

EAST HERTS COUNCIL

ANNUAL COUNCIL – 14 MAY 2014

REPORT BY HEAD OF DEMOCRATIC AND LEGAL SUPPORT SERVICES

REVIEW OF THE COUNCIL'S DECISION-MAKING STRUCTURE

WARD(S) AFFECTED: All

- 
- Council, at its annual meeting, is required to approve the decision-making arrangements for the discharge of functions.

<b><u>RECOMMENDATIONS FOR DECISION:</u> That:</b>																					
<b>(A)</b>	<b>the following Scrutiny Committees, Regulatory Committees, Joint Committee and Joint Member Panel be appointed, with the number of voting Members stated:</b>																				
	<table border="1"><thead><tr><th><b><u>Committee</u></b></th><th><b><u>No. of Members</u></b></th></tr></thead><tbody><tr><td><b>Community Scrutiny</b></td><td><b>10</b></td></tr><tr><td><b>Corporate Business Scrutiny</b></td><td><b>10</b></td></tr><tr><td><b>Environment Scrutiny</b></td><td><b>10</b></td></tr><tr><td><b>Audit</b></td><td><b>7</b></td></tr><tr><td><b>Development Management</b></td><td><b>12</b></td></tr><tr><td><b>Human Resources</b></td><td><b>7</b></td></tr><tr><td><b>Licensing</b></td><td><b>15</b></td></tr><tr><td><b>Standards</b></td><td><b>5</b></td></tr><tr><td><b>East Herts Council and Stevenage Borough Council Joint Revenues and Benefits Committee (3 from East Herts and 3 from Stevenage)</b></td><td><b>6</b></td></tr></tbody></table>	<b><u>Committee</u></b>	<b><u>No. of Members</u></b>	<b>Community Scrutiny</b>	<b>10</b>	<b>Corporate Business Scrutiny</b>	<b>10</b>	<b>Environment Scrutiny</b>	<b>10</b>	<b>Audit</b>	<b>7</b>	<b>Development Management</b>	<b>12</b>	<b>Human Resources</b>	<b>7</b>	<b>Licensing</b>	<b>15</b>	<b>Standards</b>	<b>5</b>	<b>East Herts Council and Stevenage Borough Council Joint Revenues and Benefits Committee (3 from East Herts and 3 from Stevenage)</b>	<b>6</b>
<b><u>Committee</u></b>	<b><u>No. of Members</u></b>																				
<b>Community Scrutiny</b>	<b>10</b>																				
<b>Corporate Business Scrutiny</b>	<b>10</b>																				
<b>Environment Scrutiny</b>	<b>10</b>																				
<b>Audit</b>	<b>7</b>																				
<b>Development Management</b>	<b>12</b>																				
<b>Human Resources</b>	<b>7</b>																				
<b>Licensing</b>	<b>15</b>																				
<b>Standards</b>	<b>5</b>																				
<b>East Herts Council and Stevenage Borough Council Joint Revenues and Benefits Committee (3 from East Herts and 3 from Stevenage)</b>	<b>6</b>																				

<b>(B)</b>	<b>the allocation of seats to political groups be as set out in Essential Reference Paper ‘C’;</b>	
<b>(C)</b>	<b>the membership of Scrutiny Committees, Regulatory Committees, the East Herts Council and Stevenage Borough Council Joint Revenues and Benefits Committee be as set out in Essential Reference Paper ‘D’, with Members being appointed in accordance with the wishes of the political groups to whom the seats on these bodies have been allocated,</b>	
<b>(D)</b>	<b>the intention of the Leader of the Council to appoint 6 Members to the Executive (in addition to the Leader) with the portfolio responsibilities as detailed at Essential Reference Paper ‘B’, be noted;</b>	
<b>(E)</b>	<b>the programme of Council meetings, as detailed at paragraph 5.1 of the report submitted, be approved,</b>	
<b>(F)</b>	<b>the Director of Finance and Support Services be authorised to make changes in the standing membership of committees, joint committee and panel in (A) above, in accordance with the wishes of the political groups to whom seats on these bodies have been allocated, and</b>	
<b>(G)</b>	<b>the action to be taken by the Director of Finance and Support Services, in consultation with the Leader, under delegated authority, concerning the appointment of representatives to outside bodies, be noted.</b>	

## 1.0 The Executive/Leader of the Council

- 1.1 Under the Council’s constitution, the Annual meeting in 2011 appointed the Leader for the “life” of this Council (i.e. until the next District Council elections in 2015).
- 1.2 In terms of the appointment of Members to the Executive, the constitution provides that this is the responsibility of the Leader of the Council once appointed. The Leader determines the size of the Executive and he has advised that the size of the Executive proposed for 2014/15 should be six (plus the Leader).
- 1.3 The Leader is also responsible for advising Council on the allocation

of executive portfolio responsibilities. These are set out at **Essential Reference Paper 'B'** (to follow).

## 2.0 Scrutiny Committees and Regulatory Committees

2.1 It is proposed that three scrutiny committees will be constituted as follows:

Community Scrutiny	10
Corporate Business Scrutiny	10
Environment Scrutiny	10

2.2 It is proposed that the following Committees will be established with the same of terms of reference as last year.

Audit Committee (7 Members)  
Development Management Committee (12 Members)  
Human Resources Committee (7 Members)  
Licensing Committee (15 Members)  
Standards Committee (5 Members)

2.3 Sub-Committees and panels with specific responsibilities relating to licensing and human resources matters will be reconstituted by the Licensing and Human Resources Committees respectively (as the 'parent' committees) at their first meetings in the Civic Year immediately after Annual Council.

## 3.0 Joint Committees

3.1 It is proposed that the joint committee relating to Revenues and Benefits (with Stevenage) be retained on its existing basis.

3.2 In respect of the Hertfordshire Police and Crime Panel (PCP) established in 2012, the Authority was entitled to nominate one Councillor for a four year term with caveats concerning cessation of membership in circumstances detailed. Councillor M Alexander was nominated for that four year term.

## 4.0 Political Groups

4.1 Where Members of the Council are divided into political groups, the provisions of the Local Government and Housing Act 1989 place a duty on the Council to review the allocation between those groups of seats on its Scrutiny Committees, Regulatory Committees and Joint Committees according to certain principles. The aim is to ensure that

the political composition of the Committees, etc, reflects the composition of the Council. The rules of proportionality do not apply to the Executive.

- 4.2 Three political groups have been constituted within East Herts Council as follows:

Conservatives	44
Group of Independents	3
Liberal Democrats	2

These groups are entitled to a proportion of seats in relation to their relative percentage size. It is for Council to appoint Members to the seats in accordance with the wishes of the political groups to whom they have been allocated. **Essential Reference Paper 'C'** details the allocation of committee seats to political groups.

- 4.3 The recommendation at the head of this report identifies the need to allocate seats on the Council's Scrutiny and Regulatory Committees and its Joint Committees to political groups as required by legislation.
- 4.4 The Council is obliged to allocate seats to be occupied by its Members to the political groups into which it is divided. Political groups then nominate the Members of the Council whom they wish to see occupy those seats allocated to them. The nominees need not be a member of the political group which nominates them.
- 4.5 Council must appoint the nominees of the political groups to the seats allocated. **Essential Reference 'D'** (*to follow*) sets out the proposed membership.
- 4.6 Members of the Executive may not be appointed to serve on Scrutiny Committees. Executive Members may, if the Council so wishes, be appointed to the Regulatory Committees, the Audit and Human Resources Committees, Standards Committee and Joint Committees.
- 4.7 At present, there is a vacancy in the office of councillor for East Herts Council. The allocation of seats detailed in **Essential Reference Paper 'C'** reflects this vacancy. A further review of seats allocated to political groups may be necessary following the by-election to be held on 22 May 2014.

- 5.0 Calendar of Meetings

- 5.1 A Calendar of meetings for 2014/15 has already been published and Council is invited to confirm the dates of its meetings as follows:

30 July 2014  
1 October 2014  
17 December 2014  
28 January 2015  
18 February 2015  
4 March 2015  
20 May 2015 (Annual)

## 6.0 Outside Bodies

- 6.1 The Council appoints a significant number of people as its representatives on outside bodies. The appointment of such representatives is delegated to the Director of Finance and Support Services, in consultation with the Leader of the Council.
- 6.2 The Director and Leader will be reviewing the Council's appointments for the ensuing civic year. **Essential Reference Paper 'E'** (*to follow*) sets out the appointments.

## 7.0 Implications/Consultations

- 7.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

## Background Papers

None

Contact Officer: Jeff Hughes, Head of Democratic and Legal Support Services, ext 2170  
[jeff.hughes@eastherts.gov.uk](mailto:jeff.hughes@eastherts.gov.uk)

Report Author: Martin Ibrahim, Democratic Services Team Leader  
[martin.ibrahim@eastherts.gov.uk](mailto:martin.ibrahim@eastherts.gov.uk)