

Report to the Cabinet

Report reference: C-062-2009/10
Date of meeting: 21 December 2009



Portfolio: Community Safety & Transport

Subject: Local Highways Panel – Parish Council Representatives.

Responsible Officer: Derek Macnab (01992 564050).

Democratic Services Officer: Gary Woodhall (01992 564470).

Recommendations/Decisions Required:

That the Cabinet consider a request by the Local Council's Liaison Committee to amend the Constitution and Terms of Reference of the Local Highways Panel, to appoint four representatives from the Local Councils all with voting rights.

Executive Summary:

This report summarises the views of the Local Councils' Liaison Committee on the increasing the number of Parish Council representatives on the Local Highways Panel to four and on affording those representatives full voting rights in common with the other members appointed to that Panel.

Reasons for Proposed Decision:

To meet the request of the Local Councils' Liaison Committee that its views should be formally considered by the Cabinet.

Other Options for Action:

None.

Report:

1. At their meeting of 18 November 2009, the Local Council's Liaison Committee agreed the minutes of their previous meeting held on the 15 July 2009, subject to the following amendment:

"That the Deputy Chief Executive urge Cabinet and Full Council to review the constitution of the Local Highways Panel at its first opportunity so that there will be four representatives from the Local Councils, all with voting rights".

2. The Local Highways Panel for the Epping Forest District was established in response to Essex County Council's Localism Initiative. The Constitution and Terms of Reference of the Panel (attached at Appendix 1) were developed based on advice contained within a guidance note from the County Council. However, there is discretion for Local Panels to be constituted in a manner that is considered to best meet local circumstances.

3. At the initial meeting of the Highways Panel held on the 21 July 2009, subsequent to earlier discussion at the Local Council's Liaison meeting of 15 July 2009, County Councillor Pond raised concerns regarding the voting rights of the Parish representatives on the Panel. As currently constituted (Para 3(b) of the Constitution), the 3 Parish Council representatives are co-opted members, with no voting powers, being drawn from the three areas covered by the District Council's Area Plans Sub Committees.

4. The Chairman of the Panel (at present Councillor P. Bassett, Portfolio Holder for Performance Management) advised that Epping Forest District Council had not been alone in restricting voting rights to District Council representatives. He advised that Brentwood District Council had also taken this view. The Chairman also felt that it would take some time for the work of the Panel to "bed down" and it would be sensible to review the Constitution and Terms of Reference after its first full year of operation.

5. The Constitution and Terms of Reference of the Local Highways Panel, are ultimately a matter for decision by the Cabinet and endorsement by the Council, but nevertheless the Liaison Committee has asked that its views be formally considered. The Council is not alone in withholding voting rights to Parish representatives. He advised that Brentwood District Council had also taken this view. The Chairman also felt that it would take some time for the work of the Panel to "bed down" and it would be sensible to review the Constitution and Terms of Reference after the first full year of operation.

6. Notwithstanding this the Constitution and Terms of Reference of the Local Highways Panel, are ultimately a matter for decision by the Cabinet and endorsement by full Council. As such, the Cabinet are asked formally to consider the request of the Local Councils' Liaison Committee.

Resource Implications:

None.

Legal and Governance Implications:

Aside from the number of Parish Council representatives and the extension of voting powers to those representatives necessitating a change to the Panel's constitution and terms of reference, there are no other governance implications.

Safer, Cleaner and Greener Implications:

None.

Consultation Undertaken:

Local councils' Liaison Committee.
Chairman of the Panel.
Director of Environment & Street Scene.

Background Papers:

None.

Impact Assessments:

Risk Management

No specific risks to the functioning of the Panel have been identified.

Equality and Diversity:

Did the initial assessment of the proposals contained in this report for relevance to the Council's general equality duties, reveal any potentially adverse equality implications? No

Where equality implications were identified through the initial assessment process, has a formal Equality Impact Assessment been undertaken? No

What equality implications were identified through the Equality Impact Assessment process?

N/A.

How have the equality implications identified through the Equality Impact Assessment been addressed in this report in order to avoid discrimination against any particular group?

N/A.