

8 May 2007

Our Ref. Council 17/5/07
Your Ref.
Contact. Ian Gourlay
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To: The Chairman and Members of North Hertfordshire District Council

You are invited to attend the

ANNUAL MEETING OF THE COUNCIL

to be held in

**COUNCIL CHAMBER, COUNCIL OFFICES, GERON ROAD,
LETCWORTH, SG6 3JF**

on

THURSDAY, 17 MAY 2007

at

7.30p.m.

At the conclusion of Agenda Item 13, the meeting of the Annual Council will adjourn for the purpose of convening the following meetings to elect their respective Chairman and Vice-Chairman:

**BALDOCK AND DISTRICT COMMITTEE
HITCHIN COMMITTEE
LETCWORTH COMMITTEE
ROYSTON AND DISTRICT COMMITTEE
SOUTHERN RURAL COMMITTEE**

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

Yours sincerely,



David Miley
Democratic Services Manager

**AGENDA
PART I**

ITEM	PAGE
1. APOLOGIES FOR ABSENCE	
2. ELECTION OF CHAIRMAN OF THE COUNCIL FOR THE CIVIC YEAR 2007/2008 To elect a Chairman of the Council to hold office until the election of a successor at the next Annual Meeting of the Council.	-
3. APPOINTMENT OF VICE-CHAIRMAN OF THE COUNCIL FOR THE CIVIC YEAR 2007/2008 To appoint a Vice-Chairman of the Council to hold office until the appointment of a successor at the next Annual Meeting of the Council.	-
4. MINUTES To take as read and approve as a true record the minutes of the meeting of the Council held on 29 March 2007.	-
5. DECLARATIONS OF INTEREST To receive from Members of the Council any declarations of interest in respect of any business set out in the agenda. Members should either declare a prejudicial or personal interest and are required to notify the Council of the nature of any interest declared.	-
6. CHAIRMAN'S ANNOUNCEMENTS	-
7. DISTRICT COUNCIL ELECTIONS – 3 MAY 2007 REPORT OF THE RETURNING OFFICER To receive the report of the Returning Officer as to the results of the District Council Elections held on 3 May 2007.	1
8. ELECTION OF A LEADER OF THE COUNCIL To elect the Leader of the Council.	-
9. APPOINTMENT OF A DEPUTY LEADER OF THE COUNCIL To appoint a Deputy Leader of the Council.	-
10. APPOINTMENT OF MEMBERS OF THE CABINET To appoint Portfolio Holders making up the Membership of the Cabinet, and to confirm the Leader's delegation of powers to Portfolio Holders.	To Follow
11. AMENDMENTS TO THE CONSTITUTION REPORT OF THE HEAD OF LEGAL & DEMOCRATIC SERVICES To submit for approval a series of proposed amendments to the Council's Constitution.	To Follow
12. TO APPOINT MEMBERS OF COMMITTEES FOR 2007/2008 To determine the Committees to be appointed for 2007/2008, the number of places on each and allocation thereof to the respective Groups and to appoint Members in accordance with their nominations.	To Follow

The Democratic Services Manager will present a report to assist in the determination of the constitution and political balance.

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| 13. | APPOINTMENT OF CHAIRMAN AND VICE-CHAIRMAN OF COMMITTEES
To appoint the Chairmen and Vice-Chairmen of the Committees (except the Chairmen and Vice-Chairmen of the Area Committees). | To Follow |
| 14. | ADJOURNMENT TO ENABLE THE APPOINTMENT OF CHAIRMEN AND VICE-CHAIRMEN OF AREA COMMITTEES | - |
| 15. | ANNUAL REPORT OF SCRUTINY COMMITTEE
REPORT OF THE CHAIRMAN OF THE SCRUTINY COMMITTEE
The Chairman of the Scrutiny Committee for 2006/2007 will present to the Council the Annual Report of the Scrutiny Committee and its recommendations. | 7 |
| 16. | APPOINTMENT OF REPRESENTATIVES ON OUTSIDE ORGANISATIONS AND OTHER BODIES
To appoint the Council's representatives on outside organisations and other bodies. | To Follow |

Future meetings of the Council have been scheduled to take place on:

Thursday, 28 June 2007
Thursday, 27 September 2007
Thursday, 29 November 2007
Thursday, 7 February 2008
Thursday, 28 February 2008
Thursday, 3 April 2008

<p style="text-align: center;">ANNUAL COUNCIL 17 MAY 2007</p>

<p>*PART 1 – PUBLIC DOCUMENT</p>	<p>AGENDA ITEM No.</p> <p style="text-align: center;">7</p>
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TITLE OF REPORT: DISTRICT COUNCIL ELECTIONS – 3 MAY 2007

REPORT OF THE RETURNING OFFICER

The report is attached.

DISTRICT COUNCIL ELECTION RESULTS – 2007

WARD	CANDIDATES	PARTY	VOTES	
ARBURY	SIMPSON, Ian YOUNG, Andrew Dempster	Liberal Democrat Conservative	461 776	ELECTED
BALDOCK EAST	KIRKLAND, Marilyn Roberta WILSHER, Les	Liberal Democrat Conservative	542 466	ELECTED
BALDOCK TOWN	GALLAGHER, Sylvia Ann KEIGHLEY, Marcus KNIGHTON, Ian Jeremy MARDELL, Peter Anthony MUIR, Michael Douglas Robert MacKenzie WEEKS, Michael Edwin YOUNG, Robert Alan	Liberal Democrat Liberal Democrat Conservative Labour Conservative Conservative Liberal Democrat	410 389 1,094 373 1,161 994 367	ELECTED ELECTED ELECTED
CADWELL	CANNING, Richard Oliver GIBBS, Tricia SMITH, Austin John Denyer	Liberal Democrat Conservative Labour	156 504 87	ELECTED
CHESFIELD	DOWNIE, Lee HARDING, Karen JARVIS, Sal	Liberal Democrat Conservative Liberal Democrat	757 529 803	ELECTED ELECTED
CODICOTE	BLAND, Harold BRINDLEY, Tom BURNELL, Jan McGREGOR, John Roy	Green Conservative Labour Independent	57 504 118 183	ELECTED
ERMINE	INWOOD, Joan Ellen MARSHALL, Howard Maycroft	Liberal Democrat Conservative	190 689	ELECTED
HITCHIN BEARTON	BILLING, Judi BUNKER, Charles Spencer CHERRY, Pat DYE, Susan HOWE, George IRCHA, Andrew MACMILLAN, Heather MAYNARD, Linda SANGHA, Deepak Singh STEARS, Martin STRONG, Tony WALKER, Ashley	Labour & Co-operative Conservative Conservative Green Green Liberal Democrat Liberal Democrat Liberal Democrat Labour & Co-operative Labour & Co-operative Conservative Green	922 523 561 365 399 226 251 285 758 793 456 331	ELECTED ELECTED ELECTED
HITCHIN HIGHBURY	BODY, Clare BROOKMAN, Alan CLARK, Paul CRAWLEY, Mark Francis HANSON, Mark MARDON, Bob MIDDLETON, Tabitha OLIVER, Lawrence WREN, Sarah Jane	Liberal Democrat Green Liberal Democrat Labour Conservative Green Green Liberal Democrat Conservative	1,250 174 1,423 178 895 265 142 1,260 1,026	ELECTED ELECTED ELECTED

WARD	CANDIDATES	PARTY	VOTES	
HITCHIN OUGHTON	BILLING, David Edward BROOK, Penny CLARK, Ronald Alexander KIRBY, Joan Irene PARKER, Stephen POND, Sarah SUMMERS, Heather	Labour Conservative Liberal Democrat Labour Conservative Green Green	643 326 124 636 322 119 89	ELECTED ELECTED
HITCHIN PRIORY	ASHLEY, Allison Gertrude BIRDSEY, Min HONEY, Chris LOTT, Michael John LOVEDAY, Teresa Caroline THAKE, Richard Arthur Charles WHITE, John Stephen	Conservative Labour Green Liberal Democrat Green Conservative Liberal Democrat	956 149 204 309 193 895 177	ELECTED ELECTED
HITCHIN WALSWORTH	CLARK, Barbara JOHNSON, Ryan Ottis LOVEWELL, Bernard Frank James MILLARD, Alan John SHAKESPEARE-SMITH, Ray SHEARD, Derek Nigel SHIRLEY, David WOOD, Roger Aubrey WOODRUFF, Giles Colin	Liberal Democrat Labour Conservative Conservative Conservative Labour Liberal Democrat Labour Green	374 768 984 963 861 724 347 555 664	 ELECTED ELECTED ELECTED
HITCHWOOD, OFFA & HOO	ASHTON, David BARNARD, David John BILLING, Clare Helen JOHNSON, Peter Donald MILLER, David STRONG, Claire Patricia Annette	Green Conservative Labour Liberal Democrat Conservative Conservative	486 1,603 391 503 1,516 1,512	 ELECTED ELECTED ELECTED
KIMPTON	BISHOP, John Cyril JARVIS, Oliver Simon WOOD, Jean Elizabeth Ann	Conservative Liberal Democrat Labour	512 125 65	ELECTED
KNEBWORTH	BARDETT, Alan BERRINGTON, William BURNELL, John Brian GRAY, Jane Elizabeth PAINTER, Harry WILKINS, Debra	Conservative Green Labour Conservative Labour Liberal Democrat	943 183 232 987 213 296	ELECTED ELECTED
LETCHWORTH EAST	FISHER, Mertsu Merentytto JARMAN, Arthur KERCHEER, Lorna Rose PATERSON, Michael PROUDLOVE, Diane Margaret Ivy WINDER, Rebecca Carole	Liberal Democrat Labour & Co-operative Labour & Co-operative Conservative Conservative Liberal Democrat	187 503 549 456 440 202	 ELECTED ELECTED

WARD	CANDIDATES	PARTY	VOTES	
LETCHWORTH GRANGE	ANDREWS, Jean BLOXHAM, Monica BLOXHAM, Simon DEAR, Allison EDEN, Tony INWOOD, Julie Louise KEARNS, David Peter	Labour & Co-operative Conservative Conservative Conservative Labour & Co-operative Liberal Democrat Labour & Co-operative	843 852 906 869 840 335 912	ELECTED ELECTED ELECTED
LETCHWORTH SOUTH EAST	BARRY, John Finbarr BOOTH, John Leo Dobson CUNNINGHAM, Julian Michael KINGMAN, Alison Elaine KISSEN, Nicholas Frederick Henry LAKE, Kevin Douglas LEVETT, David Charles WINDER, John WINTER, Julia	UKIP Conservative Conservative Liberal Democrat Labour Labour Conservative Liberal Democrat Liberal Democrat	350 861 928 430 451 433 841 374 422	ELECTED ELECTED ELECTED
LETCHWORTH SOUTH WEST	BLAKELEY, Eric DAVEY, Melissa Jane HARCOURT, Clem Jonathan HART, Jon HONE, Terry MOLLART-GRIFFIN, Heidi NEEDHAM, Lynda PARKINS, Headley Valentine PENNY, Martin Geoffrey WINDER, John Paul	Green Conservative Liberal Democrat Green Conservative Green Conservative Labour & Co-operative Liberal Democrat Liberal Democrat	252 1,426 541 263 1,407 183 1,532 279 536 593	ELECTED ELECTED ELECTED ELECTED
LETCHWORTH WILBURY	GRINDAL, Gary Thomas MANTLE, Ian NEEDHAM, Elliot William SHARMA, Pradeep Kumar WINDER, Ursula	Labour Labour Conservative Conservative Liberal Democrat	595 592 546 431 307	ELECTED ELECTED
ROYSTON HEATH	BURT, Peter Colin Weston COATES, Caroline Elizabeth HILL (NEE GREENWOOD), Fiona Ronan KING, Robin Anthony LILLEY, Nanya Esther	Conservative Liberal Democrat Conservative Labour Liberal Democrat	780 536 778 194 445	ELECTED ELECTED
ROYSTON MERIDIAN	HARMEL, Karen HUNTER, Tony LEDDEN, John Raymond MAY, David Robert SMITH, Francis John WEST, Vaughan	Green Conservative Liberal Democrat Liberal Democrat Conservative Labour	266 842 333 312 785 183	ELECTED ELECTED
ROYSTON PALACE	BEARDWELL, Liz DAVIDSON, Bill GARLAND, Ken INWOOD, Robert Edward PALMER, Graham William	Liberal Democrat Conservative Labour & Co-operative Liberal Democrat Conservative	753 648 149 710 607	ELECTED ELECTED

WARD	CANDIDATES	PARTY	VOTES	
WESTON & SANDON	JARVIS, Steve ROWELL, Catherine Elaine	Liberal Democrat Conservative	604 219	ELECTED

AGENDA ITEM 10

APPOINTMENT OF MEMBERS OF THE CABINET

Report by the Leader of the Council

The Cabinet will consist of the Leader of the Council and the Deputy Leader together with at least one, but no more than eight, councillors appointed to the Cabinet by the Council on the recommendation of the Leader. Each of the Cabinet Members shall be responsible for a portfolio (service area). The Cabinet is single-party and not politically balanced.

DELEGATIONS FOR INCLUSION IN THE SCHEME OF DELEGATION (Part 3 of the Constitution)

In accordance with the Cabinet Procedure Rules and Terms of Reference executive functions will be delegated to the following Cabinet Portfolio Holders:

PORTFOLIO	CABINET MEMBER		WARD
Deputy Leader & Finance	Councillor T.W. Hone	15 Fouracres, Letchworth Garden City, Herts SG6 3UF	Letchworth South West
Community Engagement & Rural Affairs	Councillor Mrs P. Gibbs	Old Church House, Gurneys Lane, Holwell, Hitchin, Herts SG5 3SN	Cadwell
Leisure & E-Government	Councillor I.J. Knighton	2, Cambridge House, Hitchin Street, Baldock, Herts SG7 6AE	Baldock Town
Housing & Environmental Health	Councillor Bernard Lovewell	23 Milton View, Hitchin, Herts, SG4 0QD	Hitchin Walsworth
Waste & Recycling	Councillor Mrs L.A. Needham	68 Broadwater Avenue, Letchworth Garden City, Herts, SG6 3HJ	Letchworth South West
Policy & Green Issues	Councillor Mrs C.P.A. Strong	Ashroy, Pirton Road, Holwell, Herts SG5 3SS	Hitchwood, Offa & Hoo
Planning & Transport	Councillor R.A.C. Thake	Hindsmount, Maydencroft Lane, Gosmore, Hitchin, Herts SG4 7QB	Hitchin Priory

The extent of the authority delegated to these Members will be:

- Decisions which have a cost or saving less than the current European Union Procurement threshold for Supplies and Services, as varied from time to time (Note: this threshold, currently £144,371.00, is determined by Government, and is subject to change).
- Any decision which is not otherwise delegated to Committees or officers as detailed in the Scheme of Delegation.
- To be the main consultee with officers and to respond to Governmental and other Consultation Papers on behalf of the Council, where the view of the Council has been requested.
- To agree minor amendments to strategies and policies where these are not significant departures from the existing strategies.

Councillor F.J. Smith
Leader of the Council
17 May 2007

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Delegation Arrangements for Cabinet Portfolios

Delegations for inclusion in the Scheme of Delegation (Part 3 of the Constitution)

In accordance with the Cabinet Procedure Rules and Terms of Reference executive functions will be delegated to the following Cabinet Portfolios:

Leader of the Council

The scope of the Leader's responsibilities spans all portfolios, ensuring co-ordination and a coherent approach to the Council's decision-making. The Leader can make any decision which is delegated to any portfolio holder. The Deputy Leader will have the powers and responsibilities of the Leader, when the Leader is absent or unable to act.

In discharging this role, the Leader is specifically responsible for leadership, strategic planning and development, partnership working and decision making within the following policy and service areas:-

- i. the development of overall strategic and financial plans for the Council and the promotion of both existing and new strategies and plans;
- ii. overall control of the revenue and capital finances of the Council, in conjunction with the Portfolio Holder with responsibility for those matters;
- iii. the production and publication of the Council's Forward Plan;
- iv. the Council's contribution to the life of the district and the sub-region;
- v. the functioning of Council's Cabinet and the executive powers it holds, including the allocation of responsibilities to the full Cabinet, individual Cabinet portfolios and area committees; the appointment and dismissal of those Cabinet portfolio holders; and the delegation of executive authority to officers;
- vi. partnership working across the Council's services, including liaison with other statutory agencies in and outside the district and leading on the Council's Local Strategic Partnership;
- vii. the Council's communications strategies and activities and press and publicity activity;
- viii. information provision and management;
- ix. consultation with local people to help plan and improve Council services and influence the services provided by others;

- x. community safety and work with the Crime Reduction Partnership, the police and other law enforcement agencies to reduce crime and disorder, and the fear of either;
- xi. speaking up on matters of local concern and representing the views of the Council to Government and its agents and to others;
- xii. appointments to outside organisations between meetings of the Council;
- xiii. the provision of central services and the use and allocation of resources;
- xiv. Legal and Democratic Services, including;
 - Electoral Services and electoral registration;
 - the Land Charges Service;
- xv. The health and safety of staff;
- xvi. Human Resources including;
 - personnel, employment and training policies and strategies;
 - the provision of core training services to the rest of the Council;
 - measures to manage productivity and reduce sickness absence;
 - matters to do with officers leaving the Council's service, in conjunction with the Portfolio Holder for Finance;
- xvii. the implementation of public safety measures and the Council's Emergency Plan, in accordance with prevailing national guidance.

Policy and Green Issues

The scope of this portfolio is concerned with the Council's:-

- i. responsibility for strategic planning and development;
- ii. development and implementation of the Service & Financial Planning process, in consultation with the Portfolio holder for Finance;
- iii. population and other census information;
- iv. the Council's Best Value Performance Plan, Best Value reviews, performance statistics and all aspects of the Council's efforts to secure improvements in quality in its services, cost improvements and external

- accreditation and recognition, including Comprehensive Performance Assessment;
- v. the Council's officer arrangements for scrutiny activity through its Overview and Scrutiny committees; and
 - vi. the Council's complaints system and its response to investigations by the Local Government Ombudsman;
 - vii. proposals to vary the boundaries of the Borough and electoral divisions, wards and polling districts;
 - viii. the Council's communications strategies and activities and press and publicity activity;
 - ix. the Nottingham Declaration on Climate Change and other green issues affecting the District.

Finance

The scope of this portfolio is concerned with the Council's:-

- i. budget planning and all action necessary to maintain overall budget control within the cash limits agreed by full Council (in conjunction with the Leader of the Council);
- ii. development and implementation of the Service & Financial Planning process, in consultation with the Policy Portfolio holder;
- iii. the determination of applications for national non-domestic rate discretionary relief, and remission or reduction of rate liability and other miscellaneous minor rating matters arising;
- iv. virements between budget headings between £50,000 and £100,000, in conjunction with relevant Portfolio holders;
- v. use of the special reserves and reserved contingency budgets, within the total budget agreed by full Council;
- vi. in-year changes to the Council's Capital Programme up to a limit of £100,000;
- vii. financial planning;
- viii. investments and treasury management;

- ix. the collection of taxes, the determination and payment of housing and Council tax benefit;
- x. overall strategy for fees and charges;
- xi. maximisation of the Council's commercial income;
- xii. audit and financial probity;
- xiii. payroll and other financial benefits for staff;
- xiv. the Council's procurement policies and procedures;
- xv. maintenance of the Council's buildings (other than day-to-day maintenance);
- xvi. overall management of the Council's property assets and the disposal of the Council's property interests up to a value of £250,000;
- xvii. provision and management of the Town Hall and other civic buildings, including the letting of accommodation at public buildings owned or occupied by the Council and not specifically under the control of another Cabinet portfolio holder;
- xviii. writing off debts between £5,000 and £10,000 in conjunction with the relevant Cabinet portfolio holder.

Planning and Transport

The scope of this portfolio is concerned with the Council's role as:-

- i. Local Planning Authority and its interest in the preservation, enhancement and conservation of the environment including monitoring the Council's annual report on the Local Development Framework and making submissions on the same to regional bodies and other external agencies;
- ii. proposals for the Council's land-using planning policies, for recommendation to full Council, and supplementary guidance;
- iii. planning briefs for individual development sites;
- iv. responses to planning guidance and planning policy statements from Government and regional bodies;
- v. co-ordination of the Council's response to major developments on private land or developments affecting the streetscape, where these have not been explicitly reserved to another Cabinet Portfolio holder;

- vi. street lighting and furniture and the naming and numbering of streets;
- vii. the Council's policies for enforcement of planning conditions and against improper development;
- viii. the Council's policies for identifying, and preserving conservation areas;
- ix. the Council's provision of arboricultural, building control and forward planning services;
- x. land drainage;
- xi. Tree Preservation Orders;
- xii. grants relating to buildings of special architectural or historical interest;
- xiii. decisions about environmental awards;
- xiv. the Council's involvement in subsidised transport provision;
- xv. provision and maintenance of bus shelters;
- xvi. development and implementation of the Council's Transport Strategy and representing the Council's views on regional transport issues;
- xvii. leading on the Council's arrangements for highways matters including partnership and agency arrangements;
- xviii. car parks and parking operations including decriminalised parking enforcement.
- xix. Hackney carriages and private hire vehicles – setting of charges, fees, etc.

Community Engagement and Rural Affairs

The scope of this portfolio is concerned with the Council's:-

- i. tourism and visitor management;
- ii. leading on the Council's responsibilities arising from law and best practice to ensure its services are responsive and relevant to a diverse population and free from improper discrimination;
- iii. to co-ordinate and therefore try to improve the overall delivery of services provided by public bodies and voluntary organisations;

- iv. to consult upon, and approve the Community Strategy and review it annually;
- v. consultation with local people to help plan and improve Council services and influence the services provided by others;
- vi. community relations and the promotion of social cohesion and fair opportunities together with the Council's responsibilities under race relations legislation;
- vii. diversity and equalities matters, including approving the monitoring of the Council's Equality and Diversity Schemes;
- viii. the Council's relationship with, and funding of, independent advice agencies, community centres, voluntary sector support agencies and other organisations not within the remit of other Cabinet Portfolio holders;
- ix. community safety and work with the Crime Reduction Partnership, the police and other law enforcement agencies to reduce crime and disorder, and the fear of either;
- x. to lead on partnerships and liaison with external agencies;
- xi. the Council's communications strategies and activities and press and publicity activity;
- xii. responsibility for all matters in relation to the Community Legal Service;
- xiii. corporate grants including the Parish Council Improvement Fund;
- xiv. development and implementation of strategies and policies for the development, enhancement and sustainability of the district, in particular rural areas and communities;
- xv. to act as the Council's spokesperson and principal point of contact on matter affecting Town and Parish Councils;
- xvi. the provision and monitoring of the Council's CCTV arrangements;
- xvii. regeneration, neighbourhood renewal and economic development, including bidding for, planning and expenditure of regeneration funding.

Housing and Environmental Health

The scope of this portfolio concerned with the Council's:-

- i. Supporting People services, community alarms, Careline and Meals on Wheels;
- ii. Homelessness;
- iii. Housing allocations and the Housing Register;
- iv. Housing advice;
- v. Housing Strategy;
- vi. Gypsies and Travellers;
- vii. Private sewers, drainage and drains;
- viii. Housing grants and loans;
- ix. Caravan sites;
- x. Housing safety and the fitness of premises;
- xi. Housing energy conservation;
- xii. Health and safety at work;
- xiii. Food safety and hygiene;
- xiv. Communicable diseases;
- xv. Public Health Act funerals;
- xvi. Pests;
- xvii. Control of pollution / environmental protection (including noise);
- xviii. Contaminated land;
- xix. Local air quality;
- xx. Permitting of processes;
- xxi. Statutory nuisances;

- xxii. Miscellaneous public health duties (such as the Health Act 2006);
- xxiii. Miscellaneous public health functions (including the prohibition of smoking in public places);
- xxiv. Licensing (excluding those specified in the Licensing Act 2003 and Gambling Act 2005);
- xxv. Local licensing (including, but not limited to, hackney carriage drivers and vehicles, private hire vehicles, drivers and operators, permits for small lotteries and street collections and house to house collection licences, gambling, small lotteries, sex shops, pet shops and dangerous wild animals);
- xxvi. Dealers of scrap metal;
- xxvii. Street trading consents and licences;
- xxviii. Sunday trading;
- xxix. Animals (welfare, associated licensing and enforcement);
- xxx. Abandoned vehicles;
- xxxi. Fly tipping and illegal waste disposal;
- xxxii. Enforcement of byelaws (NHDC and HCC);
- xxxiii. Enforcement matters delegated by the Highways Partnership;
- xxxiv. Miscellaneous street scene enforcement functions (including fly posting and litter) and fixed penalty notices;
- xxxv. Liquor and entertainment licensing (Licensing Act 2003).

Leisure and E-Government

The scope of this portfolio concerned with the Council's role in:-

- i. leisure services, including sports centres and sports development for adults;
- ii. playschemes, recreation grounds and facilities;

- iii. public halls and markets;
- iv. parks, open spaces (excluding public art in these places) and outdoor swimming pools;
- v. the arts, and cultural services, including archaeological matters, museums and galleries;
- vi. allotments;
- vii. development and implementation of policy and strategy for the delivery of e-government, in particular service@north-herts;
- viii. the development and application of policies, initiatives and services involving the use of information and communications technology to support the work of the Council and the Council's work with others.

Waste and Recycling

The scope of this portfolio is concerned with the Council's role in:-

- i. waste management and recycling;
- ii. cleansing, public conveniences and cesspools;
- iii. grounds maintenance, amenity areas and associated functions;
- iv. provision, maintenance of trees;
- v. cemeteries and burials;
- vi. war memorials;
- vii. footpaths and bridleways.

The **extent of the authority delegated** to these portfolio holders will be limited to:-

- a) Decisions which have a cost or saving less than the current European Union Procurement threshold for Supplies and Services, as varied from time to time (Note: this threshold, currently £144,371.00, is determined by Government, and is subject to change).

- b) Any decision which is not otherwise delegated to Committees or officers as detailed in the Scheme of Delegation.
- c) In discharging any functions that have been delegated, the Cabinet Portfolio holder must act lawfully. This means that that the Cabinet Portfolio holder must act within the scope of the authority that is delegated to him/her in accordance with any limits within the delegation, the Constitution, Council policies, procedure rules and the Members' Code of Conduct. Where an issue affects more than one portfolio, the respective holders of those portfolio holders shall consult with each other, officers and the Leader to agree where the decision will be taken.

Matters of general delegation

Each Cabinet Portfolio holder is responsible for:-

- i. the proper administration of the Council's services;
- ii. ensuring adequate staffing, premises and other resources to secure agreed standards and target outcomes in the area of each portfolio;
- iii. the efficient use and day-to-day maintenance of Council premises;
- iv. ensuring budget control;
- v. approving use of specific grants and/or funding from non-governmental sources, and any annual delivery plans and agreements in relation to such funding;
- vi. approving funding exceeding £5,000 per annum to voluntary and other organisations within their portfolio, and approving jointly with other Cabinet Portfolio holders where the application affects more than one portfolio;
- vii. the continuous improvement of the Council's services through a programme of work;
- viii. liaising with the relevant Council Overview and Scrutiny Committees;
- ix. decisions proposed and made;
- x. the promotion of the Council's policies and communication with the public as appropriate through local and other media, ensuring always that publications are compliant with the Council's Communications Strategy;
- xi. proposing and responding to Government and its agents, and to those sharing common cause and others on matters defined by their responsibilities;

- xii. to respond directly to governmental and other consultation papers on behalf of the Council, where the view of the Council has been requested;
- xiii. making minor amendments to adopted strategies, policies and procedures;
- xiv. the promotion of the Council's existing policies;
- xv. speaking up on matters of local concern and acting as the main Council spokesman on issues within their portfolio;
- xvi. approving proposals to vire money from one budget head to another between £100,001 and £250,000, in conjunction with the Cabinet Portfolio holder for Finance;
- xvii. writing off debts between £2, 500 and £5,000, conjunction with the Cabinet Portfolio holder for Finance;
- xviii. the disposal of assets between £5,001 and £100,000 and between £100,001 and £250,000 in conjunction with the Cabinet Portfolio holder for Finance;
- xix. giving approval to proceed to advertisement or other method of securing competition authorised by Contract Standing Orders, and for inviting and accepting tenders and quotations related to matters within their portfolio in excess of £50,000;
- xx. opening tenders where the estimated value of the contract is £50,000 or more;
- xxi. approving variations to contracts where the variation:
 - would extend the contract period by 50 per cent or more than three months, whichever is the greater;
 - adds more than 20 per cent to the estimated value of the contract for contracts between £60,000 and £250,000, or
 - adds more than 5 per cent to the estimated value of the contract for contracts exceeding £250,000, or
 - increases the estimated value of the contract from below £60,000 to £72,000 or more;
 - would mean that the works, services or goods to be added to or deleted from the contract are substantially different in scope, save that in a case of urgency or unforeseen circumstances any such variation can be approved

- by a Director, subject to him or her reporting such action to the relevant Cabinet Portfolio holder;
- xxi. the disposal of property valued under £250,000 in respect of the functions for which they are responsible, in conjunction with the Cabinet Portfolio holder for Finance;
 - xxiii. applying for planning permission for the Council's own development schemes;
 - xxiv. applying for conservation area consent, listed building consent or any other permissions or consents necessary to progress the Council's own development schemes; and
 - xxv. responding to officer recommendations on setting new external charges and revising current ones.

Procedural Rules

Where a portfolio holder is to take a decision which is outside the key decision definitions under their delegated powers, they will give at least 5 days notice of the matter to be decided, in MIS. The date and time for taking the decision will be included. Members may then request details of the decision to be made and make written representations on the matter, for consideration by the portfolio holder.

When making the decision the portfolio holder will consider a written report from officers and will make their decision in public, recording the decision(s) reason(s) for it. Once the decision has been made, notice of the decision(s) and the reason(s) will be given in MIS.

The above should be moved as an addition to the Council's Constitution at Part IV.

TITLE OF REPORT: AMENDMENTS TO THE COUNCIL'S CONSTITUTION

REPORT OF THE MONITORING OFFICER

1. PURPOSE OF REPORT

- 1.1 This report sets out recommended changes to the Council's Constitution for adoption by Council, in order to ensure the operation of the Council's decision making mechanisms as from the start of the civic year.
- 1.2 The Council needs to adopt a new Code of Conduct for Members issued by Government under S.50 of the Local Government Act 2000. This report outlines the main changes to the current code and recommends adoption of the new Code.

2. FORWARD PLAN

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

3. BACKGROUND

- 3.1 On 29 March 2007, Council considered a report on Area Governance and Costs of Democracy and decided that in order to put the changes recommended in that report into effect, the following matters set out in this report must form amendments to the constitution. Ancillary matters related to these changes are also considered here.
- 3.2 Heads of Service have reviewed the delegations applicable to their areas and have suggested the amendments set out within this report and the appendices.

4. CONSIDERATIONS

4.1 Frequency of meetings

In order to achieve the savings identified it was agreed that Council, Cabinet, Scrutiny and PARC will reduce the number of times they meet to 6 per year. Area Committees will also meet up to 6 times per year, in a form to be agreed with the Chairmen of the committees.

Reference in the constitution to the numbers of meetings of the committees need to be amended as set out in Appendix 1 to this report, section 1.

4.2 Terms of Reference

The Council has agreed to establish a central planning regulation function. Consequently these powers must then be removed from the Area Committees Terms

of Reference and a Planning Control Committee created. It is recommended that the same Terms of Reference as Area Committees had, are delegated to the Planning Control Committee. These are set out at Appendix 1, sections 2 and 3.

4.3 To operate effectively and meet the statutory timetable for determination of applications, the number of applications being heard by the Planning Control Committee must be manageable. With this in mind, officers propose that the Planning Control Committee cannot be asked to consider called-in applications unless there is a relevant material planning consideration for this. It is proposed that consideration of whether or not the reason stated by the Member (as required by the Planning Code of Good Practice, para 11a) is supported by the Head of Planning and Building Control's opinion on whether the stated reason is a material planning consideration and a decision by the Chairman and Vice-Chairman of the Planning Control Committee as to whether this application should be called-in. This proposed amendment is set out at Appendix 1, section 4.

4.3.1 In addition, it is proposed that planning applications made by members of staff, should only require decision by Members if they are employed by the Planning and Building Control Service or are at Chief Officer level. The probity of this proposal depends on the member of staff being unknown to the decision making officer. This amendment is set out at Appendix 1, section 4.

4.3.2 With the development of a Planning Control Committee, Members who are not sitting on this committee will be able to exercise their advocacy role. In the majority of cases the ward member(s) will be the one(s) wishing to make representations, but there may be applications of town-wide or district wide significance which non-ward members may wish to speak on. A proposed procedure for Members' advocacy is attached at Appendix 2.

4.4 **Licensing and Appeals Committee**

4.4.1 With the establishment of a central planning committee there is need to consider the ability of the Licensing and Appeals Committee to consider applications which Members are minded to approve as an exception to the Council's policy. This provision builds in the potential for delay in determining such applications and increases the potential bureaucracy of the decision making process. In the move to minimise bureaucracy it would be consistent to remove this provision. Appendix 1, section 5 suggests appropriate deletions to put this into effect.

4.4.2 The Licensing and Appeals Committee is to be the Committee with responsibility for functions under the Gambling Act 2005 and the Terms of Reference need to be amended to include this. These are set out in Appendix 1, section 5.

4.5 **Stevenage, North Herts & East Herts Joint CCTV Committee**

4.5.1 The terms of reference of the Stevenage, North Herts and East Herts Joint CCTV Committee, established in 2006 under Cabinet's powers to establish joint arrangements with other authorities, are set out at Appendix 1, section 6.

4.6 **Model Code of Conduct**

4.6.1 The Government has published a new Model Code of Conduct, which came into force on 3 May 2007. The provisions of this Code are to be adopted within 6 months of its coming into force and all its provisions are mandatory for this council. The new Model Code is set out at in Appendix 3.

- 4.6.2 Whilst the structure of the Code remains unchanged, there are significant changes within the new Code.

The General Principles, issued by the Nolan Committee on Standards in Public Life and set out in the Relevant Authorities (General Principles) Order 2001, are to be referred to by Councillors in applying the Code though they have not been incorporated into it. These provisions are selflessness, integrity, objectivity, accountability, openness, honesty and leadership. Whilst these do not create statutory obligations on Members, they establish the standards Members should abide by. Inclusion of them as a preamble to the Code would assist Members with reference to them.

Official Conduct

- 4.6.3 Official conduct is defined as being when a Member is conducting the business of the authority, or acting, or claiming or giving the impression of acting, as a representative of the authority.

The Code will only apply to official conduct, not private information, except in relation to new rules prohibiting intimidation of a complainant, witness or person involved in the administration of an investigation into a breach of the Code of Conduct, and the existing ones of bringing the authority into disrepute and of improperly securing an advantage or disadvantage. In these new cases the only private conduct covered is that which constitutes a criminal offence, for which there has been a conviction.

General Obligations

- 4.6.4 There is a new provision specifically prohibiting bullying of any person. No definition of bullying is contained within the Code, but the Standards Board for England will be providing guidance on this.
- 4.6.5 The provision to promote equality is replaced by the wider requirement not to do anything which would cause the authority to breach the equalities enactments. These include the Sex Discrimination Act 1975, Race Relations Act 1976 as well as regulations such as the Employment Equality(Sexual Orientation) Regulations 2003. In the consultation phase, the proposal was that this was only prohibited where serious prejudice was caused to the authority. On behalf of the Standards Committee, representations were made that this was always serious, hence should be necessary.
- 4.6.6 The rules prohibiting the disclosure of confidential information have been amended to permit a defence of disclosure where this is reasonable and in the public interest, if the disclosure was made "in good faith" and in accordance with the reasonable requirements of the authority.
- 4.6.7 Newly incorporated into the Code is a requirement for Members to have regard to the Local Authority Code of Publicity, made under the Local Government Act 1986. As Members will know these provisions are of particular importance in the run up to the elections, when the "purdah" period exists.
- 4.6.8 The duty on Members to report allegations of breach of the Code to the Standards Board has been removed. In its place is a provision prohibiting the intimidation or attempted intimidation of complainants, witnesses or people involved in the administration of investigations. Attempting to intimidate any of these people is also prohibited.

4.6.9 Using your position to improperly secure an advantage has been extended to cover attempts to do so.

4.7 **Rules on Interest**

4.7.1 The definition of personal interests now includes membership of general control or management of organisations to which you are appointed by the authority, which exercises public functions, is directed to charitable purposes or whose principal purpose is to influence public opinion or policy. Also included are your employment, contracts held and interests in land. Newly incorporated as personal interests are items received as gifts and hospitality, though these only need to be declared if they were received less than 3 years previously.

4.7.2 The test for a personal interest has changed from being where the matter under consideration affected the wellbeing or financial position of the Member or their relatives or friends. This is now where a decision affects the Member, a member of their family or any person with whom they have a close personal association. No definition of this is included.

4.7.3 Also changed is the element of the test where the personal interest arose only if the Member was affected to a greater extent than other Council taxpayers etc. in the area. Now it is only a personal interest if it would affect the Member to a greater extent than the majority of Council taxpayers etc. in the Member's Ward. This means that even if the impact of the proposal would be substantial if at least half of the local residents are affected equally, there would be no personal interest.

4.7.4 Declarations of personal interests and their nature must now be given at the start of an item, not at the beginning of the agenda.

4.7.5 Where the personal interest is one of a "public service interest" ie. it relates to a body to which the Member has been appointed to by the Authority, or the body exercises public functions, there is no requirement to declare this, unless the Member wishes to address the meeting on that item.

4.7.6 The Standards Board have formalised some practicalities regarding the information contained in the Register of Members' Interests. Firstly, that declarations of personal interests only arise where the Member knew, or ought to have known, of the existence of that interest. Secondly, where the information is likely to put the Member or their family at serious risk or intimidation, this need not be contained in the register (but the nature and reason must be notified to the Monitoring Officer), and only the fact that an interest exists, and not the nature of it.

4.7.7 The general test for prejudicial interests remains unchanged. However, the new code substantially limits this where the wellbeing of the Member or body is affected. This is no longer a prejudicial interest. It will be a prejudicial interest if the financial position is affected or where the decision is an approval, consent, licence or permission regarding that Member or body. In practice, this primarily will relate to planning and grant award matters.

4.7.8 The Code excludes setting the Council Tax or precept, awarding ceremonial honours and granting allowance payments or indemnities from being prejudicial interests.

- 4.7.9 Rules relating to prejudicial interests and membership of overview and scrutiny committees are clarified, so there is no prejudicial interest unless a Member was present when the decision made by the executive or a joint committee was made.
- 4.7.10 The requirement to withdraw from a meeting when you have a prejudicial interest remains, but with a significant exception. Now the Member can be treated similarly to a member of the public, in being able to make representations. There can still be no involvement in discussion or decision-making, but if the public are allowed to address the committee, so may the Member. This includes being able to answer questions if the public can. However, the Member must then leave the meeting for the remainder of that item.
- 4.7.11 The categories of interest required to be included within the register have been amended slightly and an amended form will need to be implemented. However, the Government did not provide transitional provisions, hence the need for all Members to re-register their interests.

5. LEGAL IMPLICATIONS

The Local Government Act 1972 requires the Council to have a written constitution.

6. FINANCIAL AND RISK IMPLICATIONS

- 6.1 There are no financial implications arising from the recommendations in the report. Any additional costs that may arise during their application will be met from existing budgets.

7. HUMAN RESOURCE AND EQUALITY IMPLICATIONS

- 7.1 There are no apparent human resources implications arising from the report.

8. RECOMMENDATIONS

- 8.1 That the following amendments to the Council's Constitution be agreed, and that a revised Constitution be adopted, with effect from 17 May 2007:

- (i) Revisions to Part 3 of the Constitution, as set out at Appendix 1 to the report;
- (ii) A Procedure for the involvement of non-Planning Members at Planning Control Committee meetings, as set out at Appendix 2 to the report;
- (iii) A new Code of Conduct for Councillors, as set out at Appendix 3 to the report.

- 8.2 That the Nolan Principles be incorporated as a preamble to the new Code of Conduct.

- 8.3 That any consequential changes to other parts of the Constitution arising from the proposed amendments detailed in the Appendices to the report be made by the Monitoring Officer.

9. REASONS FOR RECOMMENDATIONS

- 9.1 To ensure the Council's Constitution is up-to-date.

10. ALTERNATIVE OPTIONS CONSIDERED

10.1 Not applicable.

11. APPENDICES

11.1 Appendix 1 – Table of suggested amendments to the Constitution.

11.2 Appendix 2 – Proposed procedure for involvement of non-planning Members at Planning Control Committee meetings

11.3 Appendix 3 – New Code of Conduct for Members.

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TABLE OF AMENDMENTS – APPENDIX 1

REFERENCE IN CONSTITUTION

CURRENT

PROPOSED

1. PART 3 Responsibility for Functions																										
Council – Page 30	There will be at least 7 timetabled meetings	There will be 6 regular meetings per year																								
Cabinet - Page 33	The Cabinet will meet monthly	There will be 6 regular meetings per year																								
PARC – Page 34	There will be 10 timetabled meetings	There will be 6 regular meetings per year																								
Scrutiny – Page 34	There will be 10 timetabled meetings	There will be 6 regular meetings per year																								
Area Committees – Page 36	The Area Committees will meet 9 times per year	There will be 6 regular meetings of each Area Committee per year																								
2. PART 3 Terms of Reference																										
The Council – Page 29	1. (b) The Plans and Strategies which comprise the Housing Investment Programme	Replace “Housing Investment Programme” with “Housing Strategy”. Add (l) Licensing Policy (m) Enforcement Policy (n) Gambling Policy																								
Cabinet - Page 32	2. (c) Housing Policy, including the Housing Investment Programme.	Delete “including the Housing Investment Programme”.																								
Area Committees – Page 34	<table border="0"> <thead> <tr> <th>Area Committee</th> <th>Membership</th> </tr> </thead> <tbody> <tr> <td>Baldock and District</td> <td>6</td> </tr> <tr> <td>Letchworth</td> <td>14</td> </tr> <tr> <td>Hitchin</td> <td>13</td> </tr> <tr> <td>Royston and District</td> <td>7</td> </tr> <tr> <td>Southern Rural</td> <td>9</td> </tr> </tbody> </table>	Area Committee	Membership	Baldock and District	6	Letchworth	14	Hitchin	13	Royston and District	7	Southern Rural	9	<table border="0"> <thead> <tr> <th>Area Committee</th> <th>Membership</th> </tr> </thead> <tbody> <tr> <td>Baldock and District</td> <td>6</td> </tr> <tr> <td>Letchworth</td> <td>13</td> </tr> <tr> <td>Hitchin</td> <td>13</td> </tr> <tr> <td>Royston and District</td> <td>7</td> </tr> <tr> <td>Southern Rural</td> <td>10</td> </tr> </tbody> </table>	Area Committee	Membership	Baldock and District	6	Letchworth	13	Hitchin	13	Royston and District	7	Southern Rural	10
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Royston and District	7																									
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Area Committees – Page 35	1. Except in cases delegated to the Strategic Director of Financial and Regulatory Services (unless the Strategic Director of Financial and Regulatory	Remove text																								

TABLE OF AMENDMENTS – APPENDIX 1

REFERENCE IN CONSTITUTION

CURRENT

PROPOSED

	<p>Services exercises his/her discretion to refer to the Area Committee a matter delegated to him/her, or that the application is “called in” by a Member of the appropriate Committee in the wider public interest), the determination of all planning applications under the Town and Country Planning acts and related legislation including those for:</p> <ul style="list-style-type: none"> a) Hazardous substances consent; b) Listed building consent; c) Conservation area consent; d) Consent relating to trees protected by a Tree Preservation Order; e) Approval of reserved matters. <p>Save that an Area Committee shall not resolve to grant permission, consent or approval for any proposal which is contrary to the provisions of the Development Plan or other adopted policy of the Council and is the subject of a recommendation from the Head of Planning and Building Control that permission be refused, but shall refer the application for determination to the Licensing and Appeals Committee.</p> <p>NB: Where an Area Committee is minded to refuse permission, contrary to the recommendation of the Head of Planning and Building Control, they should consider the implications of their actions concerning the possibility of an appeal to the Planning Inspectorate. Where a decision of the Committee is appealed, officers will keep the Committee informed of the progress on the matter.</p> <p>2. An Area Committee may make recommendations to the Licensing and Appeals Committee in relation to the determination of applications for planning</p>	
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TABLE OF AMENDMENTS – APPENDIX 1

REFERENCE IN CONSTITUTION	CURRENT	PROPOSED
	<p>permission by the Council and for those seeking deemed planning permission under the Town and Country Planning (General) Regulations 1992.</p> <p>3. Except in cases delegated to the Head of Planning and Building Control, the exercise of all other functions of the Council as Local Planning Authority, including:</p> <p>a) Enforcement Action; b) Certification of appropriate alternative development; c) The determination of proposals for carrying out of development by the Council.</p>	
Protocols		
b)	In the case of applications made under the planning and related legislation, the applicant, applicant’s agent or other person(s) supporting the application, and objectors may have the right to address an Area Committee where that application is before the Committee for consideration, in accordance with the procedure set out in Part 4 of this Constitution.	Delete
c)	The right to speak does not include planning applications where there is a right to address the committee as ordinary members of the public.	Delete
d)	Parish Councillors may speak on planning applications, but only in their capacity as ordinary members of the public.	Delete
3. Planning Control Committee		
		1. Except in cases delegated to the Strategic Director of Financial and Regulatory Services (unless the Strategic Director of Financial and Regulatory Services exercises his/her discretion

TABLE OF AMENDMENTS – APPENDIX 1

REFERENCE IN CONSTITUTION	CURRENT	PROPOSED
		<p>to refer to the Planning Control Committee a matter delegated to him/her, or that the application is “called in” by a Member of the Council (contrary view and in the wider public interest – Para. 5.41 (9)(b), Scheme of Delegation to Officers), the determination of all planning applications under the Town and Country Planning Acts and related legislation including those for:</p> <ul style="list-style-type: none"> a) Hazardous substances consent; b) Listed building consent; c) Conservation area consent; d) Consent relating to trees protected by a Tree Preservation Order; e) Approval of reserved matters. <p>NB: Where the Planning Control Committee is minded to refuse permission contrary to the recommendation of the Head of Planning and Building Control, they should consider the implications of their actions concerning the possibility of an appeal to the Planning Inspectorate. Where a decision of the Committee is appealed, officers will keep the Committee informed of the progress on the matter.</p> <p>2. Except in cases delegated to the Head of Planning and Building Control, the</p> <ul style="list-style-type: none"> a) Certification of appropriate alternative development; b) The determination of proposals for carrying out of development by the Council.

TABLE OF AMENDMENTS – APPENDIX 1

REFERENCE IN CONSTITUTION	CURRENT	PROPOSED
<p>Membership, Quorum and meetings</p>		<p>The Planning Control Committee will consist of 15 Members. The Committee shall be politically balanced. The quorum for meetings of the Committee shall be four. In the event of a tie, the Chairman will have a casting vote.</p> <p>There will be twelve timetabled meetings of the Committee per annum.</p>
<p>Protocols</p>		
<p>a)</p>		<p>The applicant, applicant's agent or other person(s) supporting the application, and objectors may have the right to address the Planning Control Committee where that application is before the Committee for consideration, in accordance with the procedure set out in Part 4 of this Constitution.</p>
<p>b)</p>		<p>County Councillors and Parish Councillors may speak on planning applications, but only in their capacity as ordinary members of the public.</p>
<p>c)</p>		<p>Ward Members have the right to address the Committee on developments within their ward. Where a development affects the wider area, non-ward members may also wish to speak. This will be in accordance with a procedure set out in Part 4 of this Constitution.</p>
<p>4. Scheme of delegation to officers – Page 47</p>	<p>a) a written opinion has been submitted by a statutory consultee, a Town Council, a parish Council or a Parish Meeting, which is contrary to the Strategic Director of Financial and Regulatory Services' view as to whether to approve or refuse a specific application and which is a valid material planning consideration in the opinion of the Head of Planning and Building Control;</p>	

TABLE OF AMENDMENTS – APPENDIX 1

REFERENCE IN CONSTITUTION	CURRENT	PROPOSED
	<p>b) any Member:</p> <p>i) considers that a contrary view to that of the Strategic Director of Financial and Regulatory Services may be reached on whether a specific application should be permitted or refused; or</p> <p>ii) considers that the application should be determined by the Planning Control Committee in the wider public interest,</p> <p>then in either case, the Member shall, within three weeks of the application appearing on the weekly list of applications received, request in writing, together with reasons, that the application be referred to the Planning Control Committee for determination;</p> <p>d) the application is made by an elected Member of the Council or any employee of the Council.</p>	<p>After any member insert “states a material planning consideration on which he” before i).</p> <p>After or “an employee” insert “of the Planning and Building Control Service of the Council, or a Chief Officer”.</p>
		<p>Insert - Materiality will be considered by the Head of Planning and Building Control and agreed by the Chairman and Vice-Chairman of the Planning Control Committee, if the application is to be referred for determination.</p>
<p>5. Licensing and Appeal Committee - Page 37</p>	<p>When the Licensing and Appeals Committee is dealing with (i) confirmation or otherwise of Tree Preservation Orders to which objections have been lodged or (ii) planning applications where a recommendation for approval is made as an exception to the Council’s policy,</p>	<p>Delete “or (ii) planning applications where a recommendation for approval is made as an exception to the council’s policy”.</p>

TABLE OF AMENDMENTS – APPENDIX 1

REFERENCE IN CONSTITUTION	CURRENT	PROPOSED
	the Committee shall comprise all Members less any who are also Members of the Area Committee in which the tree in question is located or which is making the referral to the Committee. The quorum shall be 4 Members.	
	This body deals with all licensing functions granted to the Council under the Licensing Act 2003 and with regulatory matters by way of referral or appeal against certain decisions whether made by Members, or officers acting in accordance with delegation arrangements.	<p>Insert “& Gambling Act 2005” after Licensing Act 2003, throughout.</p> <p>Delete text “and with regulatory matters” to end. Insert “and with Tree Preservation Orders to which objections have been received; and the development of policy relating to licensing”.</p>
Terms of reference	<ol style="list-style-type: none"> 1. The determination of planning applications which an Area Committee is required to refer to the Licensing and Appeals Committee for determination. 3. To hear and determine all appeals against any decisions of the Head of Housing and Environmental Health acting under his delegated powers with regard to hackney carriages and private hire licensing. 7. To adopt and review the Council’s Licensing Policy and Enforcement Policy. 	<p>Delete</p> <p>Delete</p> <p>To develop and comment on and review the Council’s Licensing and Enforcement Policy.</p>
Terms of reference		<p>Gambling Act 2005</p> <p>By resolution</p> <ol style="list-style-type: none"> 1. Where a relevant representation (which has not been determined as frivolous and/or vexatious) has been received from one or more authorised persons, interested parties or responsible authorities as defined by the Gambling Act 2005 and has not been withdrawn, to hear and

TABLE OF AMENDMENTS – APPENDIX 1

REFERENCE IN CONSTITUTION	CURRENT	PROPOSED
		<p>determine an:</p> <ul style="list-style-type: none"> a) Application for a premises licence b) Application to vary a premises licence c) Application for a provisional statement d) Application for Club gaming/Club machine permits <ol style="list-style-type: none"> 2. Where representations have been received from the Gambling Commission with regard to an application for transfer of a licence. 3. Applications to review a premises licence in accordance with the Gambling Act 2005. 4. The cancellation of Club gaming/Club machine permits. 5. The cancellation of licensed premises gaming machines permits. 6. Decisions to give counter notices to temporary use notices. 7. Applications for new licensed premises gaming machine permits for 3 or more machines.
<p>6. Stevenage, North Herts & East Herts Joint CCTV Committee</p>		
<p>Quorum and Membership</p>		<p>The Membership shall be comprise three Cabinet members from each of the three Authorities. Meetings shall be held at least once per annum or when there is sufficient business. Meetings shall be held alternately at the offices of each partner authority. The Chairman shall be a member of the Authority hosting the meeting. The quorum shall be three Members, with at least one from each of the partner authorities.</p>

TABLE OF AMENDMENTS – APPENDIX 1

REFERENCE IN CONSTITUTION	CURRENT	PROPOSED
<p>Terms of Reference</p>		<p>The meetings shall follow the normal Standing Orders of the hosting authority.</p> <ol style="list-style-type: none"> 1. To discuss and agree the strategic and policy issues relating to the jointly owned and operated CCTV Control and Monitoring service. 2. To deal with all matters defined under the CCTV 'Code of Practice' as the responsibility of the CCTV Executive Board. 3. To consider and approve expansion or contraction proposals for the CCTV Control Room, Network, and monitoring service. 4. To consider and agree changes to the CCTV 'Code of Practice'. 5. To ensure the Independent inspection regime is set up and maintained. 6. To receive and approve the Independent Inspectors' annual report. 7. To consider complaints regarding any breaches of the CCTV 'Code of Practice' and recommendations for preventing breaches. To recommend disciplinary action where appropriate. 8. To make recommendations on any of the above to the Officer Management Board.
<p>7. Scheme of Delegation to Officers - Page 41</p>		
	<p>3. Delegation of Authority to the Chief Executive</p>	<p>Add 1.20 Closure powers under the Anti-Social Behaviour Act 2003.</p>
	<p>4. Delegation of Authority to the Strategic Director of Customer Services</p> <p>4.8 All functions of the Council in relation to:</p>	

TABLE OF AMENDMENTS – APPENDIX 1

REFERENCE IN CONSTITUTION	CURRENT	PROPOSED
	<p>Leisure</p> <p>Community Development</p> <p>The provision and management of:</p> <ul style="list-style-type: none"> a) Community Development (Area Champions and Community Strategy) b) Youth Development c) Early Years and Children's Development d) Over 50s Development e) Sports Development f) Arts Development g) Health Development h) Leisure Direct i) Financial assistance and grant aid to external organisations, excluding economic development funds j) Voluntary Sector Development k) National Lottery matters l) Cultural and social regeneration matters 	<p>Delete</p> <ul style="list-style-type: none"> e) Museums, art galleries and loan service j) Public halls <p>Add “and Cultural Services”</p> <p>Replace with:</p> <ul style="list-style-type: none"> a) Community Development (Area Champions and Area Visioning) b) Community Engagement c) Youth Development d) Children's Development e) 50 plus Development f) Sports Development g) Arts Development h) Health Development i) Leisure Direct j) Financial assistance and grant aid to external organisations, excluding economic development funds l) Voluntary Sector Development (Compact) m) National Lottery matters n) Cultural, community and social regeneration matters o) Museums, art galleries and loan service p) Public halls, community centres and rural village halls q) Community events

TABLE OF AMENDMENTS – APPENDIX 1

REFERENCE IN CONSTITUTION

CURRENT

PROPOSED

REFERENCE IN CONSTITUTION	CURRENT	PROPOSED
	<p>5. Delegation of Authority to the Strategic Director of Financial & Regulatory Services</p> <p>5.29 All the functions of the Council in relation to the homeless, subject to appeals from persons/applicants on the Housing Register being referred to the Licensing and Appeals Committee for determination.</p> <p>5.33 To carry out the Proper Officer functions under the National Assistance Act 1948</p> <p>5.35 To initiate, in consultation with the Head of Legal and Democratic Services, proceedings to secure Anti-Social Behaviour Orders.</p> <p>5.36 Building Control (a) to (h)</p> <p>5.37 Environmental Health Services (a) to (y) and 5.38, 5.39 and 5.40</p>	<p>5.29 All the functions of the Council relating to housing and homelessness, including the consideration and determination of reviews of officer decisions relating to homelessness and the Housing Register.</p> <p>5.33 To carry out the following Proper Officer functions:</p> <ul style="list-style-type: none"> a) Public Health Act 1936 b) National Assistance Act 1948 (as amended) c) The Milk and Dairies (General) Regulations 1959 d) Public Health Act 1961 e) Public Health (Control of Disease) Act 1984 f) Public Health (Infectious Diseases) Regulations 1988 <p>Delete.</p> <p>Move to become new 5.38</p> <p>Delete and replace with:</p> <p>5.36 Housing, Environmental Health and Licensing Services</p> <ul style="list-style-type: none"> (a) Homelessness (a) Housing allocations and the Housing Register (a) Housing advice

TABLE OF AMENDMENTS – APPENDIX 1

REFERENCE IN CONSTITUTION	CURRENT	PROPOSED
		<ul style="list-style-type: none"> (a) Housing strategy (a) Gypsies and Travellers (a) Private sewers, drainage and drains (a) Housing grants and loans (a) Caravan sites (a) Housing safety and the fitness of premises (a) Housing energy conservation (a) Health and safety at work (a) Food safety and hygiene (a) Communicable diseases (a) Public Health Act funerals (a) Pests (a) Control of pollution / environmental protection (including noise) (a) Contaminated land (a) Local air quality (a) Permitting of processes (a) Statutory nuisances (a) Miscellaneous public health duties (such as the Health Act 2006) (a) Miscellaneous public health functions (including the prohibition of smoking in public places) (a) Licensing (excluding those specified in the Licensing Act 2003 and Gambling Act 2005) (a) Local licensing (including, but not limited to, hackney carriage drivers and vehicles, private hire vehicles, drivers and operators, permits for small lotteries and street collections and house to house collection licences, gambling, small lotteries, sex shops, pet shops and dangerous

TABLE OF AMENDMENTS – APPENDIX 1

REFERENCE IN CONSTITUTION	CURRENT	PROPOSED
		<p>wild animals)</p> <ul style="list-style-type: none"> (a) Dealers of scrap metal (a) Street trading consents and licences (a) Sunday trading (a) Animals (welfare, associated licensing and enforcement) (a) Abandoned vehicles (a) Fly tipping and illegal waste disposal (a) Enforcement of byelaws (NHDC and HCC) (a) Enforcement matters delegated by the Highways Partnership (a) Miscellaneous street scene enforcement functions (including fly posting and litter) and fixed penalty notices (a) Liquor and entertainment licensing (Licensing Act 2003) <p>The functions of the Council in relation to:</p> <ul style="list-style-type: none"> a) Licensable activities as defined by the Licensing Act 2003: <ul style="list-style-type: none"> - Sale by retail of alcohol - Supply of alcohol by a club - Provision of late night refreshment. b) Determination of a: <ul style="list-style-type: none"> - Decision on whether a representation made by an interested party (who is not also a responsible authority) is frivolous or vexatious - Request to be removed as designated premises supervisor - Decision to make representations when the Council is a consultee

TABLE OF AMENDMENTS – APPENDIX 1

REFERENCE IN CONSTITUTION	CURRENT	PROPOSED
		<p>and not the lead authority.</p> <p>c) Determination of an:</p> <ul style="list-style-type: none"> - Application for a personal licence when the applicant has no unspent convictions - Application for a premises licence - Application for a club premises certificate - Application for a provisional statement - Application to vary: <ul style="list-style-type: none"> (i) a premises licence (ii) a club premises licence (iii) the designated premises supervisor - Application for transfer of a premises licence - Application for interim authority <p>Save and except where relevant representations (which have not been determined as frivolous and vexatious) have been made to the Council by one or more authorised persons, interested parties or responsible as defined by the Licensing Act 2003 and have not been withdrawn.</p> <p>d) Determine in accordance with Section 107 of the Licensing Act 2003 (counter notice where permitted limits on temporary events notices in any one year are exceeded) whether or not to issue a counter notice on receipt of a temporary event notice save and except where a Police objection has been</p>

TABLE OF AMENDMENTS – APPENDIX 1

REFERENCE IN CONSTITUTION	CURRENT	PROPOSED
	<p>5.41 Planning Services</p> <p>5.42 Anti-Social Behaviour Act 2003 Power to close noisy licensed premises.</p> <p>5.43 Licensing Act 2003</p> <p>5.44 Clean Neighbourhoods and Environment Act 2005</p> <ul style="list-style-type: none"> a) Illegal waste disposal. b) Insects on trade premises and light pollution. c) Fly posting removal. d) Fly tipping. e) Litter clearing notices. 	<p>received.</p> <p>(ii) Gambling licensing (Gambling Act 2005) – gambling matters not delegated to the Licensing and Appeals Committee.</p> <p>Re-numbered to 5.37.</p> <p>Delete.</p> <p>Delete (now encompassed in 5.36 above).</p> <p>Delete.</p>
<p>8. Delegation Arrangements to Cabinet Portfolios – Page 51</p>		
	<p>9.4 Planning and Transport</p>	<p>Add (xix) Hackney carriage and private hire vehicles – setting of charges, fees, etc.</p>
	<p>9.6 Housing and Environmental Health</p> <p>The scope of this Portfolio is concerned with the Council's:-</p> <ul style="list-style-type: none"> (i) management of social housing demand, 	<p>Replace with:</p> <p>The scope of this Portfolio is concerned with the Council's:-</p> <ul style="list-style-type: none"> a Supporting People services, community

TABLE OF AMENDMENTS – APPENDIX 1

REFERENCE IN CONSTITUTION

CURRENT

PROPOSED

	<p>including the Allocations Policy and homelessness;</p> <p>(ii) housing strategy and partnership with social housing providers;</p> <p>(iii) Supporting People services, community alarms, Careline and Meals on Wheels;</p> <p>(iv) the Housing Strategy;</p> <p>(v) private sector housing, including Houses in Multiple Occupation and the protection of private tenants;</p> <p>(vi) the regulation of street trading;</p> <p>(vii) role as a contributor to improved public health, including the 'public health' elements of environmental health such as environmental protection, air quality, food safety and health and safety at home and work;</p> <p>(viii) regulation and monitoring of environmental protection, including fly tipping, and abandoned vehicles;</p> <p>(ix) animal wardens;</p> <p>(x) energy conservation;</p> <p>(xi) unauthorised encampments;</p> <p>(xii) licensing and regulation including taxi licenses and licensing policy under licensing legislation (apart from any restrictions specified in the Licensing Act 2003 or any related regulations which reserves any determination, publication or review of licensing policy or such other or related matters to the Licensing and Appeals Committee or full Council).</p>	<p>b alarms, Careline and Meals on Wheels Homelessness</p> <p>c Housing allocations and the Housing Register</p> <p>d Housing advice</p> <p>e Housing strategy</p> <p>f Gypsies and Travellers</p> <p>g Private sewers, drainage and drains</p> <p>h Housing grants and loans</p> <p>i Caravan sites</p> <p>j Housing safety and the fitness of premises</p> <p>k Housing energy conservation</p> <p>l Health and safety at work</p> <p>m Food safety and hygiene</p> <p>n Communicable diseases</p> <p>o Public Health Act funerals</p> <p>p Pests</p> <p>q Control of pollution / environmental protection (including noise)</p> <p>r Contaminated land</p> <p>s Local air quality</p> <p>t Permitting of processes</p> <p>u Statutory nuisances</p> <p>v Miscellaneous public health duties (such as the Health Act 2006)</p> <p>w Miscellaneous public health functions (including the prohibition of smoking in public places)</p> <p>x Licensing (excluding those specified in the Licensing Act 2003 and Gambling Act 2005)</p> <p>y Local licensing (including, but not limited to, hackney carriage drivers and vehicles, private hire vehicles,</p>
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TABLE OF AMENDMENTS – APPENDIX 1

REFERENCE IN CONSTITUTION	CURRENT	PROPOSED
		<p>drivers and operators, permits for small lotteries and street collections and house to house collection licences, gambling, small lotteries, sex shops, pet shops and dangerous wild animals)</p> <p>z Dealers of scrap metal</p> <p>aa Street trading consents and licences</p> <p>bb Sunday trading</p> <p>cc Animals (welfare, associated licensing and enforcement)</p> <p>dd Abandoned vehicles</p> <p>ee Fly tipping and illegal waste disposal</p> <p>ff Enforcement of byelaws (NHDC and HCC)</p> <p>gg Enforcement matters delegated by the Highways Partnership</p> <p>hh Miscellaneous street scene enforcement functions (including fly posting and litter) and fixed penalty notices</p> <p>ii Liquor and entertainment licensing (Licensing Act 2003)</p>
	<p>9.10 Matters of General Delegation</p> <p>(xix) approving waivers of Contract Standing Orders above the limits delegated to officers.</p> <p>(xxvi) setting new external charges and revising current ones.</p>	<p>Delete.</p> <p>Add at the start “responding to officer recommendations on...”</p>

APPENDIX 2

PROCEDURE FOR PARTICIPATION OF NON-PLANNING CONTROL COMMITTEE MEMBERS IN THE CONSIDERATION BY THE PLANNING CONTROL COMMITTEE OF APPLICATIONS MADE UNDER THE TOWN AND COUNTRY PLANNING AND RELATED LEGISLATION

1. Scope of Scheme

- 1.1 The scheme should apply solely to applications, made under the Town and Country Planning, Listed Building and Conservation Area Acts and related legislation, which are the subject of a written report to the Planning Control Committee and not to those applications which fall to be determined under officer delegation.
- 1.2 The right of Non-Planning Control Committee Members to address the Committee should be in the following circumstances:
 - (a) in multi-Member Wards, the Ward Member(s) in whose ward the application site is located;
 - (b) on applications which are considered to be of significance within the wider area, and with the agreement of the Chairman of the Committee, other Members may address the Committee in addition to the relevant Ward Members;
 - (c) on applications in Wards where all Ward Members serve on the Planning Control Committee (including single Member Wards), such Members may nominate another Member to address the Committee in the role of advocate either for or against the application.
- 1.3 There will be a maximum of two “groups” of speakers (ie. those supporting and those objecting) for each application. The time slot allocated to each “group” of speakers should not exceed 3 minutes. If more than one Member registers their wish to speak either for or against the application, they should be advised by the Democratic Services Manager to contact the first Member who has registered in an endeavour to agree how to make best use of their 3 minutes. This time limit should be strictly adhered to in order to ensure that the business of the Committee can be transacted as expeditiously as is reasonably possible. It is suggested that the Committee & Member Services Officer has the responsibility for time-keeping rather than the Chairman.
- 1.4 The Chairman of the Committee should have the right to stop persons from speaking at any time if he/she considers the matters being presented to be defamatory, improper or outside the scope of the responsibilities of the Committee. This would be additional to the Chairman exercising discretion as to whether a meeting should be suspended for the purpose of maintaining order.
- 1.5 Members should only be allowed to address the Planning Control Committee if they have previously registered with the Council's Democratic Services Manager by 12 noon on the day of the meeting, but not before the agenda of the meeting has been made public (normally five working days prior to the meeting). They may speak at subsequent meetings, in the case of a decision being deferred, unless they have spoken at the first meeting.
- 1.6 Members addressing a Committee should not be permitted to put questions to the Chairman, Committee Members or officers. Likewise, that Member should not, normally, be questioned as this could give the opportunity for extending their presentation which would be unfair on the other parties.
- 1.7 Members should not require an application to be referred to the Planning Control Committee for decision solely to enable a person to speak.

2. Procedure at Meetings

- 2.1 Those Members who have registered to speak should arrive at least 10 minutes before the meeting in order to make contact with the Committee & Member Services Officer.
- 2.2 At the appropriate point in the meeting, the Chairman announces the item and invites the planning officer to speak.
- 2.3 The planning officer introduces the proposal, drawing attention to significant issues and up-dating, if necessary, the written agenda report.
- 2.4 The representative(s) of those members of the public objecting to the application is/are invited to address the Committee for up to 3 minutes in total. Any Non-Planning Control Committee Members objecting to the application is/are then invited to address the Committee for up to 3 minutes in total.
- 2.5 The applicant, applicant's agent or the representative of those persons supporting the application is/are invited to address the Committee for up to 3 minutes in total. Any Non-Planning Control Committee Members supporting the application is/are then invited to address the Committee for up to 3 minutes in total.
- 2.6 The Chairman will invite the planning officer to comment on any of the issues raised.
- 2.7 The Committee will debate the proposal and then make its decision.

CODE OF CONDUCT FOR COUNCILLORS (AND VOTING CO-OPTees)

Part 1

General Provisions

Introduction and interpretation

- 1.1 This code applies to **you** as a member of an authority.
- 1.2 You should read this code together with the general principles prescribed by the Secretary of State.
- 1.3 It is your responsibility to comply with the provisions of this Code.
- 1.4 In this Code –
 - “meeting” means any meeting of –
 - (a) the authority
 - (b) the executive of the authority;
 - (c) any of the authority’s or its executive’s committees, sub committees joint committees, joint sub-committees, or area committees;
 - “member” includes a co-opted member and an appointed member.

Scope

- 2.1 Subject to sub-paragraphs (2) to (5) you must comply with this Code whenever you –
 - (a) conduct the business of your authority (which, in this Code, includes the business of the office to which you are elected or appointed); or
 - (b) act, claim to act or give the impression you are acting as a representative of your authority,and references to your official capacity are construed accordingly.
- 2.2 Subject to sub-paragraphs 2.3 and 2.4, this Code does not have effect in relation to your conduct other than where it is in your official capacity.
- 2.3 In addition to having effect in relation to conduct in your official capacity, paragraphs 3.2(c) , 5 and 6(a) also have effect, at any other time, where that conduct constitutes a criminal offence for which you have been convicted.
- 2.4 Conduct to which this Code applies (whether that is conduct in you official capacity or conduct mentioned in sub-paragraph (3)) includes a criminal offence for which you are convicted (including an offence you committed before the date you took office, but for which you are convicted after that date).
- 2.5 Where you act as a representative of your authority –
 - (a) on another relevant authority, you must, when acting for that other authority, comply with that other authority’s code of conduct; or
 - (b) on any other body, you must, when acting for that other body, comply with your authority’s code of conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

General obligations

- 3.1 You must treat others with respect.
- 3.2 You must not –
 - (a) do anything which may cause your authority to breach any of the equality enactments (as defined in section 33 of the Equality Act 2006
 - (b) bully any person

- (c) intimidate or attempt to intimidate any person who is or is likely to be
 - (i) a complainant
 - (ii) a witness, or
 - (iii) involved in the administration of any investigation or proceedings, in relation to an allegation that a member (including yourself) has failed to comply with his or her authority's code of conduct; or
 - (d) do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, your authority.
4. You must not –
- (a) disclose information given to you in confidence by anyone or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where –
 - (i) you have the consent of a person authorised to give it;
 - (ii) you are required by law to do so;
 - (iii) the disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person; or
 - (iii) the disclosure is –
 - (aa) reasonable and in the public interest; and
 - (bb) made in good faith and in compliance with the reasonable requirements of the authority; or
 - (b) prevent another person from gaining access to information to which that person is entitled by law.
5. You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute.
6. You –
- (a) must not use or attempt to use your position as a member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage; and
 - (b) must, when using or authorising the use by others of the resources of your authority –
 - (i) act in accordance with your authority's reasonable requirements;
 - (ii) ensure that such resources are not used improperly for political purposes (including party political purposes); and
 - (c) must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986(a)
- 7.1 When reaching decisions on any matter you must have regard to any relevant advice provided to you by –
- (a) your authority's Chief Finance Officer; or
 - (b) your authority's Monitoring Officer,
- Where that officer is acting pursuant to his or her statutory duties.
- 7.2 You must give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by your authority.

Part 2

Interests

Personal interests

- 8.1 You have a personal interest in any business of your authority where either –
- (a) it relates to or is likely to affect –
 - (i) any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority;
 - (ii) any body –
 - (aa) exercising functions of a public nature
 - (bb) directed to charitable purposes; or
 - (cc) one of whose principle purposes includes the influence of public opinion or policy (including any political party or trade union),of which you are a member or in a position of general control or management;
 - (iii) any employment or business carried on by you;
 - (iv) any person or body who employs or has appointed you;
 - (v) any person or body, other than a relevant authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties.
 - (vi) any person or body who has a place of business or land in your authority's area and in whom you have a beneficial interest in a class of securities of that person or body that exceeds nominal value of £25,000 or one hundredth of the total issued share capital (whichever is the lower);
 - (vii) any contract for goods, services or works made between your authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi);;
 - (viii) the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £25;
 - (ix) any land in your authority's area in which you have a beneficial interest;
 - (x) any land where the landlord is your authority and you are, or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi) is, the tenant;
 - (xi) any land in the authority's area for which you have a licence (alone or jointly with others) to occupy for 28 days or longer;
 - or
 - (b) a decision in relation to that business might reasonably be regarded as affecting your well-being or financial position of a relevant person to a greater extent than the majority of –
 - (i) (in the case of authorities with electoral divisions or wards) other council tax payers, ratepayers or inhabitants of the electoral division or ward, as the case may be, affected by the decision;
 - (ii) (in all other cases) other council tax payers, ratepayers or inhabitants of your authority's area.

8.2 In sub-paragraph (1)(b), a relevant person is –

- (a) a member of your family or any person with whom you have a close

- association; or
- (b) any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company in which they are directors;
- (c) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
- (d) any body of a type described in sub-paragraph (1)(a)(i)

Disclosure of personal interests

9.1 Subject to sub-paragraphs (2) to (7), where you have a personal interest in any business of your authority and you attend a meeting of your authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

9.2 Where you have a personal interest in any business of your authority which relates to or is likely to affect a person described in paragraph 8(1)(a)(ii)(aa), you need only disclose to the meeting the existence and nature of that interest when you address the meeting on that business.

9.3 Where you have a personal interest in any business of the authority of the type mentioned in paragraph 8(1)(a)(viii), you need not disclose the nature or existence of that interest to the meeting if the interest was registered more than three years before the date of the meeting.

9.4 Sub-paragraph (1) only applies where you are aware or ought reasonably to be aware of the existence of the personal interest.

9.5 Where you have a personal interest but, by virtue of paragraph 14, sensitive information relating to it is not registered in your authority's register of members' interests, you must indicate to the meeting that you have a personal interest, but need not disclose the sensitive information to the meeting.

9.6 Subject to paragraph 12.1(b), where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must ensure that any written statement of that decision records the existence and nature of that interest.

In this paragraph "executive decision" is to be construed in accordance with any regulations made by the Secretary of State under section 22 of the Local Government Act 2000

Prejudicial interest generally

10.1 Subject to sub-paragraph 0.2, where you have a personal interest in any business of your authority you also have a prejudicial interest in that business where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.

10.2 You do not have a prejudicial interest in any business of the authority where that business –

- (a) does not affect your financial position or the financial position of a person or body described in paragraph 8;
- (b) does not relate to the determining of any approval, consent, licence, permission or registration in relation to you or any person or body described in paragraph 8; or
- (c) relates to the functions of your authority in respect of –

- (i) An allowance, payment or indemnity given to members;
- (ii) Any ceremonial honour given to members; and
- (iii) Setting council tax or a precept under the Local Government Finance Act 1992

Prejudicial interests arising in relation to overview and scrutiny committees

11. You also have a prejudicial interest in any business before an overview and scrutiny committee of your authority (or of a sub-committee of such a committee) where –
- (a) that business relates to a decision made (whether implemented or not) or action taken by your authority's executive or another of your authority's committees, sub committees, joint committees or joint sub-committees and
 - (b) at the time the decision was made or action was taken, you were a member of the executive, committee, sub-committee, joint committee or joint sub-committee mentioned in paragraph (a) and you were present when that decision was made or action was taken.

Effect of prejudicial interests of participation

- 12.1 Subject to sub-paragraph 12.2, where you have a prejudicial interest in any business of your authority –
- (a) you must withdraw from the room or chamber where a meeting considering the business is being held –
 - (i) in a case where sub-paragraph (2) applies, immediately after making representations, answering questions or giving evidence;
 - (ii) in any other case, whenever it becomes apparent that the business is being considered at that meeting;
unless you have obtained a dispensation from you authority's standards committee;
 - (b) you must not exercise executive functions in relation to that business; and
 - (c) you must not seek improperly to influence a decision about that business.
- (2) Where you have a prejudicial interest in any business of your authority, you may attend a meeting (including a meeting of the overview and scrutiny committee of your authority or of a sub-committee) but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

Part 3 Registration of Members' Interests

Registration of member's interests

- 13.1 Subject to paragraph 14, you must, within 28 days of –
- (a) this Code being adopted by or applied to your authority; or
 - (b) your election or appointment to office (where that is later),
- register in your authority's register of members' interests (maintained under section 81 (1) of the Local Government Act 2000) details of your personal interests where they fall within a category mentioned in paragraph 8(1)(a), by providing written notification to your authority's Monitoring Officer.

Sensitive information

- 14.1 Where you consider that the information relating to any of your personal interests is sensitive information and your authority's Monitoring Officer agrees, you need not include that information when registering that interest or, as the case may be, a change to that interest under paragraph 13.
- 14.2 You must, within 28 days of becoming aware of any change of circumstances which means that information excluded under paragraph (1) is no longer sensitive information, notify your authority's Monitoring Officer asking that the information be included in your authority's register of members' interests.
- 14.3 In this Code, "sensitive information" means information whose availability for inspection by the public creates, or is likely to create, a serious risk that you or a person who lives with you may be subjected to violence or intimidation.

AGENDA ITEM 12

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

	Conservative	%	Labour	%	Lib Dem	%	Constitution
Total Seats	30	61.22%	10	20.41%	9	18.37%	49
Performance & Review	8	57.14%	3	21.43%	3	21.43%	14
Scrutiny	8	57.14%	3	21.43%	3	21.43%	14
Planning Control	10	66.67%	3	20.00%	2	13.33%	15
Licensing & Appeals Committee	8	57.14%	3	21.43%	3	21.43%	10 to 15
Standards	1	33.33%	1	33.33%	1	33.33%	3
Appointment Board	3	60.00%	1	20.00%	1	20.00%	5
Joint Staff Consultative Committee (JSCC)	3	60.00%	1	20.00%	1	20.00%	5
Totals	41	58.57%	15	21.43%	14	20.00%	66 to 71
Variation		-2.65%		+1.02%		+1.63%	

AREA COMMITTEE	Conservative	Labour	Lib Dem	Total
Baldock & District	4	-	2	6
Hitchin Committee	5	5	3	13
Letchworth Committee	8	5	-	13
Royston & District Committee	5	-	2	7
Southern Rural	8	-	2	10
Total	33	10	9	49

APPOINTMENT OF BODIES NOT INCLUDED IN THE POLITICAL BALANCE CALCULATIONS

Name of Body	Conservative	Labour	Lib Dem	Total
North Hertfordshire Highways Partnership Joint Member Panel (*subject to agreement of HCC)	4	2	2	8
West of A1(M) Joint Local Authorities Group	4	2	1	7
Hitchin Town Centre Working Party	4	2	1	7
Parish Challenge	4	2	1	7
Joint Member Panel of NHDC and Letchworth Garden City Heritage Foundation (All Members of the Letchworth Committee)	8	5	-	13
CCTV Joint Cttee (three cabinet members)	3	-	-	3
Railway Joint Members Panel	2	1	-	3
Total	29	14	5	48

AGENDA ITEM 12

APPOINTMENT OF MEMBERS OF COMMITTEES FOR 2007/2008

NORTH HERTFORDSHIRE DISTRICT COUNCIL

CONSTITUTION OF COMMITTEES, AND WORKING GROUPS 2007/2008

Set out below are the proposed Members of the Committees, Boards and Working Groups for the Civic Year **2007/2008**:

SCRUTINY COMMITTEE

(14 Members)

Councillors:

David Billing
John Bishop
S Bloxham
P.C.W. Burt
Paul Clark
Melissa Davey
Sal Jarvis
S.K. Jarvis
David Kearns
H.M. Marshall
Alan Millard
M.R.M. Muir
R.L. Shakespeare-Smith
Martin Stears

(Substitutes: Councillors John Booth, Allison Dear, R.E. Inwood and Lorna Kercher)

PERFORMANCE, AUDIT AND REVIEW COMMITTEE

(14 Members)

Councillors:

Mrs A.G. Ashley
Clare Body
John Booth
Tom Brindley
J.M. Cunningham
Allison Dear
Arthur Jarman
Marilyn Kirkland
David Levett
Ian Mantle
D. Miller
Lawrence Oliver
Deepak Sangha
M.E.Weeks

(Substitutes: Councillors John Bishop, Gary Grindal, R.E. Inwood and Alan Millard)

STANDARDS COMMITTEE

(7 Members - consisting of Independent Chairman and Vice-Chairman, 2 Parish Council Members and 3 District Councillors)

Chairman – Mr Nicolas Moss
Vice-Chairman – Mr Peter Chapman

Councillors:

M.R.M. Muir
David Kearns
Lawrence Oliver

Parish Council Representatives:
Mr M. Goddard
Mr R. Wornham

BALDOCK & DISTRICT COMMITTEE

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

(6 Members)

Councillors:

Steve Jarvis
Marilyn Kirkland
I.J. Knighton
M.R.M. Muir
M.E. Weeks
A.D. Young

APPOINTMENTS BOARD

(5 Members)

Chairman, appointed for each meeting.

Councillors:

T.W. Hone
S.K. Jarvis
F.J. Smith
A.D. Young

(Labour vacancy to be filled as and when required)

HITCHIN COMMITTEE

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

(13 Members)

Councillors:

A.G. Ashley
David Billing
Judi Billing
Clare Body
Paul Clark
Joan Kirby
Bernard Lovewell
Alan Millard
Lawrence Oliver
R.L. Shakespeare-Smith
Martin Stears
Deepak Sangha
R.A.C. Thake

**ROYSTON & DISTRICT
COMMITTEE**

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

(7 Members)

Councillors:

Liz Beardwell
P.C.W. Burt
Mrs F.R. Hill
A.F. Hunter
Robert Inwood
H.M. Marshall
F.J. Smith

SOUTHERN RURAL COMMITTEE

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

(10 Members)

Councillors:

A. Bardett
D.J. Barnard
J. Bishop
Tom Brindley
Lee Downie
Tricia Gibbs
J. Gray
Sal Jarvis
D. Miller
Mrs C.P.A. Strong

LETCHWORTH COMMITTEE

(Letchworth Only) (13 Members)

Councillors:

John Booth
S. Bloxham
J.M. Cunningham
Melissa Davey
Allison Dear
Gary Grindal
T.W. Hone
Arthur Jarman
David Kearns
Lorna Kercher
David Levett
Ian Mantle
Mrs L.A. Needham

**LICENSING & APPEALS
COMMITTEE**

(Pool consisting of 10 to 15 Members)

Councillors:

P.C.W. Burt
A. Bardett
D. Barnard
S. Bloxham
Tom Brindley
Paul Clark
J.M. Cunningham
Melissa Davey
Lee Downie
Gary Grindal
Lorna Kercher
Joan Kirby
Marilyn Kirkland
M.E. Weeks

PLANNING CONTROL COMMITTEE

(15 Members)

Councillors:

Mrs A.G. Ashley
D.J. Barnard
Liz Beardwell
David Billing
Paul Clark
Julian Cunningham
Melissa Davey
Allison Dear
Jane Gray
Mrs F.R. Hill
A.F. Hunter
Arthur Jarman
Ian Mantle
M.R.M. Muir
R.L. Shakespeare-Smith

(Substitutes: Councillors Clare Body,
Tom Brindley, Lee Downie, David
Levett and Martin Stears)

**HIGHWAYS PARTNERSHIP JOINT
MEMBER PANEL**

(8 NHDC Members)

Councillors:

John Booth
Tom Brindley
Mrs F.R.Hill
Lorna Kercher
Marilyn Kirkland
D. Miller
1 Labour Vacancy
1 Liberal Democrat Vacancy

(Substitutes: Councillor P.C.W. Burt)

**JOINT STAFF CONSULTATIVE
COMMITTEE**

(5 Members)

Councillors:

Judi Billing
Tricia Gibbs
T.W. Hone
Lawrence Oliver
F.J. Smith

(Substitutes: Councillor Martin
Stears)

**HITCHIN TOWN CENTRE
WORKING PARTY**

(7 Members)

Councillors:

Mrs A.G. Ashley
F.J. Smith (Chairman)
Bernard Lovewell
Lawrence Oliver
R.A.C. Thake (Vice-Chairman)
2 Labour Vacancies

(Substitutes:)

PARISH CHALLENGE PANEL

(7 Members)

Councillors:

Mrs A.G. Ashley
Paul Clark
Mrs F.R. Hill
Ian Knighton
Mrs L.A. Needham
2 Labour Vacancies

**RAILWAY JOINT MEMBERS
PANEL**

(3 Members)

Councillors:

Tricia Gibbs
F.J. Smith
1 Labour Vacancy

WEST OF THE A1(M) COMMITTEE

(12 Members)

Councillors:

A Bardett
Tom Brindley
Mrs T. Gibbs
D. Miller
Mrs C.P.A. Strong
R.A.C. Thake
3 Labour Vacancies
3 Liberal Democrat Vacancies

**WA1(M) JOINT LOCAL
AUTHORITY GROUP**

(7 Members)

Councillors:

John Bishop
Tricia Gibbs
Sal Jarvis
Mrs C.P.A. Strong
R.A.C. Thake
2 Labour Vacancies

**CCTV PARTNERSHIP JOINT
COMMITTEE**

(3 Members)

Councillors:

Mrs T. Gibbs
T.W. Hone
F.J. Smith

**JOINT MEMBER PANEL -
LETCWORTH GARDEN CITY
HERITAGE FOUNDATION**

All Members of the Letchworth
Committee.

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AGENDA ITEM 13

APPOINTMENT OF CHAIRMEN AND VICE-CHAIRMEN OF COMMITTEES 2007/08

COMMITTEE	PROPOSED CHAIRMAN	PROPOSED VICE-CHAIRMAN
Licensing & Appeals Committee	Councillor P.C.W. Burt	N/A
Performance and Review Committee	Councillor J.M. Cunningham	Councillor D. Miller
Scrutiny Committee	Councillor Martin Stears	Councillor R.L. Shakespeare-Smith
Planning Control Committee	Councillor Jane Gray	Councillor Mrs F.R. Hill
Highways Partnership Joint Member Panel	NHDC Councillor (To be appointed at the first Panel meeting)	HCC Councillor (To be appointed at the first Panel meeting)
Joint Staff Consultative Committee	Councillor Tricia Gibbs	To be advised.

***PART 1 – PUBLIC DOCUMENT**

AGENDA ITEM No.

15

TITLE OF REPORT: SCRUTINY COMMITTEE ANNUAL REPORT 2006/07

REPORT OF THE CHAIRMAN OF THE SCRUTINY COMMITTEE

The report is attached.



NORTH HERTFORDSHIRE DISTRICT COUNCIL

SCRUTINY COMMITTEE

ANNUAL REPORT

2006 - 2007

Report of the
Chairman and Members of the Scrutiny Committee

April 2007

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1. Introduction



The Scrutiny Committee is in its fifth year and has continued to play a vital role in the decision-making process. Our work has made an impact in shaping policy through an effective scrutiny work programme, conducting in-depth reviews, challenging decisions by questioning and making recommendations prior to decisions by Cabinet i.e. being a 'critical friend'.

We have been able to raise the profile of Scrutiny by securing an article in the Council's magazine, 'Outlook' and the staff magazine, 'NHDC News'. We also have a dedicated page on the Council's website. The webpage aims to keep members of the public informed of the work that Scrutiny is undertaking and updates readers about forthcoming meetings.

We recognised a need for a procedure for reviewing recommendations made to Cabinet to ensure that there was a clear communication process between Cabinet and Scrutiny. We wanted to acknowledge and record responses from Cabinet at our meetings. Therefore we produced a protocol, which was approved by the Leader and the Deputy Leader of the Council. This protocol sets out reasonable timescales for Cabinet to respond to recommendations made by the Scrutiny Committee, the Finance Sub Group and the Task & Finish groups. We have begun to see this in practice and has been working well. A copy of this protocol can be found in Appendix 1.

Two very productive reviews have been completed this year; *Affordable Housing and Partnership working with Parishes and Town Councils*. In addition, we have received responses from the relevant Portfolio Holders on the three reviews that were completed in 2005/06. These were; *Engaging Children and Young People, Usage and Promotion of Markets and Residential Parking*. These responses can be found in Appendix 2.

Our involvement with external witnesses has grown. A representative from Three Valleys Water addressed the Committee, following concerns from local residents about the increasing demands for water in North Hertfordshire. In addition, the Partnership working with Parishes and Town Councils Task and Finish group co-opted 5 parish and town council representatives on the group. The Affordable Housing Task and Finish group also conducted interviews with external witnesses and carried out a site visit as part of their review.

24 items on our work programme have been taken from the Council's Forward Plan. This has resulted in the revision of a number of reports to Cabinet following intervention by Scrutiny.

As in previous years, the support from Cabinet and each Portfolio Holder has allowed us to deliver our work programme effectively.

I would like to thank the Members of the Scrutiny Committee who have worked hard to contribute to a very successful year. I would also like to thank the Vice Chair, Cllr Michael Paterson who has worked well with me for another year.

Councillor Martin Stears
Chairman, Scrutiny Committee

2. Membership

- ◆ Cllr Martin Stears (Chair)
- ◆ Cllr Michael Paterson (Vice Chair)
- ◆ Cllr David Billing
- ◆ Cllr John Bishop
- ◆ Cllr Simon Bloxham
- ◆ Cllr Peter Burt
- ◆ Cllr Paul Clark
- ◆ Cllr Melissa Davey
- ◆ Cllr Jane Gray
- ◆ Cllr David Kearns
- ◆ Cllr Howard Marshall
- ◆ Cllr Michael Muir
- ◆ Cllr Elliot Needham
- ◆ Cllr Raymond Shakespeare-Smith
- ◆ Cllr Sal Jarvis (sub)
- ◆ Cllr Lorna Kercher (sub)

3. Task and Finish Groups

3.1 Review of Affordable Housing in North Hertfordshire

Members: Cllrs David Billing (Chair), Lorna Kercher, Michael Muir, Lawrence Oliver, Michael Paterson, Elliot Needham and Raymond Shakespeare-Smith.

This group started its work in June 2006 and finished in February 2007. They reviewed the need for social and affordable housing, and balanced this against the Council's ability to meet the increasing demand. A variety of exercises to gather evidence was used throughout this review and the final report was presented to Cabinet on 27th March 2007.

The recommendations within the report have been referred to the Cabinet Portfolio Holders for Housing & Environmental Health and Planning & Transport, in conjunction with the Heads of Housing & Environmental Health and Planning & Building Control, for further consideration of the implications of the recommendations. Once this process is complete, a feedback report will be submitted to a future meeting of the Cabinet and Scrutiny.

3.2 Review of Partnership Working with Parishes and Town Councils

Members: Cllrs Steve Jarvis (Chair), David Kearns, John Bishop, Howard Marshall, Alan Bardett, Tom Brindley, Cllr Colin Thurstance (Ickleford Parish Council), Cllr Philip Crowe (Chairman of Ickleford Parish Council), Cllr Anthony Titmarsh (Vice Chairman of Knebworth Parish Council), Richard Bowran (Town Clerk for Letchworth Garden City Council), Carina Helmn (County Officer for HAPTC & Clerk for Kimpton Parish Council) and Wendy Kitchener (Clerk for Hinxworth Parish Council).

This group started its work in October 2006 and finished in February 2007. They reviewed the current communication and partnership work between North Hertfordshire District Council, Parishes and Town Councils. A significant amount of consultation exercises were carried out throughout this review, which enabled the group to identify ways to improve our current working methods that presented challenges. The final report will be presented to Cabinet on 26th June 2007.

3.3 Finance Scrutiny Sub Group

Members: Cllrs Lorna Kercher (Chair), Steve Jarvis, David Kearns, Michael Paterson, Bernard Lovewell, Michael Muir and Allison Ashley.

The ongoing Finance Scrutiny Sub Group have continued to scrutinise quarterly outturns and the annual draft budget. They have also widened their scope this year and scrutinised the *Planning Delivery report*, the *Letchworth Leisure Management Contract*, the *Cost of Consultants*. They also received a presentation from the Finance Portfolio Holder.

As a result of the new protocol the Finance Sub Group have referred their recommendations to Cabinet through the Scrutiny Committee.

4. Portfolio Holders

All Portfolio Holders have accepted their invitations to attend a Committee meeting to present areas of their work, highlight their achievements and challenges, and discuss how they feel the Scrutiny Committee could help them to develop policy. Members have valued their contribution once again this year.

5. Scrutiny Recommendations

The Scrutiny Committee have made 49 recommendations to Cabinet, all of which have been considered, accepted or noted. A full list of the recommendations are found in Appendix 3.

The Finance Sub Group have made 13 recommendations to Cabinet. All of which have been considered or noted by Cabinet. A full list of these recommendations with Cabinet's response, can be found in Appendix 4.

6. Questions

12 questions have been asked by members during the year. A full list of questions can be found in Appendix 5.

7. Effective Planning

Committee members have continued to meet prior to each Committee meeting. Discussing key areas of reports on an agenda before meetings has given members the opportunity to co-ordinate any questions they wish to ask officers.

In addition, the Chair, Vice Chair and the Lib Dem representative have continued to hold pre-agenda and officer briefing meetings.

8. The Year Ahead

The recent changes in democracy will see an increase in decisions that are delegated to Portfolio Holders. This will necessitate some consideration in the way Scrutiny deals with Pre and Post Decision Call In.

The Scrutiny Committee hope to continue their good communication methods with the Performance and Review Committee to ensure their roles and activities are complimentary.

The Scrutiny work programme for 2007/08 was discussed during the Overview and Scrutiny workshop on 26th March 2007. Members agreed that the following topics should be considered:

- Town Centre Manager Partnerships
- Social Inclusion
- Local Economic Development (rural/general employment, relationships, housing)
- Voluntary Sector Partnerships
- Energy Efficiency - impacts of the Nottingham Declaration
- Area level scrutiny (based on input from Community Development Officers / Area Committees)
- Youth facilities in villages
- District Children & Young People's Plan

Where relevant, a number of these topics plus any additional ones could be undertaken jointly with other districts.

Overall, Members agreed that the focus for 2007/08 should be on more external scrutiny.

9. Health Scrutiny

The structure of Health Scrutiny within the County has changed. There are now 5 voting and 5 non-voting places for District Councils on the Health Scrutiny Committee at Hertfordshire County Council. NHDC's representative is Cllr David Miller, who has been paired with Cllr Sutton from Dacorum Borough Council.

Appendix 1.

North Hertfordshire District Council

Protocol for Cabinet responses to Recommendations made by the Scrutiny Committee

1. Introduction

This protocol has been developed to ensure that the Scrutiny work programme runs smoothly and has a means of completion within the Municipal Year.

The current protocol (as set in the Constitution) is; “the Scrutiny Committee will make recommendations to the Cabinet and/or appropriate Committee and/or Council arising from the outcome of the Scrutiny process”.

However, the scrutiny process does not end there. To determine whether or not a review has added any value to the Council’s Corporate Priorities, Scrutiny need to know what will happen, or has happened to those recommendations.

Additionally the council will need to be able to produce evidence to our inspectors on the performance of Scrutiny.

2. Recommendations of the Scrutiny Committee

Cabinet shall consider the recommendation(s) and their response shall be recorded so that this can be reported to the Scrutiny Committee at their next scheduled meeting.

3. Recommendations of the Scrutiny Committee on behalf of a Task and Finish Group

Cabinet/the Portfolio Holder shall consider the recommendations and report their action plan/response to the Scrutiny Committee within six months.

4. Recommendations of the Scrutiny Committee on behalf of the on-going Finance Scrutiny Sub Group

Cabinet shall consider the recommendation(s) and their response to Scrutiny shall be recorded so that this can be reported to the Scrutiny Committee at their next scheduled meeting.

TASK & FINISH GROUP RECOMMENDATIONS REFERRED TO PORTFOLIO HOLDERS 2006 - 2007

TASK & FINISH GROUP	DATE OF CABINET	RECOMMENDATIONS	CABINET DECISION
<p>Residential Parking – 2005/06</p>	<p>06.06.06</p>	<ul style="list-style-type: none"> ▪ Introduce a policy that gives set criteria determining whether or not a CPZ investigation needs to be undertaken. For example; a petition of 20 signatures submitted to the local area committee. This will enhance the awareness of ward members and allow them to give precise information to their constituents. ▪ Introduce a policy that explains what the Council will do if there is a very low take up of parking permits in a particular area. For example; withdrawing a parking scheme. This should be brought to the local area committee and reviewed annually as a rolling programme. ▪ Ensure that there is clarity on written public documents and on the website that explains the difference between a parking permit and a CPZ. In addition, when carrying out consultations with residents, include an option for residents to choose between a parking permit or a CPZ, so that Officers are clear what residents want prior to carrying out a full investigation. ▪ Introduce an annual review system that assesses whether or not a new CPZ has been effective and that identifies any problems that may have arisen since the implementation. This could be in the form of a satisfaction survey. ▪ In consultation with the Chief Engineer, introduce some initiatives for alternative parking options that gives flexibility for using road space availability. 	<ul style="list-style-type: none"> ▪ That the following recommendations of the Residential Parking Task & Finish Group be referred to the Planning & Transport Portfolio Holder for consideration, and that the recommendations be investigated and the outcome reported to a future meeting of the Cabinet. ▪ The Head of Planning & Building Control presented a report to the Committee which was scheduled for consideration by Cabinet at its meeting to be held on 27 March 2007. The report sought Cabinet's agreement on a strategic approach to parking in the District. ▪ Details of Scrutiny's recommendations and Cabinet's response can be found on page 18 of Appendix 3.

		<ul style="list-style-type: none">▪ Issue permits at set times of the year only. This will maximise the productivity of Officers and will enable a more co-ordinated process.▪ Local Area Committees should have a more active role in overseeing and reviewing investigations, changes and implementations of CPZs in their area.	
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TASK & FINISH GROUP	DATE SUBMITTED TO CABINET	RECOMMENDATIONS	PORTFOLIO HOLDER'S RESPONSE SUBMITTED TO SCRUTINY ON 11.12.06
Usage & Promotion of Markets	27.06.06	<ul style="list-style-type: none"> ▪ Senior Officers in partnership with the Hitchin Town Centre Manager, consider the viability of running a Sunday Market in Hitchin. ▪ Include some regular specialist markets in Hitchin. ▪ Remove some empty stalls to allow more space to have additional mobile stalls and trading vehicles at Hitchin. ▪ Give new traders in Royston the opportunity to rent a stall, if they need one. ▪ Abolish the requirement for a month in advance system of collecting rent, and introduce an option to pay daily, by using a modern portable device to enable traders to pay by credit card if they prefer to do so. ▪ Consult with traders about replacing the current holiday allowance system with an alternative system. ▪ The group would like to see greater control of the spreading policy given to the Markets Manager, so that judgement can be given to traders based on changes in turnout on particular days. ▪ The Markets Manager to introduce and advertise a promotional scheme to traders for Tuesday rent in Hitchin and Wednesday rent in Royston. ▪ Senior Officers to look at reviewing annual licenses for the shuttered units at Hitchin market and to report to the Hitchin Area Committee with their proposal. 	<p>The Project Manager (Leisure Services) presented a report of the Head of Leisure & Environmental Services to the Committee which provided them with an update of the progress made against the Action Plan produced following the review of the usage and promotion of Markets in North Hertfordshire. The Markets Manager highlighted some of the key achievements under the Plan, and the positive outcomes from the actions taken.</p> <p>The Project Manager (Leisure Services) informed the Committee that one of the key issues for the team at present was the 6-month trial for reduced rents at Hitchin Market. This trial, which started in August 2006, has increased the number of stalls being used at Hitchin Market – from 86 to 120 stalls on Tuesday and from 120 stalls to 156 stalls on Saturdays – but that this increase was not as great as expected, resulting in a shortfall of income from rents of approximately £37k. A report was therefore being presented to Cabinet at its meeting on 19 December 2006 to determine the next step, which outlined the following three options:</p> <ul style="list-style-type: none"> ▪ To terminate the trial as of 23 January 2007 and return rents to their original levels for 2006/2006; ▪ To continue with the reduced rents until new management arrangements for the Markets were agreed – approximately July 2007 – at a cost of approximately £30,000 ▪ To continue with the reduced rents for a further 12 months at a cost of approximately £60,000. <p>The Committee expressed their support for the work that the Markets Manager and his team were undertaking to address those issues raised in the Action Plan.</p> <p>RESOLVED: That the report of the Head of Leisure & Environmental Services, including the Action Plan for North Hertfordshire Markets be noted;</p>

		<ul style="list-style-type: none"> ▪ A Member of the Hitchin Area Committee to attend and support the quarterly meetings of Hitchin Market Association. ▪ Once a full risk assessment has been undertaken, the Council to consider opening Biggin Lane car park for shoppers on Tuesdays and Fridays in Hitchin. ▪ Officers to ensure that they develop and maintain a close working relationship with the new company that now manages Baldock market. ▪ Due to the lack of advertising in the local press in Royston, the Markets Manager to ensure that adverts are placed in Royston local papers and other local publications. ▪ The Markets Manager to ensure that the installation of bollards and electric points at Royston market are carried out. ▪ If a Royston Market Traders Association is set up, consideration be given to involve, officers, the portfolio holder and a Member of the Royston Area Committee in a market group akin to that established in Hitchin. ▪ The Markets Manager to ensure that vans are not parked on the Royston market site, unless they are trading vans. ▪ Through the working group suggested in 8.15, traders to be encouraged to finish trading at the same time, to avoid only a few stalls being left trading in the afternoons. ▪ A District wide publicity campaign to promote all of NHDC markets once the new initiatives are in place. 	<p>That the progress made against the Action Plan by the Markets Team be endorsed.</p> <p>That the encouragement of traders to utilise the Markets in North Hertfordshire through measures such as the reduced rents trial be maintained.</p> <p><i>REASON FOR DECISION:</i> To apprise the Committee of the current progress against the Action Plan for North Hertfordshire Markets and ensure the continued vitality of the Markets.</p>
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SCRUTINY RECOMMENDATIONS REFERRED TO CABINET
2006 - 2007

REPORT/POLICY DECISION	DATE OF CABINET	SCRUTINY RECOMMENDATION	CABINET DECISION
North Hertfordshire District Council's Public Conveniences	06.06.06	<ul style="list-style-type: none"> ▪ That the report on North Hertfordshire District Council's Public Conveniences be deferred, and that consultation take place with the Area Committees prior to the Cabinet making a decision on this matter. 	<ul style="list-style-type: none"> ▪ Cabinet considered the report of the Head of Leisure & Environmental Services in respect of three capital and revenue options (options 1, 2 and 3, as detailed in the report) for improvements to the Council's Public Conveniences, together with a referral from the Scrutiny Committee meeting held on 23 May 2006 regarding the matter. ▪ That the comments of the Scrutiny Committee be noted.
Officer Delegated Decisions – Call-in and General Principles	27.06.06	<ul style="list-style-type: none"> ▪ That the concern of the Committee that decisions with profound effects on areas of the District are made without consultation with the Chairman of the relevant Area Committee, and that procedures be put in place to ensure that such decisions are the subject of appropriate Member involvement/consultation in future. 	<ul style="list-style-type: none"> ▪ That the concern of the Scrutiny Committee that decisions with profound effects on areas of the District are made without consultation with the Chairman of the relevant Area Committee be noted and that procedures be put in place to ensure that such decisions are the subject of appropriate Member involvement/consultation in future.
Procurement options for the future of NHDC'S Markets	25.07.06	<ul style="list-style-type: none"> ▪ That the outsourcing of the markets function be for a period of five (instead of three) years, with the option of a further two (instead of one) years. ▪ That the Hitchin and Royston & District Area Committees be kept informed of progress throughout the outsourcing process. ▪ That consideration be given to an option of the Council continuing to manage the markets, but with assistance from outside parties/organisations. 	<ul style="list-style-type: none"> ▪ That the development of a specification and timetable for the outsourcing of the markets functions for a period of three to five years be agreed, subject to a further report to Cabinet. ▪ That Area committees are kept informed of progress. ▪ That the outsourcing of the whole of the market function for Royston and Hitchin be agreed, subject to consultation with the Portfolio Holder for Leisure and E-Government.

Socially Responsible Drinking	12.09.06	<ul style="list-style-type: none"> ▪ That Cabinet and the Local Strategic Partnership be requested to investigate more innovative measures for the promotion of socially responsible drinking in the District. 	<p>A short debate took place, which included the following:</p> <ul style="list-style-type: none"> ▪ That the results of the introduction of an Alcohol Free Zone in Royston would be reviewed to decide if this should be considered for other towns in the district; ▪ That there was a Local Strategic Partnership Crime and Disorder initiative looking at aspects of drinking and would be interested in any suggestions Members may have; ▪ That there was productive work being carried out in Hitchin with Pub Watch and local landlords regarding, for example, drink spiking and drink related problems on Windmill Hill.
Adoption of Cross Boundary Choice Based Lettings Scheme	12.09.06	<p>That, when determining the recommendation to participate in the joint bid for delivering choice based lettings, the following key factors are considered:</p> <ul style="list-style-type: none"> ▪ The costs of the project against the benefits in terms of better service to tenants ▪ The need to ensure there were proper controls in place to protect the interests of local people when allocating housing ▪ The benefits of encouraging the involvement of the authorities of the District's immediate neighbours and the potential implications and benefits of cross-border movements ▪ The impact of void periods for RSLs and ways to minimise them. 	<ul style="list-style-type: none"> ▪ Cabinet resolved that the considerations be noted and taken into account as part of their overall discussion and final decision.
Update on the plans for the Community Meals Service Post-March 2007	17.10.06	<ul style="list-style-type: none"> ▪ That the recommendations as set out in the report of the Strategic Director of Customer Services be supported; ▪ That officers be requested to bring a further report back to Cabinet at a later date with regard to the future provision of lunch clubs in North Hertfordshire; ▪ That the importance of the provision of hot meals to service users in North Hertfordshire be strongly emphasised when negotiating the terms of partnership 	<ul style="list-style-type: none"> ▪ The Head of Strategy and Support Services stated that due regard would be given to the comments of the Scrutiny Committee in taking the matter forward. ▪ That the comments of the Scrutiny Committee be noted - to ensure continuity of an excellent service for users of the Community Meals Service following the reversion of responsibility for the service to Hertfordshire County Council from 1 April 2007.

		<p>and service delivery;</p> <ul style="list-style-type: none"> ▪ That the retention of the services of the committed Meals on Wheels volunteers and the skilled workforce to produce and deliver the meals to service users in North Hertfordshire be supported. 	
Draft Supplementary Planning Document: Planning Obligations and Associated Sustainability Appraisal and Strategic Environmental Assessment	17.10.06	<ul style="list-style-type: none"> ▪ That the amendments made to the Planning Obligations Supplementary Planning Document, as set out in Appendix 1 to the report of the Head of Planning & Building Control, be endorsed; ▪ That references to securing contributions towards the improvement and provision of public transportation be amended to have a more positive tone and demonstrate the commitment of the Council to these works; ▪ That the amended draft Supplementary Planning Document: Planning Obligations and associated Sustainability Appraisal and Strategic Environmental Assessment be recommended to Full Council for adoption; ▪ That the amended draft Supplementary Planning Document: Planning Obligations and associated Sustainability Appraisal and Strategic Environmental Assessment be used for Development Control Purposes from 17 October 2006; ▪ That the Chairman and Vice-Chairman of the Scrutiny Committee work in liaison with the Chairman and Vice-Chairman of the Performance, Audit & Review Committee (PARC) to ensure monitoring information relating to the number and nature of Section 106 Agreements throughout the District is made available to Members and appropriately relayed through public forums including Area Committees. 	<ul style="list-style-type: none"> ▪ <i>The Head of Planning and Building Control commented that the SPD document would be amended to incorporate the comments of the Scrutiny Committee, with regard to a more positive tone being used for securing contributions towards the improvement and provision of public transportation.</i> ▪ Cabinet resolved that the Planning Obligations Supplementary Planning Document become a material planning consideration for Development Control purposes, with effect from 17 October 2006.
Churchgate, Hitchin	17.10.06	<ul style="list-style-type: none"> ▪ The Scrutiny Committee was concerned that progress on the actioning of the Churchgate Development Brief had stalled, and requested that a meeting take place in an 	<ul style="list-style-type: none"> ▪ That urgent steps be taken to arrange a Member-level meeting with the developer of Churchgate, Hitchin, to address problems with the proposed development

		attempt to take this matter forward.	schemes. To allow the redevelopment of the Churchgate area to proceed with minimal delay.
Accommodation Strategy	17.10.06	<ul style="list-style-type: none"> ▪ That the preferred site option be identified as option 2B, the extension and refurbishment of the Grammar School site – subject to satisfactory site inspections; ▪ That officers be instructed to negotiate the acquisition of the Grammar School site at best consideration; ▪ That officers be instructed to engage specialist consultants to assist officers in the new office design and build and the relocation of services to the completed offices; ▪ That the Town Hall site be marketed for sale at the earliest opportunity and that the marketing of the Town Lodge site and associated property interests be marketed to coincide with the completion of the new office accommodation. ▪ That the Cabinet recommend to Council that a provision of £7.75 million be made in the capital programme to enable the necessary work for option 2B to commence to ensure delivery of the office accommodation project by 2010 at the latest; ▪ That the Cabinet recommend to Council that funding of £4.75 million be provided under the prudential borrowing rules to meet the shortfall after the application of capital receipts from the sale of the surplus office sites; 	<ul style="list-style-type: none"> ▪ That the preferred site option 2B, the extension and refurbishment of the Grammar School site, be approved; ▪ That officers be instructed to negotiate the acquisition of the Grammar School site at best consideration; ▪ That officers be instructed to engage specialist consultants to assist officers in the new office design and build and the relocation of services to the completed offices; ▪ That the Town Hall site be marketed for sale at the earliest opportunity, and that the marketing of the Town Lodge site and associated property interests be marketed to coincide with the completion of the new office accommodation. <p>RECOMMENDED TO COUNCIL:</p> <ul style="list-style-type: none"> ▪ That a provision of £7.75 million be made in the capital programme to enable the necessary work for option 2B to commence, in order to ensure delivery of the office accommodation project by 2010 at the latest; ▪ That funding of £4.75 million be provided under the prudential borrowing rules to meet the shortfall after the application of capital receipts from the sale of the surplus office sites.
Local Development Framework: Preferred Options Paper on Core Strategy and Development Control Options	19.12.06	<p>That Cabinet consider the following suggestions by the Committee for items that could be altered or inserted in the Preferred Options Paper on Core Strategy and Development Control Options:</p> <ul style="list-style-type: none"> ▪ Section E9 (pages 2.33-2.34) - The change of policy to ensure that, if a tree is removed as part of a new development, two new trees were planted to replace it. 	<p>The Head of Planning & Building Control commented that the issues raised in first two bullet points would be incorporated into the document. The matters raised in the third and fourth bullet points would require further work and analysis.</p> <p>Cabinet therefore resolved the following:</p> <ul style="list-style-type: none"> ▪ That the Core Strategy and Development Control

		<p>Should it not be possible for these new trees to be accommodated within the development, the developer should make a financial contribution to ensure they were planted elsewhere within the District.</p> <ul style="list-style-type: none"> ▪ Page 1.6, paragraph 1.12 – insert the word “vibrant” before “small and medium sized towns”, in order to more accurately reflect the nature of the towns in North Hertfordshire. ▪ Page 5.13 – whilst it is good to see that document specifically contains the requirement for 40% of proposed dwellings in qualifying developments to be affordable housing, perhaps consideration could be made to implementing a two-tier system for affordable housing requirement such as that in place in some areas of London, in order to maximise affordable housing provision in smaller developments. ▪ Section D16 (page 3.55) – the requirement for at least 10% of materials used to be rather recycled or re-used should be increased, as many developers will use those materials purely for creation of hardcore. 	<p>Policies Preferred Options Paper, attached as Appendix 1 to the report, be approved for public consultation, subject to an acceptable independent review of the soundness of the two Development Plan Documents at the Preferred Options stage.</p> <ul style="list-style-type: none"> ▪ That the Planning and Transport Portfolio Holder, together with the Head of Planning and Building Control, be authorised to agree any amendments and correct typographical errors that do not alter the overall policy guidance and intent of the document.
<p>North Hertfordshire District Council – employment Land Review 2006 and Landscape Sensitivity & Capacity Study</p>	<p>19.12.06</p>	<ul style="list-style-type: none"> ▪ That the need to ensure that the Landscape Sensitivity & Capacity Study was appropriately expressed to ensure that it was not inappropriately interpreted by the public as justification for development on unsuitable land be addressed. ▪ That, subject to the recommendation above, the recommendations as set out in the report of the Head of Planning & Building Control be supported. 	<p>The Head of Planning & Building Control commented, in relation to the first recommendation that the Study was purely an assessment of landscape sensitivity and capacity, and in no way earmarked the sites highlighted for inappropriate development.</p> <p>Cabinet therefore resolved the following:</p> <ul style="list-style-type: none"> ▪ That the Bone Wells Associates Employment Land Review, attached as Appendices A and B to the report, be agreed and endorsed as an input into policy development within the Local Development Framework. ▪ That the Landscape Sensitivity and Capacity Study, attached as Appendix C to the report, be agreed and endorsed as an input into policy development within the Local Development Framework.

			<ul style="list-style-type: none"> ▪ That the comments of the Scrutiny Committee be noted.
Waste Management Contact - Renegotiations & Policies	19.12.06	<ul style="list-style-type: none"> ▪ The Scrutiny Committee would be pleased to support Option 3, as recommended by the Portfolio Holder; (paragraph 7.5 of the report) as the preferred option for implementation in North Hertfordshire. ▪ That, should the proposal to collect plastics using Bring Banks be implemented, Cabinet ensure that the vessels to be used for storage of the plastics are of sufficient size to ensure that all materials are stored within the vessels and no overflow occurs. ▪ That, whichever option was pursued, the public to be notified sufficiently in advance of the proposed changes coming into operation and the need for a full education programme for residents in the District in order to ensure successful implementation and prevent project failure be supported. 	<ul style="list-style-type: none"> ▪ That Option 3, identified in paragraph 7.5 of the report be further developed, and Officers report back to the January 2007 Cabinet with quotations, in accordance with the Contract Change Notice process detailed in paragraph 8.5 of the report. ▪ That the recommendations of the Scrutiny Committee be accepted
Area Governance & Cost of Democracy	19.12.06	<p>The Vice-Chairman of the Scrutiny Committee presented the following referrals that were made by the Committee:</p> <ul style="list-style-type: none"> ▪ The report contained insufficient detail on the proposals for Members' roles on Area Committees. ▪ The Council's existing Area Committee system had been commended as good practice, and so it was difficult to see how it would improve by the Committees meeting less frequently. ▪ The BVPI for dealing with planning applications was currently being met, so the proposed Development Control Committee was seen as unnecessary. ▪ An all Member Workshop should be held to consider the proposals contained in the report, particular those relating to the Area Committees/Development Control Committee. 	<p>Cabinet agreed with the Scrutiny recommendation for an all Member Workshop and further resolutions made included the following:</p> <ul style="list-style-type: none"> ▪ That Options 1 and 2, with regard to the establishment of a central Development Control Committee and a reduction of Area Committees, be investigated further. ▪ That the Area Committees be consulted on the finer details of the report and its implications, and that an all Member Workshop be arranged in the New Year to allow Members to meet collectively to consider further the key proposals contained in the report. ▪ That a further report on the detailed proposals and timescales for implementation be submitted with recommendations to Cabinet on 27 February 2007 and Council on 1 March 2007.

North Hertfordshire Play Strategy	16.01.07	<ul style="list-style-type: none"> ▪ That Cabinet approve the recommendations contained within the report 	<ul style="list-style-type: none"> ▪ Cabinet recommended to Council: That the proposed North Hertfordshire Play Strategy 2007-2012 be adopted.
Town Centre Partnership Funding Proposals	16.01.07	<ul style="list-style-type: none"> ▪ That Cabinet do not approve the proposal to reduce funding until further investigations have been made and sources of alternative funding found and comments of Area Committees sought. ▪ That Cabinet approve the proposal to ensure greater parity in funding for Town Centre Partnerships commencing in April 2007. ▪ That Cabinet approve the proposal to provide additional budgetary resource in order to increase support to the Partnerships in the short term and note the reduction in growth bid RG9 of £2,085 in year one. 	<p>Cabinet was supportive of the Scrutiny Committee's request to inform the Area Committees of the long term proposals for the Town Centre Partnerships, but was not willing to defer a decision on the matter, as the Council would be reducing its funding to the Partnerships gradually over a six year period, thereby allowing them sufficient time to identify alternative sources of funding. Cabinet therefore resolved:</p> <ul style="list-style-type: none"> ▪ That the proposal to ensure greater parity in funding for Town Centre Partnerships, commencing in April 2007, be approved. ▪ That the proposals to provide additional budgetary resource in order to increase support to the Partnerships in the short term, be approved, and the reduction in Growth Bid of £2,085 in year one, be noted. ▪ That the proposal to reduce funding in the longer term, thereby encouraging other sources of funding to be sought, as outlined in 5.5 of the report, be approved. ▪ That the Area Committees be informed of the general situation in respect of the funding of the Town Centre Partnerships.
Markets – Policy for Future Management Arrangements	16.01.07	<ul style="list-style-type: none"> ▪ That Cabinet approve the recommendations contained within the report. 	<ul style="list-style-type: none"> ▪ That the Service Profile and the Policy Statements for the future management arrangements of the Council's markets, as shown in Appendices 1 and 2 of the report, be approved. ▪ That the evaluation process for contractor submissions, as detailed in paragraph 5.8 of the report, be approved.

The Adoption of a Statement of Enforcement Policy & Practice for the Housing & environmental Health Service	27.02.07	<ul style="list-style-type: none"> ▪ That Cabinet approve the adoption of the proposed <i>Statement of Enforcement Policy & Practice for the Housing & Environmental Health Service</i>. 	<ul style="list-style-type: none"> ▪ Cabinet was advised that the Scrutiny Committee had supported the adoption of the proposed Statement of Policy and Practice. ▪ RECOMMENDED TO COUNCIL: That the proposed Statement of Enforcement Policy and Practice for the Housing and Environmental Health Service be adopted.
A Revised Local Housing Strategy	27.03.07	<ul style="list-style-type: none"> ▪ That advance planning and development of policy objectives and priorities should be done to ensure rapid progress on the Community Strategy and Housing Strategy Action Plan as soon as Government Guidance is available; ▪ That the detailed plans should be evaluated through their impact on the community rather than through internal indicators; ▪ That Cabinet should ensure that a mechanism is put in place to provide continuity in service planning and policy development and implementation during the loss and recruitment of key staff. 	<ul style="list-style-type: none"> ▪ That the views of the Scrutiny Committee be noted.
Strategic Approach to Parking Controls	27.03.07	<ul style="list-style-type: none"> ▪ (1) That other officers involved in dealing with parking issues take account of the work being carried out by officers involved with Traffic Regulation Orders before making decisions on parking matters; ▪ (2) That Cabinet consider the need for the provision of additional resources to ensure that work on parking controls identified in the report is carried out quickly; ▪ (3) That innovative means of providing off-street parking be investigated as an adjunct to the work carried out on Traffic Regulation Orders. 	<ul style="list-style-type: none"> ▪ That recommendations (1) and (3) of the Scrutiny Committee, be progressed, and recommendation (2) be acknowledged. ▪ That the strategic approach to parking controls across the District, as set out in section 5 of the report, be endorsed, and these important areas of work be progressed. ▪ That officers be instructed to report back to Cabinet on matters of progress in relation to the preparation of the town plans for Baldock and Royston, and the preparation of a joint Parking Report to the North Herts Highways Joint Member Panel as a means of seeking alternative funding.
Adoption of Building Control Policy	27.03.07	<ul style="list-style-type: none"> ▪ That the proposed revised Policy should be adopted. 	<ul style="list-style-type: none"> ▪ That the proposed revised Building Control Policy, be agreed.

			<ul style="list-style-type: none">▪ That the Head of Planning & Building Control, in consultation with the Portfolio Holders for Planning & Transport and Finance, be given delegated authority to approve the Fees and Charges for the Building Control Service.
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FINANCE SUB GROUP RECOMMENDATIONS REFERRED TO CABINET
2006 - 2007

REPORT	DATE OF CABINET	FINANCE SUB GROUP RECOMMENDATION	CABINET DECISION
2005/2006 ANNUAL STATEMENT OF ACCOUNTS	27.06.06	<ul style="list-style-type: none"> ▪ The Finance sub group would like Cabinet to consider closing the DSO reserve account since the balance is zero, as stated in paragraph 4.8 of the report. ▪ It was suggested and agreed that a further note be added to section 6 (page 32 of the Statement of Accounts booklet), that explains how the provision of debts are accounted for, as follows; "The 2005/06 provision for bad debts has increased from £1,552,702 to £2,528,377, an increase of £975,675. The reason for this increase was a 2005/06 review of the outstanding arrears and the level of debt provided, for Council Tax and Business Rates arrears. As a result of this review, the 2005/06 provision for Council Tax increased by £682,187 and Business Rates by £276,104. The remaining increase in provisions of £17,384 relates to Sales ledger and Summons arrears". ▪ It was suggested and agreed that a further note be added to section 9 (page 33 of the Statement of Accounts booklet), that explains how the balance of capital receipts will be allocated, as follows; "The Council's capital programme approved at Cabinet on the 28th February 2006 has identified and committed useable capital receipts for the Council's capital programme for the years 2006/07 to 2009/10, leaving an unallocated useable receipts balance of £243 thousand". ▪ It was suggested that the 3rd bullet point of section 10 (page 33) should be changed from 'Baldock pavilion' to 'Baldock Road pavilion'. 	<ul style="list-style-type: none"> ▪ The Chairman of the Scrutiny Finance Sub Group presented the comments made by the Scrutiny Finance Sub Group at their meeting of 22 June 2006 regarding the Annual Statement of Accounts 2005/6. Cabinet considered the comments along with the report. ▪ That the comments made by the Scrutiny Finance Sub Group at their meeting of 22 June 2006 be noted.
1 st Quarterly Revenue Monitoring Report for 2006/07	12.09.06	<ul style="list-style-type: none"> ▪ Members were also concerned about the reduction in the projected income on parking penalty notices of £29k. This was due to 3 staff vacancies. <p>The group would like to recommend that any posts that have an immediate impact on the generation of income are <u>excluded</u> from the 3 month vacancy control policy.</p>	<ul style="list-style-type: none"> ▪ This was discussed and Cabinet was advised that if the post was considered a priority, it could be excluded from the three-month rule.

Draft Budget Report	30.01.07	<ul style="list-style-type: none"> ▪ SG1 - Removal of Health Development Officer post A six month review is conducted that shows any impact the removal of this post has had on the new arrangements that are proposed. ▪ SG9 - Reduced noise call-out service A six month review is conducted that shows any impact the reduction of this services has had, with a breakdown of work that could have been undertaken if no changes were made to the service. ▪ SG10 - Deletion of the Empty Homes Officer post Investigate whether this post could be job shared with one or more neighbouring authorities, rather than deleting it altogether. ▪ SG12 - Improve "What the Media Say" service Look at a best practise method operating at Hertfordshire County Council, where they have arranged for Cllrs to receive a hard copy of press cuttings by signing an agreement which allows for the copyright fee to be removed. ▪ SG17 - Discontinue Historic Buildings Grants A gradual phasing out of the grant scheme over a 3 year period, rather than outright removal. ▪ SG25 - Introduction of fees for pre application advice for minor applications A six month review is conducted on any impact the introduction of the fees have had on the service. ▪ SG26 - Introduction of fees for street naming and numbering The group were concerned that the charge of £100 per unit was too high. The group would like the effects of this to be reviewed after six months of implementation. 	<p>In response to the comments/recommendations of the Scrutiny Finance Sub-Group, the Portfolio Holder for Finance advised as follows:</p> <ul style="list-style-type: none"> ▪ SG1 and SG25 – both of these items would be reviewed regularly by officers in any event ▪ SG9 – it was agreed that this item should be removed from the list of Savings items ▪ SG10 – it was confirmed that this post was unnecessary ▪ SG12 – this matter would be investigated by officers ▪ SG17 – it was agreed that the saving figure of £15,000 should be reduced by £10,000, thereby leaving a budget of £5,000 ▪ SG26 – it was considered that the charge of £100 was appropriate
April to December 3 rd Quarterly Revenue Monitoring Report for 2006/07.	27.02.07	<ul style="list-style-type: none"> ▪ The Scrutiny Finance Sub Group would like to recommend that effective implementation plans, that can be achieved during the relevant financial year, are developed when savings proposals are produced. 	<ul style="list-style-type: none"> ▪ The Portfolio Holder for Finance responded by stating that work had already started on the type of implementation plans recommended by the Scrutiny Committee.

SCRUTINY QUESTIONS
2006 - 2007

DATE OF SCRUTINY	QUESTION	ANSWER
19.06.06	<p>When was the Council's protocol for issuing Anti Social Behaviour Orders last reviewed? In the review were our protocols compared to other Local Authorities around the Country and what account was given to the number of ASBOs issued by these authorities?</p> <p>Did the Police Authorities in North Herts have any input during the review on the way that ASBOs are issued?</p>	<p>The Authority's current ASB Protocol was developed following the introduction of the ASB Act 2003, and especially the increased focus on ASB issues generally in 2004. It was at this time that Government instigated three year funding for an ASB Officer for each Crime and Disorder Reduction Partnership, and one of the first duties of that role was to establish clear ASB protocols and methods of working, in conjunction with all our partners. In North Herts, the development of the protocol was further assisted by the creation of a specific Scrutiny task and finish group to compare arrangements in other partnerships and ensure the definition of ASB covered all the relevant areas which could be of concern to residents of North Herts. The only group we could compare ourselves with would be the 'Family 11' of like authorities in terms of geographic, population size etc, but there was not sufficient robust information regarding the number of ASBOs issued by each authority available at that time.</p> <p>Two years later, all Anti-social Behaviour Protocols, including the use of task groups, the issuing of Anti Social Behaviour Orders and information sharing are currently being reviewed; this is partly in response to new requirements regarding information sharing brought about by the 'Respect' and Neighbourhood policing agendas and partly by a review of procedures within the Council itself. It is hoped that this process will be completed by mid-July. The Community Safety Teams for the Eastern area are in frequent consultation with each other and share best practice. At this time, all Anti Social Behaviour Orders in North Herts have been secured 'post-conviction' by Herts Constabulary.</p>
19.06.06	<p>In regard to the 9 consultations being undertaken for June 2006 reported to Members in the Members' Information Service dated week ending 26th May 2006, can Officers please advise Councillors the overall cost to the taxpayers of North Herts of these 9 consultations?</p>	<p>All consultations are carried out within the framework of the council's five year consultation strategy 2005-2010. The strategy projected savings of £18,000 over the five years and this is currently expected to be achieved.</p> <p>The situation with each consultation is as shown below, but in all cases, officer time is contained within existing budgets.</p>

Also which of these consultations are statutory and which have been instigated by this Council?

District Wide Survey

The council has run a District Wide Survey on a biennial arrangement since 2000. This survey is one of the main council tools for identifying service needs and feeds into the service and financial planning process. The survey also identifies priorities for the area, which supports the town centre visioning process and the LSP. The cost for the District Wide Survey is taken from the 5-year Consultation Strategy budget, which was agreed at PARC in March 2005. The cost for the District Wide Survey is £29,000.

It is non-statutory but recommended best practice from ODPM/DCLG.

Stronger, safer, greener communities

This is a statutory consultation exercise required as part of the Local Area Agreement (LAA) process. This consultation is being led by Hertfordshire County Council and is being carried out in the ten Hertfordshire Districts. The cost of this exercise is £50,000 and is paid entirely from the LAA pot from the Department of Communities & Local Government, formerly known as the ODPM.

The Grange Community Survey

This exercise is being carried out by Groundwork Hertfordshire as part of its Safe and Sound Project which received substantial funding from GMTV's People's Lottery Contest. £7000 has been used for this exercise to cover the consultation and design fees, and the council has provided officer time support for the project with the Consultation Officer designing the questionnaire to be used and analysing the responses.

It is non-statutory.

Disability in North Hertfordshire 2006

North Hertfordshire District Council has a statutory duty under the Disability Discrimination Act to develop a Disability Equality Scheme. This exercise in the past may have used external consultants but is being co-ordinated in-house with the only cost being officer time. Questionnaire has been developed using in-house consultation software package (SNAP) and is completed on-line, removing paper and postage costs. The associated cost is for Officer time.

Planning obligations Draft Supplementary Planning Document/ Spatial Strategy

These are all a statutory requirement required by central government as part

		<p>of the Local Development Framework. The cost for the Supplementary-planning document is £1700 and the Spatial Strategy is £650. These costs have been incurred in the main due to advertising in the local papers, which again is a statutory requirement for the exercise. All questionnaires used for these exercises have been developed in-house using consultation software tool available and staff expertise.</p> <p>Council Tax Annual Bill Questionnaire This questionnaire is commissioned annually to satisfy the Charter Mark criteria. This exercise is run in-house using the consultation software tool and officer expertise. Costs restricted to officer time and printing costs.</p> <p>It is non-statutory.</p>
18.07.06	<p>There is a lot of public concern about the amount of development across the District especially in our town centres. Would the Scrutiny committee consider asking the Utilities (gas, electricity, water) what steps are being taken to meet the increasing demand for their services that are caused by these developments. I have heard particular concerns expressed about low water pressure affecting electric showers and fluctuations in the electricity supply at peak times.</p>	<p>I think that the route that Scrutiny could take would be to invite the suppliers in.</p> <p>Mike Pocock, Head of Strategic Planning, Three Valleys Water PLC gave a presentation to the Scrutiny Committee on 5th September 2006. The Committee then held a question/answer session with him.</p>
05.09.06	<p>What opportunities are provided for North Herts in the Area Action Plan approach, within the Planning & Compulsory Purchase Act 2004? What Area Action Plans are intended for North Herts and how far have they got? What access to different types of funding, for example Growth Area Funding, are now available to North Herts, and what is the Council and/or LSP doing to explore and tap all possibilities for development/regeneration funding</p>	<p>The Planning and Compulsory Purchase Act 2004 allows for area action plans for key areas of change or conservation to be produced as part of the Local Development Framework.</p> <p>Area action plans should be used to provide the planning framework for areas where significant change or conservation is needed. A key feature of area action plans will be the focus on implementation. They should:</p> <ul style="list-style-type: none"> i. deliver planned growth areas; ii. stimulate regeneration; iii. protect areas particularly sensitive to change; iv. resolve conflicting objectives in areas subject to development pressures; <p>or</p> <ul style="list-style-type: none"> v. focus the delivery of area based regeneration initiatives. <p>Authorities may set criteria in their core strategy for identifying locations and priorities for the preparation of area action plans.</p> <p>In areas of change, area action plans should identify the distribution of uses</p>

		<p>and their inter-relationships, including specific site allocations, and set the timetable for the implementation of the proposals. Further guidance, such as the layout of uses within these allocations and design requirements etc, may be provided in the relevant area action plan or in one or more supplementary planning documents in the form of a master plan. In areas of conservation, area action plans should set out the policies and proposals for action to preserve or enhance the area, including defining areas where specific conservation measures are proposed and areas which will be subject to specific controls over development.</p> <p>There are two Area Action Plans that are currently scheduled within the available resources. These are included within the Council's adopted Local Development Scheme and relate to the growth areas around Stevenage and the possible growth area east of Luton.</p> <p>In relation to the Stevenage growth, there will be a joint area action plan prepared. This is due to the strategic growth required around Stevenage as a result of the regional spatial strategy through to 2021 set out in the East of England Plan. Work is currently progressing on the various options for joint working that exist for both Officers and Members.</p> <p><u>Key issues to be covered by the joint AAP include: –</u> Definition of the extent of the area covered by the AAP. The overall scale of growth beyond the existing built-up area of Stevenage. The distribution of that growth to specific sites. Affordable housing policies. Design / landscape / sustainability policies and standards to be applied to new development. Environmental protection policies for the AAP area. Planning obligations to be sought from the development industry. Review of Green Belt boundaries.</p> <p>With regard to the Area Action Plan for land east of Luton, progress is entirely dependent upon emerging local development documents for the Luton conurbation, being prepared by Luton and South Beds Councils. We will only proceed with a Luton Area Action Plan if a South Bedfordshire / Luton Core Strategy document determines that new development is required in North Hertfordshire to the east of Luton. Technical work, such as the review of urban capacity in the Luton conurbation and an assessment of all the potential directions of growth, is an essential prerequisite of the Core Strategy. Such work should at least indicate whether or not there needs to be new development in North Hertfordshire within the Plan period. NHDC will only prepare a Luton AAP if the case in favour of such development is</p>
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		<p>established, if necessary following an Examination into the Core Strategy and the publication of the Inspector's binding conclusions.</p> <p>There have been two rounds of Growth Area Funding. When the first round of funding took place North Herts was not included in a Growth Area. When the second round of funding was promoted, the Draft East of England Plan had identified North Herts as being in a growth area. A bid was made to obtain finance to carry out improvements to the Grove Road, Wilbury Way and Cadwell Lane Traffic light junction, in order to bring through the possibility of redeveloping the Former Gas Works site. The North Herts GAF II bid for funding was one of only two successful schemes in Hertfordshire in the second round of bidding. There has been no announcement or indication made by government that there will be any further Growth Area funds available in the future.</p> <p>In respect of growth at Luton, given that the Council's stance is opposition to expansion of the conurbation into North Hertfordshire, no applications for relevant funding have been submitted by NHDC.</p> <p>In terms of securing regeneration or growth area funding, the economic development team within Policy, Partnerships and Performance are actively engaged in the Investing in Communities initiative, which identifies areas for regeneration and improvement. So far, the schemes have included small areas of consideration, such as at Royston; the Ecotech report cited in car parking reports for the Town Centre there was actually commissioned by IIC in order to evidence need for the future commercial and business needs of both Royston and Buntingford. To date, this has produced £38,000 towards regeneration of the market, but larger schemes such as potential for business incubation units are also under consideration for funding by the IIC partnership in the next tranche of submissions early in 2007.</p> <p>In the interim, our LSP partners at Stevenage Business Initiative, JobCentre Plus and North Herts College have commenced a small scheme (totalling £9,000 plus resourcing in kind in terms of premises) to support business and skills needs for Royston, in readiness for larger development funding being secured.</p> <p>The economic development team (and indeed the community development team) have access to the Grantfinder database, which lists over 60,000 potential funding streams, including government grants and EU funding initiatives; it is our intention to continue to conduct searches via that means, and of course submit appropriate bids, in order to secure the maximum funds for development and regeneration projects."</p>
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05.09.06	<p>What is the Council doing to promote social responsibility in relate to alcohol?</p> <p>Are we entering these schemes for the public sector award in the Responsible Drinks Retailing Awards 2006</p>	<p>We are actively carrying out a number of inspections which include joint enforcement with the police to ensure that socially responsible drinking is occurring. Any evidence of non-compliance is resulting in enforcement action taking place. In relation to the Responsible Drinks Retailing Awards we have ensured that we are now a key attendee at PubWatch meetings which will identify those retailers who demonstrate compliance with the responsible drinking scheme (the trade clearly have the option to nominate themselves), also through our inspection programme such retailers can be identified. As the Licensing Act 2003 places a greater responsibility on the trade I would envisage that through the above mentioned activities this will be an area that can be explored in the near future based on our inspection results."</p> <p>The Committee expressed their disappointment at the response provided by the Head of Housing & Environmental Health as they felt that socially responsible drinking was a key issue, relevant to Licensing objectives and the Council's strategic objectives. Further, it was felt that socially responsible drinking was an issue that should be driven forward by the Council as the Licensing Authority, not just by the police.</p>
07.11.06	<p>North Hertfordshire Highways Partnership has stated that the absence of any costings for road safety proposals, from all five of our Area Committees, at the Joint Member Panel meeting on 16 October was due to the lack of a designated NHDC liaison officer following the departure of the former Chief Engineer. This has led to all five Area Committees' proposals being suspended, and the loss of possible Hertfordshire Highways</p>	<p>The withdrawal of administrative funding from the Highways Partnership, the review of the engineering function and the deletion of the Chief Engineers post has necessitated significant organisational changes both within NHDC and with Herts Highways.</p> <p>As an interim measure the Head of Planning and Building Control has now been identified as the link officer. A meeting has already taken place with</p>

	<p>discretionary funding for these at least for the remainder of this financial year.</p> <p>What went wrong in NHDC that led to this outcome? What was the process for replacing the Chief Engineer, or for reallocating his responsibilities and for ensuring that they were performed in effective and timely ways? Why did the responsible executive member not ensure that this process was working properly? What will he now do to retrieve the situation, if that is possible, or to ensure no repeat in similar problems? What other areas of work of the former Chief Engineer are not allocated sufficient staff time, commitment and proper communication, to ensure the public's right to effective services?</p>	<p>Herts Highways to deal with the outstanding schemes which have been promoted by the Area Committees in order that they can be reported to the next cycle of Area Committees and thus on to the next meeting of the Joint Member Panel. Options for future liaison arrangements with HH are currently being investigated which will reflect the revised resourcing and operational situation.</p> <p>Whilst acknowledging the interim arrangements, the Committee expressed their disappointment with the response as it did not address many of the questions raised originally. Concern was also expressed that no indication was given of how long the interim arrangements were likely to be in place, or what further actions would be undertaken.</p> <p>Because of these concerns, and a feeling that these problems had arisen at least in part as a result of poor planning prior to the retirement of the Chief Engineer, the Committee felt it would be appropriate for the Head of Paid Service and the Portfolio Holder for Planning & Transport to be requested to attend the next meeting of the Committee to provide a more detailed response to the question.</p> <p>RESOLVED:</p> <ul style="list-style-type: none"> ▪ That the response of the Head of Planning & Building Control be noted; ▪ That the Head of Paid Service & the Portfolio Holder for Planning & Transport be requested to attend the meeting of the Scrutiny Committee to be held on 11 December 2006 to provide a more detailed response to the questions raised.
<p>11.12.06</p>	<p>How many planning applications have been refused against officer advice in the last five years and of these how many have then gone on to appeal? Also, at the appeal, how many have the Council won and how many have we lost, broken down into costs awarded against us and costs not awarded?</p> <p>In regard to those that have gone to appeal can you please detail who has defended the Council's position and how the appeal has been determined?</p>	<p>Upon receipt of the request and in view of the limited time available in which to provide all the information requested, Councillor Clark agreed to the provision of three years information, subject to him being able to ask any supplementary questions.</p> <p>The response is based on decisions made between the 1st September 2003 and 30th November 2006.</p> <p><u>How many planning applications have been refused against Officer advice in the last 3 years?</u></p> <p>The reports to the Area Committees and Minutes show that of the 70 decisions taken by all of the Area Committees during this period against Officer recommendation 40 applications were refused against Officer advice.</p>

How many of these have gone on to appeal?

Of these 40 decisions, 25 appeals have been submitted to the Planning Inspectorate and are recorded on the appeals register.

Members will be aware that applicants have six months from the date of decision in which to submit on appeal. The number of appeals could increase by 2 if applicants should decide to pursue this course of action.

How many have the Council won, lost, broken down into costs awarded against us and costs not awarded?

12	Appeals have been allowed
5	Appeals have been dismissed
4	Appeals have been withdrawn
4	Appeals await a decision

25	

Two of these appeals have resulted in costs being awarded against the Council

Applications for costs have not been submitted in the remainder of the cases.

In regard to those that have gone to appeal, can you please detail who has defended the Council's position and how the appeal has been determined?

Of the 21 appeals determined to date or awaiting a decision, 18 have been defended by the Council's Planning Officers (written representation appeals). 10 appeals have been allowed, 5 dismissed with 3 decisions awaited.

One has yet to be determined as to whom will defend the decision.

In two cases, Members have supported their decisions at Public Inquiries. These appeals were allowed and costs awarded against the Council.

Following this response, the following supplementary question was asked:

The information provided at question 4 above states that 18 appeals have been defended by the Council's Planning Officers, but this appears to be contrary to current policy. Where has this policy originated and at what point has it changed?

RESOLVED:

- That the response of the Planning Control & Conservation Manager be noted;
- That the Planning Control & Conservation Manager be requested to provide a written answer to the supplementary question, to be circulated to all Members of the Committee.

		<p>REASON FOR DECISION: To ensure the Committee were fully apprised of the issues surrounding the problems arising following the retirement of the Chief Engineer.</p>																																								
<p>09.01.07</p>	<p>How many external consultants were instructed to advise officers or departments of North Herts District Council during the year 2006?</p> <p>Which departments benefited from the service provided by consultants?</p> <p>Which projects required this additional expertise?</p> <p>During the year in question what was the cost to the Council for the services provided?</p> <p>What is the procedure set down for authorizing the employment of firms of consultants, and when was this procedure last reviewed?</p>	<p>A distinction needs to be made between the use of agency staff, usually to cover for vacancies in established posts (and who are generally engaged through an employment agency) and consultants who are employed for their professional skills and are often either self-employed, or part of a partnership.</p> <p>Consultants are employed for a variety of reasons, including:</p> <ul style="list-style-type: none"> ▪ To provide experience and expertise that is not readily available in-house; ▪ To supplement insufficient in-house resources; ▪ To carry out defined tasks that require a degree of independence unobtainable by using in-house resources. <p>Because of the relatively small size of the authority, the often unanticipated variations in workload caused by external factors, and the difficulties in resourcing specialist professional expertise in-house, it remains the case that this Council will continue to need to engage a variety of consultants.</p> <p>The following table shows the actual expenditure on 'consultants' over the last four financial years:</p> <table border="1" data-bbox="1176 893 2072 1189"> <thead> <tr> <th><i>Description</i></th> <th><i>2002/03</i></th> <th><i>2003/04</i></th> <th><i>2004/05</i></th> <th><i>2005/06</i></th> </tr> <tr> <td></td> <td>£,000</td> <td>£,000</td> <td>£,000</td> <td>£,000</td> </tr> </thead> <tbody> <tr> <td>Consultants</td> <td>772</td> <td>546</td> <td>627</td> <td>901</td> </tr> <tr> <td>Feasibility studies</td> <td>0</td> <td>71</td> <td>52</td> <td>60</td> </tr> <tr> <td>Design costs</td> <td>13</td> <td>102</td> <td>50</td> <td>62</td> </tr> <tr> <td>Supervision costs</td> <td>0</td> <td>8</td> <td>0</td> <td>0</td> </tr> <tr> <td>Consultants capital</td> <td><u>0</u></td> <td><u>10</u></td> <td><u>41</u></td> <td><u>381</u></td> </tr> <tr> <td><u>TOTAL</u></td> <td><u>785</u></td> <td><u>737</u></td> <td><u>770</u></td> <td><u>1,404</u></td> </tr> </tbody> </table> <p>The table shows that expenditure has been fairly stable over the years until 2005/2006. Regarding 2005/2006, the following comments explain the higher level of expenditure in that year.</p> <p>The works on capital projects (£503K) generally relate to specialist architectural, surveying, planning and IT work because of:</p> <ul style="list-style-type: none"> ▪ the higher level and specialist nature of construction contracts in that 	<i>Description</i>	<i>2002/03</i>	<i>2003/04</i>	<i>2004/05</i>	<i>2005/06</i>		£,000	£,000	£,000	£,000	Consultants	772	546	627	901	Feasibility studies	0	71	52	60	Design costs	13	102	50	62	Supervision costs	0	8	0	0	Consultants capital	<u>0</u>	<u>10</u>	<u>41</u>	<u>381</u>	<u>TOTAL</u>	<u>785</u>	<u>737</u>	<u>770</u>	<u>1,404</u>
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- year, e.g. Royston Leisure Centre (48K);
- feasibility and consultation studies on planning/assets, e.g. Churchgate (£72K); and
- specialist IT support as part of the Access to Services partnership working (309K).

Consultant expenditure (£901K) covers a variety of services and activities, the key areas are as follows:

- External trainers as part of the Council's Learning & Development Plan (£70K);
- Legal support and advice (£43K), because of staffing shortages on specialist areas;
- IT support and advice (£417K), part of Access to Services partnership working;
- Planning support and advice (£169K), part of regional development and Local Development Framework activities; and
- Environmental Health advice and support (£34K), particularly contaminated land advice.

The contract with the Council's strategic partner, ANITE, on the access to services work plan over the period of the contract, 3 years, will mean that the level of expenditure on consultants may stay at this high level until 2008. All consultancy costs are budgeted for as part of the Council's Service and Financial Planning.

The Council's Procurement Guide gives clear advice on engaging and managing consultants, for example a formal evaluation of the justification and need for the employment of a consultant should be undertaken initially. This should cover whether in-house resources are available and if not is it possible or desirable for them to be recruited since in-house staff are almost always more cost-effective than consultants. The decision on whether to use existing in-house resources, recruit new personnel or use external consultants should be taken on the basis of Best Value and a clear justification for procurement decisions taken should be evidenced.

The selection process for consultants must be in accordance with the Council's Contract Procurement Rules. The presumption should always be that competition will produce the best result for the Authority. Any exceptions must be justified and reported as required by the Rules. The Contract Procurement Rules have been specifically designed to ensure that there is sufficient scope for flexibility in selecting particular specialist consultants, provided always that a robust case is made and authorisation obtained.

The Council's Audit and Consultancy Services Section conducted a review of 'consultants' in 2006 and concluded that a substantial level of assurance

		<p>could be given to the use of consultants within NHDC.</p> <p>A full report on the engagement of consultants will be presented to the Scrutiny Finance Sub-Group at its meeting in March.</p>
<p>20.02.07</p>	<p>It is understood that, prior to this Council's restructuring of the Engineers Department, a number of car parking schemes to resolve particular local problems were in preparation. Officers of this Council had written and met with local residents assuring them that these schemes were proceeding and were likely to be implemented in the near future.</p> <p>Following the restructuring, we now understand that this is no longer the case and the Council is taking another complete different direction. Can officers please advise:</p> <ul style="list-style-type: none"> • Why residents were told that apparently unachievable schemes would be implemented? • How many schemes that local residents were told would be implemented are now being re-evaluated? • What is being done to keep residents and Councillors informed of this Council's change in direction? • What is the likely timescale for resolving these issues? 	<p>Historically the Council has received requests for various parking schemes to seek to alleviate actual or perceived local parking problems. For the financial year 2006/7 £100,000 capital has been earmarked to implement CPZ schemes. No capital funding or other resources had been identified in 2007/8 or subsequent years to implement schemes. Prior to the review of the Engineering Service two CPZ schemes in Hitchin had been identified for progression from the identified resources (schemes at The Avenue & The Triangle) and these are being implemented. A "waiting list" of a further 23 schemes have been received but due to manpower and other resource constraints had not been formally evaluated and listed in the Capital programme for implementation.</p> <p>Officers will investigate Councillor Clark's statement that residents had been told the schemes would be implemented and report outcomes back to Scrutiny.</p> <p>Members were advised through reports to the Area Committees in December and January and in MIS in January that a reappraisal of the approach to implementing parking controls was being investigated in an attempt to improve value for money and better match the available resources to the demand for such schemes. As part of the Service and Financial Planning process for 2007/8 additional revenue funding has recently been allocated to implement Traffic Regulation Orders.</p> <p>The relevant portfolio holder and shadow portfolio holders have been briefed on this approach and all Councillors have been advised through the Area Committee process that a reappraisal of the approach to implementing parking controls was being investigated and would be the subject of a report to Cabinet within this financial year - it is anticipated that this will be the on the 27th March. The implementation of these types of schemes is both costly and involves protracted timescales. Officers are endeavouring to find a solution which will set out a strategic framework for evaluating the need for a parking scheme so that residents will know from an early stage whether their request is likely to be successful and a solution which will be capable of implementation in shorter timescales. In order to achieve value for money any approach will need to involve the County Council and critically the relationship to town transport plans. The report to Cabinet will set out likely</p>

		<p>timescales and resource implications. Such an approach will need to deal with issues such the relationship to the town centre strategies (for the District's four main towns), the potential major development proposals in Hitchin and Letchworth and the appropriateness of using certain types of controls. Subject to the decision taken by Cabinet, communication with Members via MIS will take place and those residents whose schemes are currently on the "waiting list" will be written to indicating anticipated timescales.</p>
<p>20.02.07</p>	<p>At the full Council meeting on 8th February, the Finance Portfolio Holder, in response to a question from a Hitchin Councillor, stated that the "Invitation to Tender" request in regard to Hitchin Town Hall was a "Market Testing" exercise.</p> <p>However, on closer inspection the Tender Document requests that a business plan be submitted with the tender along with references. Given the short time scale allowed for this process, can this Council give Members assurances that sufficient time has been allocated to the tendering process to ensure that the best deal to the community in terms of facilities and finance is secured?"</p>	<p>For the Hitchin Town Hall, the Council invited <i>informal</i> tenders from suitably qualified individuals, businesses or organisations to run Hitchin Town Hall as a community/business opportunity in Hitchin. These <i>informal</i> tenders did require applicants to submit a Business Plan.</p> <p>By sending out an invitation to tender, the Council aimed to test out the level of interest in the market. Hence, the use of the term market testing.</p> <p>A tendering process, by definition, can therefore be considered as market testing.</p> <p>Providing the <i>informal</i> tenders give sufficient information to identify a suitable candidate for running the hall for community/business use then a <i>formal</i> tender may not be required. Instead further negotiation with the suitable candidate can proceed to arrive at a formal agreement to run the premises.</p> <p>Arrangements for the submission of expressions of interest from the time of advertising to submission are between two to four weeks. In the case of the Hitchin Town Hall, the period was three weeks.</p> <p>Six expressions of interest were received by the closing date on 26.02.07.</p> <p>These have subsequently been asked to undertake detailed inspections of the Town Hall and re-submit their bids in accordance with the criteria set out in the marketing details.</p> <p>The closing date for receipt of these tender applications is 30th April 2007.</p> <p>Thereafter, a more detailed examination of each application and applicant will commence, prior to any recommendations being made as to the most suitable applicant.</p> <p>In conclusion, Members can be re-assured that while sufficient time was given in the initial phase of the market testing process to identify a range of expressions of interest, additional further time has been given to firm these</p>

		<p>up.</p> <p>The intention of the Council is to ensure that both it, and the community it serves, obtains the best deal with regard to the Town Hall.</p>
<p>20.02.07</p>	<p>During the presentation by the Chief Constable for Hertfordshire prior to the full Council meeting on 8 February 2007, he mentioned that Councillors were involved in Locality Policing Panels.</p> <p>If this is the case, can it please be explained how this has been arrived at in North Herts and who is involved at Councillor and officer level, and what process has been implemented to select the Councillors involved?"</p>	<p>The impression given by the Chief Constable that these panels are already in existence within North Herts was presumptive since they are already established in other Hertfordshire districts, although preliminary discussions regarding the potential resourcing, officer/member representation and reporting mechanisms required for these panels has started with the local Police partners. We are sensitive to the fact that whilst the Local Government White Paper refers to such panels being in place across England and Wales by 2008, Herts Constabulary's own target is to create panels and commence work this year – and their forthcoming formal Constabulary Inspection will require evidence of that.</p> <p>It is, however, important that we are realistic in our ability to resource what could potentially be up to 12 panels, albeit at the outset only six were to be established as real panels with the final six created as virtual groups in readiness of any local issues arising and their need to respond rapidly.</p> <p>In terms of member representation, whilst the Constabulary asked for a single elected representative for each panel, our response has been that this is not only not democratically representative, but that the issue of community safety and local crime is one which we know to be important to all our members, regardless of their individual party line. Hence, I have proposed that all NHDC elected members will ultimately be invited to attend any panel meetings scheduled to take place in their local area and this must be considered in any future structural or membership recommendations.</p> <p>In terms of Community Safety team resources, there will be a requirement placed on the team to supply a senior officer (manager) for the Joint Action Group (JAG) Meeting. This is scheduled for a whole afternoon session every six weeks to consider the actions arising from each panel and prioritise the top three for inclusion in the overall district action plan.</p> <p>Following discussion of the original proposals at Corporate Management Team on 6th March 2007, I was requested to contact the Chief Superintendent and Chief Inspector expressing concern regarding NHDC's ability to allocate and, more importantly, sustain sufficient officer resource to attend every panel meeting, and subsequently implement the actions arising for the Council thereafter.</p>

		<p>I was also asked to state our preference that the panels should perhaps exist at Area Committee level and thereby have a direct link to the current work not only of those Committees but the officers supporting them and of course elected members attending. This proposal would also create a more formal reporting mechanism to other officers and members than the original twelve panels proposed by the Constabulary.</p> <p>We are currently awaiting a response to these issues and seeking views on our proposal of an area committee level panel structure from the Constabulary, to be discussed and explored further in due course.</p>
20.03.07	<p>How does the NHDC Rent Deposit Guarantee Scheme compare with other authorities? The NHDC scheme limit is one month's rent - what is the position for other similar authorities?</p> <p>How many landlords have we currently signed up to the scheme, compared with similar authorities?</p> <p>How many tenants have we placed in the last 2 years, compared with similar authorities?</p> <p>How does our response time, to landlord claims, of 21 working days compare?</p> <p>Have we or other authorities carried out evaluations of the schemes, with landlord and tenant feedback?</p>	<p>NHDC - 1 month guarantee Welwyn and Hatfield - 6 weeks paid by cheque in advance Broxbourne - pay deposit (1month) and 1 first months rent in advance by cheque</p> <p>NHDC - 21 landlords over last 12 months (re-launched 12 months ago) W&H - 2 landlords in last 12 months Broxbourne - approx 20 per month</p> <p>NHDC - 21 tenants over last 12 months (re-launched 12 months ago) W&H - 2 landlords in last 12 months Broxbourne - approx 20-30 sign ups per month</p> <p>NHDC - no claims from landlords to date W&H - no standards Broxbourne - no standards, money returned from landlord if no claim</p> <p>NHDC - feedback is a continuous process, with advice and follow up visits for tenants and landlords W&H - no evaluation Broxbourne - no evaluation</p>

REPRESENTATIVES OF THE COUNCIL ON OUTSIDE BODIES AND ORGANISATIONS
2007/2008

Organisation	Representative	Date of Retirement	Term of Office (Years)	Party	Comments
Arts Council for North Herts	Dr. N.E. Agar Cllr M.E. Weeks Mrs R. Harcourt Ms K. Kowalska Mr M. Paterson Cllr L Beardwell	2008 2008 2008 2008 2008 2008	1 1 1 1 1 1	LAB CON CON LAB CON LD	NOTE: There are six nominations for five places
Arts Council in the East of England	Cllr Tricia Gibbs Community Development Manager	2008	1	CON	
Baldock Senior Club	Cllr. I.J. Knighton Cllr M.E. Weeks	2008 2008	1 1	CON CON	
Baldock Town Twinning Association	Cllr. M.E. Weeks Cllr. I.J. Knighton	2008 2008	1 1	CON CON	
Baldock United Almshouses Charities	Cllr Marilyn Kirkland Cllr I.J. Knighton Cllr M. Weeks	2008 2008 2008	1 1 1	LD CON CON	
Baldock Youth and Community Assn.	Cllr. I.J. Knighton Cllr. M.E. Weeks Cllr Marilyn Kirkland	2008 2008 2008	1 1 1	CON CON LD	
Bedfordshire and River Ivel Internal Drainage Board	Cllr M.E. Weeks	2008	1	CON	
Charles Collison Trust	Cllr Martin Stears	2008	1	LAB	
Chilterns Area of Outstanding Natural Beauty – Conservation Board	Cllr D. Barnard	2008	1	CON	
Citizens Advice Bureaux:-	Cllr Deepak Sangha Mr M. Paterson Cllr T. Brindley	2008 2008 2008	1 1 1	LAB CON CON	
Community Development Agency for Hertfordshire	Mr. E.I. Smith	2008	1	CON	
Community Safety – North Herts	Cllr. Tricia Gibbs (Spokesperson)	-	-	CON	
Coombes Community Centre, Royston – Management Cttee	Cllr Mrs F.R. Hill Mr W.M. Davidson Cllr L. Beardwell Cllr R Inwood	2008 2008 2008 2008	1 1 1 1	CON CON LD LD	NOTE: There are four nominations for three places
CPRE – The Hertfordshire Society	Cllr J. Bishop Cllr J. Gray	2008 2008	1 1	CON CON	
E.A. Lucas Technical School Foundation	Mrs Sarah Wren	2008	1	CON	
East of England Regional Assembly	Cllr F.J. Smith	2008	1	CON	
East of England Regional Tourism Council	Cllr. Mrs A. Ashley	2008	1	CON	
Friends of Letchworth Disabled	VACANT	2008	1	LAB	
Grange Fellowship Community Association	Cllr David Kearns Cllr A. Dear Cllr S. Bloxham	2008 2008 2008	1 1 1	LAB CON CON	
Grange Youth Club Management Committee					
Herts Action on Disability – Baldock	Cllr. M.R.M. Muir	2008	1	CON	
Herts Action on Disability – Royston	Cllr. P.C.W. Burt	2008	1	CON	

Hertfordshire Building Preservation Trust	Cllr Mrs A.G. Ashley	2008	1	CON	
Hertfordshire Environmental Forum	1.Cllr H.M. Marshall (Voting)	2008	1	CON	
	2. Cllr M.R.M. Muir	2008	1	CON	
Hertfordshire Health Scrutiny Committee	Cllr D. Miller	2008	1	CON	
Hertfordshire Local Government Assn.	Cllr. F.J. Smith (Leader of the Council)	2008	1	CON	
Hertfordshire Museums Partnership	Cllr T. Gibbs (Community Engagement Portfolio Holder)	2008	1	CON	
Hertfordshire Rural Forum	Cllr T. Brindley	2008	1	CON	
Hertfordshire Joint Waste Partnership	Cllr Mrs L.A. Needham (Portfolio Holder for Environment & Waste)	2008	1	CON	
	Sub. Cllr M. Davey	2008	1	CON	
Hitchin Charity School Endowment	Mrs Sarah Wren	2008	1	CON	
Hitchin College – Sports Hall and Squash Courts Advisory Cttee.	Cllr B. Lovewell	2008	1	CON	
	Mr P. Kirk	2008	1	LAB	
	Cllr. L.W. Oliver	2008	1	LD	
	Cllr R. Shakespeare – Smith	2008	1	CON	
Hitchin Cow Common Trust	Cllr R.A.C. Thake	2008	1	CON	
Hitchin Educational Foundation	Cty.Cllr. N. Brook	2009	4	CON	NOTE: There are six nominations for five places
	Mr. A.F. Kingston-Splatt	2009	4	CON	
	Mrs Sarah Wren	2011	4	CON	
	Mrs M. Goldsmith	2011	4	LAB	
	Cllr D. Miller	2011	4	CON	
Hitchin Helping Hand	Cllr Joan Kirby	2008	1	LAB	
	Cllr Mrs A.G. Ashley	2008	1	CON	
Hitchin Rugby Club Joint Management and Advisory Committee	Head of Community Development & Cultural Services				
	Cllr. M Stears	2008	1	LAB	
	Cllr. R.A.C. Thake	2008	1	CON	
	Cllr. L. Oliver	2008	1	LD	
Hitchin Senior Citizens' Welfare Committee	Cllr Joan Kirby	2008	1	LAB	
	Cllr A. Ashley	2008	1	CON	
	Mrs Sarah Wren	2008	1	CON	
Hitchin Town Band Cttee	Cllr R.A.C. Thake	2008	1	CON	
	VACANT	2008	1	LAB/ LD	
Hitchin Town Centre Initiative	Chairman of Hitchin Cttee	2008	1	LAB	
Hitchin United Charities	Cllr L.W. Oliver	2008	3	LD	
	Mrs Sarah Wren	2008	3	CON	
	Cty. Cllr D. Ashley	2008	1	CON	
	Cllr Joan Kirby	2008	1	LAB	
	Mrs Mary Goldsmith	2008	1	LAB	
Howard Cottage Housing Association	Cllr G. Grindal	2008	1	LAB	
	Cllr. M.R.M. Muir	2008	1	CON	
Howard Garden Social and Day Care Centre	Cllr. Mrs. L.R. Kercher	2008	1	LAB	
	Cllr M. Davey	2008	1	CON	
	Cllr M.R.M. Muir	2008	1	CON	
Jackmans Community Association	Cllr D. Levett	2008	1	CON	
	Cllr J. Booth	2008	1	CON	
	Cllr J. Cunningham	2008	1	CON	

Knebworth Town Twinning Association	Cllr A. Bardett	2008	1	CON	
Knebworth House and Education Preservation Trust	Chairman of the Council	2008	1	CON	
Letchworth Educational Council	Mr J. Newham Mr M. Paterson	2008 2008	1 1	LAB CON	
Letchworth Arts Centre	Mr M. Paterson	2008	1	CON	
Letchworth Civic Trust	Mrs M. Bloxham Cllr Mrs L. Needham	2008 2008	1 1	CON CON	
Letchworth Garden City Band	Cllr J. Cunningham Cllr A. Millard	2008 2008	3 3	CON CON	
Letchworth Garden City Heritage Foundation	Cllr. Mrs. L.A. Needham	2008		CON	The term of office of the person appoint'd
Letchworth Garden City Town Centre Partnership	Cllr D. Levett Cllr Lorna Kercher	2008 2008	1 1	CON LAB	
Letchworth Garden City Town Twinning Association	Cllr M. Davey	2008	1	CON	
London Luton Airport Consultative Committee	Cllr. M. Muir	2008	1	CON	
National Society for Clean Air	Cllr. F.J. Smith (plus Head of Housing & Environmental Health)	2008	1	CON	
North Herts College Further Education Corporation	Cllr. D.P. Kearns (Governor)	Mar 2011	4	LAB	
North Hertfordshire Council for Voluntary Service	Mr M. Paterson VACANT	2008 2008	1 1	CON LAB	
North Herts District Sports Council	Cllr. I. Knighton Cllr G. Grindal Cllr David Kearns Cllr. D.J. Barnard Cllr. A.D. Young	2008 2008 2008 2008 2008	1 1 1 1 1	CON LAB LAB CON CON	
North Hertfordshire Homes	Cllr H.M. Marshall Mr D. Kell Cllr Mrs L.A. Needham Cllr Mrs J. Kirby Cllr David Kearns Cllr Lawrence Oliver	2008 2008 2008 2008 2008 2008	1 1 1 1 1 1	CON CON CON LAB LAB LD	NOTE: There are six nominations for five places
North Herts Hospice Care Assn. – Garden House Hospice Advisory Committee	Cllr Mrs L. Kercher	2008	1	LAB	
Rands Educational Foundation	Cllr. Mrs. C.P.A. Strong	May 2009	4	CON	
Relate – North Herts & Stevenage Marriage Guidance Council	Cllr. P.C.W. Burt VACANT	2008 2008	1 1	CON LAB/ LD	
Royston & District Community Transport Scheme	Cllr. F.J. Smith	2008	1	CON	
Royston & District Sports Council	Cllr P.C.W. Burt	2008	1	CON	
Royston Community Assn.	Mr W.M. Davidson	2008	1	CON	
Royston Old People's Day Centre Committee	Mr W.M. Davidson	2008	1	CON	
Royston Town Council – Royston Museum Sub-Cttee	Les Baker	2008	1	LAB	
Royston Town Twinning Association	Mr W.M. Davidson Mr J. Ledden	2008 2008	1 1	CON LD	
St. Johns Community Assn. Hitchin – Management Committee	Cllr. P. Clark Cllr. Clare Body	2008 2008	1 1	LD LD	

St. Michaels Mount Community Centre, Hitchin – Management Committee	Cllr L.W. Oliver	2008	1	LD	
	Cllr B. Lovewell	2008	1	CON	
	Cllr A. Millard	2008	1	CON	
	Cllr R. Shakespeare - Smith	2008	1	CON	
Stevenage and N. Herts Womens’s Resource Centre	Cllr Mrs L. Kercher	2008	1	LAB	
Walsworth Community Association	Cllr B. Lovewell	2008	1	CON	
	Cllr R. Shakespeare – Smith	2008	1	CON	
Waste Recycling Environmental Panel	Cllr Mrs L.A. Needham (Environment & Waste Management Portfolio Holder)	2008	1	CON	
Westmill Community Centre, Hitchin – Management Cttee	Cllr D. Billing	2008	1	LAB	

[NOTE: FOLLOWING NOMINATIONS FROM THE POLITICAL GROUPS, THE VACANCIES INDICATED ABOVE WILL BE FILLED EARLY IN THE 2007/08 CIVIC YEAR BY THE DEMOCRATIC SERVICES MANAGER UNDER DELEGATED RESPONSIBILITY]