

# ***Report to the Constitution Working Group***



**Epping Forest  
District Council**

***Date of meeting: 30 June 2015***

Subject: Constitution Review –  
Position Statement and Programme.

Officer Contact for further Information: Simon Hill (01992 56 4249)

Democratic Services Officer: Mark Jenkins (01992 56 4607)

---

## **Recommendations:**

- (1) To receive a progress report on the current review of the constitution;**
- (2) To agree a work programme for reviewing the various elements yet to be considered with a view to completion by March 2016;**
- (3) To discuss further areas that members may wish to review individually;**

## **Report:**

1. (Assistant Director Governance and Performance Management) The recent Scrutiny Review has resulted in the formation of this Working Group. Its Terms of reference were approved by Council in April 2015 and are as follows:
  - (1) To complete a review of the Council's Constitution by 31 March 2016 and to recommend new arrangements accordingly;thereafter:
  - (2) To review any aspect of the authority's constitutional arrangements as requested by the Council;
  - (3) To undertake general reviews of specific elements of the Constitution in order to ensure that the authority's constitutional arrangements complement current legislative requirements and decisions made by the Council; and
  - (4) To consider any proposals of the Director of Governance for necessary revision to any element of the Constitution.
2. The Working Group reports directly to the Council in connection with its Terms of Reference and the achievement of its work programme. The previous requirement to report through Overview and Scrutiny no longer exists.
3. Officers have looked at the scheduled dates of meetings during 2015-16 and have drafted a work programme that seeks to sketch out a proposal that allows for consideration of the remaining elements including the need for external review, consultation and approval by Council.

4. As a reminder work to undertake the review falls into the following categories:
- (i) Areas where no review is necessary (where reviews have been recently undertaken or where members decide no further work is necessary);
  - (ii) Areas that require a simple review of the wording;
  - (iii) Areas that require rationalisation of either wording or where they sit within the document;
  - (iv) Areas where change is required or desired;
  - (v) Areas where there has been request to review individually; and
  - (vi) Areas that could otherwise be published.

#### **Progress during 2014/15**

5. The Constitution and Members Services Panel have made some significant inroads into the programme. The following have already been looked at during the last year:
- (i) Articles of the Constitution – Officers are currently rewriting these to reflect discussions and one has been agreed by Council, namely Article 10 relating to Development Control including the speaking and arrangements at planning committees.
  - (ii) Council procedure rules – work has been undertaken here to reflect the views of the Panel. A further short review will be needed to finalise the rules once these have been teased out of other sections of the constitution.
  - (iii) Use of the Chairman's Casting vote – This has led to changes in the articles and the rules sections
  - (iv) Minority references – this has led to clarifications as to the timing of the use of such a procedure.
  - (v) The Terms of Reference of the JCC – these have been agreed by Council.
  - (vi) Review of the operation of the Complaints Panel – This has been deleted from the Constitution following review.
6. The draft work programme is attached for comments.