

**Minutes of the Simultaneous Executive Meeting between the
Policy and Strategy Committee of Adur District Council
and the Cabinet of Worthing Borough Council**

Adur Civic Centre, Shoreham by Sea

12 July 2007

Councillor Neil Parkin (Chairperson)
Councillor Julie Searle (Vice-Chairperson)

Councillor Gavin Ayling
Councillor Keith Dollemore
*Councillor Robert Dunn

Councillor Liza McKinney
Councillor Angie Mills

Absent*

Councillors Burt and Coomber arrived at 7.24 hours and 7.35 hours respectively

In attendance and taking part in the discussions representing Worthing Borough Council were Councillors Keith Mercer (Leader), Ann Barlow (Deputy Leader), Paul High, John Rogers and Bryan Turner.

SEM/172/07-08 Declarations of Interest / Substitute Members

Councillor Simmons declared his substitution for Councillor Robert Dunn.

The Chief Executive made the following declaration: the Chief Executive/Chief Officers/ Heads of Service and AD's all have a personal interest in the item since their posts would be potentially affected by the proposals. However, no decisions are yet to be made which have a clear impact for the employment or terms and conditions of particular staff. Therefore, the staff concerned declare a personal interest collectively but will remain in the meeting and may participate fully. The exception is the proposal concerning the appointment of the Chief Executive. The Chief Executive declared a personal and prejudicial interest, indicating that he would leave the meeting, for this part of the recommendations and discussion upon them.

SEM/173/07-08 Questions and Statements by the Public

Members of the public were invited to ask questions or make statements about any matter for which the Council had a responsibility or which affected the district.

Hilary Dyfield questioned the level of support the Council had been to the campaign for the closure of the local hospital.

Cllr Rice (WBC) questioned whether the customer satisfaction survey would affect the change from committee to cabinet system.

Cllr Parkin responded to both questions referring to the support given by Councillors to the KWASH campaign and, in response to Councillor Rice's question that a consultation exercise would take place once any decision had been made.

Cllr Lissenburg questioned why as Worthing BC had more staff, Worthing was not to be the employer.

Cllr Robin Rogers questioned why a top down approach to the management structure had been suggested as most HR specialist believed that a bottom up approach was best.

The Chief Executive responded to both these questions.

Other questions and statements were made but these were addressed directly to Worthing Borough Council's Cabinet members.

SEM/174/07-08 Confirmation of Minutes

Resolved that the Minutes of the Committee held on 15 March 2007 be approved and signed by the Chairman.

SEM/175/07-08 Items Raised under Urgency Provisions

None.

SEM/176/07-08 Delivering the Adur and Worthing Partnership Strategy

Before the Committee was a report by the Adur and Worthing Partnership Management Board copies of which had been circulated to all Members and a copy of which is attached to the signed copy of these Minutes as Item 5.

The report updated Members on the work undertaken to investigate the possibility of a Single Officer Structure between the two authorities. This followed the Council Meetings in March 2007 and their consideration of the High Level Business Case on this topic. It recommends that SEMs should recommend that each Council now takes the decisions required to establish a Single Officer Structure to serve both Adur District Council and Worthing Borough Council, and to deliver a programme of shared services for the two Councils.

An amended set of recommendations was tabled at the meeting, there were two changes to that printed in the agenda, a new (iii) and an amendment to the new (xx).

It was agreed that the first recommendation would be discussed and agreed in principle to allow the Chief Executive to take part in the remainder of the debate.

The Chief Executive introduced the report reminding those present that the outlook for Districts and Boroughs remained bleak. The Comprehensive Spending Review (CSR07) would have to be addressed shortly; customer demand was increasing as was the need for service modernisation. The Government's expectations for local government - in service provision and modernisation was also increasing but this alongside small critical mass in small councils made savings hard to find.

The two councils had already achieved leading-edge partnership working, examples of which were the single service depot to fully integrated refuse and recycling rolling out shortly. This

has been acknowledged nationally and other services had followed the joint approach – tourism, coastal defence and human resources.

Drawing the meetings attention to the report before it, the Chief Executive mentioned the countrywide move to shared services which would continue whichever decision the Councils made. At the last meeting of the Councils, officers had been asked to look at a single officer structure, the report and appendices were in response to this request they reflected highly intensive time consuming work the quality of which would have national significance. The areas of research in governance finance and human resources concluded that a single officer structure would be complex but could work. The proposal therefore was for a single chief executive, three strategic directors and ten executive heads of service, an indication of the service blocks (paragraph 9.14), priorities and cross cutting themes was contained in the report but it would be naive to think that these were fixed, citing the example of the omission of the global climate as a priority not considered before. The proposal would be looking towards short term savings in senior management with the longer terms potential and emphasis on new ways of working.

Looking at the practicalities, the Chief Executive explained that with commitment from both sides the proposal could work. There was crucial role for members in the strategic decision making process which would be ongoing over the two year main implementation period. To support officers in the process a capacity bid had been made for external support with the Chief Executive being confident of securing a £250K grant.

The timetable, as outlined in the report would involve senior management appointments from September to December 2007, then from January to March there would be project planning for the service blocks then from April 2008 to March 2010 services would be brought together under the joint officer structure, a tapering in; as would the Joint Committee governance arrangements.

Before Members was a strategic choice – do the councils face up to the difficult future they both faced - with the certainties but fixed costs of having separate officer structures? Or with the efficiency opportunities of bigger critical mass and lower fixed costs from combining?

Before leaving the meeting the Chief Executive stated that he was comfortable with the statement at 7.13.

The Chief Executive left the meeting at 7.34pm

The meeting then discussed the appointment process and employment details for the position of chief executive. The legal position on this appointment and the contract arrangements were clarified by both legal representatives. There was some discussion on the requirements of Worthing's constitution in the appointment of a Chief Executive.

Concern was expressed at the proposal for an open-ended contract for the Chief Executive. Members considered whether or not the Chief Executive should be offered a short term contract until 31st March 2010, but following the receipt of Legal advice that due to employment law provisions in relation to short term contracts such a contract would not necessarily be enforceable it was conceded that there was no benefit to such a contract.

Councillor Searle, seconded by Councillor Dollemore moved the first recommendation.

This was agreed.

The Chief Executive returned to the meeting at 8.08pm

The Joint Committee governance arrangements were discussed including the dispute resolution process and the no casting vote for the chairman. It was noted that one of the most complex areas was that of finance and cost allocations. The first joint budget would not be expected until 2009/2010.

In the debate the meeting acknowledged that the Councils existed to serve the customers not provide jobs. Central Government targets required a 3% cut each year, equating to a 10% cut in 3 years, these savings had to be found, by making their own decisions about their future the Councils could take the steer and direction of travel with out outside interference. The decision required was one of strategy and did not require the meeting to get involved in the details at the present time.

In moving the recommendations Councillor Searle moved the recommendations in the report except iv) - change to a four yearly election. Councillor Searle suggested that this be deferred at present. Councillor Dollemore seconded the proposals

In discussing the Joint Committee Agreement, it was proposed by Councillor Parkin, seconded by Councillor Searle that the Agreement contain 7 yearly review clauses

It was further agreed that the recommendation in relation to the Development and Scrutiny committee's report on the Leader and Cabinet review was not a matter for the Committee to comment on to Council. It was removed from the recommendations.

Before moving to a vote on the recommendations, Councillor Parkin wished to place on record his thanks to the officers involved in the report in the short time available since the last meeting.

Resolved that the following be recommended to Council on 23 July 2007:

The Policy and Strategy Committee make the following recommendations to Council

(A) Strategic Recommendations, that

- i) subject to agreement being reached between the current Chief Executive of Adur/Interim Chief Executive of Worthing and the Joint Staff Committee, as to terms and conditions of service, with effect from 1st September 2007, the current Chief Executive be appointed as Chief Executive and Head of Paid Service for both Councils;
- ii) the implementation of a Single Senior Officer Structure as set out in Paragraph 9.13 of the report, to serve both Councils and to the immediate implementation of the appointments process for the new management structure be approved;

iii) Adur should be the employing authority for all staff in accordance with the arrangements to implement the single Senior Officer structure;

iv) the use and implementation of any resources secured externally being applied to provide the necessary support to deal with the Human Resources, Legal, Finance and Business Transformation issues arising from implementation of the project;

v) four joint committees be established as follows:-

- Joint Strategic Committee
- Joint Delivery Committee
- Joint Overview and Scrutiny Committee
- Joint Staff Committee;

vi) the Joint Committee Agreement, which should operate up until 31st March 2028, with 7 yearly review clauses, be adopted;

(B) recommendations on Finance issues, that

vii) once new Executive Heads of Service are in post, each service should produce a costed service specification which clearly identifies the current cost of service and the financial impact of the joint service arrangements;

viii) both Councils jointly provide Internal Audit Services under contract from 1st April 2008;

ix) both Councils authorise Officers to extend the current bank contracts for up to two years until the new business processes are clear and an exact specification can be drawn up;

(C) recommendations on Human Resource Issues, that

x) the new posts be known as Strategic Directors and Executive Heads of Service, respectively;

xi) the posts of Strategic Directors be ring-fenced to the current Corporate Directors employed by Adur and Worthing Councils and this is seen as a suitable alternative employment;

xii) any Corporate Director not appointed as a Strategic Director shall be made redundant as of 1st April 2008 unless a relevant vacancy occurs at another level in the organisation, following ring-fencing;

xiii) the posts of Executive Heads of Service be ring-fenced to the current Divisional Managers and Assistant Directors at Adur and Worthing Councils and this is seen as a suitable alternative employment;

xiv) any Divisional Manager or Assistant Director not appointed as a Executive Head of Service shall be made redundant as of 1st April 2008, unless a relevant vacancy occurs;

xv) the Executive Head of Financial Services be designated as the Chief Financial Officer for each Council for the purposes of Section 151 of the Local Government Act 1972, shall be employed by the single employer and seconded (for similar duties) to the other Council when the appointment becomes effective and both Councils agree to the appointment of two deputies, as outlined in Paragraph 2.5. (e) of Appendix 3 in the report;

xvi) the Executive Head of Legal & Democratic Services be designated as the Monitoring Officer for each Council for the purposes of Section 5, Local Government & Housing Act 1989 and to be employed by the single employer and seconded (for similar duties) to the other Council when the appointment becomes effective;

xvii) all other matters relating to the recruitment of staff at Chief Executive, Strategic Director and Executive Head of Service level be delegated to the Joint Staff Committee;

xviii) the Human Resources Teams agree a recruitment process which will be validated by an external organisation and that an external Human Resources recruitment specialist be appointed to assist in the development and execution of the recruitment process;

xix) the timetable set out in Paragraph 2.10.1. of Appendix 3 to the report, be agreed with the detailed timetable to be agreed by the Joint Staff Committee;

xx) the current posts of Chief Executive, Corporate Director, Assistant Director (Worthing) and Divisional Manager (Adur) be deleted from the establishment of each Council with effect from 1st April 2008.

(D) recommendation on four yearly elections that :-

xxi) the Council consideration of changing to four yearly elections for implementation by May 2011 be deferred at this time.

SEM/177/07-08 West Sussex Health Overview and Scrutiny Committee

Before the Committee was a report by the Head of Corporate and Legal Services, copies of which had been circulated to all Members and a copy of which is attached to the signed copy of these Minutes as Item 6. The report asked Members to make a formal joint appointment to the West Sussex Health Overview and Scrutiny Committee representing both Councils for 2007/08

Resolved that the following be recommended to Council

Recommendation

That a scrutiny member from Worthing Borough Council (Councillor Mrs Joan Bradley) be appointed to represent both authorities at the West Sussex Health Overview and Scrutiny Committee for 2007/08 with Councillor Brenda Collard (Adur District Councillor) as the substitute representative.

The meeting was declared closed by the Chairman at 9:00pm, it having commenced at 7:00pm.

Chairman