

**PROPOSED AMENDMENTS TO THE CONSTITUTION
OF LEICESTERSHIRE COUNTY COUNCIL
SEPTEMBER 2019**

<u>ITEM</u>	<u>PROPOSED AMENDMENT</u>	<u>EXPLANATION</u>
<u>PART 4A – MEETING PROCEDURE RULES (STANDING ORDERS)</u>		
Standing Order 7: Questions from Elected Members	Amend paragraphs (2) and (5) to read as follows: (2) “At ordinary meetings of the Commission or any board or committee any member of the Council may ask the chairman of the body concerned any question on any matter in relation to which the body concerned has delegated or advisory functions....”. (5) “After a question has been replied to, the member who asked it may, if they are present at the meeting, ask one supplementary question.....”.	The current practice is for the answers to questions to be cleared with the Chairman and this is normally done at the pre-meeting held on the day of the meeting. The answer is then made available to the member prior to the start of the meeting. The amendment will allow a question to be put and answered at the meeting and recorded in the minutes even if the member is not present. Supplementary questions can only be put if the member is present at the meeting. If a member is unable to attend and wishes to clarify the answer given this can be done by requesting information via the Democratic Services Team or Chief Officer.
Standing Order 31: Record of attendances	Delete and renumber remaining Standing Orders accordingly.	The law provides that the names of council and co-opted members present at a local authority meeting must be recorded but does not specify that this must be done via the member signing an attendance book or sheet. A record of member attendance is included in the minutes and recorded on the Committee Management

		System.
Standing Order 35: Questions from electors at the Commission, boards or committees	<p>Delete paragraph (7) and amend paragraph (6) to read as follows:</p> <p>“After a question has been replied to, the elector who asked it may, if they are present at the meeting, ask one supplementary question for the purpose of clarifying the reply which has been given. An elector asking such a supplementary question shall confine himself or herself to the substance of the original question and shall not introduce any new matter which did not fall within the scope of his or her original question. If the chairman of the meeting is of the opinion that the supplementary question is out of order, or of a personal character, or in the interests of the Council it is undesirable, he or she shall so inform the elector and shall not allow the question to be put. In paragraph (7) of this Standing Order, the word “question” shall include such a supplementary question.”</p>	With the use of modern technology for recording and live-streaming committee and board meetings, the requirement that an elector must physically attend a meeting to put a question is no longer considered appropriate. The changes reflect that technology means a person no longer needs to attend the meeting to submit the question and to see the response. However, the ability to ask a supplementary question will still require the elector to be present at the meeting, though they may still seek to clarify the answer given, but this will be dealt with outside the meeting. The requirement to attend a meeting to ask questions could be seen as discriminatory against persons who work or have caring responsibilities and are unable to attend day time meetings.
Standing Order 36: Petitions at the Commission, boards, committees or forums	<p>Amend note to read: <i>This Standing Order should be considered alongside the Petitions Scheme set out in Part 10 of the Council’s Constitution.</i></p> <p>Amend paragraph (1) to read as follows:</p> <p>Petitions may be presented at meetings of the Commission, a board or commission in accordance with the conditions set out in the Petitions Scheme at Part 10 of the Council’s Constitution. The Commission, board or committee shall receive only such petitions as have been lodged with the Chief Executive eight clear days before the meeting and are presented by a person who resides, studies or works in the County and/or is a recipient of</p>	<p>To reflect the provision in the Localism Act 2011 which leaves it to individual councils to decide whether to have a petitions procedure and the arrangements within it.</p> <p>To provide greater clarity regarding when a petition can be presented and who can present it.</p>

	<p>County Council services and is associated with the petition. Petitions can also be presented by an elected member on behalf of such a person or can be considered in their absence. This Standing Order shall not apply to meetings of the Council or the Executive, subject to paragraphs (5) and (6) below.</p> <p>Delete reference to the 'Primary Care Trust' in paragraph (2).</p> <p>Amend paragraph (3) to delete the sentences "A petition may be presented by one of the petitioners concerned or may be considered in their absence. It may also be presented by an elected member."</p> <p>Delete paragraph (7) and renumber remaining paragraphs accordingly.</p>	<p>The Primary Care Trust no longer exists and petitions relating to health services will still be covered under issues 'which otherwise affect the County'</p> <p>Now incorporated into paragraph (1).</p> <p>To reflect changes in legislation.</p>
<p>Note at end of Meeting Procedure Rules</p>	<p>Delete Secure Accommodation Review Panel and Member Reference Panel on Quality and Safeguarding in Registered Care.</p>	<p>To reflect the changes made to Part 3 Section E of the Constitution in September 2019.</p>

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