

Previous Pg No	Change from	New Pg No	Change to
n/a	Members	n/a	Councillors
n/a	Officer	n/a	Staff
n/a	Head of ...	n/a	Executive Head ...
n/a	Operational Manager and Functional Lead	n/a	Executive Head
n/a	Article 9 - Unused	n/a	Article 9 unused and removed. All following articles renumbered
1-1	The Constitution is divided into 19 articles which set out the basic rules governing the Council's business.	1-1	The Constitution is divided into 18 articles which set out the basic rules governing the Council's business.
1-2	The Committees involve Councillors for each particular area.	1-2	The Committees membership only includes members who represent the residents who live in the geographical area covered by the Committee
1-3	A code of practice governs the relationships between staff and members of the Council.	1-3	A protocol (link) governs the relationships between staff and members of the Council.
1-3	obtain a copy of the Constitution;	1-3	view a copy of the Constitution;
ALL	Citizen	ALL	All references to the word citizen in this article have been replaced with the word resident
2-1	(a) enable the Council to provide clear leadership to the community in partnership with citizens, businesses and other organisations, in line with the Council's Community Plan;	2-1	(a) enable the Council to provide clear leadership to the community in partnership with residents, businesses and other organisations;
2-1	The Council will monitor and evaluate the operation of the Constitution as set out in Article 18 .	2-1	The Council will monitor and evaluate the operation of the Constitution as set out in Article 17 .
2-2	Only registered voters of the Borough or those living or working there will be eligible to hold the office of Councillor	2-2	The eligibility criteria for a person to be qualified to be elected and be a Councillor are set out in section 79 of the Local Government Act 1972.
2-2	The regular election of a third (or as near as may be) of all Councillors will be held on the first Thursday in May each year, except in the year 2021 and every fourth year thereafter. The normal term of office of a Councillor is four years, starting on the fourth day after being elected and finishing on the fourth day after the date of the regular election four years later. For the first four years electoral terms of office in the three 2 member wards of Botley, West End South and West End North will be as set in the Eastleigh (Electoral Changes) Order 2016.	2-2	The regular election of a third (or as near as may be) of all Councillors will be held on the first Thursday in May each year, except in every fourth year after 2021. The normal term of office of a Councillor is four years, starting on the fourth day after being elected and finishing on the fourth day after the date of the regular election four years later.
2-6	SCRUTINY PANEL / AUDIT AND RESOURCES COMMITTEE CHAIR	2-6	POLICY & PERFORMANCE SCRUTINY PANEL / AUDIT AND RESOURCES COMMITTEE CHAIR
2-7	SCRUTINY PANEL / AUDIT AND RESOURCES COMMITTEE VICE CHAIR	2-7	POLICY & PERFORMANCE SCRUTINY PANEL / AUDIT AND RESOURCES COMMITTEE VICE CHAIR
2-7	SCRUTINY PANEL / AUDIT AND RESOURCES COMMITTEE MEMBERS	2-7	POLICY & PERFORMANCE SCRUTINY PANEL / AUDIT AND RESOURCES COMMITTEE MEMBERS
2-8	complain to the Local Ombudsman if they think the Council has not followed its procedures properly.	2-8	complain to the Local Government Ombudsman if they think the Council has not followed its procedures properly.
2-8	Citizens must not be violent, abusing or threatening to Councillors or staff and must not wilfully harm things owned by the Council, Councillors or staff.	2-8	Residents must not be violent, abusing or threatening to Councillors or staff and must not wilfully harm things owned by the Council, Councillors or staff. The public are entitled to attend public meetings of the Council, Cabinet and Committees, must comply with the rulings of the chairman. They may not disrupt the meeting or cause undue disturbance or they may be removed from the meeting.
2-8	The public are entitled to attend public meetings of the Council	2-10	The public are entitled to attend meetings in public of the Council
2-13	Article 6 - Overview and Scrutiny	2-13	Article 6 - renamed - Policy & Performance Scrutiny Panel
2-13	Council has agreed to appoint an Audit and Resources Committee which also has some scrutiny responsibilities as set out in Article 10 of this Constitution.	2-13	Council has agreed to appoint an Audit and Resources Committee which also has some scrutiny responsibilities as set out in Article 9 of this Constitution.

2-22	The membership shall not include members who are also members of the Policy and Performance Scrutiny Panel.	2-23	deleted
2-24	(a) There will be five Local Area Committees (LACs) covering respective parts of the Borough. Since May 2018 (reflecting the outcome of the Borough Electoral Review and changes to ward boundaries) the Area Committee arrangements are as follows: Statutory Officer - Post Designation	2-25	(a) There will be five Local Area Committees (LACs) covering respective parts of the Borough. as follows: Statutory Staff Member - Post Designation
2-33	Chief Executive Head of Paid Service Monitoring Officer Chief Financial Officer Chief Finance Officer	2-34	Chief Executive Head of Paid Service Monitoring Officer Monitoring Officer Chief Financial Officer Chief Finance Officer
2-40	Insertion of new paragraph	2-41	Minor Changes (a) The Monitoring Officer may generally update the Constitution to correct errors, or to reflect changes in legislation, or make amendments consequential upon changes to operational arrangements, without report, subject to consultation with the leader and Chief Executive
2-40	Approval: Changes to the Constitution will only be approved by the full Council	2-41	(b) Approval: Changes to the Constitution, other than minor changes will only be approved by the full Council
2-41	(a) make available a printed copy of this Constitution to each member of the Council	2-42	(a) make available a copy of this Constitution to each member of the Council
ALL	Area Committees	ALL	All references to the title Area Committees have been replaced with Local Area Committees
3-1	This Part of the Constitution also contains: (a) details of the appointment and functions of Proper and Designated Officers; and (b) the Council's Scheme of Delegation specifying those functions which, by virtue of the adoption of this Constitution, are deemed to be delegated by the responsible body to Council staff.	3-1	Part 3 of the Constitution also contains: Appendix 1. Details of the appointment and functions of Proper and Designated Officers; and Appendix 2. The Council's Scheme of Delegation specifying those functions which, by virtue of the adoption of this Constitution, are deemed to be delegated by the responsible body to Council staff.
ALL	Functions (as set out in Schedule 1 to the Functions Regulations) (Functions not to be the responsibility of the Cabinet)	3-2	deletion of 'in paragraph ...'
5-32	Formulation of the Council's: - To coordinate the production of the Crime and Disorder Reduction Strategy - Plan and Strategies which together comprise the Development Plan	3-3	Crime & Disorder Reduction Strategy: -To coordinate the production of the Council's Crime and Disorder Reduction Strategy -Formulation of the Council's Plan and Strategies which together comprise the Development Plan
6-32	For the purposes of relevant legislation the Council has made the following appointments for the duties or functions shown in the Appendix following this page.	3-4	For the purposes of relevant legislation the Council has made the following appointments for the duties or functions shown in the Appendix following this page. * The Proper Office means an Officer appointed by the Council to discharge a particular function as set out in section 270(3) of the Local Government Act 1972.
7-32	APPENDIX 1 APPOINTMENT OF PROPER AND DESIGNATED OFFICERS	3-5	Replaced with new tabular appendix 1
13-32	APPENDIX 2 SCHEME OF DELEGATION TO STAFF AND MEMBERS	3-16	Whole section updated and new tabular appendix 2
3-28	Additional item	3-28	(v) Authorise the issue of Section 330 notices

2.1 The meeting will be held only in relation to the business for which the extraordinary meeting has been called:

(i) To receive any questions, statements or petitions from the public in accordance with Public/Stakeholder Participation Rules (appendix C)

(ii) To receive any questions from councillors in accordance with Council Procedure Rule

2.2 The Mayor may at their absolute discretion permit other items of business to be conducted for the efficient discharge of the Council's business.

TIME AND PLACE

3.0

Extraordinary meetings shall be held on such days and times as may be determined by the Council Resolution or the Monitoring Officer, in consultation with the Mayor.

To appoint the Leader of the Council if required. The Leader of the Council is appointed for their term of office as a Councillor.

(a) To choose a person to preside if the Mayor and Deputy Mayor are absent;

(b) Apologies from Councillors in respect of absence;

(c) Declaration of interest (where possible these are circulated in advance of the meeting)

(d) Confirmation of minutes of the previous meeting;

(e) To receive communications from the person presiding;

(f) To receive a report from the Leader;

(g) To dispose of any business (if any) outstanding from the previous meeting;

(h) To receive any petitions presented under Standing Order 18.0;

(i) To deal with minutes of the Cabinet (in accordance with Standing Order 9), including 'called-in' decisions; (ii) To receive statements (if any) by the Leader/Cabinet Councillors on Cabinet matters; (iii) To deal with questions from Councillors to the Leader and Cabinet Members on Cabinet decisions, performance and strategy;

(j) To deal with minutes of Committees and Scrutiny Panels in accordance with Standing Order 9, including 'called-in' decisions;

(k) Where the meeting is the last ordinary meeting before 11 March in any year, and where the Council has not set, for the ensuing financial year, amounts of Council Tax for each category of dwelling in its area, to set such amounts. Provided that the Council Tax shall not be set before 1 March prior to the year in question unless all precepts from major precepting authorities have been received;

(l) To deal with questions submitted in accordance with standing order 10;

(m) To consider notices of motion in the order in which they were received;

(n) To fill vacancies on Committees or other bodies or to appoint new Committees or other bodies as required;

(o) Other business, if any, specified in the summons or matters taken as a matter of urgency under 5.4 below.

Except as provided by Standing Order 8, every notice of motion shall be in writing, signed by the member or members of the Council giving the notice, and delivered at least ten clear calendar days (ie the day before agenda publication) before the meeting of the Council at the office of the Monitoring Officer.

4-2 Additional points added

4-3 To appoint the Leader of the Council (Only at the annual meeting held in 2011 or at the first annual meeting after the Leader's normal day of retirement as a councillor (in accordance with s.44E Local Government Act 2000). If the Council fails to elect a Leader at the relevant annual meeting, the Leader is to be elected at a subsequent meeting);

(a) To choose a person to preside if the Mayor and Deputy Mayor are absent;

(b) Confirmation of minutes of the previous meeting;

(c) To receive communications from the person presiding;

(d) Apologies from members in respect of absence;

(e) To receive a report from the Leader;

(f) To dispose of any business (if any) outstanding from the previous meeting;

(g) To receive any petitions presented under Standing Order 18.0;

(h) (i) To deal with minutes of the Cabinet (in accordance with Standing Order 9), including 'called-in' decisions;

(ii) To receive statements (if any) by the Leader/Cabinet Councillors on Cabinet matters;

(iii) To deal with questions from Members to the Leader and Cabinet Members on Cabinet decisions, performance and strategy;

4-4 (i) To deal with minutes of Committees and Scrutiny Panels in accordance with Standing Order 9, including 'called-in' decisions;

(j) To determine planning applications not otherwise delegated;

(k) Where the meeting is the last ordinary meeting before 11 March in any year, and where the Council has not set, for the ensuing financial year, amounts of Council Tax for each category of dwelling in its area, to set such amounts. Provided that the Council Tax shall not be set before 1 March prior to the year in question unless all precepts from major precepting authorities have been received;

(l) To deal with questions submitted in accordance with standing order 10;

(m) To consider notices of motion in the order in which they were received;

(n) To fill vacancies on Committees or other bodies or to appoint new Committees or other bodies as required;

(o) Other business, if any, specified in the summons or matters taken as a matter of urgency under 5.4 below

4-5 7.1 Except as provided by Standing Order 8, every notice of motion shall be in writing, signed by the member or members of the Council giving the notice, and delivered at least ten clear calendar days before the meeting of the Council at the office of the Monitoring Officer by whom it shall be dated, numbered in the order in which it is received and entered in a book which shall be open to the inspection of every member of the Council.

4-2

4-4

4-4

4-6

4-8	<p>10.0 Each Council meeting shall include a session for the Leader and Cabinet Councillors to present/be questioned on Cabinet decisions, performance, strategy and related matters. Questions on Cabinet matters shall be subject to written notice and submitted by 12 noon five working days before the Council meeting. The provisions of Standing Orders 10.3 to 10.6 shall apply in relation to such questions, with members' questions lasting no longer than 30 minutes. Questions will be answered in the order received with any unanswered questions given a written answer in accordance with Standing Order 10.4c. Where a member submits more than one question the order of questions shall be amended so that every other member's first question is taken first.</p>		<p>Each Council meeting shall include a session for the Leader and Cabinet Councillors to present/be questioned on Cabinet decisions, performance, strategy and related matters. Questions on Cabinet matters shall be subject to written notice and submitted by 12 noon, 10 calendar days before the Council meeting (ie the day before agenda publication). The provisions of Standing Orders 10.3 to 10.6 shall apply in relation to such questions, with Councillors' questions lasting no longer than 30 minutes. Questions will be answered in the order received with any unanswered questions given a written answer in accordance with Standing Order 10.4c. Where a Councillor submits more than one question the order of questions shall be amended so that every other Councillor's first question is taken first.</p>
4-9	<p>11.2 A member shall stand when speaking, unless disabled from doing so, and shall address the Mayor. While a member is speaking, the other members shall remain seated unless rising to a point of order or in personal explanation. If two or more members rise, the Mayor shall call on one to speak.</p>	4-9	<p>11.2 A member shall stand when speaking, unless prevented from doing so by a disability, and shall address the Mayor. While a Councillor is speaking, the other Members shall remain seated unless rising to a point of order or in personal explanation. If two or more Members rise, the Mayor shall call on one to speak.</p>
4-10	<p>but such omission or insertion of words shall not have the effect of introducing unrelated matter into or of negating i.e. being the direct opposite of the substance of the motion before the Council. Provided that the substitution by amendment of a positive course of action for a proposal involving no action shall be valid.</p>	4-10	<p>but such omission or insertion of words shall not have the effect of introducing unrelated matter into or of negating i.e. being the direct opposite of the substance of the motion before the Council. Provided that the substitution by amendment of a positive course of action for a proposal involving no action shall be valid. The Mayor's judgement is final.</p>
4-10	<p>A member may, with the consent of the seconder and of the Council, signified without discussion, alter a motion which they have proposed or of which notice has been given if the alteration is one which could have been moved as an amendment thereto.</p>	4-11	<p>11.9 A Councillor may, with the consent of the seconder, alter a motion which they have proposed or of which notice has been given if the alteration is one which could have been moved as an amendment thereto.</p>
4-11	<p>A motion or amendment may be withdrawn by the proposer with the concurrence of the seconder and the consent of the Council, which shall be signified without discussion, and it shall not be competent for any member to speak upon it after the proposer has asked permission for its withdrawal, unless such permission shall have been refused.</p>	4-12	<p>A motion or amendment may be withdrawn by the proposer with the concurrence of the seconder and it shall not be competent for any Councillor to speak upon it after the proposer has asked permission for its withdrawal, unless such permission shall have been refused.</p>
4-12	<p>additional point included</p>	4-12	<p>(d) The Mayor if they consider it appropriate can close the debate on any motion and move to the vote.</p>
4-12	<p>11.13 A member may speak shortly in personal explanation, but such explanation shall be confined to some material part of a former speech by the member at the same meeting which may have been misunderstood. A member so rising shall be entitled to be heard forthwith.</p>	4-13	<p>A Councillor may speak for no more than 2 minutes in personal explanation, but such explanation shall be confined to some material part of a former speech by the Councillor at the same meeting which may have been misunderstood. The Councillor shall be entitled to be heard forthwith.</p>
4-13	<p>On the requisition of any member, made before the vote is taken and supported by three other members who signify their support by rising in their place, the voting on any question shall be recorded so as to show whether each member present gave their vote for or against that question or abstained from voting. Unless the Mayor indicates otherwise, members shall indicate orally their voting preference, "For", "Against" or "Abstain", which shall be recorded appropriately.</p>	4-14	<p>On the request of any Councillor, made before the vote is taken and supported by three other Councillors who signify their support by rising in their place, the voting on any question shall be recorded so as to show whether each Councillor present gave their vote for or against that question or abstained from voting. Unless the Mayor indicates otherwise, Councillors shall indicate orally their voting preference, "For", "Against" or "Abstain", which shall be recorded appropriately.</p>
4-14	<p>In the event of the Mayor declining to give a second or casting vote, the motion, amendment, or other matter under consideration shall be declared to be "not carried" and shall thereupon fall.</p>	4-15	<p>In the event of a motion being tied the Mayor may exercise a casting vote. If declining to give a second or casting vote, the motion, amendment, or other matter under consideration shall be declared to be "not carried" and shall thereupon fall.</p>
4-16	<p>Smoking shall not be permitted at any meetings of the Council, Cabinet, Committees, Scrutiny Panels or other bodies whether held in Eastleigh House or in other accommodation.</p>	4-16	<p>Section deleted</p>
4-16	<p>18.0 At a meeting of the Council (other than the annual meeting or a meeting convened for a specific purpose) any member of the Council may present a petition which is relevant to some matter in relation to which the authority has functions, or which affects the area of the authority, or part of it, or the inhabitants of that area, or some of them.</p>	4-16	<p>18.0 At a meeting of the Council (other than the annual meeting or a meeting convened for a specific purpose) any Councillor may present a petition which is relevant to some matter in relation to which the authority has functions, or which affects the area of the authority, or part of it, or the inhabitants of that area, or some of them. A guide to the Councils Petition Scheme will be found as an appendix to Part 4 of the Constitution (see Page 116)</p>

4-16	The person wishing to present the petition shall give at least ten days' notice of their intention to do so to the Monitoring Officer and shall show the petition to them. The petition shall not be accepted unless the Monitoring Officer is satisfied that the petition is proper to be presented. The presentation of the petition shall form an item on the agenda for the relevant body.	4-16	The person wishing to present the petition shall give at least ten days' notice of their intention to do so to the Monitoring Officer and shall show the petition to them. The petition shall not be accepted unless the Monitoring Officer is satisfied that the petition is proper to be presented. In consultation with the Mayor or Chair, a decision will be made as to whether the presentation of the petition shall form an item on the agenda for the relevant body.
4-18	New entry	4-18	New Appendix A
4-24	In addition to Standing Orders expressly stated to refer to Committee proceedings, the following Standing Orders shall mutatis mutandis apply to the Cabinet and Committee meetings:-	4-24	In addition to Standing Orders expressly stated to refer to Committee proceedings, the following Standing Orders shall, with the necessary changes to take account of different situations but ensuring the main point remains the same, apply to the Cabinet and Committee meetings:
4-25	(ii) Development which has a borough-wide significance where the Local Area Committee wishes to take a decision contrary to the recommendation of the Head of Housing & Development Lead	4-27	Development which has a borough-wide significance where the Local Area Committee wishes to take a decision contrary to the recommendation of the Executive Head of Planning & Economy
4-25	(a) Where the Council's only interest is as landowner and the application is made by a third party, then the application will be referred by the Head of Housing & Development to the Head of Strategic Planning for comment and may be determined by the Head of Housing & Development Lead or Local Area Committee as appropriate.	4-25	(a) Where the Council's only interest is as landowner and the application is made by a third party, then the application will be referred by the Executive Head of Planning & Economy to the Head of Assets & Projects for comment and may be determined by the Executive Head of Planning & Economy or Local Area Committee as appropriate.
4-26	(d) Such participation should be limited to 10 minutes with equal time allowed for persons wishing to express opposing views, ie. 5 minutes for, 5 minutes against. Parish Council contributions should be made within the 10 minute slot.	4-26	(d) Such participation should be limited to an appropriate length of time to be determined by the Chair with equal time allowed for persons wishing to express opposing views, ie. 5 minutes for, 5 minutes against. Parish Council contributions should be made within the 10 minute slot.
4-26	(f) Nobody should normally be permitted to speak more than once and individuals should address the meeting only when called by the Chair.	4-26	(f) Nobody should normally be permitted to speak more than once and individuals should address the meeting only when called by the Chair. The Chair has the discretion to allow a person to speak again.
4-28	Section removed	4-28	Complaints Section removed
4-30	(c) This Standing Order shall not preclude the Legal Services Manager from declining to allow inspection of any document which is or in the event of legal proceedings would be protected by privilege arising from the relationship of solicitor and client.	4-30	changed to Head of Legal Services
4-62	1.8 These regulations are effective from 18 October 2018	4-61	1.8 These regulations are effective from 22 July 2021.
4-70	3.20 Subject to paragraph 5.52 no expenditure may be incurred upon a capital scheme until it has been included in the capital programme approved as follows: (a) if within an existing budget, agreement by Local Area Committee or Cabinet. (b) if a new budget, up to a set sum of £50,000, agreement by Local Area Committee or Cabinet, subject to the identification of funding. (c) if over £50,000 agreement by Council.	4-70	(a) if within an existing budget, up to a set sum of £50,000, agreement by the relevant Executive Head in conjunction with the Chief Financial Office. (b) if a new budget, up to a set sum of £50,000, agreement by Local Area Committee or Cabinet, subject to the identification of financing. (c) if over £50,000 agreement by Council.

	<p>(a) Between service budgets within portfolio (revenue or CIP) Up to £10,000, at the discretion of the appropriate Cabinet Member in consultation with the relevant Budget Holder Approval must also be obtained from the Chief Financial Officer.</p> <p>Between £10,001 and £49,999, at the discretion of the appropriate Cabinet Member in consultation with the Budget Holder. Approval must also be obtained from the Chief Financial Officer. Any virement above £50,000 shall require the approval of the relevant Local Area Committee or the Cabinet. For the avoidance of doubt, "Service" means an individual page of the budget book, e.g. Car parks.</p> <p>(b) Within a Service</p>	<p>(a) Between service budgets within portfolio (revenue or CIP) Up to £50,000, at the discretion of the appropriate Executive Head(s) in consultation with the relevant Budget Holder(s).</p> <p>Any virement above £50,000 shall further require the approval of the relevant Portfolio Lead. For the avoidance of doubt, "Service" means an individual page of the budget book, e.g. Car parks.</p> <p>(b) Within a Service</p> <p>Any sum within the approved budget (excluding internal recharges) at the discretion of the Budget Holder.</p>
4-71	<p>Any sum within the approved budget (excluding internal recharges) at the discretion of the Budget Holder with approval from the Chief Financial Officer. For the avoidance of doubt, "Within a Service" means a virement between subjective headings, e.g. supplies and services to property within the same Service.</p> <p>(c) Between services within an LAC budget (capital or revenue)</p> <p>Up to £25,000 at the discretion of the LAC Chair in consultation with the relevant Corporate Director and relevant Budget Holders. Approval must also be obtained from the Chief Financial Officer. For the avoidance of doubt, "Between Services", is as per the principle in b) above, but relates to virements between subjective headings in different Services but within the same LAC budget</p>	<p>4-71 For the avoidance of doubt, "Within a Service" means a virement between subjective headings, e.g. supplies and services to property within the same Service.</p> <p>(c) Between services within a LAC budget (capital or revenue)</p> <p>Up to £25,000 at the discretion of the LAC Chair in consultation with the relevant Executive Head and relevant Budget Holders.</p> <p>For the avoidance of doubt, "Between Services", is as per the principle in b) above, but relates to virements between subjective headings in different Services, but within the same LAC budget.</p> <p>(d) Between portfolios</p> <p>Virement between portfolios are the subject to approval from all relevant budget holders, Executive Heads and Portfolio Leads.</p>
4-87	<p>(c) Any special discount or allowance available has been accepted and the invoice forwarded promptly to the Chief Financial Officer for payment;</p> <p>(d) Income tax has been deducted from payments to sub-contractors of the Council unless current documentary evidence has been sighted of the arrangements made with the Inland Revenue for the payment of such tax;</p>	<p>4-87 (d) Income tax has been deducted from payments to sub-contractors of the Council unless current documentary evidence has been sighted of the arrangements made with HMRC for the payment of such tax;</p>
4-94	<p>6.7 Where sponsorship or grant funding is being sought which does not involve a formal application for funding, a written notification from the Operational Manager or Functional Lead to the Finance Specialist team will suffice. This applies where such sponsorship exceeds £1,000 but is less than £10,000 in total for any one initiative. Below this sum, Heads of Service and other managers are expected to exercise adequate control over these monies, liaising with their service accountant as necessary. Sponsorship or grant funding exceeding £10,000 in total should be approved by Cabinet</p>	<p>4-93 6.7 Where sponsorship or grant funding is being sought which does not involve a formal application for funding, a written notification should be kept. This applies where such sponsorship exceeds £1,000 but is less than £10,000 in total for any one initiative. Below this sum, Heads of Service and other managers are expected to exercise adequate control over these monies.</p>
4-97	<p>(i) The Council will draw up a statement requiring any candidate for appointment as a member of staff to state in writing whether they are a family relation or have a close personal relationship of an existing Councillor or member of staff of the Council; or of the partner of such persons.</p> <p>(ii) No candidate so related to a Councillor or a member of staff will be appointed without the authority of the relevant Corporate Director or an officer nominated by them.</p>	<p>4-97 (i) The Council's application process will include a statement requirement on any candidate for appointment as a member of staff to declare in writing whether they are a family relation or have a close personal relationship with an existing Councillor or member of staff of the Council.</p> <p>(ii) No candidate so related to a Councillor or an existing member of staff will be appointed without the authority of the relevant recruiting manager and Executive Head.</p> <p>(iii) No existing member of staff should be involved as the sole decision-maker in the selection or appointment of an individual with whom they have a close relationship.</p>
4-97	<p>(i) The Council will disqualify any applicant who directly or indirectly seeks the support of any Councillor for any appointment with the Council. The content of this paragraph will be included in any recruitment information.</p> <p>(ii) Subject to paragraph (iii), no Councillor will seek support for any person for any appointment with the Council.</p> <p>(iii) Paragraph (ii) above shall not preclude a Councillor from giving a written testimonial of a candidate's ability, experience or character, for submission to the Council with an application for appointment.</p>	<p>4-97 (i) The Council will disqualify any applicant who directly or indirectly seeks the support of any Councillor of existing member of staff for any appointment with the Council. The content of this paragraph will be included in any recruitment information</p> <p>(ii) Subject to paragraph (iii), no Councillor will seek support for any person for any appointment with the Council</p> <p>(iii) Paragraph (ii) above shall not preclude a Councillor from giving a written testimonial of a candidate's ability, experience or character, for submission to the Council with an application for appointment</p>

4-97	<p>(c) Every member and officer of the Council taking part in a staff appointment process shall disclose to the Council any relationship known to them to exist between themselves and a candidate for an appointment of which they are aware. It shall be the duty of the Chief Executive to report to the Council or to the appropriate body any such disclosure made to them.</p> <p>(d) Where relationship to a member of the Council is disclosed the standing order headed "Interests of members in contracts and other matters" (Standing Order 19) shall apply (Part 4 - Council and Committee Procedure Rules).</p> <p>4-98</p> <p>(e) Candidates who are short-listed for a post with the Council shall be required to complete a medical detail form to accompany their application for the post. The information thus supplied shall form a condition of any contract of employment offered by the Council.</p> <p>(f) Where required under legislation, candidates for a post with the Council shall be required to supply (for verification by the Police) details concerning the existence and content of any criminal record/cautions. An offer of employment may be withdrawn, or dismissal may result if previous cautions/convictions for criminal offences are not disclosed.</p> <p>Where the Council proposes to appoint a statutory officer or a member of Management Team and it is not proposed that the appointment be made exclusively from among its existing officers, the Council will: (a) draw up a statement specifying: (i) the duties of the officer concerned; and (ii) any qualifications or qualities to be sought in the person to be appointed; (b) make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it; and (c) make arrangements for a copy of the statement mentioned in paragraph (1) to be sent to any person on request.</p> <p>(a) An appointments panel of the Council will appoint Corporate Directors and Heads of Units. That Committee or Sub-Committee must include at least one member of the Cabinet.</p> <p>4-99</p> <p>(b) An offer of employment as Corporate Director or Head of Unit shall only be made where no well-founded objection from any member of the Cabinet has been received.</p> <p>Officers Below Head of Unit: Appointment of officers below Head of Unit is the responsibility of the Head of Paid Service or their nominee, and may not be made by Councillors. The appointment of such staff may be delegated to Corporate Directors, Unit Heads or senior managers if so provided in the Council's Standing Orders in Part 4 of the Constitution.</p> <p>4-99</p> <p>(a) Suspension: The Chief Executive/Head of Paid Service, Monitoring Officer and the Chief Financial Officer may be suspended whilst an investigation takes place into alleged misconduct. That suspension will be on full pay and last no longer than two months.</p> <p>4-99</p>	4-97	<p>(c)Every member and officer of the Council taking part in a staff appointment process shall disclose to the recruiting @ manager any relationship known to them to exist between themselves and a candidate for an appointment of which they are aware.</p> <p>(d) Where relationship to a member of the Council is disclosed the standing order headed "Interests of members in contracts and other matters" (Standing Order 19) shall apply (Part 4 - Council and Committee Procedure Rules).</p> <p>Candidates who are identified as the preferred candidate for appointment following a selection process shall be required to complete a medical detail form. The information thus supplied shall form a condition of any contract of employment offered by the Council.</p> <p>4-98</p> <p>Where required under legislation, candidates for a post with the Council shall be required to supply (for verification by the Police) details concerning the existence and content of any criminal record/cautions. An offer of employment may be withdrawn, or dismissal may result if previous cautions/convictions for criminal offences are not disclosed.</p> <p>(e)Recruitment of Chief Executive/Head of Paid Service, Other Statutory Officers and Corporate Directors Section deleted</p> <p>4-98</p> <p>(a)An appointments panel of the Council will appoint Corporate Directors and Executive Heads. That Committee or Sub-Committee must include at least one member of the Cabinet.</p> <p>(b)An offer of employment as Corporate Director or Executive Head shall only be made where no well-founded objection from any member of the Cabinet has been received</p> <p>Officers Below Executive Head: Appointment of officers below Executive Head is the responsibility of the Executive Head or their nominee nand may not be made by Councillors. The appointment of such staff may be delegated to Corporate Directors, Executive Heads or other appropriate senior managers.</p> <p>4-99</p> <p>(a)Suspension: The Chief Executive/Head of Paid Service, Monitoring Officer and the Chief Financial Officer may be suspended whilst an investigation takes place into alleged misconduct. That suspension will be on full pay and will ideally last no longer than two months If this period is to be extended, the full reasons will be recorded in writing to the employee concerned.</p>
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	<p>19.1 The Chair or Vice-Chair of Cabinet, the appropriate Local Area Committee or other committee authorised by the Council for the specific project shall be authorised to accept the most economically advantageous tender, (provided the tender does not exceed the approved budget or fall below the estimate in the case of a payment to the Council).</p>	<p>18.1 The Chair or Vice-Chair of Cabinet, the appropriate Local Area Committee or other committee authorised by the Council for the specific project shall be authorised to accept the most economically advantageous tender, (provided the tender does not exceed the approved budget or fall below the estimate in the case of a payment to the Council). (i) For tenders valued above EU Thresholds: Two of the following- •Corporate Directors, or •Executive Heads And The Chair or Vice Chair of: •Cabinet, or •The appropriate Local Area Committee, or •Other Committee authorised by the Council for the specific project (iv) Product Liability – applicable where the supplier is providing goods. As a guide, the Council usually seeks product liability insurance of not less than £2m per occurrence or series of occurrences arising out of the same event</p>
4-109		4-107
4-116	New Point inserted	4-116
5-1	<p>New statement</p> <p>You must –</p> <p>2.1 provide leadership to the authority and communities within its area, by personal example</p> <p>2.2 respect others and not bully any person</p> <p>2.3 recognise that officers (other than political assistants) are employed by and serve the whole authority</p> <p>2.4 respect the confidentiality of information which you receive as a member –</p> <p>2.4.1 not disclosing confidential information to third parties unless required by law to do so or where there is a clear and over-riding public interest in doing so; and</p> <p>2.4.2 not obstructing third parties' legal rights of access to information</p> <p>2.5 not conduct yourself in a manner which is likely to bring the authority into disrepute</p> <p>2.6 use your position as a member in the public interest and not for personal advantage</p> <p>2.7 accord with the authority's reasonable rules on the use of public resources for private and political purposes</p> <p>2.8 exercise your own independent judgement, taking decisions for good and substantial reasons –</p> <p>2.8.1 attaching appropriate weight to all relevant considerations including, where appropriate, public opinion and the views of political groups</p> <p>2.8.2 paying due regard to the advice of officers, and in particular to the advice of the statutory officers, namely the Head of Paid Service, the Chief Finance Officer and the Monitoring Officer and</p> <p>2.8.3 stating the reasons for your decisions where those reasons are not otherwise apparent</p> <p>2.9 account for your actions, particularly by supporting the authority's scrutiny function</p> <p>2.10 ensure that the authority acts within the law.</p>	5-1
5-1		5-2
		5-1

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of Councillors of the authority.

5-2 New paragraph inserted

5-3 You need to register your interests so that the public, authority employees and fellow councillors know which of your interests might give rise to a conflict of interest. You are personally responsible for deciding whether or not you should disclose an interest in a meeting.

A failure to register or disclose a disclosable pecuniary interest as set out in Table 1, is a criminal offence under the Localism Act 2011.

5-3 New item 5.1 inserted

5-4 5.1 You must not accept gifts or hospitality, irrespective of estimated value, which could give rise to a real or substantive personal gain or a reasonable suspicion of influence to show favour from persons seeking to acquire, develop or do business with the authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.

5-3 New item 5.3 inserted

5-4 5.3 You must, notify the Monitoring Officer any significant gift or hospitality that has been offered and acceptance refused.

5-4 New Appendix inserted

5-5 Appendix A

The duties to register, disclose and not to participate in respect of any matter in which a member has a Disclosable Pecuniary Interest are set out in Chapter 7 of the Localism Act 2011.

5-4 The duties to register, disclose and not to participate in respect of any matter in which a member has a Disclosable Pecuniary Interest are set out in Chapter 7 of the Localism Act 2011.

5-6

Disclosable pecuniary interests are defined in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 as follows –

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012

5-5 New Table 2: Other Registrable Interests

5-8 New Table 2: Other Registrable Interests

This is contained on the Council's intranet and includes sections on:

- Standards & Code of Ethics
- Disclosure of Information & Confidentiality
- Political Neutrality
- Relationships (with family or close personal contacts, with Councillors, the Local --- Community and Service Users and Contractors)
- Declaration of Interests
- Outside Commitments and activities
- Outside Hobbies and Interests, Course/Exhibition Attendance
- Customer care/Standard of Dress and Appearance/Conduct to other
- Equality/Diversity
- Bringing the Council into Disrepute
- Purchasing and Use of Financial Resources
- Convictions during the course of Employment
- Hospitality, Gifts and Sponsorships
- Intellectual Property
- Information Technology and Data Security
- Contact with the Media
- Trade Union Representatives
- Social Networking

5-9

- Standards
- Disclosure of Information
- Political Neutrality
- Relationships (with Councillors, the Local Community and Service Users and Contractors)
- Appointment and other Employment Matters
- Outside Commitments
- Personal Interests
- Equality Issues
- Separation of Roles During Tendering
- Use of Financial Resources
- Prevention of Fraud and Corruption
- Gifts and Hospitality
- Computers (Prevention of Fraud and Abuse, Security, Viruses, Internet and E-mail Use)
- Data Protection
- Whistle Blowing

5-9

5-13 Staff have a duty to report to the Chief Executive any attempt to exert improper influence. The Chief Executive, or nominated Deputy Chief Executive, will investigate any such report.

5-10

Staff have a duty to report to the Chief Executive any attempt to exert improper influence. The Chief Executive, or nominated Corporate Director, will investigate any such report.

5-13	<p>Public Relations and Press Releases The Council's Public Relations Unit services the Council as a whole and must operate within the limits of the Local Government Act 1986 which prohibits the Council from publishing material which appears to be designed to affect public support for a political party. Council press releases are drafted by staff and will often contain quotations (within the limits of the Local Government Act 1986) from appropriate Councillors and from the Mayor and Deputy Mayor of the Council about ceremonial events. Such press releases are issued on behalf of the Council and it would not, therefore, be appropriate when repeating quotations from Councillors to indicate their party political affiliation.</p>	5-11	<p>Communications and Media Releases The Council's Communications & Marketing Team services the Council as a whole and must operate within the limits of the Local Government Act 1986 which prohibits the Council from publishing material which appears to be designed to affect public support for a political party. Council media releases are drafted by staff and will often contain quotations (within the limits of the Local Government Act 1986) from appropriate Councillors and from the Mayor and Deputy Mayor of the Council about ceremonial events. Such media releases are issued on behalf of the Council and it would not, therefore, be appropriate when repeating quotations from Councillors to indicate their party political affiliation. Removal of the term 'structure plans'</p>
5-19	<p>1.2 Whilst this Local Code deals primarily with planning applications, its principles apply with equal vigour to consideration of Structure Plans, Local Plans, Development Briefs, enforcement cases and all other planning matters.</p>	5-19	
6-1	<p>(a) The Basic Allowance, which is payable to all Councillors, recognises the time devoted by Councillors to their constituency, Area Committee and Scrutiny Panel work. The allowance also covers representing the Council on outside bodies. The Independent Panel designed this allowance to take account of the Public Service ethos which motivates Councillors and the allowance therefore includes a public service discount of 1/3. The Basic Allowance also covers other ad-hoc incidental expenses that Councillors may incur with their work such as the cost of telephone calls, etc.</p>	6-1	<p>(a)The Basic Allowance, which is payable to all Councillors, recognises the time devoted to their constituency, Area Committee and Scrutiny Panel work. The allowance also covers representing the Council on outside bodies. The Independent Panel designed this allowance to take account of the Public Service ethos which motivates Councillors and the allowance therefore includes a public service discount of one third.</p>
6-1	<p>(c) The Basic Allowance takes into account Members using their own IT equipment at home (where they decide not to avail themselves of the Council's offer to provide such equipment), the cost of telephone calls, and other incidental costs of carrying out their duties as a Councillor</p>	6-1	<p>(c)The Basic Allowance takes into account Councillors using their own IT equipment at home (where they decide not to use equipment offered by the Council), the cost of telephone calls, and other incidental costs of carrying out their duties as a Councillor.</p>
6-2	<p>No special responsibility is payable to the Chair or Vice-Chair of the Licensing Committee, or the Vice-Chair of the Administration Committee.</p>	6-2	<p>No Special Responsibility Allowance is payable to the Chair or Vice-Chair of the Licensing Committee, or the Vice-Chair of the Administration Committee.</p>
6-2	<p>In the event of short-term work increases/exceptional circumstances in the future (such as the 2005 Licensing Panels), a discretionary day-session rate (as per the guidance offered by the Local Government Association, LG alert, 50/06) or ex-gratia payment can be made to those Members directly involved or affected, and be awarded as follows:</p>	6-2	<p>In the event of short-term work increases/exceptional circumstances in the future, a discretionary day-session rate (as per the guidance offered by the Local Government Association, LG alert, 50/06) or ex-gratia payment can be made to those directly involved or affected, and be awarded as follows:</p>
6-3	<p>The 2017 Independent Review Panel considered that certain training courses (specifically those on development control; finance; and standards/code of conduct/ethical framework) should be mandatory for all members. The Council agrees that training in these areas is to be encouraged and that to encourage members to attend such training, and help offset any loss of earnings incurred by attending this training, the Panel suggested a higher Basic Allowance from the one that appears in this scheme and that the difference be held back until a Member had attended all three of the aforementioned courses.</p>	6-3	<p>The 2017 Independent Review Panel considered that certain training courses (specifically those on development control; finance; and standards/code of conduct/ethical framework) should be mandatory for all members. The Council agrees that training in these areas is important and all Councillors are encouraged to attend such training. To help offset any loss of earnings incurred by attending this training, a higher Basic Allowance from the one that appears in this scheme will be paid and the difference be held back until a Councillor has attended all three of the aforementioned courses.</p>
6-3	<p>no longer applicable</p>	6-3	<p>deleted</p>
6-3	<p>claims for travel to be made from where the travel commences, but deducting any costs that would have been incurred in getting to the place of residence.</p>	6-3	<p>claims for travel can be made from where travel begins, but any costs that would have been incurred in getting to their place of residence must be deducted.</p>
6-4	<p>A Dependent Carers' Allowance is payable where expenditure is incurred whilst a Member is undertaking their role as a Councillor and attending relevant meetings. Payments are made on the basis of actual reasonable cost of care.</p>	6-3	<p>A Dependent Carers' Allowance is payable to Councillors with caring responsibilities, where expenditure is incurred whilst they undertake their role as a Councillor and attending relevant meetings. Payments are made based on actual reasonable cost of care.</p>

6-4 The Council seeks to conduct its business efficiently and with minimal wastage. As such, it will provide to a Member upon election: an Ipad. The Council will also provide related sundries on request. When the Member ceases to be a Councillor (e.g. s/he does not stand for re-election or is not reelected), the equipment must be returned to the Council in a good working order within 14 days of them ceasing to be a Councillor. Members who do not wish to avail themselves of this provision are reminded of the proviso in 2(c) above.

6-3 The Council seeks to conduct its business efficiently and with minimal wastage. As such, it will provide a Councillor, upon election, with: an electronic device and will provide related sundries on request. When they cease to be a Councillor (e.g. does not stand for re-election or is not re-elected), the equipment must be returned to the Council in good working order within 14 days of them ceasing to be a Councillor. Councillors who do not wish to avail themselves of this provision are reminded of the proviso in 2(c) above.

n/a no changes

n/a no changes