

CONSTITUTION COMMITTEE

MINUTES of the meeting of the Constitution Committee held on Wednesday 2nd June, 2010 commencing at 2.00 pm.

PRESENT MEMBERSHIP:

Cllr Ron Allen	Cllr Steve McHale
Cllr Mark Hawthorne	Cllr Antonia Noble
Cllr Tony Hicks	Cllr Ray Theodoulou
Cllr Jeremy Hilton	Cllr Will Windsor-Clive
Cllr Ceri Jones	

Substitutes:

Apologies:

16. ELECTION OF CHAIRMAN

Cllr Jones nominated Cllr Noble as Chairperson, this was seconded by Cllr Hicks. On there being no other nominations it was

RESOLVED

THAT Cllr Noble elected as Chairperson for the ensuing year.

17. APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr Awford.

18. MINUTES

RESOLVED

THAT the minutes of the meeting held on 8 March 2010 be approved as a correct record and signed by the Chairperson.

19. PUBLIC QUESTIONS

No public questions were received.

20. MEMBERS' QUESTIONS

No Members' questions were received.

21. THE DUTY TO RESPOND TO PETITIONS INCLUDING ELECTRONIC PETITIONS

Christine Wray presented this report that outlined the recent legislation that required Local Authorities to prepare and publish a Petitions Scheme with effect from 15 June 2010 in relation to paper petitions, and December 2010 in relation to electronic petitions. The report highlighted the basic requirements of the scheme and asked members to agree a scheme for Gloucestershire.

During the ensuing debate the following points were raised:

- The number of signatures required to trigger a response to a petition within the scheme should be 25; for a petition to be considered at a public meeting of one of the council's overview and scrutiny committees 500 signatures should be required and for a petition to be scheduled for a council debate 5000 signatures or more.
- The debate at Council should be 15 minutes but could be extended at the discretion of the Chair of Council up to a maximum of 30 minutes.
- The scheme should include the fact that people can speak to their local councillor or an officer to discuss their particular concerns.
- Concerns were expressed with regard to people living outside the county border who could be affected by issues in Gloucestershire, it was therefore agreed that the Monitoring Officer should be given the discretion whether or not to accept signatures from people living, working or studying outside the county border.
- Some members considered it important that it was clear in the scheme that Scrutiny committee does not have any executive powers.
- County Councillors should be informed if a petition is received that affects their particular area.
- It was important that there was a clear set of standards published on the website in relation to reasons for petitions being rejected. The discretion to reject a petition should be with the Monitoring Officer. This should be a separate document published on the website, to be circulated and agreed by Members.

In response to a member's question Christine Wray explained that if a petition was presented in relation to an issue that had gone through a consultation process, this would not be excluded, however the response made would take into account the fact that consultation had taken place.

Members agreed the amendments discussed should be made to the draft Petitions Scheme and circulated to all Constitution committee Members prior to approval at Council.

RESOLVED

THAT the draft scheme, as amended be approved and recommended to full Council for adoption.

Minutes subject to their acceptance as a correct record at the next meeting

22. CHANGES TO GLOUCESTERSHIRE CONSTITUTION BY THE MONITORING OFFICER

Christine Wray presented changes to the Constitution that had been made by the Monitoring Officer under delegated powers.

The change was in relation to the membership of the Pensions Committee that currently stated "one staff representative without voting rights to be co-opted by the Pensions Committee following nomination by Unison" the amendment was to add the following words "*representing, active deferred and pensioner members of the Pension Fund*".

Some concern was expressed that there were many non-union members of staff and there should be a system for them to have their voice in commenting on issues that affect them. Clarification was sought on this and the item was deferred to a future meeting.

RESOLVED

THAT this decision be deferred to a future meeting of the Constitution Committee.

CHAIRPERSON

Meeting concluded at 14:50