

Restructuring Implementation Committee

Date: Friday, 30th April, 2021

Time: 8.30 am

Venue: Virtual via zoom

Councillor Robin Moss
Councillor Karen Walker
Councillor Paul Myers
Councillor Kevin Guy
Councillor Richard Samuel (non voting)
Councillor Alastair Singleton (non voting)

Chief Executive and other appropriate officers
Press and Public



NOTES:

1. **Inspection of Papers:** Papers are available for inspection as follows:

Council's website: <https://democracy.bathnes.gov.uk/ieDocHome.aspx?bcr=1>

2. **Details of decisions taken at this meeting** can be found in the minutes which will be circulated with the agenda for the next meeting. In the meantime, details can be obtained by contacting as above.

3 Broadcasting at Meetings

The Council will broadcast the images and sounds live via the internet <https://www.youtube.com/bathnescouncil>. The Council may also use the images/sound recordings on its social media site or share with other organisations, such as broadcasters.

4. Public Speaking at Meetings

The Council has a scheme to encourage the public to make their views known at meetings. They may make a statement relevant to what the meeting has power to do. They may also present a petition or a deputation on behalf of a group.

Advance notice is required not less than two full working days before the meeting. This means that for meetings held on Friday, notice must be received in Democratic Services by 5.00pm the previous Tuesday.

Further details of the scheme can be found at:

<https://democracy.bathnes.gov.uk/ecCatDisplay.aspx?sch=doc&cat=12942>

5. Supplementary information for meetings

Additional information and Protocols and procedures relating to meetings

<https://democracy.bathnes.gov.uk/ecCatDisplay.aspx?sch=doc&cat=13505>

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Restructuring Implementation Committee - Friday, 30th April, 2021

at 8.30 am – virtual via zoom

A G E N D A

1. APOLOGIES FOR ABSENCE
2. DECLARATIONS OF INTEREST

At this point in the meeting declarations of interest are received from Members in any of the agenda items under consideration at the meeting. Members are asked to indicate:

- (a) The agenda item number in which they have an interest to declare.
- (b) The nature of their interest.
- (c) Whether their interest is **a disclosable pecuniary interest** or an **other interest**,
(as defined in Part 2, A and B of the Code of Conduct and Rules for Registration of Interests)

Any Member who needs to clarify any matters relating to the declaration of interests is recommended to seek advice from the Council's Monitoring Officer or a member of his staff before the meeting to expedite dealing with the item during the meeting.

3. TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR
4. MINUTES OF PREVIOUS MEETING - 16TH MARCH 2021 (Pages 7 - 8)
5. QUESTIONS AND STATEMENTS
6. EXCLUSION OF THE PUBLIC (Pages 9 - 10)

The Committee is invited to pass the following resolution;

that, having been satisfied that the public interest test would be better served by not disclosing relevant information, and in accordance with the provisions of Section 100 (A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business because of the likely disclosure of exempt information as defined in Paragraphs 1 and 2 of Part 1 of Scheduled 12A of the Act as amended.

7. DIRECTOR OF SUSTAINABLE COMMUNITIES (Pages 11 - 12)

To seek the Committee's approval of the appointment of the Director of Sustainable Communities post that reports directly to the Chief Executive.

The Committee Administrator for this meeting is Jo Morrison who can be contacted on 01225 394358.

BATH AND NORTH EAST SOMERSET

RESTRUCTURING IMPLEMENTATION COMMITTEE

Tuesday, 16th March, 2021

Present:- Councillors Dine Romero, Robin Moss, Karen Walker and Paul Myers

Also in attendance: Will Godfrey (Chief Executive), Cherry Bennett (Director of HR & OD)

24 DECLARATIONS OF INTEREST

25 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There were no items of urgent business.

26 MINUTES OF 22ND FEBRUARY 2021

On a motion from Councillor Karen Walker, seconded by Councillor Robin Moss, it was

RESOLVED that the minutes of 22nd February 2021 be approved as a correct record.

27 QUESTIONS AND STATEMENTS

There were none.

28 INTERIM APPOINTMENT OF MONITORING OFFICER

The Committee considered a report seeking their approval to extend the interim appointment to the statutory post of Interim Monitoring Officer from 1 April 2021 to 31 July 2021.

It was then unanimously

RESOLVED to recommend to Council to extend the appointment of Michael Hewitt as the Interim Monitoring Officer from 1 April 2021 to 31 July 2021.

The meeting ended at 8.35 am

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services

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Access to Information Arrangements

Exclusion of access by the public to Council meetings

Information Compliance Ref: 499/21

Meeting / Decision: Restructuring Implementation Committee
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Date: 30 th April 2021

Author: Cherry Bennett

Report Title: Director of Sustainable Communities appointment
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Exempt appendix 1 – Applications

The Report contains exempt information, according to the categories set out in the Local Government Act 1972 (amended Schedule 12A). The relevant exemption is set out below.

Stating the exemption:

- | |
|---|
| <ol style="list-style-type: none"> 1. Information relating to any individual 2. Information which is likely to reveal the identity of an individual |
|---|

The public interest test has been applied, and it is concluded that the public interest in maintaining the exemption outweighs the public interest in disclosure at this time. It is therefore recommended that the Exempt Appendix be withheld from publication on the Council website. The paragraphs below set out the relevant public interest issues in this case.

PUBLIC INTEREST TEST

If the Committee wishes to consider a matter with press and public excluded, it must be satisfied on two matters.

Firstly, it must be satisfied that the information likely to be disclosed falls within one of the accepted categories of exempt information under the Local Government Act 1972.

The officer responsible for this item believes that this information falls within the following exemptions and this has been confirmed by the Council's Information Compliance Manager.

The following exemptions are engaged in respect to this report:

1. Information relating to any individual
2. Information which is likely to reveal the identity of an individual

Exemptions 1 and 2 above must be considered in conjunction with the Principles of the Data Protection Act 1998 (DPA). It is considered that disclosure of the information in this appendix would breach the first principle of the DPA, which requires personal data to be fairly and lawfully processed.

Secondly, it is necessary to weigh up the arguments for and against disclosure on public interest grounds.

Factors in favour of disclosure include:

- furthering public understanding of the issues involved;
- furthering public participation in the public debate of issues, in that disclosure would allow a more informed debate;
- promoting accountability and transparency by the Council for the decisions it takes;
- allowing individuals and companies to understand decisions made by the Council affecting their lives and assist individuals to challenge those decisions.

However there is a real risk that the first Principle of the DPA will be breached by this disclosure, and that any individual/s identified could bring a successful action against the Council if the disclosure occurred. Therefore it is recommended that exemptions 1 and 2 in Schedule 12A stand, that the exempt appendix be discussed in exempt session and that any reporting on the meeting is prevented in accordance with Section 100A(5A)

Bath & North East Somerset Council		
MEETING:	Restructuring Implementation Committee	AGENDA ITEM NUMBER
DATE:	30 th April 2021	
TITLE:	Director of Sustainable Communities appointment	
WARD:	ALL	
REPORT OF DIRECTOR OF PEOPLE & POLICY		

1 THE ISSUE

- 1.1 To seek the Committee's approval of the appointment of the Director of Sustainable Communities post that reports directly to the Chief Executive.

2 RECOMMENDATION

- 2.1 That the RIC be convened on 30 April 2021 to consider the appointment in consultation with the Chief Executive to the new post of Director of Sustainable Communities.

3 FINANCIAL IMPLICATIONS

- 4.1 The post has been costed as part of the new senior leadership structure in place from 1 April 2021.

4 THE REPORT

- 4.2 The Chief Executive launched consultation on a new senior management structure on 12 January 2021, in accordance with the B&NES Organisational Change Policy. This consultation ended on 1 February. The new structure includes 9 Director level posts. Of these, 5 were filled by a slotting process and 1 has been filled through a ringfenced internal appointment. There are 3 remaining posts to be filled.

- 4.3 The Director of Sustainable Communities post was advertised externally in March 2021 with a closing date of Tuesday 6 April 2021.

- 4.4 9 applications were received by the closing date (6 male and 3 female). Of these, 4 applicants (1 male and 3 female) have been shortlisted and invited to a three-part selection process on Friday 30 April 2021.

- 4.5 The applications are included in Appendix 1 which is exempt.

- 4.6 The RIC forms the interview panel, Chaired by Councillor Richard Samuel, Deputy Leader of the Council, with Cllr Alastair Singleton, Cllr Sarah Warren, Will Godfrey (Chief Executive) and Cherry Bennett (Director of People & Policy) in attendance, to interview each candidate and consider feedback from the three-part process.

5 EQUALITIES AND RISK MANAGEMENT

5.1 The Recruitment and Selection Policy was the subject of full Risk Assessment at the time it was adopted by the Council.

5.2 The RIC will ensure, as far as possible, that a diverse range of applicants is considered for the post.

5.3 All applicants will be treated fairly and in accordance with the Council's policy.

6 ADVICE SOUGHT

6.1 The Council's Chief Executive and Monitoring Officer have had the opportunity to input to this report and has cleared it for circulation.

Contact person	<i>Cherry Bennett (Tel: 01225 477203)</i>
Background papers	None
Please contact the report author if you need to access this report in an alternative format	