

RECORD OF DECISION MADE UNDER DELEGATED AUTHORITY

PART 1 – PUBLIC DOCUMENT

Any interest to declare/ or conflict and any dispensation granted [N/A]

SERVICE DIRECTORATE: LEGAL AND COMMUNITY

1. DECISION TAKEN

Following the by-election on 10 March 2022, and two separate requests for other changes, subsequent to appointments made at the Annual Council meeting regarding the Planning Control Committee, that:

- i.
 - Cllr Raj Bhakar replace Cllr Carol Stanier as a full member of the Planning Control Committee; and
 - Cllr Carol Stanier replace Cllr Sam North as a Substitute Member on the Planning Control Committee.
- ii.
 - Cllr Simon Bloxham replace Cllr John Bishop as a full member of the Planning Control Committee; and
 - Cllr Adam Compton replace Cllr Simon Bloxham as a Substitute Member of the Planning Control Committee.

2. DECISION TAKER

Melanie Stimpson, Democratic Services Manager.

3. DATE DECISION TAKEN:

28 March 2022 (in respect of i above) and 30 March 2022 (in respect of ii above).

4. REASON FOR DECISION

- 4.1 As per the constitution, the Service Director: Legal and Community and the Democratic Services Manager (given as a sub delegation) have delegated authority to make appointments (or where relevant nominate) Councillors or Substitutes to Committees, Sub-Committees, Panels, Boards and Outside Bodies, in consultation with Group Leaders during the civic year in respect of the appointments that have previously been made at Annual Council.

5. ALTERNATIVE OPTIONS CONSIDERED

- 5.1 None considered. Appointments to seats allocated to each political party under the provisions of Section 15 of the Local Government and Housing Act 1989 are made on a politically proportionate basis at the Annual Council meeting. It is therefore a matter for the respective Group Leaders on who they wish to nominate as an appointment or replacement.
- 5.2 Regarding outside organisation and other bodies to which the Council has a seat, it is for Group Leaders to discuss and determine which Members be appointed.

6. CONSULTATION (INCLUDING THE EFFECT ON STAKEHOLDERS, PARTNERS AND THE PUBLIC)

- 6.1 In accordance with the Constitution, the delegated decision is made in consultation with Group Leaders.

7. FORWARD PLAN

- 7.1 This decision is not a key Executive decision and has therefore not been referred to in the Forward Plan.

8. BACKGROUND/ RELEVANT CONSIDERATIONS

- 8.1 Following a request to fill a casual vacancy as a result of the sudden passing of Councillor Paul Clark, a by-election was held on 10 March 2022 for the Hitchin Highbury District Ward (and at the same time for the Hitchin South County division). Subsequently the Deputy Leader Councillor Ruth Brown, provided notice on 24 March to the Committee, Member and Scrutiny Team and then to the Democratic Services Manager of the changes listed in (i) above.
- 8.2 The Group Leader of the Conservatives provided notice to the Proper Officer, on 30 March of some further changes as listed in (ii) above, subsequent to appointments made at the Annual Council meeting.
- 8.4 Group Leaders were notified of the changes on 25 March 2022 (in respect of i above) and 30 March 2022 (in respect of ii above).

9. LEGAL IMPLICATIONS

- 9.1. 14.6.8 (a) Delegation of Authority – Service Director: Legal and Community of the Constitution states:

(xx) To make appointments (or where relevant nominate) Councillors or Substitutes to Committees, Sub-Committees, panels, boards and outside bodies, in consultation with Group Leaders during the civic year in respect of the appointments that have previously been made at Annual Council.

- 9.2 14.6.2 (c) Scheme of Delegations to Officers – General Principles - *All officers discharging these functions may authorise any member of their staff to act on their behalf and shall keep a written record of all sub-delegations in a register held by the Monitoring Officer (subject to the limitations at 14.6.3 and within specific policies).*

- 9.3 Sub delegation to Democratic Services Manager under 1.14.1 of officer's delegations:

e) The appointment, nomination or revocation of appointment of any individual to any office/ body other than to Full Council in the event of vacation of office, in consultation with Group Leaders in respect of elected Councillors (In accordance with any requirements under the Local Government (Committees and Political Groups) Regulations 1990, or any legislation replacing the same under section 14.5.1 of the Constitution.

10. FINANCIAL IMPLICATIONS

- 10.1. There are no direct financial implications. There is a Members' Allowance budget which is approved via the budget setting propose and in the case of a councillor vacancy, there are some savings until the seat is elected either at the usual May elections or via a by-election.

11. RISK IMPLICATIONS

- 11.1 A vacancy on a Committees, Sub-Committees or Panel could result in the respective political party not being fully represented at a particular meeting and that the district council is not represented at the outside organisation/bodies meetings.

12. EQUALITIES IMPLICATIONS

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

13. SOCIAL VALUE IMPLICATIONS

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

14. ENVIRONMENTAL IMPLICATIONS

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

15. HUMAN RESOURCE IMPLICATIONS

- 15.1 The Committee, Member and Scrutiny Team are responsible for notifying changes to the outside organisations and other bodies as well as notifying the payroll provider (in respect of members allowances’), and making the respective amendments to the committee management system.

16. BACKGROUND PAPERS

- 16.1 Annual Council – 26 May 2021 [Agenda for Council on Wednesday, 26th May, 2021, 7.30 pm - North Hertfordshire District Council \(north-herts.gov.uk\)](https://www.north-herts.gov.uk/agenda-for-council-on-wednesday-26th-may-2021-7.30-pm-north-hertfordshire-district-council)

17. APPENDICES

- 17.1 N/A

NOTIFICATION DATE

Date: 1 April 2022

Signature of Decision Taker



Call-in does not apply to NON-EXECUTIVE DECISIONS