

## County Council Constitution

To: County Council

Date: 18th May 2021

From: The Monitoring Officer

Purpose: To present to Full Council for consideration and approval changes to the Constitution proposed by the Liberal Democrat, Labour and Independent Groups.

The current Constitution is on the Council's website at [Constitution](#).

Recommendation: Full Council is asked to:

- (a) Approve the changes to the Constitution outlined in the body of the report and detailed in Appendix A.
- (b) endorse the contents of the Council's Constitution in its present form subject to the above changes set out in Appendix A.
- (c) authorise the Monitoring Officer to take all steps necessary or incidental to implement the changes to the Constitution detailed in this report.

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## 1. Background

- 1.1 The Council's Constitution requires that the annual meeting in a year where there is an ordinary election of Councillors will receive the Council's Constitution for endorsement.
- 1.2 Article 14, Section 14.01 of the Council's Constitution requires the Council's Chief Executive and Monitoring Officer to monitor and review the operation of the Constitution to ensure the aims and principles of the Constitution are given full effect. Section 14.03 of the Constitution requires that changes to the Constitution will only be approved by the Full Council after receipt of a written report following consideration of the proposal by the Chief Executive and Monitoring Officer.

## 2. Main Issues

- 2.1 The Leaders of the Liberal Democrat, Labour and Independent Groups have met with the Chief Executive and Monitoring Officer to request a number of changes to the constitution.
- 2.2 These changes are based around a reorganisation and renaming of the policy and service committees, as well as the General Purposes Committee, and are outlined in Section 3 below and set out in full in Appendix A (where additions are shown in bold text and deletions in strikethrough for those committees which have few changes. New terms of reference are provided for Strategy and Resources, Adults and Health, Communities, Social Mobility and Inclusion, and Environment and Green Investment Committees). The proposed changes to the Terms of Reference have been reviewed by the relevant members of Joint Management Team.
- 2.3 It is proposed that gender neutral language be adopted by referring to Chairs and Vice-Chairs, as opposed to Chairmen/women and Vice-Chairmen/women. As this represents a single change that would occur multiple times throughout the Constitution, the individual instances are not listed in this report.
- 2.4 The opportunity has also been taken to make minor changes to delete officer posts which no longer exist.

### 3. Changes to the Constitution

#### Part 2 – Articles

#### 3.1 Article 6 – Decision Review Process and Statutory Scrutiny Function

##### 6.01 Decision Review

- Change “seven” to five and remove the committees listed in the second paragraph and replace with “Adults and Health; Children and Young People; Communities, Social Mobility and Inclusion; Environment and Green Investment; and Highways and Transport.
- Replace “General Purposes Committee” with “Strategy and Resources Committee”.

##### 6.02 The Council’s Statutory Scrutiny Function

- Replace “Health Committee” with “Adults and Health Committee” and replace “Economy and Environment Committee” with “Environment and Green Investment Committee”.

#### 3.2 Article 7 – The Council Leader, Chairmen/women and Vice-Chairmen/women of Committees and Lead Members

##### 7.01 Council Leader

- Replace “General Purposes Committee” with “Strategy and Resources Committee”.

##### 7.03 Deputy Council Leader

- Replace “General Purposes Committee” with “Strategy and Resources Committee”.

##### 7.04 Chairmen/women and Vice-Chairmen/women of Committees

- Replace “General Purposes Committee” with “Strategy and Resources Committee”.
- Replace “seven” with five in Section (ii).

##### 7.05 Lead Members

- Replace Lead Members with Spokes, with the Chair and Vice-Chair of each Policy and Service Committee, and the Chair and Vice-Chair of Strategy and Resources Committee acting as the Spokes for their group.

- Replace separate briefings with one joint meeting for all Spokes.

### 3.3 Article 8 - Committees

#### 8.02 Policy and Service Committees

- Replace the policy and service committees listed with the following: Adults and Health; Children and Young People; Communities, Social Mobility and Inclusion; Environment and Green Investment; and Highways and Transport.

#### 8.05 Other Committees

- Replace “General Purposes Committee” with “Strategy and Resources Committee”.

### 3.4 Article 9 – Advisory Process

- Replace “General Purposes Committee” with “Strategy and Resources Committee”.

### 3.5 Part 3A – Allocation of Responsibility for Functions – Full Council and Committees

#### 2. Council Functions

- Replace “seven” with five in Section (f).
- Replace “General Purposes Committee” with “Strategy and Resources Committee” in Section (g).

### 3.6 Part 3B – Responsibility for Functions Committees of Council

#### 1. Strategy and Resources Committee

- Create a Strategy and Resources Committee which shall primarily include the delegations previously undertaken by the “General Purposes Committee” and the “Commercial and Investment Committee”.

#### 2. Adults and Health Committee

- Create an “Adults and Health Committee” which shall primarily include the delegations previously undertaken by the “Adults Committee” and the “Health Committee”.

#### 3. Children and Young People Committee

- Change “Ten” members to “Fifteen”.

#### 4. Communities, Social Mobility and Inclusion Committee

- Create a Communities, Social Mobility and Inclusion Committee which shall primarily include the delegations previously undertaken by the “Communities and Partnership Committee”.
- Remove the following wording from the new terms of reference “This will include one Member from each City/District area of the County, i.e. Cambridge City, East Cambridgeshire, Fenland, Huntingdonshire and South Cambridgeshire, to reflect the political control of the respective City/District Councils to undertake an enhanced role. These Members will be Area Community Champions. They will engage closely with their communities and be an advocate for the activity in these communities and the work of this committee and its partners”.

#### 5. Environment and Green Investment Committee

- Create an Environment and Green Investment Committee which shall primarily include the delegations previously undertaken by the “Environment and Sustainability Committee”.

#### 6. Highways and Transport Committee

- Change “Ten” members to “Fifteen”.

#### 7. Committees of Council

- Increase the membership of Constitution and Ethics Committee, Planning Committee and Staffing and Appeals Committee from eight to nine.

### Part 4 – Rules of Procedure

#### 3.7 Council Procedure Rules

##### 1.3 Selection of Councillors on Committees and Outside Bodies

- Replace “General Purposes Committee” with “Strategy and Resources Committee” in (iv).
- Change “seven” to “five” in (v).

##### 2 Ordinary Meetings

- Replace “General Purposes Committee” with “Strategy and Resources Committee” in (iv).

#### 3.8 Budget and Policy Framework Procedure Rules

- Replace “General Purposes Committee” with “Strategy and Resources

Committee”.

### 3.9 Procedure for Taking Urgent Decisions

#### Option C – Decision by the Chief Executive

- Replace “General Purposes Committee” with “Strategy and Resources Committee”.

### 3.10 Financial and Contract Procedure Rules

- Replace “General Purposes Committee” with “Strategy and Resources Committee”.


Due to the length of the Financial and Contract Rules, and the fact that the above is the only proposed change, they have not been included in Appendix A.

### 3.11 Decision Review Procedure Rules

- Replace “General Purposes Committee” with “Strategy and Resources Committee”.
- Replace the policy and service committees listed in Section 2 with the following: Adults and Health; Children and Young People; Communities, Social Mobility and Inclusion; Environment and Green Investment; and Highways and Transport.

## 4. Source Documents

### 4.1 [Current version of the Constitution](#)

	Cambridgeshire County Council	<b>The Constitution</b> Part 2 – Articles Article 6 – Decision Review Process and Statutory Scrutiny Function
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## ARTICLE 6 – THE DECISION REVIEW PROCESS AND STATUTORY SCRUTINY FUNCTION

### 6.01 Decision Review

The decision-making powers of each committee are specified in their terms of reference in Part 3B, Responsibility for Functions: Committees of Council.

In the case of decisions made by one of the ~~seven~~ **five** Policy and Service Committees (~~Adults; Children and Young People; Commercial and Investment; Communities and Partnership; Environment and Sustainability; Health; and Highways and Transport~~ **Adults and Health; Children and Young People; Communities, Social Mobility and Inclusion; Environment and Green Investment; and Highways and Transport**) there is a process by which particularly controversial decisions may be reviewed by the ~~General Purposes Committee~~ **Strategy and Resources Committee** which shall be known as Decision Review.

The decision review procedure is set out in Part 4.7, Rules of Procedure: Decision Review Procedure Rules.

### 6.02 The Council's Statutory Scrutiny Function

There is a statutory requirement for Council to make arrangements for scrutiny of certain matters, as specified in the following legislation:

- Section 21 of the Local Government Act 2000 and Section 7 of the Health and Social Care Act 2001 as amended by the Health and Social Care Act 2012, and the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 (SI 2013/218).

These powers shall be exercised by the ~~Health Committee~~ **Adults and Health Committee**.

- The Flood and Water Management Act 2010.

These functions shall be exercised by the ~~Environment and Sustainability Committee~~ **Environment and Green Investment Committee**.



## **ARTICLE 7 – THE COUNCIL LEADER, CHAIRMEN/WOMEN AND VICE-CHAIRMEN/WOMEN OF COMMITTEES AND LEAD MEMBERS SPOKES**

### **7.01 Council Leader**

The Chairman/woman of the ~~General Purposes Committee~~ **Strategy and Resources Committee** shall be, ex-officio, Council Leader and shall hold office unless and until he/she ceases to be Chairman/woman of the ~~General Purposes Committee~~ **Strategy and Resources Committee**.

### **7.02 Role of the Council's Leader**

The role of the Council's Leader is to:

- Provide a focal point for political leadership and strategic direction for the Council
- Represent the interests of the Council in circumstances where that is necessary.

The duties and responsibilities are to:

- Ensure effective decision making, including working with all political groups to seek to achieve, where possible, cross party co-operation
- Be the key contact for outside organisations (including Central Government, Local Authority Associations and Council partners), and internally for the Council's Strategic Management Team (SMT) or Corporate Leadership Team (CLT)
- Be the representative voice of the Council, for example, in its dealings with Central Government, other Local Authorities and their Associations, and positively promote the Council within the media
- Promote the long-term financial, business and economic stability of the Council.



7.03 **Deputy Council Leader**

The Deputy Council Leader will assume the full powers of the Council Leader in any circumstances in which the Council Leader is unable to act. The Deputy Council Leader will also act as Council Leader if the Council Leader is unavailable. The Vice-Chairman/woman of ~~General Purposes Committee~~ **Strategy and Resources Committee** shall be, ex-officio, Deputy Council Leader and shall hold office unless and until he/she ceases to be Vice-Chairman/woman of the ~~General Purposes Committee~~ **Strategy and Resources Committee**.

7.04 **Chairmen/women and Vice-Chairmen/women of Committees**

The Council shall appoint at each Annual Meeting of the Council:

- (i) the Chairman/woman and Vice-Chairman/woman of the ~~General Purposes Committee~~ **Strategy and Resources Committee** which roles shall include the role of Council Leader and Deputy Council Leader of the Council respectively
- (ii) the Chairman/woman and Vice-Chairman/woman of each of the ~~seven~~ **five** policy and service committees.
- (iii) the Chairman/woman of the Health and Wellbeing Board.
- (iv) the Chairman/woman and Vice-Chairman/woman of the Audit and Accounts, Pension Fund Committee and Planning Committee.

The Chairmen/women and Vice Chairmen/women shall remain in office until the start of the Annual Meeting following their appointment unless a resolution is proposed at full Council to remove him/her.

7.05 **Lead Members Spokes**

Each of the Council's political groups may designate one of their group members as a **Spokes** ~~lead member~~ for each policy and service committee.

The Chief Executive, Executive Directors, and Directors shall hold briefing meetings with **Spokes from the political groups for each** ~~their relevant~~ policy and service committee Chairman/woman and Vice-Chairman/woman to plan the agenda for future service committee meetings and consider any other issues the officer may think appropriate. **The Chair and Vice-Chair of each Policy and Service Committee will act as the Spokes for their group.** ~~They will hold one briefing meeting with all opposition lead members to brief them on the agenda for future service committee meetings and consider any other issues the officer may think appropriate.~~ All these meetings will be confidential subject to any relevant legal requirements to the contrary.

**Spokes** ~~Lead members~~ shall also be entitled to individual private and confidential briefings from Executive Directors, Directors, Service Directors, and ~~LGSS~~ Directors on any relevant policy matter within the remit of that Director. Information shall be provided at these briefings on a confidential basis in accordance with the Guidance on Confidentiality attached to the Members' Code of Conduct. Requests for such briefings must be reasonable in extent and number, as determined by the Chief Executive in consultation with the relevant Group Leader, in accordance with paragraph 7.9 of the Protocol on Member/Officer Relations in Part 5 of the Constitution, and will only be considered for items not covered by a briefing meeting.



## ARTICLE 8 – COMMITTEES

### 8.01 Introduction

The Council shall establish a number of committees in order to undertake its functions in a more efficient way. These are divided into four categories, Policy and Service Committees; Regulatory Committees; Joint Committees and Other Committees. In some cases the law requires the Council to establish a committee and stipulates the way it shall operate. However, in most cases Full Council may decide on the size, terms of reference and membership of its committees.

In the absence of the relevant committee chairman/woman, the vice-chairman/woman will take the chair.

All Councillors are encouraged to undertake regular training and for the regulatory and appeals committees there are specific training requirements.

Statutory scrutiny functions will be incorporated and carried out by the relevant Policy and Service Committee as set out in their respective terms of reference.

### 8.02 Policy and Service Committees

The Council shall establish the following policy and service committees:

- ~~Adults Committee~~
- ~~Children and Young People Committee~~
- ~~Commercial and Investment Committee~~
- ~~Communities and Partnership Committee~~
- ~~Environment and Sustainability Committee~~
- ~~Health Committee~~
- **Adults and Health Committee**
- **Children and Young People Committee**
- **Communities, Social Mobility and Inclusion Committee**
- **Environment and Green Investment Committee**
- Highways and Transport Committee.

These are known as policy and service committees because their business concerns the Council's delivery of services to the people of Cambridgeshire.

The composition and function of each of these committees are set out in Part 3B – Responsibility for Functions: Committees of Council.

### 8.03 **Regulatory Committees**

The Council shall establish the following regulatory committees:

- Planning Committee

These committees regulate the conduct of the Council's business and make decisions in relation to regulatory matters.

The composition and function of each of these committees are set out in Part 3B – Responsibility for Functions: Committees of Council.

### 8.04 **Joint Committees**

In conjunction with other authorities, the Council shall establish and participate in the following joint committees:

- Area Joint Committees (where the Council sees fit)
- Cambridgeshire Police and Crime Panel
- Greater Cambridge Partnership Executive Board
- Greater Cambridge Partnership Joint Assembly
- ~~LGPS ACCESS Joint Committee~~
- ~~LGSS Joint Committee~~

The composition and function of each of these committees are set out in Part 3C – Responsibility for Functions: Joint Committees.

### 8.05 **Other Committees**

The Council shall establish the following other committees:

- ~~General Purposes Committee~~ **Strategy and Resources Committee**
- Audit and Accounts Committee
- Cambridgeshire Health and Wellbeing Board
  - Joint Cambridgeshire and Peterborough Health and Wellbeing Board Whole System Joint Sub-Committee
  - Cambridgeshire and Peterborough Health and Wellbeing Board Core Joint Sub-Committee
- Cambridgeshire Pension Fund Board
- Constitution and Ethics Committee
  - Hearings Sub-Committee
- Pension Fund Committee
  - Investment Sub-Committee
- Staffing and Appeals Committee
  - Service Appeals Sub-Committee.

The composition and function of each of these committees are set out in Part 3B – Responsibility for Functions: Committees of Council.



## **ARTICLE 9 – ADVISORY PROCESS**

### **9.01 Introduction**

The Council maintains a number of advisory groups and participates in advisory groups arranged by or with other authorities.

### **9.02 County Advisory Groups**

The Council may establish one or more County Advisory Groups (CAGs). The main purpose of CAGs will be to provide a forum to develop links with other agencies and to give a focus for specialist services. Examples of CAGs include those covering such topics as Archives and County Museums. The Council's representation will be determined taking into account the particular nature of each CAG.

The Council's involvement in and representation on CAGs will be determined by the ~~General Purposes~~ **Strategy and Resources** Committee. The **Strategy and Resources** ~~General Purposes~~ Committee may add to, delete or vary any of these advisory groups, or change their composition or terms of reference.

A list of the existing CAGs is set out below. The Democratic Services Manager shall maintain a schedule of the CAGs in which the Council is involved, and details of its representation. This schedule shall be published on the Council's website.

- County Advisory Group on Archives and Local Studies
- Local Councils Liaison Committee.

### **9.03 Cambridgeshire Public Service Board**

The Cambridgeshire Public Service Board provides a key role in developing integrated approaches to local service delivery, and tackling the County's most challenging problems. The Board is made up of the Chief Executives of the County Council, the five District Councils and Peterborough City Council; the Chief Constable; the Chief Fire Officer; and the Chief Operating Officer of the Clinical Commissioning Group. Democratic accountability is maintained by reporting to councils and non-executive boards.

#### 9.04 **Appointments to Outside Bodies**

The Council is represented on a wide range of outside bodies. Appointments to outside bodies are the responsibility of Full Council, but this responsibility may be delegated to the Policy and Service Committees.

Full Council shall appoint to:

- Cambridgeshire and Peterborough Combined Authority
- Greater Cambridge Partnership
- Cambridgeshire and Peterborough Fire Authority
- County Councils Network Council
- Local Government Association.

The Policy and Service Committees shall appoint to all other bodies, including, for example, Flood Defence Committees and Recreation Centre Management Committees.

The Council or the Policy and Service Committees, as appropriate, may decide not to make any appointment to an outside body.

The Democratic Services Manager shall maintain a schedule of the outside bodies on which the Council is represented, and details of its representation. This schedule shall be published on the Council's website.

#### 9.05 **Political Balance in Appointments to the Advisory Process**

Unless stated otherwise political balance shall be taken into account when considering the composition of, and appointments to, all groups and bodies to which this Article applies in accordance with any relevant statutory requirements.



## **PART 3A – ALLOCATION OF RESPONSIBILITY FOR FUNCTIONS – FULL COUNCIL AND COMMITTEES**

### **1. Introduction**

This Part of the Constitution deals with the allocation of responsibility for undertaking the functions of the Council. Full Council is the primary decision-making body of the Council and as such is responsible for the exercise of all the functions that are the responsibility of the local authority.

However, in order to operate more effectively as an organisation, Full Council delegates many of its decision-making powers to committees, to officers, and to other local authorities.

### **2. Council Functions**

Only the Council will exercise the following functions:

- (a) Adopting and changing the Constitution
- (b) Approving or adopting the Policy Framework and the Budget
- (c) Subject to the urgency procedure contained in the Access to Information Procedure Rules in Part 4 of this Constitution, making decisions about any matter in the discharge of a committee function which is covered by the Policy Framework or the Budget where the decision-making body is minded to make it in a manner which would be contrary to the Policy Framework or contrary to, or not wholly in accordance with, the Budget
- (d) Approving changes to any plan or strategy which form part of the Council's Policy Framework, unless:
  - i. that change is required by the Secretary of State or any Government Minister where the plan or strategy has been submitted to him for approval, or
  - ii. Full Council specifically delegated authority in relation to these functions when it approved or adopted the plan or strategy

- (e) Establishing or dissolving a Council committee or other body of the Council, or altering its composition and/or membership (including the position of Chairman/~~woman~~ and Deputy Chairman/~~woman~~) at any time unless otherwise required by statute. The appointment of all committees and other bodies shall be reconsidered at its annual meeting and it shall not appoint any member of a body to hold office later than the next annual meeting of the Council.
- (f) Appointing the Chairman/~~woman~~ and Vice-Chairman/~~woman~~ of each of the ~~seven~~ **five** policy and service committees, the Chairman/~~woman~~ of the Health and Wellbeing Board and Chairman/~~woman~~ and Vice-Chairman/~~woman~~ of the Audit and Accounts Committee, Pension Fund Committee and Planning Committee.
- (g) Appointing the Chairman/~~woman~~ and Vice-Chairman/~~woman~~ of the ~~General Purposes~~ **Resources and Strategy** Committee, who will also fulfil the respective roles of Leader and Deputy Leader of the Council
- (h) Appointing representatives to outside bodies unless the appointment has been delegated by the Council
- (i) Making appointments to the Fire Authority
- (j) Approving the annual Senior Officer Pay Policy Statement
- (k) Adopting a Members' Allowances Scheme
- (l) Changing the name of the area
- (m) Conferring the title of Honorary Alderman/woman
- (n) Confirming the appointment of, and dismissing, the Head of Paid Service, the Monitoring Officer and the Chief Finance Officer (Section 151 Officer)
- (o) Making any request to the Local Government Boundary Commission for England for single-member electoral areas
- (p) Passing any resolution to change the County's electoral scheme
- (q) Making an order to give effect to recommendations made in a community governance review
- (r) Making, amending, revoking, re-enacting or adopting Bylaws and promoting or opposing the making of local legislation or personal Bills
- (s) Delegating functions to other local authorities as described in Article 10 of this Constitution
- (t) Amending the Scheme of Delegation to Officers set out in Part 3D of this Constitution



- (u) Approving the Council's Petitions Scheme set out in Part 4.1 of this Constitution
- (v) All other matters which, by law, must be reserved to Council.

### **3. Delegation of Functions by Full Council**

The functions which Full Council delegates to committees, to officers, and to other local authorities are set out below:

- Part 3B – Committees of Council
- Part 3C – Joint Committees
- Part 3D – Scheme of Delegation to Officers
- Part 3E – Shareholder Rights in LGSS Law Ltd.



## **1. STRATEGY AND RESOURCES COMMITTEE**

### **Membership**

Fifteen members of the Council. The Chair and Vice-Chair of the Strategy and Resources Committee shall be appointed by Full Council and shall be, ex officio, the Council Leader and Deputy Council Leader.

### **Summary of Functions**

The Strategy and Resources Committee is authorised by Full Council to co-ordinate the development to Full Council of the Strategic, Policy and Budget Framework, as described in Article 4 of the Constitution, including in-year adjustments.

The Committee has delegated authority to exercise the County Council's functions in respect of the following:

- Oversight of corporate functions including those in the Resources, Business Improvement and Development, Law and Governance and Customer and Digital service areas.
- Development and performance management of a commercial strategy which focuses on financial, social and environmental return on the Council's investments.
- Development and performance management of the Council's asset and property management strategies.
- Development and performance management of the Council's IT and Digital Strategy.
- Oversight of content and performance of the Council's portfolio of projects.
- Development and oversight of the Council's Performance and Risk strategies.
- Development and oversight of the Council's People (workforce) Strategy.
- Oversight of the Council's strategies and resources to ensure they support the improvement of health outcomes and a reduction in health inequalities.

In addition, the Strategy and Resources Committee is authorised to make decisions on the allocation of matters amongst committees where the function does not clearly fall within the remit of one particular committee.

<b>Delegated Authority</b>	<b>Delegation/ Condition</b>
Authority to lead the development of the Council's Strategic and Policy Framework and to recommend cross-cutting policies for approval by Full Council	In consultation with relevant Service Committees
As part of the Council's strategic framework, authority to lead the development of the Council's draft Business Plan (budget), to consider responses to consultation on it, and inform the draft Business Plan to be submitted for approval by Full Council	In consultation with relevant Service Committees
Authority to lead the development of the Council's commercial strategy and social and environmental value framework in consultation with the relevant service committee.	
To lead the development of key relationships for the Council with external organisations and partners to enable the delivery of effective outcomes through new business ventures, collaborations, and delivery vehicles.	
To review the Council's asset portfolio to identify opportunities and develop policies to reduce the financial impact on the Council's operating position and strengthen its financial sustainability and ensure investment is consistent with the policies and principles of the Council.	
To recommend to Council and monitor the Council's Asset Strategy.	
To recommend to Council the Council's Asset Management Plan, and monitor its delivery	
To supervise the Council's utilisation of assets and properties and its activities as a "corporate landlord"	
To monitor all commercial and property investment proposals included within the Business Plan to ensure successful delivery.	
Authority to exercise the functions conferred by the Agriculture Act 1970 in relation to the County Farms Estate	
To approve variations, renewal, and termination of leases, licenses, dedications, and easements.	
To consider and approve the use of Council owned assets by the local community and other interested parties.	
To consider, evaluate, and agree property disposals, acquisitions, and investment opportunities.	

<b>Delegated Authority</b>	<b>Delegation/ Condition</b>
To exercise all and any of the council's rights as shareholder of all wholly owned and joint venture companies which are not otherwise the responsibility of another Committee. This includes the Property SPV This Land Limited and its subsidiaries. The committee may authorise its Section 151 Officer to exercise these rights in appropriate circumstances including urgency in consultation with the Chairman/woman and Vice-Chairman/woman.	
To work with officers to facilitate/promote the development of proposals for sharing property with partner organisations.	
To consider and approve property rationalisation proposals.	
To consider and make recommendations to Council for property rationalisation proposals that are outside of the agreed Business Plan.	
To oversee the discharge of the Council's treasury management activity and to forward monitoring reports to the Full Council twice yearly.	
Authority for nine members of Strategy and Resources Committee to initiate a review of a decision taken by a Policy and Service Committee by submitting a request for review to the Monitoring Officer or Chief Executive before the expiry of three full working days from the date on which the decision notice was published.	
Authority to determine an appeal against any decision by or on behalf of the Authority except for those appeals whose determination falls with the remit of another committee, officer, or panel of the Council.	
Authority to nominate representatives to Outside Bodies other than the Combined Authority, Greater Cambridge Partnership, Cambridgeshire and Peterborough Fire Authority, the County Councils Network Council and the Local Government Association.	
Authority to lead the Council's work to support sustainable economic growth across the County and through the partnership with the Cambridgeshire and Peterborough Combined Authority.	
Authority to determine the Council's involvement in and representation on County Advisory Groups. The Committee may add to, delete, or vary any of these advisory groups, or change their composition or terms of reference.	
Authority to review annual reports and inspection reports not within the remit of another committee.	

Delegated Authority	Delegation/ Condition
<p>Authority for monitoring and ensuring that Policy and Service Committees operate within the policy direction of the County Council and making any appropriate recommendations.</p>	
<p>Authority for monitoring and reviewing the overall performance of the Council against its Business Plan.</p>	
<p>Authority to determine the most appropriate committee for considering any matter which falls within the remit of more than one committee.</p>	
<p>Authority to respond to any consultations within the remit of more than one committee as and when required.</p>	
<p>Authority for managing those functions relating to elections and local democracy which are not reserved to Full Council.</p>	
<p>Authority for oversight and operation of 'corporate' services, for example:</p> <ul style="list-style-type: none"> <li>• the Council's internal and external communications policy and its implementation</li> <li>• the Council's portfolio of projects and change initiatives</li> <li>• Information Governance including but not limited to Data Protection and Freedom of Information</li> <li>• the Council's customer strategy and any matters dealt with by the Contact Centre, via digital channels or face-to-face</li> <li>• the Council's risk management strategy</li> <li>• the Council's performance management strategy</li> <li>• the Council's IT and digital strategy</li> <li>• the Council's People strategy</li> <li>• the Council's Emergency Planning arrangements</li> </ul>	
<ul style="list-style-type: none"> <li>• Authorising budget virement which is not covered within the limits of virement contained in the Council's financial rules, provided there is no change in the approved policy framework of the Council. Virement limits are set out in the Constitution in Part 3D (Scheme of Delegation to Officers) and Part 4 (Financial and Contract Procedure Rules).</li> </ul>	
<ul style="list-style-type: none"> <li>• Authorising proposals which are not covered by the finance limits of the Executive and Corporate Directors' delegated powers contained in A3 – A7, as set out in the table at Paragraph 10 of Part 3D of the Constitution, provided there is no change in the Council's approved budget and policy framework.</li> </ul>	
<ul style="list-style-type: none"> <li>• Responsibility for the discharge of all functions and exercise of all powers of the County Council not expressly reserved to the Full Council or to any other part of the County Council by statute or by this Constitution.</li> </ul>	

<b>Delegated Authority</b>	<b>Delegation/ Condition</b>
Authority to contribute to the Council's duties relating to public health by assessing the health implications of decisions, seeking synergies and avoiding harmful health impacts, in order to improve population health and health equity.	



## **2. ADULTS AND HEALTH POLICY AND SERVICE COMMITTEE**

### **Membership**

Fifteen members of the Council. The Chair and Vice-Chair of the Committee shall be appointed by Full Council.

The Chair of the Adults and Health Committee will be designated the Lead Councillor for Adult Services in accordance with the 'Best Practice Guidance on the Role of the Director of Adult Social Services' (Department of Health 2006).

Five non-voting co-opted District Councillors, one from each District Council in Cambridgeshire. District Councils shall be invited to nominate one member and one substitute. The usual rules for substitution as set out in the Council Procedure Rules shall apply.

### **Summary of Functions**

This committee has delegated authority to exercise the Council's functions relating to the delivery, by or on behalf of the County Council, of social care services to eligible adults within Cambridgeshire.

- Services for people with physical disability
- Services for people with learning disability
- Mental health services
- Preventative services
- Residential care
- Older People
- Carer support
- Safeguarding

The County Council's public health duty including

- health improvement
- individual and community wellbeing,
- reduction of health inequalities
  
- Review the strategies and policies proposed by other Committees to ensure that they support the improvement of health and a reduction in health inequalities.
- Responding as appropriate to central government consultation relating to policy or legislation falling within the remit of the Committee

- The review and scrutiny of any matter relating to the planning, provision and operation of the health services in Cambridgeshire
- To report to the Secretary of State for Health on any proposals for substantial change to any part of the NHS's services within Cambridgeshire.

<b>Delegated Authority</b>	<b>Delegation/ Condition</b>
Authority to take decisions relating to exercising management, oversight and the delivery of all the Council's relevant adult social care services (i.e. social care services for people aged 18 or over with eligible social care needs and their carers), except for those decisions which are reserved to Full Council	
Authority to undertake the Council's functions for promoting choice and independence in the provision of all adult social care	
Authority to approve all strategies associated with the committee portfolio area which are not reserved for Full Council	
Authority to respond, as appropriate, on behalf of the Council to Government consultation in respect of policy and/or legislation affecting adult social care.	
Authority to take decisions relating to exercising management, oversight and the delivery of all the Council's public health services for the population.	
Authority to exercise the powers conferred by Section 21 of the Local Government Act 2000 and Section 7 of the Health and Social Care Act 2001 as amended by the Health and Social Care Act 2012, and the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 (SI 2013/218) to review and scrutinise any matter relating to the planning provision and operation of the health service in its area.	
Authority to exercise the power under Section 23 of the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 to report on a proposal for a substantial health service development or variation to the Secretary of State for Health	
Authority to delegate its functions under Section 7 of the Health and Social Care Act 2001 as amended by the Health and Social Care Act 2012 to a joint overview and scrutiny committee when this is required by the Direction issued by the Secretary of State for Health in July 2003 or is conducive to the efficient scrutiny of proposals affecting more than one Social Services local authority area.	
Authority to appoint members to a joint overview and scrutiny committee established under the paragraph above. In this case the political balance requirements will apply to such appointments.	



<b>Delegated Authority</b>	<b>Delegation/ Condition</b>
<p>Authority to assist the Director of Public Health in the exercise of the Public Health statutory duties set out in</p> <ul style="list-style-type: none"> <li>• the Health and Social Care Act 2012</li> <li>• the NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012</li> <li>• NHS Act 2006</li> <li>• Criminal Justice Act 2003</li> <li>• Licensing Act 2003</li> <li>• Water Industry Act 1991</li> <li>• Water Industry Act 1988</li> <li>• Mental Health Act 1983</li> <li>• Mental Capacity Act 2005</li> </ul>	
<p>Authority to oversee and undertake the Council's functions relating to the public health duty of the Council including health improvement, individual and community wellbeing, and the reduction of health inequalities</p>	
<p>Authority for approving all strategies associated with the committee portfolio area not reserved for approval by Full Council</p>	
<p>Authority to nominate representatives to Outside Bodies other than the Combined Authority, Greater Cambridge Partnership, Cambridgeshire and Peterborough Fire Authority, the County Councils Network Council and the Local Government Association</p>	
<p>Authority to respond, as appropriate, on behalf of the Council to Government consultation in respect of policy and/or legislation affecting any of the responsibilities falling with the remit of the Adults and Health Committee</p>	
<p>Authority to review and advise on any strategies and policies proposed by the Council's Committees to ensure that they will support and contribute to the delivery of improvement in health individual and community wellbeing and a reduction in health inequalities.</p>	



### 3. CHILDREN AND YOUNG PEOPLE POLICY AND SERVICE COMMITTEE

#### Membership

~~Ten~~ **Fifteen** members of the Council. The Chairman/~~woman~~ and Vice-Chairman/~~woman~~ of the Committee shall be appointed by Full Council.

The following representatives, who shall be co-opted as non-elected members with voting rights on those matters relating to the Council's education functions. They may speak but not vote on other matters.

- 1 Church of England diocesan representative
- 1 Roman Catholic diocesan representative.

The Chairman/~~woman~~ of the Children and Young People Committee will be designated the Lead Councillor for Children and Young People's Services in accordance with Section 19 of the Children Act 2004.

#### Summary of Functions

This committee has delegated authority to exercise all the Council's functions, save those reserved to Full Council, relating to the delivery, by or on behalf of, the County Council, of services relating to children and young people **ensuring that they contribute to improvements in health outcomes and reduction in health inequalities**. These include:

- Child protection
- Children's Centres
- Education, Schools and settings
- Children in care **& leaving care**
- Mental health services
- Safeguarding
- Special Educational Needs **& Disabilities (SEND)**
- Youth Offending Services
- Youth services.
- Social and Education Transport

Delegated Authority	Delegation/Condition
Authority for exercising management, oversight and delivery of services to children and young people in relation to their care, wellbeing, education or health, with the exception of any powers reserved to Full Council	
Authority for the functions and powers conferred on or exercisable by the County Council as Local Authority in relation to the provision of education	
Authority for working with all schools including academies in relation to raising standards of attainment and developing opportunities	
Authority for exercising management, oversight and delivery of Learning Outside of the Classroom and environmental education.	
Authority for exercising management, oversight and delivery of Early Years services, including Children's Centres	
Authority for exercising management, oversight and delivery of Enhanced and Preventative Services and Children's Social Care	
Authority for exercising management, oversight and delivery of the Youth Offending Service	
<b>Authority to take decisions relating to exercising management, oversight and the delivery of all the Council's public health services for children and their communities</b>	
Authority for approval of all strategies associated with the committee portfolio area that are not reserved to Full Council.	
Authority to nominate representatives to Outside Bodies other than the Combined Authority, Greater Cambridge Partnership, Cambridgeshire and Peterborough Fire Authority, the County Councils Network Council and the Local Government Association	
The making of arrangements in relation to appeals against the exclusion of pupils from maintained schools pursuant to section 52 of the Education Act 2002 (appeals against exclusion of pupils)	Delegated to the Executive Director: People and Communities
The making of arrangements pursuant to section 94(1), (1A) and (4) of the School Standards and Framework Act 1998 (admission appeals)	Delegated to the Executive Director: People and Communities

Delegated Authority	Delegation/Condition
The making of arrangements pursuant to section 95(2) of the School Standards and Framework Act 1998 (children to whom section 87 applies); appeals by governing bodies	Delegated to the Executive Director: People and Communities
<b>Authority to contribute to the Council’s duties relating to public health by assessing the health implications of decisions, seeking synergies and avoiding harmful health impacts, in order to improve population health and health equity.</b>	
<b>Authority to assist the Director of Public Health in the exercise of the Public Health statutory duties set out in</b> <ul style="list-style-type: none"> <li>• the Health and Social Care Act 2012</li> <li>• the NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012</li> <li>• NHS Act 2006</li> </ul>	



## **14. COMMUNITIES, SOCIAL MOBILITY AND INCLUSION POLICY AND SERVICE COMMITTEE**

### **Membership**

Fifteen members of the Council, subject to proportionality. The Chair and Vice-Chair of the Committee shall be appointed by Full Council.

### **Summary of Functions**

The Communities, Social Mobility and Inclusion Committee is authorised by Full Council to deliver the County Council's ambition to build stronger communities, combat deprivation and promote social inclusion working together with the Mayor, combined authority, district councils and other partners to design and deliver services which best meet the needs of, and ensure equality of opportunities within those communities.

Authority to set and implement a Cambridgeshire wide Anti-poverty Strategy.

Authority to lead the Council's role in understanding the drivers of social mobility in Cambridgeshire, and set policies aimed at creating opportunity through targeted policies, investment of resources and community engagement.

Authority to lead the council's role in ensuring all residents and communities, including those that might otherwise be excluded, marginalised or isolated, have equal access to services, opportunities, information and support, regardless of their background or circumstances, including:

- ensuring that all of our residents and communities have opportunities to thrive and succeed, regardless of location, background, ethnicity, gender, physical or mental health, disability, and any other factors
- ensuring that all of our residents and communities have opportunities to improve their health and address any inequalities
- advising council service committees and directorates on all matters associated with equalities within communities, and ensuring council services are delivered and are available to all of our residents, regardless of their background or circumstances
- ensuring we demonstrate good practice with respect to equalities, diversity and inclusion within our own workforce
- working closely with partner organisations across all sectors to meet the needs of all residents, especially those who are excluded or marginalised

- leading the council's work, alongside key partner agencies, to remove discrimination and intolerance from our society and tackle hate crime in all its forms
- leading the council's responsibilities as part of relevant legislation, including Prevent

<b>Delegated Authority</b>	<b>Delegation/ Condition</b>
<p>Authority to oversee a Place Based Approach and deliver appropriate community services working with the Mayor, the combined authority, district councils and other partners and in particular to -</p> <ul style="list-style-type: none"> <li>• develop and implement joint plans with the combined authority, district councils and other partners for the delivery of community place based services in accordance with the agreed outcomes;</li> <li>• in consultation with the combined authority, district councils and other partners in services within communities recommend joint investment in community projects, within available resources, that are designed to help manage the demand for high cost services in accordance with the agreed outcomes;</li> <li>• develop and recommend business cases and plans to devolve services, budgets and assets to communities, and implement subject to Council's approval of the associated business cases in accordance with the agreed outcomes;</li> <li>• decide on funding to be made available for community initiatives through the Innovate and Cultivate Fund; and</li> <li>• decide on funding to be made available for community initiatives through the Communities Capital Fund.</li> </ul>	<p>Subject to confirmation from the S.151 of the availability of sufficient resources.</p>
<p>Authority for agreeing the deployment of COVID-19 recovery funding in response to need and/or in line with government guidance.</p>	
<p>Authority to develop, with the Mayor, combined authority, district councils and other partners plans to enhance customer services, including the better use of assets in communities such as libraries and other community buildings for approval by the relevant committee(s) in the County Council.</p>	
<p>Authority to advise the County Council on opportunities to create a shared workforce or shared arrangements (such as joint ventures) to deliver services across the combined authority, district councils and other partners for approval by the relevant committee(s) in the County Council.</p>	
<p>Authority to approve the Council's Consultation Strategy and its approach to future Business Planning consultation</p>	

<b>Delegated Authority</b>	<b>Delegation/ Condition</b>
<p>Authority to exercise the Council's functions in respect of all areas covering the following:</p> <ul style="list-style-type: none"> <li>• Adult Careers Information and Guidance</li> <li>• Adult Skills</li> <li>• Anti-Poverty</li> <li>• Learning Services including online</li> <li>• Community Learning</li> <li>• Libraries</li> <li>• Archives</li> <li>• Cultural services</li> <li>• Registration service</li> <li>• Coroner service</li> <li>• Trading Standards</li> </ul>	
<p>Authority to agree proposed revisions to Library Byelaws for submission to the Department for Culture, Media &amp; Sport for approval</p>	<p>Final approval required from DCMS</p>
<p>Authority to contribute to the Council's duties relating to public health by assessing the health implications of decisions, seeking synergies and avoiding harmful health impacts, in order to improve population health and health equity.</p>	
<p>Authority to agree or revise a scheme for the delivery of registration services in accordance with the Registration Services Acts 1952 and 2007</p>	<p>In consultation with the General Register Office</p>
<p>Authority to nominate representatives to Outside Bodies other than the Combined Authority, Greater Cambridge Partnership, Cambridgeshire and Peterborough Fire Authority, the County Councils Network Council and the Local Government Association</p>	



#### 4. ENVIRONMENT AND GREEN INVESTMENT POLICY AND SERVICE COMMITTEE

##### Membership

Fifteen members of the Council. The Chair and Vice-Chair of the Committee shall be appointed by Full Council.

##### Summary of Functions

Delegated authority to exercise all the County Council’s functions, not otherwise reserved to Full Council, relating to energy and the environment within Cambridgeshire

Delegated Authority	Delegation/Condition
<p>Authority for exercising all powers and implementing all strategies associated with the Council’s climate change, sustainable development, energy and environment functions which are not otherwise reserved for Full Council or any other body.</p>	
<p>Authority to respond, as appropriate, on behalf of the Council to Government consultation in respect of policy and/or legislation affecting Planning, Clean Growth, Energy and the Environment and its impact upon health outcomes and health inequalities.</p>	
<p>Authority for exercising the Council’s functions in respect of all areas covering the following:</p> <ul style="list-style-type: none"> <li>• To oversee the funding and implementation of the Climate Change and Environment Strategy, its targets and action plan including the development of new policies that may be required to support delivery including engaging and encouraging residents, businesses, community and voluntary groups and other authorities and all stakeholders to adopt environmentally sustainable measures as well as supporting health and wellbeing outcomes</li> <li>• County Planning - Minerals and Waste</li> <li>• Historic environment</li> <li>• Flood and water management</li> <li>• Clean energy and green investments</li> <li>• Growth and development policy and management, including the Council’s position on major planning and applications and s106 negotiations</li> <li>• Waste management including the Waste Contract</li> </ul>	



Delegated Authority	Delegation/ Condition
<ul style="list-style-type: none"> <li>• RECAP (Recycling in Cambridgeshire and Peterborough Partnership)</li> <li>• Greening the Council's finances and investments and using this to support and develop green innovation</li> <li>• Management of the capital projects within the service committee's portfolio as agreed within the Council's Business Plan</li> <li>• Funding bids as they relate to this Committee</li> <li>• Decarbonisation of transport, land and buildings</li> <li>• Identification and management of strategic and project based climate and environmental risks for Council's assets, its service delivery and the wider community</li> </ul>	
To recommend to Council and monitor the Council's Climate Change and Environment Strategy and Environment Fund.	
Authority to exercise the statutory functions in relation to the scrutiny of flood risk management under the provisions of the Flood and Water Management Act 2010	
To respond as necessary to consultations and proposals relating to the Oxford to Cambridge Arc, including the Spatial Framework and any Government plans for new settlements.	
Authority to nominate representatives to Outside Bodies other than the Combined Authority, Greater Cambridge Partnership, Cambridgeshire and Peterborough Fire Authority, the County Councils Network Council and the Local Government Association	
To lead the development and growth of environment income streams including those that generate sufficient surplus for investment in further opportunities and to help offset costs of other activities.	
Greening finance - Ensure current and future financial risks and opportunities from climate and environmental factors are integrated into mainstream financial decision making.	
Accelerate and test green finance and new business models to support the delivery of the UK's and Council's carbon targets and doubling nature ambitions, to secure deeper and faster change to benefit our communities.	
To oversee development of staff and councillor skills to deliver a net-zero carbon and an improved natural capital future.	
Authority to appraise and monitor all energy, low carbon (including nature based solutions) investments and renewable schemes.	

<b>Delegated Authority</b>	<b>Delegation/ Condition</b>
To act as the shareholder on behalf of the Council in relation to Swaffham Prior Community Heat Network Limited.	
Authority to exercise functions in relation to production and supply of heat under the provisions of the Local Government (Miscellaneous Provisions) Act 1976.	
To lead the Council's work in shaping policy and priorities for sustainable economic growth across the County, working with partners, including the Combined Authority, Greater Cambridge Partnership and district councils.	
Authority to lead the Council's development and delivery of the digital infrastructure strategy for Cambridgeshire to drive economic growth, help communities thrive and make it easier to access public services. Working in partnership with Government and the Combined Authority.	
Authority to contribute to the Council's duties relating to public health by assessing the health implications of decisions, seeking synergies and avoiding harmful health impacts, in order to improve population health and health equity.	



## 6. HIGHWAYS AND TRANSPORT POLICY AND SERVICE COMMITTEE

### Membership

**Fifteen** ~~Ten~~ members of the Council. The Chairman/~~woman~~ and Vice-Chairman/~~woman~~ of the Committee shall be appointed by Full Council.

### Summary of Functions

Delegated authority to exercise the County Council’s functions, other than those reserved to Full Council, in relation to transport **and sustainable transport solutions**.

Delegated Authority	Delegation/ Condition
Authority for exercising all powers and implementing all strategies associated with the Council’s Highways functions which are not otherwise reserved for Full Council or any other body.	
Authority to respond, as appropriate, on behalf of the Council to Government consultation in respect of policy and/or legislation affecting transportation <b>and its impact upon health outcomes and health inequalities</b> .	
Authority for exercising all functions of the Council relating to the following: <ul style="list-style-type: none"> <li>• Major infrastructure delivery projects (transport, highways and cycling)</li> <li>• Transport and Infrastructure Policy</li> <li>• Transport and Infrastructure Funding</li> <li>• Street Lighting Contract</li> <li>• Parking Services</li> <li>• Road, streets, cycleways and paths maintenance – routine and reactive, operations and enforcement</li> <li>• Local Highway Improvement Initiative</li> <li>• Gritting, verge cutting and other routine works</li> <li>• Traffic Management systems and regulations</li> <li>• Road Safety</li> <li>• Maintaining Highways and rights of way records</li> <li>• Asset Management and information</li> <li>• Highways services contract</li> <li>• Public Transport</li> <li>• Cambridgeshire Guided Busway Operations</li> </ul>	

Delegated Authority	Delegation/ Condition
<ul style="list-style-type: none"> <li>• Park and Ride</li> <li>• Travel for Work</li> <li>• Managing the Highways Capital Programme</li> <li>• Funding bids</li> </ul>	
<p>Authority to approve the annual Parking Operations Report</p>	
<p>Authority to nominate representatives to Outside Bodies other than the Combined Authority, Greater Cambridge Partnership, Cambridgeshire and Peterborough Fire Authority, the County Councils Network Council and the Local Government Association</p>	
<p>Authority to exercise, in accordance with the relevant policies of the authority and within the budget allocated for the purpose, the powers of the County Council regarding the following issues within the County's administrative boundary:</p> <ul style="list-style-type: none"> <li>• Authority to determine traffic regulation orders/statutory notices where the completion of the statutory consultation process results in objections, as per the relevant Highway, Road Traffic Regulation and Traffic Management legislation</li> <li>• Authority to approve the Transport Delivery Plan</li> </ul>	<p>Assistant Director, Highways in consultation with the Local Members.</p>
<p><b>Authority to contribute to the Council's duties relating to public health by assessing the health implications of decisions, seeking synergies and avoiding harmful health impacts, in order to improve population health and health equity.</b></p>	



## **COUNCIL PROCEDURE RULES**

These rules are designed to ensure meetings of the Full Council run smoothly and are conducted properly.

### **1. ANNUAL MEETING OF THE COUNCIL**

#### **1.1 Timing**

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 outgoing Councillors.

In any other year, the annual meeting will take place in May.

#### **1.2 Business**

The annual meeting will carry out the tasks listed below.

- (i) Elect a person to preside if the Chairman/woman of Council is not present.
- (ii) Elect the Chairman/woman of Council.
- (iii) Elect the Vice-Chairman/woman of Council.
- (iv) Approve the minutes of the last meeting.
- (v) Receive any announcements from the Chairman/woman and/or Head of Paid Service.
- (vi) Agree the scheme of delegation or such part of it as the Constitution determines it is for the Council to agree (as set out in Part 3 of this Constitution).
- (vii) Approve a programme of ordinary meetings of the Council for the year.
- (viii) Consider any business set out in the notice convening the meeting.

In addition, the annual meeting in a year where there is an ordinary election of Councillors will receive the report of the County Returning Officer for information, and will receive the Council's Constitution for endorsement.

### 1.3 **Selection of Councillors on Committees and Outside Bodies**

At the annual meeting, the Council will:

- (i) Decide which committees and sub-committees to establish for the municipal year.
- (ii) Decide the size and terms of reference for those committees and sub-committees.
- (iii) Decide the allocation of seats and substitutes to political groups in accordance with the political balance rules.
- (iv) Appoint the ~~Chairman/woman~~ and Vice-Chairman/woman of the **Strategy and Resources** ~~General Purposes~~ Committee who will also fulfil the role of Leader and Deputy Leader of the Council respectively.
- (v) Appoint the ~~Chairman/woman~~ and Vice-Chairman/woman of each of the ~~seven~~ **five** policy and service committees.
- (vi) Appoint the ~~Chairman/woman~~ of the Cambridgeshire Health and Wellbeing Board.
- (vii) Appoint the ~~Chairman/woman~~ and Vice-Chairman/woman of the Audit and Accounts Committee, Pension Fund Committee and Planning Committee.
- (viii) Appoint to outside bodies except where appointment to those bodies has been delegated by the Council.

## 2. **ORDINARY MEETINGS**

Ordinary meetings of the Council will take place in accordance with a programme decided at the Council's annual meeting. Ordinary meetings will:

- (i) Elect a person to preside if the ~~Chairman/woman~~ and Vice-Chairman/woman are not present.
- (ii) Approve the minutes of the last meeting.
- (iii) Receive any announcements from the ~~Chairman/woman~~, Leader, Committee Chairmen/women or the Chief Executive.

- (iv) Subject to the consent of the person presiding at the meeting:
  - (a) receive questions from, and provide answers to, the public; and
  - (b) receive petitions in accordance with the Council's petitions scheme.
- (v) Deal with any business from the last Council meeting.
- (vi) Consider recommendations from the Council committees on matters requiring a Council decision.
- (vii) Receive reports about and receive questions and answers on the business of joint arrangements and external organisations.
- (viii) Consider motions.
- (ix) Consider any other business specified in the summons to the meeting, including consideration of proposals from the **Strategy and Resources** ~~General Purposes~~ Committee in relation to the Council's budget and policy for debate.
- (x) Put questions to the Council's representatives on the Fire Authority and the Combined Authority Board and Overview and Scrutiny Committee.

The rest of the Council Procedure Rules remain unchanged.



## BUDGET AND POLICY FRAMEWORK PROCEDURE RULES

### 1. The Framework for Decisions

The Council will be responsible for the adoption of its budget and policy framework as set out in Article 4. Once a budget or a policy framework is in place, it will be the responsibility of the **Strategy and Resources General Purposes** Committee to implement it.

### 2. ~~General Purposes~~ Strategy and Resources Committee Leads Process

- (a) The Strategy and Resources ~~General Purposes~~ Committee will publicise by including in the Forward Plan and on the Council's website a timetable for making proposals to the Council for the adoption of any plan, strategy or budget that forms part of the budget and policy framework, and its arrangements for consultation after publication of those initial proposals. The **Strategy and Resources General Purposes** Committee will ensure that the consultation process is adequate and allows for meaningful dialogue with those involved.
- (b) At the end of that period, the **Strategy and Resources General Purposes** Committee will then draw up firm proposals having regard to the responses to that consultation. The **Strategy and Resources General Purposes** Committee will take any response into account in drawing up firm proposals for submission to the Council, and its report to Council will reflect the comments made by consultees and the **Strategy and Resources General Purposes** Committee's response.
- (c) Once the **Strategy and Resources General Purposes** Committee has approved the firm proposals, the Proper Officer will refer them at the earliest opportunity to the Council for decision.
- (d) In reaching a decision, the Council may adopt the **Strategy and Resources General Purposes** Committee's proposals, amend them, refer them back to the Committee for further consideration, or in principle, substitute its own proposals in their place.
- (e) If it accepts the recommendation of the **Strategy and Resources General Purposes** Committee without amendment, the Council may make a decision which has immediate effect. Otherwise, it may only make an in-principle decision. In either case, the decision will be made on the basis of a simple majority of votes cast at the meeting.



- (f) The decision will be published within one working day in accordance with Article 4 and notified to the ~~Chairman/woman~~ of the ~~General Purposes~~ **Strategy and Resources** Committee.
- (g) An in-principle decision will automatically become effective two working days from the date of the Council's decision.

### 3. **Decisions Outside the Budget or Policy Framework**

- (a) Subject to the virement provisions in the Financial and Contract Procedure Rules, Committees of the Council and any officers, area committees or joint arrangements discharging Council functions may only take decisions which are in line with the budget and policy framework. If any of these bodies or persons wishes to make a decision which is contrary to the policy framework, or contrary to or not wholly in accordance with the budget approved by Full Council, then that decision may only be taken by the Council, subject to paragraph 4 below.
- (b) If the Committee and any officers, area committees or joint arrangements discharging Council functions want to make such a decision, they shall take advice from the Monitoring Officer and/or the Chief Finance Officer as to whether the decision they want to make would be contrary to the policy framework, or contrary to or not wholly in accordance with the budget. If the advice of either of those officers is that the decision would not be in line with the existing budget and/or policy framework, then the decision must be referred by that body or person to the Council for decision, unless the decision is a matter of urgency, in which case the provisions in paragraph 4 (urgent decisions outside the budget and policy framework) shall apply.

### 4. **Urgent Decisions Outside the Budget or Policy Framework**

- (a) The Committee of the Council or officers, area committees or joint arrangements discharging Council functions may take a decision which is contrary to the Council's policy framework or contrary to or not wholly in accordance with the budget approved by full Council if the decision is a matter of urgency. However, the decision may only be taken:
  - (i) if it is not practical to convene a quorate meeting of the full Council; and
  - (ii) if the ~~Chairman/woman~~ of the **Strategy and Resources** ~~General~~ **Purposes** Committee agrees that the decision is a matter of urgency.

The reasons why it is not practical to convene a quorate meeting of full Council to the decision being taken as a matter of urgency must be noted on the record of the decision. In the absence of the ~~Chairman/woman~~ of the **Strategy and Resources** ~~General Purposes~~ Committee the consent of the ~~Chairman/woman~~ of the Council and, in the absence of both, the Vice-~~Chairman/woman~~, will be sufficient.

- (b) Following the decision, the decision taker will provide a full report to the next available Council meeting explaining the decision, the reasons for it and why the decision was treated as a matter of urgency.

## 5. **In-Year Changes to Policy Framework**

The responsibility for agreeing the budget and policy framework lies with the Council, and decisions by a committee of the Council or officers, area committees or joint arrangements discharging Council functions must be in line with it. No changes to any policy and strategy which make up the policy framework may be made by those bodies or individuals except those changes:

- (a) Which will result in the closure, discontinuance or restriction of a service or part of service to meet a budgetary constraint (and shall be reported to the next Council meeting).
- (b) Necessary to ensure compliance with the law, ministerial direction or Government guidance (and shall be reported to the next Council meeting).
- (c) In relation to the policy framework in respect of a policy which would normally be agreed annually by the Council following consultation, but where the existing policy document is silent on the matter under consideration (and shall be reported to the next Council meeting).

## 6. **Decision Review Procedure of Decisions Outside the Budget or Policy Framework**

The Part 4.7 – Decision Review Procedure sets out the provisions that apply to review of decisions taken by Committees.



## **THE PROCEDURE FOR TAKING URGENT DECISIONS**

1. The Council's Constitution sets out who in the Council has authority to make decisions and the procedures for making those decisions.
2. Sometimes events will occur which require decisions to be taken urgently.
3. The County Council needs to be able to respond quickly where failure to do so would not be in the public interest.
4. The procedure for taking urgent decisions, which includes the taking of urgent key decisions, should only be used where failure to take the decision quickly would, or would be likely to, harm the interests of the Council and the public, for example:
  - (a) a service not being provided;
  - (b) the Council breaking the law or financial rules;
  - (c) the public being put at serious risk of harm;
  - (d) the Council suffering financial loss;
  - (e) consultation deadlines not being met;
  - (f) In the event of a major incident.
5. The following are not suitable reasons for the use of the procedure:
  - (a) poor planning;
  - (b) the possibility of embarrassment being caused to an officer or Councillor;
  - (c) the possibility of adverse publicity being caused to the Council;
  - (d) in order to circumvent the requirements of Financial Regulations without good cause and justification.

### **OPTION A – URGENT DECISIONS BY COMMITTEE**

6. Where the agenda for the relevant committee has been published, an urgent item may be added to the agenda if it meets the urgency criteria

set out in paragraphs 3 and 4. The Chairman/woman of the Committee will require an explanation before authorisation is given.

7. Every effort must be made to circulate the urgent report to Councillors at least 24 hours before the meeting.
8. The urgent report will be made available for public inspection as soon as possible.

#### **OPTION B – CALLING AN ADDITIONAL MEETING**

9. The issue may be of such significance that it may be more appropriate to call an additional meeting. The procedure for calling additional meetings is set out in the Council Procedure Rules at paragraph 9 and the Committee Procedure Rules at paragraph 4.

#### **OPTION C – DECISION BY THE CHIEF EXECUTIVE**

10. The Chief Executive may take a decision which is normally reserved to committee or another officer, where he/she believes that the decision is urgent, after first:
  - (a) taking into account the guidelines set out in paragraphs 3 and 4 above; and
  - (b) where possible, seeking the views of the following in respect of the proposed decision:-
    - the Chairman/woman of the **Strategy and Resources Committee** ~~General Purposes Committee~~,
    - the Chairman/woman and the Vice-Chairman/woman of the relevant committee with authority to take the decision, and
    - the leader(s) of all group(s)
    - the Monitoring Officer.
  - (c) The Chief Executive will take into account any views he/she considers are relevant. The decision is the Chief Executive's alone.
  - (d) The decision together with the reasons why it is urgent must be recorded in writing. The record of urgent decisions will be held by Democratic Services and will be made available for inspection.

(e) Following the decision, a report will be submitted to the next available relevant committee meeting explaining:

- i. the decision;
- ii. the reasons for it; and
- iii. why the decision was treated as a matter of urgency.

(f) In the absence of the Chief Executive, his/her responsibilities under this procedure will be delegated to a Director and all references to the Chief Executive under this procedure will also apply to that person.



## DECISION REVIEW PROCEDURE RULES

### 1. Overview

As set out in Part 3B – Responsibility for Functions, Committees of Council, **Strategy and Resources** ~~General Purposes~~ Committee, nine members of **Strategy and Resources** ~~General Purposes~~ Committee may initiate a review of a decision taken by a Policy and Service Committee by submitting a request for review to the Monitoring Officer or Chief Executive before the expiry of three full working days from the date on which the decision notice was published.

Due to the costs and delay caused by review, it is intended that it should only be used in exceptional circumstances as a last resort.

Where the review process is initiated the implementation of the decision subject to the review shall be suspended until the process is complete or the review withdrawn.

### 2. Decisions which may be subject to review

As provided in Article 6 and subject to the exceptions set out below, the Decision Review procedure shall apply to any decisions made by Policy and Service Committees (~~Adults, Children and Young People, Commercial and Investment, Communities and Partnership, Environment and Sustainability, Health and Highways and Transport~~ **Adults and Health; Children and Young People; Communities, Social Mobility and Inclusion; Environment and Green Investment; and Highways and Transport**).

The **Strategy and Resources** ~~General Purposes~~ Committee may not review its own decisions.

### 3. Decisions which may not be reviewed

The following categories of decision are exempt from the decision review process:

- i) A decision in respect of which no decision review request was received within the requisite timescales prescribed in these Rules and has therefore come into effect.
- ii) A decision which satisfies the criteria for urgent decisions as set out in the Council's Rules of Procedure.
- iii) A decision by Full Council or subject to Full Council approval.
- iv) A decision by **Strategy and Resources General Purposes Committee**.
- v) Decisions made by regulatory committees and/or decisions of a quasi-judicial or regulatory nature.
- vi) A decision which has been rescinded by the relevant committee or decision maker prior to the determination of any request for a decision review in accordance with Rule 4.2.
- vii) A decision which has been made in accordance with Rule 17 of the Committee and Sub-Committee Procedure Rules, Previous Decisions and Motions.

#### 4. **Decision Review Process**

##### 4.1 **Publication of Decision Statement**

Where a decision has been made by a Policy and Service Committee, the decision shall be published in the form of a decision statement, within two working days of the decision being made, on the Council's public website. The decision statement shall also be sent to members of the relevant committee within the same timescale.

The decision statement will bear the date on which it is published and will specify that the decision will be effective on the expiry of three full working days after the publication of the decision statement and may then be implemented, unless the subject of a decision review request under this provision within that three full working day period. The deadline for a decision review request shall be specified in the decision statement.

##### 4.2 **Review by Strategy and Resources General Purposes Committee**

Where at least nine *full* members of the **Strategy and Resources General Purposes Committee** wish to initiate a review of a decision which falls within the remit of the procedure, they may do so by submitting a written request for review to the Monitoring Officer or Chief Executive.

Such a request must be received by the Monitoring Officer or Chief Executive before the end of three full working days from the date on which the decision notice was published.

Where this criterion is met, the matter shall be referred to the **Strategy and Resources ~~General Purposes~~** Committee for consideration as to whether the review request should be dismissed or upheld.

If the request is dismissed, those members requesting the review will be notified and the original decision shall take effect by 9.30am the next working day following the day of the **Strategy and Resources ~~General Purposes~~** Committee meeting which reviewed the request.

If the review is upheld the matter shall be referred back to the relevant committee with a recommendation from the **Strategy and Resources ~~General Purposes~~** Committee. The relevant committee shall reconsider the matter, taking into account any concerns and recommendations of the **Strategy and Resources ~~General Purposes~~** Committee, and decide whether to amend the decision or not before reaching a final decision. The decision of the relevant committee will take effect at 9.30am on the fourth full working day from the date on which the decision notice was published.

A decision may be subject of a decision review by the **Strategy and Resources ~~General Purposes~~** Committee once only. Once the review has been considered by the **Strategy and Resources ~~General Purposes~~** Committee, the decision may not be subject of a further decision review by that Committee.

## 5. **The Decision Review Procedure Timescales**

Where a valid review request is received, the Monitoring Officer shall convene a meeting of the **Strategy and Resources ~~General Purposes~~** Committee as appropriate, to take place within 10 working days or as soon as is practically possible thereafter.

In setting the date of the review hearing, all reasonable efforts will be made to enable attendance by Members, relevant Officers and other witnesses. Councillors who have requested the review shall have the right to address the Committee when it deals with the issue subject to the usual limits on speeches.