

Proposed amendments to Standing Orders

Standing Order 13 - Appointment of Committees

- (1) The Council shall at the Annual Meeting appoint Policy Committees and any other Committees which it is deemed necessary to appoint (such appointments shall be confined to determining Committees' terms of reference; their size; and the allocation of seats to political groups).
- (2) The Council may at any time similarly appoint such other Committees as are necessary to carry out the work of the Council.
- (3) Subject to any statutory provision, the Council:-
 - (i) shall not appoint any Member of a Committee to hold office later than the next Annual Meeting of the Council;
 - (ii) may at any time dissolve a Committee, amend a Committee's terms of reference, or alter a Committee's membership in so far as its size or allocation of seats to political groups are concerned.
- (4) Committees may, in turn, appoint Sub-Committees in accordance with Standing Order 20.
- (5) Subject to (6) below, the appointment of Members to committee seats shall be determined by political groups and noted by Full Council at the earliest opportunity.
- (6) Political Group Leaders may, from time to time, change their Members (including substitutes) in respect of the Committee seats allocated to their Groups by submitting written notice to the Chief Executive or nominated representative. Such changes will become effective for the next meeting of the respective Committee, provided that the required notice is received at least seven clear working days prior to the meeting in question.

Standing Order 20 – Sub-Committees

- (1) Every Committee may appoint Sub-Committees for purposes to be specified by the Committee. Such appointments shall be confined to determining Sub-Committees' terms of reference; their size; and the allocation of seats to political groups). Subject to (3) below, the appointment of Members to Sub-Committee seats shall be determined by Political Groups and noted by the parent committee at the earliest opportunity.
- (2) Subject to Standing Order 18(1), each Sub-Committee shall elect a Chairman at its first meeting of the Municipal Year.
- (3) Political Group Leaders may, from time to time, change their Members (including substitutes) in respect of the Sub-Committee seats allocated to their Groups by submitting written notice to the Chief Executive or nominated representative. Such changes will become effective for the next meeting of the respective Sub-Committee, provided that the required notice is received at least seven clear working days prior to the meeting in question.

Standing Order 21 - Committees and Sub-Committees – Substitutes and Quorum

- (1) Every Political Group may appoint a substitute Member for each Committee and Sub-Committee by submitting written notice to the Chief Executive or nominated representative. Such appointments, or changes to existing appointments, will become effective for the next meeting of the respective Committee or Sub-Committee, provided that the required notice is received at least seven clear working days prior to the meeting in question.
- (2) A substitute member of any Committee or Sub-Committee shall, in the absence of the appointed Member, be entitled to attend, speak and vote at the meeting. ~~but s~~ Should the appointed Member arrive during the course of the proceedings, the substitute Member, after completion of the Item of business under consideration, ~~subject to Standing Order No. 23, shall be required to withdraw from further participation~~ may remain in the meeting and, subject to the consent of the Chairman (Standing Order No. 23), may speak to subsequent items but shall not vote.
- (3) The quorum for Committee and Sub-Committee meetings shall be:
 - at least one quarter of the membership of the Committee or Sub-Committee; or
 - three Members

....whichever is the greater number.

STANDING ORDER 29

**QUESTIONS AND REPRESENTATIONS AT MEETINGS
(other than petitions – Standing Order 30 refers)**

(1) Questions

- 1.1 A Member of the Council may ask the Chairman of a Committee any question regarding a Committee minute which is under consideration by the Council.
- 1.2 Subject to (i) to (xi) below, a Councillor, or a person resident, working or studying in the District, may put a question to any meeting of the Council (other than the Annual Meeting) or a Committee on any matter in relation to which the Council / Committee has powers or duties or which affects the District:
- (i) such questions must be received by e-mail or in writing to the Chief Executive or nominated Officer at least three clear working days prior to the meeting;
 - (ii) the Chief Executive may exercise discretion to refuse to allow a question to be presented if he / she considers it to be offensive, excessively lengthy, outside the scope of this Standing Order, or on the same subject as another question or upon which a question has been answered in the previous three months;
 - (iii) at Council meetings, the Chairman may request that the answer be given by the Chairman of a relevant Committee;
 - (iv) at Committee meetings, the Chairman may request that the answer be given by another Member or an Officer;
 - (v) questions from a person resident, working or studying in the District shall be e-mailed to all Members by 6.00pm on the working day prior to the meeting and either:
 - read out at the meeting by the individual concerned from within the meeting room; or,
 - if members of the public are not permitted to attend in person for health & safety reasons, the individuals concerned will be given the opportunity to pre-record their questions (such recordings to be facilitated by the Council, limited to the individual speaking to camera, without additional augmentations to promote their views) and for the recordings to be replayed at the meeting. Otherwise, such questions will be read out by the Chief Executive or nominated officer, either from within a physical meeting place or from a remote location.
 - (vi) the time allowed for questions and answers shall be ten minutes unless the Chairman deems that there are special circumstances for extending that period;
 - (vii) the questions shall be taken in the order that they were received by the Chief Executive or nominated Officer;
 - (viii) such questions shall be dealt with at the beginning of the relevant meeting;
 - ~~(ix) every question shall be put and answered without discussion;~~

- (ix) answers may take the form of:-
- (a) a direct oral answer; or
 - (b) where the desired information is contained in a publication of the Council, a reference to that publication.
 - ~~(c) a written answer (copies of which shall be circulated to Members of the Council) where the reply to the question cannot conveniently be given orally.~~
- (x) at the meeting, subject to the questioner being present, the Chairman will ask the questioner if the response answers their concern or if they wish to ask one supplementary question (if a supplementary question is asked, it must arise from the reply given);
- (xi) the Chairman may invite other Members present at the meeting to respond to a supplementary question.

References within the Constitution whereby officers are required to consult specific Members on certain matters

Subject to the Council remaining in a state of no overall control (i.e. where no single political group has an absolute majority of seats), throughout Financial Regulations, the Scheme of Delegation and the Planning Protocol (parts C, E and F of the Constitution), all references to officers having to consult specific Members of the Administration (listed below) will be replaced with a requirement that such consultations take place with the Leaders, or their nominated representatives, of political groups comprising ten or more Councillors.

Financial Regulations (Part C)	
16 - Invest to Save	<p>Subject to achieving a financial return of at least 2% above bank base rates and a measurable improvement in service, spending be approved as follows:</p> <p>(i) Up to £30,000 – to be approved by the relevant Chief Officer, subject to the concurrence of the Chief Finance Officer (or in his absence, or where the expenditure relates to his Directorate, by the Chief Executive) and in the consultation with the Chair of the Strategy & Resources Committee;</p>
17 - purchase of land and buildings utilising the Investment & Development Fund or the Housing Revenue Account	<p>Subject to the conditions specified within Annex A [to Financial Regulation 17] the Chief Executive, in consultation with:</p> <p>a) the Leader or Deputy Leader and the Chair or Vice Chair of the Strategy & Resources Committee, can utilise the Investment & Development Fund; or</p> <p>b) the Leader or Deputy Leader and the Chair or Vice Chair of the Housing Committee, can utilise the Housing Revenue Account</p> <p>... for the purchase of land or buildings in accordance with the Council's general power of competence under the Localism Act 2011, or in the case of the HRA, for the Council's House Building Programme.</p> <p>Subject to all other conditions specified in Appendix E, the Chief Executive, in consultation with the Leader or Deputy Leader and the Chair or Vice Chair of the Strategy & Resources Committee, can amend the phasing of the capital budget for the Investment & Development Fund up to the maximum of the available approved funding.</p>
Delegation of powers to committees and officers (Part E)	
Overview - clause (vi)	<p>Authority to settle court proceedings to protect the Council's interests is delegated to the Monitoring Officer in consultation with the Chair or a Vice Chair of the relevant Committee</p>

Terms of Reference of all Policy Committees – Clause C	Subject to the agreement of the Chief Executive and in consultation with the respective Policy Committee Chairs , to deal exclusively with any matter that also falls within the terms of reference of another Policy Committee / other Policy Committees and to resolve such matters unless reserved for determination by Full Council.
Housing Committee – powers to resolve (clause ii)	Freehold disposals of Housing Revenue Account assets worth between £250,000 and up to £1 million (the Chief Executive can determine freehold disposals of assets worth less than £250,000 in consultation with the Chair of the Committee).
Housing Committee – powers to resolve (clause iii)	Authority is delegated to the Chief Executive, in consultation with the Housing Committee Chair , to approve leasehold disposals of HRA assets of up to 16 years and with an annual rental valuation of up to £75,000.
Licensing Committee – scheme of delegation for alcohol and entertainment licensing	Officers to consult the Chair and Vice-Chair of the Committee to determine whether complaints are frivolous or vexatious.
Strategy & Resources Committee – powers to resolve (clause iii)	The Chief Executive can determine freehold disposals of General Fund assets worth less than £250,000 in consultation with the Chair of the Committee .
Strategy & Resources Committee – powers to resolve (clause iv)	Authority is delegated to the Chief Executive, in consultation with the Chair of the Committee , to approve leasehold disposals of General Fund assets of up to 16 years and with an annual rental valuation of up to £75,000.
Planning Protocol (within Part F)	
Planning Protocol – 12.4	In exceptional and special circumstances, the Chief Planning Officer may, in consultation with the Head of Legal and the Chairman and Vice- Chairman of the Planning Committee , use his / her discretion to report the determination of Certificates of Lawfulness of an Existing or Proposed Use of Development (CLEUDs / CLUPDc) to the Planning Committee for decision.
Planning Protocol – Appendix 4 (Development Management Charter) – Enforcement Action	In particularly sensitive cases [enforcement matters] may be referred to the Planning Committee for discussion. Committee referral will be subject to the agreement of the [Chief Planning Officer] in consultation with the Chairman and/or Vice Chairman of the Committee .