

**EPPING FOREST DISTRICT COUNCIL
NOTES OF A MEETING OF CONSTITUTION WORKING GROUP
HELD ON MONDAY, 30 NOVEMBER 2015
IN COMMITTEE ROOM 1, CIVIC OFFICES, HIGH STREET, EPPING
AT 7.00 - 9.12 PM**

Members Present: M McEwen (Chairman), D Dorrell, J Philip, C P Pond, C C Pond, D Stallan, G Waller, S Watson and J H Whitehouse

Other members present:

Apologies for Absence: M Sartin and A Mitchell

Officers Present S G Hill (Assistant Director (Governance & Performance Management)), S Tautz (Democratic Services Manager) and M Jenkins (Democratic Services Officer)

18. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

It was noted that there were no substitutions made for the meeting.

19. DECLARATIONS OF INTEREST

Pursuant to the Member's Code of Conduct, Councillor C C Pond declared a non pecuniary interest in the following item of the agenda by virtue of being Chairman of the Joint Parish Standards Committee. He advised that he would remain in the meeting for the consideration of the item:

- Item 7 Revisions to the Code of Member Conduct

20. NOTES OF THE LAST WORKING GROUP MEETING

RESOLVED:

That the notes of the last meeting of the Working Group held on 22 September 2015 be agreed.

21. TERMS OF REFERENCE AND WORK PROGRAMME

(a) Terms of Reference

The Working Group noted its Terms of Reference.

(b) Work Programme

Although not specifically attached to the Working Group Work Programme, a "Master Map" was attached to guide members on the progress being made in regard to the Constitution review.

(i) Members Code of Conduct

The Standards Committee had referred its comments to this Working Group, any further suggested changes would need to be referred back to the Committee.

(ii) Member's Allowances Scheme

The Remuneration Panel had met recently, its Chairman would make a report to Council on 15 December.

(iii) Item 11 CSO Revisions

The Director of Communities was aiming to bring a revised schedule to the Working Group in January 2016.

(iv) Local Charter for Parish Councils

The Assistant Director (Governance and Performance Management) advised that this should be removed from the Constitution and referred to the Local Council's Liaison Committee for consideration. He said that he had been approached by the Town Clerk of Loughton Town Council who had requested that the Epping Forest Association of Local Councils undertake a draft of the charter before submitting to that committee.

22. DECISION MAKING AND DELEGATION MATTERS

The Working Group received Article (14) Decision Making and the Scheme of Delegation from the Assistant Director (Governance and Performance Management).

Members made progress through these documents making amendments.

RECOMMENDED:

That the revised Article (14) Decision Making and the Scheme of Delegation be recommended to Council for approval.

23. REVISIONS TO THE CODE OF MEMBER CONDUCT

The Working Group received the original Standards Committee report concerning Revisions to the Code of Member Conduct from the Assistant Director (Governance and Performance Management).

It was advised that this revised Code needed approval at Council as soon as possible, therefore it was suggested by officers that amendments made at this meeting could be discussed informally with the Chairman of the Standards Committee for approval without the need to wait for the next committee meeting. However although officers would attempt this there was no guarantee of approval.

In addition Members requested that Paragraph 11.2 Public Perception, "pre-determined" should replace "prejudice."

RESOLVED:

That the revisions to the Code of Member Conduct be re-submitted to the Standards Committee at the earliest opportunity for approval.

24. CONSTITUTION REVIEW - ARTICLE 13 (OFFICERS)

The Working Group received a report from the Democratic Services Manager regarding Article 13 (Officers) of the Constitution.

Members made progress through these documents making amendments. However in regard to Appendix 3 Paragraph 4 Briefing of Political Groups it was advised by members that this item had been discussed two years ago at the former Constitution and Member Services Scrutiny Panel. It was felt therefore that no further work was needed as the same recommendations on this particular issue had been approved by Council. The Democratic Services Manager reported that it was interested in incorporating these conventions within a new Article (Access to Information) of the Constitution.

RECOMMENDED:

That revisions to Article 13 (Officers) be considered further at the next meeting of the Working Group.

25. OTHER MATTERS: DRAFT SUMMARY AND GLOSSARY

The Working Group received the re-drafted Summary and Glossary from the Assistant Director (Performance Management).

Members supported the re-drafted documents for onward process to Council.

RECOMMENDED:

That the Summary and Glossary be recommended to the Council for adoption.

26. PROPOSALS FOR EXTERNAL REVIEW OF THE NEW CONSTITUTION

The Working Group was advised by the Assistant Director (Performance Management) that it was intended to seek an external legal opinion on the new draft Constitution.

Members considered and supported a draft instruction to the District Council's counsel for opinion. It was intended that immediately following the scheduled Working Group meeting in January 2016 the complete draft should be sent for legal review.

RESOLVED:

That the draft instruction to the District Council's counsel in respect of the draft Constitution be approved.

27. FUTURE MEETINGS

The next scheduled meeting of the Working Group was scheduled for Tuesday 26 January 2016 at 7.00p.m. in Committee Room 1.