EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee:	Constitution Working Group	Date:	Thursday, 21 April 2022
Place:	Virtual Meeting on Zoom	Time:	7.00 - 7.20 pm
Members Present:	Councillors S Rackham (Chairman), D Dorrell, S Heap, S Jones, H Kauffman, J Philip, C C Pond and J H Whitehouse		
Apologies:	M Sartin, J McIvor and J Share-Bernia		
Officers Present:	N Boateng (Service Manager (Legal) & Monitoring Officer), N Richardson (Service Director (Planning Services)), G Woodhall (Team Manager - Democratic & Electoral Services) and V Messenger (Democratic Services Officer)		

26. Substitute Members

It was noted that there were no substitute members for this meeting.

27. Notes of Previous Meeting

RESOLVED:

That the notes of the meeting of the Working Group held on 3 February 2022 be agreed as a correct record.

28. Terms of Reference & Work Programme

(a) Terms of Reference

The Working Group noted the Terms of Reference.

(b) Work Programme

N Boateng (Service Manager (Legal) & Monitoring Officer) advised the Working Group that the Council had been looking into adopting DocuSign to facilitate the signing of documents electronically and using an electronic seal. The move to doing this on a digital platform would necessitate updates to the Constitution. The Service Manager would report the suggested amendments to the Constitution at the next meeting on 30 June 2022.

The Working Group agreed that DocuSign was an industry standard and legally recognised, and this item was added to the work programme for 2022/23.

29. Constitution - Revisions & Amendments

The Working Group noted that its recommendations to Article 4, The Full Council Terms of Reference, sub-paragraph 1(c), were approved by Council on 5 April 2022 with the addition of the Anti-Fraud and Corruption Strategy, and would be included in the next Constitution Update of 22 April 2022.

30. Joint Meeting of Development Management Chairmen and Vice-Chairmen - Composition and Function (Note no 24 - 3 Feb 2022)

Since the Joint Meeting of Development Management Chairmen and Vice-Chairmen had no formal Terms of Reference, a draft version was considered for inclusion in the Constitution in Article 10 (District Development Management Committee and Area Plans Sub-Committees).

After discussion, the Working Group agreed to remove the following wording from the first paragraph, 'as well as considering the process of the development management system more generally, and to make recommendations to Council for any changes when necessary', because scrutiny of the 'process' should go to Stronger Council Select Committee. The Working Group was also required to report its recommendations to Full Council.

RESOLVED:

That incorporation of the draft Terms of Reference below in Article 10 of the Constitution be recommended for approval by Annual Council on 26 May 2022.

Joint Meeting of Development Management Chairmen and Vice-Chairmen

Terms of Reference:

- (1) To consider matters relating to the conduct and good governance of planning meetings.
- (2) To consider any current and future requirements for member training necessary to support the effective operation of the Council's development management function and responsibilities.
- (3) The Committee shall ordinarily meet twice a year.
- (4) The Committee shall comprise the Chairmen and Vice-Chairmen of each planning committee and sub-committee, the Cabinet Member responsible for Planning Policy matters, plus a Councillor nominated by the Leader of any political group not otherwise represented on the Committee, and shall have the assistance of the officer in charge of the Development Management system, or her/his nominee.
- (5) The Committee shall be chaired by the Chairman of the District Development Management Committee, and in her/his absence, by the Vice-Chairman thereof.

31. Constitution - Review of Article 4 The Full Council Terms of Reference - Role of Council Appointees to Outside Bodies

Councillor J H Whitehouse had asked for this item to be added to the work programme as she was of the opinion that Council appointees to outside bodies should be expected to report to Council at least once a year, so there was an accountability that members were kept informed. A former head of Democratic Services had used to provide a report on this annually to Council. The Service Manager (Legal) and Monitoring Officer) advised that rather than making a change to the Constitution, all members had the right to ask an appointee informally for an update report.

Councillor J Philip supported the expectation for a report once a year from appointees on outside bodies, but this should be more advisory to encourage representatives to do that. Some organisations might only have one meeting a year or there might not have been much of interest to report. Also, some update reports would be included in the Portfolio Holders' reports to Council throughout the year. He was sceptical reports must be written but rather there should be the option for representatives to give verbal reports.

G Woodhall (Democratic and Electoral Services Team Manager) informed the Working Group there was a standing item on the Council agenda where members could either receive or request reports from representatives on the business of joint arrangements and external organisations.

The Working Group agreed, as detailed below.

RESOLVED:

- (1) That the Chairman of Council advise appointees to outside bodies there was an expectation to report at least once a year to Full Council, to keep members updated; and
- (2) That the role of Council appointees to outside bodies under Article 4 of the Constitution did not need to be altered.

32. Date of Next Meeting

It was noted that the next meeting of the Working Group would be held on 30 June 2022 at 19.00.