

Minutes of a meeting of the Constitution Committee held at County Hall, Glenfield on Friday, 25 November 2022.

PRESENT

Mr. P. Bedford CC
Mr. L. Breckon JP CC
Mr. M. T. Mullaney CC
Mr J. Poland CC

Mrs H. L. Richardson CC
Mr. N. J. Rushton CC
Mrs D. Taylor CC

1. Appointment of Chairman.

RESOLVED:

That Mr. N. J. Rushton CC be appointed Chairman for the period ending with the date of the Annual Meeting of the County Council in 2023.

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

2. Election of Deputy Chairman.

RESOLVED:

That Mrs. D. Taylor CC be elected Deputy Chairman for the period ending with the date of the Annual Meeting of the County Council in 2023.

3. Minutes of the previous meeting.

The minutes of the meeting held on 7 December 2021 were taken as read, confirmed and signed.

4. Question Time.

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

5. 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).

6. Urgent items.

There were no urgent items for consideration.

7. 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.

No declarations were made.

8. Charitable Trust Future Arrangements.

The Committee considered a report of the Director of Law and Governance which made proposals for the future arrangements for the Educational Trusts of which the County Council was the sole corporate Trustee. A copy of the report, marked 'Agenda Item 8', is filed with these minutes.

In response to a question from a member it was confirmed that whilst The Mary Smith Scholarship Fund related to both Ashby-de-la-Zouch Grammar and Ivanhoe Secondary School there was not a joint governing body and Ashby-de-la-Zouch Grammar school had been administering the fund on behalf of both schools and Ivanhoe Secondary School would require liaising with about any plans going forward.

The purpose of the Piercy Scholarship Fund was to assist students who had attended Loughborough schools with a preference to those studying Electrical Engineering. In response to a question from a member it was confirmed that this fund was to be restricted to students attending Loughborough College as the College was considered to be the successor body offering a similar course and this fitted best with the original intentions of the trust although it was intended that this be subject to further legal advice.

A member raised concerns regarding the possibility of members of the community taking over from the County Council as trustees of the Kibworth Beauchamp High School Foundation and stated that given the substantial amounts of land held by the trust it was desirable for a body with more expertise such as a parish council to be trustee. The Director of Law and Governance acknowledged this point and gave reassurance that consideration was being given to all options including splitting the capital holding from the land held by the trust and having the County Council retain the land as trustee.

RESOLVED:

- (a) That the progress in relation to the Leicestershire Educational Trust Fund, and the reporting arrangements in relation to the Leicestershire and Rutland Community Foundation fund, be noted;
- (b) That it be confirmed that the revenue held in relation to the closing trusts in the proposed Leicestershire Educational Trust Fund may be invested into the new fund and the Director of Law and Governance be authorised to close and transfer the funds listed at paragraphs 13 to 18 of the report and to take any steps necessary to achieve this, including obtaining external specialist legal advice, if required;
- (c) That the position in relation to the Kibworth Beauchamp High School Foundation be noted and the Director of Law and Governance be authorised to explore the potential to transfer the trust (in whole or in part) to new trustees as outlined in paragraphs 26 to 28 of the report and take external legal advice in relation to achieving this.

9. Review and Revision of the Constitution.

The Committee considered a report of the Chief Executive which recommended changes to the County Council's constitution as part of the annual review. A copy of the report marked 'Agenda Item 9', is filed with these minutes.

It was noted that the proposed changes to the constitution had been considered by the Corporate Governance Committee at its meeting on 21 November 2022 and whilst the Committee supported the changes the Committee had raised concerns about a possible increase in workload arising from the proposed changes to the terms of reference for the Corporate Governance Committee made in light of new CIPFA guidance received in October 2022.

One aspect of the CIPFA guidance was that the membership of the Corporate Governance Committee should include two non-voting independent members. The Director of Law and Governance confirmed that it was expected that one of those independent members would have a background in audit and the other a background in governance.

RESOLVED:

That the County Council be recommended to approve the proposed changes to the Constitution as set out in Appendix A and B to the report.

1.00 - 1.14 pm
25 November 2022

CHAIRMAN