

Agenda Reports & Other Papers

Presented to the
Meeting of the
County Council on
**Tuesday
23 May 2017**



HERTFORDSHIRE COUNTY COUNCIL

THE COUNTY COUNCIL

SUMMONS AND AGENDA

for the meeting to be held on Tuesday, 23 May 2017 at 10.00a.m. in the Council Chamber, County Hall, Hertford.

GROUP MEETINGS

Conservative Group	9.00 a.m.	23 May 2017 Council Chamber
Liberal Democrat Group	8.30 a.m.	23 May 2017 Committee Room A
Labour Group	9.00 a.m.	23 May 2017 Group Room

PRAYERS at 9.50 a.m.

Prayers led by The Reverend John Russell, Vicar of Great Gaddesden, Little Gaddesden and Nettleden parishes

Members are reminded that all equalities implications and equalities impact assessments undertaken in relation to any matter on this agenda must be rigorously considered prior to any decision being reached on that matter.

Members are reminded that:

- (1) if they consider that they have a Disclosable Pecuniary Interest in any matter to be considered at the meeting they must declare that interest and must not participate in or vote on that matter unless a dispensation has been granted by the Standards Committee;
- (2) if they consider that they have a Declarable Interest (as defined in paragraph 5.3 of the Code of Conduct for Members) in any matter to be considered at the meeting they must declare the existence and nature of that interest but they can speak and vote on the matter.

PART I (PUBLIC) AGENDA

1. ELECTION OF CHAIRMAN OF THE COUNCIL

To elect a Chairman of the Council to hold office until the Annual Meeting of the Council next following (22 May 2018).

2. ELECTION OF THE VICE-CHAIRMAN OF THE COUNCIL

To elect a Vice-Chairman of the Council to hold office until the Annual Meeting of the Council next following (22 May 2018).

3. MINUTES

To confirm the Minutes of the meeting of the Council held on 21 March 2017 (circulated separately).

4. CHAIRMAN'S ANNOUNCEMENTS

5. ELECTION OF COUNTY COUNCILLORS

The Chief Legal Officer, as Returning Officer, formally to report the return of County Councillors at the Elections held on 4 May 2017 for each of the 78 County Electoral Divisions.

[Note: A list giving the names of the County Councillors and the electoral divisions for which they are elected is attached to this Agenda].

6. APPOINTMENT OF LEADER OF THE COUNCIL

To appoint a Leader of the Council in accordance with Section 7 of the Constitution to hold office for the period ending with the day of the Annual Meeting of the Council following the next ordinary election of County Councillors in May 2021.

7. APPOINTMENT OF DIRECTOR OF ADULT SOCIAL SERVICES AND COUNTY COUNCIL CONSTITUTION

Report of the Chief Legal Officer
(attached)

8. APPOINTMENT OF AN INDEPENDENT PERSON

Report of the Chief Legal Officer
(attached)

9. REVIEW OF POLITICAL PROPORTIONALITY

Report of the Chief Legal Officer
(attached)

Please Note: The report contains a proposal for the disapplication of the political balance rules set out in the Local Government and Housing Act 1989 and for the approval of alternative arrangements in relation to the Council's Overview and Scrutiny and Health Scrutiny Committees.

If Council wishes to adopt these alternative arrangements it will need to agree to do so at the meeting with no member voting against.

10. APPOINTMENTS TO COMMITTEES

The Council is asked to appoint County Councillor members to serve on the following Committees for the ensuing year (save as mentioned below):

- Audit (10 [6:3:1])
- Development Control (10 [7:2:1]) – *and Substitute Members*
- Employment (5 [3:1:1])
- Health & Wellbeing Board (*Leader of the Council's nominations*)
- Health Scrutiny (10 [7:2:1]) * (*Note (1)*)
- Overview and Scrutiny (10 [7:2:1])* (*Note (2)*)
- Pensions (10 [7:2:1])
- Standards (5 [3:1:1])

(members to remain in office unless there is a resolution to the contrary at a future Annual Meeting of the Council)

**Political Proportionality to be waived*

- [Notes: (1) *In addition the Committee comprises 10 District Councillors nominated by the Hertfordshire Leaders Group.*
- (2) *In addition the Committee comprises 4 Parent Governor and 2 Church Representatives who are only able to vote on any question which relates to any education functions which are the responsibility of the Executive].*

11. APPOINTMENT OF CHAIRMEN AND VICE-CHAIRMEN OF COMMITTEES

To appoint the Chairmen and Vice-Chairmen of the following Committees for the ensuing year:

- Audit
- Development Control
- Employment
- Health & Wellbeing Board (*appointment of Chairman only, Vice-Chairman is appointed by the Board*)
- Health Scrutiny
- Overview and Scrutiny
- Pensions
- Standards

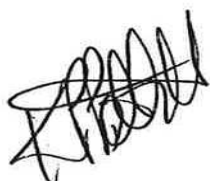
12. APPOINTMENT TO JOINT COMMITTEES

To appoint a representative to serve on:

- The Hertfordshire Police and Crime Panel
- The LGPS Access Joint Committee

13. REPRESENTATION ON THE LOCAL GOVERNMENT ASSOCIATION AND COUNTY COUNCIL'S NETWORK

To appoint four representatives to serve on the Local Government Association General Assembly, four representatives to serve on the County Council's Network until the Annual Meeting of the Council next following (22 May 2018), and to determine the allocation of votes between them.



**KATHRYN PETTITT
CHIEF LEGAL OFFICER**

Full copies of all reports may be found on the internet at link
<https://cmis.hertsdirect.org/hertfordshire/CabinetandCommittees.aspx>

HERTFORDSHIRE COUNTY COUNCIL

MINUTES of the Meeting of the County Council held at County Hall, Hertford, on Tuesday, 21 March 2017

MEMBERS IN ATTENDANCE

D Andrews	D J Hewitt	L F Reeve
D A Ashley	F R G Hill	R M Roberts
J R Barfoot	N A Hollinghurst	P A Ruffles
S Bedford	T W Hone	R Sangster
R H Beeching	T Hunter	D T F Scudder
N Bell	T R Hutchings	A M R Searing
J Billing	S L C Johnston	R H Smith
M Bright	A Joynes	A Stevenson
F Button (Chairman)	L R Kercher	J J Taylor
L A Chesterman	A King	S J Taylor
R F Cheswright	P F J Knell	R A C Thake
G R Churchard	D E Lloyd	R G Tindall
C Clapper	J Lloyd	A S B Walkington
H K Crofton	P V Mason	M A Watkin
T L F Douris	G McAndrew	J A West
D S Drury	A McKay	C J White
S B A F H Giles-Medhurst	M B J Mills-Bishop	A D Williams
E M Gordon	M D M Muir	J D Williams
R I N Gordon	R G Parker	C B Woodward
D Hart	R G Prowse	C B Wyatt-Lowe
K M Hastrick	S Quilty	W J Wyatt-Lowe
R J Henry	I M Reay	P M Zukowskyj
T C Heritage		

Upon consideration of the agenda for the Meeting of the County Council held on 21 March 2017, as circulated, action was taken or decisions were reached as follows:-

1. MINUTES

- 1.1 The Minutes of the meeting of the Council held on 21 February 2017 were confirmed as a correct record and were signed by the Chairman.

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2. CHAIRMAN'S ANNOUNCEMENTS

(a) Local Government Chronicle Awards 2017

Council congratulated Public Health on winning the Local Government Chronicle Campaign of the Year for its 'Stop Smoking in Pregnancy' initiative.

(b) Recognising Hertfordshire

Council was informed that, since the last County Council meeting in February 2017, the Chairman and Vice-Chairman had attended several functions recognising and celebrating the innovation and achievement of people and the wider community in Hertfordshire.

These functions included:

- A Celebration of the Council's Countryside Management Service (CMS) Volunteers in Welwyn Library
- The induction of Rabbi Zerbib at Northwood United Synagogue
- 'East Herts has Talent' at Hertford Theatre
- Broxbourne Youth Awards
- Judging a Young Enterprise event at County Hall

The Chairman had also hosted events in County Hall, including:-

- The last of the 15 (over two years) well-attended tours for District & Borough Councillors of the Council's Integrated Transport Control Centre (ITCC) and Hertfordshire Archives & Local Studies (HALS)
- The Ceremony to Fly The Flag on Commonwealth Day, part of a giant Mexican Wave of the Commonwealth Flag around the world from 53 member countries
- The High Sheriff's Annual Awards.

The Chairman also advised Council that, in the next couple of weeks, she would be hosting in County Hall, with the Lord Lieutenant of Hertfordshire, Lady Verulam:-

- An afternoon tea for those nominated for the Queen's Award for Voluntary Service
- The British Empire Medal Presentations.

(c) END OF COUNCIL TERM

Member Survey

As this was the last Council meeting in the current County Council,

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Members had been sent an end of term survey. The Chairman reminded Members to return their completed surveys (to Alex James, Corporate Policy) as soon as possible if they had not already done so.

Personal Thanks to Members

The Chairman advised Council that there would be an opportunity for Group Leaders to thank retiring and other Members for their service at the end of the meeting.

3. PUBLIC QUESTIONS – STANDING ORDER 8(10)

There were no public questions.

4. PUBLIC PETITIONS – STANDING ORDER 15

There were no public petitions.

5. OFFICER REPORTS RELEVANT TO EXECUTIVE PORTFOLIOS

There were no officer reports relevant to Executive Portfolios.

6. THE EXECUTIVE REPORT

6A. LEADER OF THE COUNCIL – EXECUTIVE REPORT

6.1 The following motion proposed by R I N Gordon was CARRIED:-

“That the report of the Executive (being the report under Standing Order 7) be received and that the position of Key Decisions in the decision-making process shown in the current edition of the Forward Plan referred to in the report be noted.”

6B. MOTIONS ARISING FROM THE EXECUTIVE REPORT IN THE ORDER IN WHICH THEY WERE RECEIVED

6B(i) 6.2 The following motion was proposed by **S B A F H Giles-Medhurst** and duly seconded:-

“As LED lighting is rolled out, this Council resolves to allow Members to take advantage of the lower energy costs and use their Highways Locality Budget to vary or eliminate the number of hours without street

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lighting, to recognise the increasingly 24 hour society we live in.”

- 6.3** The following amendment was proposed by **T L F Douris** and duly seconded:-

“Delete “As”, insert “On completion of the roll out of”

Delete “is rolled out”, insert “in areas subject to part-night lighting”

After “this Council” delete all until (and including) “street lighting”

Insert “invites its successor to use the central control system for LED lights to enable more variable arrangements for part-night lighting and dimming”,

The amended Motion to read:-

“On completion of the roll out of LED lighting in areas subject to part-night lighting, this Council invites its successor to use the central control system for LED lights to enable more variable arrangements for part-night lighting and dimming, to recognise the increasingly 24 hour society we live in.””

- 6.4** The amendment at 6.3 was then voted on and CARRIED.

- 6.5** The substantive motion as set out at 6.3 was then voted on and CARRIED as follows:-

“On completion of the roll out of LED lighting in areas subject to part-night lighting, this Council invites its successor to use the central control system for LED lights to enable more variable arrangements for part-night lighting and dimming, to recognise the increasingly 24 hour society we live in.”

- 6B(ii)** **6.6** The following motion was proposed by **L F Reeve** and duly seconded:-

“This Council now believes that the option for a return to full night lighting in areas, particularly urban, where the residents request it, especially where there is a perception of being safe, should be available. The Council therefore requires the Executive Member, on completion of the installation of the new lighting and management system, to commence a programme of consultation with the areas that request a return to full night lighting as soon as possible. The Council

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also recognises that, because of that advance in technology, there will not be any extra cost and will be no effect on the time allowed for the pay back of our original investment”.

- 6.7** The following amendment was proposed by **T L F Douris** and duly seconded:-

“Delete first sentence of Motion (i.e. “This Council ...”)

Delete “therefore requires”, insert “requests”

After “system”, delete “to commence a programme of consultation with the areas that request a return to full night lighting as soon as possible”, insert “in areas subject to part-night lighting, to use the central control system for LED lights to enable more variable arrangements for part-night lighting and dimming.

After “Council”, delete “also”

After “cost”, insert “arising from any such new arrangements”

The amended Motion to read:-

“The Council invites the Executive Member, on completion of the installation of the new lighting and management system in areas subject to part-night lighting, to use the central control system for LED lights to enable more variable arrangements for part-night lighting and dimming. The Council recognises that, because of the advance in technology, there will not be any extra cost arising from any such new arrangements and will be no effect on the time allowed for the pay back of our original investment.”

- 6.8** The amendment at 6.7 was then voted on and CARRIED.

- 6.9** The substantive motion as set out at 6.7 was then voted on and CARRIED as follows:-

“The Council invites the Executive Member, on completion of the installation of the new lighting and management system in areas subject to part-night lighting, to use the central control system for LED lights to enable more variable arrangements for part-night lighting and dimming. The Council recognises that, because of the advance in technology, there will not be any extra cost arising from any such new arrangements and will be no effect on the time allowed for the pay back

of our original investment.”

6B(iii) 6.10 The following motion proposed by **R J Henry** and duly seconded was CARRIED:-

“Hertfordshire County Council is disappointed that the recycling rates for Hertfordshire are still around 50%, a target set many years.

We believe that we should be at 60 to 65% which would achieve great efficiency savings by a reduction in landfill tax.

We note that there are different approaches to this across Hertfordshire and that some districts have removed some recycling receptacles.

We call on Council Officers to explore best practice in the Country and work proactively with the 10 Hertfordshire districts and boroughs to improve on recycling rates which, as well as contributing to savings will have a positive environmental impact too.”

7. QUESTIONS TO EXECUTIVE MEMBERS

7.1 During the period for questions to Executive Members under SO(8)(7)(c) the following Members asked questions (and, where indicated, supplementary questions) of the Executive Member or their Deputy as stated [the audio recording of this item of business can be found here [Questions to Executive Members](#)].
[Questions are listed by portfolio].

Executive Member	Questioner	Subject
Leader of the Council	S B A F H Giles-Medhurst	Potential additional funding requirements for the Metropolitan (rail) line extension and the Council's continued commitment to the scheme ¹
	N Bell	Increase in non-recurrent social care funding for Hertfordshire of £29m for 2017/18 ¹
	A S B Walkington	Herts Leaders' Group
	J Billing	Officer consultation with local members regarding local issues being reported to Cabinet Panels ¹

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Resources & Performance	There were no questions for this portfolio	
Adult Care & Health	C J White	The Council's approach to the future funding of adult care services ¹
	E M Gordon	Response to an Freedom of Information request on cancelled care contracts ^{1 2}
Children's Services	M A Watkin	Whether there is any plan to close Children's Centres in Hertfordshire
	N Bell	Management and running of Children Centres following their recommissioning next year ¹
Community Safety & Waste Management	R G Prowse	Business Case concerning a proposal to move responsibility for the governance of Hertfordshire Fire and Rescue Service from the County Council to the Hertfordshire Police Authority
	R J Henry	Continuation of recent assistance and partnership working to resolve fly-tipping issues in his division (Dyes Lane, Stevenage) and opening hours of local household waste recycling centres ^{1 2}
	T R Hutchings	Veolia's planning application for a recycling energy from waste facility in his division (Ratty's Lane, Hoddesdon) ¹
Enterprise, Education & Skills	M A Watkin	Council's Special Education Needs (SEN) Strategy 'Delivering Special Provision Locally' process and funding ¹
	J Billing	The Council's response to Government consultation on the school's funding formula ¹
	C Clapper	Plans for secondary school provision for children in the Radlett and Bushey area
Environment, Planning & Transport	A S B Walkington	Plans for replacing the County's elderly bus fleet and reducing associated diesel emissions

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	S J Taylor	LGA response to the Housing White Paper 'Fixing our broken housing market' and Community Infrastructure Levy (CIL) and S106 monies ¹
Highways	S B A F H Giles-Medhurst	Accuracy of information published regarding the time taken for repairing potholes ¹
	L F Reeve	Plans for reviewing the Council's Integrated Works Programme following the May 2017 local government elections and Forward Works Programme ¹
	S Johnston	Progress on the highways restoration programme due to be completed by the end of March 2017
Public Health, Localism & Libraries	R G Tindall	Public health preventative services, their role in supporting the health and social care system and funding for public health ¹
	D Hart	Assurance that the drug and alcohol service 'Spectrum' will continue as an outreach service for residents in her division

Notes: 1 - denotes that a supplementary question was also asked
2 – denotes that a written reply will be given

7.2 Written questions to Executive Members – Standing Order 8(9)

There were no written questions.

8. REPORT OF THE HEALTH SCRUTINY COMMITTEE

The following motion proposed by **S Quilty** and duly seconded was CARRIED:-

“That the report of the Health Scrutiny Committee be received.”

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9. HEALTH SCRUTINY COMMITTEE: WHOLE COMMITTEE SCRUTINY OF HERTS VALLEYS CLINICAL COMMISSIONING GROUP'S (HVCCG) DECISION ON THE CONTINUED FUNDING OF CARE SERVICES FOR THE FINANCIAL YEAR 2017/18

The following motion proposed by **S Quilty** and duly seconded was CARRIED UNANIMOUSLY:-

“That:-

- (1) Council should not report the decision of Herts Valleys Clinical Commissioning Group (HVCCG) to withdraw funding for social care to the Secretary of State in accordance with its powers under Regulation 23(9) of the Local Authority (Public Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 (“the Regulations”), but that the Council should make a report to HVCCG in relation to the matters that the Health Scrutiny Committee has scrutinised in accordance with its powers under Regulation 22 of the Regulations;*
- (2) the Chief Legal Officer be authorised to take all necessary steps to prepare and submit the report referred to in (1) above in consultation with the Chairman of Health Scrutiny Committee; and*
- (3) Council notes the Committee’s disappointment that the full £8.5m will not be paid, but also notes that the Committee is content that HVCCG has moved its position significantly with £4.5m to be paid in relation to 2017/18 and that the Committee looks forward to the County Council working together co-operatively with HVCCG moving forward with stronger governance around any future funding and partnership arrangements.”*

10. PAY POLICY 2017/18

The following motion proposed by **R I N Gordon** and duly seconded was CARRIED:-

“That the County Council adopts the Pay Policy for 2017/18 set out in Appendix 1 to the report and notes the data to be released in April 2017 as part of the Council’s annual publication of senior manager data.”

11. GOVERNANCE: LOCAL GOVERNMENT PENSION SCHEME (LGPS) INVESTMENT POOLING INTER-AUTHORITY AGREEMENT

The following motion proposed by **J D Williams** and duly seconded was CARRIED:-

“That County Council agrees:-

- (i) that the Director of Resources, in consultation with the Chairman or, in the Chairman’s absence, the Vice-Chairman of the Pensions Committee, be delegated the authority to finalise and agree the terms of the Inter-Authority Agreement with the authorities in the ACCESS Pool as set out in the Report and its appendices;*
- (ii) to set up a Joint Governance Committee as set out in the Report with the authorities in the ACCESS Pool with effect from the date of completion of the Inter-Authority Agreement and to appoint one Member of the Council to the Joint Governance Committee;*
- (iii) to delegate the functions set out in Appendix 2 to the Report to the Joint Committee with effect from the date of completion of the Inter-Authority Agreement; and*
- (iv) that the Chief Legal Officer be authorised to make such amendments as are necessary to the Council’s Constitution to reflect the decisions set out in (i) to (iii) above.”*

12. CHANGES TO THE COUNTY COUNCIL’S CONSTITUTION

The following motion proposed by **R I N Gordon** and duly seconded, was CARRIED:-

“That County Council agrees that:

- (a) the revised Standing Orders for Council Meetings, attached as the Appendix to the report, be approved and incorporated into the County Council’s Constitution as a revised Annex 6;*
- (b) the Local Choice Function of making agreements with other authorities for the placing of staff at the disposal of those authorities is allocated to the Employment Committee in respect of Chief Officers and, in respect of other staff, the Executive (but normally dealt with by the Chief Executive or Chief Officers under delegated powers);*

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- (c) *the Chief Legal Officer be authorised to make any consequential amendments as may be necessary to the Constitution to give effect to the decisions at (a) and (b) above.*”

13. CODE OF CONDUCT FOR MEMBERS

The following motion proposed by **R I N Gordon** and duly seconded, was CARRIED:-

- “1. *That Council adopts the Code of Conduct for Members attached as Annex 1 to the Report with effect from the date that Members assume office following the election on 4 May 2017 and that the revised Code of Conduct for Members be adopted as Annex 18 to the Constitution.*
2. *That the Chief Legal Officer be authorised to make any amendments necessary to ensure that the change mentioned in 1 above is reflected consistently throughout the Constitution.*”

14. COUNTY COUNCIL CALL IN PROCEDURE

The following motion proposed by **T W Hone** and duly seconded, was CARRIED:-

“That Council agrees:-

- (a) *That the revision to Annexe 4 (Access to Information Rules) to the Constitution set out in Appendix 1 to the Report and the revised Annexes 7 (Standing Orders for the Executive), 9(Standing Orders for Scrutiny Committees) and 9A (Guidelines for Scrutiny) attached at the Appendices 2,3 and 4 respectively to the report, be approved and incorporated into the County Council’s Constitution as Annexes 4, 7, 9 and 9A to the Constitution; and*
- (b) *That the Chief Legal Officer be authorised to make any consequential amendments as may be necessary to the Constitution to give effect to the decision at (a) above.*”

15. PROGRAMME OF MEETINGS SEPTEMBER 2017 – JULY 2018

The following motion proposed by **R I N Gordon** and duly seconded, was CARRIED:-

That Council agrees:-

- (a) *the programme for Council and Cabinet meetings for September 2017 to July 2018; and*
- (b) *the indicative programme for Committees and Cabinet Panel meetings for September 2017 to July 2018.”*

16. NOTICES OF MOTION – STANDING ORDER 9(6)

- 16A. 16.1** The following motion was proposed by **S B A F H Giles-Medhurst** and duly seconded:-

“This Council requests the Highways Cabinet Panel to review the current Highways contracts to ensure they are fit for purpose and to identify changes to improve the performance of the said contractors.”

- 16.2** In accordance with Standing Order 9(8), the Chairman advised Council that the motion stood referred to the Overview and Scrutiny Committee for consideration.*

- 16B. 16.3** The following motion was proposed by **S B A F H Giles-Medhurst** and duly seconded:-

“This Council requests the Highways Cabinet Panel to review the outcome of the changes to the fault reporting system and responses brought in last year that has elongated the time for repairing faults and to consider what effect these changes have had on service delivery, complaints and performance.”

- 16.4** In accordance with Standing Order 9(8), the Chairman advised Council that the motion stood referred to the Overview and Scrutiny Committee for consideration.*

- 16C. 16.5** The following motion was proposed by **S B A F H Giles-Medhurst** and duly seconded:-

“Whilst noting that the Enhanced Maintenance Programme brought for

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the current financial year was to also undertake a one-off clearance of gullies Council notes that many are still outstanding and thus requests that he Highways Cabinet panel undertakes a review of this process that has meant an 18 month cycle of gully cleaning and also to review if this is cost effective or adequate. As part of the review the Highways Cabinet Panel should review the inability of reported faults being shown on the fault reporting system.”

16.6 In accordance with Standing Order 9(8), the Chairman advised Council that the motion stood referred to the Overview and Scrutiny Committee for consideration.*

16.7 *S B A F H Giles-Medhurst requested that his dissatisfaction with the Chairman’s decision to refer the Motions at 16.1, 16.3 and 16.5 above be recorded.

17. TRIBUTES TO RETIRING MEMBERS OF THE COUNCIL

17.1 Before the close of the meeting the Chairman referred to the Members for whom this would be their last meeting as they would not be standing for re-election in May. She paid tribute to all the out-going members and the service they had given to their communities and thanked all Members for their conduct in the Chamber during her Chairmanship over the last two years.

17.2 At the Chairman’s invitation each of the Group Leader’s, S B A F H Giles-Medhurst, L F Reeve and R I N Gordon spoke of their appreciation of the service and commitment to the wellbeing of the communities of Hertfordshire that had been given by Members on all sides of the chamber. Mention was also made of the three Members who had passed away during the current term – D Billing, S O’Brien and S A Batson.

**KATHRYN PETTITT,
CHIEF LEGAL OFFICER**

CHAIRMAN _____

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HERTFORDSHIRE COUNTY COUNCIL

Agenda Item No.

5

**COUNTY COUNCIL
TUESDAY, 23 MAY 2017 AT 10.00 AM**

ELECTION OF COUNTY COUNCILLORS

Report of the Chief Legal Officer, as County Returning Officer

Author: Kathryn Pettitt, Chief Legal Officer (Tel: 01992 555527)

Following the County Council Elections held on Thursday 4 May 2017 the table below lists those who have been elected as County Councillors.

Electoral Division	Name	Party
1. Central	HEWITT, Dave	Conservative
2. Flamstead End & Turnford	MILLS-BISHOP, Mark Bevis James	Conservative
3. Goffs Oak & Bury Green	GORDON, Robert Ian Neilson	Conservative
4. Hoddesdon North	HUTCHINGS, Tim	Conservative
5. Hoddesdon South	MASON, Paul Vincent	Conservative
6. Waltham Cross	HART, Dee	Conservative
7. Berkhamsted	REAY, Ian	Conservative
8. Bridgewater	DOURIS, Terence Liam Francis	Conservative
9. Hemel Hempstead East	WILLIAMS, Andrew Derek	Conservative
10. Hemel Hempstead North East	WYATT-LOWE, Colette Bernadette	Conservative
11. Hemel Hempstead North West	GUEST, Fiona	Conservative
12. Hemel Hempstead South East	HOWARD, Tina	Conservative
13. Hemel Hempstead St Pauls	TINDALL, Ron	Liberal Democrat
14. Hemel Hempstead Town	WYATT-LOWE, William James	Conservative
15. Kings Langley	ROBERTS, Richard	Conservative
16. Tring	HOLLINGHURST, Nicholas Arnold	Liberal Democrat
17. Bishop's Stortford East	WYLLIE, John Fraser	Conservative
18. Bishop's Stortford Rural	MCANDREW, Graham	Conservative
19. Bishop's Stortford West	WOODWARD, Colin Bernard	Conservative

20.	Buntingford	JONES, Jeffrey Richard	Conservative
21.	Hertford All Saints	STEVENSON, Andrew	Conservative
22.	Hertford Rural	CROFTON, Henry K	Conservative
23.	Hertford St Andrews	DEERING, Robert Cyril	Conservative
24.	Sawbridgeworth	BUCKMASTER, Eric Henry	Conservative
25.	Ware North	ANDREWS, David	Conservative
26.	Ware South	KAYE, Jonathan Stephen	Conservative
27.	Borehamwood North	BROWN, Susan	Conservative
28.	Borehamwood South	PLANCEY, Alan	Conservative
29.	Bushey North	WEST, Jane Ann	Conservative
30.	Bushey South	QUILTY, Seamus	Conservative
31.	Potters Bar East	GRAHAM, John Martin	Conservative
32.	Potters Bar West & Shenley	BRIGHT, Morris	Conservative
33.	Watling	CLAPPER, Caroline Sara	Conservative
34.	Baldock & Letchworth East	MUIR, Michael Douglas Robert Mackenzie	Conservative
35.	Hitchin North	BILLING, Judi	Labour
36.	Hitchin Rural	BARNARD, David John	Conservative
37.	Hitchin South	ASHLEY, Derrick Alan	Conservative
38.	Knebworth & Codicote	THAKE, Richard Arthur Charles	Conservative
39.	Letchworth North	BLOXHAM, Simon Nicholas	Conservative
40.	Letchworth South	HONE, Terence William	Conservative
41.	Royston East & Ermine	HILL, Fiona Ronan (Greenwood)	Conservative
42.	Royston West & Rural	JARVIS, Stephen Kenneth	Liberal Democrat
43.	Colney Heath & Marshalswick	HALE, John Selwyn	Liberal Democrat
44.	Harpenden North East	WILLIAMS, John David (Known as WILLIAMS, David)	Conservative
45.	Harpenden Rural	BREWSTER, Anne Patricia (Known as BREWSTER, Annie)	Conservative
46.	Harpenden South West	HERITAGE, Teresa	Conservative
47.	London Colney	GORDON, Etheldreda Mary (Known as GORDON, Dreda)	Labour
48.	St Albans Central	WHITE, Christopher James	Liberal Democrat
49.	St Albans East	ROWLANDS, Anthony Francis	Liberal Democrat
50.	St Albans North	HOGG, Charlotte Katharine	Liberal Democrat
51.	St Albans South	WALKINGTON, Alexander Stuart Burnett (Known as WALKINGTON, Sandy)	Liberal Democrat
52.	St Stephen's	FEATHERSTONE, Susan Jane	Conservative

	(Known as FEATHERSTONE, Sue)	
53. Bedwell	TAYLOR, Sharon James	Labour
54. Broadwater	MITCHELL, Adam Joseph Stephen	Conservative
55. Chells	PARKER, Robin Gareth	Liberal Democrat
56. Old Stevenage	BENNETT LOVELL, Joshua	Labour
57. Shephall	HEARN, Michael Steven	Conservative
58. St Nicholas	BIBBY, Phil	Conservative
59. Abbots Langley	BEDFORD, Sara Louise (Known as BEDFORD, Sara)	Liberal Democrat
60. Croxley	DRURY, David Stephen (Known as DRURY, Steve)	Liberal Democrat
61. Rickmansworth East & Oxhey Park	BUTTON, Gillian Frances (Known as BUTTON, Frances)	Conservative
62. Rickmansworth West	SANGSTER, Ralph	Conservative
63. South Oxhey & Eastbury	KING, Joan Gladys Lilian (Known as KING, Joan)	Labour
64. Three Rivers Rural	HAYWARD, Christopher Michael (Known as HAYWARD, Chris)	Conservative
65. Central Watford & Oxhey	GILES-MEDHURST, Stephen Bernard Albert Frederick Henry	Liberal Democrat
66. Meriden Tudor	HASTRICK, Kareen Mary	Liberal Democrat
67. Nascot Park	WATKIN, Mark Adrian	Liberal Democrat
68. North Watford	KHAN, Asif Kaleem (Known as KHAN, Asif)	Labour
69. West Watford	BELL, Nigel	Labour
70. Woodside Stanborough	WILLIAMS, Timothy James (Known as WILLIAMS, Tim)	Liberal Democrat
71. Haldens	GIBSON, Barbara Ann	Liberal Democrat
72. Handside & Peartree	QUINTON, Nigel Alan	Liberal Democrat
73. Hatfield East	GORDON, Susie	Conservative
74. Hatfield North	EAMES-PETERSEN, Margaret Anne	Labour
75. Hatfield Rural	BOULTON, Stephen John	Conservative
76. Hatfield South	ZUKOWSKYJ, Paul Mark	Liberal Democrat
77. Welwyn	SMITH, Richard Harry	Conservative
78. Welwyn Garden City South	CHESTERMAN, Lynn Anne	Labour

**APPOINTMENT OF DIRECTOR OF ADULT SOCIAL SERVICES
AND COUNTY COUNCIL CONSTITUTION**

Report of the Chief Legal Officer

Author: Kathryn Pettitt, Chief Legal Officer (Tel: 01992 555527)

Executive Member: Robert Gordon, Leader of the Council

1. Purpose of report

- 1.1 To invite County Council to appoint the post of Director of Adult Care Services as the Council's Director of Adult Social Services pursuant to the Local Authority Social Services Act 1970.
- 1.2 To seek Council's approval to revisions to the County Council's Constitution set out in the Report
- 1.3 To inform County Council of changes made to the County Council's Constitution by me as Chief Legal Officer under my delegated power in Section 12 of the Constitution.

2. Summary and Background

Director of Adult Care Services

- 2.1 The Council is required pursuant to the Local Authority Social Services Act 1970 to appoint one of its officers as the Director of Adult Social Services. Currently the Director of Health & Community Services is appointed as the Council's Director of Adult Social Services.
- 2.2 At its meeting on 10 April 2017 Cabinet endorsed the change of name of Health & Community Services department to Adult Care Services and agreed to recommend to Council that Council:
 - a) *designates the post of Director of Adult Care Services as the Council's Director of Adult Social Services; and*
 - b) *authorises the Chief Legal Officer to make the appropriate changes to the Constitution to reflect (a) above and also such other changes to the Constitution as are required to give effect to the change of name of the department to Adult Care Services.*

- 2.3 In reviewing the Constitution prior to this meeting the Chief Legal Officer has identified the changes referred to in paragraph 2.2 b) and these changes are set out in Part 1 of Appendix 1 to the Report.

Section 4 to the Constitution (the policy framework)

- 2.4 Paragraph 4.1.1 of Section 4 the Council's Constitution sets out the Council's policy framework - being the plans and strategies which are approved or adopted by full Council. A review of paragraph 4.1.1 has revealed that the Youth Justice Plan should be included in the policy framework and so the Constitution should amended to include this document.
- 2.5 The following documents which are listed in paragraph 4.1.1 are not required by law to be approved by full Council and so their inclusion as part of the Council's policy framework is discretionary:

Sustainable Community Strategy
Corporate Plan
School Admission Arrangements

- 2.6 Council is invited to consider whether it wishes to amend the policy framework set out in paragraph 4.1.1 of Section 4 of the Constitution to remove the documents mentioned in paragraph 2.5. If Council did agree to remove the documents mentioned above from the policy framework then the School Admission Arrangements would be approved by Cabinet. The Corporate Plan would also fall to be approved by Cabinet. There is no longer a statutory requirement to produce a Sustainable Community Strategy although this document could still be produced and it would then fall to be considered by Cabinet.
- 2.6 Part 4 of Appendix 1 sets out the revised policy framework should Council decide to amend paragraph 4.1.1 of Section 4 as set out above.

Further changes to the Constitution

- 2.7 I have also identified further changes to the Constitution which she considers should be made to the Constitution and these are set out in Part 2 of Appendix 1 to the Report. These changes include:

2.7.1 amendment to Section 12 to allow the Chief Legal Officer to make minor amendments to the Constitution and changes to remove typographical errors, ambiguities and inconsistencies with the approval of Group Leaders. All members would be informed of such changes once they had been approved.

- 2.7.2 amendment to Section 13 so that if requested a printed copy of the Constitution will be given to Members on being elected to the Council

– NB the Constitution is available on the Council’s website and also through the Members Information System.

2.7.3 updating the wording in Section 9 (Officers) to reflect the principal areas of responsibility of Chief Officers and minor amendments to the wording of the section setting out the Statutory and other officers of the Council.

2.7.4 Paragraph 4.6 of Annex 3 to the Constitution (delegation to the Director of Community Protection) has also been amended to remove references to paragraphs in the Local Authorities (Functions & Responsibilities) (England) Regulations 2000 which no longer apply.

2.8 There are no legal requirements that need to be met or consultation undertaken before the changes referred to in Parts 2 and 4 of Appendix 1 to the Report can be made.

Changes required to comply with the law

2.9 The increase in the number of electoral divisions following the Local Government Commission Boundary Review of Hertfordshire has necessitated a couple of changes to the Council’s Constitution with effect from 4 May.

2.10 As Chief Legal Officer under my delegated power in Section 12 of the Constitution to make changes to the Constitution in order to comply with the law I have made the changes referred to in paragraphs 2.3 and 2.9 above and these are set out in Part 3 of Appendix 1 to this report for information.

3. Recommendation

3.1 That Council:

(a) appoints the post of Director of Adult Care Services as the Council’s Director of Adult Social Services;

(b) agrees the changes to the Council’s Constitution as set out in Parts 1 and 2 of Appendix 1 and Appendix 2 to the Report;

(c) notes the changes made to the Council’s Constitution by the Chief Legal Officer as set out in Part 3 of Appendix 1 the Report;

if Council is minded to agree to the changes to the Council’s policy framework set out in paragraph 2.5

(d) agrees the changes to the Council’s constitution set out in Part 4 of Appendix 1 to the Report.

4. Financial Implications

4.1 None arising directly from this report.

Background Information

Local Authority Social Services Act 1970

<http://www.legislation.gov.uk/ukpga/1970/42/schedule/1>

Hertfordshire County Council Constitution

<https://www.hertfordshire.gov.uk/about-the-council/freedom-of-information-and-council-data/open-data-statistics-about-hertfordshire/who-we-are-and-what-we-do/who-we-are-and-what-we-do.aspx>

Cabinet, April 2017

<http://cmis.hertfordshire.gov.uk/hertfordshire/Calendarofcouncilmeetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/510/Committee/8/Default.aspx>

CONSTITUTIONAL CHANGES

Part 1 –

Changes arising from Change of name to Adult Care Services

Section	Change
Section 9 (Officers)	Paragraph 9.1 change the title of Director Health & Community Services to Director Adult Care Services
Annex 11A (Constitution of Health and Wellbeing Board)	<p>Paragraph 3 Corporate Governance – paragraph 3.4.1 replace the words: ‘The Lead Officer for the Board shall be an Assistant Director of Health and Community Services as nominated by the Director of Health and Community Services’ with the words: ‘The Lead Officer for the Board shall be an Assistant Director of Adult Care Services as nominated by the Director of Adult Care Services’</p> <p>Paragraph 4 Membership – paragraph 4.1.3 replace Director Health & Community Services with Director Adult Care Services</p>
Annex 19 (Officer Management Structure)	The Officer Management Structure amend to change the title of Director Health & Community Services to Director Adult Care Services

Part 2 – Other Changes

Section 9 (Officers)	Replace SECTION 9 – OFFICERS with document attached as Appendix 2
Section 12 (Review and Revision of the Constitution)	<p>12.2 Changes to the Constitution</p> <p>The Chief Legal Officer may make changes to the Constitution:</p> <p>12.2.1 which are necessary in order to:</p> <ul style="list-style-type: none"> (a) comply with the law; or (b) reflect changes in the responsibility for Executive functions decided upon by the Leader <p>all of which shall be notified to the Council at its next meeting.</p> <p>12.2.2 with the approval of the Group Leaders</p> <ul style="list-style-type: none"> (a) which in the reasonable opinion of the Chief Legal Officer are minor; or

	<p>(b)remove any inconsistency, ambiguity or typographical error</p> <p>12.2.3 Other than as mentioned in 12.2.1 and 12.2.2 above changes to the Constitution may only be approved by the full Council after consideration of a report by the Chief Legal Officer which will identify whether any legal requirements need to be met before the changes can be made.</p>
Section 13 (Interpretation and Publication of the Constitution)	<p>13.2 Publication</p> <p>(a) The Chief Legal Officer will ensure that a copy of the Constitution is available on the Council’s website;</p> <p>(b)The Chief Legal Officer will ensure that a copy of the Constitution is available for inspection at County Hall and can be bought by the public for a reasonable fee;</p> <p>(c)The Chief Legal Officer will, if requested, give a printed copy of the Constitution to Members of the Council on the Member being elected to the Council</p>
Annex 3 (Responsibility for Functions)	Revision of the paragraph 4.6 (delegations to Director Community Protection) to remove references to paragraphs in the Local Authorities (Functions & Responsibilities)(England) Regulations 2000 which no longer apply due to repeal or amendment of legislation
Annex 19 (Officer Management Structure)	The Officer Management Structure has been amended to include: Acting Director Community Protection - Darryl Keen
Annex 21 (Code of Practice for Councillors and Officers involved in the Planning Process)	Change the font of all paragraphs that appear in italics to plain Arial 12 and remove the bold highlighting from such paragraphs

Part 3 – Changes required by Law

Section	Change
Section 1 (Summary)	Paragraph 1.1 number of Councillors changed from 77 to 78
Section 2 (Members of the Council)	Paragraph 2.1 number of Councillors changed from 77 to 78
Section 4 (The Council Meeting)	Include the Youth Justice Plan in paragraph 4.1.1

Part 4 -changes to the policy framework

Section 4 (The Council Meeting)	Replace paragraph 4.1.1 with the following: <ul style="list-style-type: none">(a) Development Plan Documents relating to minerals and waste and proposals in connection with the preparation of altered or replacement documents(b) Children and Young People's Plan(c) Local Transport Plan(d) Crime and Disorder Reduction Strategy(e) Youth Justice Plan
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SECTION 9 - OFFICERS**9.1 Management Structure**

- a) The Council appoints a Chief Executive and Chief Officers as follows:

<u>Post</u>	<u>Principal areas of responsibility</u>
Chief Executive & Director of Environment	Overall corporate management and operational responsibility, including overall management responsibility for all officers. Lead policy adviser to the Council and Executive. Services in respect of planning, highways, rights of way, waste management, traffic regulation, traffic management, road safety, passenger transport and tourism. Strategic planning and economic well-being.
Director of Children's Services	Children's social care, child protection, family placement, children's residential care, children with disabilities. School improvement and standards, special educational needs, school place planning and admissions, young people's services, early intervention, early years, children's centres and childcare, thriving/troubles families initiative, youth offending.
Director Adult Care Services	Services for adults in need of support and assistance; commissioning for people; health and wellbeing, gypsy and traveller sites, money advice unit, relationships with NHS Trusts and commissioning groups serving Hertfordshire; Except, in all cases, for the functions delegated to the Director of Public Health.
Director Community Protection	The Fire & Rescue Service; trading standards and community protection, emergency planning and business continuity; community safety; reduction of crime and disorder; requirements of Counter Terrorism and Security Act.

Director of Public Health	The statutory functions of the Director of Public Health under the National Health Service Act 2006 (as amended)
Director of Resources	The proper administration of the Council's financial affairs. The Council's human, property and IT resources; Legal, Democratic Services and member support, Internal Audit, risk management, health and safety, procurement, Hertfordshire Business Services, communications, strategic partnerships, public libraries, archives, cultural services, customer services and the overall performance of the Council, registration and citizenship service, Coroner service, land charges, performance and management reporting, data quality, equalities.

b) The Council's Senior Management Structure is shown in Annex 19.

9.2 Statutory and Other Officers

The Council designates/appoints the following posts as shown:

<u>Post</u>	<u>Designation/Appointment</u>
Chief Executive & Director of Environment	Head of Paid Service
Director of Resources	Chief Finance Officer
Chief Legal Officer	Monitoring Officer
	Proper Officer of the Council except where legislation or the Constitution names another officer
	Returning Officer for County Council Elections
Director Adult Care Services	Director of Adult Social Services

Director of Children's Services	Director of Children's Services
Director of Public Health	Director of Public Health
Deputy Director Environment	Traffic Manager
Head of Scrutiny	Scrutiny Officer

9.3 Functions of the Head of Paid Service

To be responsible for, and report to the Council on, the manner in which the discharge of the Council's functions is co-ordinated; the number and grade of officers; and the overall management structure.

9.4 Functions of the Monitoring Officer

- a) To maintain the Constitution in an up-to-date form and ensure it is widely available.
- b) To ensure that decisions are lawful and fair and, after consultation with the Head of Paid Service and Chief Finance Officer, report to the Council (or Executive in the case of executive functions) if any proposal or decision would give rise to unlawfulness or maladministration.
- c) To support the arrangements for dealing with complaints that members have failed to comply with the Code of Conduct.
- d) To ensure that the Access to Information rules are complied with.
- e) To advise whether executive decisions are in accordance with the budget and policy framework; and generally give advice on the scope of powers to take decisions, maladministration, financial impropriety, probity and budget & policy framework issues to all Councillors.

9.5 Functions of the Chief Finance Officer

- a) To be responsible for the proper administration of the Council's financial affairs.
- b) To ensure that decisions are financially prudent and, after consultation with the Head of Paid Service and Monitoring Officer, report to the Council (or Executive in the case of executive functions) if any proposal or decision would give rise to unlawful expenditure.
- c) To advise Councillors on the scope of powers to take decisions, maladministration, financial impropriety, probity and budget & policy framework issues.

9.6 Conduct

Officers must comply with the Protocol for Relationships Between Members and Officers and the Code of Conduct for Officers set out in Annexes 16 and 17.

- 9.7** The recruitment, selection and dismissal of officers will comply with Officer Employment Procedures Rules set out in Annex 14.

HERTFORDSHIRE COUNTY COUNCIL

COUNTY COUNCIL

TUESDAY, 23 MAY 2017 AT 10.00 AM

Agenda Item No.

8

APPOINTMENT OF AN INDEPENDENT PERSON

Report of the Chief Legal Officer

Author: Kathryn Pettitt, Chief Legal Officer (Tel: 01992 555527)

1. Purpose of report

- 1.1 To seek the appointment of an Independent Person pursuant to the standards provisions in the Localism Act 2011 (the '2011 Act').

2. Summary

- 2.1 The Council is required pursuant to the 2011 Act to appoint an Independent Person to support the Council's standards arrangements for members.
- 2.2 Following a recruitment exercise it is proposed that Terry Morris be appointed as the Independent Person for the County Council.

3. Recommendation

- 3.1 That Terry Morris be appointed as Independent Person for the County Council for a four year term with an option to extend the term for a further two years.

4. Background

- 4.1 The role of the Independent Person was established by the 2011 Act.
- 4.2 The 2011 Act places a duty on all local authorities to promote and maintain high standards of conduct for elected and co-opted members. This includes the requirement to have a code of conduct with which members must comply. At its meeting on 21 March 2017 the County Council adopted a revised Code of Conduct which applies to all members of the County Council as from 8 May 2017.
- 4.3 The 2011 Act also requires that authorities adopt arrangements for dealing with complaints about breaches of the code of conduct by Members of the Council. This must include provision for the appointment of at least one Independent Person per authority.

- 4.4 The County Council's arrangements for dealing with complaints provide that the Independent Person will have the following roles:
- They will be consulted by the Monitoring Officer as to the action that he/she proposes to take following receipt of an initial complaint that a member has failed to comply with the Council's Code of Conduct
 - They must be consulted before any finding is made as to whether a member has failed to comply with the Code of Conduct following investigation or a decision is made on action to be taken in respect of that member; and
 - They may be consulted by a member or co-opted member of their appointing authority against whom a complaint has been made.
- 4.5 In addition to the roles in relation to standard arrangements mentioned above in 2015 regulations were introduced by Government (the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 ("the Regulations")) which require the Council to establish a Panel to include Independent Persons appointed under the 2011 Act to advise it prior to taking any decision in relation to the dismissal of the Council's Head of Paid Service, Monitoring Officer or Chief Finance Officer.
- 4.6 At its meeting on 16 July 2012 the Council appointed Terry Morris to the role of Independent Person for the period expiring at the Annual Meeting of the County Council in May 2017.
- 4.7 The Chief Legal Officer recently undertook a recruitment exercise to identify a person to act as Independent Person for the Council for a period of four years with an option to extend the appointment for a further two years. Following the recruitment exercise it is recommended that Terry Morris be re-appointed as Independent Person. Mr Morris is semi-retired after 42 years in the telecommunications industry; the last 15 years of which were as a senior program/project manager. Mr Morris currently works on a part time basis for Hertfordshire Constabulary in the Crime Reduction and Community Safety Department.
- 4.8 No allowance will be payable but the Independent Person will receive travel costs and subsistence.

Background Information

Localism Act 2011 <http://www.legislation.gov.uk/ukpga/2011/20/contents>
The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 <http://www.legislation.gov.uk/uksi/2015/881/contents/made>
County Council July 2012
<https://www.hertfordshire.gov.uk/statweb/meetingsnov04toapr13/County%20Council/20120717/documents.html>

**COUNTY COUNCIL
TUESDAY, 23 MAY 2017 AT 10.00 AM**

REVIEW OF POLITICAL PROPORTIONALITY

Report of the Chief Legal Officer

Author: Kathryn Pettitt, Chief Legal Officer (Tel: 01992 555527)

1. Purpose of report

To advise members of the rules relating to political proportionality and the implication of those rules for the allocation of places on Committees following the County Council election on 4 May 2017.

2. Summary and Background

- 2.1 The distribution of seats on committees is allocated in accordance with the proportionality principles set out in the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990. Only with no Member voting against can an authority decide that it wishes to adopt an arrangement other than a proportional one for any committee.
- 2.2 Following the County Council election on 4 May 2017 the number of seats of each group on the Council and the resulting percentages for political proportionality are:

Conservative	Liberal Democrat	Labour
51	18	9
65.38%	23.08%	11.54%

2.3 The proportionality principles are:

- (a) All the seats are not allocated to the same political group (Principle 1);
- (b) The majority of the seats go to the political group with majority on the full Council (Principle 2);
- (c) Subject to the above two principles, that the total number of seats on all of the ordinary committees of the authority allocated to each political group must be in the same proportion as the proportion of that group's seats on the full Council (Principle 3);
- (d) Subject to the above three principles, that the number of seats on each ordinary committee of the authority allocated to each political group must be in

the same proportion as the proportion of that group's seats on the full Council (Principle 4).

- 2.4 County Council have in previous years agreed to waive political proportionality in respect of Overview & Scrutiny Committee and Health Scrutiny Committee. The reason for this has been that, because of voting non county councillor members on these committees, compliance with Principle 2 would lead to the Conservative Group having a disproportionately large number of seats compared to the other two Groups and to the Health Scrutiny Committee having to be increased in size (or the number of voting non county councillor members reduced). The County Council is, therefore, invited to waive the political proportionality rules in relation to those committees, as it has done previously, and to adopt the allocation of seats set out in Part B of this Report. For this to be adopted it will require no member to vote against the proposal.
- 2.5 Taking into account the above matters a draft scheme of proportionality for 2017/18 is attached at Appendix.
- 2.6 The Council is required to review committee membership and political proportionality on committees annually.
- 2.7. The rules of political proportionality referred to above do not apply to Cabinet Panels which are advisory bodies established by the Executive. The Constitution does provide, however, that when appointing members to Cabinet Panels proportionality rules will be applied to each Cabinet Panel but not across all Panels.

3. Recommendation

- 3.1 That Council adopt the draft scheme of proportionality for 2017/18 as set out in the Appendix to this Report
- 3.2 That in respect of Overview & Scrutiny Committee and Health Scrutiny Committee and any topic group or sub-committee of Overview & Scrutiny Committee or Health Scrutiny Committee, the Council waives the requirements for proportionality so as to agree the arrangements set out in Part B of the Appendix to this Report for Overview & Scrutiny Committee and Health Scrutiny Committee provided that the Leader of any of the three largest political groups on the Council can request at any time a review of political proportionality in respect of Overview & Scrutiny Committee and Health Scrutiny Committee.

4. Financial Implications

- 4.1 None specifically arising from this Report.

Background Information

Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990

<http://www.legislation.gov.uk/ukxi/1990/1553/part/II/made>

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APPENDIX

Scheme of Proportionality 2017/18

Part A

Committee	Total Size	Conservative	Liberal Democrat	Labour
Development Control	10	7	2	1
Employment	5	3	1	1
Pensions	10	7	2	1
Audit	10	6	3	1
Standards	5	3	1	1
TOTAL	40	26	9	5

Part B

Committee	Total Size	Conservative	Liberal Democrat	Labour
Overview & Scrutiny (1)	10	7	2	1
Health Scrutiny (2)	10	7	2	1

Note

(1) In addition the Overview and Scrutiny Committee comprises 4 Parent Governor and 2 Church Representatives (who are only able to vote on any question which relates to any education functions which are the responsibility of the Executive)

(2) In addition the Health Scrutiny Committee comprises 10 District Councillors (voting) nominated by the Hertfordshire Leaders Group

The composition of the committees set out in the table in Part B above would require the County Council to agree to waive the rules of political proportionality with no member voting against.