

NORTH HERTFORDSHIRE DISTRICT COUNCIL

MINUTES

Meeting of the Council held in the Council Chamber, Council Offices, Gernon Road, Letchworth on Thursday, 21 September 2006 at 8.30pm

PRESENT: Councillors Mrs C.P.A. Strong (Chairman), A. Bardett (Vice-Chairman), Mrs A.G. Ashley, D.J. Barnard, Liz Beardwell, David Billing, Judi Billing, John Bishop, Monica Bloxham, Simon Bloxham, Tom Brindley, P.C.W. Burt, Paul Clark, J.M. Cunningham, Melissa Davey, Tricia Gibbs, Jane Gray, Gary Grindal, Fiona Hill, T.W. Hone, A.F. Hunter, R.E. Inwood, Sal Jarvis, Steve Jarvis, David Kearns, Joan Kirby, Marilyn Kirkland, I.J. Knighton, David Levett, Bernard Lovewell, M.R.M Muir, Elliot Needham, Lawrence Oliver, M. Paterson, Diane Proudlove, Deepak Sangha, R.L. Shakespeare-Smith, F.J. Smith, Martin Stears, R.A.C. Thake, M.E. Weeks, Sarah Wren and A.D. Young.

IN ATTENDANCE: Chief Executive, Strategic Director of Financial & Regulatory Services, Strategic Director of Customer Services, Head of Legal and Democratic Services, Democratic Services Manager and Senior Committee and Member Services Officer.

42. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Lorna Kercher, Lawrence McNamara, H.M. Marshall, D. Miller, Mrs L.A. Needham and D. Sheard.

43. MINUTES

It was moved by Councillor F.J. Smith, seconded by Councillor T.W. Hone, and

RESOLVED: That the Minutes of the meeting of the Council held on 27 July 2006 be approved as a true record and signed by the Chairman.

44. NOTIFICATION OF OTHER BUSINESS

No additional items were presented for consideration by the Council.

45. DECLARATIONS OF INTEREST

There were no declarations of interest.

46. CHAIRMAN'S ANNOUNCEMENTS

Civic Reception

The Chairman announced that her Civic Reception was to held on Friday, 2 February 2007.

47. PUBLIC PARTICIPATION

No items were presented for consideration by the Council under public participation.

48. PROPOSED CHANGES TO THE COUNCIL'S CONSTITUTION – STANDARDISATION OF PUBLIC PARTICIPATION ARRANGEMENTS AND TERMS OF REFERENCE FOR AREA COMMITTEES AND APPOINTMENTS BOARD

The Monitoring Officer submitted a report recommending proposed changes to the Council's Constitution in respect of the standardisation of public participation arrangements for Area Committee, Area Committee consideration of planning enforcement matters and Appointments Board approval of Chief Officer appointments.

In respect of the standardisation of public participation arrangements for Area Committees, the report stated that the current arrangements for members of the public addressing the Committees were 5 minutes per individual/group on non-planning matters and 3 minutes per individual/group on planning matters. The report recommended that the length of time for addressing the Committee should be standardised at 3 minutes per individual/group on both planning and non-planning matters.

In debating this item, a number of Members were uncertain about whether or not the 5 minutes for speaking on non-planning items was actually contained in the Constitution or was an informal arrangement for expedient management of the business at Area Committee meetings. Some Members expressed the view that 3 minutes each was an insufficient amount of time for all speakers.

It was moved by Councillor Martin Stears, and seconded by Councillor Judi Billing, that a decision on the proposed standardisation of public participation arrangements for Area Committees be deferred to enable clarification of the Constitutional position regarding these arrangements, and that a report be submitted to the next meeting of the Council on this matter.

Upon being put to the vote, this motion was carried.

In respect of Area Committee consideration of enforcement matters, it was moved by Councillor R.A.C. Thake, and seconded by Councillor A.D. Young, that the Terms of Reference for the Area Committees be amended to remove responsibility for the Authority's planning enforcement matters.

Upon being put to the vote, this motion was carried.

In respect of Appointments Board approval of Chief Officer appointments, it was moved by Councillor R.A.C. Thake, and seconded by Councillor A.D. Young, that the Terms of Reference for the Appointments Board be amended to remove the power to approve the appointment of Chief Officers at Head of Service level, except for those statutory positions named in the Constitution.

Upon being put to the vote, this motion was carried.

RESOLVED:

- (1) That a decision on the proposed standardisation of public participation arrangements for Area Committees be deferred to enable clarification of the Constitutional position regarding these arrangements, and that a report be submitted to the next meeting of the Council on this matter;
- (2) That the Terms of reference for the Area Committees be amended to remove responsibility for the Authority's planning enforcement matters;
- (3) That the Terms of Reference for the Appointments Board be amended to remove the power to approve the appointment of Chief Officers at Head of Service level, except for those statutory positions named in the Constitution;
- (4) That the Council's Constitution be amended to take account of resolutions (2) and (3) above.

REASON FOR DECISION: To ensure that the Constitution is fit for purpose.

49. REVISIONS TO FINANCIAL REGULATIONS AND CONTRACT PROCUREMENT RULES 2006/07

The Strategic Director of Financial & Regulatory Services submitted a report seeking approval to some proposed changes for 200/07 to the Council's Financial Regulations and Contract Procurement Rules (formerly Contract Standing Orders). Attached to the report were Appendix A – Amendments to Financial Regulations 2006/07; Amendments to Contract Procurement Rules 2006/07; Financial Regulations 2006/07; and Contract Procurement Rules 2006/07.

It was moved by Councillor T.W. Hone, seconded by Councillor F.J. Smith, and

RESOLVED: That the proposed changes to the Financial Regulations and Contract Procurement Rules for 2006/07, as detailed in Appendices A and B to the report, be approved.

REASON FOR DECISION: To contribute towards the improved effectiveness of organisational internal control as part of the Council's annual review of Financial Management and procurement processes.

50. ANY ITEMS REFERRED FROM CABINET – 12 SEPTEMBER 2006

No items were referred from the Cabinet meeting held on 12 September 2006.

51. QUESTIONS FROM MEMBERS

No questions had been submitted by Members.

52. NOTICE OF MOTIONS

(1) Public Conveniences

Due notice having been given in accordance with Standing Order 11.1, it was moved by Councillor Deepak Sangha, and seconded by Councillor Joan Kirby:

“That this Council calls on the Cabinet to re-consider its decision to close the public conveniences in Bancroft, Hitchin and to consult with people with disabilities with regard to their needs for properly accessible public conveniences, with particular reference to that in Portmill Lane, Hitchin”.

During the ensuing debate, an amendment was moved by Councillor Liz Beardwell, and seconded by Councillor Robert Inwood that the words “and Royston” be inserted after the words “Bancroft, Hitchin”.

Upon being put to the vote, this amendment was lost.

In accordance with Standing Order 16.5, Councillor David Billing asked for a recorded vote to be taken on the substantive motion.

(Voting:

For: Councillors Liz Beardwell, David Billing, Judi Billing, Paul Clark, Gary Grindal, Fiona Hill, A.F. Hunter, R.E. Inwood, Sal Jarvis, S.K. Jarvis, David Kearns, Joan Kirby, Marilyn Kirkland, Bernard Lovewell, Lawrence Oliver, Deepak Sangha, R. Shakespeare-Smith & Martin Stears – 18.

Against: Councillors Mrs A.G. Ashley, Alan Bardett, John Bishop, Simon Bloxham, Tom Brindley, J.M. Cunningham, Melissa Davey, Tricia Gibbs, Jane Gray, T.W. Hone, I.J. Knighton, David Levett, M.R.M. Muir, Elliot Needham, M. Paterson, F.J. Smith, Mrs C.P.A. Strong, R.A.C. Thake, M.E. Weeks, Sarah Wren & A.D. Young – 21.

Abstention: Councillor D.J. Barnard.

The motion was lost.)

(2) Climate Change

Due notice having been given in accordance with Standing Order 11.1, it was moved by Councillor Paul Clark, and seconded by Councillor Steve Jarvis:

“That the Council recognises that evidence shows that climate change is occurring and will continue to have far reaching effects on people and places in this District and beyond. There is a need for this Council to work together with other like minded Councils and Central Government to lead the response at a local level, encouraging

and helping local residents, local business and other organisations - to reduce their energy costs, to reduce congestion, to adapt to the impact of climate change, to improve the local environment and to deal with fuel poverty in our communities.

That North Hertfordshire District Council therefore resolves to sign the Nottingham Declaration on Climate Change, which acknowledges the increasing impact that climate changes will have on our community during the 21st century and commits it to tackling the causes and effects of a changing climate on our District.

Our commitment along with the many other Councils of all political persuasions across the country who have already signed up to this declaration, can make a significant difference to our environment in the future.”

During the ensuing debate, an amendment was moved by Councillor F.J. Smith, and seconded by Councillor T.W. Hone, to retain the first sentence of the motion, delete the remainder, and replace with “and the Council therefore requests Cabinet to consider the detailed implications for NHDC should it decide to sign the Nottingham Declaration on Climate Change”.

Upon being put to the vote, this amendment was carried.

It was agreed that an interim report be submitted to the next meeting of the Council providing a timescale for Cabinet’s consideration of the detailed implications for NHDC should it decide to sign the Nottingham Declaration on Climate Change.

RESOLVED:

- (1) That the Council recognises that evidence shows that climate change is occurring and will continue to have far reaching effects on people and places in this District and beyond, and the Council therefore requests Cabinet to consider the detailed implications for NHDC should it decide to sign the Nottingham Declaration on Climate Change;
- (2) That that an interim report be submitted to the next meeting of the Council providing a timescale for Cabinet’s consideration of the detailed implications for NHDC should it decide to sign the Nottingham Declaration on Climate Change.

(3) Hitchin Triangle

Due notice having been given in accordance with Standing Order 11.1, it was moved by Councillor Judi Billing, and seconded by Councillor Martin Stears:

“That urgent action should be taken to protect the Hitchin Triangle area from over development and exploitation and that the Council should prepare a planning brief for the area which respects the diverse needs of the community and protects it as quickly as possible from random and unsympathetic development.”

The matter was debated and, upon being put to the vote, the motion was lost.

The meeting closed at 11.10pm.

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Chairman