

GLOSSARY FOR CABINET, COUNCIL, COMMITTEE AND SUB COMMITTEE MEETINGS

Access to Information Rules - Provisions that apply to all councils that provide the public and press with access to meetings and connected papers of the Council, its committees or sub committees unless confidential or exempt information is likely to be disclosed.

Agenda – The list of matters to be discussed at a meeting. Referred to as a Summons in respect of Council meetings.

Allocation of Seats – The allocation to different political groups of seats on a committee.

Annual Meeting of the Council – A meeting that happens every year when the Chair and Vice Chair are appointed and the membership of the Council's Committees is confirmed according to the political proportionality of the Council at that time.

Articles – The basic rules governing the Council's business.

Background Papers – The law says that report authors must list any papers used in compiling a report for decision, and these papers must be available for 6 years to anyone wishing to inspect them.

Cabinet - The Leader elected by the Council and up to 9 councillors chosen by the Leader to form a Cabinet with legal powers and responsibilities for discharging executive functions including the day to day management of the Council's business in line with an overarching framework approved by the Council.

Chair – The Chair and Vice Chair are elected at the Annual meeting of the Council and preside over all meetings of the Council.

Clear Working Days – All agendas and papers for decision in public must be available five clear working days before the decision is taken (special rules can apply to urgent late items). The five days does NOT include the day the papers are sent out or the date of the meeting (hence the use of 'clear'). 'Working' is taken to be Monday to Friday inclusive and excludes Saturdays, Sundays and Bank Holidays.

Committee – Council committees comprise a group of members appointed to perform some service or function on behalf of the Council.

Confidential Information – Information either given to the Council by the Government on terms which forbid its public disclosure or which cannot be publicly disclosed by Court Order. (See also 'Exempt Information' below).

Councillor – An elected Member of the Council.

Debate – The formal discussion between the elected Councillors of a Council or a Committee during a meeting according to the rules of procedure for that body.

Delegation of Functions – The Cabinet Leader or the Council can delegate the exercise of their statutory functions to officers or to committees or to another local authority, while also retaining the power to discharge the function itself. Officers who have been given delegated powers may also authorise other officers to discharge all or part of their delegated authority (with or without further limitations) on their behalf, although the officer with the delegated power remains responsible for the proper discharge of the power. S.101(3) of the Local Government Act 1972 provides that where the Council has entered into joint arrangements with another local authority, functions can be discharged on behalf of the Council by the other authorities' officers.

Exempt Information - Information, falling into one of 7 categories set out in the Local Authorities (Executive Arrangements) (Access to Information) (Amendment) (England) Regulations 2006 (as amended) which usually cannot be publicly disclosed – see the Access to Information Procedure Rules in Part 3 of the Constitution.

Extraordinary Meeting – Is one called in accordance with the process as set out in the Constitution. This type of meeting is outside the regular timetable and has special requirements as to who can call this meeting. This is not to be confused with calling an Ordinary Meeting or an additional Council meeting.

Key Decision – a Cabinet decision meeting the criteria set out in Article 12 that is included in the Forthcoming Decision List.

Ordinary Meeting – Most Council meetings are ordinary or regular meetings (known as Ordinary meetings). These meetings are held on a regular basis and conduct the ordinary business of the Council.

Motion – A motion is a formal proposal put to Council or a Committee. The motion must be moved and then seconded before it can be debated.

“it must be expressed as a motion in positive terms to adopt a certain course of action or to do some act or to declare a particular attitude”

This should not be confused with a report recommendation and/or question from the floor of the Council Chamber or any committee or to Cabinet.

There are two types of motion, formal on notice and procedural without notice.

Nomination – This means the act of officially suggesting someone to be on one of the Council's Committees or outside bodies.

Personal Explanation – A personal explanation is when a Councillor wishes to clarify the meeting's understanding of something they said in an earlier speech which appears to have been misunderstood by other Councillors in the current debate. For example, if another Councillor is taking what the Councillor raising the personal explanation has said in the wrong context or is deliberately misinterpreting it. This must relate to a material part of an earlier speech.

Petition – This is a formal written request, typically one signed by twenty people appealing to the Council in relating to the exercise or non- exercise of duties or powers of the Council. Signing a petition is one way for citizens who are resident in and/or who work or study in the District to express their concerns and priorities to the Council. Such a petition shall be referred to the next meeting of the Committee or Sub-Committee responsible for the administration of the powers in connection with the subject matter of the petition. In addition the Chief Executive shall report the receipt of such a petition to the next meeting of the Council where there shall be no comment or debate upon that fact.

Point of Order – A point of order may be raised by a Councillor who believes that there has been a breach of the Council procedure rules or the law. This is a very narrow definition, upon which the Chair's ruling is final.

Political Balance Rules – Sections 15-17 of the Local Government and Housing Act 1989 ("the Act") require the Council to follow rules to secure the political balance on Committees and Sub Committees. Political groups for the purposes of the Act should not be confused with political parties. The formula for determining entitlement to seats is complicated but the number of seats on the main Committees allocated to a political group must bear the same relationship to the total membership of the Council.

Political Proportionality – A legal principle which dictates that Committees of the Council must include elected politicians in proportion to the size of their groups on the Council as a whole.

Powers – The Council provides a wide range of services either directly itself or by commissioning services from outside organisations. The Council largely works within powers laid down under Acts of Parliament but the Council also has a general power of competence (The Localism Act 2011). Most Council services are mandatory. This means that the Council must do them because they are under a duty to do so by law. Some Council services and functions are discretionary; these are services a Council can choose to provide.

Proper Officer – A senior officer of the Council who is given a set of responsibilities by statute.

Proposition/Proposal – A formal suggestion/motion put forward for consideration by the Committee or Council meeting. A proposition/proposal must be seconded before it can be debated or voted upon.

Questions – Questions at ordinary meetings of the Council can either be from the public or from Councillors. At some other Committees, for example Planning or Licensing, members of the public can make representations according to the rules of these Committees.

Quorum – The minimum number of Councillors that must be present at either a Council meeting or a Committee meeting to make the proceedings of that meeting valid.

Report – This is the written format of information put before the Council or a Committee. A report must provide sufficient information and detail for Councillors to take a lawful and informed decision on the subject matter. A report will have a form of action or a decision to take no action or note something.

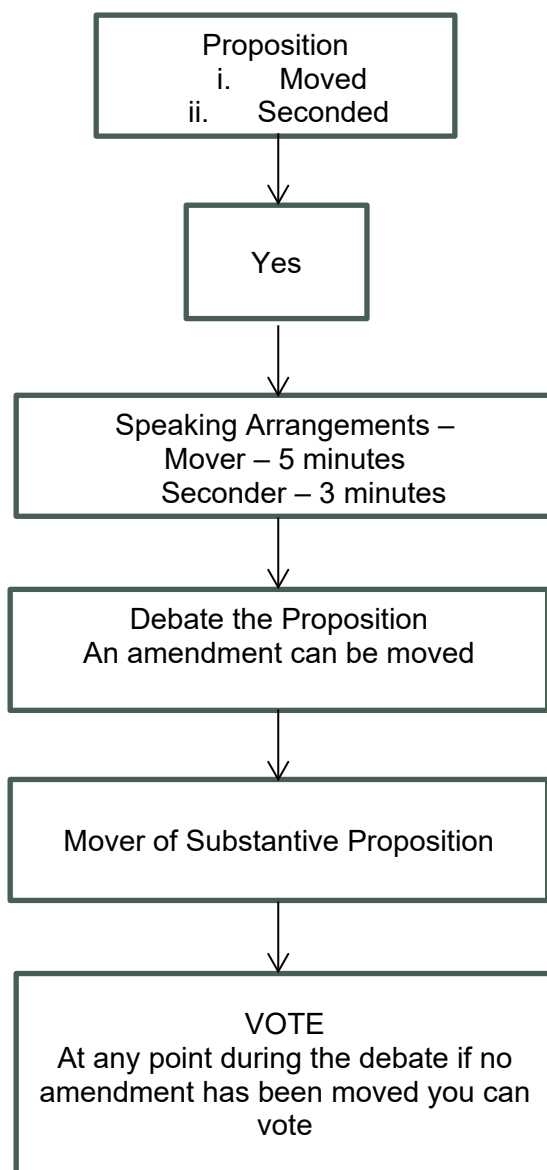
A report is prepared by Officers for and on behalf of elected Councillors. A report is not to be confused with laying down a formal motion. When a report is placed before Council or a Committee, a Councillor must move the recommendation(s) and they must be seconded before they can be debated. Any elected Councillor can put forward an amended recommendation and seek a seconder for that.

Requisition – This is a request or call for an additional Council (extraordinary) meeting.

Statute – This is an Act of Parliament.

Substitute – A substitute on a Committee is a Councillor acting in the place of another Councillor.

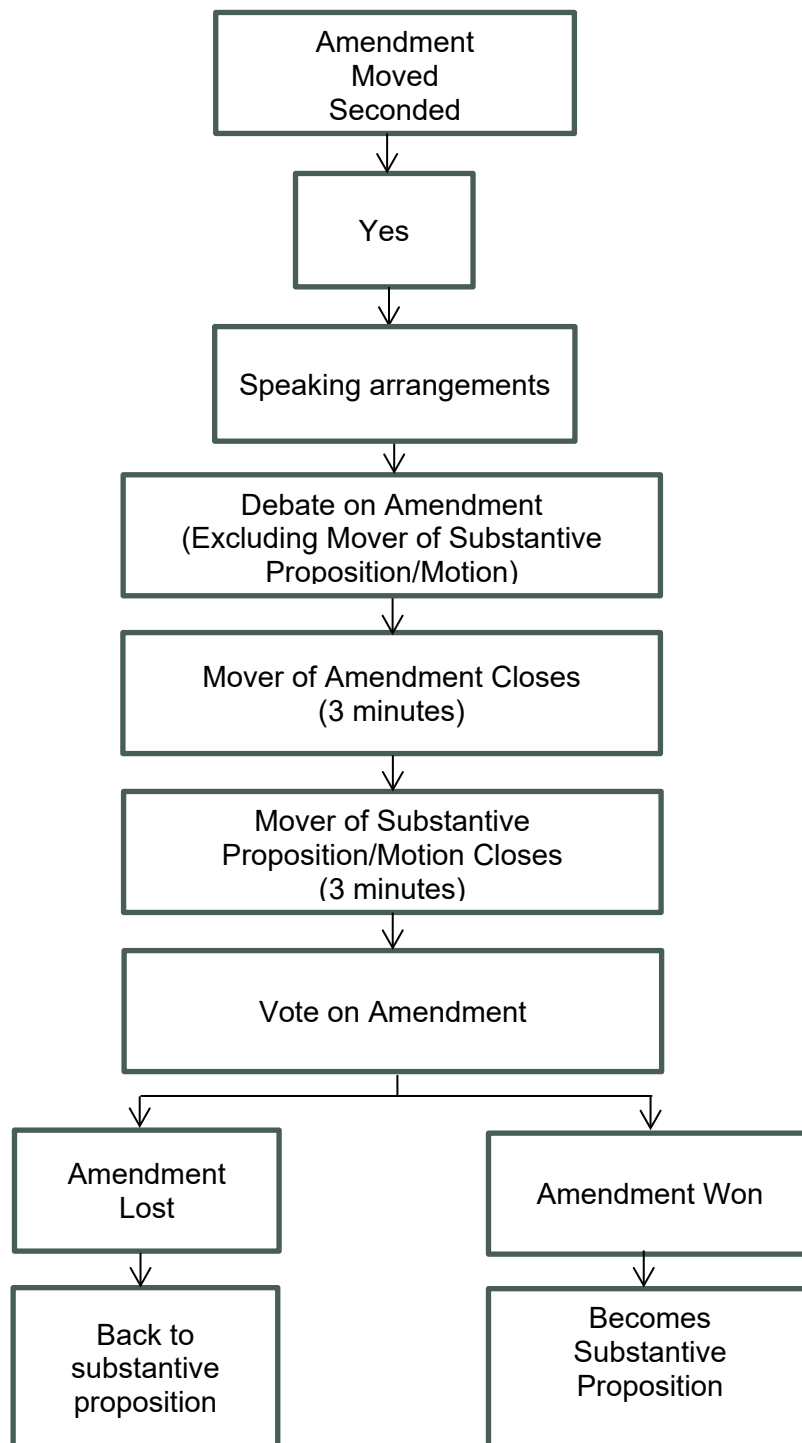
Dealing with Main Substantive/Original Proposition/Motion



At any time after moved and seconded:

Point of Order – A point of order may be raised by a Councillor who believes that there has been a breach of the Council procedure rules or the law.

Dealing with Amendments



At any time after moved and seconded:
Point of Order – A point of order may be raised by a Councillor who believes that there has been a breach of the Council procedure rules or the law.