

STRICTLY PRIVATE AND CONFIDENTIAL

**MINUTES OF THE COUNCIL MEETING OF THE ASSOCIATION OF COSTS LAWYERS
HELD ON THURSDAY 10 OCTOBER 2013 AT THE LOWRY HOTEL, MANCHESTER**

PRESENT	Mr M Heining	Chairman
	Mr P Robotham	Vice-Chairman
	Mrs C Green	Secretary
(Council)	Mrs S Nash	
(Ex-officio)	Mrs D Pattenden (Operations Manager)	

Legal Project Management

Immediately prior to the council meeting, Mr Robotham, Mrs Green, Mrs Nash and Mrs Pattenden met with Anthony Smith to discuss Legal Project Management training.

A copy of the proposal by Anthony had previously been distributed to all council members. The purpose of the meeting was to have a face to face discussion regarding the proposal and whether it was appropriate to offer it to ACL members in the future.

The council meeting followed at approximately 6pm.

1. Apologies for Absence

Apologies were received from Stephen Averill (Treasurer), James Barrett and Robert Connelly

2. Structure of ACL/ACL Training

Mrs Nash asked for confirmation that the proposed appointment of CEO was purely for ACL and that they would not act for ACL Training. She said that the CEO would have a relationship with ACL Training and the CLSB and that it was important therefore to have a discussion on how both companies were structured, administered and run.

Mrs Nash said that she felt that the relationship between ACL and ACLT needed to be clarified, particularly with regard to finances. She said that reserves had been depleted this year by approximately £26,000 and that between the two companies, there were reserves of over £500,000. She said that as the companies are currently structured, 75% of reserves are held by ACL Training. If ACL Training was dissolved she believed that all monies would revert to ACL. ACL could then give an amount of working capital to ACLT.

Mrs Nash raised the question of whether ACL Training was effectively student based, responsible for the future education and training of students and whether CPD training for costs lawyers would be run by ACL. She suggested that ACL Training should be responsible for training students and promoting ACL Training. A discussion followed.

Mr Robotham said that currently the CLSB authorises ACL Training to undertake training; they do not authorise ACL to train. He felt that regarding company structure, there was no need to 'reinvent the wheel' and a new company did not need to be set up. His view was that ACL Training would primarily be responsible for students but would also be responsible for seminars such as the seminar taking place on 6 December which is for students, costs lawyers and the wider legal profession. He said that ACLT was simply an arm of ACL and that the ACL council would have overall control of ACLT who would ultimately be answerable to ACL.

Mrs Nash said that there was an imbalance in the financial position of ACL and ACL Training reserves which she felt needed to be addressed.

3. ACL Training Update

Mr Robotham advised the meeting that he was hugely disappointed that the ACL Training subcommittee has failed to deliver. He advised that course material should have been available on 1st September but regrettably it was still unavailable for any of the modules. Module 2 materials would be despatched towards the end of October; Module 3 materials should be available early November and Module 1 in December. Tutor materials, in the form of model answers are still not available but would be delivered soon.

Mr Robotham confirmed that the exam papers were on the way to completion. Candidates would be asked to choose 4 out of 10 questions in the Law Paper and there would be 2 compulsory questions for the Practical Paper.

Markers and a date for marking will be confirmed shortly.

[Discussion about need for business management of ACLT that was not being fulfilled by education committee]. It was therefore going to be necessary to take on a Business Manager for ACL Training to help move this forward. Mr Robotham said he was extremely concerned that the business plan has not been delivered.

Mrs Green advised that sufficient progress must be demonstrated to the CLSB in the form of revisions to the existing course and details of the new course by January 2014. She confirmed that this was in place to be delivered by the end of December. Mr Heining offered assistance if required and stressed that it was vital that the requirements of the CLSB were met.

Mrs Nash asked whether now a decision had been made to progress the idea of recruiting a CEO for ACL, ACL Training need an additional resource at a similar level, in which case the recruitment consultant she was talking to could be asked to widen the search. Mr Robotham said that it was intended that Jenny James would take the role of overseeing ACLT, subject to further discussions.

Mr Robotham advised that whilst administration would be carried out centrally, education (ie materials and delivery) would be the responsibility of Jenny James. He confirmed that

the Board would consist of a business manager (to be confirmed/ recruited), a council member, a student member and a tutor. It was assumed that the ACL Treasurer will act as Treasurer for ACL Training.

A brief discussion took place as to whether ACL Training would require a part time CEO. Mrs Green felt strongly that it was too early to decide on this. Mr Heining said that whether ACLT needed a CEO or Operations Manager had not been decided and that a job description was required. He believed that ACLT should not be rushed into making any such appointment. Mrs Pattenden suggested that it may be more appropriate to take on a management consultant to help with the finalisation of structure and definition of roles. Mr Robotham agreed that initially Training required a short term appointment to define the business plan and help get the new website up and running.

4. Affiliate Membership

Mrs Nash suggested that the discussion regarding affiliate membership was carried forward to the November council meeting.

5. Vacancy for New Council Member

Mrs Squires has recently resigned as council member. Mr Connolly has been unable to attend a number of council meetings and it was agreed that Mr Heining would approach him to see if he wishes to continue as a council member. Mrs Pattenden will not instigate the nominations procedure to fill the current vacancy until Mr Heining has spoken to Mr Connelly. A discussion took place as to whether there was a need to second any council members. It was agreed that this was not necessary.

Mr Heining will advise Mrs Pattenden of the outcome of his conversation with Mr Connelly as soon as possible but in any event by her return from holiday on 4 November. This timing will ensure that the new council member or members will be elected in time to attend the January council meeting.

6. CEO – Recruitment Consultant

Mrs Nash said that she and Mr Barrett have had quotes from several recruitment advisers and were convinced that they had found a particularly good consultant; Robin Murray-Brown.

Mrs Nash has spoken with Robin and they have agreed that what is required is a CEO who is experienced in 'change management'. He suggested that it should be a 2 year project, 2 - 3 days per week, to be reviewed at the end of 2 years. Robin has proposed a flat fee of £5,000 to take on the role of sourcing suitable candidates and does not recommend spending money on advertising; he feels he has sufficient contacts to be able to put forward up to 4 suitable candidates for consideration. Mrs Nash has previously had authority from the council to spend £3,500 on a consultant and asked for authority to increase this to £5,000. Mr Heining said that he had no objection and Mr Robotham and Mrs Green agreed.

Mrs Nash explained that this was a flat fee for providing a selection of suitable candidates, whether or not one was subsequently employed. This was agreed subject to confirmation from the Treasurer (subsequently obtained).

7. Any other Business

There was no other business

The meeting ended at 7.10pm