

CONSTITUTION WORKING GROUP held at COUNCIL OFFICES LONDON ROAD SAFFRON WALDEN at 4pm on 12 JULY 2010

Present: Councillor A J Ketteridge – Chairman
Councillors R H Chamberlain, C M Dean, 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).

CWG4 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

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

CWG5 MINUTES

The Minutes of the meeting held on 14 June 2010 were approved and signed by the Chairman as a correct record.

CWG6 REVISED TIMETABLE FOR CONSIDERATION OF EXECUTIVE ARRANGEMENTS AND PROGRAMME OF WORKSHOPS

The Committee and Electoral Services Manager presented a timetable of suggested Member workshops and meetings of this Working Group and of the Council, leading to a possible decision to proceed with arrangements to adopt an executive cabinet model of decision making. He said that the original timetable set out a three stage process first to agree to draw up proposals for change, then to agree a scheme for publication, and finally to pass a resolution to operate alternative arrangements from May 2011. The timetable had now been revised as the Council on 29 June agreed to press ahead with a process of considering options for change but had not yet reached the first stage of drawing up proposals.

The Council had decided to hold a series of workshops during the summer and the suggested dates for those were 22 July and one or more of 13/14/15 September. A further meeting of this Working Group would then be needed between the final workshop and the end of September to decide on a recommendation about whether to proceed with preparing a scheme for publication. That decision could be taken at the 30 September Council meeting and a further extraordinary Council meeting would be needed (suggested date 19 October) to adopt the proposed scheme for publication.

Members discussed the suggested timetable as well as the likely content and purpose of the workshops. It was agreed that detailed feedback was needed on the information gleaned during the visits to Braintree and Chelmsford. It was also agreed that all Members should be given the opportunity to question and debate in detail the implications of any change for the Council generally and for the role performed by individual Members.

The proposed timetable was agreed in principle by the Working Group and the Chief Executive would send a message to all Members stressing the importance of the workshops and urging as full an attendance as possible.

CWG7

FUNCTIONS TO BE PERFORMED BY THE EXECUTIVE AND COUNCIL UNDER A LEADER AND CABINET SYSTEM

The Assistant Chief Executive had prepared a paper for consideration setting out those functions which:

- May not be the responsibility of the executive;
- May be performed by the executive, or by the council, or a committee;
- May not be the sole responsibility of the executive; and
- All other functions which must be performed by the executive.

Councillor Rolfe said that he found the tables of functions confusing and thought it would be clearer to set out where and how particular areas of policy would be decided. He wanted a more nuts and bolts approach to how decisions would be made. Councillor C Dean suggested that one way of clarifying the impact on the Council would be to review decisions taken by policy committees during the previous committee cycle and explaining how those matters would have been decided under a leader and cabinet system.

The Leader summed up the view of the Working Group and Members generally that the Council had effectively discounted the adoption of an elected mayor and executive model. In any case, the Government appeared to have decided that elected mayors should operate only in the largest city areas and seemed likely to withdraw that model as a potential option. He said that EELGA was in the process of establishing a series of portfolio networks in specified policy areas. No mention had been made of the position of fourth option councils.

Members agreed that it was important in the context of the planned workshops to establish the fears and concerns of individual Members and then try to find ways of addressing those matters, before any final decision could be made.

The Chief Executive clarified that it was not presently the intention of officers to prepare or suggest a model for consideration. This could be done only when Members were in a position to set a clear path that would enable a scheme to be drafted. He also mentioned a letter received from Grant Shapps MP, the Minister for Housing and Local Government, stressing the necessity for councils to be mindful of incurring minimal cost in undertaking consultations on adopting new governance arrangements. This did not apply directly to the process being undertaken at Uttlesford.

In conclusion, the Working Group agreed on the need to hold fully inclusive workshops around the question of suitable governance arrangements for Uttlesford, to seek to address any concerns raised at those workshops, and to encourage as many Members as possible to attend.