

13/09/22

Our Ref Council/22 September 2022  
Contact. Committee Services  
Direct Dial. (01462) 474655  
Email.

To: The Chair and Members of North Hertfordshire District Council

**NOTICE IS HEREBY GIVEN OF A**

**MEETING OF THE COUNCIL**

to be held in the

**COUNCIL CHAMBER, FIRST FLOOR, COUNCIL OFFICES,  
GERNON ROAD, LETCHWORTH GARDEN CITY SG6 3JF**

on

**THURSDAY, 22 SEPTEMBER 2022**

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**

<b>Item</b>		<b>Page</b>
<b>1.</b>	<b>APOLOGIES FOR ABSENCE</b>	
<b>2.</b>	<b>MINUTES - 14 JULY 2022</b> To take as read and approve as a true record the minutes of the meeting of the Committee held on the 14 July 2022.	5 - 20
<b>3.</b>	<b>NOTIFICATION OF OTHER BUSINESS</b> 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.	
<b>4.</b>	<b>CHAIR'S ANNOUNCEMENTS</b> <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.  <u>Declarations of Interest</u> 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.

- 5. PUBLIC PARTICIPATION**  
To receive petitions, comments and questions from the public.
- 6. QUESTIONS FROM MEMBERS**  
To consider any questions submitted by Members of the Council, in accordance with Standing Order 4.8.11 (b).
- 7. NOTICE OF MOTIONS**  
To consider any motions, due notice of which have been given in accordance with Standing Order 4.8.12.
- 8. ITEMS REFERRED FROM OTHER COMMITTEES** 21 - 24  
Any items referred from other committees will be circulated as soon as they are available.
- 9. MEDIUM TERM FINANCIAL STRATEGY** 25 - 42  
REPORT OF THE SERVICE DIRECTOR - RESOURCES
- 10. ANNUAL REPORT OF THE OVERVIEW & SCRUTINY COMMITTEE** 43 - 52  
**2021/22**  
REPORT OF THE CHAIR OF OVERVIEW & SCRUTINY
- 11. ANNUAL REPORT FOR THE STANDARDS COMMITTEE** 53 - 56  
REPORT OF THE SERVICE DIRECTOR – LEGAL AND COMMUNITY & MONITORING OFFICER
- 12. CONSTITUTIONAL AMENDMENT / PANEL APPROVAL & APPOINTMENT** 57 - 66  
**REPORT - PART 1**  
This report covers the Transport Panel proposed to replace the Place Panel and Public Transport Users' Forum (and associated wording for the other Panels), changes for Service Director responsibility and an issue raised regarding one of the Procedure Rule (our Standing Orders).
- 13. EXCLUSION OF PRESS AND PUBLIC**  
To consider passing the following resolution:  
  
That under Section 100A of the Local Government Act 1972, the Press and Public be excluded from the meeting on the grounds that the following report will involve the likely disclosure of exempt information as defined in Paragraph 5 of Part 1 of Schedule 12A of the said Act (as amended).
- 14. CONSTITUTIONAL AMENDMENT / PANEL APPROVAL & APPOINTMENT** 67 - 78  
**REPORT - PART 2**

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# Public Document Pack Agenda Item 2

## NORTH HERTFORDSHIRE DISTRICT COUNCIL

### MINUTES

Meeting of the Council held in the Council Chamber, District Council Offices, Letchworth Garden City  
on Thursday, 14th July, 2022 at 7.30 pm

**PRESENT:** Councillors: Councillor Sam North (Chair), Councillor Daniel Allen (Vice-Chair), Ian Albert, Amy Allen, Raj Bhakar, Clare Billing, Simon Bloxham, Ruth Brown, Adam Compton, Juan Cowell, George Davies, Elizabeth Dennis-Harburg, James Denselow, Morgan Derbyshire, Jean Green, Chris Hinchliff, Terry Hone, Keith Hoskins, Tony Hunter, Steve Jarvis, David Levett, Ian Mantle, Ian Moody, Ralph Muncer, Sean Nolan, Sean Prendergast, Adem Ruggiero-Cakir, Carol Stanier, Claire Strong, Mandi Tandi, Kay Tart, Richard Thake, Tamsin Thomas, Tom Tyson, Phil Weeder, Alistair Willoughby, Val Bryant and Terry Tyler

**IN ATTENDANCE:** Anthony Roche – Managing Director, Jeanette Thompson – Service Director – Legal and Community, Ian Couper – Service Director – Resources, Melanie Stimpson – Democratic Services Manager, William Edwards – Committee, Member and Scrutiny Manager, James Lovegrove – CMSO, Louis Mutter – CMSO, Abigail Hamilton – CMSO.

**ALSO PRESENT:** At the commencement of the meeting approximately 2 members of the public, including registered speakers.

#### 127 APOLOGIES FOR ABSENCE

*Audio recording – 2:00*

Apologies for absence were received from Councillors Nigel Mason, Chris Lucas, Lisa Nash, Judi Billing, Sam Collins, Tom Plater, Michael Weeks, Michael Muir, Faye Frost, Gerald Morris, Adam Compton and David Barnard.

#### 128 MINUTES - 26 MAY 2022

*Audio Recording – 2:42*

Councillor Sam North proposed, Councillor Elizabeth Dennis-Harburg seconded and on the vote it was:

**RESOLVED:** That the Minutes of the Meeting of the Committee held on 26 May 2022 be approved as a true record of the proceedings and be signed by the Chair.

#### 129 NOTIFICATION OF OTHER BUSINESS

*Audio recording – 3:33*

There was no other business notified.

#### 130 CHAIR'S ANNOUNCEMENTS

*Audio recording – 3:34*

- (1) The Chair paid tribute to former Councillor Gary Grindal who passed away on Thursday 26 May. He remarked that Gary served as a district councillor for 26 years, between 1996 and 2022 and was a ward member for Letchworth Wilbury and served on the cabinet as Executive Member for Housing and Environmental Health from 2019 to 2022. He sat on many committees throughout his time at North Herts Council and was fondly remembered by colleagues, friends and family.

A minute of commemoration was held in memory of former Councillor Gary Grindal.

Councillor Amy Allen paid tribute to former Councillor Gary Grindal and said she, along with other councillors and former members, had attended Gary's funeral and commemorated his life alongside his family. She spoke of how Gary balanced his dedication to the community and working with the Council with his family life and that his children enjoyed hearing about his work as a Councillor, and said that: "I doubt there was a single person who hasn't been helped knowingly or unknowingly by Gary's work and dedication. And in the rough and tumble of politics, he was always one of the good guys. He was a big hearted man, generous with his time, who gave himself to his family, his friends and in his community."

The following Members also paid tribute to former Councillor Gary Grindal:

- Councillor Claire Strong
- Councillor Sam North

- (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) The Chair drew attention to the item on the agenda front pages regarding Declarations of Interest and reminded Members that, in line with the Code of Conduct, any Declarations of Interest needed to be declared immediately prior to the item in question.
- (4) The Chair presented a gift to Councillor Terry Tyler in recognition of his service as Chair of Council during the civic year 2019/20.

Councillor Terry Tyler thanked the Chair and Council for their support.

- (5) The Chair advised that one of the charities he was supporting this civic year was Herts Welcomes Refugees and invited Irene Austin, Herts Welcomes Refugees, to deliver a short presentation on the work of the charity.

Ms Irene Austin, Herts Welcomes Refugees, delivered a presentation on the work of the charity and highlighted the growth of the project since 2016 and the range of activities the group co-ordinates in support of refugees living in the area. She also noted the needs of charity and the support the Council could offer in assisting area convenors, building networks of volunteers, offering premises for events and assisting with the provision of transport.

- (6) The Chair advised that an additional Council meeting was required on 19th December to enable the Council to consider the consultation response once the Local Government Boundary Commission for England has published its draft recommendations for new electoral arrangements (number of wards, number of councillors representing each ward, ward names and ward boundaries).
- (7) The Chair reminded Members that the normal rules of debate and times to speak applied;

- (8) The Chair advised that the referral made at the Southern Rural committee on 30 June 2022 regarding the GP surgery in Kimpton would be considered at the next ordinary meeting of the Council due to new information being received that could have a material impact on any potential discussion.

## 131 PUBLIC PARTICIPATION

*Audio recording – 22:23*

There was one question submitted by a member of the public in accordance with Standing Order 4.8.10(a).

The Chair invited Ms Deolinda Eltringham to present her question to Councillor Sean Prendergast, Executive Member for Housing and Environmental Health. Her question was as follows:

“Is there a reason why so many air quality monitoring stations are not being used in the NHDC area? They are: North Herts Baldock -1, North Herts Baldock -2, North Herts Baldock Roadside, North Herts Breechwood Green, North Herts Hitchin Library, North Herts Royston. All of these are still showing as “Closed” and no results available on the “All Herts and Beds Air Quality” data from the local air monitoring stations. We will never know the full picture of how bad the true air pollution problem is until we monitor widely and quantify the problem.”

Councillor Sean Prendergast responded as follows:

“Thank you for attending council tonight and for your question.

Some members and indeed residents in our community may not be aware that all local authorities have a statutory duty to monitor and assess local air quality. In terms of a strategy for air quality monitoring and assessment, the Local Authority is required to continually monitor and assess local air quality across the district.

What this means in practice, is that in time we build up a picture of where air pollution hot spots are located, usually near busy road junctions or roads with congested traffic, meaning that we as a local authority concentrate our monitoring resources in locations that represent those hotspots.

Part of the process of continuing to review local air quality is to build up a picture across the district of where air pollution levels are highest, and within margins approaching or in exceedance of statutory air quality objectives.

From the data collected, there is no evidence that pollution levels at these locations are approaching or near air pollution objective levels, and decisions have been made in the past to concentrate monitoring resources on areas where pollution levels are higher or may approach objective levels.

For example, results from the continuous monitor in the Hitchin Stevenage Road air quality management areas have reduced from 50 microgrammes per metre cubed in 2016, to 37 microgrammes per metre cubed in 2020, where the objective is 40.

These locations have been shown as locations with no significant risk of increased pollution levels.

The regulations make clear, that Local Authorities are expected to monitor where air pollution levels are at, or likely to exceed the Government’s stated threshold limits. The sites mentioned were recorded as being, and still are significantly below objective levels, and in line with Government Policy on best value, these sites were made redundant at least 7 years ago.

Members of this Council will be aware that the joint administration declared a climate emergency in May 2019 and since then we have already actioned the:

- Introduction of subsidised licensing fees for hackney carriages and private hire vehicles that use clean fuel.
- The continued replacement of council vehicles with ultra-low or zero emission vehicles
- Commissioned the Herts energy advice tool app to help residents increase energy efficiency in their homes
- The Conversion of floodlighting on Norton Common in Letchworth from halogen to LED lighting, which will cut energy use by 50%.
- Launched a Plastic Free North Herts Campaign and helped promote businesses in the district who have achieved a plastic free status.

This is just a snapshot of what we have achieved so far and we will continue to work with community groups and residents to further improve the environment of our district. However we must acknowledge the reality of air pollution as a real problem that exists everywhere including in this district and we will continue to take bold steps to create a healthy environment for our children and vulnerable members of our community.

We must look at further measures to improve air quality such as the possibility of no idling areas, working towards a better cycle network in the district, more electrical charging points.

We are still actively working with HCC & others to try to encourage more people to take up electric vehicles actively and we need to encourage the County Council to review and address traffic congestion hotspots, so that this too can potentially help to reduce traffic air pollution, . Be assured that we will continue to actively explore opportunities to help solve the climate emergency.

Air pollution is not inevitable. Any reductions in air pollution that we make will lead to health improvements for us all. If we all do our bit, we can have cleaner air.”

Ms Deolina Eltringham asked a supplementary question as follows: “Air quality had improved from when monitoring began in 2020 due to Covid restrictions resulting in traffic reduction across the UK – air pollution measurements taken in 2020 and 2021 are aberrations from historical norms and the UK government warns against use of such data. UK government traffic reporting shows a significant drop in 2020 that is clearly not consistent with normal trends where vehicle miles travelled in Britain had year on year growth between 2010-19, until a sharp decrease in 2020 bringing figures lower than 2010. To say traffic has fallen would misconstrue the overall picture. Measurements in 2020 should be considered a target, not a benchmark; would the Council consider a review of its monitoring station placement and increase the number of stations across the areas of greater traffic and include residential areas?”

Councillor Sean Prendergast responded: “Monitoring stations were reviewed on an annual basis and active locations were based on hotspots of traffic activity and the resources available. If the hotspots changed the monitoring stations would change as necessary.”

## 132 QUESTIONS FROM MEMBERS

*Audio recording – 32:10*

There were none.

## 133 NOTICE OF MOTIONS

*Audio recording – 31:18*



There were none.

**134 WARDING ARRANGEMENT SUBMISSION TO THE LOCAL GOVERNMENT BOUNDARY COMMISSION FOR ENGLAND**

*Audio Recording – 32:23*

The Democratic Services Manager presented the report entitled Warding Arrangement Submission to the Local Government Boundary Commission for England along with Appendices A-C.

The Chair, Councillor Sam North, proposed a motion to suspend standing order 4.8.14(a) for the duration of this item. Councillor Daniel Allen seconded and following the vote it was:

**RESOLVED:** That standing order 4.8.14(a) be suspended for the duration of Item 8 only (Warding Arrangement Submission to the Local Government Boundary Commission for England).

Debate followed on each recommendation in the report.

Councillor David Levett called for a recorded vote on each vote under this item.

Councillor Ian Albert proposed a motion that recommendation 2.1 (i) as detailed in the report be split into four sections to allow for separate votes on each area (Rural Wards, Baldock, Hitchin and Royston). Councillor Keith Hoskins seconded and having been put to the vote the motion was CARRIED, the results of the recorded vote were as follows:

**VOTE TOTALS:**

FOR: 21  
ABSTAIN: 1  
NO: 9  
TOTAL: 31

With Councillors voting as follows:

Cllr Sam North	YES
Cllr Adem Ruggiero-Cakir	YES
Cllr Alistair Willoughby	YES
Cllr Amy Allen	YES
Cllr Carol Stanier	YES
Cllr Chris Hinchliff	YES
Cllr Clare Billing	YES
Cllr Daniel Allen	YES
Cllr Elizabeth Dennis-Harburg	YES
Cllr Ian Albert	YES
Cllr Ian Mantle	YES
Cllr James Denselow	YES
Cllr Keith Hoskins	YES
Cllr Philip Weeder	YES
Cllr Raj Bhakar	YES
Cllr Ruth Brown	YES
Cllr Sean Nolan	YES
Cllr Sean Prendergast	YES
Cllr Steve Jarvis	YES

Cllr Tamsin Thomas	YES
Cllr Val Bryant	YES
Cllr Clare Strong	NO
Cllr David Levett	NO
Cllr George Davies	NO
Cllr Ian Moody	NO
Cllr Mandi Tandi	NO
Cllr Morgan Derbyshire	NO
Cllr Ralph Muncer	NO
Cllr Richard Thake	NO
Cllr Terry Tyler	NO
Cllr Tom Tyson	ABSTAIN

***It was therefore***

**RESOLVED:** That recommendation 2.1 (i) as detailed in the officer's report be separate recommendations as follows:

"That Council:

- i) That Council approves the warding arrangements relating to the rural wards attached as in Appendix A;
- ii) That Council approves the warding arrangements relating to the Baldock wards attached as in Appendix A;
- iii) That Council approves the warding arrangements relating to the Hitchin wards attached as in Appendix A;
- iv) That Council approves the warding arrangements relating to the Royston wards attached as in Appendix A."

Councillor Keith Hoskins proposed an amendment to Appendix A relating to the Hitchin warding arrangements, specifically Hitchin Highbury and Hitchin Priory such that the boundary between Hitchin Highbury ward and Hitchin Priory ward be moved to facilitate two 2-member wards with Priory ward having 4325 electors and Highbury ward with 4823 electors (as per the option previously considered by the Boundary Review Project Board).

Councillor Ian Albert seconded the amendment and on being put to the vote the motion was CARRIED, the recorded vote being:

YES: 21  
ABSTAIN: 1  
NO: 12  
TOTAL: 34

THE INDIVIDUAL RESULTS WERE AS FOLLOWS

Cllr Sam North	YES
Cllr Adem Ruggerio-Cakir	YES
Cllr Alistair Willoughby	YES
Cllr Amy Allen	YES
Cllr Carol Stanier	YES
Cllr Clare Billing	YES
Cllr Daniel Allen	YES
Cllr Elizabeth Dennis-Harburg	YES
Cllr Ian Albert	YES

Cllr Ian Mantle	YES
Cllr James Denselow	YES
Cllr Keith Hoskins	YES
Cllr Philip Weeder	YES
Cllr Ruth Brown	YES
Cllr Sean Nolan	YES
Cllr Sean Prendergast	YES
Cllr Steve Jarvis	YES
Cllr Tamsin Thomas	YES
Cllr Terry Tyler	YES
Cllr Tom Tyson	YES
Cllr Val Bryant	YES
Cllr Clare Strong	NO
Cllr David Levett	NO
Cllr George Davies	NO
Cllr Ian Moody	NO
Cllr Jean Green	NO
Cllr Mandi Tandi	NO
Cllr Morgan Derbyshire	NO
Cllr Ralph Muncer	NO
Cllr Richard Thake	NO
Cllr Simon Bloxham	NO
Cllr Terry Hone	NO
Cllr Tony Hunter	NO
Cllr Chris Hinchliff	ABSTAIN

As such it was:

**RESOLVED:** That the warding arrangements detailed in Appendix A relating to Hitchin be amended so that the Hitchin Highbury ward and Hitchin Priory ward are both 2-member wards with Priory ward having 4325 electors and Highbury ward with 4823 electors, as per the option considered by the Electoral Review Project Board

Councillor Elizabeth Dennis-Harburg proposed 2.1 (i) 1 (as amended) - the warding arrangements relating to the rural wards as attached as Appendix A. Councillor Steve Jarvis seconded and having been put to the vote motion was CARRIED, the results of the recorded vote being:

VOTE TOTALS:

YES:	22
ABSTAIN:	0
NO:	13
TOTAL:	35

THE INDIVIDUAL RESULTS WERE AS FOLLOWS

Cllr Sam North	YES
Cllr Adem Ruggerio-Cakir	YES
Cllr Alistair Willoughby	YES
Cllr Amy Allen	YES
Cllr Carol Stanier	YES
Cllr Chris Hinchliff	YES
Cllr Clare Billing	YES
Cllr Daniel Allen	YES
Cllr Elizabeth Dennis-Harburg	YES
Cllr Ian Albert	YES
Cllr Ian Mantle	YES

Cllr James Denselow	YES
Cllr Keith Hoskins	YES
Cllr Philip Weeder	YES
Cllr Raj Bhakar	YES
Cllr Ruth Brown	YES
Cllr Sean Nolan	YES
Cllr Sean Prendergast	YES
Cllr Steve Jarvis	YES
Cllr Tamsin Thomas	YES
Cllr Tom Tyson	YES
Cllr Val Bryant	YES
Cllr Clare Strong	NO
Cllr David Levett	NO
Cllr George Davies	NO
Cllr Ian Moody	NO
Cllr Jean Green	NO
Cllr Mandi Tandi	NO
Cllr Morgan Derbyshire	NO
Cllr Ralph Muncer	NO
Cllr Richard Thake	NO
Cllr Simon Bloxham	NO
Cllr Terry Hone	NO
Cllr Terry Tyler	NO
Cllr Tony Hunter	NO

It was therefore:

**RESOLVED:** That Council approves the warding arrangements relating to the rural wards attached as in Appendix A for submission to the Local Government Boundary Commission for England, noting the deadline for submission being 10 August 2022 and noting the inclusion of 51 Councillors as the basis for the submission.

Councillor Alistair Willoughby proposed recommendation 2.1. (i) 2 (as amended) - the warding arrangements relating to Baldock as attached as Appendix A. . Councillor Elizabeth Dennis-Harburg seconded and having been put to the vote the motion was CARRIED, and the results of the recorded vote being:

VOTE TOTALS:

YES:	22
ABSTAIN:	1
NO:	12
TOTAL:	35

Cllr Sam North	YES
Cllr Adem Ruggerio-Cakir	YES
Cllr Alistair Willoughby	YES
Cllr Amy Allen	YES
Cllr Carol Stanier	YES
Cllr Chris Hinchliff	YES
Cllr Clare Billing	YES
Cllr Daniel Allen	YES
Cllr Elizabeth Dennis-Harburg	YES
Cllr Ian Albert	YES
Cllr Ian Mantle	YES
Cllr James Denselow	YES
Cllr Keith Hoskins	YES
Cllr Philip Weeder	YES

Cllr Raj Bhakar	YES
Cllr Ruth Brown	YES
Cllr Sean Nolan	YES
Cllr Sean Prendergast	YES
Cllr Steve Jarvis	YES
Cllr Tamsin Thomas	YES
Cllr Tom Tyson	YES
Cllr Val Bryant	YES
Cllr Clare Strong	NO
Cllr David Levett	NO
Cllr George Davies	NO
Cllr Ian Moody	NO
Cllr Jean Green	NO
Cllr Mandi Tandi	NO
Cllr Morgan Derbyshire	NO
Cllr Ralph Muncer	NO
Cllr Richard Thake	NO
Cllr Simon Bloxham	NO
Cllr Terry Hone	NO
Cllr Tony Hunter	NO
Cllr Terry Tyler	ABSTAIN

As such it was:

**RESOLVED:** That the Council approves the warding arrangements relating to the Baldock wards as attached in Appendix A for submission to the Local Government Boundary Commission for England, noting the deadline for submission being 10 August 2022 and noting the inclusion of 51 Councillors as the basis for the submission.

Councillor Ian Albert proposed recommendation 2.1 (i) (3) - the warding arrangements, as previously amended, relating to Hitchin. Councillor Keith Hoskins seconded and having been put to the vote the motion was CARRIED, the results of the recorded vote being:

VOTE TOTALS:

YES:	22
ABSTAIN:	1
NO:	12
TOTAL:	35

THE INDIVIDUAL RESULTS WERE AS FOLLOWS

Cllr Sam North	YES
Cllr Adem Ruggerio-Cakir	YES
Cllr Alistair Willoughby	YES
Cllr Amy Allen	YES
Cllr Carol Stanier	YES
Cllr Chris Hinchliff	YES
Cllr Clare Billing	YES
Cllr Daniel Allen	YES
Cllr Elizabeth Dennis-Harburg	YES
Cllr Ian Albert	YES
Cllr Ian Mantle	YES
Cllr James Denselow	YES
Cllr Keith Hoskins	YES
Cllr Philip Weeder	YES
Cllr Raj Bhakar	YES

Cllr Ruth Brown	YES
Cllr Sean Nolan	YES
Cllr Sean Prendergast	YES
Cllr Steve Jarvis	YES
Cllr Tamsin Thomas	YES
Cllr Tom Tyson	YES
Cllr Val Bryant	YES
Cllr Clare Strong	NO
Cllr David Levett	NO
Cllr George Davies	NO
Cllr Ian Moody	NO
Cllr Jean Green	NO
Cllr Mandi Tandi	NO
Cllr Morgan Derbyshire	NO
Cllr Ralph Muncer	NO
Cllr Richard Thake	NO
Cllr Simon Bloxham	NO
Cllr Terry Hone	NO
Cllr Tony Hunter	NO
Cllr Terry Tyler	ABSTAIN

As such it was:

**RESOLVED:** That Council approves the warding arrangements for the Hitchin Wards attached as in Appendix A (subject to amendments in relation to Hitchin Highbury and Hitchin Priory) for submission to the Local Government Boundary Commission for England, noting the deadline for submission being 10 August 2022 and noting the inclusion of 51 Councillors as the basis for the submission.

Councillor Ruth Brown proposed recommendation 2.1 9i) (4) as amended - the warding arrangements relating to Royston as attached as Appendix A. Councillor Elizabeth Dennis-Harburg seconded and having been put to the vote the motion was CARRIED, the results of the recorded vote being:

VOTE TOTALS:

YES:	21
ABSTAIN:	1
NO:	13
TOTAL:	35

THE INDIVIDUAL RESULTS WERE AS FOLLOWS

Cllr Sam North	YES
Cllr Alistair Willoughby	YES
Cllr Amy Allen	YES
Cllr Carol Stanier	YES
Cllr Chris Hinchliff	YES
Cllr Clare Billing	YES
Cllr Daniel Allen	YES
Cllr Elizabeth Dennis-Harburg	YES
Cllr Ian Albert	YES
Cllr Ian Mantle	YES
Cllr James Denselow	YES
Cllr Keith Hoskins	YES
Cllr Philip Weeder	YES
Cllr Raj Bhakar	YES
Cllr Ruth Brown	YES

Cllr Sean Nolan	YES
Cllr Sean Prendergast	YES
Cllr Steve Jarvis	YES
Cllr Tamsin Thomas	YES
Cllr Tom Tyson	YES
Cllr Val Bryant	YES
Cllr Adem Ruggerio-Cakir	NO
Cllr Clare Strong	NO
Cllr David Levett	NO
Cllr George Davies	NO
Cllr Ian Moody	NO
Cllr Jean Green	NO
Cllr Mandi Tandi	NO
Cllr Morgan Derbyshire	NO
Cllr Ralph Muncer	NO
Cllr Richard Thake	NO
Cllr Simon Bloxham	NO
Cllr Terry Hone	NO
Cllr Tony Hunter	NO
Cllr Terry Tyler	ABSTAIN

As such it was:

**RESOLVED:** That the Council approves the warding arrangements relating to Royston as attached in Appendix A for submission to the Local Government Boundary Commission for England, noting the deadline for submission being 10 August 2022 and noting the inclusion of 51 Councillors as the basis for the submission.

The Chair, having invited a motion relating to the warding arrangements for Letchworth.

Councillor Daniel Allen proposed recommendation 2.1. (iii) - that the Council approve Option B regarding the warding arrangements for Letchworth, as attached in Appendix C of the report. Councillor Elizabeth Dennis-Harburg seconded and on being put to the vote the motion was NOT CARRIED. The results of the recorded vote being:

VOTE TOTALS:

YES:	13
ABSTAIN:	2
NO:	20
TOTAL:	35

THE INDIVIDUAL RESULTS WERE AS FOLLOWS

Cllr Adem Ruggerio-Cakir	YES
Cllr Alistair Willoughby	YES
Cllr Amy Allen	YES
Cllr Chris Hinchliff	YES
Cllr Clare Billing	YES
Cllr Daniel Allen	YES
Cllr Elizabeth Dennis-Harburg	YES
Cllr Ian Albert	YES
Cllr Ian Mantle	YES
Cllr James Denselow	YES
Cllr Sean Nolan	YES
Cllr Tamsin Thomas	YES
Cllr Val Bryant	YES
Cllr Carol Stanier	NO

Cllr Clare Strong	NO
Cllr David Levett	NO
Cllr George Davies	NO
Cllr Ian Moody	NO
Cllr Jean Green	NO
Cllr Keith Hoskins	NO
Cllr Mandi Tandi	NO
Cllr Morgan Derbyshire	NO
Cllr Philip Weeder	NO
Cllr Raj Bhakar	NO
Cllr Ralph Muncer	NO
Cllr Richard Thake	NO
Cllr Ruth Brown	NO
Cllr Sean Prendergast	NO
Cllr Simon Bloxham	NO
Cllr Steve Jarvis	NO
Cllr Terry Hone	NO
Cllr Tom Tyson	NO
Cllr Tony Hunter	NO
Cllr Sam North	ABSTAIN
Cllr Terry Tyler	ABSTAIN

Councillor Morgan Derbyshire proposed a motion that the Council approve Option A regarding the warding arrangements for Letchworth as attached in Appendix C of the report (recommendation 2.1. (ii) ). Councillor Sean Prendergast seconded and on being put to the vote the motion was CARRIED. The results of the recorded vote being:

VOTE TOTALS:

YES:	21
ABSTAIN:	1
NO:	13
TOTAL:	35

THE INDIVIDUAL RESULTS WERE AS FOLLOWS

Cllr Sam North	YES
Cllr Carol Stanier	YES
Cllr Clare Strong	YES
Cllr David Levett	YES
Cllr George Davies	YES
Cllr Ian Moody	YES
Cllr Jean Green	YES
Cllr Keith Hoskins	YES
Cllr Mandi Tandi	YES
Cllr Morgan Derbyshire	YES
Cllr Philip Weeder	YES
Cllr Raj Bhakar	YES
Cllr Ralph Muncer	YES
Cllr Richard Thake	YES
Cllr Ruth Brown	YES
Cllr Sean Prendergast	YES
Cllr Simon Bloxham	YES
Cllr Steve Jarvis	YES
Cllr Terry Hone	YES
Cllr Tom Tyson	YES
Cllr Tony Hunter	YES
Cllr Adem Ruggiero-Cakir	NO



Cllr Alistair Willoughby	NO
Cllr Amy Allen	NO
Cllr Chris Hinchliff	NO
Cllr Clare Billing	NO
Cllr Daniel Allen	NO
Cllr Elizabeth Dennis-Harburg	NO
Cllr Ian Albert	NO
Cllr Ian Mantle	NO
Cllr James Denselow	NO
Cllr Sean Nolan	NO
Cllr Tamsin Thomas	NO
Cllr Val Bryant	NO
Cllr Terry Tyler	ABSTAIN

As such it was:

**RESOLVED:** That Council approves the warding arrangements relating to Letchworth as detailed in Option A attached as Appendix B for submission to the Local Government Boundary Commission for England, noting the deadline for submission being 10 August 2022 and noting the inclusion of 51 Councillors as the basis for the submission.

**REASONS FOR DECISIONS:** The warding arrangements have been proposed following discussion amongst Group Leaders at the Boundary Review Project Board, taking into account the feedback from the recent member workshop and subsequent further engagement, local communities, the LBGCE criteria for warding arrangements, and the need to ensure electoral equality. If the Council does not make a submission, the LBGCE will base its recommendations of warding configurations for this Council on other submissions they receive, as well as their own analytical work

To allow a comfort break, the Chair adjourned the meeting at 21:14.

The meeting reconvened at 21:25.

The usual Standing Orders for the remainder of the meeting were resumed.

## 135 ITEMS REFERRED FROM OTHER COMMITTEES

*Audio Recording – 1:55:56*

### 9A. REFERRAL FROM CABINET 21 JUNE 2022 – REVENUE BUDGET OUTTURN 2021/22

Councillor Ian Albert presented the referral and report from Cabinet in respect of the Revenue Budget Outturn 2021/22 and highlighted points including:

- page 111 referred to specific comments from Finance, Audit and Risk and one decision recommended to Council to approve a net transfer from earmarked reserves;
- The full papers detailed £172,000 carry-forward requested for specific activities that would now take place in 2022/23; this would take the total carry forward requests up to £712,000, reducing the impact on the General Fund down to around £800,000 underspend;
- The papers accounted for the impact of COVID-19 on funding particularly in leisure and car parking, which totalled £1.65 million after deducting any grant funding and sales, with that impact recovered from the council's reserves around £770,000;
- Council funding towards Stevenage Leisure Ltd was less than expected and it was good to see that leisure facilities were recovering well, while there was still work to do;
- Table 9 in the main reports detailed movement in earmarked reserves that required Council approval, with the main movement referring to the reserve of funding from

DLUHC to provide business rate relief during the pandemic. There was still residual funding that would need to be released in future years and the special reserve was being released over time to reduce the pressure on the general fund;

- The revenue monitoring report noted that movement from funds would be subject to final confirmation of a figure from DLUHC on business rate pooling and final release of grant funding which could lead to a later adjustment of the required net transfer but that the recommendation to Council at this stage would remain as in the report.

Councillor Ian Albert proposed, Councillor Keith Hoskins seconded and on the vote it was:

**RESOLVED:** That Council approves the net transfer from earmarked reserves, as identified in table 9 of £8.123 million.

**REASONS FOR DECISIONS:**

- (1) Members are able to monitor, make adjustments within the overall budgetary framework and request appropriate action of Services, who do not meet the budget targets set as part of the Corporate Business Planning process;
- (2) Changes to the Council's balances are monitored and approved.

**9B. REFERRAL FROM CABINET 21 JUNE 2022 – INVESTMENT STRATEGY (CAPITAL AND TREASURY) END OF YEAR REVIEW 2021/22**

Councillor Ian Albert presented the report and referral from Cabinet on 21 June 2022 in respect of the Investment Strategy (Capital and Treasury) End of Year Review 2021/22 and highlighted points including:

- The sale of surplus land had increased reserves during the year which stood now at £7.7million;
- There was one technical breach of the Treasury rules that had been previously reported;
- The Council continued to manage its surplus cash by prioritising security and liquidity before considering yield.

Councillor Ian Albert proposed, Councillor Terry Tyler seconded and on the vote it was:

**RESOLVED:**

- (1) That Council approves the actual 2021/22 prudential and treasury indicators;
- (2) That Council notes the annual Treasury Report for 2021/22

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

**9C. REFERRAL FROM CABINET 21 JUNE 2022 – ANNUAL REPORT ON RISK MANAGEMENT AND QUARTERLY RISK MANAGEMENT UPDATE**

Councillor Ian Albert presented the referral and report from Cabinet on 21 June 2022 in respect of the Annual Report on Risk Management and Quarterly Risk Management Update and highlighted points including:

- He thanked the Service Director – Resources and the finance and risk teams who make sure the Council has secure budgets which are managed carefully and assured against risk;

- This report was the last in this format before moving to the new Council Delivery Planned format in quarter 1;
- All members but particularly members of FAR and O&S had a standing invite to attend the internal Risk Management Group meetings.

Councillor Ian Albert proposed, Councillor Terry Tyler seconded and on the vote it was:

**RESOLVED:** That Council notes the report.

9D. REFERRAL FROM FINANCE, AUDIT AND RISK 15 JUNE 2022: FINANCE, AUDIT AND RISK ANNUAL REPORT 2021/22

Councillor Keith Hoskins presented the referral from Finance, Audit and Risk on 15 June 2022 in respect of the Finance, Audit and Risk Annual Report 2021/22.

Councillor Keith Hoskins proposed, Councillor Clare Billing seconded and on the vote it was:

**RESOLVED:** That Council notes the report.

**REASON FOR DECISION:** To provide Full Council with assurance as to the effectiveness of the Finance, Audit and Risk Committee.

**136 INDEPENDENT MEMBER OF FINANCE, AUDIT AND RISK COMMITTEE**

*Audio Recording – 2:08:16*

Councillor Keith Hoskins presented the report in respect of the Independent Member of Finance, Audit and Risk Committee and highlighted points including:

- He was presenting as he was part of the panel that interviewed candidates for the role
- John would be a useful addition to the committee bringing continuity, experience and expertise in matters of finance and auditing

Councillor Keith Hoskins proposed, Councillor Clare Billing seconded and on the vote it was:

**RESOLVED:** That John Cannon is appointed as the Independent Member for Finance, Audit and Risk Committee, subject to final administrative arrangements being completed.

**REASON FOR DECISION:** Following a recruitment and selection process John Cannon was determined to be the best candidate fully meeting all the criteria for the role.

**137 CONSTITUTIONAL AMENDMENT REPORT**

*Audio Recording – 2:09:05*

The Service Director – Legal & Community presented the report entitled Constitutional Amendments along with Appendix A and advised:

- Following concerns raised by members prior to the meeting the changes outlined on pages 128-19 of the document pack (changes to Appendices 1 and 2 of Section 8 of the Constitution) were no longer recommended and should be removed from the report

The following Members asked questions and took part in debate:

- Councillor Ruth Brown
- Councillor Tony Hunter
- Councillor David Levett

In response to questions raised the Service Director – Legal & Community advised:

- None of the proposals in the report relating to Appendices 1 and 2 to Section 8 were to be carried forward;
- The responsibilities of the Executive Member for the Environment and Leisure still included climate change policy and commitments made by the Council; the updated wording reflected policy developments since the Nottingham Declaration on Climate Change.

**RESOLVED:** That Full Council:

- (1) Approves the amendments in Appendix A (as amended);
- (2) Notes the changes to Executive portfolio areas identified in Section 14\* (table shaded green);
- (3) Notes the typographical error changed in Section 20 (Contract Procurement Rules) under Rule 33.9 (as described in Appendix A), on 19 April 2022 (table shaded green).

**REASON FOR DECISION:** To ensure the Constitution remains up to date, and continues to improve its working practices where legally possible.

The meeting closed at 9.49 pm

Chair

## **8. REFERRALS FROM OTHER COMMITTEES – AS AT 13/09/2022**

The following referral from other Committees are enclosed below.

### **8A. REFERRAL FROM SOUTHERN RURAL AREA COMMITTEE: 30 JUNE 2022 – CLOSURE OF KIMPTON SURGERY**

Any further referrals will be published as a supplementary agenda when they are available.

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**8A. REFERRAL FROM SOUTHERN RURAL AREA COMMITTEE 30 JUNE 2022:  
CLOSURE OF KIMPTON SURGERY**

***RECOMMENDED TO FULL COUNCIL:***

(1) That the Council discusses the closure of Kimpton GP surgery and the issue of accessibility of healthcare services for residents in rural wards.

***REASON FOR DECISION:***

(1) To act as forum for discussion on matters of local interest and to make arrangements for the provision of information about local services and other matters to people in the area.

Audio recording – 41:28

Councillor Ralph Muncer advised that there was a public consultation and a public meeting opposing the NHS closure of the Kimpton Surgery and that many residents attended. He stated that the closure of this surgery would force residents to travel elsewhere and would have a large impact on elderly and vulnerable people, as well as those who rely on public transport. He reassured Kimpton residents and in response to a question from Councillor Sam North said that the local MP and County Councillor are heavily involved in this.

Councillor David Barnard proposed wording for a motion for consideration to Council as follows: "That this Council regrets the proposal of the NHS to close the surgery in Kimpton and urges the Clinical Commissioning Group (CCG) to take urgent action to withdraw this proposal, and ensure that residents of Kimpton and surrounding rural communities can readily access important medical care". He was advised that specific wording would have to be reviewed.

Councillor Sam North advised that the Council appoints members to sit on organisations such as the Hertfordshire Health Scrutiny Committee and that residents might benefit from consideration of the topic by full Council.

Councillor David Barnard proposed, Councillor Ralph Muncer seconded and, following a vote, it was:

***RECOMMENDED TO FULL COUNCIL:*** That the Council discusses the closure of Kimpton GP surgery and the issue of accessibility of healthcare services for residents in rural wards.

***REASON FOR RECOMMENDATION:*** To act as forum for discussion on matters of local interest and to make arrangements for the provision of information about local services and other matters to people in the area.

The reports and papers associated with this item can be viewed here: [Agenda for Southern Rural Area Committee on Thursday, 30 June 2022, 7:30 pm - North Herts Council \(north-herts.gov.uk\)](#)

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**COUNCIL  
22 SEPTEMBER 2022**

**\*PART 1 – PUBLIC DOCUMENT**

**TITLE OF REPORT: MEDIUM TERM FINANCIAL STRATEGY**

REPORT OF: *Service Director: Resources*

EXECUTIVE MEMBER: *Finance and IT*

COUNCIL PRIORITY: SUSTAINABILITY

**1. EXECUTIVE SUMMARY**

This report recommends the Medium Term Financial Strategy (MTFS) for 2023/24 to 2027/28 to guide and inform the Council's Business Planning Process. The focus is primarily on setting a budget for 2022/23, as well as determining the actions that will be necessary in setting a longer term budget following on from that. It reflects on the many uncertainties that the Council faces, including continuing impacts of Covid-19, cost of living pressures and future funding uncertainty. Whilst it recommends a five year budget strategy, there is likely to be a need to amend the strategy over time as further information becomes available.

The MTFS supports and is supported by the Council Plan. This reflects that the Council can only deliver priorities and projects that it can afford and should prioritise its spending around delivering its priorities.

**2. RECOMMENDATIONS**

- 2.1 That Council approves the adoption of the Medium Term Financial Strategy 2023-28 as attached at Appendix A.

**3. REASONS FOR RECOMMENDATIONS**

- 3.1 Adoption of a MTFS and communication of its contents will assist in the process of forward planning the use of Council resources and in budget setting for 2023/2024 to 2027/2028, culminating in the setting of the Council Tax precept for 2023/24 in February 2023. This will (alongside the Council Plan) support the Council in setting a budget that is affordable and aligned to Council priorities.

**4. ALTERNATIVE OPTIONS CONSIDERED**

- 4.1 The Council needs to have a strategy for setting its budget to ensure that it meets its statutory duty to set a balanced budget over the medium term, and ensure that spend is prioritised towards delivering statutory services and its strategic aims (as set out in the Council Plan).

4.2 In line with the Financial Management Code (published by the Chartered Institute of Public Finance and Accountancy), the Council aspires to set a longer-term financial strategy (e.g. 10 years) that considers the various risks and plans scenarios to deal with them. However, this MTFFS deliberately takes a shorter-term view, which reflects the significant uncertainty faced in relation to the still ongoing effects of Covid-19 and the cost of living pressures.

## **5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS**

5.1 The Executive Member for Finance and IT and Deputy have been consulted in developing this Strategy.

5.2 No external consultation has been undertaken in the preparation of this report.

5.3 Members will be aware that consultation is an integral part of the Corporate Business Planning process, and consultation on the individual actions and projects planned to support the Objectives will be carried out in accordance with the Corporate Business Planning Timetable and the Council's Consultation Strategy.

5.4 As in previous years, Member workshops will be held in regard to corporate business planning proposals.

## **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 Council is required to set a balanced budget each year. This can include using reserves if this is affordable over the medium term. The Council therefore sets a 5 year Medium Term Financial Strategy each year to help determine the approach that it will take to setting the detailed budget for the following year.

## **8. RELEVANT CONSIDERATIONS**

8.1 The Medium Term Financial Strategy is attached as Appendix A. It details the forecast impact of reducing resources and quantifies what the Council will need to do to balance its budget in the medium term. It also reflects the significant uncertainty over funding, expenditure and income and therefore highlights the need to be able to react to any changes.

## **9. LEGAL IMPLICATIONS**

9.1 Council's terms of reference include at 4.4.1(b) "approving or adopting the budget". The MTFFS is part of the budget setting process.

9.3 Councillors are reminded of the requirement, under section 30 of the Local Government Finance Act 1992, to set a balanced budget prior to the commencement of the financial year in question; and also that the Local Government Act 2003 requires the Chief Finance Officer to report on the robustness of estimates and the adequacy of reserves allowed for in the budget.

## **10. FINANCIAL IMPLICATIONS**

- 10.1 Revenue financial implications are covered in Appendix A.
- 10.2 The main purpose of the Medium Term Financial Strategy is to consider the revenue funding, income and expenditure for the Council. This includes considering the revenue implications of capital expenditure which are linked to the reduced income from treasury investments (as capital reserves are spent) and the costs of borrowing (which is forecast to be required when capital reserves are used up). The Strategy also considers discretionary capital spend (i.e. not directly linked to continuing service delivery) and the need to deliver value for money. This would include using capital expenditure to reduce revenue costs or generate income.

## **11. RISK IMPLICATIONS**

- 11.1 The key risks within the budget assumptions are referred to in Appendix A.
- 11.2 There are financial and reputational risks involved in arriving at a balanced budget against the uncertainty surrounding levels of government funding. We seek to mitigate the risks through the use of the established corporate business planning process and early involvement of members in the process.

## **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 MTFS attempts to align resources to the delivery of the Council Plan, which sets the corporate objectives. Through its corporate objectives the Council is seeking to address equality implications in the services it provides and through the remainder of the Corporate Business Planning Process will carry out Equalities Impact Assessments for relevant Efficiency or Investment options.

## **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 directly apply to this report.

## **15. HUMAN RESOURCE IMPLICATIONS**

- 15.1 The MTFS makes assumptions in relation to pay inflation. As the actual rate of inflation will be subject to national pay bargaining, the actual costs will depend on the results of those negotiations. The budget also makes assumptions around funding for increments. The budget does not make any allowance for pay increases above inflation. This means that there will be no improvement to the Council’s ability to attract staff in relation to pay,

which will particularly impact on difficult to fill posts. The Human Resources Team and the Leadership Team continually try to identify staff benefits that are not related to pay, and therefore more affordable. A survey has been carried out to identify those benefits that staff value the most, and an action plan is being developed based on the results.

- 14.2 The delivery of projects to deliver council objectives depends on having adequate people resources with the requisite skills.
- 14.3 The development of budget proposals will take up staff time. As they are developed these budget proposals will identify the ongoing impact on staff.

## **16. APPENDICES**

- 16.1 Appendix A- Medium Term Financial Strategy 2023-28

## **17. CONTACT OFFICERS**

- 17.1 Ian Couper, Service Director: Resources [ian.couper@north-herts.gov.uk](mailto:ian.couper@north-herts.gov.uk); ext 4243
- 17.2 Antonio Ciampa, Accountancy Manager [Antonio.ciampa@north-herts.gov.uk](mailto:Antonio.ciampa@north-herts.gov.uk), ext 4566
- 17.3 Jo Keshishian, HR Operations Manager, [jo.keshishian@north-herts.gov.uk](mailto:jo.keshishian@north-herts.gov.uk); ext 4314
- 17.4 Georgina Chapman, Policy Officer, [georgina.chapman@north-herts.gov.uk](mailto:georgina.chapman@north-herts.gov.uk), ext 4121
- 17.5 Isabelle Alajooz, Legal Commercial Team Manager and Deputy Monitoring Officer, [Isabelle.alajooz@north-herts.gov.uk](mailto:Isabelle.alajooz@north-herts.gov.uk), ext 4346

## **18. BACKGROUND PAPERS**

- 18.1 None

North Herts Council

Medium Term Financial Strategy  
2023-28

## **Purpose of the Strategy**

This strategy sits alongside the Council Plan. It sets out our financial forecasts over the next five years and how we will manage the funding that we think we will have available, to deliver as much as we can, in line with our priorities.

The strategy continues to be affected by the impacts of Covid-19. We will continue to use some of our reserves to fund ongoing impacts during 2023-24. It is also now heavily affected by the cost of living crisis, and specifically high levels of inflation. The strategy assesses our ability to use reserves to fund some of that impact, so we can avoid having to cut services at a time when our residents might need them the most.

We also face continued uncertainty over our future funding. It is expected that there will be a two-year funding settlement for 2023/24 and 2024/25 announced by the end of this calendar year. However, work on that will have been delayed by the process to elect a new Conservative party leader. It is also possible that Government priorities may change in relation to Local Government. All this means that we are likely to have less time to react as the financial outlook becomes clearer.

This strategy goes hand in hand with our Council Plan, as we can't promise to deliver things that we can't afford. The detailed projects contained within the Council Plan have been incorporated into our forecasts.

## **Delivering our Vision and Priorities**

Our vision and priorities are set out in detail in our Council Plan.

Our vision is that 'we put people first and deliver sustainable services, to enable a brighter future together'. Our priorities therefore focus on: People First, Sustainability and A Brighter Future Together.

Most of the money that we spend is on delivering statutory services. We will always look to deliver these services in line with our priorities. Even as our funding has continued to reduce, we have tried to maintain our ability to offer discretionary services that are linked to our priorities. Our forecasts are that we will need to further reduce our costs in the future. This will mean that difficult decisions may need to be taken. We will make those decisions in line with our priorities.

Some of what we might like to achieve uses up resources (such as money, staff time or energy). We will look to be creative in identifying opportunities that deliver our priorities without using up resources. This will include looking for external funding and working with others.

## **Looking forward**

We would like to use this document to provide a long-term (10 year) overview of our future funding, and risks and opportunities in relation to our spending and income. Unfortunately, we are faced with such significant uncertainty in the short to medium term in relation to our future funding from Government, recovery from Covid-19 and cost of living, that our focus has to be on that. That means that this strategy is focused on the next five years, with a particular focus on the next two to three years.

Over the last few years, we had taken the opportunity to increase the level of our general fund reserves. The plan was that they would be used to soften the impact of expected future funding reductions. We have instead had to use these reserves to respond to Covid-19 and expect that this need will continue in 2023/24. We will also need to use them to help with the impact of rising costs from exceptionally high levels of inflation. Given the scale of these issues, we will also release any other reserves that we no longer need and add these to the general fund reserve. However reserves can only be spent once, and it is clear that spend will need to be reduced in the medium term and balanced against the funding we receive. This will require some difficult decisions on which services meet our statutory obligations and best deliver against our priorities.

This strategy is based on significant uncertainty and as better information becomes available then this will be used. The budget that Full Council sets in February 2023 will be focused on 2023/24, but will also consider the medium term impact.

## Our current budget position

Our budget for this year (2022/23) was set at a meeting of Council in February 2022. This also set indicative budgets for future years. In June 2022 we reported our end of year position for 2021/22. This report also detailed spend that had not taken place in 2021/22, that would now take place during 2022/23. The numbers below also reflect our forecasts for 2022/23 as reported at the end of the first quarter of the year (up to end of June).

	<b>£ millions</b>
General Fund balance at the end of 2021/22	10.607
Less: How much we plan to spend during 2022/23	18.056
Add: Our expected funding during 2022/23	15.820
Add: other reserves that we plan to use to fund our expenditure *	1.183
Equals: General Fund balance at the end of 2022/23 (start of 2023/24)	9.554

\* We can only use our reserves once. The use of reserves in response to Covid-19 and the cost of living crisis is exceptional and must not form part of an ongoing sustainable strategy.

We have a Business Rates grant reserve. Government provide businesses with various Business Rate reliefs and provide us with funding to cover them. Due to the way that Business Rate income is dealt with, we often receive the funding earlier than the actual impact on our accounts. So, the funding is put into a reserve until it is needed. In the past we have also gained from Business Rate pooling arrangements and have put these gains into the reserve to protect us from future risks. The total balance on the reserve as at the end of 2021/22 was £9.4m. Around £0.5m was previously agreed to be released to the General Fund in 2022/23, while we know that we will also need to use around £4.9m of the reserve to cover the unwinding of Covid-19 impacts on Business Rates and other costs in this year and next. We will also continue to set aside £1m to cover fluctuations in Business Rates income, which is made up of £0.5m for normal risk and an additional £0.5m to reflect the uncertainty from the current economic situation. Therefore £3m will be released into the General Fund.

The following sections consider the significant factors that impact on us setting a budget for the next five years, including the assumptions made and the impact of those on setting a balanced budget.

## Covid-19 impacts

For the 2022/23 budget we assumed that spend and income would be back to normal but made a central budget provision of £1.74m (i.e. these are assumed additional costs which are based on specific budget assumptions, but as the actual impact is very uncertain the resulting total budget will be managed corporately and allocated to individual budgets when there is greater certainty over the specific impacts). This was based on the table below.

Type of spend/ income	Normal budget (£m)	Basis of provision for 2022/23	Amount of provision in 2022/23 (£m)	Basis of provision for 2023/24	Amount of provision in 2023/24 (£m)
Leisure Centre management fee income	0.82	50% of management fee	0.42	20% of management fee	0.16
Pay as you use parking income	2.02	10% of annual income	0.20	5% of annual income	0.10
Hitchin Town Hall	0.23	50% of annual income	0.11	20% of annual income	0.04
Trade Waste income	1.01	10% of annual income	0.10	5% of annual income	0.05
Homeless costs	0.08	100% increase	0.08	50% increase	0.04
Car park season tickets	0.32	40% of annual income	0.12	20% of annual income	0.06
Recyclable materials	0.29	100% increase	0.29	50% increase	0.15
AFM income	0.42	100% of annual income	0.42	50% of annual income	0.21
			<b>1.74</b>		<b>0.81</b>

An amount for 2023/24 was also estimated. Whilst the Quarter 1 monitoring for 2022/23 shows differences in terms of specific continuing impacts, the overall estimate is currently about in line. Therefore, the overall assumption for 2023/24 of £0.81m will be retained. This then assumes that budgets will return to normal (pre Covid-19 levels) from 2024/25 onwards. It also assumes that any future waves of Covid-19 will not lead to significant mandatory or voluntary changes in behaviour, as these are likely to further delay the return to pre Covid-19 levels. There is also a risk that some budgets e.g. parking season tickets will never return to pre Covid-19 levels.



## **Inflation and cost of living impacts**

The UK (as well as many other countries) is facing a period of extremely high inflation (expected to be above the target 2% target level for 2 years), and there is also an expectation that the UK will enter a period of recession. As a result the Council needs to consider the following impacts:

- The cost of providing contracted services
- Pay inflation for our staff
- Increases in fees and charges, and impact on demand/ ability to pay
- Eligibility for Council Tax Reduction Scheme
- Other support that the Council can provide
- Interest rate increases

### **Contracted services inflation**

Our largest contract is for waste collection and street cleansing. The contract is inflated in May each year based on a basket of indicators (35% wage inflation, 40% general inflation, 15% fuel inflation and 10% uninflated). The increase in May 2022 was just under 10%, and forecasting a similar increase in May 2023, before returning to around 2% from May 2024.

Inflation on our grounds maintenance contract is linked to CPI and the increase for 2023/24 is estimated at around 5%.

Electricity and gas prices are expected to increase by around 20% in 2023/24, which is on top of a similar increase for 2022/23.

Overall the estimate for contract expenditure inflation is just over £800k in 2023/24, and then reducing to around £400k in 2024/25.

### **Pay inflation**

Previous financial strategies had assumed average pay inflation of 2%. The pay claim from the Unions for 2022/23 sought a minimum £2,000 increase on all pay grades, or an RPI increase if this was greater. The employer offer is for a flat £1,925 increase across all pay grades. The percentage increase therefore varies by grade and ranges from around 10% (at grade 1 and the bottom of grade 2) to under 2% (at grade 16). The intention of the employer offer at a high level (compared to what had been budgeted by Councils) was to try and seek a relatively quick resolution, to get the money to employees and allow the focus to move to 2023/24. The Unions have said they are going to ballot their members on the offer, with one of them likely to recommend it is rejected and two of them expected to be neutral.. It needs two Unions (of the three) to agree.

For the purpose of medium term planning, we will assume:

- A 2022/23 pay award in line with the employer proposal, but noting the risk that this may turn out to be too low. The overall cost of this is £840k, or around 5% of the pay bill.
- A 2023/24 pay award at an average of 4%
- For 2024/25 onwards a pay award at an average of 2%, which is line with longer term inflation forecasts.

### **Increases in fees and charges, and impact on demand/ ability to pay**

It has previously been decided that parking charges and garden waste charges should increase at a fixed 2% per year. These increases will be continued. We will also continue to gradually move the month when car parking charges are increased to bring it back to the start of the Summer. In 2023/24 the aim is that the increase will be applied from August, July in 2024/25 and June from 2025/26 onwards.

As mentioned previously, inflation on the waste contract is around 10%. We believe that trade waste and the trade recycling market can bear an increase of this level, so intend to pass on this increase. Other

suppliers of this service will also be faced with costs increases that are heavily linked to fuel inflation. Therefore, we do not want to distort the market by increasing our charges by too small an amount.

For other fees and charges where we have discretion as to how they are set, we have previously assumed an increase of CPI + 2%. But against this presumption we have considered whether the charge is covering the full cost of the service and the impact on demand of a price increase.

Given the current high CPI level, we don't think that most of our costs will increase at quite that level and certainly would expect an increase at that level to have an impact on demand. Therefore we will assume that our other discretionary fees and charges will increase at around 4% for 2023/24, and then 2% per year thereafter. As part of the 2023/24 detailed budget process we will review all fees and charges (including concessions) and put forward proposals on what these charges should be. This will allow greater transparency as to how these charges are set.

Our current assumption is that increases at these levels would not affect demand. For most of our services we seek payment in advance of receiving the service, so we are also not expecting an increase in levels of overdue debt.

### **Eligibility for Council Tax Reduction Scheme**

The Council Tax Reduction Scheme (CTRS) determines who is eligible for a discount on their Council Tax bill. For pensioners there is a mandatory scheme set by Government. For working age residents, we can determine how any discounts are determined.

We are developing a proposal to change the way that working-age CTRS eligibility is determined. This will be subject to consultation before a final decision is made by Council in January. The current modelling is that the proposed scheme would cost slightly more than the current scheme. The increase is sufficiently small that it can be absorbed into assumptions around future tax base growth. The impact of CTRS is that it decreases the equivalent number of properties that would pay Council Tax.

These tax base assumptions will also have to consider the general economy and the impact on household income levels. If the UK does enter into a recession, then this is likely to cause further problems beyond the impact of price inflation.

Rising building costs and lower householder income may have an impact on housebuilders' willingness to invest in new housing and bring housing to the market. This in turn impacts on Council Tax base growth. However, demand is still vastly outstripping supply, housebuilding projects take time to deliver and inflation is expected to be brought back under control.

Overall, it is considered reasonable to continue with estimated Council Tax base growth of 0.5% per year. This is lower than the forecasts pre-Covid-19. This forecast is a net increase, which reflects that actual increases will be higher but will be accompanied by costs that vary with numbers of households (i.e. waste collection). This assumes that Full Council will adopt the North Hertfordshire Local Plan. If the plan is not adopted then it is likely that housing growth will be lower.

### **Other cost of living support**

Whilst we would like to be able to offer our residents more support during this very difficult economic time, we have to be mindful of the pressure on our own finances. Therefore, we will focus on continuing our discretionary services and working with our partners, voluntary sector and community groups to signpost where support can be obtained..

## **Pension costs**

Our employees are eligible to join the Local Government Pension Scheme (LGPS), which is a defined benefit scheme. We make annual contributions to the scheme based on a percentage of payroll costs and a lump sum. The lump sum is to cover past service costs. Our budget assumes that the percentage rates will remain unchanged (although the actual amount still therefore goes up with inflation) and the lump sum will increase with inflation. There had been an early indication that the percentage contribution rate could decrease slightly, but that may have been impacted by high inflation and other economic factors. The latest triennial valuation (for March 2022) will be completed before the 2022/23 budget is set. That valuation will set our pension contribution rates for the next three years.

## **Waste costs**

Government have consulted on a series of proposals in relation to waste collection. These include:

- Introducing consistent waste collection across all areas of the country (e.g. same materials in the same types of bins) and being stopped from charging for garden waste collections.
- Introduction of a Deposit Return Scheme, which would have an impact on what we collect at the kerbside. It is likely to mean that higher value recycling materials would be taken to deposit return locations, leaving us to collect the remainder. This would negatively affect the net costs of disposal for recycling materials.
- Extended Producer Responsibility, which places the financial burden for waste on those that are producing it at source.

It is still not yet known which of the above will be adopted, when they will be adopted or even if they will be adopted. Where they are adopted, we should expect to receive New Burdens Funding, but we don't know how this will be calculated and allocated.

A number of the factors described above and in the Covid-19 impact section (e.g. waste volumes, types and frequencies of collections) are likely to affect the cost of the waste contract when it is due for renewal in May 2025.

As there are so many uncertainties above (both in terms of costs and funding) we have not assumed any specific financial impact at this stage. But we will have to review this as more information becomes available and have to consider that the impact could be significant. Councillor workshops on planning for the new contract have highlighted that there is likely to be a need to make decisions on how to try and keep costs under control. This will include decisions that take advantage of the fact that we have a joint contract with East Herts Council.

## Delivering our priorities

Our Council Plan sets out our vision and priorities for 2022-27. As there have been no changes to that vision and priorities, it has not been necessary to update the Council Plan this year. However, the Council Plan that was set in 2022 did include some examples of our key Council projects. As we now monitor our key projects through a regularly updated Council Delivery Plan, this section of the Council Plan can now be deleted.

The Council Delivery Plan for 2022/23 was agreed by Cabinet in March 2022, and a Quarter 1 update will be provided to Overview and Scrutiny and Cabinet in September 2022.

The table below shows the status of each of these in terms of resources and medium term financial assumptions:

Project	Resources
Museum/ Hitchin Town Hall recovery	To be delivered from existing staffing resource. Assumed that income will return to pre-Covid-19 levels.
Tourism Strategy	Strategy to be delivered in 2022/23 from existing resources. No allowance for additional resource to deliver the resulting strategy.
Business Recovery Grants	Coping with delivery from existing resources. Expect to complete in 2022/23.
Town Centre recovery and strategies	Generally being delivered from existing and new (part of Shared Prosperity Fund) grant funding.
Health inequalities	Dependent on external funding (e.g. County Council Public Health funding). Some committed (elements led by Health and Wellbeing) but currently time limited and the remainder (elements led by Environmental Health) has not been bid for yet. No District Council funding assumed.
Economic Development Strategy	Strategy to be delivered in 2022/23 from existing resources. No allowance for additional resource to deliver the resulting strategy.
Resident/ Public EV charging in our car parks	Dependent on a private sector partner and Government funding. A small amount of match funding in capital programme.
Cycling network	To be delivered from existing staffing following adoption of the strategy by HCC, which will limit what can be achieved.
EV charging for Council Vehicles	To be completed in 2022/23.
Royston Leisure Centre Solar Thermal	To be completed in 2022/23.
Pay on exit review	Feasibility review to be completed in 2022/23. No resources identified for any capital works or impact on income.
Replacement of Royston Town Hall Annexe	Expectation that funding will come from a third party, no Council capital funding has been allocated.
Customer Portal	Elements will continue in future years, and will be subject to a business case to determine what will be taken forward. Currently not expecting any significant resources required.
Help Residents Make Payments at Convenient Locations	To be completed in 2022/23.
Supplier Self-Service	Currently cost unknown, with expectation that cost would be off-set by staff savings.
Empty Homes Strategy	Strategy to be adopted by Cabinet in 2022/23, no dedicated resource to implement
New Ways of Delivering Housing on Council Land	Investigation work part of 'Enterprise' work programme. No capital resource allocated, but will only continue if provides a net positive return compared to normal land sale. Impact on

Project	Resources
	timing of capital receipts would impact funding of capital programme.
Work with Stakeholders to Increase Accommodation for Homeless People	As the Council is not a stock holding Authority, the resource has to come from stakeholders (including Government). Support to be provided from existing staffing resources, although that is becoming challenging.
Local Plan Implementation	Anticipated that the Local Plan will be taken to Full Council for adoption in late 2022, adoption will follow predominately in 2023/24.
Master Planning	No dedicated resource with the expectation that funding will come from those looking to develop large sites.
Financial Sustainability/Balancing our Budget	Monitoring of impacts and prompting action to be met from existing resources. Will require decisions on priorities.
Full Review of Council Tax Reduction Scheme	To be completed in 2022/23.
Response to Government Resources and Waste Strategy	As detailed previously, no assumptions have been on the financial impact of this.
Green Space Management Strategy	To be delivered from existing resources, including capital programme allocations.
Charnwood House	Council decision in February 2022 was to support the project but not to allocate a specific amount of funding, pending plans (including direct and third-party funding contributions) from community groups. That is still the overall approach. However asbestos removal works are in the process of being undertaken as otherwise certain rooms cannot be accessed without specialist protective equipment. This is being funded from the existing property condition capital budget. This has been considered necessary to ensure the safety of those accessing the building, which will therefore help with generating community offers. It is also a pre-requisite for any improvements to the building. It was always expected that the total funding that the Council would provide would be greater than this amount, and the overall principle will still be to maximise third party contributions.
Museum Storage	Included in the capital programme with assumed income from commercial storage.
Local Government Boundary Review	Expected to be delivered from existing resources.
Other capital projects to reduce the Council's carbon impact	Some projects included within the existing capital programme (e.g. solar PV at leisure facilities). Any other projects would need be determined through a decarbonisation plan/ net zero roadmap, and capital resources allocated. Recent grant funding opportunities have all had requirements that the Council would not meet.
Shared Prosperity Fund	Grant includes an element for administration which will be used for required monitoring and performance returns.
Churchgate area regeneration	There will be a report setting out next steps. Overall expected that the scheme will be better than cost neutral. Cost neutral used for financial planning at this stage.

There is not currently any resource allocated for any new projects that are not listed above. Whilst these could be added as part of the budget setting process, the forecast section below determines that net savings need to be identified and delivered. Any discretionary cost increases will therefore increase the savings that have to be made in other areas.

## Future funding from Government

Our funding is controlled by Government in the following ways:

- If we want to increase our Council Tax by more than a certain amount, then we must hold a referendum. Government set this limit each year and in recent years it has been the greater of 1.99% or £5 on a band D property (with the other bands increased in proportion).
- They set how much of the Business Rates that we collect that we can retain.
- They determine how funding from New Homes Bonus works. This is a reward to councils for encouraging the building of new homes.
- They can allocate other general funding and grants.

There was supposed to be a significant change to the way that we and other local authorities were funded. This would have included a new funding formula and a change to how much of the Business Rates that we collect we could retain. It is now expected that the earliest that this change will be introduced will be 2025/26, although it is possible that it could be from 2024/25. The assumption that it will be 2025/26 is based on a commitment from Government that there will be a two-year funding settlement this year, that would therefore cover 2023/24 and 2024/25.

We had been told that in 2019/20 our funding from Business Rates would be cut by over £1m. This had become known as negative RSG (Revenue Support Grant). This cut in funding has not yet taken place. When a new funding formula is introduced, we are working on the assumption that it will be broadly in line with the formula that determined we should have a negative RSG imposed upon us.

We currently provide our Parish, Town and Community Councils with a total of £39k of funding, in addition to what they raise through their precepts. This was initially linked to the localisation of Council Tax support (CTRS). Our policy has been that this support should reduce in line with the funding that we receive from Government. The amount that each Council receives is very small and could be covered by a small increase in their precept.

There has been a consultation on the New Homes Bonus, which made several proposals on how it might be changed in future years. There has not yet been any indication of what might be adopted.

For 2023/24 and 2024/25, the forecast is made on the following assumptions:

- There will be a two-year funding settlement, and therefore 'negative RSG' will **not** be applied.
- We will receive New Homes Bonus (or equivalent) funding of £150k. This is based on previous estimates of what we would receive as the old scheme is withdrawn, combined with the assumption that the Local Plan will be adopted and that we will see more significant housing growth.
- Continuing funding of £100k to cover the costs of the Social Care levy employer contributions. Assumed at a flat amount even though it should grow with inflation.

For 2025/26 onwards, these additional assumptions are used:

- Negative RSG (or the equivalent of) will be applied and phased in over two years. Half the total impact (estimated at £629k in 2025/26) and the full impact from 2026/27 (estimated at around £1.3m and to increase with inflation).  
There is the potential that we will also be able to gain from the Business Rates that we collect being above whatever baseline level is set. However, at this stage, this is not included in the forecasts.
- When Negative RSG is applied, we will cease to provide funding to Parish, Town and Community Councils relating to Council Tax support. The current funding will be reduced by half in 2025/26, and then withdrawn completely from 2026/27.

## Council Tax

As detailed previously, we will assume that our Council Tax base will grow by a net 0.5% per year from 2023/24. The actual growth is expected to be higher, but some of the additional income will be needed to provide services to the new properties (e.g. waste collection).

We are assuming that Government will continue to allow Council Tax increases by up to the higher 2% or £5 for a band D property (with the other bands increased in proportion), without the need for a local referendum. In calculating the funding that is available, Government assume that councils will increase their Council Tax by the maximum available. To do as much as we can to maintain our service provision, we will increase our Council Tax by the maximum possible, without the need for a referendum. For a band D property this increase will be around £5 per year, or 10p per week.

## Our reserves

We are required to make sure that we have a certain level of reserves when we set our budget. This is to provide protection against known and unknown risks. This includes us being able to react to changes in demand and any emergencies that may arise. Our allowance of known risks is based on estimating the monetary impact of an event happening and applying a percentage to this, based on the likelihood of it happening (high, medium or low). Our allowance for unknown risks is based on 5% of net expenditure and 3% of budgeted income (excluding Housing Benefit). For 2022/23 this gave a minimum balance of £3.05m. It is assumed that it will need to continue to be at around that level.

We are forecasting that our General Fund reserves at the start of 2023/24 will be £9.5m. We will plan to use our reserves to continue deliver our existing services for as long as is financially viable, to support our residents through the current economic conditions. That means using a proportion of our General Fund reserves and the £3m released from the Business Rates grant reserve. In planning our future budgets we need to make sure that we stay safely above the minimum General Fund level.

## Our future forecasts and savings required

Based on all the assumptions detailed in the previous sections (and the additional assumptions detailed in Annex A), we are forecasting the following budget position over the next five years.:

£ thousands	2023/24	2024/25	2025/26	2026/27	2027/28
General Fund balance at the start of the year	9,554	9,554	9,554	9,196	8,593
Less: How much we plan to spend during the year on existing services (before making savings)	17,223	17,350	17,376	17,244	16,918
Less: provision for additional Covid-19 costs	810	0	0	0	0
Add: Our expected funding during the year	15,883	16,326	16,092	15,841	16,220
Add: other reserves that we plan to use to fund our expenditure	1,950	724	326	0	0
Add: additional net savings that we need to deliver *	200	300	600	750	750
Equals: General Fund balance at the end of the year	9,554	9,554	9,196	8,543	8,545

\* These are the additional savings that need to be delivered in each year. Over the five year period the cumulative annual savings that will be required are **£2.6 million**.

## Addressing our funding gap

The table above shows savings that we need to deliver to achieve a balanced budget by 2027/28. That means that by that year our funding will equal our expenditure. Savings could mean any of the following:

- Being able to deliver our existing services at a lower cost. The use of technology and automation may enable to do this in some areas. But generally the savings that we have delivered across a number of years have been through efficiencies, meaning that there are fewer opportunities left.
- Being able to generate additional income from services that we are able to charge for, less any costs in providing that additional level of service.
- Being able to generate income from commercial activities. The opportunities to do this are limited by economic conditions and government policy. We also need to make sure that these activities are in line with our priorities.
- Reducing the level of services that we provide, or no longer providing services that we are not required to provide. Whilst we would always want to avoid this, we have to consider the overall sustainability of our Council.

They are also shown as net savings. This means that there is some scope for adding in new costs to meet our priorities, but this needs to be offset by increases in the savings that we deliver.

We have carried out a budget challenge process to identify the areas where we are most able to make savings through service reductions. We will revisit that work when we have greater certainty over our future funding, or if it becomes apparent that we cannot sustain the current strategy until that point. We will use public consultation to support our decisions on which services we should prioritise.

## Capital budgets

We are currently able to fund our capital expenditure (spend on assets that have a useful life of more than one year) from our capital reserves. This means that the revenue cost of our capital investments is fairly low. Over the next few years we will run out of capital reserves and will need to borrow to fund our capital spend. That will add to our revenue costs as we will charge a Minimum Revenue Provision (MRP). A MRP charge is a revenue cost that spreads the cost of unfunded (i.e. not met from capital receipts or grant funding) capital expenditure over the life of the Councils assets, so that over time capital expenditure is fully funded. The life of the assets will be assumed to be 40 years, so for unfunded capital expenditure of £40m there would be a revenue cost of £1m per year for 40 years. In the longer term we will also have to fund borrowing costs too. Therefore, all discretionary capital spend will be assessed on the assumption that funding costs will be incurred.

We are also aware that there is significant inflation on construction and material costs at the moment. As this might continue for some time, the potential for cost increases will be assessed when considering options for new capital spend.

Previously, we have made an assumption that we will dispose of our surplus land at the best price attainable (subject to the purchaser adhering to all planning conditions). Under our climate change strategy, we have committed to dispose of surplus land so to enable the building of 'greener' housing. It is estimated that this will result in a reduction in value of around 10% based on a high standard of sustainable housing.



**ANNEX 1 Other Budget Assumptions**

- Investment income is based on cashflow projections and a 1.79% return. This is significantly affected by the timing of expenditure in the capital programme.
- Contract inflation in accordance with the individual contract terms.
- No allowance is made for general inflation on remaining expenditure. Although after allowing for salary and contractual inflation, the remaining amount is insignificant.
- An assumed 99% collection rate for the purposes of calculating the Council Tax base.
- An assumed 97% collection rate for Business Rates
- Any future changes to the local Council Tax Reduction Scheme will aim to have a cost neutral impact.
- A vacancy factor set at approximately 2.5% of salary budget to yield in the region of £300k is included in the base budget in each year.
- The Council will not subsidise areas which are the responsibility of another precepting body other than through a one-off match-funding arrangement where this is in the interests of the local Council taxpayers.
- The impacts of Covid-19 are only reflected to the extent mentioned.
- All assumptions are subject to further refinement during the budget process as more certain information becomes available.

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**COUNCIL  
22 SEPTEMBER 2022**

**\*PART 1 – PUBLIC DOCUMENT**

**TITLE OF REPORT: ANNUAL REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE 2021/2022**

REPORT OF THE CHAIR OF THE OVERVIEW AND SCRUTINY COMMITTEE 2021/2022

EXECUTIVE MEMBER: NOT APPLICABLE

COUNCIL PRIORITY: PEOPLE FIRST / SUSTAINABILITY / A BRIGHTER FUTURE TOGETHER

**1. EXECUTIVE SUMMARY**

1.1 To consider the Annual report of the Overview and Scrutiny Committee regarding the 2021/2022 Civic Year.

**2. RECOMMENDATIONS**

2.1 That the Annual Report of the Overview and Scrutiny Committee 2021/2022 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 Chair and Vice-Chair of the Overview and Scrutiny Committee have had the opportunity to consider and comment on the report prior to this meeting and the Overview and Scrutiny Committee considered the report on 15 March 2022.

**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.

## **8. RELEVANT CONSIDERATIONS**

- 8.1 The report at Appendix A sets out the work of the Overview and Scrutiny Committee during the Civic Year 2021/2022.

## **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. HUMAN RESOURCE IMPLICATIONS**

- 14.1 There are no direct Human Resource Implications arising from this report.
- 14.2 The Committee, Member and Scrutiny Team supports the work of the Overview and Scrutiny Committee.
- 14.3 The Committee, Member and Scrutiny Manager undertakes the role of Scrutiny Officer.

## **15. APPENDICES**

15.1 Appendix A – Annual Report of the Overview and Scrutiny Committee 2021/2022.

**16. CONTACT OFFICERS**

16.1 William Edwards  
Committee, Member and Scrutiny Manager  
[William.edwards@north-herts.gov.uk](mailto:William.edwards@north-herts.gov.uk)  
ext 4295

16.2 Melanie Stimpson  
Democratic Services Manager  
[Melanie.stimpson@north-herts.gov.uk](mailto:Melanie.stimpson@north-herts.gov.uk)  
ext 4208

16.2 Jeanette Thompson  
Service Director – Legal and Communities  
[jeanette.thompson@north-herts.gov.uk](mailto:jeanette.thompson@north-herts.gov.uk)  
ext 4370

**17. BACKGROUND PAPERS**

17.1 Reports to and Minutes of the Overview and Scrutiny Committee during the Civic Year 2021/2022.

<https://democracy.north-herts.gov.uk/ieListMeetings.aspx?CId=134&Year=0>

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**North  
Herts  
Council**

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**OVERVIEW AND SCRUTINY COMMITTEE  
ANNUAL REPORT  
2021/2022**

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## **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 and all proceeded as planned, in person in the Council Chamber, making effective use of the facility for officer presentations to be delivered remotely.

3.2 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 Elizabeth Dennis-Harburg;
  - Councillor Sam Collins;
  - Councillor Judi Billing;

## **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 Sarah Pateman, Survivors Against Domestic Abuse to discuss:
  - The aims of the SADA service;
  - Training delivered to North Herts Council staff;
  - New refuge facilities
  - Referral statistics including detailed data from North Hertfordshire;
  - A Perpetrator support and rehabilitation programme

## **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 July 2021
- 7.2 The Committee took a particular interest in mental health, domestic abuse and related issues arising in connection with the pandemic, and praised the Council's work in partnership with local organisations to offer support to residents.

## **8. Statistics**

- 8.1 In total, the Committee has considered 34 items at its scheduled meetings this year.
- 8.2 It has made 10 recommendations on 4 topics to Cabinet and 1 recommendation to Full Council. At every meeting the Committee also considered the resolutions previously made and the work programme.
- 8.3 No written questions were submitted this year.

## **9. Task and Finish Groups**

- 9.1 The ongoing resource implications of the pandemic and recent staffing changes has meant it was not possible to allocate the officer time required to undertake successful Task and Finish Group Reviews, and owing to the length of time between the completion of those Task and Finish Groups and any proposed review it was not deemed a priority project.
- 9.2 Proposals for new Task and Finish Groups on topics including Communication and Engagement and the Waste Contract have been reviewed, in light of the continued pressures of COVID-19 and legal uncertainty around remote meetings regulations and work from home orders as they relate to Task and Finish Groups, and alternative avenues to progress these topics in 2022/23 are being considered.

## **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, recordings of the meetings on YouTube have received a total of 334 views, with an mean average of 21 viewers watching live or on the day of the meeting. The average view duration of a recording was 12 minutes 14 seconds.
- 10.4 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 2021/2022:

**Members of the Committee:**

Councillor David Levett (Chair)  
Councillor Daniel Allen (Vice  
Chair)  
Councillor Kate Aspinwall  
Councillor Mike Hughson  
Councillor Tony Hunter  
Councillor Nigel Mason

Councillor Jim McNally  
Councillor Ian Moody  
Councillor Lisa Nash  
Councillor Carol Stanier  
Councillor Claire Strong  
Councillor Terry Tyler

**Substitutes:**

Councillor Clare Billing  
Councillor Morgan Derbyshire  
Councillor Terry Hone

Councillor Gerald Morris  
Councillor Sam North  
Councillor Kay Tart

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**FULL COUNCIL**  
**22 September 2022**

**PART 1 – PUBLIC DOCUMENT**

**AGENDA ITEM No.**

**TITLE OF REPORT: ANNUAL REPORT OF THE STANDARDS COMMITTEE**  
REPORT OF MONITORING OFFICER  
THE CHAIRMAN OF THE STANDARDS COMMITTEE, CLLR JUDI BILLING  
COUNCIL PRIORITY: BE A MORE WELCOMING AND INCLUSIVE COUNCIL

**1. EXECUTIVE SUMMARY**

1.1 This is the Annual Report in relation to ethical standards for the last year. It covers the work of the Committee as well as the issues that have arisen locally and nationally on ethical standards matters.

**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 The Alternative would be not to produce an annual report, but this would be contrary to the Committee on Standards in Public Life 2019 recommendations.

**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 an Executive key decision and has therefore not been referred to in the Forward Plan.

**7. BACKGROUND**

7.1 As Members will be aware, that there is a legal duty under section 27 of the Localism Act 2011 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

### **National standards matters**

- 8.1 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. A link to the CSPL Report (as a reminder) can be found [HERE](#)
- 8.2 A response to the report recommendations were finally provided by the Government to this on 18 March 2022, which can be found [HERE](#). Those highlighted yellow on the linked document are for potential further consideration by Government / action, albeit that nothing has yet been tabled.
- 8.3 Otherwise, the Committee itself has raised a number of issues regarding the national governance picture, which was covered in its Standards matters 2 review (which can be found [HERE](#)). This *Upholding Standards in Public Life* report published in November 2021, voiced concerns over the need for independent regulation of the Ministerial Code, expansion of enforcement of the Business Appointment Rules through legal arrangements, proposals for the better independence of assessment panels and clearer rules / transparency around lobbying.

### **Local ethical standards**

#### **The Committee**

- 8.4 The Standards Committee met twice since the last Annual Report – in October 2021 and June 2022 and has considered relevant standards matters (Complaints, Complaints Handling Procedure, training and related issues) covered below. *The Chair, Vice Chair and Independent Persons are currently considering ways to promote high standards.*

#### **New Code**

- 8.5 The CSPL report mentioned at 8.1 included 15 Best Practice recommendations. One of those related to the production of a Local Government Association (LGA) model code, which the LGA produced, and said they would review regularly. This was considered and adopted at North Herts in April 2021 (with minor amendments) with effect from May 2021. This was covered off in the previous Annual report – however, it formed the basis for some of the actions taken in 2021-22 detailed below.

#### **Training**

- 8.6 Training on the new Code was mandatory under the LGA model. This was provided in 2021 in two virtual sessions in June and July 2021 by one of those involved in drafting the new Code (Paul Hoey), with a mop up session in September, which was made available to the wider local Town, Parish and Community Councillors. It was made available internally via YouTube on the Council's Growzone. In terms of the former, all but two District Councillors undertook this training at the time.
- 8.7 The LGA also provided new guidance on the Code during 2021 and had also agreed to provide training material for the Code of Conduct that could be used in 2022. Before doing so, the LGA ran a round table discussion in January 2022, on draft templates, which the Monitoring Officer attended. These templates were then used as a basis for the Induction training provided to District Members (and a separate version for local Councillors) in May and June 2022, albeit that the original power point was some 91 pages long and required considerable editing before being used to deliver the training sessions. In all, 4 live sessions were provided by the Monitoring Officer and Deputies, with one of the sessions being

recorded and available for those that could not attend (available via YouTube/ the Council's Growzone).

- 8.8 Separately, the 3 Independent Persons have also attended annual training, which was discussed internally, with the aim of comparing our local procedures and best practice with others.
- 8.9 Training will continue to be reviewed and is available year-round, to District Members via Growzone.

### **Complaints Handling Procedure**

- 8.10 Following the introduction of the new Code and LGA guidance, the North Herts Procedure was reviewed by the Committee in October 2021 [\[HERE\]](#). The LGA had circulated Guidance on the Code of Conduct Complaints Handling in October *after* the Council's report had been loaded on to mod.gov. Unlike the Code of Conduct itself, there had been no consultation (or round table discussion) to consider the form that their procedure would take.
- 8.11 At the meeting in October 2021, it was agreed that the Council would allow time to be in the new North Herts Procedure and then review this again in 2022.
- 8.12 It is worth noting that the aim of the North Herts Procedure from October, was to allow for a more local approach and resolution for Town, Parish and Community Council complaints (which it was hoped would be quicker, cheaper and more effective). The Committee reviewed the Procedure as a compare and contrast with the LGA version in June 2022, were content with the North Herts Procedure; however, resolved to review it again to allow for further time to be in.

### **North Hertfordshire complaints**

- 8.1 It is fair to acknowledge that 2021 and 2022 has seen a much larger volume of complaints than in previous years. By the end of 2021 the Council had received 52 complaints and 28 so far in 2022. This has been very resource intensive and compares with *6 in 2020 and 18 in 2019*. A summary of those complaints and recorded outcome can be found in the reports to the Committee [Oct 22 HERE](#) and [June 22 HERE](#).

## **9. LEGAL IMPLICATIONS**

- 9.1 Full Council receives an annual report as per 4.4.1 (ee). Whilst there is no overriding legislation that requires an annual report, this was introduced as part of Full Councils remit, following the CSPL report, as it is good practice to report such matters to membership as a whole.

## **10. FINANCIAL IMPLICATIONS**

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

## **11. RISK IMPLICATIONS**

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

## **12. EQUALITIES IMPLICATIONS**

- 12.1 In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a

protected characteristic and those who do not. There are no direct equalities implications from this report.

- 12.2 Good governance and high ethical standards of conduct ensure that local government decisions are taken in the public interest.

### **13. SOCIAL VALUE IMPLICATIONS**

- 13.1 The Social Value Act and “go local” policy do not apply to this report as this is not a procurement or contract.

### **14. ENVIRONMENTAL IMPLICATIONS**

- 14.1 There are no financial implications to this report.

### **15. HUMAN RESOURCE IMPLICATIONS**

- 15.1 None other than again highlighting the ongoing resource implications for the complaints received.

### **16. APPENDICES**

- 15.1 None.

### **17. CONTACT OFFICERS**

- 16.1 Jeanette Thompson Service Director: Legal and Community (& Monitoring Officer):  
[Jeanette.thompson@north-herts.gov.uk](mailto:Jeanette.thompson@north-herts.gov.uk) ext. 4370

### **18. BACKGROUND PAPERS**

- 17.1 None other than those referred to/ linked above.



**COUNCIL  
22 SEPTEMBER 2022**

**\*PART 1 – PUBLIC DOCUMENT**

**TITLE OF REPORT: CONSTITUTIONAL AMENDMENT / PANEL APPROVAL & APPOINTMENT REPORT**

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

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

COUNCIL PRIORITY: A brighter future together

**1. EXECUTIVE SUMMARY**

1.1 Further to the report in July this report covers the Transport Panel proposed to replace the Place Panel and Public Transport Users' Forum (and associated wording for the other Panels), changes for Service Director responsibility and an issue raised regarding one of the Procedure Rule (our Standing Orders).

**2. RECOMMENDATIONS**

- That Full Council
- 2.1. approves the amendments detailed in Appendix A, and the Transport Panel's Terms of Reference Appendix B;
- 2.2. approves the Member appointments (and Co-Chairs to the extent necessary) to the Transport Panel, as detailed at 8.3-8.4.

**3. REASONS FOR RECOMMENDATIONS**

3.1. To reflect good decision making practice, reflect changes to Service Director's responsibilities and the review of the Panel arrangements to keep them up to date.

**4. ALTERNATIVE OPTIONS CONSIDERED**

4.1. None.

**5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS**

5.1. The administration has been made aware of the Service Director changes and the Panel's Terms of reference were drafted following consultation with the Leader, Deputy Leader and proposed co-chair.

5.2. The Shadow Group Leader was also aware of the proposals regarding the Panel. The members of the Public Transport User Group Forum were contacted via email 15 August to consult on the proposed changes to the Forum to the Panel. The members of the Forum were given until 12 September to respond. No responses were received for or against the proposed changes.

5.3. As part of the Legal & Community Action plan preparation for 2022-2026, the Executive and Deputy Member were consulted in March 2022 regarding the annual Constitutional

review. A request was made to include a review of the legal requirements for Members being present throughout the debate to be able to vote (Council Procedure Rule 4.8.23(a)). The Part 2 report and Mr Peter Oldham KC's advice covers this point and if Members are minded to propose the removal of the Rule, then Members should consider that report and the advice before coming to a decision.

- 5.4. A draft of this report and the Part 2 has been considered confidentially by the internal Political Liaison Board meeting on 7 September.

## 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 Following the report of July to Full Council, further changes have been made following consultation with staff and certain service areas moved to different Directorates. This is reflected in Appendix A for approval.

- 7.2 With reference to Transport Panel, as set out in the report to Council of 14 July 2022, further work was being undertaken and approval is now sought for the Terms of Reference as detailed in Appendix A and B and for the Member appointments detailed below – which are put forward following liaison with the Group Leaders.

- 7.3 As part of the Legal & Community Engagement Action Plan for 2022-23, following consultation with the Executive and Deputy Members for Community Engagement, the review of Council Procedure Rule 4.8.23(a) was proposed, due to take place July – September 2022.

- 7.4 Procedure Rule 4.8.24(a) provides as follows:

### **4.8.23 Decision Making**

**(a) In order to vote on an agenda item at any meeting of the Council or a Committee or Sub-Committee, a Member must be present for the entirety of the debate and consideration of that item.**

## 8. RELEVANT CONSIDERATIONS

- 8.1. The proposed amendments set out in Appendix A to this report reflect reasons for the proposed change and those who have identified them (where relevant).
- 8.2. The 9 Transport Panel Membership (& Co-Chairs) and substitutes for the remainder of 2022/23 municipal year to be as follows (Membership proportionality alphabetically as follows: Conservatives 4; Labour & Co-operative 3; Liberal Democrats 2. Each party having 2 named substitutes):

Members:

Conservatives – Cllr Ian Moody, Cllr Mandi Tandi, Cllr David Levett, Cllr Michael Muir

Liberal Democrats - Cllr Ruth Brown & Cllr Sam Collins

Labour & Co-operative - Cllr Sean Nolan, Cllr Ian Mantle, Cllr Alistair Willoughby

### **Substitutes**

Conservatives – Cllr Morgan Derbyshire, Cllr Claire Strong  
Liberal Democrats - Cllr Keith Hoskins & Cllr Phil Weeder  
Labour & Co-operative - Cllr Val Bryant & Cllr Nigel Mason

8.3 Co-Chairs of the Panel: **Cllr Ruth Brown & Cllr Sam Collins.**

8.4 In respect of Procedure Rule 4.8.24(a), having considered the issues set out in the Part 2 report, and Mr Peter Oldham QC's advice, the recommendation is to retain this Rule.

### **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.

### **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 2.1, this is considered in the Part 2 report.

### **13. SOCIAL VALUE IMPLICATIONS**

13.1 The Social Value Act and "go local" requirements do not apply to this decision as this is not a procurement exercise or contract.

### **14. HUMAN RESOURCE IMPLICATIONS**

14.1 Two of the changes in this report (detailed in Appendix A) relate to moving responsibilities between Directorates. All affected staff have been fully consulted and agreed to the changes.

**15. ENVIRONMENTAL IMPLICATIONS**

15.1 None from the amendments proposed.

**16. APPENDICES**

16.1 Appendix A – schedule of proposed changes.

16.2 Appendix B – Cabinet Panel: Transport

**17. CONTACT OFFICERS**

17.1 Jeanette Thompson, Service Director Legal and Community, Monitoring Officer  
[jeanette.thompson@north-herts.gov.uk](mailto:jeanette.thompson@north-herts.gov.uk);

17.2 Ian Couper, Service Director Resources, section 151 Officer [ian.couper@north-herts.gov.uk](mailto:ian.couper@north-herts.gov.uk)

17.3 Anthony Roche, Managing Director [Anthony.roche@north-herts.gov.uk](mailto:Anthony.roche@north-herts.gov.uk)

17.4 Reuben Ayavoo, Policy & Communities Manager [reuben.ayavoo@north-herts.gov.uk](mailto:reuben.ayavoo@north-herts.gov.uk)

17.5 [HRHelp@north-herts.gov.uk](mailto:HRHelp@north-herts.gov.uk)

**18. BACKGROUND PAPERS**

17.1 Constitution see web-page <https://www.north-herts.gov.uk/council-constitution>

Area/ issue and who raised	Current Constitution Reference	Proposed Changes/ Reason
<b>Sections 12 &amp; 14</b>		
<p>12.1.2 &amp; 14.6.10(b)(iii) Change of responsibility for Economic Development from Service Director: Regulatory to Service Director: Commercial.</p> <p><b>Raised by Head of Paid Service (Managing Director)</b></p>	<p>Currently sits under Service Director: Regulatory</p> <p>(iii) Economic Development Including regeneration, neighbourhood renewal, bidding for, planning and expenditure of regeneration funding</p>	<p><i>Move to Service Director: Commercial</i></p> <p><b>Reason</b> <i>Better fit with the overall aspirations of the Enterprise Directorate.</i></p>
<p>12.1.2 Officer delegation &amp; section 14.6.9(a)(iv) and (b)(iii) Change of responsibility for emergency planning from Service Director: Place to Service Director: Resources</p> <p><b>Raised by Service Director: Place – agreed by Head of Paid Service (Managing Director).</b></p>	<p>Currently sits under Service Director: Place.</p> <p>(iv) To carry out the duties of the Emergency Planning Officer with all necessary power to act and incur expenditure.</p> <p>(iii) Emergency planning Including operational management (section 138 of the Local Government Act 1972) under general direction of the Emergency Planning Officer.</p>	<p><i>Move to Service Director: Resources</i></p> <p><b>Reason</b> <i>Realignment of responsibilities.</i></p>
<p>12.1.2 Officer delegation &amp; section 14.6.7(b)(iii)</p> <p>Service Director: Enterprise CCTV (company)</p> <p><b>Raised by the Service Director: Resources</b></p>	<p>CCTV (company)</p>	<p><i>Remove both the delegation and Executive aligned to the company side:</i></p> <p><i>Executive Member for Enterprise and Arts</i></p> <p><b>Reason</b> <i>CCTV (company) – the Council is not a client of the company as it is, for example, in relation to Hertfordshire Building Control. Political engagement in respect of the company (to the extent that decisions are the responsibility of shareholders) is through the</i></p>

Area/ issue and who raised	Current Constitution Reference	Proposed Changes/ Reason
		<i>Cabinet Sub-Committee (Local Authority Trading Company Shareholders).</i>
<p>Section 20 Contract Procurement Rules To make any necessary amendments to reflect the separation of Legal and Procurement, following the authorisation and then transfer of responsibility to Resources.</p> <p>Decision of Council in July 2022. Put into effect that decision as per section 2.6.2(c) and notified now under 2.6.3.</p>	<p>This had previous separate references to referral to the procurement officer and Legal and was unified in 2018. This will just need relevant references through the document amending to reflect the separation, as a consequence of the decision of Council in July 2022.</p> <p>Current version: <a href="#">Section 20 Contract Procurement Rules</a></p>	<p><i>Changes to: reference to discussions with Procurement before / during the procurement exercise and glossary of terms/ contact details.</i></p>
<b>Panels</b>		
<p>Transport Panel to replace the Place Panel and Transport Users Forum</p> <p><b><i>Raised by the Leader and Deputy Leader</i></b></p>	<p>Sits outside of the constitution but deals with business that may then report through to Cabinet etc</p>	<p><i>As per the Terms of Reference at Appendix B</i></p>
<p>Community &amp; Enterprise and Environment Panels wording regarding agenda setting to marry up with Transport Panel</p>	<p>Current Terms of reference Community &amp; Enterprise: <a href="#">Cabinet Panel: Community &amp; Enterprise</a></p> <p>Current Terms of reference Environment: <a href="#">Cabinet Panel: Environment</a></p> <p>Current wording: The Leader and Deputy Leader, together with the Chair and Vice-Chair of Overview and Scrutiny Committee and relevant officers will agree a work programme for the Panels to ensure that there is no duplication with the work of the Overview and Scrutiny Committee or its Task and Finish Groups,</p>	<p><b><i>Proposed wording change for both:</i></b> <i>The Co-Chairs together with the Leader, Deputy Leader, the Chair and Vice-Chair of Overview and Scrutiny Committee and relevant officers will agree a work programme for the Panels to ensure that there is no duplication with the work of the Overview and Scrutiny Committee or its Task and Finish Groups, ensuring the Panels and the Committee use their time to positively benefit the Council and our communities.</i></p> <p><b><i>Reason</i></b></p>

**Proposed Constitutional Changes & Panels**

**Appendix A**

Area/ issue and who raised	Current Constitution Reference	Proposed Changes/ Reason
	ensuring the Panels and the Committee use their time to positively benefit the Council and our communities.	<i>Consistency and allow the Co-Chairs to set the agenda in this context</i>

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## CABINET PANEL ON TRANSPORT

### MEMBERSHIP

1. The Panel shall comprise of nine (9) Members.
2. The Panel shall be politically balanced.
3. The quorum shall be three (3).
4. [following establishment thereafter] Appointment by Full Council at its Annual Meeting or at other times, under delegated responsibility, by the Democratic Services Manager in consultation with Group Leaders.
5. Substitutes to be allowed, as per the Council's Procedure Rules.

### TERMS OF REFERENCE

The Panel's Terms of Reference are to consider Transport issues and in particular to:

1. Engage with individuals and the community, act as a sounding board on community ideas and projects and seek evidence and views as appropriate.
2. Discuss strategic transport issues including emerging strategies, policy, action plans, consultations), in particular but not limited to public transport, car clubs/sharing schemes, cycling and walking issues, air quality, and exchange information, in support of the delivery and achievement of the relevant aims and objectives set out in existing and emerging policies and strategies<sup>1</sup>.
3. Help and where appropriate maintain any links with relevant external (public, research and industrial) bodies.
4. Act as an advisory Panel to Cabinet and make recommendations to the relevant portfolio holder or Cabinet in relation to the above.

*The Co-Chairs together with the Leader, Deputy Leader, the Chair and Vice-Chair of Overview and Scrutiny Committee and relevant officers will agree a work programme for the Panels to ensure that there is no duplication with the work of the Overview and Scrutiny Committee or its Task and Finish Groups, ensuring the Panels and the Committee use their time to positively benefit the Council and our communities.*

### PROCEDURE & ADMINISTRATION

1. The Panel is advisory and has no decision making powers. It is therefore the intention that the Panel meetings, style and tone are informal and that the community and any person or body are welcomed and enabled to participate.
2. The Panel shall be Co-Chaired by the Executive Member for Transport, with the other Co-Chair appointed by that Executive Member annually (or by such Chair / Co-Chair appointed by Council or at the Annual Council in the event of portfolio change, *whichever is the sooner*).
3. The Panels may invite relevant stakeholders, lead organisations on transport, passenger and user groups to present and support their work, which includes other Executive Members or Deputies.
4. The Panel shall aim to meet approximately 3-4 times per year, once before each Cabinet cycle.
5. Any recommendation of the Panel shall, in so far as possible, be by consensus. Where voting is necessary, then the normal Council voting procedures will apply.
6. Administrative support will be organised by the Committee, Member and Scrutiny Team.
7. Officer support shall be provided by the Regulatory Directorate and where relevant other Directorate officers, as requested by the Panel.

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<sup>1</sup> The Panel will not substitute or duplicate the ongoing Local Plan process or consider planning/ development control matters.  
ToR draft Sept 2022

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