



Public Document Pack

Arun District Council
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Littlehampton
West Sussex
BN17 5LF

This meeting will be live steamed – the link to view the webcast will be made available soon.

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5 October 2021

SPECIAL COUNCIL MEETING

To all Members of the Council

You are summoned to attend a Special Meeting of the ARUN DISTRICT COUNCIL to be held on **Wednesday 13 October 2021** at **5.00 pm** in the **Council Chamber, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF** to transact the business set out below – **please note change in start time.**

A handwritten signature in black ink, appearing to read 'N. V. Lynn', written over a light blue horizontal line.

Nigel Lynn
Chief Executive

PLEASE NOTE: Subject to Covid-19 Risk Assessments members of the public are advised of the following:

Where public meetings are being held at the Arun Civic Centre, in order to best manage safe space available, members of the public are in the first instance asked to watch the meeting online via the Council's Committee pages.

- a) Where a member of the public has registered a request to take part in Public Question Time, they will be invited to submit the question in advance of the meeting to be read out by an Officer. There will be limited public access to this meeting and admission for public speakers will be by ticket only, bookable when submitting questions. Attendees will be asked to sit in an allocated seat in the public gallery on a first come first served basis. Only one ticket will be available for per person.
- b) It is recommended that all those attending take a lateral flow test prior to the meeting.
- c) All those attending the meeting will be required to wear face coverings and maintain safe distancing when in the building/meeting room.
- d) Members of the public must not attend any face to face meeting if they or a member of their household have Covid-19 symptoms.

Any members of the public wishing to address the Committee meeting during Public Question Time, will need to email Committees@arun.gov.uk by 5.15 pm on **Wednesday, 6 October 2021** in line with current Committee Meeting Procedure Rules. It will be at the Chief Executive's/Chair's discretion if any questions received after this deadline are considered.

For further information on the items to be discussed, please contact Committees@arun.gov.uk.

AGENDA

1. APOLOGIES FOR ABSENCE

2. DECLARATIONS OF INTEREST

Members and Officers are invited to make any declarations of pecuniary, personal and/or prejudicial interests that they may have in relation to items on this agenda, and are reminded that they should re-declare their interest before consideration of the item or as soon as the interest becomes apparent.

Members and Officers should make their declaration by stating:

- a) the item they have the interest in
- b) whether it is a pecuniary, personal and/or prejudicial interest
- c) the nature of the interest
- d) if it is a pecuniary or prejudicial interest, whether they will be exercising their right to speak under Question Time

3. PUBLIC QUESTION TIME

To receive questions from the public (for a period of up to 15 minutes)

4. QUESTIONS FROM MEMBERS WITH PECUNIARY/PREJUDICIAL INTERESTS

To receive questions from Members with pecuniary/prejudicial interests (for a period of up to 15 minutes)

5. MINUTES (Pages 1 - 14)

To approve as a correct record the Minutes of the Meeting of the Council held on 15 September 2021, which are *attached*.

6. CHAIR'S ANNOUNCEMENTS

To receive such announcements as the Chair may desire to lay before the Council.

7. URGENT MATTERS

To deal with business not otherwise specified in the Council summons which, in the opinion of the Chairman of the Council (in consultation with the Chief Executive), is business of such urgency as to require immediate attention by the Council.

OFFICER REPORTS

8. RECRUITMENT TO THE PERMANENT CHIEF EXECUTIVE OFFICER POSITION (Pages 15 - 18)

The report informs Members of the process to be followed by the Chief Executive's Remuneration Panel for the recruitment and selection of a permanent Chief Executive

9. MOTIONS

To confirm that no Motions have been submitted in accordance with Council Procedure 15.

10. COMMITTEE MEMBERSHIPS

Any changes to Committee Memberships that need noting by the Council will be reported at the meeting.

11. EXEMPT INFORMATION

The Committee is asked to consider passing the following resolution: -

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 they 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.

12. APPOINTMENT TO THE POST OF INTERIM CHIEF EXECUTIVE OFFICER [EXEMPT - PARAGRAPH 1 - INFORMATION RELATING TO ANY INDIVIDUAL] (Pages 19 - 24)

The report informs Members of the process followed by the Chief Executive's Recruitment and Selection Panel for the selection of an interim Chief Executive and requests the Council agree to the appointment of the Interim Chief Executive Officer as recommended by the Recruitment and Selection Panel and endorsed by the Remuneration Committee.

Note : If Members have any detailed questions, they are reminded that they need to inform the Chair and relevant Director in advance of the meeting.

Note : Filming, Photography and Recording at Council Meetings – The District Council supports the principles of openness and transparency in its decision making and permits filming, recording and the taking of photographs at its meetings that are open to the public. This meeting may therefore be recorded, filmed or broadcast by video or audio, by third parties. Arrangements for these activities should operate in accordance with guidelines agreed by the Council and as available via the following link [PART 8 - CP - Section 5 Filming Photographic Protocol.pdf \(arun.gov.uk\)](#).

Public Document Pack Agenda Item 5

Subject to approval at the next Full Council meeting

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MINUTES OF A MEETING OF THE ARUN DISTRICT COUNCIL HELD IN THE ARUN CIVIC CENTRE

On 15 September 2021 at 6.00 pm

Present: Councillors Brooks (Chair), Staniforth (Vice-Chair), Batley, Bennett, Bicknell, Bower, Buckland, Caffyn, Catterson, Chapman, Chace, Charles, Clayden, Mrs Cooper, Cooper, Coster, Daniells, Dendle, Dixon, Edwards, Mrs English, English, Goodheart, Gunner, Hamilton, Haywood, Hughes, Huntley, Kelly, Lury, Madeley, Northeast, Oliver-Redgate, Oppler, Pendleton, Roberts, Stainton, Stanley, Tilbrook, Thurston, Walsh, Warr, Worne and Yeates

The following Members were absent from the meeting during consideration of the matters referred to in the Minutes indicated:-
Councillors Caffyn and Mrs Cooper - Minute 253 to 254 (Part);
Councillor Hamilton - Minute 253 to Minute 263 (Part); Councillors Batley, Bennett, Buckland, Catterson, Coster, Dixon, Hamilton, Haywood, Huntley, Lury, Oppler, Stanley, Tilbrook, Thurston, Walsh, Warr, Worne and Yeates - Minute 263 (Part) to Minute 271].

253. WELCOME

The Chair welcomed Councillors, representatives of the public, press and officers to what was the first physical meeting of the Council in this new Municipal Year.

The Chair extended a warm welcome to the new Group Head of Governance & Law & Monitoring Officer who had commenced her role with the Council on 26 July 2021.

254. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Baker, Blanchard-Coper, Elkins, Gregory, Jones, Needs, Purchase, Rhodes, Seex and Smith and from all of the Council's Honorary Aldermen.

255. DECLARATIONS OF INTEREST

Councillor Dixon declared a Personal Interest in Agenda Item 10 – Motions, in respect of Motion 3 [should read 4] in view of his employment as a postal worker and car parking arrangements for staff on the London Road Lorry Coach Park, Bognor Regis.

Full Council - 15.09.21

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 [WSCC]
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 WSCC
Councillor David Chace	Littlehampton
Councillor Mike Clayden	Rustington
Councillor Andy Cooper	Rustington
Councillor Alison Cooper	Rustington
Councillor Sandra Daniells	Bognor Regis
Councillor David Edwards	WSCC
Councillor Roger Elkins	Ferring and WSCC
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	WSCC
Councillor Jacky Pendleton	Middleton-on-Sea and WSCC
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 WSCC
Councillor Jeanette Warr	Bognor Regis
Councillor Amanda Worne	Yapton
Councillor Gillian Yeates	Bersted

256. PUBLIC QUESTION TIME

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

257. QUESTIONS FROM MEMBERS WITH PECUNIARY/PREJUDICIAL INTERESTS

No questions were raised.

258. PETITIONS

There were no petitions presented to this meeting.

259. MINUTES

The Chair requested Council to approve the Minutes of the Council Meeting held on 14 July 2021, which would be signed at the end of the meeting.

Councillor Coster confirmed that the minutes were not accurate. He referred to Minute 113 [Petitions] – Page 84 in the second paragraph where he believed that references that he had made to the Constitution had not been included in that section of the minutes and should have been. Councillor Coster requested that his Point of Order referring to Part 5, Section 1, Rule 17.11 (b) to amend a motion had not been allowed and he sought for an explanation from the Interim Monitoring Officer why this did not apply.

The amendment proposed was that “A Point of Order was raised in relation to Part 5, Section 1, Council Procedure Rule 17.11 [Motions which may be moved during debate] (b) [to amend a Motion] where an explanation was sought from the Interim Monitoring Officer as to why this rule could not be applied. The Chair repeated that this matter had been dealt with earlier in the meeting and he urged that Councillor from continuing to pursue this issue. The Interim Monitoring Officer stated that the petitioners had asked for the Council to give consideration to revocation of the planning permissions. This was happening now and there was no need to consider any alternative as the petitioner’s request was being met.

The response from the Monitoring Officer was that he did not understand that it was felt that something else needed to be done when the petitioner’s request to consider the petition had Full Council had been met”.

This amendment was seconded by Councillor Dixon.

Concern was raised at the proposal to add this statement into the minutes and Members were reminded that verbatim minutes were not produced. The opinion of Councillors was that the minutes did contain the key points discussed.

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In view of the level of complexity surrounding the omission identified, it was agreed that the Committee Services Manager would review the webcast from the meeting and liaise with Councillors Coster and Dixon to ascertain what had been missed and if this needed to be included within the minutes.

Based on this the minutes were then formally proposed as a correct record by Councillor Chapman and this was seconded by Bower and they were approved.

The Chair requested that Councillor Batley's abstention from voting be recorded in the minutes.

The Chair then requested Council to ratify the decisions made at the Annual Meeting of the Council.

The ratifications requested were proposed by Councillor Bower and seconded by Councillor Walsh.

The Council

RESOLVED – That

That the decisions minuted as outlined below be approved:

- (1) Minute 6 [Appointment of Chair of the Council]
- (2) Minute 8 [Appointment of Vice-Chair of the Council and Chair -Elect]
- (3) Minute 10 [Appointment of the Leader and Deputy Leader of the Council]
- (4) Minute 11 [Review of Entitlement of Political Groups to Seats on Committees [Proportionality] and Appointments to Committees; and
- (5) Minute 12 [Representation on Outside Bodies].

260. CHAIR'S ANNOUNCEMENTS

The Chair confirmed that he had several announcements to make. Firstly, as this was the first physical meeting of Full Council in this municipal year, it was an opportunity for him to present Past Chair's badges to Councillors Worne and Warr.

Councillors Warr and Worne received their Past Chair's Badges and flowers as a thank you for their work in being Chairs of the Council during 2019/20 and 2020/21.

Secondly, the Chair outlined that as this was the Chief Executive's, Nigel Lynn's, last Full Council meeting before he left the Council on 15 October 2021 to join West Berks Unitary Authority, he wished to pass on his and the Council's thanks to Nigel for his work and achievements over the last 10 years and to wish him well for the future.

Similar, best wishes and thanks were extended to the Chief Executive by all Political Group Leaders.

In response, the Chief Executive stated that he was humbled by the comments made and was really pleased with what had been achieved over the last ten years. He was particularly pleased with the response by staff to the Coronavirus Pandemic over the last eighteen months. The Council's success had been due to the amazing response by staff to the needs of residents and he thanked them for their ongoing support and commitment to the Council.

261. URGENT MATTERS

There were no items for this meeting.

262. CHIEF EXECUTIVE'S RECRUITMENT & SELECTION PANEL

The Chief Executive presented a report outlining the process for the appointment of the Chief Executive Officer which was due to become vacant on 16 October 2021. It was confirmed that this report had been circulated separately to the agenda and uploaded to the Full Council web page on 9 September 2021.

Having been advised that Councillor Oppler would be substituting for Councillor Stanley at the first meeting of the Chief Executive's Recruitment & Selection Panel on 16 September 2021, Councillor Gunner then formally proposed the membership for the Panel which was duly seconded by Councillor Pendleton, the Council

RESOLVED

That the membership of the Chief Executive's Recruitment & Selection Panel be:

Councillors Coster, Gunner, Pendleton Stanley and Walsh with the purpose and terms of reference as set out in the report being approved.

263. MOTIONS

The Chair confirmed that seven Motions had been submitted for this meeting.

Councillor Roberts confirmed that he wished to move a Motion without Notice in line with the Council's Constitution which was (a) at Part 5, Section 1 [Council Procedure Rules] Rule 16 (m) [to suspend a particular Council Procedure Rule] to allow Council Procedure Rule 15.1 [Notice] to be suspended to allow consideration and voting in respect of that set out in (b) of this motion, which was that this Council removes from its Constitution the ability to propose a motion to rescind a previous decision.

Councillor Bower seconded this Motion.

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The Group Head of Law & Governance & Monitoring Officer was invited to provide advice and it was confirmed that this Motion without Notice was acceptable. An explanation as to what this meant was provided to Councillors. This was that Council Procedure Rule 15.1 [Notices of Motion] be suspended to allow Council Procedure Rule 19.1 [Motion to Rescind a Previous Decision] to be removed from the Constitution permanently. It was confirmed that this meant that Motions 3 and 4 would no longer be considered. The remaining Motions would be discussed in accordance with the Chair.

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 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.

The Monitoring Officer confirmed that it was within the Council's authority to make this decision and that it did not need to be referred to the Constitution Working Party.

Councillor Roberts, as proposer of the Motion without Notice, outlined that this would be a permanent change to the Constitution allowing the Council to be able to proceed in conducting its business and deliver positive change for those that lived and worked in the District. The move to the new Committee system had revealed anomalies requiring correction and this was one of them. His motion allowed Officers, when instructed by a Committee to undertake business, to proceed in conducting that business; and to follow the instructions given to them by the Council. The Motion to rescind a previous decision prevented Officers from conducting vital work as it permitted 14 Councillors to rescind a decision. Councillor Roberts accepted that the role of scrutiny was very important and to assist with this the Recovery and Referral Rules in the Constitution continued to permit Members to exercise this function. It was his view that Council Procedure Rule 19.1 was not fit for purpose and so he urged Councillors to accept his motion.

Debate on the Motion took place and concern was expressed around submitting Motions without Notice that affected the Council's Constitution. It was strongly felt that any constitutional change required thorough examination and scrutiny by the Constitution Working Party. Councillor Robert's Motion without Notice denied Councillors the opportunity to take part in debating important motions that had been submitted in line with constitutional requirements. Other viewpoints were expressed in that this proposal was undemocratic, unwise and that it was dangerous to make such radical changes to the Constitution in this way.

Concerns were expressed over the way in which an urgent decision had been presented and made at the last meeting of the Economic Committee on the London Road Lorry Coach Park Lury. It was felt that this unnamed urgent item had been presented in an undemocratic way. This had been why Motion 3 [4] had been submitted to provide Councillors with the opportunity to debate an important issue. The same

principle applied to Motion 4 [5] where there was a need to debate the unsuitable start time for a Committee meeting. The Motion without Notice was an attempt to suppress debate and to ensure that alternative views were silenced.

Following further discussion, a request had been made that the voting on the Motion without Notice be recorded.

Those voting for were Councillors Bicknell, Bower, Caffyn, Chace, Chapman, Charles, Clayden, Alison Cooper, Andy Cooper, Daniells, Dendle, Edwards, Joan English, Paul English, Goodheart, Gunner, Hughes, Kelly, Madeley, Oliver-Redgate, Pendleton, Roberts and Stainton [23]. Those voting against were Councillors Batley, Bennett, Catterson, Coster, Dixon Hamilton, Haywood, Huntley, Lury, Oppler, Stanley, Tilbrook, Thurston, Walsh, Warr, Worne and Yeates [17]. Councillors Brooks, Buckland, Northeast and Staniforth abstained from voting [4.].

The Motion without Notice was therefore declared CARRIED.

The Council therefore

RESOLVED

That the Council removes from its Constitution the ability to propose a Motion to rescind a previous decision. [Council Procedure Rule 19.1].

The Chair asked the Monitoring Officer to clarify what this meant. She confirmed that Motion 3 [should read 4] and Motion 4 [should read 5] were now rescinded and no longer existed and would not be debated. The meeting needed to return to Motion 1 so each Motion could be debated, having been proposed and seconded.

The Chair then invited Councillor Stanley to propose Motion 1.

Councillor Pendleton confirmed that she wished to propose that Motion 1 be referred to the appropriate Committee in line with Council Procedure Rule 15.5 (b).

The Monitoring Officer confirmed that this was acceptable if seconded. Motion 1 would then immediately be referred to the appropriate Committee without the need for a vote.

A Point of Order was raised by Councillor Walsh querying how this proposal could be accepted as Motion 1 had not been proposed or seconded.

The Monitoring Officer was asked to give advice. She confirmed that as Motion 1 had already been accepted by the Chief Executive and tabled via the agenda, proposed by Councillor Stanley and seconded by Councillor Bennett, Council Procedure Rule 15.5 (b) [Motions to be referred to a Committee] could be applied but that a proposer and seconder was required to do this, the Motion would then stand deferred without discussion.

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This advice was disputed with Points of Orders raised and clarity requested as Council Procedure Rule 15.5 (b) had been used as a mechanism to remove Rule 19.1 from the Constitution.

The Monitoring Officer confirmed that Rule 15.1 had been applied to allow the Motion without Notice [16 (m)] to be used to suspend Rule 19.1 [Motion to rescind a previous decision] to be suspended. The Council procedure Rule being used now was Rule 15.5 (b) to refer a Motion to a Committee.

A Point of Order was raised by Councillor Coster claiming that he had referred to Rule 15.5 (b) when speaking against the Motion without Notice in that this should have been referred to the Constitution Working Party and he sought clarification as to why Rule 15.5 (b) had not been applied at that time but did apply now.

The Monitoring Officer and Chief Executive repeated the advice already provided.

Following further Points of Order and Points of Clarification raised, the Chair asked Councillor Pendleton to confirm which Committee she wished to refer Motion 1 to. This was confirmed as the Residential & Wellbeing Services Committee and this was seconded by Councillor Chace.

The Chair then referred Council to Motion 2. Councillor Gunner proposed that this Motion be referred to the Environment & Neighbourhood Services Committee in line with Council Procedure Rule 15.5 (b) and this was seconded by Councillor Edwards.

The Chair then referred Council to Motion 3. Councillor Bower proposed that this Motion be referred to the Planning Policy Committee in line with Council Procedure Rule 15.5 (b) and this was seconded by Councillor Chapman.

The Chair then referred Council to the next Motion at Motion 5 [should read 6]. Councillor Roberts proposed that this be referred to the Environment & Neighbourhood Services Committee in line with Council Procedure Rule 15.5 (b) and this was seconded by Councillor Pendleton.

Having received a Point of Order from Councillor Thurston that climate change did not fall under the remit of this Committee, Councillor Roberts confirmed that this Motion be referred to the Corporate Policy & Performance Committee.

The Chair then referred Council to the next Motion – Motion 6 [should read 7]. Councillor Gunner proposed that this be referred to the Environment & Neighbourhood Services Committee in line with Council Procedure Rule 15.5 (b) and this was seconded by Councillor Edwards.

Councillor Walsh declared his view that Constitutional procedures had not been followed. The Opposition Members then left the meeting, this being the Liberal

Democrat Group; the Independent Group; the Green Group and an Independent Independent.

The Chair confirmed that the meeting would continue as it remained quorate.

The Chair then announced that in accordance with Part 5, Section 1, Council Procedure Rule 8 [Cancellation, Postponement or Adjournment of Meetings] of the Constitution and in consultation with the Chief Executive, that now this item had been concluded, he would adjourn the meeting so as to allow the incomplete business remaining from the 14 July 2021 Council meeting [Items 11-13] to be completed. Following this, he would then resume the business for this meeting [agenda items 14 to 18].

Since the Liberal Democrat Group, the Independent Group and the Green Group had left the meeting, the Monitoring Officer confirmed that for the remaining items on the agenda, the voting on any recommendations should be recorded.

264. CONSTITUTION WORKING PARTY - REPORT TO FULL COUNCIL

The Chair confirmed that at Full Council on 14 July 2021, the Council had been asked to agree recommendations of the Constitution Working Party held on 28 June 2021 on the suggested amendments to the Constitution following implementation of the Committee style of governance and following the first round of Committee meetings.

That meeting had been adjourned prior to the conclusion of the debate and vote on Recommendation 4 had been taken.

An amendment to the amendment to Recommendation 4 had been proposed by Councillor Dixon to read as follows. Additions have been shown using **bold** and deletions have been shown using ~~striketrough~~.

The option to (a) add Member Question Time as a standing item on each Service Committee agenda be ~~deferred~~ **agreed** ~~for a period of six months to allow time to assess the impact of non Committee Member attendance at physical meetings and (b) when revised in six months' time, the procedure set out in Appendix a, Part 4, be considered.~~ **and the process for Member Question Time be based on the process in place for Member Questions at Full Council.**

This amendment to the amendment had been seconded by Councillor Coster and now needed to be debated and voted upon.

It was felt that now meetings were being held physically, the Council should look the dynamics of meetings and so the proposed amendment may not be required. The proposal to assess the situation after six months was supported and Councillors were urged to vote against the amendment.

A request had been made for the voting on this amendment to be recorded.

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Those voting for it were Councillors Edwards and Northeast [2]. Those voting against were Councillors Bicknell, Bower, Chapman, Charles, Clayden, Mrs Cooper, Cooper, Daniells, Dendle, Mrs English, English, Goodheart, Gunner, Hughes, Kelly, Madeley, Oliver-Redgate, Pendleton and Stainton [19]. Councillors Brooks, Caffyn, Chace, Roberts and Staniforth abstained from voting [5].

The amendment to the amendment was therefore declared LOST.

The Chair then returned to the substantive recommendation. A request had been made for the voting on this recommendation to be recorded.

Those voting for it were Councillors Bicknell, Bower, Caffyn, Chace, Chapman, Charles, Clayden, Mrs Cooper, Cooper, Daniells, Dendle, Edwards, Mrs English, English, Goodheart, Gunner, Hughes, Kelly, Madeley, Northeast, Oliver-Redgate, Pendleton, Roberts and Stainton [24]. No Councillors voted against. Councillors Brooks and Staniforth abstained from voting [2].

The Council

RESOLVED

That The option to (a) add Member Question Time as a standing item on each Service Committee agenda be deferred for a period of six months to allow time to assess the impact of non Committee Member attendance at physical meetings and (b) when revised in six months' time, the procedure set out in Appendix a, Part 4, be considered.

265. CORPORATE POLICY AND PERFORMANCE COMMITTEE - 17 JUNE 2021

The Chair of the Corporate Policy and Performance Committee, Councillor Gunner, presented the minutes from the meeting of the Corporate Policy and Performance Committee held on 17 June 2021.

Councillor Gunner referred Members to the outstanding recommendation for consideration at Minute 88 [Minutes from the meeting of the Planning Policy Committee – 1 June 2021 – Minute 42 – Delivery of West Bank Strategic Allocation – Supplementary Estimate] and explained that this would enable the Council to see how housing and flood defences could potentially be delivered on that site. Councillor Gunner confirmed that he had recently met with residents and businesses who had expressed enthusiasm over the Council's plans and so he urged Councillors to support the recommendations which he duly proposed. The recommendations were then seconded by Councillor Roberts.

A request had been made for the voting on the two recommendations to be recorded.

Those voting for the recommendation were Councillors Bicknell, Bower, Caffyn, Chace, Chapman, Charles, Clayden, Mrs Cooper, Cooper, Daniells, Dendle, Edwards, Mrs English, English, Goodheart, Gunner, Hughes, Kelly, Madeley, Northeast, Oliver-Redgate, Pendleton, Roberts and Stainton [24]. No Councillors voted against. Councillors Brooks and Staniforth abstained from voting [2].

The Council

RESOLVED – That

(1) Should any application for funding for this project submitted to the UK Community Renewal Fund be unsuccessful, then a supplementary budget of up to £50,000 to fund the cost of recommendations (1) and (2) approved by the Planning Policy Committee on 1 June 2021, be agreed as the Council's contribution to the cost of the project. This equates to a Council Tax equivalent of £0.80 for a Band D property; and

(2) The Council accept financial contributions from third parties to support the delivery of recommendations (1) and (2) approved by the Planning Policy Committee on 1 June 2021.

266. GENERAL QUESTIONS FROM MEMBERS [BY ADVANCE NOTICE]

The Chair referred Council to the general Questions from Members which has been received in accordance with Council Procedure Rule 14.3 which had already been previously circulated on 14 July 2021 and attached to the agenda papers.

The Chair confirmed that he proposed to take these as read with the exception of Questions 2 and 3 as responses would be provided by the appropriate Committee Chairs to these Questions.

Councillor Gunner responded to Councillor Bennett's question referring to his speech provided at Annual Council in May 2021 which very clearly outlined the Conservative administration's ambitions to deliver housing, regeneration and to make Arun a better place to live, work and visit. In addition to this, work was progressing with Flaxmean House, Felpham, the Food Waste Trial and pushing forward with regeneration via the Economic Strategy. Councillor Gunner reminded Council of what the previous administration had achieved along with a host of failed election promises.

Councillor Dendle then provided his response to question three from Councillor Worne confirming that the debate was not about whether his Committee supported diversity or not, that it was about protecting the Council's finances.

The Chairman then drew the outstanding business remaining from the adjourned Full Council meeting held on 14 July 2021 to a close.

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267. PLANNING COMMITTEE - 21 JULY 2021

The Chair of the Planning Committee, Councillor Chapman, presented the minutes from the Planning Committee held on 21 July 2021.

Councillor Chapman referred Members to a recommendation at Minute 146 [Planning Review – Update Report and Future Actions] stating that the minutes recorded that after discussion the Planning Committee resolved amongst other things to approve a virement of £130k from the Covid 19 catch-up reserve to enable the Officer focused recommendations in the report to be implemented. The Committee had also agreed that the Planning Review recommendations should be reviewed by the Planning Committee at six monthly intervals. During the debate on this point, the Committee further agreed that as the report was live the Planning Committee could go further than the recommendations in the report and consider other aspects concerning planning issues if the situation demanded it. Councillor Chapman stated that the minutes reflected that he had asked for an inaugural meeting to be held in early October 2021 with a second meeting to be held before the end of the Municipal Year. He was pleased to be able to report that provided the recommendation was approved by Full Council tonight, the first review meeting by the Committee would be held on 29 September 2021. Councillor Chapman then formally proposed the recommendation which was seconded by Councillor Bower.

The Monitoring Officer referred to an amendment that had been emailed to Officers prior to the meeting from Councillor Coster that needed to be brought to Council's attention as Councillor Coster was not in attendance.

At the request of Members, the amendment was read out to the meeting by the Committee Manager with additions being shown in **bold**. This read that "the Council agrees the review's recommendations for the Council (as a whole) **but will go further than the recommendations in considering other aspects of the report and issues that may have arisen since the issue of the report**".

Councillor Chapman confirmed that he would have spoken against this amendment if it had been presented by Councillor Coster. This was because, as he had made clear in his introduction, when the report had been presented to the Committee, the Committee had then debated widening the scope and considering other aspects of the report. Councillor Chapman felt that the amendment was not necessary.

A request had been made for the voting on this recommendation to be recorded.

Those voting for were Councillors Bicknell, Bower, Caffyn Chace, Chapman, Charles, Clayden, Mrs Cooper, Cooper, Daniells, Dendle, Edwards, Mrs English, English, Gunner, Hughes, Kelly, Madeley, Northeast, Oliver-Redgate, Pendleton, Roberts and Stainton [24]. No Councillors voted against the recommendations. Councillors Brooks and Staniforth abstained from voting [2].

The Council

RESOLVED

That the review's recommendations for the Council (as a whole) be agreed.

268. AUDIT & GOVERNANCE COMMITTEE - 29 JULY 2021

The Chair of the Audit & Governance Committee, Councillor Clayden, presented the minutes from the meeting of the Audit & Governance Committee held on 29 July 2021.

Councillor Clayden referred Members to the first set of recommendations at Minute 207 [Treasury Management Annual Report] which he duly proposed. The recommendations were then seconded by Councillor Chapman.

A request had been made for the voting on these recommendations to be recorded.

Those voting for were Councillors Bicknell, Bower, Caffyn Chace, Chapman, Charles, Clayden, Mrs Cooper, Cooper, Daniells, Dendle, Edwards, Mrs English, English, Gunner, Hughes, Kelly, Madeley, Northeast, Oliver-Redgate, Pendleton, Roberts and Stainton [24]. No Councillors voted against the recommendations. Councillors Brooks and Staniforth abstained from voting [2].

The Council

RESOLVED – That

- (1) The actual prudential and treasury indicators for 2020/21 contained in the report be approved;
- (2) The annual treasury management report for 2020/21 be noted; and
- (3) The treasury activity during 2020/21 which has generated interest receipts of £627,000 (0.86%) budget £550,000 (1.26[^]) be noted.

The Chair then drew Members' attention to the final recommendation at Minute 209 [Chair's Annual Report to Council] which he duly proposed. This recommendation was then seconded by Councillor Chapman.

A request had been made for the voting on this recommendation to be recorded.

Those voting for were Councillors Bicknell, Bower, Caffyn Chace, Chapman, Charles, Clayden, Mrs Cooper, Cooper, Daniells, Dendle, Edwards, Mrs English, English, Gunner, Hughes, Kelly, Madeley, Northeast, Oliver-Redgate, Pendleton, Roberts and Stainton [24]. No Councillors voted against the recommendations. Councillors Brooks and Staniforth abstained from voting [2].

Full Council - 15.09.21

The Council

RESOLVED

To endorse the report.

269. QUESTIONS FROM MEMBERS [BY ADVANCE NOTICE]

The Chair referred Councillors to the Questions from Members that had been circulated earlier in the day and that had been submitted in line with Council Procedure Rule 14.3.

Verbal responses were provided to Questions 2 and 4 from Councillors Bower and Gunner.

A copy of the Member Question schedule would be uploaded to the Full Council web page following the meeting.

270. COMMITTEE MEMBERSHIPS

The Council received and noted a verbal update from the Leader of the Council, Councillor Gunner, confirming changes to Committee Memberships, as outlined in the agenda, since the Annual Meeting of the Council held on 19 May 2021.

One further change was reported to the meeting which was that Councillor Yeates had replaced Councillor Purchase on the Economic Committee.

271. REPRESENTATION ON OUTSIDE BODIES

The Chair confirmed that there were no changes to representation on Outside Bodies that needed to be reported to this meeting.

(The meeting concluded at 8.20 pm)

ARUN DISTRICT COUNCIL

REPORT TO AND DECISION OF A SPECIAL MEETING OF THE COUNCIL ON 13 OCTOBER 2021

SUBJECT: Recruitment to the Permanent Chief Executive Officer Position

REPORT AUTHOR: Carolin Martlew, Interim Group Head of Corporate Support & s151 Officer
DATE: 4 October 2021
EXTN: 37568
AREA: Corporate Support

EXECUTIVE SUMMARY:

The report informs Members of the process to be followed by the Chief Executive Remuneration Panel for the recruitment and selection of a permanent Chief Executive.

RECOMMENDATIONS:

Recommendations to Full Council: -

1. To note the process by which a new permanent Chief Executive Officer will be recruited;
2. To agree that Gatenby Sanderson, a specialist executive recruitment agency is used to undertake the recruitment process;
3. To approve a General Fund supplementary estimate of £30k (this equates to a Council Tax band D of £0.48); and
4. To agree to the recommendations of the Chief Executive Remuneration Committee in terms of the remuneration package offered to the new Chief Executive Officer.

1. BACKGROUND:

A resignation presents an opportunity for the Council to review the requirements of the role, the skills and experience needed from a future postholder, the terms and conditions offered and whether there are alternative methods of working. The Recruitment and Selection Panel met on 29 September 2021 to discuss these points and unanimously agreed that a full time permanent Chief Executive Officer should be appointed.

It is anticipated that a full and comprehensive recruitment process, recommended for a post of this seniority and importance, will take approximately six months.

The recruitment process for a Chief Executive post is complex with many stages to the process. It is recommended that a Specialist Executive Agency is used to assist with marketing the vacancy and publicising via social media and known networks. In addition, they will lead on assessing the suitability of the candidates using psychometric testing and technical assessments. Having considered the various offerings, the Recruitment and Selection Panel have recommended to Remuneration Committee that Gatenby Sanderson be their preferred partner in this process.

When the Council set its budget for 2021/22 in February 2021, obviously it was not planned for the Chief Executive to be replaced. There is therefore no funding currently in the budget to undertake the process. The submission received from the executive recruitment agency indicates a cost of £30k. It is therefore recommended that a supplementary revenue estimate of £30k be approved to fund this, funded from General Fund Revenue balance.

2. PROPOSAL(S):

- To agree that a specialist executive recruitment agency as set out in the body of the report is used to undertake the recruitment process.
- To approve a General Fund supplementary estimate of £30k (this equates to a Council Tax band D of £0.48)
- To agree to the recommendations of the Chief Executive Remuneration Committee in terms of the remuneration package offered to the new Chief Executive Officer.

3. OPTIONS:

- To agree that Gatenby Sanderson, a specialist executive recruitment agency is used and agree the supplementary estimate at a cost of £30k.

4. CONSULTATION:

Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		X
Relevant District Ward Councillors		X
Other groups/persons (please specify) The Chief Executives Remuneration Committee was consulted to comply with the Constitution.	X	
5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)	YES	NO
Financial	X	
Legal	X	
Human Rights/Equality Impact Assessment		X

Community Safety including Section 17 of Crime & Disorder Act		X
Sustainability		X
Asset Management/Property/Land		X
Technology		X
Other (please explain)		X

6. IMPLICATIONS

Financial Implications:

The additional cost requires a General Fund supplementary estimate of £30k (see recommendation 3)

Legal Implications:

The Council is empowered to appoint such officers as it thinks necessary for the proper discharge by the authority of such of their or another authority’s functions as falls or is agreed to be discharged by them.

The Local Government and Housing Act 1989 under s4 deals with the designation and reports of Head of Paid Services which states:-

- 4 Designation and reports of head of paid service.**
- (1) It shall be the duty of every relevant authority—
 - (a) to designate one of their officers as the head of their paid service; and
 - (b) to provide that officer with such staff, accommodation and other resources as are, in his opinion, sufficient to allow his duties under this section to be performed.
 - (2) It shall be the duty of the head of a relevant authority’s paid service, where he considers it appropriate to do so in respect of any proposals of his with respect to any of the matters specified in subsection (3) below, to prepare a report to the authority setting out his proposals.
 - (3) Those matters are—
 - (a) the manner in which the discharge by the authority of their different functions is co-ordinated;
 - (b) the number and grades of staff required by the authority for the discharge of their functions;
 - (c) the organisation of the authority’s staff; and
 - (d) the appointment and proper management of the authority’s staff.

Council has legal authority to make this appointment both on an interim and permanent basis.

7. REASON FOR THE DECISION:

To employ a permanent Chief Executive Officer to ensure that the Council is able to fulfil its legal and statutory obligations and to enable the smooth and consistent running of its services, staff and resources.

8. BACKGROUND PAPERS:

<https://www.legislation.gov.uk/ukpga/1989/42/section/4>

The Council's Constitution - [Link to the Council's Constitution](#)

Minutes of the Chief Executive Recruitment & Selection Panel held on 16 and 29 September 2021:

[16 September 2021](#)

[29 September 2021](#)

Minutes of the CEO Remuneration Committee held on 11 October 2021 – which will be circulated separately

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A of the Local Government Act 1972.

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