

Public Document Pack

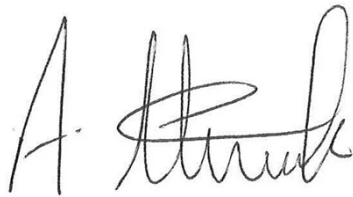
Democratic Services Manager: Karen Shepherd

Direct line: (01628) 796529

TO: EVERY MEMBER OF THE COUNCIL FOR THE ROYAL BOROUGH OF WINDSOR & MAIDENHEAD

YOU ARE HEREBY SUMMONED TO ATTEND the Extraordinary Meeting of the Council of the Royal Borough of Windsor & Maidenhead to be held in the **Council Chamber - Guildhall, Windsor on Thursday, 30 March 2017 at 7.30 pm** for the purpose of transacting the business specified in the Agenda set out hereunder.

Dated this Wednesday, 22 March 2017



Managing Director

Rev Quick will say prayers for the meeting.

A G E N D A

PART 1

1. APOLOGIES FOR ABSENCE

To receive any apologies for absence

2. DECLARATIONS OF INTEREST

To receive any declarations of interest (Pages 5 - 6)

3. PETITION FOR DEBATE

An e-petition containing 1,287 signatories was submitted to the Council on 20 February 2017. In accordance with the provisions of the Council's Constitution, it was requested by the lead petitioner that the petition be reported to, and debated at, a full Council meeting.

The petition reads as follows:

"We the undersigned petition The Royal Borough of Windsor and Maidenhead to say "no" to 350 new houses on (mainly) green belt in the centre of Ascot. Landowners in Ascot want to build 350 new houses on either side of Ascot High Street - land that is either Green Belt or open space. This will also mean losing many of the mature trees which frame the Ascot views. How will the already gridlocked High Street and surrounding roads cope with the increase in traffic?"

Where will workers & shoppers be able to park, when all the car parks are built over? What will happen on Race Days? We see no answers to any of these questions. We believe this development will have a massive and unacceptable impact on our local communities - both in Ascot and the surrounding area. We call on the Royal Borough to NOT remove this land out of the Green Belt and to NOT include this site for housing in the Borough Local Plan”.

The Constitution provides for a maximum time of 30 minutes to debate such petitions; this can be overruled at the Mayor’s discretion.

In accordance with the Constitution, the order of speaking shall be as follows:

- a) The Mayor may invite the relevant officer to set out the background to the petition issue.
- b) The Lead Petitioner to address the meeting on the petition (5 minutes maximum)
- c) The Mayor to invite any relevant Ward Councillors present to address the meeting. (Maximum time of 3 minutes each for this purpose)
- d) The Mayor to invite the relevant officer to provide any further comment.
- e) The Mayor will invite all Members to debate the matter (Rules of Debate as per the Constitution apply)

4. PLANNING APPLICATION 17/00188/FULL

To determine the planning application (Pages 7 - 12)

5. NEW AUDIT ARRANGEMENTS

To consider the above report (Pages 13 - 16)

6. APPOINTMENT OF MANAGING DIRECTOR AND HEAD OF PAID SERVICE

To consider the above report (Pages 17 - 20)

7. LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF PUBLIC

To consider passing the following resolution:-

“That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the remainder of the meeting whilst discussion takes place on item 8 on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs 1-7 of part I of Schedule 12A of the Act”

PRIVATE MEETING

8. MAIDENHEAD DEVELOPMENT PARTNERSHIP - JOINT VENTURE
DEVELOPMENT PARTNER PROCUREMENT

**(Not for publication by virtue of Paragraph 3 of Part I of Schedule 12A of the
Local Government Act 1972)**

To consider the above report (Pages 21 - 140)

COUNCIL MOTIONS – PROCEDURE

- Motion proposed (mover of Motion to speak on Motion)
- Motion seconded (Secunder has right to reserve their speech until **later** in the debate)
- Begin debate

Should An Amendment Be Proposed: (only one amendment may be moved and discussed at any one time)

NB – Any proposed amendment to a Motion to be passed to the Mayor for consideration before it is proposed and seconded.

- Amendment to Motion proposed
- Amendment must be seconded BEFORE any debate can take place on it
(At this point, the mover and seconder of original Motion can indicate their acceptance of the amendment if they are happy with it)
- Amendment debated (if required)
- Vote taken on Amendment
- If Agreed, the amended Motion becomes the substantive Motion and is then debated (any further amendments follow same procedure as above).
- If Amendment not agreed, original Motion is debated (any other amendments follow same procedure as above).

- The mover of the Motion has a right to reply at the end of the debate on the Motion, immediately before it is put to the vote.
- At conclusion of debate on Motion, the Mayor shall call for a vote. Unless the vote is unanimous, a named vote will be undertaken, the results of which will be announced in the meeting, and recorded in the Minutes of the meeting.

(All speeches maximum of 5 minutes, except for the Budget Meeting where the Member proposing the adoption of the budget and the Opposition Spokesperson shall each be allowed to speak for 10 minutes to respectively propose the budget and respond to it. The Member proposing the budget may speak for a further 5 minutes when exercising his/her right of reply.)

MEMBERS' GUIDE TO DECLARING INTERESTS IN MEETINGS

Disclosure at Meetings

If a Member has not disclosed an interest in their Register of Interests, they **must make** the declaration of interest at the beginning of the meeting, or as soon as they are aware that they have a DPI or Prejudicial Interest. If a Member has already disclosed the interest in their Register of Interests they are still required to disclose this in the meeting if it relates to the matter being discussed.

A member with a DPI or Prejudicial Interest **may make representations at the start of the item but must not take part in discussion or vote at a meeting.** The term 'discussion' means a discussion by the members of meeting. In order to avoid any accusations of taking part in the discussion or vote, Members should move to the public area or leave the room once they have made any representations. If the interest declared has not been entered on to a Members' Register of Interests, they must notify the Monitoring Officer in writing within the next 28 days following the meeting.

Disclosable Pecuniary Interests (DPIs) (relating to the Member or their partner) include:

- Any employment, office, trade, profession or vocation carried on for profit or gain.
- Any payment or provision of any other financial benefit made in respect of any expenses occurred in carrying out member duties or election expenses.
- Any contract under which goods and services are to be provided/works to be executed which has not been fully discharged.
- Any beneficial interest in land within the area of the relevant authority.
- Any license to occupy land in the area of the relevant authority for a month or longer.
- Any tenancy where the landlord is the relevant authority, and the tenant is a body in which the relevant person has a beneficial interest.
- Any beneficial interest in securities of a body where:
 - a) that body has a piece of business or land in the area of the relevant authority, and
 - b) either (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body **or** (ii) the total nominal value of the shares of any one class belonging to the relevant person exceeds one hundredth of the total issued share capital of that class.

Any Member who is unsure if their interest falls within any of the above legal definitions should seek advice from the Monitoring Officer in advance of the meeting.

A Member with a DPI should state in the meeting: ***'I declare a Disclosable Pecuniary Interest in item x because xxx. As soon as we come to that item, I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'***

Or, if making representations on the item: 'I declare a Disclosable Pecuniary Interest in item x because xxx. As soon as we come to that item, I will make representations, then I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'

Prejudicial Interests

Any interest which a reasonable, fair minded and informed member of the public would reasonably believe is so significant that it harms or impairs the Member's ability to judge the public interest in the item, i.e. a Member's decision making is influenced by their interest so that they are not able to impartially consider relevant issues.

A Member with a Prejudicial interest should state in the meeting: ***'I declare a Prejudicial Interest in item x because xxx. As soon as we come to that item, I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'***

Or, if making representations in the item: 'I declare a Prejudicial Interest in item x because xxx. As soon as we come to that item, I will make representations, then I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'

Personal interests

Any other connection or association which a member of the public may reasonably think may influence a Member when making a decision on council matters.

Members with a Personal Interest should state at the meeting: ***'I wish to declare a Personal Interest in item x because xxx'. As this is a Personal Interest only, I will take part in the discussion and vote on the matter.***

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ROYAL BOROUGH OF WINDSOR & MAIDENHEAD

30 March 2017

Application No.:	17/00188/FULL
Location:	Roundabout Adjacent To Heatherwood Hospital London Road Ascot
Proposal:	Installation of Bronze War Horse stature and stone plinth with associated landscape surrounds (Application under Regulation 3- Borough Own)
Applicant:	Royal Borough of Windsor And Maidenhead
Agent:	Not Applicable
Parish/Ward:	Sunninghill And Ascot Parish/Ascot And Cheapside Ward

If you have a question about this report, please contact: Adam Jackson on 01628 796660 or at adam.jackson@rbwm.gov.uk

1. SUMMARY

- 1.1 The application is for a bronze horse statue atop a stone plinth and steps which measure a total of 5.8 metres from ground level. The statue is proposed to be located in the centre of the roundabout adjacent to Heatherwood Hospital in Ascot. Opposite the statue between Windsor Road and High Street it is proposed to erect a stone monolith and seating area, detailed plans of this area will need to be provided (see condition 3 in section 9 of this report).
- 1.2 The application site is within the Green Belt. The proposed development under the provisions of the NPPF constitutes inappropriate development; however, a case of very special circumstances (VSC) has been submitted with the application. These VSC are considered to clearly outweigh the harm caused to the Green Belt. Additionally the statue due to its size and positioning would not have a greater impact on the openness of the Green Belt.
- 1.3 There are a number of existing trees on the roundabout as well as between High Street and Windsor Road. These trees are not covered by a tree preservation order; however, do make an important positive contribution to the character of the area. These trees subject to conditions can be adequately protected and as such the character and appearance of the area would not be harmed (see conditions 3 and 4 in section 9 of this report).

It is recommended that planning permission is granted with the conditions listed in Section 10 of this report.

2. REASON FOR PANEL DETERMINATION

The Council's Constitution does not give the Head of Planning delegated powers to determine the application in the way recommended.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The statue is proposed to be erected in the centre of Heatherwood Roundabout. To the North of the roundabout is an apartment building, to the east is the Royal Ascot Racecourse and to the South Heatherwood Hospital. The area is within the Green Belt and there are a number of important trees nearby.

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

14/03546/FULL	Installation of water fountain with jets, light including maintenance to access.	Withdrawn 30.01.2015
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4.1 The proposal is for a War Horse Statue and stone monolith to commemorate the horses that lost their lives during WW1. The horse is proposed to be 1 and half life size (2.6 metres tall) and will be stood atop a stone plinth and steps which measure 3.2 metres from ground level. The horse will be finished with a bronze surface and will be positioned so that the head is bowed towards Ascot Racecourse. The statue will be illuminated using up lighting; however, the positioning of this lighting has not been specified. Opposite the statue, between Windsor Road and High Street there will be a stone monolith and seating area. The monolith will provide information about the statue. No detailed drawings of this area have been provided.

5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION

5.1 National Planning Policy Framework Sections:

- Section 7 – Requiring good design
- Section 9 – Protecting Green Belt Land

Royal Borough Local Plan

5.2 The main strategic planning considerations applying to the site and the associated policies are:

	Within settlement area	Highways	Trees	Green Belt
Local Plan	DG1	T5	N6	GB1 and GB2
Neighbourhood Plan	DG3		EN2	

These policies can be found at

https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices

National Planning Policy

6. EXPLANATION OF RECOMMENDATION

6.1 The key issues for consideration are:

- i The impact on the Green Belt
- ii The character and appearance of the area
- iii The impact on highway safety
- iv Planning Balance

The impact on the Green Belt

6.2 The fundamental aim of Green Belt policy, as set out in paragraph 79 of the National Planning Policy Framework (NPPF), is to keep land permanently open. Paragraph 89 of the NPPF indicates that with some exceptions, the construction of new buildings is inappropriate development in the Green Belt; the proposed statue is not covered by any of the listed exceptions. As such the proposal is inappropriate development in the Green Belt and, by definition, harmful to its openness and it would also conflict with two of the purposes of Green

Belt namely 'to check the unrestricted sprawl of large built up areas' and 'to assist in safeguarding the countryside from encroachment.

- 6.3 Paragraph 87 of the NPPF sets out that, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except for in very special circumstances (VSC). VSC will not exist unless the potential harm to the Green Belt by reason of its inappropriateness, and any other harm, is clearly outweighed by other considerations. The applicant has made a case for VSC and this is considered at the end of the report under planning balance.

The character and appearance of the area

- 6.4 The application relates to the erection of a statue in the centre of the roundabout adjacent to Heatherwood Hospital in Ascot. The area is reasonably built up as Heatherwood Hospital is to the south, Royal Ascot Racecourse is to the east and there is a large residential development to the north of the roundabout. It is not considered that the proposed development would detract from the character and appearance of the area or impact on or detract from any important views.
- 6.5 There are a number of trees on the roundabout that are not protected, however, do make a positive contribution to the character and appearance of the area. A Council Tree Officer has calculated the root protection areas of these trees and has found that the statue would not result in any incursion into these areas. Only a small section of shrubs are therefore to be removed and this would not negatively harm the character of the area. The stone monolith opposite will incur into the root protection area of 2 London Plane Trees, however, these trees can be satisfactorily retained provided the construction minimizes the extent of excavations. Details of this construction should be secured via condition.

The impact on highway safety

- 6.6 The Statue is located on the east side of the roundabout and will be visible from 120m on the approach from the High Street. The statue will not be highly visible from any of the other roads which feed into the roundabout (Kings Ride, London Road & Windsor Road) either due to the screening provided by the trees on the roundabout or due to the direction of the flow of traffic. It is not considered therefore that the statue will be a significant distraction to motorists and it will not obstruct the visibility splay at any of the junctions. The stone monolith opposite is also set far enough from the road to prevent it causing a distraction to passing motorists.

Planning Balance

- 6.7 A VSC case has been set out in the design and access statement. The considerations set out in the case are:
1. The positive impact that this piece of public art, located in an important gateway location, will have on civic pride.
 2. The high quality standard of the work and the positive impact this will have on the visual amenities of this important location; and
 3. The minimal reduction that the statue would have on actual openness of the Green Belt.

It is agreed that the statue will positively impact the area in the ways set out above and it is considered that the actual impact on the openness of the Green Belt due to the scale and siting of the statue would be limited. Given that no other harm has been identified above in respect of the character and appearance of the area and highway safety it is considered that the VSC case successfully demonstrates that the benefits of the statue outweigh the harm it would cause.

7. CONSULTATIONS CARRIED OUT

7.1 Comments from interested parties

45 occupiers were notified directly of the application and the planning officer posted a statutory notice advertising the application at the site on 25.01.2017.

1 letters was received supporting the application, summarised as:

Comment	Where in the report this is considered
1. I think this will enhance the Roundabout, great sculpture to which I give my full support.	N/A

3 letters were received objecting to the application, summarised as:

Comment	Where in the report this is considered
1. Concerns regarding development being proposed on a green field site.	Paragraphs 6.2, 6.3 and 6.7
2. Concerns regarding traffic and pedestrian safety with driver attention being distracted at such a busy junction.	Paragraph 6.6
3. Requests that adequate waste disposal facilities are provided at the seating area.	N/A – The application is considered acceptable without the need for additional facilities.
4. Concerns that the statue and monolith will attract anti-social behaviour to this area.	N/A – It is unlikely that the proposed statue and monolith would have any significant impact on anti-social behaviour in the area.
5. Concerns that insufficient consultation has been carried out.	Paragraph 7.1
6. Concerns as to where the funding for the project is coming from. – There are a number of more beneficial projects which require funding.	N/A - This is not a material planning consideration.
7. Concerns that the statue will negatively impact on the character and appearance of the area.	Paragraphs 6.4 and 6.5
8. Concerns that Ascot is not a suitable place for such a memorial – A military setting would be more appropriate – There are also already a number of horse statues nearby and there is memorial to warhorses in London.	N/A – This is not a material planning consideration.

7.2 Other consultees

Consultee	Comment	Where in the report this is considered
Highway Authority	Offers no objection to the planning application.	Paragraph 6.6
Tree Officer	No objections subject to conditions requiring details of: <ul style="list-style-type: none"> ☐ Hard surfacing ☐ Foundations ☐ Tree protection; and ☐ Landscaping 	Paragraph 6.5
SPAE	Whilst SPAE is not opposed in principle to the installation of a War Horse statue we do not	Paragraphs 6.2, 6.3, 6.6 and 6.7

	consider the most appropriate location has been selected due to the impacts on the Green Belt and highway safety.	
Winkfield Parish Council	Recommends approval. WPC feels that the proposed statue enhances the character of the local area.	Paragraph 6.4 and 6.5

8. APPENDICES TO THIS REPORT

- Appendix A - Site location plan
- Appendix B – Proposed plans

9. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED REASONS

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The materials to be used on the external surfaces of the development shall be in accordance with those specified in the application unless any different materials are first agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1.
- 3 No development shall take place until full details of both hard and soft landscape works, have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved within the first planting season following the substantial completion of the development and retained in accordance with the approved details. If within a period of five years from the date of planting of any tree or shrub shown on the approved landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in the immediate vicinity, unless the Local Planning Authority gives its prior written consent to any variation.
Reason: To ensure a form of development that maintains, and contributes positively to, the character and appearance of the area. Relevant Policies - Local Plan DG1.
- 4 No works or development shall take place until a method statement for the protection of trees and hedges on and off the site that may be directly/indirectly affected by development activity has been submitted to and approved in writing by the local planning authority. This scheme shall include the following plans and particulars: details of the proposed foundations of the development and details of the measures that will be put in place to ensure the protection of any trees on the site during demolition and construction. The development shall thereafter be carried out in accordance with these details.
Reason: To ensure that the trees/hedges are not damaged or otherwise adversely affected by building operations and soil compaction.
- 5 No works or development shall take place until details of the proposed up lighting has been submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed locations for the lighting and the proposed levels of illumination. The development shall thereafter be carried out in accordance with these details.
Reason: To ensure that the development does not negatively impact the character and appearance of the area or cause undue distraction to motorists.
- 6 The development hereby permitted shall be carried out in accordance with the approved plans listed below.
Reason: To ensure that the development is carried out in accordance with the approved particulars and plans.

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Agenda Item 5

Report Title:	New Audit Arrangements
Contains Confidential or Exempt Information?	No - Part I
Member reporting:	Councillor Saunders, Lead Member for Finance
Meeting and Date:	Council 30 March 2017
Responsible Officer(s):	Russell O'Keefe Strategic Director of Corporate and Community Services
Wards affected:	All

www.rbwm.gov.uk



REPORT SUMMARY

1. The closure of the Audit Commission on 31 March 2015 heralded the start of the process of devolving the responsibility for making external audit appointments to all local public bodies including all local authorities.
2. Public Sector Audit Appointments Limited (PSAA), an independent company established by the Local Government Association, manages the existing appointments under the transitional arrangements which, for local government sector bodies, are now due to end at the conclusion of the 2017/18 audits.
3. The Royal Borough's external auditors (KPMG) presented the new arrangements and options for the appointment of auditors for the audit of the 2018/19 accounts to the Audit and Performance Review Panel.
4. This paper sets out procurement options that include the option of accepting an offer from the Public Sector Audit Appointments (PSAA) which can only be carried out with the agreement of full Council.
5. The Audit and Performance Review Panel recommended to Council that the offer from PSAA should be accepted.

1. DETAILS OF RECOMMENDATION(S)

RECOMMENDATION: That Council note the report and:

- i. Approves RBWM opting in to the appointing person scheme allowing PSAA to manage auditor appointments for the audit of the 2018/19 accounts.

2. REASON(S) FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

- 2.1. In July 2016, the Secretary of State for Communities and Local Government specified PSAA as an appointing person under regulation 3 of the Local Audit (Appointing Person) Regulations 2015. For audits of the accounts from 2018/19,

PSAA will be able to appoint an auditor to relevant principal authorities that choose to opt into its national collective scheme. Auditor appointments for 2018/19 must be made by 31 December 2017.

- 2.2. The option to join the scheme is open to all principal local authorities of which there are 493. At the time of writing this report 262 local authorities had opted in. The alternative options, all of which require the appointment of an independent auditor panel, are:
- Roll forward incumbent: A short term option of maybe one or two years.
 - Stand-alone tender: The Council would tender for its own service through its own procurement process.
 - Combined tender: A collaborative procurement with one or more other authorities.
- 2.3. Implementing any option other than using PSAA requires a recommendation from an independent audit panel. That panel would need to also take oversight over any non-audit services provided by the auditor. The panel must have an independent (unelected) Chair and a majority of independent members.
- 2.4. It was recommended to Audit Panel that the Royal Borough join PSAA. This recommendation is made on the basis that it maintains low procurement costs and audit fees. See table 1 for options for appointing an auditor.

Table 1: Options for Appointing an Auditor

Option	Comments
Use PSAA Recommended option.	Potentially lowest cost of procurement, audit fees and audit panel. Least discretion over auditor, but can offer a preference.
Roll forward current auditor (KPMG). Not recommended	Short term continuity. Could allow for tendering when market is more settled. May limit opportunities for collaborative tendering.
Tender for an auditor itself. Not recommended	Highest discretion over approach. Costs for running procurement process and establishing audit panel.
Tender for an auditor in collaboration with one or more other authorities. Not recommended	Potentially shared procurement costs, shared audit panel. Less control over approach.

3. KEY IMPLICATIONS

Table 2: Implications of new audit arrangements

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
2018/19 audit costs including procurement cost and set up of audit	>110%	95% - 110%	90% - 95%	<90%	September 2019

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
panel as a % of 2017/18.					

4. FINANCIAL DETAILS / VALUE FOR MONEY

- 4.1 There may be financial implications for each of the appointment options. However there is insufficient information to quantify them at this time.

5. LEGAL IMPLICATIONS

- 5.1 Council is following its own governance arrangements and legislation by bringing this paper initially to the Audit Performance and Review Panel and to full Council for final approval.

6. RISK MANAGEMENT

Table 3: Risks of future audit appointments

Risks	Uncontrolled Risk	Controls	Controlled Risk
That audit costs would be higher in future.	High	Council could use a competitive tender process or accept the PSAA offer.	Medium
That the Council would have no control over choice of auditor	High	Council could avoid using the PSAA option	Low

7. POTENTIAL IMPACTS

- 7.1 None

8. CONSULTATION

- 8.1 The Audit, Performance and Review Panel met on 28 February and recommends to Council that PSAA be appointed as our preferred procurement route for the appointment of the auditors for the audit of the 2018/19 accounts. The panel also recommended that PSAA be informed that the Council expects that the appointed auditors be of the same standard and quality as our incumbent auditors with a preference to retain KPMG.

9. TIMETABLE FOR IMPLEMENTATION

- 9.1 The timetable in table 4 is based on the appointment of an auditor for the 2018/19 accounts. This would move on by 1 or 2 years if the agreement with KPMG was to be extended.

Table 4: Timetable of appointments

Date	Details
9 March 2016	Closing date for receipt of notices to opt in to PSAA
20 February 2017	Contract notice published
By end of December 2017	Consult on and make auditor appointments

10. APPENDICES

10.1 None

11. BACKGROUND DOCUMENTS

11.1 The new arrangements for the audit and accountability of local public bodies are set out in the [Local Audit and Accountability Act 2014](#).

12. CONSULTATION (MANDATORY)

Name of consultee	Post held	Date sent	Commented & returned
Councillor Saunders	Lead Member for Finance	14/03/17	
Councillor Rankin	Deputy Lead Member for Finance	14/03/17	
Alison Alexander	Managing Director	11/03/17	12/03/17 Comments throughout
Russell O'Keefe	Strategic Director	11/03/17	12/03/17
Andy Jeffs	Interim Strategic Director	11/03/17	
Rob Stubbs	Section 151 Officer	10/03/17	11/03/17
Terry Baldwin	Head of HR	11/03/17	

REPORT HISTORY

Decision type: Non-key decision	Urgency item? No
Report Author: Richard Bunn, Chief Accountant, 01628 796510	

Report Title:	Appointment of Managing Director and Head of Paid Service
Contains Confidential or Exempt Information?	NO - Part I
Member reporting:	Councillor Dudley, Leader of the Council
Meeting and Date:	Council, 30 March 2017
Responsible Officer(s):	Russell O'Keefe, Strategic Director of Corporate and Community Services
Wards affected:	All

REPORT SUMMARY

The report requests approval to appoint Alison Alexander as the Council's permanent Managing Director and Head of Paid Service.

1. DETAILS OF RECOMMENDATION(S)

1.1 RECOMMENDATION: That Council notes the report and appoints:

- i) **Alison Alexander as the Council's permanent Managing Director and Head of Paid Service.**

2. REASON(S) FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

2.1 On the 14 March Employment Panel approved a new proposed senior leadership structure for the Council effective from April 2017. They agreed to recommend the appointment of Alison Alexander as the permanent Managing Director and Head of Paid Service to Full Council.

2.2 Under the new structure the Managing Director would be responsible for the:

- Statutory functions of Head of Paid Service and Director of Adult Services
- Two Executive Directors and Strategy and Commissioning, Communications, Law and Governance and HR.

2.3 Employment Panel also agreed a salary band for the Managing Director of £120,000 – £145,000 per annum and a salary for Alison Alexander of £137,000 per annum.

2.4 The Managing Director will also hold the function of Returning Officer. The Returning Officer is the person who has overall responsibility for the conduct of any elections held within the Royal Borough. The Returning Officer is eligible for fees linked to duties undertaken for running national, european or local elections/referenda. These fees are determined by the number of electors registered in the borough/parliamentary constituency and are determined by a formula operated by the Government for determining fees to all Returning

Officers across the country. For example the Council's Returning Officer received a fee of £4,572 for the EU referendum, £6,562 for the last local elections and £885 for the parish elections, although these fees were also used by them to pay their deputies.

Statutory role of Head of Paid Service

2.5 Section 4 of the Local Government & Housing Act 1989 provides that it is the duty of every local authority to designate one of their officers as its Head of Paid Service.

2.6 It is the duty of the Head of Paid Service where he or she considers it appropriate to do so, to prepare a report to the authority setting out their proposals as to:

- the manner in which the discharge by the authority of their different functions is co-ordinated;
- the number and grades of staff required by the authority for the discharge of their functions;
- the organisation of the authority's staff;
- the appointment and proper management of the authority's staff.

Option	Comments
To approve the appointment The recommended option.	Allows the Council to continue to meet its statutory requirements
To not approve the statutory appointment This is not a recommended option.	The Council would have to appoint another person into this role

3. KEY IMPLICATIONS

Table 2:

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
Statutory officer appointed and commences duties.	Appointment not approved and existing arrangements continue.	3 April	N/A	N/A	3 April

4. FINANCIAL DETAILS / VALUE FOR MONEY

4.1 There are no direct financial implications arising from this report.

5. LEGAL IMPLICATIONS

- 5.1 The council has a statutory duty under Section 4 Local Government and Housing Act 1989 to designate one of its officers as the head of paid service.
- 5.2 Under the Local Authorities (Standing Orders) Regulations 1193 (SI No. 202) in relation to the appointment of the Head of Paid Service, all Executive members of the Council must be given an opportunity to object to the proposed recommendation for the appointment. This has been undertaken and no objections have been received.

6. RISK MANAGEMENT

Risks	Uncontrolled Risk	Controls	Controlled Risk
The proposals contained in this report do not deliver the expected improvements	Missed opportunity to improve service delivery	Managed implementation of the change to ensure benefits are realised.	Low

7. POTENTIAL IMPACTS

- 7.1 The changes will achieve a fit for purpose structure that meets the needs of the Council.

8. CONSULTATION

- 8.1 The proposals and appointment were agreed by Employment Panel.

9. TIMETABLE FOR IMPLEMENTATION

Date	Details
Alison Alexander becomes the permanent Managing Director and Head of Paid Service	Immediately

10. APPENDICES

- 10.1 N/A

11. BACKGROUND DOCUMENTS

- 11.1 Future Senior Management Structure Report to Employment Panel 14 March 2017 (Part I report with Part II appendices – **Not for publication by virtue of**

Paragraphs 3 and 4 of Part I of Schedule 12A of the Local Government Act 1972)

12. CONSULTATION (MANDATORY)

Name of consultee	Post held	Date sent	Commented & returned
Councillor Dudley	Leader of the Council		
Councillor Targowska	Principle Member for HR and Legal		
Russell O'Keefe	Strategic Director of Corporate and Community Services		
Andy Jeffs	Interim Strategic Director		
Robb Stubbs	Section 151 Officer		
Terry Baldwin	Head of HR		

Agenda Item 8

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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