

**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.