

# Public Document Pack



Chairman and Members of the  
Council

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Date: 21 February  
2011

cc. All other recipients of the Council  
agenda

Dear Councillor

## **COUNCIL - 23 FEBRUARY 2011**

Please find attached the following reports for the above meeting:

6. Members' questions (Pages 3 - 4)

*To receive any Members' questions.*

12. Review of the Council's Decision-making Structure (Pages 5 - 8)

*The Chairman has agreed to accept this item onto the agenda as an urgent matter in order to avoid delay in the appointment of Members to vacant seats.*

Please bring these papers with you to the meeting next Wednesday

Yours faithfully

Martin Ibrahim  
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*Democratic Services*  
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**MEETING** : COUNCIL  
**VENUE** : COUNCIL CHAMBER, WALLFIELDS, HERTFORD  
**DATE** : WEDNESDAY 23 FEBRUARY 2011  
**TIME** : 7.00 PM

COUNCIL – 23 FEBRUARY 2011

## MEMBERS' QUESTIONS

### Question 1

Councillor A M Graham to ask the Leader of the Council:

*Does the Leader of the Council advocate the Big Society and if so could he enlighten us on what it means in terms of this council's priorities?*

### Question 2

Councillor A M Graham to ask the Leader of the Council:

*In terms of the latest unemployment gloom in which the young, i.e. 16-24 year olds have been worst hit, in what ways is this council addressing positively the support it gives to this age group?*

### Question 3

Councillor V Shaw to ask the Executive Member for Planning Policy and Transport:

*I understand Ware Town Councillors have now successfully persuaded East Herts Council to provide funding not only for Tudor Square, but also funding for further projects in the town. I would like to know when this was agreed, what the further projects are, and how they have answered the questions as set out in Councillor Carver's letter to Ware Town Council on 7<sup>th</sup> September.*

### Question 4

Councillor V Shaw to ask the Leader of the Council:

*I have become aware that costs in the region of £400,000 have been provided to The Drill Hall in Ware in the past few years. I would like to know how this sum has been spent when there appears to be very little material difference to the building and I understand on good advice that only basic repairs are made?*

### **Question 5**

Councillor V Shaw to ask the Executive Member for Community Development, Leisure and Culture:

*Hertford Museum has been provided with a very generous £100,000 for their refurbishment and was recently given a further £10,000 to cover a shortfall, from East Herts Council. Ware Museum was given just £5,000 for their refurbishment. Ware Museum has embarked on an ambitious project to bring the Great Bed of Ware to the Museum in 2012 and has made an application for £10,000 from East Herts Council to help support this exciting scheme. The Great Bed will generate civic pride, visitors, and economic benefit to the town in the Olympic year. To deny this grant is very unfair to Ware who continually miss out on funding compared to the money being invested in other East Herts towns. I would like to comprehend why this request has been turned down, and why the trustees have been told there is no likelihood of funds being granted?*

### **Question 6**

Councillor V Shaw to ask the Executive Member for Community Safety and Protection:

*Am I right in thinking if any towns default on their payment of CCTV cameras, East Herts Council have to pick up the cost because of the way the contract was written?*

### **Question 7**

Councillor K A Barnes to ask the Leader of the Council:

*Can the Leader of the Council explain why meeting dates have been altered in the lead up to the Local elections on 5<sup>th</sup> May? Is he aware that neighbouring local authorities are holding meetings as late as 18<sup>th</sup> and 19<sup>th</sup> April? If it is so important to observe Purdah in such a strict manner, can he explain why meetings took place in the lead up to the two recent by-elections in November and December 2010 and the 2007 local elections of this Authority?*

## EAST HERTS COUNCIL

COUNCIL – 23 FEBRUARY 2011

### REPORT BY HEAD OF DEMOCRATIC AND LEGAL SUPPORT SERVICES

#### REVIEW OF THE COUNCIL'S DECISION-MAKING STRUCTURE

WARD(S) AFFECTED: All

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#### **Purpose/Summary of Report**

- To review the Council's decision-making structure following the by-election in Sawbridgeworth.

<b><u>RECOMMENDATIONS FOR DECISION: That:</u></b>	
<b>(A)</b>	<b>the allocation of seats be as set out in the report now submitted, and</b>
<b>(B)</b>	<b>the membership of Scrutiny Committees, Regulatory Committees be as now detailed, with Members being appointed in accordance with the wishes of the political groups to whom the seats on these bodies have been allocated.</b>

#### 1.0 Background

1.1 Council, at its Annual meeting in May 2010, approved the decision-making arrangements for the discharge of functions for the 2010/11 Civic Year.

1.2 A subsequent Council by-election means that the Authority needs to review the allocation of seats on its committees.

#### 2.0 Scrutiny Committees, Regulatory Committees

2.1 The following three scrutiny committees were constituted by Council in May 2010 comprising the following number of Members:

Community Scrutiny

10

Corporate Business Scrutiny	10
Environment Scrutiny	10

2.2 The following Committees were also established:

- Development Control Committee (16 Members)
- Licensing Committee (15 Members)
- Human Resources Committee (7 Members)
- Audit Committee (7 Members)

### 3.0 Political Groups

3.1 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 and Regulatory 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.

3.2 There are three political groups constituted within East Herts Council. In addition, account must be taken of those Members, if any, who are not Members of political groups on the Council. Those Members are entitled to a proportion of seats in relation to their relative percentage size. The proposed allocation is set out below. It reflects the outcome of a recent District Council by-election. The newly elected Member has joined the Group of Independents.

<u>Committees</u>	<u>Seats</u>	<u>Cons</u>	<u>Lib Dem</u>	<u>Ind</u>	<u>JW</u>	<u>Totals</u>
Corporate Business Scrutiny	10	8	1	0	1	10
Environment Scrutiny	10	8	1	1	0	10
Community Scrutiny	10	8	1	1	0	10
Audit	7	5	1	0	1	7
Development Control	16	13	2	1	0	16
Human Resources	7	6	1	0	0	7
Licensing	15	13	1	1	0	15
Totals:	75	61	8	4	2	75

- 3.3 The recommendation at the head of this report identifies the need to allocate seats on the Council’s Scrutiny and Regulatory Committees to political groups and the non-aligned Member as required by legislation.
- 3.4 Political groups 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.
- 3.5 Council must appoint the nominees of the political groups to the seats allocated.
- 3.6 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 and Standards Committee.
- 4.0 Conclusion
- 4.1 The recommendation at the head of this report (and the allocation of seats detailed above) reflects the outcome of the recent by-election for Sawbridgeworth. The seat allocation is based on relative sizes of groups.
- 5.0 Implications/Consultations
- 5.1 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

Report Author: Jeff Hughes, Head of Democratic and Legal Support Services

## ESSENTIAL REFERENCE PAPER 'A'

Contribution to the Council's Corporate Priorities/ Objectives <i>(delete as appropriate):</i>	The proposals set out in this report will support all of the Council's corporate objectives.
Consultation:	The appropriate consultation with Group Leaders has taken place. In advance of this meeting, the Head of Democratic and Legal Services liaised with political group leaders in order to obtain their nominations to their group seats on various bodies, where relevant. Details of these nominations will be circulated to all Members. Council is invited to note that one of the recommendations before them will enable these nominations to be appointed to the seats allocated to groups.
Legal:	The proposals set out in this report accord with the statutory provisions for reviewing the Council's decision-making structure.
Financial:	None
Human Resource:	None
Risk Management:	The Council needs to establish a robust and clear decision-making structure to enable it to function effectively and make decisions in an expeditious manner which is accountable to the electorate.