



*Meeting:* **Constitution Committee**

*Date/Time:* **Tuesday, 28 April 2026 at 12.00 pm**

*Location:* **Gartree Committee Room, County Hall, Glenfield**

*Contact:* **Mrs J Twomey (Tel: 0116 305 2583)**

*Email:* **Joanne.twomey@leics.gov.uk**

### **Membership**

Mr. D. Harrison CC (Chairman)

Mr. M. T. Mullaney CC Mrs D. Taylor CC

### **AGENDA**

<u>Item</u>	<u>Report by</u>	
1. Minutes of the meeting held on 24 November 2025.		(Pages 3 - 4)
2. Question Time.		
3. Questions asked under Standing Order 7(3) and 7(5).		
4. To advise of any other items which the Chairman has decided to take as urgent.		
5. Declarations of interest.		
6. Protocol on the Appointment of Honorary Aldermen and Alderwomen.	The Monitoring Officer	(Pages 5 - 12)
7. Revision of the Constitution.	The Monitoring Officer	(Pages 13 - 14)
8. Any other items which the Chairman has decided to take as urgent.		
9. Exclusion of the Press and Public		



The public are likely to be excluded during the following item of business in accordance with section 100(a) of the Local Government Act 1972:

- Charitable Trusts Update and Grant Application.

10. Charitable Trusts Update and Grant Application.

Chief Legal Officer and Monitoring Officer (Pages 15 - 128)



Minutes of a meeting of the Constitution Committee held at County Hall, Glenfield on Monday, 24 November 2025.

PRESENT

Mr. D. Harrison CC (in the Chair)

Mr. M. T. Mullaney CC

Mrs D. Taylor CC

15. Minutes.

The minutes of the meeting held on 29<sup>th</sup> July 2025 were taken as read, confirmed and signed.

16. Question Time.

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

17. 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).

18. Urgent Items.

There were no urgent items for consideration.

19. 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.

20. Annual Governance Statement

The Committee considered a joint report of the Director of Corporate Resources and the Chief Executive, the purpose of which was to outline the background approach taken to produce the County Council's 2024-25 Annual Governance Statement (AGS) and to present this for approval prior to sign off by the Chief Executive and the Leader of the Council. A copy of the report marked 'Agenda Item 6' is filed with these minutes.

In response to a question, the Head of Internal Audit Service reported that the internal audit of East Midlands Shared Service (EMSS) undertaken by Nottingham City Council had raised concerns regarding the payroll audit due to the overpayment of salaries. It was noted that the fault identified did not relate to the EMSS payroll service itself but from managers not properly recording staff who had left employment in a timely manner.

The Head of Internal Audit Service assured the Committee that the issues identified predominantly related to Nottingham City Council and that for the County Council the number of cases was low and the value involved minimal.

A separate piece of work would be undertaken to review and improve the City and County Councils' processes and the Corporate Governance Committee would kept updated of progress.

RESOLVED:

- (a) That the 2024-25 Annual Governance Statement be approved;
- (b) That the Director of Corporate Resources be authorised to update the AGS as necessary to align with the finalised Statement of Accounts for the County Council and the Pension Fund (yet to be approved) noting that such changes will be reported to the Corporate Governance Committee and the Leader as appropriate.

21. Annual Review of the Constitution.

The Committee considered a report of the Chief Executive, the purpose of which was to recommend changes to the Constitution as part of this year's annual review. A copy of the report marked 'Agenda Item 7' is filed with these minutes.

A member raised a question about the new Article 6.06, which was added to clarify the appointment process for Scrutiny Commissioners, commenting that the proposed wording could cause confusion about how the Chairman of the Scrutiny Commission was appointed. The Chief Executive clarified that Article 6.05, relating to the appointment of the Chairman of Scrutiny Commission, still applied unchanged – meaning that the Chairman would continue to be the Leader of the largest opposition group. The new Article 6.06 specifically captured the current process for appointing the four Scrutiny Commissioners and acknowledged that the Chairman would be included among them, as well as cross-referring to Article 6.05.

The Leader raised the possibility of the role rotating between the two largest opposition parties. However, concern was expressed by a member that this would be less effective and would diverge from the Council's longstanding practice to entrust the role to the Leader of the largest opposition group.

It was suggested that to avoid any confusion Article 6.06 be amended as follows:

*"The Council will appoint four Scrutiny Commissioners, two from the leading political group and one from each of the two main opposition groups, **with** the Chairman determined in accordance with paragraph 6.05 above."*

RESOLVED:

That, subject to the change now proposed to Article 6.06 being made, the County Council be recommended to approve the proposed changes to the Constitution as set out in the Appendices attached to the report.



## **CONSTITUTION COMMITTEE – 28 APRIL 2026**

### **REPORT OF THE MONITORING OFFICER**

### **PROTOCOL ON THE APPOINTMENT OF HONORARY ALDERMEN AND ALDERWOMEN**

#### **Purpose of the Report**

1. The purpose of this report is to present for the Committees consideration a draft protocol on the appointment of Honorary Aldermen and Alderwomen.

#### **Background**

2. Honorary Aldermen and Alderwomen may be appointed to recognise past Members who have rendered 'eminent' services to the Council and the local community. The title is a civic honour only and it does not confer governance rights, voting rights, or financial entitlements.
3. The power to confer the title of Honorary Alderman or Alderwoman is set out in the Local Government Act 1972. Appointment must be exercised by a two-thirds majority at a special meeting of Full Council specially convened for this purpose. The appointments must be of past Members of the Council only and so currently elected County Councillors cannot be appointed.
4. The County Council's previous protocol was agreed by the full Council in July 2005. The protocol has been updated to provide greater clarity and reflect current governance expectations.

#### **Proposed Protocol**

5. The draft Protocol attached as an appendix to this report sets out the purpose and scope of the honour, along with the eligibility criteria for appointment including the indicative factors that will be taken into account for assessing the "eminent service" of a nominee, such as their length of service, leadership roles and impact on the Council and communities.
6. The Protocol also describes how nominations are to be progressed (via Group Leaders) and sets out clearly the decision-making process that will be followed, as well as the usual timing of appointments which will typically

be every four years, with flexibility by agreement.

7. The rights and privileges and limitations attached to the title are clearly set out within the Protocol and this covers things such as invitations to civic events and attendance at Full Council which would be in an observer capacity only with no voting or speaking rights.
8. Honorary Aldermen and Alderwomen will not be paid an allowance and cannot use their honorary title to support any political campaign. The Protocol sets out the conducted expected of someone appointed along with the potential process for the withdrawal of the honour, including arrangements where a recipient is re-elected.
9. As Local Government Reorganisation is on the horizon the Protocol also includes provisions for it the County Council ceases to exist or merges or is replaced by a successor authority.

### **Recommendation**

10. That the County Council be recommended to approve the Protocol on the appointment of Honorary Aldermen and Alderwomen as set out in the appendix to this report.

### **Financial Implications**

11. There are no direct financial implications arising from the adoption of this Protocol.

### **Equal Implications**

12. There are no equalities implications arising from this report.

### **Human Rights Implications**

13. There are no human rights implications arising from this report.

### **Background Papers**

Report to the County Council on 13 July 2005 – “Report of the Constitution Committee on the proposed arrangements for the appointment of Honorary Aldermen”

<https://democracy.leics.gov.uk/ieListDocuments.aspx?CId=134&MId=1305&Ver=4>

### **Circulation under Local Issues Alert Procedure**

None.

**Officers to Contact**

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**Appendices**

Appendix – Protocol on the Appointment of Honorary Aldermen and Alderwomen

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# **Protocol on the Appointment of Honorary Aldermen and Alderwomen**

Updated Draft – December 2025

## **1. Purpose and scope**

This Protocol sets out the County Council's approach to the appointment of Honorary Alderman and Alderwomen.

## **2. Legal basis**

Under section 249(1) of the Local Government Act 1972, a Council may confer the title of Honorary Alderman or Alderwomen on persons who have rendered eminent services to the Council as past members of the council, but who are not currently members of the council. The resolution must be passed by not less than two-thirds of the members present and voting at a meeting of the Council specially convened for the purpose.

## **3. Eligibility criteria**

To be eligible for consideration, nominees must:

- Be a past Member of Leicestershire County Council.
- Have rendered eminent services to the Council and the local community during their period of office.
- Have left office in good standing (i.e., not disqualified, not subject to outstanding serious conduct findings, and have complied with statutory requirements).
- Not be a serving Member of the Council at the time of consideration.

Nominees who wish to remain politically active or become involved with campaigning in public (in a broad sense) in some other way must ensure that this does not bring them into conflict with the Council.

## **4. Indicative factors demonstrating “eminent service”**

In assessing whether service is “eminent”, the following (non-exhaustive) factors may be considered:

- Length of service (12+ years, or exceptional impact over a shorter period).
- Holding significant civic or leadership roles (for example Leader, Chairman, Cabinet Lead Member, Committee Chairman, Group Leader).

- Outstanding contributions to major projects, policy development, community outcomes, or civic life.
- Exemplary conduct, integrity, and support for democratic processes.
- Recognition from peers, partners, or the community.

## **5. Nominations**

Nominations should be put forward by individual Group Leaders following support from within their own Political Party. This can include nomination of individuals from any Political Party. Discussions should then take place at Group Leader level to confirm which nominations should be put forward for appointment.

## **6. Decision-making process**

Prior to any appointment, the council will give written notice of the nomination to the individual with an opportunity for them to indicate whether they are in agreement with the nomination.

A special meeting of Full Council will be convened, on the same day as an Ordinary Council meeting for the purpose of appointing Honorary Aldermen and Alderwomen, with agenda papers published in accordance with statutory notice requirements. No other business will be conducted at this meeting.

The recommendation, which will be contained in a report from the Chief Legal Officer and Monitoring Officer, requires a resolution passed by not less than two-thirds of Members present and voting at the meeting.

As it is likely that there will be a very limited number of nominations from the political groups, it will usually be appropriate to appoint Honorary Aldermen and Alderwomen every four years, following the County Council elections. An extraordinary meeting will be held immediately prior to the first ordinary meeting of the Council in that year (excluding the Annual Meeting).

However, where agreed by all Group Leaders, additional nominations can be considered at any time during the life of the Council.

## **7. Rights, privileges and limitations**

Honorary Aldermen and Alderwomen may be accorded the following, subject to this Protocol:

- Invitation to such civic ceremonies as the Council may from time to time decide.

- Invitation to attend meetings of the full Council as an observer (with no speaking or voting rights or other participation in business).
- Use of the style “Honorary Alderman or Alderwomen of Leicestershire County Council”.
- Receipt of civic insignia, which may be worn at civic events.

Limitations:

- The title confers no special rights to attend or vote at Council or committee meetings.
- The title must not be used in political campaigning or election materials.
- No allowances or financial remuneration are payable.

### **8. Conduct expectations and withdrawal of honour**

Recipients are expected to uphold the dignity of the office and the reputation of the Council. Where a recipient is convicted of a serious criminal offence, is found to have engaged in conduct gravely incompatible with the honour or otherwise misused the title, or brings the Council into serious disrepute, the Council may withdraw the honour by resolution of Full Council following consideration by the Monitoring Officer.

### **9. Where an Honorary Alderman or Alderwoman becomes re-elected to the council**

If a recipient is subsequently re-elected to the County Council, the title is held in abeyance for the duration of service.

### **10. Posthumous awards**

As a general principle, nominations should be made for living past Members. In exceptional circumstances, the Council may consider a posthumous award where the eminent service and local significance are compelling. A presentation will be made to the next of kin at the special meeting of Council.

### **11. Local Government Reorganisation and Successor Arrangements**

In the event of local government reorganisation where the County Council ceases to exist, merges, or is replaced by a successor authority, legislation provides for Honorary Aldermen and Alderwomen of a dissolved council to become Honorary Aldermen and Alderwomen of its successor council on the reorganisation date (Local Government (Structural Changes) (Transitional Arrangements) (No. 2) Regulations 2008, s.32)

The following provisions will apply:

- Existing Honorary Aldermen and Alderwomen titles remain valid as a historic civic honour conferred by the former County Council.
- The legislation makes clear that where a council becomes wholly or partly included in a new council, services rendered by councillors shall be treated as services rendered to the new council for the purposes of consideration of honorary titles.
- The successor authority should maintain a consolidated Civic Roll, incorporating Honorary Aldermen and Alderwomen of all predecessor councils.
- Ceremonial invitations and recognition for former Honorary Aldermen and Alderwomen will be at the discretion of the successor authority, subject to its own civic protocols.
- Records of admissions, citations, and associated documentation must be transferred to the successor authority's archives in accordance with statutory records management requirements.
- Where multiple councils merge, the successor authority may adopt a harmonised protocol for future admissions, ensuring fairness and continuity.
- The title does not confer any rights in the successor authority's governance arrangements beyond those expressly provided in its civic protocol.

## **12. Review and amendment**

The Chief Legal Officer and Monitoring Officer and the Head of Democratic Services will keep this protocol under review and consult on any proposed changes with Group Leaders and the Constitution Committee before seeking Full Council approval.



## **CONSTITUTION COMMITTEE – 28<sup>th</sup> APRIL 2026**

### **REPORT OF THE MONITORING OFFICER**

### **REVIEW AND REVISION OF THE CONSTITUTION**

#### **Purpose of the Report**

1. The purpose of this report is to recommend changes to the Constitution as part of a mid year review. A supplementary report setting out the final proposals is being prepared and will be circulated to members and published on the County Council's website as soon as it is available.

#### **Background**

3. Article 15 of the County Council's Constitution gives the Chief Executive a duty to monitor and review the operation of the Constitution to ensure that the aims and principles of the Constitution are given full effect. It requires that changes to the document should only be approved by the full County Council after consideration of the proposal by the Chief Executive and the Constitution Committee or, in the case of the Financial Procedure Rules and Contract Procedure Rules, the Corporate Governance Committee.
4. The last annual review of the Constitution was presented to the Committee in November 2025. A mid-year review has been conducted to address additional changes required.

#### **Key Changes**

5. Changes have been made to the following areas of the Constitution:
  - Articles (Part 2),
  - Responsibility for Functions (Part 3)
  - Meeting Procedure Rules (Part 4A)
  - Overview and Scrutiny Procedure Rules (Part 4E)
  - Protocol on Member / Officer Relations (Part 5C)
  - Members' Allowances Scheme (Part 6)

**Recommendation**

6. That the County Council be recommended to approve the proposed changes to the Constitution as set out in the Appendix attached to this report.

**Equality Implications**

7. There are no equalities implications arising from this report.

**Human Rights Implications**

8. There are no human rights implications arising from this report.

**Background Papers**

The Constitution of Leicestershire County Council.

**Circulation under Local Issues Alert Procedure**

None.

**Officers to Contact**

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By virtue of paragraph(s) 1, 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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