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ANNUAL COUNCIL

25 MAY 2022

SUPPLEMENTARY AGENDA

PART I

9. CONSTITUTIONAL ISSUES

To consider various issues concerning the Council's political management structure and the Constitution for 2022/23.

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Supplementary Agenda Published 18 May 2022

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Meeting: ANNUAL COUNCIL
Date: 25 MAY 2022



CONSTITUTIONAL ISSUES

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1. PURPOSE

- 1.1 To consider various matters relating to the Member level decision making structure of the Council and the Council's Constitution for the forthcoming Municipal Year.

2. RECOMMENDATIONS

- 2.1 That the Terms of Reference, as detailed in the appendices to this report; and the size and political composition for the following bodies that form the non-Executive Member level decision making structure of the Council be approved subject to the rules of proportionality where appropriate for 100 Committee places where applicable (relevant Committees are identified thus*) -

- Overview and Scrutiny Committee* (Appendix A) – 14 Members (9 Labour Group, 3 Conservative Group, 2 Liberal Democrat Group)
- Community Select Committee* (Appendix B) – 10 Members (6 Labour Group, 3 Conservative Group, 1 Liberal Democrat Group)
- Environment and Economy Select Committee* (Appendix C) – 11 Members (7 Labour Group, 2 Conservative Group, 2 Liberal Democrat Group)
- Planning & Development Committee* (Appendix D) – 14 Members (9 Labour Group, 3 Conservative Group, 2 Liberal Democrat Group)
- Licensing Committee (Appendix E) – 14 Members (8 Labour Group, 4 Conservative Group, 2 Liberal Democrat Group)
- General Purposes Committee* (Appendix F) – 14 Members (8 Labour Group, 4 Conservative Group, 2 Liberal Democrat Group)

- Appointments Committee* (Appendix G) - 8 Members (5 Labour Group, 2 Conservative Group, 1 Liberal Democrat Group)
- Standards Committee* (Appendix H) – 8 Members (5 Labour Group, 2 Conservative Group, 1 Liberal Democrat Group)
- Audit Committee* (Appendix I) – 10 Members (6 Labour Group, 2 Conservative Group, 2 Liberal Democrat Group) + 1 Co-opted non-elected member
- Statement of Accounts Committee* (Appendix J) – 8 Members (5 Labour Group, 2 Conservative Group, 1 Liberal Democrat Group)
- Joint Consultative Committee* (Appendix K) – 3 Members (2 Labour Group, 1 Conservative Group)

* Indicates where those bodies covered by the rules of proportionality for the purposes of the Local Government (Committees and Political Groups), Regulations 1990 – total Committee places being 100

- 2.2 That the membership of the Executive and the individual Portfolios, as set out at Paragraph 4.2 of the report, be noted.
- 2.3 That the various Executive bodies appointed by the Leader, detailed in Paragraph 4.3 of the report and the relevant Terms of Reference for each body set out in Appendix L to the report, be noted.
- 2.4 That Council approves the dates for Council meetings for the Municipal Year 2022/23, as shown at Paragraph 4.6 of the report, and notes the calendar of formal meetings shown at Appendix M to the report.
- 2.5 That Council notes and approves the substantive amendments to Standing Orders arising as a consequence of the motion approved by Council on 9 March 2022 as set out in paragraph 4.10.
- 2.6 That Council notes and approves the inclusion of a substitution scheme (as Standing Order 28) as set out in paragraph 4.11 and in Appendix N to the report.
- 2.7 That Council notes and approves the following minor and consequential amendments to Standing Orders, required:
- for the good conduct of Council meetings,
 - as a consequence of the substantive changes at 2.5 and 2.6 above,
 - to include appropriate reference to Herts Growth Board within the Constitution
- as set out in paragraph 4.12.
- 2.8 That Council notes the Executive's intention to establish a joint Executive Committee with East Herts District Council to support the oversight, development and delivery of the Council's joint ICT strategy, as set out in paragraph 4.13 and with the terms of reference as detailed in Appendix O to the report.

3. BACKGROUND

- 3.1 The appointment and the terms of reference of Scrutiny, Regulatory and Advisory Committees that have no Executive functions are matters to be determined by Council.
- 3.2 Additionally, it is for the Council to agree the dates of Council meetings and changes to the Constitution.
- 3.3 Council resolved, by way of motion approved Council on 9 March 2022, to amend its Standing Orders (as set out in paragraph 4.10 below) and to complete a review of the Constitution in 2022/23.
- 3.4 Council further resolved (9 March 2022) to review the amendments to the Constitution as set out in paragraph 4.10 prior to the annual meeting in May 2023 in any event to ensure that these revised arrangements are satisfactory.

4. REASONS FOR RECOMMENDED COURSE OF ACTIONS AND OTHER OPTIONS

Council's Committees and Panels -Terms of Reference and Composition

- 4.1 The proposed Terms of Reference for each of the bodies to be appointed by Council are set out in Appendices A-K. With the exception of the Licensing Committee, the political composition of those Committees is directed by the Local Government (Committees and Political Groups) Regulations 1990.

The Executive

- 4.2 The Leader will be appointing Members to the Executive (with Portfolios). This information will be tabled at the Annual Council meeting.

Appointment of Executive Bodies

- 4.3 The Leader of the Council has agreed to the establishment of the following Committees of the Executive –

Appeals, Grievances and Litigation Committee
Commercial and Investment Working Group
Housing Development and Regeneration Working Group
Stevenage, North Herts., East Herts. and Hertsmere Joint CCTV Committee
Stevenage and East Herts. Joint Executive Revenues and Benefits Shared Service Committee.

- 4.4 The terms of reference for these Committees may be found at Appendix L.
- 4.5 Membership of these bodies is limited to only Members of the Executive. Details of the memberships of these Committees will be set out in the schedule circulated with the Supplementary Agenda.

Dates of Council meetings

- 4.6 To comply with Standing Orders the Council should approve its programme of meetings annually. The approval of dates for Council meetings for the year does not preclude extraordinary or special meetings being called by the Chief Executive, in consultation with the Mayor; nor for the date, time or place to be altered in accordance with the Regulations or where a material change of circumstances makes it necessary. The dates proposed for Council are as follows:
- Wednesday, 20 July 2022
 - Wednesday, 19 October 2022
 - Wednesday, 14 December 2022
 - Wednesday, 25 January 2023 (Special Meeting – HRA and Rent Setting)
 - Thursday, 23 February 2023 (Special Meeting – Budget)
 - Wednesday, 8 March 2023
 - Wednesday, 24 May 2023 (Annual Council)
- 4.7 A provisional calendar of formal meetings is also appended to this report at Appendix M. This calendar will be subject to change and any alterations to dates of meetings, additions and cancellations will be notified to Members. Previous draft versions of the calendar should be discarded.
- 4.8 It should be noted that the draft calendar includes some dates for 'Select Committees' details of which specific meetings will be held on those dates will be notified to Members as we go through the year.
- 4.9 The calendar of formal meetings appears on the Council's website and is regularly updated. Furthermore, following Council appointing to each body, Members will be sent 'Outlook' calendar invitations to the meetings that are relevant to them.

Standing Orders

- 4.10 At the meeting of Council on 9 March 2022 Council approved a motion to amend Standing Order 9 to replace the provisions for a main debate with a presentation on a matter of interest to the community (Community Presentation).

Council further approved substantive amendments to:

- Standing Order 15 (motions subject to notice) limiting the number of motions that can be debated at a meeting of Council to one for each political group; and
- Standing Order 19 (rules of debate) amending the time allowed for speakers during debates, setting a maximum time allowed for debate of motions (90 minutes) and consequential rules for how motions not debated will be dealt with.

Full details of the amendments are set out in Background Document BD2, Summary of Decisions 9 March 2022.

- 4.11 In response to a question to the Leader of the Council on 13 October 2021 the Leader of the Council requested that the Monitoring Officer prepared a formal substitution scheme for consideration by Council as part of this report. The

proposed substitution scheme will be included as Standing Order 28 to the Constitution and a copy is included as Appendix N to this report.

- 4.12 It is recommended that appropriate changes be made to Standing Orders as a consequence of the changes required by the amendments outlined at 4.10 and 4.11 above and for the purposes of good conduct of Council meetings:

SO 6.a.(vi)	Amendment to text for the purposes of good conduct of Council meetings.
SO 6.a.(xvi)	Removed. This is a repeat of SO 6.a.(xiii).
SO 6.	Necessary renumbering of the standing order.
SO 6.b. (viii)	Amended as a consequence of changes to SO 9 (Community Presentation).
SO 7.k	Removed as a consequence of changes to SO 9 (Community Presentation).
SO 7.	Necessary renumbering of the standing order.
SO 10 a.	Removed as a consequence of changes to SO 9 (Community Presentation).
SO 10.	Necessary renumbering of the standing order.
SO 12.j	Removed as a consequence of changes to SO 9 (Community Presentation).
SO 13.j	Removed as a consequence of changes to SO 9 (Community Presentation).
SO 14.g	Removed as a consequence of changes to SO 9 (Community Presentation).
SO 19.d.(i)	Amendment to text for the purposes of good conduct of Council meetings.
SO 28.	Casual Appointments – replaced with SO 28 Substitutes
SO 29. – 48.	Renumbering of remaining Standing Orders as a consequence of the insertion of the Substitution Scheme
Revised SO 42.	Amendment to text for the purposes of good conduct of Council meetings.
Appendix B – Petition Scheme	Technical amendments for operation of the Council's petition scheme
Appendix C	Inserted – Hertfordshire Growth Board, Integrated Governance Framework.

Joint ICT Executive Committee

- 4.13 Members are invited to note that the Executive intends to establish a joint Executive Committee with East Herts District Council, comprising of 3 Members from each Council, with terms of reference to support the oversight, development and delivery of the Council's joint ICT strategy (Appendix O).

BACKGROUND PAPERS

- BD1 - [the Council's Constitution](#)
- BD2 – [Summary of Decisions 9 March 2022](#)
- BD3 – [Questions to Portfolio Holder / Committee Chairs 13 October 2021](#)

APPENDICES

- Terms of Reference
 - Overview and Scrutiny Committee (Appendix A)
 - Community Select Committee (Appendix B)
 - Environment and Economy Select Committee (Appendix C)
 - Planning and Development Committee (Appendix D)
 - Licensing Committee (Appendix E)
 - General Purposes Committee (Appendix F)
 - Appointments Committee (Appendix G)
 - Standards Committee (Appendix H)
 - Audit Committee (Appendix I)
 - Statement of Accounts Committee (Appendix J)
 - Joint Consultative Committee (Appendix K)
- Terms of Reference – Executive Bodies (Appendix L)
- Provisional Calendar of Meetings 2022/23 (Appendix M)
- Standing Order 28 Substitutes (Appendix N)
- Terms of Reference – ICT Joint Executive Committee with East Herts Council (Appendix O)

OVERVIEW & SCRUTINY COMMITTEE

1. Membership - 14 (Not to be Members of the Executive but to include the Chairs of the 2 Select Committees)
2. Quorum - 4
3. Terms of Reference
 - 3.1. To consider the activities of the Executive and to have responsibility to reconsider any executive decision that has been subject to call-in, in accordance with the provisions of the Scrutiny provisions as set out in the Council's Constitution.
 - 3.2. Responsibility for the scrutiny of all initial proposals for the development of the Council's Budget and Policy Framework in accordance with the Budget and Policy Framework provisions in the Council's Constitution.
 - 3.3. To determine a Scrutiny work programme to examine the spending, policies and administration of the Council's services within the direct purview for services of a Corporate and/or Council wide nature and relationships with partners and external agencies involved with these areas, together with a timetable and method of study for each topic.
 - 3.4. To determine formal recommendations in relation to scrutiny studies undertaken for reporting to the Council, Executive, other Committees, Officers and / or partner agencies as appropriate.
 - 3.5. To review the Forward Plan of Key Decisions in relation to services within the direct purview for services of a corporate and/or Council wide nature, considering if it wishes to make any input to policy issues contained in the Plan and if so, how. In undertaking this work the Committee may call upon the relevant Executive Member and/or Assistant Director to provide a briefing or take part in discussion.
 - 3.6. That in respect of policy development of matters that fall within the remit of this Committee, to meet with the relevant Portfolio Holder to comment on individual draft policies that are scheduled to be considered to the Executive.
 - 3.7. To work with other Select Committees, as appropriate when considering cross-cutting scrutiny studies and policy development when both Committees have so agreed.
 - 3.8. To consider matters referred to the Committee under the procedure for the Councillor Call for Action in relation to matters

within the direct purview for services of a Corporate and/or Council wide nature.

- 3.9 In accordance with the Petitions Scheme, consider Petitions, Petition Reviews and interview Senior Council Officers (as requested by a Petition) in relation to matters within the direct purview for services of a Corporate and/or Council wide nature.
- 3.10 In conjunction with the Select Committees, responsibility for the on-going development of the Scrutiny function of the Council.
- 3.11 To report to the Executive, other committees or Council, as appropriate.

COMMUNITY SELECT COMMITTEE

1. Membership - 10 (not Members of the Executive)
Observer – Stevenage Youth Mayor
2. Quorum - 4
3. Terms of Reference
 - 3.1 To determine a Scrutiny work programme to examine the spending, policies and administration of the Council's services within the purview of the Assistant Director (Housing and Investment), the Assistant Director (Communities and Neighbourhood) and the Assistant Director (Stevenage Direct Services (repairs and caretaking)) and relationships with partners and external agencies involved with these services, together with a timetable and method of study for each topic.
 - 3.2 To determine formal recommendations in relation to scrutiny studies undertaken for reporting to the Council, Executive, other Committees, Officers and / or partner agencies as appropriate.
 - 3.3 To review the Forward Plan of Key Decisions in relation to services within the Committee's remit, considering if it wishes to make any input to policy issues contained in the Plan and if so, how. In undertaking this work the Committee may call upon the relevant Executive Member and/or Assistant Director to provide a briefing or take part in discussion.
 - 3.4 To act as the Council's Crime and Disorder Committee, meeting in that capacity a minimum of once each year (by including Crime and Disorder on the agenda at least once each year).
 - 3.5 That in respect of policy development of matters that fall within the remit of this Committee, to meet with the relevant Portfolio Holder to comment on individual draft policies that are scheduled to be considered to the Executive.
 - 3.6 To work with the other Select Committee or the Overview & Scrutiny Committee, as appropriate when considering cross-cutting scrutiny studies and policy development when both Committees have so agreed.
 - 3.7 To consider matters referred to the Committee under the procedure for the Councillor Call for Action in relation to matters within the purview of the Assistant Director (Housing and Investment) and the Assistant Director (Communities and Neighbourhood).

- 3.8 In accordance with the Petitions Scheme, consider Petitions, Petition Reviews and interview Senior Council Officers (as requested by a Petition) in relation to matters within the purview of the Assistant Director (Housing and Investment) and the Assistant Director (Communities and Neighbourhood).
- 3.9 In conjunction with the other Select Committee and Scrutiny Overview Committee, responsibility for the on-going development of the Policy Development and Scrutiny function of the Council.
- 3.10 To report to the Executive, other committees or Council, as appropriate.

ENVIRONMENT AND ECONOMY SELECT COMMITTEE

1. Membership - 11 (not Members of the Executive)
2. Quorum - 4
3. Terms of Reference
 - 3.1 To determine a Scrutiny work programme to examine the spending, policies and administration of the Council's services within the purview of the Assistant Director (Regeneration), Assistant Director (Stevenage Direct Services (except caretaking and repairs)), Assistant Director (Housing Development) and Assistant Director (Planning & Regulatory) and relationships with partners and external agencies involved with these services, together with a timetable and method of study for each topic.
 - 3.2 To determine formal recommendations in relation to scrutiny studies undertaken for reporting to the Council, Executive, other Committees, Officers and / or partner agencies as appropriate.
 - 3.3 To review the Forward Plan of Key Decisions in relation to services within the Committee's remit, considering if it wishes to make any input to policy issues contained in the Plan and if so, how. In undertaking this work the Committee may call upon the relevant Executive Member and/or the Strategic Director to provide a briefing or take part in discussion.
 - 3.4 To consider any policy issues within the remit of the Select Committee referred by the Executive and raising any other issues it considers appropriate.
 - 3.5 To work with the Community Select Committee or the Overview & Scrutiny Committee, as appropriate when considering cross-cutting scrutiny studies and policy development when both Committees have so agreed.
 - 3.6 To consider matters referred to the Committee under the procedure for the Councillor Call for Action in relation to matters within the purview of the Assistant Director Stevenage Direct Services and Assistant Director Planning and Regulation.
 - 3.7 In conjunction with the Community Select Committee and the Overview and Scrutiny Committee, responsibility for the ongoing development of the Policy Development and Scrutiny function of the Council.
 - 3.8 To report to the Executive, other committees or Council, as appropriate.

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PLANNING AND DEVELOPMENT COMMITTEE

1. Membership – 14

2. Quorum - 4

3. Terms of Reference

3.1 To advise the Executive on the following:

- (i) Identification of consumer needs for services related to planning and development services and facilities functions of the Committee, and recommendations on the development of services and facilities to meet them, including:

- Land use plans and policy, including local plans
 - Employment and economic development
 - Development management services

and advising the Leader / Executive / Council accordingly;

- (ii) Management and maintenance of planning and development related facilities and services in item (i), including employment and training facilities and services;
- (iii) Monitoring and review of performance in relation to the provision and development of planning and development services and facilities, including employment and training facilities and services, whether provided by the Assistant Director Planning and Regulation, other Council Service Delivery Units, or outside contractors and advising the Leader/Executive/Council accordingly;
- (iv) The promotion of the economic development of Stevenage, and of specific industrial/commercial land and premises within Stevenage, as to use and development and, where appropriate, about monitoring negotiations for development and redevelopment;
- (v) Development and encouragement of local businesses, employment and training initiatives, with co-ordination and implementation by the Leader / Executive as appropriate.
- (vi) The allocation and monitoring of grant aid and loans to local employment and training initiatives.

3.2 Responsibility for Development Management, including Listed Building Control - determination of planning applications, and enforcement matters under planning regulations.

- 3.3 Responsibility for Building Control - determination of applications under the Building Regulations, and enforcement matters under planning and building legislation.
- 3.4 Responsibility for the determination of Countryside Management and Tree Preservation matters, including the making of Tree Preservation Orders and related matters, and including consultation with appropriate outside bodies.
- 3.5 Matters imposed or permitted by legislation in relation to the functions of the Committee.
- 3.6 Insofar as they are not already referred to in these terms of reference, those relevant powers set out in Schedule 1 of the Local Authorities (Functions and Responsibilities) (England) Regulations as amended (see Table 2 of Part 3 of this Constitution); as clarified by regulations, subject to them being dealt with, as appropriate, by officers under delegated powers. This is to include the making of charges for any approval, licence or registration etc., in relation to the powers referred to.
- 3.7 Insofar as they are not already referred to in these terms of reference, those local choice functions set out at Table 3 of Part 3 of the Council's Constitution.
- 3.8 Any other appropriate matter referred.

LICENSING COMMITTEE

1. Membership – 14
2. Quorum - 4
3. Terms of Reference
- 3.1 To consider and determine applications under the Licensing Act 2003 where representations have been made, in respect of the following cases.
 - (i) Personal Licences;
 - (ii) Premises Licences/ Club Premises Certificates;
 - (iii) Provisional Statements;
 - (iv) Variation of Premises Licences/ Club Premises Certificates;
 - (v) minor variations of Premises Licences/Club Premises Certificates;
 - (vi) Variation of Designated Premises Supervisors;
 - (vii) Transfer Premises Licences;
 - (viii) Interim authorities;
 - (ix) Review premises licences/club premises certificates;
 - (x) Issue of Counter Notice following Police or Environmental Health objection to a temporary event notices.
- 3.2 To consider and determine applications and variations under the Gambling Act 2005 (where representations have been made and not withdrawn) in respect of the following cases:
 - (i) Premises Licences;
 - (ii) Variation to a Licence;
 - (iii) Transfer of a Licence;
 - (iv) Provisional Statements;
 - (v) Review of a Premises Licence;

- (vi) Club Gaming / Club Machine Permit;
- (vii) Cancellation of a Club Gaming / Club Machine Permit.

GENERAL PURPOSES COMMITTEE

1. Membership - 14
2. Quorum – 4
3. Terms of Reference
 - 3.1 To consider matters in accordance with the Council's policies in respect of the following:
 - the grant, approval, review, refusal, revocation, renewal, transfer or variation of any licence, registration, certificate, consent, permit, approval or permission, except where such function falls within the terms of reference of another committee or where the matter has been delegated to officers of the Council.
 - consideration and determination of such applications for licences, registration, certificates and consents that the Head of Leisure, Community and Children's Services feels necessary, owing to the nature of the application concerned.
 - 3.2 The designation of public places where the consumption of alcohol is to be prohibited.
 - 3.3 To consider and determine certain matters where a right of appeal exists against the decision of a Members body or an officer, including:
 - Further reviews under the relevant Regulations by applicants for Housing Benefit and Council Tax Benefits.
 - Appeals in relation to housing needs assessment.

These terms of reference shall exclude the hearing and determination of:-

 - appeals by officers against dismissal or disciplinary action;
 - grievances from Officers under the final state of the grievance procedure;

which shall be dealt with either in accordance with the terms of reference for the Appeals/Grievance Panel or in accordance with the delegations to Officers.
 - 3.4 Insofar as they are not already referred to in these terms of reference, those relevant powers set out in Schedule 1 of the Local Authorities (Functions & Responsibilities) (England) Regulations as amended (See Table 2 of Part 3 of the Constitution) (subject to them being dealt with as appropriate by Officers under delegated powers).
 - 3.5 Insofar as they are not already referred to in these terms of reference, those 'local choice' functions set out at Table 3 of Part 3 of the Constitution.

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APPOINTMENTS COMMITTEE

1. Membership - 8
2. Quorum - 3
3. Terms of Reference

The appointment and dismissal of the Chief Executive and Strategic Directors, subject to the requirements of the Local Government Act 2000, Local Authorities (Standing Orders)(England) Regulations 2001, and the Officer Employment Rules contained in the Constitution.

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STANDARDS COMMITTEE

1. Membership - 8 Members to include only one Member of the Executive

2. Quorum- 3

3. Terms of Reference

- 3.1 The promotion and maintenance of high standards of conduct by members and co-opted members of the Council.
- 3.2 To consider and dispose of allegations that a member is in breach of the Council's Code of Conduct in accordance with the Arrangements adopted by the Council under Section 28 Localism Act 2011.
- 3.3 To depart from the Arrangements in the circumstances described in paragraph 12 of the Arrangements.
- 3.4 To consider and, if necessary, recommend changes to the Code of Conduct, the arrangements under which allegations can be investigated and decisions on allegations can be made or any other aspects of the Standards Regime to the Council.
- 3.5 To grant dispensations under Section 33 Localism Act 2011.

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AUDIT COMMITTEE

1. Membership – 10 (+ 1 Co-opted Independent non-elected member) to include -

- Chair - A Member who is neither a Member of the Executive nor who serves as a Scrutiny Member
- 1 Member of the Executive only

2. Quorum - 3

3. Terms of Reference

3.1 To advise or comment as appropriate on –

a) Internal Audit matters, including:-

- The Annual Internal Audit Plan
- The adequacy of management responses to Internal Audit reports and recommendations
- The Audit Partnership Manager's Annual Report and Opinion
- To consider summaries of specific internal audit reports, as requested

b) External Audit matters, including-

- External Auditors plans for auditing and inspecting the authority
- The Annual Audit & Inspection Letter from the External Auditor
- The report to those charged with governance
- Proposals from the National Audit Office over the appointment of the External Auditor
- The scope & depth of External Audit work

c) Arrangements made for the co-operation between Internal Audit, external audit and other bodies.

d) Anti Fraud & Corruption issues including the Council's policies on Anti-Fraud and Corruption, "whistle-blowing".

e) The Council's Annual Governance Statement.

f) The Council's Constitution in respect of Contract Standing Orders, Financial Regulations.

g) The Council's Risk Management arrangements.

h) The Council's arrangements for delivering value for money.

i) The Statement of Accounts and related Capital Determinations.

j) The Council's Treasury Management Strategy.

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STATEMENT OF ACCOUNTS COMMITTEE

1. Membership - 8
2. Quorum - 3
3. Terms of Reference

To approve the Statement of Accounts and related Capital Determinations in accordance with the Accounts and Audit (England) Regulations 2011.

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JOINT CONSULTATIVE COMMITTEE (JCC) (EMPLOYER SIDE)

Membership - 3

Quorum – 2

Terms of Reference - To meet jointly with the Staff Side, Joint Consultative Committee to consult with employees, via their representatives, on developments affecting them; and on matters not resolved by the Strategic Management Board.

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EXECUTIVE BODIES – TERMS OF REFERENCE

Appeals, Grievances and Litigation Committee

Membership: Chairman - Portfolio Holder for Resources and three members of the Executive

Quorum - three

Terms of Reference –

Except where matters fall to be considered by any other body -

1. To hear and determine appeals against dismissal or disciplinary action in the case of Officers employed on Chief Officer Terms and Conditions.
2. To hear and determine grievances under the final stage of the grievance procedure in the case of Officers employed on Chief Officer Terms and Conditions; or, in the case of other officers, where no Strategic Management Board is able to hear the grievance.
3. To receive reports and opinions on litigious and potentially litigious matters whether or not the matter under consideration has been referred to the courts or any tribunal.
4. To authorise the Borough Solicitor to commence legal proceedings or defend or settle, if so required in any case on terms, any litigation matter or potentially litigious matter.

Housing Development and Regeneration Working Group

Membership: Chair - Leader of the Council
Portfolio Holder for Housing, Health and Older People
Portfolio Holder for Resources
Portfolio Holder for Environment and Regeneration
Portfolio Holder for Neighbourhoods & Co-operative Council

To advise and make recommendations to the Executive on the following -

HOUSING DEVELOPMENT

1. Documents relating to Development Strategy, Design Standards and a Pipeline of schemes that will form the strategic core of the Council's Housebuilding Programmes.
2. Financial resources of the programme in light of the individual schemes being delivered and their outputs in relation to:
 - a. Scheme Design & Unit mix
 - b. Scheme Quality

- c. Scheme Mile stones
- d. Consultation programme &
- e. Scheme Costs & financial appraisals

3. Funding for officers to bid for and complete on new sites and development opportunities that will enhance the Council's pipeline for new housing or form part of the land assembly required to deliver approved schemes.

4. Outline designs, individual scheme concepts and scheme appraisals on which to approve the submission of detailed planning applications, and/or if more appropriate outline planning applications, by the Council's appointed contractors, consultants or officers .

5. To invite Ward Members to attend meetings of the Committee, or other consultation events noted in the consultation programme when potential development sites in their ward are under consideration, and to provide an opportunity for Ward Members to provide comments on proposed developments.

6. The commencement of the procurement of delivery partners/contractors for sites that have achieved planning permissions and are considered to be contributing towards a viable development programme.

7. Appointment of contractors to deliver approved schemes.

8. Financial appraisals and the use of the following sources of funding for the development of individual sites within the Council's Housebuilding Programme:

- (a) The agreed Housing Capital Programme Budget for the Housebuilding Programme;
- (b) Capital receipts made available through the Council's Agreement with the Ministry of Housing, Communities and Local Government allowing the use of Receipts from additional Right to Buy (RTB) sales as a result of the Government's increase in the maximum RTB discount to be spent on House Building;
- (c) Financial contributions received from developers or other sources for the provision of Affordable housing within the borough, in lieu of on-site affordable housing provision, in compliance with Section 106 Planning Agreements; and other eligible grant from new sources
- (d) Grant funding received from Homes England (HE)
- (e) Development support income generated through private sale homes, land disposals and shared ownership homes on schemes and land identified in the programme.

9. The progress with the Council's Housebuilding Programme; and expenditure on the Housing Capital Programme Budget for the Council's Housebuilding Programme,

ensuring the use (within the required Deadlines) of the capital receipts made available through the Council's Agreement with the Ministry of Housing, Communities and Local Government allowing the use of receipts from additional Right to Buy (RTB) sales as a result of the Government's increase in the maximum RTB Discount to be spent on house building.

10. Applications to HE (or any successor body) to obtain Investment Partner Status (or similar), in order to enable the Council to seek funding from HE, and to approve funding bids to HE for development within the Council House Building Programme.

11. The future use of any potential development site previously identified by either the Committee or Executive as having possible development potential for Council House Building where it either does not gain planning consent, is deemed inappropriate to develop by the Committee for whatever reason or where the development appraisal identifies that the site is economically undevelopable.

12. The names of developments undertaken through the Council House Building Programme, following consultation with Ward Members.

13. The name of the Council's wholly owned Housing Development Company [WOC].

14. The annual summary and accounts of the WOC's performance against key performance measures

15. The annual revised versions of the first Business Plan produced by the WOC, and any subsequent Business Plans for additional housing schemes, and to make recommendations to Executive in relation to them.

16. Requests from the WOC to acquire any property or otherwise trade outside the Council's administrative area and to make recommendations to Executive in relation to them.

REGENERATION

17. Projects relating to Stevenage Central Framework, and any further opportunities or schemes that will support the strategic vision for the regeneration of Stevenage Town Centre.

18. The communication and marketing strategy for the regeneration of the town and consultation and engagement arrangements for different regeneration schemes.

19. Commencement of procurement of delivery partners/ contractors for schemes that are considered to be contributing to the vision for the town centre.

20. The progress within the Council's overall regeneration programme; including project progress, future planning and commissioning of projects, funding options and future bidding rounds.

21. Schemes being progressed via Development Partnerships or joint ventures with commercial partners and individual scheme concepts or schemes to be brought forward through these commercial arrangements.

22. The annual report regarding the Queensway regeneration scheme from the Queensway LLP (“the LLP”), consider and approve the LLP’s Business Plan and hold the Council’s officer representatives on the LLP to account for delivery of the Business Plan. To authorise an operational expenditure cap of up to £100k per annum for LLP spend which is supplementary to the agreed Business Plan. To receive a regular progress report from the Council’s officer representatives on the LLP and delegate the signing off of LLP accounts, appointment of auditors and change of representatives to the Chief Executive having consulted with the Portfolio Holder for Environment and Regeneration.

23. Bidding opportunities which will aid delivery of the Stevenage Central Framework vision for the town centre.

24. Additional strategies and concepts which will support the regeneration of Stevenage Town Centre.

Commercial and Investment Working Group

Membership: Portfolio Holder for Resources
4 other Executive Members

To advise and make recommendations to the Executive on the following -

1. New income streams and commercial business cases (including those that are key decisions).
2. Financial resources where necessary to progress commercial projects.
3. Individual Schemes within the Programme.
4. The development of new opportunities through establishing a risk appetite that stimulates the evaluation of new emerging markets and opportunities.
5. Documents relating to the Co-operative Commercial and Insourcing Strategy and regularly review the Strategy.
6. The delivery of approved business cases and all aspects of the Co-operative Commercial and Insourcing Strategy.
7. Strategic leadership to build a robust commercial culture.
8. Key performance indicators of all income generating functions.

9. Key commercial arrangements including contracts, contract and performance management processes and major service developments and track the progress of such developments.

Stevenage, North Herts., East Herts. and Hertsmere Joint CCTV Committee

SBC Membership: Lead Member - Portfolio Holder for Community, Community Safety and Equalities (serving as Chair when appropriate) and two Members of the Executive

Quorum - four Members (one from each constituent Authority)

Terms of Reference -

1. To agree the strategy and policy relating to the jointly operated CCTV Control and Monitoring service.
2. To receive the CCTV Annual Report, Independent Inspector's Report and other relevant reports.
3. To deal with all matters defined under the code of practice as the responsibility of the Executive Board.
4. To consider expansion and contraction proposals for the control room monitoring service.
5. To consider and agree minor changes to the Code of Practice.
6. To consider and recommend significant changes in the Code of Practice.
7. To ensure that the Independent Inspection regime is set up and maintained.
8. To consider complaints regarding breaches of the Code of Practice and recommendations for disciplinary action and actions, or changes to prevent reoccurrence.
9. To deal with any matters as identified under the Joint Agreement as requiring the actions of the Executive Board; in particular:

To require reports from the Authorising Officer on management and operational matters

To consider matters referred to the Authorising Officer under the Joint Agreement disputes procedure

To consider proposals to incur additional control and monitoring room cost as a result of expansion within the allocated camera expansion capacity of one party.

10. To make recommendations on any of the above to the Officer Management Board.

Stevenage and East Herts. Joint Executive Revenues and Benefits Shared Service Committee

SBC Membership: Lead Member – Portfolio Holder for Resources (serving as Chairman when appropriate) and the Portfolio Holders for Housing, Health and Older people and one other.

Quorum - three Members (at least one from each constituent Authority)

Terms of Reference -

1. To approve the annual Service Plan for the Share Revenues and Benefits Service.
2. To receive explanations of variances in service performance against the agreed Service Plan.
3. To approve the budget of the Shared Service and where so delegated determine requested virements within that budget.
4. To give initial consideration to future development of the Shared Service and any changes in legislation that may affect service delivery and make recommendations thereon to the Executive or Officers.
5. Where it is considered appropriate, report to the Executives of the Constituent Councils.

APPENDIX M

Members Calendar May 2022 - April 2023

	Committee	May	June	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May
1	Council	25		20			19		14	25	23	8		24
2	Executive		15	12	10	14	12	16	7	18	8	15	5	
3	Planning & Development	26	22	14	9	7	4	1	8	10	9	14	4	
4	Audit		7			7 & 28		9			7	27		
5	Overview and Scrutiny		21	19	16	21	18	23	13	24	14	21	11	
6	Select Committees		23	7 & 13		5 & 20	11 & 20	2 & 17		9 & 17	1	9 & 23 & 30		
7	Standards			6										
8	Statement of Accounts					28								
9	Joint Revenues and Benefits			5										
10	Joint CCTV Executive													
11	Housing Development & Regeneration Executive Working Group		10 & 24	22 & 29		9 & 23	21	4	2 & 12	13 & 27	18	3 & 10		
12	Commercial & Investment Executive Working Group		17			16			9			24		

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28. Substitutes

- a. A Councillor who is unable, for whatever reason, to attend a meeting to which this Substitution Scheme applies (“the Regular Councillor”) and wishes another Councillor to attend the meeting in their place must inform the leader of their Political Group (and any references in this Scheme to a Political Group Leader shall include a Deputy Political Group Leader) who may then give notice to the Constitutional Services on a prescribed form (“a substitution request”) requesting that the Regular Councillor be replaced in relation to the meeting by another Councillor who is a member of the same Political Group (“the Substitute”). The substitution request must name the proposed Substitute and it is the responsibility of the Political Group Leader to check that the proposed Substitute is available and willing to act as Substitute.
- b. A substitution request must be received by the Constitutional Services no later than 1 hour before the time fixed for the start of the meeting.
- c. On receipt of a substitution request the Constitutional Services Manager may appoint the councillor named as proposed Substitute as the Substitute for the meeting concerned. The Constitutional Services Manager (or nominated Constitutional Services Officer) would then issue a formal notice to that effect (a substitution notice) which would be sent to the regular Councillor, the Substitute and the relevant Political Group Leader.
- d. Once issued, the effect of a substitution notice will be that the Regular Councillor will cease to be a member of the committee for the duration of the relevant meeting (and any adjournment of that meeting) and the Substitute will become a member of that committee.
- e. Subject to f. below, a substitution notice may be revoked by the Constitutional Services Manager at the request of the Political Group Leader who requested its issue without prejudice to the issuing of a new substitution notice.
- f. A substitution notice may not be revoked after 3pm on the second working day before the day of the meeting.
- g. If the Substitute is a Chair or Vice Chair of another committee the Substitute will only sit as an ordinary Councillor and not take the role of Chair or Vice Chair, although the Substitute would be eligible to be elected Chair if both the Chair and Vice Chair were absent.
- h. Subject to i. below, this Substitution Scheme applies to:
 - (i) the Overview and Scrutiny Committee (“O&SC”)
 - (ii) Community Select Committee (“CSC”)
 - (iii) Environment and Economy Select Committee (E&ESC)

- (iv) Standards Committee
- (v) Audit Committee
- (vi) Appointments Committee
- (vii) Statement of Accounts Committee
- (viii) Joint Consultative Committee
- i. This Substitution Scheme shall not apply to the following **Regulatory Committees** except as provided in Paragraphs j. to o. below.
 - (i) Planning and Development Committee
 - (ii) Licensing Committee
 - (iii) General Purposes Committee
- j. In the case of a Regulatory Committee, named Councillors will be appointed by the Full Council as substitute members (“Named Substitutes”). If the Constitutional Services Manager is satisfied that a member of a Regulatory Committee is unable to attend a meeting for whatever reason, the Constitutional Services Manager may issue a substitution notice appointing a Named Substitute in relation to the meeting. Such a substitution notice shall have the same effect as if issued under Paragraph d. above.
- k. If the Constitutional Services Manager is satisfied that a member of a Regulatory Committee is unable to attend a meeting for whatever reason, but a Named Substitute is not available to attend the relevant meeting, the Constitutional Services Manager may issue a substitution notice appointing a Substitute in relation to the meeting who is not a Named Substitute. Such a substitution notice shall have the same effect as if issued under Paragraph d. above.
- l. A substitution notice issued in relation to a Regulatory Committee under either Paragraph j. or Paragraph k. above may be revoked by the Constitutional Services Manager subject to Paragraph f. above which shall apply.
- m. Paragraph g. above shall apply to a substitution notice issued in relation to a Regulatory Committee under either Paragraph j. or Paragraph k. above.
- n. A Councillor may not be appointed by a substitution notice issued under Paragraph j. or k. above unless that Councillor has complied with the same requirements in relation to training as is required of the regular members of the Regulatory Committee.
- o. A Councillor may not be appointed by a substitution notice issued under Paragraph 3 in relation to O&SC, CSC and E&ESC, if that Councillor is a member of the Executive.

East Herts Council and Stevenage Borough Council Joint Information Communication Technology Committee

Purpose

This is a joint committee of the Executives of Stevenage Borough and East Hertfordshire District Councils, under the provisions of section 101 of the Local Government Act 1972 and 9EB of the Local Government Act 2000 all regulations made thereunder.

The terms of reference of the committee are as follows:

- a) To recommend the ICT Strategy to the constituent Councils;
- b) To approve the annual service plan for the Shared ICT Service;
- c) To receive explanations of variances in service performance against the agreed service plan;
- d) To approve the expenditure within the budget of the shared service and where so delegated determine requested virements within that budget;
- e) To give initial consideration to future development of the shared service and any changes in legislation that may affect service delivery and make recommendations thereon to the Executive or officers; and
- f) Where it is considered appropriate, provide reports to the constituent councils.

Constitution of the Committee

The Joint Information Communication Technology Committee is constituted as a joint committee of the partner councils. Each partner council shall nominate three elected Members to the Committee. It shall be for each partner council to determine the mechanism for making these appointments.

Quorum

The quorum of a meeting of the Joint Committee will be three elected members, with at least one from each council.

Chairman

The Joint Committee shall at its first meeting each year, elect one of its Members to be Chair and one of its Members to be Vice- Chair, with the chair from one Council and the Vice Chair from the other. These positions shall be rotated annually. The Chair and Vice-Chair shall, unless they resign or cease to be Members of the Joint Committee, continue in office until their successors have been appointed.

Voting

A matter can only be passed by the Joint Committee if no fewer than half of the Members present from each authority vote in favour.

Administration

The Access to Information Rules (as set out in the Constitutions of the constituent councils) to apply to all meetings.

Each constituent council will act as host for the meeting in alternate years and the hosting council will ensure the convening those meetings, distributing the agenda, clerking the meetings and producing the minutes.

Meetings to be held, as a minimum, in January (service planning for coming year) and October for budgets and mid-year service plan review. Should the Committee deem it appropriate, for example to respond to a new regulatory duty or service, or to consider the response to a significant performance issue, additional meetings may be held. Constituent councils are to liaise to confirm mutually suitable times/dates.

Review

The constituent councils will review the Joint Committee's terms of reference annually.