

HERTFORDSHIRE COUNTY COUNCIL

ANNUAL MEETING

TUESDAY, 19 MAY 2020 AT 10.00AM

ANTICIPATED ORDER OF BUSINESS

Prayers – There are no prayers preceding this Council meeting.

ANNOUNCEMENT

Covid 19 – Attendance at This Meeting

Due to the coronavirus pandemic the Council will be holding this meeting electronically in accordance with the Relevant Regulations.

Members of the public may also attend this meeting in an electronic capacity and there is a link on the Council's website for them to do so.

Members of the Council are asked to keep their microphones and cameras switched off until called to speak and to switch their microphones and cameras off once they have finished speaking. To indicate a wish to speak Members should request to do using the public 'Chat' function. I will ask Members to vote 'For', 'Against' or 'Abstain' for each item at the end of the debate on that item and ask that Members indicate their vote using the public 'Chat' function. I will declare the result after each vote. Officers are in attendance but will keep their cameras and microphones switched off unless called to speak.

AGENDA

APOLOGIES

Apologies

Any Members not present at this meeting are considered to have given their apologies.

1. ELECTION OF CHAIRMAN OF THE COUNCIL

1.1 The Chairman, being a candidate for election, will not participate in this item and the **Vice-Chairman, S Gordon**, will take the Chair and call for nominations.

1.2 J D Williams to move (seconder: **T C Heritage**):-

*“That **C B Wyatt-Lowe** be elected Chairman of the Council to hold office until the Annual Meeting of the Council next following.”*

1.3 If there is only one nomination, duly seconded, that person will stand elected and take the Chair.

If two persons are nominated there will be a vote and the person obtaining the greater number of votes will be elected and asked to take the Chair.

1.4 Declaration of acceptance of office.

2. ELECTION OF VICE-CHAIRMAN OF THE COUNCIL

2.1 Chairman to preside. Same procedure as item 1 above.

2.2 J D Williams to move (seconder: **T C Heritage**):-

*“That **S Gordon** be elected Vice-Chairman of the Council to hold office until the Annual Meeting of the Council next following.”*

2.3 Declaration of acceptance of office.

3. MINUTES

3.1 To confirm the Minutes of the Meeting of the Council held at 10.00am on 25 February 2020 as a correct record.

4. **CHAIRMAN'S ANNOUNCEMENTS**

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

5.1 **J D Williams** to move (seconder: **Teresa Heritage**): -

- “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 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 The Chief Legal Officer reports that the current allocation of places in the three political groups on Committees is in accordance with the rules of political proportionality save for the Overview and Scrutiny and Health Scrutiny Committees, their Sub-Committees and Topic Groups, where political proportionality was waived by Council at its meeting on 21 May 2019. **If Council wishes to waive political proportionality in respect of these Committees, Sub-Committees and Topic Groups it will need to do that again at this meeting, with no member voting against.**

6.2 **J D Williams** to move (seconder: **T C Heritage**):-

"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."

7. **APPOINTMENTS TO COMMITTEES**

7.1 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 and Wellbeing Board* (*Leader of the Council's nominations*)
- Health Scrutiny (11 [7:2:1:1]) ** (*Note (1)*)
- Impact of Scrutiny Advisory Committee (5 [3:1:1])
- 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)

**The rules of political proportionality do not apply to the Health and Wellbeing Board – Health and Social Care Act 2012 Regulations*

***Political Proportionality to be waived*

[Notes: (1) In addition the Committee comprises 10 District Councillors nominated by the Hertfordshire Leaders Group and [subject to Council approval at item 6] 1 Independent County Councillor.

(2) In addition the Committee comprises 2 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].

<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	D S Drury J S Hale <u>Substitutes</u> S Bedford	E M Gordon <u>Substitutes</u> M A Eames-Petersen	

	<u>Substitutes</u> J R Jones R H Smith			
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 <i>(Leader of the Council's nominations)</i>	T C Heritage T R Hutchings R M Roberts			
Health Scrutiny (7:2:1:1) <i>(The Committee also includes 10 District Council representatives and [subject to Council approval at item 6] 1 Independent County Councillor)</i>	S Brown F Guest D Hart L J Greensmyth D J Hewitt S Quilty R A C Thake	R G Tindall C J White	M A Eames- Petersen	R Mills
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 Council is asked to appoint the non-county councillor members of the Overview and Scrutiny Committee and Health and Wellbeing Board 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
M Stears-Handscorn, 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 Sustainable &
Transformation Partnership Chief Executives Group]
[Vacancy] NHS England Representative (Observer; non-voting)

7.3 J D Williams to move (seconded: T C Heritage):-

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

- Audit
- Development Control
- Employment
- Health and Wellbeing Board
(appointment of Chairman only, Vice-Chairman is appointed by the Board)
- Health Scrutiny
- Impact of Scrutiny Advisory

(Chairman must be a member of the Overview and Scrutiny Committee (Council November 2018))

- Overview and Scrutiny
- Pensions
- Standards

<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 <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 To appoint a representative to serve on:

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

9.1 (a) **J D Williams** to move (seconder: **T C Heritage**):-

*“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.”*

9.1 (b) J D Williams to move (seconder: **T C Heritage**):-

*“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 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 and to determine the allocation of votes between them.

10.2 **Chairman** to call for nominations for 4 members to serve on the LGA General Assembly and 4 members to serve the County Councils’ Network until the next Annual Meeting of the Council, and the votes to be allocated to them. Should there be more candidates than positions, a ballot will be conducted in accordance with Standing Order 13 (8).

10.3 **S B A F H Giles-Medhurst** to nominate (seconder: **P M Zukowskyj**) **S B A F H Giles-Medhurst** to the Local Government Association General Assembly.

10.4 **S B A F H Giles-Medhurst** to nominate (seconder: **P M Zukowskyj**) **S B A F H Giles-Medhurst** to serve on the County Council’s Network.

10.5 **J D Williams** to move (seconder: **T C Heritage**): -

“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-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 R Sangster to move (seconder: **R C Deering**): -

"That Council: -

- i) *Approve 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. *authorise 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) *To authorise 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 J D Williams to move (seconder: **T C Heritage**): -

"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 meetings for September 2020 to July 2021.”

13. PAY POLICY 2020/21

13.1 R Sangster to move (seconder: **R C Deering**): -

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

End of Meeting