

CONSTITUTION TASK GROUP held at the COUNCIL OFFICES LONDON ROAD SAFFRON WALDEN at 8.30 am on 20 MARCH 2007

Present:- Councillors C M Dean, S V Schneider and A R Thawley.

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

CTG78 APOLOGIES

Apologies for absence were received from Councillors E J Godwin, D J Morson and G Sell. In the absence of the Chairman, it was agreed that Councillor C M Dean be appointed Chairman for the meeting.

CTG79 MINUTES

The Minutes of the meeting held on 8 March 2007 were approved as a correct record and signed by the Chairman subject to the deletion of the words "unless one third of Members present request it" in Minute CTG77 (iii).

CTG80 CONSTITUTIONAL REVIEW

At the last meeting, the Task Group had given consideration to the following issues:-

- the proposal for a Housing Board;
- the necessary changes to the scheme of delegation consequent upon the Council restructure;
- Member concern regarding the length of meetings, the frequency with which certain items "bounce" between committees and/or the Council for decision; and
- the slow progress which had been made in allowing the area panels to make more decisions affecting their own areas.

The Task Group had also considered the role of Member workshops and the contribution they made to Member development and the work of the Council.

(i) Housing Board

It was considered that it was necessary that there should be an increased opportunity for Member oversight of the strategic issues affecting the development of the Council's housing stock. However, it was also noted that there were a number of restrictions on the way that should be carried out.

- The setting of rents and the budget for the Housing Revenue Account were matters reserved by law to full Council. The Task Group took the view that there was no advantage to those

issues being considered by the Housing Board, then by Community Committee and finally by Council.

- It was important that day to day management of the housing service be the responsibility of the Head of Housing Management and their officers. However, it was recognised that more needed to be done to ensure that local members were made aware of developments in relation to the housing stock within their own wards.
- It was recognised that there were statutory restrictions on the role of councillors in, for example, housing allocations but that these restrictions should not have the effect of inhibiting the ability of councillors to develop and agree policy in relation to these aspects of the management of the housing stock.

The Task Group therefore considered that a Housing Board should be established as a working group with the following remit:-

- Development of the Council's Housing Strategy (including stock and asset development, homelessness, allocations policy).
- Liaison with Tenants Forum.
- Co-ordination of development policy with housing policy.

The Lead Officer for the Housing Board would be the Head of Housing Management. The Housing Board would report and make recommendations directly to any of the Council's main policy committees according to the nature of the issue being dealt with.

In addition, it was considered that there should be provision in the Member/officer protocol which would require officers to inform the local Member or Members of any non routine decision in relation to the management of the housing stock within their ward.

(ii) **Workshops**

As mentioned at the previous meeting, it was clear from the low attendance at recent workshops that they were not serving the needs of either Members or officers. As an experiment, it was proposed to do away with the practice of regular evening workshops. The monthly "slots" for such events would be replaced with the concept of Member briefing days. These days would take place on three Saturdays a year (in June/July, October and February). The matter could be reconsidered once the success or otherwise of the first such event was apparent.

(iii) **Length of Meetings**

The Task Group considered the following ideas to ensure that the length of meetings was reduced:-

- That the practice – instituted in recent meetings – of a ‘Lead Officer’s report’ should continue. This report should update Members in writing on the progress of items and issues previously discussed – thereby avoiding lengthy discussions and/or questions under the broad heading of ‘Matters Arising’. The report would also provide an opportunity to incorporate a brief update on items of interest to Members in respect of service delivery or the like which perhaps of themselves did not warrant a full report to the committee. This report should be taken as first substantive item on the agenda.
- Items for information will be clustered at the end of the agenda, and would not normally be discussed unless there was a clear need or desire on the part of a significant proportion of Members to do so.
- Members will be encouraged to notify declarations of interest in advance – as we do with apologies for absence – with an electronic form provided for this purpose. The chair and/or clerk of the meeting could then advise the committee/council of any declarations at the start of the meeting.
- Provisional timings for each agenda item will be agreed in advance with the chair of the committee and published as part of the agenda papers. This will give an indication of which items appear to require substantial discussion and which might be dealt with more quickly. It will also give members of the public, etc a better indication of when a particular item might arise. These times would be indicative only.

The Task Group also considered a model standing order that was used by Harlow Council which placed a time limit on the normal length of meetings and the suggested wording would be recommended to Council.

(iv) **“Bouncing” Agenda Items**

The Task Group was aware that a number of Members had expressed frustration at the extent to which certain issues had proved difficult to resolve since they needed to be considered by more than one committee. The Task Group looked at the intervals between meetings which could help resolve this. It was also felt that where it was reasonably possible to anticipate that an issue which arises at one area panel might be of interest to one or both of the others then the lead officer and panel chairs should ensure that it is on all agendas. A similar situation could arise within the context of the Community and Environment Committees.

(v) **Area Panels**

The Task Group discussed the slow way in which the decision making ability of area panels had developed. It was clear that the original intention of the Council to enable local decisions to be made locally had not been fully realised. The Task Group considered that the general role of area panels and their ability to make decisions should be made clearer. It was therefore

suggested that a “general power” be defined for area panels which would enable them to take decisions which were within council policy and budget, were not specifically reserved to another body of the Council, did not impact on areas outside the boundary of the relevant area and did not relate to any matters delegated to the Development Control or Licensing Committees.

Members then examined the proposed amendments to the scheme of delegation and articles of the constitution and officers would investigate the following issues further:-

- Reference to the involvement of the Chairman of Development Control in objections to the Traffic Commissioners.
- The addition of “economic development” to the delegation arrangements for the Director of Development and whether “mapping” should also be added.
- Reference only to post names and not named officers in the delegation scheme.

The following recommendations would now be made to the Council meeting on 17 April 2007 and the Chief Executive would circulate revised copies of the paperwork to all Members of the Task Group and he asked Members to discuss this with their Groups. The meeting scheduled for 29 March 2007 would be cancelled unless there was urgent business which needed to be transacted.

- That the amendments to the scheme of delegation, etc set out in Appendices 1, 1A and 1B be moved, such that they are available for determination at the Annual Council meeting on 22 May 2007.
- That the amendments to the articles of the constitution set out in Appendix 2 be moved, such that they are available for determination at the Annual Council meeting on 22 May 2007.
- That the proposals for the creation of a Housing Board as set out in the report be recommended to the incoming council with a view to establishing such a board at the Annual Council meeting on 22 May 2007.
- That the proposals relating to Member Briefing Days be noted, and that it be agreed that those proposals be adopted on a trial basis with a view to such a briefing day taking place before the end of July 2007.
- That the proposals relating to the management of the length of agendas and of meetings be agreed.
- That the sequence of meetings necessary to minimise unnecessary repeated discussion of issues be noted, and that it

also be noted that the proposed calendar of meetings for 2007-2008, reflects that necessary sequence.

The meeting ended at 9.45 am.