

Decision Maker: Council

Date: 2nd December 2013

Decision Type: Non-Urgent Non-Executive Non-Key

Title: MEETINGS OF THE URGENCY COMMITTEE

Contact Officer: Graham Walton, Democratic Services Manager
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Chief Officer: Mark Bowen, Director of Corporate Services

Ward: N/A

1. Reason for report

- 1.1 The Urgency Committee deals with urgent non-executive decisions that are not of a sensitive nature where otherwise a meeting of full Council would be required. The Constitution specifies that any decisions made by the Committee should be reported to the next available meeting of the full Council. The Urgency Committee has met twice since the last report to Council on 1st July 2013 – on 21st August and 12th September 2013. The minutes of these meetings are attached for information as Appendices 1 and 2.
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2. RECOMMENDATION

That the decisions made by the Urgency Committee at the meetings on 21st August and 12th September 2013 be noted.

Corporate Policy

1. Policy Status: Existing Policy:
 2. BBB Priority: Excellent Council
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Financial

1. Cost of proposal: No Cost:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: Democratic Services
 4. Total current budget for this head: £367,636
 5. Source of funding: 2013/14 Revenue budget
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Staff

1. Number of staff (current and additional): There are 10 posts (8.55 fte) in the Democratic Services Team
 2. If from existing staff resources, number of staff hours: N/A
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Legal

1. Legal Requirement: None:
 2. Call-in: Not Applicable: The report does not involve an executive decision.
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected):
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? No
2. Summary of Ward Councillors comments: N/A

Non-Applicable Sections:	Policy/Financial/Legal/Personnel
Background Documents: (Access via Contact Officer)	Agenda and minutes of the Urgency Committee meetings on 21 st August and 12 th September 2013

URGENCY COMMITTEE

Minutes of the meeting held at 6.00 pm on 21 August 2013

Present

Councillor Tony Owen (Chairman)

Councillors Graham Arthur, Stephen Carr, Judi Ellis,
Robert Evans, Peter Fookes, Russell Mellor and Tom Papworth

1 APOLOGIES FOR ABSENCE

Apologies were received from the Mayor, Councillor Eric Bosshard and Councillor Stephen Wells. Councillor Judi Ellis as Deputy Mayor attended in place of the Mayor and Councillor Russell Mellor attended as alternate for Councillor Bosshard.

2 DECLARATIONS OF INTEREST

There were no declarations.

3 MINUTES OF THE MEETING HELD ON 29TH MAY 2013

The minutes were agreed.

**4 ASSISTANT DIRECTOR POSTS : SALARY PACKAGE
Report HHR 13002**

Approval was sought to urgently recruit two Interim Assistant Directors in the Education, Care and Public Health Services Department on a temporary/fixed term contract on a salary in excess of £100,000 per annum but not exceeding £110k per annum (including lease car or pay in lieu).

The current pay policy for Chief Officers (which includes deputy Chief Officers within the meaning of the Local Government and Housing Act 1989) requires Members to approve large salary packages in respect of new appointments, the threshold considered by the Secretary of State being £100,000 per year. Salary packages will include salary, bonuses, fees or allowances routinely payable to the new recruit and any benefits in kind to which the officer is entitled as a result of their employment.

As the posts would be filled on a temporary/fixed term contract, the Council would need to offer a good salary package to attract quality recruits away from established and stable environments. A key challenge was to ensure that pay levels remain attractive and competitive so the Council can recruit and retain quality staff, especially staff charged with managing high profile Member priorities.

The post of Assistant Director, Adult Care Services, became vacant following the (normal) retirement of the previous post holder earlier in the year. The Director needed to secure the commitment and services of an agency staff member procured to fill the gap by offering him a temporary/fixed contract for six months initially with the L B Bromley.

The Director was also seeking a temporary replacement for the post of Assistant Director, Education, which would become vacant from 1st November 2013. In consultation with the Chief Executive and the Portfolio Holder, the Director, was keen to find a quality replacement immediately to ensure very little, or no, gap between the new person starting and the current post holder's departure.

In discussion and referring to the Adult Care Services post, the Executive Director, Education, Care and Health Services, referred to the suitability of the current temporary post holder. He also referred to the high financial return required from agencies.

For the post of Assistant Director, Education, it would not be possible to secure a full time appointment until January 2014. Again, there would be high costs in procuring an appointment via an employment agency. A consultant employed by the Department in the previous six to eight weeks had performed well and following initial approaches, had confirmed a willingness to work for the authority. The Executive Director was not convinced the post could be filled satisfactorily via an employment agency.

Councillor Evans supported the Director's comments on the performance of the proposed temporary post holder for the Adult Care Services post. The post was needed to oversee current work and future care proposals and how this is undertaken. For the Education post, he also commended the consultant's work in respect of the Pupil Referral Unit.

In view of the last day in post for the current Assistant Director, Education being 31st October 2013, it was explained there would be a period of about a month working in partnership with the new appointment who, it was proposed, would start on 30th September 2013. A partnership approach would be taken as a new appointment could not initially work full time and it would not be possible for the current Assistant Director, Education to continue full time during this period.

The Director HR confirmed that each appointment would be on a temporary fixed term contract which could be extended initially for a fixed period of time. This could subsequently be renewed by the Director as appropriate. The contract for both appointments would be to 31st March 2014 with an opportunity provided at the three month stage to confirm the appointment.

If appointing the temporary post holder in Adult Social Care, Councillor Mellor sought assurance that there would be no liability on the Council from the employment agency for appointing the officer. The Director, HR confirmed there would be no liabilities on the Council after 14 weeks i.e. no "poaching fee".

The recommendations were put to a vote and it was **RESOLVED that:**

(1) the proposal to appoint an Assistant Director, Adult Care Services, on a temporary/fixed term contract not exceeding £110k per annum including lease car or pay in lieu of a lease car be agreed; and

(2) the proposal to appoint an Interim Assistant Director, Education, on a temporary/fixed term contract not exceeding £110k per annum including lease car or pay in lieu of a lease car be agreed.

The Meeting ended at 6.13pm

Chairman

URGENCY COMMITTEE

Minutes of the meeting held at 7.22 pm on 12 September 2013

Present:

Councillor Peter Dean (Chairman)

Councillors Eric Bosshard and Peter Fookes

5 APPOINTMENT OF CHAIRMAN FOR THE MEETING

Councillor Peter Dean was appointed Chairman for the meeting.

6 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Tony Owen, Stephen Carr, Ernest Noad and Tom Papworth.

7 DECLARATIONS OF INTEREST

There were no declarations of interest.

8 MINUTES OF THE MEETING HELD ON 21ST AUGUST 2013

RESOLVED that the minutes of the meeting held on 21st August 2013 be confirmed.

9 REQUEST FOR A DISPENSATION FROM COUNCILLOR RUSSELL JACKSON

Report RES13175

The Committee agreed to consider an urgent request for a dispensation from Councillor Russell Jackson that would enable him to speak at the meeting of the Development Control Committee that evening on the planning application for 49 Shortlands Road, Shortlands, Bromley. Councillor Jackson owned a flat at the adjoining property (number 51) and had submitted objections to the application. Although he was a member of the Development Control Committee, because of his prejudicial interest he was not intending to take part in the debate, but he did request to be able to speak in objection to the application and elaborate on some of his concerns. The planning application also affected Councillor Lydia Buttinger – although she had not submitted an application for dispensation to speak at the meeting the Urgency Committee considered that it would be helpful to clarify that she should be allowed to remain in the room but not participate while the planning application was considered.

RESOLVED that the application for a dispensation from Councillor Russell Jackson to be allowed to speak at Development Control Committee on the planning application for 49 Shortlands Road, Shortlands, Bromley be granted unconditionally and, for the avoidance of doubt, Councillor Lydia Buttinger be permitted to remain in the room but not participate during the Development Control Committee's consideration of the planning application.

The Meeting ended at 7.24 pm

Chairman