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WELWYN HATFIELD

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Please ask for:
Graham Seal

12 May 2017

Dear Councillor

You are requested to attend a meeting of the WELWYN HATFIELD BOROUGH COUNCIL to be held on Monday 22 May 2017 at 7.30 pm in the Hawthorne Theatre, Campus West, Welwyn Garden City, Herts.

Yours faithfully

Executive Director
Public Protection, Planning and Governance

A G E N D A
PART 1

1. ELECTION OF MAYOR

To elect the Mayor for the Municipal Year 2017/18.

The retiring Mayor will present the Civic Awards and Queen's Diamond Jubilee Awards for 2017.

2. APPOINTMENT OF DEPUTY MAYOR

To appoint the Deputy Mayor for the Municipal Year 2017/18.

3. APOLOGIES

To receive apologies for absence, if any.

4. MINUTES (Pages 5 - 14)

To confirm as a correct record the Minutes of the meeting of the Council held on 10 April 2017.

5. DECLARATIONS OF INTERESTS BY MEMBERS

To note declarations of Members' disclosable pecuniary interests, non-disclosable pecuniary interests and non-pecuniary interests in respect of items on the Agenda.

6. ANNOUNCEMENTS

To receive any announcements from the Mayor, Leader of the Council, Member of the Cabinet or the Head of Paid Service.

7. ANNUAL REPORTS OF THE OVERVIEW AND SCRUTINY COMMITTEES AND ON MEMBER DEVELOPMENT 2016/17 (Pages 15 - 36)

To receive the Annual Reports of the Environment, Resources and Social Overview and Scrutiny Committees and the Annual Report on Member Development.

8. REVIEW OF THE CONSTITUTION (Pages 37 - 42)

To consider recommendations from the Cabinet meeting on 4 April 2017 on a comprehensive review of the Constitution in the light of recent major changes.

9. APPOINTMENT OF THE LEADER OF THE COUNCIL, CABINET, LEAD MEMBERS AND COMMITTEES 2017/18 (Pages 43 - 56)

(1) To note that Councillor J.W.Dean was appointed Leader of the Council at last year's Annual Meeting for a term of office which continues until the Annual Meeting after his normal retirement as a Councillor (2018).

(2) To note the appointments by the Leader of the Council of the Cabinet and Lead Members.

(3) To approve the review of political proportionality of Member appointments to Committees and changes to the allocation of seats following the Panshanger Ward bye-election on 4 May 2017 (Appendix "A" attached).

(4) To approve the appointment of Committees (Appendix "B" attached).

10. APPOINTMENT OF REPRESENTATIVES (Pages 57 - 60)

To appoint representatives to serve on outside bodies in 2017/18 (Appendix "C" attached).

11. ATTENDANCES (Pages 61 - 62)

To note the summary of attendances by Members at meetings during 2016/17 (Appendix "D" attached).

12. TIMETABLE OF MEETINGS 2017/18 (Pages 63 - 64)

To approve the dates of meetings for the Municipal Year 2017/18 (Appendix “E” attached).

Circulation: The Mayor and Members of the Welwyn Hatfield Borough Council
Executive Board
Press and Public (except Part II Items)

If you require any further information about this Agenda please contact Graham Seal, Governance Services Unit on 01707 357444 or email – g.seal@welhat.gov.uk

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Council
10 April 2017

WELWYN HATFIELD COUNCIL

Minutes of a meeting of the COUNCIL held on Monday 10 April 2017 at 7.30pm in the Council Chamber, Council Offices, The Campus, Welwyn Garden City, Herts, AL8 6AE.

PRESENT: Councillors P.Mabbott (Mayor)
L.Sparks (Deputy Mayor)

R.Basch, H.Beckett, D.Bell, D.Bennett, M.Birleson, J.Boulton, S.Boulton, H.Bower, L.Brandon, J.Broach, H.Bromley, N.Chapman, A.Chesterman, L.Chesterman, M.Cook, M.Cowan, J.Cragg, I.Dean, J.Dean, B.Fitzsimon, G.Hayes, M.Holloway, K.Holman, S.Johnston, T.Kingsbury, M.Larkins, S.Markiewicz, G.Michaelides, N.Pace, M.Perkins, S.Roberts, B.Sarson, P.Shah, N.Taylor, F.Thomson, K.Thorpe, R.Trigg, J.Weston, P.Zukowskyj

OFFICIALS PRESENT: Chief Executive (M.Saminden)
Executive Director (Public Protection, Planning and Governance) (N.Long)
Executive Director (Resources, Environment and Cultural Services) (K.Ng)
Executive Director (Housing and Communities) (S.Russell)
Governance Services Manager (G.Seal)
Governance Services Officer (S.Hulks)
Communications Officer (C.Bishop)

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54. COUNCILLOR HOWARD MORGAN:

At the start of the meeting the Mayor said how sad and shocking it was to hear of Howard Morgan's sudden death on 9 April 2017.

As a hardworking Councillor and Mayor he was a community spirited man who never said no if he could give assistance whenever he was asked. He would be greatly missed and the Council's thoughts were with his wife, Virginia and their family at this difficult time.

Councillors also spoke about Howard.

The Council then stood to observe a minute's silence.

55. APOLOGIES:

Apologies for absence were received from Councillors T.Bailey, J.Beckerman, J.Fitzpatrick, C.Gillett and H.Quenet.

56. MINUTES:

The Minutes of the special meeting held on 20 March 2017 were confirmed as a correct record and signed by the Mayor.

57. QUESTIONS FROM THE PUBLIC:

There were two questions from the public on the Submission Local Plan carried over from the Cabinet Housing and Planning Panel meeting on 16 March.

57.1. Question from W.Davis

"The Local Plan is now almost three years behind schedule according to the Council's own timeline set out in 2012. The Council's own figures show just under 3,500 responses were submitted to the 2012 consultation on the subject. The 2015 consultation later yielded almost 5,500 responses. But, you now state that the 2016 consultation attracted only 2,191 responses to the draft Local Plan, well under half the number for 2015. The figures speak for themselves, clearly not enough has been done to engage local residents in this process, as I've been saying for some years now. You also state there were only 1,245 individuals and groups submitting all those responses in 2016. This represents barely one percent of the Borough's population. Does such a paltry figure demonstrate community involvement in the process?

Personally I don't think so. Your new appendices documents are also telling. In them you address every set of objections raised by that one per cent. Your written response to each objection ends with just two words: No Change. I counted 'No Change' repeated 811 times throughout the appendices, by comparison I saw not a single instance of 'will change' or 'change'. How can this be remotely described as listening to local communities? You achieve a very poor one per cent response rate, you then you go on to dismiss practically every one of those responses.

I would really like to hear how you justify all of this? No doubt you will vote tonight to carry on regardless, and agree to submit this flawed Local Plan to the Independent Inspector anyway. On the grounds that it's so overdue now, that you have to submit something, with collective fingers crossed. Is there anything you can say to stop me feeling that most of the Borough's residents have been shortchanged all along in this process? Ultimately it's us who will pay the price for this plan, long after most of the decision makers here have moved on or retired."

Answer

The question was answered by Councillor M.Perkins (Executive Member, Planning, Housing and Community).

"The Local Plan has over the course of its preparation been subject to a number of consultation events. Each of those consultations has demonstrated that there is a lack of consensus on what the plan should contain in particular with regard to the allocation of housing sites. The overriding requirement for the Local Plan is that it is sound. This means that it has to above all be justified by evidence, be effective in delivering a strategy, be consistent with national policy, and be 'positively prepared' and meet identified needs for development. Responses to each consultation have been carefully considered and changes have been made where possible as for example in response to the large numbers of people who wished to see a more even distribution of development around the Borough.

Consultation on the Local Plan is not a referendum. Nevertheless it is worth noting that the number of respondents to the latest consultation has in fact increased from the number in 2015 (1,964 vs 1,603). This compares to around 320 respondents to St Albans' 2015 Local Plan consultation, 2,472 respondents to the East Herts 2016 Local Plan consultation and 330 respondents to Broxbourne Borough Council's 2016 Local Plan consultation.

Finally, it is not correct to say that no changes are proposed following the most recent consultation. The schedule of modifications (Appendix B) recommends 148 minor amendments to the Local Plan, many of which have been suggested by respondents to the consultation."

57.2. Question from T.Darwall-Smith

"In carrying out sustainability appraisal the law requires the Council to take into account the objectives of the Local Plan, which include maintaining the existing settlement pattern by directing new development to the main towns and limited development to the excluded villages. A new village at Symondshyde is clearly contrary to this objective as although it is classified as an excluded village the allocation of 1,130 new homes and its recognition as a strategic site cannot reasonably constitute limited development.

The law also requires that the sustainability appraisal assesses reasonable alternatives to any proposed allocation. Tables 6.15 and 6.16 of the sustainability appraisal assess the proposed HAT1 allocation against its reasonable alternatives in and around Hatfield being sites HAT2, 5, 11, 19 and HS12. However, even though the sustainability appraisal states that these sites in and around Hatfield could be also considered as reasonable alternatives to Symondshyde no direct assessment between Symondshyde and these sites was undertaken, which is unlawful.

You will be aware that the Cabinet Housing and Planning Panel is divided on whether the Plan is ready for submission and even some, if not all, of those that support its submission say its 'the least bad position' and recognise the strength of local feeling that late changes to the Plan are being rushed through.

Of course, much of the pressure to submit the plan for examination has come from the threat of the Secretary of State to intervene in delayed Plan making,

however, this is ill founded as the Planning Minister issued a statement on 16 March that the Government is highly unlikely to intervene in Plan making until the revisions to the National Planning Policy Framework are in place.

Consequently, the Council does not need to act in such haste and I ask whether it would be better for the Council to delay the submission of the Local Plan and reconsult on modifications that properly assess the suitability of Symondshyde against other already identified alternatives, including HAT2, which incidentally could also accommodate a secondary school and this must be taken into account"?

Answer

The question was answered by Councillor M.Perkins (Executive Member, Planning, Housing and Community).

"The Sustainability Appraisal has taken into account the objectives of the Local Plan. The specific issue of retaining the existing settlement pattern was addressed in criteria 4.4 of the Sustainability Appraisal, where it was considered that the allocation of Symondshyde would have a minor negative effect. This is reported in paragraph 6.410.

The Sustainability Appraisal provides an assessment of all allocations and reasonable alternatives to the same level of detail and is set out in Annex 1 and reported in the Sustainability Appraisal Report. In respect of Symondshyde the Report states at Para 6.405 that "No reasonable alternative sites for a new village were identified by the Council for the purposes of the Sustainability Appraisal. However, the other reasonable alternative sites within or adjacent to Welwyn Garden City, Hatfield and the named villages could all be considered to be reasonable alternatives in their own right. The likely effects of developing these reasonable alternatives are reported earlier in Chapter 6 of this Sustainability Appraisal Report". This shows that Symondshyde has been assessed in the Sustainability Appraisal against reasonable alternatives.

The Sustainability Appraisal Report also includes at Appendix 5 a statement of reasons why sites have been allocated and others have not.

The report therefore complies with the Regulations as set in Table 1.1 of the Sustainability Appraisal Report.

The Council is debating tonight whether or not the Plan should be submitted but there is no reason to delay its submission on account of the Sustainability Appraisal."

58. DECLARATIONS OF INTERESTS BY MEMBERS:

Councillors M.Cook, L.Chesterman, M.Cowan, S.Johnston and P.Zukowskyj declared non–pecuniary interests in items on the Agenda as appropriate as Members of Hertfordshire County Council.

Councillor S.Boulton declared a non-pecuniary interest in 61.1 Submission Local Plan as a Member of North Mymms Parish Council.

59. ANNOUNCEMENTS:

59.1. Retirement of Chief Executive

The Mayor announced that this would be Michel Saminaden's last Council meeting before his retirement on 18 May 2017.

Michel joined the Council in 1989 serving as Director of Finance and Director of Corporate Services and then as Chief Executive since 1996.

Councillors joined the Mayor in thanking Michel for his service and wishing him a long and happy retirement. In response Michel thanked Councillors for their kind words.

60. QUESTIONS BY MEMBERS:

One question by a Member had been received.

60.1. Question to the Leader from Councillor M.Cowan

"During this year's budget debate, I mentioned a pile of broken glass in Welwyn Garden City town centre that I first saw before Xmas. As of last week, it was still there. Does this suggest the current arrangements in the town centre are less effective than they should be?"

Answer

The question was answered by Councillor H.Bromley (Executive Member, Environment).

"I believe Councillor Cowan is referring to broken glass underneath the recycling banks in Sainsburys' car park.

It is important to note that in order to allow clearance to be done, the banks need to be lifted at the same time the cleansing crew attends the site. This is additional work to the routine cleansing schedule and Serco is currently arranging for this work to be completed as soon as possible.

Fly tipping is continually removed from around our recycling banks and they are emptied on schedule.

I strongly believe that the current cleansing arrangements in the town centre are effective. They comprise a number of activities, including daily litter picking and litter bin emptying alongside street sweeping. Additional litter picking also occurs prior to grass cutting and planting of bedding and maintenance of shrubs."

Councillor M.Cowan said that he was not referring to this and in a follow up question asked if, with the transfer of town centre management staff to the Business Improvement District, arrangements needed a re-think so that routine matters such as clearing litter and emptying litter bins were still carried out?

Councillor H.Bromley replied that a diligent and daily service was provided and if Councillor Cowan gave her specific examples she would look into them and get back to him.

61. MATTER ARISING FROM THE CABINET:

The Council considered recommendations from the Cabinet meeting on 4 April 2017:-

61.1. Submission Local Plan

The Cabinet had considered recommendations from the meeting of the Cabinet Housing and Planning Panel on 16 March 2017 on the submission of the Local Plan to the Secretary of State for public examination.

Appendix A to the report of the Executive Director (Public Protection, Planning and Governance) to the Panel set out summaries of the main issues raised by consultees at the recent Draft Local Plan Proposed Submission consultation. Since that time a respondent had identified that one of their three representations was not summarised in Appendix A and did not appear on the online consultation portal. This was set out in an Addendum and was also considered by the Cabinet.

The Cabinet had agreed:-

(1) That the Head of Planning, in consultation with the Executive Director (Public Protection, Planning and Governance) and the Executive Member (Planning, Housing and Community), be given delegated powers to continue to agree Memorandums of Understanding and Statements of Common Ground with adjoining authorities and other duty to co-operate bodies as appropriate all the way up until submission in order to secure the best outcome for the public examination.

(2) That the Head of Planning, in consultation with the Executive Director (Public Protection, Planning and Governance) and the Executive Member (Planning, Housing and Community), be given delegated authority to prepare a Statement of Duty to Co-operate which explains the outcome of on-going duty to co-operate meetings with adjoining authorities and other duty to co-operate bodies, to be submitted to the Secretary of State alongside the Submission Local Plan.

Following discussion, it was moved by Councillor M.Perkins and seconded by J.Dean that the Cabinet’s recommendations be approved and it was

RESOLVED:
(24 Voting For and 17 Against)

(1) That the Local Plan, Policies Map and associated submission documents identified in paragraph 4.59 of the report of the Executive Director (Public Protection, Planning and Governance) should be submitted with minor modifications as set out in the report, to the Secretary of State for public examination.

(2) That the Head of Planning, in consultation with the Executive Director (Public Protection, Planning and Governance) and the Executive Member (Planning, Housing and Community), be given delegated authority to add to, amend and/or delete items from the Schedule of Minor Modifications that may arise as a result of on-going meetings with adjoining authorities and other duty to co-operate bodies and to update the Infrastructure Delivery Plan, all the way up until the point of submission.

(3) That the Head of Planning and Planning Policy and Implementation Manager, in consultation with the Executive Director (Public Protection, Planning and Governance) and the Executive Member (Planning, Housing and Community) and with regular reporting back to the Cabinet Planning and Housing Panel, be authorised to advocate the Submission Local Plan at the public examination and seek to secure the best outcome for the Borough if the Inspector wishes to discuss possible changes, additions or deletions to the Plan.

(4) That the inclusion of the omitted comment in Main Issues summary, as set out in the Addendum to Appendix A of the report of the Executive Director (Public Protection, Planning and Governance), be noted and no change be made to the Draft Local Plan Proposed Submission or Policies Map as a result of the representation.

62. MATTER ARISING FROM COMMITTEE:

The Council considered recommendations from the Environment Overview and Scrutiny Committee meeting on 30 January 2017:-

62.1. Additional Street Trading Consents

The Council had considered legalising street trading in certain areas of Hatfield Town Centre. This would enable the Town Centre Manager to invite traders to attend appropriate events to enhance the ambience, increase footfall and benefit businesses in Hatfield. It would be necessary for the Council to change the designation of these areas from “prohibited streets” to “consent streets”.

It was moved by Councillor R.Trigg and seconded by J.Dean that the Committee's recommendations be approved and it was

RESOLVED:

(1) That street trading in the areas of Hatfield Town Centre, as detailed in the report of the Executive Director (Public Protection, Planning and Governance) to the meeting of the Environment Overview and Scrutiny Committee on 30 January 2017, be adopted.

(2) That the areas marked with a red boundary on the location map at Appendix A in the Officer report which were currently "prohibited streets" for the purpose of street trading be designated as "consent streets".

(3) That the suggested fees for these consents be £20-£25 per trader per day with an annual maximum payable for the entire consent of £1,155 per annum to Public Health and Protection.

(4) That the street trading consent conditions include those items related to food safety as set out in section 6 of the Officer report.

63. PLANNING APPLICATION FEES:

Report of the Executive Director (Public Protection, Planning and Governance) explaining that the Department for Communities and Local Government had recently written to the Council asking for confirmation of its intention to increase nationally set planning application fees by 20%, as proposed in the recent Housing White Paper.

The letter asked that the Council's Section 151 Officer respond by 13 March 2017 to confirm this intent (or not) and to provide a commitment and information to demonstrate that the additional fee income would be spent on planning services.

It was moved by Councillor M.Perkins, seconded by J.Dean and

RESOLVED:

That the action taken by the Council's Section 151 Officer to respond to the Department for Communities and Local Government to confirm the Council's intention to increase nationally set planning application fees by 20% and to provide a commitment and information to demonstrate that the additional fee income would be spent on planning services be approved.

Council
10 April 2017

64. SYRIAN VULNERABLE PERSONS RELOCATION SCHEME UPDATE:

Report of the Director (Housing and Communities) giving an update on the resettlement of Syrian refugees into the Borough under the terms approved by the Cabinet.

It was moved by Councillor M.Perkins, seconded by J.Dean and

RESOLVED:

That the update on the resettlement of Syrian refugees into the Borough be noted.

Meeting ended at 9.20pm
GS

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Annual Council 22.05.2017
Part 1
Main Author: Marie Lowe
(All Wards)

WELWYN HATFIELD BOROUGH COUNCIL
COUNCIL – 22 MAY 2017
REPORT OF THE EXECUTIVE DIRECTOR (PUBLIC PROTECTION, PLANNING AND GOVERNANCE)

ENVIRONMENT OVERVIEW AND SCRUTINY COMMITTEE ANNUAL REPORT 2016/2017 AND WORK PROGRAMME 2017/2018 – REPORT IN ACCORDANCE WITH ARTICLE 6.3(C) OF THE CONSTITUTION

FUNCTIONS AND ROLE OF THE COMMITTEE

The main functions of the Committee relate to the conduct of comprehensive reviews and the scrutiny of the Council's policies, strategies or operations relating to planning (except planning policy development matters), building control, transportation (including Hackney Carriages but excluding transportation policy development matters), economic development, environmental health and environmental services namely waste services, contract services, landscape and ecology services and fleet and workshop management.

Additional items for the work programme may be generated by the Councillor Call for Action. The Local Government and Public Involvement in Health Act 2007 and the Police and Justice Act 2006 both contain new powers for Members to help them tackle local problems on behalf of their constituents.

Councillors have the ability to call for debate and discussion at Committee on a topic of neighbourhood concern and this is known as "Councillor Call for Action" (CCfA).

Under Article 6.3(c) of the Constitution, Overview and Scrutiny Committees must report annually to the Council on their workings and make recommendations for future work programmes and amended working methods if appropriate. This report is in accordance with that requirement.

MEMBERSHIP OF THE COMMITTEE

The Membership of the Committee consisted of ten Council Members and two co-opted Members from the Tenants' Panel.

WORK OF THE COMMITTEE

The Committee met five times during the municipal year 2016/2017 and has dealt with a range of issues.

Issues that have been considered by the Committee include the following:

TOPIC	MEETING	MINUTE
Hertfordshire County Council Air Quality Alert Scheme	4 July 2016	5
Revised Application Pack And Handbook For Hackney Carriage And Private Hire Drivers	4 July 2016	6
Environmental Enforcement Strategy	4 July 2016	7
Performance Indicator Report Q4 and Annual Report	4 July 2016	8
Performance Monitoring Quarter 1	12 September 2016	23
Performance Monitoring Quarter 2	14 November 2016	32
Performance Monitoring Quarter 3	5 April 2017	58
Environment Services 4th Quarter And Annual Performance 2015/16	4 July 2016	9
1st Quarter 2016/17	12 September 2016	22
2nd Quarter 2016/17	30 January 2017	43
Street Warden Annual Performance and Service Review	4 July 2016	10
CP Plus Performance Results October 2015 – March 2016	4 July 2016	11
CP Plus Performance Results April 2016 – September 16	14 November 2016	30
John O'Conner GM Annual Performance Report	4 July 2016 14 November 2016	12 31
Length of Driver Licences	4 July 2016	14
Flood Response Functions	12 September 2016	20
Consideration Of A Fly Grazing Protocol	12 September 2016	21
Health Protection	14 November 2016	33

Garden Waste Collection Report:	30 January 2017	42
Eat Out Eat Well Healthy Eating Award	30 January 2017	44
Pest Control Update	30 January 2017	45
Update On Operation Reprise And Operation Balsam	30 January 2017	46
Consideration Of Additional Street Trading Consent	30 January 2017	47
Hackney Carriage Office Enforcement Action 2015/16	30 January 2017	50
Climate Change Update	5 April 2017	54
Food Safety Service Plan 2017/18	5 April 2017	55
Food Hygiene Rating Scheme – Cost Recovery	5 April 2017	56
Health And Safety Service Plan	5 April 2017	57

PUBLIC QUESTIONS

Public questions were received at the meeting of 30 January 2017 on the garden waste service.

CONTRACT MONITORING
(Minutes 11, 30, 12 and 31 refer)

The Committee received the Annual Performance reports, half-yearly and quarterly reports for Serco, CP Plus and John O'Conner.

PERFORMANCE INDICATORS
(Minutes 8, 23, and 32 refer)

The Committee received regular updates on the Local and National Performance Indicators. These updates enabled Members to identify areas that had improved, sustained or deteriorated in their performance.

ITEMS FOR SCRUTINY

Members are able, by way of Scrutiny sub-committees, to undertake time-limited focussed scrutiny on issues that they feel need particular attention.

At the meeting on 4 July 2016, the Committee agreed to undertake a scrutiny of the Council's Tree and Woodland Strategy, which will be reported to the Cabinet in June 2017.

COUNCILLOR CALL FOR ACTION

No requests were made under the Councillor Call for Action.

WORK PROGRAMME

The work programme for the Committee will be set at the first meeting of the municipal year. A copy of the draft programme with details of regular topics is attached at Appendix B.

RECOMMENDATION

That this report on the working of the Committee, together with recommendations for the Committee's future work programme, in accordance with Article 6.3 (C) of the Constitution, be noted.

Nick Long
Executive Director (Public Protection, Planning and Governance)
8 May 2017

ENVIRONMENT OVERVIEW AND SCRUTINY COMMITTEE

Item No:

MEETING DATE	REPORT TOPIC	AUTHOR	PRESENTATIONS and/or EXTERNAL PARTIES
July 2017	Air Quality Update WHBC Enforcement Policy Allotment Strategy Environmental Services Report Serco Performance Report – Q3 and Annual Report Performance Indicators – Q4 and Annual Report CP Plus and John O'Connor performance	Terry Vincent/Jeannette Hollingsworth Jo Harding Ann MacDonald Durk Reyner Claire Nicholls Grace Crawford Vikki Hatfield	
September 2017	Eat Out Eat Well Prescribed Processes Performance Indicators Q1	Cheryll Brown Karl Riahi/Jeannette Hollingsworth Grace Crawford	
November 2017	WHBC Enforcement Policy Serco Performance Report Environmental Services Report Performance Indicators Q2	Jo Harding Claire Nicholls Durk Reyner Grace Crawford	
January 2018	Performance Indicators Q3 Pest Control Yearly Update Resilience Update	Grace Crawford Jeannette Hollingsworth Andy Cremer	

ENVIRONMENT OVERVIEW AND SCRUTINY COMMITTEE

	Taxi Enforcement Operations Annual Report – Part II	James Vaughan	
March 2018	Performance Indicators Q4 Food Safety Service Plan Health and Safety Service Plan Noise Update –Operation Reprise and Balsom Enforcement Policy	Grace Crawford Cheryll Brown Cheryll Brown Jeannette Hollingsworth Jo Harding	

ENVIRONMENT OVERVIEW AND SCRUTINY COMMITTEE

OVERVIEW WORK PROGRAMME 2017-2018

MEETING DATE	REPORT TOPIC	AUTHOR	PRESENTATIONS and/or EXTERNAL PARTIES

Policies to be reviewed

Meeting Date	Policy	Author	PRESENTATIONS and/or EXTERNAL PARTIES
	Revised Noise and Nuisance Policy	Jeanette Hollingsworth	
	Emergency Planning and Resilience	Andy Cremer/Ian Cushion	
	Gambling		

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Annual Council 22.05.17
Part I
Main author: Gurdip Paddan
(All Wards)

WELWYN HATFIELD BOROUGH COUNCIL
COUNCIL – 22 MAY 2017
REPORT OF THE EXECUTIVE DIRECTOR (PUBLIC PROTECTION, PLANNING AND GOVERNANCE)

RESOURCES OVERVIEW AND SCRUTINY COMMITTEE ANNUAL REPORT 2016/2017 AND WORK PROGRAMME 2017/2018 – REPORT IN ACCORDANCE WITH ARTICLE 6.3(C) OF THE CONSTITUTION

1. FUNCTIONS AND ROLE OF THE COMMITTEE

The main functions of the Committee relate to the conduct of comprehensive reviews and the scrutiny of the Council's policies, strategies or operations relating to accountancy, internal audit, information technology, E-Government, insurance, risk management, council tax, business rates, benefits administration, property services, human resources, health and safety, legal, governance services, elections, local land charges, corporate policy, corporate consultations and communication.

Additional items for the work programme can be generated by the Councillor Call for Action. The Local Government and Public Involvement in Health Act 2007 and the Police and Justice Act 2006 both contain powers for Members to help them tackle local problems on behalf of their constituents. Councillors have the ability to call for debate and discussion at Committee on a topic of neighbourhood concern and this is known as "Councillor Call for Action" (CCfA).

All Overview and Scrutiny Committees have a standing item on the Agenda for any Councillor Call for Action items. No issues have been discussed under this heading during 2016/2017.

Under Article 6.3(c) of the Constitution, Overview and Scrutiny Committees must report annually to the Council on their workings and make recommendations for future work programmes and amended working methods if appropriate. This report is in accordance with that requirement.

2. WORK OF THE COMMITTEE

The Committee met five times during the municipal year 2016/2017 and dealt with a range of issues.

Issues that have been considered by the Committee include the following:

Topic	Meeting	Minute
Complaints Monitoring	18 July 2016	11
Employee Turnover	19 January 2017	37

Topic	Meeting	Minute
Financial Outturn Report 2015-2016	18 July 2016	12
Salary Benchmarking Report	22 February 2017	46
Apprenticeship Levy	22 February 2017	47

2.1 BUDGET MONITORING REPORTS
(Minutes 12, 22, and 31 refer)

The Resources Overview and Scrutiny Committee received monitoring reports on the revenue and capital budgets. The revenue budget monitoring reports of the Executive Director (Resources, Environment and Cultural Services) presented key financial information on the position of the revenue budget at Periods 3, 6 and 9 and highlighted the changes made by the Cabinet to the budget. The reports also covered the budget monitoring process and risk management, the position of the ring fenced housing accounts, the position of the growth and savings identified for 2016/2017, outstanding debts on the debtor system and the rechargeable works accounts positions.

The Capital budget monitoring reports of the Executive Director (Resources, Environment and Cultural Services) provided information on capital spending and forecast positions. The reports also detailed areas of risk management associated with the capital budgets.

Members were advised that the Housing Revenue accounts would be reported to this Committee in future.

2.2 THE BUDGET MEETING – 19 January 2017.
(Minute 38 refers)

The meeting of the Resources Overview and Scrutiny Committee on 19 January 2017 was largely dedicated to the consideration of the proposed budget reports of the Executive Director (Resources, Environment and Cultural Services), including the:

- General Fund Budget
- Capital Programme
- Housing Revenue Account Budget
- Medium Term Financial Strategy
- Treasury Management and Investment Strategy

Officers answered Members' questions on a number of points on the budgets and financial strategies.

2.3 PERFORMANCE MONITORING
(Minutes 10, 21, 30 and 48 refer)

The Resources Overview and Scrutiny Committee received quarterly monitoring reports on the suite of performance indicators that fall within its remit. This

enabled the Committee to identify which of the Council's services were improving, not improving or remaining the same in their key performance areas.

2.4 SOPRA STERIA CONTRACT MONITORING
(Minutes 9, 20, 29 and 44 refer)

It was noted that the collection of business rates was slightly below target for 2016/17. This was partially due to more businesses paying over twelve months rather than ten months and spreading their payments across the whole year. This left the Council with less time to collect residual payments. Council tax collection was ahead of target but slightly down on the previous year. This could be due to the welfare reform changes and particularly the benefit cap which had reduced income in a number of households.

2.5 ITEMS FOR SCRUTINY

Overview and Scrutiny Committees are able to appoint Scrutiny Sub-Committees to undertake time-limited focused scrutiny exercises on issues that they feel need particular attention. Recommendations from the Scrutiny Sub-Committees are referred to Cabinet. The Constitution shows that the Administration and Opposition Groups have the right within the Municipal Year to have one scrutiny topic referred to a Sub-Committee. Overview and Scrutiny Committees are also able to appoint Review Groups to carry out lighter touch scrutiny exercises.

At the meeting of the Committee on 22 July 2015, it was agreed to appoint a sub-committee to undertake a review on Council Tax Debt Recovery. This exercise has been completed and reported to Cabinet.

2.6 WORK PROGRAMME 2017/2018

The work programme for the Committee will be set at the first meeting of the municipal year. A copy of the draft programme with details of regular topics is attached at Appendix A.

3 RECOMMENDATION

That this report on the working of the Committee, together with recommendations for the Committee's future work programme, in accordance with Article 6.3(C) of the Constitution, be noted.

Nick Long
Executive Director (Public Protection, Planning and Governance)
4 May 2017

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DRAFT

RESOURCES OVERVIEW AND SCRUTINY COMMITTEE
OVERVIEW WORK PROGRAMME 2017-2018

MEETING DATE	REPORT TOPIC	AUTHOR	PRESENTATIONS and/or EXTERNAL PARTIES
17 July 2017	Steria Contract Monitoring Comments, Complaints and Compliments Performance Indicator Annual Report Financial Outturn Report 2016-2017	Farhad Cantel Thom Burn Paul Underwood Ka Ng	
13 September 2017	Steria Contract Monitoring Performance Indicator Report Quarter 1 Revenue and Capital Budget Monitoring – Pd 3	Farhad Cantel Paul Underwood Ka Ng	
23 November 2017	Exit Interview Analysis Steria Contract Monitoring Performance Indicator Report Quarter 2 Revenue and Capital Budget Monitoring – Pd 6	Janet Pilbeam Farhad Cantel Paul Underwood Ka Ng	
18 January 2018	General Fund Budget 2018-2019 Capital Programme 2018-2019 Housing Revenue Account Budget 2018-2019 Treasury Management and Investment Strategy Medium Term Financial Strategy	Matt Curtis	
22 February 2018	Steria Contract Monitoring Performance Indicator Report Quarter 3 Revenue and Capital Budget Monitoring – Pd 9	Farhad Cantel Paul Underwood Ka Ng	

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Annual Council 22.05.17
Part 1
Main Author: Suzanne Hulks
(All Wards)

WELWYN HATFIELD BOROUGH COUNCIL
COUNCIL – 22 MAY 2017
REPORT OF THE EXECUTIVE DIRECTOR (PUBLIC PROTECTION, PLANNING AND GOVERNANCE)

SOCIAL OVERVIEW AND SCRUTINY COMMITTEE ANNUAL REPORT 2016/2017 AND WORK PROGRAMME 2017/2018 – REPORT IN ACCORDANCE WITH ARTICLE 6.3(C) OF THE CONSTITUTION

FUNCTIONS AND ROLE OF THE COMMITTEE

The main functions of the Committee relate to the conduct of comprehensive reviews and the scrutiny of the Council's policies, strategies or operations relating to statutory working, for example community safety, health and community plan, leisure and community services, housing landlord and housing strategic services.

The Social Overview and Scrutiny Committee also, in accordance with the Crime and Disorder (Overview and Scrutiny) Regulations 2009, scrutinises crime and disorder by reviewing and scrutinising decisions made or other action taken in the discharge of crime and disorder functions by the Community Safety Partnership under the Crime and Disorder Act 1998 as amended.

Additional items for the work programme can be generated by the Councillor Call for Action. The Local Government and Public Involvement in Health Act 2007 and the Police and Justice Act 2006 both contain new powers for Members to help them tackle local problems on behalf of their constituents.

Councillors have the ability to call for debate and discussion at Committee on a topic of neighbourhood concern and this is known as "Councillor Call for Action" (CCfA). .

All Overview and Scrutiny Committees have a standing item on the Agenda for any Councillor Call for Action items. No issues have been discussed under this heading during 2016/2017.

Under Article 6.3(c) of the Constitution, Overview and Scrutiny Committees must report annually to the Council on their workings and make recommendations for future work programmes and amended working methods if appropriate. This report is in accordance with that requirement.

WORK OF THE COMMITTEE

The Committee met five times during the municipal year 2016/2017 and has dealt with a range of issues.

Issues that have been considered by the Committee include the following:

TOPIC	MEETING	MINUTE
Anti-Social Behaviour and Crime Strategy	7 September 2016	24
Community Safety Partnership Annual Report	16 November 2016	36
Dementia Action Alliance	11 January 2017	47
Health Working Group – Appointments	9 June 2016	14
Health Working Group – Update	11 January 2017	48
Museum Service Annual Report	14 March 2017	58
Older Persons Housing Strategy	16 November 2016	39
Public Health Projects	11 January 2017	46
Re-integration of the Housing Trust	16 November 2016	40
Safeguarding – Annual Report	14 March 2017	61
Strategic Housing Update	16 November 2016	38
Strategic Transformation Plan	11 January 2017	45
Town Centres Progress Report	14 March 2017	59
Welfare Benefit Reform	16 November 2016	37
Youth and Sports Partnership Annual Report	14 March 2017	60

Of particular note were the following points:

- A third-party Reporting Centre was to be provided at the Council offices so that people had a safe environment where they could report issues such as domestic violence or hate crimes.
- There had been a significant reduction in the number of children on protection plans and 6% reduction in children in care.

- Changes had been made by the Police and Crime Commissioner in the way that funding was allocated for Community Safety and there was no guarantee of funding in the future.
- Legislation was likely to change which would mean that more properties fell into the category of Houses of Multiple Occupation.
- The cost of membership of Hatfield Leisure Centre had been reduced by 25% to £29.
- The Business Improvement District company was to start work on 1 April 2017.
- The Lead Officer for Safeguarding would change from the Community Partnerships Manager to the Head of Community Development.

Finesse Leisure Monitoring
(Minutes 9, 22, 34 and 56 refer)

Members received performance information on the facilities managed by Finesse Leisure.

Performance Indicators
(Minutes 10. 23, 35 and 57 refer)

Members received performance information on the services within its remit.

The number of performance indicators presented to this Committee had increased due to the inclusion of several for Campus West and for the Housing service and it had therefore been decided that, whilst all the data would be presented to the Committee, discussions would be held on an exception basis and focus on any indicators that had been missed or those that had exceeded target. This gave Members more time to concentrate on matters that were of concern.

PRESENTATIONS

At each meeting attended by Finesse, they provided a Powerpoint presentation about elements of their business such as Panshanger Golf Complex, Hatfield Swim Centre and Hatfield Leisure Centre.

Jacqui Bunce, Associate Director (Strategy) East and North Herts Clinical Commissioning Group made a presentation to the Committee in which she provided information on the health of residents of Welwyn Hatfield and on the Sustainable Transformation Plan and the impact of any changes on local residents.

As part of the scrutiny of the Community Safety Partnership, presentations were given by Hertfordshire Police and Hertfordshire Fire and Rescue Service which provided details and statistics on crime, disorder and fires and information on projects undertaken by both services.

ITEMS FOR SCRUTINY

There were no scrutiny reviews requested by the Committee during the year.

However, as required by legislation, Members had scrutinised Crime and Disorder and the Community Safety Partnership. They also scrutinised Health in the Borough.

WORK PROGRAMME

The work programme for the Committee will be set at the first meeting of the municipal year.

Members of the Committee can, during the course of the year, add items within the remit of the Committee that they feel should be considered and discussed.

Items within the remit of the Committee are shown in Part 3 of the Constitution.

RECOMMENDATION

That this report on the working of the Committee, together with recommendations for the Committee's future work programme, in accordance with Article 6.3 (C) of the Constitution, be noted.

Nick Long
Executive Director (Public Protection, Planning and Governance)
21 March 2017

Part I
Main author: Suzanne Hulks
Executive Member: Roger Trigg
(All Wards)

WELWYN HATFIELD BOROUGH COUNCIL
COUNCIL – 22 MAY 2017
REPORT OF THE EXECUTIVE DIRECTOR (PUBLIC PROTECTION, PLANNING AND GOVERNANCE)

MEMBER DEVELOPMENT ANNUAL REPORT

1 Executive Summary

1.1 In May 2016, the Council held all out elections due to boundary changes in the Borough. This resulted in the election of seventeen new Councillors.

2 Recommendation(s)

2.1 To note the contents of the report which provides details of the Member Development that has been offered to Councillors and attendances.

3 Explanation

3.1 Member Development is considered to be essential in providing support, knowledge and guidance to Members, both new and experienced.

3.2 Member Development Charter standards are used as the basis for providing a robust programme of events and opportunities are being provided that will help Members fulfil their roles.

3.3 Due to the large number of new Members, events were held that focussed on induction to the Council and an introduction to the work done by the Committees and service areas.

3.4 Last year also saw the introduction of the new Council Chamber and the use of Modern.gov on newly supplied iPads. Several sessions were devoted to assisting Members with the new technology that they had to use.

3.5 INDUCTION

3.5.1 An induction event was held which was attended by the majority of the new Councillors. They received information about the Council, about the standards and ethics required of a Councillor and were then provided with an opportunity to have an informal meeting with the Chief Executive, Directors and members of the Governance Services Team.

3.6 MEMBER DEVELOPMENT PROGRAMME 2016-2017

3.6.1 There were twelve events held which covered topics such as Planning, Licensing, Hackney Carriages, Statement of Accounts, Personal Safety and Estates Management.

3.6.2 Drop-in sessions were provided for Members to discuss any issues with their iPads and to have one-to-one training sessions where required.

3.6.3 There were two Council chamber familiarisation events held at which Members were introduced to the use of the microphones and cameras and provided with the opportunity to speak using the microphone whilst seeing themselves on camera.

3.6.4 In total, in excess of 40 hours of training were offered and 41 Members attended one or more sessions.

3.6.5 Attendances are listed below. However, it should be noted that these figures do not include the chamber familiarisation sessions which almost all Members attended.

3.6.6 Councillors Brandon, Chapman (elected at a bye-election), Hayes, Morgan, Roberts and Thorpe each had zero attendances.

3.6.7 Councillors Fitzpatrick, Holloway, Mabbott, Zukowskyj and Levitt each had one attendance.

3.6.8 Councillors Birleson, J Boulton, Broach, Bromley, Cowan, J Dean, Kingsbury and Sparks each had two attendances.

3.6.9 Councillors Bailey, Beckett, Bennett, S Boulton, Cragg, Johnston, Pace, Sarson, Shah, Taylor and Weston each had three attendances.

3.6.10 Councillors Basch, Beckerman, Bell, Cook, I Dean, Holman, Perkins, Thomson and Trigg each had four attendances.

3.6.11 Councillors Larkins and Michaelides each had five attendances.

3.6.12 Councillors Gillett and Markiewicz each had six attendances.

3.6.13 Councillors A Chesterman, L Chesterman and H Quenet each had seven attendances.

3.6.14 Councillor Bower had nine attendances.

3.6.15 Councillor Fitzsimon had ten attendances.

3.7 SHARED EVENTS

3.7.1 Events were offered by us to the other Hertfordshire Councils or by them to us. This provides an opportunity for us all to offer a more comprehensive programme of events and permits us to defray some of the costs of bringing in external trainers.

3.8 MEMBER DEVELOPMENT STEERING GROUP

3.8.1 Four meetings were scheduled for the Group during the year. On the occasions when it was not possible to meet, papers were circulated and opinions given electronically.

3.8.2 Members of the Group this year were R Trigg, J Broach, H Quenet and N Taylor.

3.9 HERTFORDSHIRE MEMBER DEVELOPMENT NETWORK

3.9.1 Welwyn Hatfield Borough Council remains a member (founding) of the Hertfordshire Member Development Network. This is an officer group that meets four times a year. Lead Members are invited to attend one meeting per year to offer a Member perspective.

3.9.2 The network works together to share knowledge, good practice and opportunities for shared training sessions.

3.9.3 Minutes from the Network meetings are presented to the Member Development Steering Group.

3.10 INDUCTION AND MEMBER DEVELOPMENT 2017-2018

3.10.1 A draft programme of events has been planned for 2017-2018.

3.10.2 Topics likely to be covered are:

- Hackney Carriage Committee – the role of Members
- Code of Conduct for Development Management Committee
- Housing
- Safeguarding
- Standards and Ethics
- An Introduction to the New Directorates
- Equalities Impact Assessments
- Licensing
- Motions and Amendments
- Public Speaking
- Chairing Skills
- Planning

3.10.3 Once the programme is agreed and arrangements made, Members will be informed of events in advance.

Name of author	Suzanne Hulks
Title	Governance Services Officer
Date	6 April 2017

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Part I
Item No: 8
For Decision

WELWYN HATFIELD COUNCIL
ANNUAL COUNCIL – 22 MAY 2017

Recommendations from the Cabinet on 4 April 2017:-

Review of the Constitution (Minute 153.2 refers)

The Cabinet considered a comprehensive review of the Constitution in the light of recent major changes.

In noting that the procedure for the call-in of planning applications was being updated, Officers assured the Cabinet that this was to clarify the reasons for call-in only and that they would have no more ability to impede a call-in than as provided for at present.

(1) The Cabinet agreed and **RECOMMENDS** to the Annual Council meeting changes to the Constitution relating to the restructuring of the senior management of the Council including responsibility for functions and appointments of Proper Officers, the re-integration of the housing service into the Council, the creation of a property company, external auditor appointments, the formation of a joint building control service, together with general updating, including to Contract and Financial Procedure Rules and the procedure for call-in of planning applications.

(2) The Cabinet agreed and **RECOMMENDS** to the Annual Council meeting that the Head of Law and Administration as Monitoring Officer be authorised to amend the Constitution to include these changes and to make any other minor amendments where required by Statute or decisions of the Council in accordance with delegated powers.

(**Note**: The link to the Constitution published on the Council's website is as follows:- http://daw/welhat.gov.uk/icm/mediaaccess.cfm?CFID=3c4e153b-a9dc-49a6-ab85-80310935cd87&CFTOKEN=0&file=pdf/7/m/2017.04_with_track.pdf)

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Part I
Main author: Graham Seal
Executive Member Roger Trigg
All Wards

WELWYN HATFIELD BOROUGH COUNCIL
CABINET – 4 APRIL 2017
ANNUAL COUNCIL – 22 MAY 2017
REPORT OF THE DIRECTOR (PUBLIC PROTECTION, PLANNING AND GOVERNANCE)

REVIEW OF THE CONSTITUTION

1. Executive Summary

1.1 The Constitution sets out the local rules that govern how the Council works within national local government legislation. It is regularly reviewed to take account of changes agreed by the Council, where required by statute and other changes, together with general updating. The Council is asked to agree amendments as explained in this report following which the new version of the Constitution will be re-published.

1.2 A comprehensive review has been undertaken and changes proposed to take account of the restructuring of the senior management of the Council including responsibility for functions and appointments of Proper Officers, the re-integration of the housing service from the Community Housing Trust into the Council, the creation of a property company, external auditor appointments and the formation of a joint building control service, together with general updating, including to Contract and Financial Procedure Rules and the procedure for call-in of planning applications.

2. Recommendations

2.1 That the Cabinet agrees and recommends to the Council changes to the Constitution relating to the restructuring of the senior management of the Council including responsibility for functions and appointments of Proper Officers, the re-integration of the housing service into the Council, the creation of a property company, external auditor appointments, the formation of a joint building control service, together with general updating, including to Contract and Financial Procedure Rules and the procedure for call-in of planning applications.

2.2 That the Cabinet agrees and recommends to the Council that the Head of Law and Administration as Monitoring Officer be authorised to amend the Constitution to include these changes and to make any other minor amendments where required by Statute or decisions of the Council in accordance with delegated powers.

2.3 (Note: The link to the Constitution published on the Council's website is as follows:- http://daw/welhat.gov.uk/icm/mediaaccess.cfm?CFID=3c4e153b-a9dc-49a6-ab85-80310935cd87&CFTOKEN=0&file=pdf/7/m/2017.04_with_track.pdf)

3. Explanation

The following amendments are proposed:-

3.1 Restructuring of the Senior Management of the Council

(1) To revise the Responsibility for Functions in Part 3 of the Constitution to take account of the restructuring of the senior management of the Council and the appointment of the three new Executive Directors – Executive Director (Resources, Environment and Cultural Services) (Ka Ng), Executive Director (Public Protection, Planning and Governance) (Nick Long) and Executive Director (Housing and Communities) (Simone Russell), together with the delegation of authority from the Cabinet, Committees and Panels to Directors and the further delegation from Directors to Heads of Service. Updated Charts showing the new Management Structure/Responsibilities are being provided in Section 7 of the Constitution.

(2) To appoint Executive Directors and Heads of Service as Proper Officers for specified functions for the purposes of the Local Government Act 1972, the Local Government Act 2000 and other relevant Acts .

(3) This is further to the interim arrangements for the delegation of authority to the Directors which were agreed at the Council meeting on 3 October 2016 (Minute 21 refers).

3.2 Re-Integration of the Housing Service from the Community Housing Trust into the Council

The revision to the Responsibility for Functions will reflect the re-integration of the housing service from the Community Housing Trust into the Council as agreed by the Cabinet on 6 December 2016 (Minute 101 refers) which took effect from 1 February 2017. This will include the removal of responsibility for housing functions from the Cabinet Housing and Planning Panel which will revert to the Cabinet Planning Panel and the appointment of a new Cabinet Housing Panel by the Cabinet for the Municipal Year 2017/18. The membership of the new Panel will include co-opted representatives of the Tenants' Panel and it will receive the Minutes of those meetings.

3.3 Creation of a Property Company

The Special Cabinet meeting on 24 January 2017 (Minute 121 refers) agreed the establishment of a company limited by shares and wholly owned by the Council to enable commercial trading for property related investments under the Localism Act 2011. This income generating investment vehicle has the aim of making significant annual contributions to the Council's General Fund. The operational and governance structure of the company, together with its potential business activities is being provided for in the Constitution.

3.4 External Auditor Appointments

The Local Audit and Accountability Act 2014 abolished the Audit Commission and required principal local authorities to appoint their own external auditors by 31 December 2017 for the audit of their accounts from the 2017/18 financial year. As recommended by the Audit Committee on 16 January (Minute 28 refers), the Special Council meeting on 6 February 2017 (Minute 44 refers) accepted an invitation from Public Sector Audit Appointments Ltd and agreed to opt into the national scheme for auditor appointments for each of the five financial years from 1 April 2018 and be an "opted-in" authority for the purpose of the Regulations.

These new arrangements for the appointment of the Council's external auditors are being taken account of in the Constitution.

3.5 Joint Building Control Service

The Cabinet on 2 August 2016 (Minute 46.1 refers) agreed to the Council co-operating within the Hertfordshire Joint Building Control Service to provide a joint building control and related service. It was agreed that part of this co-operation should include the formation of a holding company with two subsidiary companies, all private limited by shares and jointly owned, directly or indirectly, by the participating Councils within the Hertfordshire Joint Service. The Cabinet agreed that, in so far as permitted by law, the functions carried out by this Council's building control and related services be transferred to the subsidiary companies and that any remaining statutory building control functions that could not be passed to the new companies could be provided for by any one of the participating authorities within the Hertfordshire joint service. Arrangements for the joint service are proceeding and need to be incorporated into the Constitution.

3.6 General Updating

The opportunity has been taken as part of this comprehensive review of the Constitution to undertake some general updating, including to Contract and Financial Procedure Rules and the procedure for call-in of planning applications.

Implications

4. Legal Implication(s)

The Constitution is regularly reviewed and its operation monitored to ensure that it is relevant, up to date and fit for purpose.

5. Financial Implication(s)

There are no financial implications arising directly from the recommendations in this report.

6. Risk Management Implications

If the Constitution is not regularly reviewed and its operation monitored to ensure that it does remain relevant, up to date taking account of legislation and fit for purpose there is a risk that the basic rules governing the Council's business will not be effective and give rise to legal challenge.

7. Security and Terrorism Implication(s)

There are no security and terrorism implications inherent in relation to the proposals in this report.

8. Procurement Implication(s)

There are no procurement implications inherent in relation to the proposals in this report.

9. Climate Change Implication(s)

There are no climate change implications inherent in relation to the proposals in this report.

10. Link to Corporate Priorities

The subject of this report is linked to statutory requirements under the Local Government Act 1972 and other relevant legislations. The proposals in this report make changes to the Council's Constitution which will be updated and republished.

11. Equality and Diversity

An Equality Impact Assessment (EIA) has not been carried out in connection with the proposals that are set out in this report. It is considered that there are no differential impacts.

12. Background Papers

None

Name of author	Graham Seal 01707 357444
Title	Governance Services Manager
Date	13 February 2017

REVIEW OF POLITICAL PROPORTIONALITY

1. Following the Panshanger Ward bye-election on 4 May 2017 and as there is a vacant seat on the Council it is necessary to review the political proportionality of Member appointments to Committees and make changes to the allocation of seats.

2. This is a temporary review for the period up to the Hatfield Villages Ward bye-election on 8 June 2017 following which a further review will be required.

3. A special meeting of the Council has been convened on 12 June 2017 for this purpose.

4. The outcome of the review is set out in the attached schedule. This meets the requirement to reflect the overall political composition of the Council in the appointment of Members to Committees.

5. Section 15 of the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 set out the Council's legal duty to secure the balance of different political groups on the authority.

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Welwyn Hatfield Borough Council
Committee Proportionality Ratios

Seats on Council	**2016/17**		**2017/18**	
Conservative	28	58.33%	27	57.45%
Labour	15	31.25%	15	31.91%
Liberal Democrat	5	10.41%	5	10.64%
TOTAL	48	100%	47 (one vacancy)	100%

Committee	**Seats**		**Ratio**	
	now	**new**	**2016/17**	**2017/18**
Estates Management Appeals Panel	6	7	3:2:1	4:2:1
Audit Committee	5	5	3:1:1	3:2
Cabinet Housing and Planning Panel	10	-	6:3:1	-
Cabinet Housing Panel	-	9		5:3:1
Cabinet Planning and Parking Panel	-	9		5:3:1
Grants Board	5	5	3:2	3:2
Environment Overview and Scrutiny	10	9	6:3:1	5:3:1
Resources Overview and Scrutiny	10	9	6:3:1	5:3:1
Social Overview and Scrutiny	10	9	6:3:1	5:3:1
Development Management	15	15	8:5:2	9:4:2
Hackney Carriage	5	5	3:2	3:2
Licensing	5	7	3:2	4:2:1
Campus West Cabinet Panel	4	6	3:1	4:1:1
Standards	5	-	3:1:1	-
Total seats	90	95	**90**	**95**
Entitlement			53:28:9	55:30:10

(**Note:** This is the list of Committees included in the calculations for political proportionality. Groups will also have seats on other bodies not shown in this list, such as the Standards Committee and Task and Finish meetings).

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WELWYN HATFIELD BOROUGH COUNCIL

Leader, Mayor and Deputy Mayor

Mayor – L.Sparks
Deputy Mayor – B.Fitzsimon
Leader – J.Dean

CABINET

(Constitution: Up to 10 Members of the Council to be determined by the Leader)

D.Bell

H.Bromley

J.Dean (C)

T.Kingsbury

A.Perkins (VC)

B.Sarson

R.Trigg

EXECUTIVE MEMBERS

J.Dean	- Leader of the Council
A.Perkins	- Deputy Leader of the Council and Executive Member, Planning, Housing and Community
D.Bell	- Executive Member, Resources
H.Bromley	- Executive Member, Environment
T.Kingsbury	- Executive Member, Policy and Culture
B.Sarson	- Executive Member, Business, Partnerships and Public Health
R.Trigg	- Executive Member, Governance, Community Safety, Police and Crime Commissioner and Corporate Property

Note: (C) Denotes Chairman
(VC) Denotes Vice-Chairman

LEAD MEMBERS

D.Bennett	- Lead Member, Sports
F.Thomson	- Lead Member, Health

STANDARDS COMMITTEE

(Constitution: 6 Members comprising 5 Borough Council Members (to include 1 Executive Member) and 1 non-voting Co-Opted Local Councils Association representative)
(ratio 3:1:1)

J.Dean (C)

B.Fitzsimon

S.Markiewicz

S.Roberts

P.Zukowskyj

Representative of the Welwyn Hatfield Association of Local Councils

J.Blackburn

OVERVIEW AND SCRUTINY COMMITTEES

(Note: Each Overview and Scrutiny Committee is authorised to appoint up to five non-voting co-optees at any time to assist it in the performance of its functions).

ENVIRONMENT OVERVIEW AND SCRUTINY COMMITTEE

(Constitution: 9 Members)
(ratio 5:3:1)

H.Beckett

J.Broach

N.Chapman

M.Cowan

J.Cragg (VC)

K.Holman

S.Johnston (C)

N.Taylor

J.Weston

Co-opted Members:-

Tenants' Panel Representatives

J.Corson and J.Armstrong-Bridges

RESOURCES OVERVIEW AND SCRUTINY COMMITTEE

(Constitution: 9 Members)
(ratio 5:3:1)

T.Bailey

M.Birleson

J.Boulton (VC)

H.Bower

L.Brandon

C.Gillett

G.Michaelides

N.Pace (C)

S.Roberts

Co-opted Members:-

Tenants' Panel Representatives

D.Fuller and B.Robbins

SOCIAL OVERVIEW AND SCRUTINY COMMITTEE

(Constitution: 9 Members)
(ratio 5:3:1)

T.Bailey

D.Bennett (C)

L.Brandon

L.Chesterman

B.Fitzsimon (VC)

P.Mabbott

T.Mitchinson

F.Thomson

K.Thorpe

Co-opted Members:-

Tenants' Panel Representatives

D.Goodson and B.Rhodes

DEVELOPMENT MANAGEMENT COMMITTEE

(Constitution: 15 Members)
(ratio 9:4:2)

R.Basch

J.Beckerman

D.Bennett

S.Boulton (C)

A.Chesterman

I.Dean

B.Fitzsimon

C.Gillett

M.Larkins

T.Mitchinson

N.Pace (VC)

P.Shah

F.Thomson

J.Weston

P.Zukowskyj

AUDIT COMMITTEE

(Constitution: 5 Members)
(ratio 3:2)

H.Bower

G.Michaelides

N.Pace (C)

S.Roberts

K.Thorpe

HACKNEY CARRIAGE COMMITTEE

(Constitution: 5 Members)
(ratio 3:2)

J.Beckerman

H.Bower (C)

A.Chesterman

L.Chesterman

P.Mabbott

GRANTS BOARD

(Constitution: 5 Members)
(ratio 3:2)

D.Bennett (C)

H.Bower

L.Chesterman

I.Dean

J.Fitzpatrick

LICENSING COMMITTEE

(Constitution: 7 Members)
(ratio 4:2:1)

J.Beckerman (C)

J.Boulton

M.Cook

C.Gillett

G.Hayes

K.Holman

H.Quenet

LICENSING AND REGULATED ENTERTAINMENT COMMITTEE

(Constitution: 10-15 Members)
(the political proportionality rules do not apply to this Committee)

J.Beckerman (C)

D.Bennett

H.Bower

M.Cook

J.Cragg

B.Fitzsimon

K.Holman

M.Larkins

P.Mabbott

F.Thomson

MEMBER DEVELOPMENT STEERING GROUP

(Constitution: 4 Members)
(ratio 2:1:1)

J.Broach

H.Quenet

N.Taylor

R.Trigg (C)

COMPLAINTS COMMITTEE

(Constitution: 5 Members)
(ratio 4:1)

(Note: No nominations required. In the interests of natural justice Members to be nominated when required who have not had any involvement in the complaint being heard).

Appendix C

APPOINTMENTS OF
REPRESENTATIVES ON OUTSIDE BODIES

2017/18

NON-EXECUTIVE APPOINTMENTS TO OUTSIDE BODIES MADE BY THE COUNCIL

	Organisation	Number of Representatives	Period of Office	Nominations 2017/18
1.	Citizens Advice Bureau (Welwyn Hatfield)	1	1 year	S.Markiewicz (C)
2.	Digswell Arts Trust	2 (as Observers)	1 year	H.Bromley (C) J.Cragg (C)
3.	Breaks Manor Youth Club	1	1 year	D.Bennett (C)
4.	Hatfield and District Age Concern (Friendship House)	1	1 year	P.Mabbott (C)
5.	Haldens Residents and Community Association	1	1 year	N.Chapman (C)
6.	Hertfordshire Groundwork Trust	1	1 year	K.Holman (C)
7.	Herts & Middx Trust for Nature Conservation Ltd. Stanborough Reedmarsh Nature Reserve	2	1 year	H.Bromley (C) J.Cragg (C)
8.	Jubilee House - Directors	1	1 year	R.Trigg (C)
9.	Ludwick Family Club Management Committee	2	1 year	N.Pace (C) N.Taylor(C)
10.	St.John's Youth Centre	1	1 year	N.Chapman (C)
11.	Welwyn Hatfield Council for Voluntary Service	1	1 year	B.Fitzsimon (C)
12.	Women's Resource Centre - Management Committee	1 (female Member)	1 year	S.Johnston (C)
13.	Hertfordshire Health Scrutiny Committee	1	1 year	F.Thomson (C)
14.	East and North Hertfordshire NHS Trust Involvement Committee	2	1 year	B.Fitzsimon (C) F.Thomson (C)

APPOINTMENTS TO SCHOOL GOVERNING BODIES

It is a matter of choice for school governing bodies whether or not to invite the Council to make an appointment and only those that have indicated they do wish to are included on the list.

The current list is attached.

An appointment is required this year as indicated *****.

SCHOOL GOVERNING BODIES

			Current Representatives	Nominations 2017/18
1.	Harwood Hill JMI	1	Cllr J.Beckerman (C)	
2.	Holwell JMI and Ludwick Nursery	2	A.Yeowell (C) G.Dowler (C)	
3.	Holy Family R.C. JMI	1	J.Maguire (L)	
4.	Homerswood JMI	1	Cllr N.Chapman (C)	
5.	Peartree JMI	1	Cllr J.Weston	
6.	Watchlytes JMI	1	A.Johnson (L)	* L.Musk (L)
7.	Southfield School	1	L.Cook (L)	

MEMBERS' ATTENDANCE SUMMARY

2016-17

Appendix D

	Party	Actual	Possible	%	Subs	Exec
Tom Bailey	**Lib**	16	20	80	0	-
Rachel L Basch	**Lib**	21	23	91	2	-
Jon Beckerman	**C**	14	18	78	3	-
Helen J Beckett	**L**	15	15	100	0	-
Duncan J Bell	**C**	37	37	100	0	8
Darren Bennett	**C**	36	45	80	0	-
Margaret Birleson	**L**	27	32	84	0	-
Jonathan S Boulton	**C**	12	15	80	0	-
Stephen Boulton	**C**	32	36	89	0	-
Harry Bower	**C**	19	19	100	2	-
Lenny Brandon	**L**	15	20	75	0	-
James Broach	**L**	13	15	87	0	-
Helen E Bromley	**C**	36	37	97	0	4
Nathaniel Chapman	**C**	11	12	92	0	-
Alan Chesterman	**L**	26	31	84	3	-
Lynn A Chesterman	**L**	20	23	87	3	-
Maureen Cook	**L**	10	10	100	1	-
Malcolm Cowan	**Lib**	22	27	81	1	-
Julie Cragg	**C**	20	20	100	11	-
Irene Dean	**C**	26	27	96	0	-
John Dean	**C**	25	25	100	0	-
John C Fitzpatrick	**L**	12	14	86	0	-
Barbara A Fitzsimon	**C**	14	15	93	10	-
Caroline R Gillett	**C**	14	23	61	1	-
Glyn C Hayes	**L**	20	23	87	1	-

	Party	Actual	Possible	%	Subs	Exec
Max P Holloway	**L**	23	23	100	0	-
Kerstin B Holman	**C**	13	15	87	0	-
Sara L C Johnston	**C**	20	21	95	1	-
Tony Kingsbury	**C**	26	26	100	0	4
Mike Larkins	**L**	24	25	96	5	-
Martyn J Levitt	**C**	9	16	56	0	-
Patricia A Mabbott	**C**	8	10	80	0	-
Steven Markiewicz	**C**	34	35	97	0	-
George P Michaelides	**C**	18	19	95	0	-
Howard Morgan	**C**	24	29	83	0	-
Nick Pace	**C**	30	33	91	2	-
Mandy Perkins	**C**	36	37	97	0	14
Helen Quenet	**Lib**	17	19	89	1	-
Steve Roberts	**L**	18	20	90	0	-
Bernard Sarson	**C**	25	26	96	0	1
Pankit Shah	**L**	33	36	92	0	-
Lynne Sparks	**C**	12	19	63	0	-
Malcolm R Spinks	**C**	10	13	77	3	-
Nick Taylor	**C**	11	15	73	0	-
Fiona Thomson	**C**	29	32	91	1	-
Kieran M Thorpe	**L**	14	15	93	0	-
Roger Trigg	**C**	21	24	88	0	1
Jill Weston	**L**	27	28	96	0	-
Paul M Zukowskyj	**Lib**	23	24	96	1	-

The above figures relate to meetings of the Council, Cabinet, Committees, Boards and Panels. They do not include Task and Finish Working Groups.

Key
C Conservative
L Labour
Lib Liberal Democrat

Subs = Attendances as Substitutions
Exec = Attendances of Cabinet Members at meetings within their portfolio

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2017																													
	May		Jun		Jul		Aug		Sep		Oct		Nov		Dec		Jan		Feb		Mar		Apr		May	
Saturday					1																					
Sunday					2						1												1			
Monday	**1**	Bank Holiday			3						2	Council					**1**	Bank Holiday					2	Bank Holiday		
Tuesday	2				4	HCC	1				3	Cabinet					**2**						**3**	Cabinet	1	
Wednesday	3				5		2				4		1				3	MDSG					**4**		2	
Thursday	4	ELECTION	1		6	Licensing	3				5	CabPlan	2	CabPlan			4	DMC	1	DMC	1	DMC	**5**	MDSG	3	ELECTION
Friday	5		2		7		4		1		6		3		1		5		2		2		**6**		4	
Saturday	6		3		8		5		2		7		4		2		6		3		3		**7**		5	
Sunday	7		4		9		6		3		8		5		3		7		4		4		**8**		6	
Monday	8		5		10	Council	7	CabHous	4	Standards	9	Grants	6	HCC	4	Standards	8		5	Special Council	5	CabHous	**9**	Council	7	Bank Holiday
Tuesday	9		6	Cabinet	11	Cabinet	8	Cabinet	5	Cabinet	10		7	Cabinet	5	Cabinet	9	Cabinet	6	Cabinet	6	Cabinet	**10**	HCC	8	
Wednesday	10		7		12	Grants	9		6		11	SOSC	8		6	HCC	10		7		7		**11**	SOSC	9	
Thursday	11		8	ELECTION	13	CabPlan	10	CabPlan	7	CabPlan	12	DMC	9	DMC	7	DMC	11	CabPlan	8	CabPlan	8	CabPlan	**12**	CabPlan	10	
Friday	12		9		14		11		8		13		10		8		12		9		9		**13**		11	
Saturday	13		10		15		12		9		14		11		9		13		10		10		14		12	
Sunday	14		11		16		13		10		15		12		10		14		11		11		15		13	
Monday	15		12	Sp Coun / Sp Cab	17	ROSC	14	HCC	11	COUNCIL	16	HCC	13	EOSC	11	CabHous	15	CWCP / Audit	**12**	HCC	12	Grants	16	CabHous	14	
Tuesday	16		13	CabPlan	18		15		12	CWCP	17	Highways	14		12		16		**13**		13	HCC	17		15	
Wednesday	17		14		19	DMC	16		13	ROSC	18		15		13	Grants	17	SOSC	**14**		14	CWCP	18		16	
Thursday	18	HCC	15	EMAP	20	EOSC	17	DMC	14	DMC	19	EMAP	16	CWCP	14	CabPlan	18	ROSC	**15**	EMAP	15	Highways	19	EMAP	17	
Friday	19		16		21		18		15		20		17		15		19		**16**		16		20		18	
Saturday	20		17		22		19		16		21		18		16		20		17		17		21		19	
Sunday	21		18		23		20		17		22		19		17		21		18		18		22		20	
Monday	22	**Annual Council**	19		24	Audit	21		18	CabHous	**23**	Audit	20	COUNCIL	18	EMAP	22	CabHous	19		19	Standards	23		21	Annual Council
Tuesday	23		20		25		22		19		**24**		21		19		23	Special Cabinet	20		20		24		22	HCC
Wednesday	24	TP	21		26	TP	23		20		**25**	BTP	22	SOSC	**20**		24		21		21		25		23	
Thursday	25	DMC	22	DMC	27	SOSC	24	EMAP	21	HCC	**26**		23	ROSC	**21**		25		22	ROSC	22	Audit	26	DMC	24	DMC
Friday	26		23		28		25		22		**27**		24		**22**		26		23		23		27		25	
Saturday	27		24		29		26		23		28		25		**23**		27		24		24		28		26	
Sunday	28		25		30		27		24		29		26		**24**		28		25		25		29		27	
Monday	**29**	Bank Holiday	26	CabHous	31	CWCP	**28**	Bank Holiday	25	EOSC	30	CabHous	27		**25**	Bank Holiday	29	COUNCIL	26	Special Council	26	EOSC	30		28	Bank Holiday
Tuesday	30		27				29		26		31		28		**26**	Bank Holiday	30	EOSC	27		27				**29**	
Wednesday	31		28				30		27	MDSG			29	TP	**27**		31	TP / HCC	28	Licensing	28	TP / BTP			**30**	TP
Thursday			29	Standards / MDSG			31		28	TP / Lic			30		**28**						29	DMC			**31**	
Friday			30						29						**29**						30	Bank Holiday				
Saturday									30						**30**						31					
Sunday															**31**											

Audit	Audit Committee	7..30pm
BTP	Borough, Town and Parish Meeting	6.30pm
Cabinet	Cabinet	7.30pm
CabHous	Cabinet Housing Panel	7.30pm
CabPlan	Cabinet Planning and Parking Panel	7.30pm
CWCP	Campus West Cabinet Panel	tba
Council	Council	7.30pm
DMC	Development Management Committee	7.30pm
EMAP	Estates Management Appeals Panel	7.30pm
EOSC	Environment Overview and Scrutiny Committee	7.30pm
Grants	Grants Board	6.30pm
HCC	Hackney Carriage Committee	7.30pm
Highways	Highways Liaison Meeting	7.30pm
Licensing	Licensing and Regulated Entertainment Commi	2.30pm
MDSG	Member Development Steering Group	6.30pm
ROSC	Resources Overview and Scrutiny Committee	7.30pm
SOSC	Social Overview and Scrutiny Committee	7.30pm
Standards	Standards Committee	6.30pm
TP	Tenants Panel Meetings	6.00pm

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