

Constitution Review Group  
26 October 2020

## WELWYN HATFIELD COUNCIL

Minutes of a meeting of the CONSTITUTION REVIEW GROUP held on Monday 26 October 2020 at 6.30 pm via Zoom

PRESENT: Councillors T.Kingsbury (Chairman)  
F.Thomson (Vice-Chairman)  
M.Cowan, G.Hayes, F.Marsh, K.Thorpe and S.Wrenn

OFFICIALS Corporate Director (Public Protection, Planning and Governance) (N.Long)  
PRESENT: Head of Law and Administration (M.Martinus)  
Procurement Manager (A.Harper)  
Governance Services Manager (A.Marston)

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52. MINUTES

The minutes of the last meeting held on 23 July 2020 were approved as a correct record.

53. CONTRACT PROCEDURE RULES

Officers explained to the Group that the Commercial and Supplier review was one of the first reviews to be completed as part of the modernisation programme. One of the major outcomes of the review was that all competitive procurements would be managed centrally by the procurement department. At the moment the procurement department only undertakes competitive procurements above £50,000 in value, with Service Areas undertaking the process below this value.

Changes to the Contract Procedure Rules are to ensure that all competitive procurements are undertaken by the Procurement Department.

The Monitoring Officer has used her delegated powers to make minor changes to the Contract Procedure Rules to bring things up to date.

Changes were highlighted in the report shared with the Group.

Following discussion it was agreed that:

- Further amendments would be made to the Health & Safety section to tighten it up and remove the disparity of emphasis between that section and the safeguarding section.
- Paragraph 25 will be re-written to include more clarity around General Procurement Boards and nominations to boards.

Subject to these further amendments being agreed with the Group via email, CRG members agreed they were happy to recommend these proposals to Council.

AGREED:

- 1) The Constitution Review Group recommend to Council on 23 November 2020 to approve the changes to the Contract Procedure Rules.

#### 54. PROCUREMENT BOARD PROPOSALS

Following discussions with the Chair of the General Procurement Board, officers were asked to look at proposals to improve the process.

The recommendations put forward for agreement from Constitution Review Group are:

- **For contracts with a total value of less than £100,000**  
No change, officers will continue to oversee the procurement process and award the contract.
- **For contracts with a value between £100,000 and £1million**  
The Executive Member will decide if the contract is a routine matter or not.
  - Routine Matters – Officers will undertake the procurement and the award of the contract will be authorised by an Executive Member Decision notice
  - Non-Routine – Referred to the General Procurement Board (and Cabinet will agree the award of contract)
- **For contracts with a value of over £1million**  
These will be overseen by the General Procurement Board and Cabinet will continue to be responsible for awarding the contract.

A further recommendation is for the decision to set up new Specific Procurement Boards and defining the terms of reference to be able to be made using an Executive Member Decision Notice rather than going through Cabinet.

Following discussion it was confirmed that:

- Membership nominations for specific boards will continue to be put forward by the Group Leaders.
- Executive Member Decision Notices when used to set up new Specific Procurement Boards should be signed by two Executive Members: wherever possible this should be the relevant portfolio holder and the chair of the General Procurement Board.

CRG members agreed they were happy to recommend these proposals to Council.

AGREED:

- 1) The Constitution Review Group recommend to Council on 23 November 2020 to approve these changes which have been incorporated into the revised Contract Procedure Rules.

#### 55. LICENSING COMMITTEES

A presentation was given to the Group outlining the current licensing decision-making process and proposals to modernise and streamline this.

Currently, multiple committees with a broad range of functions oversee the various licensing regimes.

The proposals put to the Group to improve efficiency were:

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- Keeping the Licensing and Regulated Entertainment Committee and its current remit but renaming it “Alcohol and Regulated Entertainment Licensing Committee”.
- Combining the Hackney Carriage Committee and Licensing Committee into a new committee called “Licensing Committee”, which will have the terms of reference shown in appendix B (of the officer’s report).
- Delegating all residual licensing functions, which are currently reserved to Full Council, to the new “Licensing Committee”; this will include the agreement of the statements of licensing policy, the making of early morning alcohol restriction orders, the setting of hackney carriage terms and conditions, the setting of hackney carriage fares.
- Empowering the Licensing Committee to set up topic groups to assist with its work.
- Where fees are not set by statute and may be locally set, the Licensing Committee be empowered to make recommendations to Full Council as part of the annual budget process.

Following discussion it was agreed that:

- Topic groups, or sub committees are key to ensuring members are involved.
- Training for those involved will be arranged as required.

CRG members agreed they were happy to recommend these proposals to Council.

AGREED:

- 1) The Constitution Review Group recommend to Council on 23 November 2020 to approve the changes to the Licensing Functions of the Council as outlined above.

## 56. INFORMATION HUB UPDATE

Officers ran through the current use of the Information Hub, outlining the type of items that have been published for members and the engagement received.

An overview of the second hub that will sit alongside the first was given, this “Service Information Hub” will be split into the nine service areas and each will have contact details for the team and a summary of what they cover, as well as then posting information of interest to members.

The proposal was put to the Group for the Service Information Hub to include reports from teams that would previously have gone to Committees or Panels “for information” only. Members were in agreement to this

Members gave positive feedback on the information hub, the ease of interactions and use of the “thumbs up” feature, as well as the quick response to questions that have been posed on there. They confirmed that tagging councillors when items are posted is helpful as they then get an email notification.

Training for Councillors on the use of MS Teams was confirmed to have been booked for November 2020.

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57. DATES OF NEXT MEETING

The next meeting of the Constitution Review Group was agreed to take place on Monday 14 December at 6.30pm.

58. SUCH OTHER BUSINESS AS, IN THE OPINION OF THE CHAIRMAN, IS OF SUFFICIENT URGENCY TO WARRANT IMMEDIATE CONSIDERATION

Meeting ended at 7.22 pm  
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