

**CONSTITUTION TASK GROUP held at the COUNCIL OFFICES LONDON ROAD SAFFRON WALDEN at 6.00 pm on 27 FEBRUARY 2003**

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

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

**CTG9 APOLOGIES**

An apology for absence was received from Councillor R J Copping.

**CTG10 NOTES**

The notes of the meeting held on 6 February 2003 were approved as a correct record and signed by the Chairman.

**CTG11 BUSINESS ARISING**

**(i) Councillors' Representative Role**

The Task Group agreed not to pursue this matter further at present.

**(ii) District Open Meetings**

Since the last meeting Officers had obtained information from other local authorities on how they handled this type of meeting. The general consensus had been that open meetings rarely achieved high attendance levels unless there was an issue on the agenda which directly and demonstrably affected the area. Some local authorities had used celebrities to host open meetings but this had not boosted attendance substantially. The Task Group concluded that it was necessary to continue with these meetings but items of substance would need to be included on the agenda to help attract people to attend.

**(iii) Role of Group Leaders**

The Task Group considered comments which had been submitted by Councillor Copping prior to the meeting. The following job description for Group Leaders was agreed for inclusion in the Group's final report:

- 1 To provide strategic direction to the work of the Group.
- 2 To provide leadership and guidance to the members of the Group, and to ensure that the Group's views are voiced.
- 3 To act as a conduit for information and opinion between Group members and senior officers and other group leaders.
- 4 To liaise with other group leaders on key issues.
- 5 With the Group's members and the relevant officers, to develop appropriate strategies, programmes, priorities and budgets for the Group.

- 6 To liaise with agencies, organisations and individuals outside the Council on behalf of the Group.
- 7 To act as the principal political spokesman for the Group.
- 8 To ensure that issues of concern and contention between Members and officers are addressed in a positive manner and, where possible, resolved.

(iv) Participation at Meetings

The Task Group considered a report on the practice of Councillors attending meetings of Committees of which they were not members. The Task Group supported the right of any Member to attend a committee meeting but felt that the Chairman should know in advance the reason for that attendance which could then enable information to be obtained which could help the debate.

The Task Group considered that a Council Procedure Rule in the following terms should be included.

“A member of the Council may attend a meeting of a committee or sub-committee of which he/she is not a member and may speak on any matter dealt with at that meeting subject to having advised the Chairman before the meeting begins.”

The Task Group also considered whether there should be formal restrictions on members of Scrutiny committees speaking at meetings of the Policy committees whose decisions they scrutinise, and vice versa. On balance, it was considered that such a restriction should be put forward.

The Head of Legal Services also referred to the practice of non-members of a committee sitting with the main body of the committee which caused confusion to the public. It was considered that non-members should sit in the public gallery so that the distinction was clear and they should make statements from this position.

**(v) Standards Committee Membership**

The Task Group confirmed its view at the last meeting that the Standards Committee should consist of four Councillors with a minimum of one from each political group; two independent members ie two members of the public who had no direct relationship with the Council; and two representatives of parish and town councils. It now considered that each political group should submit two nominations and if there were four groups represented there should be one appointed from each group. If there were three groups on the Council, the first vote would appoint one member from each of the political groups and there would then be a vote on the fourth vacancy from the three remaining nominations. It was also considered that Group Leaders should not be excluded from consideration but that the Leader of the Council should not serve on the Standards Committee.

**CTG12 DEVELOPMENT CONTROL AND LICENSING COMMITTEE**

The Head of Legal Services reported that the Licensing Bill was currently in the House of Lords. This would require local authorities to determine all liquor and public entertainment licensing applications. His view and that of the Head of Environmental Services was that it was essential that a separate Licensing Committee be established to deal with the expected heavy workload. It was likely that local authorities would have full responsibility for licensing from August 2004, with a twelve month transitional period. A Licensing Committee would need to be in place by August 2003. It was expected that there would be a minimum of 10 and a maximum of 15 Members on such committees. A report would be submitted to the next meeting of the Task Group.

**CTG13 DEFERRED ITEMS**

Consideration of reports on the committee structure and acquisition and disposal of assets was deferred to the next meeting.

**CTG14 DATE OF NEXT MEETING**

A meeting would be arranged in consultation with the Chairman, possibly during the week commencing 17 March 2003.

The meeting ended at 7.00 pm.