

CONSTITUTION WORKING PARTY

30 MARCH 2015

Present: Councillor K Hastrick (Chair)
Councillor I Sharpe (Vice-Chair)
Councillors S Johnson, M Mills and K Collett

Also present: Councillor P Taylor

Officers: Head of Democracy and Governance
Democratic Services Manager
Committee and Scrutiny Officer

1 APOLOGIES FOR ABSENCE

Councillor Collett replaced Councillor Saffery for this meeting.
Councillor Joynes was absent without apologies

2 DISCLOSURE OF INTEREST (IF ANY)

There were no disclosures of interest.

3 MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 29 May 2014 were submitted and signed.

4 REVIEW OF CONSTITUTION

The Head of Democracy and Governance introduced the report and stated there were three areas to discuss.

Terms of reference of Outsourced Services Scrutiny Panel (OSSP)

It had been raised at Overview and Scrutiny Committee (O&S) at their meeting on 22nd January to review the terms of reference of OSSP regarding monitoring reports of outsourced services. The Constitution Working Party was asked to give its views and the Chair of OSSP, Councillor Taylor and Chair of O&S Councillor Collett were present at the meeting.

Councillor Collett stated that as many services were outsourced it was still important to have the close scrutiny provided by OSSP. The role of O&S was to oversee scrutiny and discuss. Councillor Taylor agreed and suggested that it was formalised that the Chair of OSSP was also a member of O&S. Both committees had busy workloads.

The Chair commented that OSSP was able to concentrate on each service in depth. Councillor Sharpe agreed that the role of OSSP was to monitor the performance of the contractors against the contract whereas the O&S role was more strategic to look at policy and services e.g., was the Council commissioning the right services.

The working party discussed the importance of the Chairs of the scrutiny sub-committees i.e., Budget Panel, OSSP, Community Safety Partnership Task Group, also sitting on O&S as members of that committee. The Head of Democracy and Governance would e-mail the suggestion to the Leader of the Labour Group and the recommendation would be taken to Council.

Therefore, the Working Party AGREED to recommend to Council that Chairs of scrutiny sub-committees (Budget Panel, Outsourced Services Scrutiny Panel, Community Safety Partnership Task Group) should be drawn from the membership of the Overview and Scrutiny Committee.

Property Investment Board

There was a report to Cabinet on 9th March 2015 regarding setting up a Property Investment Board as a recommendation from the Property Review. The Board would be made up from Officers and Members with external advisers. Under the Constitution decisions can only be delegated to individual officers, Portfolio Holders or member committees, therefore, not a mixed board of members and officers. For this reason the decision maker would be the Chair who was the Portfolio Holder for that area. The issue for the Working Party to consider was the financial limit for call-in. The current limit was £50,000 for call-in and where it was a Portfolio Holder decision the limit was £10,000.

Councillor Sharpe commented that it was important to be able to make quick decisions regarding investment property. Therefore, the Property Investment Board limit should be set at £500,000 which was the same as the call-in limit for Hertfordshire County Council.

The Working Party discussed the limits for call-in and concluded that the Portfolio Holder level for call-in should be made the same as the Officer level at £50,000 for everything other than the Property Investment Board.

Therefore the Working Party AGREED that the Property Investment Board call-in limit should be recommended to be set at £500,000 and for all other decisions the key decision limit remain at £50,000 and the Portfolio Holder call-in limit to be also set at £50,000.

Change to the name of the Development Control Committee

The Head of Democracy and Governance stated that a request had been received from Councillor Martins, Chair of Development Control Committee, to change the name of the committee to Development Management.

Councillor Sharpe commented that the department within the Council was called Development Management and the name gave a better indication of what the Council was able to do regarding determining planning applications. Although the Council can question school provisions etc when considering an application it does not have the control which the current title suggests. Development Control was a negative terminology indicating that planning was a reactive process to restrict development. Development Management had a positive connotation around encouraging sustainable development, looking at the whole process not just the final decision.

The Working Party AGREED to recommend changing the Development Control Committee name to Development Management Committee.

RESOLVED

That the Working Party makes the following recommendations to Council:

1. That Chairs of scrutiny sub-committees (Budget Panel, Outsourced Services Scrutiny Panel, Community Safety Partnership Task Group) should be drawn from the membership of the Overview and Scrutiny Committee.
2. That the Property Investment Board call-in limit should be recommended to be set at £500,000 and for all other decisions the key decision limit remain at £50,000 and the Portfolio Holder call-in limit to be also set at £50,000.
3. That the Development Control Committee name be changed to Development Management Committee.

Chair

The Meeting started at 6.30 pm
and finished at 7.05 pm