

CHESHIRE EAST COUNCIL

Council

Date of Meeting:	7 May 2013
Report of:	Interim Chief Executive
Subject/Title:	Appointment of Chief Executive and Designation of Section 151 Officer

1.0 Purpose of Report

- 1.1 To seek Council's approval to the recommendation of the Staffing Committee for the appointment of a Chief Executive, including the salary to be paid, and to resolve that the new Chief Executive also be appointed as the Council's Head of Paid Service, as well as its Electoral Registration Officer and Returning Officer. In addition to seek approval that the Interim Chief Operating Officer be formally designated as the Council's statutory Section 151 Officer.

2.0 Recommendation

That Council:

- 2.1 confirms the recommendation of Staffing Committee that Mr Mike Suarez be appointed as Cheshire East Council's Chief Executive and Head of Paid Service, with effect from the earliest possible date to be arranged;
- 2.2 confirms that the salary of the Chief Executive be £150,000 a year, with a performance related payment of up to £10,000 in addition;
- 2.3 appoints Mr Suarez as Electoral Registration Officer pursuant to Section 8 of the Representation of the People Act and Returning Officer, pursuant to Section 35 of that Act, and in respect of referenda and all other electoral matters referred to in this report: and
- 2.4 resolves that Ms Rachel Musson, (Interim Chief Operating Officer), be designated formally as Cheshire East Council's statutory Section 151 Officer.

3.0 Reasons for Recommendations

- 3.1 The appointment of a Chief Executive / Head of Paid Service, of an Electoral Registration Officer and Returning Officer, and the formal designation of a Section 151 Officer must be a resolution of full Council. In addition, changes to posts with salaries above £100,000 a year must be agreed by Council, in accordance with its agreed Pay Policy Statement.

4.0 Wards Affected

4.1 Not applicable

5.0 Local Ward Members

5.1 Not applicable

6.0 Policy Implications

6.1 Not applicable

7.0 Financial Implications

7.1 The posts of Chief Executive and Section 151 Officer are established posts under the Council's staffing structure, and the associated costs of employment to these positions are provided for in the Council's agreed Budget. The level of remuneration recommended for the Chief Executive/Head of Paid Service is lower than that previously paid for this substantive position, and so represents an ongoing saving.

8.0 Legal Implications

8.1 The appointment of Chief Executive as Head of Paid Service is a statutory requirement pursuant to Section 4 of the Local Government & Housing Act 1989, and appointment of the Electoral Registration Officer and Returning Officer is required under the Representation of the People Act 1983. Under section 151 of the Local Government Act 1972 the Council must appoint an officer to have personal responsibility for the administration of the Council's financial affairs. That officer must have the appropriate professional qualification.

9.0 Risk Assessment

9.1 Failure to appoint to the statutory posts in question would contravene the requirements of legislation.

10.0 Background and Options

10.1 Appointment of Chief Executive

10.2 The recruitment process for the post of Chief Executive and Head of Paid Service has been managed by the Staffing Committee and three candidates were considered as part of the final selection process. This involved meetings with local partners and business representatives, meetings with Members of Council, (including Cabinet and a Cross Party Member Group), and a presentation and formal interview with the Staffing Committee. All Members of Council were invited to meet with the candidates on 18 April 2013.

- 10.3 The Staffing Committee has now completed its deliberations and recommends to the Council that Mr Mike Suarez be offered the post of Chief Executive and Head of Paid Service, with effect from the earliest possible date to be arranged.
- 10.4 Mr Suarez is currently employed as Executive Director of Finance & Resources with the London Borough of Lambeth and has responsibility for Revenues & Benefits, Customer Services, Financial Shared Services, Procurement, ICT, Legal & Democratic Services, Internal Audit, Anti-Fraud and Corporate Finance. He has been in this role for 7 years. Mr Suarez is a qualified accountant (CIPFA) and has also undertaken senior Finance roles with Slough Borough Council, Westminster City Council and the London Borough of Southwark. At Slough Borough Council, Mr Suarez was also Deputy Chief Executive.

10.5 Chief Executive Salary

- 10.6 It is recommended that the salary for the post of Chief Executive be £150,000 a year, with a performance related payment of up to £10,000 in addition. Members will recall that the salary for the previous permanent Chief Executive was £173,000, with no performance related element.

10.7 Electoral Matters

- 10.8 It is a statutory requirement that each local authority has an Electoral Registration Officer, pursuant to Section 8 of the Representation of the People Act 1983; and a Returning Officer, pursuant to Section 35 of the 1983 Act.
- 10.9 Council is recommended to formally designate Mr Suarez as the Council's Electoral Registration Officer and Returning Officer. Under this designation, the Returning Officer will be responsible for the proper conduct of all Borough and Parish elections for the wards and parishes of the Borough of Cheshire East, together with all parliamentary elections, European parliamentary elections and any central government and local referenda for the Borough of Cheshire East.
- 10.10 The designations are separate from and additional to the appointment as, and responsibilities of, Chief Executive, in respect of which the individual takes on personal liability for the proper conduct of each aspect of the elections in question.
- 10.11 The person designated as Electoral Registration Officer also has a duty to maintain a register of parliamentary and local government electors.
- 10.12 For each election the scale of fees is set by the Government and the Returning Officer is directly accountable in law to the Government in regards to their electoral duties. For Borough and Parish Council elections, the Returning Officer fee is calculated in accordance with an agreed Scale of Fees. The Scale of Fees is agreed between and used by the four Cheshire Authorities: Cheshire East Borough Council, Cheshire West and Chester Borough Council, Halton Borough Council and Warrington Borough Council.

10.13 Section 151 Officer Designation

10.14 The new post of Chief Operating Officer in the Council's revised management structure is currently subject to a national recruitment process. Ms Rachel Musson has recently been appointed as the Council's Interim Chief Operating Officer. It is requested that Council agree to designate Ms Musson as the Council's Section 151 Officer, a role for which she has the appropriate qualifications and experience.

10.15 Ms Musson is a qualified accountant (ACCA) and has a Masters Degree in Business and Administration. She was previously employed by Shropshire Council as the Corporate Head of Finance and Commerce (and Section 151 Officer), as well as the Chief Finance Officer for Shropshire Fire and Rescue Service, and for the company, West Mercia Energy. Prior to this, Ms Musson held senior finance roles with Birmingham City Council and the Metropolitan Police.

11.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

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