

Public Document Pack



RUSHMOOR BOROUGH COUNCIL

CORPORATE GOVERNANCE, AUDIT AND STANDARDS COMMITTEE

*at the Council Offices, Farnborough on
Wednesday, 2nd July, 2025 at 7.00 pm*

To:

Cllr Bill O'Donovan (Chairman)
Cllr Rhian Jones (Vice-Chairman)

Cllr Gaynor Austin
Cllr C.W. Card
Cllr Sue Carter
Cllr P.J. Cullum
Cllr C.P. Grattan
Cllr M.J. Roberts
Cllr Sarah Spall
Cllr P.G. Taylor
Cllr Jacqui Vosper

Non-Voting Member:

Mr. Tom Davies – Independent Member (Audit)

Standing Deputies:

Cllr Leola Card, Cllr Thomas Day, Cllr A.H. Gani, Cllr S.J. Masterson, Cllr T.W. Mitchell, Cllr.Ivan Whitmee.

Enquiries regarding this agenda should be referred to the Committee Administrator,
Lucy Bingham, Democratic Services, Tel. (01252 398128) or email
lucy.bingham@rushmoor.gov.uk.

A G E N D A

1. **PROPOSAL TO START A COMMUNITY GOVERNANCE REVIEW – (Pages 1 - 20)**

To consider the Monitoring Officer's Report No. LEG2510 (copy attached) which proposes the start of a Community Governance Review and sets out the Terms of Reference for a Review for recommendation to the Council.

2. **CONSTITUTION AND COMMITTEE REVIEW UPDATE REPORT (2) – (Pages 21 - 110)**

To consider the Corporate Manager - Democracy Report No. DEM2506 (copy attached) which sets out proposed updates to the Council's Constitution following consideration by the Constitution Working Group for recommendation to Council.

PUBLIC PARTICIPATION AT MEETINGS

Members of the public may ask to speak at the meeting on any of the items on the agenda by writing to the Committee Administrator at the Council Offices, Farnborough by 5.00 pm two working days prior to the meeting.

**CORPORATE
GOVERNANCE, AUDIT
AND STANDARDS
COMMITTEE**

MONITORING OFFICER

2 JULY 2025

Report No. LEG25/10

PROPOSAL TO START A COMMUNITY GOVERNANCE REVIEW

SUMMARY AND RECOMMENDATIONS:

SUMMARY:

This report sets out a proposal to start a Community Governance Review in response to Local Government Reorganisation. This review aims to ensure that community governance arrangements will continue to be effective, convenient, and work in the interests of local residents in the event of the establishment of a unitary council for North Hampshire.

The report and the attached proposed Terms of Reference describes the process and schedule for a Community Governance Review to be completed by January 2026 to ensure there is sufficient time to set precepts and transfer any assets and/or services to any new parish councils that the Council may choose to establish.

RECOMMENDATION:

That the Committee recommends to Council that the Terms of Reference for a Community Governance Review are approved.

1 INTRODUCTION

- 1.1 This report sets out the background and proposal to start a Community Governance Review in response to Local Government Reorganisation. This review aims to ensure that community governance arrangements will continue to be effective, convenient, and work in the interests of local residents in the event of the establishment of a unitary council for North Hampshire.

2 BACKGROUND

General

- 2.1 The Government have [invited proposals](#) for Local Government Reorganisation (LGR) and asked that two-tier areas, such as Hampshire, form unitary authorities that combine all powers into a single Council. One criterion for LGR proposals is to “enable stronger community engagement and deliver genuine opportunities for neighbourhood empowerment”

- 2.2 On 20 March 2025, Cabinet approved the Council's LGR Interim Plan on 20 March 2025 (Report No. [ACE2506](#)). In line with the principles set out in the interim plan and at this stage of the process, the Council believes that both the sense of place and economic geography of the area favours a North Hampshire unitary council (comprising the areas of Rushmoor, Hart and Basingstoke and Deane).
- 2.3 Basingstoke and Hart districts are parished. Hart has 21 town and parish councils covering the entire district, Basingstoke and Deane have 41 covering part of the district. Rushmoor has no parish councils.
- 2.4 The [English Devolution White Paper](#) acknowledges that residents value community scale governance, and stated a desire to see stronger community engagement arrangements and strengthened community voice. A risk of the establishment of fewer, larger unitary councils is that residents feel less able to influence decisions affecting their local area. The white paper noted that 50% of people say it is important that they feel able to influence decisions affecting their local area, currently only 23% feel able to do so.
- 2.5 Parish and town councils can provide communities with a strong community voice, while delivering hyper-local services to their residents and offering community ownership of prized local assets. Areas without these council could stand to lose out on these benefits.
- 2.6 The [Government's feedback on interim plans](#) acknowledged the value that town and parish councils offer to local communities. They were clear that areas should think carefully about how they might be funded and implications for taxpayers and local authority finances.
- 2.7 Recent unitarisation in previously two-tier areas has resulted in the [creation of new town councils](#), including St Austell (Cornwall), Salisbury (Wiltshire), Macclesfield (Cheshire East), and Weymouth (Dorset). This has often included a community asset transfer programme to provide these communities with greater control and decision-making of prized local assets and services that may not be as valued by a larger unitary council. It is likely that other councils are planning similar activities in this round of reorganisation.
- 2.8 The proposed [Council Delivery Plan](#) (to be considered by Council on the 10 July 2025) commits the Council to achieve the best outcome for Rushmoor residents and business from LGR, to engage with residents and business, and to ensure their needs are met.

Parish Councils

- 2.9 Parish councils can offer local communities with significant benefits, such as community representation, enhanced local services, hyper-local projects, support for community cohesion, and greater accountability and transparency of local decision making.

2.10 Parish councils have the legal powers to run:

- Allotments
- Cemeteries and Crematorium
- Community Centres
- CCTV and Community Safety
- Drainage
- Entertainment and the Arts
- Street maintenance, such as footpaths, lighting, litter bins, benches, tree care, and grass cutting.
- Car Parking
- Community Lottery
- Parks, recreation grounds, and open spaces
- Public conveniences
- Planning consultation and neighbourhood planning
- Tourism
- Taxi fare concessions and bus services grants

2.11 Parish councils have community rights to bid, challenge, and build to bring more assets and services under their control. They are statutory consultees on planning applications and can shape local development through Neighbourhood Plans.

2.12 Parish councils can be funded through grants, fees and charges, and a council tax precept. The size of precept can vary significantly depending on the assets and services offered by the council. For example, in [Hart District](#) the lowest Band D parish precept is £15.35 per year (Bramshill) and the highest is £183.03 per year (Hartley Wintney). The establishment of a parish council and the transfer of assets and services to the new council may mean that any new additional parish council precept is accompanied by a reduction in the district council precept. However, a small increase of the overall council tax paid by residents is expected to cover additional administrative costs.

3 DETAILS OF THE PROPOSAL

General

3.1 Local Government Reorganisation will have substantial implications for local community governance in the Borough of Rushmoor. Given that most of the North Hampshire area is parished, it is proposed that the Council reviews governance arrangements in the Borough to ensure that they will continue to be effective, convenient, and work in the interests of local residents in the event of unitarisation.

3.2 The Local Government and Public Involvement in Health Act 2007 gives district councils the powers to conduct a Community Governance Review to ensure that local governance will continue to be effective and convenient and will reflect the identities and interests of local communities. This review can result in a recommendation to establish new parish councils.

- 3.3 To begin the review, the Council must agree a terms of reference that sets out the scope, principles, responsibilities, consultation activity, and schedule. The proposed terms of reference for this review are attached in Annex 1. Once the Council has approved the terms of reference for the review, it must complete the review within twelve months.
- 3.4 The proposed Community Governance Review will involve all wards and residents within the borough.
- 3.5 A first consultation will seek resident views on whether they think there should be a lower tier of local government in the borough, and whether this should be single ward parishes, or multi-ward parishes (i.e. town councils). The consultation will provide general information for residents to understand the possible implications of any future proposed approach, including any changes to precepts.
- 3.6 The Council will consider the results of the first consultation and recommended next steps in September 2026 to decide whether to proceed to the second consultation. This could seek residents' views on a proposed form, structure, assets, and services for parish and/or town councils. The consultation will provide specific information for residents to fully understand the implications of the proposed approach, including any changes to precepts.
- 3.7 The Council will consider a final report and draft Community Governance Reorganisation Order by January 2026 in advance of potential parish council elections in May 2026. Alternatively, the Council could decide to not make any changes to community governance having given regard to the consultation results.

Alternative Options

Neighbourhood area committees

- 3.8 The [Government have suggested](#) that neighbourhood area committees could offer a model of place-based engagement and leadership that maximises efficiencies, and strengthens localism and community participation.
- 3.9 A neighbourhood area committee is a local governance body that involves residents in decision-making processes for their community. These committees typically consist of local councillors who use their knowledge of the area to make decisions on how local funds are spent and what improvements are needed.
- 3.10 Parish councils are statutory bodies establishment by legislation with formal powers and responsibilities that can provide a range of services, are statutory planning consultees, can raise funds, and are elected by local residents.
- 3.11 Neighbourhood area committees consist of ward councillors and can include community representatives. These committees are established by a council to focus on specific places within the larger council area and to influence decision

making. They have no formal powers other than those delegated to them, do not have to be consulted, and cannot raise funds independently.

- 3.12 Under Section 9E of the Local Government Act 2000, the Leader may delegate executive functions to area committees. Those area committees must be established for part of the area of the authority and consist of elected members for wards within that area. Those executive functions are not equivalent to the powers of a parish council.
- 3.13 An alternative option is to not conduct a community governance review with the expectation that a new unitary council will establish neighbourhood area committees. This could mean that residents will not have the opportunity to give their view on whether these governance arrangements will be effective, convenient and reflect the identities and interests of local communities.
- 3.14 Given the commitments in the proposed Council Delivery Plan to acting in the best interests of residents and engaging them on their views, this alternative option is not recommended.

Delayed Community Governance Review

- 3.15 The Council could choose to schedule a Community Governance Review to report back to Council later than January 2026. To formally establish a parish council, the Council will need to set a precept and hold parish elections in the February and May of the establishment year. A Council decision later than January 2026 would mean that parish councils could not be established any earlier than April 2027.
- 3.16 The formal establishment of unitary councils is likely to be preceded by the formation of shadow unitary councils by April 2027. At this point, it is normal practice for the financial activities of the 'legacy' councils to be restricted by the Government. This will include the powers to transfer assets and/or services to parish councils over £100,000 without the consent of the shadow authority.
- 3.17 Given this, an alternative schedule is not recommended.

Boundary changes

- 3.18 The Local Government Boundary Commission for England must give its consent to the establishment of any parish council that requires changes to district ward boundaries.
- 3.19 A parish council that consists of the whole of one or more existing district wards will not require boundary changes and therefore can be established without requiring the consent of the Boundary Commission.
- 3.20 A parish council that consists of part of any existing district wards will require boundary changes and therefore will require the consent of the Boundary Commission before the Council can lawfully make the Community Governance Reorganisation Order.

- 3.21 While the Council cannot pre-determine the outcome of the Community Governance Review, it is unlikely that the consent of the Local Government Boundary Commission for England will be granted within the timing constraints detailed in elsewhere in this report.

Consultation

- 3.22 This proposed includes a programme of consultation to seek the views of residents on whether the current local community governance arrangements will be effective, convenient and reflect the identities and interests of local communities after local government reorganisation.
- 3.23 The Leaders Working Group on Local Government Reorganisation and the Policy and Projects Advisory Board have been consulted on the proposal and support the recommendation to Council.

4 IMPLICATIONS (of proposed course of action)

Risks

- 4.1 If the review is delayed beyond January 2026, the Council may lose the legal authority to complete the review and/or transfer any assets and services to the new councils.
- 4.2 The Council must ensure the review follows the relevant legislation to avoid judicial review.
- 4.3 Residents may not be able to make an informed decision without sufficient information on the benefits, opportunities, risks, and implications of the establishment of parish councils in-principle and the specific proposals for the borough. This could lead to low participation in the consultation and distrust in the outcomes.
- 4.4 Poorly designed parish boundaries and governance structures may not reflect community identities, may lead to inequity, and feelings of unfairness. This could lead to resident disengagement and dissatisfaction in their community governance arrangements.
- 4.5 Asset and service transfers are complex legal, logistical, and financial changes that could result in unforeseen issues.
- 4.6 The Council will mitigate these risks through standard project management techniques, the involvement of suitably skilled and experienced council officers, prioritised resourcing, and a focus on transparent and inclusive communications and engagement activity. The project risks will be updated as more specific proposals are developed and included in a later Community Governance Review report to Council in September.

Legal Implications

- 4.7 The legal implications of conducting a review are contained throughout this document. The committee should be aware that one consequence of not recommending the review is that a review may be commenced by way of a petition. A petition, to be valid, must meet the following thresholds:
- For an area with less than 500 local electors, the petition must be signed by at least 50% of them.
 - For an area with between 500 and 2,500 local electors, the petition must be signed by at least 250 of them.
 - For an area with more than 2,500 local electors, the petition must be signed by at least 10% of them.

Financial Implications

- 4.8 Each town or parish council is required to set a balanced budget for its planned activities and services each year. Town and parish councils are usually funded by a combination of grants, fees and charges and precept. The precept is the amount to be funded by council tax by residents within the town or parishes boundary. Annually, the town or parish must submit their precept amount to the billing authority, Rushmoor Borough Council, to include on the council tax bills, collect on their behalf and pass on throughout the year.
- 4.9 The timescales required to ensure sufficient time for Rushmoor to carry out this process, will require the precept to be submitted by end of January each year.
- 4.10 As of the 2025/26 financial year, where Rushmoor Borough Council is subject to a maximum council tax increase per annum of 3% or £5 (whichever is higher), parish and town council are not subject to these increase limits.
- 4.11 Rushmoor will incur some initial set up costs including;
- Interim legal support
 - Council Tax Software change costs
 - Election costs
- 4.12 Further details on the financial implications of any specific proposals for the establishment of parish councils will be included in a later Community Governance Review report to Council in September.

Resource Implications

- 4.13 There are no resource implications in relation to this report. It is anticipated that resource implications will be included in a later Community Governance Review report to Council in September where more specific proposals are recommended.

Equalities Impact Implications

- 4.14 An equality impact check found that this proposal would have a neutral or low negative impact on people with protected characteristics. Alternative consultation methods will be considered to mitigate these impacts. Therefore, a full assessment is not required. The Equality Impact Assessment in Annex 2 will be updated as more specific proposals are developed and included in a later Community Governance Review report to Council in September.

5 CONCLUSIONS

- 5.1 This report sets out a proposal to start a Community Governance Review in response to Local Government Reorganisation. This review aims to ensure that community governance arrangements will continue to be effective, convenient, and work in the interests of local residents in the event of the establishment of a unitary council for North Hampshire.
- 5.2 The report and the attached proposed Terms of Reference describes the process and schedule for a Community Governance Review to be completed by January 2026 to ensure there is sufficient time to set precepts and transfer any assets and/or services to any new parish councils that the Council may choose to establish.
- 5.3 The Leaders Working Group on Local Government Reorganisation and the Policy and Projects Advisory Board have been consulted on the proposal and support the recommendation to Council.
- 5.4 This proposal supports the proposed [Council Delivery Plan](#) commitment to achieve the best outcome for Rushmoor residents and business from LGR, to engage with residents and business, and to ensure their needs are met. It will contribute to the Council's Local Government Reorganisation submission meeting the criterion to "enable stronger community engagement and deliver genuine opportunities for neighbourhood empowerment."

LIST OF APPENDICES/ANNEXES:

- Annex 1: Proposed Community Governance Review Terms of Reference
Annex 2: Equality Impact Assessment

BACKGROUND DOCUMENTS:

- [House of Commons Library – Parish and town councils: recent issues](#)
[House of Commons Library - Unitary authorities: The role of parish and town councils](#)

CONTACT DETAILS:

Report Author – Alex Shiell / Service Manager – Policy, Strategy, and Transformation / alex.shiell@rushmoor.gov.uk / 01252 398188

Report Author / Head of Service – Amanda Bancroft / Interim Monitoring Officer and Corporate Manager Legal Services / amanda.bancroft@rushmoor.gov.uk / 01252 398135

Rushmoor Borough Council

Community Governance Review – Terms of Reference

Introduction

Rushmoor Borough Council (the Council) is carrying out a Community Governance Review (CGR) in accordance with Chapter 3 of the Local Government and Public Involvement in Health Act 2007 (LGPIHA 2007) to consider implementation of parishes, parish ward boundaries and councillor representation throughout the local authority area.

The Council is required to have regard for the Guidance on CGRs issued by the Secretary of State for Communities and Local Government. The guidance has been considered in drawing up these Terms of Reference.

What is a Community Governance Review?

A Community Governance Review is a review of the whole the Council's area to consider one or more of the following:

- Creating, merging, altering or abolishing parishes
- The naming of parishes and the style of new parishes
- The electoral arrangements for parishes including:
 - The ordinary year of election
 - Number of councillors to be elected
 - Warding of the parish
- Grouping parishes under a common parish council
- Other types of local arrangements, including parish meetings

A Community Governance Review is required to take into account:

- the impact of community governance arrangements on community cohesion; and
- the size, population and boundaries of a local community or parish

The Council is required to ensure that community governance within the area under review will:

- be reflective of the identities and interests of the community in that area; and
- be effective and convenient

If the council is satisfied that the recommendation of a Community Governance Review would ensure that community governance within the area under review will reflect the identities and interests of the community in that area, and is effective and convenient, the council can make a Community Governance Order.

Why are we carrying out a Community Governance Review?

A CGR provides an opportunity for District Councils to consider and make changes to community governance for parishes within their area. Aldershot and Farnborough currently do not have any parishes.

Annex 1: Proposed Community Governance Review Terms of Reference

Reviews are undertaken to ensure that community governance for the area is effective, convenient and reflects the interests of the local community. Any recommendations following a CGR should result in improved community engagement, more cohesive communities, better local democracy and result in more effective and convenient delivery of local services.

Scope of the Review

Rushmoor Borough Council will be reviewing potential parish governance arrangements across the whole of the local authority area and will be considering the following:

- Creating parishes
- The naming of parishes and the style of any new parishes
- The electoral arrangements for the parishes, including:
 - the ordinary year of election
 - the number of councillors
 - the number and boundaries of wards (if warded)
 - the name of any ward (if warded)

Any final recommendations made on the above by Rushmoor Borough Council will have regard to Section 93 LGPIHA 2007 and will ensure that community governance within the areas under review reflect the identities and interests of the community in that area and is effective and convenient.

Consultation

The Council is required to consult the electors for the area under review and any other person or body who appears to have an interest in the review and to take the representations that are received into account.

Following the consultation under these terms of reference, the Council will determine, after consideration of the consultation responses and other statutory considerations, whether to publish draft recommendations as to the future community governance arrangements within Rushmoor.

In arriving at its final recommendations following consultation on draft proposals, the Council will take account of the views of local people and any other person or body who appears to have an interest in the review against the statutory criteria set out in the Local Government and Public Involvement in Health Act 2007 and government guidance.

If any change to community governance arrangements in Rushmoor is approved, a Community Governance Reorganisation Order will be made to give effect to the changes.

Annex 1: Proposed Community Governance Review Terms of Reference

Timetable

The Community Governance Review must be completed no later than 12 months of publication of these Terms of Reference.

The timetable for the review is as follows. Depending on local circumstances some dates may be subject to change:

Key date	Actions
2nd July 2025	Terms of Reference and Timetable for Review approved by Corporate Governance, Audit and Standards Committee.
21st July to 12 September 2025	Rushmoor Borough Council to publish approved Terms of Reference. Eight-week consultation period begins with local people and interested parties.
25th September 2025	Review of consultation responses and to determine whether to publish draft recommendations as to the future community governance arrangements.
6th October 2025 to 28th November 2025	Subject to approval above, Rushmoor Borough Council to publish draft recommendations, including proposed electoral arrangements. Further eight-week consultation period begins with local people and interested parties.
Date to be set before end Jan 2026	Subject to consultation submissions and statutory considerations, Rushmoor Borough Council to determine whether to publish final recommendations and authorise the making of a community governance reorganisation order.

Representations

The Council welcomes representations during the specified consultation stages as set out in the timetable from any person or body who may wish to comment or make proposals on any aspect of the matters included in the Review.

Representations may be made by email to policy@rushmoor.gov.uk

Equality Impact Assessment: Screening Tool

The **Equality Impact Assessment (EIA) Screening Tool** should be completed for any new proposal. It helps staff check if their proposal will positively, neutrally, or negatively affect residents, staff, or service users. If the impact is positive or neutral, a full EIA isn't needed.

A **full EIA** is required if the screening shows a negative impact on specific groups. We also advise that a full EIA should be completed when a [key decision](#) is being made. Key decisions are executive actions likely to:

- Significantly affect Council tax, budget balances, or contingencies.
- Have a major impact on communities across two or more Borough wards.
- Expenditure or savings over £100,000 qualify as significant, with a £250,000 threshold for property transactions.

Furthermore, for staff, we generally consider the impact on more than 25 people as significant, which would require a full EIA. If you're unsure, you can seek guidance from the Policy Team.

***After screening, if you identify the need for a full Equality Impact Assessment, you can use your existing answers as a foundation for the full assessment.**

Name of Project	Community Governance Review
Reference number (if applicable)	
Service Area	Legal
Date screening completed	23 June 2025
Screening author name	Martin Iyawwe
Policy Team sign off	Alex Shiell
Authorising Director/Head of Service name	Amanda Bancroft

Please provide a summary of the proposal

Please outline:

- What are the aims / objectives of this proposal?
- Will this deliver any savings?
- What benefits or change will we see from this proposal?
- Which key groups of people or areas of the borough are involved?

The proposal is to begin a Community Governance Review (CGR) to consider the creation of parish or town councils within Rushmoor. The review is in response to expected local government reorganisation and the potential establishment of a unitary council for North Hampshire. The CGR will involve borough-wide consultation with residents and stakeholders to understand their views on potential parish or town councils, with a decision by January 2026 to allow for elections in May 2026 if new councils are created.

- **Aims/Objectives:** To review and potentially establish new community governance arrangements to ensure effective, convenient local representation that reflects community identity.
- **Savings:** No direct savings. Some one-off costs will be incurred for legal advice, systems updates, and elections. Any future financial implications (e.g., precepting arrangements) would be considered in later stages.
- **Benefits/Change:** Potential for enhanced local representation, community voice, and neighbourhood control of services/assets.
- **Key groups or areas:** All Rushmoor residents. The proposal affects the entire borough.

Annex 2: Equality Impact Assessment

Who will the proposal impact? Delete as appropriate.

Group of people	Impacted?
Residents	<input checked="" type="checkbox"/> Yes/ <input type="checkbox"/> No
Businesses	<input checked="" type="checkbox"/> Yes/ <input type="checkbox"/> No
Visitors to Rushmoor	<input checked="" type="checkbox"/> Yes/ <input type="checkbox"/> No
Voluntary or community groups	<input checked="" type="checkbox"/> Yes/ <input type="checkbox"/> No
Council staff	<input checked="" type="checkbox"/> Yes/ <input type="checkbox"/> No
Trade unions	<input checked="" type="checkbox"/> Yes/ <input type="checkbox"/> No
Other public sector Organisations	<input checked="" type="checkbox"/> Yes/ <input type="checkbox"/> No
Others	Please specify:

What impact will this change have on staff? Please complete where relevant.

<p>Please outline in brief:</p> <ul style="list-style-type: none"> • Who will be impacted? For example, which services, teams, or buildings? • How many staff members? • What will the impact be? (e.g., changes to structure, staffing levels, responsibilities, relocation, or new working methods)
<p>No direct impact on staff at this stage of the CGR. Future proposals (e.g. service or asset transfer) may have implications and will be assessed later once specific proposals have been developed. There will be a slight increase in workload for staff that are part of the project team.</p>

What consultation or engagement will you be leading (with residents, staff, or other stakeholders) as part of this project?

Please outline in brief:

- Which groups will you consult (residents, staff, other stakeholders)?
- Will you collect personal data?
- How will you engage (e.g., surveys, focus groups)?
- How will you use the feedback?

If no engagement is planned, explain why.

A full borough-wide consultation will be carried out in two phases. The aim is to ask residents and community groups whether they would like a more local level of representation in their area (such as a town or parish council, or a neighbourhood area committee), and if so, how that might be set up.

The first consultation (21 July to 12 September 2025) will ask for views on whether people support the idea of local councils, how they might be set up (e.g. one for each ward or a single town council), and what they could be called.

The second consultation (6 October to 28 November 2025) will follow up with more detailed questions if there is support for new councils — such as the number of councillors, funding methods, and which services or assets they should manage.

- **Who will be consulted?** All Rushmoor residents, local voluntary and community groups, and key partners.
- **How will we consult?** The consultation will be shared through the council website, social media (Facebook, X/Twitter, Nextdoor, LinkedIn, etc.), email newsletters, local media, and partner organisations like RVS. Internal staff channels include Viva Engage, staff and member newsletters, and Rushmoor Round-Up.
- **Personal data:** We do not plan to collect any personal data as part of the consultation. It will be an anonymous survey.
- **How feedback will be used:** The findings from both consultation rounds will be reviewed and used to decide whether to propose setting up town or parish councils and to shape the details if so.

Potential consultation questions could include:

1st Consultation key points

- Would you like a lower tier of local representation government in your area?
- If yes, would you like a parish in every ward or multi-ward for towns?

2nd Consultation key points

Annex 2: Equality Impact Assessment

- Do you agree with our proposal for Parish / Town Councils? Our first consultation demonstrated support for [town councils] [parish councils].
- Do you agree with [proposed names]
- If not, what would you like them to be called?
- We propose X number of councillors. Do you agree?
- If not, what number of councillors do you think is ideal?
- We propose to fund [organisation] in the following way – do you agree?
- If not, how do you propose we fund [organisation]
- What assets and services should be transferred to them?

Annex 2: Equality Impact Assessment

What impact will this change have on people with protected characteristics and/or from disadvantaged groups?

For the groups identified earlier, tick the likely impact on people with protected characteristics (e.g., age, disability, race, etc.):

- **Neutral:** No impact.
- **Positive:** Benefits people with protected characteristics.
- **Negative:** Harms people with protected characteristics.
- **Not Sure:** It's unclear how this affects people with protected characteristics, or more information is needed.

Rate the negative impact as **low, medium, or high**. Also, consider whether the proposal may be seen as controversial or negative by some groups. See the guidance for help.

When completing this table, please consider both direct and indirect impacts. Indirect impacts may not be intentional but could still affect people with protected characteristics differently. For example, a gambling policy may indirectly impact men (who are more likely to experience problem gambling) and women (who are more likely to be affected by someone else's gambling).

Protected characteristic	Positive impact	Neutral impact	Negative impact	Not Sure	Description of the impact (if applicable) <i>Consider both direct and indirect impacts when completing this table</i>
Age (for example, young people under 25, older people over 65)	<input type="checkbox"/>	<input type="checkbox"/>	Low	<input type="checkbox"/>	The consultation will be open to everyone, with accessible formats where needed. Indirect impact that older residents or young people may be less likely to engage with online consultations. Alternative consultation methods will be

Annex 2: Equality Impact Assessment

Protected characteristic	Positive impact	Neutral impact	Negative impact	Not Sure	Description of the impact (if applicable) <i>Consider both direct and indirect impacts when completing this table</i>
					considered to include these groups.
Disability (include people with physical disabilities, people with learning disabilities, blind and partially sighted people, Deaf or hard of hearing people, neurodiverse people. This also includes carers.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Choose an item.	<input type="checkbox"/>	No specific impact expected. Information will be made available in accessible formats.
Gender reassignment and identity (Include people who identify across the trans* umbrella, not only those who have undergone gender reassignment surgery. This is inclusive of girls and or/women, men and/or boys, non-binary and genderfluid people and people who are transitioning) *Trans is an umbrella term to describe people whose gender is not the same as, or does not sit comfortably with, the sex they were assigned at birth.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Choose an item.	<input type="checkbox"/>	No specific impact expected.
Marriage and Civil Partnership	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Choose an item.	<input type="checkbox"/>	No specific impact expected.
Pregnancy and Maternity (Include people who are pregnant in or returning to the workplace after pregnancy. Could also include working parents.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Choose an item.	<input type="checkbox"/>	No specific impact expected.
Race or ethnicity (include on the basis of colour, nationality, citizenship, ethnic or national origins)	<input type="checkbox"/>	<input type="checkbox"/>	Low	<input type="checkbox"/>	The council has a large Nepali community, it may

Annex 2: Equality Impact Assessment

Protected characteristic	Positive impact	Neutral impact	Negative impact	Not Sure	Description of the impact (if applicable) <i>Consider both direct and indirect impacts when completing this table</i>
					be difficult to get their views on the formation of town/parish councils. Alternative consultation methods will be considered to include these groups.
Religion or belief (include no faith)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Choose an item.	<input type="checkbox"/>	No specific impact expected.
Sex (Under the Equality Act 2010 and following the 2025 Supreme Court ruling on 15 April 2025, a person’s legal sex is defined as their biological sex as recorded at birth. Trans individuals are still protected from discrimination under the characteristic of gender reassignment.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Choose an item.	<input type="checkbox"/>	No specific impact expected.
Sexual Orientation (Include people from across the LGBTQ+ umbrella, for example, people who identify as lesbian, gay, bisexual, pansexual or asexual.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Choose an item.	<input type="checkbox"/>	No specific impact expected.
Other (e.g. people on low incomes, people living in poverty, looked after children, people with care experience, people who are homeless, people with mental health problems, people who are prison	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Choose an item.	<input type="checkbox"/>	No specific impact expected.

Protected characteristic	Positive impact	Neutral impact	Negative impact	Not Sure	Description of the impact (if applicable) <i>Consider both direct and indirect impacts when completing this table</i>
leavers, people affected by menopause, people affected by menstruation and/or period poverty)					

Screening Decision	Outcome
Neutral or Positive – no full EIA needed*.	<input type="checkbox"/> Yes/ <input checked="" type="checkbox"/> No
Negative – Low Impact – full EIA at the service director’s discretion*.	<input checked="" type="checkbox"/> Yes/ <input type="checkbox"/> No
Negative – Medium or High Impact – must complete a full EIA.	<input type="checkbox"/> Yes/ <input checked="" type="checkbox"/> No
Is a full EIA required? Service decision:	<input type="checkbox"/> Yes/ <input checked="" type="checkbox"/> No
Is a full EIA required? [Policy Team] sign off recommendation:	<input type="checkbox"/> Yes/ <input checked="" type="checkbox"/> No
Flag for DPIA (will include engagement that collects personal data). [Policy Team]:	<input type="checkbox"/> Yes/ <input checked="" type="checkbox"/> No
Flag for ethics (high risk / will involve engagement with vulnerable residents):	<input type="checkbox"/> Yes/ <input checked="" type="checkbox"/> No

**CORPORATE GOVERNANCE, AUDIT
AND STANDARDS COMMITTEE****CORPORATE MANAGER -
DEMOCRACY**

2ND JULY, 2025

REPORT NO. DEM2506

CONSTITUTION AND COMMITTEE REVIEW UPDATE (2)**1. INTRODUCTION**

- 1.1 The Council's Constitution is intended to facilitate council business. It sets out how the Council operates, how decisions are made, and the procedures which are followed to ensure that these are efficient, transparent and accountable to local people. The Council has a responsibility to monitor its Constitution, and to ensure that it is kept up to date.
- 1.2 At its meeting on 22nd May 2025, the Corporate Governance, Audit and Standards Committee (CGAS) considered [Report No. DEM2505 'Constitution and Committee Review Update'](#). The Committee approved updates to the Constitution for recommendation to the Council, and proposals to take forward the Committee Review Recommendations.
- 1.3 On taking forward the Committee Review recommendations, it was agreed that the Constitution Working Group be asked to consider the detailed terms of reference for the committees created from the proposed separation of the CGAS Committee's functions. Also, the modifications needed to the terms of reference of the Policy and Project Advisory Board (PPAB) and Overview and Scrutiny Committee (OSC) to incorporate committee review proposals including a new Programme Management Group to co-ordinate work programmes. It was agreed that the recommendations from the Constitution Working Group be reported back to members of the CGAS Committee in advance of a final report on recommendations for updates to the Constitution being made to the Council in July.
- 1.4 The cross-party Constitution Working Group considered the following documents and matters in further detail at its meeting on 23rd June 2025, and the latest versions are attached with this report:
- The schedule of proposed updates to be made to the Constitution including the wording of the update to the Code of Conduct for Councillors in respect of core training (**Appendix 1**).
 - Revised Standing Orders for the Regulation of Business to reflect the inclusion of the new provision for 'Questions by the Public', and the

creation of a new 'Audit & Governance Committee' and 'Licensing & Corporate Business Committee' (**Appendix 2**).

- The Scheme for Questions by the Public (**Appendix 3**)
- Revised Terms of Reference proposed for the new 'Audit & Governance Committee' and 'Licensing & Corporate Business Committee', along with updates made to the terms of reference of the Overview and Scrutiny Committee and Policy and Project Advisory Board (**Appendix 4**)
- The schedule showing the record of updates made to the Constitution since the last review report to Council in February 2023 (**Appendix 5**).

1.5 Subject to any further comments raised by the Committee, the proposed updates to the Council's Constitution as set out in appendices 1 to 5 shall be recommended to the Council in July, in alignment with the recommendations agreed in May.

2. **SUMMARY OF UPDATES**

Code of Conduct for councillors

2.1 Following discussion with the Constitution Working Group, the following wording is proposed to be inserted as new Para 2 of the Code of Conduct for Councillors:

“TRAINING PROVIDED BY THE COUNCIL

Training shall be provided by the Council to help ensure that you are equipped to act appropriately in your councillor role.

All councillors are strongly encouraged to undertake the following core training which shall be provided for all new councillors as part of the new member induction programme, and with an expectation that councillors will attend refresher training to keep up to date. Training shall be offered so that there is flexibility in access; typically, the training will be offered as either attendance at a training session either in person/online, a recording to watch back or via on-line modules.

Core Training for all Councillors:

- **Code of Conduct for Councillors**
- **Information Governance** (to ensure councillors are aware of their data controller responsibilities under GDPR as a ward councillor)
- **Cyber Security and Information Security** (for Rushmoor Outlook account users/using Rushmoor IT kit)

- **Safeguarding Training** (to ensure councillors are aware of duty to report safeguarding concerns, and how to respond as a ward councillor).

In addition, councillors who are involved in quasi-judicial decision making as members of the **Development Management Committee** or on **Licensing Hearings** need to undertake training to meet the legal requirements for participation.”

Scheme for Questions by the Public

- 2.2 Following consideration by the Constitution Working Group, further additions are proposed to the ‘Scheme for Questions by the Public’ at full Council which are shown as track changes in **Appendix 3** to this Report. The additions clarify that all Members shall be notified of public questions submitted in advance of the Council Meeting, that a record of public questions shall be maintained and available on the website, and a questioner will be advised the reason why a question has been refused for the agenda if it has to be rejected.

Summary of Updates to Terms of Reference of Committees

- 2.3 Further to the Committee Review recommendations, it is proposed to separate the functions of the CGAS Committee, with new terms of reference created for a new ‘Audit & Governance Committee’ and new ‘Licensing & Corporate Governance Committee’, and some revisions are proposed to the Overview and Scrutiny Committee (OSC) and Policy & Project Advisory Board (PPAB). This is set out in **Appendix 4** (attached), where there is a both a copy of the changes shown by track changes and a clean copy for ease of reading.
- 2.4 The revisions to the OSC and PPAB terms of reference can be summarised as follows:
- (1) Inserting reference to a new Programme Management Group. This is the body proposed to enable co-ordination of work programmes for OSC, PPAB and the committee with responsibility for audit & governance – to reduce duplication and help make best use of resources.
 - (2) Updates to the sections on the arrangements for work programmes as a result of the new Programme Management Group.
 - (3) Deleting reference to Progress Groups
 - (4) Re-ordering of the functions and responsibilities within the OSC terms of reference for clarity and to reduce duplication. Key responsibilities

are for performance management, review of existing policy, and review of decisions.

- (5) Inserting additional explanation in the OSC terms of reference that some roles of overview and scrutiny are shared with other committees – the ‘policy development’ role is undertaken by PPAB, and responsibility for scrutinising the Council's framework of internal controls and assurance for managing risk and overall activity rests with the Audit and Governance Committee.
- (6) Emphasis in the PPAB terms of reference that the Board's work programme shall engage with the Cabinet Work Programme and Council Plan priorities. PPAB provides support to the Cabinet with policy development on matters that will help deliver agreed Council Plan priorities.

3. **NEXT STEPS**

- 3.1 Subject to Council approval, the timescale for the implementation of the changes to the committee structure are for the new arrangements to take effect from October 2025 onwards following the Council Meeting in the autumn, and final approval of changes to Standing Orders.
- 3.2 Further work and planning to implement new arrangements shall be carried out between July and September including details for the proposed new Programme Management Group, follow up around councillor appointments and dates of future meetings, and preliminary work to prepare for an Independent Remuneration Panel to meet in late 2025.

4. **CONCLUSIONS AND RECOMMENDATION**

- 4.1 Changes are proposed to the content of the Constitution to ensure that the provisions remain up-to-date, and the Council continues to work effectively to meet the needs of the wider Council Membership.

Subject to any amendments agreed by the Committee, it is **recommended to the Council** that a revised and updated Constitution be adopted.

The revisions to comprise: -

- (1) All proposed new amendments to the Constitution as described in the schedule in Appendix 1;
- (2) Updates to the Standing Orders for the Regulation of Business and Scheme for Public Questions as set out in Appendix 2 and Appendix 3;

- (3) Updates to the Terms of Reference for Committees; 'Role and Responsibilities of Council Decision-Making Committees', 'Overview and Scrutiny Committee - Terms of Reference' and 'Policy & Project Advisory Board – Terms of Reference as set out in Appendix 4;
- (4) An update to the Code of Conduct for Councillors as set out in Para 2.1 above; and
- (5) All previously agreed amendments and updates to the Constitution since the last review in February 2023 as set out in the schedule in Appendix 5.

Note: In accordance with Council Procedure Rule 29 (1), the proposed amendments to the Standing Orders for the Regulation of Business including the Scheme for Public Questions will stand adjourned to the following Council Meeting.

The decision-making structure of the Council as described in the proposed amendments to Standing Orders shall therefore be implemented from October 2025 onwards subject to Council approval.

JILL SHUTTLEWORTH
CORPORATE MANAGER – DEMOCRACY

Contact: Jill.shuttleworth@rushmoor.gov.uk

A copy of the Council's Constitution is available to view on the Council's website:
[The constitution - Rushmoor Borough Council](#)

This page is intentionally left blank

SUMMARY OF UPDATES PROPOSED TO BE MADE TO THE CONSTITUTION – JUNE 2025 (FOR COUNCIL APPROVAL)

PART 2 – THE CONSTITUTION AND HOW THE COUNCIL OPERATES

SECTION 2

Section/Para	Proposed Update
3.6 Regulatory Committees	The Council has three regulatory committees (to reflect split of CGAS)
Figure 1 at end of Section 2	Insert new (1) Audit and Governance Committee and (2) Licensing and Corporate Business Committee

PART 3 - RESPONSIBILITY FOR FUNCTIONS

Section/Paragraph	Update
<p>Section 4 – Council Responsibilities (Non-Executive Matters)</p> <ul style="list-style-type: none"> • Para 4.1 – Policy Framework • Para 4.3.2 – delegation arrangements (licensing) • Para 4.4.2 – delegation arrangements (gambling) • Para 4.5.4 - taxi licensing 	<p>Para (a) include reference to the Council Delivery Plan (which covers key strategic functions e.g. economy and community) and delete para (b) for clarity. Policy Framework is the plans and strategies as listed, and as defined by the Functions and Responsibilities regulations</p> <p>The Licensing Committee to appoint a Licensing Sub-Committee (Alcohol and Entertainments) to discharge the functions of licensing (instead of CGAS)</p> <p>The Licensing Committee to appoint a Licensing Sub-Committee (Alcohol and Entertainments) to discharge the functions of gambling (instead of CGAS)</p> <p>Decisions to be made in consultation with the Chair of Licensing and Corporate Business (instead of CGAS)</p>

Section/Paragraph	Update
<ul style="list-style-type: none"> • Para 4.6.3 – other licensing and registration functions • Updates to Schedule in Para 4.9 	<p>Licensing and Corporate Business to have responsibility for whether a charge is made and amount (instead of CGAS)</p> <p>Functions to be responsibility of Licensing and Corporate Business instead of CGAS:</p> <ul style="list-style-type: none"> • (10) Functions related to pensions • (23) Duty to divide constituency into polling districts and designate polling places • (24) As above for local elections • (30) Proposals for pilot schemes for local elections • (41) Orders for a designated public place
<p>Section 5 – Role of the Council (Council Functions)</p>	<p>Insert ‘to appoint Chair and Vice-Chair of Licensing and Corporate Business Committee’</p>
<p>Section 6 – Roles and Responsibilities of Council Decision Making Bodies</p>	<p>REVISED UPDATED SECTION 6 with proposal to split CGAS attached in Appendix 4</p>
<p>Section 7 – Terms of Reference of the Overview and Scrutiny Committee</p>	<p>UPDATED DOCUMENT ATTACHED – Appendix 4</p> <p>Updates to reflect:</p> <ul style="list-style-type: none"> • Insertion of Programme Management Group to oversee work programmes • Re-ordering of sections on ‘terms of reference’ and section on ‘specific functions’ to improve clarity of O&S responsibilities and to reflect that PPAB and Audit & Governance Committees have a contribution to scrutiny overall
<p>Section 8 – Terms of Reference of the Policy and Project Advisory Board</p>	<p>UPDATED DOCUMENT ATTACHED – Appendix 4</p> <p>Updates to reflect:</p> <ul style="list-style-type: none"> • Insertion of Programme Management Group to oversee work programmes • Engagement with Cabinet Work Programme

Section/Paragraph	Update
Section 10 – Councillor Role Descriptions	Add role description for Chairman of new Licensing and Corporate Business Committee.

PART 4 – PROCEDURE RULES

Section/Paragraph	Update
Standing Orders for the Regulation of Business	<p>UPDATED DOCUMENT ATTACHED – Appendices 2 and 3</p> <p>Revisions to reflect proposal for (1) Creation of two Committees from CGAS - ‘Audit & Governance Committee’ and ‘Licensing and Corporate Business’ and (2) Public Questions at Council Meetings</p>
Overview and Scrutiny Procedure Rules	Delete references to ‘Progress Group’ and replace with ‘Programme Management Group’
Standards Hearing Procedure Rules	Delete references to ‘Corporate Governance, Audit and Standards Committee’ and replace with ‘Licensing and Corporate Business Committee’
Budget and Policy Framework	Insert reference to the Council Delivery Plan and delete para (b) for clarity. The Policy Framework is the plans and strategies as listed, and as defined by the Functions and Responsibilities regulations
Officer Employment Procedure Rules	Update references to ‘Corporate Governance, Audit and Standards Committee’ and replace with ‘Licensing and Corporate Business Committee’

PART 5 – CODES AND PROTOCOLS

Section/Paragraph	Update
Code of Conduct for Councillors	<p>Proposed to add new Para 2 which states that:</p> <p>“Training shall be provided by the Council to help ensure that you are equipped to act appropriately in your councillor role.</p> <p>All councillors are strongly encouraged to undertake the following core training which shall be provided for all new councillors as part of the new member induction programme, and with an expectation that councillors will attend refresher training to keep up to date. Training shall be offered so that there is flexibility in access; typically, the training will be offered as either attendance at a training session either in person/online, a recording to watch back or via on-line modules.</p> <p>Core Training for all Councillors:</p> <ul style="list-style-type: none">• Code of Conduct for Councillors• Information Governance (to ensure councillors are aware of their data controller responsibilities under GDPR as a ward councillor)• Cyber Security and Information Security (for Rushmoor Outlook account users/using Rushmoor IT kit)• Safeguarding Training (to ensure councillors are aware of duty to report safeguarding concerns, and how to respond as a ward councillor). <p>In addition, councillors who are involved in quasi-judicial decision making as members of the Development Management Committee or on Licensing Hearings need to undertake training to meet the legal requirements for participation.”</p>

STANDING ORDERS FOR THE REGULATION OF BUSINESS

INTRODUCTION

The Council Procedure Rules (known as Standing Orders) set out the rules of debate and procedure for the conduct of meetings of the Council, including where necessary their application to committees, sub-committees and other bodies.

The Standing Orders are:

1. Meetings of the Council
2. Order of Business – Annual Meeting
3. Appointment of Relevant Bodies
4. The Cabinet and Other Bodies
5. Appointment of Election of Chairsmen and Vice-Chairsmen
6. Order of Business – Ordinary Meetings
7. Minutes
8. Questions by Members
- ~~8-9.~~ Questions by the Public
- ~~9-10.~~ Notices of Motion
- ~~10-11.~~ Reports of Relevant Bodies
- ~~11-12.~~ Voting
- ~~12-13.~~ Motions and Amendments which may be moved without notice
- ~~13-14.~~ Rules of Debate for Council Meetings
- ~~14-15.~~ Quorum
- ~~15-16.~~ Closure and Adjournment of Meetings
- ~~16-17.~~ Motions Affecting Persons Employed by the Council
- ~~17-18.~~ Disorderly Conduct
- ~~18-19.~~ Disturbance by Members of the Public

Part 4 – Standing Orders for the Regulation of Business

- [19.20.](#) Recission of Preceding Resolution
- [20.21.](#) Confidentiality of Certain Business
- [21.22.](#) Petitions
- [22.23.](#) Deputations and Memorials
- [23.24.](#) Interpretation of Standing Orders
- [24.25.](#) Sealing of Documents
- [25.26.](#) Authentication of Documents for Legal Proceedings
- [26.27.](#) Standing Orders to Apply to Relevant Bodies
- [27.28.](#) Meetings of Relevant Bodies
- [28.29.](#) Sub-Committees Appointed by Committees
- [29.30.](#) Variation and Revocation of Standing Orders
- [30.31.](#) Suspension of Standing Orders
- [31.32.](#) Standing Orders to be given to Members

Where the term “relevant body” is mentioned under the Standing Orders it relates to the Cabinet, committees, sub-committees or Policy and Project Advisory Board and this item shall be construed as appropriate.

The Council Procedure Rules contain some mandatory standing orders and other standing orders to reflect local custom and practice. Mandatory standing orders are also reflected in the other Procedure Rules set out in this Constitution.

Members and officers shall comply with these Standing Orders at all times.

MEETINGS OF THE COUNCIL

Annual Meeting

1. (1) In a year when there is an ordinary election of councillors, the Annual Meeting will take place within 21 days of the retirement of the out-going councillors. The meeting shall normally be held on a Tuesday as near as possible to 20th day of May in each year, unless the Mayor, in consultation with the Managing Director determines otherwise.

Ordinary Meetings

- (2) In addition to the Annual Meeting of the Council and any meetings convened by the Mayor or by Members of the Council, meetings for the transaction of general business shall be set out in a calendar by the Corporate Manager – Democracy to ensure the effective transaction of business.

Time of Meetings

- (3) Meetings of the Council shall be held at seven o'clock in the evening, unless the Mayor, in consultation with the Managing Director determines otherwise.

Extraordinary Meetings

- (4) An Extraordinary Meeting may be called by the Managing Director at the request of:
 - (a) the Council by resolution
 - (b) the Mayor
 - (c) any five Members of the Council by notice which has been signed by those Members and specifies the business proposed to be transacted.

Notice of and Summons to Meetings

- (5) Public notice of meetings will be given in accordance with the Access to Information Rules. At least five clear working days before a meeting, a summons signed from the Managing Director will be sent to every Member of the Council. The summons will give the date, time and place of each meeting and specify the business to be transacted and will be accompanied by such reports as are available.

ORDER OF BUSINESS – ANNUAL MEETING

2. (1) The order of business of the Annual Meeting of the Council shall normally be to:
- (a) elect the Mayor and Deputy Mayor of the Borough;
 - (b) approve the minutes of the last meeting;
 - (c) receive any announcements from the Mayor and/or the Managing Director;
 - (d) appoint the Leader of the Council;
 - (e) note the appointment of the Deputy Leader and other Members appointed to the Cabinet by the Leader;
 - (f) appoint to the Committees and the Policy and Project Advisory Board as appropriate;
 - (g) appoint the Chair~~man~~ and Vice-Chair~~man~~ of the Development Management Committee, ~~and Corporate Governance~~, Audit and Governance Standards Committee, and Licensing and Corporate Business Committee, and the Chair~~s~~man of the Overview and Scrutiny Committee and the Policy and Project Advisory Board; and
 - (h) consider any other business set out in the summons.

APPOINTMENT OF RELEVANT BODIES

3. (1) The Council shall at the Annual Meeting appoint the relevant bodies specified in Standing Order 4 and shall determine the composition of the voting Members of each relevant body, and may at any time appoint such other relevant bodies as are necessary to carry out the work of the Council but, subject to any statutory provision in that behalf:
- (a) shall not give effect to the appointment of any Member of a relevant body so as to hold office later than the next Annual Meeting of the Council;
 - (b) may at any time dissolve a relevant body; and
 - (c) may suspend a Member from membership of a relevant body for a specified period.

- (2) Where the Members of the Council are divided into political groups, the Council shall, at the Annual Meeting and at such other times as appropriate, review the allocation of seats on relevant bodies between the political groups.
- (3) The Corporate Manager – Democracy shall set out in a report to the Council the allocation of seats to political groups in accordance with the requirements of the Local Government and Housing Act, 1989 and the Local Government Act, 2000, upon which the Council shall determine the allocation of seats accordingly.
- (4) Subject to Standing Orders 3 (2) and (3) and Standing Order 4 (7), the Council shall make appointments to relevant bodies so as to give effect to the wishes of the political groups as appropriate.
- (5) The arrangements to secure political balance and the provisions set out in Standing Orders 3, 4 and ~~289~~ shall be undertaken in accordance with the provisions of the Local Government and Housing Act, 1989 or any subsequent amending legislation, and Regulations made thereunder from time to time by the Secretary of State.
- (6) For the purpose of these Standing Orders, the term 'political group' means two or more Councillors who wish to be treated as a political group for the purposes of the provisions of the Local Government and Housing Act, 1989 or any subsequent amending legislation, and regulations made thereunder from time to time by the Secretary of State.

THE CABINET AND OTHER BODIES

Membership

4. (1) The decision-making structure of the Council shall consist of the bodies set out below, together with a Leader and Cabinet. The Council shall appoint the Members of each of the relevant bodies, which shall not exceed the number of Members specified below:

Relevant Body	Maximum Number of Voting Members
Development Management Committee	11
Corporate Governance and, Audit and Standards and Committee	11
<u>Licensing and Corporate Business Committee</u>	<u>11</u>
Overview and Scrutiny Committee	11
Policy and Project Advisory Board	11

- (2) The Council shall appoint standing deputies to the Development Management Committee, ~~Corporate Governance and~~, ~~Audit and Standards~~ Committee, ~~Licensing and Corporate Business Committee~~, Overview and Scrutiny Committee and Policy and Project Advisory Board, in accordance with the provisions for the appointment of standing deputies contained in Appendix 1 to these Standing Orders.
- (3) The Member of the Cabinet with responsibility for matters relating to planning policy shall be an ex officio Member of the Development Management Committee PROVIDED that the Member shall only be entitled to vote if appointed with full voting rights in accordance with the political balance arrangements.
- (4) The Overview and Scrutiny Committee and the Policy and Project Advisory Board may appoint such non-voting Members and advisers as they consider fit.

Vacancies in Membership

- (5) If any Member shall be absent from three consecutive meetings of a Committee or the Policy and Project Advisory Board, he or she shall cease to be a Member thereof, unless he or she shall, in the opinion of the Committee or Board, show reasonable grounds for his or her absence.
- (6) On a vacancy arising on the ~~Corporate Governance and~~, ~~Audit and Standards~~ Committee, ~~Licensing and Corporate Business Committee~~ or the Development Management Committee, the Corporate Manager – Democracy shall give notice thereof in the summons calling the next Council meeting, so as to enable the Council to fill such vacancy.
- (7) On a vacancy arising on the Overview and Scrutiny Committee or the Policy and Project Advisory Board, such vacancy shall be filled by the appropriate Leader of a Political Group where it falls within that Group. In all cases the appointment shall be reported on the agenda of the following meeting of the body. Where the vacancy is not part of the allocation of a political group, it shall be filled by the Corporate Manager – Democracy.

APPOINTMENT OF CHAIRSMEN AND VICE-CHAIRSMEN

Appointment of Leader of the Council

5. (1) The Leader of the Council shall be appointed at the Annual Meeting of the Council. On a vacancy arising, or at the end of the Municipal

Year, nominations shall be sought from Members and notice given in the summons calling the next Council meeting so as to enable the Council to fill such vacancy. The Leader of the Council shall Chair meetings of the Cabinet and references to Chairman in these Standing Orders shall be construed accordingly.

Appointment of Chairsmen and Vice-Chairsmen

- (2) Chairsmen and Vice-Chairsmen of the Development Management, Audit and Corporate Governance, and Licensing and Corporate Business Standards and Audit Committees shall be appointed at the Annual Meeting of the Council for the ensuing year.

Chairsmen of the Overview and Scrutiny Committee and the Policy and Project Advisory Board shall also be appointed at the Annual Council Meeting.

Vice-Chairsmen of the Overview and Scrutiny Committee and the Policy and Project Advisory Board shall be appointed at the first meeting of the appropriate Committee/Board in each Municipal Year.

On a vacancy arising, the appropriate Committee or Board will be asked to fill the vacancy at its next meeting. In the absence from a meeting of the Chairman and Vice-Chairmen, a Chairman for that meeting shall be appointed.

Chairman of Meeting

- (3) Any power or duty of the Mayor or a chairman in relation to the conduct of a meeting may be exercised by the person presiding at the meeting.

ORDER OF BUSINESS – ORDINARY MEETINGS

6. (1) The order of business at every meeting of the Council shall normally be to:
- (a) choose a person to preside if the Mayor and Deputy Mayor are absent;
 - (b) deal with any business required by statute to be done before any other business;
 - (c) approve as a correct record and sign the Minutes of the last meeting of the Council. No motion or discussion shall be allowed on the Minutes except as to their accuracy and any objection on that ground must be made by motion;

Part 4 – Standing Orders for the Regulation of Business

- (d) deal with any business expressly required by statute to be done;
- (e) receive any Mayor's announcements;
- (f) dispose of business (if any) remaining from the last meeting;
- (g) answer questions asked under Standing Order 8;
- (h) answer questions asked under Standing Order 9 – Public Questions
- (i) authorise the sealing of documents;
- (j) receive any petitions submitted under Standing Order 22~~4~~;
- (j) consider motions in the order in which notice has been received;
- (k) receive and consider matters for decision submitted by relevant bodies;
- (l) consider matters for debate raised by the relevant bodies;
- (m) answer questions for the Cabinet in accordance with the agreed procedure;
- (n) receive Reports submitted by the Cabinet, Corporate Audit and Governance Committee, Audit and Standards Licensing and Corporate Business Committee and Development Management Committee and answer questions asked under Standing Order 8 (2);
- (o) other business, if any, specified in the Summons; and
- (p) receive Reports submitted by the Overview and Scrutiny Committee and the Policy and Project Advisory Board.

Variation of Order of Business

- (2) Business falling under Items (a), (b) or (c) of Standing Order 6 (1), shall not be displaced, but, subject thereto, the foregoing order of business may be varied by:
 - (a) the Mayor at his or her discretion; or

- (b) resolution passed on a motion (which need not be in writing) duly moved and seconded, which shall be moved and put without discussion.

Mayor-Elect and Deputy Mayor-Elect

- (3) The Licensing and Corporate Business Governance, Audit and Standards Committee shall recommend to the Council a Mayor-Elect and a Deputy Mayor-Elect at least one month before the end of the Municipal Year.

MINUTES

Approval of Minutes

- 7. (1) The Mayor shall put the question that the Minutes before the meeting be approved as a correct record.

Minutes not to be discussed

- (2) No discussion shall take place upon the Minutes, except upon their accuracy, and any question of the accuracy shall be raised by motion. If no such question is raised, or if it is raised then as soon as it has been disposed of, the Mayor shall sign the Minutes.

Extraordinary Meetings

- (3) The Council shall approve as a correct record the Minutes of the proceedings of an Extraordinary Meeting of the Council called under Standing Order 1(4) at the next following Ordinary Meeting of the Council and they shall be signed by the Mayor.

QUESTIONS BY MEMBERS

Questions for the Cabinet

- 8. (1) A Member of the Council may ask a Cabinet Member any question upon any matter dealt with under the executive arrangements, in accordance with the procedure contained in Appendix 2 to these Standing Orders.

Questions relating to Reports

- (2) A Member of the Council may ask a Committee Chairman or a Cabinet Member any question upon an item in the Report of a relevant body (Standing Order 6(1)(n)) when that item is under consideration by the Council.

Questions relating to other matters

- (3) A Member of the Council may:
- (a) if ten clear working days' notice in writing has been given to the Corporate Manager – Democracy, ask the Mayor, the Chairman of the ~~Corporate~~ Governance and, ~~Audit~~, and Standards Committee, the Chairman of the Development Management Committee, the Chair of the Licensing and Corporate Business Committee or a Cabinet Member any question on any matter in relation to which the Council has powers or duties or which affects the Borough, PROVIDED that the number of questions permitted to be asked shall be limited to three for each political group or Member, in the case that the Member is not part of a political group.

Urgent Questions

- (b) with the permission of the Mayor, put to him or her or a Chair of Committee ~~man~~ or Cabinet Member any question relating to urgent business, of which such notice has not been given; but a copy of any such question shall, if possible, be delivered to the Corporate Manager – Democracy not later than five o'clock in the afternoon of the day of the meeting.

Length of Questions

- (4) No question asked under 3 (a) or (b) above shall exceed 100 words in length including any document appended thereto.

Answers not to be discussed

- (5) No speech or discussion shall, without the consent of the Council, be allowed on any question so put, or on any answer thereto.

Forms of Answer

- (6) An answer 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; or
- (c) where the reply to the question cannot conveniently be given orally, a written answer circulated to Members of the Council; or

- (d) a reference to the fact that the question relates to a confidential matter and as such can only be answered when the Council has resolved to exclude the public.

Questions to the Chairman of the Overview and Scrutiny Committee

- (8) A Member of the Council may ask the Chairman of the Overview and Scrutiny Committee any question on a matter relating to the Committee's responsibilities during consideration of the Annual Report of the Overview and Scrutiny Committee to the Council, in accordance with the procedure contained in Appendix 3 to these Standing Orders.

QUESTIONS BY THE PUBLIC

Questions on Notice by the Public

9. (1) A Member of the public may ask a question in writing of the Leader of the Council, a Member of the Cabinet, or the Chair of any Committee on any matter in relation to which the Council has powers or duties, or which affects the Borough.
- (2) A member of the public is limited to submitting one such question at any meeting of the Council. No more than one question can be asked on behalf of any organisation or body at any Council Meeting. No question shall exceed 100 words in length.
- (3) The question must be sent, in writing, to the Corporate Manager – Democracy, to be received no later than 5.00 p.m. on the fourth working day prior to the day of the meeting. (For the avoidance of doubt, if a meeting were to be held on a Thursday evening, the deadline would be 5.00 p.m. on the Friday of the preceding week). No questions from the public will be allowed where the requisite notice has not been given or at the Annual Council Meeting.
- (4) Questions submitted shall be dealt with in accordance with the procedure note contained in Appendix 4 to these procedures.

NOTICES OF MOTION

Notice to be in writing

- ~~9~~10. (1) Notice of every motion, other than a motion which under Standing Order 13 may be moved without notice, shall be given in writing or sent electronically including the name of the Member or Members of the Council giving the notice, and delivered, at least ten clear days before the meeting to which it relates, to the Corporate Manager – Democracy.

Inclusion of Motions in Summons

- (2) The Corporate Manager – Democracy shall set out in the Summons for the appropriate meeting of the Council, the motions of which notice has been duly given in the order in which they have been received, unless the Member giving notice of the motion shall have withdrawn it or indicated that he or she proposes to move it at a later meeting.
- (3) The number of new motions permitted to be considered at each meeting of the Council shall be limited to one per political group or one per Member, in the case that a Member is not part of a political group.
- (4) Each Motion shall be considered by the Managing Director prior to inclusion on an agenda to ensure that the provisions of these Standing Orders and any other legislation and/or guidance, have been met.

Motions Submitted – Length and Content

- (5) No motion, other than a motion which may be moved without notice under Standing Order 13, shall exceed 200 words in length including any document appended thereto.
- (6) A Motion should be expressed in positive terms to either adopt a certain course of action, carry out some act or to declare a particular view.
- (7) Every motion shall be relevant to some matter in relation to which the Council has powers or duties. Motions shall not seek to take a decision in respect of a matter which is the responsibility of the Cabinet or other statutory body, other than to make a recommendation.
- (8) Motions containing proposals which would increase capital and/or revenue expenditure outside the approved budget must first be referred to the Cabinet or other appropriate body prior to consideration by the Council.

Motions not moved considered withdrawn

- (9) If a motion thus set out in the Summons be not moved either by a Member who gave notice thereof or by another Member on his or her behalf it shall, unless postponed by consent of the Council, as appropriate, be treated as withdrawn and shall not be moved without fresh notice.

Motions referred to a Relevant Body

- (10) Where a motion has been included in the Summons and moved and seconded, the Mayor may direct that it be referred to the relevant body and not further debated at that meeting of the Council.
- (11) A motion considered by a relevant body shall be submitted with a recommendation for decision to the Cabinet or a Committee or, if appropriate, to the Council.

REPORTS OF RELEVANT BODIES**Submission and Form of Reports**

- ~~4011.~~ (1) As soon as is practicable following a meeting of a relevant body, it shall submit a Report to the Council. Relevant bodies shall, as appropriate:
- (a) submit proposals containing recommendations which require approval by the Council;
 - (b) submit Reports which relate to matters of information or to decisions taken; and
 - (c) submit items for debate on which the Council's views are sought.

Transfer of Matters Contained in Reports

- (2) At a meeting of the Council, any Member, immediately following the relevant page of a Report of the Cabinet or Committee being called over, may move that an item contained in the Report be discussed at the meeting and, upon being seconded, any such motion shall be put to the meeting without discussion, PROVIDED that the proposer may, when putting his motion, indicate briefly his or her reasons for so moving and the Chairman or Cabinet Member may respond thereto.

Reports not to be discussed

- (3) No discussion (other than a question asked or answered in accordance with Standing Order 8) shall take place upon any matter contained or referred to in a Report of a relevant body submitted under Standing Order 10(1)(b) above.

VOTING

Majority

4112. (1) Unless this Constitution provides otherwise, any matter will be decided by a simple majority of those Members voting and present in the room at the time the question is put. The mode of voting at meetings of the Council shall be by show of hands or, if there is no dissent, by the affirmation of the meeting.

Mayor to have casting vote

- (2) In the event of an equality of votes, the Mayor, or in the case of a relevant body, the Chair~~man~~, shall have a casting vote, whether or not he or she has already voted. If the Mayor or Chair~~man~~ declines to give a casting vote the proposition shall not be carried.

Right to have vote recorded

- (3) Where any Member requests it, immediately after the vote is taken, his or her vote will be so recorded in the minutes to show whether he or she voted for or against the question or abstained from voting.

Recorded Votes

- (4) On the requisition of any Member of the Council made before the vote is taken, the voting on any question shall be recorded so as to show whether each Member present gave his or her vote for or against that question or abstained from voting.
- (5) A recorded vote shall be taken on any decision relating to the budget or council tax.

Appointments

- (6) Where there are more than two persons nominated for any position to be filled by the Council or relevant body, and of the votes given there is not an overall majority in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote shall be taken and so on until a majority of votes is given in favour of one person.

MOTIONS AND AMENDMENTS WHICH MAY BE MOVED WITHOUT NOTICE

4213. The following motions and amendments may be moved without notice:-

- (a) appointment of a Chairman of the meeting at which the motion is made;
- (b) motions relating to the accuracy of the Minutes;
- (c) that an item of business specified in the Summons has precedence;
- (d) remission to a relevant body;
- (e) appointment of a relevant body or members thereof, occasioned by an item mentioned in the Summons to the meeting;
- (f) adoption of Recommendations of the relevant bodies or Officers and any consequent resolutions;
- (g) that leave be given to withdraw a motion;
- (h) extending the time limit for speeches;
- (i) amendments to motions;
- (j) that the Council proceed to the next business;
- (k) that the question be now put;
- (l) that the debate be now adjourned;
- (m) that the Council do now adjourn;
- (n) authorising the sealing of documents;
- (o) suspending Standing Orders, in accordance with Standing Order 31;
- (p) motion under Section 100A of the Local Government Act, 1972 to exclude the public;
- (q) that a Member named under Standing Order 18 be not further heard or do leave the meeting;
- (r) inviting a Member to remain where he or she has a pecuniary interest;
- (s) giving consent of the Council where the consent of the Council is required by these Standing Orders;
- (t) continuing the sitting under Standing Order 16 (1);

- (u) to debate a matter contained in the Report of a relevant body in accordance with Standing Order 11 (2).

RULES OF DEBATE FOR COUNCIL MEETINGS

Form of Motions and Amendments

- ~~13-14~~ (1) A motion or amendment shall not be discussed unless it has been proposed and seconded, and unless notice has already been given in accordance with Standing Order 10 it shall, if required by the Mayor, be put into writing and handed to the Mayor before it is further discussed or put to the Meeting.

Secunder's Speech

- (2) A Member when seconding a motion or amendment may, if he or she then declares his or her intention to do so, reserve his or her speech until a later period of the debate.

Members to stand while speaking and form of reference to other Members

- (3) A Member when speaking shall stand and address the Mayor. If two or more Members rise, the Mayor shall call on one to speak; the other or others shall then sit. While a Member is speaking the other Members shall remain seated, unless rising to a point of order or in personal explanation. Members should be referred to by their titles of "Mayor", "Deputy Mayor", "Chairman" or "Councillor" as appropriate.

Content and length of speeches

- (4) A Member shall direct his or her speech to the question under discussion or to a personal explanation or to a point of order. No speech shall exceed five minutes except by consent of the Council.

When a Member may speak again

- (5) A Member who has spoken on any motion shall not speak again whilst it is the subject of debate, except:-
- (a) to speak once on an amendment moved by another Member;
 - (b) if the motion has been amended since he or she last spoke, to move a further amendment;

Part 4 – Standing Orders for the Regulation of Business

- (c) if his or her first speech was on an amendment moved by another Member, to speak on the main issue, whether or not the amendment on which he or she spoke was carried;
- (d) in exercise of a right of reply given by paragraph (11) or (13) of this Standing Order;
- (e) on a point of order;
- (f) by way of personal explanation.

Form of Amendments to Motions

- (6) (a) An amendment shall be relevant to the motion and shall either:-
 - (i) refer a subject of debate to a relevant body for consideration or re-consideration;
 - (ii) leave out words;
 - (iii) leave out words and insert or add others; or
 - (iv) insert or add words;

but such omission, insertion or addition of words shall not have the effect of negating the motion before the Council.
- (b) Subject to Standing Order 14(6)(a), any amendment to a recommendation on a Notice of Motion shall incorporate a specific reference to the Notice of Motion submitted for consideration.

Amendments to be disposed of singly

- (7) Only one amendment may be moved and discussed at a time and no further amendment shall be moved until the amendment under discussion has been disposed of PROVIDED that the Mayor may permit two or more amendments to be discussed (but not voted on) together if circumstances suggest that this course would facilitate the proper conduct of the Council's business.

Subsequent Amendments

- (8) If an amendment be lost, other amendments may be moved on the original motion. If an amendment be carried, the motion as amended shall take the place of the original motion and shall become the motion upon which any further amendment may be moved.

Alteration of Motion

- (9) With the consent of the Council, a Member may:
- (a) alter a motion of which he or she has given notice; or
 - (b) with the further consent of his seconder, alter a motion which he or she has moved;
- if (in either case) the alteration is one which could be made as an amendment thereto.

Withdrawal of Motions and Amendments

- (10) A motion or amendment may be withdrawn by the mover with the consent of his or her seconder and of the Council, which shall be signified without discussion, and no Member may speak upon it after the mover has asked permission for its withdrawal, unless such permission shall have been refused.

Right of Reply

- (11) The mover of a motion has a right to reply at the close of the debate on the motion, immediately before it is put to the vote. If an amendment is moved, the mover of the original motion shall also have a right of reply at the close of the debate on the amendment, and shall not otherwise speak on the amendment. The mover of the amendment shall have no right of reply to the debate on his or her amendment.

Motions which may be moved during debate

- (12) When a motion is under debate no other motion shall be moved except the following:
- (a) to amend the motion;
 - (b) to adjourn the meeting;
 - (c) to adjourn the debate;
 - (d) to proceed to the next business;
 - (e) that the question be now put;
 - (f) that a Member be not further heard;

- (g) by the Mayor under Standing Order 18 (2) that a Member do leave the meeting;
- (h) a motion under Section 100A of the Local Government Act, 1972 to exclude the public.

Motions for adjournment, closure etc.

- (13) A Member may move without comment at the conclusion of a speech of another Member, "That the Council proceed to the next business", "That the question be now put", "That the debate be now adjourned", or "That the Council do now adjourn", on the seconding of which the Mayor shall proceed as follows:
 - (a) on a motion to proceed to the next business: unless in his or her opinion the matter before the meeting has been insufficiently discussed, he or she shall first give the mover of the original motion a right of reply, and then put to the vote the motion to proceed to next business;
 - (b) on a motion that the question be now put: unless in his or her opinion the matter before the meeting has been insufficiently discussed, he or she shall first put to the vote the motion that the question be now put, and if it is passed then give the mover of the original motion his or her right of reply under paragraph (11) of this Standing Order before putting his or her motion to the vote; and
 - (c) on a motion to adjourn the debate or the meeting: if in his or her opinion the matter before the meeting has not been sufficiently discussed and cannot reasonably be sufficiently discussed on that occasion, he or she shall put the adjournment motion to the vote without giving the mover of the original motion his or her right of reply on that occasion.

Points of order or personal explanations

- (14) A Member may rise on a point of order or in personal explanation, and shall be entitled to be heard forthwith. A point of order shall relate only to an alleged breach of a Standing Order or statutory provision and the Member shall specify the Standing Order or statutory provision and the way which he or she considers it has been broken. A personal explanation shall be confined to some material part of a former speech by him or her which may appear to have been misunderstood in the present debate.

Ruling of Mayor to be final

- (15) The ruling of the Mayor on a point of order or on the admissibility of a personal explanation shall not be open to discussion.

Members not to impute unworthy motives

- (16) No Member shall impute to another Member dishonest or unworthy motives, or use offensive or unbecoming words, or be guilty of tedious repetition.

Protest not to be entered on Minutes

- (17) No protest or expression of dissent, other than as a record of votes, shall be entered upon the Minutes of the Council.

Respect for Chair

- (18) Whenever the Mayor rises during a debate a Member then standing shall resume his or her seat and the Council shall be silent.

QUORUM

4415. (1) Subject to the provisions of Paragraph 45 of Schedule 12 of the Local Government Act, 1972, no business shall be transacted at a meeting of the Council unless at least one-third of the whole number of Members of the Council are present.
- (2) If during any meeting of the Council the Mayor, after counting the number of Members present, declares that there is not a quorum present the meeting shall stand adjourned.

CLOSURE AND ADJOURNMENT OF MEETINGS

4516. (1) No opposed business (i.e. business which any Member wishes to debate) shall be taken at an Ordinary Meeting of the Council after eleven o'clock in the evening, except the business then under consideration and as hereinafter provided. At the conclusion of the business then under consideration, the Mayor shall call over the business remaining to be transacted and any opposed business, including the remainder of a Report of the relevant body if then under discussion, shall stand adjourned unless the Council resolve, on a motion which shall be put without debate, to continue the sitting either for a particular item or items on the agenda or for all the remaining business.
- (2) When a meeting is adjourned pursuant to any provision contained in these Standing Orders (except in accordance with Standing Orders 18 (2) or (3)) then the consideration of all business not transacted shall be adjourned to a day and time to be fixed by the

Mayor or, if he or she does not fix a day and time, to the next Ordinary Meeting of the Council. Notice of an adjourned meeting shall be given to each Member and such notice shall specify the business remaining to be transacted, but it shall not be necessary to send with such notice a further copy of any minutes and/or reports already circulated.

MOTIONS AFFECTING PERSONS EMPLOYED BY THE COUNCIL

4617. If any question arises at a meeting of the Council, or of a relevant body, as to the appointment, promotion, dismissal, salary, superannuation or conditions of service, or as to the conduct of any person employed by the Council, such question shall not be the subject of discussion until the Council or relevant body, as the case may be, has decided whether or not the power of exclusion of the public under Section 100A of the Local Government Act, 1972 shall be exercised.

DISORDERLY CONDUCT

Naming a Member

4718. (1) If at a meeting any Member of the Council, in the opinion of the Mayor notified to the Council, misconduct himself or herself by persistently disregarding the ruling of the Chair, or by behaving irregularly, improperly, or offensively, or by wilfully obstructing the business of the Council, the Mayor or any other Member may move "That the Member named be not further heard", and the motion if seconded shall be put and determined without discussion.

Removal of disorderly Member

(2) If the Member named continues his or her misconduct after a motion under Standing Order **18** (1) has been carried the Mayor shall:

EITHER move "That the Member named do leave the Meeting" (in which case the motion shall be put and determined without seconding or discussion);

OR adjourn the meeting of the Council for such a period as the Mayor shall consider expedient.

Adjournment in case of disorder

(3) In the event of general disturbance, which in the opinion of the Mayor renders the due and orderly dispatch of business impossible, the Mayor in addition to any other power vested in him or her may,

without the question being put, adjourn the meeting of the Council for such period as considered expedient.

DISTURBANCE BY MEMBERS OF THE PUBLIC

4819. If a member of the public interrupts the proceedings at any meeting the Mayor shall warn him or her. If he or she continues the interruption the Mayor shall order his or her removal from the Council Chamber. In case of general disturbance in any part of the Chamber open to the public the Mayor shall order that part to be cleared.

RESCISSION OF PRECEDING RESOLUTION

Motion to rescind a previous decision

4920. (1) A motion or amendment to rescind a decision made at a meeting of the Council within the previous six months cannot be moved unless the notice of motion is signed by at least six Members.

Motion similar to one previously rejected

(2) A motion or amendment in similar terms to one that has been rejected at a meeting of the Council in the previous six months cannot be moved unless the notice of motion or amendment is signed by at least six Members. Once the motion or amendment is dealt with, no one can propose a similar motion or amendment for six months.

Recommendation of Relevant Body

(3) Standing Orders **20** (1) and (2) shall not apply to motions moved in pursuance of a recommendation of a relevant body.

CONFIDENTIALITY OF CERTAIN BUSINESS

2021. Where a relevant body shall have resolved to exclude the public from a meeting pursuant to Section 100A(2) or (4) of the Local Government Act, 1972, a Member of the Council who attends the meeting shall not, without permission of the relevant body, disclose any matter dealt with or discussed in the absence of the public until the matter has been reported to the Council and is not subject to any stipulation that the matter shall continue to be regarded as exempt or confidential; or until the matter has been communicated to the media by or with the authority of the relevant body.

PETITIONS

2422. Where a petition is submitted to the Council in accordance with the Council's Petitions Scheme, and has at least 1000 eligible signatures, the

subject matter of the petition shall be reported to the next Ordinary Meeting of the Council, allowing at least ten working days' notice. The petition organiser shall be given the opportunity to present the petition to the Council and a maximum of ten minutes shall be permitted for this. Members of the Council shall not be permitted to ask questions of the petition organiser. The Council will then consider its response to the petition.

DEPUTATIONS AND MEMORIALS

Deputations to the Council

2223. (1) A deputation may be received by the Council, according to the wishes expressed by the deputation; but no such deputation shall be received unless five clear days' notice of the intended deputation and of its objects shall have been received by the Corporate Manager – Democracy and then only by leave of the Council.

Reception of Deputations

- (2) Two persons may address the Council, but the first speaker's address shall not exceed ten minutes and the second speaker's address shall not exceed five minutes. The duration of any address shall include the time taken to read a memorial which may be presented by the deputation. Following the address, Members of the Council shall not be permitted to ask questions of the deputation, except at the discretion of the Chair.

The Scheme for Public Speaking at meetings of relevant bodies is contained in Part 4 of the Council's Constitution.

Memorials

- (3) A copy of a memorial which a deputation wishes to present to the Council or to a relevant body, shall be delivered to the Corporate Manager – Democracy at least five clear days prior to the meeting at which the deputation desires to be received. The purpose of any such memorial shall be circulated to the Members of the Council or the relevant body concerned, unless the Mayor or, as the case may be, Chair directs otherwise.

Urgent Memorials

- (4) A memorial on any subject which the Mayor may deem to be urgent shall be brought before the next meeting of the Council or a relevant body, whichever may first be sitting; or he or she may, if he or she deems it necessary, direct the Corporate Manager - Democracy to Summon a Special Meeting, either of the Council or of a relevant body to deal with the matter.

INTERPRETATION OF STANDING ORDERS

2324. The ruling of the Mayor or, as appropriate, the Chairman of a relevant body as to the construction or application of any of these Standing Orders, or as to any proceedings of the Council or a relevant body, shall not be challenged.

SEALING OF DOCUMENTS

Custody of Seal

2425. (1) The Common Seal of the Council shall be kept in a safe place in the custody of the Corporate Manager - Legal Services.

Authorised use of Seal

(2) The Common Seal of the Council shall be affixed to any document authorised by a resolution of the Council, the Cabinet or a Committee to which the Council have delegated their powers in this behalf or through powers and duties delegated in the Council's Constitution.

Attestation of Seal

(3) The Seal shall be attested by either the Managing Director, Executive Director or the Corporate Manager – Legal Services and an entry of every sealing of a document shall be made and consecutively numbered in a book kept for the purpose and shall be signed by a person who has attested the Seal.

AUTHENTICATION OF DOCUMENTS FOR LEGAL PROCEEDINGS

2526. Where any document will be a necessary step in legal proceedings on behalf of the Council it shall be signed by the Corporate Manager – Legal Services or the Monitoring Officer where appropriate unless any enactment otherwise requires or authorises, or the Council give the necessary authority to some other person for the purpose of such proceedings.

STANDING ORDERS TO APPLY TO RELEVANT BODIES

2627. The Standing Order of the Council headed "Rules of Debate" (except those parts which relate to standing and to speaking more than once)

shall, with any necessary modification, apply to meetings of relevant bodies.

MEETINGS OF RELEVANT BODIES

Convening of Meetings

2728. (1) A relevant body shall hold meetings at such times as may be required and may adjourn such meetings as may be thought proper. Special meetings of a relevant body shall be summoned by the Corporate Manager – Democracy at the request of the Chairman or any three Members of the relevant body.

Discussion of additional items

- (2) No additional item of business not already included on the agenda for a meeting of a relevant body shall be raised unless the Chairman is satisfied that the matter is one of urgency. Urgent matters which Members propose to raise shall be notified to the Chairman or to the Corporate Manager – Democracy not later than noon on the day of the meeting (unless relating to an emergency arising after that time).

Minutes

- (3) Minutes of the proceedings of a relevant body shall be recorded in a Minute Book kept for that purpose and shall be signed by the Chairman at the same or following meeting.

Quorum

- (4) Except where authorised by Statute or ordered by the Council, business shall not be transacted at a meeting of a relevant body unless at least one half of the whole number of voting Members are present.

Voting

- (5) Voting at a meeting of a relevant body shall be by a show of hands PROVIDED that immediately after the vote is taken any Member may require that his or her vote for the question or against the question or whether he or she abstained from voting shall be recorded in the Minutes.

Mover of Motion may attend meeting

- (6) A Member of the Council who has moved a motion which has been referred to a relevant body shall have notice of the meeting at

which it is proposed to consider the motion. He or she shall have the right to attend the meeting and if he or she attends shall have an opportunity to explain the motion.

Attendance of Members

- (7) No Member of the Council shall attend a meeting of a relevant body, except as a member of the public, unless:-
- (a) he or she is a Member of the relevant body; or
 - (b) he or she is entitled to be present at such meeting by virtue of any provisions contained in these Standing Orders; or
 - (c) he or she is invited by the relevant body to be present at such meeting.

but that any Member of the Council shall have the right to ask the relevant body to address the meeting on an item of business included on the agenda.

- (8) Members of the Council attending, as members of the public, meetings of the Cabinet, Committees or Policy and Project Advisory Board of which they are not Members, shall be entitled to remain, during the consideration of business where the press and public are excluded.
- (9) When the Cabinet is holding informal discussions on future policy issues, other Members of the Council shall not be entitled to be present unless invited.

Public Participation

- (10) Members of the public may address or ask questions of relevant bodies in accordance with the Public Speaking Procedure Rules in Part 4 of this Constitution.

SUB-COMMITTEES APPOINTED BY COMMITTEES

Arrangements

- 2829.** (1) Any Sub-Committees established by a Committee shall be appointed in accordance with the political balance arrangements agreed by the Council and the Committee shall give effect to the appointments proposed by the appropriate political groups.

Chairman to be Ex Officio Member

- (2) The Chair~~man~~ of a Committee shall be an ex officio Member of every Sub-Committee appointed by that Committee, unless he or she signifies to the Committee that he or she does not wish to serve PROVIDED that he or she may not vote at a meeting of a Sub-Committee of which he or she is not a voting Member.

Co-opted Members

- (3) A Sub-Committee may appoint such non-voting Members and advisers as it considers fit.

VARIATION AND REVOCATION OF STANDING ORDERS

Motions to amend Standing Orders

- ~~2930~~. (1) Any motion to add to, vary or revoke these Standing Orders shall, when proposed and seconded, stand adjourned without discussion to the next Meeting of the Council.

SUSPENSION OF STANDING ORDERS

- ~~3031~~. (1) Subject to Paragraph (2) of this Standing Order, any of the preceding Standing Orders may be suspended so far as regards any business at the meeting where its suspension is moved.
- (2) A motion to suspend Standing Orders shall not be moved without notice (i.e. under Standing Order ~~13~~) unless there shall be present at least one-half of the whole number of the Members of the Council.

STANDING ORDERS TO BE GIVEN TO MEMBERS

- ~~3132~~. A copy of these Standing Orders and of such statutory provisions as regulate the proceedings and business of the Council, shall be made available to each Member of the Council by the Corporate Manager – Democracy upon delivery to him or her of the Member's Declaration of Acceptance of Office on the Member being first elected to the Council.

This page is intentionally left blank

SCHEME FOR PUBLIC QUESTIONS AT FULL COUNCIL MEETINGS

OVERVIEW

The purpose of the Scheme for Public Questions at full Council is to enable a Member of the public with a connection to the Rushmoor area to ask a Member of the Cabinet or Chairman of Committee, a question on any matter in relation to which the Council has powers or duties, or which affects the Borough.

A maximum period of 15 minutes will be allocated for public questions on the Council agenda.

The Scheme is available to:

- Anyone who lives or works within the area of Rushmoor
- The owner of a business or property which is physically located within the Borough
- A representative of any local group or organisation, which is associated with and operates within the Borough.

Except those who have a close and direct family relationship to an Elected Member on the Council.

PROCESS

- 1.1 A member of the public may ask questions of the Leader of the Council, any Member of the Cabinet or the Chair of any Committee on any matter in relation to which the Council has powers or duties, or which affects the Borough.
- 1.2 A member of the public is limited to asking one question at any meeting of the Council. No more than one question can be asked on behalf of any organisation or body at any Council meeting. No public questions may be asked at the Annual Council meeting.
- 1.3 No question shall exceed 100 words in length.
- 1.4 The full question must be sent, in writing, to the Corporate Manager – Democracy, via email to committeeservices@rushmoor.gov.uk, to be received no later than 5pm on the fourth working day prior to the day of the meeting. (For the avoidance of doubt, if a meeting were to be held on a Thursday evening, the deadline would be 5pm on the Friday of the preceding week). No questions from the public will be allowed where the requisite notice has not been given.
- 1.5 For questions that are accepted, the Corporate Manager – Democracy will agree with the questioner whether they wish to be named at the Council Meeting, or

whether they wish to be referred to in a more anonymised way e.g. 'a resident from X ward'

- 1.6 All public questions, whether accepted or refused (see grounds for refusal below) shall be notified to all Members in advance of the Council Meeting for information.
- 1.7 The Corporate Manager – Democracy shall maintain the record of public questions, which will be made available on the Council's website. The record will include answers for questions accepted, and the reason(s) rejected for the questions refused.

Grounds for refusal of a Public Question

- 1.8 The Managing Director of the Council may reject a question for Council for inclusion on the agenda if in their opinion:
 - it does not relate to a matter for which the Council has responsibility or does not affect the Borough or its residents, communities or businesses,
 - it is defamatory, frivolous, vexatious, or offensive,
 - it refers to legal proceedings taken or anticipated by or against the Council
 - it is substantially the same as a question or statement which has been put to a meeting of Council within the previous 6 months,
 - it requires the disclosure of confidential or exempt information, or
 - it would more appropriately be responded to by the Council under the Freedom of Information Act 2000, or the Data Protection Act 1998 as amended
 - Allegations against individual councillors or officers
- 1.9 The questioner will be advised the reason why a question has been refused for the agenda.

Responding to Questions at the Council Meeting

- 1.10 The Corporate Manager – Democracy will prepare a list of tabled questions in the order in which they have been received.
- 1.11 The Leader of the Council and the appropriate Member(s) will be advised in advance of the question that has been submitted for their response.
- 1.12 At the Council Meeting, questions will be taken in the order in which they were received by the Corporate Manager – Democracy, except that the Mayor may group similar questions or statements together.
- 1.13 Public questions may be read out by the Mayor on behalf of the questioner, or may be asked by the member of the public at the meeting when invited to do so by the Mayor.

- 1.14 The response to a public question will take the form of a verbal response with a written answer recorded in the minutes of the meeting.
- 1.15 Verbal responses at the Council Meeting should aim to be succinct to accommodate multiple questions to be dealt with within the 15 minutes allocated for public questions.
- 1.16 The Mayor will be responsible for the conduct of public questions at the Council Meeting, allowing a supplementary question where appropriate.
- 1.17 The Mayor's ruling on the conduct of public questions will be final.

This page is intentionally left blank

SECTION 6: ROLES AND RESPONSIBILITIES OF COUNCIL DECISION MAKING BODIES

6.1 COMMITTEES OF THE COUNCIL

In order to undertake its functions in a more efficient way, the Council establishes committees to which it delegates authority to oversee and make decisions relating to non-executive responsibilities.

The seats on committees are allocated in accordance with the rules on political proportionality and the party-political groups are responsible for nominating councillors from their groups to fill the seats.

The next part describes the committees that the Council has established and delegated authority for decision making.

6.2. ~~AUDIT AND CORPORATE GOVERNANCE, AUDIT AND STANDARDS~~ COMMITTEE

Membership

11 Elected Members appointed by the Council (excluding Members of the Cabinet) to reflect the political balance of the Council.

Up to 3 Independent, non-voting co-opted Members invited to attend meetings during discussion on all corporate governance and audit matters.

Meetings

There shall normally be six scheduled meetings in each year. Additional meetings may also be called as and when appropriate and required. A meeting may be called by the Chair, by one-third of the voting members of the Committee or by the Managing Director

Statement of Purpose

~~When carrying out Corporate Governance and Audit functions, t~~The purpose of the Committee is to provide independent assurance of the adequacy of the risk management framework and the associated control environment, independent scrutiny of the Council's financial and non-financial performance to the extent that it affects the Council's exposure to risk and weakens the control environment, and to oversee the financial reporting process.

The ~~Audit and Corporate Governance, Standards and Audit~~ Committee is responsible for the following functions:

General Powers

- ~~1. To make appointments of council representatives to Outside Bodies or joint committees of two or more authorities (or to any committee or sub-committee of such a body) and the revocation of any such appointment to a body.~~
- ~~2. To consider and make recommendations to the full Council in relation to the following matters:
 - ~~• Amendments to the Council's Standing Orders~~
 - ~~• Conferring the title of honorary alderman or to admit an honorary freeman~~
 - ~~• The making, amendment, revocation or re-enactment of byelaws under any statutory provision~~
 - ~~• Matters related to the name and status of areas~~
 - ~~• Terms under which a Community Governance Review shall be carried out (Sections 81-82 Local Government and Public Involvement in Health Act 2007)~~
 - ~~• The promotion, opposition to or amendment of local or personal Bills (Section 239 of the Local Government Act 1972)~~~~
- ~~3. To exercise the Council's functions relating to local government pensions, etc (regulations under Section 7, 12 or 24 of the Superannuation Act 1972).~~
- ~~4. Power to make an order identifying a place as a public place for the purposes of police powers to deal with street drinking (Criminal Justice and Police Act 2001).~~
- ~~5. To exercise the Council's powers in relation to the following elections and electoral registration functions:
 - ~~• Dividing the constituency into polling districts and designating polling places (Section 18, Representation of the People Act, 1983)~~
 - ~~• Dividing electoral divisions into polling districts and designating polling places at local government elections (Section 31 of the Representation of the People Act, 1983)~~
 - ~~• Making proposals for pilot schemes for local elections~~~~

Governance Risk and Control

1. To review the Annual Governance Statement prior to approval and consider whether it properly reflects the risk environment and supporting assurances, taking into account internal audit's opinion on the overall adequacy and effectiveness of the Council's framework of governance, risk management and control.
2. To approve the Council's arrangements to secure value for money and review assurances and assessments on the effectiveness of these arrangements.
3. To consider the Council's framework of assurance and ensure that it adequately addresses the risks and priorities of the Council.

4. To monitor the effective development and operation of risk management in the Council.
5. To monitor progress in addressing risk-related issues reported to the Committee.
6. To consider reports on the effectiveness of internal controls and monitor the implementation of agreed actions.
7. To review the assessment of fraud risks and potential harm to the Council from fraud and corruption.
8. To monitor the counter-fraud strategy, actions and resources.
9. To review the governance and assurance arrangements for significant partnerships or collaborations.

Internal Audit

10. To approve the internal audit charter.
11. To review the risk-based internal audit plan, including internal audit's resource requirements, the approach to using other sources of assurance and any work required to place reliance upon those other sources.
12. To approve significant changes to the risk-based internal audit plan and resource requirements.
13. To make appropriate enquiries of both management and the Executive Head of Finance to determine if there are any inappropriate scope or resource limitations, in respect of carrying out internal audit work.
14. To consider reports on internal audit's performance during the year including:
 - a. Key findings, issues of concern and action in hand as a result of internal audit work
 - b. Regular reports on the results of the Quality Assurance and Improvement Plan and any non-compliance with Public Sector Internal Audit Standards (PSIAS).
15. To consider annual internal audit reports, including;
 - a. The statement on the level of conformance with PSIAS
 - b. The Quality and Assurance Improvement Plan
 - c. The opinion on the overall adequacy and effectiveness of the Council's framework of governance, risk management and control together with the summary of the work supporting the opinion.

16. To receive summaries of any specific internal reports as requested.
17. To receive reports outlining the action taken where the Executive Head of Finance has concluded that management has accepted a level of risk that may be unacceptable to the Council or there are concerns about progress with the implementation of agreed actions.
18. To provide internal audit unfettered access to the Committee Chair, including the opportunity for a private meeting with the Committee.

External Audit

19. To support the independence of external audit through consideration of the external auditor's annual assessment of its independence and review of any issues raised by the Public Sector Audit Appointments (PSAA).
20. To consider the external auditor's annual audit letter, annual audit results report and other relevant reports.
21. To consider the scope and depth of external audit work and ensure it provides value for money.
22. To commission work from internal and external audit.

Financial Reporting

23. To approve the annual Statement of Accounts and consider whether appropriate accounting policies have been followed and whether any concerns arising from the financial statement or from the audit need to be brought to the attention of the Council.
24. To consider the external auditor's report to those charged with governance on any issues arising from the audit of the accounts.

Accountability arrangements

25. To undertake appropriate training in respect of its governance and audit role.
26. To carry out an annual self-assessment in relation to the effectiveness of the Committee in meeting its purpose.
27. Where considered appropriate, to report to Council on any issues concerning the effectiveness of the arrangements in place for governance, risk, and internal control frameworks.

Licensing Powers

~~33. Responsibility for the licensing functions of the Council:~~

- ~~• Functions under the Licensing Act 2003 (see Section 4, Paragraph 4.3 for delegation arrangements)~~
- ~~• Functions under the Gambling Act 2005 (see Section 4, Paragraph 4.4 for delegation arrangements)~~
- ~~• Taxis, private hire and other vehicles (see Section 4, Paragraph 4.5 for delegation arrangements)~~
- ~~• All other licensing and registration functions including for caravan sites, food premises registration, animal licensing, charities and street collection permits, street trading consents and scrap metal dealers (see Section 4, Paragraph 4.6 for delegation arrangements)~~

~~34. Responsibility for functions and powers relating to smoke free legislation and the Health Act 2006 (see Section 4, Paragraph 4.8 for delegation arrangements).~~

~~35. Responsibility for Health and Safety at work (see Section 4, Paragraph 4.7 for delegation arrangements).~~

~~36. Responsibility for the powers in sections 4, 8 and 9 of the Hampshire Act, 1983:-~~

- ~~s.4 (relating to the registration of hairdressers and barbers and premises occupied by them)~~
- ~~s.8 (relating to the control of stray dogs)~~
- ~~s.9 (relating to the seizure of horses).~~

~~**Standards and Members' Code of Conduct Responsibilities –**~~

~~28. To promote and maintain high standards of conduct by councillors and co-opted members of the Council as set out in the Councillors Code of Conduct.~~

~~29. To advise the Council on the adoption or revision of the Members' Code of Conduct.~~

~~30. To monitor the operation of the Members' Code of Conduct.~~

~~31. To make and implement arrangements for dealing with complaints in accordance with the Localism Act, 2011 and any subsequent regulations and guidance.~~

~~32. To deal with matters relating to the appointment and activities of the Independent Person(s) within the provision of the Localism Act 2011 and any subsequent regulations and guidance. The appointment of the Independent Person is subject to confirmation by the Council.~~

~~33. To grant dispensations to councillors and co-opted members from requirements relating to interests set out in the Code of Conduct.~~

Ombudsman

34-28. To keep under review Ombudsman investigations and consider their outcomes where appropriate.

Work Programme

There shall be oversight of the Committee's work programme at the Programme Management Group to enable co-ordination between the overall work of the Audit & Governance Committee, Overview and Scrutiny Committee and Policy and Project Advisory Board.

6.3 LICENSING AND CORPORATE BUSINESS COMMITTEE

Membership

11 Elected Members appointed by the Council (excluding Members of the Cabinet) to reflect the political balance of the Council.

Meetings

There shall normally be three scheduled meetings in each year in May/June, January and March. Additional meetings may also be called as and when appropriate and required. A meeting may be called by the Chair, by one-third of the voting members of the Committee or by the Managing Director.

Functions and Responsibilities

The Licensing and Corporate Business Committee is responsible for the following functions:

Licensing

1. Responsibility for the licensing functions of the Council:

- Functions under the Licensing Act 2003 (see Section 4, Paragraph 4.3 for delegation arrangements)
- Functions under the Gambling Act 2005 (see Section 4, Paragraph 4.4 for delegation arrangements)
- Taxis, private hire and other vehicles (see Section 4, Paragraph 4.5 for delegation arrangements)
- All other licensing and registration functions including for caravan sites, food premises registration, animal licensing, charities and street collection permits, street trading consents and scrap metal dealers (see Section 4, Paragraph 4.6 for delegation arrangements)

2. Responsibility for functions and powers relating to smoke free legislation and the Health Act 2006 (see Section 4, Paragraph 4.8 for delegation arrangements).
3. Responsibility for Health and Safety at work (see Section 4, Paragraph 4.7 for delegation arrangements).
4. Responsibility for the powers in sections 4, 8 and 9 of the Hampshire Act, 1983:-
 - s.4 (relating to the registration of hairdressers and barbers and premises occupied by them)
 - s.8 (relating to the control of stray dogs)
 - s.9 (relating to the seizure of horses).

Corporate Business

5. To make appointments of council representatives to Outside Bodies or joint committees of two or more authorities (or to any committee or sub-committee of such a body) and the revocation of any such appointment to a body.
- 5-6. To make appointments to Council Groups, Partnerships and Boards including the Council's Programme Management Group which co-ordinates the work programmes of the Audit and Governance Committee, Overview and Scrutiny Committee and Policy and Project Advisory Board.**
7. To consider and make recommendations to the full Council in relation to the following matters:
 - Amendments to the Council's Standing Orders and changes to the Scheme of Delegation for non-executive matters
 - Designation of Head of Paid Service
 - Conferring the title of honorary alderman or to admit an honorary freeman
 - The making, amendment, revocation or re-enactment of byelaws under any statutory provision
 - Matters related to the name and status of areas
 - Terms under which a Community Governance Review shall be carried out (Sections 81-82 Local Government and Public Involvement in Health Act 2007)
 - The promotion, opposition to or amendment of local or personal Bills (Section 239 of the Local Government Act 1972)
 - The transfer of non-executive functions to another local authority, or decision to accept such a delegation from another local authority
8. To exercise the Council's functions relating to local government pensions, etc (regulations under Section 7, 12 or 24 of the Superannuation Act 1972).
9. Power to make an order identifying a place as a public place for the purposes of police powers to deal with street drinking (Criminal Justice and Police Act 2001).

Elections

10. To exercise the Council's powers in relation to the following elections and electoral registration functions:

- Dividing the constituency into polling districts and designating polling places (Section 18, Representation of the People Act, 1983)
- Dividing electoral divisions into polling districts and designating polling places at local government elections (Section 31 of the Representation of the People Act, 1983)
- Making proposals for pilot schemes for local elections

Standards

~~6-11.~~ To promote and maintain high standards of conduct by councillors and co-opted members of the Council as set out in the Councillors Code of Conduct.

~~7-12.~~ To advise the Council on the adoption or revision of the Members' Code of Conduct.

~~8-13.~~ To monitor the operation of the Members' Code of Conduct.

~~9-14.~~ To make and implement arrangements for dealing with complaints in accordance with the Localism Act, 2011 and any subsequent regulations and guidance.

~~10-15.~~ To deal with matters relating to the appointment and activities of the Independent Person(s) within the provision of the Localism Act 2011 and any subsequent regulations and guidance. The appointment of the Independent Person is subject to confirmation by the Council.

~~11-16.~~ To grant dispensations to councillors and co-opted members from requirements relating to interests set out in the Code of Conduct.

6.3 LICENSING SUB-COMMITTEE

The Licensing and Corporate Business Governance, Audit and Standards Committee appoints a Licensing Sub-Committee.

The membership is five Members, politically balanced, drawn from the Licensing and Corporate Business Governance, Audit and Standards Committee.

The terms of reference are:

- (i) to deal with licensing applications where such applications have a substantial impact on the area or there are significant objections; or
- (ii) to consider and determine licensing matters where the Executive Head of Operations considers it inappropriate to exercise his/her delegated powers

6.4 LICENSING SUB-COMMITTEE (ALCOHOL AND ENTERTAINMENTS)

The Licensing and Corporate Business Governance, Audit and Standards Committee appoints a Licensing Sub-Committee (Alcohol and Entertainments).

The membership of the Sub-Committee is three trained councillors appointed by the Corporate Manager - Democracy drawn from the Licensing and Corporate Business Governance, Audit and Standards Committee on a rotational basis. No requirement for political balance.

Terms of reference:

- (i) To consider and determine licence applications made under the Licensing Act 2003 and Gambling Act 2005 in accordance with the Scheme of Delegation set out in Part 3, Section 4, paragraphs 4.3 and 4.4

The rules and procedures for the Sub-Committee, including the arrangements for appointments to the Sub-Committee, are set out in Part 4 of the Constitution 'Licensing Sub-Committee (Alcohol and Entertainments) Hearings Protocol and Procedure Rules'.

6.4A LICENSING SUB-COMMITTEE (TAXIS)

The Licensing and Corporate Business Governance, Audit and Standards Committee appoints a Licensing Sub-Committee (Taxis).

The membership of the Sub-Committee is three trained councillors, politically balanced, appointed by the Corporate Manager – Democracy drawn from the Corporate Governance, Audit and Standards Committee on a rotational basis.

Terms of reference:

- (i) To consider and determine taxi licensing applications where the Executive Head of Operations is minded to refuse or revoke a licence and the decision is not deemed urgent, in accordance with the Scheme of Delegation set out in Part 3, Section 4, paragraph 4.5.

The rules and procedures for the hearings, including the arrangements for appointments to the Sub-Committee, are set out in Part 4 of the Constitution 'Licensing Sub-Committee (Taxis) Hearings Protocol and Procedure Rules'.

6.5. DEVELOPMENT MANAGEMENT COMMITTEE

The Development Management Committee is responsible for the discharge of the Council's functions in respect of the necessary statutory provisions in relation to all town planning matters concerning the control of development and regulation and use of land under the provisions of the Town and Country Planning Act, 1990 (as amended), Town and Country Planning (Control of Advertisements) Regulations 1992, the Planning (Listed Building and Conservation Areas) Act 1990, Planning and Compensation Act 2004 and any associated or related Acts, legislation, regulations and provisions.

While many matters are delegated to the Executive Head of Property and Growth (see Section 4.2 (3)), the following matters must be decided by the Development Management Committee:

Planning Applications

1. Deciding planning applications for 25 or more new dwellings
2. Deciding a planning application which is contrary to the provisions of an approved or draft development plan or adopted planning policy approved by the Council and which is recommended for approval
3. Deciding planning applications which any councillor requests, setting out good material planning reasons in writing to the Executive Head of Property and Growth, within 21 days of the circulation of details of the application. The referral to the Committee to be agreed by the Chairman of the Committee in consultation with the Executive Head of Property and Growth and/or Corporate Planning Manager.
4. Deciding planning applications submitted by or on behalf of a councillor (or his/her spouse, partner or other immediate family member) or by any member of the Council's staff (or his/her spouse, partner or other immediate family member)
5. Deciding planning applications submitted by or on behalf of the Council for its own developments
6. Deciding planning applications which the Executive Head of Property and Growth considers should be presented to Committee for decision including for example, those developments that in their opinion are potentially controversial, likely to be of significant public interest, or which may have a significant impact on the Borough or its environment.
7. The Development Management Committee will also receive updates on progress on Committee decisions, planning enforcement, and performance of the planning service with regard to the nationally set performance standards and associated matters.

SECTION 6: ROLES AND RESPONSIBILITIES OF COUNCIL DECISION MAKING BODIES

6.1 COMMITTEES OF THE COUNCIL

In order to undertake its functions in a more efficient way, the Council establishes committees to which it delegates authority to oversee and make decisions relating to non-executive responsibilities.

The seats on committees are allocated in accordance with the rules on political proportionality and the party-political groups are responsible for nominating councillors from their groups to fill the seats.

The next part describes the committees that the Council has established and delegated authority for decision making.

6.2. AUDIT AND GOVERNANCE COMMITTEE

Membership

11 Elected Members appointed by the Council (excluding Members of the Cabinet) to reflect the political balance of the Council.

Up to 3 Independent, non-voting co-opted Members invited to attend meetings during discussion on all corporate governance and audit matters.

Meetings

There shall normally be six scheduled meetings in each year. Additional meetings may also be called as and when appropriate and required. A meeting may be called by the Chair, by one-third of the voting members of the Committee or by the Managing Director.

Statement of Purpose

The purpose of the Committee is to provide independent assurance of the adequacy of the risk management framework and the associated control environment, independent scrutiny of the Council's financial and non-financial performance to the extent that it affects the Council's exposure to risk and weakens the control environment, and to oversee the financial reporting process.

Functions and Responsibilities

The Audit and Governance Committee is responsible for the following functions:

Governance Risk and Control

1. To review the Annual Governance Statement prior to approval and consider whether it properly reflects the risk environment and supporting assurances, taking into account internal audit's opinion on the overall adequacy and effectiveness of the Council's framework of governance, risk management and control.
2. To approve the Council's arrangements to secure value for money and review assurances and assessments on the effectiveness of these arrangements.
3. To consider the Council's framework of assurance and ensure that it adequately addresses the risks and priorities of the Council.
4. To monitor the effective development and operation of risk management in the Council.
5. To monitor progress in addressing risk-related issues reported to the Committee.
6. To consider reports on the effectiveness of internal controls and monitor the implementation of agreed actions.
7. To review the assessment of fraud risks and potential harm to the Council from fraud and corruption.
8. To monitor the counter-fraud strategy, actions and resources.
9. To review the governance and assurance arrangements for significant partnerships or collaborations.

Internal Audit

10. To approve the internal audit charter.
11. To review the risk-based internal audit plan, including internal audit's resource requirements, the approach to using other sources of assurance and any work required to place reliance upon those other sources.
12. To approve significant changes to the risk-based internal audit plan and resource requirements.
13. To make appropriate enquiries of both management and the Executive Head of Finance to determine if there are any inappropriate scope or resource limitations, in respect of carrying out internal audit work.
14. To consider reports on internal audit's performance during the year including:

- a. Key findings, issues of concern and action in hand as a result of internal audit work
 - b. Regular reports on the results of the Quality Assurance and Improvement Plan and any non-compliance with Public Sector Internal Audit Standards (PSIAS).
15. To consider annual internal audit reports, including;
- a. The statement on the level of conformance with PSIAS
 - b. The Quality and Assurance Improvement Plan
 - c. The opinion on the overall adequacy and effectiveness of the Council's framework of governance, risk management and control together with the summary of the work supporting the opinion.
16. To receive summaries of any specific internal reports as requested.
17. To receive reports outlining the action taken where the Executive Head of Finance has concluded that management has accepted a level of risk that may be unacceptable to the Council or there are concerns about progress with the implementation of agreed actions.
18. To provide internal audit unfettered access to the Committee Chair, including the opportunity for a private meeting with the Committee.

External Audit

19. To support the independence of external audit through consideration of the external auditor's annual assessment of its independence and review of any issues raised by the Public Sector Audit Appointments (PSAA).
20. To consider the external auditor's annual audit letter, annual audit results report and other relevant reports.
21. To consider the scope and depth of external audit work and ensure it provides value for money.
22. To commission work from internal and external audit.

Financial Reporting

23. To approve the annual Statement of Accounts and consider whether appropriate accounting policies have been followed and whether any concerns arising from the financial statement or from the audit need to be brought to the attention of the Council.
24. To consider the external auditor's report to those charged with governance on any issues arising from the audit of the accounts.

Accountability arrangements

25. To undertake appropriate training in respect of its governance and audit role.
26. To carry out an annual self-assessment in relation to the effectiveness of the Committee in meeting its purpose.
27. Where considered appropriate, to report to Council on any issues concerning the effectiveness of the arrangements in place for governance, risk, and internal control frameworks.

Ombudsman

28. To keep under review Ombudsman investigations and consider their outcomes where appropriate.

Work Programme

29. There shall be oversight of the Committee's work programme at the Programme Management Group to enable co-ordination between the overall work of the Audit & Governance Committee, Overview and Scrutiny Committee and Policy and Project Advisory Board.

6.3 LICENSING AND CORPORATE BUSINESS COMMITTEE

Membership

11 Elected Members appointed by the Council (excluding Members of the Cabinet) to reflect the political balance of the Council.

Meetings

There shall normally be three scheduled meetings in each year in May/June, January and March. Additional meetings may also be called as and when appropriate and required. A meeting may be called by the Chair, by one-third of the voting members of the Committee or by the Managing Director.

Functions and Responsibilities

The Licensing and Corporate Business Committee is responsible for the following functions:

Licensing

1. Responsibility for the licensing functions of the Council:

- Functions under the Licensing Act 2003 (see Section 4, Paragraph 4.3 for delegation arrangements)
 - Functions under the Gambling Act 2005 (see Section 4, Paragraph 4.4 for delegation arrangements)
 - Taxis, private hire and other vehicles (see Section 4, Paragraph 4.5 for delegation arrangements)
 - All other licensing and registration functions including for caravan sites, food premises registration, animal licensing, charities and street collection permits, street trading consents and scrap metal dealers (see Section 4, Paragraph 4.6 for delegation arrangements)
2. Responsibility for functions and powers relating to smoke free legislation and the Health Act 2006 (see Section 4, Paragraph 4.8 for delegation arrangements).
 3. Responsibility for Health and Safety at work (see Section 4, Paragraph 4.7 for delegation arrangements).
 4. Responsibility for the powers in sections 4, 8 and 9 of the Hampshire Act, 1983:-
 - s.4 (relating to the registration of hairdressers and barbers and premises occupied by them)
 - s.8 (relating to the control of stray dogs)
 - s.9 (relating to the seizure of horses).

Corporate Business

5. To make appointments of council representatives to Outside Bodies or joint committees of two or more authorities (or to any committee or sub-committee of such a body) and the revocation of any such appointment to a body.
6. To make appointments to Council Groups, Partnerships and Boards including the Council's Programme Management Group which co-ordinates the work programmes of the Audit and Governance Committee, Overview and Scrutiny Committee and Policy and Project Advisory Board.
7. To consider and make recommendations to the full Council in relation to the following matters:
 - Amendments to the Council's Standing Orders and changes to the Scheme of Delegation for non-executive matters
 - Designation of Head of Paid Service
 - Conferring the title of honorary alderman or to admit an honorary freeman
 - The making, amendment, revocation or re-enactment of byelaws under any statutory provision
 - Matters related to the name and status of areas

- Terms under which a Community Governance Review shall be carried out (Sections 81-82 Local Government and Public Involvement in Health Act 2007)
 - The promotion, opposition to or amendment of local or personal Bills (Section 239 of the Local Government Act 1972)
 - The transfer of non-executive functions to another local authority, or decision to accept such a delegation from another local authority
8. To exercise the Council's functions relating to local government pensions, etc (regulations under Section 7, 12 or 24 of the Superannuation Act 1972).
9. Power to make an order identifying a place as a public place for the purposes of police powers to deal with street drinking (Criminal Justice and Police Act 2001).

Elections

10. To exercise the Council's powers in relation to the following elections and electoral registration functions:
- Dividing the constituency into polling districts and designating polling places (Section 18, Representation of the People Act, 1983)
 - Dividing electoral divisions into polling districts and designating polling places at local government elections (Section 31 of the Representation of the People Act, 1983)
 - Making proposals for pilot schemes for local elections

Standards

11. To promote and maintain high standards of conduct by councillors and co-opted members of the Council as set out in the Councillors Code of Conduct.
12. To advise the Council on the adoption or revision of the Members' Code of Conduct.
13. To monitor the operation of the Members' Code of Conduct.
14. To make and implement arrangements for dealing with complaints in accordance with the Localism Act, 2011 and any subsequent regulations and guidance.
15. To deal with matters relating to the appointment and activities of the Independent Person(s) within the provision of the Localism Act 2011 and any subsequent regulations and guidance. The appointment of the Independent Person is subject to confirmation by the Council.
16. To grant dispensations to councillors and co-opted members from requirements relating to interests set out in the Code of Conduct.

6.3 LICENSING SUB-COMMITTEE

The Licensing and Corporate Business Committee appoints a Licensing Sub-Committee.

The membership is five Members, politically balanced, drawn from the Licensing and Corporate Business Committee.

The terms of reference are:

- (i) to deal with licensing applications where such applications have a substantial impact on the area or there are significant objections; or
- (ii) to consider and determine licensing matters where the Executive Head of Operations considers it inappropriate to exercise his/her delegated powers

6.4 LICENSING SUB-COMMITTEE (ALCOHOL AND ENTERTAINMENTS)

The Licensing and Corporate Business Committee appoints a Licensing Sub-Committee (Alcohol and Entertainments).

The membership of the Sub-Committee is three trained councillors appointed by the Corporate Manager - Democracy drawn from the Licensing and Corporate Business Committee on a rotational basis. No requirement for political balance.

Terms of reference:

- (i) To consider and determine licence applications made under the Licensing Act 2003 and Gambling Act 2005 in accordance with the Scheme of Delegation set out in Part 3, Section 4, paragraphs 4.3 and 4.4

The rules and procedures for the Sub-Committee, including the arrangements for appointments to the Sub-Committee, are set out in Part 4 of the Constitution 'Licensing Sub-Committee (Alcohol and Entertainments) Hearings Protocol and Procedure Rules'.

6.4A LICENSING SUB-COMMITTEE (TAXIS)

The Licensing and Corporate Business Committee appoints a Licensing Sub-Committee (Taxis).

The membership of the Sub-Committee is three trained councillors, politically balanced, appointed by the Corporate Manager – Democracy drawn from the Corporate Governance, Audit and Standards Committee on a rotational basis.

Terms of reference:

- (i) To consider and determine taxi licensing applications where the Executive Head of Operations is minded to refuse or revoke a licence and the decision is not deemed urgent, in accordance with the Scheme of Delegation set out in Part 3, Section 4, paragraph 4.5.

The rules and procedures for the hearings, including the arrangements for appointments to the Sub-Committee, are set out in Part 4 of the Constitution 'Licensing Sub-Committee (Taxis) Hearings Protocol and Procedure Rules'.

6.5. DEVELOPMENT MANAGEMENT COMMITTEE

The Development Management Committee is responsible for the discharge of the Council's functions in respect of the necessary statutory provisions in relation to all town planning matters concerning the control of development and regulation and use of land under the provisions of the Town and Country Planning Act, 1990 (as amended), Town and Country Planning (Control of Advertisements) Regulations 1992, the Planning (Listed Building and Conservation Areas) Act 1990, Planning and Compensation Act 2004 and any associated or related Acts, legislation, regulations and provisions.

While many matters are delegated to the Executive Head of Property and Growth (see Section 4.2 (3)), the following matters must be decided by the Development Management Committee:

Planning Applications

1. Deciding planning applications for 25 or more new dwellings
2. Deciding a planning application which is contrary to the provisions of an approved or draft development plan or adopted planning policy approved by the Council and which is recommended for approval
3. Deciding planning applications which any councillor requests, setting out good material planning reasons in writing to the Executive Head of Property and Growth, within 21 days of the circulation of details of the application. The referral to the Committee to be agreed by the Chairman of the Committee in consultation with the Executive Head of Property and Growth and/or Corporate Planning Manager.
4. Deciding planning applications submitted by or on behalf of a councillor (or his/her spouse, partner or other immediate family member) or by any member of the Council's staff (or his/her spouse, partner or other immediate family member)
5. Deciding planning applications submitted by or on behalf of the Council for its own developments
6. Deciding planning applications which the Executive Head of Property and Growth considers should be presented to Committee for decision including for example, those developments that in their opinion are potentially controversial, likely to be of significant public interest, or which may have a significant impact on the Borough or its environment.

7. The Development Management Committee will also receive updates on progress on Committee decisions, planning enforcement, and performance of the planning service with regard to the nationally set performance standards and associated matters.

SECTION 7: TERMS OF REFERENCE OF THE OVERVIEW AND SCRUTINY COMMITTEE

Overview and Scrutiny Committee

- 7.1 The Council has one Overview and Scrutiny Committee. This Committee is also the Council's designated crime and disorder committee under Section 19 of the Police and Justice Act 2006.

The Overview and Scrutiny Procedure Rules for the discharge of the Committee's functions under Section 9F of the Local Government Act 2000 are set out in Part 4 of the Constitution.

7.2 Composition

The arrangements with respect to the composition of the Overview and Scrutiny Committee will be as follows:

- The Committee will have a maximum of eleven non-executive councillors, and in accordance with the provisions of the Local Government Housing Act 1989, will reflect the political balance of the Council.
- The Committee will be able to appoint up to two Vice-Chairs, drawn from those councillors serving on the Committee, to lead on specific projects and to chair task and finish groups. The Chair will be appointed at the Annual Meeting of the Council for the ensuing year.
- Cabinet Members will be expected to attend the Committee, and task and finish groups appointed by the Committee, when invited, to contribute on matters that relate to their portfolio.
- The Committee will be able to co-opt external representatives or appoint advisers, as it sees fit in a non-voting capacity.

Membership of both the Overview and Scrutiny Committee and the Policy and Project Advisory Board does not inevitably create a conflict of interest.

Councillors and co-optees may not be involved in scrutinising a decision in which they have been involved directly.

7.3 Work Programme and co-ordination with other bodies

The Overview and Scrutiny Committee's work programme shall be developed by the Committee and in co-ordination with the work programmes of the Policy and Project Advisory Board (PPAB), and the Audit and Governance Committee (AGC).

The co-ordination reflects that some roles of overview and scrutiny are shared with other committees. The 'policy development' role of overview and scrutiny

is undertaken by the Policy and Project Advisory Board, and responsibility for scrutinising the Council's framework of internal controls and assurance for managing risk and overall activity rests with the Audit and Governance Committee.

To co-ordinate work programmes, a cross-party Programme Management Group with representatives from the three committees (PPAB, OSC and AGC) will have collective oversight of work plans to help avoid duplication and make best use of resources.

The Committee's overall work programme should take account of:

- Whether the proposed work furthers corporate priorities
- The likelihood of something significant or valuable coming from the work
- The importance of the issue for users and the public generally
- Whether there is evidence of user dissatisfaction with the service
- Issues raised through audit or inspections
- Whether there is a high level of budgetary commitment to the service
- Public interest covered in the local media

The work programme shall take into account the wishes of councillors who are not members of the largest political group on the Council.

Regular meetings between the Chair and lead officer will be held to discuss the Committee's work programme.

The Committee's work programme shall be included on the agenda of each ordinary meeting of the Overview and Scrutiny Committee.

7.43 **General Terms of Reference**

The general terms of reference of the Overview and Scrutiny Committee are set out below:

- to perform all overview and scrutiny functions on behalf of the Council (reference to the functions arising from LGA2000 inserted above);
- to develop a work programme, and which is co-ordinated with the work programmes of the Policy and Project Advisory Board, and the Audit and Governance Committee which ensures that the Committee's time is effectively and efficiently utilised;
- to appoint such formal sub-committees and informal task and finish groups as ~~it considers~~ appropriate to deliver its planned work programme and fulfil its ~~these~~ overview and scrutiny functions;

- ~~to approve the overview and scrutiny work programme so as to ensure that the Committee's time is effectively and efficiently utilised;~~ (moved to work programmes)
- to undertake investigations into such matters relating to the Council's functions and powers as:
 - may be referred by the Council, Committees, the Cabinet, or the Leader; or
 - the Committee may consider appropriate as part of a co-ordinated work programme; or
 - have been referred to the Committee pursuant to the "call-in" procedure set out in the Overview and Scrutiny Procedure Rules in Part 4 of this Constitution. (These can be decisions taken by the Cabinet, a Cabinet Member, key decisions taken by an officer or under joint arrangements);

Move section below to the 'Functions and Responsibilities' for clarity and to avoid duplication in this document

- ~~to monitor and review the performance of the Council and services against relevant performance indicators and adopted plans;~~
- ~~to review and/or scrutinise decisions proposed to be made (pre-decision scrutiny) or actions taken in connection with the discharge of any of the Council's functions;~~
- ~~to review existing policy and strategy with a view to securing continuous improvement in the way in which the Council's functions are exercised, having regard to a combination of economy, efficiency and effectiveness;~~
- ~~to make reports and/or recommendations to the full Council and/or the Cabinet in connection with the discharge of any functions;~~
- ~~to review and/or scrutinise any matter affecting the area or its inhabitants;~~
- to discuss initiatives put forward for consideration by individual members of the Committee and any relevant 'call-for-action' in accordance with the Overview and Scrutiny Procedure Rules set out in Part 4 of this Constitution; and
- to consider petitions referred to the Overview and Scrutiny Committee in accordance with provisions set out in the Petition Scheme set out in Part 4 of this Constitution.

7.45 Specific Functions and Responsibilities

The Overview and Scrutiny Committee will have the following scrutiny functions and responsibilities.

Performance Management

- (1) to review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas; (amalgam of term from section above and section below)
- (2) to undertake performance reviews of the Council's functions as appropriate and prepare reports for the Cabinet and the Council; *(moved from section below)*
- (3) to monitor and review the outcomes of performance and process reviews and make further recommendations where necessary *(moved from section below)*
- (4) to review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to report on their activities and performance (moved from section below)

Review of Existing Policy

- ~~(4)~~(5) to review existing policy and strategy with a view to securing continuous improvement in the way in which the Council's functions are exercised, having regard to a combination of economy, efficiency and effectiveness (moved from section above)
- (6) to undertake the following types of activity to support a review:
 - conduct research and consultation
 - question Cabinet Members, Committee Chairmen and chief officers about their views on issues and proposals affecting the area; and
 - liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working.

Decisions

- (7) To review or scrutinise the following:
 - Decisions proposed to be made (pre-decision scrutiny) in connection with the discharge of any of the Council's functions; (moved from section above)

- Decisions made, or other actions taken, in connection with the discharge of any of the Council's functions; (moved from section above)
 - Decisions made by the Cabinet and officers both in relation to individual decisions and decisions on on-going issues:
- (8) to exercise the right to 'call-in', for reconsideration, decisions made by the Executive or key decisions taken by an officer but not yet implemented.
- (9) Require Cabinet Members and senior officers to attend and answer questions about their decisions and performance, whether generally in comparison with service plans and targets over a period of time, or in relation to particular decisions, initiatives or projects; or in relation to the portfolios of the Leader or of lead councillors.
- (10) Question and gather evidence and information from any person (with their consent) or external or partner organisations.
- (11) to make reports and/or recommendations to the Cabinet and/or Council arising from the outcome of the scrutiny process;
- (12) to make reports and/or recommendations to the Cabinet/and or Council on matters which affect the Rushmoor area or its inhabitants.

Other

- (13) Further to discussion at the Programme Management Group to consider items raised by Members and via the Councillor Call for Action procedure.

Integrated in re-ordered Functions and Responsibilities Performance Management and Review

~~The Overview and Scrutiny Committee will make arrangements to:~~

- ~~• review and scrutinise the performance of the Council in relation to its policy and budgetary objectives, performance targets and/or particular service areas;~~
- ~~• undertake performance reviews of the Council's functions as appropriate and prepare appropriate reports for the Cabinet and the Council;~~
- ~~• monitor and review the outcomes of performance and process reviews and make further recommendations where necessary; and~~

- ~~• consider the policy implications arising from reviews for other functions and services.~~

Policy Review

~~The Overview and Scrutiny Committee may:~~

- ~~• conduct research and community and other consultations as part of carrying out reviews of existing policies and strategies;~~
- ~~• question Cabinet Members, Committee Chairmen and chief officers about their views on issues and proposals affecting the area; and~~
- ~~• liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working.~~

7.56 Powers

The Overview and Scrutiny Committee can:

- Submit reports and make recommendations to the Cabinet or Council on anything the Council is responsible for or anything that affects the Borough or its residents
- Consider decisions that have been called in and ask for them to be looked at again by the Cabinet
- Monitor the Cabinet's work programme and call for reports on items that are coming up
- Require Senior Officers ~~(see table)~~, and Cabinet Members to attend meetings and answer questions
- Hold public inquiries
- Invite people to meetings and gather evidence from them
- Establish standing and task and finish groups to do work and make recommendations

7.67 Meetings

There shall normally be seven scheduled meetings of the Overview and Scrutiny Committee in each year. Additional meetings may be called from time to time as and when appropriate. An Overview and Scrutiny Committee may be called by the Chair~~man~~, by one-third of the voting members of the Committee or by the Managing Director Chief Executive.

The Committee shall meet to review or scrutinise matters in connection with the discharge by the responsible authorities of their crime and disorder functions at least once in a twelve-month period.

7.7 Quorum

The quorum for the Overview and Scrutiny Committee shall be 50% of the voting members of the Committee (at least six Members).

7.8 **Absence of Chairman**

In the absence from a meeting of the Chair and Vice-Chair, a Chair for that meeting will be appointed.

7.98 **Vacancies**

On a vacancy arising, the Committee will be asked to fill the vacancy at its next meeting.

7.409 **Annual Report**

The Overview and Scrutiny Committee shall report annually to the full Council on the outcomes of its work for the year.

7.4410 **Including Items on the Agenda and the Work Programme**

Any Member shall have the right to propose an item which is relevant to the Committee's functions to be included on the Committee's agenda. On receipt of such a request, the Corporate Manager – Democracy will advise the Chairman and ensure that it is included for discussion at the next meeting of the Programme Management Progress Group (see paragraph 7.14 below) for consideration as part of the Committee's programme of work.

With the agreement of the Committee, a Member of the Council (who is not a Member of the Overview and Scrutiny Committee) can be invited to take part in discussions at a Committee meeting on an item of business under consideration.

All Members of the Council have rights under 'Call for Action' to ask for items to be considered by the Committee as set out in the Overview and Scrutiny Procedure Rules in Part 4 of the Constitution.

Work Programme

~~The Overview and Scrutiny Committee will be responsible for setting its own work programme and shall take into account the wishes of councillors who are not members of the largest political group on the Council.~~

~~The Committee's work programme should be guided by the Council's agreed priorities as set out in the Council Business Plan or long-term vision.~~

~~—The overall work programme should take account of:~~

~~Whether the proposed work furthers corporate priorities
The likelihood of something significant or valuable coming from the work
The importance of the issue for users and the public generally
Whether there is evidence of user dissatisfaction with the service
Issues raised through audit or inspections
Whether there is a high level of budgetary commitment to the service
Public interest covered in the local media~~

~~A Joint Meeting between the Chairmen and Vice Chairmen of the Overview and Scrutiny Committee and the Policy and Project Advisory Board will be held at least annually to co-ordinate work programmes between the two bodies and to avoid duplication.~~

7.4211 Task and Finish Groups

The Overview and Scrutiny Committee will have responsibility for establishing such task and finish groups as it considers necessary to assist it in discharging its functions. The terms of reference and working arrangements for each task and finish Group will be determined by the Committee.

Task and finish groups should be reviewed annually and be time-limited.

The Vice-Chair(s) of the Overview and Scrutiny Committee will normally chair task and finish groups and lead specific projects.

All Members, whether or not they are members of the Committee, may be appointed to a task and finish group.

The Committee should adopt a project management approach to any in-depth review of existing Council policy:

- Consider setting up a task and finish group
- Identify a Lead Member for the Review
- Agree terms of reference and objectives for the work
- Agree a project plan to include timescales, who will participate, how evidence will be collected, the key issues/question to be addressed.
- Preparation of a final report with recommendations

7.4312 Proceedings of the Overview and Scrutiny Committee

The Overview and Scrutiny Committee's proceedings for carrying out scrutiny, making formal reports and Call-in is set out in the Overview and Scrutiny Procedure Rules in Part 4 of the Constitution.

7.4413 Programme Management Group ~~Progress Meetings~~

The Chairs and representatives of the man and Vice-Chairman of the Overview and Scrutiny Committee, Policy and Project Advisory Board, and

Audit and Governance Committee, including ~~together with~~ cross-party representatives will meet regularly between meetings to ~~develop, manage and update~~ co-ordinate the Committee's work programme across the three bodies to avoid duplication and make best use of resources, ~~plan agendas and co-ordinate task and finish groups.~~

SECTION 7: TERMS OF REFERENCE OF THE OVERVIEW AND SCRUTINY COMMITTEE

Overview and Scrutiny Committee

- 7.1 The Council has one Overview and Scrutiny Committee. This Committee is also the Council's designated crime and disorder committee under Section 19 of the Police and Justice Act 2006.

The Overview and Scrutiny Procedure Rules for the discharge of the Committee's functions under Section 9F of the Local Government Act 2000 are set out in Part 4 of the Constitution.

7.2 Composition

The arrangements with respect to the composition of the Overview and Scrutiny Committee will be as follows:

- The Committee will have a maximum of eleven non-executive councillors, and in accordance with the provisions of the Local Government Housing Act 1989, will reflect the political balance of the Council.
- The Committee will be able to appoint up to two Vice-Chairs, drawn from those councillors serving on the Committee, to lead on specific projects and to chair task and finish groups. The Chair will be appointed at the Annual Meeting of the Council for the ensuing year.
- Cabinet Members will be expected to attend the Committee, and task and finish groups appointed by the Committee, when invited, to contribute on matters that relate to their portfolio.
- The Committee will be able to co-opt external representatives or appoint advisers, as it sees fit in a non-voting capacity.

Membership of both the Overview and Scrutiny Committee and the Policy and Project Advisory Board does not inevitably create a conflict of interest.

Councillors and co-optees may not be involved in scrutinising a decision in which they have been involved directly.

7.3 Work Programme and co-ordination with other bodies

The Overview and Scrutiny Committee's work programme shall be developed by the Committee and in co-ordination with the work programmes of the Policy and Project Advisory Board (PPAB), and the Audit and Governance Committee (AGC).

The co-ordination reflects that some roles of overview and scrutiny are shared with other committees. The 'policy development' role of overview and scrutiny

is undertaken by the Policy and Project Advisory Board, and responsibility for scrutinising the Council's framework of internal controls and assurance for managing risk and overall activity rests with the Audit and Governance Committee.

To co-ordinate work programmes, a cross-party Programme Management Group with representatives from the three committees (PPAB, OSC and AGC) will have collective oversight of work plans to help avoid duplication and make best use of resources.

The Committee's overall work programme should take account of:

- Whether the proposed work furthers corporate priorities
- The likelihood of something significant or valuable coming from the work
- The importance of the issue for users and the public generally
- Whether there is evidence of user dissatisfaction with the service
- Issues raised through audit or inspections
- Whether there is a high level of budgetary commitment to the service
- Public interest covered in the local media

The work programme shall take into account the wishes of councillors who are not members of the largest political group on the Council.

Regular meetings between the Chair and lead officer will be held to discuss the Committee's work programme.

The Committee's work programme shall be included on the agenda of each ordinary meeting of the Overview and Scrutiny Committee.

7.4 General Terms of Reference

The general terms of reference of the Overview and Scrutiny Committee are set out below:

- to develop a work programme, and which is co-ordinated with the work programmes of the Policy and Project Advisory Board, and the Audit and Governance Committee which ensures that the Committee's time is effectively and efficiently utilised;
- to appoint such formal sub-committees and informal task and finish groups as appropriate to deliver its planned work programme and fulfil its overview and scrutiny functions;
- to undertake investigations into such matters relating to the Council's functions and powers as:
 - may be referred by the Council, Committees, the Cabinet, or the Leader; or

- the Committee may consider appropriate as part of a co-ordinated work programme; or
- have been referred to the Committee pursuant to the “call-in” procedure set out in the Overview and Scrutiny Procedure Rules in Part 4 of this Constitution. (These can be decisions taken by the Cabinet, a Cabinet Member, key decisions taken by an officer or under joint arrangements);
- to discuss initiatives put forward for consideration by individual members of the Committee and any relevant ‘call-for-action’ in accordance with the Overview and Scrutiny Procedure Rules set out in Part 4 of this Constitution; and
- to consider petitions referred to the Overview and Scrutiny Committee in accordance with provisions set out in the Petition Scheme set out in Part 4 of this Constitution.

7.5 **Functions and Responsibilities**

The Overview and Scrutiny Committee will have the following scrutiny functions and responsibilities.

Performance Management

- (1) to review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;
- (2) to undertake performance reviews of the Council’s functions as appropriate and prepare reports for the Cabinet and the Council;
- (3) to monitor and review the outcomes of performance and process reviews and make further recommendations where necessary
- (4) to review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to report on their activities and performance

Review of Existing Policy

- (5) to review existing policy and strategy with a view to securing continuous improvement in the way in which the Council’s functions are exercised, having regard to a combination of economy, efficiency and effectiveness
- (6) to undertake the following types of activity to support a review:
 - conduct research and consultation

- question Cabinet Members, Committee Chairs and chief officers about their views on issues and proposals affecting the area; and
- liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working.

Decisions

- (7) To review or scrutinise the following:
- Decisions proposed to be made (pre-decision scrutiny) in connection with the discharge of any of the Council's functions;
 - Decisions made, or other actions taken, in connection with the discharge of any of the Council's functions;
 - Decisions made by the Cabinet and officers both in relation to individual decisions and decisions on on-going issues:
- (8) to exercise the right to 'call-in', for reconsideration, decisions made by the Executive or key decisions taken by an officer but not yet implemented.
- (9) Require Cabinet Members and senior officers to attend and answer questions about their decisions and performance, whether generally in comparison with service plans and targets over a period of time, or in relation to particular decisions, initiatives or projects; or in relation to the portfolios of the Leader or of lead councillors.
- (10) Question and gather evidence and information from any person (with their consent) or external or partner organisations.
- (11) to make reports and/or recommendations to the Cabinet and/or Council arising from the outcome of the scrutiny process;
- (12) to make reports and/or recommendations to the Cabinet/and or Council on matters which affect the Rushmoor area or its inhabitants.

Other

- (13) Further to discussion at the Programme Management Group to consider items raised by Members and via the Councillor Call for Action procedure.

7.6 Powers

The Overview and Scrutiny Committee can:

- Submit reports and make recommendations to the Cabinet or Council on anything the Council is responsible for or anything that affects the Borough or its residents
- Consider decisions that have been called in and ask for them to be looked at again by the Cabinet
- Monitor the Cabinet's work programme and call for reports on items that are coming up
- Require Senior Officers, and Cabinet Members to attend meetings and answer questions
- Hold public inquiries
- Invite people to meetings and gather evidence from them
- Establish standing and task and finish groups to do work and make recommendations

7.7 Meetings

There shall normally be seven scheduled meetings of the Overview and Scrutiny Committee in each year. Additional meetings may be called from time to time as and when appropriate. An Overview and Scrutiny Committee may be called by the Chair, by one-third of the voting members of the Committee or by the Managing Director.

The Committee shall meet to review or scrutinise matters in connection with the discharge by the responsible authorities of their crime and disorder functions at least once in a twelve-month period.

7.8 Quorum

The quorum for the Overview and Scrutiny Committee shall be 50% of the voting members of the Committee (at least six Members).

7.9 Absence of Chairman

In the absence from a meeting of the Chair and Vice-Chair, a Chair for that meeting will be appointed.

7.10 Vacancies

On a vacancy arising, the Committee will be asked to fill the vacancy at its next meeting.

7.11 Annual Report

The Overview and Scrutiny Committee shall report annually to the full Council on the outcomes of its work for the year.

7.12 Including Items on the Agenda and the Work Programme

Any Member shall have the right to propose an item which is relevant to the Committee's functions to be included on the Committee's agenda. On receipt of such a request, the Corporate Manager – Democracy will advise the Chair and ensure that it is included for discussion at the next meeting of the Programme Management Group (see paragraph 7.14 below) for consideration as part of the Committee's programme of work.

With the agreement of the Committee, a Member of the Council (who is not a Member of the Overview and Scrutiny Committee) can be invited to take part in discussions at a Committee meeting on an item of business under consideration.

All Members of the Council have rights under 'Call for Action' to ask for items to be considered by the Committee as set out in the Overview and Scrutiny Procedure Rules in Part 4 of the Constitution.

7.13 Task and Finish Groups

The Overview and Scrutiny Committee will have responsibility for establishing such task and finish groups as it considers necessary to assist it in discharging its functions. The terms of reference and working arrangements for each task and finish Group will be determined by the Committee.

Task and finish groups should be reviewed annually and be time-limited.

The Vice-Chair(s) of the Overview and Scrutiny Committee will normally chair task and finish groups and lead specific projects.

All Members, whether or not they are members of the Committee, may be appointed to a task and finish group.

The Committee should adopt a project management approach to any in-depth review of existing Council policy:

- Consider setting up a task and finish group
- Identify a Lead Member for the Review
- Agree terms of reference and objectives for the work
- Agree a project plan to include timescales, who will participate, how evidence will be collected, the key issues/question to be addressed.
- Preparation of a final report with recommendations

7.14 Proceedings of the Overview and Scrutiny Committee

The Overview and Scrutiny Committee's proceedings for carrying out scrutiny, making formal reports and Call-in is set out in the Overview and Scrutiny Procedure Rules in Part 4 of the Constitution.

7.15 Programme Management Group

The Chairs and representatives of the Overview and Scrutiny Committee, Policy and Project Advisory Board, and Audit and Governance Committee, including cross-party representatives will meet regularly between meetings to co-ordinate the Committee's work programme across the three bodies to avoid duplication and make best use of resources

SECTION 8: TERMS OF REFERENCE OF POLICY AND PROJECT ADVISORY BOARD

Policy and Project Advisory Board

- 8.1 The Council will appoint a Policy and Project Advisory Board to act as a source of policy and project support advice to the Cabinet and the Council. The main role of the Board is to support advise the Cabinet with policy development on matters about the formulation and development of policies and projects that will help deliver Council Plan priorities. The Board will be advisory in nature and will not have any substantive decision-making powers delegated to it.

Composition

- 8.2 The arrangements with respect to the composition of the Policy and Project Advisory Board will be as follows:
- The Board will have a maximum of eleven non-executive councillors and, in accordance with the provisions of the Local Government Housing Act 1989, will reflect the political balance of the Council.
 - The Board will be able to appoint up to two Vice-Chairsmen, drawn from those councillors serving on the Board, to lead on specific projects and to chair task and finish groups. The Chairman will be appointed at the Annual Meeting of the Council for the ensuing year.
 - Cabinet Members will be expected to attend the Board and task and finish groups appointed by the Board, as appropriate, to contribute on matters that relate to their portfolio.
 - The Board will be able to co-opt external representatives or appoint advisers as it sees fit in a non-voting capacity.

Membership of both the Policy and Project Advisory Board and the Overview and Scrutiny Committee does not inevitably create a conflict of interest. As a rule, councillors should not be involved in scrutinising a decision in which they have been involved directly, but the Board is advisory and it remains the responsibility of the Cabinet to formally take and implement decisions.

8.3 Work Programme and co-ordination with other bodies

The Policy and Project Advisory Board's work programme shall be developed by the Board and in co-ordination with the work programmes of the Overview and Scrutiny Committee (OSC), and the Audit and Governance Committee (AGC).

To co-ordinate work programmes, a cross-party Programme Management Group with representatives from the three committees (PPAB, OSC and AGC) will have

collective oversight of work plans to help avoid duplication and make best use of resources.

The Board's work programming shall engage with the Cabinet Work Programme and Council Plan priorities.

The work programme shall take into account the wishes of councillors who are not members of the largest political group on the Council.

Regular meetings between the Chair and lead officer will be held to discuss the Board's work programme.

The Board's work programme shall be included on the agenda of each Board meeting.

8.43 **Terms of Reference**

The general terms of reference of the Policy and Project Advisory Board are:

- ~~to provide assist and advise the Cabinet in policy and project the development of Policy Framework issues support to the Cabinet and Council which helps to deliver Council Plan priorities. This may include consideration of how policies and service provision is framed based on resident need/demand, pressures and constraints, and risks and other strategic factors~~
- to undertake research, consultation and reviews for the purpose of advising the Cabinet on the delivery of priorities in the Council Plan (usually through the task and finish groups)
- ~~to advise the Cabinet at an early stage in respect of the formulation and development of policies and projects that will help to deliver Council Plan priorities~~
- to assist the Cabinet in reaching decisions on specific issues
- to assist and advise the Cabinet on budget preparation
- to develop and maintain a work programme, in co-ordination with OSC and AGC, which engages with the Cabinet Work Programme and -ensuriges that there is efficient use of time

The powers of the Policy and Project Advisory Board are:

- to require the Leader and/or portfolio holders and senior officers to attend meetings to answer questions
- to question and gather evidence from any person (with their consent)
- to co-opt expert individuals on a non-voting basis to assist the Board's work
- to set up task and finish groups to look at specific issues relating to the delivery of the Council Plan or other significant priorities in order to inform decision making by the Cabinet.

8.5 **Meetings**

The Policy and Project Advisory Board shall have six scheduled meetings annually. Additional meetings may be called as and when required. A Board meeting may be called by the Chair~~man~~, by one-third of the voting Members of the Board or by the Managing Director ~~Chief Executive~~.

All meetings of the Policy and Project Advisory Board shall be open to the public to attend except where the item under discussion is considered exempt under Schedule 12A of the Local Government Act 1972 or is confidential under Section 100A of the Local Government Act 1972.

The Chair~~man~~ will preside at meetings of the Board. In the absence of the Chair~~man~~, a Vice-Chair~~man~~ will take the chair.

8.6 **Quorum**

The quorum for the Policy and Project Advisory Board shall be 50% of the voting members of the Board (at least six Members).

8.7 **Absence of Chairman**

In the absence from a meeting of the Chair~~man~~ and Vice-Chair~~man~~, a Chair~~man~~ for that meeting will be appointed.

8.8 **Vacancies**

On a vacancy arising, the Board will be asked to fill the vacancy at its next meeting.

8.9 **Including items on the Agenda and the Work Programme**

Any Member shall have the right to ask for an item which is relevant to the Board's functions to be included on the Board's agenda. On receipt of such a request, the Corporate Manager – Democracy will advise the Chair~~man~~ and ensure that it is included for discussion at the next meeting of the Programme Management Group ~~Progress Group~~, with a view to it being included on the next appropriate agenda taking into account the Board's work programme. The Member in question shall be invited to attend the meeting.

With the agreement of the Board, a Member of the Council (who is not a Member of the Board) can be invited to take part in discussions at a meeting of the Policy and Project Advisory Board on an item of business under consideration.

~~Work Programme~~ – Moved up to Para 8.3

~~The Policy and Project Advisory Board will be responsible for setting its own work programme and shall take into account the wishes of councillors who are not Members of the largest political group on the Council.~~

~~The Board's work programme should be guided by the Council's agreed priorities as set out in the Council Business Plan or long-term vision.~~

~~A Joint Meeting between the Chairmen and Vice-Chairmen of the Policy and Project Advisory Board and the Overview and Scrutiny Committee will be held at least annually to co-ordinate work programmes and avoid duplication.~~

8.10 Task and Finish Groups

The Policy and Project Advisory Board will have responsibility for establishing such task and finish groups as it considers necessary to assist it in discharging its functions. The terms of reference and working arrangements for each task and finish group will be determined by the Board.

Task and finish groups should be reviewed annually and be time-limited.

The Vice-Chairman of the Policy and Project Advisory Board will normally chair task and finish groups and lead specific projects.

All Members, whether or not they are members of the Board, may be appointed to a task and finish group.

8.11 ~~Progress Meetings~~ Programme Management Group

The ~~Chairs and representatives of the man and Vice-Chairman of the~~ Policy and Project Advisory Board, Overview and Scrutiny Committee and Audit and Governance Committee ~~together with including~~ cross-party representatives, will meet regularly between meetings to co-ordinate develop, manage and update the Board's work programmes across the three bodies to avoid duplication and make best use of resources. ~~, plan agendas and co-ordinate task and finish groups.~~

SECTION 8: TERMS OF REFERENCE OF POLICY AND PROJECT ADVISORY BOARD

Policy and Project Advisory Board

- 8.1 The Council will appoint a Policy and Project Advisory Board to act as a source of policy and project support to the Cabinet and the Council. The main role of the Board is to support the Cabinet with policy development on matters that will help deliver Council Plan priorities. The Board will be advisory in nature and will not have any substantive decision-making powers delegated to it.

Composition

- 8.2 The arrangements with respect to the composition of the Policy and Project Advisory Board will be as follows:
- The Board will have a maximum of eleven non-executive councillors and, in accordance with the provisions of the Local Government Housing Act 1989, will reflect the political balance of the Council.
 - The Board will be able to appoint up to two Vice-Chairs, drawn from those councillors serving on the Board, to lead on specific projects and to chair task and finish groups. The Chair will be appointed at the Annual Meeting of the Council for the ensuing year.
 - Cabinet Members will be expected to attend the Board and task and finish groups appointed by the Board, as appropriate, to contribute on matters that relate to their portfolio.
 - The Board will be able to co-opt external representatives or appoint advisers as it sees fit in a non-voting capacity.

Membership of both the Policy and Project Advisory Board and the Overview and Scrutiny Committee does not inevitably create a conflict of interest. As a rule, councillors should not be involved in scrutinising a decision in which they have been involved directly, but the Board is advisory and it remains the responsibility of the Cabinet to formally take and implement decisions.

8.3 Work Programme and co-ordination with other bodies

The Policy and Project Advisory Board's work programme shall be developed by the Board and in co-ordination with the work programmes of the Overview and Scrutiny Committee (OSC), and the Audit and Governance Committee (AGC).

To co-ordinate work programmes, a cross-party Programme Management Group with representatives from the three committees (PPAB, OSC and AGC) will have collective oversight of work plans to help avoid duplication and make best use of resources.

The Board's work programming shall engage with the Cabinet Work Programme and Council Plan priorities.

The work programme shall take into account the wishes of councillors who are not members of the largest political group on the Council.

Regular meetings between the Chair and lead officer will be held to discuss the Board's work programme.

The Board's work programme shall be included on the agenda of each Board meeting.

8.4 Terms of Reference

The general terms of reference of the Policy and Project Advisory Board are:

- to provide policy and project support to the Cabinet and Council which helps to deliver Council Plan priorities. This may include consideration of how policies and service provision is framed based on resident need/demand, pressures and constraints, and risks and other strategic factors
- to undertake research, consultation and reviews for the purpose of advising the Cabinet on the delivery of priorities in the Council Plan (usually through the task and finish groups)
- to assist the Cabinet in reaching decisions on specific issues
- to assist and advise the Cabinet on budget preparation
- to develop and maintain a work programme, in co-ordination with OSC and AGC, which engages with the Cabinet Work Programme and ensures that there is efficient use of time

The powers of the Policy and Project Advisory Board are:

- to require the Leader and/or portfolio holders and senior officers to attend meetings to answer questions
- to question and gather evidence from any person (with their consent)
- to co-opt expert individuals on a non-voting basis to assist the Board's work
- to set up task and finish groups to look at specific issues relating to the delivery of the Council Plan or other significant priorities in order to inform decision making by the Cabinet.

8.5 Meetings

The Policy and Project Advisory Board shall have six scheduled meetings annually. Additional meetings may be called as and when required. A Board meeting may be called by the Chair, by one-third of the voting Members of the Board or by the Managing Director.

All meetings of the Policy and Project Advisory Board shall be open to the public to attend except where the item under discussion is considered exempt under Schedule 12A of the Local Government Act 1972 or is confidential under Section 100A of the Local Government Act 1972.

The Chair will preside at meetings of the Board. In the absence of the Chair, a Vice-Chair will take the chair.

8.6 Quorum

The quorum for the Policy and Project Advisory Board shall be 50% of the voting members of the Board (at least six Members).

8.7 Absence of Chairman

In the absence from a meeting of the Chair and Vice-Chair, a Chair for that meeting will be appointed.

8.8 Vacancies

On a vacancy arising, the Board will be asked to fill the vacancy at its next meeting.

8.9 Including items on the Agenda and the Work Programme

Any Member shall have the right to ask for an item which is relevant to the Board's functions to be included on the Board's agenda. On receipt of such a request, the Corporate Manager – Democracy will advise the Chair and ensure that it is included for discussion at the next meeting of the Programme Management Group, with a view to it being included on the next appropriate agenda taking into account the Board's work programme. The Member in question shall be invited to attend the meeting.

With the agreement of the Board, a Member of the Council (who is not a Member of the Board) can be invited to take part in discussions at a meeting of the Policy and Project Advisory Board on an item of business under consideration.

8.10 Task and Finish Groups

The Policy and Project Advisory Board will have responsibility for establishing such task and finish groups as it considers necessary to assist it in discharging its functions. The terms of reference and working arrangements for each task and finish group will be determined by the Board.

Task and finish groups should be reviewed annually and be time-limited.

The Vice-Chair of the Policy and Project Advisory Board will normally chair task and finish groups and lead specific projects.

All Members, whether or not they are members of the Board, may be appointed to a task and finish group.

8.11 Programme Management Group

The Chairs and representatives of the Policy and Project Advisory Board, Overview and Scrutiny Committee and Audit and Governance Committee including cross-party representatives, will meet regularly between meetings to co-ordinate the work programmes across the three bodies to avoid duplication and make best use of resources.

This page is intentionally left blank

SUMMARY OF UPDATES MADE TO THE CONSTITUTION – FEBRUARY 2023 to MAY 2025

Throughout all Constitution Documents

Update	Decision Maker	Date
References to Chief Executive updated to Managing Director or Head of Paid Service	Council	10/4/2025
Delete references to the post of Assistant Chief Executive	CX staffing decision – admin update	April 2025
Updates to Senior Leadership Team job titles through all documentation in the Constitution e.g. Head of Operations updated to Executive Head of Operations, Head of Economy, Planning & Strategic Housing updated to Executive Head of Property & Growth	CX staffing decision – admin update	March to July 2023

PART 2 – THE CONSTITUTION AND HOW THE COUNCIL OPERATES

SECTION 2

Section/Para	Update	Decision Maker	Date
3.15 The Council's Staff and Management Structure	Updates to Posts that comprise ELT (Executive Leadership Team)	CX staffing decision – admin update	May 2023 May 2025
3.18 Legal Proceedings, Authentication of Documents and Affixing the Common Seal of the Council	Updated following changes to posts to clarify that the Managing Director, Executive Director and Corporate Manager – Legal Services are empowered to witness sealing	Admin update – titles of posts and departure of ACE post	May 2025
Figure 1 at end of Section 2	Updates to the Council's decision-making Structure diagram – Cabinet Portfolio names	Leader of the Council	May 2023 January 2024 May 2024 May 2025

PART 3 - RESPONSIBILITY FOR FUNCTIONS

Page 108

Section/Paragraph	Update	Decision maker	Date
<p>Section 2 – Executive Functions</p> <p>Section 3 - Scheme of Delegation for Executive Matters</p> <ul style="list-style-type: none"> • Appendix 1 – Cabinet Portfolio Responsibilities • Appendix 2 – Service Responsibilities 	<p>Para 2.12 – The Cabinet may appoint up to two Cabinet Champions each year who are entitled to receive a Members Allowance (instead of three)</p> <ul style="list-style-type: none"> • Paras 3.2 and 3.9 - Titles of portfolio holders • Para 3.10 – update to post titles <p>Cabinet Portfolios and Responsibilities – Updates</p> <p>Updates to Head of Service Responsibilities</p> <p>Updates to Corporate Management Team Structure and Responsibilities</p>	<p>Budget Council Meeting</p> <p>Leader - Admin update</p> <p>Leader</p> <p>CX – admin update CX – admin update</p>	<p>Feb 2023 for implementation May 2023</p> <p>May 2023 January 2024 May 2024 February 2025 April 2025</p> <p>April 2025</p> <p>May 2023 January 2024 May 2024 April 2025</p> <p>July 2023 April 2025 March 2023 July 2023 April 2025</p>

Section/Paragraph	Update	Decision maker	Date
Section 4 – Council Responsibilities (Non-Executive Matters)	<p>Para 4.6.1 to add as a registrable function</p> <p>‘and register fit and proper persons to manage a caravan/mobile home site’</p> <p>add Para 4.6.3 responsibility of the CGAS Committee:</p> <p>‘Responsibility for determining whether a charge should be made for any approval, consent, licence, permit or registration in respect of the licensing and registration matters in para 4.6.1 above, and where a charge is made, the amount of the charge. However, changes in fees and charges that are made within existing policies for fees and charges may be updated by the Executive Head of Service’ (<i>as in General Powers for Heads of Service</i>).</p>	<p>Admin updates to clarify/reflect new Regulations</p> <p>Functions and Responsibilities Regs</p>	<p>July 2023</p>
Section 6 – Roles and Responsibilities of Council Decision Making Bodies	<p>Updates to officer job titles</p>	<p>Admin update</p>	<p>July 2023</p>
Section 9 – Governance Arrangements for RDP and RHL	<p>Para 9.11 – update to RHL Board of Directors Membership: ‘Representative from Conservative Group, Representative from Labour Group, Portfolio Holder for Finance’</p>	<p>CGAS – Admin update</p>	<p>July 2023</p>
Section 12 – Proper Officers	<p>Updates to officer job titles</p>	<p>CX Staffing – Admin update</p>	<p>July 2023</p>

PART 4 – PROCEDURE RULES

Section/Paragraph	Update	Decision maker	Date
10. Contract Standing Orders	Revised Contract Standing Orders inserted to replace previous.	Council	27/2/2025
11. Officer Employment Procedure Rules	<p>Insert Definition of Chief Officers for the purposes of pay awards</p> <p>'For the purposes of pay awards the following roles are classed as 'Chief Officers': Chief Executive, Executive Directors, Assistant Chief Executive, Executive Heads of Service and Heads of Service'</p>	CX – Staffing Matter	July 2023

PART 6 – MEMBERS ALLOWANCES SCHEME

Section/Paragraph		Decision maker	Date
Schedule of Rates	<p>Uplift 1 to Schedule of Rates from May 2023</p> <p>Uplift 2 to Schedule of Rates from May 2024</p>	Council agreed arrangements for uplifts to Allowances Scheme agreed in June 2022	23/6/22