

## SUMMONS

### MEETING OF THE COUNCIL

WEDNESDAY, 15 JULY 2015

### COUNCIL CHAMBER, DACORUM CIVIC CENTRE, HEMEL HEMPSTEAD

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You are hereby summoned to a meeting of the Dacorum Borough Council in the County of Hertfordshire to be held in the Council Chamber, Dacorum Civic Centre, Hemel Hempstead on Wednesday, 15 July 2015 at 7.30 pm to transact the business set out below.

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**SALLY MARSHALL**  
CHIEF EXECUTIVE

**TO ALL MEMBERS OF THE COUNCIL**

Contact: **Jim Doyle** ext 2222  
**Louise Collins** ext 2633

## **AGENDA**

**1. MINUTES**

To confirm the minutes of the meeting of the Annual Council on 20 May 2015 (Appendix A Pages 5- 8)

**2. DECLARATIONS OF INTEREST**

To receive any declarations of interest.

**3. PUBLIC PARTICIPATION**

To consider questions (if any) by members of the public of which the appropriate notice has been given to the Assistant Director (Chief Executives Unit).

**4. ANNOUNCEMENTS**

To receive announcements and business brought forward by the Mayor, the Leader of the Council, Members of the Cabinet, Group Leaders or the Chief Executive.

4.1 By the Mayor:

4.2 By the Chief Executive:

4.3 By the Group Leaders: Any apologies for absence

4.4 Leader of the Council and Members of the Cabinet:

Councillor Williams	Leader & Community Leadership
Councillor Marshall	Environmental, Sustainability and Regulatory Services
Councillor Eliot	Finance & Resources
Councillor Mrs Griffiths	Housing
Councillor Harden	Residents & Corporate Services
Councillor G Sutton	Planning and Regeneration

**5. QUESTIONS**

To consider questions (if any) by members of the Council of which the appropriate notice has been given to the Assistant Director (Chief Executives Unit).

**6. BUSINESS FROM THE LAST COUNCIL MEETING**

To consider any business referred from the previous meeting.

**7. CABINET REFERRALS**

To consider the following referrals from Cabinet:

<b>Minute No.</b>	<b>Date</b>	<b>Title</b>	<b>Yellow Pages</b>
7.1 CA/039/15	26 May 2015	Housing Allocations Policy Review	9
7.2 CA/048/15	29 June 2015	Amendment of Standing Orders Regarding Disciplinary Action	11
7.3 CA/050/15	29 June 2015	Hemel Hempstead Ambassadors – Start-Up Funding	17
			<b>Green pages</b>
7.4 CA/041/15	26 May 2015	Development Update.	21

**8. OVERVIEW AND SCRUTINY REFERRALS**

None.

**9. APPOINTMENT OF INDEPENDENT MEMBERS TO THE STANDARDS COMMITTEE**

Under Article 8 of the Council’s Constitution ‘Measures For Standards of Conduct’, the membership of the Standards Committee shall include two co-opted independent members with no voting rights. The terms of office of the current independent members on the Standards Committee have now expired and the Standards Committee is in the process of recruiting two new independent members.

The roles have been advertised, a shortlist of candidates has been agreed and interviews are being conducted on the 8<sup>th</sup> and 13<sup>th</sup> July. The Assistant Director (Chief Executive’s Unit) will submit a report for the Council meeting on 15 July advising members of the outcome of the recruitment process and containing the Standards Committee’s recommendations on the appointment of persons to serve as independent members on the Committee.

**10. CHANGE TO COMMITTEE MEMBERSHIP**

To consider any proposals for changes to committee membership.

**11. CHANGE TO COMMITTEE DATES**

To consider any proposals for changes to committee dates

**12. REPRESENTATIVES ON OUTSIDE ORGANISATIONS**

For information, circulated at the meeting will be a list of appointments to Outside Organisations.

**13. EXCLUSION OF THE PUBLIC**

To consider passing a resolution in the following terms:

That, under section 100A(4) of the Local Government Act 1972, the public be excluded during the item in Part II of the Agenda for this meeting, because it is likely, in view of the nature of the business to be transacted, that if members of the public were present during this item there would be disclosure to them of exempt information relating to the financial and business affairs of the Council or of any particular person, (Cabinet Minute CA/041/15)

Local Government Finance Act 1972, Part VA, Schedule 12A, Part 1 paragraph 3.

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**DACORUM BOROUGH COUNCIL**

**MEETING OF THE COUNCIL**

**20 MAY 2015**

\*\*\*\*\*

Present -

**MEMBERS:**

Councillor Adeleke (Mayor); Councillors, G Adshead, S Adshead, Anderson, Ashbourn, Banks, Barnes, Mrs Bassadone, Bateman, Bhinder, Birnie, Brown, B Chapman, Clark, D Collins, E Collins, Mrs Conway, Douris, Elliot, Fantham, Fethney, Fisher, Mrs Griffiths, Mrs Guest, Harden, P Hearn, S Hearn, Hicks, Mrs Howard, Imarni, Mrs Link, Maddern, Mahmood, Marshall, Matthews, McLean, Mills, Peter, Ransley, Riddick, Ritchie, Silwal, G Sutton, R Sutton, Taylor, Timmis, Tindall, Whitman, Williams, C Wyatt-Lowe and W Wyatt-Lowe.

**OFFICERS:**

The Chief Executive, The Corporate Director (Finance & Operations), Group Manager (Legal Governance), Assistant Director (Chief Executive's Unit), The Group Manager (Democratic Services), L Collins and K Johnston.

The meeting began at 7.30 pm.

**1. THE MAYOR**

Councillor Lawson made a speech in relation to his year as Mayor.

Councillor Lawson asked for nominations for the election of a Mayor to hold office until the appointment of a successor at the Annual Meeting of the Council 2016.

It was moved by Councillor C Wyatt-Lowe, seconded by Councillor Guest and unanimously

Resolved:

That Councillor Adeleke be appointed Mayor to the Borough of Dacorum until the appointment of a successor at the Annual Meeting of the Council in 2016.

Councillor Lawson vacated the chair which was taken by Councillor Adeleke who made his declaration of acceptance of office

Councillor Adeleke delivered a speech of acceptance.

## **COUNCILLOR ALLAN LAWSON**

The Mayor referred to the duties carried out by Councillor Lawson as Mayor of the Borough of Dacorum during the previous year.

It was moved by the Mayor, seconded by Councillor C Wyatt-Lowe and unanimously

Resolved:

That the Council tender to Councillor Allan Lawson their most cordial thanks for the admirable manner in which he has discharged the duties of the office of Mayor of the Borough of Dacorum during the past year and place on record their appreciation of the energy and sound judgement which distinguished his actions during that period: That the Seal of the Council be affixed to a copy of this resolution: and that it be presented to him in recognition of his services as Mayor of the Borough of Dacorum.

## **2. DEPUTY MAYOR**

The Mayor asked for nominations for the appointment of the Deputy Mayor to hold office until the appointment of a successor at the Annual Meeting of the Council in 2016.

It was moved by Councillor Anderson, seconded by Councillor Mrs Bassadone and unanimously

Resolved:

That Councillor Mclean be appointed Deputy Mayor of the Borough of Dacorum until the appointment of a successor at the Annual Meeting of the Council in 2016.

Councillor Mclean made his declaration of acceptance of office.

## **3. MINUTES**

The minutes of the meeting held on 15 April 2015 were agreed by the Members present and were then signed by the Mayor.

## **4. APOLOGIES FOR ABSENCE**

There were no Apologies for absence.

## **5. DECLARATIONS OF INTEREST**

No declarations of interest were made.

## **6. ANNOUNCEMENTS**

There were no announcements.

## **7. THE LEADER, CABINET, OVERVIEW & SCRUTINY AND REGULATORY COMMITTEES 2015/16**

- a) The Council appointed Councillor Williams as Leader of the Council until the Annual Meeting of the Council in 2019 (unless the term of office is brought to an end earlier in accordance with the Constitution).
- b) The Council received from Councillor Williams the appointments of the Deputy Leader and the other Members of the Cabinet and their respective Portfolios.

Councillor Mrs Margaret Griffiths — Deputy Leader and Portfolio Holder for Housing

Councillor Harden - Portfolio Holder for Residents and Corporate Services

Councillor Elliot - Portfolio Holder for Finance and Resources

Councillor G Sutton - Portfolio Holder for Planning and Regeneration

Councillor Marshall - Portfolio Holder for Environmental Sustainability and Regulatory Services.

- c) Proposals for the Cabinet, Chairmen and Vice-Chairs, Members and substitute Members to serve on the Standing Committees until the Annual Meeting of the Council in 2016 were circulated as set out in Annex A to these minutes and agreed.
- d) Nominations to the pool of Members who are trained, or who are to be trained, to serve on the Appeals Committee as and when required were received and agreed.
- e) The Chair/man, Vice Chair/man and Shadow Chair/man of the Standing Committees (except the Standards Committee) were appointed.
- f) The Chair/man of the Standards Committee will be elected by the Committee and Substitutes are permitted.

## **8. REPRESENTATIVES ON OUTSIDE ORGANISATIONS.**

It was moved by Councillor Williams, and duly seconded that a decision on representatives on outside organisations be deferred until the next Council meeting and that the Leader of the Council in consultation with the other Group Leaders propose a revised list of names for consideration at the next meeting.

Councillor Tindal supported this motion and it was agreed.

**9. APPOINTMENT OF AN INTERIM PARISH COUNCILLOR TO ALDBURY PARISH COUNCIL.**

It was moved by Councillor Williams, duly seconded and

Resolved:

1. That Council appoint, by order, Jim Doyle, Group Manager (Democratic Services) as an interim Councillor of Aldbury Parish Council for the purpose of enabling the proper holding of the Parish Council's Annual Meeting and first Ordinary Meeting following the election held on 7<sup>th</sup> May 2015, pursuant to section 39(4) of the Representation of the People Act 1983.
2. The term of this interim appointment is limited to the attendance at Aldbury Parish Council's Annual Meeting and first Ordinary Meeting following the election to ensure that both meetings are quorate in order that the Parish Council can proceed to co-opt Councillors to fill the remaining vacant seats. This appointment shall cease immediately after the holding of the first Ordinary Meeting.

The meeting ended at 8:10pm.



**MEMBERSHIP OF CABINET, OVERVIEW & SCRUTINY COMMITTEES, POLICY DEVELOPMENT PANELS AND STANDARDS COMMITTEE 2015/16**

**Cabinet**

<b>Cabinet Portfolio Holder</b>	<b>Conservative</b>
Leader of the Council	Cllr Williams
Finance & Resources	Cllr Elliot
Housing	Cllr Mrs Griffiths (Deputy Leader)
Environmental, Sustainability and Regulatory Services	Cllr Marshall
Residents & Corporate Services.	Cllr Harden
Planning & Regeneration	Cllr G Sutton

**OVERVIEW & SCRUTINY COMMITTEES**

**HOUSING AND COMMUNITY (11:1:0)**

<b>Conservative</b>	<b>Liberal Democrat</b>	<b>Labour</b>
Sharon Adshead	Brenda Link	Tony Fethney
Julie Banks		
Hazel Bassadone		
Olive Conway		
Penny Hearn		
Isy Imarni		
Suqlain Mahmood (Chair)		
Robert McLean (Vice Chair)		
Goverdhan Silwal		
Jane Timmis		
William Wyatt-Lowe		
<b>Substitutes</b>		
David Collins	Roxanne Ransley	
Tina Howard	Ron Tindall	
Michael Clark		

**FINANCE AND RESOURCES (11:1:0)**

<b>Conservative</b>	<b>Liberal Democrat</b>	<b>Labour</b>
Julian Ashbourn	Ron Tindall	Tony Fethney
Adam Barnes		
John Birnie		
Herbert Chapman (Chair)		
Elaine Collins		
Michael Clark		
Terry Douris (Vice Chair)		
Isy Imarni		
Roger Taylor		

Stan Mills		
Goverdhan Silwal		
<b>Substitutes</b>		
Alan Anderson	Brenda Link	
William Wyatt - Lowe	Roxanne Ransley	
Christina Brown		
Fiona Guest		
Peter Matthews		

### STRATEGIC PLANNING AND ENVIRONMENT (11:1:0)

<b>Conservative</b>	<b>Liberal Democrat</b>	<b>Labour</b>
Graham Adshead	Roxanne Ransley	Anne Fisher
Alan Anderson (Chair)		
Julian Ashbourn		
Stephen Bateman		
Elaine Collins		
Stephen Hearn		
Mike Hicks		
Tina Howard		
Peter Matthews		
Stewart Riddick		
Colette Wyatt-Lowe (Vice Chair)		
<b>Substitutes</b>		
John Birnie	Brenda Link	
Robert McLean	Ron Tindall	
Tom Ritchie		
Rosie Sutton		

### HEALTH IN DACORUM COMMITTEE (6:1:0)

<b>Conservative</b>	<b>Liberal Democrat</b>	<b>Labour</b>
Christina Brown	Brenda Link	
Fiona Guest		
Mike Hicks		
Jan Maddern		
Robert Mclean		
Jane Timmis		
William Wyatt- Lowe		
<b>Substitutes</b>		
	Ron Tindall	
	Roxanne Ransley	

### AUDIT COMMITTEE (6:1)

<b>Conservative</b>	<b>Liberal Democrat</b>
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Graham Adshead	Ron Tindall
Adam Barnes	
Terry Douris	
Roger Taylor (Chair)	
William Wyatt-Lowe	
<b>Substitutes</b>	
Alan Anderson	Brenda Link
Christina Brown	Roxanne Ransley

## **DEVELOPMENT CONTROL, APPEALS, LICENSING AND HEALTH AND SAFETY ENFORCEMENT**

### **Development Control (13 members = 12:1:0)**

<b>Conservative (12)</b>	<b>Liberal Democrat (2)</b>	<b>Labour</b>
John Birnie	Ron Tindall	Anne Fisher
David Collins (Chair)		
Olive Conway		
Michael Clark		
Fiona Guest (Vice Chair)		
Jan Maddern		
Peter Matthews		
Stewart Riddick		
Tom Ritchie		
Rosie Sutton		
John Whitman		
Colette Wyatt-Lowe		
<b>Substitutes</b>		
Stephen Bateman	Brenda Link	
Penny Hearn	Roxanne Ransley	
Colin Peter		

### **Appeals (5 members = 4:1)**

<b>Conservative</b>	<b>Liberal Democrat</b>
Sharon Adshead	Brenda Link
Hazel Bassadone (Chair)	
Olive Conway	
Alan Fantham	
Penny Hearn (Vice Chair)	
Stewart Riddick	
Rosie Sutton	
Roger Taylor	

**Licensing and Health and Safety Enforcement Committee (12 members = 11:1)**

<b>Conservative</b>	<b>Liberal Democrat</b>
Sharon Adshead	Brenda Link
Adam Barnes	
Hazel Bassadone	
Olive Conway	
Alan Fantham (Vice Chair)	
Penny Hearn (Chair)	
Tina Howard	
Stan Mills	
Colin Peter	
Rosie Sutton	
Roger Taylor	
John Whitman	
<b>Substitutes</b>	

**Licensing and Health and Safety Enforcement Sub-Committee**

<b>Conservative</b>	<b>Liberal Democrat</b>
Penny Hearn (Chair)	B Link
Hazel Bassadone	
Olive Conway	
Alan Fantham	
Rosie Sutton	
John Whitman	
<b>Substitutes</b>	

**Licensing of Alcohol & Gambling Sub-Committee**

**This Committee consists of a Panel of 3 Members who are picked from the Members of the Licensing of Alcohol & Gambling Sub-Committee. Only Members who have had training on the Licensing of Alcohol & Gambling Sub-Committee can sit on this Panel.**

<b>Conservative</b>	<b>Liberal Democrat</b>

## STANDARDS COMMITTEE

<b>Conservative</b>	<b>Liberal Democrat</b>	<b>Labour</b>
Jan Maddern		
Peter Matthews		
Roger Taylor		
<b>Substitutes</b>		
Colette Wyatt-Lowe		

## APPOINTMENTS (7 members 5:1:1)

<b>Conservative (5)</b>	<b>Liberal Democrats (1)</b>	<b>Labour</b>
Hazel Bassadone		
Margaret Griffiths		
Graham Sutton		
Andrew Williams		
Colette Wyatt-Lowe		
<b>Substitutes</b>		

## Electoral Review Committee

<b>Conservative (5)</b>	<b>Liberal Democrats (1)</b>	<b>Labour (1)</b>
Alan Anderson		
David Collins		
Terry Douris		
Janice Marshall		
Andrew Williams		
<b>Substitutes</b>		
Neil Harden		
Colette Wyatt-Lowe		

## OTHERS

### JNC (Joint Negotiating Committee)

<b>Conservative</b>	<b>Liberal Democrat</b>
Sharon Adshead	
Christina Brown	
Herbert Chapman	
Roger Taylor	
John Whitman	

### Member Development Steering Group

<b>Conservative</b>	<b>Liberal Democrat</b>	<b>Labour</b>
Graham Adshead		
Julie Banks		
Olive Conway		
Terry Douris		

Penny Hearn		
Mike Hicks		
Tina Howard		
Roger Taylor		

## **ITEM 7 – REFERRALS FROM CABINET**

**26 May 2015**

### **7.1 CA/039/15 HOUSING ALLOCATIONS POLICY REVIEW**

#### **Decision**

1. That Cabinet recommend Council to approve the amendments to the Housing Allocations Policy as set out in paragraph 3 of the report.
2. That Cabinet approve the content of the proposed communications strategy regarding the Housing Allocations Policy.

#### **Reason for Decision**

To update Cabinet on the Housing Allocations Policy review and all proposed policy amendments.

To update Cabinet on the content of a proposed communications strategy relating to the policy.

#### **Implications**

##### Financial

No financial implications as the proposed policy changes do not require further software development

##### Value for Money

Carrying out a full review of this policy has clear value for money implications:

- If the policy does not comply with legislation then the Council could be vulnerable to legal challenge, which could be very costly.
- Lack of clarity in the policy will lead to an unnecessary increase in communication coming into the housing department from residents.
- If the policy can assist the Council to reduce letting times this will result in savings to the Council.
- By better matching suitable residents to properties with, or suitable for, adaptations, the Council will save money on very expensive installations.

#### **Risk Implications**

The main risks associated with policy amendments relate to communication of changes to residents and the Council's partners. Clarity in the policy will assist the Council if the policy is fully and properly understood by those who have to use it on a day-to-day basis either as applicants, or as the Council's partners who are supporting housing applicants.

In addition, procedural changes must be implemented effectively by Council officers to result in improved operations.

## **Corporate Objectives**

### Affordable Housing

The Group Manager (Strategic Housing) introduced the report highlighting the following points:

- The current policy has been in situ since November 2013 and there had always been an undertaking to review it after one year due to the significant changes that had been introduced.
- The review has provided useful data analysis which confirms the Policy has been working as the Council had intended it to.
- It also provided recognition that there is a need to communicate more with applicants to advise that they can influence their chance of being housed by changing their bidding patterns which has brought about the Communications Plan.
- Clarification that 4.3 of the report relating to Local Connections the third bullet point should read: *Currently in permanent employment within the Borough boundary, consisting of 16 hours or more a week, and which has been continuous for the last 24 months*
- A new section has been added to the Policy – 14. New Right to Move.
- Guidance was issued by the Government in April that has meant we can propose the recommendations as part of these changes. We have recommended the absolute minimum the Council can do in consultation with the Portfolio Holder and that will also be reviewed within a year.
- Communication Strategy is to be implemented as soon as possible with staff and Members scheduled to be trained in Autumn

The Portfolio Holder for Environmental Sustainability and Regulatory Services noted that this report had previously been to Housing & Community Overview & Scrutiny Committee where it had been welcomed with some changes recommended and noted that they had been implemented.

### **Consultation**

There was no consultation.

### **Voting**

None



**29 June 2015**

**7.2 CA/048/15 AMENDMENT OF STANDING ORDERS REGARDING DISCIPLINARY ACTION**

**Decision**

That Cabinet recommend Council to amend Part 4 of the Constitution 'Officer Employment Procedure Rules' as set out in the Appendix to this report pursuant to the provisions of the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015.

**Reason for Decision**

To advise Members of the Cabinet of the requirement of the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 to amend Standing Orders relating to the procedure to be followed before the Council can dismiss or discipline its Head of Paid Service, Chief Finance Officer or Monitoring Officer.

**Implications**

Financial

There are no financial implications arising from this report.

Value for Money

There are no value for money implications arising from this report.

Risk Implications

A risk assessment is not required.

**Corporate Objectives**

This report does not have implications for the Council's objectives.

Steve Baker introduced the report advising that the purpose of the report was to advise Members of the need to amend the Council's standing orders insofar as they relate to taking disciplinary action including dismissal against the Head of Paid Service, Chief Finance Officer and Monitoring Officer (collectively referred to as the statutory officers). He went on to advise that new regulations came into force in May of this year which amend the process for disciplining or dismissing a statutory officer.

Under the previous regulations the Council could not take disciplinary action against a statutory officer except in accordance with the recommendation in a report prepared by a designated independent person (commonly referred to as a DIP). Also, under the previous regulations the dismissal of the HOPS had to have the final approval of Council, whereas the dismissal of the CFO or MO could be delegated to a committee or sub-committee. The new regulations firstly remove the requirement to appoint a DIP and replace the DIP process with a new procedure and secondly the decision to dismiss a statutory officer, including the CFO and MO can only be taken by full Council.

Under the new procedure, the Council must appoint at least two independent persons to the committee which is advising the Council on matters relating to the dismissal of one of its statutory officers. These must be the independent person or persons appointed by the Council under the Localism Act for the purposes of dealing with standards complaints against members. Where the Council has only appointed one IP under the Localism Act it must appoint an IP from another authority to the committee.

Before Council can take a vote on whether to approve the dismissal of a statutory officer it must first take into account (but not necessarily follow) the advice, views or recommendations of the committee together with the conclusions of any investigation and any representations made by the statutory officer concerned.

The new regulations require Council's standing orders to be amended so as to incorporate these new provisions as set out in the schedule to the regulations.

He concluded by adding that he would like to add a second recommendation, as the whole of the Constitution has not yet been reviewed in detail to see whether any other changes are necessary as a result of these new regulations. He suggested that the additional recommendation should read – "That the Monitoring Officer be authorised by the Council to make any consequential amendments to the Constitution as may be necessary to give effect to the regulations referred to in recommendation 1 above".

Councillor Elliot asked if other Council's have similar Standing orders.

Steve Baker advised that the previous regulations prescribed the DIP process and all local authorities had to incorporate that DIP process in their Standing Orders, so every local authority has to go through the same process and noted that the County Council were currently receiving a similar report. He went on to advise that the regulations go on to say that the changes have to be adopted at the first ordinary meeting of the Council following the election, so they would need to go to Council in July for adoption.

Councillor Williams asked for confirmation that this is a statutory requirement and not discretionary.

Steve Baker confirmed this was the case and that we have to adopt the prescribed wording and went on to say that it is slightly controversial and has attracted some criticism from the LGA and also from ALACE as there are some gaps, for example it talks about inviting the independent person to be a member of the committee, but does not say what happens if they refuse to take part. It also refers to the Council taking into account any investigation that has been carried out, but does not state that an investigation has to be carried out, just that if there has been one it has to be taken into consideration.

Councillor Mrs Margaret Griffiths enquired if Steve Baker would recommend that when we next go out for an independent person that we actually go out for independent persons, or if it would be good to go for the one from another local authority.

Steve Baker advised that when we go out again, that it would be prudent to appoint, if we can, 2 independent persons. He went on to say that the other criticism of the process that has been raised is that the independent person has been appointed to play a role in standards complaints against Councillors under the Code of Conduct, so they have not necessarily got the expertise for this type of role. So in future when we are recruiting an independent person we would also need to take into account this new role.

The recommendation and the additional recommendation were agreed.

## **Consultation**

There was no consultation.

## **Voting**

None.

## **APPENDIX**

### **PART 4 OFFICER EMPLOYMENT PROCEDURE RULES**

#### **1. Recruitment and appointment**

- (a) Declarations
  - (i) The Council will draw up a statement requiring any candidate for appointment as an officer to state in writing whether they are the parent, grandparent, partner, child, stepchild, adopted child, grandchild, brother, sister, uncle, aunt, nephew or niece of an existing councillor or officer of the Council; or of the partner of such persons.
  - (ii) No candidate so related to a councillor or an officer will be appointed without the authority of the relevant chief officer or an officer nominated by him/her.
- (b) Seeking support for appointment
  - (i) The Council will disqualify any applicant who directly or indirectly seeks the support of any councillor for any appointment with the Council. The content of this paragraph will be included in any recruitment information.
  - (ii) No councillor will seek support for any person for any appointment with the Council.

#### **2. Recruitment of Head of Paid Service and Chief Officers**

Where the Council proposes to appoint a Chief Officer and it is not proposed that the appointment be made exclusively from among their existing officers, the Council will:

- (a) draw up a statement specifying:
  - (i) the duties of the officer concerned; and
  - (ii) any qualifications or qualities to be sought in the person to be appointed;
- (b) make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it; and

- (c) make arrangements for a copy of the statement mentioned in paragraph (1) to be sent to any person on request.

### 3. Appointment of Head of Paid Service

- (a) The full Council will approve the appointment of the Head of Paid Service before the offer of appointment is made following the recommendation of such an appointment by the Appointments Committee. The Appointments Committee must include at least one member of the Cabinet.
- (b) The full Council may only make or approve the appointment of the Head of Paid Service where no well-founded objection has been made by any member of the Cabinet.

### 4. Appointment of Chief Officers and deputy Chief Officers

- (a) The Appointments Committee will appoint Chief Officers and deputy Chief Officers. The Appointments Committee must include at least one member of the Cabinet.
- (b) An offer of employment as a Chief Officer or deputy Chief Officer shall only be made where no well-founded objection from any member of the Cabinet has been received.

### 5. Other appointments

- (a) **Officers below deputy chief officer.** Appointment of officers below deputy chief officer is the responsibility of the Head of Paid Service or his/her nominee, and may not be made by councillors.
- (b) **Assistants to political groups.** Appointment of an assistant to a political group shall be made in accordance with the wishes of that political group.

### 6. Disciplinary action

- (a) The terms of reference of the Appointments Committee include the dismissal of, and taking disciplinary action against, a Chief Officer or deputy Chief Officer. ~~including the power to appoint a designated independent person for the purpose of investigating and preparing a report into alleged misconduct or the taking of disciplinary action where the Chief Officer or deputy Chief Officer is the designated Head of Paid Service.~~ Where the Chief Officer or the deputy Chief Officer is the designated Head of Paid Service, Chief Finance Officer or Monitoring Officer full Council must approve the dismissal before notice of dismissal is given.
- ~~(b) The Chief Executive, in consultation with the Chairman of the Appointments Committee, shall appoint a designated independent person for the purpose of investigating and preparing a report into alleged misconduct or disciplinary action taken against the designated Chief Finance Officer or Monitoring Officer and to agree the terms of reference of such appointment.~~

- (b) The Appointments Committee may suspend a Chief Officer or deputy Chief Officer for a period of up to two months on full pay for the purpose of investigating alleged misconduct, or the taking of disciplinary action, where the officer under investigation or the subject of the disciplinary action is the designated Head of Paid Service.
- (c) The Chief Executive, in consultation with the Chairman of the Appointments Committee, may suspend a Chief Officer or deputy Chief Officer, including the designated Chief Finance Officer or Monitoring Officer, for a period of up to two months on full pay for the purpose of investigating alleged misconduct, or the taking of disciplinary action.
- (d) No other disciplinary action may be taken in respect of the designated Head of Paid Service, Chief Finance Officer or Monitoring Officer except in accordance with ~~a recommendation in a report made by a designated independent person.~~ the procedure set out in the schedule below.

## 7. Dismissal

Councillors will not be involved in the dismissal of any officer below deputy chief officer except where such involvement is necessary for any investigation or inquiry into alleged misconduct, though the Council's disciplinary, capability and related procedures, as adopted from time to time may allow a right of appeal to members in respect of dismissals.

## SCHEDULE

### **Procedure to be followed in the event that disciplinary action is taken in respect of the designated Head of Paid Service, Chief Finance Officer or Monitoring Officer**

*[inserted under regulation 6 of the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015]*

1. In the following paragraphs –

- (a) “the 2011 Act” means the Localism Act 2011;
- (b) “the chief finance officer”, “disciplinary action”, “head of the authority’s paid service” and “monitoring officer” have the same meaning as in regulation 2 of the Local Authorities (Standing Orders) (England) Regulations 2001;
- (c) “independent person” means a person appointed under section 28(7) of the 2011 Act;
- (d) “local government elector” means a person registered as a local government elector in the register of electors in the authority’s area in accordance with the Representation of the People Acts;
- (e) “the Panel” means a committee appointed by the authority under section 102(4) of the Local Government Act 1972 for the purposes of advertising the authority on matters relating to the dismissal of relevant officers of the authority;

- (f) “relevant meeting” means a meeting of the authority to consider whether or not to approve a proposal to dismiss a relevant officer; and
  - (g) “relevant officers” means the chief finance officer, head of authority’s paid service or monitoring officer, as the case may be.
2. A relevant officer may not be dismissed by an authority unless the procedure set out in the following paragraphs is complied with.
  3. The authority must invite relevant independent persons to be considered for appointment to the Panel, with a view to appointing at least two such persons to the Panel.
  4. In paragraph 3 “relevant independent person” means any independent person who has been appointed by the authority or, where there are fewer than two such persons, such independent persons as have been appointed by another authority or authorities as the authority considers appropriate.
  5. Subject to paragraph 6, the authority must appoint to the Panel such relevant independent persons who have accepted an invitation issued in accordance with paragraph 3 in accordance with the following priority order –
    - (a) a relevant independent person who has been appointed by the authority and who is a local government elector;
    - (b) any other relevant independent person who has been appointed by the authority;
    - (c) a relevant independent person who has been appointed by another authority or authorities
  6. An authority is not required to appoint more than two relevant independent persons in accordance with paragraph 5 but may do so.
  7. The authority must appoint any Panel at least 20 working days before the relevant meeting.
  8. Before the taking of a vote at the relevant meeting on whether or not to approve such a dismissal, the authority must take into account, in particular –
    - (a) any advice, views or recommendations of the Panel;
    - (b) The conclusions of any investigation into the proposed dismissal; and
    - (c) any representations from the relevant officer.
  9. Any remuneration, allowances or fees paid by the authority to an independent person appointed to the Panel must not exceed the level of remuneration, allowances or fees payable to the independent person in respect of that person’s role as independent person under the 2011 Act”.

### **7.3 CA/050/15 HEMEL HEMPSTEAD AMBASSADORS – START- UP FUNDING**

#### **Decision**

That Cabinet recommend Council to approve a supplementary estimate of £140,000, funded from the Dacorum Development Reserve, in order to finance the Ambassadors programme for two years

#### **Reason for Decision**

To request £140k to support the Hemel Hempstead Ambassadors initiative for a 2 year period. The Ambassadors is a continuation of the reputational work to raise the profile of the area to potential investors. The aim is that after the initial 2 year period the Ambassadors will be self-financing through its membership scheme.

#### **Implications**

##### Financial

Funding of £140,000 to cover the start up costs and the employment of a 'Place Manager' for 2 years, to support the development of the Hemel Hempstead Ambassadors.

##### Value for Money

Numerous economic and reputational benefits at low additional cost to the council. It is the intention that the Ambassadors will self-fund after the initial 2 year period.

#### **Risk Implications**

Reputational – Failure to get the scheme to self-fund after the 2 years seed funding.

The Council would become a member of the company (limited by guarantee) being established to run the initiative and would appoint a minority of the Directors of the company but would have no ongoing liability. A report will be brought to a future Cabinet meeting to seek authority for this.

#### **Corporate Objectives**

The Ambassadors programme supports the corporate objectives of Regeneration and Building Community Capacity through its purpose; to raise the profile of and to promote Hemel Hempstead, and by association the rest of Dacorum, as a great place to invest, to attract businesses, developers and talent (among others) into the area resulting in a thriving local economy.

Rebecca Oblein introduced the report advising that the ambassadors programme will continue the reputational work that was started in the last 2 years through the Dacorum Look No Further programme, for which funding finished in March of this year. She went on to

advise that the ambassadors scheme is about place making and place shaping, so in essence about raising the reputation and profile of Hemel Hempstead as a place to invest, as a place to bring your business and to come and live and to come and visit. It's a membership scheme, so the business community will be paying in to the scheme, and so we are looking for a 2 year underwriting by the Council, at the end of which we are hoping that the scheme will fund itself, so the report is requesting 2 years of funding, to pay for a place manager to run the scheme and to provide it with some seed funding to provide some of the up-front marketing materials we need whilst we are building the membership with aim of it being self-funding by year 3.

Councillor Mrs Margaret Griffiths enquired as to what Rebecca Oblein thought the chances were of finding someone who will understand that role.

Rebecca Oblein advised that these schemes are currently running in about 10 places around the country and that they have been working closely with the place manager for Coventry & Warwick. We have understood what makes the right kind of place manager and it is someone who is really good at partnership working, who can sell a bit but has a passion for the place and the area. She further added that one of the essential criteria on the Person Specification is a passion for Hemel Hempstead and a passion for this area. She went on to advise that what has been seen happening in other areas is that once they have started, the ball starts rolling and people actually approach us to join the club, rather than having to sell it , and then the managers role is to work with the place board, use the funding that is coming in to take part in things like MIPIN UK to promote the area or to go and hold an investors conference in London, or whatever the place board think is the best way to invest the money to raise the profile.

Councillor Harden enquired as to whether they would be an employee of the Council.

Rebecca Oblein advised that they are going to be employed by the Council as we have the procedures and processes for employment in place, but that the aim is to set up a company that will run the ambassadors scheme, so it will be its own separate entity. The businesses didn't want to be paying their money over to Dacorum Borough Council. They want it to be paid into the Hemel Hempstead Ambassadors Scheme. However following discussions at the last meeting regarding the fact that a company hasn't been set up yet, it was agreed that the Council would employ the place manager but that the employee would be working at arms-length from the Council.

Councillor Harden enquired as to whether they would be employed for the whole 2 year period.

Rebecca Oblein advised that they are looking to offer a 2 year contract and then after that time when we have a clearer understanding of the viability of the scheme and the funding position, we hope to transfer that position into the new company.

Councillor Harden referred to the risk implications and asked if there were any concerns regarding businesses not buying into it.

Rebecca Oblein advised that the businesses they have been working with can all see benefits of being involved. She went on to say that the bigger businesses will be paying £3,500 per year to be a part of this and there have been conversations with some of the bigger businesses that are on the board and they can see the benefits as basically they are investing in the future of their economy by attracting more investment and businesses here. They can also see the benefit of the advertising in regard to recruitment, so by getting the high quality marketing materials that will be being put together that will be something that will be part of their recruitment packs and if that helps them to recruit then they have saved their



£3,500 in one recruitment. So far there has been a very positive response from the businesses that we have spoken to.

Councillor Mrs Margaret Griffiths enquired as to who the line manager would be.

Rebecca Oblein advised that that needs to be bottomed out and as they were initially a part of the Council there would probably be a dotted line into the Economic Wellbeing team, as it is part of their inward investment set of tools, but there are conversations with the place board, which has senior members from the business community, including the HR director of Bourne Leisure who is going to help with the recruitment process.

Councillor Mrs Margaret Griffiths advised that she was more concerned in the case of something going wrong and who would be monitoring that they are doing what they are meant to be doing.

Rebecca Oblein advised that that would be picked up by Strategic Housing.

Councillor G Sutton enquired as to whether the interest could be quantified.

Rebecca Oblein advised that if the companies who are on the board paid in, they would secure approximately £18k, but added that it is all about those businesses selling it as well.

Councillor G Sutton referred to the map on Page 82 and enquired if that was the area we hope to capture.

Rebecca Oblein advised that Hemel Hempstead was to be the 'economic hero' and that there was a 10 mile radius which becomes a zone of influence. However administrative boundaries are not being taken into account and advised that Warner Brothers Harry Potter World is an asset that would be claimed. She further added that there are businesses from Tring and Berkhamsted on the board who can all see that by Hemel Hempstead being successful it works well for them as feeders.

The recommendations were noted and agreed.

Councillor G Sutton wished to congratulate the team on the press coverage in the Gazette this week as it had been very positive.

### **Consultation**

There was no consultation.

### **Voting**

None