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**Council**

**15 October 2009**

Report of the Director of City Strategy

**Appointments Committee for the Post of Assistant Director of City Development and Transport.**

**Summary**

1. This report seeks formal approval to establish an Appointments Committee for the post of Assistant Director of City Development and Transport and to delegate sufficient powers to that committee to enable it to conduct the recruitment process, select and appoint a candidate, subject to the requirements of the standing orders on appointment.
2. The report is being considered as this is a key role with responsibility for developing York's first spatial plan for the City.

**Background**

3. The current Assistant Director of City Development and Transport will leave his post in January 2010. It is hoped to make an appointment before Christmas 2009 with the successful candidate starting in the post as soon as possible in order to ensure continuity of service and avoid the costs associated with recruiting an interim Assistant Director.
4. Standing Order 40 (c) (1) of the Council's Constitution requires that an Appointments Committee, including at least one member of the Executive, interviews all qualified applicants for Chief Officer posts or selects a shortlist of such applicants and interviews those on this shortlist.
5. It is requested that for the Assistant Director of City Development and Transport Appointments Committee, that the Committee be constituted on a 2:2:1 basis. This will mean that there will be two Liberal Democrat members, two Labour members and one Conservative member.

## Consultation

6. Consultation has taken place with the Corporate Management Team as to the need for this appointment. It is requested that the three largest political groups now nominate members to participate in the Appointments Committee,

## Options

7. Clearly given the financial situation facing the Council, and the More for York programme, the decision to consider replacing any senior officer post needs to be taken with care. There are no alternative options for Members to consider, other than simply not proceeding with the recruitment to the post. The failure to create an Appointments Committee at this stage would delay any subsequent appointment to the post which is considered a key role in developing York's first spatial plan for the City.

## Corporate Priorities

8. Making an appointment to this post will contribute to delivering the Corporate Strategy by supporting the Council's values and all of the improvement statements.

## Implications

9. The following implications have been considered:
  - **Financial** – The City Strategy Directorate will bear the cost of this post within current resources.
  - **Human Resources (HR)** – The job description for the Assistant Director of City Development and Transport has been subject to the Council's established job evaluation mechanism and a grade of Assistant Director has been confirmed for the post. The Appointments Committee is in line with the constitutional requirements for the recruitment and appointment of Chief Officers. The appointment will be carried out in accordance with the Chief Officer recruitment protocol attached (Annex A).
  - **Equalities** - There are no equalities implications.
  - **Legal** – The Appointments Committee is created pursuant to S.102 (c) of the local Government Act 1972 and its terms of reference are to exercise the functions of the Council in relation to the selection and appointment of the successful applicant in respect of the vacant post Assistant Director of City Development and Transport. The proceedings of the Appointments Committee are likely to be held mainly in exempt session due to the nature of the information that it will be considering.

In circumstances where the appointing committee agrees, without any member voting against, S.17 of the Local Government & Housing Act 1989

provides that the distribution of seats on a sub-committee need not comply with the political balance requirements contained in Part 1 of that Act.

The process of appointing officers of this level is regulated by the Local Authority (Standing Orders) (England) Regulations 2001. Amongst other things, these regulations require that an appointment committee must include at least one member of the Executive and further, that no formal offer of appointment may be made until all members of the Executive have been informed of the details of the intended appointee, and have raised no objection within the specified period, (usually 5 clear days).

- **Crime and Disorder** – There are not crime and disorder implications.
- **Information Technology (IT)** – There are no IT implications.
- **Property** – There are no property implications.
- **Other** – There are not other implications.

### **Risk Management**

10. There are no known risks associated with the recommendations of this report.

### **Recommendations**

11. It is recommended that Council:
  - i. Establishes an Appointments Committee consisting of five members, two from Liberal Democrat, two from Labour and one Conservative.
  - ii. The Appointments Committee be authorised to conduct the final interviews, select a successful candidate and make an offer of employment subject to the necessary employment procedures.

Reason: To allow appointment to the post of Assistant Director of City Development and Transport to be made.

## Contact Details

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**Chief Officer Responsible for the report:**

Bill Woolley  
Director City Strategy

**Report Approved****Date** *Insert Date***Specialist Implications Officer(s)**

Human Resources: Angela Wilkinson, Head of HR & OD  
Finance: Ian Floyd Director of Resources

**Wards Affected:****All**

For further information please contact the author of the report

**Background Papers:**

None.

**Annexes:**

Annex A - Chief Officer recruitment protocol