

CONSTITUTION TASK GROUP held at COUNCIL OFFICES LONDON ROAD SAFFRON WALDEN at 6.00 pm on 24 MARCH 2003

Present:- Councillor R J O'Neill (Chairman).
Councillor Mrs S V Schneider.

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

CTG15 APOLOGIES

Apologies for absence were received from Councillors Mrs M A Caton and A Dean. It was also noted that Councillor R J Copping had resigned from the Task Group.

CTG16 NOTES

The notes of the meeting held on 27 February 2003 were approved as a correct record and signed by the Chairman, subject to the substitution of the words "not sit at the Committee table" for "sit in the public gallery" in the penultimate line of Minute CTG11 (iv).

CTG17 BUSINESS ARISING

(i) Participation at Meetings

In relation to Minute CTG11 (iv) it was noted that at the last meeting the Task Group had considered that, on balance, there should be a formal restriction on Members of scrutiny committees speaking at meetings of the policy committees whose decisions they scrutinised and vice versa. The Task Group now concluded that Members of Policy committees should not speak at Scrutiny committee meetings which reviewed decisions of that Committee unless requested to attend in accordance with Overview and Scrutiny rules.

CTG18 COMMITTEE STRUCTURE AND MEMBERSHIP

The Task Group considered a detailed report asking whether it wished to recommend any changes to the Committee structure.

The Task Group acknowledged that, at present, there was an imbalance in the work loads of the various committees. The agendas for the Resources and Environment and Transport Committees had tended to be considerably heavier than those of Community and Leisure and, particularly, the Health and Housing Committee. There appeared to be two options which might help in resolving this issue. The Council could merge the two lighter committees or retain the four main committees but look to Members of the two lighter committees to serve on the Development Control and Licensing Committee(s).

The Task Group also noted that a joint committee had been established between Stevenage Borough Council and this Council in relation to an internal audit partnership and this would need to be added to the Committee structure.

In relation to task groups and working parties it was considered that the Bridge End Gardens Working Party now needed to be established as a Task Group and it was noted that the Museum Management Joint Working Party would be renamed Museum Management Joint Committee. Of the Task Groups appointed in 2002, the Stansted Airport Referendum Group had completed its task and the Local Transportation Panel was defunct.

The Task Group considered the issue of substitution and noted that in 1998 the Council had decided not to proceed with a scheme. The Task Group felt that existing committees were not so small that one party could dominate the proceedings. Also, a substitute would not be fully aware of all the issues which could come before that committee. The Task Group also considered that Members were individuals and a scheme of substitution could not adequately address this. It was therefore decided not to proceed further with a substitution scheme.

CTG19 **ACQUISITION AND DISPOSAL OF ASSETS**

Members considered a detailed report on whether the responsibilities of the various policy committees for the assets they controlled needed clarifying, in particular the relationship between Resources Committee and the other policy committees, and between all of them and the Council.

The Chairman of the Task Group felt that acquisition and disposal were very different issues. He said that assets of the Council did not belong to a particular committee but to the whole Council. However, since funding for acquisitions would have to be included in the budget approved by Council, individual policy committees could have responsibility for this.

It was concluded that disposals of assets under £100,000 should be referred to the Resources Committee and those in excess of this limit should go to Council.

In relation to council house sales it was suggested that progress reports should be submitted to Scrutiny Committee 1 on a regular basis.

CTG20 **LICENSING**

The Task Group was advised of progress on the Licensing Bill. The significant change in control proposed by the Bill was that all licences for the sale of alcohol, the provision of entertainment and the provision of late night refreshment was likely to be dealt with by local authorities with effect from August 2004, with a twelve month transitional period which would commence in August 2003.

It was agreed that the report of the Task Group would recommend to Council that it should form a Licensing Committee separate from the Development

Control Committee to fulfil the Council's obligations under the Licensing Bill when it becomes law. It would also be recommended that the Committee be established at the Council's Annual Meeting on 20 May 2003.

CTG21 **ANNUAL MEETING OF THE COUNCIL**

The Task Group considered a number of suggested changes to the Council Procedure Rules relating to the Annual Meeting of the Council.

Currently, Rule 1.1 (xi) stated that the Annual Meeting would approve a programme of ordinary meetings of the Council and its committees for the year. In practice the programme of meetings had always been agreed at an earlier meeting to enable Councillors to plan the year ahead.

Furthermore, Rule 1.1 (x) stated that the Annual Meeting would agree the Scheme of Delegation. It was considered that both this Rule and 1.1 (xi) should only apply in the first year of a newly elected Council.

It was also considered that Rule 1.1 (iv) which stated that the Annual Meeting would approve the Minutes of the last meeting should be deleted.

CTG22 **DEVELOPMENT CONTROL MEETINGS**

An issue had arisen at a recent meeting of the Development Control and Licensing Committee where a number of Councillors had asked to speak on a particular item but had been restricted to three minutes in line with the scheme for the public and parish and town council representatives.

This procedure had been adopted by the Development Control and Licensing Committee at a previous meeting. The Task Group recognised that currently no Member, except the Leader and Deputy Leader, had a right to speak at a meeting of which he or she was not a Member. Therefore, the procedure actually extended the rights of Members to attend and speak at this meeting. The Task Group recognised that there was a need for succinctness in speaking at meetings and Members had the opportunity of making their views known in advance to the Head of Planning and Building Control which were then reported to the meeting.

It was, therefore, concluded that this procedure was reasonable.

The meeting ended at 7.20 pm.