

Committee: UTTLESFORD DISTRICT COUNCIL
Date: December 13, 2005
Title: IMPLEMENTATION OF THE NEW
CONSTITUTION
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510400

Agenda Item

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Item for
decision

Summary

The report records the recommendations made by various committees in respect of the implementation of the new constitution. It recommends that the council agree all of these recommendations. The report also makes certain other recommendations to bring the operation of existing groups into line with the requirements of the new constitution.

Recommendations

1. That all the recommendations of the various committees detailed in Appendix 1 be agreed;
2. That where no date has been identified for a task group (whether entitled 'task group' or working under some other designation) to be wound up, then that date should be May 31, 2006.

Background Papers

Reports and minutes to council committee and scrutiny panels, October to November 2005; Report and minutes of the council meeting, 18 October 2005

Impact

Communication/Consultation	Details of the new arrangements for the constitution of Uttlesford District Council will need to be fully communicated to all interested parties and to the public.
Community Safety	None
Equalities	All decisions will be implemented in accordance with the adopted constitution which has been assessed to ensure compliance with relevant legislation, financial regulations, guidance and codes of practice.
Finance	
Human Rights	
Legal implications	
Ward-specific impacts	Impacts on the whole council area
Workforce/Workplace	Adjustments to duties for changed committee structures, lead officer roles etc.

Situation

1. The council adopted a new constitution at its meeting of 18 October 2005.
2. The resolution of the council included the following provision:
 - each committee meeting during the next cycle should receive a report from the lead officer on the implications of the new structure for the work of the outgoing committee and any task groups within its purview and agree any action they wish to recommend to the Council at its meeting on 13 December 2005.
3. With the exception of the Scrutiny 2 panel, all committees have made recommendations to the council. These are detailed in the Appendix to this report.
4. In the event, all of the recommendations from committees are consistent with both each other and the new constitution. It is therefore recommended that the council agree all the recommendations as drafted.

Task Groups

5. The new constitution requires all task groups to be given an end date by which they are required to report or to be wound up.
6. In a number of cases, the recommendation from committees is that a task group should continue 'until its work is completed' or similar. This is clearly intended to allow the work to continue to its conclusion without placing an arbitrary deadline on that work.
7. In order to respect these intentions it is recommended that:
 - The winding up date for any task group which does not have a designated date shall be May 31, 2006.
 - That the annual meeting of the council which takes place in May 2006 should review the continued existence of each such group.
 - That each such task group be required to identify a suitable date for the conclusion of its work to its parent committee (or to the council if the parent committee is unclear) by the time of the final committee meeting before the May 2006 annual meeting, and that the annual meeting should be informed of the views of the respective committees.
8. Not all groups which are 'task groups' in constitutional terms, are designated as a 'Task Group' in their official title. For the avoidance of doubt, any ad hoc group which is appointed by a committee or the council is a task group unless its existence is specifically provided for in the council's constitution.

Risk Analysis

9. The following have been assessed as the potential risks associated with this issue.

Risk	Likelihood	Impact	Mitigating actions
That the constitution is not effectively implemented	Low	High: lack of clarity on lines of accountability or responsibilities would undermine the council's governance and its ability to progress its agenda.	Each committee has had the opportunity to consider the impact of the new constitution on its area of work. Officers have also considered the same issues. Both members and officers have identified changes to arrangements necessary to support the new constitution.
That task groups proliferate indefinitely and cause 'congestion' in council business	Medium	High: a proliferation of groups with overlapping or obsolescent terms of reference will consume officer and member time in bureaucracy rather than service delivery	The requirement for clear winding up dates will obviate this possibility.

Appendix 1: Recommendations from Committees

In accordance with the resolution of council on 18 October, each of the council's policy and scrutiny committees considered recommendations they wished to make to the council in respect of implementing the new constitution. The recommendations of each of the committees are listed below.

Community and Leisure Committee

1. That the Museum Resource Centre Task Group and the Bridge End Gardens Task Group continues to meet until conclusion of their tasks and make recommendations to the Community Committee.
2. That, the Museum Management Task Group and the Community Achievement Awards Panel are redefined as Work Groups and report to Community Committee.
3. That any presentation takes place prior to the meetings of the Community Committee allowing meetings to commence at 7.30 p.m.
4. That the Community Committee advises Officers to notify Members of issues 'for noting' in the Members Bulletin.

Environment Committee

1. Any presentation took place prior to the meetings of the Environment Committee allowing meetings to commence at 7.30pm.
2. The Environment Committee advised Officers to notify Members of Issues 'for noting' in the Members Bulletin.
3. Officers prepared a regular schedule of items for decision in the Members Bulletin or equivalent and that Members could selectively call in those for decision by the Committee.
4. Consideration was to be given to the delegation of the making of traffic orders to the appropriate area forums.

Health and Housing Committee

- 1 the Housing Strategy Working Group continues to meet on an occasional basis to consider, in detail, specific issues and make recommendations to the Community Committee. The future need for this Working Group to be reviewed by the Council at its annual meeting in 2006.
- 2 the newly appointed Homelessness Task Group continues to meet to consider the specific issues relating to homelessness provision in the District until it makes a final report/recommendation to the Community Committee. The future life of the Task Group to be reviewed by the Community Committee after the annual Council meeting in 2006.
- 3 the Tenant Forum be invited to send two representatives (one being the Chair) to attend the Community Committee in a non-voting capacity.

- 4 the annual rents setting meeting for 2006/07 be dealt with during a normal meeting of the Community Committee.
- 5 any presentation takes place prior to the meetings of the Community Committee allowing meetings to commence at 7.30 pm.
- 6 the Community Committee advises Officers to notify Members of issues 'for noting' in the Members Bulletin.
- 7 the area panels consider the most appropriate way of involving Tenant Forum representatives at their meetings.

Resources Committee

1. The Asset review Task continued to meet with a view to a report being brought to the first meeting of the newly constituted Operations Committee in February 2006.
2. That the information Technology Working Group, Corporate Support Working Group, Corporate Procurement Group, Risk, Management Work Group and Local Service Agreement Working Party continued to meet and report issues to the Operations Committee as appropriate with a review of their roles and functions being taken to the Committee in March 2006.
3. Presentations to the Operations Committee would normally take place prior to the official starting time of 7.30pm.
4. The Members Bulletin be used where appropriate for issues that would otherwise only require noting by the Operations Committee.

Transport and Highways

1. Any presentation would take place prior to the meetings of the Environment Committee allowing meetings to commence at 7.30pm.
2. That the Executive Manager Development Services bring a draft scheme of delegation to the first meeting of the new Environment Committee.
3. Traffic Regulation Orders be delegated to the appropriate area forums.
4. The Decriminalisation Task Group continued to meet until conclusion of their tasks had been made and recommendations were to be made to the new Environment Committee.

Scrutiny 1

- 1 Scrutiny investigations into Climate Change and Fees and Charges transfer to the Review and Petitions Committee.
- 2 That the newly created Review and Petitions Committee allocate Members to the investigations where committee membership changes have occurred.
- 3 The Review and Petitions Committee consider new ways of working to reinforce and support the scrutiny function.