



Minutes
of the
Meeting of the
County Council
on
Tuesday, 19 May 2020

1. Agenda

2. Order of Business

3. Minutes

4. Minutes

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Minutes



To: All Members of the Council
Chief Executive, Chief Officers

From: Legal, Democratic & Statutory Services
Ask for: Elaine Shell
Ext: 25565

MINUTES of the Annual Meeting of the County Council held electronically on Tuesday, 19 May 2020

You can watch the webcast of this meeting here [Webcast of Council Meetings](#)

MEMBERS IN ATTENDANCE

D Andrews	J M Graham	S Quilty
D A Ashley	L Greensmyth	N A Quinton
D J Barnard	F Guest	I M Reay
S Bedford	J S Hale	R M Roberts
N Bell	D Hart	A F Rowlands
J Bennett Lovell	K M Hastrick	R Sangster
P Bibby	T C Heritage	R H Smith
J Billing	D J Hewitt	A Stevenson
S N Bloxham	F R G Hill	S J Taylor
S J Boulton	N A Hollinghurst	R A C Thake
A P Brewster	T W Hone	R G Tindall
M Bright	T Howard	A S B Walkington
E H Buckmaster	T R Hutchings	M A Watkin
F Button	S K Jarvis	J A West
L A Chesterman	J R Jones	C J White
C Clapper	J S Kaye	A D Williams
H K Crofton	A K Khan	J D Williams
R C Deering	P V Mason	P T Williams
T L F Douris	G McAndrew	T J Williams
M A Eames-Petersen	R Mills	C B Woodward
S J Featherstone	M B J Mills-Bishop	C B Wyatt-Lowe (Chairman)
B A Gibson	A J S Mitchell	W J Wyatt-Lowe
S B A F H Giles-Medhurst	M D M Muir	J F Wyllie
E M Gordon	R G Parker	P M Zukowskyj
S Gordon (Vice-Chairman)		

Upon consideration of the agenda for the Annual Meeting of the County Council held on 19 May 2020, as circulated, action was taken or decisions were reached as follows:-

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1. ELECTION OF CHAIRMAN OF THE COUNCIL

- 1.1 The Chairman, being a candidate for election, did not participate in this part of the meeting and the Vice-Chairman, **S Gordon**, took the Chair and called for nominations.
- 1.2 **C B Wyatt-Lowe** was nominated by **J D Williams** and this was duly seconded by **T C Heritage**.
- 1.3 There being no other nominations and following a vote **C B Wyatt-Lowe** was declared ELECTED Chairman of the Council to hold office until the Annual Meeting of the Council next following. She read to Council her declaration of acceptance of office, thanked the Council and took the Chair.

2. ELECTION OF VICE-CHAIRMAN OF THE COUNCIL

- 2.1 The Chairman called for nominations.
- 2.2 **S Gordon** was nominated by **J D Williams** and this was duly seconded by **T C Heritage**. There being no other nominations and following a vote **S Gordon** was declared ELECTED Vice-Chairman of the Council to hold office until the Annual Meeting of the Council next following. She read to Council her declaration of acceptance of office and thanked the Council.

3. MINUTES

- 3.1 The Minutes of the meeting of the Council held on 25 February 2020 were confirmed as a correct record.

4. CHAIRMAN'S ANNOUNCEMENTS

- 4.1 Before continuing with the formal business of the meeting the Chairman made the following announcements: -

- (a) **DEATH OF FORMER COUNTY COUNCILLOR AND HONORARY ALDERMAN WILLIAM STOREY**

The Chairman advised that Council had received the sad news that former

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Member of the County Council and Honorary Alderman William Storey had passed away.

William Storey served as Conservative County Councillor from 1995 until 2013; he was first elected following a by-election in May 1995 as the Conservative Member representing North Mymms which he represented until 2001 and thereafter, between 2001 and 2013, as the Member representing Hatfield Rural. He served as a County Councillor for just two days less than 18 years and was best known for his long service on the Council's Development Control Committee on which he also served as Chairman.

An active local champion, William Storey also served as Chairman of the then Welwyn Hatfield District Council.

William Storey was elected as an Honorary Alderman of the County Council after his retirement in 2013.

S J Boulton, L A Chesterman, S B A F H Giles-Medhurst, R H Smith and P M Zukowskyj spoke in tribute.

Council fell silent in memory of William Storey.

(b) HERTFORDSHIRE AND WEST ESSEX HAS BEEN ESCALATED FROM A SUSTAINABILITY AND TRANSFORMATION PARTNERSHIP (STP)

Council was advised that partners had been notified in April that Hertfordshire and West Essex had been escalated from a Sustainability and Transformation Partnership (STP) to a fully-fledged Integrated Care System (ICS). This will mean more local autonomy to set financial and performance targets in line with local health and care priorities and self-assure our plans as a system rather than by Regional Office. Members were also advised that Dr Jane Halpin had been appointed as Chief Executive of the Integrated Care System (and of the three Clinical Commissioning Groups). On behalf of Council the Chairman thanked Iain MacBeath and Beverley Flowers for their work since July 2019 as co-leads of the STP to achieve the new Integrated Care System status.

(c) IAIN MACBEATH – APPOINTMENT TO THE ROLE OF STRATEGIC DIRECTOR HEALTH AND WELLBEING FOR BRADFORD METROPOLITAN COUNCIL

Council congratulated Iain MacBeath, Director of Adult Care Services, who had been successful in being appointed to the role of Strategic Director, Health and Wellbeing, for Bradford Metropolitan Council. Iain will start this

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role in August. The Chairman advised that she would be inviting Members to formally thank Iain for his contribution to the County Council at the next meeting in July.

(d) AWARD OF THE A602 CONTRACT

The Chairman was pleased to advise that at the end of March the County Council had successfully awarded the £15.6M construction contract for the final phase of the planned A602 Improvements project. The contract with Interserve Construction Ltd was currently being mobilised and the main construction works were due to commence on site in June 2020.

The project, which is jointly funded by the Hertfordshire Local Enterprise Partnership and the County Council, will deliver a series of significant improvements to the A602 between Stevenage and Ware and ensure that the route has increased resilience to deal with planned growth.

5. LOCAL GOVERNMENT ACT 1972 – SECTION 85: PUBLIC HEALTH EMERGENCY RELATING TO COVID 19 (CORONAVIRUS) – FAILURE BY MEMBERS TO ATTEND MEETINGS

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

- “1. That the Council approves, in relation to each and every member of the Council, as a reason for a failure to attend any meeting of the Council, the Cabinet or any committee or sub-committee of the Council (“a relevant meeting”), by any member of the Council during the relevant period in the circumstances set out in 2. below, as a reason for non-attendance for the purposes of Section 85 of the Local Government Act 1972.*
- 2. The circumstances referred to in 1. above are that a member fails to attend a relevant meeting because the member:*
 - has contracted or been infected by Covid 19;*
 - has tested positive for Covid 19;*
 - is suspected of having or suspects that he/she has contracted or been infected by Covid 19;*
 - has concerns that they may contract or become infected with Covid 19;*
 - is in quarantine or self-isolating (whether or not on the instruction or advice of any public authority or medical professional) in relation to Covid 19;*
 - the member is unable to attend, or decides not to attend, the*

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relevant meeting because of any prohibition, instruction, action or advice of any public authority in relation to Covid 19 and relating to attendance at, or travel to or from, the relevant meeting (or meetings or gatherings generally which would include the relevant meeting); - is unable to attend the relevant meeting because the meeting is cancelled or postponed for a reason relating to Covid 19.

3. *The relevant period for the purposes of 1 and 2 above is the period from the passing of a resolution to approve the above recommendations until the end of the Annual Meeting of the Council in 2021.”*

6. POLITICAL PROPORTIONALITY ON THE COUNTY COUNCIL’S ORDINARY COMMITTEES & SUB-COMMITTEES - LOCAL GOVERNMENT AND HOUSING ACT 1989: REVIEW OF ALLOCATION OF SEATS TO PARTY GROUPS

6.1 Council was informed that for the motion at 6.2 to be agreed required no Member to vote against it.

6.2 The following motion proposed by **J D Williams** and duly seconded by **T C Heritage** was CARRIED with no Member voting against: -

“That Full Council: -

- (i) Confirms that the existing allocation of seats to Party Groups remain unchanged, as set out in Part A of the Appendix to the report; and*
- (ii) (a) agrees to continue the waiver of the political proportionality requirement in respect of the Overview and Scrutiny Committee, the Health Scrutiny Committee and any topic group or sub-committee of those committees; and*
 - (b) approves the addition of a seat on the Health Scrutiny Committee for Councillor R Mills in her capacity as an Independent Member*

so as to agree the arrangements set out in Part B of the Appendix to the report, 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.”

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7. APPOINTMENTS TO COMMITTEES

7.1 The Council made the following appointments to Committees for the ensuing year (nominations having been proposed on behalf of each Group and duly seconded); Members to remain in office unless there is a resolution to the contrary at a future Annual Meeting of the Council or following a review of political proportionality and subject to any changes in membership duly made by the Chief Legal Officer:-

<u>Committee</u>	<u>Conservative Group Nominees</u>	<u>Liberal Democrat Group Nominees</u>	<u>Labour Group Nominees</u>	<u>Independent Member</u>
Audit (6:3:1)	S N Bloxham F Button J M Graham W J Wyatt-Lowe J F Wyllie I M Reay	J S Hale T J Williams P M Zukowskyj	S J Taylor	
Development Control (7:2:1) (and substitute members)	D Andrews D J Barnard S J Boulton M D M Muir S Quilty I M Reay A D Williams <u>Substitutes</u> J R Jones R H Smith	D S Drury J S Hale <u>Substitutes</u> S Bedford	E M Gordon <u>Substitutes</u> M A Eames-Petersen	
Employment (3:1:1)	T C Heritage R M Roberts J D Williams	S B A F H Giles-Medhurst	J Billing	
Health and Wellbeing Board (Leader of the Council's nominations)	T C Heritage T R Hutchings R M Roberts			
Health Scrutiny (7:2:1:1) (The Committee also includes 10 District Council representatives and 1 Independent County Councillor)	S Brown F Guest D Hart L J Greensmyth D J Hewitt	R G Tindall C J White	M A Eames-Petersen	R Mills

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	S Quilty R A C Thake			
Impact of Scrutiny Advisory (3:1:1)	I M Reay R H Smith J A West	N A Quinton	L A Chesterman	
Overview and Scrutiny (7:2:1) <i>(The Committee also includes 2 parent governor and 2 church representatives when considering education matters)</i>	D Andrews F Button H K Crofton M S Hearn T Howard J S Kaye I M Reay	N A Quinton A S B Walkington	L A Chesterman	
Pensions (7:2:1)	S J Boulton R C Deering J M Graham T R Hutchings A J S Mitchell S Quilty R Sangster	D S Drury R G Parker	M A Eames-Petersen	
Standards (3:1:1)	D J Hewitt A Plancey W J Wyatt-Lowe	R G Parker	N Bell	

7.2 The Council also resolved that the non-County Councillor Members of the Overview and Scrutiny Committee and Health and Wellbeing Board be appointed as follows:

Overview and Scrutiny Committee: Non-County Councillor Members

Church representatives (2): J Sloan (Archdiocese of Westminster Schools Commission) and D Morton (Education Board of the Diocese of St Albans).

Parent Governor Representatives (2): J Cameron and N Punter

Health and Wellbeing Board: Non-County Councillor Members

N Small, Chairman Herts Valley's Clinical Commissioning Group [Vacancy], Cambs and Peterborough Clinical Commissioning Group
J Coles, Director of Children's Services
I MacBeath, Director of Adult Care Services
J McManus, Director of Public Health
S Palmer, Healthwatch Hertfordshire

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M Stears-Handscomb, District Council Representative
 T Kingsbury, District Council Representatives,
 D Lloyd, Hertfordshire Police and Crime Commissioner
 S Wren, Voluntary Sector (Chief Executive, Herts Independent Living)
 R Cassidy, Hertfordshire Chief Executives Coordinating Group
 P Burstow, Hertfordshire & West Essex Sustainability & Transformation
 Partnership
 [Vacancies] 4 NHS Representatives [to be confirmed by the Sustainability
 Vacancies]
 [Vacancy] NHS England Representative (Observer; non-voting)

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

“That the Chief Legal Officer be authorised to make changes to the membership of any of the Council’s committees, sub-committees, topic groups and other member bodies as may be notified from time to time by the relevant political group to which those seats have been allocated by the Council and in accordance with the Council’s Substitution Scheme.”

8. APPOINTMENT OF CHAIRMEN AND VICE-CHAIRMEN OF COMMITTEES

8.1 The following Members were appointed as Chairmen and Vice-Chairmen of Committees for the ensuing year, having been proposed and duly seconded:-

<u>Committee</u>	<u>Chairman</u>	<u>Vice-Chairman</u>
Audit Committee	F Button	J M Graham
Development Control Committee	I M Reay	M D M Muir
Employment	J D Williams	T C Heritage
Health and Wellbeing Board (Vice-Chairman appointed by the Board)	R M Roberts	
Health Scrutiny	S Quilty	<u>Liberal Democrat</u> C J White
Impact of Scrutiny Advisory	I M Reay	
Overview and Scrutiny	D Andrews	<u>Liberal Democrat:</u> N A Quinton

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		<u>Labour:</u> L A Chesterman
Pensions Committee	R Sangster	A J S Mitchell
Standards Committee	D J Hewitt	W J Wyatt-Lowe

9. APPOINTMENT TO JOINT COMMITTEES

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

*“That **C B Woodward** be appointed as the County Council’s representative on the Hertfordshire Police and Crime Panel until the Annual Meeting of the Council next following.”*

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

*“That **R Sangster** be appointed as the County Council’s representative on the Local Government Pension Scheme ACCESS Joint Committee until the Annual Meeting of the Council next following.”*

10. REPRESENTATION ON THE LOCAL GOVERNMENT ASSOCIATION AND COUNTY COUNCIL’S NETWORK

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

“That the following members, be APPOINTED as follows: -

- 1. **J D Williams, T C Heritage, R M Roberts and S B A F H Giles-Medhurst** to serve as the representatives of the County Council on the Local Government Association General Assembly until the Annual Meeting of the Council next following.*
- 2. That all the available votes at the Local Government Association General Assembly be allocated to the Conservative Group representatives present at each Assembly Meeting.*
- 3. **J D Williams, T C Heritage, R M Roberts and S B A F H Giles-***

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Medhurst to serve as the representatives of the County Council on the Council of the County Councils' Network with all available votes being allocated to the Conservative Group representatives present at each Council Meeting."

11. URGENT CHANGES TO THE OFFICER SCHEME OF DELEGATION

11.1 The following motion proposed by **R Sangster** and duly seconded by **R C Deering** was CARRIED: -

"That Council: -

i) Approves the amendment of the scheme of delegation regarding 'non-executive' functions to: -

a. provide for the Chief Executive to exercise any non-executive function in circumstances of urgency or civil emergency and

b. authorises the Directors, in circumstances of urgency or civil emergency, to exercise all non-executive decisions in relation to their functional area

subject to the express requirement that before exercising this delegated authority the Chief Executive or Director must consult with all of the following: - Leader, Chairman & Vice Chairman of Council and Group Leaders or their nominee.

ii) Authorises the Chief Legal Officer to amend the Constitution accordingly, (see Appendix A) and for a review to be undertaken by Group Leaders before the 14th January 2021 as to the continuing need for these measures."

12. PROGRAMME OF MEETINGS SEPTEMBER 2020 - JULY 2021

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

"That Council agrees: -

(a) the programme for Council and Cabinet meetings for September 2020 to July 2021; and

(b) the indicative programme for Committees and Cabinet Panel

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meetings for September 2020 to July 2021.”

13. PAY POLICY 2020/21

13.1 The following motion proposed by **R Sangster** and duly seconded by **R C Deering** was CARRIED: -

“That County Council adopts the Pay Policy for 2020/21 attached at Appendix 1 to the report.”

**QUENTIN BAKER
CHIEF LEGAL OFFICER**

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