

Report to the Council

Committee: Cabinet

Date: 19 January 2010

Portfolio Councillor S A Stavrou

Holder: (Community Safety and Transport Portfolio)

Item: 6

1. LOCAL HIGHWAYS PANEL – REVIEW OF CONSTITUTION

Recommendations:

(1) That the principle of Parish Council representatives on the Local Highways Panel having voting rights in future be approved; and

(2) That the Local Highways Panel be requested to review its Constitution as a matter of urgency prior to the Annual Council meeting in May 2010 by:

(a) taking account of the Council's decision on recommendation (1) above; and

(b) considering experience gained in the first year of operation of the Panel.

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1. At the Council meeting on 28 April 2009, the establishment of a Local Highways Panel under the Essex Localism Initiative to deal with traffic and related matters within the District was approved. It was agreed that officers should draw up a Constitution for the Panel based on the principles set out in the Essex County Council's Localism Manual. This Constitution was agreed in consultation with the then Portfolio Holder and the Panel has met on a number of occasions during the current year.
 2. Currently, the Constitution (set out in the Appendix to this report) provides for eleven District Councillors (appointed at each Annual meeting on pro-rotas) and three Town and Parish Council representatives, one from each of the three Area Plans Sub Areas. The Constitution requires that the Parish and Town Council representatives should not have voting powers. The latter provision has attracted criticism from Parish and Town Councils and we have now received representations on behalf of the Epping Forest Association of Local Councils seeking an amendment to the Constitution so as to accord voting rights as apply to parish representatives. These representations were put to us in person at our last meeting by the Chairman of the Association, Councillor Jason Salter.
 3. Following the discussion on this matter, we agreed that the Constitution of the Panel might benefit from a review as we are now approaching the end of the first year of its operation. The need for this review was acknowledged when the Panel was first established. This review will include amongst other things, the following matters which were raised at our meeting:
 - (a) whether the number of Parish Council representatives should be increased; and

(b) how Parish and Town Council representatives and District Councillors should be appointed to ensure that they represent the widest possible number of communities across the District.

4. We are recommending that the Panel should commence this review as a matter of urgency so that any changes can be taken into account at the Annual Council meeting in May 2010. We are also recommending that the principle of Parish Council representatives on the Panel having full voting rights in future should be approved and this would also be taken into account in amending the Panel's Constitution.
5. We are satisfied that Parish and Town Council representatives should have the same voting rights and that to make that change in respect of Parish representatives would allow the Panel to function more smoothly in the future and achieve a more effective voice in lobbying Essex County Council on highway priorities.
6. We recommend as set out at the commencement of this report.