

NORTH HERTFORDSHIRE DISTRICT COUNCIL



25 June 2021

Our Ref Council/8 July 2021
Contact. Committee Services
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To: The Chair and Members of North Hertfordshire District Council

**NOTICE IS HEREBY GIVEN OF A
MEETING OF THE COUNCIL**

to be held in

HITCHIN TOWN HALL, BRAND STREET, HITCHIN SG5 1JE

on

THURSDAY, 8 JULY 2021

at

7.30 PM

Yours sincerely,

Jeanette Thompson
Service Director – Legal and Community

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

Agenda **Part I**

Item		Page
1.	WELCOME	
2.	APOLOGIES FOR ABSENCE	
3.	MINUTES - 26 MAY 2021 To take as read and approve as a true record the minutes of the meeting of the Council held on 26 May 2021.	5 - 36
4.	NOTIFICATION OF OTHER BUSINESS Members should notify the Chair of other business which they wish to be discussed at the end of either Part I or Part II business set out in the agenda. They must state the circumstances which they consider justify the business being considered as a matter of urgency. The Chair will decide whether any item(s) raised will be considered.	
5.	CHAIR'S ANNOUNCEMENTS <u>Climate Emergency</u> The Council has declared a climate emergency and is committed to achieving a target of zero carbon emissions by 2030 and helping local people and businesses to reduce their own carbon emissions. A Cabinet Panel on the Environment has been established to engage with local people on matters relating to the climate emergency and advise the council on how to achieve these climate change objectives. A Climate Change Implementation group of councillors and council officers meets regularly to produce plans and monitor progress. Actions taken or currently underway include switching to green energy, incentives for low emission taxis, expanding tree planting and working to cut food waste. In addition the council is a member of the Hertfordshire Climate Change and Sustainability Partnership, working with other councils across Hertfordshire to reduce the county's carbon emissions and climate impact. The Council's dedicated webpage on Climate Change includes details of the council's climate change strategy, the work of the Cabinet Panel on the Environment and a monthly briefing on progress.	

Declarations of Interest

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 Chair 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.

6. PUBLIC PARTICIPATION

To receive petitions, comments and questions from the public.

7. ITEMS REFERRED FROM OTHER COMMITTEES

Any Items referred from other committees will be circulated as soon as they are available.

8. CONSTITUTIONAL AMENDMENT – ANNUAL REVIEW

37 - 54

REPORT OF THE SERVICE DIRECTOR LEGAL AND COMMUNITY & MONITORING OFFICER

To present an annual review report and confirmation of any further amendments made since last Council meeting (Cabinet portfolio changes and Area Committee grants).

9. ANNUAL REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE 2020/2021

55 - 66

REPORT OF THE CHAIR OF THE OVERVIEW AND SCRUTINY COMMITTEE FOR 2020/21

To consider the Annual report of the Overview and Scrutiny Committee regarding the 2020/21 Civic Year.

10. ANNUAL REPORT OF THE STANDARDS COMMITTEE

67 - 72

REPORT OF THE MONITORING OFFICER

To consider the Annual Report in relation to ethical standards for the preceding civic year.

11. NOTICE OF MOTIONS

To consider any motions, due notice of which have been given in accordance with Standing Order 4.8.12.

12. QUESTIONS FROM MEMBERS

To consider any questions submitted by Members of the Council, in accordance with Standing Order 4.8.11 (b).

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NORTH HERTFORDSHIRE DISTRICT COUNCIL

MINUTES

Meeting of the Council held in the Council Chamber, District Council Offices,
Gernon Road, Letchworth Garden City
on Wednesday, 26th May, 2021 at 7.30 pm

PRESENT: Councillors: Terry Tyler (Chair), Val Bryant (Vice-Chair), Ian Albert, Amy Allen, Judi Billing, Simon Bloxham, Ruth Brown, Paul Clark, Adam Compton, George Davies, Elizabeth Dennis-Harburg, Morgan Derbyshire, Simon Harwood, Tony Hunter, Steve Jarvis, Nigel Mason, Jim McNally, Ian Moody, Claire Strong and Tom Tyson

IN ATTENDANCE: Anthony Roche (Managing Director), Jeanette Thompson (Service Director - Legal and Community), Melanie Stimpson (Democratic Services Manager), Hilary Dineen (Committee, Member and Scrutiny Manager) and Matthew Hepburn (Committee, Member and Scrutiny Officer)

1 WELCOME

Audio Recording – 46 seconds

The Chair of the Council welcomed everyone to the meeting and drew attention to there being are only 20 Members present.

He advised that, due to the cessation of the Flexible Meeting Arrangements on 7 May 2021, it was now a requirement that the majority of formal meetings convene in person.

Having been unable to find a suitable alternative venue, Group Leaders agreed that the meeting would take place in the Council Chamber which could only hold this number of people whilst social distancing requirements were still in place.

Although minimal officers were present in the room, other officers had joined the meeting remotely, as the requirement to meet in person only applied to Councillors and, where required, members of the public.

There was still the opportunity for those Members not present, public and press to listen and view proceedings on the Council's YouTube channel as the meeting was being streamed live.

As new systems were being used he asked that Members be guided by officers and be patient as things may take longer than usual.

The Committee, Member and Scrutiny Manager undertook a roll call of officers attending remotely to ensure that they could here and be heard.

She advised that new cameras had been installed which were linked to the microphones and would move to show whoever had their microphone on.

An officer who was in attendance remotely would be shown on the screens around the room and would be visible on the YouTube livestream when they spoke.

If a Member wished to speak they should use the speak button (located on the microphone unit). The microphone would light up green and the Chair would be alerted the request to speak. When the Chair invited a Member to speak their microphone would be made live and would turn red at which point the Member could speak.

The normal procedure rules in respect of debate and times to speak would apply:

No speeches may be made until the mover had moved a proposal and explained the purpose and it had been seconded.

When seconding a motion or amendment, a Member may reserve their speech until later in the debate.

In accordance with the Constitution no speech should exceed five minutes without the consent of the Chair.

If a Member had a closure motion, personal explanation or point of order, they must indicate this by pressing the speak button on their microphone and raising their hand to alert the Chair.

Voting would be via the Yes/No/Abstain buttons on the microphone unit. Instructions regarding how to use the microphone unit were included on the back of the nameplates. Details of how Members voted would be shown on the screens around the room and the result would be visible on the YouTube stream.

In the event of a tied vote the Chair would have the casting vote.

Members and Officers were required to wear masks when standing or moving around the room or the building. Masks could be removed whilst seated.

Exit and entry to the room and the building would be guided by marshals.

The Chair of the Council, Councillor Terry Tyler started the meeting proper.

2 ELECTION OF CHAIR OF THE COUNCIL FOR THE CIVIC YEAR 2021/22

Audio Recording – 4 minutes 51 seconds

The Chair of the Council called for nominations to the position of Chair of the Council for the Civic Year 2021/22.

It was proposed by Councillor Elizabeth Dennis-Harburg, seconded by Councillor Paul Clark and:

RESOLVED: That Councillor Val Bryant be elected Chair of the Council to hold office until the next Annual Meeting of the Council in 2022.

Councillor Val Bryant took the Chair then read and signed the Statutory Declaration of Acceptance of Office and took possession of the chain of office. Councillor Bryant thanked the Council for her election as Chair and advised that her Consort for the year would be Mr Stewart Bryant.

The Chair thanked the former Chair of the Council for his work over the last year which had been an unusual year. Councillor Tyler had, due to the pandemic only parked in his car park space twice and had never had the opportunity to chair an “in person” meeting of full Council.

Councillor Val Bryant proposed, Councillor Paul Clark seconded and it was

RESOLVED: That the Council places on record its sincere thanks and appreciation to Councillor Terry Tyler for his service as Chair of the Council during the past year and also to his Consort Mrs Deborah Freeman for her help and support during his term of office.

3 APOLOGIES FOR ABSENCE

Audio recording – 10 minutes 9 seconds

Councillor Strong advised that she wished to give apologies for the members of the Conservative Group who were unable to attend due to the decision to hold a quorate plus meeting as a result of the Covid social distancing requirements

4 ELECTION OF A VICE-CHAIR OF THE COUNCIL FOR THE CIVIC YEAR 2021/22

Audio Recording – 11 minutes 10 seconds

The Chair called for nominations to the position of Vice-Chair of the Council for the Civic Year 2021/22.

Councillor Paul Clark informed Council that Councillor Terry Tyler had had an unusual year as Chair of the Council, during which, due to the Covid Pandemic, he had never chaired an in person meeting of Council, had not been able to attend the normal civic events and had been unable to raise funds for his chosen charities. He therefore wished to nominate him as Vice-Chair so that he could hopefully do all of those things when once again Chair.

It was proposed by Councillor Paul Clark and seconded by Councillor Elizabeth Dennis-Harburg that Councillor Terry Tyler be appointed as Vice-Chair of the Council for the Civic Years 2021/22.

Councillor Claire Strong advised Council that Councillor Simon Bloxham, although newly elected on 6 May 2021, had previously been a District Councillor and had also been a County Councillor. He held an ambition to be the Chair of the Council and follow in the footsteps of his Father. She asked Council to support this ambition.

It was proposed by Councillor Morgan Derbyshire and seconded by Councillor Claire Strong that Councillor Simon Bloxham be appointed as Vice-Chair of the Council for the Civic Year 2021/22.

Upon the vote it was:

RESOLVED: That Councillor Terry Tyler be appointed Vice-Chair of the Council to hold office until the next Annual meeting of the Council in 2022.

Councillor Terry Tyler then read and signed the Statutory Declaration of Acceptance of Office and took possession of the Chain of office. Councillor Tyler thanked the Council for his election as Vice-Chair and advised that his Consort for the year would be Councillor Lisa Nash.

5 MINUTES - 15 APRIL 2021

Audio Recording – 16 minutes 53 seconds

It was moved by Councillor Val Bryant, seconded by Councillor Elizabeth Dennis-Harburg and:

RESOLVED: That the Minutes of the Meeting of the Council meeting held on 15 April 2021 be approved as a true record of the proceedings and be signed by the Chair.

6 CHAIR'S ANNOUNCEMENTS

Audio recording – 17 minutes 56 seconds

- (1) The Chair advised that, in accordance with Council policy, this meeting was being audio recorded as well as filmed. The audio recordings would be available to view on Mod.gov and the film recording via the NHDC YouTube channel.
- (2) Members were reminded that this Council had declared a Climate Emergency. This was a serious decision and meant that, as this was an emergency, all of us, officers and Members, had that in mind as we carried out our various roles and tasks for the benefit of our District.
- (3) Members were reminded to make declarations of interest before an item, the detailed reminder about this and speaking rights was set out under Chair's Announcements on the agenda.
- (4) The Chair welcomed and congratulated the following new Members to the District Council following their successful election on 6 May 2021 - Councillors Amy Allen, Simon Bloxham, Adam Compton, Juan Cowell, Sarah Dingley, Nigel Mason and Mandi Tandi.
- (5) The Chair congratulated the following who were successfully re-elected at the District Council Elections - Councillors Ian Albert, Paul Clark, Elizabeth Dennis-Harburg, Terry Hone, David Levett, Ian Mantle. Claire Strong, Richard Thake, Terry Tyler and Michael Weeks.
- (6) The Chair thanked former Councillors Bill Davidson, Steve Deakin Davies, Helen Oliver and Val Shanley who did not stand for re-election.
- (7) The Chair announced that her final thanks were to the former Leader of the Council, Martin Stears-Handscomb, who was unsuccessful in being re-elected.

Martin would have very much liked to have been present at the meeting but, the Covid Social Distancing measures meant that space in the Chamber was limited. He did however hope to come to a future meeting once some form of normality resumed.

Martin served the Council for 28 and half years, the last two years as Leader of the Council.

She was sure that all would wish to join her in wishing him well in his life outside of NHDC.

Councillors Elizabeth Dennis-Harburg, Claire Strong, Paul Clark and Judi Billing paid tribute to former Councillor Martin Stears-Handscomb.

- (8) Members were reminded to complete their Registers of Interest forms online.

This would need to be completed on a laptop or a computer through citrix. Delivery of laptops to newly elected Members would start on 27 May 2021.

If Members had any issues accessing the form they should contact the Committee Services Team.

- (9) Members were reminded that they may only speak once on a motion and once on any amendment.

- (10) The Chair advised that she did not intend to have any comfort breaks unless Members requested one.

7 DISTRICT COUNCIL ELECTION RESULTS (INCLUDING ALL POLLS) - 6 MAY 2021

Audio recording – 27 minutes 8 seconds

The Retuning Officer presented the results of the District Council, County Council, Police Crime Commissioner and Parish Council Elections and Baldock, Bygrave and Clothall Neighbourhood Planning Referendum held on 6 May 2021.

RESOLVED: That the report of the Returning Officer regarding the results of the District Council, County Council, Police Crime Commissioner and Parish Council Elections and Baldock, Bygrave and Clothall Neighbourhood Planning Referendum held on 6 May 2021 be noted.

REASON FOR DECISION: To inform Members of the results of the District Council, County Council, Police Crime Commissioner and Parish Council Elections and Baldock, Bygrave and Clothall Neighbourhood Planning Referendum held on 6 May 2021.

8 LEADER OF THE COUNCIL

Audio recording – 27 minutes 46 seconds

It was proposed by Councillor Paul Clark, seconded by Councillor Ian Albert and:

RESOLVED: That Councillor Elizabeth Dennis-Harburg be elected as Leader of the Council until Annual Council in May 2025.

9 NOTING THE APPOINTMENT OF THE DEPUTY LEADER OF THE COUNCIL, MEMBERS OF THE CABINET AND DEPUTY EXECUTIVE MEMBERS FOR 2021/22

Audio recording – 29 minutes 12 seconds

The Leader of the Council, Councillor Elizabeth Dennis-Harburg, advised Council that:

- Councillor Paul Clark was appointed as Deputy Leader of the Council for the Civic Year 2021/22;
- That Executive Members and Deputy Executive Members were appointed as detailed in Appendix A to the report.

RESOLVED:

- (1) That it be noted that the Leader of the Council had appointed Councillor Paul Clark as the Deputy Leader of the Council for the Civic Year 2021/22;
- (2) That it be noted that the following Members be appointed as Executive Members of the Cabinet for 2021/22 responsible for the following areas:

Cabinet Member	Portfolio
Councillor Elizabeth Dennis-Harburg	Leader and Cabinet Chair
Councillor Paul Clark	Planning and Cabinet Vice-Chair
Councillor Ian Albert	Finance and IT
Councillor Judi Billing	Community Engagement

Councillor Sam Collins	Enterprise, the Arts & Transport
Councillor Amy Allen	Recycling and Waste Management
Councillor Steve Jarvis	Environment and Leisure
Councillor Gary Grindal	Housing and Environmental Health

- (3) That it be noted that the following Members be appointed as Deputy Executive Members of the Cabinet for 2021/22 for the following areas:

Deputy Executive Member	Portfolio
To be advised	Planning
Councillor Sam North	Finance and IT
Councillor Ruth Brown	Community Engagement
Councillor Nigel Mason	Enterprise, the Arts & Transport
Councillor Carol Stanier	Recycling and Waste Management
Councillor Adem Ruggerio-Cakir	Environment and Leisure
Councillor Sean Prendergast	Housing and Environmental Health

REASON FOR DECISIONS: To comply with the provisions of the Local Government Act 2000 and Sections 4.8.1 (vii), 5.2, 5.3.4 and 5.6 of the Council's Constitution.

10 APPOINTMENT OF MEMBERS OF COMMITTEES, JOINT COMMITTEES AND PANELS FOR 2021/22

Audio recording – 30 minutes 15 seconds

The Leader of the Council, Councillor Elizabeth Dennis-Harburg presented the report entitled Appointment of Members of Committees, Joint Committees and Panels for 2021/22 together with the following appendices:

- Appendix A – Proportionality;
- Appendix B - Committee Places;
- Appendix B - Committee Places.

Councillor Elizabeth Dennis-Harburg proposed, Councillor Paul Clark seconded and it was:

RESOLVED:

- (1) That, in line with the agreement of Group Leaders, the membership of the Licensing and Appeals Committee be increased to 14 (currently 13);
- (2) That, for 2021/22, 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 each political party on the bodies to which Section 15 of the Local Government and Housing Act 1989 does not apply, as set out in Appendix A to these Minutes, be noted.
- (3) That, for 2021/22, 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 these Minutes.

REASON FOR DECISIONS: To comply with the provisions of Section 15 of the Local Government and Housing Act 1989.

11 APPOINTMENT OF CHAIRS AND VICE-CHAIRS OF COMMITTEES FOR 2021/22

Audio Recording – 32 minutes 20 seconds

The Leader of the Council, Councillor Elizabeth Dennis-Harburg proposed, Councillor Paul Clark seconded and it was

RESOLVED: That the Chairs and Vice-Chairs of Committees for 2021/22 be appointed in accordance with the details set out in Appendix C to these Minutes.

REASON FOR DECISION: To comply with the provisions of Standing Order 4.8.1(a)(ix) of the Council's Constitution.

12 KEY DECISIONS - ANNUAL REPORT ON CASES OF SPECIAL URGENCY

Audio recording – 33 minutes 39 seconds

The Leader of the Council, Councillor Elizabeth Dennis-Harburg presented the report entitled Key Decision - Annual Report on Cases of Special Urgency.

Councillor Elizabeth Dennis-Harburg proposed, Councillor Paul Clark seconded and it was:

RESOLVED: That the report entitled Key Decisions – Annual Report on Cases of Special Urgency be noted.

REASON FOR DECISION: To comply with Regulation 19 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

13 APPROVE A PROGRAMME OF ORDINARY MEETINGS FOR THE COUNCIL FOR THE CIVIC YEAR 2021/22

Audio recording – 34 minutes 58 seconds

The Leader of the Council, Councillor Elizabeth Dennis-Harburg, presented the report entitled Approve a Programme of Ordinary Meetings for the Council for the Civic Year 2021/22 together with the following appendix:

- Appendix A - 2021-22 - Outside Bodies List.

She expressed disappointment that, due to the cessation of the Flexibility of Meetings regulations, the meetings was not able to be held in a more flexible manner.

Councillor Claire Strong stated that she hoped that all 49 Members would be able to meet for the next Council meeting, due to be held on 8 July 2021.

Councillor Amy Allen thanked officers for their hard work in putting together previous online meetings and this quorate Annual Council meeting.

Councillor Elizabeth Dennis-Harburg proposed, Councillor Paul Clark seconded and it was

RESOLVED:

- (1) That the following programme of ordinary meetings of the Council be approved for the Civic Year 2021/22:
Thursday, 8 July 2021 – 7.30pm
Thursday, 23 September 2021 – 7.30pm
Thursday, 11 November 2021 – 7.30pm
Thursday, 20 January 2022 – 7.30pm
Thursday, 10 February 2022 – 7.30pm
Wednesday, 23 March 2022 - 7.30 pm.
- (2) That the Calendar of Meetings for 2021/22, as attached as Appendix D to these Minutes, be approved.

REASON FOR DECISION: To enable Members to agree a programme of ordinary meetings of the Council for 2021/22.

14 NOMINATION OF REPRESENTATIVES ON OUTSIDE ORGANISATIONS AND OTHER BODIES FOR 2021/22

Audio recording – 38 minutes 51 seconds

The Democratic Services Manager presented the report entitled Nomination of Representatives on Outside Organisations and Other Bodies for 2021/22 and the associated appendix:

- Appendix A - Nominations to Outside Bodies.

Councillor Elizabeth Dennis-Harburg moved the nominations contained in the report with the exception of those where additional votes were required, this was seconded by Councillor Clark.

Councillor Morgan Derbyshire advised that he was withdrawing his nomination to North Hertfordshire Council for Voluntary Service.

Councillor Steve Jarvis advised that there was no appointment to be made to Groundwork Hertfordshire and that the organisation should be removed from the list.

He further advised that he was, as Executive Member for Environment and Leisure, appointed to Hertfordshire Climate Change and Sustainability Partnership and thought this should be documented on the list of Outside bodies.

RESOLVED:

- (1) That the list of nominations of representatives on Outside Organisations and Other Bodies for 2021/22, as detailed in Appendix E to the Minutes be approved, with confirmation that:
 - (a) The Council's representative on Hertfordshire Building Preservation Trust be Councillor Terry Tyler;
 - (b) The Council's representative on Royston First (BID) be Councillor Ruth Brown.
- (2) That Groundwork Hertfordshire, has been identified as not being in existence and therefore the nomination be removed from the list of Outside Organisations

- (3) That, subject to the usual checks on outside organisations being undertaken and satisfactory, the Hertfordshire Climate Change and Sustainability Partnership be added to the list of Outside Organisations and that the Executive Member for Environment and Leisure be nominated as the representative to this organisation;
- (4) 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.

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

15 **RESOLUTION TO EXTEND THE 6 MONTH RULE - SECTION 85 LOCAL GOVERNMENT ACT 1972**

Audio recording – 50 minutes 38 seconds

The Democratic Services Manager presented the report entitled Resolution to Extend the 6 Month Rule - Section 85 Local Government Act 1972.

Councillor Claire Strong stated that it was sensible and desirable to go ahead with this.

Councillor Elizabeth Dennis-Harburg proposed, Councillor Paul Clark seconded and it was:

RESOLVED: That an extension of the six-month rule for Councillors unable to attend Committee meetings owing to the Coronavirus, or health related reasons following the cessation of The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020 No.392 and the requirement for Local Authorities to hold meetings in person be approved. The six-month period will end on 26 November 2021.

REASONS FOR DECISION:

- (1) Section 85 of the Local Government Act 1972 states that 'if a member of a local authority fails throughout a period of six consecutive months from the date of his last attendance to attend any meeting of the authority, he shall, unless the failure was due to some reason approved by the authority before the expiry of that period, cease to be a member of the authority'. Whilst the Local Government Association has been lobbying for this issue to be dealt with, this has so far not been addressed by central government.
- (2) The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020 No.392 allowed Local Authorities to hold remote meetings until 7 May 2021. This has now expired and Local Authorities are required to hold meetings in person.
- (3) The recommendation at 2.1 is therefore required to enable Councillors to continue to serve as District Councillors whilst they feel too vulnerable to attend meetings in person and social distancing is required due to the pandemic.

16 **CONSTITUTIONAL REPORT TO COUNCIL UNDER SECTION 2.6.6**

Audio recording – 53 minutes

The Service Director – Legal and Community presented the report entitled Constitutional Report to Council under Section 2.6.6 together with the following Appendices:

- Delegated Decision 6.5.21;
- Appendix A to the Delegated Decision - Schedule of Constitutional Amendments.

Councillor Paul Clark thanked the Monitoring Officer for her due diligence and hard work.

It was proposed by Councillor Elizabeth Dennis-Harburg, seconded by Councillor Paul Clark and it was:

RESOLVED: That the amendments made to the Constitution be noted and endorsed.

REASON FOR DECISION: To ensure the Constitution reflects legislative change and minor amendments required following Council resolution of 15 April 2021.

The meeting closed at 8.27 pm

Chair

APPENDIX A TO THE MINUTES

**APPOINTMENT OF COMMITTEES INCLUDING THOSE TO WHICH SECTION 15
OF THE LOCAL GOVERNMENT AND HOUSING ACT 1989 APPLIES**

	Conservative	%	L&C	%	Lib Dem	%	Constitution
Total Seats	23	46.94%	15	30.64%	11	22.45%	49
Overview & Scrutiny Committee	5	41.67%	4	33.33%	3	25.00%	12
Finance, Audit & Risk Committee	3	42.86%	2	28.57%	2	28.57%	7
Planning Control Committee	6	50.00%	3	25.00%	3	25.00%	12
Licensing & Appeals Committee	7	50.00%	4	28.57%	3	21.43%	10 to 15 Currently 14
Standards Committee	6	50.00%	3	25.00%	3	25.00%	12
Council Tax Setting Committee	2	40.00%	2	40.00%	1	20.00%	5
Employment Committee	2	40.00%	2	40.00%	1	20.00%	5
Employment Appeals Committee	2	40.00%	2	40.00%	1	20.00%	5
Joint Staff Consultative Committee (JSCC)	2	40.00%	2	40.00%	1	20.00%	5
Totals	35	45.45%	24	31.17%	18	23.38%	73 to 78
Variation		-1.48%		+0.56%		+0.93%	Currently 77

AREA COMMITTEE	Conservative	L&C	Lib Dem	Total
Baldock & District Committee	4	-	2	6
Hitchin Committee	2	8	3	13
Letchworth Committee	5	7	1	13
Royston & District Committee	5	-	2	7
Southern Rural Committee	7	-	3	10
Total	23	15	11	49

APPOINTMENT OF BODIES NOT INCLUDED IN THE POLITICAL BALANCE CALCULATIONS

Name of Body	Conservative	L&C	Lib Dem	Total
Cabinet	-	5	3	8
Hitchin Town Centre Working Party				
Community Facilities Capital Grants Panel	4	3	2	9
Joint Member Panel of NHDC and Letchworth Garden City Heritage Foundation (All Members of the Letchworth Committee)	5	7	1	13
CCTV Joint Committee (Three Cabinet Members)	-	2	1	3
Cabinet Sub-Committee (Council Charities) [Three Cabinet Members nominated by the Leader of the Council]	-	2	1	3
Cabinet Sub-Committee (Local Authority Trading Companies' Shareholder) [Three Cabinet Members nominated by the Leader of the Council]	-	1	2	3
Cabinet Panel on Community Engagement, Enterprise and Co-Operative Development [Agreed within Terms of Reference that Panel be politically balanced]	4	3	2	9
Cabinet Panel on the Environment [Agreed within Terms of Reference that Panel be politically balanced]	4	3	2	9
Cabinet Panel on Housing, Strategic Planning and Transport [Agreed within Terms of Reference that Panel be politically balanced]	4	3	2	9

**APPOINTMENT OF MEMBERS OF COMMITTEES, JOINT COMMITTEES AND PANELS FOR
2021/22**

NORTH HERTFORDSHIRE DISTRICT COUNCIL

Set out below are the proposed Members of the Committees, Sub-Committees, Joint Committees, Panels and Working Groups for the Civic Year 2021/22:

OVERVIEW AND SCRUTINY COMMITTEE

(12 Members)

Councillor Daniel Allen
Councillor Kate Aspinwall
Councillor Tony Hunter
Councillor David Levett
Councillor Nigel Mason
Councillor Jim McNally
Councillor Ian Moody
Councillor Lisa Nash
Councillor Sue Ngwala
Councillor Carol Stanier
Councillor Claire Strong
Councillor Terry Tyler

(Substitutes:

Councillor Clare Billing
Councillor Ruth Brown
Councillor Morgan Derbyshire
Councillor Terry Hone
Councillor Gerald Morris
Councillor Sam North
Councillor Kay Tart)

FINANCE, AUDIT & RISK COMMITTEE

(7 Members)

Councillor Clare Billing
Councillor Sam Collins
Councillor Adam Compton
Councillor Morgan Derbyshire
Councillor Terry Hone
Councillor Keith Hoskins
Councillor Adem Ruggiero-Cakir

(Substitutes:

Councillor Juan Cowell
Councillor George Davies
Councillor Steve Jarvis
Councillor Nigel Mason
Councillor Kay Tart
Councillor Terry Tyler)

COUNCIL TAX SETTING COMMITTEE

(5 Members)

Councillor Ian Albert
Councillor Elizabeth Dennis-Harburg
Councillor Morgan Derbyshire
Councillor Sam North
Councillor Claire Strong

(Substitutes:

Councillor Paul Clark
Councillor Sam Collins
Councillor Simon Harwood
Councillor Ian Moody
Councillor Sue Ngwala
Councillor Kay Tart)

EMPLOYMENT COMMITTEE

(5 Members)

Councillor Judi Billing
Councillor Elizabeth Dennis-Harburg
Councillor Morgan Derbyshire
Councillor Keith Hoskins
Councillor Claire Strong

(Substitutes:

Councillor Ian Albert
Councillor Kate Aspinwall
Councillor Paul Clark
Councillor Tony Hunter
Councillor Steve Jarvis
Councillor Ian Moody)

EMPLOYMENT APPEALS COMMITTEE

(5 Members - none of whom are Members of the Employment Committee and at least one of whom must be an Executive Member)
(Chairman to be elected at each meeting)

Councillor Kate Aspinwall
Councillor David Barnard
Councillor Paul Clark
Councillor Sue Ngwala
Councillor Mandi Tandi

(Substitutes:

Councillor Clare Billing
Councillor Simon Bloxham
Councillor Ruth Brown
Councillor Val Bryant
Councillor Steve Jarvis
Councillor Mike Rice)

JOINT STAFF CONSULTATIVE COMMITTEE

(5 Members)

Councillor Kate Aspinwall
Councillor Terry Hone
Councillor Keith Hoskins
Councillor Sue Ngwala
Councillor Claire Strong

(Substitutes:

Councillor Paul Clark
Councillor Sam Collins
Councillor Elizabeth Dennis-Harburg
Councillor Tony Hunter
Councillor Mandi Tandi
Councillor Kay Tart)

CABINET SUB-COMMITTEE (COUNCIL CHARITIES)

(3 Cabinet Members)

Councillor Judi Billing
Councillor Elizabeth Dennis-Harburg
Councillor Steve Jarvis

CABINET SUB-COMMITTEE (LOCAL AUTHORITY TRADING COMPANIES' SHAREHOLDER)

(3 Cabinet Members)

Councillor Ian Albert
Councillor Paul Clark
Councillor Sam Collins

PLANNING CONTROL COMMITTEE

(12 Members)

Councillor John Bishop
Councillor Ruth Brown
Councillor Val Bryant
Councillor Morgan Derbyshire
Councillor Mike Hughson
Councillor Tony Hunter
Councillor David Levett
Councillor Ian Moody
Councillor Sue Ngwala
Councillor Mike Rice
Councillor Terry Tyler
Councillor Tom Tyson

(Substitutes:

Councillor Simon Bloxham
Councillor Sam Collins
Councillor George Davies
Councillor Ian Mantle
Councillor Michael Muir
Councillor Carol Stanier
Councillor Kay Tart)

LICENSING AND APPEALS COMMITTEE

(Pool consisting of 10 to 15 Members)

NO Substitutes

NB for 2021/22 this Committee will consist of 14 members

Councillor Ian Albert
Councillor Daniel Allen
Councillor David Barnard
Councillor Simon Bloxham
Councillor Elizabeth Dennis-Harburg
Councillor Jean Green
Councillor Jim McNally
Councillor Gerald Morris
Councillor Lisa Nash
Councillor Sam North
Councillor Mike Rice
Councillor Adem Ruggiero-Cakir
Councillor Richard Thake
Councillor Tom Tyson

BALDOCK & DISTRICT COMMITTEE

(Baldock, Arbury & Weston & Sandon Wards - Parishes of Ashwell, Bygrave, Caldecote, Clothall, Hinxworth, Newnham, Radwell, Rushden, Sandon, Wallington & Weston)

(6 Members)

Councillor Juan Cowell
Councillor Steve Jarvis
Councillor Jim McNally
Councillor Michael Muir
Councillor Tom Tyson
Councillor Michael Weeks

HITCHIN COMMITTEE

(Hitchin and St. Ippolyts (North) Parish ward)

(13 Members)

Councillor Ian Albert
Councillor Clare Billing
Councillor Judi Billing
Councillor Val Bryant
Councillor Paul Clark
Councillor Sam Collins
Councillor Elizabeth Dennis-Harburg
Councillor Simon Harwood
Councillor Keith Hoskins
Councillor Mike Hughson
Councillor Nigel Mason
Councillor Kay Tart
Councillor Richard Thake

LETCHWORTH COMMITTEE

(Letchworth only)

(13 Members)

Councillor Amy Allen
Councillor Daniel Allen
Councillor Kate Aspinwall
Councillor Simon Bloxham
Councillor Morgan Derbyshire
Councillor Gary Grindal
Councillor Terry Hone
Councillor David Levett
Councillor Ian Mantle
Councillor Sean Prendergast
Councillor Sue Ngwala
Councillor Mike Rice
Councillor Adem Ruggiero-Cakir

ROYSTON & DISTRICT COMMITTEE

(Royston & Ermine Ward - Parishes of Barkway, Barley, Kelshall, Nuthampstead, Reed & Therfield)
(7 Members)

Councillor Ruth Brown
Councillor Adam Compton
Councillor Sarah Dingley
Councillor Jean Green
Councillor Tony Hunter
Councillor Gerald Morris
Councillor Carol Stanier

SOUTHERN RURAL COMMITTEE

(Parishes of Codicote, Gosmore, Graveley, Great Ashby, Hexton, Holwell, Ickleford, Kimpton, Kings Walden, Knebworth, Langleigh, Lilley, Offley, Pirton, Preston, St. Ippolyts (South), St. Paul's Walden & Wymondley)

(10 Members)

Councillor David Barnard
Councillor John Bishop
Councillor George Davies
Councillor Faye S Frost
Councillor Ian Moody
Councillor Lisa Nash
Councillor Sam North
Councillor Claire Strong
Councillor Mandi Tandi
Councillor Terry Tyler

STANDARDS COMMITTEE

(12 District Council Members
Independent Person and 2 Reserve Independent Persons (advisory roles);
2 Parish Council Members – non-voting co-optees)

(12 District Councillors)

Councillor Kate Aspinwall
Councillor Judi Billing
Councillor Ruth Brown
Councillor Sam Collins
Councillor Elizabeth Dennis-Harburg
Councillor David Levett
Councillor Gerald Morris
Councillor Sean Prendergast
Councillor Mike Rice
Councillor Claire Strong
Councillor Mandi Tandi
Councillor Richard Thake

(Substitutes:

Councillor Ian Albert
Councillor Simon Bloxham
Councillor Paul Clark
Councillor George Davies
Councillor Simon Harwood
Councillor Lisa Nash
Councillor Adem Ruggiero-Cakir)

Independent Person: Mr Nicholas Moss (advisory)
Reserve Independent Persons: Mr Peter Chapman and Mr John Richardson (advisory)
Parish Councillors Rebecca Elliott and Martin Griffin – non-voting co-optees)

CABINET PANEL ON THE ENVIRONMENT

(9 Members)

Councillor Amy Allen
Councillor Val Bryant
Councillor Juan Cowell
Councillor George Davies
Councillor Sarah Dingley
Councillor Keith Hoskins
Councillor Steve Jarvis
Councillor Gerald Morris
Councillor Ruggiero-Cakir

(Substitutes:

Councillor Mike Hughson
Councillor Michael Muir
Councillor Carol Stanier
Councillor Kay Tart
Councillor Richard Thake
Councillor Tom Tyson

CABINET PANEL ON COMMUNITY ENGAGEMENT AND COOPERATIVE DEVELOPMENT

(9 Members)

Councillor Daniel Allen
Councillor Judi Billing
Councillor Ruth Brown
Councillor Sam Collins
Councillor Sarah Dingley
Councillor Jean Green
Councillor Tony Hunter
Councillor Kay Tart
Councillor Mandi Tandi

(Substitutes:

Councillor Ian Albert
Councillor Juan Cowell
Councillor Michael Muir
Councillor Lisa Nash
Councillor Terry Tyler

1 Labour and Cooperative substitute to be advised

CABINET PANEL ON HOUSING, STRATEGIC PLANNING AND TRANSPORT

(9 Members)

Councillor David Barnard
Councillor Clare Billing
Councillor Paul Clark
Councillor Adam Compton
Councillor Gary Grindal
Councillor David Levett
Councillor Ian Mantle
Councillor Ian Moody
Councillor Sean Prendergast

(Substitutes:

Councillor Daniel Allen
Councillor Sam Collins
Councillor Juan Cowell
Councillor George Davies
Councillor Sue Ngwala
Councillor Carol Stanier

HITCHIN TOWN CENTRE WORKING PARTY

(7 Members)

Nominations to be advised

COMMUNITY FACILITIES CAPITAL GRANTS PANEL

(9 Members + 1 vacancy)

Councillor Ian Albert
Councillor David Barnard
Councillor Clare Billing
Councillor Ruth Brown
Councillor Juan Cowell
Councillor Terry Hone
Councillor Sue Ngwala
Councillor Sam North
Councillor Mike Rice

CCTV PARTNERSHIP JOINT EXECUTIVE

(3 Cabinet Members)

Councillor Ian Albert
Councillor Judi Billing
Councillor Paul Clark

JOINT MEMBER PANEL – LETCHWORTH GARDEN CITY HERITAGE FOUNDATION

(All Members of the Letchworth Committee)

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APPENDIX C TO THE MINUTES

APPOINTMENT OF CHAIRS AND VICE-CHAIRS OF COMMITTEES 2021/22

COMMITTEE	PROPOSED CHAIR	PROPOSED VICE-CHAIR
Overview & Scrutiny Committee	Councillor David Levett	Councillor Daniel Allen
Finance, Audit & Risk Committee	Councillor Keith Hoskins	Councillor Claire Billing
Licensing & Appeals Committee	Councillor Lisa Nash	Councillor Daniel Allen
Joint Staff Consultative Committee	Councillor Kate Aspinwall	Councillor Sue Ngwala
Planning Control Committee	Councillor Ruth Brown	Councillor Sue Ngwala
Council Tax Setting Committee	Councillor Ian Albert	N/A
Standards Committee	Councillor Judi Billing	Councillor Ruth Brown
Employment Committee	Councillor Elizabeth Dennis-Harburg	N/A
Employment Appeals Committee	Councillor Sue Ngwala	N/A
Community Facilities Capital Grants Panel	Councillor Clare Billing	N/A

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SUBJECT TO RATIFICATION AT THE COUNCIL MEETING ON 20 MAY 2021

NORTH HERTFORDSHIRE DISTRICT COUNCIL
SCHEDULE OF COUNCIL AND COMMITTEE MEETINGS 2021/2022

7.30pm start unless stated	Regular Meeting day	MAY 2021	JUNE 2021	JULY 2021	AUG 2021	SEPT 2021	OCT 2021	NOV 2021	DEC 2021	JAN 2022	FEB 2022	MAR 2022	APR 2022
COUNCIL													
COUNCIL	Thurs	26 Annual		8		23		11		20	10**	23	
Council Tax Setting Cttee (5.00pm)	Thurs									13 Publish papers 05.01.21	28***		
EXECUTIVE													
CABINET	Tues		29	20		21			21	25*		22	
Cabinet Sub-Committee (Council Charities) (3.00pm)									13				
Cabinet Sub-Committee (Local Authority Trading Companies' Shareholder)													
REGULATORY													
Licensing and Appeals Committee				5							7		
Planning Control Committee	Thurs	27	17 & 30	15 & 22	19	2 & 16	14	4 & 18	2 & 16	19 & 27	9 & 24	17 & 31	20 (Wed)
Standards Committee	Tues						19 (Tue)					2 (Wed)	
SCRUTINY													
Overview & Scrutiny Committee	Tues		22	13		14			14	18		15	

SUBJECT TO RATIFICATION AT THE COUNCIL MEETING ON 20 MAY 2021

7.30pm start unless stated	Regular Meeting day	MAY 2021	JUNE 2021	JULY 2021	AUG 2021	SEPT 2021	OCT 2021	NOV 2021	DEC 2021	JAN 2022	FEB 2022	MAR 2022	APR 2022
AREA COMMITTEES													
Baldock and District Committee	Mon		21				4		6			14	
Hitchin Committee	Tues		15				12	30				1	
Letchworth Committee	Wed		16				13		8			9	
Royston & District. Committee	Wed		9				20		1			8	
Southern Rural Committee	Thurs		24				21		9			3	
OTHER COMMITTEES													
Finance, Audit & Risk Committee	Mon/ Wed		23	12 (Mon)		15 (Wed)			15	17 (Mon)		16	
Joint Staff Consultative Cttee (10.00am)	Wed		9			22			15			9	

SUBJECT TO RATIFICATION AT THE COUNCIL MEETING ON 20 MAY 2021

7.30pm start unless stated	Regular Meeting day	MAY 2021	JUNE 2021	JULY 2021	AUG 2021	SEPT 2021	OCT 2021	NOV 2021	DEC 2021	JAN 2022	FEB 2022	MAR 2022	APR 2022
PARTNERSHIPS, PANELS AND LIAISON MEETINGS													
Cabinet Panel on Community Engagement and Cooperative Development	Mon		7	19		6		8		31			
Cabinet Panel on the Environment	Tues		8	6		7		16			22		
Cabinet Panel on Housing, Strategic Planning and Transport	Wed		28	14		1		24			2		
CCTV Partnership Joint Executive													
Highways Liaison (7.00pm)				21							23		
BUDGET WORKSHOPS:													
Administration								1 (Mon.)					
Opposition								3 (Wed.)					
CIVIC AND ELECTORAL EVENTS													
District Council, County Council and Police and Crime Commissioner Elections		6											
Civic Dinner and Awards Ceremony											25		

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

2022 – 2023

District Council Elections – Thursday 5 May 2022

Annual Council Meeting – Thursday, 19 May 2022

Civic Dinner and Awards Ceremony – Friday 25 February 2022

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NOMINATION OF REPRESENTATIVES OF THE COUNCIL ON OUTSIDE BODIES AND ORGANISATIONS
2021/22

Organisation	Representative	Date of Retirement	Term of Office (Years)	Party	Comments
Baldock Community Forum Community Interest Company	Cllr M Weeks	2022	1	CON	
Baldock Town Twinning Association	Cllr M. Weeks Cllr J McNally	2022 2022	1 1	CON CON	
Baldock United Almshouses Charities	Cllr J Cowell Cllr M Muir Cllr M Weeks	2022 2022 2022	1 1 1	CON CON CON	
Baldock Youth and Community Association	Cllr J McNally Cllr J Cowell Cllr M Weeks	2022 2022 2022	1 1 1	CON CON CON	
Bedford and River Ivel Internal Drainage Board	Cllr S Jarvis (Executive Member)	2022	1	LD	
British Schools Museum	Cllr V Bryant	2022	1	L&C	
Charles Collison Trust	Cllr I Albert	2022	1	L&C	
Chilterns Conservation Board	Cllr S Jarvis (Executive Member)	2022	1	LD	
Citizens Advice North Herts	Cllr R Brown Cllr I Mantle Cllr M Rice	2022 2022 2022	1 1 1	LD L&C CON	
E.A. Lucas Technical School Foundation	Cllr S Collins	2022	1	LD	
East of England Leaders Group	Cllr E Dennis-Harburg (Leader of the Council) Sub Cllr P Clark (Deputy Leader of the Council)	2022 2022	1 1	L&C LD	
Grange Fellowship Community Association	Cllr D Allen Cllr M Derbyshire Cllr S Bloxham	2022 2022 2022	1 1 1	L&C CON CON	
Groundwork Hertfordshire	Cllr S Jarvis (Executive Member for Environment & Leisure)	2022	1	LD	
Hertfordshire Building Preservation Trust	Cllr T Tyler	2022	1	LD	
Hertfordshire Community Covenant Board	Cllr J Billing (Executive Member for Community Engagement)	2022	1	L&C	
Hertfordshire Health Scrutiny Committee	Cllr S Ngwala Cllr L Nash (Sub)	2022 2022	1 1	L&C LD	
Hertfordshire Waste Partnership	Cllr A Allen (Executive Member for Recycling & Waste Management) Sub Cllr C Stanier (Deputy Executive Member for Recycling and Waste Management)	2022 2022	1 1	L&C LD	
Herts Leaders' Group	Cllr E Dennis-Harburg (Leader of the Council) Sub Cllr P Clark (Deputy Leader of the Council)	2022 2022	1 1	L&C LD	
Hitchin BID	Cllr K Hoskins	2022	1	LD	
Hitchin Charity School Endowment	Cllr V Bryant	2022	1	L&C	
Hitchin Cow Common Trust	Cllr I Albert	2022	1	L&C	

Hitchin Educational Foundation	Cllr P Clark	2023	4	LD	
	Cllr Simon Harwood	2025	4	CON	
	Cllr I Albert	2025	4	L&C	
	Cllr C Strong	2024	4	CON	
	Cllr K Tart	2023	4	L&C	
Hitchin Initiative	Chairman of Hitchin Committee	2022	1	L&C	
Hitchin Senior Citizens' Welfare Committee	Cllr M Hughson	2022	1	L&C	
	Cllr Keith Hoskins	2022	1	LD	
	Cllr R Thake	2022	1	CON	
Hitchin Town Band Committee	Cllr S Harwood	2022	1	CON	
	Cllr K Tart	2022	1	L&C	
Hitchin Town Twinning	Cllr I Albert	2022	1	L&C	
	Cllr S Collins	2022	1	LD	
Hitchin United Charities	Cllr I Albert	2022	1	L&C	
	Cllr R Thake	2022	1	CON	
	Cllr T Tyler	2024	3	LD	
	Cllr C Strong	2022	1	CON	
	VACANCY	2024	3	L&C	
Howard Garden Social and Day Care Centre	Cllr K Aspinwall	2022	1	L&C	
	Cllr M Muir	2022	1	CON	
	Cllr D Allen	2022	1	L&C	
Jackmans Community Association	Cllr K Aspinwall	2022	1	L&C	
	Cllr D Levett	2022	1	CON	
	Cllr A Ruggiero-Cakir	2022	1	L&C	
King George V Playing Fields User Group	Cllr I Albert	2022	1	L&C	
	Cllr P Clark	2022	1	LD	
	Cllr S Harwood	2022	1	CON	
Knebworth House Education and Preservation Trust	Chair of the Council	2022	1		
Knebworth Twinning Association	Cllr L Nash	2022	1	LD	
Knebworth Village Trust	Cllr M Tandi	2022	1	CON	
	Cllr L Nash	2022	1	LD	
Letchworth Civic Trust	Cllr D Allen	2022	1	L&C	
	Cllr M Rice	2022	1	CON	
Letchworth Garden City BID	Cllr D Allen	2022	1	L&C	
Letchworth Garden City Heritage Foundation	Cllr S Ngwala	2022		The term of office of the person appointed	L&C
Letchworth Garden City Town Twinning Association	Cllr I Mantle	2022	1	L&C	
Letchworth Sustainability Forum	Cllr A Ruggiero-Cakir	2022	1	L&C	
London Luton Airport Consultative Committee	Cllr P Clark	2022	1	LD	
North Hertfordshire Council for Voluntary Service	Cllr T Hunter	2022	1	CON	
	Cllr J Billing	2022	1	L&C	
North Herts Local Strategic Partnership	Cllr T Hunter	2022	1	CON	This organisation is in the process of closing down
	Cllr S North	2022	1	LD	
	Cllr E Dennis-Harburg	2022	1	L&C	
North Herts Minority Ethnic Forum	Cllr A Ruggiero-Cakir	2022	1	L&C	
Police and Crime Panel	Cllr S North	2022	1	LD	
	Sub: Cllr J Billing	2022	1	L&C	
Rands Educational Foundation	Cllr C Strong	May 2025	4	CON	
Royston & District Community Transport Scheme	Cllr T Hunter	2022	1	CON	
Royston & District Sports Council	Cllr C Stanier	2022	1	LD	
Royston Community Assn.	Cllr A Compton	2022	1	CON	
	Cllr T Hunter	2022	1	CON	
	Cllr C Stanier	2022	1	LD	
Royston First Advisory Council (BID)	Cllr R Brown	2022	1	LD	

Royston Old People's Day Centre Committee	Cllr T Hunter	2022	1	CON	
Royston Town Twinning Association	Cllr R Brown Cllr T Hunter	2022 2022	1 1	LD CON	
Sport North Herts	Cllr J Bishop Cllr E Dennis-Harburg Cllr F Frost Cllr G Grindal Cllr C Stanier	2022 2022 2022 2022 2022	1 1 1 1 1	CON L&C CON L&C LD	This organisation is in the process of closing down
St. Michaels Mount Community Centre, Hitchin – Management Committee	Cllr E Dennis-Harburg Cllr M Hughson Cllr K Tart	2022 2022 2022	1 1 1	L&C L&C L&C	
Survivors Against Domestic Abuse SADA)	Cllr G Grindal (Executive Member for Housing and Environmental Health)	2022	1	L&C	
Walsworth Community Association	Cllr M Hughson Cllr E Dennis-Harburg Cllr K Tart	2022 2022 2022	1 1 1	L&C L&C L&C	
Westmill Community Centre, Hitchin – Management Committee	Cllr C. Billing	2022	1	L&C	

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**COUNCIL
8 JULY 2021**

***PART 1 – PUBLIC DOCUMENT**

TITLE OF REPORT: CONSTITUTIONAL AMENDMENT – ANNUAL REVIEW

REPORT OF: THE SERVICE DIRECTOR LEGAL AND COMMUNITY & MONITORING OFFICER

EXECUTIVE MEMBER: THE LEADER OF THE COUNCIL: COUNCILLOR ELIZABETH DENNIS-HARBURG

COUNCIL PRIORITY: BE A MORE WELCOMING AND INCLUSIVE COUNCIL

1. EXECUTIVE SUMMARY

- 1.1 To present an annual review report and confirmation of any further amendments made since last Council meeting (Cabinet portfolio changes and Area Committee grants).

2. RECOMMENDATIONS

- That Full Council
- 2.1. approves the amendments in Appendix A;
- 2.2. noted the changes made to the Constitution to section 14¹ in respect of Executive Portfolios (Leader's decision previously noted at Council on 26 May²); and
- 2.3. approve the changes made under Delegated Decision 1 June, in respect of Area Committees, as set out in Appendix B.

3. REASONS FOR RECOMMENDATIONS

- 3.1. To ensure the Constitution remains up to date, and continues to improve its working practices where legally possible.

4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1. None.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

- 5.1. The proposals were circulated to Group Leaders in advance of publishing the report and may be subject to proposed amendment at Full Council.

¹ [Section 14 of the Constitution with amends start page 148](#)

² [Item 9 & Appendix A Council 26.5.21](#)

6. FORWARD PLAN

- 6.1 This report does not contain a recommendation on a key Executive decision, it is a Full Council decision and has therefore not been referred to in the Forward Plan.

7. BACKGROUND

- 7.1 As per 2.4 of the Constitution, an Annual review should be undertaken, with a substantive review every 3 years. The last substantive review was undertaken in 2019/20 and is therefore due in 2022 for implementation in 2023.
- 7.2 Whilst that is the norm, more frequent updates have been made over the last few years, to take account of legislative changes, the coronavirus pandemic regulations and management structure changes.
- 7.3 This report covers potential amendments identified by Officers and Members.

8. RELEVANT CONSIDERATIONS

- 8.1 Those set out in Appendix A to this report are those identified by Officers.
- 8.2 Recommendation 2.2 refers to administrative changes made to section 14 following the Leader's decision on Executive Member portfolio areas, that was noted at the Council meeting in May (as per the link). As Members will recall, there have been some changes to portfolio areas and titles.
- 8.3 Recommendation 2.3 refers to the Delegated Decision taken at the request of the Leader and Deputy Leader to facilitate more flexible arrangements for Area Committees. Those Committee's would have to meet physically to appoint a Chair and Vice Chair who could make recommendations on Grants to the Executive Member for Community Engagement. Those that have not, can still meet informally and this allows the group of Members meeting in that Area to make a recommendation. Further details are set out in Appendix B.

9. LEGAL IMPLICATIONS

- 9.1. Full Council's terms of reference include "approving or adopting the Policy Framework". The Policy Framework includes the Constitution.
- 9.2. Section 37 Local Government Act 2000 requires the Council to have in place a Constitution and to keep that under review. The Local Government Act 2000 section 9P sets out the requirements of a local authority's Constitution, including the requirements to prepare it and keep it up to date and the requirement to make it available for public inspection.
- 9.3. In terms of Delegated Decisions on amendments, the Constitution provides:

2.6.2 Minor Changes

If, in the reasonable opinion of the Monitoring Officer or the Chief Finance Officer, a change is:

- (a) *a minor variation; or*
- (d) *requested only for practical purposes, in order to ensure the proper administration of the Council,*

the Monitoring Officer or the Chief Finance Officer may make such a change.

Changes under 2.6.2 must be notified to all Members and if made under 2.6.2(d) come into force immediately, but shall be reported to Full Council as soon as is reasonably possible and shall continue to have effect only if the Full Council agree.

The Council would need to endorse the Delegated Decision made on 1 June (Appendix B) to ensure that this continues to have effect.

10. FINANCIAL IMPLICATIONS

- 10.1 There are no financial implications arising from this decision.

11. RISK IMPLICATIONS

- 11.1. Ensuring the Council has appropriate governance arrangements in place is an important risk mitigation measure. The Council's Constitution is a fundamental part of those governance arrangements.

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 In respect of recommendation 2.3, the amendments will allow greater flexibility, community engagement, which is likely to be of benefit to vulnerable people/ groups in the community.

13. SOCIAL VALUE IMPLICATIONS

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

14. HUMAN RESOURCE IMPLICATIONS

- 14.1 There are no direct implications from this report.

15. ENVIRONMENTAL IMPLICATIONS

- 15.1 None from the amendments above, other than potentially recommendation 2.3 and more flexible informal meetings that take place virtually.

16. APPENDICES

- 16.1 Appendix A – schedule of proposed changes; and
- 16.2 Appendix B – Delegated Decision 1 June 2021

17. CONTACT OFFICERS

17.1 Jeanette Thompson, Service Director Legal and Community, Monitoring Officer
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Contributors:

17.2 Ian Couper, Service Director Resources ian.couper@north-herts.gov.uk; ext. 4243

17.3 Reuben Ayavoo, Policy and Community Engagement Manager
reuben.ayavoo@north-herts.gov.uk; ext. 4212

17.4 Jo Keshishian Interim Human Resources Services Manager; Jo.Keshishian@north-herts.gov.uk ext. 4314

18. BACKGROUND PAPERS

18.1 None other than those linked to above.

Issue	Current Constitution Reference	Proposed Changes/ Reason
Section 1		
<p>Project Boards</p>	<p>1.2.6 On larger projects the Council uses an approach based on the PRINCE2 (an acronym for projects in controlled environments, version 2) model of project management, in which the Lead Officer (called the project executive) is the decision maker. This model includes Project Boards whose role is to provide the Lead Officer with the support and input necessary for the project to proceed and to overcome any problems. The Managing Director appoints the Lead Officer for the Project Board, and the Lead Officer will liaise with relevant Senior Officers and the Leader of Council on the Officer/ Member appointment to the Board (respectively). Membership will take into account the number of Members/ Officers, the risk and/or profile of the project and the skills and experience that will benefit the project (this list is non exhaustive). It may include external support. Membership usually includes appropriate Cabinet members. A Member shall Chair the Board. As an internal consultation and advisory meeting with no decision making powers, meetings are private and do not require a published agenda, reports or minutes.</p>	<p>Amendment as in red: 1.2.6 On larger projects the Council <i>aims to</i> uses an approach based on the PRINCE2 (an acronym for projects in controlled environments, version 2) ...reports or minutes.</p> <p>Reason: For flexibility and to reflect what we say as part of the Project Management Overview.</p>
Section 4		
<p>Reference to receipt of Annual Reports from the Overview & Scrutiny, Finance, Audit and Risk or Standards Committees.</p>	<p>4.4 Council Terms of Reference:</p>	<p>Add new (ee) to the Terms of Reference: <i>New (ee) to receive Annual reports from the Overview & Scrutiny; Finance, Audit and Risk and Standards Committees.</i></p> <p>Reason:</p>

Issue	Current Constitution Reference	Proposed Changes/ Reason
		Although these reports go to Full Council, not currently covered in the Terms of reference.
Order of business at Council meetings to encourage better engagement of the community, including moving motions and questions from Members to the start of ordinary Council meetings.	<p><i>Currently these are the last items of business under 4.8.2 (j) & (k).</i></p> <p><i>(j) consider motions;</i> <i>(k) deal with questions from Members in accordance with 4.8.11</i></p>	<p><i>Move (j) and (k) to after questions of the public (e), re-number and slight amendment as below.</i></p> <p><i>Motion to be called</i> <i>(f) Motions from Members;</i> <i>(g) deal with questions from Members in accordance with 4.8.11 "</i></p> <p>Reason: Requested last year by Chair – to allow for better engagement of the public, as they may be more interested in these motions or questions and therefore better to have these earlier on in the meeting.</p>
Notification of substitutes where a Committee, such as the Joint Staff Consultative Committee starts at 10am.	<p><i>4.8.4 Appointment of Substitute Members of Committees, Sub-Committees and Panels</i></p> <p><i>4.8.4(f) Substitute members may attend meetings in that capacity only:</i> <i>(iii) after notifying the Proper Officer by 12 noon on the day of the meeting of the intended substitution.</i></p>	<p><i>Amendment in red:</i></p> <p><i>4.8.4(f) Substitute members may attend meetings in that capacity only:</i> <i>(iii) after notifying the Proper Officer by 12 noon on the day of the meeting or the day before by 12 noon (where that meeting is scheduled between 9 am – 5pm the following day) of the intended substitution.</i></p> <p>Reason: Current provision does not address issues where meetings are held earlier in the day.</p>
Recorded vote requests.	<p><i>4.8.16(e) Voting</i> <i>(e) Recorded Vote</i> <i>If one Member present at the meeting so demands it, the names for and against the motion</i></p>	<p><i>Proposed amendment as below:</i></p> <p><i>(e) Recorded Vote</i></p>

Issue	Current Constitution Reference	Proposed Changes/ Reason
	<p><i>or amendment or abstaining from voting will be taken down in writing and entered into the minutes. A demand for a recorded vote will override a demand for a ballot. A recorded vote must be taken when a budget decision is made under 4.8.16(h).</i></p>	<p><i>If one two Members present at the meeting so demands it, the names for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the minutes. A demand for a recorded vote will override a demand for a ballot. A recorded vote must be taken when a budget decision is made under 4.8.16(h).</i></p> <p>Reason: The number to request is discretionary. The information is recorded under the electronic system, and excessive requests delay proceedings, but increasing the number who have to make the request, this should reduce the number made.</p>
Section 8		
<p>Licensing & Appeal Name of the committee/ Sub-Committees needs to be updated.</p>	<p>8.2 Licensing & Appeals Committee</p> <p>8.3.1 Membership <i>Three (3) Councillors shall be appointed to a Licensing Sub-Committee and one non-voting observer reserve Councillor .</i></p> <p>8.3.2 Quorum <i>The quorum for a meeting of a Sub-Committee shall be three (3) voting member of that Sub-Committee.</i> <i>These bodies deal with licensing functions delegated from the Licensing and Regulation Committee in accordance with the Licensing Act 2003, Gambling Act 2005 and Local Government (Miscellaneous Provisions) Act 1982. Please note that the hearing is a public meeting, but the Sub-</i></p>	<p>The Principal Committee to be called Licensing and Regulation Committee.</p> <p>Two Sub-Committees to reflect different areas of the Licensing Act/ Gambling Act or other Licensing Regulation areas.</p> <ul style="list-style-type: none"> - Licensing Sub-Committee– Licensing Act and Gambling Act; - Licensing Regulation Sub-Committee (Local Government (Miscellaneous Provisions) Act 1982 <p>8.3.1 Membership of either Sub-Committee <i>Three (3) Councillors shall be appointed to a Licensing Sub-Committee and one non-voting observer reserve Councillor .</i></p>

Issue	Current Constitution Reference	Proposed Changes/ Reason
	<p><i>Committee’s deliberations take place privately, prior to resuming the public meeting to announce its decision.</i></p>	<p>8.3.2 Quorum <i>The quorum for a meeting of a Licensing-Sub-Committee shall be three (3) voting member of that Sub-Committee.</i></p> <p>The Licensing Sub-Committee: <i>These bodies deal with</i> <i>Licensing functions delegated from the Licensing Committee in accordance with the Licensing Act 2003, Gambling Act 2005 and ((as per 8.3.3)</i></p> <p>Licensing Regulation Sub-Committee: <i>Local Government (Miscellaneous Provisions) Act 1982 (as per 8.3.4).</i></p> <p><i>Please note that the hearing is a public meeting, but the Sub-Committee’s deliberations take place privately, prior to resuming the public meeting to announce its decision.</i></p> <p>Reason: The Committee does not deal with ‘appeals’ and therefore irrelevant reference.</p> <p>There is legal opinion that you need two Licensing Committees to deal with different elements of licensing functions. Rather than have two separate principal Licensing Committees, the suggested approach is to have two differently named Sub-Committees that can deal with the functions as required (but drawn from the main principal Committee – renamed Licensing and Regulation).</p> <p>NB any Member current appointed to the Licensing & Appeals Committee will</p>

Issue	Current Constitution Reference	Proposed Changes/ Reason
		automatically become a member of the Licensing and Regulation Committee.
Section 10		
Flexibility to allow for electronic seals and records to be used.	<p>13.5 Common Seal of the Council</p> <p><i>13.5.1 Common Seal</i> (a) <i>The Common Seal of the Council shall be kept in a safe place in the custody of the Service Director: Legal and Community.</i> (b) <i>A decision of the Council, or any part of it, will be sufficient authority for sealing any document necessary to give effect to the decision.</i></p> <p><i>13.5.2 Sealing and Execution of Documents</i> <i>The Common Seal will be affixed to those documents which, in the opinion of the Service Director: Legal and Community should be sealed. The affixing of the Common Seal will be attested by those officers authorised to do so by this Constitution (or as may be further delegated to officers).</i></p> <p><i>13.5.3 Record of Sealing of Documents</i> <i>Any entry of the sealing of every deed or document to which the Common Seal has been affixed shall be made by the officer affixing the seal and consecutively numbered in a book to be provided for the purpose.</i></p>	<p><i>13.5.1 Common Seal</i> (a) <i>The Common Seal of the Council shall be kept in a safe place in the custody of the Service Director: Legal and Community.</i> (b) <i>A decision of the Council, or any part of it, will be sufficient authority for sealing any document necessary to give effect to the decision.</i></p> <p><i>13.5.2 Sealing and Execution of Documents</i> <i>The Common Seal will be affixed to those documents which, in the opinion of the Service Director: Legal and Community should be sealed. The affixing of the Common Seal will be attested by those officers authorised to do so by this Constitution (or as may be further delegated to officers).</i></p> <p><i>13.5.3 Record of Sealing of Documents</i> <i>Any entry of the sealing of every deed or document to which the Common Seal has been affixed shall be made by the officer affixing the seal and consecutively numbered in a book to be provided for the purpose.</i></p> <p><i>New:</i> <i>13.5.4 References in 13.5.1-13.5.3 above (and Common Seal generally) includes an electronic version.</i></p> <p>Reason This reflects current practice of Hertfordshire County Council and emerging trends nationally over the last year. A pictorial version can be applied and electronic record retained in the legal</p>

Issue	Current Constitution Reference	Proposed Changes/ Reason
		drives – which has limited access. It will reduce the need for officers to attend the DCO – where this is the only reason for travel, is more efficient and environmentally friendly.
Section 14		
Change of remit are regarding printing for Service Director: Customers	14.6.7, (b) ii D <i>“reprographics, corporate stationery and the Courier and member mail service”</i>	Amend as in red <i>“corporate stationery, courier, member mail service and print contract “</i> Reason Update to reflect current arrangements.
Delegations to the Service Director: Resources, need to make arrangements to deal with Assets of Community Value	14.6.11 (a) (x) <i>“(x) To consider and determine applications to: list and removal Assets of Community Value (in consultation with Officers nominated by the Service Director), whether compensation should be paid and of payment of associated costs.</i>	<i>Amend</i> <i>“(x) To make arrangements for the consideration and determination of applications to: list and removal Assets of Community Value (in consultation with Officers nominated by the Service Director), whether compensation should be paid and of payment of associated costs. To also ensure that any reviews of listings are undertaken in accordance with the relevant legislation.</i> Reason: To prevent issues with perceived bias in the review process. NB under the legislative provision a review of the decision has to be undertaken by an Officer.
Remit of Committee.	14.6.11 (b) (ix) <u>Performance (overall monitoring and reporting)</u> <i>“The Leader of Council, unless delegated to Finance, Audit and Risk Committee.”</i>	<i>To be amended as in red to:</i> <i>The Leader of Council, unless delegated to Overview & Scrutiny Committee</i>

Constitutional Changes

Appendix A

Issue	Current Constitution Reference	Proposed Changes/ Reason
		Reason: The responsibility for monitoring Performance sits with Overview & Scrutiny Committee rather than Finance, Audit and Risk Committee.

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RECORD OF DECISION MADE UNDER DELEGATED AUTHORITY

*PART 1 – PUBLIC DOCUMENT

Any interest to declare/ or conflict and any dispensation granted N/A

SERVICE DIRECTORATE: LEGAL & COMMUNITY

<p>1. DECISION TAKEN To make amendments to the NHDC Constitution as per paragraph 8 below</p> <p>2. DECISION TAKER Jeanette Thompson, Monitoring Officer (Service Director: Legal & Community).</p> <p>3. DATE DECISION TAKEN: 1 June 2021 with immediate effect.</p>
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3. REASONS FOR RECOMMENDATIONS

3.1. Minor amendments and/ or amendment made for practical purposes to allow for greater flexibility for Delegated Decisions on Grants to the community.

4. ALTERNATIVE OPTIONS CONSIDERED

4.1 Do nothing – and for those Area Committees that have not formally met or are unable to meet, the decisions on matters such as Area Grants are delayed.

4.2 This is not seen to be the best option given many community organisations rely on such Grants.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

5.1. The proposed changes to the Constitution were sent to Leader, Deputy Leader, Executive and Deputy Member for Community Engagement and Executive Member for Finance and IT on 28 May 2021.

6. FORWARD PLAN

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

7. BACKGROUND

7.1. Following the coronavirus pandemic, The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 'Flexibility of Meetings Regulations 2020'¹ came into force on 4 April 2020 and applied to meetings from that date until those held before 7 May 2021. These Regulations no longer apply in so far as meetings are concerned. Committees are required to physically meet, should they wish to legally participate in meeting and make decisions.

7.2. Area Committees have, amongst other things, remit for considering Area Committee Grants. These meetings ordinarily take place in their area and are attended by those wishing to apply for grants from the Committee.

¹ <http://www.legislation.gov.uk/uksi/2020/392/made>

- 7.3. If an Area Committee is unable to come to a decision on a Grant, or an application comes up between meetings, then the Executive Member for Community Engagement can make that decision in consultation with others, namely under Section 9.8.2 of the Constitution:

Delegated powers	Delegated Members and Officers
The provision of revenue ² grant aid/financial support where the grant aid/financial support is to facilitate an event which will take place prior to the next meeting of the Area Committee.	The Executive Member for Community Engagement, having consulted the Chair or Vice Chair of the relevant Area Committee and Service Director: Legal and Community; or on recommendation of grants panel.

- 7.4. This is replicated under Section 14.6.8 (b)(iii).
- 7.5. Under normal circumstances the Area Committee membership, Chair and Vice Chair would be dealt with on the same evening as the Annual Council, by adjourning that meeting and holding those as short meetings to appoint the Chair and Vice Chair. This year, due to the pandemic and issues regarding numbers, that were able to attend the Council chamber, the appointments could not take place.
- 7.6. At the point of making this decision, therefore, the Area Committees have not taken place. No Chair or Vice Chair has been appointed, therefore there is no one to consult.
- 7.7. The Leader and Deputy Leader of Council requested that consideration be given as to how Members of an Area Committee could meet virtually and inform any Grant decision by recommendation (by way of informal meeting).

8. RELEVANT CONSIDERATIONS

- 8.1. Whilst the Executive Member for Community Engagement can make delegated grant decisions, that should be in consultation with the Chair or Vice Chair of the relevant Area Committee (and Service Director for Legal and Community).
- 8.2. Until the Committees have met, there are no Chairs or Vice Chairs to consult and therefore a block to making such decisions. A minor amendment is required, and/or requested for practical purposes to ensure proper administration of the Council (as per Section 2.6.2 (a) & (b) of the Constitution). The amendment to both 9.8.2 and Executive Member delegation under 14.6.8 (b)(iii) is shown below in red:

Delegated powers	Delegated Members and Officers

² This does not include Capital Grants recommended through the Capital Grant Panel

<p>The provision of revenue³ grant aid/financial support where the grant aid/financial support is to facilitate an event which will take place prior to the next meeting of the Area Committee.</p>	<p>The Executive Member for Community Engagement, having consulted the Chair or Vice Chair of the relevant Area Committee, or where no Chair or Vice Chair – the Members of the Area Committee by majority or those responding, or confirming via virtual means, and Service Director: Legal and Community; or on recommendation of grants panel.</p>
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8.3. In respect of 14.6.8 (b)(iii) A:

5	<p>To approve grants under the Grants Policy following capital and / or revenue grant panel deliberations, or between Area Committee meeting requirements, having consulted the Chair or Vice Chair of the relevant Area Committee, or where no Chair or Vice Chair – the Members of the Area Committee by majority or those responding, or confirming via virtual means (where applicable), and Service Director: Legal and Community.</p>
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8.4. This Delegated Decision will be reported to Council.

8.5. A further Constitutional review and amendment report will be undertaken and presented to Council during 2021.

9. LEGAL IMPLICATIONS

9.1. Full Council’s terms of reference include “approving or adopting the Policy Framework”. The Policy Framework includes the Constitution.

9.2. Section 37 Local Government Act 2000 requires the Council to have in place a Constitution and to keep that under review. The Local Government Act 2000 section 9P sets out the requirements of a local authority’s Constitution, including the requirements to prepare it and keep it up to date and the requirement to make it available for public inspection.

9.3. Section 2.6.2 provides:

2.6.2 Minor Changes

If, in the reasonable opinion of the Monitoring Officer or the Chief Finance Officer, a change is:

(a) a minor variation; or

(d) requested only for practical purposes, in order to ensure the proper administration of the Council,

the Monitoring Officer or the Chief Finance Officer may make such a change.

³ This does not include Capital Grants recommended through the Capital Grant Panel

Changes under 2.6.2 must be notified to all Members and if made under 2.6.2(d) come into force immediately, but shall be reported to Full Council as soon as is reasonably possible and shall continue to have effect only if the Full Council agree.

10. FINANCIAL IMPLICATIONS

10.1 There are no significant financial implications arising from this decision.

11. RISK IMPLICATIONS

11.1. Ensuring the Council has appropriate governance arrangements in place is an important risk mitigation measure. The Council's Constitution is a fundamental part of those governance arrangements.

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 amendments will allow decision making to continue which is likely to be of benefit to vulnerable people/ groups representing them in the community.

13. SOCIAL VALUE IMPLICATIONS

13.1. The Social Value Act and "go local" requirements do not apply to this decision.

14. HUMAN RESOURCE IMPLICATIONS

14.1 There are no direct implications from this report.

15. ENVIRONMENTAL IMPLICATIONS

15.1 None specific to the amendments above.

16. APPENDICES

16.1 None.

17. CONTACT OFFICERS

Jeanette Thompson, Service Director Legal and Community, Monitoring Officer
jeanette.thompson@north-herts.gov.uk; ext 4370

18. BACKGROUND PAPERS

None.

NOTIFICATION DATE

4 June 2021

Signature of Executive Member Consulted (Cllr Elizabeth Dennis-Harburg)



Signature of Decision Taker



Date 1.6.21

Please Note: that *unless urgency provisions apply* EXECUTIVE decisions cannot be implemented until 5 clear working days have elapsed after the decision has been taken to allow for scrutiny call-in.

Call-in does not apply to NON-EXECUTIVE DECISIONS – THIS IS A NON-EXECUTIVE DECISION

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**COUNCIL
8 JULY 2021**

***PART 1 – PUBLIC DOCUMENT**

TITLE OF REPORT: ANNUAL REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE 2020/2021

REPORT OF THE CHAIR OF THE OVERVIEW AND SCRUTINY COMMITTEE 2020-2021

EXECUTIVE MEMBER: NOT APPLICABLE

BE A MORE WELCOMING AND INCLUSIVE COUNCIL / BUILD THRIVING AND RESILIENT COMMUNITIES / RESPOND TO CHALLENGES TO THE ENVIRONMENT / ENABLE AN ENTERPRISING AND CO-OPERATIVE ECONOMY

1. EXECUTIVE SUMMARY

- 1.1 To consider the Annual report of the Overview and Scrutiny Committee regarding the 2020/21 Civic Year.

2. RECOMMENDATIONS

- 2.1 That the Annual Report of the Overview and Scrutiny Committee 2020/2021 as attached at Appendix A be noted.

3. REASONS FOR RECOMMENDATIONS

- 3.1 To enable Council to consider the report of the Chair of the Overview and Scrutiny Committee regarding the work of that Committee in the 2020/2021 Civic Year.

4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1. None

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

- 5.1. The Annual Report was considered by the Overview and Scrutiny Committee on 9 March 2021, prior to being presented to Council

6. FORWARD PLAN

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

7. BACKGROUND

- 7.1 The Chair 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.
- 7.2 Due to the Covid pandemic the Annual Council was held on a quorate plus basis.
- 7.3 To enable the Annual report of the Overview and Scrutiny Committee to be considered by all Members it was decided to delay its presentation until all Members could be present at a Council meeting

8. RELEVANT CONSIDERATIONS

- 8.1 The report at Appendix A sets out the work of the Overview and Scrutiny Committee during the Civic Year 2020/2021.

9. LEGAL IMPLICATIONS

- 9.1 Although it is not specifically referred to in the Constitution and is not a legal requirement, Full Council has routinely received an Annual Report from the Chair of the Overview and Scrutiny Committee.

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” requirements do not apply to this report.

14. ENVIRONMENTAL IMPLICATIONS

- 14.1. There are no known Environmental impacts or requirements that apply to this report.

15. HUMAN RESOURCE IMPLICATIONS

- 15.1 There are no direct Human Resource Implications arising from this report.

15.2 The Committee, Member and Scrutiny Team supports the work of the Overview and Scrutiny Committee.

15.3 The Committee, Member and Scrutiny Manager undertakes the role of Scrutiny Officer.

16. APPENDICES

16.1 Appendix A – Annual Report of the Overview and Scrutiny Committee for 2020/2021.

17. CONTACT OFFICERS

17.1 Hilary Dineen
Committee, Member and Scrutiny Manager
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ext 4353

17.2 Melanie Stimpson
Democratic Services Manager
Melanie.stimpson@north-herts.gov.uk
ext 4208

18. BACKGROUND PAPERS

18.1 Reports to and Minutes of the Overview and Scrutiny Committee during the Civic Year 2020/2021.
<https://democracy.north-herts.gov.uk/ieListMeetings.aspx?CId=134&Year=0>

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NORTH HERTFORDSHIRE DISTRICT COUNCIL



OVERVIEW AND SCRUTINY COMMITTEE ANNUAL REPORT 2020/2021



Introduction by the Chair of the Overview and Scrutiny Committee

I have had the pleasure of chairing the Overview and Scrutiny Committee for the second year in 2020/21.

This has been a difficult year for everyone. The Covid-19 Pandemic has had an enormous effect on everyone's lives. The Overview and Scrutiny Committee has been affected, as have all of the businesses of the Council.

We held our first virtual Overview and Scrutiny Committee on 16 June 2020 and the transition, although cumbersome in the early days, has been relatively smooth.

Following the recommendations of the Peer Review the number of Members on the Committee was reduced from 16 to 12 at Annual Council on 4 June 2020. These Members have continued to take a full, active and enthusiastic role in all of the virtual meetings.

The role of the Overview and Scrutiny Committee as a critical friend continues to be important to ensure good decision and policy making.

I would like to acknowledge the work of Council Officers during a very difficult year, they have not only maintained essential services, but have volunteered for additional Covid-related activities from delivering food parcels to supporting the NHS.

In these times of financial constraint, commercialism continues to be a major consideration for the Council and the Committee is receiving twice yearly reports from the Service Director – Commercial, although we acknowledge that, commercialism has taken a sidestep during the pandemic.

Cabinet have continued to be receptive to the recommendations from this Committee and our aim should be to continue to be a critical friend to Cabinet by providing recommendations that are helpful, challenging and investigatory.

The Peer Review carried out in January 2020 provided some useful guidance for the future of the Committee including looking at not only what we consider, but how we do that. These recommendations are reviewed by the Committee on a regular basis.

I would like to offer my thanks to the Committee for their support and engagement with the process and to the officers and Executive Members who attended to offer help with our deliberations.

I am extremely grateful for the support of Vice-Chair Kate Aspinwall, the Committee, Member and Scrutiny Manager, Hilary Dineen, who undertakes the role of Scrutiny Officer and the Committee, Member and Scrutiny Officer, Anna Gouveia, who clerks this Committee.

Councillor David Levett
Chair of the Overview and Scrutiny Committee

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 and effectively in order to scrutinise topics 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;

2. Methods of Scrutiny

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

- By considering reports from, and questioning officers and Executive Members 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 Executive 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.

3. Meetings of the Overview and Scrutiny Committee

3.1 There were six scheduled meetings this year, although the pandemic did result in cancellation and postponements

3.2 There was, early in the pandemic, one innovative "meeting" where the views of the Committee were sought via email. This ensured that the work of the Committee could continue in those particularly difficult early days of the pandemic.

3.3 The Committee has considered a range of topics including scrutinising key decisions going to Cabinet, checking whether the Council has met its performance indicators and reviewing other issues which the Committee has decided would benefit from closer scrutiny.

4. Call-In

4.1 The call-in process allows the Chair 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 the decision or can refer it to Council.

4.2 There have been no called in items this year.

5. Presentations by Executive Members

- 5.1 The Committee has continued with its decision 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.
- 5.2 Executive Members are also welcomed when attending meetings and encouraged to take part in the meeting when appropriate.
- 5.3 The Committee are grateful to the following Executive Members for making presentations and attending meetings this year:
- Councillor Ian Albert;
 - Councillor Judi Billing;
 - Councillor Paul Clark;
 - Councillor Keith Hoskins;
 - Councillor Elizabeth Dennis-Harburg;
 - Councillor Martin Stears-Hanscomb

6. Crime & Disorder Scrutiny

- 6.1 The Committee is also the Crime and Disorder Scrutiny Committee for North Hertfordshire which is required to meet at least once a year.
- 6.2 The Committee chose this year to invite the Chief Inspector, Hertfordshire Constabulary to discuss:
- Policing during the pandemic;
 - Anti-social behaviour and crime during the pandemic
 - Domestic abuse during the pandemic.

7. Safeguarding

- 7.1 The Committee continued to take a close interest in safeguarding matters and received its annual update on the Council's safeguarding performance in September 2019.
- 7.2 The Committee took an active role in encouraging Members to undertake relevant Safeguarding training.

8. Statistics

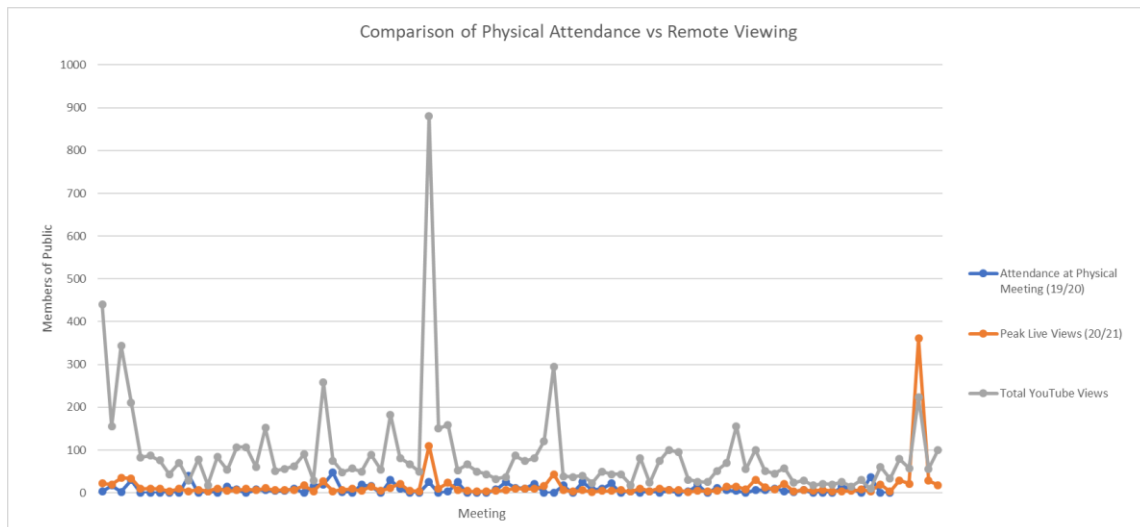
- 8.1 In total, the Committee has considered 33 items at its scheduled meetings this year. It has made 25 recommendations on 12 topics to Cabinet. At every meeting the Committee also considered the resolutions previously made and the work programme.
- 8.2 No written questions were submitted this year.

9. Task and Finish Groups

- 9.1 Due the pressures placed on officers to keep services operational during this difficult time as well as the additional work they have been undertaking to support the community, it was not possible to allocate the officer time required to undertake successful Task and Finish Group Reviews.
- 9.2 Members and Officers alike also had to adapt to new ways of working including all meetings being moved to Zoom, with all of the technological challenges that presented
- 9.3 The Committee has prioritised the following topics for 2021/22:
 - The Waste contract – Tender and Contract;
 - The Waste Contract – Community Engagement.

10. Public Participation

- 10.1 The scrutiny process is open to involvement by local people and the Committee encourages public participation.
- 10.2 Three members of the public attended the Committee's scheduled meetings to make presentations this year.
- 10.3 Although attendance at the actual meetings was extremely low, it was pleasing to note that 37 people viewed the meetings live via YouTube and 322 viewed the recordings of the meetings at a later date
- 10.4 The Committee, Member and Scrutiny Team undertook research to compare attendance at all NHDC meetings during 2019/20, when meetings were being held "in person", with figures of those attending and those viewing the recordings of meetings at a later date.
- 10.5 This comparative data was considered by the Committee and it was striking to note that, although public attendance at meetings/live views had remained fairly static, those viewing the recordings of meetings (which is equivalent to sitting in the public gallery of a physical meeting) had increased dramatically. The chart below demonstrates this point.



10.6 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.

11. Peer Review 2020

11.1 A peer review took place in January 2020.

11.2 Their initial findings included:

- Executive Members should lead and be accountable for decisions;
- Meetings should be focused with fewer agenda items;
- Membership of the O&S committee is perceived to be too large;
- All scrutiny members to complete formal scrutiny training;
- Use the task and finish programme to support early involvement with policy making;
- Review finish time and location of the meeting;
- Clarify the governance arrangements between O&S and Cabinet Panels;
- Ensure forward work plan includes scrutiny of external partners and contractors.

11.3 The Committee reviews these recommendations at each meeting and considers what has been complete and what actions could be taken in order to work towards those recommendations not yet complete

12. Further Information and Membership

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

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

12.2 Membership of the Overview and Scrutiny Committee in 2020/2021:

Members of the Committee

Councillor David Levett (Chair)
Councillor Kate Aspinwall (Vice-Chair)
Councillor Val Bryant
Councillor Sam Collins
Councillor Terry Hone
Councillor Tony Hunter

Councillor Jim McNally
Councillor Lisa Nash
Councillor Sue Ngwala
Councillor Adem Ruggiero-Cakir
Councillor Claire Strong
Councillor Tom Tyson

Substitutes:

Councillor Clare Billing
Councillor Ruth Brown
Councillor Bill Davidson
Councillor Morgan Derbyshire

Councillor Gerald Morris
Councillor Sam North
Councillor Helen Oliver

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FULL COUNCIL
8 July 2021

***PART 1 – PUBLIC DOCUMENT**

TITLE OF REPORT: ANNUAL REPORT OF THE STANDARDS COMMITTEE

REPORT OF MONITORING OFFICER

THE CHAIRMAN OF THE STANDARDS COMMITTEE, CLLR JUDI BILLING

COUNCIL PRIORITY: BE A MORE WELCOMING AND INCLUSIVE COUNCIL

1. EXECUTIVE SUMMARY

1.1 To consider the Annual Report in relation to ethical standards for the preceding civic year.

2. RECOMMENDATIONS

2.1. That Council receives and notes the Annual Report.

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 None.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

5.1 Consultation has taken place with the Chair and Vice Chair on this report; and where relevant/ applicable with the Standards Committee as part of their deliberations on the topics detailed. Group Leaders are also kept informed of any relevant developments as part of their monthly Service Director briefings. Quarterly meetings are also scheduled between the Monitoring Officer, Deputies, Chair, Vice Chair with the Independent Persons, to discuss standards matters.

6. FORWARD PLAN

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

7. BACKGROUND

7.1 As Members will be aware, 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 Chair of the Standards Committee for the relevant civic year. This is in line with best practice recommendations.

8. RELEVANT CONSIDERATIONS

8.1. The following outlines standards matters, work of the Standards Committee and Monitoring Officer / Deputies during the civic year 2020-21.

Local Government Ethical Standards:

8.2. Members will be aware from previous reports that the Committee on Standards in Public Life (‘CSPL’) published a report with 26 recommendations on ethical standards in local government on 30 January 2019. This also included 15 Best Practice recommendations¹. One of those related to the production of a Local Government Association (LGA) model code.

8.3. A model (non-mandatory) Code was produced by the LGA and this was considered by the Standards Committee in March² and recommended to Full Council in April³, where a slightly amended version was adopted and came into force on 7 May 2021⁴. Part of the Full Council resolution related to mandatory training for District Councillors (see 8.12 below).

8.4. The LGA have committed to keeping their Code under review annually and obviously any changes will be reported back to the Standards Committee and should amendments be considered appropriate, these will be referred to Full Council.

8.5. The LGA have also commissioned Guidance to accompany their Code and it is understood at the point of preparing this report that this is being finalised and should be available in July 2021.

8.6. Otherwise the Standards Committee met twice since the last Annual Report: in October 2020⁵ and March 2021 (as indicated) and considered relevant standards matters.

Complaints:

8.7. The Procedure for handling Councillor Complaints was last reviewed and amended in May 2019, following the Committee on Standards in Public Life (CSPL) report on Local Government Ethical Standards.

8.8. One of the pieces of work in 2021-22 will be to review the Procedure again in the light of the new Code and any Guidance issued.

8.9. Otherwise, the following formal complaints have been received / concluded since the last Annual Report in July 2020. All were considered by the Monitoring Officer or Deputies with an Independent Person before a decision was reached on initial assessment, or are being dealt with in this manner now, where the complaint is ongoing:

Complaint about: Parish/ Town or District Councillor	Summary of complaint	Outcome
4/2020 complaint	Allegations against 3 District Councillors	• Councillor 1 – referred to Police pursuant to the Protocol. Police indicated no further action, other

¹ As first reported to the February 2019 Committee: [STANDARDS MATTERS & RECOMMENDATION ON BEST PRACTICE CHANGES](#)

² [Standards Committee 3 March 2021](#) item 14.

³ [Full Council 15 April 2021](#) see note 102

⁴ [Section 17 with updated Councillor Code of Conduct](#)

⁵ [Standards Committee 20 October 2020](#)

<p>against three District Councillors.</p>	<p>regarding a capital grant that was awarded to an external organisation:</p> <ul style="list-style-type: none"> • Councillor 1: involvement of Councillor's company undertaking the work paid for by the grant; not declaring this correctly as a Disclosable Pecuniary Interest. • Councillor 2: being a Trustee on the organisation but failing to declare this in the grant panel meeting or on Register of Interests. • Councillor 3: assisting the grant application process/ assisting a close associate (although not involved in the Council decision making process). <p><i>NB a separate internal audit investigation was undertaken by the Shared Internal Audit Service into NHDC procedures. Recommendations from that to be reviewed by a further audit which will be reported to the Finance and Audit Committee in due course after Quarter 2-3.</i></p>	<p>than for the Councillor to update Register of Interests, which was completed.</p> <ul style="list-style-type: none"> • Councillor 2 – investigation undertaken and concluded no evidence that Councillor aware that they were a Trustee. Councillor updated Register of Interest and no further action on complaint. • Councillor 3 – merits no further investigation, as not involved in the grant recommendation or decision.
<p>5/2020 complaint</p>	<p>That District Councillor 1 (above)</p>	<p>Merits no further investigation.</p>

against District Councillor. Same complainant as under 4/2020	swore at the complainant at a public surgery meeting, when the complainant introduced themselves, following complaint 4/2020.	
6/2020 complaint against District Councillor.	That a District Councillor had been abusive and aggressive towards the complainant when they crossed the road.	Merits no further investigation, as not acting in the capacity of a Councillor at the time and therefore the code of conduct did not apply.
3/2021 complaint against a Great Ashby Community Councillor.	Ongoing.	Ongoing.
5/2021 Complaint against three District Councillors.	Regarding canvassing campaign alleged to be contrary to government guidelines.	Merits no further investigation as no breach of government guidelines.
7/2021 Complaint against a Great Ashby Community Councillor (following 5/2021).	Ongoing.	Ongoing.
8 & 9/2021 Complaint against two District Councillors.	Treatment by Councillors in a surgery was racist	One Councillor – merits no further investigation. Other training on unconscious bias.
10-14, 16 & 19 /2021 against three District Councillors (multiple complainants).	Planning Control Committee permission and approval regarding, treatment of member of the public and alleged bias (other	Merits no further investigation. Separate issue regarding one Councillor raised by one of the complainants; at the point of being finalised.

	issues raised regarding planning elements).	
18/2021 against District Councillor	Alleged failure to disclose an interest.	No case on the alleged interest, but apparent from consideration that there was an issue regarding another interest not on the Councillor's Register. This was raised with the Councillor and updated by them.

8.10 Complaints are also made informally to the Monitoring Officer – this covers situations where the individuals do not wish to pursue something formally and, as per agreement, are dealt with by raising them with the relevant Group Leader/ individual Councillors, or have not supplied information regarding which Councillors they are complaining about. These are not reported above, at the request of the Standards Committee (February 2019); however, represent the missing references in 2021.

Training:

8.11 As indicated above, the resolution at Full Council on 15 April⁶ in relation to the new Code provided:

(3) That training on the new code be compulsory for all District Councillors during the 2021- 2022 municipal year.

8.12 Training has been arranged with one of the authors of the LGA Code, and those preparing the Guidance on it, Paul Hoey, from Hoey Ainscough Associates Limited. These have been arranged currently for two dates (21 June and 1 July) and at the point of preparing the report all but three District Councillors have signed up for one of those sessions. There were a number of compliments regarding the first session at the point of preparing the report.

8.13 One further session will be arranged as a 'mop up', with the intention of inviting those local Council's within the District who have adopted the LGA (and/ or NHDC version) of the Code, to participate, subject to numbers and potentially first come first served. It is not intended to make any charge at this stage for participation. However, should any further requests be made for training from local councils, if unable to attend, then that would have to be considered. Note that the Hertfordshire Association of Parish and Town Councils has already run a training session for local council members in June 2021 and may be considering further training.

8.14 The Independent Persons have also attended their annual training and will be provided Joint National Council training in the near future.

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 and updates in the Constitutional amendment report cover off this issue in terms of receipt of such reports.

⁶ [Full Council 15 April 102 resolution \(3\)](#)

10. FINANCIAL IMPLICATIONS

- 10.1 There are no capital or revenue implications arising from the content of this report. Training costs were recently explained in the April 2021 version. It is hoped that a third training session would cost in the region of £300 - although may be at the higher rate of £600.

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 it is a requirement for all Councillors to carry out their duties with reference to the principles set out under the Equality Act. The Standards Committee role is to promote this. 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. ENVIRONMENTAL IMPLICATIONS

- 14.1. There are no known Environmental impacts or requirements that apply to this report.

15. HUMAN RESOURCE IMPLICATIONS

- 15.1 None.

16. APPENDICES

- 16.1 None.

17. CONTACT OFFICERS

- 17.1 Jeanette Thompson Service Director: Legal and Community and Monitoring Officer
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18. BACKGROUND PAPERS

- 18.1 Other than those identified within the Report, none.