

RECORD OF DECISION MADE UNDER DELEGATED AUTHORITY

PART 1 – PUBLIC DOCUMENT

Any interest to declare/ or conflict and any dispensation granted [N/A]

SERVICE DIRECTORATE: LEGAL AND COMMUNITY

1. DECISION TAKEN

Following the resignation of former District Councillor Sue Ngwala, and the subsequent vacancies, that:

- i. Cllr Ian Mantle be appointed as a full Planning Committee member.
- ii. Cllr Ian Mantle be appointed to Letchworth Garden City Heritage Foundation.
- iii. Cllr Ian Albert be appointed to Hertfordshire Health Scrutiny Committee.

2. DECISION TAKER

Melanie Stimpson, Democratic Services Manager.

3. DATE DECISION TAKEN:

5 October 2021 (retrospective decision in respect of i and ii above)
15 November 2021 in respect of (iii) above.

4. REASON FOR DECISION

4.1 As per the constitution, the Service Director: Legal and Community and the Democratic Services Manager (given as a sub delegation) have delegated authority to make appointments (or where relevant nominate) Councillors or Substitutes to Committees, sub-Committees, panels, boards and outside bodies, in consultation with Group Leaders during the civic year in respect of the appointments that have previously been made at Annual Council.

5. ALTERNATIVE OPTIONS CONSIDERED

5.1 None considered. Appointments to seats allocated to each political party under the provisions of Section 15 of the Local Government and Housing Act 1989 are made on a politically proportionate basis at the Annual Council meeting. It is therefore a matter for the respective Group Leaders on who they wish to nominate as an appointment or replacement.

5.2 Regarding outside organisation and other bodies to which the Council has a seat, it is for Group Leaders to discuss and determine which Members be appointed.

6. CONSULTATION (INCLUDING THE EFFECT ON STAKEHOLDERS, PARTNERS AND THE PUBLIC)

6.1 In accordance with the Constitution, the delegated decision is made in consultation with Group Leaders.

7. FORWARD PLAN

7.1 This decision is not a key Executive decision and has therefore not been referred to in the Forward Plan.

8. BACKGROUND/ RELEVANT CONSIDERATIONS

- 8.1 On 1 October 2021 former District Councillor Sue Ngwala resigned following which the Leader was consulted on the resultant vacancies.
- 8.2 The Leader provided notice of replacements to Planning Committee and Letchworth Garden City Heritage Foundation on 4 October 2021. However, this was not notified to the Proper Officer and therefore consultation with Group Leaders on (i) and (ii) did not occur until 9 November 2021.
- 8.3 The Democratic Services Team has been working under extreme pressure since August following a significant number of vacancies within the team, inducting new less experienced officers, whilst managing business as usual in addition to other major projects, such as the annual household canvass, additional meetings, review of the members allowances scheme, public consultation of the electoral cycle and the Local Government Boundary Review. For the well-being of staff, the team has also attempted to take leave where possible, although this has proved difficult.
- 8.4 The Leader has subsequently provided notice that Cllr Ian Albert be appointed to Hertfordshire Health Scrutiny Committee and the Group Leaders were notified of this on 15 November 2021.

9. LEGAL IMPLICATIONS

- 9.1. 14.6.8 (a) Delegation of Authority – Service Director: Legal and Community of the Constitution states:

(xx) To make appointments (or where relevant nominate) Councillors or Substitutes to Committees, sub-Committees, panels, boards and outside bodies, in consultation with Group Leaders during the civic year in respect of the appointments that have previously been made at Annual Council.

- 9.2 14.6.2 (c) Scheme of Delegations to Officers – General Principles - *All officers discharging these functions may authorise any member of their staff to act on their behalf and shall keep a written record of all sub-delegations in a register held by the Monitoring Officer (subject to the limitations at 14.6.3 and within specific policies).*

- 9.3 Sub delegation to Democratic Services Manager under 1.14.1 of officer's delegations:

e) The appointment, nomination or revocation of appointment of any individual to any office/ body other than to Full Council in the event of vacation of office, in consultation with Group Leaders in respect of elected Councillors (In accordance with any requirements under the Local Government (Committees and Political Groups) Regulations 1990, or any legislation replacing the same under section 14.5.1 of the Constitution.

10. FINANCIAL IMPLICATIONS

- 10.1. There are no direct financial implications. There is a Members' Allowance budget which is approved via the budget setting propose and the councillor vacancy means that there will be some savings until the seat is elected either at the usual May elections or via a by-election.

11. RISK IMPLICATIONS

- 11.1 A vacancy on a Committees, Sub-Committees or Panel could result in the respective political party not being fully represented at a particular meeting and that the district council is not represented at the outside organisation/bodies meetings.

12. EQUALITIES IMPLICATIONS

- 12.1 In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.
- 12.2 There are no direct equalities implications arising from this report.

13. SOCIAL VALUE IMPLICATIONS

- 13.1 The Social Value Act and “go local” policy do not apply to this decision.

14. ENVIRONMENTAL IMPLICATIONS

- 14.1. There are no known Environmental impacts or requirements that *apply to this report*.

15. HUMAN RESOURCE IMPLICATIONS

- 15.1 The Committee, Member and Scrutiny Team are responsible for notifying changes to the outside organisations and other bodies as well as notifying the payroll provider (in respect of members allowances’).

16. BACKGROUND PAPERS

- 16.1 Annual Council – 26 May 2021 [Agenda for Council on Wednesday, 26th May, 2021, 7.30 pm - North Hertfordshire District Council \(north-herts.gov.uk\)](#)

17. APPENDICES

- 17.1 N/A

NOTIFICATION DATE

Date: 15 November 2021

Signature of Decision Taker



Call-in does not apply to NON-EXECUTIVE DECISIONS