

**CONSTITUTION WORKING GROUP held at COUNCIL OFFICES
LONDON ROAD SAFFRON WALDEN at 6.00pm on 22 March 2017**

Present: Councillors V Ranger (Chairman), R Chambers, B Light and E Oliver

Officers present: D French (Chief Executive), A Bochel (Democratic Services Officer), B Ferguson (Democratic Services Officer), S Pugh (Interim Head of Legal Services) and P Snow (Democratic and Electoral Services Manager).

CWG1 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies were received from Councillor A Dean.

CWG2 MINUTES

The minutes of the meeting held on 27 September 2016 were approved and signed by the Chairman as a correct record.

CWG10 MEMBER OFFICER PROTOCOL

The Interim Head of Legal Services introduced the revised Member Officer Protocol, which set ground rules for the relationship between members and officers. He said that it was pitched as a partnership document between officers and members. The intention was to increase their effectiveness at working together, ensure that issues and events in the District of Uttlesford were communicated to the members in the relevant wards, and clarify queries regarding preferred forms of communication between officers and members.

Members said they preferred the stronger emphasis the draft proposals had on partnership between members and officers, and liked how clearly information was presented in tables.

Councillor Light questioned whether officers should expect 'political leadership and direction', instead of 'leadership and policy direction'.

The Chief Executive said it was important to ensure that the political leadership of members was distinct from that of managerial leadership, which is not is not the responsibility of members.

Councillor Chambers said that the wording was suitable because while members make policy based on the professional recommendation of the officers, their decisions were also informed by their political preferences.

The Interim Head of Legal Services suggested that 'political leadership and direction' could be replaced with 'democratically accountable leadership', but this language was not felt to be clear enough for the general public.

In response to Councillor Light's statement on Section 7.2, that being informed of local matters specific to a Councillor's ward was important to members, the Chief Executive acknowledged that informing members of issues and events in their ward was something that the Council needed to get better at.

In response to a question as to whether members would ever need to make Freedom of Information (FOI) requests, the Interim Head of Legal Services replied that a member had broader rights to access information than an FOI and so that should not be necessary. Members asked that he add in a paragraph to clarify this matter.

It was agreed by members that the language of the draft protocol was much clearer than the current protocol, and the Chief Executive said it still captured the essence of the old protocol.

RESOLVED to recommend the adoption of the report to Full Council on 4 April.

CWG11 **SUBSTITUTE MEMBERS**

The Interim Head of Legal Services said that the basis of the report was that if a member could not attend a committee meeting, they could choose from one of two substitutes to attend in their place. Substitute members would have all the rights of a full committee member, although unlike full committee members, they might not be paid an additional sum for attending planning meetings. The onus would be on the councillor who could not attend the meeting to find a substitute, and to inform the Democratic Services Department of the change. Once a substitute had been scheduled to attend the meeting, the full committee member could then not attend with the rights of a full committee member.

RESOLVED to recommend the adoption of the report to Full Council on 4 April.

CWG12 **PROPOSAL FOR CHANGES TO AUDIT AND PERFORMANCE COMMITTEE**

The Interim Head of Legal Services introduced the report for proposed changes to the Performance and Audit Committee. He said the Performance and Audit Committee was designated as a scrutiny committee, but did not have a scrutiny function. He also noted that there was no direct responsibility at committee level for corporate governance.

The proposed changes would give responsibility for corporate governance, as well as the work of the Constitution Working Group and Electoral Steering Group, to the Performance and Audit Committee. The Performance and Audit Committee would therefore become the Governance, Audit and Performance Committee. It would also become an ordinary committee, instead of a scrutiny committee.

Advantages of the proposals were discussed. These included the fact that constitutional changes would be proposed through a committee of the Council as opposed to an ad hoc working group, that closing two working groups would ease pressure on member representation, and that executive members of the Council could become members of the Governance, Audit and Performance Committee if its status was changed from scrutiny to ordinary.

RESOLVED to recommend the adoption of the report to Full Council on 4 April.

The meeting ended at 19:37.