

5 July 2023

Our Ref Council/13 July 2023
Contact. Committee Services
Direct Dial. (01462) 474655
Email. Committee.Services@north-herts.gov.uk

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, DISTRICT COUNCIL OFFICES, GERNON
ROAD, LETCHWORTH**

on

THURSDAY, 13 JULY 2023

at

7.30 PM

Yours sincerely,

Jeanette Thompson
Service Director – Legal and Community

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

Agenda **Part I**

Item		Page
1.	APOLOGIES FOR ABSENCE	
2.	MINUTES - 25 MAY 2023 To take as read and approve as a true record the minutes of the meeting of the Committee held on the 25 May 2023.	5 - 14
3.	NOTIFICATION OF OTHER BUSINESS Members should notify the Chair of other business which they wish to be discussed at the end of either Part I or Part II business set out in the agenda. They must state the circumstances which they consider justify the business being considered as a matter of urgency. The Chair will decide whether any item(s) raised will be considered.	
4.	CHAIR'S ANNOUNCEMENTS <u>Climate Emergency</u> The Council has declared a climate emergency and is committed to achieving a target of zero carbon emissions by 2030 and helping local people and businesses to reduce their own carbon emissions. A Cabinet Panel on the Environment has been established to engage with local people on matters relating to the climate emergency and advise the council on how to achieve these climate change objectives. A Climate Change Implementation group of councillors and council officers meets regularly to produce plans and monitor progress. Actions taken or currently underway include switching to green energy, incentives for low emission taxis, expanding tree planting and working to cut food waste. In addition the council is a member of the Hertfordshire Climate Change and Sustainability Partnership, working with other councils across Hertfordshire to reduce the county's carbon emissions and climate impact. The Council's dedicated webpage on Climate Change includes details of the council's climate change strategy, the work of the Cabinet Panel on the Environment and a monthly briefing on progress. <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). Any questions received prior to the deadline will be published as supplements.

7. NOTICE OF MOTIONS

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

15 - 22

8. ITEMS REFERRED FROM OTHER COMMITTEES

Referrals included:

6A – Referral from Cabinet: Active North Herts Strategy

6B – Referral from Cabinet: Revenue Budget Outturn 2022/23

6C – Referral from Cabinet: Investment Strategy (Capital and Treasury) End of Year Review 2022/23

6D – Referral from Cabinet: Year End Report on Risk Management Governance

6E – Referral from Finance, Audit and Risk Committee: Finance, Audit and Risk Committee Annual Report 2022-2023

23 - 32

9. OVERVIEW AND SCRUTINY COMMITTEE ANNUAL REPORT 2022-2023

REPORT OF THE CHAIR OF OVERVIEW AND SCRUTINY 2022-2023

33 - 42

To consider the Annual report of the Overview and Scrutiny Committee regarding the 2022/2023 Civic Year.

10. FINANCE, AUDIT AND RISK COMMITTEE ANNUAL REPORT 2022-2023

REPORT OF THE SERVICE DIRECTOR: RESOURCES

43 - 56

To consider the Annual Report of the Finance, Audit and Risk Committee for the 2022/23 Civic Year.

11. ANNUAL REPORT OF THE STANDARDS COMMITTEE

REPORT OF THE MONITORING OFFICER

57 - 60

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.

12. **AMENDMENTS TO THE HERTFORDSHIRE GROWTH BOARD STANDING ORDERS IN RELATION TO THE APPOINTMENT OF THE CHAIR AND VICE-CHAIR AND PRE-EMPTIVELY SEEKING AUTHORITY TO AMEND SERVICE DIRECTOR: REGULATORY DELEGATIONS** 61 - 66
REPORT OF THE MONITORING OFFICER AND SERVICE DIRECTOR: LEGAL AND COMMUNITIES

The purpose of this report is to authorise amendments to Standing Order 4.2 of Appendix 1 Annex A of the Hertfordshire Growth Board (HGB) Standing Orders in relation to the appointment of the Chair & Vice Chair (in Section 11 of the Council's Constitution).

It is also to seek pre-emptive permission to amend relevant sections of the Constitution, in relation to the Service Director: Regulatory's delegations (predominantly in sections 12 and 14) that relate to Housing & Environmental Health, and for the Monitoring Officer to do so if/ when the recruitment to the temporary post has been successful.

Public Document Pack Agenda Item 2

NORTH HERTFORDSHIRE DISTRICT COUNCIL

MINUTES

Meeting of the Council held in the Council Chamber, District Council Offices, Gernon Road,
Letchworth Garden City, SG6 3JF
on Thursday, 25th May, 2023 at 7.30 pm

PRESENT: Councillors: Daniel Allen, Ian Albert, Amy Allen, Matt Barnes, Clare Billing, Simon Bloxham, Ruth Brown, Cathy Brownjohn, Val Bryant, Sam Collins, Adam Compton, Mick Debenham, Elizabeth Dennis, James Denselow, Faye Frost, Dominic Griffiths, Chris Hinchliff, Terry Hone, Keith Hoskins, Steve Jarvis, David Levett, Chris Lucas, Ian Mantle, Daniel Marsh, Nigel Mason, Bryony May, Gerald Morris, Ralph Muncer, Michael Muir, Lisa Nash, Sean Nolan, Louise Peace, Tom Plater, Sean Prendergast, Claire Strong, Mandi Tandi, Richard Thake, Terry Tyler, Tom Tyson, Phil Weeder, Michael Weeks, Alistair Willoughby, Dave Winstanley and Daniel Wright-Mason

IN ATTENDANCE: Anthony Roche (Managing Director), Jeanette Thompson (Service Director - Legal and Community), Melanie Stimpson (Democratic Services Manager), James Lovegrove (Committee, Member and Scrutiny Manager), Eleanor Hopcraft (Committee, Member and Scrutiny Officer), Callum Reeve (Democratic Services Apprentice) and Sjanel Wickenden (Committee, Member and Scrutiny Officer)

ALSO PRESENT:

At the commencement of the meeting approximately 8 members of the public.

200 ELECTION OF A CHAIR OF COUNCIL FOR THE CIVIC YEAR 2023/2024

Audio recording – 1:03

The Service Director – Legal & Community called for nominations for the position of Chair of the Council for the Civic Year 2023-2024.

Councillor Elizabeth Dennis nominated Councillor Daniel Allen, Councillor Ruth Brown seconded, and following a vote it was:

RESOLVED: That Councillor Daniel Allen be elected as Chair of the Council for the Civic Year 2023/24.

Councillor Daniel Allen took the Chair then read and signed the Statutory Declaration of Acceptance of Office and took possession of the Chain of Office. Councillor Allen thanked the Council for his election as Chair and advised that his Consort for the year would be Councillor Amy Allen.

Councillor Daniel Allen proposed and Councillor Elizabeth Dennis seconded, and following a vote, it was:

RESOLVED: That the Council placed on record its sincere thanks and appreciation to Councillor Sam North for his services as Chair of the Council during the past year and to his consort, Councillor Raj Bhakar for her help and support during his term in office.

201 APOLOGIES FOR ABSENCE

Audio recording – 6:05

Apologies for absence were received from Councillors David Barnard, Raj Bhakar, Terry Tyler, Tamsin Thomas, Juan Cowell and Ian Moody.

202 ELECTION OF A VICE-CHAIR OF THE COUNCIL FOR THE CIVIC YEAR 2023/2024

Audio recording – 6:31

The Chair called for nominations for the position of Vice-Chair of the Council for the Civic Year 2023/24.

Councillor Ruth Brown nominated Councillor Chris Lucas. Councillor Elizabeth Dennis seconded, and following a vote it was:

RESOLVED: That Councillor Chris Lucas be elected as Vice-Chair of the Council for the Civic Year 2023/24.

Councillor Chris Lucas then read and signed the Statutory Declaration of Acceptance of Office and took possession of the Chain of Office. Councillor Lucas thanked the Council for his election as Vice-Chair.

203 MINUTES - 18 APRIL 2023

Audio Recording – 9:32

The Chair advised that the Minutes of the previous meeting could be moved and seconded by members who were not present at that meeting, although it is preferable that those who were not present should abstain from voting and commenting on the motion.

Councillor Daniel Allen, as Chair proposed, Councillor Elizabeth Dennis seconded, and following a vote, it was:

RESOLVED: That the Minutes of the Meeting of the Committee held on 18 April 2023 be approved as a true record of the proceedings and be signed by the Chair.

Councillor Ralph Muncer raised a point of order regarding the answers he was awaiting to his supplementary question at the previous meeting of Full Council.

Councillor Ian Albert, Executive Member for Finance and IT advised that he had sent his response to the supplementary question to Committee Services and that it would be published in due course.

204 CHAIR'S ANNOUNCEMENTS

Audio recording – 11:58

- (1) The Chair advised that, in accordance with Council Policy, the meeting would be audio recorded;
- (2) The Chair reminded Members that the Council has declared a Climate Emergency. This was a serious decision and means 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. More details were included in the agenda front sheet.

- (3) The Chair reminded Members to make declarations of interest before an item, the detailed reminder about this and speaking rights was set out under the Chair's Announcements in the Agenda.
- (4) The Chair welcomed and congratulated the newly elected Members following the elections on 4 May: Councillors Dominic Griffiths, Dave Winstanley, Daniel Wright-Mason, Mick Debenham, Bryony May, Dan Marsh, Cathy Brownjohn, Matt Barnes and Louise Peace.
- (5) The Chair congratulated those Councillors successfully re-elected; Councillors Michael Muir, David Barnard, Sean Prendergast, Keith Hoskins, Steve Jarvis, Gerald Morris and Tom Tyson.
- (6) The Chair thanked former Councillors George Davies, Adem Ruggiero-Cakir, Sam North, Tony Hunter and Carol Stanier, who did not stand for re-election.
- (7) The Chair thanked former Councillors Morgan Derbyshire and Jean Green who were unsuccessful in being re-elected.
- (8) The Chair reminded new and returning Members to complete their Register of Interest forms online by 2 June 2023.
- 10) The Chair reminded Members, Agents and Election Candidates to complete the post-Election survey by 31 May 2023.
- 11) The Chair reminded Members to complete and return their elections expenses by 1 June 2023 for Town and Parish elections and 9 June 2023 for District Council elections.
- 12) The Chair advised that the normal procedure rules in respect of debate and times to speak will apply.
- 13) The Chair advised that his charities for the Civic Year 2023/24 would be Feed Up Warm up and Resolve.
- 14) The Chair offered thanks to Penny Copestake, Chair's Secretary, on behalf of former Chair Sam North, and announced that a gift of flowers had been arranged in recognition of her hard work and support.
- 15) The Chair congratulated James Lovegrove, the Committee, Member and Scrutiny Manager on his upcoming wedding.

205 DISTRICT COUNCIL ELECTION RESULTS (INCLUDING ALL POLLS) - 4 MAY 2023

Audio recording – 18:29

The Returning Officer presented the report regarding the results of the District Council elections, Town Council and Parish Council elections.

Councillor David Levett thanked all the staff involved in the elections.

Councillor Elizabeth Dennis proposed and Councillor Ruth Brown seconded, and following a vote, it was:

RESOLVED: That the report of the Returning Officer regarding the results of the District Council elections, Town and Parish Council elections were noted.

REASON FOR DECISION: To inform Members of the results of the District Council elections, Town and Parish Council elections

206 APPOINTMENT OF THE DEPUTY LEADER OF COUNCIL, MEMBERS OF THE CABINET AND DEPUTY EXECUTIVE MEMBERS FOR 2023/24

Audio recording – 20:00

The Chair advised, for purposes of clarification, that the Council was not electing a Leader of the Council at this meeting as Councillor Dennis was elected on a four-year term. He further advised Members to note that Appendix B to the report was within the supplementary pack

Councillor Elizabeth Dennis, Leader of the Council moved the report regarding the appointment of the Deputy Leader, Members of the Cabinet and Deputy Executive Members for the civic year 2023/24.

The Service Director – Legal and Community advised that she would update the Council's Constitution to reflect the renamed Community and Partnerships Executive appointment.

Councillor Elizabeth Dennis proposed, Councillor Daniel Allen seconded, and following a vote, it was:

RESOLVED:

- (1) That the appointment of the Deputy Leader of the Council for the Civic Year 2023/24 was noted.
- (2) That the Members to be appointed as Executive Members of the Cabinet for 2023/24 and the areas for which they will be responsible as detailed in Appendix A were noted.
- (3) That the Members to be appointed as Deputy Executive Members for 2023/24 and the areas for which they will act as Deputy Executive Member as detailed at Appendix A were noted.

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

207 APPOINTMENT OF MEMBERS OF COMMITTEES, JOINT COMMITTEES AND PANELS FOR 2023/24

Audio recording – 24:08

The Leader of the Council presented the report in respect of the appointment of Members of Committees, Joint Committees and panels for 2023/24 along with Appendices A and B.

Councillor Ruth Brown proposed amendments to Appendix B to the effect that Councillor Dominic Griffiths to become a member of the Standards Committee, Councillor Ruth Brown to become a member of the Council Tax Setting Committee, Councillor Ruth Brown to be removed as a substitute of the Joint Staff Consultative Committee, Councillor Ruth Brown to become a substitute of the Cabinet Panel for Environment, Councillor Ian Mantle to become a substitute of the Planning Control Committee and Councillor Keith Hoskins to become a substitute of the Joint Staff Consultative Committee.

The Leader of the Council accepted the amendments.

Councillor Elizabeth Dennis advised that the Herts Growth Board Scrutiny Committee had not met since its inception and was currently revising their governance arrangements, therefore appointments had not been made to the Committee.

Councillor Ruth Brown advised that the remaining Member vacancy on the Overview & Scrutiny Committee would rotate between the three named substitutes.

Councillor Daniel Allen proposed and Councillor Elizabeth Dennis seconded, and following a vote, it was:

RESOLVED:

- (1) That, for 2023/24, the seats allocated to each political party on the Committees to which Section 15 of the Local Government and Housing Act 1989 applies and the seats allocated to each political party on the bodies to which Section 15 of the Local Government and Housing Act 1989 does not apply, as set out in Appendix A to this report, was noted.
- (2) That, for 2023/24, Members be appointed to the various Committees and other bodies in accordance with the wishes of the individual political groups, as detailed in Appendix B to this report. With the following amendments: Councillor Dominic Griffiths to become a member of the Standards Committee, Councillor Ruth Brown to become a member of the Council Tax Setting Committee, Councillor Ruth Brown to be removed as a substitute of the Joint Staff Consultative Committee, Councillor Ruth Brown to become a substitute of the Cabinet Panel on the Environment, Councillor Ian Mantle to become a substitute of the Planning Control Committee and Councillor Keith Hoskins to become a substitute of the Joint Staff Consultative Committee.

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

208 APPOINTMENT OF CHAIRS AND VICE-CHAIRS OF COMMITTEES FOR 2023/24

Audio recording – 30:02

The Leader of the Council presented the report in respect of Appointment of Chairs and Vice-Chairs of Committees for 2023/24, along with Appendix A.

The Chair noted that there was a vacancy for Vice-Chair on the Standards Committee.

Councillor Gerald Morris nominated Councillor Ralph Muncer for Vice-Chair on the Standards Committee. This was seconded by Councillor Adam Compton.

Councillor Elizabeth Dennis confirmed that Councillor Ian Albert was nominated as Vice-Chair for the Standards Committee, and the vacancy listed in the report was an error. Councillor Ruth Brown seconded the nomination.

Councillor David Levett, as Leader of the Conservative group, withdrew the nomination of Councillor Muncer.

Councillor Elizabeth Dennis proposed and Councillor Ruth Brown seconded, and following a vote, it was:

RESOLVED: That the Chairs and Vice-Chairs of Committees (except Area Forums) for 2023/24 were appointed in accordance with the details set out in Appendix A to the report, as amended, with the inclusion that Councillor Ian Albert be appointed as Vice-Chair of the Standards Committee.

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

209 ADJOURNMENT

Audio recording – 34:37

The meeting of the Annual Council was adjourned at 20:05 to allow meetings of each Area Forum to convene to elect Chairs and Vice-Chairs for the Civic Year.

The meeting of the Annual Council reconvened at 20:16.

210 KEY DECISIONS - LEADER'S ANNUAL REPORT ON CASES OF SPECIAL URGENCY

Audio recording – 45:42

The Leader of the Council presented the Annual Report of Cases of Special Urgency and advised that the three key decisions taken this year were writing off rent arrears around Churchgate, items surrounding the UK Shared Prosperity Funding and the bringing in-house of Careline which included installation and maintenance contracts.

Following the question from Councillor David Levett surrounding the write-off of rent arrears around Churchgate, Councillor Elizabeth Dennis advised that a written response would be given in due course outside of the meeting.

Councillor Ian Albert advised that he would be able to provide a written response and would come to a future Overview and Scrutiny meeting to discuss the matter.

Councillor Ralph Muncer highlighted an error in Section 8.2 of the report and noted the date of Decision should read 21 June 2022 instead of 21 June 2023.

Councillor Elizabeth Dennis proposed and Councillor Ruth Brown seconded, and following a vote, it was:

RESOLVED: That the report was noted with the amended date.

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

211 SCHEDULE OF COUNCIL MEETINGS 2023/24

Audio recording – 52:03

The Leader of the council presented the report in respect of the Schedule of Council Meetings 2023/24, along with Appendix A.

Councillor Elizabeth Dennis proposed and Councillor Ruth Brown seconded, and following a vote, it was:

RESOLVED: That the Calendar of Meetings for 2023/24, as attached as Appendix A, were approved.

REASONS FOR DECISION:

(1) To enable Members to agree a programme of ordinary meetings of the Council for 2023/24.

(2) To enable Members to agree the Calendar of meetings for 2023/24

212 **NOMINATION OF REPRESENTATIVES ON OUTSIDE ORGANISATIONS AND OTHER BODIES FOR 2023/24**

Audio recording – 53:04

The Leader of the Council presented the report in respect of Nomination of Representatives on Outside Organisations or Other Bodies for 2023/24 along with Appendix A.

Councillor Elizabeth Dennis proposed that the uncontested nominations as in Appendix A be approved. Councillor Ruth Brown seconded and following a vote that motion was carried.

Councillor David Levett confirmed the withdrawal of nominations from Baldock Town Twinning Association, Baldock United Almhouses Charities, Citizens Advice North Herts and Royston Town Twinning Association.

Councillor Ruth Brown confirmed the withdrawal of a nomination from Royston Old People's Day Care Centre.

N.B: A break in proceedings was taken at 20:27, and the meeting resumed at 20:36.

Votes were subsequently conducted on each contested nomination as highlighted in Appendix A of the report, with the results recorded as per those listed below.

RESOLVED:

- (1) That the list of nominations of representatives on Outside Organisations and Other Bodies for 2023/24, as set out in Appendix A to the report was approved, with confirmation that:
 - a) The Council's representative to Baldock Community Forum Community Interest Company be Councillor Alistair Willoughby.
 - b) The Council's representatives to Baldock Town Twinning Association be Councillors Alistair Willoughby and Juan Cowell.
 - c) The Council's representative to Baldock United Almhouses Charities be Councillors Michael Muir, Michael Weeks and Alistair Willoughby;
 - d) The Council's representatives to Citizens Advice North Herts be Councillors Louise Peace, Daniel Marsh and Simon Bloxham.
 - e) The Council's representative to Letchworth Civic Trust be Councillors Phil Weeder and Daniel Allen.
 - f) The Council's representative to Letchworth Garden City BID be Councillor Daniel Allen;
 - g) The Council's representative to London Luton Airport Consultative Committee be Councillor Steve Jarvis;
 - h) The Council's representative to Police and Crime Panel be Councillor Alistair Willoughby.
 - i) The Council's representative to Royston Old People's Day Centre Committee (Royston Old Barn) be Councillor Cathy Brownjohn.
 - j) The Council's representative to Royston Town Twinning Association be Councillor Cathy Brownjohn.
- (2) That Political Group Leaders notify the Democratic Services Manager of nominations to the remaining vacancies or any changes to the existing representatives on outside organisations.

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

213 NOTICE OF URGENT MOTION

Audio recording – 1:11:45

Councillor Clare Billing moved the motion and commented that there was concern for the safety of Members following the fire at the District Council Offices, as well as the results of a 2022 Local Government Association survey in which 7 out of 10 Councillors reported abuse. It should be up to the individual to choose if they wanted their addresses to be displayed on the public website, rather than the standard as is currently the case.

Councillor Amy Allen seconded the motion.

The following Members took part in debate:

- Councillor David Levett
- Councillor Gerald Morris
- Councillor Faye Frost
- Councillor Steve Jarvis
- Councillor Adam Compton
- Councillor Amy Allen
- Councillor Richard Thake
- Councillor Ralph Muncer
- Councillor Michael Muir
- Councillor Elizabeth Dennis
- Councillor Chris Lucas

Points raised during the debate include:

- Councillors should be able to opt in to have their address displayed on the website.
- Members could make themselves available to members of the Public in other ways such as Community Surgeries.
- It was not acceptable that Members, Council Staff and Contractors were the subject of abuse.
- Some Members wanted to be as easily contactable as possible and therefore were happy to have their details shared on the internet, but could understand the views of others who may feel more at risk.

In response to the question from Councillor Adam Compton, the Service Director – Legal and Community advised that it was not within North Hertfordshire Council's remit to remove addresses from Parish Council websites.

Councillor Clare Billing proposed and Councillor Amy Allen seconded, and following a vote, it was:

RESOLVED: That Council:

- (1) At the discretion of all current members, remove councillor addresses from the Councillor directory (but maintain the entry in the Declaration of Pecuniary Interests until such time as legislative change is effected);
- (2) Adopt the default position that councillors opt in, rather than opt out, of having their addresses published on the Councillor Directory;
- (3) Write to the local Members of Parliament to ask them to support the LGA's Debate Not Hate campaign;

Thursday, 25th May, 2023

- (4) Write to the Government to ask them to work with the LGA to develop and implement a plan to address abuse and intimidation of all politicians;
- (5) Work with MPs and the LGA to bring about legislative change giving councillors and their families the same protection as MPs;
- (6) Ensure the council has a clear reporting mechanism which councillors can use to monitor and record incidents of harassment and abuse of councillors, officers, staff and contractors;
- (7) Regularly review the support available to councillors in relation to abuse and intimidation and councillor safety;
- (8) Work with the local police to ensure there is a clear and joined-up mechanism for reporting threats and other concerns about the safety of councillors and their families and discuss the need to take a preventative approach that accounts for the specific risks that councillors face, as they do with other high-risk individuals, like MPs;
- (9) Take a zero-tolerance approach to abuse of councillors, officers, staff and contractors working with us. Where such occurs, this Council will robustly condemn acts of intimidation and violence against our staff, contractors and councillors.

The meeting closed at 9.01 pm

Chair

This page is intentionally left blank

**COUNCIL
13 JULY 2023**

PUBLIC DOCUMENT

TITLE OF REPORT: NOTICE OF MOTIONS UNDER STANDING ORDER 4.8.12

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

The Great Home Upgrade

This council believes that a green recovery from the pandemic is not only possible but imperative if we are to meet our carbon reduction targets as a local authority. However, up to now much of the proposed actions from National Government are little more than rhetoric. We need to turn rhetoric into action.

As a local authority, we have worked on several environmental actions that have assisted residents and the wider environment. These include the 'Solar Together' scheme, utilising the Home Upgrade Grant to improve homes that are earning under £30k annually (and with an EPC rating of E,F, or G (plus some D-rated properties)), and have worked with environmental groups throughout the district to spread eco-friendly messaging.

We note that melting ice caps and forest fires can often seem like someone else's crisis when many are taking effect so far from our homes. But we also note that crises closer to home affecting thousands of local families can not be separated from those further afield. Here in North Herts there are 6193 households living in fuel poverty, and many homes affected by damp. Across the UK there are more than 24 Million Homes leaking heat.

Housing in the UK is leaky and draughty. We have [older housing](#) than every EU country, and our homes leak heat [three times faster](#) than those in Northern Europe. 56% of homes in North Herts fall below a good level of energy efficiency (EPC rating C). This means we spend more money and energy keeping our homes warm. For those who can afford to, this leads to higher carbon emissions from burning fuel for heating — [14% of the UK's total emissions come from our homes](#). For the [3.18 million UK households](#) (13.4%) that can't, living in a cold home could be [putting their health at risk](#).

Upgrading our homes would mean that everyone can live in a warm, comfortable home that doesn't pollute the planet. But for more than a decade, we've had stop-start policy when it comes to making our homes warmer and less polluting. The main problem is the Treasury's reluctance to put proper money towards retrofitting. Right now, home upgrades are still just in the hundreds of thousands a year — [just 118,000 insulation measures](#) were installed in 2020.

There is no route to decarbonising the economy without retrofitting these more than 24 million homes across the UK. Doing so would not only help to protect our planet, but can improve housing, lead to cheaper energy bills and create hundreds of thousands of good quality jobs. Here in North Herts there are 38,873 properties that require retrofitting.

The highest standard of whole-house retrofits can mean that households only have their heating on for a few days a year. However, the Energy Efficiency Infrastructure Group (EEIG) estimates that if all homes were upgraded to the EPC C efficiency band, households could save £400 each on average — that's £7.5bn total savings across the whole country by 2030.

Plus, if our homes are less reliant on fossil fuels, then households will be insulated against sudden rises in energy prices.

With proper investment from the government and companies, the Great Homes Upgrade could directly create [at least 190,000 jobs](#) across the UK. Other estimates vary quite widely, but all suggest that we could create hundreds of thousands of jobs. [The Construction Leadership Council](#) estimates that upgrading 12m homes by 2030 could create nearly 500,000 jobs. A key part of the Great Homes Upgrade should be training up tens of thousands of people to fill these jobs. And because there are homes in need of upgrading all over the country, these jobs wouldn't be limited to one region. This means new, secure, well-paid, long-term jobs making our homes and local areas healthier and happier places to live in.

- **North Herts calls upon the Prime Minister to call for a Great Homes Upgrade and a commitment to retrofit 19 million homes by 2030.**
- **We also call on the Chancellor to commit to investing over the next three years to begin a Great Homes Upgrade, and that the government will commit to working with housing associations, private rental properties and owner occupiers to upgrade properties for net zero and commits to setting up a retrofitting taskforce to target resources now to achieving net zero through upgrading properties.**
- **We also commit to writing to our neighbouring local authorities to ask them to join us to join the campaign.**

Proposed: Cllr Chris Hinchliff

Seconded: Cllr Sean Prendergast

TITLE OF REPORT: NOTICE OF MOTIONS UNDER STANDING ORDER 4.8.12

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

Ecological Emergency

Council notes that loss of nature, alongside climate change, represents a major threat to future generations of North Herts residents and that the UN Biodiversity Conference COP15 that took place in December 2022 agreed to progress global actions to deal with this.

The Council therefore resolves to:

- 1. Declare an ecological emergency.**
- 2. Ensure that addressing the ecological emergency and nature recovery are considered as strategic priorities for planning policies and design guides for new development, including master-planning of sites, by identifying appropriate areas for habitat restoration and biodiversity net gain and ensuring that development limits impact on existing habitats in its process.**
- 3. Set measurable targets and standards for biodiversity increase, in both species and quantities, seeking also to increase community engagement.**
- 4. Work with our partners to establish a Local Nature Partnership for Hertfordshire as soon as possible, in keeping with the urgency of this declaration.**
- 5. Work with our partners to develop Nature Recovery Networks and Nature Recovery Strategy for Hertfordshire, again in keeping with the urgency of this declaration.**
- 6. Look for opportunities to work in partnership with local charities and environmental organisations to deliver nature recovery in North Hertfordshire.**
- 7. Investigate new approaches to nature recovery such as habitat banking that deliver biodiversity objectives and provide new investment opportunities.**

Proposed: Cllr Steve Jarvis

Seconded: Cllr Ruth Brown

TITLE OF REPORT: NOTICE OF MOTIONS UNDER STANDING ORDER 4.8.12

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

Waste Contract Renewal – Changes to Residual Waste Collection Cycle

This Council notes the intention to introduce to 3 weekly collections for residual waste when the new waste contract is introduced.

Council has committed to engage with the community and put people first through it's Council Plan 2022-2027 and has committed on waste and recycling to deliver change by development of the recycling and waste service to deliver any local outcomes of the national waste strategy, consider sustainability initiatives and options for renewal of the contract in 2025.

Given that this is a significant change to the service we provide to the public and to ensure through community engagement with its residents that the proposed changes are supported by the majority we want to know what residents think of the planned change to the collection cycle for residual waste.

Therefore Council proposes to call a referendum of all North Herts residents prior to committing to any change from the current bi-weekly collection asking:

Should North Herts Council

- A Retain the current bi-weekly collection of residual waste.
- or
- B Move to a 3 weekly collection of residual waste.

Proposed: Cllr Adam Compton

Seconded: Cllr Mandi Tandi

TITLE OF REPORT: NOTICE OF MOTIONS UNDER STANDING ORDER 4.8.12

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

Community Infrastructure Levy

Following the adoption of the Local Plan Council believes that in order to maximise contributions and funding for infrastructure that the introduction of a Community Infrastructure Levy could be the best way to achieve this and ensure new developments contribute to the sustainability of the District and take into account the amount of cumulative development proposed. The government is also undertaking a consultation on the introduction of a mandatory CIL and is asking for local authorities to begin pilot testing in 2025.

Council request that:

- 1. North Hertfordshire District Council asks to be one of the pilot authorities for the introduction of a mandatory CIL.**
- 2. The relevant officers prepare a report on the requirements for the introduction of CIL and the timescales for introduction if not accepted as a pilot authority.**
- 3. The report sets out the advantages or otherwise of the introduction of a CIL.**
- 4. The report details the potential financial implications and additional funding from the adoption of a CIL.**
- 5. The report is presented to Council at the meeting scheduled for 23/11/23.**

Proposed: Cllr Ian Moody

Seconded: Cllr David Levett

TITLE OF REPORT: NOTICE OF MOTIONS UNDER STANDING ORDER 4.8.12

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

Solar Energy Policy

This Council signed the Nottingham Declaration on Climate Change in 2007 and published its original Climate Change Strategy in 2009.

In 2019 it declared a Climate Change Emergency and pledged their commitment “to do everything within its power to make North Hertfordshire Carbon Zero by 2030”.

The Climate Change Strategy was reviewed in 2021 and the council has now published its revised Strategy for 2022-2027.

The Climate change Strategy covers the overall approach to global warming, the present approach is now to achieve net zero on the councils own operations by 2030 with a revised date for the district to achieve net zero by 2040 but has no specific references relating to solar energy generation.

Whilst it is acknowledged that the council has installed solar panels on the roof of the DCO and other schemes are under consideration and has said it will explore opportunities for community solar schemes we are now seeing a number of planning applications for large scale solar energy projects.

These large commercial solar energy projects are normally sited on open land mostly used for agricultural operations.

Policy NE12 of the recently adopted Local Plan references Renewable and low carbon energy including solar farms. However the impact assessment criteria in paragraphs (i) to (vii) do not specifically address the impact on land currently used for agriculture and in particular land used for food production.

The loss of valuable agricultural land, will inevitably increase the need to import food. This will negatively impact on the Councils aim to achieve a zero carbon footprint. The current situation in Ukraine and the reduction in availability of grain imports is a prime example of the need to retain productive land.

It also puts a threat on the livelihoods of tenant farmers on the application sites, and can lead to agricultural employees becoming redundant, and lose their tied homes.

The balance between land being used for food production and production of energy to reduce greenhouse gas and other harmful emissions is a delicate one and we need to ensure that solar energy production does not result in an increase in the import of food products thereby impacting on the carbon footprint and sustainability of the agricultural industry and those it employs within the district.

The Council current policy on the development of large scale solar energy projects within the district needs to be strengthened and therefore calls for

- 1. That policy NE12 of the Local Plan is reviewed to include specific reference to the balance between food production solar energy production.**
- 2. The policy takes into account the loss of valuable agricultural land and the consequences of loss of that land for food production and the impacts on sustainability when assessing the development of large scale solar energy projects.**
- 3. A bond or enforceable requirement for the developer to remove the equipment and restore the land to its former use for any approved Solar Energy Project.**
- 4. The Climate Change Strategy is reviewed to include reference to the Councils policy on large scale solar energy projects.**

Proposed: Cllr David Levett

Seconded: Cllr Ralph Muncer

This page is intentionally left blank

Item No	Referred from:	CABINET
6A	Date:	27 JUNE 2023
	Title of item:	ACTIVE NORTH HERTS STRATEGY
To be considered alongside agenda item:		Referral Only

The report considered by Cabinet at the meeting held on 27 June 2023 can be viewed here: [Agenda for Cabinet on Tuesday, 27th June, 2023, 7.30 pm | North Herts Council \(north-herts.gov.uk\)](https://www.north-herts.gov.uk)

RECOMMENDED TO COUNCIL:

(1) That Cabinet recommended to Council that a budget of £50k be approved from 2025/26 onwards, to enable the delivery of a new Active Communities programme run by the leisure operator.

REASON FOR DECISION: To ensure the Council and its stakeholder partners have a clear policy position on its approach to the future delivery of sport, leisure, physical activity and wellbeing services across the district.

Audio Recording – 1:12:47

N.B. Councillor Dave Winstanley left the Chamber at 20:43 and did not return.

Councillor Steve Jarvis presented the report and advised:

- The report covered the strategy of Activity and Leisure Provisions in North Hertfordshire.
- The Council would continue to provide facilities across the district to keep residents active and to increase the levels of those who are inactive.
- While North Hertfordshire did not have a significant deficiency in the activity of its residents, some groups were less active than others.
- The strategy would make better use of greenspace, and the Council would work more closely with partners across the voluntary sector, sports clubs and other providers to increase local opportunities.
- Some residents did not have facilities that were easily accessible for them, and the scope for more outreach activities would encourage participation.
- Provisions needed to be made to enable the delivery of an Active Communities Officer after 2025 in the new Leisure Contract. This position was currently funded by the UK Shared Prosperity Fund.

Councillor Steve Jarvis proposed and Councillor Alistair Willoughby seconded, and following a vote, it was:

RESOLVED:

(1) That Cabinet approved and adopted the Active North Herts Strategy attached as Appendix 1.

RECOMMENDED TO COUNCIL:

- (2) That Cabinet recommended to Council that a budget of £50k be approved from 2025/26 onwards, to enable the delivery of a new Active Communities programme run by the leisure operator.

REASON FOR DECISION: To ensure the Council and its stakeholder partners have a clear policy position on its approach to the future delivery of sport, leisure, physical activity and wellbeing services across the district.

Item No	Referred from:	CABINET
6B	Date:	27 JUNE 2023
	Title of item:	REVENUE BUDGET OUTTURN 2022/23
To be considered alongside agenda item:		Referral Only

The report considered by Cabinet at the meeting held on 27 June 2023 can be viewed here: [Agenda for Cabinet on Tuesday, 27th June, 2023, 7.30 pm | North Herts Council \(north-herts.gov.uk\)](https://www.north-herts.gov.uk/agenda-for-cabinet-on-tuesday-27th-june-2023-7-30-pm)

RECOMMENDED TO COUNCIL:

- (1) That Council approves the net transfer from earmarked reserves, as identified in table 9, of £5.274million.

REASON 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.

Audio recording – 1:43:48

Councillor Sean Nolan, Chair of the Finance, Audit and Risk Committee presented the referral and advised:

- The considerations around this item looked at a number of areas, but overall the report was seen positively as less was being spent.
- The Committee had questions surrounding items such as parking charge write-downs, which had a negative impact on the balance.
- There were questions over the way items were looked at previously and budgeted in.
- For example, the Management Fee for the Leisure Facilities was not quite back at pre-Covid Levels. This was due to the income from gyms and pools being down due to the pandemic, but the income is likely to return close to pre-Covid levels.
- The Committee discussed any future items and how the finance team could look at things going forward. As the Covid-19 pandemic would not have as much of an effect on items, how that would affect the ability to budget in future.
- There were questions around ensuring reality was reflected in smaller variance going forward.

Councillor Ian Albert presented the report and advised:

- The report set out the position on Revenue Budget across the final quarter and the year overall.
- Appendix A summarised the budget movements across the year.

- The final budget had moved from £18.2million to a final spend of £16.7million. Some provisions set aside for Covid-19 were not required and the increase in investment interest income affected the final net spend.
- There would be additional investment income and inflation impacts on budgets going forward.
- The 23/24 budget provision for Covid-19 impacts had been decreased in the budget setting process and it was expected to be confirmed in the Q1 investment returns would be significantly above budget. In the longer term it was assumed that interest rates and inflation would decrease.
- Table 4 detailed spend movement in the last quarter, and Table 7 set out the expected year end general fund position, subject to audit.

Councillor Steve Jarvis commented that the income from Churchgate was significantly higher than budgeted.

In response to the question from Councillor Steve Jarvis, Councillor Elizabeth Dennis advised that the £10k carried over for the Boundary Review was a hold to cover objections or call-ins of the Boundary Review by Members of Parliament. This would be released as the deadline for call-in had passed.

Councillor Ian Albert proposed and Councillor Alistair Willoughby seconded, and following a vote, it was:

RESOLVED:

- (1) That Cabinet noted this report.
- (2) That Cabinet approved a decrease of £920k in the 2022/23 net General Fund expenditure, as identified in table 4 and paragraph 8.1, to a total of £15.818million.
- (3) That Cabinet approved the changes to the 2023/24 General Fund budget, as identified in table 3 and paragraph 8.3, a total £47k decrease in net expenditure.

RECOMMENDED TO COUNCIL:

- (4) That Council approves the net transfer from earmarked reserves, as identified in table 9, of £5.274million.

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.

Item No	Referred from:	CABINET
6C	Date:	27 JUNE 2023
	Title of item:	INVESTMENT STRATEGY (CAPITAL AND TREASURY) END OF YEAR REVIEW 2022/23
To be considered alongside agenda item:	Referral Only	

The report considered by Cabinet at the meeting held on 27 June 2023 can be viewed here: [Agenda for Cabinet on Tuesday, 27th June, 2023, 7.30 pm | North Herts Council \(north-herts.gov.uk\)](#)

RECOMMENDED TO COUNCIL:

- (1) Cabinet was asked to recommend this report to Council and ask Council to:
- Approve the actual 2022/23 prudential and treasury indicators.
 - Note the annual Treasury Report for 2022/23.

REASONS FOR DECISION:

- (1) Cabinet is required to approve adjustments to the capital programme and ensure the capital programme is fully funded.
- (2) 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.

Audio Recording – 1:50:43

Councillor Sean Nolan, Chair of the Finance, Audit and Risk Committee presented the referral and advised:

- Discussion centred around the positive and negative effects of interest rates and inflation on the Council and its residents.
- There were questions around Property Improvements, such as the project at the Royston Leisure Centre.
- There were comments surrounding the balance of cost against return, the role of the Council and risks that should be considered.

Councillor Ian Albert presented the report and advised:

- The report set out the position on Capital Budgets for the year up to 31 March 2023 and the Treasury Investment returns.
- Tables 2 and 3 set out the changes to the forecast spend during the final quarter, and paragraph 8.6 detailed the completed Capital Schemes.
- Paragraph 8.10 onwards, confirmed that the Council complied with the Investment Strategy during 2022/23 and its position on Investment Returns.

In response to the question from Councillor Ian Albert, the Service Director – Resources confirmed that recommendation 2.6 covered the prudential and treasury indicators for the year 2022/23.

Councillor Ian Albert proposed and Councillor Alistair Willoughby seconded, and following a vote, it was:

RESOLVED:

- (1) That Cabinet noted expenditure of £6.923million in 2022/23 on the capital programme, paragraph 8.3 refers.
- (2) That Cabinet approved the adjustments to the capital programme for 2023/24 as a result of the revised timetable of schemes detailed in table 2, increasing the estimated spend in by £1.222million.
- (3) That Cabinet noted the position of the availability of capital resources, as detailed in table 4 paragraph 8.7 and the requirement to keep the capital programme under review for affordability.
- (4) That Cabinet approved the application of £6.300million of capital receipts/set aside towards the 2022/23 capital programme, paragraph 8.7 refers.
- (5) Cabinet was asked to note the position of Treasury Management activity as at the end of March 2023.

RECOMMENDED TO COUNCIL:

- (6) Cabinet was asked to recommend this report to Council and ask Council to:
 - Approve the actual 2022/23 prudential and treasury indicators.
 - Note the annual Treasury Report for 2022/23.

REASONS FOR DECISIONS:

- (1) Cabinet is required to approve adjustments to the capital programme and ensure the capital programme is fully funded.
- (2) 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.

Item No	Referred from:	CABINET
6D	Date:	27 JUNE 2023
	Title of item:	YEAR END REPORT ON RISK MANAGEMENT GOVERNANCE
To be considered alongside agenda item:	Referral only	

The report considered by Cabinet at the meeting held on 27 June 2023 can be viewed here: [Agenda for Cabinet on Tuesday, 27th June, 2023, 7.30 pm | North Herts Council \(north-herts.gov.uk\)](#)

REFERRED TO COUNCIL:

- (1) That Council consider the Annual Risk Management update, including comments provided by Finance, Audit and Risk Committee.

REASONS FOR DECISIONS:

- (1) The responsibility for ensuring the management of risks is that of Cabinet.
- (2) This Committee has responsibility to monitor the effective development and operation of Risk Management.

Audio recording – 1:54:19

Councillor Sean Nolan, Chair of the Finance, Audit and Risk Committee, presented the referral and advised:

- The discussion at the Committee focussed on managing risk and actions undertaken by the Council, being risk aware and understanding where risks were generated from.
- Discussion also looked at the role and inputs of the Shared Internal Audit Service and the Shared Anti-Fraud Service in Risk Management.

Councillor Ian Albert presented the report and advised:

- The report set out Risk Management over the last year.
- Various corporate risks were included in the Council Delivery Plan, which gave a broader look at the Council's Risk Management Activities.
- Paragraph 8.7 detailed Risk Appetite and Horizon Scanning.
- The Council needed to consider being brave in relation to risk, but balance against the need to look after resident's money and provide services the provide value for money.
- The report promoted the role of the Performance and Risk Management Group, which Members of the Finance, Audit and Risk and the Overview and Scrutiny Committees and the Executive could attend.

Councillor Steve Jarvis commented that he was concerned that there was nothing related to the risks of Climate Change on the Risk Register. There were serious risks to the Council and the ability to deliver services posed by Climate Change that needed to be highlighted and evaluated.

The Service Director – Resources advised that the corporate risks fed through from the Council Delivery Plan, which was made up of specific actions and the risks in relation to those. He advised that the next Council Delivery Plan would be updated to reflect the risk and actions that would be developed in relation to climate change.

Councillor Steve Jarvis proposed an additional recommendation that the risk associated with Climate Change should be recognised when the Council Delivery Plan is updated in Autumn.

Councillor Ian Albert proposed, with additional recommendation, and Councillor Alistair Willoughby seconded, and following a vote, it was:

RESOLVED:

- (1) That Cabinet noted the comments from FAR on the Annual Risk Management update.
- (2) That Cabinet noted the comments from FAR on the review of the Risk Management Framework.
- (3) That the risk associated with Climate Change should be recognised when the Council Delivery Plan is updated in the Autumn.

REFERRED TO COUNCIL:

- (1) That Council consider the Annual Risk Management update, including comments provided by Finance, Audit and Risk Committee.

REASONS FOR DECISIONS:

- (1) The responsibility for ensuring the management of risks is that of Cabinet.
- (2) This Committee has responsibility to monitor the effective development and operation of Risk Management.

Item No	Referred from:	FINANCE AUDIT & RISK COMMITTEE
6E	Date:	21 JUNE 2023
	Title of item:	FINANCE AUDIT & RISK COMMITTEE ANNUAL REPORT 2022/23
To be considered alongside agenda item:	Item 10 – Finance, Audit and Risk Committee Annual Report 2022-2023	

The report considered by Overview & Scrutiny Committee at the meeting held on 21 June 2023 can be viewed here: [Choose agenda document pack - Finance, Audit and Risk Committee 21 June 2023 | North Herts Council \(north-herts.gov.uk\)](#)

RECOMMEND TO COUNCIL: That Council note this report.

REASONS FOR RECOMMENDATION: To enable the Committee to consider the report before it is presented to Full Council. To provide Full Council with assurance as to the effectiveness of the Finance, Audit and Risk Committee.

Audio recording – 1 hour 26 minutes 54 seconds

The Service Director – Resources presented the report entitled ‘Finance, Audit and Risk Committee Annual report’ and highlighted that:

- The report reviewed the last year of the Committee and highlighted what was scheduled for the current year.
- This included a review of the SIAS report on the effectiveness of the Committee from 2021 and the progress of their Action Plan.
- A similar SIAS review has not taken place for the last two years this report as this has essentially been covered by the Peer Review.
- The report also highlighted the cycle of reports, main achievements of the Committee and highlighted the appointment of the Independent Member in September 2021.
- The planned work highlighted in the report should be dated as 2023-24 and this outlined the expected reports and reviews for the coming year and noted that the reports from External Auditors would be delayed relating to the Pension Fund review and general audit resourcing.
- The Draft Accounts were required to be published and made available for inspection by the public, by the end of May. This has not happened as there are outstanding actions with the 2021/22 accounts, that affect the 2022/23 accounts.

The following Members asked questions:

- Councillor Tom Plater
- Councillor Terry Hone
- Independent Person John Cannon

In response to questions the Service Director – Resources stated that:

- The delay in publishing the accounts was related to a technical reason and would not have a financial impact on the Council.
- The aim now is to publish the accounts in September for the year 2021/22, so would be approved at the September committee meeting.

- Former Chair, Councillor Tyler had been provided a copy of the report so that any comments could be provided.
- The audit for 2022/23 should commence in November 2023 and it is hoped it would be completed by March 2024.
- The Independent Member first attended meetings from September 2022, not June as listed in the report. This would be updated before presenting to Full Council.

Councillor Sean Nolan as Chair, proposed, and Councillor Terry Hone seconded and following a vote, it was:

RESOLVED: That the Committee considered and commented on the Annual Report of the Finance, Audit and Risk Committee as attached at Appendix A,

RECOMMENDED TO COUNCIL: The Annual Report of the Finance, Audit and Risk Committee be noted.

REASONS FOR REFERRAL: To enable the Committee to consider the report before it is presented to Full Council. To provide Full Council with assurance as to the effectiveness of the Finance, Audit and Risk Committee.

**COUNCIL
13 JULY 2023**

***PART 1 – PUBLIC DOCUMENT**

TITLE OF REPORT: ANNUAL REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE 2022/2023

REPORT OF THE CHAIR OF THE OVERVIEW AND SCRUTINY COMMITTEE 2022/2023

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 2022/2023 Civic Year.

2. RECOMMENDATIONS

2.1 That the Annual Report of the Overview and Scrutiny Committee 2022/2023 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 2022/2023 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 9 March 2023 and 20 June 2023.

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 2022/2023.

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 2022/2023.

16. CONTACT OFFICERS

16.1 James Lovegrove
Committee, Member and Scrutiny Manager
James.Lovegrove@north-herts.gov.uk
ext 4204

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

17. BACKGROUND PAPERS

17.1 Reports to and Minutes of the Overview and Scrutiny Committee during the Civic Year 2022/2023 are available here: [Browse meetings - Overview and Scrutiny Committee | North Herts Council \(north-herts.gov.uk\)](#)

This page is intentionally left blank



**North
Herts**
Council

**OVERVIEW AND SCRUTINY COMMITTEE
ANNUAL REPORT
2022/2023**

Overview and Scrutiny Committee Chair's Foreword

Firstly, I wish to thank all those members who served on the Committee this year, those officers involved in the preparation and support of our meetings and also to everyone else who made presentations to the Committee, presented reports or just came to observe.

The early part of the year was difficult due to a lack of resources to do everything we wished which was reflected in the comments of the Peer Review and has now been addressed in the action plan with a dedicated scrutiny officer being put into place which will hopefully enable the Committee to be more effective in the future.

For the first time O&S used its ability to have a "call to account" to address the issues and concerns raised relating to the Lord Lister hotel which was quite effective.

The Overview & Scrutiny function of Council should not be overlooked as acting as a 'critical friend' to the administration and we have been developing this aspect over the last couple of years.

With the changes to procedure over the last couple of years and the adoption of most of the recommendations of the Peer review adopted in an action plan I decided that it was time to hand over the reins to a new Chair to take the Committee forward and build on the progress we have made and have a fresh pair of eyes look at the way the Committee operates.

Thanks again to all those who I have worked with over the last few years as Chair of Overview and Scrutiny and wish you all the best for the future.

Cllr. David Levett
Chair of Overview and Scrutiny Committee

1. Overview and Scrutiny at North Hertfordshire Council

1.1 The depth and breadth of the Council's work means that the Overview and Scrutiny Committee must 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 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 respective 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 There was one extraordinary meeting of the Committee this year.

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

4. Call-In

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

4.2 There have been no called in items this year.

5. Presentations by Executive Members

- 5.1 The Committee has in general 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. The exception to this has been the Executive Member for Enterprise and Arts, who has attended on a rolling basis to provide an Enterprise Update since June 2022.
- 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 Executive Members for making presentations and attending meetings this year.

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 Hertfordshire Constabulary and North Herts Citizens Advice to discuss:
 - Anti-social behaviour in town centres.
 - The reporting and monitoring process behind anti-social behaviour issues.
 - Safe walking for women and girls.
 - Scams, with a focus on telephone scamming.

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 2022.

8. Statistics

- 8.1 In total, the Committee has considered 54 items at its scheduled meetings this year.
- 8.2 It has made 23 recommendations on 9 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 Ongoing resource implications because of staffing changes to the Committee Services Team had meant it was not possible to allocate the officer time required to undertake successful Task and Finish Group on Communication.

- 9.2 An email was sent to Group Leaders in December 2022 to request nominations for Members of the Task and Finish Group. As of March 2023, no nominations to the group have been received. Therefore, this will be retained on the Work Programme of the Committee and will be approached again in the 2023/24 Civic Year.

10. Public Participation

- 10.1 The scrutiny process is open to involvement by local people and the Committee encourages public participation.
- 10.2 Six members of the public attended the Committee's meetings to make presentations this year.
- 10.3 Although physical attendance at the actual meetings was extremely low, recordings of the meetings on YouTube have received a total of 392 views, with a mean average of 22 viewers watching live or on the day of the meeting. The average view duration of a recording was 11 minutes 53 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 2022

- 11.1 Until the new year the Committee had reviewed the recommendations made in the previous 2020 Peer Review at each meeting, to consider which had been completed and what actions could be taken in order to work towards those recommendations not yet complete. As the 2020 Peer Review had been completed since, this consideration had been removed from the agenda at the request of the Chair. The subsequent report from the Peers will be reviewed together with the action plan and considered and monitored by the Committee during 2023-24.
- 11.2 The updated Peer Review has not been presented to the Committee in the Civic Year 2022/23 and shall be brought for consideration and comments to the meeting in June 2023.

12. Further Information and Membership

12.1 Further information about the work of scrutiny and contact details can be found here: [Overview and Scrutiny | North Herts Council \(north-herts.gov.uk\)](https://www.north-herts.gov.uk/scrutiny)

12.2 Membership of the Overview and Scrutiny Committee in 2022/2023:

Members of the Committee:

Councillor David Levett (Chair)

Councillor Val Bryant (Vice
Chair)

Councillor Adam Compton

Councillor Alistair Willoughby

Councillor Carol Stanier

Councillor Claire Strong

Councillor Ian Moody

Councillor Nigel Mason

Councillor Phil Weeder

Councillor Raj Bhakar

Councillor Tamsin Thomas

Councillor Tony Hunter

Substitutes:

Councillor Lisa Nash

Councillor Morgan Derbyshire

Councillor Terry Hone

Councillor Simon Bloxham

Councillor Sean Nolan

Councillor Terry Tyler

Councillor Kay Tart

**COUNCIL
13 JULY 2023**

***PART 1 – PUBLIC DOCUMENT**

TITLE OF REPORT: FINANCE, AUDIT AND RISK COMMITTEE ANNUAL REPORT 2022-23

REPORT OF: SERVICE DIRECTOR: RESOURCES

EXECUTIVE MEMBER: NON-EXECUTIVE FUNCTION

COUNCIL PRIORITY: SUSTAINABILITY

1. EXECUTIVE SUMMARY

To consider the Annual Report of the Finance, Audit and Risk Committee for the 2022/23 Civic Year.

2. RECOMMENDATIONS

2.1. That Full Council note the Annual Report of the Finance, Audit and Risk Committee.

3. REASONS FOR RECOMMENDATIONS

3.1. To provide Full Council with assurance as to the effectiveness of the Finance, Audit and Risk Committee.

4. ALTERNATIVE OPTIONS CONSIDERED

4.1. None, the constitution requires an Annual Report to be provided to Council.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

5.1. The outgoing Chair of the Committee have been consulted on the content of the report.

5.2. The current Members of the Committee have been provided with an opportunity to comment on the Report before it is presented to Full Council.

6. FORWARD PLAN

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

7. BACKGROUND

- 7.1. The Chair of Finance, Audit and Risk Committee reports to Full Council each year providing an overview of the work that has been done over the previous Civic Year. It also provides a summary of the work planned for the forthcoming year.

8. RELEVANT CONSIDERATIONS

- 8.1 The Annual Report for 2022-23 is attached at Appendix A. The Annual Report is intended to provide Full Council with assurance as to the effectiveness of the Finance, Audit and Risk (FAR) Committee.

9. LEGAL IMPLICATIONS

- 9.1 The Constitution (4.4.1 (ee)) states that Full Council will receive an Annual Report from the Finance, Audit and Risk Committee.
- 9.2 In terms of the Statement of Accounts and approval deadlines mentioned in 10.2 of this report and the Annual report, set out under the Planned work in the 2022-23 section, this has caused concern amongst the statutory officers, regarding the failure to meet a deadline and the potential upcoming issue of being unable to meet the Accounts and Audit Regulations 2015 (as amended by Regulation 10 6B, The Accounts and Audit (Amendment) Regulations 2022) requirements to approve the 22/23 accounts within statutory deadlines. Under the Amendment Regulations 2022, this should be “..not later than 30th September” 2023.
- 9.3 CIPFA have sent correspondence to Chief Finance Officers to say it is down to their judgement as to whether to publish by the deadline. There is a legal duty on a Monitoring Officer, in consultation with the Chief Finance Officer, and Head of Paid Service, to report under section 5(2) & (3) Local Government & Housing Act 1989, for a non-Executive Function: “*if it at any time appears to him that any proposal, decision or omission by the authority, by any committee, or sub-committee of the authority, by any person holding any office or employment under the authority or by any joint committee on which the authority are represented constitutes, has given rise to or is likely to or would give rise to—(a) a contravention by the authority, by any committee, or sub-committee of the authority, by any person holding any office or employment under the authority or by any such joint committee of any enactment or rule of law.*” Such a contravention is anticipated and being notified accordingly to the Committee and Council as the recommended referral denotes. It will be considered further as to whether any other action is required at this stage, given the national situation and the advice of CIPFA.

10. FINANCIAL IMPLICATIONS

- 10.1 Providing Full Council with assurance over the effectiveness of the Finance, Audit and Risk Committee gives confidence that the areas of its work (including financial management) are being managed effectively.
- 10.2 The Annual Report references the delay in publishing the 2022/23 Statement of Accounts, that has been caused by not being to finalise the pension position on the 2021/22 accounts and the knock-on impact on to 2022/23. The delays in audits are a common problem across Local Government and due to a number of issues including auditor resources and increases in audit requirements (as set by the Financial Reporting

Council). There is extensive communication from representative bodies (e.g. Society of District Council Treasurers) and CIPFA to highlight the concerns and impacts. The Levelling Up, Housing and Communities Committee have also launched an inquiry in to financial reporting and audit.

11. RISK IMPLICATIONS

- 11.1. Providing Full Council with assurance over the effectiveness of the Finance, Audit and Risk Committee gives confidence that the areas of its work (including oversight of risk) are being managed effectively.

12. EQUALITIES IMPLICATIONS

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

13. SOCIAL VALUE IMPLICATIONS

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

14. ENVIRONMENTAL IMPLICATIONS

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

15. HUMAN RESOURCE IMPLICATIONS

- 15.1 There are no direct HR implications arising from this report.

16. APPENDICES

- 16.1 Appendix A- Finance, Audit and Risk Committee Annual Report 2022-23.

17. CONTACT OFFICERS

- 17.1 *Ian Couper*
Service Director: Resources
ian.couper@north-herts.gov.uk, ext: 4243

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

Reuben Ayavoo, Policy and Communities Manager
Reuben.ayavoo@north-herts.gov.uk, ext: 4212

18. BACKGROUND PAPERS

- 18.1 *Reports to and minutes of the Finance, Audit and Risk Committee during the Civic Year 2022-23 can be found here: [Browse meetings - Finance, Audit and Risk Committee | North Herts Council \(north-herts.gov.uk\)](#)*



Finance, Audit and Risk Committee
Annual Report 2022-23

Contents

Introduction from the Chair of the Committee

Role of the Committee

Effectiveness

Members of the Committee

Meetings in 2022-23

Main achievements

Planned work for 2023-24

Introduction from the Chair of the Committee

I am pleased to present the Annual Report of the Finance, Audit & Risk (FAR) Committee which describes the Committee's work and achievements over a 12 month period to March 2023.

I hope this Annual Report demonstrates the importance of the role of the Finance Audit & Risk Committee and the contribution it makes to the Council's overall governance. All meetings are open to the public and I would encourage residents to come along and see the Committee in action.

As well as elected members, the Committee is supported by the Service Director: Resources and the Accountancy Manager. The Policy and Communities Manager supports us in approving and reviewing the Annual Governance Statement. Similarly representatives from the Shared Internal Audit Service (SIAS), the Shared Anti-Fraud Service (SAFS) and our External Auditors (Ernst and Young) regularly attend the meetings of the Committee.

Councillor Terry Tyler

June 2023

Role of the Committee

The purpose of the FAR Committee is to provide independent scrutiny and assurance of finance, audit and internal control matters and to provide effective scrutiny of financial matters. This also encompasses corporate governance and risk management.

The Committee reports to Cabinet. The work of the Committee provides assurance to Cabinet and Council on the annual accounts, risk management, audit and internal control.

The full Terms of Reference for this Committee are provided in the Council's Constitution. https://www.north-herts.gov.uk/sites/northherts-cms/files/S.10_0.pdf

Effectiveness

The Chartered Institute of Public Finance and Accountancy (CIPFA) have produced a publication on "Audit Committees: Practical Guidance for Local Authorities and Police". This recommends that Audit Committees should consider their effectiveness and provides an self-evaluation tool to facilitate this. The Council asked the Shared Internal Audit Service (SIAS) to undertake such a review in July 2021, which was reported to Committee at the July 2021 meeting (<https://democracy.north-herts.gov.uk/documents/s16780/Appendix%20A%20-%20SIAS%20Review%20of%20the%20effectiveness%20of%20the%20Finance%20Audit%20and%20Risk%20Committee.pdf>).

The findings of the 2021 review (and progress made against the recommendations) were:

- **Independent Member (non-political appointment).** The Committee now has an Independent Member, who has attended each meeting since September 2022.
- **Forward Work Plan.** This document provides a forward work plan (see the Planned Work section). Members of the Committee are also encouraged to recommend future agenda items.
- **Learning and Development.** There is still an intention that all Members of the Committee will complete a skills self-assessment at the start of the civic year. However as it can take a while for these to be completed, the Service Director: Resources will put in place a training programme. This will mainly be delivered via a series of short learning sessions immediately prior to each meeting. The skills self-assessment will be used to shape the content of those sessions, plus any additional learning events or material.
- **Terms of Reference.** The Terms of Reference for Council now confirm that this Annual Report will be considered by a meeting of Full Council.

During 2022/23 received some peer support to look at improving the effectiveness of the Finance, Audit and Risk Committee (as well as the Overview and Scrutiny Committee). The recommendations of that process will be considered in a separate report, with the Committee asked to comment on them.

As the peer review follow-up took place during last year, the SIAS review of this committee was not included in the audit plan for this year (2023/24).

Members of the Committee

The following Members were appointed to the Committee for 2022/23:

Councillor Terry Tyler	Liberal Democrat	Chair
Councillor Clare Billing	Labour and Co-operative	Vice-Chair
Councillor George Davies	Conservative	
Councillor Morgan Derbyshire	Conservative	
Councillor Phil Weeder	Liberal Democrat	
Councillor Sean Nolan	Labour and Co-operative	
Councillor Terry Hone	Conservative	
John Cannon	Independent (non-voting)	

Substitutes:

Councillor Simon Bloxham	Conservative
Councillor Adam Compton	Conservative
Councillor Chris Hinchcliff	Labour and Co-operative
Councillor Steve Jarvis	Liberal Democrat
Councillor Nigel Mason	Labour and Co-operative

To support Members appointed to the Committee, assistance was readily available from relevant Officers.

Meetings

A work plan was set out at the start of the year, which included regular review of the following:

- Reports of the External Auditor (Ernst and Young)
- Internal Audit Reports (Shared Internal Audit Service – SIAS) to enable monitoring of the delivery of the internal audit service
- Anti-fraud reports (Shared Anti-Fraud Service- SAFS) to enable monitoring of the effectiveness of anti-fraud activity
- Risk Management Updates
- Financial monitoring including Revenue budget and the Investment Strategy (Capital and Treasury)

As and when required, the planned Agenda is supplemented by reports where the Committee has requested additional information or assurance.

The Committee met five times in the year and the following reports were presented and discussed:

	Jun 2022	Sep 2022	Dec 2022	Jan 2023	Mar 2023
Annual Governance Statement			Draft AGS 21/22		AGS 21/22 Local Code of Governance
Reports from External Auditors (Ernst and Young)	Audit Results 20/21	Annual Report 20/21	Plan for 21/22		Audit Results 21/22
Statement of Accounts	20/21 Accounts				21/22 Accounts
Internal Audit (SIAS) progress reports	Annual Report 21/22 and progress 22/23	Service Report 21/22 and update 22/23	Progress Report		Audit Plan 23/24 and 22/23 Progress
Anti-Fraud (SAFS) reports		Annual Report 21/22 and progress 22/23	Progress Report		23/24 Plan and 22/23 Progress
Budget monitoring reports	Outturn for 21/22	Q1 22/23	Q2 22/23		Q3 22/23
Risk Management	Annual Report and Update		Mid-year update		
Budget setting reports		Medium Term Financial Strategy	Draft Budget 23/24	Revenue Budget 23/24 Investment Strategy 23/24 onwards	
Other reports	FAR Annual Report 21/22	Council Tax Reduction Scheme (CTRS) 23/24	CTRS 23/24 Contract Procurement Rules		

Main Achievements

As an Audit Committee, it is important that FAR undertakes its key and regular tasks to ensure good governance.

Following the completion of required external audit work by Ernst and Young, it was pleasing to see that FAR was able to approve the Statement of Accounts for 2020/21 in June 2022. It had been hoped that the 2021/22 would also be able to be approved during the year. The final sign-off was delegated to the Chair at the March 2022 meeting, but an ongoing pension issue (that is outside the Council's control) means that approval will not be possible until at least July 2023. The Annual Governance Statement (AGS) for 2021/22 was approved, and from this year onwards the plan will be to approve the AGS much earlier in the year.

With the introduction of the Council Delivery Plan, the monitoring of strategic risks has been taken on by Overview and Scrutiny Committee. This gives the FAR Committee the opportunity to refocus on the processes that are in place to ensure effective risk management and providing governance oversight.

The Independent Member started in their role in September 2022. They have attended all of the meetings and provided a valued contribution to the Committee.

In addition to the regular topics, FAR received reports on the new Council Tax Reduction Scheme. This allowed the Committee to analyse the likely effectiveness of the new scheme, and the impact on those that may lose out through the changes.

During the year, regular training sessions were introduced. These have taken place immediately before the committee meetings and provide focused sessions on key topics. The topics so far have been fraud prevention, the role of internal audit and an overview of the Statement of Accounts.

Planned work for 2023-24

The Committee will receive the items that ensure it covers its remit. This is expected to include the following items:

	Jun 2023	Sep 2023	Dec 2023	Jan 2024	Mar 2024
Annual Governance Statement	Draft AGS 22/22	AGS 22/23 Local Code of Governance			
Reports from External Auditors (Ernst and Young)	TBC Will include the approval of the 21/22 Account, the audit plan for 22/23 and hopefully being able to approve the 22/23 accounts (depending on progress with external audit work). See below.				
Statement of Accounts					
Internal Audit (SIAS) progress reports	Annual Report 22/23	Service Report 22/23 and update 23/24	Progress Report		Audit Plan 24/25 and 23/24 Progress
Anti-Fraud (SAFS) reports		Annual Report 22/23 and progress 23/24	Progress Report		24/25 Plan and 23/24 Progress
Budget monitoring reports	Outturn for 22/23	Q1 23/24	Q2 23/24		Q3 23/24
Risk Management	Annual Report		Mid-year update		
Budget setting reports		Medium Term Financial Strategy	Draft Budget 24/25	Revenue Budget 24/25 Investment Strategy 24/25 onwards	
Other reports	FAR Annual Report 21/22		Financial Regulations Review		

The Accounts and Audit regulations require that Local Authorities complete draft accounts by the end of May (for the year ended 31st March 2023). The ongoing issue with the 2021/22 accounts has a knock-on impact on the 2022/23 accounts (as until the pension position has been resolved we cannot instruct the pension actuary on the basis to provide data for the 2022/23 accounts), and therefore we have not met the 31st May deadline. The 2022/23 accounts will be issued as soon as the 2021/22 issue has been resolved and the required resultant pension data has been received and processed. Our auditors are aware of what we are doing and have agreed the statement that we have put on our website to explain the situation. It is currently expected that we will publish the draft 2022/23 accounts by the end of July (this is likely to be in advance of the committee meeting to approve the final 2021/22 accounts). That would be in advance of the currently scheduled audit start date (November 2023) so should not impact on the completion of the 2022/23 audit work and in turn the approval of the 2022/23 accounts. It is therefore hoped that the 2022/23 final accounts can be approved by the March 2024 meeting.

Members of the Committee can also make recommendations of other topic areas that they would like to discuss/ be reported on.

The training sessions immediately prior to each meeting will continue. The focus of the first session will be on the role of FAR as an Audit Committee and how it supports effective governance.

All Members of the Committee are encouraged to take advantage of the various offers of training and development that will be made by Officers, as well as any relevant external courses that are available. All Members are also able to contact the Service Director: Resources for any support that they require.

This page is intentionally left blank

FULL COUNCIL
13 July 2023

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

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 during the year, on the topics within 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 briefings with the Monitoring Officer. 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 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 In terms of Local Government, Members will be aware that this year has had a number of national standards issues, which the Committee on Standards in Public Life ('CSPL') has been focused on. This included pursuing a reasoned response to the CSPL Report on Local Government Ethical Standard (issued in January 2019 which can be found [HERE](#)). A Government response was released in March 2022 (which was reported through to the Standards Committee and can be found [HERE](#), with notation). Those highlighted yellow on the linked document were for potential further consideration by Government / action. One, Members will note, flagged for further action related to Members Disclosable Interests and home addresses; nothing has been tabled yet. The Chair of the CSPL expressed his frustration with the Government's response, as noted in the exchange of correspondence [[CLICK HERE](#)].
- 8.2 Otherwise, the CSPL published its 'Leading in Practice' report in January 2023 [[CLICK HERE](#)], which looked at the seven principles of Public Life, and how to embed that culture into a public sector organisation. It will be worth looking at this during this civic year.

Local ethical standards

The Committee

- 8.3 The Standards Committee has met once since the last Annual Report in September 2022. It considered and included lively debate on Standards Matters, a review of the Complaints, Complaints Handling Procedure, training and related issues.

Training

- 8.4 Training has long been an important aspect of the support offered to Members – both to inform and offer protection in terms of their roles and duties. Code of Conduct training is mandatory for all new District Councillor and has been completed by all those newly elected Councillors in 2022 and 2023 (who attended online, in person or via a recorded version on Growzone, which monitors those who log in and finish the session).
- 8.5 As indicated, training was offered again post-election, this time only real time virtual in May to District and local Councillors. A recorded version is also available on Growzone and the slides were sent to all Parish/ Town and Community Councils post session.
- 8.6 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.
- 8.7 Training will continue to be reviewed and is available year-round, to District Members via Growzone. New recorded and more interactive ways will be considered for post 2024 all out election May sessions.

Complaints Handling Procedure

- 8.8 The Procedure was reviewed again by the Committee in June 2022 and in March 2023, after the updated version had been in place (post LGA Code adoption) for 18 months, to ensure it had sufficient time to 'bed in'. The review took account of the complaints experiences during that period and also followed a report from the LGO on a flawed procedure that Teignbridge District Council was said to have followed. The LGO raised a number of issues regarding the case, many specific to the case concerned; however, any recommendations that the Council were not currently following were considered and incorporated (see paragraph 8.3-8.5 of recommendations and North Herts responses [CLICK HERE](#)). The updated Procedure can be found on the Council's website.¹

¹ <https://www.north-herts.gov.uk/complain-about-councillor>

North Hertfordshire complaints

- 8.9 During the 2022-2023 calendar year the Council continued to receive a noticeable number of complaints - 30, albeit down from the previous year when the number reached 52. It has, nevertheless been a resource intensive year when comparing with historic data of 6 in 2020 and 18 in 2019. A summary of those complaints and recorded outcome as at the *date of that report* [CLICK HERE](#) Whilst all have been through Stages in the Procedure, one remains ongoing from 2022 and two from 2023.

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

- 16.1 None.

17. CONTACT OFFICERS

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

18. BACKGROUND PAPERS

18.1 None other than those referred to/ linked above.

**FULL COUNCIL
13 JULY 2023**

PART 1 – PUBLIC DOCUMENT

TITLE OF REPORT: Amendments to the Hertfordshire Growth Board Standing Orders in relation to the appointment of the Chair & Vice Chair, & pre-emptively seeking authority to amend Service Director: Regulatory’s delegations

REPORT OF: MONITORING OFFICER - SERVICE DIRECTOR – LEGAL & COMMUNITIES

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

1. EXECUTIVE SUMMARY

The purpose of this report is to authorise amendments to Standing Order 4.2 of Appendix 1 Annex A of the Hertfordshire Growth Board (HGB) Standing Orders in relation to the appointment of the Chair & Vice Chair (in Section 11 of the Council’s Constitution).

It is also to seek pre-emptive permission to amend relevant sections of the Constitution, in relation to the Service Director: Regulatory’s delegations (predominantly in sections 12 and 14) that relate to Housing & Environmental Health, and for the Monitoring Officer to do so if/ when the recruitment to the temporary post has been successful.

2. RECOMMENDATIONS

- 2.1. That the amendments as set out within this report to Standing Order 4.2 contained within Appendix 1 Annex A of the HGB Standing Orders, *in Section 11 of the NHC Constitution* be approved.
- 2.2. That the Council delegates authority to the Monitoring Officer to undertake any necessary amendments to the Constitution, in respect of the Service Director: Regulatory and the Service Director: Housing & Environment (to take effect on successful appointment/ commencement).

3. REASONS FOR RECOMMENDATIONS

HGB

- 3.1 Section 11 of the Constitution contains the Standing Order 4.2 [[CLICK HERE see pg 111](#)] contained within Appendix 1 Annex A the Hertfordshire Growth Board Standing Orders deals with the re-appointment of the Chair and states:

The appointment of the Chair described in 4.1 shall be for a term up to the first meeting of the HGB that follows both the 2021 local elections and the 2021 Annual Meetings of the constituent Councils (the Post-Election Meeting). At the Post Election Meeting, the Board may either re-appoint the same member as

Chair or appoint a new Chair for a term of two years. Save in the above case, the Chair shall serve a single consecutive term of two years.

3.2 It has been identified that the wording of Standing Order 4.2 is ambiguous and unclear in relation to the term of Chairs and the re-election of Chairs for periods exceeding two years. Therefore, each member council has been consulted on amendments to Standing Order 4.2, which will make it clearer, and which will allow for the re-election of the current Chair. The Hertfordshire County Council's Monitoring Officer has requested that this be brought to the Council meeting in July.

3.3 It is therefore recommended that 4.2 is amended to:

“With effect from the Annual General Meeting 2023 the appointment of the Chair and Vice Chair shall be decided annually as the first substantive item of business at the AGM.”

Delegations

3.4 To ensure that effective delegations can be put in place in time for any new (temporary) appointment.

4. ALTERNATIVE OPTIONS CONSIDERED

HGB

4.1 None suggested.

Delegations

4.2 This could be undertaken by the Monitoring Officer as a delegated decision and then reported through to the subsequent Council meeting. This recommendation, however, allows for pre-notification of Members.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

HGB & Delegations:

5.1 All Council's forming part of the Hertfordshire Growth Board have been consulted on the proposed amendment and there is consensus across all that the amendment should be approved.

5.2 The Leader of Council, as North Herts Council's representative has confirmed in principle agreement to the HGB amendment, to the Monitoring Officer, prior to agreeing to presenting this report. Recommendation 2.2 was also raised with the Leader (and Managing Director).

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

HGB

- 7.1 The Hertfordshire Growth Board (HGB) was formally established in Autumn 2020 via an Integrated Governance Framework and brought into effect in January 2021 following approval from all 11 district, borough, and county councils in anticipation of securing a Growth Deal with Government.
- 7.2 The HGB operates to provide strategic co-ordination around growth and place leadership for the 11 Councils and Local Enterprise Partnership (LEP). HGB has been negotiating with HM Government to secure a Growth Deal. However, in the three years since the joint committee was established and the governance framework created, much has changed on the back of the levelling up agenda including the availability of Growth Deals, and the greater focus on devolution.
- 7.3 Whilst a Growth Deal has not yet been secured from Government, it is important that the HGB continues the positive partnership arrangements that are in place to drive and deliver sustainable and good growth across the county for the benefit of all its residents. This will help to deliver county-wide, joined up strategies and solutions to growth and future inward investment from the private sector, as well as support the route-map for any prospective Government 'deal' in the future.
- 7.4 The HGB governance framework consists of the Board itself, with the twelve members, supported by a Scrutiny Committee also of twelve members.
- 7.5 The HGB governance framework is within Section 11 of the Constitution (link above).

Delegations

- 7.6 Cabinet agreed at its meeting on 14 March 2023 [[CLICK HERE](#)], as part of the Third Quarter Revenue Budget Monitoring 2022/23 report to:

(4) Approved the use of £140k of salary budget carry-forward for additional Service Director capacity for an 18- month period, and that the allocation of the remainder (if needed) will be delegated to the Managing Director (as Head of Paid Service), in consultation with the Leader, Deputy Leader and Executive Member for Finance and IT.

8. RELEVANT CONSIDERATIONS

HGB

- 8.1 The HGB is currently Chaired by Cllr Richard Roberts – Leader of Hertfordshire County Council. Cllr Roberts has been Chair of the HGB since 2021, meaning that nominations for the Chair now need to be considered by HGB voting members.
- 8.2 The Board are keen to have continuity and stability for the board and as such would like Cllr Richard Roberts, to be able to put forward a nomination to continue as Chair of the HGB.
- 8.3 Under the current Standing Order 4.2 (see above) it is unclear whether this is possible given the ambiguity of the wording and the fact that Cllr Roberts has already served for a two year term.

- 8.4 The proposed amendments to Standing Order 4.2 will remove the ambiguity and provide clarity in order to allow Cllr Roberts to put forward a nomination to continue as Chair of the HGB.

Delegations:

- 8.5 There is an ongoing recruitment. This will be subject to the normal Service Director recruitment processes. If someone is appointed the necessary amendments to the Constitution will be required to separate the Housing & Environmental Health delegations to sit under the new Service Director's remit. The majority of these are contained in Section 14, but also 12, although a general review required to be undertaken to ensure consistency of language/ references to correct Service Directors.

9. LEGAL IMPLICATIONS

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

10. FINANCIAL IMPLICATIONS

- 10.1 There are no financial implications arising directly from this report. The financial element, of the Service Directors temporary appointment is a matter considered by Cabinet in March and approved. See decision set out under section 7.6 above.

11. RISK IMPLICATIONS

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

12. EQUALITIES IMPLICATIONS

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

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

13. SOCIAL VALUE IMPLICATIONS

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

14. ENVIRONMENTAL IMPLICATIONS

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

15. HUMAN RESOURCE IMPLICATIONS

15.1 There are no human resource implications to the HGB recommendation. The recruitment of the temporary Service Director post is subject to normal processes.

16. APPENDICES

16.1 None.

17. CONTACT OFFICERS

17.1 Jeanette Thompson – Monitoring Officer - Service Director – Legal & Community
Jeanette.Thompson@north-herts.gov.uk

18. BACKGROUND PAPERS

18.1 None other than those linked above.

This page is intentionally left blank