

EXTRACT of the MINUTES of a meeting of the POLICY DEVELOPMENT GROUP held in the Council Chamber, Council Offices, Coalville on WEDNESDAY, 1 OCTOBER 2014

Present: Councillor J G Coxon (Chairman)

Councillors R Adams (Substitute for Councillor N Clarke), J Cotterill, D Everitt, D Howe (Substitute for Councillor J Geary), V Richichi, S Sheahan, N Smith and M Specht

In Attendance: Councillors T Neilson

Officers: Mr R Bowmer, Mr D Gill, Mrs M Meredith, Mr J Richardson and Ms K Talbot

14. UPDATE OF THE COUNCIL'S CONSTITUTION

The Deputy Monitoring Officer presented the report to Members, drawing their attention to the main changes proposed as outlined at section 5 of the report. In respect of the Openness of Government Bodies Regulations 2014 he advised that this had now come into effect and a draft protocol had been prepared which set out how the Council would expect members of the public to act when recording meetings. He added that once this was agreed, it was envisaged that a copy would be available at public meetings. He advised that a further consequence of the Regulations was the requirement to publish officer decisions in respect of Council decisions as well as Executive decisions. In respect of Members' interests, he advised that no regulations had been made in respect of non-pecuniary interests; however for the sake of transparency, the Monitoring Officer felt that it would be useful for these interests to be clarified in the Constitution. He highlighted the changes in respect of the Appointments Committee, which had been discussed with Group Leaders. He advised that there had been a suggestion that the Chairman of this Committee should not have a casting vote; he explained that this would not be possible as the Local Government Act could not be dis-applied. He advised that it had also been suggested that a pool of substitutes be appointed, and that it would be appropriate for the pool of substitutes to consist of Cabinet Members and Shadow Portfolio Holders, as Members in these positions had sufficient experience and knowledge to consider the appointment of senior positions.

Councillor S Sheahan referred to the paragraph in the report regarding shared services and asked how this differed to what was done currently.

The Deputy Monitoring Officer advised that the Members for each authority made the appointments in respect of the Leicestershire Revenues and Benefits Partnership; as such there would still be Member involvement, but not in the sense of an Appointments Committee.

Councillor S Sheahan commented that the proposed procedure for appointments of deputy chief officers seemed a little loose, as it was not indicated at what point in the process a Cabinet Member was to object, or who would decide what was a well-founded objection. He felt that it would have been more appropriate for the Appointments Panel to comment rather than Cabinet.

The Deputy Monitoring Officer advised that it had always been the case that Cabinet had the opportunity to object to an appointment, and this was usually within 48 hours of being notified.

Councillor S Sheahan acknowledged that this was an established practice, but felt however that since the appointment of deputy chief officers was being taken out of the

purview of the Appointments Committee, the facility should remain for Members of the Appointments Committee to make objections.

The Deputy Monitoring Officer advised that the points raised would be reported back and considered.

Councillor V Richichi referred to the facility to film meetings and asked if the Council would also be recording meetings. He also asked if he would be protected in any way if he made statements without prejudice that others found offensive.

The Deputy Monitoring Officer advised that the cost of recording meetings had been investigated, and it was prohibitively expensive. He added that at this time, it was not considered to be financially viable or a good use of public money. He advised that there was no protection offered in respect of statements made that others may find rude or offensive. He advised that Members should be careful about what they said and the manner in which they made statements at meetings. He added that the Council could not control what members of the public were filming at meetings.

Councillor V Richichi expressed concerns that comments at meetings could be misinterpreted. He added that there was a risk that Members may not make comments due to this, and the official minutes may be challenged.

The Deputy Monitoring Officer commented that it had always been the position that sometimes statements were interpreted differently to how they had been intended. He added that it was the job of officers to investigate complaints and take a rounded view.

Councillor V Richichi asked if filming could lead to more closed meetings taking place.

The Deputy Monitoring Officer advised that closed meetings could only take place due to exempt information under Schedule 12a of the Local Government Act, and meetings would not go into private session simply because Members did not want to be filmed.

Councillor S Sheahan commented that officers clearly did not see the need to record meetings, however the fact that everyone else was able to do so made it even more important to have a formal record. He added that there was a risk that someone could abuse the privilege of being able to record meetings, post a snippet online which was out of context, and the Council would have nothing to defend against this.

The Deputy Monitoring Officer advised that the Democratic Services Officer was relied upon to produce an accurate set of minutes. He commented that the cost had to be taken into account, however it was a matter for Members if they wanted to put forward a suggestion to Council in this respect.

Councillor D Everitt referred to the issues that used to arise when the press followed every Council meeting and commented that Members might be worrying too much.

Councillor M Specht asked that if the cost of webcasting was too great, could audio recording of meetings be considered instead.

The Deputy Monitoring Officer stated that this could be looked into and a proposal put before Council.

It was moved by Councillor R Adams, seconded by Councillor M Specht and

RESOLVED THAT:

The report be noted.