

**MINUTES** of a meeting of **CABINET** held on 4 June 2013 at County Hall, Matlock.

**PRESENT**

Councillor Ms A Western (in the Chair)

Councillors D Allen, Mrs J Dixon, K Gillott, Mrs C Neill and B Ridgway.

Councillors A I Lewer and K P Morgan also attended the meeting.

**132/13      QUESTIONS SUBMITTED BY MINORITY GROUP LEADERS**

Councillor A I Lewer had submitted the following questions;

Agenda item 4 - Cabinet Procedures (Minute no. 134/13 refers) - The proposal to allow members of the public to ask questions at Cabinet meetings is welcomed but would it not be sensible for the public and Group Leaders to be given equal rights by having public and Elected Member questions permitted at the same time, i.e. both with a notice period or both without a notice period? Furthermore, although Group Leaders are to be allowed to ask questions with notice, other Elected Members appear not to be. Are other Elected Members regarded as members of the public for the purposes of Cabinet questions? Given your desire to see the focus of holding the Cabinet to account is moving to Cabinet Meetings rather than Full Council, will questions put by the public and by Elected Members allow for a supplementary to be put as well? Has any assessment been made of the cost to the Council, including Officer time, of moving Cabinet meetings to other venues?

Urgent Agenda Item (Minute no. 135/13 refers) - Recruitment of Chief Executive - The Shadow Cabinet has great respect for Mr Ian Stephenson's abilities and this question therefore focusses upon procedures and process, not upon individuals: Can it be explained what legal and proper process, in line with the new Administration's stated policy of greater openness, has been followed in appointing the Acting Chief Executive? Has an assessment of the costs of changing the Chief Executive and employing a new one been made and, if so, what is the total?

Agenda Item 5 - A Review of Services for Young People (Exempt Minute no. 139/13 refers) - Can it be made clear if the extra £250k investment into the Youth Service that is proposed will come from the savings achieved from the review of buildings undertaken by the previous Administration, or is it proposed that following the review of the 'effectiveness' of the Youth Action Grant, which as it happens is also £250k per annum, the voluntary sector will lose out? The report states that with regard to the Careers Service there are savings of £510k per annum; this compares with a projected saving in the

March 2013 Cabinet Report of just over £1m per annum: From where is the difference being funded?

**133/13      MINUTES   RESOLVED** that the non-exempt minutes of the meeting of Cabinet held on 16 April 2013 be received.

**134/13      CABINET PROCEDURES**   The Director of Legal Services reported on proposed changes to the way Cabinet considered its business with a view to encouraging openness, transparency and public participation. The Council's Constitution provided that the arrangements for the discharge of executive (i.e. Cabinet) functions may be set out in the executive arrangements adopted by the Council. If they were not set out there, then the Leader or Cabinet may decide how they were to be exercised. The following procedural matters were not set out in the Constitution and so Cabinet could determine its own arrangements.

It was proposed that Minority Group Leaders should set out questions in writing and provide them to the Director of Legal Services by 12 noon on the day before the Cabinet meeting which would bring arrangements more in line with the procedure relating to Members' questions for full Council meetings and would allow considered responses to the questions to be provided at the Cabinet meeting.

To date Cabinet arrangements had not allowed for the consideration of questions from members of the public. In keeping with the Constitution's principles of openness and supporting the active involvement of citizens in the process of the Council's decision-making, it was proposed that the Cabinet agenda for the open part of the meeting should provide for questions from members of the public. Whilst it would not be a requirement for such questions to be set out in writing in advance of the meeting, members of the public would be encouraged to do so in order to ensure fuller responses could be provided. Supplementary questions from members of the public would be permitted. The duration of public question time would be a matter at the discretion of the Leader of the Council, but as a guide it was not anticipated that public question time would exceed twenty minutes.

The Constitution provided that the Cabinet should normally meet at County Hall, Matlock or another location to be agreed by the Leader. Again in keeping with the Constitution's principle of openness and public involvement, consideration would be given to the possibility of Cabinet meetings being held at different venues from time to time in the future.

**RESOLVED** that Cabinet adopts the procedural arrangements as detailed above.

**135/13      RECRUITMENT OF CHIEF EXECUTIVE** (Cabinet agreed to consider this report as an urgent agenda item to enable the recruitment of a new Chief Executive to proceed without delay). The Director of Human Resources sought authority to commence the process of recruitment of a new Chief Executive of the Council and to propose interim management arrangements.

As Cabinet Members were aware, Nick Hodgson's last day of service as the Council's Chief Executive was 2 June 2013 and it was therefore, necessary for the process of recruiting a new Chief Executive to commence. The recruitment would be by way of national advertisement and it was proposed that the appointment should be on the pay and terms of employment as set out in the Council's Pay Policy. It was suggested that the process of recruitment should be delegated to the Director of Human Resources.

As part of the recruitment process, it would be necessary to establish a politically balanced Appointment Panel (two Labour Members, one Conservative Member) which would be chaired by the Leader of the Council. Since the postholder would fulfil the statutory role of Head of Paid Service, the appointment would require confirmation by the full Council.

Pending the appointment of a new Chief Executive, it was necessary to make interim Corporate Management arrangements and Cabinet was therefore invited to approve the appointment of Ian Stephenson, Strategic Director – Environmental Services, as Acting Chief Executive on the same terms and conditions as applied to the previous Chief Executive. Again given the statutory role of Head of Paid Service, Mr Stephenson's appointment would be subject to confirmation by the full Council at its next meeting on 24 July 2013. Mr Stephenson's commencement in post would take effect from 3 June 2013.

It would also be necessary to make suitable arrangements for the management of the Environmental Services Department. It was proposed to appoint the Deputy Strategic Director – Environmental Services, Mike Ashworth, as Acting Strategic Director to allow Mr Stephenson to fulfil his new role. In accordance with the Council's Pay Policy, appointments carrying a salary over £100,000 per annum were subject to the approval of the full Council and so, this interim appointment would also require the approval of the Council at its meeting on 24 July. In keeping with the arrangements relating to Mr Stephenson, Mr Ashworth's new role would also take effect from 3 June 2013.

**RESOLVED** that (1) the Director of Human Resources be authorised to commence the process of recruiting a Chief Executive;

(2) an Appointment Panel, chaired by the Leader of the Council, be established for the purpose of appointing a Chief Executive, such appointment to be subject to the approval of the Council;

(3) Ian Stephenson, Strategic Director – Environmental Services be appointed as Acting Chief Executive with effect from 3 June 2013, subject to the approval of the Council; and

(4) Mike Ashworth, Deputy Strategic Director – Environmental Services, be appointed as Acting Strategic Director – Environmental Services with effect from 3 June 2013, subject to the approval of Council.

**136/13      EXCLUSION OF THE PUBLIC FROM THE MEETING**

**RESOLVED** to exclude the public from the meeting during the consideration of the remaining items on the Agenda to avoid the disclosure of the kind of exempt information contained in the following summary of proceedings.

**SUMMARY OF PROCEEDINGS CONDUCTED AFTER THE PUBLIC HAD BEEN EXCLUDED FROM THE MEETING**

(1) Receipt of the exempt minutes of the meeting of Cabinet held on 16 April 2013.

(2) Consideration of the report of the Strategic Director – Children and Younger Adults on a Review of Services for Young People (contains information relating to any individual).