

A Motion to Update Our Constitution

The following information has been provided by the Executive Committee to explain what the changes are and why the Region has advised that we need an Extraordinary General Meeting to vote on it.

On the 21st of August, our members will vote on whether to update our constitution. The following page gives all the details of every change to be made, and why. At the end of the page you can find the updated constitution in full.

The Motion at the Extraordinary General Meeting is:

The Aylesbury Liberal Democrats vote to agree to adopt all the changes and resolves that the constitution will take effect from the date of the vote. The EGM further instructs the Secretary to submit the constitution to the regional party for approval, AND to post the updated Constitution to the website shortly thereafter.

Please attend the meeting and vote in support of the changes.

What's changing in the 2024 Constitution:

Change #1

Agree to formally adopt the optional role of Vice-Chair:

5.1: (b) Vice-Chair – smaller parties may designate another elected Officer to substitute for the Chair when necessary, rather than elect a separate Vice-Chair;

Explanation: the constitution was written to make this role optional. The change means it is now correctly included as a required role.

Change #2

Agree to formally adopt the optional clause in 5.1 referring to Additional Single Responsibility Roles:

Additional Single Responsibilities (ASR) roles may be assigned to people recruited from, or co-opted to, the Executive to perform the following one-off roles (some roles may be officer roles which would be delegated to the ASR):

(a) Connect Co-ordinator;

- (b) Youth and Student Co-ordinator;
- (c) Press officer(s);
- (d) Campaign Organiser(s)/Agent(s);
- (e) Fundraising Co-ordinator(s);
- (f) Chair(s) of sub-committees where appropriate;
- (g) Representatives to joint committees with other Local Parties

Explanation: the constitution was written to make this paragraph optional. The change means it is now correctly adopted as an executive responsibility.

Change #3

Agree to update Article 5.7 to reflect that the party has a vice chair by removing the [] around [and Vice Chair are]

Explanation: Needs to be modified to reflect the adoption of change 1.

Change #4

Update Article 5.8 - paragraph two, sentence two:

A meeting may continue without a quorum if no member present objects. Any decisions taken at such a meeting or by email between meetings must be ratified at the next quorate meeting of the executive.

Explanation: updated to remove the [] in order to formally adopt this clause as otherwise if a meeting is not quorate, there is no responsibility on the members present to have the decision ratified by a quorate executive and there would be no formal mechanism to object to a non-quorate meeting going ahead.

Change #5:

Agree to adopt electronic ballots as the preferred election mechanism where an election is required to select any role on the executive committee, with the option to let the RO (Returning Officer) use the membership database to issue postal ballots to those that prefer it.

Changes to article 6.1:

Modification 1: From:

[...]If an election is contested, there shall be a full [postal/electronic] ballot following the meeting, [...]

To:

[...]If an election is contested, there shall be a full electronic ballot following the meeting, [...]

Modification 2: Adding the following sentence to the end of article 6.1:

[...]The RO may issue postal ballots to those members that prefer it as per the membership database.

Explanation: The 2022 constitution has not made a choice between postal or electronic ballots. Given the problems with posting and hand delivering of postal ballots and how easy it is for a registered Returning officer to set up an electronic ballot, choosing electronic is both more democratic, more secure and can be done with lower administrative overhead.

Change #6

Article 9.3: Agree to adopt electronic ballots for the selection of local government candidates.

Change the article to read:

9.3 When it is necessary to select one or more local government candidates for an electoral area, the branch or if there is no branch, the Local Party shall hold an online ballot in which all members who are resident in the electoral area concerned may vote. The timetable shall be agreed by the branch committee and the Executive Committee, or where there is no branch by the Executive Committee."

Explanation:

The 2022 constitution has not made a choice between general meetings, postal or electronic ballots for the selection of local election candidates. Given the problems with posting and hand delivering of postal ballots and how easy it is for a registered Returning officer to set up an electronic ballot, choosing electronic is both more democratic, more secure and can be done with lower administrative overhead. A general meeting to arrange selection is not practical when having to do selection for 9 unitary wards, 13 town council wards and possibly several other parish level elections.

Change #7

Article 9.7:

Modification 1: Agree to change the text to reflect the decision in change #6 to adopt email ballots.

Modification 2: Agree to correctly identify the executive committee or the branch committee as the proper authority who can select a candidate in a by-election

New paragraph 9.7:

In any case in which time does not permit the holding of an online ballot the branch committee, or if there is no branch the Executive Committee may appoint the candidate.

Explanation:

This article sets out that the executive is permitted to select candidates ONLY when time does not allow for a full selection process to take place. As per regional guidance on the use of this clause, it only applies to by-election type situations or when a candidate has to be replaced last minute:

There is no option for selection by committee. That is only possible if there is no time to run a proper process, e.g. for a by-election that is called at short notice or when a candidate is replaced at the last minute. Please note in both cases it is the executive not the campaign committee.

Change #8:

Agree to adopt article 10.8:

Such property as the Local Party may own or lease (whether physical or held in long-term investments) shall be acquired, held and disposed of through a Trust.

For a new trust, the Local Party Executive Committee shall appoint no less than three and no more than five Trustees to manage the asset on behalf of the Local Party who shall hold office for a period of five years but be eligible for re-appointment by the Executive and if at any time the number of trustees shall fall below three, immediate steps shall be taken by the Executive to appoint a new trustee. A document (which may be the trust deed) shall be drawn up setting out the responsibilities and indemnification of the Trustees in carrying out their duties on behalf of the Local Party. This document should be signed by the Chair and Treasurer of the Local Party and the appointed trustees.

Explanation:

The 2022 Constitution had left this in as an optional clause by formally adopting this clause, should the party come into ownership of significant assets, a trust will need to be set up with between 3 and 5 trustees.

The Aylesbury Liberal Democrats do not own any significant assets so this article is not currently relevant but is included just in case.



The Updated Constitution in full

In the constitutional review in 2022, 8 articles of the constitution were not updated. This means that we don't currently have a fully functioning Constitution. As Secretary, I have a duty of care to protect the party and as such I moved, at the earliest possible opportunity, that the Executive Committee call this EGM.

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