



## **Committee Agenda**

### **CONSTITUTION WORKING GROUP**

**Thursday, 30th June, 2022**

You are invited to attend the next meeting of **Constitution Working Group**, which will be held as a:

**Virtual Meeting on Zoom**  
on **Thursday, 30th June, 2022**  
at **7.00 pm**.

**Georgina Blakemore**  
Chief Executive

**Democratic Services  
Officer:**

V. Messenger Tel: (01992) 564243  
Email: [democraticservices@eppingforestdc.gov.uk](mailto:democraticservices@eppingforestdc.gov.uk)

#### **Members:**

Councillors P Bhanot (Chairman), R Bassett (Vice-Chairman), S Heap, H Kauffman, J McIvor, J Philip, C C Pond, R Pugsley, S Rackham, M Sartin and J H Whitehouse

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#### **1. APOLOGIES FOR ABSENCE**

To be announced at the meeting.

To report non-attendance before the meeting, please use the Members Portal webpage <https://eppingforestdc-self.achieveservice.com/service/Member>Contact> to ensure your query is properly logged.

Alternatively, you can access the Members portal from the front page of the Council's website, at the bottom under 'Contact Us'  
<https://www.eppingforestdc.gov.uk/your-council/members-portal/>

#### **2. SUBSTITUTE MEMBERS**

To report the appointment of any substitute members for the meeting.

#### **3. NOTES OF PREVIOUS MEETING (Pages 3 - 6)**

To agree the notes of the meeting of the Working Group held on 21 April 2022.

#### **4. TERMS OF REFERENCE & WORK PROGRAMME (Pages 7 - 10)**

- (1) To review the terms of reference and progress with the achievement of the current work programme for the Working Group; and
- (2) Members of the Working Group will be asked for their views on additional work programme items for this municipal year.

**5. CONSTITUTION - REVISIONS & AMENDMENTS (Pages 11 - 12)**

To note the attached report on recent Constitution updates.

**6. DATE OF NEXT MEETING**

To note that the next meeting of the Working Group will be held on 1 November 2022 at 19.00.

## EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

<b>Committee:</b>	Constitution Working Group	<b>Date:</b>	Thursday, 21 April 2022
<b>Place:</b>	Virtual Meeting on Zoom	<b>Time:</b>	7.00 - 7.20 pm
<b>Members Present:</b>	Councillors S Rackham (Chairman), D Dorrell, S Heap, S Jones, H Kauffman, J Philip, C C Pond and J H Whitehouse		
<b>Apologies:</b>	M Sartin, J Mclvor and J Share-Bernia		
<b>Officers Present:</b>	N Boateng (Service Manager (Legal) & Monitoring Officer), N Richardson (Service Director (Planning Services)), G Woodhall (Team Manager - Democratic & Electoral Services) and V Messenger (Democratic Services Officer)		

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### 26. Substitute Members

It was noted that there were no substitute members for this meeting.

### 27. Notes of Previous Meeting

#### RESOLVED:

That the notes of the meeting of the Working Group held on 3 February 2022 be agreed as a correct record.

### 28. Terms of Reference & Work Programme

#### (a) Terms of Reference

The Working Group noted the Terms of Reference.

#### (b) Work Programme

N Boateng (Service Manager (Legal) & Monitoring Officer) advised the Working Group that the Council had been looking into adopting DocuSign to facilitate the signing of documents electronically and using an electronic seal. The move to doing this on a digital platform would necessitate updates to the Constitution. The Service Manager would report the suggested amendments to the Constitution at the next meeting on 30 June 2022.

The Working Group agreed that DocuSign was an industry standard and legally recognised, and this item was added to the work programme for 2022/23.

### 29. Constitution - Revisions & Amendments

The Working Group noted that its recommendations to Article 4, The Full Council Terms of Reference, sub-paragraph 1(c), were approved by Council on 5 April 2022 with the addition of the Anti-Fraud and Corruption Strategy, and would be included in the next Constitution Update of 22 April 2022.

**30. Joint Meeting of Development Management Chairmen and Vice-Chairmen - Composition and Function (Note no 24 - 3 Feb 2022)**

Since the Joint Meeting of Development Management Chairmen and Vice-Chairmen had no formal Terms of Reference, a draft version was considered for inclusion in the Constitution in Article 10 (District Development Management Committee and Area Plans Sub-Committees).

After discussion, the Working Group agreed to remove the following wording from the first paragraph, *'as well as considering the process of the development management system more generally, and to make recommendations to Council for any changes when necessary'*, because scrutiny of the 'process' should go to Stronger Council Select Committee. The Working Group was also required to report its recommendations to Full Council.

**RESOLVED:**

That incorporation of the draft Terms of Reference below in Article 10 of the Constitution be recommended for approval by Annual Council on 26 May 2022.

**Joint Meeting of Development Management Chairmen and Vice-Chairmen****Terms of Reference:**

- (1) To consider matters relating to the conduct and good governance of planning meetings.
- (2) To consider any current and future requirements for member training necessary to support the effective operation of the Council's development management function and responsibilities.
- (3) The Committee shall ordinarily meet twice a year.
- (4) The Committee shall comprise the Chairmen and Vice-Chairmen of each planning committee and sub-committee, the Cabinet Member responsible for Planning Policy matters, plus a Councillor nominated by the Leader of any political group not otherwise represented on the Committee, and shall have the assistance of the officer in charge of the Development Management system, or her/his nominee.
- (5) The Committee shall be chaired by the Chairman of the District Development Management Committee, and in her/his absence, by the Vice-Chairman thereof.

**31. Constitution - Review of Article 4 The Full Council Terms of Reference - Role of Council Appointees to Outside Bodies**

Councillor J H Whitehouse had asked for this item to be added to the work programme as she was of the opinion that Council appointees to outside bodies should be expected to report to Council at least once a year, so there was an accountability that members were kept informed. A former head of Democratic Services had used to provide a report on this annually to Council.

The Service Manager (Legal) and Monitoring Officer) advised that rather than making a change to the Constitution, all members had the right to ask an appointee informally for an update report.

Councillor J Philip supported the expectation for a report once a year from appointees on outside bodies, but this should be more advisory to encourage representatives to do that. Some organisations might only have one meeting a year or there might not have been much of interest to report. Also, some update reports would be included in the Portfolio Holders' reports to Council throughout the year. He was sceptical reports must be written but rather there should be the option for representatives to give verbal reports.

G Woodhall (Democratic and Electoral Services Team Manager) informed the Working Group there was a standing item on the Council agenda where members could either receive or request reports from representatives on the business of joint arrangements and external organisations.

The Working Group agreed, as detailed below.

**RESOLVED:**

- (1) That the Chairman of Council advise appointees to outside bodies there was an expectation to report at least once a year to Full Council, to keep members updated; and
- (2) That the role of Council appointees to outside bodies under Article 4 of the Constitution did not need to be altered.

**32. Date of Next Meeting**

It was noted that the next meeting of the Working Group would be held on 30 June 2022 at 19.00.

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## CONSTITUTION WORKING GROUP

### TERMS OF REFERENCE

**Title:** Constitution Working Group

**Status:** Working Group

**Terms of Reference:**

- (1) To review any aspect of the authority's constitutional arrangements as requested by the Council;
- (2) 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
- (3) To consider any proposals of the Monitoring Officer for necessary revision to any element of the Constitution.

**Reporting:**

The Working Group shall report directly to the Council in connection with its Terms of Reference and the achievement of its work programme.

**Chairman: Councillor P Bhanot**

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**Constitution Working Group  
(Chairman – Councillor P Bhanot)  
Work Programme 2022/23**

<b>Item</b>	<b>Timescale</b>	<b>Progress</b>	<b>Officer / owner</b>
(1) Constitution	Ongoing	To consider the ongoing review of the Constitution to ensure alignment with the Council's management structure.	N Boateng
(2) DocuSign	30 June 2022	Progress (verbal) report on DocuSign – to facilitate the signing of documents electronically and using an electronic seal and the updating of the Constitution.	N Boateng

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## **Report to Constitution Working Group**

**Date of meeting: 30 June 2022**



**Epping Forest  
District Council**

**Subject: Constitution Updates**

**Officer contact for further information: N Boateng (01992) 564323**

**Democratic Services Officer: V Messenger (01992) 564243**

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### **Recommendations/Decisions Required:**

- (1) That the Working Group note the Constitution Updates of 26 April 2022.**

### **Report:**

1. Following approval by Council on 5 April 2022, the latest Constitution Update of 26 April 2022 included the following amendments to:
  - Article 4 – The Full Council Terms of Reference, sub-paragraph 1(c), regarding the Adoption of the following:
    - ❖ Anti-Fraud and Corruption Strategy
    - ❖ Capital Strategy
    - ❖ Corporate Plan
    - ❖ Epping Forest Community Safety Partnership Plan
    - ❖ Local Plan and plans and strategies which comprise the Plan
    - ❖ 30-year Housing Revenue Business Plan
    - ❖ Other plans which it decides, as a matter of local choice, should be the responsibility of the Council to adopt or are otherwise required by statute.
  - Part 6 – Members' Allowances Scheme 2022/23
2. Following approval by the Monitoring Officer, the following minor amendments were also included in the same Constitution Update:
  - Part 3 Scheme of Delegation, Appendix 3, Delegation to Officers from Full Council – minor amendment to : (A) To determine, (3c): “An objection from a Local Council, material to the planning merits of the proposal is received and confirming in writing their intention to attend and speak at the meeting where the proposal will be considered. Should the relevant Local Council fail to register to speak, or attend following registration, the application be referred (without any consideration of the merits of the development proposal) to the Service Director (Planning Services) for determination in accordance with Rule P2 (2) (Planning Applications) set out in Part 4 of the Constitution”; and
  - Part 4 – Council Procedure Rules, Rule R2: “Signing of Attendance Registers by members: A record of all members present during the whole or part of a meeting will be taken by the Democratic Services Officer. If available, members should sign their names on the attendance sheets before the conclusion of every meeting to assist with the record of attendance. Members attending virtually will have their names recorded by the Democratic Services Officer”.

3. Members were advised of this Constitution Update in Bulletin issue for 17 June 2022.
4. The latest Constitution Update can be viewed on the Council's website at the link below:  
<https://rds.eppingforestdc.gov.uk/ieListDocuments.aspx?CId=638&MId=11309&Ver=4&Info=1>

**Resource Implications:**

The recommendations of this report seek to ensure that the Council's Constitution remains fit for purpose.

**Legal and Governance Implications:**

The Council's Constitution sets out procedures and rules for the operation of its functions and responsibilities.

**Safer, Cleaner, Greener Implications:**

There are no implications arising from the recommendations of this report in respect of the Council's commitment to the Climate Local Agreement, the corporate Safer, Cleaner, Greener initiative, or any crime and disorder issues within the district.

**Consultation Undertaken:**

The proposed revisions to the Officer Employment Procedure Rules have been subject to consultation with the Monitoring Officer.

**Background Papers:**

None

**Risk Management:**

The Council's Constitution sets out procedures and rules for the operation of its functions and responsibilities.

**Equality:**

There are no equality implications arising from the recommendations of this report.