

BRIGHTON & HOVE CITY COUNCIL
SPECIAL POLICY & RESOURCES COMMITTEE

10.30am 18 JUNE 2015

FRIENDS MEETING HOUSE, SHIP STREET, BRIGHTON

MINUTES

Present: Councillor Morgan (Chair) Councillors G Theobald (Opposition Spokesperson), Mac Cafferty (Group Spokesperson), Bewick, Janio, Mitchell, A Norman, Sykes and Wealls.

PART ONE

12 PROCEDURAL BUSINESS

(a) Declarations of Substitutes

12.1 There were no declarations of substitutes.

(b) Declarations of Interest

12.2 There were no declarations of interests in matters listed on the agenda.

(c) Exclusion of Press and Public

12.3 The Committee considered whether the press and public should be excluded from the meeting during the consideration of any of the item listed on the agenda and the Chair asked the Monitoring Officer to clarify the reasons why the item had been listed in Part Two of the agenda.

12.4 The Monitoring Officer noted that the Council operated under Section 100A of the Local Government Act 1972, which provided that meetings should be held in public but where it was felt appropriate to do so it had the power to exclude the press and public from the meeting during consideration of specific items. The report listed on the agenda was considered to include such information that came under the following categories of Schedule 12A to the Act, i.e. categories 1, 3, 4 and 5, which related to an individual, the business affairs of an individual, negotiations between the council and an individual and legal professional privilege. The report had therefore circulated to Members of the Committee only and classified as being exempt from disclosure to the press and public. In having regard to whether or not the Committee should consider the matter in closed session, the committee needed to be satisfied that the public interest outweighed the reasons for the information to be withheld. It was his opinion as the Monitoring Officer that such information contained in the report should remain exempt from disclosure. He was not aware of such matters being discussed in public

at any other local authority meeting and noted that having considered the matter and reached a decision in closed session, the committee could then determine what level of information could be made public.

12.5 The Chair thanked the Monitoring Officer and put the motion to move into closed session to the vote which was carried.

12.6 **RESOLVED:** That the press and public be excluded from the meeting during consideration of the item contained in part two of the agenda.

Note: The Chair then asked that the press and public should leave the meeting and the Committee moved into closed session at 10.40am.

13 CHAIR'S COMMUNICATIONS

13.1 The Chair thanked the Members for attending the meeting which had been called at short notice and confirmed that he would ensure the committee was given sufficient time to ask questions and consider the matter before it.

PART TWO SUMMARY

14 CONFIDENTIAL GOVERNANCE MATTER - EXEMPT CATEGORIES 1 & 3

14.1. The Committee considered a joint report of the Interim Executive Director for Finance & Resources and the Monitoring Officer, concerning the proposed early retirement of the Chief Executive on the grounds of efficiency of the service with effect from the 30th June, 2015.

14.2. **RESOLVED:**

- (1) That the early retirement of the Chief Executive on the terms set out in the report be agreed;
- (2) That the Monitoring Officer, after consultation with the Interim Executive Director for Finance & Resources and the Head of Human Resources & Organisational Development, be authorised to enter into a settlement agreement on behalf of the Council;
- (3) That the Interim Executive Director for Finance & Resources, the Head of Human Resources & Organisational Development and the Monitoring Officer be authorised to take all other steps necessary or incidental to the implementation of the agreement; and
- (4) That members of the Executive Leadership Team, be authorised, jointly and severally to exercise the functions of the Chief Executive (other than the statutory functions of the Head of Paid Service under the Local Government & Housing Act 1989), during the transitional period between the retirement of the Chief Executive and appointment of an Acting or Interim Chief Executive at the subsequent Council meeting.

15 PART TWO PROCEEDINGS

- 15.1. The Committee considered whether the item and decisions contained in Part Two of the Agenda should remain exempt from disclosure to the press and public.
- 15.2. **RESOLVED:** That the report as listed in Part Two of the agenda should remain exempt from disclosure to the press and public but it was noted that a public statement would be issued following the conclusion of the meeting and therefore it was agreed that the decisions could be made public.

The meeting concluded at 12.05pm

Signed

Chair

Dated this

day of

2015