowlands also confirmed that she did not intend to apply for the new Shared Chief Executive role.

4.0 Recruitment Panel and Appointments Committee Deliberations

- 4.1 As required by the respective constitutions, the EBC Recruitment Panel and the LDC Appointments Committee both met (on 14 and 17 December 2015 respectively) to consider the matter. They received a report together with the consultation pack containing information about the salary considerations and benchmarking information regarding regional pay data. As a consequence, and in the knowledge that Jenny Rowlands did not wish to apply for the role, both bodies passed the following resolutions:

1. That the proposed salary and job description of the new role of Shared Chief Executive and Head of Paid Services be approved.
2. That the redundancy situation for Jenny Rowlands be noted
3. That Full Council be recommended to confirm the appointment of Robert Cottrill as new Shared Chief Executive and Head of Paid Service.

NOTE: The full minute of the EBC Recruitment Panel is appended to this report.

- 4.2 The power to approve the appointment of Head of Paid Service sits exclusively with Full Council. The appointment of a joint Head of Paid Service will require the approval of both LDC and EBC Full Councils, voting as separate entities, on the recommendation from the separate LDC Appointments Committee and EBC Recruitment Panel. Thus, to make the appointment valid, both Councils will need to approve the appointment. An extraordinary meeting of the Full Council in Lewes is being held on 14 January 2016.
- 4.3 Legally binding contractual commitments relating to Jenny Rowlands are redundancy pay and 3 calendar months' notice. Jenny Rowlands has indicated a desire to work through the full notice period. As Jenny Rowlands did not wish to be considered for this post, formal notice of redundancy was given on 18 December 2015 (the day after the meeting of the LDC Appointments Committee) and, thus, employment will cease on 17 March 2016.

5.0 Implications

- 5.1 Financial – the main financial implication relates to the redundancy payment for Jenny Rowlands. This is a contractual payment which must lawfully be paid. In relation to the financial implications of the new Shared Chief Executive role, the estimated combined savings to Eastbourne Borough and Lewes District Councils is over £80,000 per annum.
- 5.2 Staffing – the implication of this process is the deletion of the two existing

Chief Executive roles, the creation of one Shared Chief Executive role, and therefore the redundancy of one employee.

- 5.3 Other – There are no equality or environmental implications arising from this report.

6.0 Conclusion

- 6.1 Due process has been followed as required by the constitutions of EBC and LDC in respect of this matter. Both Councils are now required to confirm the appointment of a shared Chief Executive and Head of Paid Service to enable the transformation to wider shared services between EBC and LDC to proceed effectively.

Becky Cooke
Head of Organisational Development

(bc\P:council\15.01.13\appointment of ce)

APPENDIX

Monday, 14 December 2015
at 6.15 pm



Council Recruitment Panel Committee

8 Appointment of Shared Chief Executive and Head of Paid Service.

The Panel considered the report of the Head of Organisational Development regarding the appointment of a Shared Chief Executive and Head of Paid Service across Eastbourne Borough Council (EBC) and Lewes District Council (LDC).

Cabinets of both authorities had agreed to adopt a strategy for the integration of services across both Councils, and it anticipated the early requirement for a single Chief Executive, with clarity of purpose to take forward this significant programme. A process to enable this to happen was instigated by the two Group Leaders of EBC and LDC.

The formal consultation process commenced on 16 November 2015 for Jenny Rowlands (LDC Chief Executive) and 18 November 2015 for Robert Cottrill (EBC Chief Executive). A copy of the consultation pack was appended to the report.

The Panel was advised that a Joint Working Sub-Group, consisting of three members from EBC (Leader, Deputy Leader and Leader of the Opposition) and three members from LDC (Leader, Deputy Leader, Leader of the largest Opposition Group) had reviewed and agreed the proposed salary and job description for the new role of Shared Chief Executive and Head of Shared Service.

As there was a reduction of one post, invitations were offered for current post holders to express an interest in voluntary redundancy. Should an interest be received and accepted, the remaining employee would be appointed to the new Shared Chief Executive role, subject to recommendation to Full Council of both authorities from their respective Appointments Committee (LDC) and Recruitment Panel (EBC).

Jenny Rowlands confirmed that she did not intend to apply for the new role. As a result, the Recruitment Panel was now asked to confirm that they were happy to recommend to Full Council, the appointment of Robert Cottrill. This recommendation, if approved, would trigger the requirement for an extraordinary Council meeting to be convened, in January 2016.

RESOLVED (Unanimous): (1) That the proposed salary and job description of the new role of Shared Chief Executive and Head of Paid Service be approved.

- (2) That the redundancy situation for Jenny Rowlands be noted.
- (3) That the appointment of Robert Cottrill as new Shared Chief Executive and Head of Paid Service be recommended to Full Council.

The meeting closed at 6.30 pm

Councillor Mattock (Chairman)