

CONSTITUTION TASK GROUP held at COUNCIL OFFICES LONDON ROAD SAFFRON WALDEN at 6.00 pm on 5 AUGUST 2004

Present:- Councillor P A Wilcock – Chairman.

Councillors C M Dean, V J T Lelliott and A R Thawley.

Officers in attendance:- M J Perry and P J Snow.

CTG6 APOLOGIES

Apologies for absence were received from Councillors E J Godwin and A R Row.

CTG7 MINUTES

The Minutes of the meeting held on 1 July 2004 were approved as a correct record and signed by the Chairman.

CTG8 FEEDBACK FROM MEMBERS' WORKSHOP

Members received detailed feedback from the Workshop held on 5 July 2004 to discuss the issues raised at the previous meeting. Separate groups had been set up at the workshop to examine the following four areas:

- Structure and delivery
- Scrutiny – how do we deliver?
- How do we develop policy?
- Member training – the role of workshops.

Consideration was given, in turn, to the conclusions arising from each of the workshop groups. On structure and delivery Councillor Wilcock said that it was important to examine each of the different models for making corporate decisions and that nothing should be ruled out at this early stage. Councillor Dean thought that there was a strong feeling against cabinet style decision-making especially amongst “backbench” Members. Councillor Wilcock stressed that there were different models in operation that enabled all Members to be involved in the decision-making process. Whatever structure was adopted it was important to ensure that no category of Member should feel excluded. Councillor Thawley agreed that the option of adopting a cabinet-style arrangement should be left on the table but with the recognition that there was no great strength of feeling for such an arrangement. There was general agreement that the important thing was to identify a structure that suited the Council’s management system and a recognition that this might involve retaining a modified committee structure.

The Chairman said that he would like to see formalised visits to selected authorities to examine each of the different types of structure in operation and that such visits should involve a mix of Members and officers. It was possible

that the Council might conclude, after examining each of the structures on offer, that no single model would suit Uttlesford. In these circumstances, it might be necessary to find a pick and mix solution. He considered that the three key areas to be taken into account were:

- that all Councillors should be involved
- find the best working solution to deliver the best possible service
- that all possibilities should be considered at this stage.

Councillor Wilcock asked about the process that would be involved if it was decided that a different model should be adopted. The Head of Corporate Governance confirmed that a full process of public consultation would have to be carried out, the outcome of which would have to be taken into account before deciding whether to make a recommendation to the Secretary of State. A referendum was required before a mayoral system could be adopted. A further route was by public petition signed by a specified percentage of the electorate in the district. The Chairman also referred to the report on an away day held by the Liberal Democrat Cabinet at Bolton Metropolitan District Council.

Consideration was then given to the comments made about the Scrutiny system. Members generally agreed that the operation of the Scrutiny system at Uttlesford had proved ineffective and unsatisfactory and that neither of the two Scrutiny committees had been able to get to grips with the question of policy development. Councillor Lelliott thought that if the Scrutiny system could be made to work more effectively a greater element of challenge would be provided for those Members involved and it would also help to sharpen up the performance of the administration.

Members looked at ways in which Scrutiny might be made to work better. It was noted that Scrutiny committees, and indeed other committees, did not have to be politically balanced if no objections were recorded. It might be possible to achieve a better balance by inviting Members to nominate themselves for Scrutiny committee membership followed by an election. There was a potential case for selecting whoever was considered to be the best person to chair the Scrutiny Committee and this did not necessarily need to be an opposition Member. The proposition was mooted that a strong opposition presence would provide better Scrutiny but not necessarily better policy development.

It was agreed that different Scrutiny systems should be examined in other authorities and that Members who had served on Scrutiny committees should be asked how they felt it had worked. The objective must be to make Scrutiny membership more interesting and worthwhile.

Councillor Wilcock drew attention to an information pack he had received from the Centre for Public Scrutiny and it was agreed to ask this organisation to provide information that could be circulated to all Members.

In looking at the feedback received on policy development, the comment was noted that Full Council was presently too “political” and tended to stifle debate. One possible solution to this might be to trim the length of Council meetings to the minimum and follow this with workshops on a variety of

subjects. It was noted that there was no minimum number of Council meetings that must be held but a number of key decisions such as setting a budget and determining the level of council tax must be taken at Full Council meetings.

There was general agreement that the amount of business dealt with by different committees was unbalanced. Some committees appeared to be overloaded with business while others often had only a few items to consider. The Head of Corporate Governance advised that it would be better to schedule more meetings than might be required and then to cancel them rather than inserting extraordinary meetings as a matter of course. This was because there was no legal provision at an extraordinary committee meeting to consider the minutes of the previous meeting.

There was a perception that some quite detailed officer reports were given little attention at committee meetings if there was a full agenda of items. This was, perhaps, one reason why the Environment and Transport Committee had been divided into two.

Councillor Lelliott pointed out that there was no suitable forum at present to discuss progress made on the Quality of Life Plan. The objectives set out in the Plan were spread across different committees and areas of responsibility and there did not appear to be one focal point to pull together the various strands contained in the document. It was quite possible that the opposition groups would feel sidelined as far as QoL was concerned as it was hard enough for Liberal Democrat Members to keep track of developments in the Plan.

Group Four had dealt with Member training and the role of workshops. There was a general recognition that Members who were well trained would perform better. Policy workshops were particularly helpful in providing a guide for possible policy development. Some workshops had been poorly attended and it might be helpful to ask Members to sign up in advance to ensure a good attendance. This type of forum was seen as particularly useful as Members and officers were able to discuss and debate openly with each other. It was also helpful to provide training for Members in areas where they might be required to act in a quasi-legal capacity.

Councillor Lelliott posed the question as to whether it was necessarily desirable that Members should become more professional in matters relating to committees on which they were serving. It was recognised that in a small authority such as Uttlesford there would be a limited number of specialist officers available in particular fields and that Members with particular expertise might have a useful role to play.

Councillor Wilcock drew attention to a programme sponsored by the IDeA, the LGA and SOLACE as well as the Cabinet Office and a number of Government Departments designed to help backbench Members become better able to participate fully in policy development.

Overall, the workshop had identified a number of useful ideas that would help to contribute to the work of this group in delivering effective democratic structures within the authority.

FUTURE WORK PROGRAMME

The Chairman said that the workshop had provided a good framework of ideas and it was now important to collect data from authorities operating different decision-making structures. He suggested that a programme of visits to such authorities should now be organised. This could be arranged for the period immediately following the Task Group's next meeting in early September.

He identified South Norfolk District Council as a nearby authority operating a Cabinet system and Watford as operating a mayoral system. He also mentioned Tynedale District Council as operating a system that involved a single committee making all policy decisions in conjunction with a number of Scrutiny and Overview committees. It was also important to look at the traditional committee system and officers were asked to identify one or more authorities in Essex, at least one of whom should be operating on the basis of area committees. In this connection, it was noted that the Leader of Kingston upon Thames London Borough Council was due to visit the Council in the near future.

Officers were asked to organise and agree visits to a cross-section of differently organised local authorities by email to enable a programme of visits to take place shortly after the next scheduled meeting in September. It should then prove possible to start piecing together the evidence gathered and to start formulating ideas for a structure that could be adopted at Uttlesford during October and at succeeding meetings.

The meeting ended at 7.00 pm.