

**CONSTITUTION TASK GROUP held at COUNCIL OFFICES LONDON ROAD SAFFRON WALDEN at 6.30 pm on 6 FEBRUARY 2003**

Present:- Councillor R J O'Neill (Chairman).  
Councillors Mrs M A Caton, R J Copping, A Dean and  
Mrs S V Schneider.

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

**CTG4 NOTES**

The Notes of the meeting held on 18 December 2002 were approved as a correct record and signed by the Chairman.

**CTG5 BUSINESS ARISING**

**(i) Best Value Reference Groups**

It was noted that since the last meeting both Scrutiny Committees had agreed that the appointment of Member Reference Groups should be deferred until after the District Council Elections on 1 May. Members reiterated the view that there were sufficient Members on the Scrutiny and Development Control and Licensing Committees to provide a sufficiently large pool of Members on which to draw.

**(ii) District Open Meetings**

Officers undertook to obtain information from other local authorities on how this type of meeting was handled and whether other authorities had been more successful in attracting more participation. It was also suggested that these meetings should be included in the Timetable of Meetings.

**(iii) Job Descriptions**

It was the general view that job descriptions were appropriate where the holder received a special responsibility allowance and this should include Group Leaders.

Officers to provide a suggested job description for Group Leaders for consideration at the next meeting.

**(iv) Councillors' representative role**

A Member had previously raised the question of whether the Council should be recommended to provide financial assistance to Councillors specifically to support them in their representative role. The Chairman considered that this was appropriate where the Councillor was undertaking this role as part of the Council, but it would be difficult to justify otherwise.

It was agreed that an approach would be made to the LGA to see whether guidance was available.

## (v) Participation in Committee meetings

It was acknowledged that participation by non-members of the Council was being encouraged through the Scrutiny Committees. However, it was felt that controlled input by non-members of the Council needed to be examined further. Also, the Group asked for a report on Councillors attending committee meetings of which they were not a member and the convention of notifying the appropriate chairman.

## (vi) Deferred items

Reports on the Committee Structure and Acquisition and Disposal of Assets would be submitted to a future meeting.

CTG6

## RESCISSION OF PREVIOUS DECISIONS AND SCRUTINY

Members considered possible amendments to Council Procedure Rules 12 (previous decisions and motions) and 21 (application to Committees and Sub-Committees). Currently, the procedure rules effectively prevented the Council or any of its committees from revoking a decision within six months, even if there were good reasons for doing so, without suspending procedure rules. The Council had agreed that it was desirable to arrive at a satisfactory way of achieving an appropriate degree of flexibility without having to take this step.

The Task Group considered how this could be achieved, particularly having regard to the implications of the introduction of the scrutiny process. The Task Group agreed that the following amendments should be put forward in the report to Council:

### CPR12 PREVIOUS DECISIONS AND MOTIONS

#### 12.1 Motion to rescind a previous decision

A motion or amendment to rescind a decision made at a meeting of Council within the past six months cannot be moved unless

- a the notice of motion is signed by at least ***one quarter of the members of the Council or***
- b ***in the case of a Committee or Task Group, the rescission arises from a call-in to a scrutiny committee.***

#### 12.2 Motion Similar to one previously rejected

A motion or amendment in similar terms to one that has been rejected at a meeting of Council in the past six months cannot be moved unless

- a the notice of motion is signed by at least ***one quarter of the members of the Council or***
- b ***in the case of a Committee or Task Group, the rescission arises from a call-in to a scrutiny committee.***

Once the motion or amendment is dealt with, no one can propose a similar motion or amendment for six months.

## **21 APPLICATION TO COMMITTEES AND SUB-COMMITTEES**

All these rules apply to meetings of full council. Rules 3-20 (*except 19.2*) apply to meetings of committees, *sub-committees and decision-making Task Groups as if the reference to Council were to such committees, sub-committees and decision-making Task Groups.*

CTG7

### **STANDARDS COMMITTEE MEMBERSHIP**

The Task Group was reminded that, when the Standards Committee had been established, the Council had decided that the Committee should consist of four Councillors, one from each political group, and two independent Members, ie two members of the public who had no direct relationship with the Council. Two of the Councillors appointed to the Committee had been and still were Group Leaders and a Member had raised the question of whether this was appropriate.

The Group considered that it was essential that the Members appointed to the Standards Committee should command the respect of their colleagues and their appointment should be based upon their experience, expertise and fair judgement. It could be said that Group Leaders, by definition, commanded that respect. On the other hand, it might be felt that, ideally, Members of Standards Committees should not be strongly political which might argue against Group Leaders taking on this role.

The Task Group considered the following options for appointing Members to the Standards Committee.

- (a) One Member from each political group, as now
- (b) As now, but excluding Group Leaders.
- (c) All four Group Leaders ex-officio.
- (d) The four longest serving Members of the Council
- (e) Entirely at the discretion of the Council.

The Task Group considered that options (c) and (d) were not acceptable and asked for officers to provide a report for further consideration on options (a), (b) and (e).

CTG8

### **NEXT MEETING**

It was agreed that the next meeting would be held at 6.00 pm on Thursday 27 February 2003.

The meeting ended at 8.05 pm.