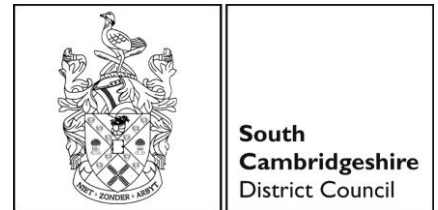


South Cambridgeshire Hall  
Cambourne Business Park  
Cambourne  
Cambridge  
CB23 6EA

t: 03450 450 500

f: 01954 713149

[www.scambs.gov.uk](http://www.scambs.gov.uk)



7 September 2016

To: Chairman – Councillor Ray Manning  
Members of the Employment Committee – Councillors Doug Cattermole,  
Pippa Corney, Simon Edwards, Sebastian Kindersley, Alex Riley, Bridget Smith,  
Edd Stonham and Peter Topping

Quorum: 3

Dear Councillor

You are invited to attend the next meeting of the **EMPLOYMENT COMMITTEE**, which will be held in the **JEAVONS ROOM, FIRST FLOOR** at South Cambridgeshire Hall on **THURSDAY, 15 SEPTEMBER 2016** at **1.00 p.m.**

Members are respectfully reminded that when substituting on committees, subcommittees, and outside or joint bodies, Democratic Services must be advised of the substitution *in advance of* the meeting. It is not possible to accept a substitute once the meeting has started. Council Standing Order 4.3 refers.

Yours faithfully  
**JEAN HUNTER**  
Chief Executive

Requests for a large print agenda must be received at least 48 hours before the meeting.

---

## AGENDA

## PAGES

**1. APOLOGIES FOR ABSENCE**

To receive any apologies for absence.

Councillor Peter Topping has been substituted onto the Employment Committee in place of Councillor Val Barrett in order to comply with the requirement in the Council's Constitution for the Leader of the Council to be a Member of the Employment Committee when considering the recruitment of a Chief Executive.

**2. DECLARATIONS OF INTEREST**

To receive any declarations of Members' interest.

**3. MINUTES OF PREVIOUS MEETING**

To confirm the minutes of the previous meeting held on 15 January 2016 as a correct record.

**1 - 4**

**4. RECRUITMENT OF CHIEF EXECUTIVE**

To consider the recruitment of a Chief Executive and interim arrangements for the positions of Head of Paid Service, Electoral Registration Officer and Returning Officer.

The report associated with this agenda item contains exempt information as defined in paragraph 1 of Schedule 12A of Section 100(A)(4) of the Local Government Act 1972, as amended. The report is therefore unavailable for publication and the press and public are likely to be excluded from the meeting during consideration of the item.

**5. APPOINTMENT OF MONITORING OFFICER**

The Employment Committee is recommended to make a formal recommendation to Council that Tom Lewis, Head of the 3C Shared Services Legal Practice, be appointed as the Council's Monitoring Officer.

Tom Lewis has joined the 3C Shared Services Legal Practice from his previous role as Chief Solicitor and Monitoring Officer for Fenland District Council. In his time at Fenland Tom also served as Deputy Monitoring Officer for a number of years. He has worked in local government for nearly 8 years, advising on a wide variety of legal issues including property, contract, administrative and constitutional law. Prior to entering local government Tom worked in private legal practice.

**OUR LONG-TERM VISION**

South Cambridgeshire will continue to be the best place to live, work and study in the country. Our district will demonstrate impressive and sustainable economic growth. Our residents will have a superb quality of life in an exceptionally beautiful, rural and green environment.

**OUR VALUES**

We will demonstrate our corporate values in all our actions. These are:

- Working Together
- Integrity
- Dynamism
- Innovation

## **GUIDANCE NOTES FOR VISITORS TO SOUTH CAMBRIDGESHIRE HALL**

### **Notes to help those people visiting the South Cambridgeshire District Council offices**

While we try to make sure that you stay safe when visiting South Cambridgeshire Hall, you also have a responsibility for your own safety, and that of others.

#### **Security**

When attending meetings in non-public areas of the Council offices you must report to Reception, sign in, and at all times wear the Visitor badge issued. Before leaving the building, please sign out and return the Visitor badge to Reception.

Public seating in meeting rooms is limited. For further details contact Democratic Services on 03450 450 500 or e-mail [democratic.services@scambs.gov.uk](mailto:democratic.services@scambs.gov.uk)

#### **Emergency and Evacuation**

In the event of a fire, a continuous alarm will sound. Leave the building using the nearest escape route; from the Council Chamber or Mezzanine viewing gallery this would be via the staircase just outside the door. Go to the assembly point at the far side of the staff car park opposite the staff entrance

- **Do not** use the lifts to leave the building. If you are unable to use stairs by yourself, the emergency staircase landings have fire refuge areas, which give protection for a minimum of 1.5 hours. Press the alarm button and wait for help from Council fire wardens or the fire brigade.
- **Do not** re-enter the building until the officer in charge or the fire brigade confirms that it is safe to do so.

#### **First Aid**

If you feel unwell or need first aid, please alert a member of staff.

#### **Access for People with Disabilities**

We are committed to improving, for all members of the community, access to our agendas and minutes. We try to take all circumstances into account but, if you have any specific needs, please let us know, and we will do what we can to help you. All meeting rooms are accessible to wheelchair users. There are disabled toilet facilities on each floor of the building. Infra-red hearing assistance systems are available in the Council Chamber and viewing gallery. To use these, you must sit in sight of the infra-red transmitter and wear a 'neck loop', which can be used with a hearing aid switched to the 'T' position. If your hearing aid does not have the 'T' position facility then earphones are also available and can be used independently. You can get both neck loops and earphones from Reception.

#### **Toilets**

Public toilets are available on each floor of the building next to the lifts.

#### **Recording of Business and Use of Mobile Phones**

We are open and transparent about how we make decisions. We allow recording, filming and photography at Council, Cabinet and other meetings, which members of the public can attend, so long as proceedings at the meeting are not disrupted. We also allow the use of social media during meetings to bring Council issues to the attention of a wider audience. To minimise disturbance to others attending the meeting, please switch your phone or other mobile device to silent / vibrate mode.

#### **Banners, Placards and similar items**

You are not allowed to bring into, or display at, any public meeting any banner, placard, poster or other similar item. Failure to do so, will result in the Chairman suspending the meeting until such items are removed.

#### **Disturbance by Public**

If a member of the public interrupts proceedings at a meeting, the Chairman will warn the person concerned. If they continue to interrupt, the Chairman will order their removal from the meeting room. If there is a general disturbance in any part of the meeting room open to the public, the Chairman may call for that part to be cleared. The meeting will be suspended until order has been restored.

#### **Smoking**

Since 1 July 2008, South Cambridgeshire District Council has operated a Smoke Free Policy. No one is allowed to smoke at any time within the Council offices, or in the car park or other grounds forming part of those offices.

#### **Food and Drink**

Vending machines and a water dispenser are available on the ground floor near the lifts at the front of the building. You are not allowed to bring food or drink into the meeting room.

This page is left blank intentionally.

# Agenda Item 3

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Employment Committee held on  
Friday, 15 January 2016 at 2.00 p.m.

PRESENT: Councillor Alex Riley – Chairman  
Councillor Val Barrett – Vice-Chairman

Councillors: Simon Edwards Lynda Harford  
Caroline Hunt Sebastian Kindersley  
Bridget Smith

Officers: Susan Gardner Craig Human Resources Manager  
Fiona McMillan Legal Services Manager and Monitoring Officer  
Ian Senior Democratic Services Officer

### 1. APOLOGIES FOR ABSENCE

There were no Apologies for Absence.

### 2. DECLARATIONS OF INTEREST

There were no declarations of interest.

### 3. MINUTES OF PREVIOUS MEETING

The Committee authorised the Chairman to sign, as a correct record, the Minutes of the meeting held on 29 January 2015.

### 4. ANNUAL PAY POLICY STATEMENT

The Employment Committee considered a report on the requirements of the Localism Act 2011 in relation to a pay policy statement.

The Employment Committee **recommended** that the pay policy attached to the report from the Human Resources Manager be adopted by Full Council.

### 5. APPOINTMENT OF MONITORING OFFICER (REPORT TO FOLLOW)

The Human Resources Manager circulated a report at the meeting, setting out the functions of a Monitoring Officer as defined in Section 5 of the Local Government and Housing Act 1989 and amended by Schedule 5 paragraph 24 of the Local Government Act 2000. The Committee noted that South Cambridgeshire District Council's current Monitoring Officer would be leaving the Authority on 19 February 2016 to take up another position elsewhere, and that a replacement Monitoring Officer was required by law.

The report proposed the appointment of Shirley Tracey, on an interim basis, to undertake the responsibilities of Monitoring Officer for South Cambridgeshire District Council until such time as the structure and roles for the single Shared Legal Service between that Authority, Huntingdonshire District Council (HDC) and Cambridge City Council had been determined. Members noted that Shirley Tracey was Legal Services Manager and Deputy Monitoring Officer with HDC and that, between September and November 2015, she had acted up as that Council's Monitoring Officer. She was

currently involved in a review of HDC's Constitution to reflect the shared services projects.

Councillor Lynda Harford asked for how long the appointment would be, and wondered how the arrangement would work in practice. Councillor Harford said that, while she supported Shared Services in general terms, she had been very disappointed with the outcome of negotiations over the Shared Legal Service in particular. The Legal Services Manager said that it was hoped that detailed structures and processes for the Shared Legal Service would be in place by April 2016 but agreed that, until then, a period of instability was inevitable. Councillor Harford made it very clear that her reservations about how the transfer to a Shared Legal Service had been dealt with should in no way be interpreted as criticism either of the Legal Services Manager or of the Human Resources Manager.

By way of information, the Legal Services Manager said that, while there was no legal requirement that the Monitoring Officer attend Full Council, Cabinet or Corporate Governance Committee, it was considered to be good practice in order to ensure good governance and that the Council's decisions were within the law. It was essential to attend Civic Affairs Committee, which dealt with the Code of Conduct complaints system.

Councillor Bridget Smith noted that the Council's Democratic Services Team Leader was currently Deputy Monitoring Officer, and wondered whether he could perform the full role. The Legal Services Manager agreed that that officer had demonstrated a very good knowledge of the Council's Constitution. Councillor Smith was concerned that the proposed arrangement might put the Council in a vulnerable position.

Councillor Simon Edwards said there needed to be a legally-qualified officer present at meetings of Full Council.

Councillor Sebastian Kindersley's concern was that there should continue to be a legal adviser at Planning Committee meetings. Councillor Kindersley said that such adviser must have actual experience of South Cambridgeshire planning issues. Councillor Edwards pointed out that South Cambridgeshire District Council was subject to the same legal and planning framework that applied elsewhere in the country, and that there was no justification for treating this Council's planning processes any differently. The Legal Services Manager acknowledged that, whilst advice on planning law should be universal, it was correct that within South Cambridgeshire, there were several high level issues and unique long-running planning matters which would be difficult to pick up on an ad hoc basis. Councillor Kindersley highlighted Mortgagee-in-Possession clauses as one example of uniqueness.

The Chairman asked who was responsible for Shared Services at South Cambridgeshire District Council. It was reported that Lead Officer was the Executive Director (Corporate Services), and Lead Member was Councillor Peter Topping, Corporate and Customer Services Portfolio Holder.

The Vice-Chairman also expressed concerns about the implications for Planning, but Councillor Edwards said there was no other option.

Picking up on a recurring query from Councillor Bridget Smith, the Legal Services officer said that the Monitoring Officer did not have to be legally qualified but that it was usually the case and considered to be good practice as the officer was responsible for ensuring that the decisions of the Council were lawful. Councillor Smith again wondered why the Democratic Services Team Leader should not be appointed to the post of Monitoring

Officer. Councillor Edwards said he would prefer the Monitoring Officer to be legally qualified. Councillor Smith pointed out that the proposed appointment was only interim, and said she was disturbed by the prospect of appointing someone not familiar with South Cambridgeshire District Council's Constitution.

The Legal Services Manager confirmed that she had offered to continue to provide support for the new Monitoring Officer in her new role with LGSS Law Ltd until such time as the new post-holder was fully conversant with the Council's Constitution and other matters on which Members had expressed concern. This was currently being considered by the Council.

The Chairman and Councillor Simon Edwards reflected the views of Members present when they thanked the Legal Services Manager for her commitment and support over the last few years.

Upon the proposal of Councillor Simon Edwards, seconded by Councillor Lynda Harford, the Committee **recommended to Full Council** that Shirley Tracey be appointed as South Cambridgeshire District Council's Monitoring Officer on an interim basis.

---

**The Meeting ended at 2.25 p.m.**

---

This page is left blank intentionally.



Document is Restricted

This page is left blank intentionally.

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

Document is Restricted

This page is left blank intentionally.