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Minutes of the meeting of the **Structural & Procedural Review Sub-Committee** held on **10 April 2001** when there were present:

Cllr R Adams  
Cllr T G Cutmore  
Cllr D R Helson

Cllr P F A Webster  
Cllr Mrs M A Weir

## **OFFICERS PRESENT**

P Warren – Chief Executive  
J Honey – Corporate Director (Law, Planning & Administration)  
A Smith – Head of Administrative and Member Services

## **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllrs Mrs J Helson, G A Mockford and C R Morgan.

## **74 APPOINTMENT OF CHAIRMAN**

In the absence of Cllr C R Morgan, it was **RESOLVED** to appoint Cllr Mrs M A Weir as Chairman for the remainder of the meeting.

**Cllr Mrs M A Weir in the Chair**

## **75 MINUTES**

The Minutes of the Meeting held on 24 January 2001 were approved as a correct record and signed by the Chairman.

## **76 MODERNISING LOCAL GOVERNMENT – REVIEW OF THE DISTRICT COUNCIL'S DECISION MAKING STRUCTURE**

The Sub-Committee considered a report by the Head of Administrative and Member Services which provided an update on the Council's review of its political decision making structure. The report also included details of the results of the recent survey undertaken by ORC International on local public opinion on the options for change available to the Council.

The Chief Executive reported that since the report had been prepared, the questionnaires returned from Rochford District Matters so far showed 77% of residents supporting the streamlined committee system option. The returns from local interested organisations showed support of 63% for this option. Both of these figures compared well with the finding of 71% support in the ORC International survey.

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In response to a question about the cost of the opinion surveys, the Chief Executive indicated that he would bring a report on this to a future meeting of the Budget Monitoring Sub-Committee.

During debate, the Sub-Committee was reminded that the meeting of the Partnership Sub-Committee scheduled for 19 April was also due to consider a report on the Council's consideration of its future decision making structure. It was anticipated that Parishes would be interested in the future of the Partnership Sub-Committee under any new arrangements. The Sub-Committee therefore considered it important to assure Parishes that their views would be listened to when formulating future decision-making arrangements. There would also be an important role for Parishes to play in the consideration of the Council's community strategy.

The Sub-Committee noted that the Government had just published further guidance on implementation of the streamlined committee system and that a report on this would be brought to a future meeting. However, in recognition of the timetable for formulating a new constitution for the Council and recognising that, to date at least, local residents had indicated a majority wish to see the introduction of a streamlined committee system, it was **RECOMMENDED** that the Corporate Management Board should commence preparation of a constitution for the Council at the earliest opportunity. (CD(LPA))

## **77 A MODEL CODE OF CONDUCT FOR MEMBERS**

The Sub-Committee considered a report by the Head of Administrative and Member Services which contained a suggested response to the Government's consultation draft of a model code of conduct for Members.

During debate, the Sub-Committee felt that the following matters should also be included in the Council's response:

Question 5 – the Council supports the suggestion at clause 8(3)(A) of the Code that District Councillors should not be required to declare an interest simply by virtue of their membership of a Town or Parish Council. However, the Council would like to see practical examples of when interests should be declared included within any guidance on the Code.

Question 8 – Advice should be provided on what constitutes a non-pecuniary interest by virtue of friendship or enmity.

Questions 18 and 19 – the Code should allow for the Chairman of a Council to accept "civic gifts" on behalf of the Council and/or local residents.

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The Sub-Committee then **RECOMMENDED** that the suggested draft response to the draft Model Code of Conduct for Members (as attached to the signed copy of these Minutes) be approved subject to incorporation of the amendments outlined above.

The Sub-Committee then noted that the Head of Administrative and Member Services' report was also to be considered at the meeting of the Partnership Sub-Committee due to be held on 19 April 2001. As some of the proposals within the draft Code were likely to have a disproportionate effect on members of Town and Parish Councils, the Sub-Committee felt it important for this Council's response to include the views of the other Councils affected. Accordingly it was **RECOMMENDED** that the Council consider incorporating any major points of substance raised by Town and Parish Councils within this Authority's response to the draft Code.

In response to a request, the Chief Executive undertook to circulate summaries provided by the Local Government Association or others on the new ethical regime being introduced by the Government and specifically on the Model Code of Conduct once it was finalised. Consideration would also be given to arranging a Member training session on the subject at that time.

The Meeting closed at 8.25pm.

Chairman.....

Date.....