



SPECIAL COUNCIL

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON THURSDAY 11TH JULY 2013 AT 5.00PM

PRESENT:

Councillor D. M. Gray - Mayor
Councillor D.G. Carter - Deputy Mayor

Councillors:

Miss. L. Ackerman, M. Adams, Mrs. E.M. Aldworth, H.A. Andrews, A.P. Angel, Mrs. K.R. Baker, Mrs. G. Bevan J. Bevan, L. Binding, Mrs. A. Blackman, D. Bolter, Mrs. P. Cook, C.J. Cuss, H.W. David, H.R. Davies, D.T. Davies, R.T. Davies, K. Dawson, N. Dix, Mrs. C. Forehead, Ms E. E. Forehead, J.E. Fussell, Mrs. J. Gale, L. Gardiner, N. George, C.J. Gordon, R.W. Gough, D.T. Hardacre, D. Havard, C. Hawker, A.G. Higgs, G.J. Hughes, K. James, M.P. James, G. Johnston, G. Jones, Ms. J.G. Jones, S. Kent, G. Kirby, Ms. P. Leonard, A. Lewis, K. Lloyd, C.P. Mann, S. Morgan, Mrs. G. Oliver, Mrs. R. Passmore, D.V. Poole, M.J. Prew, Mrs. D. Price, J. Pritchard, J.A. Pritchard, D. Rees, J.E. Roberts, R. Saralis, Mrs. M.E. Sargent, Mrs. E. Stenner, J. Taylor, L.G. Whittle, T.J. Williams, R. Woodyatt

Together with:-

S. Aspinall (Acting Deputy Chief Executive), N. Scammell (Acting Director of Corporate Services), R. Tranter (Monitoring Officer Monmouthshire County Council), L. Lane (Solicitor), A. Price (Solicitor), L. Donovan (HR Service Manager), H. Morgan (Senior Committee Services Officer)

1. WELCOME - ROBERT TRANTER

The Mayor welcomed Mr. Robert Tranter (Monmouthshire County Council) to the meeting and advised that in the absence of the Monitoring Officer he would be undertaking the role for the duration of the meeting.

2. APOLOGIES

Apologies for absence were received from Councillors P.J. Bevan, W. David, C. Durham, Mrs. D. Ellis, C. Elsbury, Mrs. P. Griffiths, Mrs. B. Jones, D.W.R. Preece, K.V. Reynolds and Mrs. J. Summers and Mrs. G. Williams (Interim Monitoring Officer).

3. DECLARATIONS OF INTEREST

Councillor D.T. Hardacre sought clarification as to whether, as his son was a consultee to the report, he would be required to declare an interest. He was advised by the Monitoring Officer that whereas there would be no requirement to declare an interest in the circumstances that he described, it is a matter for the individual member as to whether he wished to do so. There was no declaration subsequently made.

Mrs. S. Aspinall declared that as she is currently assuming the responsibilities of the Head of Paid Service in her role as Acting Deputy Chief Executive she has a personal and prejudicial interest in recommendation 9.4 of the tabled report and withdrew from the meeting when the item was considered.

The Monitoring Officer then advised that the Acting Director of Corporate Services and Section 151 Officer, Mrs. Scammell wished it recorded that she would not wish to be considered for the interim Head of Paid Service position and as such would have no conflict of interest and would not be required to declare an interest and leave the meeting.

4. INTERIM MANAGEMENT ARRANGEMENTS

The Monitoring Officer drew Members attention to the report that had been tabled at the meeting, with one slight amendment to recommendation 9.2 for the Appointments Committee to undertake interviews, and the Mayor gave those present the opportunity to read the document prior to the commencement of the debate.

Members then considered the tabled report by Councillor H.A. Andrews, Leader of Council, which detailed the requirement to consider proposals for the appointment or engagement of a Head of Paid Service, on an interim basis. Members were advised that it is a statutory requirement that all Councils have a Head of Paid Service at all times (although there is no such requirement for a Chief Executive but generally the Head of Paid Service is also the Chief Executive) and that Sandra Aspinall has agreed to assume the responsibilities of the Head of Paid Service in her role as Acting Deputy Chief Executive, pending consideration of a range of options in relation to interim arrangements by the Council.

Reference was made to the original report circulated on 9th July 2013 which outlined options to address the requirement and Members were advised that at the time it had been prepared it had been understood that the Council would be able to engage an Interim appointment to undertake the role of Head of Paid Service via the WLGA's consultancy services (that are commonly called upon by Councils in Wales in such circumstances). However the Council has been advised that certain regulatory and constitutional provisions apply to the recruitment of a Head of Paid Service and as such it is necessary to follow a prescribed recruitment process. As such, the recommendations in the tabled report (section 9) should now be considered rather than those proposed in the report circulated on 9th July 2013.

Members were advised that as a result of these provisions it is necessary to draw up a statement specifying the duties of the Officer concerned and any qualifications or qualities sought in the person to be appointed, to make arrangements for the post to be advertised in such a way as to bring it to the attention of persons qualified to apply for it and to make arrangements for a copy of the Statement to be sent to any person on request. As such it was proposed that this course of action be implemented and an Appointments Committee be convened accordingly to consider expressions of interest, undertake interviews and make a recommendation to the Council for an appointment to the role.

Members considered the content of the tabled report and sought clarification as to the content of the job description and person specification, the proposed contractual hours of working and how the vacancy will be advertised. It was noted that the job description and person

specification are in the process of being prepared and will be circulated to Members as soon as they are finalised. As part of the process an advertisement will be published through recognised websites seeking expressions of interest. With regards to the hours of working it was noted that in accordance with equalities and employment legislation, and as part of the recruitment process, the Appointments Committee would be required to consider any request for flexible working arrangements that may be received from candidates. Clarification was also sought on the financial implications and the Acting Director of Corporate Services explained the differences between the options as they relate to employers national insurance and superannuation costs and daily charges as set out in the report.

During the course of the debate the Monitoring Officer reminded Members that it is necessary to avoid any comments which may conflict with ongoing police investigations in order to avoid prejudice to those investigations and of the importance of adhering to the legal advice previously given

It was moved and seconded that subject to recommendation 9.2 as detailed in the report being changed to enable the Appointments Committee to consider expressions of interest and undertake interviews, the recommendations in the tabled report be approved. By show of hands this was agreed by the majority present.

RESOLVED that:-

- (i) the recruitment of an interim Head of Paid Service proceed as set out in option 4 of the report and the Council instructs WLGA to re-issue its advertisement to Associates on its own Framework and to SOLACE UK indicating that the deadline for expressions of interest to be submitted, with CVs, will be 12 noon Wednesday, 17th July, 2013;
- (ii) an Appointments Committee be convened to consider expressions of interest and undertake interviews on Thursday 18th July 2013 and make a recommendation to the Council for an appointment to the role;
- (iii) the recommendation of the Appointments Committee be considered by Council at its meeting on Tuesday 23rd July 2013;
- (iv) it be reaffirm that the Acting Deputy Chief Executive will continue to undertake the responsibilities of the Head of Paid Service until the formal appointment of an Interim Head of Paid Service pursuant to the arrangements set out above.

The meeting closed at 5.50pm

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 23rd July 2013 they were signed by the Mayor.

MAYOR