

Item 9 – Executive Arrangements Recommendation from Constitution Working Group

CONSTITUTION WORKING GROUP held at COUNCIL OFFICES LONDON ROAD SAFFRON WALDEN at 4pm on 14 JUNE 2010

Present: Councillor A J Ketteridge – Chairman
Councillors R H Chamberlain, J E Menell, D J Morson and
H R Rolfe.

Officers present: J Mitchell (Chief Executive), M Perry (Assistant Chief
Executive), and P Snow (Committee and Electoral Services
Manager).

CWG1 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillors C Dean, E J Godwin
and S V Schneider.

CWG2 MINUTES

The Minutes of the meeting held on 23 March 2010 were approved and
signed by the Chairman as a correct record.

CWG3 REPORT ON CONSULTATION RETURNS

The Chief Executive reported on the outcome of the consultation exercise
undertaken between the beginning of March and the end of May to ascertain
the views of the public, parish councils and other partner organisations
regarding the merits of changing the Council's constitutional arrangements to
adopt an executive format.

The report before Members included copies of all of the responses received
and a summary indicating the views expressed. A total of 49 responses had
been received, 23 from partnership organisations and 26 from individuals.
There was no support for an elected mayor. The cabinet option had the
support of 11 respondents while 30 preferred the retention of the committee
system. Some respondents had requested further information.

The Chief Executive summarised the outcome of visits made to Braintree and
Chelmsford councils to speak to cabinet and opposition members. Both
councils had adapted executive arrangements to suit their local circumstances
and both had checks and balances in place to ensure effective and
transparent decision making. He felt there was a danger of Uttlesford being
left behind as a small and diminishing number of councils still retained a
committee system. The cabinet model effectively transferred more power to
elected members by granting accountability for agreed areas of decision
making to the leader and to portfolio holders.

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Members of the Working Group spoke in turn giving their impression of the visits to Braintree and Chelmsford and their own perspective of the merits of the respective methods of operation. Officers also passed on the views of Councillor Godwin who felt that opinion was moving away from a cabinet system but was concerned to ensure that the decision making process should be speeded up.

Councillor Morson confirmed that he remained opposed to the introduction of an executive system and explained why he had taken this view. He thought that a cabinet model was not sufficiently inclusive as it would lessen the influence of elected members. Although the adoption of an executive system would lead to decisions being taken more quickly, he did not want to sacrifice the ethos of Uttlesford where every member was able to play a part in taking decisions. He said that he wanted the Council to debate the merits of the different systems and he would accept the majority view.

Councillor Menell was still unsure about whether she would support a proposal to change. On the Chelmsford visit, she had expected more of a debate about the merits of adopting a cabinet system and wondered why the Government had now decided to let councils change back to a committee model.

The Leader said that this was part of the new Government's agenda to remove central controls and was not necessarily an argument against executive decision making.

Councillor Chamberlain asked about the timetable for consideration of the various options and asked when Members would be given the opportunity to reject any proposal for change. He said he was concerned about the role of backbench members under an executive arrangement and felt that genuine debate could be lost.

The Committee and Electoral Services Manager circulated a previously agreed timetable leading to the implementation of a new structure. It was explained that the June Council meeting would be invited to make a decision in principle so that detailed options could be prepared for discussion. The Working Group would then consider these and recommend a revised decision making structure and constitution to Council on 30 September. If approved, the proposals would be advertised and then finally considered at the Council meeting on 14 December. At that stage, the Council to be elected in May 2011 would be committed to whatever was decided.

Councillor Rolfe said he wanted to confront the reality of the existing committee arrangements where the level of commitment and involvement of members varied greatly. He wondered whether a cabinet system would be any different in the sense that decisions were effectively taken by a relatively small group of members.

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For this reason he would like to hear the views of a selection of backbench councillors at relevant authorities before he felt he was able to make a clear judgement. Councillors Chamberlain and Menell supported this view.

The Leader and Chief Executive agreed that both Braintree and Chelmsford had tried hard in their different ways to involve all members of the council. At Chelmsford decision making was more collective whereas Braintree had adopted more delegation to portfolio holders. However, Braintree had retained area committees and Chelmsford had a group reporting to full council on the local development framework.

Further discussion ensued and, although Members could not agree on a preferred model of decision making for Uttlesford, they did agree that the Council should have the opportunity to debate the various options on the table. The over-riding consideration should be to adopt a method of making decisions that suited the culture of the district and operated to professional standards.

The Chief Executive confirmed that workshops would be arranged during the summer if the Council decided to explore different options. Further meetings of this group would be held to draw up detailed proposals for consideration.

RESOLVED to recommend to Full Council that an appropriate model of decision making be explored through this Working Group and a series of workshops to be arranged by the Chief Executive, with a view to the matter being fully debated at the Council meeting on 30 September.

It was agreed not to proceed with the planned Working Group meeting on 1 July but to go ahead with the meeting on 12 July. Other meetings and workshops would be arranged and notified to Members in due course.

The meeting ended at 5.05pm