



## Notice of a meeting of Appointments and Remuneration Committee

**Tuesday, 9 June 2015**

**6.30 pm**

**Municipal Offices, Promenade, Cheltenham, GL50 9SA**

<b>Membership</b>	
<b>Councillors:</b>	Wendy Flynn (Chair), Jacky Fletcher (Vice-Chair), Paul Baker, Colin Hay, Rowena Hay, Rob Reid, Malcolm Stennett, Chris Mason and Simon Wheeler

The Council has a substitution process and any substitutions will be announced at the meeting

### Agenda

<b>1.</b>	<b>APOLOGIES FOR ABSENCE</b> Cllr Reid	
<b>2.</b>	<b>DECLARATIONS OF INTEREST</b>	
<b>3.</b>	<b>APPROVE MINUTES OF LAST MEETING</b> Minutes of the meeting held on 9 March 2015	(Pages 3 - 6)
<b>4.</b>	<b>RESTRUCTURE OF ENVIRONMENTAL AND REGULATORY SERVICES DIVISION</b> Report of the Chief Executive/Head of Paid Service	(Pages 7 - 24)
<b>5.</b>	<b>SECTION 151 OFFICER INTERIM ARRANGEMENTS</b> Report of the Cabinet Member Finance	(Pages 25 - 30)
<b>6.</b>	<b>LOCAL GOVERNMENT ACT 1972 - EXEMPT BUSINESS</b> The Committee is recommended to approve the following resolution:  "That in accordance with Section 100A(4) Local Government Act 1972 the public be excluded from the meeting for the remaining items of business as it is likely that, in view of the nature of the business to be transacted or the nature of the proceedings, if members of the public are present there will be disclosed to them exempt information as defined in paragraphs 1,2 and 3 of Part 1, Schedule 12A Local Government Act 1972, namely: <ul style="list-style-type: none"> <li>• Paragraph 1; Information relating to any individual.</li> <li>• Paragraph 2; Information which is likely to reveal</li> </ul>	

		<p>the identity of an individual</p> <ul style="list-style-type: none"> <li>Paragraph 3; Information relating to the financial or business affairs of any particular person (including the authority holding that information)</li> </ul>	
7.		<p><b>EXEMPT MINUTES</b> Exempt minutes of the meeting held on 9 March 2015</p>	(Pages 31 - 36)
8.		<p><b>ANY OTHER BUSINESS THE CHAIR DETERMINES IS URGENT AND REQUIRES A DECISION</b></p>	
9.		<p><b>DATE OF NEXT MEETING (IF NECESSARY)</b> Monday 5 October 2015</p>	

**Contact Officer:** Rosalind Reeves, Democratic Services Manager,  
**Email:** [democratic.services@cheltenham.gov.uk](mailto:democratic.services@cheltenham.gov.uk)

## Appointments and Remuneration Committee

**Monday, 9th March, 2015**  
**6.00 - 7.50 pm**

<b>Attendees</b>	
<b>Councillors:</b>	Wendy Flynn (Chair), Paul Baker, Colin Hay, Rowena Hay, Rob Reid, Simon Wheeler, Duncan Smith (Reserve) and Tim Harman (Reserve)
<b>Also in attendance:</b>	Julie McCarthy, Deb Bainbridge, Andrew North and Richard Hall

## Minutes

### 1. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Fletcher, Mason and Stennett

### 2. DECLARATIONS OF INTEREST

There were no declarations of interest.

### 3. APPROVE MINUTES OF LAST MEETING

The minutes of the last meeting were approved and signed as a correct record.

### 4. LOCAL GOVERNMENT ACT 1972 - EXEMPT BUSINESS RESOLVED THAT

That in accordance with Section 100A (4) Local Government Act 1972 the public be excluded from the meeting for the remaining agenda items as it is likely that, in view of the nature of the business to be transacted or the nature of the proceedings, if members of the public are present there will be disclosed to them exempt information as defined in paragraphs 1,2,3 and 4 of Part (1) Schedule (12A) Local Act 1972,namely :

Paragraph 1 : Information relating to any individual

Paragraph 2 : Information which is likely to reveal the identity of an individual

Paragraph 3 : Information relating to the financial or business affairs of any particular person (including the authority holding that information)

### 5. EXEMPT MINUTES

The exempt minutes of the meeting held on 15 September 2014 were signed and approved as a correct record.

### 6. RESTRUCTURE OF ENVIRONMENTAL AND REGULATORY SERVICES DIVISION

The Chief Executive introduced the report and explained that the council was currently running two major projects, the REST (Regulatory and Environmental Services Transformation) project and 2020 Vision. The REST project was based on continued direct council provision of services rather than being

incorporated into the 2020 Vision and this decision had been taken at member level with the view that front line services were critical to protecting the future of Cheltenham. A reorganisation of the Environment and Regulatory services division would enable the service to thrive in a way that was aspired to.

The Chief Executive explained that the 3 REST objectives were to be more customer focussed, to be more supportive of economic growth and to be more efficient. He explained that it was generally recognised that the current service structure which at senior level consisted of a director and nine direct reports was not fit for purpose and difficult to manage effectively. The REST project however provided an opportunity to build in capacity and the Chief Executive explained that consultants ICE Create, had been engaged to support the development of systems thinking within the Environmental and Regulatory Services Division and were looking holistically to create such capacity. The proposed structure was to ensure that the service was managed in a more collective way with potentially 3 new posts- a Managing Director, an Operations Director and a Commercial Director. Work was ongoing on populating this triumverate model but there was broad support within the REST division for the direction of travel. The objective was to commence formal consultation on the future structure of the division on 1 April 2015.

The Chief Executive explained that the Appointments Committee's view was sought on progress to date with the restructuring and specifically confirmation of the decision to regard the post of the Director of Environmental and Regulatory Services as "in-scope". The Committee was also asked to consider whether there should be external competition to recruit to the Director role.

Members discussed the issues in some detail. All members agreed that the current structure of the division was unsustainable and the progress the REST project had made to date was welcomed. They believed that the post of Director of Environmental and Regulatory Services should be regarded as 'in scope'. Members agreed that as the proposed way forward was so radical then the three posts should be appointed together with the Managing Director post being advertised externally, subject to HR advice. They also requested to consider the job descriptions once they had been fully drafted.

#### **RESOLVED THAT**

- 1. It be confirmed that the post of Director of the service be 'in-scope' for the restructuring and that the three posts be appointed together, with the Managing Director post being advertised externally, subject to HR advice**
- 2. That the Committee consider the job descriptions for the three posts when they are available**

#### **7. COST OF LIVING PAY AWARD FOR THE COUNCIL'S CHIEF EXECUTIVE AND CHIEF OFFICERS**

Members considered a report regarding implementing a cost of living pay award to the Chief Executive and implementing a further small cost of living award for the Council's Chief Officers. Members were reminded that the Chief Executive

was awarded a 1% inflationary pay award effective from April 2014. In addition the salary of Chief Executive was further reviewed in 2014 as part of the job evaluation exercise for the Council's senior leadership roles undertaken by the Hay group although on this occasion the Chief Executive did not receive an increase in pay. Since this time current employees and Chief Officers have been awarded a cost of living increase (2.2% and 2% respectively). She reported that negotiations for Chief Executives via the Association of Local Authority Chief Executives (ALACE) had reached an impasse.

The Chair reminded members that the view of the Committee previously was that in the interest of fairness to all employees, the Chief Executive should not be treated differently.

The Human Resources Manager added that historically the different negotiating bodies had agreed to pay awards at the same level but in recent years this had changed.

Members discussed the issue. They believed that it was fair and equitable to grant the pay award to both the Chief Executive and Chief Officers and this would be a cross party decision. They also noted that in any case the Chief Executive was paid a salary 4.8 % below the median of similar sized authorities nationally and there was already budget allocation in place for the pay award.

### **RESOLVED THAT**

- 1. A one-off annual inflationary pay award of 2.2 % is awarded for the post of Chief Executive for the period 1 January 2015 to 31 March 2016.**
- 2. A one-off annual inflationary pay award of 2.2 % is awarded for the Chief Officers (an increase of 0.2%).**

**(voting : 5 in favour, 4 abstentions)**

Wendy Flynn  
**Chairman**

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## Cheltenham Borough Council Appointments and Remuneration Committee

9 June 2015

### Restructure of Environmental and Regulatory Services Division

<b>Accountable member</b>	<b>Appointments and Remuneration Committee delegated matter</b>
<b>Accountable officer</b>	<b>Andrew North, Chief Executive/Head of Paid Service</b>
<b>Ward(s) affected</b>	<b>None specifically</b>
<b>Key Decision</b>	<b>No</b>
<b>Executive summary</b>	<p>As part of the REST project a restructuring of the Environmental and Regulatory Services Division is necessary. Whilst such a restructuring is within the authority delegated to the Chief Executive (as Head of the Paid Service), the authority to appoint to director level posts rests with the Committee.</p> <p>The Committee is requested to endorse and approve the organisational restructure proposals set out in the report;</p> <p>(i) To note that in the event that there needs to be a selection process for any of the new Director posts, the Committee is called upon to undertake the selection panel activity; and</p> <p>(ii) To delegate authority to the Chief Executive/Officers to implement the revised structure and to take any further action necessary to give effect to the contents of this report</p> <p>(iii) With this in mind the Chief Executive seeks comments from the Committee on a process to appoint to the director roles. As indicated at the meeting on the 9<sup>th</sup> March 2015 a further report on the appointment process is appropriate to decide the overall framework and to provide delegated authority for officers to progress matters.</p> <p>The Committee is recommended to RESOLVE that</p>
<b>Recommendations</b>	<ol style="list-style-type: none"> <li><b>1. The proposed revised structure of the Environmental and Regulatory Services Division as outlined in the report is approved</b></li> <li><b>2. The job description for the new Managing Director role be</b></li> </ol>

approved.

3. The existing director is confirmed into the new role of Director – Environment.
4. To delegate authority to officers to recruit to a 12 month temporary director post by requesting expressions of interest from current service managers.
5. The Constitution requires changes to the structure to be agreed by Council hence the Committee is requested to recommend the creation of the new structure to full council, and to agree a suitable process for the recruitment of the managing director post.
6. The Chief Executive/Officers be authorised to vary the proposed process for implementation of the new structure if necessary to ensure efficiency, effectiveness and fairness in implementing the new structure.

**Financial implications**

The cost of a current service manager “acting up” into the temporary director role for 12 months will range from £8,500 to £16,750, depending on the substantive post of the successful applicant.

It will also be necessary to provide some level of backfilling under this arrangement, the costs of which will have to be determined based on service area requirements and affordability.

Both these costs will be contained within existing budgets.

**Contact officer: Nina Philippidis, Business Partner Accountant**

**Email: [nina.philippidis@cheltenham.gov.uk](mailto:nina.philippidis@cheltenham.gov.uk),**

**Tel; 01242 26413**

**Legal implications**

The Appointments & Remuneration Committee holds the power to appoint and dismiss officers at director level and may consider any matters referred to it by the Chief Executive in respect of officer appointment, dismissal or remuneration. Any legal issues surrounding the future implementation of the restructure proposals will be dealt with in accordance with the Council’s Constitution, specifically but not exclusively by the Officer Employment Procedure Rules and the Officer Scheme of Delegation.

**Contact officer: Head of Legal Services**

**Email; [peter.lewis@tewkesbury.gov.uk](mailto:peter.lewis@tewkesbury.gov.uk),**

**Tel; 01684 272012**



<b>HR implications (including learning and organisational development)</b>	<p>The HR implications are detailed in the body of this report.</p> <p><b>Contact officer: HR Business Partner</b>  <a href="mailto:richard.hall@cheltenham.gov.uk">richard.hall@cheltenham.gov.uk</a></p> <p><b>Tel; 01242 774972</b></p>
<b>Key risks</b>	<p>Any restructuring if not handled correctly can lead to loss of staff morale, service disruption and risk of legal challenge.</p> <p>Failure to properly address, as part of the restructuring, the needs of the service and its customers into the future can lead to underperformance and potentially service failure.</p> <p>The Director on E&amp;RS makes a key contribution to whole-council strategic leadership and any underperformance of the top team could thus potentially compromise the success of the council as a whole.</p>
<b>Corporate and community plan Implications</b>	<p>The performance of the Environmental and Regulatory Services Division and its Director is fundamental to the effective delivery of the council's plans.</p>
<b>Environmental and climate change implications</b>	<p>The Environmental and Regulatory Services Division makes a key contribution to the council's effort in these areas and the attitude and performance of the Director will be critical to success.</p>
<b>Property/Asset Implications</b>	<p>None</p>

## 1. Background

- 1.1 In April 2014 the Cabinet endorsed a programme to transform those services which are now part of the Environmental and Regulatory Services Division which is based on the following vision: -

### ***Programme vision***

*The Environmental and Regulatory Services Division will be:*

- *More customer focused – delivering services in a more convenient manner for the customer*
- *More supportive of economic growth*
- *More efficient - with joined up services provided at optimal cost*

- 1.2 The REST (Regulatory and Environmental Services Transformation) programme is based on continued direct council provision of services commissioned against clear outcomes with customer focus, efficiency and effectiveness of service delivery and financial savings achieved through a systems thinking approach.

## 2. Divisional Restructuring Progress

- 2.1 An informal consultation has taken place with senior officers in the Division, and a service manager workshop was held on 17 February 2015 to help validate and further define the initial ideas proposed by ICE Creates. Informal consultation then took place with the entire division on the draft structure that emerged from the initial work.
- 2.2 Formal consultation commenced on the 9<sup>th</sup> April and concluded on 8<sup>th</sup> May 2015, seeking the view from the director and trade unions on the proposed triumvirate structure. After considering the feedback, a final structure has been agreed and communicated to the Environmental and Regulatory division which will be complementary to the systems thinking work and will help drive innovation and customer focus.
- 2.3 At the last appointments and remuneration committee on the 9 March 2015 it was resolved that:
- 2.3.1 It be confirmed that the post of Director of the service be 'in-scope' for the restructuring
- 2.3.2 That the three new roles be appointed together, with the managing director post being advertised externally, subject to HR advice as to suitable alternative employment options for the at risk employee. It is anticipated that the affected staff member will be ring fenced for the director roles.
- 2.3.3 That the Committee consider the job descriptions for the three posts when they are available

## 3. Recommendations

- 3.1 For this committee to recommend to the full council that this final structure be adopted by the Council. This structure has evolved after suggested amendments through informal and formal consultation process.
- 3.2 To consider the job description for the managing director role

- 3.3** To delegate authority to officers to recruit on a temporary basis the director post, inviting expressions of interest from the current service managers.
- 3.4** As external competition is the preferred decision for the Managing Director role then a number of decisions would then need to be made (at this meeting of the Committee or through a specific delegation) about such matters as:
- Whether to use recruitment consultants to ensure a high calibre pool of candidates is sourced
  - If head hunting is not the preferred option then where to advertise the post
  - Timeline for dealing with the recruitment
  - Setting up a process for the Committee to interview and appoint to the post

## **4. Reasons for recommendations**

- 4.1** Confirming the appointment of the current director will ensure that his knowledge and skills are retained and that there is some continuity for the division at this unsettling time. In addition the Employment Rights Act 1996 sets a clear duty on the employer to offer suitable alternative employment to an employee who would otherwise be made redundant, where it exists.
- 4.2** It is key to the success of the Environmental and Regulatory Services Division that the structure is fit for purpose; with the new structure having been agreed there is a requirement to recruit the two vacant posts. As the appointment to director level posts and above is within the delegated functions of the Committee its views are sought.
- 4.3** Recruiting on a temporary basis from the current service managers has a number of benefits. It allows for the new managing director to be involved in any permanent recruitment of a director post. It allows time for budgetary and operation constraints to be addressed, and it is an excellent developmental opportunity while delivering the increased corporate capacity that has been identified as required.

## **5. Alternative options considered**

- 5.1** Although it was originally felt that the Director post should be out-of-scope for the restructure this would limit the emerging options for the new structure. This was agreed at the last meeting and has been reflected in the feedback that emerged during consultation.
- 5.2** The option of splitting the division into two, and having two directors instead of 2 directors and the MD post was considered but it was felt that this would not support the programme vision of a more joined up, commercial and customer focused service.
- 5.3** The recruitment options have been set out briefly in this report and further advice will be available from GOSS HR team at the meeting

## **6. Consultation and feedback**

- 6.1** There has been informal consultation with senior managers in Environmental and Regulatory Services Division including a workshop on 17 February 2015. Formal consultation with in scope employee and trade unions took place 9 April 2015 until the 8 May 2015.
- 6.2** Discussion took place with the REST member working group on 18 February 2015, and 13 May

2015.

- 6.3** The Leader of the Council, the Cabinet member for Development and Safety and the trade unions have been briefed on the emerging ideas about structure of the Division.

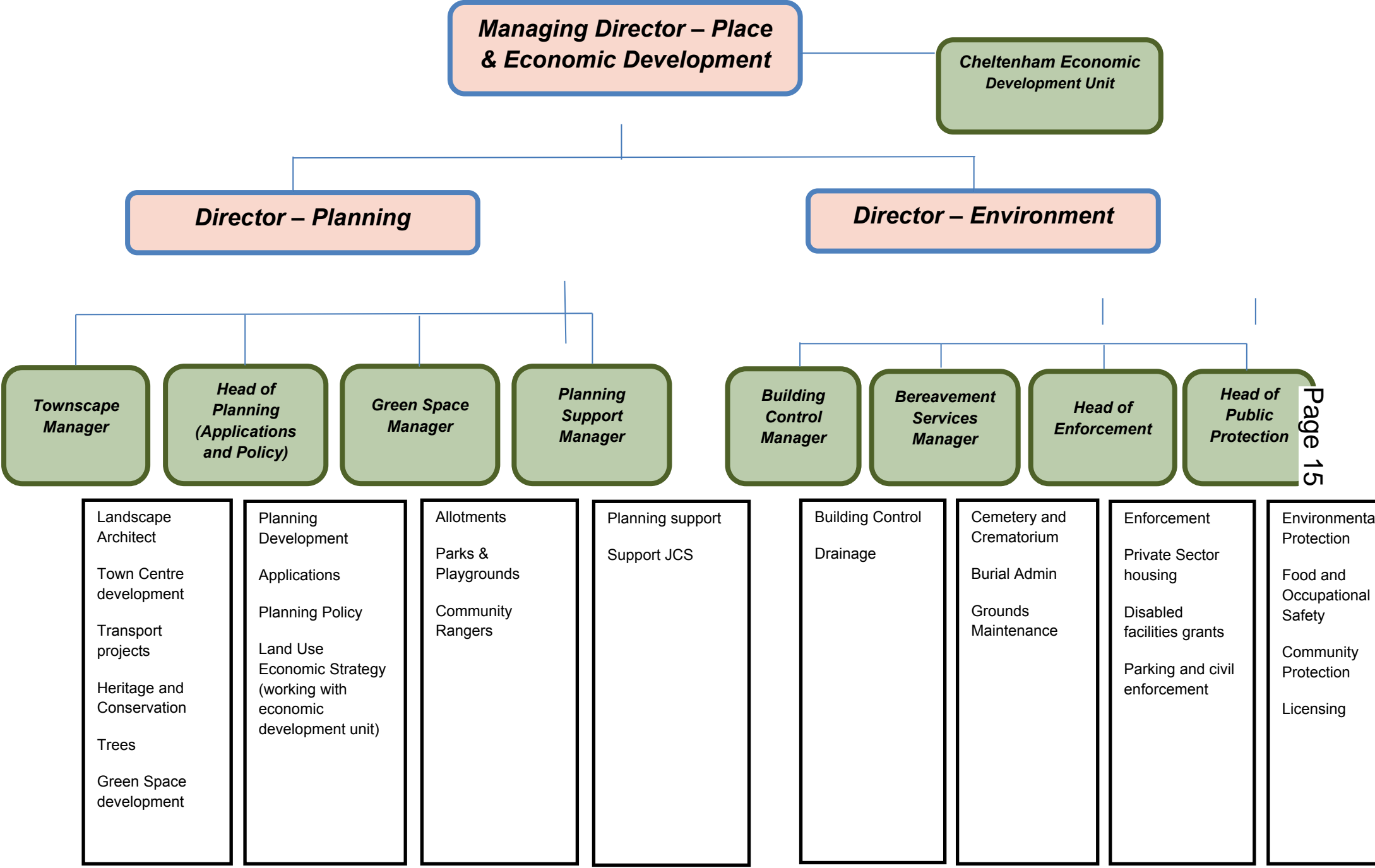
## **7. Performance management – monitoring and review**

- 7.1** At this point high level decisions are required which can then be translated into firm proposals with budgets and timescales capable of being monitored. A divisional outcomes framework, with clear targets has been agreed. Further individual targets will need to be agreed with the directors during the appraisal process.

<b>Report author</b>	<b>Contact officer; Chief Executive</b> <b>Email; Andrew North@cheltenham.gov.uk,</b> <b>Tel; 01242 2644100</b>
<b>Appendices</b>	<ol style="list-style-type: none"> <li>1. Risk Assessment</li> <li>2. Structure Chart for Environmental and Regulatory Services Division</li> <li>3. Job description and person specifications for the 2 new director posts and the MD post</li> </ol>
<b>Background information</b>	<ol style="list-style-type: none"> <li>1. None</li> </ol>

The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-5	Likelihood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
	If any restructuring is not handled correctly then it can lead to loss of staff morale, service disruption and risk of legal challenge.	Chief Executive	19/02/2015	3	2	6	Reduce	Follow due process including appropriate staff and member engagement	09/03/2015	Chief Executive	
	If there is a failure to properly address, as part of the restructuring, the needs of the service and its customers into the future then it can lead to underperformance and potentially service failure.	Chief Executive	19/02/2015	3	2	4	Reduce	CEO to implement the decision of the Appointment and remuneration committee in conjunction with Lead officers, GOSS HR and the project team	01/07/2015	Chief Executive	
<b>Explanatory notes</b> <b>Impact</b> – an assessment of the impact if the risk occurs on a scale of 1-5 (1 being least impact and 5 being major or critical) <b>Likelihood</b> – how likely is it that the risk will occur on a scale of 1-6 (1 being almost impossible, 2 is very low, 3 is low, 4 significant, 5 high and 6 a very high probability) <b>Control</b> - Either: Reduce / Accept / Transfer to 3rd party / Close											





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**Job Title: Managing Director – Place and Economic Development****Reporting to: Chief Executive of Cheltenham Borough Council****Direct reports: Director – Planning / Director – Environment**

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**Job Purpose**

To be responsible for the effective leadership and performance of Place and Economic Development services, providing strategic direction to the division and ensuring alignment with Cheltenham Borough Council's overall objectives as set out in its Corporate Strategy and other relevant policies and plans.

To participate in the strategic management of the council as a whole.

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**Key accountabilities**

- To oversee plans and identify and agree business strategies and targets to provide a comprehensive range of professional services to external and internal clients.
- To promote a commercial approach within the division founded on excellent service but with a strong awareness of cost and income generation opportunities and issues
- To take overall responsibility for the implementation of relevant policies and strategies to agreed performance standards, within budgets and to agreed timescales across all areas of the division.
- Work with the Director – Planning to identify spatial opportunities for growth and profitability and when appropriate oversee development of robust business cases to facilitate economic growth.
- To identify through economic assessment the key strategic and sector issues affecting Cheltenham's economic performance and promote approaches to improve prosperity, including analysis of gaps and opportunities and the delivery of solutions.
- Identify skills needs within the Cheltenham and wider Gloucestershire workforce and, with others, ensure that where possible the need for appropriate skills development is supported through analysis, advocacy and appropriate commissioning.
- To lead the team proactively and work with elected members to deliver continuous development, improvement and the long term commercial success of the Council, through effective leadership, strategic direction, division planning, management and governance.
- To work with the Place & Economic Development divisional board and its Directors to identify and promote creative and innovative solutions ensuring services meet the needs of a diverse community and are accessible to all users.
- To ensure co-ordination of the activities of the two directorates in the division to achieve seamless and complimentary approaches, transactions and services between the two directorates.

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- To use systems thinking techniques, financial planning and sound management to ensure delivery of the divisional service plans in the most cost effective, efficient manner possible.
- To develop and maintain knowledge, positive relations and partnerships both internally and externally whilst identifying and pursuing new opportunities in line with the Council's objectives.
- To contribute, as a member of the Executive Board to the strategic management of the council and to be accountable for performance against divisional plan and targets, assessing trends and making recommendations as appropriate.
- Lead, inspire and manage all direct reports, to maximise their performance and potential within the council's policies and procedures.

### **Other accountabilities**

- Responsible for the delivery of effective structures, policies, processes and practices and robust management of finance, contracts, business development and stakeholder relationships to improve performance and provide a sustainable future for the business.
- Recruit, select, manage and develop divisional board members to ensure effective delivery across all functions.
- Build commitment to a shared vision, ethos and organisational values and develop a commercial, customer focused, high performing culture that fosters innovation and improvement.
- Manage and control expenditure within agreed budgets, balancing customer demands and deployment of resources as well as generating income where feasible.
- To negotiate and manage the budget in accordance with the Council's Standing Orders and Financial Regulations, obtaining value for money and maximise income where applicable.
- Lead the development, monitoring and evaluation of a customer focused operational strategy, plans and performance targets.
- Manage the council brand and the division's reputation across key stakeholders, partner organisations, clients and potential clients and the target market, ensuring that effective relationships are developed and sustained.
- Develop and manage arrangements to support the Business Improvement District (BID) process, including promoting commercial costing and pricing models.
- Develop and manage robust arrangements to handle disputes and reputational issues.
- Champion continuous improvement throughout the division to ensure excellent value for money services.
- Manage governance and risk through a robust framework including regular monitoring and reports to the executive board.

- Ensure that all activities meet legal requirements, the general duty of care, quality management standards and environmental policies.
- Contribute to emergency and business continuity planning, either responding to incidents as required or supporting the effective deployment of staffing or other resources for business continuity / emergency planning scenarios.
- Such other responsibilities as the Chief Executive, as line manager, should from time to time reasonably direct

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**Job Title: Director - Environment****Reporting to: Managing Director – Place and Economic Development****Direct reports: Building Control Manager, Bereavement Services Manager, Head of Enforcement and Head of Public Protection.**

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**Job Purpose**

Take lead responsibility for delivering the regulatory and protective services of the Place Division to ensure that people in Cheltenham are safe and have access to a range of high quality and responsive services

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**Key Accountabilities**

- Lead on the development of the operational strategy for Environment Directorate ensuring that the outcomes and objectives agreed by the council are linked to service provision and assist and support the effective achievement of Cheltenham Borough Council statutory and other responsibilities.
- Oversee the management of the day-to-day operational functions ensuring that performance standards and targets are achieved.
- Promote and drive the ongoing development, improvement and efficiency of divisional functions.
- Responsible (along with divisional and corporate colleagues) for contributing towards the achievement of the council's strategic and operational targets and overall business aims.
- Accountable for the results and performance improvement of the directorate, promoting transparency of performance data and providing clear evidence for decision making.
- To contribute to the strategic management of the council to the extent that the Managing Director – Place & Economic Development or the Chief Executive of the council shall require.
- Lead, inspire and motivate all direct reports to ensure effective delivery of corporate plans and objectives.

**Other Accountabilities**

- Provide strategic and operational leadership to build a successful directorate management team, strong performance culture and motivated and engaged employees within the directorate and the wider division.
- Working with the Managing Director and the Director - Planning to deliver agreed divisional strategy, plans and targets.

- Planning, scheduling and reviewing workloads. The outputs & outcomes are delivered within budgets and agreed timescales.
- Ensure non value added activity is reduced in all processes by using system thinking tools and techniques.
- Recruit, develop and retain people with the skills, competence and attitude to deliver services in accordance with procedure and law ensuring that the appropriate systems and processes are in place to measure, manage and develop staff.
- To develop and ensure a culture across the division which puts the customer at the heart of our business through the provision of a high quality customer focused service.
- Drive continuous and sustained performance improvement.
- Manage the council brand and the division's reputation across key stakeholders, partner organisations, clients and potential clients and the target market, ensuring that effective relationships are developed and sustained.
- Identify sources of income for the Division / Council and highlight opportunities to the Managing Director – Place and Economic Development.
- Manage governance and risk through a robust framework including regular monitoring and reports to the managing director and executive board.
- Ensure that all activities meet legal requirements including the general duty of care, quality management standards and environmental policies.
- To negotiate and manage the budget in accordance with the Council's Standing Orders and Financial Regulations, obtaining value for money and maximise income where applicable.
- Involved in emergency planning, either responding to incidents as required or supporting the effective planning for business continuity / emergency planning scenarios.
- Any other reasonable request from the Managing Director – Place and Economic Development or the council's Chief Executive

**Job Title: Director - Planning**

**Reporting to: Managing Director – Place and Economic Development**

**Direct reports : Green Space Manager, Townscape Manager, Head of Planning, Planning Support Manager**

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**Job Purpose**

Lead Cheltenham Borough Council's strategic approach to "place shaping" through spatial plans and facilitating investment by the public and private and community sectors in economic, social and environmental enterprise and development which improves the Borough.

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**Key Accountabilities**

- Lead on the development of spatial and other strategies which connect the public, private and community sectors to ensure that Cheltenham's environmental quality and heritage is protected, maintained and enhanced.
- Promote, encourage and support the commissioning of infrastructure which will contribute to enhancing the prosperity of Cheltenham leading bids for external funding, maximising contributions available from development.
- Establish and maintain strong and constructive dialogue and influence with strategic bodies which have impact upon Cheltenham as a place.
- Ensure that the built and green environment of the borough is enhanced through the work of the directorate.
- Work within allocated budgets to enhance the contribution from the directorate's services to supporting the town from an economic, social and environmental perspective
- Be accountable for the results and performance improvement of the directorate providing clear evidence for decision making.
- To contribute to the strategic management of the council to the extent that the Managing Director – Place & Economic Development or the Chief Executive of the council shall require.
- Lead, inspire and motivate all direct reports to ensure effective delivery of corporate plans and objectives.

- Provide strategic and operational leadership to build a successful directorate management team, strong performance culture and motivated and engaged employees within the directorate and the wider division.
- 
- Working with the managing director and the Director – Environment to deliver agreed divisional strategy, plans and targets.
- Planning, scheduling and reviewing workloads to ensure outputs & outcomes are delivered within budgets and agreed timescales.
- To negotiate and manage the budget in accordance with the Council's Standing Orders and Financial Regulations, obtaining value for money and maximise income where applicable.
- Ensure non value added activity is reduced in all processes by using system thinking tools and techniques.
- Recruit, develop and retain people with the skills, competence and attitude to deliver services in accordance with procedure and law ensuring that the appropriate systems and processes are in place to measure, manage and develop staff.
- To develop and ensure a culture across the division which puts the customer at the heart of our business through the provision of a high quality customer focused service.
- Drive continuous and sustained performance improvement.
- Manage the council brand and the division's reputation across key stakeholders, partner organisations, clients and potential clients and the target market, ensuring that effective relationships are developed and sustained.
- Identify sources of income for the Division / Council and highlight opportunities to the Managing Director – Place & Economic Development
- Manage governance and risk through a robust framework including regular monitoring and reports to the managing director and executive board.
- Ensure that all activities meet legal requirements including the general duty of care, quality management standards and environmental policies.
- Involved in emergency planning, either responding to incidents as required or supporting the effective planning for business continuity / emergency planning scenarios.
- Any other reasonable request from the Managing Director – Place and Economic Development or the council's Chief Executive



**Cheltenham Borough Council**  
**Appointments and Remuneration Committee - 9 June 2015**  
**Audit Committee - 17<sup>th</sup> June 2015**  
**Council - 22<sup>nd</sup> June 2015**  
**Section 151 Officer Interim arrangements**

<b>Accountable member</b>	<b>Councillor John Rawson, Cabinet Member for Finance</b>
<b>Accountable officer</b>	<b>Andrew North</b>
<b>Ward(s) affected</b>	<b>None</b>
<b>Key/Significant Decision</b>	<b>No</b>
<b>Executive summary</b>	<p>The remit of the Director of Corporate Resources includes the role of Section 151 Officer. The current post holder, Mark Sheldon, needs to free up capacity in order to deliver on key corporate projects.</p> <p>The role of Section 151 Officer is likely to be considered in the development of the 2020 vision partnership and there is the potential for a different arrangement to be considered.</p> <p>In the interim, it is proposed that the Deputy Section 151 Officer, Paul Jones, is seconded into the role of Section 151 Officer in order to release strategic capacity to progress some key corporate projects.</p>
<b>Recommendations</b>	<b>Recommend to Council that the Deputy Section 151 Officer is designated, in an interim seconded capacity, to the role of Section 151 Officer until further notice.</b>
<b>Financial implications</b>	<p>GO Shared Services (GOSS) have costed the implications of the proposal at £30k per annum. This cost can be met from the Transformation Challenge Award (TCA) paid to the 2020 vision partners for which the council will receive a contribution of £52k per annum to reimburse it for the time spent by the Chief Executive in the Lead Commissioner role for the programme.</p> <p><b>Contact officer: Mark Sheldon, mark.sheldon@cheltenham.gov.uk, 01242 264123</b></p>

<b>Legal implications</b>	<p>The designation of an officer as Chief Finance (s151) Officer requires Council approval. Whilst it is intended that the proposed arrangement will be an interim one, the requirement for designation by Council still applies.</p> <p>The Deputy Section 151 Officer is currently in the GOSS for which there is a secondment agreement in place to provide this role back to the council and, in this respect, the post holder is an officer of the Authority A new secondment agreement will need to be agreed between the post holder, the Authority and Cotswold DC to facilitate the proposed arrangement.</p> <p><b>Contact officer: Peter Lewis, peter.lewis@tewkesbury.gov.uk, 01684 272012</b></p>
<b>HR implications (including learning and organisational development)</b>	<p>As stated in the report, the Director of Corporate Resources post includes the role of Section 151 Officer. The proposal is for the Deputy Section 151 Officer to be seconded into the role and assume the full section 151 duties for an interim period. At the end of the period the Director of Corporate Resources will resume the full duties of his substantive post.</p> <p>GOSS are well positioned to be able to support the proposal since they are the current provider of operational financial support and Deputy section 151 Officer support to the council.</p> <p>However, GOSS do not currently have the spare capacity to provide this support within the existing structure and as such, will need to appoint an additional accountant for 2 days per week. This will provide the necessary capacity to backfill GOSS officers to take on the additional statutory responsibilities. In line with agreed HR Policy officers will be paid a honorarium for the additional responsibilities</p> <p><b>Contact officer: Julie McCarthy, julie.mccarthy@cheltenham.gov.uk, 01242 264355</b></p>
<b>Key risks</b>	<b>See appendix 1</b>
<b>Corporate and community plan Implications</b>	The proposal should release some strategic capacity which will assist in the delivery of some key corporate plan objectives.
<b>Environmental and climate change implications</b>	None arising from this report
<b>Property/Asset Implications</b>	<p>None arising from this report</p> <p><b>Contact officer: David Roberts@cheltenham.gov.uk</b></p>

## **1. Background**

- 1.1** The remit of the Director of Corporate Resources includes the role of Section 151 Officer. The current post holder, Mark Sheldon, needs to free up capacity to deliver on key corporate projects.
- 1.2** The role of Section 151 Officer is likely to be considered in the development of the 2020 vision partnership and there is the potential for a different arrangement to be considered.
- 1.3** In April, the council made the decision to acquire new offices in order to relocate and find a joint venture partner to redevelop the Municipal Offices. The Director of Corporate Resource is the sponsor for this project and it is vital that this complex project delivers the benefits outlined in the business case as soon as possible. Now that a decision has been made to relocate, initial planning would suggest that there is considerable work to be undertaken over the next few years including planning of the space and determining our specific future needs including those of members. It will also require the design of the public services hub and customer services space and the development of a customer access strategy with our 2020 vision partners.
- 1.4** In addition, the Director of Resources and Head of Property recently commissioned some work by the Chartered Institute of Public Finance and Accountancy to review Property Services ahead of the consideration of the Asset Management Plan. This proved to be a valuable exercise which resulted in a revised Asset Management Policy being approved by council along with a revised set of Terms of Reference for the Asset Management Working Group. One of the key messages which came from the review was that the council should ensure that the existing property portfolio was delivering value for money and consider increasing its investment portfolio to help support the Medium Term Financial Strategy. This step change in approach requires a strategic lead and some additional corporate capacity and focus.
- 1.5** The Director of Resources will undoubtedly have a role to play in the transfer of existing services within his remit into the potential shared service arrangement if the council signs up to the 2020 vision with its partner councils.
- 1.6** The opportunity to use the established GO Shared Services partnership to provide the formal section 151 role for the Council is a natural extension of the current position and is in line with our direction of travel on transforming services.
- 1.7** It is proposed that the Deputy Section 151 Officer, Paul Jones, is seconded into the role of Section 151 Officer in order fulfil the Statutory Section 151 Officer role which will release strategic capacity to progress some key corporate projects. Paul Jones has been the designated Deputy Section 151 Officer at Cheltenham Borough Council for many years and is already fulfilling the role of Section 151 Officer for Forest of Dean District Council.
- 1.8** In addition, 2 qualified persons from within GOSS will be seconded to Cheltenham Borough Council to fulfil the 'Deputy' Section 151 Officer role in order to provide resilience and attendance at key meetings of the Council.

## **2. Delivery of statutory duties**

- 2.1** Section 151 Officer (Chief Finance Officer) has a number of statutory duties. CIPFA has issued guidance on the role of the Section 151 Officer which can be summarised as follows:
  - Leading the development of a medium term financial strategy and the annual budgeting process to ensure financial balance and a monitoring process to ensure its delivery;
  - Promotion of financial management, value for money and the safeguarding of public money;

- Provision of professional financial advice;
- Production and sign-off of the annual Statement of Accounts;
- Leading and directing the finance function through a 'business partnering' ethos (including treasury management, accounts payable, accounts receivable, insurance and procurement) so that it makes a full contribution to and meets the needs of the business;
- Compliance with the statutory requirements for accounting ;
- Compliance with the statutory requirements for internal audit which is provided by Audit Cotswolds.

**2.2** Article 12 of the Constitution and in particularly 12.4.2 states that The Section 151 Officer has responsibility for the administration of the financial affairs of the Council and will ensure that an adequate and effective internal audit system is maintained. As Head of Paid Service, I am comfortable that the interim arrangements to be put in place will ensure that the statutory function will continue to be delivered.

## 3. Reasons for recommendations

**3.1** The proposal will release strategic capacity in order to support the delivery of the corporate plan.

## 4. Alternative options considered

**4.1** Maintenance of the current arrangements was considered but which could impact on the delivery of some key corporate objectives.

## 5. Consultation and feedback

**5.1** The appointment and remuneration committee and audit committee will be consulted prior to the Council decision.

## 6. Performance management –monitoring and review

**6.1** Performance will be monitored via 121 meetings and through the normal appraisal process.

<b>Report author</b>	<b>Contact officer:Andrew North, andrew.north@cheltenham.gov.uk, 01242 264100</b>
<b>Appendices</b>	1. Risk Assessment 2.
<b>Background information</b>	1.

The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-5	Likelihood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
	If the council does not ensure adequate Section 151 resource then there is a risk that the council may not fulfil the statutory responsibilities covered by this role.	Andrew North	28/5/15	5	2	10	Reduce	Council to ensure there is an appropriate appointment to the role of Section 151 officer with access to adequate resources.	22/6/15	Mark Sheldon	
	Any environmental risks										
<b>Explanatory notes</b> <b>Impact</b> – an assessment of the impact if the risk occurs on a scale of 1-5 (1 being least impact and 5 being major or critical) <b>Likelihood</b> – how likely is it that the risk will occur on a scale of 1-6 (1 being almost impossible, 2 is very low, 3 is low, 4 significant, 5 high and 6 a very high probability) <b>Control</b> - Either: Reduce / Accept / Transfer to 3rd party / Close											

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