

Minutes of the meeting of the **Structural & Procedural Review Working Group** held on 18 July 2000 when there were present:

Cllr C R Morgan – Chairman

Cllr R Adams

Cllr T G Cutmore

Cllr G A Mockford

Cllr P F A Webster

Cllr Mrs M A Weir

### **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllrs D R Helson and Mrs J Helson

### **SUBSTITUTES**

Cllrs Mrs J M Giles and V H Leach

### **OFFICERS PRESENT**

P Warren – Chief Executive

J Honey – Corporate Director (Law, Planning and Administration)

R Crofts – Corporate Director (Finance and External Services)

A Smith – Head of Administrative and Member Services

J Bostock – Principal Committee Administrator

### **56 MINUTES**

The Minutes of the Meeting held on 20 June 2000 were approved as a correct record and signed by the Chairman.

### **57 THE MODERNISING AGENDA – CONSULTATION ON NEW POLITICAL STRUCTURES**

The Working Group received a draft editorial for Rochford District Matters explaining the options available to the Council in addressing the Modernising Agenda. The Chief Executive emphasised that the wording within the document needed to be in a style which would be easily understood by the public.

The Working Group recognised that the political groups would wish to consider the article and that it would be of value for copies to be supplied to all Members of the Council in the next Member delivery. In view of the deadline for the next edition of Rochford District Matters, it was agreed that any feedback should be provided direct to the Chief Executive by Friday 11<sup>th</sup> August 2000 at the latest.

**58     PROTOCOL FOR WORKING GROUPS**

The Working Group considered the report of the Head of Administrative & Member Services on the introduction of a protocol for the establishment and operation of Working Groups.

Members proceeded to review each section of the proposed protocol set out in the report and gave consideration to proposed amendments from the Liberal Democrat Group.

In reaching conclusions debate/voting was taken on a number of the protocol sections as follows:-

**Section 3**

A proposal that the Town Centre Working Groups should be made up of four District and four Parish Members and that District Council membership should comprise the Chairman of the Transportation & Environmental Services Committee and three Local Ward Members was lost.

Those Members who had favoured the proposal indicated that:-

- Town and Parish Councils often had financial involvement with projects.
- The role of Parish/Town Councils was distinct from bodies such as the Police, which could have a co-optive role.
- Given the increasing emphasis on consultation it is important to give the right messages to the Town/Parish Councils.

Those Members not in favour indicated that:-

- Working Groups were established by the District Council and membership should therefore comprise District Councillors.
- Working Groups could always offer co-option to other organisations as appropriate.
- Town/Parish Council are always able to establish their own Working Groups.
- Such an arrangement would vary from the decisions taken at Annual Council.

A proposal that substitutes may be appointed to Working Groups was lost. Some Members felt that a substitution arrangement would be in line with the arrangement for other types of meetings. Other Members felt that the consistency of some Member involvement was important given the nature of Working Group activity.

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**Section 9**

Members felt that provision should be included for the Chairman to have discretion to admit items of business where a meeting has been convened with less than 7 days notice.

**Section 12**

A proposal that the quorum for Working Groups should be five, together with an amendment that the five should be District Councillors was lost.

**Section 15**

In addressing a proposal that reports from Working Groups should be provided three times per year instead of once, the Chief Executive advised that it would be possible to add a reporting back from Working Groups to the standard Agenda format.

**Section 16**

An amendment that the proposed wording for Section 16 should include "However, the District Council retains the right to determine the terms of reference and membership of an established Working Group" was lost.

**RECOMMENDED** to the Council

- (1) That the proposed protocol for Working Groups, as amended and attached to these Minutes, be adopted.
- (2) That Council amend the Membership of the Electoral Review Working Group by changing the status of the Chief Executive, Corporate Director (Law, Planning and Administration) and the Head of Administrative and Member Services to "non-voting advisors" and the consequential reduction in the total size of the Working Group from 8 voting members to 5.
- (3) That Council re-affirms that Working Groups sit outside the formal Committee structure.
- (4) That, in order to avoid confusion the following bodies, which actually function as Sub-Committees, be renamed as Sub-Committees:-

Street Trading Panel  
Appointments Panel  
Contracts Panel  
Leaders Panel  
Member Budget Monitoring Working Group

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Structural and Procedural Review Working Group (HAMS)**59 PETITIONS**

The Working Group considered the report of the Head of Administrative and Member Services inviting a review of the arrangements for handling petitions received by the Council from local residents and suggesting amendments to the appropriate Standing Order (Standing Order 11).

Responding to Member questions the Head of Administrative and Member Services advised that

- Officers would continue to ensure that Ward Councillors are informed of both the receipt of a petition and the proposed course of action.

Petitioners are made aware of the relevant options and time frames in their initial communication with the Council.

- Proposals would not preclude a Committee referring a petition to Full Council if it so determined.

**RECOMMENDED** to the Council that Standing Order 11 be amended as follows in order to clarify the arrangements for handling petitions received by the Council:-

Add new clause 1 to read:-

“In the event of the Council receiving a petition where the petitioner asks that it be submitted to a meeting of the Full Council, the provisions of clauses (2), (3) and (4) below should apply. The same Clauses will apply where it is necessary for a petition to be submitted to a Committee of the Council.”

Amend the numbering of existing clauses (1), (2) and (3) to (2), (3) and (4) respectively.

At new clause (2), line one after the words “At a Meeting of the Council.....”, add “or a Meeting of the Committee”.

Add new clause (5) to read:-

“In the event of a petitioner not being able to present their petition at a meeting of the Council or at a Committee in person, the petition may be presented on their behalf by any Member of the Council. Unless a petition is formally presented at the meeting, it will not be further considered.”

Add new clause (6) to read:-

“Once a petition has been formally presented to the Council, it will be referred without debate to the appropriate Committee of the Council for consideration and, where it is within the terms of reference of that Committee, decision. In the case of a petition submitted direct to a Committee, the Committee may where the subject raised is within the terms of reference of that Committee, determine the matter at the meeting to which it is submitted with or without the benefit of a report.”

Amend the numbering of existing clauses (4) to (7) as (7) to (10) respectively. The words “Full Council” also to be deleted from the heading of the Standing Order.

**60 ARRANGEMENTS FOR DEALING WITH URGENT BUSINESS**

The Working Group considered the report of the Head of Administrative and Member Services on future arrangement for the discharge of urgent business. The Working Group supported Option 4 within the report subject to an amendment that Group Leaders be included within the consultation process.

**RECOMMENDED** to the Council

- (1) That authority be delegated to the Chief Executive and/or the Corporate Directors to take decisions in cases of urgency after consultation with the Chairman or Vice Chairman of the appropriate Committee of the Council and with Group Leaders. This provision to include the requirement for all decisions taken in this manner to be reported to the first next Meeting of the Council or the appropriate Committee.
- (2) That consequential on (1) above, the scheme of delegated powers to Committees and Sub-Committees be amended for the Leaders' Panel by the deletion of the words "To exercise the powers of the Council where urgency exists". (HAMS)

The Meeting closed at 8.31pm

Chairman

Dated