



# **ATTACHMENTS MINUTES**

**Ordinary Council Meeting**

**Tuesday, 20 July 2021**



# Table of Contents

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Attachment 1 Attachment to Council Minutes - 20.07.21 - PUBLIC EXCLUDED Agenda  
to be released to Public..... 4



# AGENDA

## Public Excluded Council Meeting Tuesday, 20 July 2021

**Date** Tuesday, 20 July 2021

**Time** At the Conclusion of Standing Committees

**Location** Geraldine Domain Pavilion  
39 Hislop Street  
Geraldine

**File Reference** 1434329

**Timaru District Council**

**Notice is hereby given that a meeting of the Public Excluded Council will be held in the Geraldine Domain Pavilion, 39 Hislop Street, Geraldine, on Tuesday 20 July 2021, at At the Conclusion of Standing Committees.**

**Council Members**

Mayor Nigel Bowen (Chairperson), Cllrs Allan Booth, Peter Burt, Barbara Gilchrist, Richard Lyon, Gavin Oliver, Paddy O'Reilly, Sally Parker, Stu Piddington and Steve Wills

Quorum – no less than 5 members

**Local Authorities (Members' Interests) Act 1968**

Councillors are reminded that if they have a pecuniary interest in any item on the agenda, then they must declare this interest and refrain from discussing or voting on this item and are advised to withdraw from the meeting table.

Bede Carran

**Chief Executive**

**Order Of Business**

<b>10</b>	<b>Public Excluded Reports.....</b>	<b>5</b>
10.1	Chief Executive Term of Employment.....	5



## 10 Public Excluded Reports

### 10.1 Chief Executive Term of Employment

**Author:** Alesia Cahill, Executive Assistant to the Mayor  
Nigel Bowen, Mayor

**Authoriser:** Nigel Bowen, Mayor

<b>Section under the Act</b>	The grounds on which part of the Council or Committee may be closed to the public are listed in s48(1)(a)(i) of the <i>Local Government Official Information and Meetings Act 1987</i> .
<b>Sub-clause and Reason:</b>	s7(2)(a), s7(2)(i) and s7(2)(j) - The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons, The withholding of the information is necessary to enable the Council to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) and The withholding of the information is necessary to prevent the disclosure or use of official information for improper gain or improper advantage
<b>Plain English Reason:</b>	To protect a person's privacy, To enable commercial or industrial negotiations and To prevent use of the information for improper gain or advantage.

#### Recommendation

That Council grants an extension to Chief Executive, Bede Carrans contract for a further two years commencing on the 5<sup>th</sup> December 2021

#### Purpose of Report

- 1 The purpose of this report is to give consideration to, and agree on, Council extending the Chief Executive's Term of Employment.

#### Assessment of Significance

- 2 This report does not contain anything that triggers the Significance and Engagement Policy.

#### Background

- 3 Under Section 42 of the Local Government Act 2002; in accordance with clauses 33 and 34 of Schedule 7, a local authority must appoint a Chief Executive who is then responsible to his or her local authority to carry out Section 42 subclause 2, 3 and 4 of the Act.

#### Discussion

- 4 The incumbent Chief Executive's (CE) term of employment as per his Individual Employment Agreement terminates on the 4<sup>th</sup> of December 2021.
- 5 As per the Local Government Act 2002 (LGA), Schedule 7, clause 34 (3) as at 5<sup>th</sup> of December 2021 a vacancy will exist and Council is required to advertise the position.



Public Excluded Council Meeting Agenda

20 July 2021

- 6 As per Clause 34 (4) Schedule 7 of the LGA, Council can appoint the incumbent Chief Executive for a second term not exceeding two years providing Council have completed a review as per clause 35.
- 7 On the completion of a review, but before the date on which the Chief Executive's contract of employment for the first term expires, Council must resolve whether or not to appoint the Chief Executive for a second term, or advertise the vacancy; clause 34 (5).
- 8 The People and Performance Committee approached the Chief Executive on 6<sup>th</sup> March 2021 to seek his intent; on 6<sup>th</sup> March 2021 the Chief Executive confirmed that he would like to be considered for a two year extension.
- 9 On 22<sup>nd</sup> of June 2021, Council completed an end of term review, as per the LGA, which included a 360 review process including feedback from Elected Members and the Senior Leadership Team. This also included a self-review from the Chief Executive.
- 10 The People and Performance Committee met on 22<sup>nd</sup> June 2021 at 1pm. Discussion was had around the Chief Executives Review and the current direction of Council, it was unanimously supported that a two year extension be granted. Johan Barton, external Consultant from Barton Ross Limited via Zoom, Cllr Allan Booth, Cllr Stu Piddington, Cllr Paddy O'Reilly and Cllr Gavin Oliver joined the meeting at 2.01pm. Further discussion was had around the performance of both the Chief Executive and the Senior Leadership Team. Councillors were then asked to express their position with no change to the People and Performance Recommendation.

**Options**

- 11 Options are:
  - (a) Council approves the recommendation of the People and Performance Committee and grants a two year extension of the Chief Executives contract.
  - (b) Council does not approve the recommendation of the People and Performance Committee and proceeds to go to market..

**Attachments**

Nil