

## 1. Councillor Fish asked Councillor Jason Wood

*Given that our motion about the crisis in Gaza was not allowed to come to this Council meeting, which would have denounced antisemitism and Islamophobia in our district and urged the Prime Minister to support a ceasefire, I would like to ask you if you agree that the Council's constitution needs to change so that we can discuss international issues that affect our residents going forward.*

Councillor Wood replied:

Thank you for your question Councillor Fish. As those of you who have been on Council for some time will appreciate, I always welcome opportunities to discuss the constitution and procedural matters. Now that is not to diminish the frustration and anguish that we all share about the subject matter of the motion that you wished to bring on the horrific events and tragic loss of life in recent months in Israel and Gaza. However, your question to me was about the Constitution and procedural rules and I will confine my answer to those procedural matters.

In order for any motion on notice to proceed to consideration at a Council meeting, the procedural rules from the constitution, Part 3, Section 1, Rule 15.4 apply. I won't read those out to you, because I'm sure that everyone who has ever tried to present a motion before has familiarised themselves with the clauses in Rule 15.4.

The full explanation has been provided to Cllr Fish as to why the Chief Executive ruled the proposed motion as being unconstitutional. This explanation, which has been published in the press, outlined the reasons for the ruling based on the procedure rules. I won't go through the full explanation but I did want to pick up on a key point and that's concerning the need for officers to provide an accompanying briefing note, setting out any pitfalls or key risks together with the key legal and financial implications associated with accepting the motion. Councillors will appreciate that we have had a look at the Council's finances, we've been in a difficult position for the last ten years and our officer support base, particularly in policy areas, has diminished to almost nothing. Simply put, this local district council does not have the knowledge or expertise to be commenting, as local government officers, on matters such as this and the risks that may be associated.

Continuing and long-standing Councillors will note that this chamber has previously considered a wide range of matters where the drafters carefully constructed a proposal with sufficient local application and content to fit within the procedural rules as outlined under the scoping clause of procedure rule 15.4. Some of you may remember that towards the end of the previous Council, in January this year, the Conservative Group was so incensed by the number of motions coming to Council that sought to bring an amendment to the constitution to – in their view – further tighten this area and prevent further motions on national and international matters being brought forward for consideration.

That motion drafted and presented by the then Cllr Austen-Baker – a constitutional law academic, asked Council to note among other things:

*“(a) A number of debates at full Council concern matters irrelevant to the business of a district council (such as nuclear warheads, foreign policy, the mode of conducting parliamentary elections)...*

He went on to say a great many other things - that I won't read out - in his proposed amendment to the Constitution, which was heavy legalese. At that time a number of Green Group councillors spoke against that proposal stating that the current Rule 15.4 was fit for purpose and did not need changing.

So; you ask if I “... agree that the Council's constitution needs to change ...”. My short answer is I agree with your Green Group colleagues who previously felt this clause was sufficient as it currently stands. Thank you.

### **By way of a supplementary question, Councillor Fish asked Councillor Wood:**

*How can we change the constitution so that we can create meaningful change and express horror at war, conflict and the killing of innocent children, in Council?*

Councillor Wood thanked Councillor Fish for his supplementary questions. He replied:

Constitution Part 1 Section 1 Clause 3.6

*“3.6 All Councillors meet together as members of the Council. Councillors approve the Constitution, any significant amendments to the Constitution “*

Part 1 Section 1 Clause 10 goes on to explain how the Constitution is monitored and reviewed.

“0.1 Full Council adopts the Constitution.

10.2 The Monitoring Officer will monitor and review the operation of the Constitution on a regular basis, in order to ensure that it is up-to-date and is empowered to make changes to ensure that among other things consequential amendments are made as a result of Council decisions; and

The Council's constitution and in particular relation to this matter, the procedural rules can be changed in accordance with Rule 25.2 which reads:

*“25.2 Amendment*

*Any motion to add to, vary or revoke these Council Procedure Rules will, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.”*

So, in summary, the constitution and procedure rules can be changed by a majority vote at Council.

## 2. Councillor Abuhajar asked Councillor Peter Jackson

As well as changes to the constitution so that we may use our lobbying power in the future – what is the Council doing to combat racism, antisemitism and Islamophobia and how can it do more?

Councillor Peter Jackson replied:

Council, as I did say already in my previous remarks tonight, works with community groups and will continue to do so. Personally I propose to make further contact with people who spoke here tonight, ask questions and investigate the information that they have about incidents that are happening. I felt as if they knew a lot more about the things that are going on in their community than we in Council currently know. We need to know that, so I will be making contact with them and encouraging them to be in contact with our Community Connectors so that we are able to hear and understand the things that are actually happening.

You will have heard Councillor Phil Black say earlier that he is prepared to write to the Prime Minister as Leader of this Council. I would say as Leader of the Liberal Democrat Group, I will happily sign such a letter and I would hope that Leaders of other groups on this Council would also be prepared to sign it so that we can, as politicians, express a view which we are clearly entitled to express but which Council Officers have ruled that Council cannot express.

Obviously I am aware that you are the Chair of Communities Together which I think is an important group that could, perhaps, be larger in scope. If you've got further suggestions then certainly I'd be interested in discussing those with you.

**When asked if she had a supplementary question, Councillor Abuhajar raised several queries with Councillor Peter Jackson:**

*Can you explain what exactly has changed the Leader's mind in agreeing now to write a letter. Was it just representations from the activists and community groups at this meeting and can you explain whether the Leader is writing in his own capacity or as the official Leader of this Council. Will a vote be required?*

Councillor Peter Jackson was unable to speak for the Leader on all of these questions.