

EAST HERTS COUNCIL

ANNUAL COUNCIL – 18 MAY 2016

REPORT BY INTERIM HEAD OF DEMOCRATIC AND LEGAL
SUPPORT SERVICES

REVIEW OF THE COUNCIL'S DECISION-MAKING STRUCTURE

WARD(S) AFFECTED: All

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

<u>RECOMMENDATIONS FOR DECISION:</u> That:		
(A)	the following Scrutiny Committees, Regulatory Committees and Joint Committee be appointed, with the number of voting Members stated:	
	<u>Committee</u>	<u>No. of Members</u>
	Community Scrutiny	10
	Corporate Business Scrutiny	10
	Environment Scrutiny	10
	Health and Wellbeing Scrutiny	10
	Audit and Governance	10
	Development Management	12
	Human Resources	7
	Licensing	12
	Chief Officer Recruitment	5
	East Herts Council and Stevenage Borough Council Joint Revenues and Benefits Committee (3 from East Herts	6

	and 3 from Stevenage)	
(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 group to whom the seats on these bodies have been allocated,	
(C)	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;	
(D)	the programme of Council meetings, as detailed at paragraph 5.1 of the report submitted, be approved,	
(E)	the Head of Legal and Democratic 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 group to whom seats on these bodies have been allocated;	
(F)	the action to be taken by the Head of Legal and Democratic Services, in consultation with the Leader, under delegated authority, concerning the appointment of representatives to outside bodies, be noted; and	
(G)	the Monitoring Officer be authorised to make such amendments to the Council’s constitution as may be necessary to account for the decisions in (A) to (F) above.	

1.0 The Executive/Leader of the Council

1.1 Under its constitution, in May 2015, Council appointed the Leader of the Council for the “life” of the Council (i.e. until the next District Council elections in 2019). The constitution sets out the circumstances when this post becomes vacant.

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 she has advised that the size of the Executive proposed for 2016/17 is six members (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’**.

2.0 Scrutiny Committees and Regulatory Committees

2.1 It is proposed that four scrutiny committees will be constituted as detailed below. The terms of reference of each will be the same as last year save that amendments will be made to the constitution to reflect that the former Health and Wellbeing Panel is now a full scrutiny committee with the general powers associated with full committee status in addition to its specific remit.

Community Scrutiny	10
Corporate Business Scrutiny	10
Environment Scrutiny	10
Health and Wellbeing 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 and Governance Committee (10 Members) (see separate report on agenda)

Development Management Committee (12 Members)

Human Resources Committee (7 Members)

Licensing Committee (12 Members)

Chief Officer Recruitment Committee (5 Members)

2.3 Sub-Committees and panels with specific responsibilities relating to licensing and standards matters will be reconstituted by the Licensing and Audit and Governance respectively (as the ‘parent’ committees) at their first meetings in the Civic Year immediately after Annual Council.

3.0 Joint Committee

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

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 At time of writing, one political group has been constituted within East Herts Council as follows:

Conservatives	48
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This group is entitled to a proportion of seats in relation to their relative percentage size, i.e. 96%. It is for Council to appoint Members to the seats in accordance with the wishes of the political group to whom they have been allocated.

- 4.3 **Essential Reference Paper ‘C’** details the allocation of committee seats to the political group and independent Members.

- 4.4 Council must appoint the nominees of the political group to the seats on committees etc. **Essential Reference Paper ‘D’** sets out the proposed membership.

- 4.5 Members of the Executive may not be appointed to serve on Scrutiny Committees.

5.0 Calendar of Meetings

- 5.1 A Calendar of meetings for 2016/17 has already been published and Council is invited to confirm the dates of its meetings as follows:

27 July 2016
19 October 2016
14 December 2016
1 March 2017
10 May 2017 (Annual)

6.0 Outside Bodies

- 6.1 Council appoints a significant number of people as its representatives on outside bodies. The appointment of such representatives is delegated to the Head of Legal and Democratic 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 and will advise members shortly of 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

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