

Runnymede Borough Council

Overview and Scrutiny Select Committee

Wednesday, 12 April 2023 at 7.30 pm

Members of the Committee present: Councillors J Furey (Chairman), S Lewis (Vice-Chairman), A Berardi, M Darby, C Howorth (In place of N Prescott), S Jenkins (In place of L Gillham), R King (In place of R Davies), S Saise-Marshall and S Williams.

Members of the Committee absent: None.

In attendance: Councillors I Mullens and D Whyte.

662 Apologies for Absence

No apologies for absence were received.

663 Declarations of Interest

The Council's Deputy Corporate Head of Law and Governance reiterated the advice that had been provided in writing in advance that any member of the Committee, or any other Member in attendance exercising their right to attend under standing order 29.1 of the Council's constitution, who also attended Corporate Management Committee on 23 March 2023 could debate and vote on the topic under discussion, provided that they declared that whilst they may be predisposed based on their comments in that debate, they were not predetermined on the issues relevant to determination of the call-in.

Cllrs C Howorth and R King as members of both Overview & Scrutiny Select Committee and Corporate Management Committee who took part in and voted on the debate at Corporate Management Committee on 23 March 2023, confirmed that they did not feel predetermined on the outcome on the issues relevant to the determination of the call-in.

Cllrs Mullens and D. Whyte, in attendance at Overview & Scrutiny Select Committee as observers and members of Corporate Management Committee who took part in and voted on the debate at Corporate Management Committee on 23 March 2023, confirmed that they did not feel predetermined on the outcome on the issues relevant to the determination of the call-in.

Cllrs Jenkins and Lewis, as members of Overview & Scrutiny Select Committee and in attendance at Corporate Management Committee on 23 March 2023 as observers, confirmed that they did not feel predetermined on the outcome on the issues relevant to the determination of the call-in.

The Deputy Corporate Head of Law and Governance also advised Committee that under standing order 39.5 of the Council's constitution, if members of a political group had agreed in advance how they would vote, they should declare so at the outset of the meeting for the minutes. No such declarations were made.

664 Call-in of Decision - Recruitment Process for Appointment of New Chief Executive

One of the Members who requested the call-in explained that it was done so for a number of reasons, including proportionality. The Member stated that the recruitment of the most senior position in the Council was largely responsible for the quality of life of some 100,000 residents in the borough and it was vital that appointment was carried out to the highest

possible standard.

Given that the process would be a costly exercise it was important that the best possible value for money was achieved. The Member did not feel this was possible with a number of those on the appointments sub committee standing for re-election within two weeks of the closing date of the application, adding unnecessary risk and the prospect of a lack of continuity to the process.

It was added that two assistant chief executives would be in place by the time the incumbent chief executive departed, and the Member felt that those two individuals possessed the competence and experience to sufficiently deputise during the few additional weeks that recommending a revised timescale to Corporate Management Committee would entail.

The Member therefore supported the option in the report to recommend to Corporate Management Committee that a revised timescale be considered so that all aspects of the selection process took place after the local election on 4 May 2023.

Another Member raised the issue of openness, stating that the report for Corporate Management was not published until 5:46pm on 21 March – a little over 48 hours before the meeting – despite the main agenda being published on 15 March. They went on to say that this did not give Members appropriate time to digest the content of the report, particularly in the context of an already lengthy Corporate Management Committee agenda. It was added that several Members of Corporate Management Committee were also members of Planning Committee, who had attended a Planning Committee meeting on 22 March that featured an agenda of 264 pages.

The Committee Chair advised that advance warning of the report was provided by virtue of the publication of the agenda at 17:54 on 15 March, which had stated that item 8 – Establishment of an Appointments Sub-Committee – Chief Executive, would be to follow.

Several Members expressed dissatisfaction that seven of the 16 items on the Corporate Management Committee agenda had been marked to follow at the publication stage, and whilst acknowledging both officers' heavy workloads and that late reports were sometimes unavoidable, the frequency of late reports was becoming a concern. Members were keen to be provided with more detail in future on when late reports were likely to be made available.

The Committee Chair agreed that delays to reports should be kept to a minimum and was glad that some Members had raised concerns with the current chief executive. He reminded Committee of the option to put forward a motion to defer a report on the grounds of not having sufficient time to digest its content.

Another Member raised concerns about proportionality, highlighting the importance of consistency on the approach to interview. Potentially changing the line-up of the sub-committee during the process would be unfair on potential candidates, whilst delaying the process until the outcome of the election was known might increase the pool of candidates wishing to apply for the position given the clearer picture on the political leadership of the Council. In response another Member felt there was just as much chance of missing out on a good calibre candidate who was currently available but who might not be available should the process be delayed.

The Committee Chair felt that should the makeup of the Sub-Committee change then any new member(s) would have the opportunity to provide scrutiny on any decisions already reached to ensure they were informed on how those decisions had been made. In response, it was also acknowledged that any new member(s) could similarly reject the work of the previous sub-committee, which could result in the process starting again from

scratch.

A Member emphasised that the role of chief executive was apolitical, and the focus should be on recruiting the best individual to lead a team and understand that when a political direction is made by elected members, it is legitimate, achievable and adhered to by officers of the Council.

A motion was moved that the debate should end, and the matter should be put to the vote. The motion was carried by the rest of the Committee.

A motion was subsequently proposed that the Committee recommend that Corporate Management Committee proceed as planned.

A named vote had been requested on the eventual recommendation earlier in the debate, and the voting was as follows:

For (5)

Cllrs J. Furey, S. Lewis, M. Darby, C. Howorth, S. Saise-Marshall

Against (4)

Cllrs A. Berardi, S. Jenkins, R. King, S. Williams

Abstain (0)

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The recommendation was carried, and it was therefore resolved that:

Resolved that –

Overview & Scrutiny Select Committee to recommend that Corporate Management Committee proceed as planned.

(The meeting ended at 8.41 pm.)

Chairman