

**CONSTITUTION TASK GROUP held at COUNCIL OFFICES LONDON ROAD SAFFRON WALDEN on 3 JANUARY 2002 at 4.00 pm**

Present:- Councillor Mrs S Flack – Chairman.  
Councillors R J Copping, A Dean and Mrs S V Schneider.

Officers in attendance:- Mrs M Cox and A Forrow.

**CTG5 APOLOGIES**

An apology for absence was received from Councillor Mrs M A Caton.

**CTG6 MINUTES**

The notes of the meeting held on 22 November 2001 were agreed as a correct record.

**CTG7 BUSINESS ARISING**

**(i) CTG3 Work Programme**

A report on action required as a result of the publication of the Local Authorities (Standing Orders) (England) Regulations 2001 had been dealt with at the Council Meeting on 11 December 2001.

Officers had investigated whether it would be feasible for the street naming and numbering function to be the responsibility of town and parish councils. It appeared that, although the function could be delegated to town and parish councils, the District Council would still be required to retain responsibility. Officers would circulate a more detailed note to Members of the Task Group before a final recommendation was made on this matter.

**CTG8 COUNCIL'S NEW CONSTITUTION**

The Task Group considered the list of items which had been included in the work programme at the last meeting.

**(i) Delegation Scheme and Planning Procedure**

It was the view of all members that the Development Control and Licensing Committee was the appropriate body to determine planning applications and there should be no referrals to other committees. It was agreed there should be a mechanism by which applications could be deferred if necessary, but the reasons would need to be clearly defined.

Officers to draft a protocol for planning application deferrals for the next meeting.

If it was decided to recommend that all planning applications be determined at the DC and Licensing Committee. The current “note 2” would become irrelevant.

**(ii) Best Value**

The recommendation that “the terms of reference and scope of Best Value reviews be agreed by the relevant scrutiny committees after considering advice from the appropriate policy committee” had been adopted by the Council on 11 December 2001.

Amendments were required to the Terms of Delegation for the scrutiny committees. A suggested wording would be considered at the next meeting.

Members then discussed how to deal with the recommendations arising from the Best Value reviews. Councillor Copping thought that recommendations should be referred to full Council as there might be important issues that should be considered by the Council as a whole. The other members thought it would be appropriate for the recommendations to be approved by the relevant service committee. It was the general view that decisions should be taken at the lowest appropriate level. It was agreed that feedback should be sought from other members. In the meantime,

Officers to prepare a draft recommendation covering all aspects of Best Value reviews for the next meeting. .

**(iii) Delegated Powers for Officers re Tree Matters**

This would be dealt with at a future meeting

**(iv) Counter Proposal Mechanism to Supplement Amendment Mechanism**

This suggestion was likely to over-complicate the amendment procedure and it was agreed that it be deleted from the list.

**(v) Expand Rule 7.5 (Call-in Procedure)**

Rule 7.5 should be expanded to give the Scrutiny Committee the explicit option of taking no further action.

**(vi) Deletion of Meals on Wheels Service**

This function to be deleted from the Community and Leisure Committee’s terms of delegation from 1 April 2003.

**(vii) Appropriate Committees**

Members agreed to recommend the appropriate committee for the following functions .

Bridge End Gardens – Environment and Transport Committee

Rights of Way (in terms of planning applications and applications for diversions) DC and Licensing Committee

Street naming and numbering – A detailed note to be circulated to task group members. Should be within the remit of the Environment and Transport Committee.

**(viii) Scrutiny of Leisure (PFI) Board**

Should be a specially convened meeting comprising 3 members of each Scrutiny committee.

**(ix) Standards Committee and Code(s) of Conduct**

This would be dealt with by the Standards Committee itself.

**(x) Notice Period and Timetable of Meetings**

Rule No 5 of the Council Procedure Rules should be amended to state that agendas be circulated five clear working days prior to the meeting. This rule should also apply to all the accompanying reports and papers.

Notices of motions to the Council Meeting should be received within seven clear working days of the meeting.

There should be eight clear working days between the meetings of the Policy Committees and the appropriate Scrutiny Committees.

Based on these guidelines officers to prepare a draft timetable for 2002/03 for the next meeting.

**(xi) Identification of Decisions**

As good practice, Members hoped that Officers would ensure that the decisions made at meetings were clearly understood and recorded for the purpose of the Minutes.

**(xii) Procedures for Complaints made by Councillors**

Councillor A Dean asked that this matter be deferred to a future meeting.

**(xiii) Members' reactions to detailed procedures relating to Council meetings and their arrangements**

All Members of the Council to be reminded that they were welcome to submit any views or comments about the Constitution.

CTG9

**FUTURE WORK PROGRAMME**

Councillor A Dean asked for the following issues to be included within the work programme.

**(i) Role of Leader, Opposition Group Spokesman and Councillors**

The Task Group felt that it would be useful for the roles of general Members, and those with special responsibilities, to be defined and recorded. The Remuneration Panel had recently requested information from councillors about their roles and responsibilities and it was hoped that the Task Group could use these details to assist in preparing job descriptions.

**(ii) Area Forums**

The arrangements for operating area forums would need to be formalised. This might require a separate meeting.

**(iii) Call-in Procedure**

The detailed wording of this procedure to be looked at again at a future meeting.

**(iv) Clarification of Modified Committee system and Leader/Cabinet**

Officers to try and find some written information for the next meeting.

**(v) Public Participation in Development Control and Licensing**

Officers to find out when this matter was likely to be considered by the Development Control and Licensing Committee, and whether it should be looked at by the Task Group at an earlier date.

The meeting ended at 6.00 pm.