

NORTH HERTFORDSHIRE DISTRICT COUNCIL



10 May 2019

Our Ref Council/21.05.19
Your Ref.
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To: The Chairman and Members of North Hertfordshire District Council

You are invited to attend a

ANNUAL MEETING OF THE COUNCIL

to be held in the

**COUNCIL CHAMBER, COUNCIL OFFICES, GERNON ROAD,
LETCWORTH GARDEN CITY**

on

TUESDAY, 21 MAY 2019

at

7.30 PM

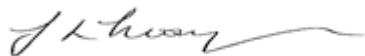
****MEMBERS PLEASE ENSURE THAT YOU DOWNLOAD ALL
AGENDAS AND REPORTS VIA THE MOD.GOV APPLICATION
ON YOUR TABLET BEFORE ATTENDING THE MEETING****

At the conclusion of Agenda Item 14, the meeting of the Annual Council will adjourn for the purpose of convening the following meetings to elect their respective Chairman and Vice-Chairman:

BALDOCK AND DISTRICT COMMITTEE
HITCHIN COMMITTEE
LETCHWORTH COMMITTEE
ROYSTON AND DISTRICT COMMITTEE
SOUTHERN RURAL COMMITTEE

At the conclusion of the meeting of the Southern Rural Committee, the Annual Meeting of the Council will reconvene to consider the remainder of the business on the agenda.

Yours sincerely,

A handwritten signature in cursive script, appearing to read 'J. Thompson', with a long horizontal flourish extending to the right.

Jeanette Thompson
Service Director – Legal and Community

Agenda **Part I**

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2. APOLOGIES FOR ABSENCE	
3. ELECTION OF VICE-CHAIRMAN OF THE COUNCIL FOR THE CIVIC YEAR 2019/20 To elect a Vice-Chairman of the Council to hold office until the appointment of a successor at the next Annual Meeting of the Council	
4. MINUTES - 17 JANUARY 2019 To take as read and approve as a true record the minutes of the meeting of this Committee held on the 17 January 2019.	7 - 16
5. MINUTES - 7 FEBRUARY 2019 To take as read and approve as a true record the minutes of the meeting of this Committee held on the 7 February 2019.	17 - 28
6. MINUTES - 20 MARCH 2019 To take as read and approve as a true record the minutes of the meeting of this Committee held on the 20 March 2019.	29 - 32
7. CHAIRMAN'S ANNOUNCEMENTS Members are reminded that any declarations of interest in respect of any business set out in the agenda, should be declared as either a Disclosable Pecuniary Interest or Declarable Interest and are required to notify the Chairman of the nature of any interest declared at the commencement of the relevant item on the agenda. Members declaring a Disclosable Pecuniary Interest must withdraw from the meeting for the duration of the item. Members declaring a Declarable Interest, wishing to exercise a 'Councillor Speaking Right', must declare this at the same time as the interest, move to the public area before speaking to the item and then must leave the room before the debate and vote.	
8. DISTRICT COUNCIL ELECTIONS - 2 MAY 2019 REPORT OF THE RETURNING OFFICER To receive the report of the Returning Officer as to the results of the District Council Elections held on 2 May 2019.	33 - 38
9. SCHEDULE OF COUNCIL MEETINGS 2019/20 REPORT OF THE CHIEF EXECUTIVE To seek approval to a programme of ordinary meetings of the Council for the Civic Year 2019/20.	39 - 44
10. LEADER OF THE COUNCIL	

To elect the Leader of the Council for the period until May 2023

- 11. APPOINTMENT OF A DEPUTY LEADER OF THE COUNCIL**
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- 12. APPOINTMENT OF MEMBERS OF THE CABINET FOR 2019/20** 45 - 48
REPORT OF THE CHIEF EXECUTIVE

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- 13. TO APPOINT MEMBERS OF COMMITTEES FOR 2019/20** 49 - 52
REPORT OF THE CHIEF EXECUTIVE

To determine the Committees to be appointed for 2019/20, the number of places on each and allocation thereof to the respective Groups and to appoint Members in accordance with their nominations.

A report will be presented to assist in the determination of the constitution and political balance.
- 14. APPOINTMENT OF CHAIRMEN AND VICE-CHAIRMEN OF COMMITTEES FOR 2019/20** 53 - 56
REPORT OF THE CHIEF EXECUTIVE

To appoint the Chairmen and Vice-Chairmen of the Committees (except the Chairmen and Vice-Chairmen of the Area Committees) for 2019/20.
- 15. ADJOURNMENT**
The Annual Meeting of the Council will be adjourned to enable the appointment of Chairmen and Vice-Chairmen of Area Committees.
- 16. KEY DECISIONS - ANNUAL REPORT ON CASES OF SPECIAL URGENCY** 57 - 62
REPORT OF THE LEADER OF THE COUNCIL

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- 17. ANNUAL REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE** 63 - 72
REPORT OF THE VICE-CHAIRMAN OF THE OVERVIEW AND SCRUTINY COMMITTEE

The Vice-Chairman of the Overview and Scrutiny Committee for 2018/19 will present to the Council the Annual Report of the Overview and Scrutiny Committee.
- 18. ANNUAL REPORT OF THE STANDARDS COMMITTEE 2018/19** 73 - 84
REPORT OF THE CHAIRMAN OF THE STANDARDS COMMITTEE

The Chairman of the Standards Committee for 2018/19 will present to the Council the Annual Report of the Standards Committee.

19. NOMINATION OF REPRESENTATIVES ON OUTSIDE ORGANISATIONS AND OTHER BODIES FOR 2019/20 85 - 88
REPORT OF THE CHIEF EXECUTIVE

To nominate the Council's representatives on outside organisations and other bodies for 2019/20.

20. PETITION
To receive a petition

21. NOTICE OF MOTION 89 - 90
To consider a motion, due notice of which has been given in accordance with Standing Order 4.8.12.

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Agenda Item 4

NORTH HERTFORDSHIRE DISTRICT COUNCIL

MINUTES

Meeting of the Council held in the Council Chamber, Council Offices, Gernon Road, Letchworth Garden City on Thursday, 17th January, 2019 at 7.30 pm

PRESENT: Councillors Councillor John Bishop (Chairman), Councillor Jean Green (Vice-Chairman), Ian Albert, Daniel Allen, Kate Aspinwall, David Barnard, Clare Billing, Judi Billing, Ruth Brown, Val Bryant, Paul Clark, Sam Collins, Julian Cunningham, Bill Davidson, Steve Deakin-Davies, Elizabeth Dennis-Harburg, Sarah Dingley, Faye Frost, Gary Grindal, Nicola Harris, Simon Harwood, Cathryn Henry, Terry Hone, Mike Hughson, Tony Hunter, Steve Jarvis, David Levett, Bernard Lovewell, Ian Mantle, Jim McNally, Paul Marment, Ian Moody, Gerald Morris, Lisa Nash, Lynda Needham, Sue Ngwala, Helen Oliver, Janine Paterson, Mike Rice, Deepak Sangha, Val Shanley, Harry Spencer-Smith, Martin Stears-Handscorn, Claire Strong, Richard Thake and Michael Weeks

IN ATTENDANCE: Ian Couper (Service Director – Resources), Howard Crompton (Service Director – Customers), Gavin Ramtohal (Legal Commercial Team Manager) (part of the meeting) Anthony Roche (Deputy Chief Executive) Jeanette Thompson (Service Directors – Legal and Community)

ALSO PRESENT: Marie Lowe (Welwyn Hatfield Borough Council) Clerk to the meeting.

65 APOLOGIES FOR ABSENCE

Audio Recording – Start of Item – Session 1 - 14 seconds

Apologies for absence were received from Councillors Ben Lewis, Michael Muir and Terry Tyler.

66 MINUTES - 22 NOVEMBER 2018

Audio Recording – Start of Item – Session 1 - 33 seconds

It was moved by Councillor Lynda Needham, seconded by Councillor Julian Cunningham, and

RESOLVED: That the Minutes of the Meeting of the Committee held on 22 November 2018 be approved as a true record of the proceedings and be signed by the Chairman.

67 NOTIFICATION OF OTHER BUSINESS

Audio Recording – Start of Item – Session 1 - 58 seconds

There was no other business notified.

68 CHAIRMAN'S ANNOUNCEMENTS

Audio Recording – Start of Item – Session 1 - 3 minutes 5 seconds

(1) Declarations of Interest

Thursday, 17th January, 2019

The Chairman reminded Members that any declarations of interest in respect of any business set out in the agenda, should be declared as either a Disclosable Pecuniary Interest or Declarable Interest and were required to notify the Chairman of the nature of any interest declared at the commencement of the relevant item on the agenda. Members declaring a Disclosable Pecuniary Interest must withdraw from the meeting for the duration of the item. Members declaring a Declarable Interest, wishing to exercise a 'Councillor Speaking Right', must declare this at the same time as the interest, move to the public area before speaking to the item and then must leave the room before the debate and vote.

(2) Paperless Meetings

The Chairman, as previously advised, that from 1 January 2019 Members would no longer receive papers from Committee Services, unless advised otherwise.

From the beginning of the next Civic Year all meetings would be paperless.

In preparation for using tablets at future meetings, Members were asked that prior to any meeting that they ensured that the agenda was downloaded onto the tablet. This would also ensure that should there be any updates required that was also completed prior to the tablet being used at a particular meeting.

Should Members have any issues to please contact the IT Helpdesk direct. There were members from the IT team available at the meeting for assistance should anyone have an issue with their tablets.

(3) Refreshments

All Councillors were invited to refreshments after the meeting in Committee Rooms 2/3.

(4) Comfort break

The Chairman advised that should the meeting continue beyond 9pm then a five minute comfort break would be called. Members were asked to please remain in the room prior to the break ensure they could participate in the vote.

(5) Order of Agenda Items

The Chairman announced that he was delighted to welcome Superintendent Julie Wheatley to the meeting in relation to Agenda Item 6b, which would be taken as the first item of business. Agenda Item 6a would then follow with the remaining business as per the agenda.

(6) Rules of Debate

Members were reminded that, in accordance with the Constitution, to ensure that no speech exceeded five minutes without the consent of the Chairman.

(7) New Years Honours List

Following the announcement of the New Year Honours List for 2019, the following people within our District had been recognised for their achievements and service:

Dr Julia Rose MAGILL For services to Education.
(Royston, Hertfordshire)

Andrew Charles De Winton MORTON For services to the community
(Kimpton, Hertfordshire)

Daphne Frances SELFE For services to Women and Fashion.
(Baldock, Hertfordshire)

Christine Victoria KELL For services to the community in Hitchin, Hertfordshire.
(Buntingford, Hertfordshire)

(8) Welwyn Hatfield

A welcome was extended to Marie Lowe from Welwyn Hatfield Borough Council who were providing additional support at a number of Council meetings.

69 PUBLIC PARTICIPATION

Audio Recording – Start of Item – Session 1 - 4 minutes 44 seconds

Miss Jacqueline May McDonald, representing the Future of Hitchin Town Hall and Museum Social Media Group, spoke for five minutes regarding the delay in the completion of Hitchin Town Hall and Museum and called for a full public enquiry into the matter.

There were no responses or points of clarification received from Members.

70 ITEMS REFERRED FROM OTHER COMMITTEES

The following items were considered:-

71 CHIEF INSPECTOR JULIE WHEATLEY

Audio Recording – Start of Item – Session 1 - 9 minutes 19 seconds

The Council considered a request of the Cabinet on 18 December 2018 to recognise the exceptional contribution to the Community made by Chief Inspector Wheatley, and to place on record the Council's sincere thanks and appreciation for her services to North Hertfordshire.

It was moved by Councillor Needham and seconded by Councillor Stears-Handscombe that the recommendations contained in the report be approved.

Following debate, and upon being put to the vote, it was

RESOLVED:

That in accordance with paragraph 4.4.1(b) of the Council's Constitution, Full Council recognises the exceptional contribution to the community made by Chief Inspector Julie Wheatley and places on record the Council's sincere thanks and appreciation for her service in North Hertfordshire.

REASON FOR DECISION: To recognise the exceptional contribution to the Community made by Chief Inspector Julie Wheatley. After 8 years serving the North Hertfordshire community in various positions, the Leader explained that Chief Inspector Julie Wheatley had been promoted to Superintendent and would therefore be leaving her role in the New Year. During the four years that Chief Inspector Wheatley had been the North Hertfordshire Chief Inspector she had worked hard to build strong partnerships with the Authority and other local partners to improve community safety and reduce antisocial behaviour and crime and disorder. It was noted that North Hertfordshire is one of the highest performing Community Safety Partnerships in the county, is one of the safest places to live in Hertfordshire and the country and has the highest rates of victim satisfaction in the county.

72 UPDATED CONTRACT PROCUREMENT RULES FOR 2018/19

Audio Recording – Start of Item – Session 1 - 15 minutes 48 seconds

The Council considered the adoption of the proposed changes to the Contract Procurement Rules as recommended by the Finance, Audit and Risk Committee on 17 December 2018.

The Leader of the Council (Councillor Lynda Needham) presented the report.

It was moved by Councillor Terry Hone and seconded by Councillor Simon Harwood that the recommendations contained in the report be approved. It was noted that the Legal Commercial Team Manager would consider the issues raised by the Finance, Audit and Risk Committee (as per the referral).

Following debate, and upon being put to the vote, it was

RESOLVED:

That, subject to the amendment of 2.4 to read 'Failure to comply with the Rules will result in Officers conduct being examined and may be a breach under the Council's Managing Misconduct Policy....' The Contract Procedure Rules be adopted.

REASON FOR DECISION: That the Contract Procurement Rules are part of the Constitution (under Section 20) and are revised and updated periodically as part of the Council's governance and procurement review processes, contributing to effective organisational internal control. In addition, the review and adoption of the Council's Contract Procurement Rules is a key action in the Council's Procurement Strategy.

73 TREASURY MANAGEMENT SECOND QUARTER 2081/19

Audio Recording – Start of Item – Session 1 - 23 minutes 40 seconds

The Council considered the Cabinet report and referral which set out the position of the Treasury Management activity as at the end of September 2018.

It was moved by Councillor Cunningham and seconded by Councillor Needham that the recommendations contained in the report be approved.

Following debate, and upon being put to the vote, it was

RESOLVED: That the position of Treasury Management activity at the end of September 2018 be noted.

REASONS FOR DECISION: To ensure the Council's continued compliance with CIPFA's code of practice on Treasury Management and the Local Government Act 2003 and that the Council manages its exposure to interest and capital risk.

74 COUNCIL TAX REDUCTION SCHEME 2019/20

Audio Recording – Start of Item – Session 1 - 27 minutes 40 seconds

75 ITEM REFERRED FROM CABINET - COUNCIL TAX REDUCTION SCHEME

Item referred from the Cabinet meeting on 18 December 2019 was considered as part of Agenda Item 7.b (Minute No. 75a refers).

a) **REPORT TO COUNCIL - COUNCIL TAX REDUCTION SCHEME 2019/2020**

Audio Recording – Start of Item – Session 1 - 3 minutes 7 seconds

The Council considered the Cabinet report which provided an update of how the Scheme was operating in its sixth year and recommended that no changes be made to the Scheme for 2019/2020.

It was moved by Councillor Cunningham and seconded by Councillor Needham that the recommendations contained in the report be approved.

Following debate, and upon being put to the vote, it was

RESOLVED:

- (1) That the Scheme attached at Appendix 1 as the Council Tax Reduction Scheme for North Hertfordshire for 2019/2020 be approved.
- (2) That, in accordance with Section 59A.1 of the Council Tax Reduction Scheme referred to in (1) above, the percentage by which each award to each recipient in the Non-Protected Groups is reduced at 25.0% for 2019/2020 - this remains the same as 2018/2019.
- (3) That the amount to be distributed to the Local Precepting Authorities for Council Tax Reduction Scheme Grant is £38,885 and that this be distributed in proportion to the total awards of CTRS in each Local Precepting area.

REASONS FOR RECOMMENDATIONS: To comply with the requirement to approve the local Council Tax Reduction Scheme for the coming financial year.

76

CONSTITUTION REVIEW 2019

Audio Recording – Start of Item – Session 1 - 37 minutes 45 seconds

The Council considered the report of Officers which set out the review undertaken and recommended amendments to update the Council's Constitution.

The report was presented by the Service Director: Legal and Community/ Monitoring Officer.

It was moved by Councillor Lynda Needham and seconded by Councillor Julian Cunningham that the recommendations contained in the report be approved.

Following debate there were a number of proposed amendments:

Section 4.8.11(d) That the number of questions to apply for each political group is three, proposed by Councillor Martin Stears-Handscombe and seconded by Councillor Judi Billing.

Following debate this was put to the vote and the amendment was lost.

Appendix 1 to Section 8, 1.3 for a separate speaking right for Parish Councils at Planning Control Committee, proposed by Councillor Ruth Brown and seconded by Cllr Steve Jarvis, this was put to the vote and the amendment lost.

Following further debate the recommendations were , and upon being put to the vote, it was

RESOLVED:

That the amendments to the Council's Constitution as set out in Appendix A be agreed subject to the following amendments:

- (a) **Section 4 Full Council and Council Procedure Rules**
Proposed 'guillotine' provision for meeting length (section 4.8 – new 4.8.5(e)):

That the proposed amendment to a 'guillotine' provision not be inserted into the Council's Constitution.

(b) Motions on notice - notice (Section 4.8.12(a))

That the word 'open' be amended to 'available'. '*...Motions received will be retained in a record of motions which is **available** to public inspection.*'

(c) Section 6 Scrutiny – introduction (Section 6.1.2)

That the wording '*local inhabitants and customer...*' be changed to '*Local inhabitants and service users*'.

(d) Section 8 Regulatory Committees: Licensing and Appeals Committee; Licensing Sub-Committee (section 8.3.1):

That the status quo be maintained and the proposed amendment not be inserted into the Council's Constitution.

(e) Section 8.4.5(c) (ii)/ (iii) & 'support' of ward Member /call in to PCC – Planning Control Committees

Insertion of the words '*disclosable pecuniary*'.

That the wording be ' 1 A Ward Member with a declarable and **disclosable pecuniary** Interest must not be involved in the referral to Committee.*

This to apply to (iii):

Footnote: 3 as above.'

(f) Section 9 Area Committee terms of reference (Section 9.8.) (additional term of reference 9.8.2 (h)):

The proposed amendment not be inserted into the Council's Constitution.

REASON FOR DECISION: To ensure the Council meets its statutory obligations and continues to improve its working practices.

77 QUESTIONS FROM MEMBERS

Audio Recording – Start of Item – Session 1 – 1 hour 35 minutes 50 seconds

In accordance with Standing Order 4.8.11(b), the following questions were submitted:

(a) Consultation on Permitted Development for Shale Gas Exploration

By Councillor Ian Albert to Councillor David Levett (Executive Member for Planning):

'The North Herts District Council Cabinet at its December meeting noted and endorsed a response to the MHCLG consultation on Permitted Development for Shale Gas exploration (Fracking). The response to MHCLG would appear to indicate that Shale Gas Exploration (fracking) could be agreed in North Hertfordshire in given circumstances.

Will the Executive Member for Planning, Enterprise and Transport explain the reasons for the response to MHCLG and what consultation was undertaken with Councillors and the public before the response was sent?'

In response Councillor Levett explained that the consultation was a public consultation exercise and therefore it had been open for anyone to submit a response. It would usually be the responsibility of the County Council to respond to such consultation. However, given the topic matter, the District Council considered it necessary to also submit a response having consulted the County Council, which was prepared with the relevant Members as per delegations in the Constitution. It was further noted that Shale Gas Exploration was unlikely to occur in the District.

Councillor Albert asked a supplementary question. Councillor Levett again emphasised that it had been a public consultation and explained that the consultation related to a particular type of fracking where the Government had asked whether the proposed conditions were sufficient, the Council's response being that additional conditions were required.

(b) Community Infrastructure Levy (CIL) for North Hertfordshire

By Councillor Ian Albert to Councillor David Levett (Executive Member for Planning):

'The NHDC Cabinet at its December meeting reaffirmed its decision of 30th July 2013 that "a Community Infrastructure Levy (CIL) for North Hertfordshire be not pursued for the time being". However, a number of other Councils in Hertfordshire have introduced CIL effectively and productively.

Will the Executive Member for Planning, Enterprise and Transport explain:

- ***What factual evidence was used in reaching the decision not to implement a CIL charging schedule in North Herts at this time;***
- ***What wider consultation on CIL took place with Councillors and the public in advance of the December Cabinet meeting; and***
- ***What will the process be to enable the Full Council to make an informed decision on this issue?"***

In response Councillor Levett explained that the approach was detailed in the report to Cabinet, factors included the efficiency of using S106 agreements, the experience of others using CIL and time and cost of administering CIL.

The evidence gathered had not demonstrated the CIL was effective or productive and where CIL was in operation no funds had been distributed by the collecting authorities to the County Council for contributions to education, highways etc.

There were no plans for Council to make a decision on the matter and if Members were not satisfied with a decision of the Cabinet, call-in provisions were available.

(c) Brexit

By Councillor Paul Marment to Councillor Lynda Needham (Leader of the Council):

'What contingency plans has this Council put in place to deal with the implications to the Council and the District in the event Brexit goes ahead on 29 March this year?'

In response Councillor Needham explained that the Council had compiled an impact log of potential Brexit implications which was regularly discussed at Senior Management Team.

The Council's Human Resources Team had confirmed that of the Council's employees, 26 were of 'white other background', although it was unknown if the staff were of European

descent. It was clarified that when requested to state ethnicity 26 people had declined meaning the Council had no knowledge if those staff were European nationals.

There were ongoing discussions at the Policy and Partnership meetings which included a County Council representative. The County were collating what each authority was doing in preparation of Brexit and shared those findings

The Resilience Officer and Policy Officer received the minutes from the Herts Strategic Coordinating Group regarding the multi agency management of emergency affects post Brexit within Hertfordshire.

The Leader also explained the Council's involvement outside of Hertfordshire in preparation for Brexit.

Cllr Marment asked a supplementary question and in response the Leader stated that should a request from the Government be received for funding, the Council would carefully consider the request to ensure that it provided protection to the residents in North Hertfordshire.

(d) The area's subsidised door-to-door bus service to the Lister and New QEII.

The following question was unsuccessful in the ballot conducted on 14 January 2019, and was dealt with by way of a written response from the Leader to all Members of the Council as per section 4.8.11(f) of the Constitution:

Councillor Helen Oliver to Councillor Lynda Needham (Leader of the Council):

'Our area's subsidised door-to-door bus service to the Lister and New QEII was cut in December. This has left vulnerable, people who may be sick or have disabilities.

What formal communications will the Leader of the Council be making to our colleagues at Hertfordshire County Council, to indicate the impact of this loss on local people and to secure a solution to the shortfall in access to healthcare?'

Following the meeting a response was provided and circulated in MIS on 1 February 2019.

78 NOTICE OF MOTIONS

Audio Recording – Start of Item – Session 1 – 1 hour 57 minutes 55 seconds

The following motion was submitted, due notice of which had been given in accordance with Standing Order 4.8.12.

The motion was moved by Councillor Judi Billing and seconded by Councillor Daniel Allen:

At a time of increasing debt, homelessness, poverty, hardship and uncertainty caused by the rollout of Universal Credit in North Hertfordshire, this Council resolves:

'To implement an ethical debt collection policy and align itself to best practice in both the private sector and other local authorities, which have abandoned the use of bailiffs for debt collection.

To ensure that value for money for council tax payers is maximised by pursuing debt repayment plans that will enable money to be paid back to the local authority through managed debt collection.

To avoid additional costs being incurred such as those arising from needing to re-house people made homeless as a result of a non-ethical debt collection policy.

Thursday, 17th January, 2019

To enshrine the above in contracts held with agencies operating on behalf of North Herts District Council and to work with them to implement an ethical debt collection policy.

This Council additionally notes that an ethical debt collection policy is not a 'no debt' collection policy and that everyone who owes money to the local authority is obliged to repay it.'

Following a detailed debate and upon being put to the vote, the motion was lost.

Chairman

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NORTH HERTFORDSHIRE DISTRICT COUNCIL

MINUTES

Meeting of the Council held in the Council Chamber, Council Offices, Gernon Road, Letchworth Garden City on Thursday, 7th February, 2019 at 7.30 pm

PRESENT: Councillors Councillor John Bishop (Chairman), Councillor Jean Green (Vice-Chairman), Ian Albert, Daniel Allen, Kate Aspinwall, David Barnard, Judi Billing, Ruth Brown, Val Bryant, Paul Clark, Sam Collins, Julian Cunningham, Steve Deakin-Davies, Elizabeth Dennis-Harburg, Sarah Dingley, Faye Frost, Nicola Harris, Simon Harwood, Terry Hone, Mike Hughson, Tony Hunter, Steve Jarvis, David Levett, Bernard Lovewell, Ian Mantle, Paul Marmont, Ian Moody, Michael Muir, Lisa Nash, Lynda Needham, Sue Ngwala, Helen Oliver, Janine Paterson, Mike Rice, Deepak Sangha, Val Shanley, Harry Spencer-Smith, Martin Stears-Handscomb, Claire Strong, Richard Thake and Michael Weeks

IN ATTENDANCE: Anthony Roche (Deputy Chief Executive), Ian Couper (Service Director - Resources), Melanie Stimpson (Democratic Services Manager) and Mark Robinson and Graham Seal (Welwyn Hatfield Borough Council)

ALSO PRESENT: Morag Norgan, Chairman Hitchin Initiative.

79 APOLOGIES FOR ABSENCE

Audio Recording – Start of Item – Session 1 - 13 seconds

Apologies for absence were received from Councillors Clare Billing, Bill Davidson, Gary Grindal, Cathryn Henry, Ben Lewis, Jim McNally, Gerald Morris and Terry Tyler.

80 MINUTES - 17 JANUARY 2019

Audio Recording – Start of Item – Session 1 - 50 seconds

The Chairman informed Members that the Minutes of the Council meeting held on 17 January 2019, marked “to follow” had not been prepared in sufficient time to be presented to the meeting due to pressures on resource issues. Therefore the Minutes would be presented to the next ordinary meeting of Council.

Councillor Paul Clark stated that he was very disappointed and this was unacceptable. The Deputy Chief Executive responded that this criticism was unfair as it was a result of recruitment difficulties and the Minutes would be finalised shortly.

The Service Director – Legal and Community reported that all possible action was being taken to rectify this, including support from another authority, but there had been some issues with this support.

81 NOTIFICATION OF OTHER BUSINESS

Audio Recording – Start of Item – Session 1 - 3 minutes 10 seconds

There was no other business notified.

82 CHAIRMAN'S ANNOUNCEMENTS

Audio Recording – Start of Item – Session 1 - 3 minutes 20 seconds

(1) **Declarations of Interest**

The Chairman reminded Members that any declarations of interest in respect of any business set out in the agenda, should be declared as either a Disclosable Pecuniary Interest or Declarable Interest and Members were required to notify the Chairman of the nature of any interest declared at the commencement of the relevant item on the agenda. Members declaring a Disclosable Pecuniary Interest must withdraw from the meeting for the duration of the item. Members declaring a Declarable Interest, wishing to exercise a 'Councillor Speaking Right', must declare this at the same time as the interest, move to the public area before speaking to the item and then must leave the room before the debate and vote.

(2) **Paperless Meetings**

As previously advised from 1 January 2019 Members will no longer receive papers from Committee Services, unless you advise them otherwise.

From the beginning of the next Civic Year all meetings would be paperless.

In preparation for using tablets at future meetings, prior to any meeting, Members should ensure that the agenda was downloaded onto the tablet. This would also ensure that if there was any updates required that this was completed prior to the tablet needing to be used at a particular meeting.

Any issues with the tablets prior to a meeting please contact IT in advance. However, IT support would be available in the IT training room from 6pm prior to Council, Cabinet and Planning and Finance Audit and Risk Meetings.

The final vote of the budget would be a recorded vote. Each Member would be called to vote individually. When called please declare whether your vote was For, Against or in Abstention of the recommendation and then press the respective button on the base unit. Before the vote please ensure the base unit is flashing.

(3) **Refreshments**

All Councillors were invited to refreshments after the meeting in Committee Rooms 2/3.

(4) **Comfort break**

If the meeting went on beyond 9pm the Chairman would call a 5 minute comfort break. Please remain in the room prior to this to ensure you can vote.

(5) **Order of Agenda Items**

The Chairman advised that Agenda Items 13 and 14 would be considered in conjunction with Agenda Item 10 – Voluntary Redundancies with the remaining business as per agenda.

(6) **Rules of Debate**

In accordance with the Constitution Members were asked to ensure that no speech exceeded five minutes without the consent of the Chairman.

(7) Welwyn Hatfield

The Chairman welcomed Graham Seal from Welwyn Hatfield Borough Council who was providing support at the meeting.

(8) Civic Dinner and Awards Ceremony

For those attending, the Chairman looked forward to Members company. One other note for your diaries was the event being hosted during the evening on 6 April 2019. Details of the event would be circulated once confirmed.

83 PUBLIC PARTICIPATION

Audio Recording – Start of Item – Session 1 - 7 minutes 28 seconds

The Council was addressed by Morag Norgan, Chairman Hitchin Initiative.

Ms Norgan circulated her presentation at the meeting and spoke on behalf of community, business and civic groups to welcome the report and recommendations set out before the Council at Agenda Item 6 – Regeneration of Churchgate Shopping Centre – Update and Alternative Options and wished to express their gratitude to officers and elected members for their resilience in dealing with Churchgate issues yet again.

Ms Norgan stated that Hitchin was fortunate that several Architects and fellow professionals had worked and were continuing to work pro bono to work up visionary schemes for the regeneration of the Churchgate area. Some ideas were new to the table, others had been championed for decades. The willingness of these groups to work together for the common good was inspiring. Their aim was not to be in competition but through the process to merge ideas and concepts to work up a viable supported scheme that meets the aspirations of our community, Hitchin Markets Limited and North Hertfordshire District Council.

The catalyst that brought this work together was the recent failure of the Shearer Property Group scheme and the launch of the Future High Streets Fund. The opportunity was not without its challenges. Failure to swiftly purchase the Leasehold interest and gain control of the site left the possibility of a third party developer taking another option with Hammersmatch. The simple solution to avoid this was for the Council to enter into an immediate option or lockout agreement with Hammersmatch which secured the interest from third party involvement and had the added advantage of limiting financial risk.

Hitchin Markets Limited faces a more immediate challenge and a need for action. They had confirmed 100% support of the phase 1 feasibility bid as shown by their inclusion in the United Group's list. However, the lack of delivery of a viable Churchgate scheme to date and therefore lack of investment over so many years continued to damage an already fragile market. Hitchin ('Historic Market Town') remained by far the most important retail-and-related-service centre of the District and Council assets should logically be used to support that very long established role thereby boosting the economy of the whole district. Hitchin Initiative urges the Council to act decisively to avoid the need for Hitchin Markets Ltd to look at a Plan B and the consequential dilution of focus from what is a truly exciting opportunity.

This group remained ready to assist wherever possible and urged Councillors to be decisive and provide clarity on two specific aspects:

- (1) Approval of the principle of purchasing the Leasehold interest in Churchgate Shopping Centre.
- (2) Approve the principle of entering into a swift option or lockout agreement with Hammersmatch if required.

- (3) Confirm the Churchgate Area of Hitchin as the phase 1 bid for the Future High Streets Fund.

84 REGENERATION OF CHURCHGATE SHOPPING CENTRE – UPDATE AND ALTERNATIVE OPTIONS

Audio Recording – Start of Item – Session 1 - 12 minutes 30 seconds

Councillor Julian Cunningham introduced the item and moved the recommendations in the report which were seconded by Councillor Lynda Needham.

The following amendment to recommendation 2.6 in the report was moved by Councillor Judi Billing and seconded by Councillor Ian Albert:-

“That the Chief Executive, Deputy Chief Executive, and Director of Resources, in consultation with:-

- (1) The Leader of the Council, Executive member for Finance and IT, and Opposition Group Leaders
- (2) Hertfordshire County Council
- (3) The Hertfordshire LEP; and
- (4) Appropriate local civic and business groups

progress the proposal for the Churchgate area of Hitchin as the Phase 1 bid for the Future High Streets Fund.”

On being put to the vote:-

the Amendment was declared LOST.

An Amendment to recommendation 2.6 in the report was then moved by Councillor Martin Stears-Handscorn and seconded by Councillor Ian Albert:-

“and the outcome be reported back to Full Council for decision.”

On being put to the vote:-

the Amendment was declared CARRIED.

It was then moved by Councillor Simon Harwood and seconded by Councillor Ian Albert that the amendment be further amended by a fourth bullet point to be added to recommendation 2.6 in the report, with the following wording being added:-

“and appropriate local community and business groups”

On being put to the vote the amendment was carried:-

The recommendation as amended, was moved by Councillor Judi Billing and seconded by Councillor Daniel Allen.

On being put to the vote:-

the recommendation, as amended, was declared CARRIED.

RESOLVED:

- (1) That Full Council notes the outcome of the bid to the Hertfordshire Local Enterprise Partnership and that the proposed regeneration with Shearer Property Group previously endorsed by Full Council will therefore not proceed.
- (2) That Full Council approve the principle of purchasing the leasehold interest for the Churchgate Shopping Centre, subject to further consideration of the economic case for doing so.
- (3) That Full Council agrees that any regeneration of Churchgate and the surrounding area must be a viable investment that maintains a return to the Council.
- (4) That officers are instructed to continue to consider a range of potential solutions in order to allow the flexibility needed to identify possible viable investments, subject to further Council decision in due course on the acceptability of any such solutions.
- (5) That Full Council agrees the previously approved transfer of up to £130k from the Special Reserve be used to progress the further work required by resolutions 2.2 and 2.4.
- (6) That the Chief Executive, Deputy Chief Executive and Director of Resources, in consultation with:-
 - (1) the Leader of the Council, Executive Member for Finance and IT and Opposition Group Leaders;
 - (2) Hertfordshire County Council;
 - (3) Hertfordshire LEP; and
 - (4) Appropriate local community and business groups

Progress the proposals for Phase 1 bids for the Future High Streets Fund and the outcome be reported back to Full Council for decision.

REASONS FOR RECOMMENDATIONS: The Council had been seeking to regenerate the Churchgate Centre for a number of years and a number of different proposals had been considered during that time, with none of those proposals progressing to a successful conclusion. The lessons learned from those previous unsuccessful attempts to regenerate the Churchgate Centre and surrounding area show that having control over the whole site (including the Churchgate Centre by owning the long leasehold interest) and being flexible as to potential solutions would increase the chances of success.

The meeting was adjourned @8:43pm.

85 ITEM REFERRED FROM CABINET: 29 JANUARY 2019 - REVENUE BUDGET 2019/20

Audio Recording – Start of Item – Session 2 - 1 hr 05 minutes 39 seconds

Resumed meeting at 8.56pm

Members were referred to the addendum report of the Service Director – Resources to inform Council of the changes made by Cabinet to the Revenue Budget for 2019/20 onwards at their meeting on 29th January 2019. As with the rest of the budget, the changes were subject to approval by Full Council.

The report also informed Council of the precepts demanded by all the local precepting authorities in the District and the resulting total District Council Tax Requirement.

Thursday, 7th February, 2019

Councillor Lynda Needham introduced the budget and Councillor Julian Cunningham made the budget speech moving the recommendations as referred to in the supplementary agenda pack which were seconded by Councillor Lynda Needham.

The Chairman invited Opposition Spokespersons/Group Leaders, Councillors Martin Stears-Hardscomb and Steve Jarvis to respond to the budget speech.

The Service Director – Resources reported that notification had been following publication of the agenda from Clothall and Kelshall of their precept requirements, which were shown as to be confirmed in the report.

Clothall had a total funding requirement for 2019/20 of £1,000, which after reflecting the CTRS grant equated to a precept demand of £881.88. This resulted in a Band D Parish precept of £10.89.

Kelshall have a total funding requirement for 2019/20 of £3,000, which after reflecting the CTRS grant equated to a precept demand of £2,850.45. This resulted in a Band D Parish precept of £37.21.

As a result table 1 of the addendum report would require an update. There were consequential impacts on recommendations 2.3 and 2.4. In 2.3 the total would be £1,160,095 (rather than £1,156,362). In 2.4 the total would be £12,551,161 (rather than £12,547,429).

It was moved by Councillor Ian Albert and seconded by Councillor Judi Billing that the following new item be added to the recommendations:-

“That Council agrees to remove E7 ‘Rolling Reduction in Area Committee Grants’ from the efficiency proposals in Appendix B at a cost of £10,000 in 2019-20, £19,000 in 2020-21, £25,000 in 2021/22 and £31,000 in 2022/23 onwards and that the tables in Appendix A be amended accordingly. And that the rules for awarding grants be reviewed to enable Area Committees to more effectively support community groups in their areas.”

On being put to the meeting:-

the amendment was declared LOST.

It was moved by Councillor Helen Oliver and seconded by Councillor Martin Stears-Hardscomb that the following new item be added to the recommendations:-

“That Council agrees an Investment Proposal to add an additional sum of £25,000 in 2019/20 as potential match-funding and to bring together stakeholders to investigate ways of providing for those who formerly used the Health Shuttle and that the tables in Appendix A be amended accordingly.”

On the basis of response Councillor David Levett stated that the matter would be considered as part of the Transport Users Forum, and it was agreed that the amendment be withdrawn.

It was moved by Councillor Deepak Sangha and seconded by Councillor Sue Ngwala that the following new item be added to the recommendations:-

“That Council agrees an Investment Proposal to add an additional sum of £25,000 in 2019-20 to provide for additional Economic Development staffing equivalent to one full time post and that the tables in Appendix A be amended accordingly. This reflects the existing plans to fund half of a joint post from the Strategic Priorities Fund in 2019-20 and to look at it further for future years.”

On being put to the vote:-

the amendment was declared CARRIED.

It was then moved by Councillor Ruth Brown and seconded by Councillor Paul Clark that the recommendations be amended as follows:-

“Item PE 10 to be deleted” from Appendix B and this saving be not included as it does not represent value for money.”

On being put to the vote:-

the amendment was declared LOST.

It was moved by Councillor Julian Cunningham and seconded by Lynda Needham that the recommendations in the supplementary agenda pack, as amended, including the precept requirements reported at the meeting, be approved.

The recommendations, as amended, were then put to the meeting and it was a recorded vote being required in accordance with 4.8.16(e) of The Constitution.

RESOLVED:

(0 voting AGAINST, 24 voting FOR and 17 ABSTENTIONS)

Voting FOR: David Barnard, John Bishop, Julian Cunningham, Steve Deakin-Davies, Sarah Dingley, Faye Frost, Jean Green, Nicola Harris, Simon Harwood, Terry Hone, Tony Hunter, David Levett, Bernard Lovewell, Paul Marment, Ian Moody, Michael Muir, Lynda Needham, Janine Paterson, Michael Rice, Valentine Shanley, Harry Spencer-Smith, Claire Strong, Richard Thake, Michael Weeks

ABSTENTIONS: Ian Albert, Daniel Allen, Kate Aspinwall, Judi Billing, Ruth Brown, Val Bryant, Paul Clark, Sam Collins, Elizabeth Dennis-Harburg, Mike Hughson, Steve Jarvis, Ian Mantle, Lisa Nash, Sue Nawala, Helen Oliver, Deepak Sangha, Martin Stears-Handscorn

- (1) That Council notes the changes detailed in this addendum report when approving a proposed net budget of £15.2m for 2019/20.
- (2) That Council approve the resultant increase in the level of Council Tax for the North Hertfordshire District Council element of 2.99%.
- (3) That Council notes, with two parish precept notifications currently outstanding, the Parish and Town Council precept requests received totalling £1,160,095.
- (4) That Council notes that, with two parish precept notifications currently outstanding, the total District Council Tax Requirement is £12,551,161 and approves this figure for inclusion in the Council Tax Resolution.
- (5) That Council agrees an Investment Proposal to add an additional sum of £25,000 in 2019-20 to provide for additional Economic Development staffing equivalent to one full time post and that the tables in Appendix A be amended accordingly. This reflects the existing plans to fund half of a joint post from the Strategic Priorities Fund in 2019-20 and to look at it further for future years.

REASONS FOR RECOMMENDATIONS: To ensure that all relevant factors are taken into consideration when arriving at the proposed Council Tax precept for 2019/20.

86 **ITEM REFERRED FROM CABINET: 29 JANUARY 2019 - INVESTMENT STRATEGY (INTEGRATED CAPITAL AND TREASURY)**

Audio Recording – Start of Item – Session 2 - 1 hr 22 minutes 50 seconds

The Council had produced an Investment Strategy in response to guidance from the Ministry for Housing, Communities and Local Government and the Chartered Institute of Public Finance and Accountancy as submitted with the report of the Service Director – Resources. This replaced the Capital Programme and Treasury Strategy that had previously been produced.

The Investment Strategy provided additional information that was not contained within the previous separate reports and this was explained in section 8.

The Investment Strategy contained the following key information:

- A capital programme for 2019/20 of £8.213m, and £11.303m for the period 2019/20 to 2023/24.
- Recommendations on Prudential Indicators and other Treasury Indicators that would be monitored and reported on during the year (2019/20)
- Changes to the scope of treasury investments to be included within the strategy.

It was moved by Councillor Julian Cunningham, seconded by Councillor Lynda Needham and

RESOLVED:

- (1) That Council adopts the Investment Strategy (as attached at Appendix A), including the capital programme and prudential indicators.
- (2) That Council adopts the four clauses in relation to the Code of Practice on Treasury Management (as detailed in paragraphs 8.17 to 8.23).

REASONS FOR RECOMMENDATIONS:

- (1) To ensure that the capital programme meets the Council's objectives and officers can plan the implementation of the approved schemes.
- (2) To ensure the Council's compliance with CIPFA's code of practice on Treasury Management, the Local Government Act 2003, statutory guidance from the Ministry of Housing, Communities and Local Government and the CIPFA Prudential Code. As well as determining and managing the Councils risk appetite in respect of investments.

87 **PAY POLICY STATEMENT 2019/20**

Audio Recording – Start of Item – Session 2 - 1 hr 30 minutes

Council was presented with the report of the Corporate Human Resources Manager which set out a Pay Policy Statement 2019/20 (Appendix 1) for the Council's consideration and approval in accordance with the requirements of Section 38 of the Localism Act 2011, associated guidance issued under Section 40 of the Act, the Local Government Transparency Code 2015 and any other relevant legislation. The Statement incorporated elements of existing policy and practice and was required to be agreed annually.

It was moved by Councillor Lynda Needham, seconded by Councillor Julian Cunningham and

RESOLVED:

- (1) That Council endorse the 2019/20 Pay Policy Statement attached at Appendix 1 of the submitted report.
- (2) That Council agrees to delegate authority for revisions made in year to the Pay Policy Statement, to the Corporate Human Resources Manager, in consultation with the Leader. Revisions which might arise in the year include changes in structure, changes to employment benefits, subsequent pay awards agreed nationally and new legislative requirements.

REASONS FOR RECOMMENDATIONS: To comply with the requirements of Section 38 of the Localism Act 2011, Statutory Guidance issued under s40 and the Local Government Transparency Code 2015.

The meeting was adjourned @10:30pm for a comfort break.

88 EXCLUSION OF PUBLIC AND PRESS

It was moved, seconded and

RESOLVED:

(32 voting FOR, 1 AGAINST and 1 ABSTENTION)

That under Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs 3 and 5 of Part 1 of Schedule 12A of the said Act.

89 VOLUNTARY REDUNDANCIES

Audio Recording – Start of Item – Session 3 - 1 hrs 41 minutes 52 seconds

The meeting resumed at 10.40pm

Director – which sought approval of the Council for two voluntary redundancies, where the cost of each exceeded the threshold of £100,000 as set out in the Pay Policy Statement.

It was moved by Councillor Julian Cunningham and seconded by Councillor Tony Hunter and

RESOLVED:

That Council approves: Voluntary Redundancy 1 and Voluntary Redundancy 2, the details of which were presented in the Part II Report.

REASONS FOR RECOMMENDATIONS:

- (1) To meet the financial challenges to the Council in light of reducing Government support.
- (2) To facilitate the phase 2 restructure and assist with meeting the Council's corporate financial budgetary requirements in the longer term.

90 VOLUNTARY REDUNDANCIES

As this part of the meeting was discussed in Part 2 there was no audio recording.

The Council considered an exempt report of the Service Director – Customer and Service Director – Legal and Community on voluntary redundancies.

The information in the Part II report was taken into account when reaching the decisions as recorded in Part I.

The item was considered prior to the part I item (Minute No. 90 refers).

Having debated the matter the meeting resumed in public session.

91 NOTICE OF MOTIONS

There was no other notice of motions considered.

92 QUESTIONS FROM MEMBERS

Audio Recording – Start of item – Session 3 – 3 hours 20 minutes 25 seconds

In accordance with Standing Order 4.8.11(b), three questions were submitted by Members within the required timescale as prescribed in the Council's Constitution.

(A) Chairman's Photographs, Civic Crest and other civic regalia

Councillor David Levett to Councillor Lynda Needham (Leader of the Council):

"Could the Leader of The Council confirm to Council when, the Past Chairmans' Board and photographs which recognise the contribution made by those individuals and also the Council over which they presided, the Civic Crest which recognises the history of the towns and urban districts which were brought together to form North Hertfordshire District Council, together with the other civic regalia which was removed temporarily whilst the DCO was refurbished, will be returned to their rightful place in the Council Chamber and Civic Suite?"

Answer

Now that the new technology has been installed in the Chamber window. One crest will go above the fire exit and the second crest will be on a blind behind the Chairman.

We are looking at a location for the photographs, as there was insufficient space to display them in a single location. Therefore, the photographs will be remounted and displayed along the corridor to the Council Chamber entrance.

The original Chairmans' board needs to be renovated and in view of the costs of updating it each year, a more modern solution was being considered.

The original board would be moved and displayed in the corridor with the charter and the old Chairman's Chair. This would be completed by the Annual Council Meeting.

(B) Food Waste Collection Costs

Councillor Steve Jarvis to Councillor Michael Weeks (Executive Member for Waste Management, Recycling and Environment)

"What is the cost to the Council of the weekly Food Waste Collection Service?"

Answer

This information was commercially sensitive and was an element of the service.

(C) Waste and Recycling Rounds

Councillor Lisa Nash to Councillor Michael Weeks (Executive Member for Waste Management, Recycling and Environment):

“What steps are being taken to ensure that when the waste and recycling rounds are revised in May this year, this does not result in a disruption to the service?”

Answer

The project plan will include consultation with the Council, workforce and unions. Regular updates would be provided. We are seeking routes that are balanced and acceptable to all parties.

The Council will provide support to Urbaser and we are already talking to communications. There is an optimisation plan and the Council Member will hold workshops with Urbaser. The Council will monitor Urbaser.

The meeting closed at 11.15 pm

Chairman

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Agenda Item 6

NORTH HERTFORDSHIRE DISTRICT COUNCIL

MINUTES

Meeting of the Council held in the Council Chamber, District Council Offices,
Gernon Road, Letchworth Garden City
on Wednesday, 20th March, 2019 at 7.30 pm

PRESENT: Councillors Jean Green (Vice-Chairman), Ian Albert, Daniel Allen, Kate Aspinwall, David Barnard, Clare Billing, Judi Billing, Val Bryant, Paul Clark, Sam Collins, Julian Cunningham, Bill Davidson, Steve Deakin-Davies, Elizabeth Dennis-Harburg, Sarah Dingley, Faye Frost, Gary Grindal, Simon Harwood, Cathryn Henry, Terry Hone, Mike Hughson, Tony Hunter, Steve Jarvis, Bernard Lovewell, Ian Mantle, Paul Marment, Ian Moody, Michael Muir, Lynda Needham, Sue Ngwala, Helen Oliver, Janine Paterson, Mike Rice, Martin Stears-Handscorn, Claire Strong, Terry Tyler and Michael Weeks

IN ATTENDANCE: David Scholes (Chief Executive), Anthony Roche (Deputy Chief Executive), Gavin Ramtohal (Legal Commercial Team Manager) and Melanie Stimpson (Democratic Services Manager)

ALSO PRESENT: At the commencement of the meeting approximately 19 members of the public.

93 APOLOGIES FOR ABSENCE

Audio Recording – Start of Item – 45 seconds

Apologies for absence were received from Councillors John Bishop, Ruth Brown, Nicola Harris, David Levett, Ben Lewis, Gerald Morris, Lisa Nash, Deepak Sangha and Harry Spencer-Smith.

94 CHAIRMAN'S ANNOUNCEMENTS

Audio Recording – Start of Item – 1 minute 42 seconds

A) Declarations of Interest

Members were reminded that any declarations of interest in respect of any business set out in the agenda, should be declared as either a Disclosable Pecuniary Interest or Declarable Interest and were required to notify the Chairman of the nature of any interest declared at the commencement of the relevant item on the agenda. Members that declared a Disclosable Pecuniary Interest must withdraw from the meeting for the duration of the item. Members that declared a Declarable Interest, who wished to exercise a 'Councillor Speaking Right', must declare this at the same time as the interest, move to the public area before speaking to the item and then leave the room before the debate and vote.

(B) Dispensations

The Chairman invited the Deputy Monitoring Officer to advise on the following dispensations granted:

Councillor Judi Billing – as a Director of Hitchin Initiative

Councillor Terry Hone – as a Trustee and Board Member of Letchworth Garden City Heritage Foundation

Councillor Lynda Needham - as a Trustee and Board Member of Letchworth Garden City Heritage Foundation

(C) Voting

Members were reminded to remain in the room throughout the item of business to ensure that a vote could be cast.

(D) Rules of Debate

In accordance with the Constitution Members were requested to ensure that no speech exceeded five minutes without the consent of the Chairman.

(E) Car Park

As notified in the Members Information Service note last Friday, in response to escalating anti-social behaviour, the multi-storey car park in Hitchin and Letchworth would close early from Monday 25 March 2019. The Lairage car park in Hitchin would close at 18:45 each evening and the Letchworth multi-storey would close at 19:00. Users of the car park would be notified via notices in the car park, Facebook, twitter and the Council's website, which would include alternative parking locations. In the forthcoming Members Information Service further details would be provided of where Councillors could park when attending evening meetings at the District Council Offices. The early closure was intended to be a short-term measure, but would remain in place until further notice.

(F) Multi Cultural Event

The Chairman of the Council, in association with North Herts Inter Faith Forum and Community Groups was holding a Multi Cultural Celebration on Saturday 6 April 2019 at 18:00 until 20:00 in Hitchin Town Hall. The event will include great entertainment, samosas and sandwiches.

Tickets were available from Committee Services at a cost of £7.00 per person.

(G) Refreshments

As the meeting was an Extraordinary, single agenda item meeting, no refreshments were provided following the meeting.

95 PUBLIC PARTICIPATION

Audio Recording – Start of Item – 8 minutes 10 seconds

The Council was addressed by Mr Graham Fisher, Chief Executive of Letchworth Garden City Heritage Foundation.

The following Councillors asked points of clarification:

Councillors Judi Billing, Mike Rice and Gary Grindal.

96 REFERRAL FROM HITCHIN COMMITTEE

RESOLVED: That the referral from the Hitchin Committee be considered together with the next item on the agenda (Minute 97 refers).

97 FUTURE HIGH STREETS FUND - CONSIDERATION OF POTENTIAL BIDS

Audio Recording – Start of Item – 13 minutes and 18 seconds

The Deputy Chief Executive presented a report following the decision of Full Council at its meeting of 7 February 2019 where it was resolved that it should be for Full Council to determine which bid should be submitted to the Future High Streets Fund (FHSF).

It was explained that the report provided information of the criteria against which bids were to be assessed and invited Full Council to decide on the preferred bid that it wished to submit.

Since publication of the agenda there had been letters of support received and the details of these were provided.

The officer's presentation of the report, having concluded, in order to progress to the debate the recommendations as contained within the submitted report were moved by Councillor Lynda Needham and seconded by Councillor Julian Cunningham.

Subsequently the following amendment to 2.2 of the submitted report was proposed by Councillor Judi Billing and seconded by Councillor Ian Albert:

'That Full Council determines that the Hitchin town centre bid should be submitted as an Expression of Interest at phase 1 of the Future High Streets Fund application process'.

The matter was then debated with the following Councillors giving statements and asking questions:

Councillor Simon Harwood
Councillor Sam Collins
Councillor Lynda Needham
Councillor Bernard Lovell
Councillor David Barnard
Councillor Elizabeth Dennis-Harburg
Councillor Daniel Allen
Councillor Julian Cunningham
Councillor Gary Grindal
Councillor Paul Clark
Councillor Claire Strong
Councillor Michael Muir
Councillor Terry Hone
Councillor Steve Jarvis
Councillor Michael Weeks
Councillor Helen Oliver
Councillor Judi Billing

Having fully debated the matter the amendment was voted upon and was declared carried. Following which the substantive motion was voted upon and it was

RESOLVED:

That Full Council:

- i. Notes the guidance issued by the Government and the criteria against which bids are to be assessed.
- ii. Determines that the Hitchin town centre bid should be submitted as an Expression of Interest at phase 1 of the Future High Streets Fund application process.

- iii. Notes that there may be other funding opportunities available in the future for the potential bid that is not chosen, or for the bid chosen by Full Council if it is unsuccessful in securing monies from the Future High Streets Fund, including a second funding round of the Future High Streets Fund in 2020.

The meeting closed at 9.10 pm

Chairman

**ANNUAL COUNCIL
21 MAY 2019**

PART 1 – PUBLIC DOCUMENT

TITLE OF REPORT: DISTRICT COUNCIL ELECTIONS – 2 MAY 2019

REPORT OF THE RETURNING OFFICER

The report is attached.

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ITEM 9 – APPENDIX A

DISTRICT COUNCIL ELECTION RESULTS – 2 MAY 2019

WARD	CANDIDATES	PARTY	VOTES	
ARBURY	LEE, Tim SCHWICK, Chris TYSON, Tom	Green Conservative Liberal Democrat	88 453 570	ELECTED
BALDOCK TOWN	GRIFFITHS, Colwyn Luke LAMBIE, Rob MUIR, Michael Douglas Robert Mackenzie WOOLHOUSE, George	Labour Liberal Democrat Conservative Green	321 350 941 201	ELECTED
CADWELL	DE SMET, David Leon GODDARD, Michael Frank MCGUIRE, Rosamund Brigid NORTH, Sam	Labour Conservative Green Liberal Democrat	95 207 72 352	ELECTED
CHESFIELD	ABRAHAMAS, Keith DAVIES, George Edmund Rhys MARSHALL, Mary Karin MAYET, Yusuf Liam	Liberal Democrat Conservative Green Labour	337 595 220 226	ELECTED
ERMINE	ANDERTON, Suzie GAMON, Mark Alister KING, Robin Anthony MORRIS, Gerald Edward	Liberal Democrat Green Labour Conservative	187 104 40 492	ELECTED
HITCHIN BEARTON	BILLING, Judi CLAYDEN, Jonathan MANGAT, Gulshan Deep Singh SANDER, Anni Elke	Labour Liberal Democrat Conservative Green	1157 351 328 296	ELECTED
HITCHIN HIGHBURY	EMIRALI, Leon GRIGGS, Angela Jean HOSKINS, Keith NEWSON, Diana Joyce	Conservative Labour Liberal Democrat Green	534 244 1606 181	ELECTED
HITCHIN WALSWORTH	HAN, Ying LAVIN, William RUSSELL, Mark David TART, Kay Frances	Liberal Democrat Green Conservative Labour	255 393 570 994	ELECTED
HITCHWOOD, OFFA & HOO	BARNARD, David John CLARK, Nicky JUNGREUTHMAYER, Anton PARKIN, Marilyn Margaret	Conservative Green Labour Liberal Democrat	1149 360 260 305	ELECTED

WARD	CANDIDATES	PARTY	VOTES	
LETCHWORTH GRANGE	ADELANTADO, Steven BROGAN, Conor COPE, Sarah Elizabeth DERBYSHIRE, Morgan William HAMILTON, Josh	UKIP Labour Green Conservative Liberal Democrat	234 563 172 708 187	ELECTED
LETCHWORTH SOUTH EAST	CLARE, Andrew Malcolm RUGGIERO-CAKIR, Adem Irfan START, Sidney Arthur	Conservative Labour UKIP	783 796 242	ELECTED
LETCHWORTH SOUTH WEST	ANDREWS, Jean GROSS, Wendy NEEDHAM, Lynda Ann NEWSON, Nicholas Mark PRENDERGAST, Sean	Labour UKIP Conservative Green Liberal Democrat	279 218 800 201 800	ELECTED
ROYSTON HEATH	BOURKE-WAITE, Amy Jane DINGLEY, Sarah Anne SHANN, Katherine Marie STANIER, Carol Ann	Labour Conservative Green Liberal Democrat	119 538 134 963	ELECTED
ROYSTON MERIDIAN	ARQUATI, Christopher Laurence HARMEL, Karen Julie HUNTER, Tony LOCKETT, Stephen James RICE, Peter Martin	UKIP Green Conservative Labour Liberal Democrat	147 140 699 147 340	ELECTED
ROYSTON PALACE	CLARK, Angela DI CAPITE, Amy Chesterton GREEN, Jean Margaret INWOOD, Rob	Green Liberal Democrat Conservative Labour	170 180 474 415	ELECTED
WESTON AND SANDON	HEARN, Michael Steven Frederick Storm JARVIS, Steve PARKINS, Headley Valentine STEPHENS, Des	Conservative Liberal Democrat Labour Green	109 601 19 25	ELECTED

PARISH/TOWN COUNCIL ELECTION RESULTS – 2 MAY 2019

PARISH	CANDIDATES	VOTES	
GRAVELEY	CROUCH, Luke William Henry	117	ELECTED
	GRIFFIN, Martin	119	ELECTED
	LUMLEY, Helen Elizabeth	97	ELECTED
	MILLARD, Robert	110	ELECTED
	NORGAN, Cheryl Kathleen	44	
	SCOTT, Desiree Catherine	45	
	SHENOY, Gillian Margaret	117	ELECTED
	THORPE, John Ivor	96	

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**ANNUAL COUNCIL
21 MAY 2019**

PART 1 – PUBLIC DOCUMENT

TITLE OF REPORT: SCHEDULE OF COUNCIL MEETINGS 2019/20

REPORT OF THE CHIEF EXECUTIVE

COUNCIL PRIORITY: RESPONSIVE AND EFFICIENT

1. EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to seek approval to a programme of ordinary meetings of the Council for the Civic Year 2019/20.

2. RECOMMENDATIONS

- 2.1 That the following programme of ordinary meetings of the Council be approved for the Civic Year 2019/20:

Thursday, 11 July 2019 – 7.30pm
Thursday, 12 September 2019 – 7.30pm
Thursday, 21 November 2019 – 7.30pm
Thursday, 6 February 2020 – 7.30pm
Thursday, 2 April 2020 - 7.30 pm

- 2.2 That the Calendar of Meetings for 2019/20, as attached as Appendix A, be approved.

3. REASONS FOR RECOMMENDATIONS

- 3.1 To enable Members to agree a programme of ordinary meetings of the Council for 2019/20.
- 3.2 To enable Members to agree the Calendar of meetings for 2019/20.

4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1 A number of alternative dates were considered during consultation.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

- 5.1 Consultation has been undertaken with the political Group Leaders.

6. FORWARD PLAN

- 6.1 This report does not contain a recommendation on a key decision and has not been referred to in the Forward Plan.

7. BACKGROUND

- 7.1 Standing Order 4.8.1(a)(xi) requires the Council, at its Annual meeting, to approve a programme of ordinary meetings of the Council for the ensuing Civic Year.

8. RELEVANT CONSIDERATIONS

- 8.1 Following consultation with the political Group Leaders, the following dates are recommended for ordinary meetings of the Council during the Civic Year 2019/20:

Thursday, 11 July 2019 – 7.30pm

Thursday, 12 September 2019 – 7.30pm

Thursday, 21 November 2019 – 7.30pm

Thursday, 6 February 2020 – 7.30pm

Thursday, 2 April 2020 - 7.30 pm

- 8.2 Should circumstances dictate that any extraordinary meetings of the Council are required to deal with time critical issues in addition to the above programme of meetings then these will be arranged as necessary.

- 8.3 Following consultation with the political Group Leaders, the Calendar of Meetings for 2019/20 as attached as Appendix A, is recommended for the Civic Year

9. LEGAL IMPLICATIONS

- 9.1 The terms of reference for the Annual Council include “approving a programme of ordinary meetings of the Council for the year”.

10. FINANCIAL IMPLICATIONS

- 10.1 No financial implications arise directly from this report. A schedule of meetings forms part of the Council’s usual business arrangements.

11. RISK IMPLICATIONS

- 11.1 There are no direct risk implications arising from this report.

12. EQUALITIES IMPLICATIONS

- 12.1 In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.

- 12.2 There are no equalities implications in this report.

13. SOCIAL VALUE IMPLICATIONS

13.1 The Social Value Act and “go local” policy do not apply to this report.

14. HUMAN RESOURCE IMPLICATIONS

14.1 There are no human resource implications.

15. APPENDICES

15.1 Appendix A – Calendar of Meetings 2019/20

16. CONTACT OFFICERS

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17. BACKGROUND PAPERS

17.1 None.

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SUBJECT TO RATIFICATION AT THE COUNCIL MEETING ON 21 MAY 2019

**NORTH HERTFORDSHIRE DISTRICT COUNCIL
SCHEDULE OF COUNCIL AND COMMITTEE MEETINGS 2019/2020**

2019

2020

7.30pm start unless stated	Regular Meeting day	MAY	JUNE	JULY	AUG	SEPT.	OCT.	NOV.	DEC.	JAN.	FEB.	MAR.	APR.
Baldock & District Committee	Mon		24				7		9			23	
Hitchin Committee	Tues		18				1		3			10	
Letchworth Committee	Wed		19				16		11			11	
Royston & District. Committee	Wed			3			9		4				1
Southern Rural Committee	Thurs		27				10		12			26	
Overview & Scrutiny Committee	Tues		4	16		17			10	21		17	
Finance, Audit & Risk Committee	Mon/ Thurs		3	29		16			5 (Thurs)	20		16	
CABINET	Tues		11	30		24			17	28 *		24	
COUNCIL	Thurs	21 (Tues)		11		12		21			6**		2
Council Tax Setting Cttee (7.00pm)	Thurs									16	27***		
Planning Control Committee	Thurs	30	20	18	22	19	17	14	19	23	13	19	16
Standards Committee	Tues						22				11		
Joint Staff Consultative Cttee (3.00pm) fl1 rm2	Wed		19			25			18			11	
BUDGET WORKSHOPS:													
Conservative Group						9 (Mon.)		4 (Mon.)					
Labour / Co-operative/ Liberal Democrat Groups						10 (Tue.)		6 (Wed.)					

* Cabinet to consider Budgets; ** Council to set Budgets; *** To set Council Tax.

District Council Elections – Thursday 2 May 2019
Annual Council Meeting – Tuesday, 21 May 2019
EU Election – Thursday, 23 May 2019

District Council Elections – Thursday, 7 May 2020
Annual Council Meeting – Thursday, 21 May 2020

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**ANNUAL COUNCIL
21 MAY 2019**

PART 1 – PUBLIC DOCUMENT

TITLE OF REPORT: APPOINTMENT OF MEMBERS OF THE CABINET FOR 2019/20

REPORT OF THE DEMOCRATIC SERVICES MANAGER

COUNCIL PRIORITY: RESPONSIVE AND EFFICIENT

1. EXECUTIVE SUMMARY

1.1 The purpose of this report is, if appointments are available, to inform the Council of the Leader's appointment of members of the Cabinet for 2019/20.

2. Recommendations

2.1 That, if available, the Members to be appointed as Executive Members of the Cabinet for 2019/20 and the areas for which they will be responsible.

3. REASONS FOR RECOMMENDATIONS

3.1 To comply with the provisions of the Local Government Act 2000 and Sections 4.8.1 (vii), 5.2 and 5.3.4 of the Council's Constitution.

4. ALTERNATIVE OPTIONS CONSIDERED

4.1 None.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

5.1 The Leader of the Council will inform the Council of the appointment of Cabinet Members for 2019/20.

6. FORWARD PLAN

6.1 This report does not contain a recommendation on a key decision and has not been referred to in the Forward Plan.

7. BACKGROUND

7.1 As required as one of the choices of political model set out in the Local Government Act 2000, North Hertfordshire District Council has adopted a Leader and Cabinet form of executive governance.

8. RELEVANT CONSIDERATIONS

8.1 Under Section 5.2 of the Council's Constitution, it is set out that the Cabinet will consist of:

“5.2.1 the Leader of the Council (the “Leader”); and

5.2.2 at least two but not more than nine (or other parameters set by legislation) Councillors appointed to the Cabinet as Executive Members by the Leader.”

8.2 If available Appendix A to the report (to be tabled at the meeting) will set out the Leader's appointments to the Cabinet Executive Member positions for 2019/20.

8.3 In accordance with Section 5.3.4 of the Council's Constitution, it is also required that “within two weeks of being elected as Leader, the Leader will submit to the Proper Officer a Cabinet Scheme of Delegations setting out the responsibilities and delegated authority of each member of the Cabinet and any other delegation of any Executive Function the Leader chooses to make.”

9. LEGAL IMPLICATIONS

9.1 Section 5.2 of the Council's Constitution sets out that the Cabinet will consist of:

“5.2.1 the Leader of the Council (the “Leader”); and

5.2.2 at least two but not more than nine (or other parameters set by legislation) Councillors appointed to the Cabinet as Executive Members by the Leader.”

9.2 Section 4.8.1(vii) of the Council's Constitution states that Annual Council will:

“note the number of Members to be appointed to the Cabinet and the appointment those Members”

9.3 Section 5.3.4 of the Council's Constitution sets out that:

“Within two weeks of being elected as Leader the Leader will submit to the Proper Officer a Cabinet Scheme of Delegations setting out the responsibilities and delegated authority of each member of the Cabinet and any other delegation of any Executive Function the Leader chooses to make.”

10. FINANCIAL IMPLICATIONS

10.1 There are no financial implications arising directly from this report

11. RISK IMPLICATIONS

11.1 There are no direct risk implications arising from this report.

12. EQUALITIES IMPLICATIONS

- 12.1 In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.
- 12.2 There are no direct equalities implications arising from this report.

13. SOCIAL VALUE IMPLICATIONS

- 13.1 The Social Value Act and “go local” policy do not apply to this report.

14. HUMAN RESOURCE IMPLICATIONS

- 14.1 There are no human resource implications.

15. APPENDICES

- 15.1 Appendix A – Cabinet Members 2019/20 and their Portfolio Responsibilities - this will , if available, be tabled at the Annual Council meeting on 21 May 2019.

16. CONTACT OFFICERS

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17. BACKGROUND PAPERS

- 17.1 None.

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**ANNUAL COUNCIL
21 MAY 2019**

***PART 1 – PUBLIC DOCUMENT**

TITLE OF REPORT: APPOINTMENT OF MEMBERS OF COMMITTEES FOR 2019/20

REPORT OF THE CHIEF EXECUTIVE

COUNCIL PRIORITY: RESPONSIVE AND EFFICIENT

1. EXECUTIVE SUMMARY

1.1 The purpose of this report is to inform the Council of the appointment of Members of Committees for 2019/20.

2. Recommendations

2.1 That, for 2019/20, the seats allocated to each political party on the Committees to which Section 15 of the Local Government and Housing Act 1989 applies and the seats allocated to each political party on the bodies to which Section 15 of the Local Government and Housing Act 1989 does not apply be as set out in Appendix A to this report, which will be tabled at the meeting, be noted.

2.2 That, for 2019/20, Members be appointed to the various Committees and other bodies in accordance with the wishes of the individual political groups, as detailed in Appendix B to this report, which will be tabled at the meeting.

3. REASONS FOR RECOMMENDATIONS

3.1 To comply with the provisions of Section 15 of the Local Government and Housing Act 1989.

4. ALTERNATIVE OPTIONS CONSIDERED

4.1 None.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

5.1 The Leaders of the Political Groups have been consulted and have been requested to inform the Democratic Services Manager of their Committee Member nominations for 2019/20.

6. FORWARD PLAN

- 6.1 This report does not contain a recommendation on a key decision and has not been referred to in the Forward Plan.

7. BACKGROUND

- 7.1 The provisions of Section 15 of the Local Government and Housing Act 1989 (“the Act”) imposed a duty for the Council to review the representation of the different Political Groups on the Council’s Committees. The representation needs to be broadly proportional to the number of seats held by each Political Group of the Council. The Committees to which Section 15 of the Act applies are:

- Overview and Scrutiny Committee;
- Finance, Audit and Risk Committee;
- Planning Control Committee;
- Licensing & Appeals Committee;
- Standards Committee;
- Council Tax Setting Committee;
- Employment Committee;
- Employment Appeals Committee; and
- Joint Staff Consultative Committee.

- 7.2 The Council is also required to appoint to various other bodies, to which Section 15 of the Act does not apply, in accordance with the nominations received from the Political Groups.

8. RELEVANT CONSIDERATIONS

- 8.1 Appendix A to the report (which will be tabled at the meeting) will set out political balance of Committees, as required under the provisions of Section 15 of the Local Government and Housing Act 1989, and the proposed allocation of seats for those bodies to which Section 15 does not apply, for 2019/20.

- 8.2 Appendix B to the report (which will also be tabled at the meeting) will set out the proposed appointment of Members to Committees for 2019/20, in accordance with the wishes of the Political Groups.

9. LEGAL IMPLICATIONS

- 9.1 The legal and constitutional requirements are set out in the main body of this report.

10. FINANCIAL IMPLICATIONS

- 10.1 There are no financial implications arising directly from this report.

11. RISK IMPLICATIONS

- 11.1 There are no direct risk implications arising from this report.

12. EQUALITIES IMPLICATIONS

12.1 In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.

12.2 There are no direct equalities implications arising from this report.

13. SOCIAL VALUE IMPLICATIONS

13.1 The Social Value Act and “go local” policy do not apply to this report.

14. HUMAN RESOURCE IMPLICATIONS

14.1 There are no human resource implications.

15. APPENDICES

15.1 Appendix A – Appointment of Committees, including those to which Section 15 of the Local Government and Housing Act 1989 applies - this will be tabled at the Annual Council meeting on 21 May 2019.

15.2 Appendix B – Appointment of Members of Committees for 2019/20 - this will be tabled at the Annual Council meeting on 21 May 2019.

16. CONTACT OFFICERS

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17. BACKGROUND PAPERS

17.1 None.

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**ANNUAL COUNCIL
21 MAY 2019**

***PART 1 – PUBLIC DOCUMENT**

TITLE OF REPORT: APPOINTMENT OF CHAIRMEN AND VICE-CHAIRMEN OF COMMITTEES FOR 2019/20

REPORT OF THE CHIEF EXECUTIVE

COUNCIL PRIORITY: RESPONSIVE AND EFFICIENT

1. EXECUTIVE SUMMARY

1.1 The purpose of this report is to inform the Council of the appointment of Chairmen and Vice-Chairmen of Committees (except Area Committees) for 2019/20.

2. Recommendations

2.1 That the Chairmen and Vice-Chairmen of Committees (except Area Committees) for 2019/20 be appointed in accordance with the details set out in Appendix A to the report, which will be tabled at the meeting.

3. REASONS FOR RECOMMENDATIONS

3.1 To comply with the provisions of Standing Order 4.8.1(a)(ix) of the Council's Constitution.

4. ALTERNATIVE OPTIONS CONSIDERED

4.1 None.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

5.1 The Leaders of the Political Groups have been consulted and have informed the Democratic Services Manager of their nominations for Chairmen and Vice-Chairmen of Committees (except Area Committees) for 2019/20.

6. FORWARD PLAN

6.1 This report does not contain a recommendation on a key decision and has not been referred to in the Forward Plan.

7. BACKGROUND

- 7.1 Standing Order 4.8.1(a)(ix) of the Council’s Constitution states that the Annual Council will:

“appoint the Chairmen and Vice-Chairmen of Committees, with the exception of the Area Committees, subject to any requirements of this Constitution concerning who may be appointed to such positions”.

8. RELEVANT CONSIDERATIONS

- 8.1 Appendix A to the report (which will be tabled at the meeting) will comprise nominations for the appointment of Chairmen and Vice-Chairmen of Committees (except Area Committees) for 2019/20.

9. LEGAL IMPLICATIONS

- 9.1 The legal and constitutional requirements are set out in the main body of this report.

10. FINANCIAL IMPLICATIONS

- 10.1 There are no direct financial implications arising directly from this report

11. RISK IMPLICATIONS

- 11.1 There are no direct risk implications arising from this report.

12. EQUALITIES IMPLICATIONS

- 12.1 In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.

- 12.2 There are no direct equalities implications arising from this report.

13. SOCIAL VALUE IMPLICATIONS

- 13.1 The Social Value Act and “go local” policy do not apply to this report.

14. HUMAN RESOURCE IMPLICATIONS

- 14.1 There are no human resource implications.

15. APPENDICES

- 15.1 Appendix A – Appointment of Chairman and Vice-Chairmen of Committees (except Area Committees) for 2019/20 – if available, this will be tabled at the Annual Council meeting on 21 May 2019.

16. CONTACT OFFICERS

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17. BACKGROUND PAPERS

- 17.1 None.

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**ANNUAL COUNCIL
21 MAY 2019**

***PART 1 – PUBLIC DOCUMENT**

TITLE OF REPORT: KEY DECISIONS – ANNUAL REPORT ON CASES OF SPECIAL URGENCY

REPORT OF THE LEADER OF THE COUNCIL AND THE CHIEF EXECUTIVE

COUNCIL PRIORITY: RESPONSIVE AND EFFICIENT

1. EXECUTIVE SUMMARY

1.1 The purpose of this report is to inform the Council of any occasions over the past year where the provisions relating to “Special Urgency” have been used in connection with the publication of an intention to make a Key Decision, as required by legislation.

2. Recommendations

2.1 That the report be noted.

3. REASONS FOR RECOMMENDATIONS

3.1 To comply with Regulation 19 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 (“the Regulations”).

4. ALTERNATIVE OPTIONS CONSIDERED

4.1 None.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

5.1 None.

6. FORWARD PLAN

6.1 This report does not contain a recommendation on a key decision and has not been referred to in the Forward Plan.

7. BACKGROUND

7.1 The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 came into force on 10 September 2012. The Regulations, inter alia, revised the procedures for publicity in connection with Key Decisions.

- 7.2 A Key Decision means an executive decision which is likely –
- (a) to result in the relevant local authority incurring expenditure which is, or the making of savings which are, significant having regard to the relevant local authority's budget for the service or function to which the decision relates; or
 - (b) to be significant in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions in the area of the relevant local authority.
- 7.3 The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, Regulation 9(2) requires that at least 28 clear days notice is given by the Council before a Key Decision is made. This requirement is ordinarily met at NHDC by the regular publication of the Forward Plan of Key Decisions.
- 7.4 Regulation 10 requires that, where the publication of the intention to make a Key decision under regulation 9(2) is impracticable, that decision may only be made –
- (a) where the proper officer has informed the chairman of the relevant overview and scrutiny committee or, if there is no such person, each member of the relevant overview and scrutiny committee by notice in writing, of the matter about which the decision is to be made;
 - (b) where the proper officer has made available at the offices of the relevant local authority for inspection by the public and published on the relevant local authority's website, if it has one, a copy of the notice given pursuant to sub-paragraph (a); and
 - (c) after five clear days have elapsed following the day on which the proper officer made available the notice referred to in sub-paragraph (b).
- 7.5 In cases of Special Urgency, Regulation 11 requires that where the date by which a key decision must be made, makes compliance with regulation 10 impracticable, the decision may only be made where the decision maker has obtained agreement from -
- (a) the chairman of the relevant overview and scrutiny committee; or
 - (b) if there is no such person, or if the chairman of the relevant overview and scrutiny committee is unable to act, the chairman of the relevant local authority; or
 - (c) where there is no chairman of either the relevant overview and scrutiny committee or of the relevant local authority, the vice-chairman of the relevant local authority, that the making of the decision is urgent and cannot reasonably be deferred.
- 7.6 Regulation 19(1) requires that the Executive Leader must submit to the relevant local authority at such intervals as may be determined by the relevant local authority a report containing details of each executive decision taken during the period since the last report was submitted to the authority where the making of the decision was agreed as urgent in accordance with Regulation 11.

- 7.7 It is the Executive Leader's recommendation that a report is submitted annually to Council at its annual meeting.
- 7.8 Regulation 19(2) requires that a report submitted for the purposes of Regulation 19(1) must include –
- (a) particulars of each decision made; and
 - (b) a summary of the matters in respect of which each decision was made.
- 7.9 Regulation 19(3) requires that the Executive Leader must submit at least one report under Regulation 19(1) annually to the relevant local authority.

8. RELEVANT CONSIDERATIONS

- 8.1 In 2018/19, the following Key Decisions made by NHDC required the Special Urgency procedure outlined in Regulation 11 to be invoked:
- (i) Subject Matter: St Ippolyts Parish Council to designate the whole parish as a neighbourhood planning area for the purpose of producing a neighbourhood plan.

Decision:

That the revised Neighbourhood Area application for St Ippolyts be approved;

Decision Taker: Cabinet

Date of Decision: 31 July 2018

Reason for urgency:

Officers have been in informal discussions with the Parish Council regarding a potential revised application for several months. Due to the abnormal nature of the parish straddling two electoral wards, the fact that the determination of such an application would be a Key Decision was overlooked in error by officers and the opportunity to proactively put this decision on the Forward Plan in advance of the application / in accordance with normal procedures was missed. The Parish Council should not be unnecessarily inconvenienced for this error.

- (ii) Subject Matter: Business Rates Pilot and Pooling.

Decision:

That North Hertfordshire District Council (NHDC) should be part of the application for a Business Rates Pilot in 2019/20, with the other 10 Hertfordshire Authorities. To also apply to be part of a Hertfordshire Business Rates Pool (with five other Authorities), in 2019/20, as an alternative if the Pilot application is not successful.

Decision Taker: Service Director – Resources - under delegated authority

Date of Decision: 17 September 2018.

Reason for urgency:

A report regarding Business Rates Pilot and Pooling will be considered by Cabinet on 10 September 2018. This report will seek authority for Ian Couper, Service Director – Resources, to make a decision under delegated powers regarding Business Rates Pilot and Pooling.

Should authority be granted to the Service Director – Resources, the decision regarding Business Rates Pilot and Pooling will be made on 17 September 2018.

The deadline for making this decision is within the 28 days notice period required for key decision.

9. LEGAL IMPLICATIONS

9.1 The requirements of the Regulations are set out in the main body of this report.

10. FINANCIAL IMPLICATIONS

10.1 There are no financial implications arising directly from this report. In the event of the use of Special Urgency procedures, financial (and other) implications would be considered in the decision making process and reported to Full Council.

11. RISK IMPLICATIONS

11.1 There are no direct risk implications arising from this report.

12. EQUALITIES IMPLICATIONS

12.1 In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.

12.2 There are no direct equalities implications arising from this report.

13. SOCIAL VALUE IMPLICATIONS

13.1 The Social Value Act and “go local” policy do not apply to this report.

14 HUMAN RESOURCE IMPLICATIONS

14.1 There are no human resource implications.

15. APPENDICES

15.1 None.

16. CONTACT OFFICERS

Author

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Contributors

- 16.2 Melanie Stimpson
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17. BACKGROUND PAPERS

- 17.1 None.

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**ANNUAL COUNCIL
21 MAY 2019**

***PART 1 – PUBLIC DOCUMENT**

**TITLE OF REPORT: ANNUAL REPORT OF THE OVERVIEW AND SCUTINY COMMITTEE
2018/19**

REPORT OF THE VICE-CHAIRMAN OF THE OVERVIEW AND SCRUTINY COMMITTEE

COUNCIL PRIORITY: RESPONSIVE AND EFFICIENT

1. EXECUTIVE SUMMARY

1.1 To consider the Annual report of the Overview and Scrutiny Committee regarding the 2018/19 Civic Year.

2. Recommendations

2.1 That Council receives and notes the Annual Report of the Overview and Scrutiny Committee as attached at Appendix A.

3. REASONS FOR RECOMMENDATIONS

3.1 To enable Annual Council to consider the report of the Vice-Chairman of the Overview and Scrutiny Committee regarding the work of that Committee in the 2018/19 Civic Year.

4. ALTERNATIVE OPTIONS CONSIDERED

4.1 None

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

5.1 None

6. FORWARD PLAN

6.1 This report does not contain a recommendation on a key decision and has not been referred to in the Forward Plan.

7. BACKGROUND

- 7.1 The Chairman of the Overview and Scrutiny Committee reports each year to Annual Council giving a brief overview of the work undertaken by that Committee in the previous Civic Year. Due to the Chairman of the 2018/19 Overview & Scrutiny Committee no longer being a Councillor, this report is provided by the Vice-Chair of the Committee.

8. RELEVANT CONSIDERATIONS

- 8.1 The report at Appendix A sets out the work of the Overview and Scrutiny Committee during the Civic Year 2018/19.

9. LEGAL IMPLICATIONS

- 9.1 Although it is not specifically referred to in the Constitution, Full Council has routinely received an Annual Report from the Chairman of the Overview and Scrutiny Committee. There is no legal requirement to have an Annual Report.

10. FINANCIAL IMPLICATIONS

- 10.1 There are no capital or revenue implications arising from the content of this report.

11. RISK IMPLICATIONS

- 11.1 There are no direct risk implications arising from this report.

12. EQUALITIES IMPLICATIONS

- 12.1 In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.

- 12.2 There are no direct equalities implications arising from this report.

13. SOCIAL VALUE IMPLICATIONS

- 13.1 The Social Value Act and “go local” policy do not apply to this report.

14. HUMAN RESOURCE IMPLICATIONS

- 14.1 There are no direct Human Resource Implications arising from this report.
- 14.2 The Scrutiny Office supports the work of the Overview and Scrutiny Committee.
- 14.3 In 2019/20 the Committee, Member and Scrutiny Team will assume the role of Scrutiny Officer

15. APPENDICES

15.1 Appendix A – Annual Report of the Overview and Scrutiny Committee for 2018/19.

16. CONTACT OFFICERS

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17. BACKGROUND PAPERS

Reports to and Minutes of the Overview and Scrutiny Committee during the Civic Year 2018/19.

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NORTH HERTFORDSHIRE DISTRICT COUNCIL



**OVERVIEW AND SCRUTINY COMMITTEE
ANNUAL REPORT
2018 – 2019**

1. Overview and Scrutiny in North Hertfordshire District Council

1.1 The depth and breadth of the Council's work means that the Overview and Scrutiny Committee has to use its resources efficiently in order to scrutinise as many topics as possible in the time available. It does so by:

- Considering a number of issues during its Committee meetings and making recommendations to Cabinet;
- Appointing dedicated task and finish groups which can examine issues in depth and make recommendations to improve services;

1.2 This year, the Committee has undertaken two training courses delivered by the Centre for Public Scrutiny, to further enhance their effective scrutiny methods and skills.

2. Meetings of the Overview and Scrutiny Committee

2.1 There were six scheduled meetings this year at which the Committee considered a range of topics including scrutinising key decisions going to Cabinet, checking whether the Council has met its performance indicators as well as reviewing other issues which the Committee has decided would benefit from closer scrutiny.

2.2 The Committee can scrutinise issues in a number of ways:

- By considering reports from, and questioning officers about different aspects of the Council's business;
- By submitting written questions which require a written answer, and which members can follow up by asking supplementary questions in Committee;
- By interviewing and questioning Cabinet Members about their portfolios;
- By calling in decisions which are of great concern to members or to the public;
- By inviting representatives from outside bodies to talk about topics of interest to the public in North Hertfordshire.

2.3 Call-In

2.3.1 The call in process allows the Chairman of the Committee, or five members of the Council, to call in a decision which is the responsibility of the Executive, which has been made but not implemented. The Committee can ask the Executive to reconsider it or can refer it to Council.

2.3.2 There have been no called in items this year.

2.4 Presentations by Executive Members

2.4.1 The Committee continued with its decision taken in the previous year, not to invite Executive Members to speak on their portfolios on a rolling basis and to instead invite them only to address specific issues or to present reports that were of interest to the Committee. The Committee are grateful to the following Executive Member for making presentations this year:

- Councillor Michael Weeks

2.5 Crime & Disorder Scrutiny

- 2.5.1 The Committee is also the Crime and Disorder Scrutiny Committee for North Hertfordshire which is required to meet at least once a year. The Committee was grateful to Chief Inspector Sally Phillips and Inspector Richard Lilley of Hertfordshire Constabulary who attended the Committee in January to talk about the work of the police in the district. CI Sally Phillips is newly appointed to her role in Neighbourhood Policing across North Hertfordshire, as the successor to the position from CI Julie Wheatley.

2.6 Safeguarding

- 2.6.1 The Committee continued to take a close interest in safeguarding matters and received its annual update on the Council's safeguarding performance in December 2018.

2.7 Statistics

- 2.7.1 In total, the Committee has considered 26 items in its meetings this year. It has made 9 recommendations on 4 topics to Cabinet. Where the Committee supported the recommendations no onward recommendations were made to Cabinet. At every meeting the Committee also considered the resolutions previously made and the work programme.
- 2.7.2 One written question was asked by Members during the year. This question was raised and answered in the December Committee and related to whether the Council was in support of St Albans Council, who was setting up a legal fund for challenging the local train operator in response to the poor train service received in parts of the district.
- 2.7.3 A response to a previously submitted written question, relating to the identification of access problems to new developments, was provided during the December Committee.

3. Task and Finish Groups in 2018/19

- 3.1 Task and finish groups are an opportunity for members to scrutinise a topic in much more depth than is possible in a single Committee meeting. They recommend improvements to the Council's performance which are then considered by Cabinet.
- 3.2 In line with the decision by the Committee in the previous year, task and finish groups remained on hold until Member training, and a workshop with Cabinet had taken place. The intended outcome of these sessions was to identify how best the Committee could fulfil its role as a critical friend and support Cabinet in their decision making.

3.3 The Centre for Public Scrutiny was approached as the national centre of expertise on governance and scrutiny and they delivered two training sessions tailored to the Committee's requirements. The first of these sessions took place in December and focussed on the essentials of effective scrutiny. The session received good feedback from the 10 members in attendance.

3.4 A workshop between Overview and Scrutiny and Cabinet Members was then held in February 2019. The workshop identified ways to develop joint working between the committees in relation to the Overview and Scrutiny function.

3.5 Following completion of the training session, during the March Committee, members made the decision that task and finish groups could now recommence on basis of members feeling more confident in the relationship between Cabinet and the Overview & Scrutiny committee.

4. Future Task and Finish Groups

4.1 The Committee has prioritised the following topics for 2018/19:

- The Waste contract

4.2 Alongside the planned task and finish group, the Committee began a scrutiny review into the Hitchin Town Hall/ District Wide Museum project, which is on-going, with recommendations planned to be brought to their September 2019 Committee.

5. Public Participation

5.1 The scrutiny process is open to involvement by local people and the Committee encourages public participation.

5.2 Approximately 29 members of the public attended the Committee's meetings this year.

5.3 Some of the ways for the public to get involved include suggesting a topic for investigation as a task and finish group; providing evidence to or at a meeting; and being co-opted on to a topic group. The Committee is keen to see more public participation both in its task and finish groups and in its committee meetings.

6. Further Information and Membership

6.1 Further information about the work of scrutiny and contact details can be found at:

<https://www.north-herts.gov.uk/home/council-anddemocracy/overview-and-scrutiny-committee>

6.2 Membership of the Overview and Scrutiny Committee

2018 – 2019

Members of the Committee

Councillor Cathryn Henry (Chairman)
Councillor Elizabeth Dennis-Harburg (Vice-Chair)
Councillor Ian Albert
Councillor Kate Aspinwall
Councillor Sam Collins
Councillor Steve Deakin-Davies
Councillor Jean Green
Councillor Steve Jarvis
Councillor Ben Lewis
Councillor Gerald Morris
Councillor Ian Moody
Councillor Michael Muir
Councillor Helen Oliver
Councillor Janine Paterson
Councillor Valentine Shanley
Councillor Martin Stears-Handscomb

Substitutes

Councillor Ruth Brown
Councillor Val Bryant
Councillor Bill Davidson
Councillor Simon Harwood
Councillor Terry Hone
Councillor Sue Ngwala
Councillor Mike Rice

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**FULL COUNCIL
21 MAY 2019**

***PART 1 – PUBLIC DOCUMENT**

AGENDA ITEM No.

TITLE OF REPORT: ANNUAL REPORT OF THE STANDARDS COMMITTEE
REPORT OF MONITORING OFFICER
THE CHAIRMAN OF THE STANDARDS COMMITTEE (2018/19)
COUNCIL PRIORITY: RESPONSIVE AND EFFICIENT

1. EXECUTIVE SUMMARY

1.1 To consider the Annual report of the Standards Committee in relation to its ethical standards in the preceding civic year.

2. RECOMMENDATIONS

2.1 That Council receives and notes the Annual Report of the Standards Committee attached at Appendix A.

3. REASONS FOR RECOMMENDATIONS

3.1 In line with recommended good governance practice to report the work of Standards Committee to the full Membership, to promote and maintain high standards of conduct and to demonstrate a strong commitment to ethical values.

4. ALTERNATIVE OPTIONS CONSIDERED

4.1 To return to the oral reports provided to Annual Council. However, this was not considered an appropriate option given a written report would demonstrate and communicate the work of the Committee/ standards issues more effectively.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

5.1 None – other than the Standards Committee as part of their deliberations on the matters detailed within the Annual Report.

6. FORWARD PLAN

6.1 This report does not contain a recommendation on a key decision and has not been referred to in the Forward Plan.

7. BACKGROUND

7.1 The current standards regime was introduced in July 2012 following the introduction of the Localism Act 2011 ('the Act'). There is a legal duty under section 27 of the Act to promote and maintain high standards of conduct. The Standards Committee has the responsibility under the Council's Constitution to promote and maintain high standards of conduct. Since 2017 a written Annual Report has been presented to the membership, with an address by the Chairman of the Standards Committee for the relevant civic year. This is in line with best practice recommendations. The Annual report is at Appendix A.

8. RELEVANT CONSIDERATIONS

- 8.1 The report at Appendix A sets out the work of the Standards Committee and Monitoring Officer during the civic year 2018/19.
- 8.2 Looking ahead to 2019/20, as indicated in the Annual Report, some of the work will be subject to the Government's response to the Committee on Standards in Public Life report from January 2019. The Code of Conduct shall be reviewed later on this year, pending this. If changes are deemed appropriate at that stage, then these will be considered by the Committee and any recommendations made to Full Council for its approval. The Government's response shall be reported through to the Standards Committee, in any event, for consideration.

9. LEGAL IMPLICATIONS

- 9.1 Although it is not specifically referred to in the Constitution, Full Council has routinely received an Annual Report on standards issues. There is no legal requirement to have an Annual Report; however, it is considered good practice to do so.

10. FINANCIAL IMPLICATIONS

- 10.1 There are no capital or revenue implications arising from the content of this report.

11. RISK IMPLICATIONS

- 11.1 Appropriate policy frameworks help to ensure good governance of the Council and therefore reduce risk of poor practice or unsafe decision making.

12. EQUALITIES IMPLICATIONS

- 12.1 In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.
- 12.2 The Councillor code of conduct clearly states that requirement of all councillors to carry out their duties with the principles stated in the Equality Act. The Standards committee ensures this ethical standards are adhered to. There are no other implications to this report.

13. SOCIAL VALUE IMPLICATIONS

- 13.1 The Social Value Act and "go local" policy do not apply to this report.

14. HUMAN RESOURCE IMPLICATIONS

- 14.1 None. The work outlined within the report is within the Monitoring Officer and Deputy Monitoring Officers' caseload.

15. APPENDICES

- 15.1 Appendix A – Annual Report of the Standards Committee 2018/19.

16. CONTACT OFFICERS

- 16.1 Jeanette Thompson Service Director: Legal and Community and Monitoring Officer
Jeanette.thompson@north-herts.gov.uk ext 4370

17. BACKGROUND PAPERS

- 17.1 Other than those identified within the Annual Report, none.



STANDARDS COMMITTEE

ANNUAL REPORT 2018/19

To be considered at the Council Meeting on 21 May 2019



FOREWORD BY CHAIRMAN OF STANDARDS COMMITTEE

This report provides a summary of the Standards Committee's activities and standards issues in 2018/19.

I first became the Chairman of the Standards Committee in July 2012 and that was at a time of great change for the Standards regime, with a new Code and localised procedures. Following the review of Local Government Ethical Standards by the Committee in Standards in Public Life during 2018 and report in 2019 – it is possible that the Standards regime (and Code of Conduct) will change, once again, with the potential for stronger sanctions being applied, such as a return of suspension of Councillors if they are found to have breached the Code of Conduct. Whether the recommendations are accepted by Government and put into place or not, I am in no doubt that the Standards Committee will continue to promote and maintain high standards of conduct and that Councillors will try to uphold the Codes and governance safeguards put in place by their authorities (District, Parish, Town and Community).



I would like to again thank our Independent Persons Nicholas Moss and Peter Chapman, Monitoring Officer and Deputy Monitoring Officers for their work on complaints, Complaint Handling Procedure and other standards related matters during the year.

**Councillor Mike Rice
Chairman of the Standards Committee
May 2019**



1. Introduction

- 1.1 This Annual Report of the Standards Committee covers the civic year 2018/19.
- 1.2 Members will be aware that changes were implemented to the Standards regime nearly 7 years ago in July 2012 following the enactment of the Localism Act 2011. The Council adopted its own Code of Conduct (NHDC Code) then and retained a Standards Committee to oversee Councillor conduct. Each Parish, Town and Community Council also adopted their own Codes, with the overall responsibility for dealing with Councillor complaints resting with the District Council and its Monitoring Officer.
- 1.3 The NHDC Code was reviewed in 2013 and in 2017 and amendments approved to the Code and the Register of Interests process that applied from 4 May 2018.
- 1.4 The Council has had an Independent Person, Nicholas Moss and a Reserve Independent Person, Peter Chapman since July 2012 ('Independent Persons'). Their role is to provide independent input into the standards process, relevant policies, guidance and views on complaints as required by the Localism Act 2011. They also have a wider role to potentially advise on disciplinary recommendations relating to Statutory Officers under the provisions of The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015.

2. Role of the Standards Committee

- 2.1 The Standards Committee has oversight of the conduct and probity of Councillors. Its responsibilities are set out in Section 7.5 of the Council's Constitution and are:
- 1 to promote and maintain high standards of conduct by Members and Co-opted Members of the authority;
 - 2 to advise and assist Parish Councils and Councillors to maintain high standards of conduct and to make recommendation to Parish Councils on improving standards or actions following a finding of a failure by a Parish Councillor to comply with its Code of Conduct;
 - 3 to conduct hearings on behalf of the Parish Council;
 - 4 to advise the Council on the adoption or revision of the Members' Code of Conduct;
 - 5 to receive referrals from the Monitoring Officer into allegations of misconduct in accordance with the authority assessment criteria;
 - 6 to receive reports from the Monitoring Officer and assess the operation and effectiveness of the Members' Code of Conduct;
 - 7 to advise, train or arrange to train Members and Co-opted Members on matters relating to the Members' Code of Conduct;
 - 8 to assist Councillors and Co-opted Members to observe the Members' Code of Conduct;
 - 9 to hear and determine complaints about Members and Co-Opted Members referred to it by the Monitoring Officer;
 - 10 to advise the Council upon the contents of and requirements for codes/ protocols/ other procedures relating to standards of conduct throughout the Council;



- 11 to review and approve the Council's arrangements for dealing with complaints about Member conduct (subject to: minor amendments delegated to the Monitoring Officer in consultation with the Independent Person);
- 12 to inform Council and the Chief Executive of relevant issues arising from the determination of Code of Conduct complaints;
- 13 to hear and determine appeals against refusal to grant dispensations by the Monitoring Officer pursuant to s33 of the Localism Act 2011;
- 14 to deal with applications for exemption from political restriction or to consider whether to include a post within the list of politically restricted posts.

3. **Members of the Committee**

- 3.1 The Committee has 14 members comprising twelve District Councillors and 2 non-voting co-opted Parish/ Community Councillors. The Independent Persons also attend the meetings in an advisory and non-voting capacity. In 2018/19, the membership was:

Councillor Mike Rice (Chairman)
Councillor David Levett (Vice-Chair)
Councillor Kate Aspinwall
Councillor David Barnard
Councillor Clare Billing
Councillor Judi Billing MBE
Councillor Paul Clark
Councillor Julian Cunningham
Councillor Steve Deakin-Davies
Councillor Bernard Lovewell
Councillor Michael Muir
Councillor Terry Tyler

(In addition there was a pool of six substitutes that could be used if a District Councillor was unable to attend and these were: Councillor Ian Albert, Councillor Sam Collins, Councillor Ian Moody, Councillor Deepak Sangha, Councillor Harry Spencer-Smith and Councillor Michael Weeks.

Co-opted, non-voting, Members:-

- Parish Councillor Helena Gregory (Codicote)
- Community Councillor Gary Hills (Great Ashby).

4. **Monitoring Officer/Support to the Committee**

- 4.1 The Council's Monitoring Officer is Jeanette Thompson, who was formally appointed on 17 May 2018 by Full Council, having been Acting Monitoring Officer since 23 November 2017. The Monitoring Officer is a statutory position under the Local Government & Housing Act 1989 and the role is to:-
- Support the Standards Committee and the Independent Persons;
 - Contribute to the promotion and maintenance of high standards of conduct within the Council;
 - Maintain systems and processes for dealing with allegations of breaches of the Councillor Code of Conduct;



- Investigate, or appoint someone to investigate, allegations of breaches of the Councillor Code of Conduct and report these, where relevant to the Standards Sub-Committee;
 - Maintain the Councillors' Registers of interests;
 - Act as a point of contact for advice and/or queries raised by Councillors;
 - Organise training for Councillors on conduct-related and decision making matters;
 - Maintain, reviewing and updates the Constitution for approval by Full Council;
 - Advise on various issues, including legality, administrative and governance matters;
 - Keep under review various governance-related policies, such as Gifts and Hospitality, Conflicts of Interest and Whistleblowing;
 - Consider and may investigate whistleblowing concerns.
- 4.2 Further support to the Committee is provided by James Ellis and Gavin Ramtohal – Deputy Monitoring Officers, the Service Director's PA and the Committee, Member and Scrutiny Services team.
- 4.3 The Council is required by the Local Government and Housing Act 1989 to provide the Monitoring Officer with "*such staff, accommodation and other resources as are, in their opinion, sufficient to allow those duties to be performed*". Additional resources or referrals may be required, and the Monitoring Officer has confirmed that she has the necessary resources to meet the requirements of the role and/ or confidence that resources will be provided to deal with situations, should complex or conflicting circumstances arise.

5. Complaints

- 5.1. The Procedure for handling Councillor Complaints was reviewed and amended in 2019¹, following the Committee on Standards in Public Life (CSPL) report on Local Government Ethical Standards², and Standard Committee resolution to:
- Make it clear that the Independent Person will be involved when a formal complaint is received and consulted pre-investigation (the legal requirements are that they may be consulted prior to an investigation – so it now extends beyond the statutory requirement);
 - Update the NHDC Complaints assessment criteria to incorporate a more obvious public interest test.

Further clarification was also provided in the Procedure as to the role of the Reserve Independent Person and what assistance they can provide to a Councillor who is subject to a complaint.

- 5.2. As further changes to the national regime may be forthcoming, a more extensive review was not undertaken (as this may be required in 2019/ 20 – pending the Government's response to the CSPL report).

¹ <https://www.north-herts.gov.uk/home/customer-services/complaining-about-councillor>

² <https://www.gov.uk/government/collections/local-government-ethical-standards>

5.3. During 2018/19 the following 14 formal complaints were raised concerning:

Complaint about: Parish/ Town or District Councillor	Summary of complaint	Action
Sandon Parish Councillors (against 3 one complainant)	Alleged conflict of interest regarding premises licence application.	No case to answer/ no breach.
District Councillor* (*same alleged conduct, different complainant)	Alleged conflict of interest regarding premises licence application and conduct.	No case to answer/ no breach.
District Councillor	Allegations of failure to declare a DPI, and other related offences, which had previously been considered by the Monitoring Officer and IP – no case in December 2017/ January 2018. Cllr self-referred to police when further allegations made in or around February 2018. Further repeat allegations made in May 2018. Police found no DPIs that should have been disclosed or declared. Following repeat of allegations on or around November 2018 raised by complainant directly by Police.	No DPI found to declare, not committed any offences under the Localism Act. No action proposed.
District Councillor*	Alleged conflict of interest regarding premises licence application and conduct of meeting.	No case to answer/ no breach.
District Councillor*	Alleged conflict of interest regarding premises licence application and conduct of meeting.	No case to answer/ no breach.
District Councillors (same complaint against 2 Councillors)	Conduct and alleged bullying.	No case to answer/ no breach.
District Councillor	Alleged brought office into disrepute, use of position and acted unreasonably to prejudice a decision.	No case to answer/ no breach.
District Councillor	Alleged intimidation and bullying.	No case to answer/ no breach.
Royston Parish Councillor	Allegation of bullying and inappropriate behaviour in a meeting,	No case to answer/ no breach.
Royston Town Councillor	Alleged that breach of data protection / sensitive information released. Failure to remove things from Facebook. Failure to show respect. Abuse of position.	No case to answer/ no breach.
Pirton Parish Councillor	Alleged bullying and intimidatory behaviour amounting to a breach of the Parish Council's Code of Conduct.	No case to answer/ no breach.
District Councillor	Alleged breach re comments on Facebook	Complaint withdrawn.



	group.	
District Councillor (ongoing)	Alleged conflict of interest regarding planning application.	Ongoing.

6. Matters considered by the Committee
Department for Communities and Local Government (DCLG)
consultation on disqualification criteria for Councillors:

6.1. The Committee had previously responded via the Monitoring Officer to the (then) DCLG consultation on changes to Councillor disqualification criteria for Councillors and Mayors. The outcome was reported in October 2018, and the Government confirmed that they would be seeking to legislate to ensure that individuals are disqualified from standing for office as local authority Members or Mayors where behaviour has led to a conviction or enforcement action resulting in an individual being subject to one or more of the following:

- the notification requirements in the Sexual Offences Act 2003;
- a Sexual Risk Order;
- a civil injunction;
- a Criminal Behaviour Order.

6.2. The Standards Committee questioned the use of the term “civil injunction” – which would appear extensive, and the Government’s explanation of this was:

*“The Government considers that an individual who is subject to **an anti-social behaviour sanction issued by the court, i.e. a Civil Injunction, (made under section 1 of the Anti-social Behaviour, Crime and Policing Act 2014)** or a Criminal Behaviour Order (made under section 22 of the Anti-social Behaviour, Crime and Policing Act 2014) should be barred from standing for election, as a local authority member, directly-elected mayor or member of the London Assembly. Their disqualification period would end once they were no longer subject to the injunction or Order.”*

6.3 Therefore the type of civil injunction would be limited to those issued for Anti-Social Behaviour under the 2014 Act.

6.4 No further implementation dates have been detailed at this stage.

Committee on Standards in Public Life review of ethical standards in local government report 30 January 2019³:

6.5 The CSPL published its report and 26 recommendations on ethical standards in local government, following a year-long review and wide consultation. Key issues and recommendations include the following. Further details can be found in the Standards Committee report or detailed CSPL report⁴:

- **New non-mandatory Model Code.**
- **Declaring and managing interests:**
 - to widen the definition of interests and include Gifts and Hospitality.

³ <https://www.gov.uk/government/publications/local-government-ethical-standards-report>

⁴ [STANDARDS MATTERS AND RECOMMENDATION ON BEST PRACTICE CHANGES](#)



- to amend Regulations so that Councillors do not need to register their home address on an authority's register of interests. **[NB still required at this stage]**
- **Investigations and safeguards:** maintain a Standards Committee and this should include Independent members, Parish representation with voting rights (as well as Independent Persons).
- **Independent Persons:** appointment to be for a fixed term of two years, renewable once.
- **Sanctions:**
 - Suspension is reintroduced for up to 6 months.
 - Clarifications of other measures, such as barring from Council premises or having facilities withdrawn.
 - The Independent Person would need to agree both that there has been a breach and that suspension is proportionate.
 - The right to appeal to the Local Government Ombudsman, who should be given the power to investigate allegations of code breaches on appeal.
 - DPI criminal offences are disproportionate in principle and ineffective in practice, and should be abolished.
- **Town and Parish Councils:**
 - Principal authorities e.g. District Councils should continue to have responsibility for investigations. A Principal authority's decision on sanctions for a Parish Councillor should be binding.
 - Parish Councils should be required to adopt the Code of their principal authority;
 - Clerks should also hold an appropriate qualification to support them to uphold governance, e.g. those provided by the Society of Local Council Clerks.
- **Supporting officers:**
 - The Monitoring Officer's role is challenging with a number of tensions and conflicts of interests. Local authorities should put in place arrangements to manage potential conflicts.
 - Employment protection should be extended, and statutory officers should be corporately supported through training and resources to undertake their role in providing support on standards issues.
- **Councils' corporate arrangements:** Local authorities setting up separate bodies risk a governance 'illusion', and should take steps to prevent and manage potential conflicts of interest, particularly if Councillors sit on these bodies. They should also ensure that these bodies are transparent and accountable.
- **Leadership and culture:** Political groups have an important role to play in maintaining an ethical culture, and there should be better ties between party political disciplinary measures and the Councillor Code of conduct



issues. Political groups should require their Members to attend Code of conduct training and this should also be written into national group rules.

- **Annual reports:** The Local Government Transparency Code should be updated to require councils to publish annually: the number of Code of conduct complaints they receive; what the complaints broadly relate to (e.g. bullying; conflict of interest); the outcome of those complaints, including if they are rejected as trivial or vexatious; and any sanctions applied.

6.6 The Government has not responded to the CSPL's recommendations yet. Some of these would require amendments to secondary legislation and the Local Government Transparency Code. In the meantime, best practice recommendations were made, which the CSPL expect authorities to implement. Many of these were being undertaken by NHDC in any event, and two that were informally being followed were taken forward as part of the Complaints Handling Procedure amendments detailed in 5.1 above.

7 Independent Persons

7.1. The two Independent Persons, Nicholas Moss and Peter Chapman, play an important role and provide assistance to the Monitoring Officer and Deputy Monitoring Officers in dealing with Standards complaints. An Independent Person is involved in each complaint and consulted during the process. The Independent Persons attend regular meetings with the Monitoring Officer and Deputies, and have also been involved in reviewing training for Councillors and the Complaints Handling Procedure during the year. The wealth of experience is a great benefit to the Council, although it is recognised that steps should be taken this year to seek some additional resource for further Independent Persons. Such additional resources would help ensure some continuity in the event of retirement or the new legal requirements suggested by the CSPL.

8 Training and Development

8.1 Training was offered to Members on 22 May 2018 to cover the Code of Conduct; Finance – understanding how the Council is funded and role of the Councillor in that; and Principles of good decision making – helping to make effective decisions. An Initial governance introduction was provided as part of the Corporate Induction in 2019 to Councillors and further more detailed training shall be offered during 2019/20. Specifically the Chairman, Independent Persons and the Monitoring Officer have considered the need to facilitate the offer of training to the Parish, Town and Community Councils on the back of any proposed changes to the ethical standards regime. This will be explored (potentially with other organisations – such as Hertfordshire Association of Parish and Town Councils and the Society of Local Council Clerks) during 2019/20.

9 Other Areas of Work

9.1 All District Councillors submitted new Register of Interests forms following the introduction of the new Code in May 2018 and scanned version were then available on the individual Councillors pages on the internet. All Parish/ Town and Community Council pages were reviewed and reminders sent to the



Clerks regarding a new Register form for their Councillors (and this work continued/ and continues throughout the year).

- 9.2 It was highlighted in the 2018 Annual report to Council that once the Modern.gov system was operational, consideration would be given to using the module for Register of Interests forms. This will now be implemented for 2019 onwards, so that Councillors can update those directly and receive automated reminders (therefore reducing the need to handwrite/ or deliver then scan and redact those documents on to the system and pages). Training sessions for this have been offered through Committee, Member and Scrutiny Services. Scanned versions of Parish, Town and Community Councillors forms will continue to be placed on individual Council pages.

10 Lessons Learned

- 10.1 During this year one of the issues that has become apparent when dealing with complaints, is expectation in terms of the Independent Person and specifically the Reserve, who may be contacted once a formal complaint is made against a Councillor. There was a misunderstanding as to that role, and therefore the Complaints Handling Procedure has been clarified (together with template documents notifying Councillors of the complaint).
- 10.2 That, as identified by the CSPL, there is a wider role for the political parties in standards issues – and that can be facilitated on the informal side, in terms of training and Group Leaders assisting when informal complaints are raised.

11 The Year Ahead

- 11.1 The Committee is scheduled to meet twice during 2018/19 and will receive updates on Standards Matters. Any Sub-Committee determination meetings will be arranged on an ad hoc basis.
- 11.2 In terms of future work for the Committee, subject to the Government's response to the CSPL report, the Code of Conduct shall be reviewed, as per the Standards Committee report of 19 February 2019. If changes are deemed appropriate at that stage, then these will be considered by the Committee and any recommendations made to Full Council for its approval. The Government's response shall be reported through to the Standards Committee, in any event, for consideration.

**ANNUAL COUNCIL
21 MAY 2018**

***PART 1 – PUBLIC DOCUMENT**

TITLE OF REPORT: NOMINATION OF REPRESENTATIVES ON OUTSIDE ORGANISATIONS AND OTHER BODIES FOR 2019/20

REPORT OF THE CHIEF EXECUTIVE

COUNCIL PRIORITY: RESPONSIVE AND EFFICIENT

1. EXECUTIVE SUMMARY

1.1 The purpose of this report is to present a list setting out the nomination of representatives on Outside Organisations and Other Bodies for 2019/2020.

2. Recommendations

2.1 That the list of nominations of representatives on Outside Organisations and Other Bodies for 2019/2020, as set out in Appendix A to the report, which will be tabled at the meeting, be approved.

2.2 That Political Group Leaders notify the Democratic Services Manager of nominations to the remaining vacancies or any changes to the existing representatives on outside organisations.

3. REASONS FOR RECOMMENDATIONS

3.1 To comply with the provisions of Standing Order 4.8.1(b)(iv) and (v) of the Council's Constitution.

4. ALTERNATIVE OPTIONS CONSIDERED

4.1 None.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

5.1 The Leaders of the Political Groups have been consulted regarding the nomination of representatives on Outside Organisations and Other Bodies for 2019/2020.

6. FORWARD PLAN

6.1 This report does not contain a recommendation on a key decision and has not been referred to in the Forward Plan.

7. BACKGROUND

7.1 Standing Order 4.8.1(b)(iv) of the Council's Constitution states that at the Annual Meeting, the Council will

“receive nominations of Councillors to serve on each Committee and outside body”.

7.2 Standing Order 4.8.1(b)(iv) states that at the Annual Meeting, the Council will also

“make appointments to those Committees and nominations to outside bodies, except where nomination to those bodies has been delegated by the Council or is exercisable by the Cabinet”.

8. RELEVANT CONSIDERATIONS

8.1 Appendix A to the report (which will be tabled at the meeting) will set out the nomination of representatives to Outside Organisations and Other Bodies for 2019/2020.

9. LEGAL IMPLICATIONS

9.1 The legal and constitutional requirements are set out in the main body of this report.

10. FINANCIAL IMPLICATIONS

10.1 There are no financial implications arising directly from this report.

11. RISK IMPLICATIONS

11.1 There are no direct risk implications arising from this report.

12. EQUALITIES IMPLICATIONS

12.1 In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.

12.2 There are no direct equalities implications arising from this report.

13. SOCIAL VALUE IMPLICATIONS

13.1 The Social Value Act and “go local” policy do not apply to this report.

14. HUMAN RESOURCE IMPLICATIONS

14.1 There are no human resource implications.

15. APPENDICES

- 15.1 Appendix A – Nomination of Representatives on Outside Organisations and Other Bodies for 2019/2020 – If available, this list will be tabled at the Annual Council meeting.

16. CONTACT OFFICERS

- 16.1 Hilary Dineen
Committee, Member and Scrutiny Manager
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- 16.2 David Scholes
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- 16.2 Melanie Stimpson
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17. BACKGROUND PAPERS

- 17.1 None.

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**ANNUAL COUNCIL
21 MAY 2019**

PART 1 – PUBLIC DOCUMENT

TITLE OF REPORT: NOTICE OF MOTIONS

The following motion was submitted, due notice of which was given in accordance with Standing Order 4.8.12, prior to cancellation of the Council meeting on 4 April 2019. It has been included in the agenda with the agreement of the former Chairman of the Council.

To be moved by Councillor Elizabeth Dennis-Harburg and seconded by Councillor Sue Ngwala.:

“Council notes that:

- a) the recent 2018 Intergovernmental Panel on Climate Change (IPCC) report states that we have just 12 years to act on climate change if global temperature rises are to be kept within the recommended 1.5 degrees Celsius;
- b) all governments (national, regional and local) have a duty to limit the negative impacts on climate breakdown, and the governments that recognise this should not wait for their national governments to change their policies. UK county, district and city councils need to commit to aggressive reduction targets and carbon neutrality as quickly as possible;
- c) districts are well placed to lead the world in reducing carbon emissions, as their responsibility for planning policies opens up a range of sustainable transport, buildings and energy opportunities;

In light of the above, the Council therefore agrees to:

- 1 Join other councils in declaring a Climate Emergency;
- 2 Ask the Leader to write to the Secretary of State requesting that they provide the necessary powers and resources to make local action on climate change easier;
- 3 Request that, in light of the IPCC report, officers review the council’s Climate Change Policy with the aim of bringing a report to Council in autumn of 2019, after consideration by Overview and Scrutiny. The review should include an action plan to achieve a target of zero carbon emissions by 2030 and proposals for regular reporting to Overview and Scrutiny Committee of the progress with the plan;
- 4 Ask officers to ensure that, as the Council’s policies are routinely reviewed, specific consideration is given to how policies and our related decisions and actions, affect our contribution to climate change, and where necessary, update these policies to reduce our impact wherever possible;
- 5 Ask officers to investigate the most appropriate training for Members and officers about how to promote carbon neutral policies for consideration by Council;
- 6 Continue to work with partners across the district, county and wide region to deliver widespread carbon reductions.”

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