

**EPPING FOREST DISTRICT COUNCIL
NOTES OF A MEETING OF CONSTITUTION AND MEMBERS SERVICES SCRUTINY
STANDING PANEL
HELD ON TUESDAY, 15 JANUARY 2008
IN COMMITTEE ROOM 1
AT 7.30 - 8.04 PM**

Members Present: R Church (Chairman), R Morgan (Vice-Chairman), K Chana, R D'Souza, Mrs R Gadsby, J Markham, Mrs M McEwen, T Richardson, H Ulkun and Mrs J H Whitehouse

Other members present: Mrs D Collins

Apologies for Absence: J Demetriou, D Jacobs, B Rolfe and D Stallan

Officers Present I Willett (Assistant to the Chief Executive), C Overend (Policy & Research Officer) and Z Folley (Democratic Services Assistant)

47. SUBSTITUTE MEMBERS (COUNCIL MINUTE 39 - 23.7.02)

Noted that Councillor Mrs R Gadsby was attending the meeting as a substitute for Councillor Mrs J Demetriou, Councillor K Chana was substituting for Councillor B Rolfe and Councillor H Ulkun was substituting for Councillor D Stallan.

48. DECLARATION OF INTERESTS

No declarations of interests were made pursuant to the Member Code of Conduct.

49. NOTES OF THE LAST MEETING - 11 DECEMBER 2007

Noted.

50. WORK PROGRAMME

The Panel considered the following points:

(5) Local Government and Public Involvement In Health Act 2007

Frequency of Elections

It was reported that the Panels report on the above would be submitted to the next OSC on 31 January 2007 who would also be considering an amended report on the need for a three weekly cycle of the Area Plans Committees.

(11) Members Training Programme

It was reported that items had been placed in the Council Bulletin seeking ideas for inclusion in next years Training Programme. The Panel were encouraged to bring forward ideas for the plan for consideration at their next meeting in February 2008.

51. LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007 - EXECUTIVE ARRANGEMENTS

The Panel considered a report on the Act relating to Executives.

The Panel were asked to:

- (1) To consider whether to recommend decisions in principle on the following aspects of the Act relating to Executives;
 - (a) Form of Executive;
 - (b) Carrying out of functions; and
 - (c) Removal of leader
- (2) To defer consideration of the required changes to the Constitution, pending further government regulations.

The Panel considered each option:

Form of Executive

(a) Elected Mayor and Cabinet or Leader and a Cabinet?

Concern was expressed about the implications of having an elected Mayor and Cabinet. Concern was expressed about the risk of this causing frequent 'conflicts of interest' during decision making.

The Panel asked about the resource implications of opting for an Elected Mayor and whether it would require a separate budget? The Panel noted the need for a further discussion on this at a later date should the option be adopted.

Having considered the issues **Agreed** that a report be made to the Council recommending that the principle of an elected Mayor and Cabinet not be taken up and the option of a Leader with a Cabinet be pursued.

(b) Leader

Agreed that the report also draw the Councils attention to the following points:

- (a) need for a delegation of executive functions to be determined by the Leader or the Mayor and drawn up in written form following the appointment of the new executive;
- (b) further reviews of delegation of executive functions to the Cabinet, Cabinet Committees, Portfolio Holders and officers.
- (c) the Council to pass a resolution to adopt the Elected Mayor model, having complied with the various requirements of the Act, including the statement under 7(e) above.

A Member stressed the need to maximise Member involvement in the decision making process. It was felt that since the introduction of the Executive Arrangements, there had been a loss of this. There was a need to look at ways of encouraging Member from all parties to become more involved in meetings and training courses.

Reference was made to Three Rivers Council where Portfolio Holders regularly attended 'Committee meetings to canvass views on decisions. A Member felt that this type of approach should be factored into any new process adopted.

ACTION:

Assistant to the Chief Executive to prepare report for submission to the Overview and Scrutiny Committee and Full Council.

52. REPORTS TO BE MADE TO THE NEXT MEETING OF THE OVERVIEW AND SCRUTINY COMMITTEE

Reports were due from the Panel on the frequency of Elections and the Area Plans Sub – Committees.

53. FUTURE MEETINGS

Noted that the next meeting of the Panel would be held on 28 April 2008 at 7.30 p.m in CR1. (Subsequently moved to 4 March 2008).