

CONSTITUTION COMMITTEE – 10 SEPTEMBER 2010**REPORT OF THE CHIEF EXECUTIVE****REVIEW AND REVISION OF THE CONSTITUTION****Purpose**

1. The purpose of this report is to recommend changes to the Constitution as part of this year's annual review.

Background

2. 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 recommendations of the Corporate Governance Committee.
3. In the case of everything except the Meeting Procedure Rules the final decision on changes can be made at a single meeting of the County Council. However, in the case of the Meeting Procedure Rules any motion to add, to vary or revoke Standing Orders must, having been proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.
4. The Constitution has been reviewed on an annual basis every year since it came into effect in June 2001. This report sets out the results of the latest review. Proposed changes to the Contract Procedure Rules arising from the review are being considered by the Corporate Governance Committee and in accordance with previous practice, it is proposed to combine all changes to the Constitution now being recommended into a single joint report of the Corporate Governance and Constitution Committees to the next meeting of the Council. The proposed changes to the Constitution are set out in the following documents:-

Proposed Amendments to the Constitution of Leicestershire County Council – Appendix 1.

Proposed Amendments to the Meeting Procedure Rules – Appendix 2.

Petitions Scheme for Leicestershire County Council – Appendix 3.

Guidance for E-Petitions – Appendix 4.

5. The main changes relate to the new statutory duty upon local authorities to handle petitions. The duty came into force on 15 June 2010 and similar requirements to enable e-petitions will come into force on 15 December 2010. The County Council changed its Constitution in 2008 to reflect the Government's views about petitions in response to consultation at that time but further minor changes are required in the light of the latest Government guidance and the County Council is required to present these in the form of a petitions scheme. An e-petitions system is already up and running and steps will be taken to publicise this more widely once the scheme has been formally adopted by the County Council.
6. None of the remaining changes are particularly significant. Most of them reflect changes in the law or the Council's structure and practices.

Recommendation

9. (a) That the County Council be recommended to approve the proposed changes to the Constitution as set out in Appendices 1, 2 and 3 to this report;
- (b) That the e-petitions Guidance set out in Appendix 4 to this report be approved and that the Chief Executive be authorised to amend the guidance as he considers necessary in the light of experience.

Background Papers

The Constitution of Leicestershire County Council.

Circulation under Local Issues Alert Procedure

None.

Officer to Contact

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Equal Opportunities Implications

None.