

Minutes of a meeting of the Constitution Committee held at County Hall, Glenfield on Thursday, 8 March 2007.

PRESENT

Mr. N. J. Rushton CC (in the Chair)

Mr. S. J. Galton CC
Dr. M. O'Callaghan CC

Mr. A. M. Kershaw CC
Prof. M. E. Preston CC

22. Minutes.

The minutes of the meeting held on 24 November 2006 were taken as read, confirmed and signed.

23. Question Time.

The Chief Executive reported that no questions had been received under Standing Order 35.

24. Questions asked under Standing Order 7(3) and 7(5).

The Chief Executive reported that no questions had been received under Standing Order 7(3) and 7(5).

25. Urgent Items.

There were no urgent items for consideration.

26. Declarations of interest.

The Chairman invited members who wished to do so to declare any interest in respect of items on the agenda for the meeting.

All members of the Committee declared a personal non prejudicial interest in the report on Members' Allowances (minute 27 below).

27. Report of the Independent Remuneration Panel on Members' Allowances.

The Committee considered a report of the Chief Executive presenting the report of the Independent Remuneration Panel on Members' Allowances. A copy of the report marked 'B' is filed with these minutes.

The Committee was advised that the Panel was not obliged to adopt the recommendations put forward but it did have 'to have regard to the Panel's views'. If therefore the Council wished to adopt a scheme which was substantially different from either the present scheme or that now recommended, it was suggested that it would be appropriate to invite the Panel's views beforehand.

Dr O'Callaghan expressed disappointment with the Panel's report. In particular, he argued that the proposed removal of the special responsibility allowances payable to Spokesmen of Scrutiny Committees would have the effect of devaluing the scrutiny function. He also repeated his opinion that Cabinet Support Members should not be entitled to receive a special responsibility allowance.

Mr Galton commented that he shared these views.

Other members spoke in favour of adopting the recommendation being put forward by the Panel.

The Chief Executive commented on the difficult role the Panel had in advising on matters where there was disagreement across the party groups and stressed that it was not part of the Panel's remit to comment on how the Council should organise its political management structure. Neither should the Panel be expected to resolve matters of structure through its recommendations.

It was moved by Mr Rushton and seconded by Prof Preston:-

"That the County Council be recommended to approve the recommendations as set out in the report of the Independent Remuneration Panel on Members' Allowances."

The motion was put and carried, three members voting for the motion and two against.

(Dr M O'Callaghan CC and Mr S Galton CC asked that their names be recorded as having voted against the motion).

28. Proposed Amendments to the Constitution - Employment Related Matters.

The Committee considered a report of the Chief Executive recommending changes to the Constitution in respect of proposed new arrangements for elected member involvement in disputes between trade unions and management and proposed changes to the officer Employment Procedure Rules. A copy of the report marked 'C' is filed with these minutes.

RESOLVED:

That the County Council be recommended:-

(a) to add the following to the list of panels contained in Section E of Part 3 of the Constitution concerning Responsibility for Functions:-

"(m) Disputes Panel: to consider oral representations from unions and management when negotiations at officer level have failed to reach agreement (following written submissions) and to make recommendations to the Employment Committee or Cabinet, or both, as appropriate."

- (b) to adopt the revised Officer Employment Procedure Rules (Part 4H of the Constitution) as set out in the Appendix to the report.

9.30 - 10.10 am
08 March 2007

CHAIRMAN