

**CONSTITUTION TASK GROUP held at COUNCIL OFFICES LONDON ROAD SAFFRON WALDEN on 22 NOVEMBER 2001 at 4.00 pm**

Present:- Councillors Mrs M A Caton, R J Copping, A Dean, Mrs S Flack, R D Green and Mrs S V Schneider.

Officers in attendance:- A Forrow and M T Purkiss.

**CTG1 CHAIRMAN**

It was agreed that a Chairman would be appointed at the commencement of the next meeting.

**CTG2 ROLE OF THE TASK GROUP**

It was noted that when the Council had approved its new constitution on 28 August 2001, it had established an all party Task Group to monitor the constitution's operation to help both the formal annual review process culminating in March 2002 and the Member only meeting planned for earlier that year.

**CTG3 WORK PROGRAMME**

The Task Group considered a list of items which Officers had suggested Members might wish to address in the coming weeks. Members were invited to add to or delete from this list and to prioritise the items contained in it.

Members envisaged that the Task Group would need to meet on a fairly regular basis with a view to producing an interim report to the Council meeting on 12 February 2002 with a final report being submitted to the Council meeting on 23 April 2002. Other Members would be kept advised of progress via the Members' Bulletin and the main points of this meeting would be circulated to all Members for comment, with an invitation to put forward any other issues which they felt the Task Group should address.

The Task Group considered that the following issues needed to be dealt with urgently:

- (i) the Local Authorities (Standing Orders) (England) Regulations 2001 which had been published recently required some action to be taken at an early stage. A report would most probably need to be made to Council on 11 December.
- (ii) Delegation Scheme and Planning Procedure – Referred Planning Applications. There was general agreement amongst the Task Group members that decisions on planning applications should be taken by the Development Control and Licensing Committee. However, some sort of mechanism for a "cooling off" period was considered to be

important and whatever procedure was finally agreed needed to be clear. The Task Group felt that this matter needed to be resolved at the Council Meeting on 12 February.

The Task Group considered that the following items were less urgent:

- (iii) Inclusion of Best Value in terms of reference of and delegation to committees.
- (iv) Determination of recommendations arising from Best Value Reviews – Policy Committee or Council?

(It was considered that this could be dealt with at the same time as (iii) and that feedback should be sought from Members following the completion of the current year's reviews).

- (v) Delegated powers for Officers re tree matters.
- (vi) Practical amendments to Council Procedure Rules eg. consider “counter proposal” mechanism to supplement “amendment” mechanism.
- (vii) Expand overview and scrutiny Rule 7.5 to include specifically, rather than by default, the option to take no further action.
- (viii) Deletion of the Meals on Wheels service from Community and Leisure delegation from 1 April 2002. This was now inevitable.
- (ix) To consider whether functions were within the remit of the appropriate Committee eg.
  - (a) are Bridge End Gardens more appropriate to Environment and Transport than Community and Leisure?
  - (b) are Rights of Way issues more appropriate to Development Control and Licensing or Environment and Transport?
  - (c) should street naming and numbering be in the remit of Environment and Transport rather than that of Health and Housing? The Task Group's initial opinion was that this last function should be the responsibility of Town and Parish Councils and Officers undertook to investigate the feasibility of this option.
- (x) The Task Group considered that the monitoring of the Leisure (PFI) Board, because of the cross cutting nature of its role, should be within the remit of a special joint Scrutiny Committee.
- (xi) Amend the terms of reference and delegation to the Standards Committee and Code(s) of Conduct, as legislation takes effect.

Members of the Task Group also raised the following issues which would need to be addressed:

- (i) reviewing the periods of notice for agendas and motions and the spacing between meetings of service and scrutiny committees.
- (ii) evaluating the processes whereby Committee decisions are identified for the purposes of the Minutes.
- (iii) Procedures for complaints made by Councillors (Councillor Dean undertook to obtain further information on this issue).
- (iv) To monitor reactions to the detailed procedures in relation to Council meetings and their arrangements.

It was agreed that these notes would be circulated to all Members for comments and Members would be invited to put forward any other issues that had arisen for consideration by the Task Group.

CTG4

#### **FUTURE MEETINGS**

The Task Group would meet on the following dates:

Thursday 3 January 2002 at 4.00 pm

Tuesday 15 January 2002 at 6.00 pm