

Report to the Constitution Working Group



**Epping Forest
District Council**

Date of meeting: 12 March 2020

Portfolio: Leader of the Council

Subject: Audit and Governance and Standards Committees – Review of Merger Proposals

Responsible Officer: Sarah Marsh (01992 564446)

Democratic Services Officer: Vivienne Messenger (01992 564265)

Recommendations/Decisions Required:

- (1) The Working Group reviews the proposals for the merger of the Audit and Governance Committee with the Standards Committee.**

Executive Summary:

In 2016 a proposal was made to merge the Audit and Governance Committee with the Standards Committee. This was not adopted by Council who instead asked the Constitution Working Group to review the proposal in two years' time.

The Constitution Working Group visited this in 2018 and agreed to defer the review as the structure of the Council's departments was changing significantly. The restructure is now completed, and the Constitution Working Group is asked to revisit the original proposals with some provisos to address concerns raised previously by the Standards Committee.

Reasons for Proposed Decision:

To revisit the option to merge the Audit and Governance Committee and the Standards Committee.

Other Options for Action:

None.

Report:

Background

- The Council, at its meeting on 18 February 2016, considered the results of a review of the desirability of combining the Audit and Governance Committee and the Standards Committee. At that meeting, the Council concluded the proposals for a merged committee not be adopted as part of the changes to the Constitution but for a review of the position to take place after two years.
- As requested by Council, the Constitution Working Group revisited the merger proposal at its 16 April 2018 meeting. The original report to the Working Group in April 2018 is

attached as appendix 1.

3. At the April 2018 meeting the Assistant Director (Governance) advised the Working Group to defer the review, as the structure of the Council's departments was changing significantly with the replacement of the old directorates. In addition, at the time there was a possibility of a change in structure of the Overview and Scrutiny Committees to reflect the new directorate structure. On this basis, the Working Group agreed to defer the review of the merger until the Council's new structure was much clearer.
4. Since then the Council has undertaken a restructure and replaced the previous four directorates with seven service areas, with Portfolio Holders aligned to each of these. In addition, the four directorate select committees have been reduced to three, aligned with the Council's three corporate objectives (Stronger Place, Stronger Communities, Stronger Council).

Next steps

5. The views of both the Audit and Governance Committee and Standards Committee should be sought to establish if there is an appetite to merge the two committees by considering the following provisos to address concerns raised in 2018:
 - A higher number of members for the new Committee. Currently there are nine Members available to consider Standards issues, which would have been reduced to three under the initial proposals.
 - Ask Council to create a specific group to deal with Standards Investigation Hearings that would meet on an ad hoc basis, i.e. as the need arises.
 - With regards to a perceived lack of involvement of Parish Councils as currently there are three representatives from the Local Councils affiliated to the District Council's Standards Committee:
 - Ask that all agendas are notified to Parish and Town clerks that are aligned to the District's Standards Committee
 - Ask that existing parish representatives be invited to attend meetings of the new committee as they consider necessary.
 - Change the Terms of Reference to include that any hearing into a Parish/Town Councillor includes an appropriate representative.

Resource Implications:

No specific implications.

Legal and Governance Implications:

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

Safer, Cleaner and Greener Implications:

No specific implications.

Consultation Undertaken:

The Council's Monitoring Officer

Background Papers:

Minutes of 18 February 2016 Council meeting

Minutes of the 16 April 2018 Constitution Working Group

Risk Management

Adherence to Council's Constitution reduces the risk of challenge when making constitutional changes.

Equality Analysis:

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