

Minutes of a meeting of the Constitution Committee held at County Hall, Glenfield on Monday, 8 September 2008.

PRESENT

Mr. D. R. Parsons CC (in the Chair)

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

Mr. N. J. Rushton CC

12. Minutes.

The minutes of the meeting held on 30 June 2008 were taken as read, confirmed and signed.

13. Question Time.

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

14. 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).

15. Urgent Items.

There were no urgent items for consideration.

16. 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.

17. Review and Revision of the Constitution.

The Committee considered a report of the Chief Executive recommending changes to the Constitution as part of the annual review. A copy of the report marked 'B' is filed with these minutes.

Arising from discussion, the following points were raised:-

i) Standing Order 28 - Voting

The proposed amendment requiring members to be seated in their allocated positions in order for their votes to be counted was not felt to be justified.

However, the Committee would be prepared to reconsider the matter should this be considered necessary in the light of further experience.

ii) Petitions

It was noted that neither the requirement that a petition be “couched in proper language” nor the restriction on the presenter of a petition to speak “only to the extent of formally repeating the wording of the petition” were changes to existing practice.

In response to a question, it was explained that the threshold of 10,000 signatures before a petition was defined as attracting significant support had been arrived at taking account of recent petitions on County-wide issues. (It was noted that government guidance had been that the threshold should be 5% of the population which, in Leicestershire, would have meant 32,000 signatures: it had been felt that this would be too high).

It was confirmed that the leaflet and guidance on the website would be amended to reflect the agreed changes.

RESOLVED:

That the County Council be recommended to agree:-

- (a) the proposed changes to the Constitution as set out in the Appendix to the report, subject to the deletion of the proposed change to Standing Order 28 – Voting;
- (b) that the Chief Executive be authorised to make such temporary appointments to the Council’s Standards Committee from amongst people serving as independent members of the Standards Committee of a different relevant authority as he/she considers necessary to consider a particular assessment, review or hearing or for a particular period of time, in accordance with any statutory provisions in force for the time being;
- (c) that the following meetings be added to the list of those determined for the purposes of Standing Order 34(2):

“Standards Committee and Subcommittees of the Standards Committee when dealing with issues relating to individuals.”

18. Consultation on the Governance of Britain - Election Day - Weekend Voting.

The Committee considered a report of the Chief Executive concerning a consultation issued by the Ministry of Justice on whether voting could be made more convenient by moving Election Day from Thursday to the weekend. A copy of the report marked ‘C’ is filed with these minutes. The Committee also considered the draft response by the County Councils Network to the consultation, a copy of which is also filed with these minutes.

It was felt that the conclusion in the County Councils Network’s draft response that the current consultation significantly missed the point and that the

government should seek to directly address the issues underlying voter apathy was correct. It was generally considered that voters would be more willing to participate in local democracy if they felt that local authorities had real power to influence and improve their localities.

RESOLVED:

That the Chief Executive be requested to respond to the consultation paper drawing upon the contents of the draft response issued by the County Councils Network.

19. Dates of Future Meetings.

It was noted that future meetings of the Committee would be held on:-

Wednesday 11 March 2009 at 2.30pm
Monday 29 June 2009 at 10.00am
Monday 7 September 2009 at 10.00am.

2.00 pm - 2.10 pm
08 September 2008

CHAIRMAN