

**MINUTES
OF A
SPECIAL MEETING OF THE ARUN DISTRICT COUNCIL
HELD IN THE ARUN CIVIC CENTRE
ON 13 OCTOBER 2021 at 5.00 pm**

Present: Councillors Brooks (Chair), Staniforth (Vice-Chair), Baker, Bicknell, Blanchard-Cooper, Bower, Buckland, Chapman, Chace, Charles, Clayden, Mrs Cooper, Cooper, Coster, Daniells, Dendle, Dixon, Edwards, Elkins, Mrs English, English, Goodheart, Gregory, Gunner, Hamilton, Hughes, Huntley, Kelly, Lury, Oliver-Redgate, Pendleton, Purchase, Roberts, Stanley, Tilbrook, Thurston, Walsh, Warr, Worne and Yeates.

The following Councillors were absent from the meeting during consideration of the matters referred to in the Minutes indicated:-
Councillor Baker – Minutes 372 to 377 (Part) and Councillor Elkins – Minute 380 (Part) to Minute 384.

372. WELCOME

The Chair welcomed Councillors, representatives of the public, press and officers to the meeting. He extended a special welcome to the Council's Honorary Aldermen watching the meeting live online.

The Chair confirmed that he had received a request from the Leader of the Council to adjourn the meeting from 5.00 pm to 6.00 pm to allow for as many Councillors as possible to be able to attend.

Councillor Walsh then formally proposed that the meeting be adjourned to a start time of 6.00 pm and this was then seconded by Councillor Chapman.

On this being put to the vote, it was declared CARRIED.

The Council

RESOLVED

That the Special Meeting of the Council convened for 13 October 2021 with a start time of 5.00 pm be adjourned to commence at 6.00 pm.

The meeting was then adjourned to re-commence at 6.00 pm.

373. WELCOME

The Chair welcomed Councillors, representatives of the public, press and officers to the adjourned meeting commencing at 6.00 pm. He extended a special welcome to the Council's Honorary Aldermen watching the meeting live on-line.

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374. DECLARATIONS OF INTEREST

The Declaration of Interest Sheet set out below confirms those Members who had made a declaration of their personal interest as a Member of a Town or Parish Councillor or a West Sussex County Councillor, as confirmed in their Register of Interest as these declarations could apply to any of the issues to be discussed at the meeting.

| Name | Town or Parish Council or West Sussex County Council [WSSC] |
|-----------------------------------|--|
| Councillor Tracy Baker | Littlehampton |
| Councillor Kenton Batley | Bognor Regis |
| Councillor Jamie Bennett | Rustington |
| Councillor Paul Bicknell | Angmering |
| Councillor Billy Blanchard-Cooper | Littlehampton |
| Councillor Jim Brooks | Bognor Regis |
| Councillor Ian Buckland | Littlehampton and WSSC |
| Councillor David Chace | Littlehampton |
| Councillor Mike Clayden | Rustington |
| Councillor Andy Cooper | Rustington |
| Councillor Alison Cooper | Rustington |
| Councillor Sandra Daniells | Bognor Regis |
| Councillor David Edwards | WSSC |
| Councillor Roger Elkins | Ferring and WSSC |
| Councillor Paul English | Felpham |
| Councillor Steve Goodheart | Bognor Regis |
| Councillor Pauline Gregory | Rustington |
| Councillor June Hamilton | Pagham |
| Councillor Shirley Haywood | Middleton-on-Sea |
| Councillor David Huntley | Pagham |
| Councillor Henry Jones | Bognor Regis |
| Councillor Martin Lury | Bersted |
| Councillor Claire Needs | Bognor Regis |
| Councillor Mike Northeast | Littlehampton |
| Councillor Francis Oppler | WSSC |
| Councillor Jacky Pendleton | Middleton-on-Sea and WSSC |
| Councillor Vicky Rhodes | Littlehampton |
| Councillor Emily Seex | Littlehampton |
| Councillor Martin Smith | Aldwick |
| Councillor Samantha Staniforth | Bognor Regis |
| Councillor Matt Stanley | Bognor Regis |
| Councillor Isabel Thurston | Barnham & Eastergate |
| Councillor James Walsh | Littlehampton and WSSC |
| Councillor Jeanette Warr | Bognor Regis |
| Councillor Amanda Worne | Yapton |
| Councillor Gillian Yeates | Bersted |

375. PUBLIC QUESTION TIME

The Chair confirmed that no questions had been submitted for this meeting.

376. QUESTIONS FROM MEMBERS WITH PECUNIARY/PREJUDICIAL INTERESTS

No questions were asked.

377. MINUTES

The Chair requested Council to approve the Minutes of the Council Meeting held on 15 September 2021, which would be signed at the end of the meeting.

Councillor Coster confirmed that the minutes were not accurate. He referred to Minute 263 [Motions] Page 176 of the minutes [page 6 of the agenda pack], the second paragraph: The changes requested by Councillor Coster have been set out below with deletions shown using ~~strikethrough~~ and additions shown using **bold**:

Councillor Coster raised a Point of Order in relation to Council Procedure Rule 15.5 [How Motions will be dealt with] and he referred to sections (a) and (b) of that rule as outlined in the Constitution reading the rules out to the meeting. Councillor Coster suggested that **this matter** ~~the Motion without Notice from Councillor Roberts~~ be referred to the Constitution Working Party for consideration and ~~that this matter~~ should not be considered here.

Councillor Coster then formally proposed these amendments which were then duly seconded by Councillor Dixon.

On the amendments being put to the vote they were announced CARRIED.

A request was also made by Councillor Lury to remove his name on Minute 263 [Motions] on the same minute and page in the bottom paragraph of this page.

The minutes as amended were then proposed by Councillor Oliver-Redgate and were then seconded by Councillor Bower. On them being put to the vote they were then approved.

378. CHAIR'S ANNOUNCEMENTS

The Chair reminded those Councillors taking part in Remembrance Sunday Services across the District, to please remember to take away with them after the meeting their poppy wreaths which has been laid out in the Members clearly marked for collection.

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379. URGENT MATTERS

The Chair confirmed that there were no items for this meeting.

380. RECRUITMENT TO THE PERMANENT CHIEF EXECUTIVE OFFICER POSITION

The Chair invited the Acting Chief Executive to present a report which informed Members of the process to be followed for the recruitment and selection of a permanent Chief Executive.

Councillors' attention was steered towards the four recommendations set out in the report with the Acting Chief Executive confirming that he wished to expand and provide more detail with regard to Recommendation (4).

It was explained that this recommendation followed on from the meeting held of the Chief Executive's Remuneration Committee on 11 October 2021. This report had been written on the basis that there would be a natural flow of actions from meetings of the Chief Executive Recruitment & Selection Panel held in September 2021, which had also made recommendations to the Recruitment Committee of 11 October 2021. The purpose of Recommendation (4) was to endorse these recommendations and to bring them to this meeting for consideration. The minutes from the CEO Remuneration Committee held on 11 October 2021 had been circulated to all Members via email and had been uploaded to the Full Council web pages as a supplement earlier on in the afternoon. They contained recommendations (a), (b) and (c) as set out below:

- (a) A Members' Seminar be organised to explore what the Council could or could not do in terms of the appointment for a permanent Chief Executive Officer or Head of Paid Service allowing all options to be explored and all options in terms of salary in the current financial climate to be examined to ensure and achieve value for money for the District's residents. It was confirmed that this Seminar be organised for as soon as possible;
- (b) In looking at the remuneration for a permanent Chief Executive, that salary reviews move to the national pay award in the future as agreed by the "Joint Negotiating Committee (JNC) for Chief Executives of Local Authorities; and
- (c) In appointing an Interim Chief Executive Officer, the day rate proposed by the Chief Executive Recruitment & Selection Panel equating to £1,543 per day be noted and left for Full Council to debate.

The Acting Chief Executive explained the reason for referring to these recommendations. This was because the Remuneration Committee [that had met on 11 October 2021] had recommended a different way forward challenging Recommendation (4) as outlined in the report. It was necessary now for the Council to consider a way forward. In assisting with this process, Officers had discussed how Members may wish to proceed. It was emphasised that whilst Officers were not making any amendments to

the recommendations in the report, Members might wish to consider making an amendment to recommendation (4) as set out below if Council wished to support the Remuneration Committee's proposal for a Members' Seminar:

"To agree to the recommendations of the Chief Executive Remuneration Committee ~~in terms of the remuneration package offered to the new Chief Executive~~".

The Acting Chief Executive stated that if Members wished to support the recommendations of the Recruitment & Selection Panel whose recommendations were submitted to the Remuneration Committee [supplied as background papers to the report] then Recommendation (4) could be amended as follows:

"To agree to the recommendations of the Chief Executive ~~Remuneration Committee~~ **Recruitment & Selection Panel** in terms of the remuneration package offered to the new Chief Executive Officer".

In summary, what this meant was that there were two alternative sets of amendments that Members might wish to take forward. These either supported the recommendations from the Recruitment & Selection Panel [29 September 2021] or supported the recommendations from the Remuneration Committee held on 11 October 2021.

The Chair then invited debate. The first to speak was Councillor Gunner confirming that he wished to make an amendment to change Recommendation (4) in the Officer report to read as follows:

"To agree to the recommendations of the Chief Executive ~~Remuneration Committee~~ **Recruitment & Selection Panel** in terms of the remuneration package offered to the new Chief Executive Officer".

Councillor Gunner explained why he wished to propose this change. He outlined that it had been a difficult debate at the Remuneration Committee held on 11 October 2021. This was because this had been the second discussion forming part of this process following a meeting of the CEO Recruitment & Selection Panel [29 September 2021] which had received more detailed information than that supplied to the Committee. He emphasised that if Council decided that it could not proceed with the appointment of a permanent Chief Executive as outlined in the officer report, then an Interim Chief Executive [which would be discussed later at Item 12] would most likely need to be in place for a longer period until the permanent CEO recruitment process had been finalised. Based on this fact, he urged Councillors to support his amendment.

Councillor Pendleton then seconded the amendment.

The Chair then invited debate on this amendment where points of clarification were sought in terms of procedure. A Member asked whether the minutes from the CEO Remuneration Committee held on 11 October 2021 would be proposed and seconded first for consideration. It was felt that only then could amendments be made following this.

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The Chair invited the Group Head of Law & Governance and Monitoring Officer to provide advice. She confirmed that the officer report contained recommendations (1) to (4) for the Council to consider. The complication was that the Remuneration Committee had not been able to endorse the recommendations put to that meeting resulting in separate and alternative recommendations being put for Members to consider. The two potential amendments explained and suggested by the Acting Chief Executive had been outlined to assist Councillors through this complicated process. Councillors were urged to either consider Recommendations (1) to (4) in the report first and then if required to then consider the other options if these were not approved.

Following a short adjournment, the Acting Chief Executive referred to the Officer Report and its four recommendations and then the minutes from the Chief Executive Remuneration Committee from 11 October 2021 which were effectively being used as a reference for the matter referred to at Recommendation (4). Councillor Gunner had then proposed an amendment to that package of recommendations put forward as displayed. This was the appropriate way to proceed in terms of how to consider the amendment as part of that report. This was confirmed as being the correct process to follow by the Group Head of Law & Governance & Monitoring Officer.

Councillors asked if the minutes from the CEO Remuneration Committee, including its recommendations to Council, would be formally presented by the Chair of that Committee. The Acting Chief Executive confirmed that the minutes from that meeting did not form an exclusive agenda item for this meeting, they were being provided as a reference to consider as part of Recommendation (4) in the Officer report.

Advice was sought from the Monitoring Officer who confirmed that the amendment proposed by Councillor Gunner needed to be taken first before any recommendations from the Committee could be considered.

Following debate, it was agreed that the recommendations outlined in the Officer report be moved and seconded first (Recommendations 1 - 3) and that Recommendation (4) be considered separately.

Councillor Gunner confirmed that he would propose all four of the recommendations set out in the Officer's report and that he would later return to his amendment on Recommendation (4).

Councillor Pendleton seconded all four of the recommendations.

The Chair confirmed that the voting on each of these recommendations would be undertaken separately. Following this, the Council

RESOLVED – That

- (1) The process by which a new permanent Chief Executive Officer would be recruited was noted;
- (2) Agreement be given to Gatenby Sanderson, a specialist recruitment agency being used to undertake the recruitment process;
- (3) A General Fund supplementary estimate of £30k is approved (this equates to a Council Tax Band D of £0.48);

The Chair then invited Councillor Gunner to speak on his amendment to Recommendation (4), previously proposed and seconded. Councillor Gunner reminded Councillors that should Recommendation (4) be passed unamended, this would present a significant delay to the recruitment process. This was because if the recommendations from the Remuneration Committee to convene a Members' Seminar were approved, valuable time would be lost in arranging this causing a delay in the recruitment process and additional cost to the Council.

The Chair invited debate. Councillor Walsh spoke in support of Recommendation (b) from the Remuneration Committee which proposed moving how the Chief Executive's salary was reviewed by aligning this to the national pay award for Chief Executives as agreed by the Joint Negotiating Committee for Chief Executives of Local Authorities as this would apply fairness across the authority and in considering staff pay awards across the Council.

In response, Councillor Gunner as the original mover of the amendment confirmed that he had the right to be able to change his amendment to Recommendation (4) to read as follows:

“To agree to the recommendations of the Chief Executive Recruitment & Selection Panel, and recommendation (b) of the CEO Remuneration Committee ~~Remuneration Committee~~ in terms of the remuneration package offered to the new Chief Executive Officer:

- A salary of up to £125,000 per annum in line with the current Chief Executive's pay.
- This should be an all-inclusive salary with no additional allowances such as car allowance etc.
- Expenses can be claimed in line with Council Policy
- A one-off relocation allowance of up to £8000

This further amendment was seconded by Councillor Walsh.

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The Chair then invited debate on this further amendment. This saw some Councillors expressing concern over the annual salary for the permanent Chief Executive set at £125k. There was also caution over whether the Council needed a permanent Chief Executive and if a Head of Paid Service would suit the Council better as an alternative. This was why a Members' Seminar had been suggested to allow all Councillors access to the information they needed to ensure that the right decision could be made for the District. All possible options needed to be fully considered and explored before the Council committed to an annual cost of a salary that might not be required. Other Councillors spoke in support of the recommendations stating that sometimes the Council had to make difficult decisions, this was one of them.

Further discussion took place. This developed into Councillor Dixon suggesting that the proposed salary of £125k should be reviewed and reduced. It was hoped that some of the questions that could not be answered at the Remuneration Committee could be answered at this meeting. Other Councillors spoke confirming that this was the role of the specialist recruitment agency that the Council had already approved in resolving Recommendation (2).

Following some debate on procedural matters, Councillor Gunner confirmed that he wished to have placed on record his thanks to the Recruitment & Selection Panel, a cross-party group of Members, for working consensually and collaboratively. He paid tribute to them for the work undertaken and thanked them for their support in terms of the recommendations that that Panel had made.

Following further discussion, a request had been made that the voting on the amendment to Recommendation (4) be recorded.

Those voting for it were Councillors Baker, Bicknell, Bower, Chace, Chapman, Charles, Clayden, Mrs Cooper, Cooper, Coster, Daniells, Dendle, Dixon, Edwards, Elkins, Mrs English, English, Goodheart, Gregory, Gunner, Hamilton, Hughes, Huntley, Kelly, Lury, Oliver-Redgate, Pendleton, Purchase, Roberts, Tilbrook, Thurston, Walsh, Warr and Worne (34). No Councillors voted against (0). Councillors Blanchard-Cooper, Brooks, Buckland, Staniforth, Stanley and Yeates abstained from voting (6).

The amendment to Recommendation (4) was therefore CARRIED.

The Chair then invited Councillors to discuss the substantive recommendations. Councillor Dixon confirmed that he wished to make an amendment to the salary proposed for the new permanent Chief Executive reducing this from £125k down to £120k. Councillor Coster then seconded this proposal.

Councillor Dixon then explained why he wished to make this amendment. He explained that it was because the Council had been through a long period of austerity resulting in the size of the Council in terms of staffing reducing from over 750 down to a headcount of over 300 staff since the Chief Executive had been recruited ten years ago. The salary needed to be adjusted taking these valid points on board but still providing a reasonable salary and placing the Council mid-range on the salary scale board.

In response, the point was made that the recommendation proposed a salary of up to £125k, this provided the Council with a chance to negotiate the salary, it did not mean that the full £125k would need to be awarded. There were therefore Councillors speaking against this amendment, stating that £125k provided a fair negotiation stance and opportunity to recruit the right candidate for the job. Points were made that Adur/Worthing Council was also recruiting for a new Chief Executive. Despite being a much smaller authority, it had set its Chief Executive's salary at £150k considerably higher than what Arun was suggesting. This confirmed the need to set the salary in line with the size of the job in hand not necessarily in line with the size of the authority. It was necessary to accurately meet the ambitions of the Council and to be able to not just recruit the right person but be also able to retain them.

Councillor Coster, as seconder to the amendment, was invited to speak. He acknowledged the concerns of residents in addressing concerns over areas of deprivation in the District and concerns over the amount of salary being awarded. He outlined that it was vital for the Council to be able to show that was being spent represented value for money. This proposed reduction in salary went some way to showing that Councillors were determined to run a tight ship.

Following further discussion, a request had been made that the voting on this further amendment be recorded.

Those voting for it were Councillors Blanchard-Cooper, Buckland, Coster, Dixon, Hamilton, Huntley, Stanley, Tilbrook, Thurston, Walsh, Warr, Worne and Yeates (13). Those voting against were Councillors Baker, Bicknell, Bower, Chace, Chapman, Charles, Clayden, Mrs Cooper, Cooper, Daniells, Dendle, Edwards, Mrs English, English, Goodheart, Gregory, Gunner, Hughes, Kelly, Lury, Oliver-Redgate, Pendleton, Roberts (24). Councillors Brooks and Staniforth abstained from voting (2).

The amendment was therefore declared LOST.

The Chair then returned to the substantive recommendations which were proposed by Councillor Gunner and seconded by Councillor Pendleton.

Having received and answered questions regarding the relocation allowance, the Chair invited the proposer and seconder to speak. Councillor Gunner confirmed that he wished to thank Councillors for their views and that he felt that a strong and genuine debate had been held.

The Council

RESOLVED

That the recommendations of the Chief Executive Recruitment & Selection Panel, and recommendation (b) of the CEO Remuneration Committee in terms of the remuneration package offered to the new Chief Executive Officer be agreed as:

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- As a salary of up to £125,000 per annum in line with the current Chief Executive's pay.
- This should be an all-inclusive salary with no additional allowances such as car allowance etc.
- Expenses can be claimed in line with Council Policy
- A one-off relocation allowance of up to £8,000.

381. MOTIONS

The Chair confirmed that no Motions had been submitted for this meeting.

382. COMMITTEE MEMBERSHIPS

The Leader of the Council, Councillor Gunner, confirmed the following changes to Committee Memberships which were noted by the Council:

- Councillor Clayden had replaced Councillor Stainton on the Licensing Committee
- Councillor Staniforth had replaced Councillor Dendle on the Economic Committee
- Councillor Roberts had replaced Councillor Dendle on the CEO Remuneration Committee

383. EXEMPT INFORMATION

Having been proposed by Councillor Bower and seconded by Councillor Gunner, the Council

RESOLVED

That under Section 100A(4) of the Local Government Act 1972, the public and accredited representatives of newspapers be excluded from the meeting for the following item of business on the grounds that it may involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act by virtue of the paragraph specified against the item.

384. APPOINTMENT TO THE POST OF INTERIM CHIEF EXECUTIVE OFFICER [EXEMPT - PARAGRAPH 1 - INFORMATION RELATING TO ANY INDIVIDUAL]

The Chair invited the Interim Group Head of Corporate Support & Section 151 Officer to present this report.

It was outlined that this report informed the Council of the process that had been followed by the Chief Executive Remuneration and Selection Panel [with that membership having been approved by Full Council on 15 September 2021] for the selection of an Interim Chief Executive Officer as recommended by that Panel following meetings held on 16 and 29 September 2021 and then considered and recommended by the Chief Executive Remuneration Committee [Recommendation (c) from its meeting held on 11 October 2021].

The recommendations before the Council had been set out with six recommendations being proposed with Recommendation (4) asking the Council to agree to the appointment of James Hassett as the Interim Chief Executive Officer, subject to the Council approving the salary to be paid.

Councillor Gunner, as Leader of the Council, in formally proposing the recommendations confirmed that he wished to make an amendment to Recommendation (3). He explained that following negotiation with the Leader of the Opposition [Councillor Walsh] and the Leader of the Independent Group [Councillor Dixon] he had undertaken further negotiation with the candidate earlier on in the day. The result of that negotiation confirmed that Mr Hassett had agreed to reduce his daily rate of pay down by £200 per day providing the Council with a saving totalling £25k.

An amendment to Recommendation (3) was therefore proposed to read:

“To approve a General Fund supplementary estimate of ~~£122k~~ **£97k** (this equates to a Council Tax band D of ~~£1.95~~ **£1.55**);

This amendment was seconded by Councillor Pendleton.

Councillor Gunner praised the cross-party working and the achievement that had been made in securing this reduced rate which had been re-considered in response to large public concern. This point was then echoed and praised by other Group Leaders. The majority of Councillors welcomed what would be a new start for Arun with the expectation that the new Interim Chief Executive would achieve best value for Arun and its residents delivering much needed change and pushing forward much needed regeneration.

There were a couple of Councillors who spoke against the recommendations confirming that payment of such a high salary was out of touch in view of the day to day financial struggles being experienced by residents.

Following further discussion, a vote on the amendment to Recommendation 3 was undertaken and this was confirmed CARRIED.

The Chair then returned to the substantive recommendations and invited debate. Extensive debate on the substantive recommendations took place.

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Following further discussion, a request had been made that the voting on the substantive recommendations be recorded.

Those voting for were Councillors Baker, Bicknell, Blanchard-Cooper, Bower, Buckland, Chace, Chapman, Charles, Clayden, Mrs Cooper, Cooper, Coster, Daniells, Dendle, Dixon, Edwards, Mrs English, English, Goodheart, Gregory, Gunner, Hamilton, Hughes, Huntley, Kelly, Lury, Oliver-Redgate, Pendleton, Purchase, Roberts, Staniforth, Stanley, Tilbrook, Thurston, Walsh, Warr and Yeates (37). Councillor Worne voted against. Councillor Brooks abstained from voting.

The Council

RESOLVED – That

- (1) The process by which a new Interim Chief Executive has been recruited be noted;
- (2) Agreement be given to recruit an Interim Chief Executive on the terms and conditions as detailed within the report and as recommended by the Recruitment & Selection Panel until such a time that the Council is in a position to agree a permanent arrangement for the replacement of the Chief Executive Officer post;
- (3) A General Fund supplementary estimate of £97K be approved (this equates to a Band D Council Tax of £1.55);
- (4) Agree to the appointment of James Hassett as the Interim Chief Executive Officer;
- (5) Agreement be given to delegate Chief Executive Officer responsibility to the Director of Place and Director of Services from the period of Monday, 18 October to Sunday, 31 October 2021 inclusive with the Director of Services delegated for the first week and Director of Place delegated for the second week; and
- (6) Agreement be given to note the arrangements for the Interim Returning Officer.

(The meeting concluded at 8.42 pm)