

Chapter 1

The Council's Constitution – Summary and Explanation

Halton Borough Council has agreed a Constitution which sets out how the Council operates, how decisions are made and the procedures which are followed to ensure that these are efficient, transparent and accountable to local people. Some of these processes are required by the law, while others are a matter for the Council to choose.

The Constitution is divided into 17 articles which set out the basic rules governing the Council's business.

More detailed procedures and codes of practice are provided in separate rules and protocols at the end of the document.

Aims and objectives of the Council

The Council is committed to providing services to the Halton community, which are of a high quality in the most efficient and cost-effective way. This commitment is reflected in the duty to provide 'best value'. The Council has adopted a Vision which sets out the Council's aims and objectives for Halton.

Our Vision for Halton Borough Council

Halton will be a thriving and vibrant Borough where people can learn and develop their skills; enjoy a good quality of life with good health; a high quality, modern urban environment; the opportunity for all to fulfil their potential; greater wealth and equality; sustained by a thriving business community; and a safer, stronger and more attractive neighbourhood.

Therefore, the Council will work vigorously to see this vision realised and will make sure that:

- the community is offered leadership which maintains open and democratic processes that encourage local people to become involved in decisions that directly affect them and future generations;
- the community receives value for money services of the highest quality that are accessible, affordable and focused on local needs; and that
- the Council is a first class employer that engages a well-trained, motivated and committed workforce in a working environment of trust, co-operation and respect.

How the Council operates

The Council is composed of 56 councillors with one-third elected three years in four. Councillors are democratically accountable to residents of their ward. The overriding duty of councillors is to the whole community, but they have a special duty to their constituents, including those who did not vote for them.

Councillors have to agree to follow a code of conduct to ensure high standards in the way they undertake their duties. The Standards Committee trains and advises them on the code of conduct.

All councillors meet together as the Council. Meetings of the Council are normally open to the public. Here councillors decide the Council's overall policies and set the budget each year. Annually, the Council is responsible for appointing the leader, the chairs/vice chairs and membership of Policy and Performance boards, Forums and Panels and committees. The leader is responsible for appointing members to the Executive and sub-committee of the Executive. Time is set aside at all Policy and Performance Boards for the public to ask questions. The Council also operates a call-in procedure for Executive decisions. Public speaking on planning applications has also been introduced at the Development Control Committee.

HOW DECISIONS ARE MADE

The Executive and its sub-committees/boards are the part of the Council which is responsible for most day-to-day decisions. The Executive is made up of a leader and cabinet of up to 9 councillors whom he appoints. When major decisions are to be discussed or made, these are published in the Executive's Forward Plan in so far as they can be anticipated. If these major decisions are to be discussed with council officers at a meeting of the Executive, this will generally be open for the public to attend except where personal, confidential or exempt matters are being discussed. The Executive has to make decisions which are in line with the Council's overall policies and budget. If it wishes to make a decision which is outside the budget or policy framework, this must be referred to the Council as a whole to decide.

OVERVIEW AND SCRUTINY

There are six Policy and Performance Boards which support the work of the Executive and the Council as a whole. They allow citizens to have a greater say in Council matters by holding public inquiries into matters of local concern. These lead to reports and recommendations which advise the Executive and the Council as a whole on its policies, budget and service delivery. Policy and Performance Boards also monitor the decisions of the Executive. They can 'call-in' a decision which has been made by the Executive but not yet implemented. This enables them to consider whether the decision is appropriate. They may identify and examine issues of interest or concern, contribute to the development of policy, and may also be consulted by the Executive or the Council with a view to making comments and recommendations to inform decision-making.

The Council now has a formal role in relation to the scrutiny of Health Services and has allocated this role to the Healthy Halton Policy & Performance Board. Policy and Performance Boards also have scope to examine issues and activities involving other agencies, organisations and partnerships.

In order to give local citizens a greater say in Council affairs, borough wide Area Forums have been introduced. These cover the following wards:

Area 1 – Broadheath, Ditton, Hale, Hough Green
Area 2 – Riverside, Appleton, Kingsway

Area 3 – Farnworth, Halton View, Birchfield
Area 4 – Mersey, Heath, Grange, Halton Brook
Area 5 – Castlefields, Norton North, Norton South, Windmill Hill
Area 6 – Beechwood, Halton Lea
Area 7 – Daresbury

and their terms of reference are

To act as promoters of the areas interest as follows:

- (a) to contribute to the development of the community strategy and other plans or policies affecting the area;
- (b) to examine the impact and co-ordination of council policies and services;
- (c) to submit recommendation of the panel meetings relating to the particular area to the Executive Board
- (d) to request attendance of Executive Board members or officers to answer questions on local issues;
- (e) to consider areas of local concern;
- (f) to indicate views on any issues referred to the Area Forum by the Executive Board
- (g) to indicate views on a defined range of issues requiring local member consultation, for example highways matters.

They involve councillors for each particular area and are held in public.

The Council's Staff

The Council has people working for it (called 'officers') to give advice, implement decisions and manage the day-to-day delivery of its services. Some officers have a specific duty to ensure that the Council acts within the law and uses its resources wisely. A code of practice governs the relationships between officers and members of the Council.

Citizens' Rights

Citizens have a number of rights in their dealings with the Council. These are set out in more detail in Article 3. Some of these are legal rights, whilst others depend on the Council's own processes. The local Citizens' Advice Bureau can advise on individuals' legal rights.

Where members of the public use specific Council services, for example as a parent of a school pupil or as a Council tenant, they have additional rights. These are not covered in this Constitution.

Citizens have the right to:

- vote at local elections if they are registered;
- contact their local councillor about any matters of concern to them;
- obtain a copy of the Constitution;
- attend meetings of the Council and its committees except where, for example, personal or confidential matters are being discussed;
- petition to request a referendum on a mayoral form of executive;
- Contribute to investigations by the Policy and Performance Boards by participating in public question time
- find out, from the Executive's Forward Plan, what major decisions are to be discussed by the Executive or decided by the Executive or officers, and when;
- attend meetings of the Executive where key decisions are being discussed or decided;
- see reports and background papers, and any record of decisions made by the Council and Executive (except for exempt and confidential matters);
- complain to the Council about the standard of service or lack of action by the Council where the complainant remains dissatisfied with the Council's initial response;
- complain to the Ombudsman if they think the Council has not followed its procedures properly. However, they should only do this after using the Council's own complaints process;
- complain to the Standards Board for England if they have evidence which they think shows that a councillor has not followed the Council's Code of Conduct; and
- inspect the Council's accounts and make their views known to the external auditor.

The Council welcomes participation by its citizens in its work. For further information on your rights as a citizen, please contact Mr. D. Parr, Chief Executive, Municipal Building, Kingsway, Widnes WA8 7QF – Tel 0151 907 8300.

Citizens have a right to inspect agendas and reports and attend meetings. Citizens have a right to ask questions at Policy and Performance board meetings and to take part in the public speaking on planning applications. Please refer to Appendix 1 and Appendix 6.

Chapter 2

Article 1 – The Constitution

1.01 Powers of the Council

The Council will exercise all its powers and duties in accordance with the law and this Constitution.

1.02 The Constitution

This Constitution, and all its appendices, is the Constitution of the Halton Borough Council.

1.03 Purpose of the Constitution

The purpose of the Constitution is to:

1. enable the Council to provide clear leadership to the community in partnership with citizens, businesses and other organisations;
2. support the active involvement of citizens in the process of local authority decision-making;
3. help councillors represent their constituents more effectively;
4. enable decisions to be taken efficiently and effectively;
5. create a powerful and effective means of holding decision-makers to public account;
6. ensure that no one will review or scrutinise a decision in which they were directly involved;
7. ensure that those responsible for decision making are clearly identifiable to local people and that they explain the reasons for decisions; and
8. provide a means of improving the delivery of services to the community.

CONSTITUTION

Aims and objectives of the Council

The Council is committed to providing services to the Halton community, which are of a high quality, in the most efficient and cost-effective way. This commitment is reflected in the duty to provide 'best value'. The Council has adopted a Vision statement which sets out the Council's overall aims and objectives.

Our Vision for Halton Borough Council

Halton will be a thriving and vibrant Borough where people can learn and develop their skills; enjoy a good quality of life with good health; a high quality, modern urban environment; the opportunity for all to fulfil their potential; greater wealth and equality; sustained by a thriving business community; and a safer, stronger and more attractive neighbourhood.

The Council has identified the following key priority areas for action.

A SAFER HALTON

Our overall aim

To ensure pleasant, safe and secure neighbourhood environments with attractive, safe surroundings, good quality local amenities and the ability of people to enjoy life where they live.

A HEALTHY HALTON

Our overall aim

To create a healthier community and work to promote well-being, a positive experience of life with good health (not simply an absence of disease), and offer opportunities for people to take responsibility for their health with the necessary support available.

HALTON'S URBAN RENEWAL

Our overall aim

To transform the urban fabric and infrastructure, to develop exciting places and spaces and to create a vibrant and accessible Borough that makes Halton a place where people are proud to live and see a promising future for themselves and their families.

CHILDREN AND YOUNG PEOPLE IN HALTON

Our overall aim

To ensure that in Halton children and young people are safeguarded, healthy and happy, and receive their entitlement of high quality services that are sensitive to need, inclusive and accessible to all.

EMPLOYMENT LEARNING AND SKILLS IN HALTON

Our overall aim

To create an economically prosperous borough that encourages investment, entrepreneurship, enterprise and business growth, and improves the education, skills

and employment prospects of our residents and workforce so they can share in all the opportunities Halton affords.

CORPORATE EFFECTIVENESS AND EFFICIENT SERVICE DELIVERY

Our overall aim

To create the maximum effect on the quality of life in the communities of Halton through the efficient use of the Council's resources.

Further details on the priority areas and the particular contribution that the Council itself will make towards achieving its aims and objectives with regard to the priorities outlined above, are set out in the Council's Corporate Plan. This is the primary document governing the activities of the Council until April 2011 (when it will be reviewed). It provides a mandate and strategic direction for the activities of the Council and its Executive Board, and a framework for service and resource planning.

An important part of ensuring that progress on the priority areas is made, is the recognition that other agencies and organisations in the Borough have a key role to play. The Council has a long history of working in partnership with others in its aim to improve services and make progress on the priorities identified within Halton. Those partners include the health agencies, the police, private businesses, and voluntary and community groups. In order to ensure that this is maintained and improved upon, a formal multi-agency partnership board, known as the Halton Strategic Partnership Board has been established. This board has agreed a long-term vision for Halton, that is, defining the type of place we want Halton to be. It will also look at the key priorities for Halton, and where future resources and services across all the agencies can be more effectively co-ordinated and targeted to those areas most in need.

1.04 Interpretation and Review of the Constitution

Where the Constitution permits the Council to choose between different courses of action, the Council will always choose that option which it thinks is closest to the purposes stated above.

The Council will monitor and evaluate the operation of the Constitution as set out in Article 15.

Article 2 – Members of The Council

2.01 Composition and eligibility

(a) **Composition.** The Council will comprise 56 members, otherwise called councillors. One or more councillors will be elected three years in every four by the voters of each ward in accordance with a scheme drawn up by the Local Government Commission and approved by the Secretary of State or drawn up by the Electoral Commission.

(b) **Eligibility.** Only registered voters of the borough or those living or working there will be eligible to hold the office of councillor.

2.02 Election and terms of councillors

Election and terms

Elections of a third (or as near as may be) of all Councillors are held on the first Thursday in May in each year. In 2009 and every fourth year after there will be no regular election. The terms of office of councillors will be 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.

2.03 Roles and functions of all councillors

(a) **Key roles.** All councillors will:

(i) collectively be the ultimate policy-makers and carry out a number of strategic and corporate management functions;

(ii) represent their communities and bring their views into the Council's decision-making process, i.e. become the advocate of and for their communities;

(iii) contribute to the good governance of the area and actively encourage community participation and citizen involvement in decision making;

(iv) deal with individual casework and act as an advocate for constituents in resolving particular concerns or grievances;

(v) effectively represent the interests of their ward and of individual constituents;

(vi) balance different interests identified within the ward and represent the ward or electoral division as a whole;

(vii) respond to constituents' enquiries and representations fairly and impartially;

(viii) be involved in decision-making;

(ix) be available to represent the Council on other bodies;

(x) maintain the highest standards of conduct and ethics; and

(xi) participate in the governance and management of the Council.

(b) Rights and duties

(i) Councillors will have such rights of access to such documents, information, land and buildings of the Council as are necessary for the proper discharge of their functions and in accordance with the law, and in accordance with the Council's code on members' right of access to council documents at Appendix 2.

(ii) Councillors will not make public information which is confidential or exempt without the consent of the Council or divulge information given in confidence to anyone other than a councillor or officer entitled to know it.

(iii) For these purposes, “confidential” and “exempt” information are defined in the Access to Information Rules in Chapter 4 of this Constitution.

2.04 Conduct

Councillors will at all times observe the Members’ Code of Conduct and the Protocol on Member/Officer Relations set out in Chapter 5 of this Constitution.

2.05 Allowances

Councillors will be entitled to receive allowances in accordance with the Members’ Allowances Scheme set out in Chapter 6 of this Constitution.

2.06 Role Profiles

The Council has agreed a series of Role Profiles explaining the roles of Members (including the roles of Members that have been given special responsibilities) in more detail. The Role Profiles are set out in Chapter 8.

Article 3 – Citizens and The Council

3.01 Citizens’ rights

Citizens have the following rights. Their rights to information and to participate are explained in more detail in the Access to Information Rules in Chapter 4 of this Constitution:

(a) **Voting and petitions.** Citizens on the electoral roll for the area have the right to vote and sign a petition to request a referendum for an elected mayor form of Constitution.

(b) **Information.** Citizens have the right to:

(i) attend meetings of the Council and its committees except where confidential or exempt information is likely to be disclosed and the meeting is therefore held in private;

(ii) attend meetings of the Executive when key decisions are being considered;

(iii) find out from the Forward Plan what key decisions will be taken by the Executive and when;

(iv) see reports and background papers, and any records of decisions made by the Council and the Executive; and

(v) inspect the Council’s accounts and make their views known to the external auditor.

(c) **Participation.** Citizens have the right to attend and to contribute to investigations by Policy and Performance Boards by participating in public question time.

(d) **Complaints.** Citizens have the right to complain to:

(i) the Council itself under its complaints scheme;

(ii) the Ombudsman after using the Council's own complaints scheme;

(iii) the Standards Board for England about a breach of the Councillor's Code of Conduct.

Corporate Complaints

In order to ensure that complaints about services are dealt with in a consistent manner, the Council has in place a 'Corporate Complaint Procedure'. This procedure covers formal complaints, that is, dissatisfaction about the standard of a service, or lack of action by the Council and where the complainant remains dissatisfied with the Council's initial response.

A number of types of complaint are excluded from this procedure. These include

- Complaints which are essentially criticisms of, or disagreements with, Council policies or decisions
- Complaints against individual employees which arise directly from dissatisfaction with a Council policy or decision
- Complaints against schools which are subject to a different set of arrangements
- Parents of children who receive services from Social Services who have a right to complain under Section 26(3) of the 1989 Children Act
- Routine requests for a service or information
- Matters for which there is a right of appeal or legal remedy.

A Step by Step guide should you wish to complain about Council services is available on request from Halton Direct Link. This sets out how to progress a complaint and the process that will be followed in order to resolve it.

3.02 Citizens' responsibilities

Citizens must not be violent, abusive or threatening to councillors or officers and must not wilfully harm things owned by the Council, councillors or officers.

Article 4 – The Full Council

4.01 Meanings

(a) **Policy Framework.**

The policy framework means the following plans and strategies:-

- Annual Library Plan;
- Best Value Performance Plan;
- Children and Young People Plan;
- Community Strategy
- Crime and Disorder Reduction Strategy;
- Local Transport Plan;
- Plans and alterations which together comprise the Development Plan;
- Youth Justice Plan;
- Council's Corporate Plan;
- Food Law Enforcement Service Plan;
- The plan and strategy which comprise the Housing Investment Programme;
- Adult Learning Plan;
- Lifelong Learning Development Plan;
- Local Agenda 21 Strategy;
- Quality Protects Management Action Plan;
- Social Exclusion Strategy;
- Contaminated Land Strategy;
- Licensing Authority Policy Statement.

(b) **Budget.** The budget includes the allocation of financial resources to different services and projects, proposed contingency funds, the council tax base, setting the council tax and decisions relating to the control of the Council's borrowing requirement, its investments and the control of its capital expenditure and the setting of virement limits.

4.02 Functions of the full Council

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 Chapter 4 of this Constitution, making decisions about any matter in the discharge of an Executive function which is covered by the policy framework or the budget where the decision maker 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) appointing the leader;

(e) agreeing and/or amending the terms of reference for all boards, Forums and Panels, regulatory and other committees, deciding on their composition and making appointments to them;

(f) appointing representatives to outside bodies unless the appointment is an Executive function or has been delegated by the Council (NB casual vacancies arising during the year are delegated to the Chief Executive in consultation with the Leader);

- (g) adopting an allowances scheme under Article 2.05;
- (h) applying to change the name of the area, conferring the title of honorary alderman or freedom of the borough;
- (i) confirming the appointment of the head of paid service;
- (j) making, amending, revoking, re-enacting or adopting bylaws and promoting or opposing the making of local legislation or personal Bills;
- (k) all local choice functions set out in Chapter 3 of this Constitution which the Council decides should be undertaken by itself rather than the Executive; and
- (l) all other matters which, by law, must be reserved to Council.

4.03 Council meetings

There are three types of Council meeting:

- (a) the annual meeting;
- (b) ordinary meetings;
- (c) extraordinary meetings.

and they will be conducted in accordance with the Council Procedure Rules in Chapter 4 of this Constitution.

4.04 Responsibility for functions

The Council will maintain the tables in Chapter 3 of this Constitution setting out the responsibilities for the Council's functions which are not the responsibility of the Executive .

Article 5 – Chairing The Council

5.01 Role and function of the mayor

The Mayor and in his/her absence, the Deputy Mayor will have the following roles and functions:

- i. The main duty of the Mayor is to preside over principal meetings of the Council and, if present at the meeting, he/she must preside. (Local Government Act 1972, Schedule 12, paragraph 5(5)).
- ii. If the Mayor is not present at the Council meeting the Deputy Mayor has to preside.
- iii. The person presiding at the Annual Meeting must give a casting vote in the event of any equality of votes for the election of a new Mayor. This is in addition to any other vote he or she may have cast (Section 4(3) of the 1972 Act).

iv. Standing Orders give the Mayor specific powers in Charing Council meetings.

The Mayor's ruling on any matter, whether it be the admissibility of a point of order or a ruling upon the result of a vote, or upon a ruling to refuse to hear a person, is final and is not open to challenge.

v. The Mayor may call an extraordinary meeting of Council subject to proper procedures being followed (Local Government Act 1972, Schedule 12, paragraph 3).

vi. If the Mayor fails or refuses to call an extraordinary meeting within seven days after a requisition for that purpose by five members has been presented to him/her, any five members may forthwith call an emergency meeting. (Local Government Act 1972, Schedule 12, paragraph 3.)

vii. The Mayor may perform certain tasks in a similar manner to a Justice of the Peace. By virtue of the Administration of Justice Act 1973, and section 10(2) of the Justices of the Peace Act 1979, they may do the following:

(a) sign any document for the purpose of authenticating another person's signature;

(b) take and authenticate by their signature any written declaration not made on oath;

(c) give a certificate of facts within their knowledge or of their opinion as to any matter.

PRECEDENCE

The Mayor is the first citizen of the borough, and has right of precedence in attendance at functions, and speaking at functions, in appearing at parades and the like, over all except on the occasion of a Royal visit, when Royalty and the Lord Lieutenant (the Lord Lieutenant takes precedence only when representing Royalty) will have precedence.

When undertaking formal civic duties, such as at a Council meeting, appearing at a parade, receiving distinguished visitors, the Mayor will usually be robed and wearing the chain. The Mayor's Secretary and the Mayor's Attendant will advise on the detailed protocol on the occasion when this is required.

CHAIRING THE COUNCIL MEETING

The Mayor will be elected by the Council annually. The Mayor will have the following responsibilities:

1. to preside over meetings of the Council so that its business can be carried out efficiently and with regard to the rights of councillors and the interests of the community;

2. to ensure that the Council meeting is a forum for the debate of matters of concern to the local community and the place at which members who are not on the Executive are able to hold the Executive to account;

3. to promote public involvement in the Council's activities;
4. to attend such civic and ceremonial functions as the Council and he/she determines appropriate; and
5. to participate in the Council's dispute solving process.

Article 6 – Policy and Performance Boards (PPBs)

6.01 Terms of reference

The Council will appoint the Policy and Performance Boards set out in the left hand column of the table below to discharge the functions conferred by section 21 of the Local Government Act 2000 or regulations under section 32 of the Local Government Act 2000 in relation to the matters set out in the right hand column of the same table.

COMMITTEE/BOARD	SCOPE
CORPORATE SERVICES POLICY AND PERFORMANCE BOARD	The primary function of the Corporate Services PPB is to scrutinise that the Council (and its Partners) have available the necessary finance, organisation and people, physical resources, communication and information, and that those resources are effectively focused on achieving the Council's priorities.
HEALTHY HALTON POLICY AND PERFORMANCE BOARD	The primary function is to focus on the work of the Council (and its Partners) in seeking to Improve Health in the Borough and to scrutinise progress against the Corporate Plan in relation to the Healthy Halton Priority.
CHILDREN AND YOUNG PEOPLE POLICY AND PERFORMANCE BOARD	The primary function is to focus on the work of the Council (and its Partners) in seeking to ensure that children and young people in Halton have the best possible start in life and the opportunity to fulfil their potential and succeed, and to scrutinise progress against the Corporate Plan in relation to the Children and Young People Priority.
EMPLOYMENT, LEARNING AND SKILLS POLICY AND PERFORMANCE BOARD	The primary function is to focus on the work of the Council (and its Partners) in seeking to improve economic prosperity in Halton and the skills and employment prospects of its residents, and to scrutinise progress against the Corporate Plan in relation to the Employment, Learning and Skills Priority.

SAFER HALTON POLICY AND PERFORMANCE BOARD	The primary function is to focus on the work of the Council (and its Partners) in seeking to ensure that the environment within the Borough is safe and attractive for local people to enjoy, and to scrutinise progress against the Corporate Plan in relation to the Safer Halton Priority.
URBAN RENEWAL POLICY AND PERFORMANCE BOARD	The primary function is to focus on the work of the Council (and its Partners) in seeking to bring about the Urban Renewal of the Borough and to scrutinise progress against the Corporate Plan in relation to the Urban Renewal Priority.

6.02 General role

Within their terms of reference, Policy and Performance Boards will:

- i) examine the subject matter of forthcoming decisions and, where appropriate, make recommendations to inform and strengthen decision-making;
- ii) review and/or scrutinise decisions made or actions taken in connection with the discharge of any of the Council's functions;
- ii) make reports and/or recommendations to the full Council and/or the Executive and/or any organisation, partnership, joint arrangement or Area Forum in connection with the discharge of any functions;
- iii) consider any matter affecting the area or its inhabitants; and
- iv) exercise the right to call-in, for reconsideration, when a decision is made but not yet implemented by the Executive Board and Executive Board Sub-Committee.

6.03 Scrutiny.

Policy and Performance Boards may

- i. review and scrutinise the decisions made by, and the performance of, the Executive Board and Executive Board Sub-Committee and Council officers both in relation to individual and collective decisions;
- ii. review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;
- iii. question members of the Executive and chief officers about their decisions and performance, whether generally in comparison with service plans and targets over a period of time, or in relation to particular decisions, initiatives or projects;

- iv. make recommendations to the Executive and/or Council arising from the outcome of the scrutiny process;
- v. review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the Policy and Performance Boards and local people about their activities, plans and performance; and
- vi. question and gather evidence from any person (with their consent).

In addition, the Council now has a formal role in relation to scrutiny of The Health Service.

Finance. Policy and Performance Boards may exercise overall responsibility for the finances made available to them.

Annual report. Policy and Performance Boards must report annually to full Council on their workings and make recommendations for future work programmes and amended working methods if appropriate.

Operating considerations. In carrying out their functions, Policy and Performance Boards shall have regard to:

- i. the need to maintain effective and beneficial relationships with the European Community and subsidiary organisations;
- ii. the principles and practice of best value, value for money and economy, efficiency and effectiveness at all appropriate times;
- iii. the need to ensure equality of opportunity in the delivery of services by the Council;
- iv. the community strategy and the strategic policy framework of the Council;
- v. the views of any Area Forum which have been consulted on any issues being examined by the Policy and Performance Boards;
- vi. the views of the public and stakeholders within the community which have been consulted by the Policy and Performance Boards.

Powers and Duties of the Policy & Performance Boards

1. Policy and Performance Boards shall:
 - (i) Initiate new policy proposals for consideration by the Executive Board/Council;
 - (ii) Monitor performance and offer comments and recommendations for improvements;
 - (iii) Review and make recommendations on policies, strategies and plans;
 - (iv) Promote public confidence in the Council's services;
 - (v) Hold Executive Board members and senior officers to account;
 - (vi) Monitor Executive Board compliance with agreed policies;
 - (vii) Ensure adherence to the priorities in the Council's Corporate Plan;
 - (viii) Receive a report on any petitions received by the Council relating to the Board's policy area and/or any action taken or proposed to be taken by the Executive (or Executive Board Sub-Committee Portfolio Holder or an officer acting under delegated powers).
2. To receive representations, evidence or expert opinion from outside the Council and to draw conclusions from such representations to the attention of the Executive Board/Council as appropriate.
3. To consult with the public where appropriate in relation to Council services which fall within the terms of reference of the Policy & Performance Board.
4. To review any area of income and expenditure which falls within the remit of the Policy & Performance Board.
5. To make recommendations to the Executive Board on the financial aspects of the proposals which fall within the remit of the Policy & Performance Board.
6. To request the Executive Board where appropriate to make a report to the Council on any decision not included in the Forward Plan which the Policy & Performance Board consider should have been included in the Forward Plan. The Executive Board will be required to explain the decision and why it was not included in the Forward Plan.
7. The Chair of the Policy & Performance Board will receive all papers relating to a decision which is in the Forward Plan when the Forward Plan is finalised and published. The Chair will be entitled to receive these papers at least five days before the decision is taken.

8. To examine systematically the services of the Council within the remit of the Board in order to assess their efficiency, effectiveness, economy, quality and value for money.
9. To consult with the Executive on any plan or strategy including strategic policy.
10. To monitor the Citizens' Charter and Complaints Procedure and make recommendations to the Executive Board.
11. The Healthy Halton Policy and Performance Board to examine the healthcare provision within the area in relation to all residents of the Borough. To participate in all initiatives for improving health and the healthcare provision within the area and to call officers from the Health Authority to account and request them to appear before the Policy & Performance Board when appropriate.
12. The Corporate Services Policy and Performance Board to set up a Panel of 5 Members (selected by the Committee Services Manager in consultation with the Chairman) as necessary to hear and determine complaints under the Corporate Complaints Procedure.
13. To provide informed input in response to requests from the Executive Board for advice, options and appraisal on matters falling within the remit of the Policy & Performance Board.
14. To the extent that matters are delegated to the Executive Board Sub-Committee, to exercise their powers and duties in relation to the work of the Executive Board Sub-Committee in the same way as though the matters in question were being dealt with by the Executive Board itself.
15. To authorise expenditure on civic hospitality up to a maximum of £500 per annum.

6.04 Proceedings of Policy and Performance Boards

Policy and Performance Boards will conduct their proceedings in accordance with the Overview and Scrutiny Procedure Rules set out in Chapter 4 of this Constitution.

6.05 The Council will appoint one of its Members to act as the Scrutiny Co-Ordinator to carry out the functions and responsibilities set out in the Role Profile for the Scrutiny Co-Ordinator (see Chapter 8).

Article 7 – The Executive

7.01 Role

The Executive will carry out all of the local authority's functions which are not the responsibility of any other part of the local authority, whether by law or under this Constitution.

7.02 Form and composition

The Executive will consist of the Executive leader together with at least 2, but not more than 9, councillors appointed to the Executive by the Executive leader.

The Leader may also appoint a Member Without Portfolio, outside the Executive, to carry out the functions outlined in Chapter 8 of this Constitution.

7.03 Leader

The leader will be a councillor elected annually to the position of leader by the Council. The leader will hold office until:

- (a) he/she resigns from the office; or
- (b) he/she is suspended from being a councillor under Part III of the Local Government Act 2000 (although he/she may resume office at the end of the period of suspension); or
- (c) he/she is no longer a councillor; or
- (d) in the event of a change in the political control of the Council

7.04 Other Executive members

Other Executive members shall hold office until:

- (a) they resign from office; or
- (b) they are suspended from being councillors under Part III of the Local Government Act 2000 (although they may resume office at the end of the period of suspension); or
- (c) they are no longer councillors; or
- (d) they are removed from office by the leader who must give written notice of any removal to the proper officer. The removal will take effect two working days after receipt of the notice by the proper officer.

7.05 Proceedings of the executive

Proceedings of the executive shall take place in accordance with the Executive Procedure Rules set out in Chapter 4 of this Constitution.

7.06 Responsibility for functions

The leader will maintain a list in Chapter 3 of this Constitution setting out which individual members of the Executive, committees of the Executive, officers or joint arrangements are responsible for the exercise of particular Executive functions.

Article 8 – Business Efficiency Board

8.01 Business Efficiency Board

The Business Efficiency Board is responsible for drawing up an Efficiency Strategy for the Authority based on Gershon principles, ensuring that it meets its statutory requirements for securing Best Value in all that it does: it is also responsible for ensuring that the Council has a high standard of corporate governance.

The terms of reference and functions of this Board are set out in detail in Appendix 4.

Article 9 - Regulatory and other committees

9.01 Regulatory and other committees

The Council's regulatory and other committees are

Development Control Committee

The Appeals Panel

The Appointments Committee

The Regulatory Committee

The terms of reference and functions of these bodies are set out in Appendix 4.

Article 10 – The Standards Committee

10.01 Standards Committee

The Council meeting will establish a Standards Committee.

10.02 Composition

(a) **Membership.** The Standards Committee is composed of:

- five councillors (only one Councillor will be an Executive Board member);
- two persons (25% of Membership of Committee) who are not councillors or officers of the council or any other body having a standards committee (independent members);
- one member of a parish council wholly or mainly in the Council's area (a Parish Member).

(b) **Independent members.** Independent members will be entitled to vote at meetings;

(c) **Parish members.** The Parish Member must be present when matters relating to those parish councils or their members are being considered;

(d) **Chairing the Committee.** A member of the Executive may not chair the committee.

10.03 Role and Function

The Standards Committee will have the following roles and functions:

(a) promoting and maintaining high standards of conduct by councillors, co-opted members and church and parent governor representatives;

(b) assisting the councillors and co-opted members to observe the Members' Code of Conduct;

(c) advising the Council on the adoption or revision of the Members' Code of Conduct;.

(d) monitoring the operation of the Members' Code of Conduct;

(e) advising, training or arranging to train councillors and co-opted members on matters relating to the Members' Code of Conduct;

(f) granting dispensations to councillor, co-opted members and church and parent governor representatives from requirements relating to interests set out in the Members' Code of Conduct;

(g) dealing with any reports from a case tribunal or interim case tribunal, and any report from the monitoring officer on any matter which is referred by an ethical standards officer to the monitoring officer;

(h) to establish a Sub-Committee consisting of five Members to hear and determine any matter which is referred to the Standards Committee for determination;

(i) the exercise of (a) to (h) above in relation to the parish councils wholly or mainly in its area and the members of those parish councils.

(j) overview of the confidential reporting protocols and codes.

Article 11 – Area Forums

11.01 Area Forums

The Council may appoint Area Forums as it sees fit, if it is satisfied that to do so will ensure improved service delivery in the context of best value and more efficient, transparent and accountable decision making.

The Council will consult with relevant parish and town councils and the chairmen of relevant parish meetings when considering any amendments to the establishment of the Area Forums.

The activities of Area Forums will be reported to the Corporate Services Policy and Performance Board in order to strengthen public accountability, to ensure they operate in keeping with the Council's corporate priorities and policy framework, to ensure probity and the effective use of Council and other resources at the disposal of the Area Forums and to help identify issues of wider corporate significance emerging from individual Area Forum discussions.

11.02 Form, composition and function

(a) **Table of Area Forums.** The Council will appoint the Area Forums as set out in the first column of the table below, composed as set out in the second column of that table and with the terms of reference set out in the third column.

NAME OF FORUM	COMPOSITION	TERMS OF REFERENCE
Riverside, Appleton & Kingsway	Members of the authority from the area together with invitees.	To reflect its consultative role, the Forum has an advisory capacity. Meetings will be held in public. Meetings will be held in local venues. There will be provision for public question and answer sessions (see Appendix 1). Widespread publicity for the meetings.
Castlefields, Norton North, Norton South & Windmill Hill	“	”
Broadheath, Ditton, Hale & Hough Green	“	”
Farnworth, Halton View & Birchfield	“	”
Mersey, Heath, Grange & Halton Brook	“	”
Beechwood & Halton Lea	“	”
Daresbury	“	”

11.03 Conflicts of interest – membership of Area Forums and Policy and Performance Boards

(a) **Conflict of interest.** If a Policy and Performance Board is scrutinising specific decisions or proposals in relation to the business of the Area Forum of which the councillor concerned is a member, then the councillor may not speak or vote at the Policy and Performance Board meeting unless a dispensation to do so is given by the Standards Committee.

(b) **General policy reviews.** Where the Policy and Performance Boards are reviewing policy generally the member must declare his/her interest before the relevant agenda item is reached, but need not withdraw.

11.04 Area Forums – access to information

Area Forums will comply with the Access to Information Rules in Chapter 4 of this Constitution.

11.05 Executive members on Area Forums

A member of the Executive may serve on an Area Forum if otherwise eligible to do so as a councillor.

Article 12– Joint Arrangements

12.01 Arrangements to promote well being

The Executive, in order to promote the economic, social or environmental well-being of its area, may:

- (a) enter into arrangements or agreements with any person or body;
- (b) co-operate with, or facilitate or co-ordinate the activities of, any person or body; and
- (c) exercise on behalf of that person or body any functions of that person or body.

12.02 Joint arrangements

(a) The Council may establish joint arrangements with one or more local authorities and/or their Executives to exercise functions which are not Executive functions in any of the participating authorities, or advise the Council. Such arrangements may involve the appointment of a joint committee with these other local authorities

(b) The Executive may establish joint arrangements with one or more local authorities to exercise functions which are Executive functions. Such arrangements may involve the appointment of joint committees with these other local authorities.

(c) Except as set out below, the Executive may only appoint Executive members to a joint committee and those members need not reflect the political composition of the local authority as a whole.

(d) The Executive may appoint members to a joint committee from outside the Executive in circumstances when the joint committee has functions for only part of the area of the authority, and that area is smaller than two-fifths of the authority by area or population. In such cases, the Executive may appoint to the joint committee any councillor who is a member for a ward which is wholly or partly contained within the area;

The political balance requirements do not apply to such appointments.

(e) Details of any joint arrangements including any delegations to joint committees will be found in the Council's scheme of delegations in Chapter 3 of this Constitution.

12.03 Access to information

(a) The Access to Information Rules in Chapter 4 of this Constitution apply.

(b) If all the members of a joint committee are members of the Executive in each of the participating authorities then its Access to Information regime is the same as that applied to the Executive.

(c) If the joint committee contains members who are not on the Executive of any participating authority then the Access to Information Rules in Part VA of the Local Government Act 1972 will apply.

12.04 Delegation to and from other local authorities

(a) The Council may delegate non-Executive functions to another local authority or, in certain circumstances, the Executive of another local authority.

(b) The Executive may delegate Executive functions to another local authority or the Executive of another local authority in certain circumstances.

(c) The decision whether or not to accept such a delegation from another local authority shall be reserved to the Council meeting.

12.05 Contracting out

The Executive may contract out to another body or organisation functions which may be exercised by an officer and which are subject to an order under section 70 of the Deregulation and Contracting Out Act 1994, or under contracting arrangements where the contractor acts as the Council's agent under usual contracting principles, provided there is no delegation of the Council's discretionary decision making.

Article 13 – Officers

13.01 Management structure

(a) **General.** The full Council may engage such staff (referred to as officers) as it considers necessary to carry out its functions.

(b) **Chief Officers.** The full Council will engage persons for the following posts, who will be designated chief officers:

POST	FUNCTIONS AND AREAS OF RESPONSIBILITY
Chief Executive and Head of Paid Service	<p>Overall corporate management, operational responsibility (including overall management responsibility for all officers)</p> <p>Provision of professional advice to all parties in the decision making process</p> <p>Together with the Monitoring Officer, responsibility for a system of record keeping for all the Council's decisions</p> <p>Representing the Council on partnership and external bodies (as required by statute or the Council)</p>
Strategic Director – Corporate and Policy	<p>Legal Services, Organisational Development and Human Resources Policy and Performance</p> <p>Property Services Financial Services ICT Services Exchequer and Customer Services</p>
Strategic Director - Environment	<p>Environmental and Regulatory Services Highways, Transportation and Logistics Economic Regeneration Major Projects Stadium and Hospitality</p>
Strategic Director - Children and Young People	<p>Vulnerable Children Learning and School Improvement Community Services Business, Planning and Resources</p>
Strategic Director – Health and Community	<p>Culture and Leisure Services Older People/Physical and Sensory Disability Services Adults of Working Age</p>

	Consumer Protection Health and Partnerships (including Housing) Community Safety
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(c) Head of Paid Service, Monitoring Officer and Chief Financial Officer.

The Council will designate the following posts as shown:

POST	DESIGNATION
Chief Executive	Head of Paid Service
Operational Director - Financial Services	Chief Finance Officer
Council Solicitor	Monitoring Officer
Strategic Director – Children and Young People	Director of Children’s Services
Strategic Director – Health and Community	Director of Adult Services

Such posts will have the functions described in Article 13.02–13.04 below.

(d) Structure. The Head of Paid Service will determine and publicise a description of the overall departmental structure of the Council showing the management structure and deployment of officers. This is set out at Chapter 7 of this Constitution.

(NB All references to the Council Solicitor in this Constitution shall include the Council Solicitor, and the Operational Director and Monitoring Officer (Legal, Organisational Development and Human Resources). In addition, all references to the Operational Director – Human Resources in this Constitution shall include the Operational Director – Human Resources, and the Operational Director and Monitoring Officer (Legal, Organisational Development and Human Resources.)

13.02 Functions of the Head of Paid Service

(a) Discharge of functions by the Council. The Head of Paid Service will report to full Council on the manner in which the discharge of the Council’s functions is co-ordinated, the number and grade of officers required for the discharge of functions and the organisation of officers.

(b) Restrictions on functions. The Head of Paid Service may not be the Monitoring Officer but may hold the post of Chief Finance Officer if a qualified accountant.

13.03 Functions of the Monitoring Officer

(a) Maintaining the Constitution. The Monitoring Officer will maintain an up-to-date version of the Constitution and will ensure that it is widely available for consultation by members, staff and the public.

(b) Supporting the Standards Committee. The Monitoring Officer will contribute to the promotion and maintenance of high standards of conduct through provision of support to the Standards Committee.

(c) **Ensuring lawfulness and fairness of decision making.** After consulting with the Head of Paid service and Chief Finance Officer, the Monitoring Officer will report to the full Council or to the Executive in relation to an Executive function – if he or she considers that any proposal, decision or omission would give rise to unlawfulness or if any decision or omission has given rise to maladministration. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.

(d) **Receiving reports.** The Monitoring Officer will receive and act on reports made by ethical standards officers and decisions of the case tribunals.

(e) **Conducting investigations.** The Monitoring Officer will conduct investigations into matters referred by ethical standards officers and make reports or recommendations in respect of them to the Standards Committee.

(f) **Proper officer for access to information.** The Monitoring Officer will ensure that Executive decisions, together with the reasons for those decisions and relevant officer reports and background papers are made publicly available as soon as possible.

(g) **Advising whether Executive decisions are within the budget and policy framework.**

The Monitoring Officer will advise whether decisions of the Executive are in accordance with the budget and policy framework.

(h) **Providing advice.** The Monitoring Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and budget and policy framework issues to all councillors.

(i) **Restrictions on posts.** The Monitoring Officer cannot be the Chief Finance Officer or the Head of Paid Service.

13.04 Functions of the Chief Finance Officer

(a) **Ensuring lawfulness and financial prudence of decision making.** After consulting with the Head of Paid service and the Monitoring Officer, the Chief Finance Officer will report to the full Council or to the Executive in relation to an Executive function – and the Council's external auditor if he or she considers that any proposal, decision or course of action will involve incurring unlawful expenditure, or is unlawful and is likely to cause a loss or deficiency or if the Council is about to enter an item of account unlawfully.

(b) **Administration of financial affairs.** The Chief Finance Officer will have responsibility for the administration of the financial affairs of the Council.

(c) **Contributing to corporate management.** The Chief Finance Officer will contribute to the corporate management of the Council, in particular through the provision of professional financial advice.

(d) **Providing advice.** The Chief Finance Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and budget and policy framework issues to all councillors and the elected mayor and will support and advise councillors and officers in their respective roles.

(e) **Give financial information.** The Chief Finance Officer will provide financial information to the media, members of the public and the community.

13.05 Duty to provide sufficient resources to the Monitoring Officer and Chief Finance Officer

The Council will provide the Monitoring Officer and Chief Finance Officer with such officers, accommodation and other resources as are sufficient to allow their duties to be performed.

13.06 Conduct

Officers will comply with the Officers' Code of Conduct and the Protocol on Officer/Member Relations set out in Chapter 5 of this Constitution.

13.07 Employment

The recruitment, selection and dismissal of officers will comply with the Officer Employment Rules set out in Chapter 4 of this Constitution.

Article 14 – Decision Making

14.01 Responsibility for decision making

The Council will issue and keep up to date a record of what part of the Council or individual has responsibility for particular types of decisions or decisions relating to particular areas or functions. This record is set out in Chapter 3 and Appendix 4 of this Constitution.

14.02 Principles of decision making

All decisions of the Council will be made in accordance with the following principles:

- i. Proportionality - the action will be proportionate to the desired outcome
- ii. Consultation – there will be appropriate consultation and professional advice obtained from officers
- iii. Human Rights – all decisions will take into account the European Convention on Human Rights
- iv. Openness and accessibility – in all decisions, there will be a presumption in favour of openness
- v. Clarity – there will be a clarity of aims and desired outcomes in respect of every decision made

14.03 Types of decision.

(a) Decisions reserved to full Council. Decisions relating to the functions listed in Article 4.02 will be made by the full Council and not delegated.

(b) Key decisions.

(i) A key decision is a decision which is likely:

(a) to result in a local authority incurring expenditure which is, or the making of savings which are, significant having regard to the local authority's budget for the service or function to which the decision relates;

or

(b) to be significant in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions in the area of the local authority.

(ii) A decision taker may only make a key decision in accordance with the requirements of the Executive Procedure Rules set out in Chapter 4 of this Constitution.

14.04 Decision making by the full Council

Subject to Article 14.08, the Council meeting will follow the Council Procedures Rules set out in Chapter 4 of this Constitution when considering any matter.

14.05 Decision making by the Executive

Subject to Article 14.08, the Executive and any committee of the Executive will follow the Executive Procedures Rules set out in Chapter 4 of this Constitution when considering any matter.

14.06 Decision making by Policy and Performance Boards

Policy and Performance Boards will follow the Policy and Performance Board Rules set out in Chapter 4 of this Constitution when considering any matter.

14.07 Decision making by other committees and sub-committees established by the Council

Subject to Article 14.08, other Council committees and sub-committees will follow those parts of the Council Procedures Rules set out in Chapter 4 of this Constitution as apply to them.

14.08 Decision making by Council bodies acting as tribunals

The Council, a councillor or an officer acting as a tribunal or in a quasi judicial manner or determining/considering (other than for the purposes of giving advice) the civil rights and obligations or the criminal responsibility of any person will follow a proper procedure which accords with the requirements of natural justice and the right to a fair trial contained in Article 6 of the European Convention on Human Rights.

Article 15 – Finance, Contracts and Legal Matters

15.01 Financial management

The management of the Council's financial affairs will be conducted in accordance with the Standing Orders relating to Finance set out in Chapter 4 of this Constitution.

15.02 Contracts

Every contract made by the Council will comply with the Contract Standing Orders set out in Chapter 4 of this Constitution.

15.03 Legal proceedings

The Council Solicitor is authorised to institute, defend or participate in any legal proceedings in any case where such action is considered necessary to give effect to decisions of the Council or in any case where such action is considered necessary to protect the Council's interests.

15.04 Authentication of documents

Where any document is necessary to any legal procedure or proceedings on behalf of the Council, it will be signed by the Council Solicitor or other person authorised by him/her, unless any enactment otherwise authorises or requires, or the Council has given requisite authority to some other person. Any contract with a value exceeding £10,000 entered into on behalf of the local authority in the course of the discharge of an Executive function shall be made in writing. Such contracts must either be signed by an officer of the authority at Operational Director level or made under the common seal of the Council attested by the Council Solicitor or his nominee.

15.05 Common Seal of the Council

The Common Seal of the Council will be kept in a safe place in the custody of the Council Solicitor. A decision of the Council, or of any part of it, will be sufficient authority for sealing any document necessary to give effect to the decision. The Common Seal will be affixed to those documents which in the opinion of the Council Solicitor should be sealed. The affixing of the Common Seal will be attested by the Council Solicitor or some other person authorised by him/her.

Article 16– Review and Revision of the Constitution

16.01 Duty to monitor and review the constitution

The Chief Executive will monitor and review the operation of the Constitution to ensure that the aims and principles of the Constitution are given full effect.

Protocol for monitoring and review of constitution by Chief Executive

A key role for the Chief Executive is to be aware of the strengths and weaknesses of the Constitution adopted by the Council, and to make recommendations for ways in which it could be amended in order better to achieve the purposes set out in Article 1. In undertaking this task the Chief Executive may:

1. observe meetings of different parts of the member and officer structure;
2. undertake an audit trail of a sample of decisions;
3. record and analyse issues raised with him/her by members, officers, the public and other relevant stakeholders; and
4. compare practices in this authority with those in other comparable authorities, or national examples of best practice.

16.02 Changes to the Constitution

(a) **Approval.** Changes to the Constitution will only be approved by the full Council after consideration of the proposal by the Chief Executive and the Executive Board Member for Corporate Services.

(b) **Change from a leader and cabinet form of executive to alternative arrangements, or vice versa.** The Council must take reasonable steps to consult with local electors and other interested persons in the area when drawing up proposals.

Article 17 – Suspension, Interpretation and Publication of the Constitution

17.01 Suspension of the Constitution

(a) **Limit to suspension.** Except as set out in 17.01(c) the Articles and rules of this Constitution may not be suspended. The Rules specified below may be suspended by the full Council to the extent permitted within those Rules and the law.

(b) Procedure to suspend. A motion to suspend any rules will not be moved without notice unless at least one half of the whole number of councillors are present. The extent and duration of suspension will be proportionate to the result to be achieved, taking account of the purposes of the Constitution set out in Article 1.

(c) The Rules relating to the debate procedure at Council Meetings may be suspended in accordance with Article 17.01. In addition, particularly in cases of emergency, delegated powers are granted to the Chief Executive in consultation with the Leader and Deputy Leader to amend the Articles and Rules (Standing Orders) by suspension, addition, adjustment or deletion of functions in the interests of ensuring fully accountable provision of local services consistent with the principles of best value, economy, efficiency and effectiveness.

References in the Articles and Rules to a particular piece of legislation shall extend to legislation that replaces or amends that legislation.

The above power may be exercised either to change the scheme generally or specifically in relation to a particular case or set of facts.

Where this power is exercised a report shall be submitted to the next suitable meeting of the Executive Board.

The Council must have available to it a way of dealing with problems immediately but with the political input guaranteed by consultation with Leader and Deputy Leader. The above wording provides that "safety valve."

17.02 Interpretation

The ruling of the Mayor as to the construction or application of this Constitution or as to any proceedings of the Council shall not be challenged at any meeting of the Council. Such interpretation will have regard to the purposes of this Constitution contained in Article 1.

17.03 Publication

(a) The Chief Executive will give a printed copy of this Constitution to each member of the authority upon delivery to him/her of that individual's declaration of acceptance of office on the member first being elected to the Council.

(b) The Chief Executive will ensure that copies are available for inspection at Council offices, libraries and other appropriate locations, and can be purchased by members of the local press and the public on payment of a reasonable fee.

(c) The Chief Executive will ensure that the summary of the Constitution is made widely available within the area and is updated as necessary. To this end, the full text of the Constitution is available on the internet and intranet.

Schedule 1: Description of Executive Arrangements

The following parts of this Constitution constitute the executive arrangements:

1. Article 6 (Policy and Performance Boards) and the Policy and Performance Board Rules;
2. Article 7 (The Executive) and the Executive Procedure Rules;
3. Article 11 (Area Forums) - Area Forums are set up to cover the whole area of the Borough but have no delegated functions;
4. Article 12 (Joint arrangements) – No functions are presently delegated by the Executive.
5. Article 14 (Decision making) and the Access to Information Procedure Rules;
6. Chapter 3 (Responsibility for Functions).

Chapter 3

Responsibility for Functions

The responsibility for functions are outlined in Appendix 4 in relation to

- i. Standing Orders relating to the Powers and Duties of Executive Board, Policy and Performance Boards, Committees and Forums and Panels
- ii. Standing Orders relating to Duties of Proper Officers and Delegations to Officers

