

<b>Report of</b>	<b>Head of Governance and Monitoring Officer</b>	<b>Author</b>	<b>Andrew Weavers</b> ☎ 282213 <b>Richard Clifford</b> ☎ 507832
<b>Title</b>	<b>Constitutional changes</b>		
<b>Wards affected</b>	All wards		

**1. Executive Summary**

1.1 This report details changes to the political governance structure of the Council’s formal decision making meetings together with a number of changes to the Constitution covering issues such as Have Your Say!, speaking arrangements for Councillors and meeting finish time. The overall aim of the changes is to make decision making more efficient and focused and ensure that Council governance arrangements are fit for the future.

**2. Recommended Decisions**

2.1 To amend the Council’s Constitution to give immediate effect to the following proposals: -

- (a) To remove the Policy Panel from the Council’s political governance structure.
- (b) To agree the revised Terms of Reference for the Environment and Sustainability Panel and Crime and Disorder Committee detailed at Appendix 2.
- (c) To agree the revised “Have Your Say!” arrangements detailed at Appendix 3 and that the arrangements be kept under review.
- (d) To amend the closure provisions for all meetings of Cabinet, Committees and Panels in order that the meeting closes after the completion of the first item that finishes after 9.00pm, but with provision to allow the business to continue if there are exceptional circumstances requiring a decision.
- (e) To provide for breaks at 90-minute intervals at all meetings of the Full Council, Cabinet, Committees and Panels.
- (f) To introduce a maximum time limit of 5 minutes on individual representations on agenda items made by Councillors who are not members of the Cabinet, Committee/Panel.
- (g) To provide that where a member of a Committee/Panel wishes to ask a detailed question on an agenda item, this must be submitted in writing to Democratic Services at least 24 hours before the meeting. The Chair shall have discretion to allow such questions if there is good reason why the notice period could not be complied with.
- (h) To approve the revised wording of Article 13 detailed at Appendix 4.

2.2 To delegate authority to the Monitoring Officer to amend the Constitution to give effect to these changes and any necessary consequential amendments.

**3. Reason for Recommended Decision**

3.1 The detailed reasons for each of the proposed changes are set out in the body of the report.

**4. Alternative Options**

4.1 No alternative options are proposed.

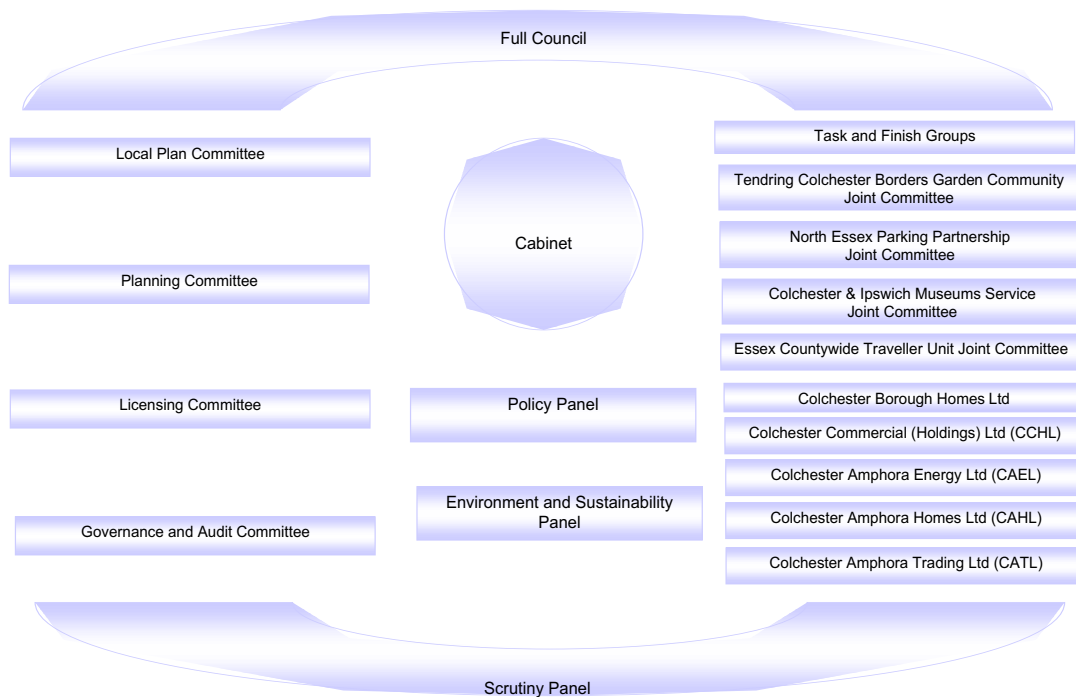
## **5. Background Information**

### **Background and context**

- 5.1 The Local Government Boundary Commission has confirmed that Council size will remain at 51. Now that this issue has been settled there is a need to ensure that our political governance arrangements going forward are fit for purpose and fit for the future and are in accordance with the Nolan Principles.
- 5.2 Colchester's tight political balance causes issues when ensuring that all meetings are politically balanced. The meeting structure/membership leads to heavy workloads for some members and some difficulties for the Groups in being able to fill all their positions on Committees/Panels. Accordingly, it is necessary to ensure that the political governance arrangements match the capacity of the Council.
- 5.3 Concern has been expressed about the interrelated issues of the length of meetings and the impact this has on members and officers and the operation of Have Your Say! Evidence demonstrates that the average length of meetings is increasing. This is partly driven by the increased length of Have Your Say! sessions, which is in turn impacting the ability of some meetings to conduct their business in a timely and efficient manner.
- 5.4 In view of the resource pressures facing the Council, it is timely to review the number and types of meetings. This is particularly important when the Council is facing cost reductions and implementing its Fit for the Future programme. The Council's political governance arrangements need to reflect the change in circumstances which it is facing. There could be potential savings in officer time, security and building costs from reducing the number of meetings or by moving some of the business to formats allowing hybrid working, always accepting that formal decision-making meetings are legally required to be held in person.
- 5.5 As part of the work on the Local Government Boundary Commission submission, the Council conducted a survey of members to ascertain information on workload. The survey was completed by 57% of members the results of which demonstrated the considerable time commitment members give in preparing for and attending meetings of the Council's Committees and Panels. The survey results indicated that the most common response to the time spent on each element of the Councillor role was as follows: -
- 34% indicated they spent more than 15 hours per week on average reading reports.
  - 48% indicated that they spent up to 5 hours per week on average attending meetings and 41% spending between 6 – 10 hours per week.
  - 52% indicated that they spent up to 5 hours per week on average researching for meetings and 34% spending between 6 – 10 hours per week.
- 5.6 It is important that governance arrangements comply with best practice and be fit for the future as a professional and modern council, in line with the Council's over-arching Fit for the Future programme. This report sets out proposals to address these issues for consideration, following consultation with the leaders of the political groups.

### **Committee Structure and Number of Meetings**

- 5.7 The Council's current political governance structure is shown below.



5.8 If a reduction in the number of meetings is to be considered, particular attention needs to be given to the non-statutory Committees. These are Policy Panel and Environment and Sustainability Panel. Both are advisory (and non-decision making) panels to Cabinet. The current Terms of Reference for each of the Panels are attached at Appendix 1.

5.9 It is recognised that both Panels do valuable work, have full work programmes and dedicated memberships. However, it is worth noting that: -

- Policy Panel can only consider business at the request of or with the agreement of Cabinet. In practice this has led to it identifying issues it wishes to consider at the start of the municipal year and then requesting Cabinet approval, which can lead to a work programme including a wide cross section of items. This can lead to considerable member and officer resource being directed at issues which are not necessarily related to the Council's agreed strategic priorities.
- The Environment and Sustainability Panel largely receives update reports for noting and it has made recommendations to Cabinet infrequently (three in the last two municipal years). The Panel's terms of reference include reporting to Cabinet and Council on progress and implementation of the Council's Climate Emergency Action Plan and the goal to be net carbon neutral by 2030. Whilst it regularly monitors the Climate Emergency Action Plan, no such report has been submitted to Cabinet or Council in the last two municipal years.

5.10 It is proposed that the Policy Panel be removed from the Council's political governance structure. Where necessary the policy development work undertaken by the Panel could be delivered through less formal structures such as Task and Finish Groups and workshops and briefings. This would achieve a saving of £4545.93 in terms of the Chair's Special Responsibility Allowance together with additional saving in officer and building costs.

5.11 It is proposed that the terms of reference for the Environment and Sustainability Panel be amended to focus more sharply on reporting on the implementation of the Council Climate Emergency Action Plan, with a specific duty to report on annual basis to Cabinet and Council. Proposed revised terms of reference are at Appendix 2. It is also proposed

that the Panel meet less frequently, with the number of meetings scheduled reduced from six to three per annum.. The Special Responsibility Allowance payable for the chair of the Panel (currently £4545.93) will be reviewed during the Municipal year in consultation with the Independent Remuneration Panel.

- 5.12 The opportunity has also been taken to sharpen the terms of reference for the Crime and Disorder Committee. The existing terms of reference are detailed at Appendix 1 with the revised being contained at Appendix 2. The revised terms of reference reflect good practice.

### **Have Your Say!**

- 5.13 Whilst the public do not have a legal right to address local authority meetings. It is accepted best practice to permit this to happen and the Council has welcomed and facilitated this via Have Your Say! item on agendas for every public meeting for a number of years. The Council's Have Your Say! arrangements are a key element of the meetings process providing an opportunity for members of the public to feed in views, seek to influence decision making and bring issues to the attention of the Council. However, there has been a trend in some recent meetings for the general Have Your Say! session to extend way beyond the 15 minutes provided for in the Constitution. There has also been a trend towards repetition of issues at multiple meetings, often on issues that whilst falling within the remit of the meeting are not related to the agenda of that particular meeting. The impact of this is that meetings are taking longer and Have Your Say! is impacting on the ability to conduct the specified business effectively and efficiently and decision making is often delayed until the meeting has been sitting for a considerable period. It also means that those who attend to speak or view agenda items must wait. For example, at the budget meeting of the Full Council in February 16 members of the public spoke under general Have Your Say!, which meant that consideration of the budget did not begin until 90 minutes into the meeting.
- 5.14 The Council's Have Your Say! scheme is one of the most open in the region and is exceptional in allowing speakers to attend and speak without any form of pre-registration. Whilst this is to be welcomed in terms of openness and transparency, it needs to be balanced against the need to ensure core scheduled business is conducted effectively and efficiently.
- 5.15 It is therefore proposed to amend the Have Your Say! arrangements for the Full Council, Cabinet, Committees and Panels (with the exception of Planning Committee and Licensing Committee Sub Committees and hearings). The key elements of the proposed new scheme are: -
- (a) All Have Your Say! contributions to be taken under the Have Your Say! item scheduled at the start of the meeting,
  - (b) The current arrangements provide for a period of 15 minutes for Have Your Say!, with the discretion for the Chair to increase this. In practice this has shown to be insufficient and is regularly exceeded. It is proposed to move away from a time based system to allow a maximum of eight Have Your Say slots per meeting. The Chair will have discretion to increase this in very exceptional circumstances.
  - (c) Removing the right of reply. This was introduced following the last governance review in 2017. Not all members of the public choose to take up the option, but it does increase the length of the Have Your Say! session, without necessarily adding value.

- (d) Pre-registration by 12.00 noon the working day before the meeting with an indication of the subject matter.
  - (e) Limiting the number of speeches an individual or group can make to one per meeting.
  - (f) The Chair be given discretion to decide on the order of speakers.
  - (g) Clearer guidance on what is an inappropriate question or submission.
- 5.16 A draft revised Have Your Say! scheme embodying these principles is detailed at Appendix 3. It is proposed that the revised arrangements be kept under review.
- 5.17 For the avoidance of doubt, it is not proposed to vary the Have Your Say! arrangements in respect of the Planning Committee which are different to those for the Committees and Panels and are balanced to ensure parity between applicants/supporters and objectors. It is felt that these procedures work well, Nor is it proposed to amend the provisions for representations during Licensing appeal hearings or Licensing Sub-Committee meetings.

### **Length/timing of Meetings**

- 5.18 There is evidence that the Council's decision-making meetings are taking longer. The average length of a meeting in 2022-23 was 1hr 50 mins, in 2023-24 was 2hrs 15 mins. Meetings went beyond 9pm on sixteen occasions in 2023-24. Consideration needs to be given to what can reasonably be expected of members, officers and other attendees in terms of health, wellbeing and equality considerations and in terms of ensuring good governance and sound decision making.
- 5.19 It is not proposed to vary the start times of meetings, which was subject to a full review in 2017. In terms of closure of business, the practice is different for Full Council and the Committees and Panels. Full Council has a hard cut off once the first item of business after 10pm is completed. The Committees and Panels require a vote to be taken after the first item ending after 10pm as to whether the meeting should continue. It is proposed that Cabinet, Committees and Panels have a hard cut off after the first item of business ends after 9pm, but with provision to allow the business to continue if there are exceptional circumstances requiring a decision. It is also proposed that Committee/Panel meetings are brought in line with the practice at Full Council to require breaks after 90 minutes. This is particularly important for wellbeing and equality purposes for all those attending.
- 5.20 It is recognised that better agenda management, which includes Committees and Panels considering critically requests for additional items to be added to work programmes, is also important in ensuring meetings are not unnecessarily long.

### **Timing of visiting Councillors when addressing Committees/Panels**

- 5.21 The Cabinet and Meetings General Procedure Rules provide for members to attend meetings of those Committees/Panels of which they are not a member and with the consent of the Chair, to address Cabinet, Committee/Panel on agenda items. The rules are silent on timing and therefore members speak untimed. In view of the number of such representations made, particularly when controversial issues are being discussed, it is proposed to impose a maximum of 5 minutes time limit on such representations. This

is in line with the speaking limit for ward councillors at Planning Committee. It is recognised that is longer than the three minutes for members of the public under Have Your Say! but it is felt that this recognises councillors' wider representative role.

### **Detailed Questions**

- 5.22 There have been instances where members either as a member of a particular Committee/ Panel or as a visiting councillor have asked detailed questions of officers which they were unable to answer due to the complexity of the information being requested. To provide good governance, it is proposed that officers be given at least 24 hours' notice of any such questions to ensure that a proper considered answer can be provided at meetings. It is however accepted that there may be a genuine reason why such notice cannot be given, and in those circumstances, it is proposed that the Chair of the meeting has discretion whether to allow the question. For the avoidance of doubt this arrangement shall not apply to Planning Committee or Licensing appeal hearings or Licensing Sub-Committee meetings.

### **Substitutions**

- 5.23 The Meetings Procedure Rules provide that a Councillor may arrange for a properly appointed substitute councillor to attend a meeting of a Committee or Panel on their behalf, subject to notice being given to the Chair and the proper officer. Where there is a training requirement for the Committee the substitute must also be properly trained. Substitute members are not allowed at Cabinet and Planning Committee members are not allowed to substitute onto the Local Plan Committee.
- 5.24 Occasionally members arrive at Committee to act a substitute without the necessary advance notification. The Council has always taken a relaxed attitude to this but there are potential risks in substitutes arriving who are not able to sit on the Committee, which could lead to difficulties of quorum and potential conflicts of interest. As a matter of good governance, written notification of any substitutions to the Chair and to the Proper Officer should be made by 3.00pm of the day of the meeting. It is appreciated that on occasions late notification of substitutions is unavoidable and it is not proposed to make this a requirement under the Rules, but Group Leaders are requested to ensure that wherever possible advance notification is given.

### **Governance and Audit Committee**

- 5.25 A detailed report will be submitted to the Governance and Audit Committee during the municipal year which will map our progress on compliance with the CIPFA Position Statement on Audit committees, identify what further actions are required to meet the position statement and comply with best practice. The position statement sets out an independent and effective model for an Audit committee defining the purpose and core functions, and includes details relating to membership, engagement, outputs and review of impact. Officers are working on a self-assessment to establish areas for review. The report will also include an annual report on the work undertaken by the committee during 2023/24. This will cover issues such as independent members, eligibility for membership and the separation of membership from the Scrutiny Panel.

### **Article 13 Finance, Contracts and Legal Matters**

- 5.26 Paragraph 13.06 of Article 13 contains the attestation provisions for the Council's common seal. Due to changes in the Land Registry's rules the opportunity has been taken to amend paragraphs (c) and (d) to ensure the wording is compliant with the new rules. The revised Article 13 is attached at Appendix 4 to this report.

## **Chair and Deputy Chair of meetings**

- 5.27 Reference in all Procedure Rules to chairman and deputy chairman will be amended to chair and deputy chair.

## **Other issues**

- 5.28 A number of other improvements to governance process are also proposed, which do not require amendments to the Constitution and are therefore outside the scope of this report. However, as they relate to governance and meetings processes, they are briefly summarised below: -

- Reviewing the arrangements for briefing meetings for Chairs and Group Spokespersons and reiterating their value in agenda managements and ensuring Councillors have the necessary information before meetings.
- Repeating some on the induction training about meetings later in the municipal year so new councillors can ask questions arising out of their experience of attending meetings.
- Developing chairing training further so chairs receive training on chairing within the local political environment, alongside democratic services officers and senior Committee support officers.
- Further engagement sessions between senior leadership team and the wider Councillor body.

## **6. Equality, Diversity and Human Rights implications**

- 6.1 A number of the proposal contained in this report are aimed at making the processes around decision making meetings more effective and efficient whilst seeking to reduce some of the time demands upon members and therefore make meetings more accessible.

## **7. Consultation**

- 7.1 The proposals outlined in this report arise from consultation with the political group leaders.

## **8 Financial implications**

- 8.1 The removal of the Policy Panel would create a saving of £4545.93 in respect of the Chair's Special Responsibility Allowance. There would be a saving from the reduction of meetings of the Policy Panel and Environment and Sustainability Panel, both in terms of officer time preparing for and supporting meetings and in terms of building and security costs. The cost to the Council of running a Committee/Panel meeting vary quite widely based on the number of reports and officers involved but an average ball park figure is estimated to be £5400.

## **9. Publicity considerations**

- 9.1 All changes to the Council's governance processes will be included in the Council's Constitution published on the website and in meeting agendas.

## **10. Standard References**

- 10.1 There are no particular references to the Strategic Plan; community safety; health and safety or risk management implications.



## **Appendices**

Appendix 1 – Current terms of reference for Policy Panel, Environment and Sustainability Panel and Crime and Disorder Committee.

Appendix 2 - Revised Terms of Reference for the Environment and Sustainability Panel and Crime and Disorder Committee

Appendix 3 – Revised Have Your Say! Scheme

Appendix 4 – Revised Article 13

## **Background Papers**

None

### **Policy Panel - Terms of Reference**

- (1) To consider strategies, policies and legislative changes identified by Cabinet that may require review and improvement and to seek Cabinet's agreement as to whether and how they should be examined.
- (2) To review issues at the request of a Portfolio Holder and to make recommendations back to the Portfolio Holder for decision.

### **Environment and Sustainability Panel – Terms of Reference**

1. To acknowledge our "Climate Emergency" and translate aspirations into actions.
2. To explore methods of conservation of natural habitats and biodiversity, whether through adapting existing practices and places or creating new ecologically diverse environments with sustainable practices built in.
3. To engage, communicate and collaborate with strategic partners, external bodies, Parish Councils and local communities, to encourage biodiversity enhancement and sustainable practices through their work.
4. To encourage environmental stewardship focusing on carbon footprint reduction by improving air quality, water quality, plastic and waste reduction and renewable energy generation in both public and private spheres across the City.
5. To be a leading voice for environmental sustainability, promoting innovative environmental practices, having influence across the City and beyond, including public and private sector policy, at regional and national levels.
6. To promote, monitor and regularly report to Cabinet and Full Council upon progress and implementation of the Council's Climate Emergency Action Plan and its goal to be net carbon neutral by 2030.

### **Crime and Disorder Committee – Terms of Reference**

To fulfil all the functions of the Council's designated Crime and Disorder Committee ("the Committee") under the Police and Justice Act 2006 and in particular (but not limited to):

- (a) To review and scrutinise decisions made, or other action taken, in connection with the discharge by the responsible authorities of their crime and disorder functions;
- (b) To make reports and recommendations to the Council or the Cabinet with respect to the discharge of those functions.

### **Environment and Sustainability Panel – revised Terms of Reference**

1. To monitor progress of the Council's Climate Emergency Action Plan towards achieving its goal to be carbon neutral and to provide an annual report to Cabinet which evaluates this progress.
2. To act as 'critical friend' in providing challenge and scrutiny of projects and initiatives aimed at decarbonising our Assets and promote innovative environmental practices.
3. To consider key Council policy proposals which are not covered by other committees, with a clear climate or environmental focus to ensure they meet our strategic environmental objectives.
4. To make recommendations to Cabinet where appropriate.

### **Crime and Disorder Committee – revised Terms of Reference**

To fulfil all the functions of the Council's designated Crime and Disorder Committee ("the Committee") under the Police and Justice Act 2006 and in particular (but not limited to):

- (a) To scrutinise the annual Strategic Assessment that informs the Annual Action Plan of the Community Safety Partnership (CSP);
- (b) To scrutinise the CSPs progress against the current Annual Action Plan, as a collective Partnership, or as the partners who comprise it (insofar as their individual activities relate to the CSP itself);
- (c) To review the CSP as a non-adversarial 'critical friend' and provide constructive challenge at a strategic level (rather than at an operational level); and
- (d) To make recommendations to the Cabinet, or other relevant decision makers, with respect to the discharge, by the CSP, of its crime and disorder functions where this is appropriate and in accordance with legislation.

**Public Participation at all Public Meetings (Have Your Say!)**

- (1) At every meeting of the Cabinet, Panel or Committee meetings there shall be an opportunity for up to eight members of the public to ask a question or make a statement on a matter within the terms of reference of that meeting (except in cases where the Cabinet, Panel or Committee is acting in a quasi-judicial capacity or similar or in relation to planning applications). In very exceptional circumstances, the Chair has the discretion to increase the number of have Your slots available to members of the public.

NB. In the case of Full Council: on any matter in relation to which the Council has powers or duties or which affects the City.

- (2) A question may only be asked if the member of the public has registered to speak by giving notice to the Head of Governance no later than 12 noon on the working day before the day of the meeting. Each question must give the name and contact details of the questioner.
- (3) At any one meeting no person, organisation or group may submit more than one question or statement.
- (4) Questions or statements which have been accepted will be circulated prior to the meeting to those councillors who members of the Cabinet / Panel or Committee are.
- (5) If a question or statement is rejected, then a written explanation as to why it has been rejected will be provided.
- (6) Questions or statements shall normally be dealt with in the order in which notice was received. However, the Chair may revise the order of questions if they consider it appropriate and may group similar questions.
- (7) Public participation at meetings must be made orally in person at the meeting. Written statements may not be submitted instead of personal attendance and documents including photographs may not be circulated by a member of the public participating in the meeting except for a petition which may be presented to the Chair. However, the Chair may exercise discretion to allow a question or statement to be read out by an Officer in the absence of the person making it.
- (8) At the absolute discretion of the Chair the order of business for the meeting may be changed for the convenience of the public who wish to participate.
- (9) A member of the public may ask a question or make a statement for a period not exceeding three minutes. When a speaker has one minute of the allotted time remaining, a bell will be rung. At the end of the period of time, the bell will be rung again and the speaker will stop speaking whether or not the speech has been concluded.
- (10) The Chair or other member of the meeting will respond to a question posed or statement made by a member of the public in the form of:

- (a) a direct oral answer; or
  - (b) where the desired information is contained in a Council publication, a reference to that publication; or
  - (c) where a reply cannot conveniently be given orally, a written answer will be provided within ten working days of the meeting which will also be reported to a future meeting.
- (11) There is no further opportunity for a member of the public to make a statement or ask a supplementary question.
- (12) A question or statement may be rejected by the Chair if it addresses matters that would be inappropriate to consider at the meeting. For this purpose, “inappropriate” includes any question or statement falling within any of the following categories:
- (a) defamatory, frivolous, vexatious or offensive
  - (b) substantially the same as any question put to a meeting in the previous 6 months
  - (c) would require the disclosure of Confidential or Exempt Information as defined in the Access to Information Procedure Rules; or
  - (d) already the subject of a separate appeal, adjudication, litigation mediation or dispute resolution.

# Colchester City Council

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## Article 13 – Finance, Contracts and Legal Matters

### INTRODUCTION

This Article refers to the Council's Financial and Contract Rules, which are contained in Part 4 of this Constitution.

#### **13.01 Financial Management**

The management of the Council's financial affairs will be conducted in accordance with the Financial Regulations set out in Part 4 of this Constitution.

#### **13.02 Contracts**

Every contract made by the Council will comply with the Contract Procedure Rules set out in Part 4 of this Constitution. Individual Cabinet Members will not be able to authorise the entering into contracts beyond the value of £500,000.

#### **13.03 General Emergency Powers**

The Chief Executive shall, having as far as possible conferred with the Leader of the Council in the event of civic disasters or other issues of extreme emergency, have power to make decisions for the protection of the City of Colchester and its citizens and which cannot be dealt with in accordance with the normal decision-making processes of the Council.

#### **13.04 Legal Proceedings**

The Proper Officer is authorised to institute, defend or participate in any legal proceedings in any case where such action is necessary to give effect to decisions of the Council or in any case where the Proper Officer considers that such action is necessary to protect the Council's interests.

#### **13.05 Authentication of Documents**

The Proper Officer shall be authorised to sign on behalf of the Council all documents and other papers which are intended to give formal legal effect to decisions of the Council, the Cabinet, a Panel or Committee or Officer acting under delegated powers and which are not required to be under seal.

### **13.06 Common Seal of the Council**

- (a) The Common Seal of the Council shall be kept in a safe place in the custody of the Proper Officer.
- (b) The Common Seal of the Council shall not be affixed to any document unless the sealing has been authorised:
  - (i) by a resolution of the Council, or
  - (ii) by a resolution of the Cabinet, a Panel or Committee to which the Council has delegated its powers in that behalf; or
  - (iii) upon the written authority of an Officer to whom the Council has delegated its powers in that behalf such resolution of the Council, the Cabinet, a Panel or Committee or written authority of an Officer shall be sufficient authority for sealing any document necessary to give effect to the resolution or exercise of delegated powers.
- (c) The Common Seal of the Council shall be attested by the Chief Executive or the Head of Governance or the Legal Services Manager who shall sign as an Authorised Signatory or in their absence the Mayor or in their absence the Deputy Mayor.
- (d) The Chief Executive or the Head of Governance or the Legal Services Manager will be able to sub-delegate the authority under paragraph (c) above to persons authorised by them in writing who will then attest as an Authorised Signatory in accordance with the delegation given.

The Proper Officer shall keep a book called the "Seal Register" in which shall be entered the date on which every document is sealed and brief particulars of such document. The attester shall sign their name against such entry.

### **13.07 Custody of Deeds etc**

The Proper Officer shall be responsible for the maintenance of the Register of Properties giving full details of land and property owned by the Council.

The Proper Officer shall be responsible for the custody of all title deeds and similar securities relating to property owned by the Council.

### **13.08 Inspection of Lands, Premises, etc**

Unless specifically authorised to do so by the Council, the Cabinet, a Panel or a Committee, a Councillor shall not issue or purport to issue, any order respecting any works which are to be carried out by or on behalf of the Council or claim, by virtue of being a Councillor, any right to inspect or to enter upon any lands or premises which the Council has the power or duty to inspect or enter.