

Minutes of a meeting of the Constitution Committee held at County Hall, Glenfield on Wednesday, 26 September 2001.

PRESENT

Mr. H. Barber CC (in the Chair)

Mr. S. J. Galton CC
Prof. M. E. Preston CC

Mr. Mike Jones CC
Mr. J. B. Rhodes CC

In Attendance

Mr. N.J. Brown

1. Election of Chairman

It was RESOLVED that Mr. H. Barber be elected Chairman of the Committee until the first meeting of the Committee following the annual meeting of the County Council in 2002.

2. Election of Deputy Chairman

It was RESOLVED that Prof. M.E. Preston be elected Deputy Chairman of the Committee until the first meeting of the Committee following the annual meeting of the County Council in 2002.

3. Questions asked under Standing Order 8(3) and (5)

The Chief Executive reported that no questions had been received under Standing Order 8(3) and (5).

4. To receive Declarations by Members of Pecuniary and Non-Pecuniary Interests in Respect of Items on this Agenda

No such declarations were made.

5. New Ethical Framework Regulations and Appointment of Independent Members of Standards Committee

The Committee considered a report of the Chief Executive concerning new Government Regulations relating to the ethical framework and seeking approval to proposed arrangements for the appointment of independent members to serve on the Council's Standards Committee. A copy of the report marked 'A' is filed with these minutes.

It was RESOLVED:-

- (a) that the new statutory provisions relating to the operation of Standards

Committees and the appointment of independent members be noted;
and

- (b) that the Chief Executive be authorised to make the necessary arrangements for the appointment of independent members on the basis set out in the report, subject to applicants being advised that the County Council does not consider it appropriate for appointments to be made from persons actively engaged in local party politics.

6. Allowances for Members of Local Authorities

The Committee considered a report of the Chief Executive on the final guidance issued by the Government on members allowances and particularly regarding the need to establish an independent remuneration panel to put forward recommendations on members allowances. A copy of the report marked 'B' is filed with these minutes.

The Committee also considered a supplementary report of the Chief Executive, a copy of which is filed with these minutes, on action taken to publicise the level of payments on members allowances in 2000/01.

It was RESOLVED:-

(a) Allowances for Members of Local Authorities

- (i) That the contents of the report be noted and the Chief Executive be authorised to take the necessary steps to establish an independent panel to advise the County Council on members allowances;

- (ii) that in relation to the panel:

- its size be three members
- its term of office be for two years renewable by mutual agreement
- the appointment process be by invitation as set out in the report
- that Prof. D.J. Wilson be appointed Chairman of the panel
- the Chairman be paid an allowance of £500 per annum and the other two members receive an allowance of £300 per annum
- it be asked to produce proposals for implementation from 1 April 2002
- it be asked to consider the need for childcare and dependent carers allowance

- (iii) that details of payments made under the members allowances scheme be published on the County Council's website

(b) Members Allowances 2000/01

That the action taken by the Chief Executive to publicise the level of payments on members allowances in 2000/01 be noted and that the details be published with the minutes of this meeting in accordance with

the provisions of the Local Authorities (Members' Allowances) (Amendment) Regulations 1995.

7. Consultation Papers on Members Remuneration

The Committee considered a joint report of the Chief Executive and the County Treasurer outlining proposals set out in two consultation papers issued by the Department for Transport, Local Government and the Regions and to enable members to consider how the County Council might respond. The consultation papers related to:-

- (a) travel, subsistence and certain other allowances for members of local authorities and other bodies.
- (b) Pensions for elected members.

A copy of the report marked 'C' is filed with these minutes.

It was RESOLVED that the proposals contained in the consultation papers outlined in the report be generally welcomed and that the Chief Executive be authorised to submit the following comments to the Department for Transport, Local Government and the Regions.

Travel and Subsistence Allowances

The community representational role of elected members, particularly in rural areas, does not appear to have been recognised, by enabling allowances to be paid for attendance by County Councillors at the invitation of Parish Councils and similar bodies on matters affecting their electoral division.

The proposal that Combined Fire Authorities should be able to make their own schemes in relation to allowances is noted but it would be inconsistent to allow Fire Authorities to determine a scheme without the advice of an independent remuneration panel, as is the case with local authorities.

Pensions for Elected Members

The proposal to limit eligibility to "members of the Executive and Chairs of overview and scrutiny committees" is too prescriptive. For example, in the case of Leicestershire it would mean that the Deputy Chairman and Spokesmen of the Commission would be ineligible yet they are in receipt of higher special responsibility allowances than the Chairmen of Scrutiny Committees.

The same provision should apply to members of the Executive and those having responsibilities for overview and scrutiny in relation to the six months qualification period.

8. ICT for Elected Members

The Committee considered a report of the Chief Executive setting out the response to a recent survey of members and proposals to encourage and develop the use of ICT by elected members. A copy of the report marked 'D' is filed with these minutes.

It was RESOLVED:-

- (a) that the arrangements set out in the report be supported;
- (b) that subject to (e) below, and to necessary financial resources being made available, approval be given to the provision of computers and printers to those 13 members who have no such facility (i.e. Option 1), provided they agree to undertake a training programme before they actually receive the equipment;
- (c) that the Chief Executive be authorised, in consultation with the Chairman and Spokesmen of this Committee, to provide computers to further members where they are satisfied that a strong case exists to do so, subject to funds being available;
- (d) that approval be given to the provision of anti-virus software for all members of the County Council so as to protect the integrity of the County Council's systems at an estimated cost of £500 per annum; and
- (e) that a report be presented to the Cabinet before the end of October 2001 setting out details of the costs involved in implementing the proposals for the development of ICT for elected members as now agreed.

9. Training and Development of Elected Members

The Committee considered a report of the Chief Executive enabling discussion to take place on proposed arrangements for the training and development of elected members. A copy of the report marked 'E' is filed with these minutes.

It was RESOLVED:-

- (a) that the contents of the report of the Chief Executive on training and development of elected members be noted;
- (b) that the establishment of a regular programme of events be supported;
- (c) that the County Council's involvement in the East Midlands Modern Member Programme be considered further after the event regarding the programme had taken place at County Hall in January 2002;
- (d) that a further report be presented to the Committee on how the County Council could prepare and implement personal development plans for its members;
- (d) that agreement in principle be given to members from the scrutiny arm being able to attend conferences and training events which would help them carry out their role more effectively and that the Chief Executive, in consultation with the Chairman and Spokesmen, be authorised to agree proposals for managing this process and also any training proposals on matters of probity which the Standards Committee may wish to pursue;
- (f) that there should be a clear requirement upon members and officers attending seminars and courses to prepare briefing papers after the

event so that information received is properly shared across the County Council.

10. Statement of Accounts for 2000/01

The Committee considered a report of the County Treasurer presenting the 2000/01 Statement of Accounts for approval. A copy of the report marked 'F' is filed with these minutes.

It was RESOLVED that the Statement of Accounts for 2000/01 attached to the report of the County Treasurer be approved.

11. Urgent Items

There were no items of urgent business.

26th September 2001
11.15 a.m. - 1.10 p.m.

CHAIRMAN

