Durham County Council Constitution May 2023

inclusive and excludes Saturdays, Sundays and Bank

Holidays.

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.

Constitution A document setting out how the Council operates, how

decisions are made and all the procedures that have

to be followed.

Co-optee / Co-opted A non-councillor (may be non-voting) appointed to

serve on a committee / sub-committee in a

participatory capacity.

Corporate Directors The Officers in charge of the Council Directorates.

Council Committees May be established by the Council to assist with non-

Executive functions.

Council Procedure Rules Rules governing meetings of Council committees and

sub-committees, apart from the Executive.

Delegation Formal authorisation for a committee, portfolio holder,

joint committee or officer to take an action which is the ultimate responsibility of the Council or Executive.

Executive The Leader and the Cabinet; responsible for carrying

out most of the Council's functions. The Executive must consist of a minimum of three Councillors, including the Leader, and a maximum of 10.

Executive Procedure Rules The rules of procedure governing meetings of the

Executive. Note that Advisory Panels and Consultative Forums established by the Executive have their own

set of procedure rules.

Exempt Information Information falling into one of 7 categories set out in

Schedule 12A to the Local Government Act 1972 (as

amended) the Local Authorities (Executive

Arrangements) (Access to Information) (Amendment)

(England) Regulations 2006 and the Local

Government (Access to Information) (Variation) Order 2006 which usually cannot be publicly disclosed. See the Access to Information Procedure Rules in Part 4 of

the Constitution.



Forward Plan A schedule of the Key Decisions the Executive

expects to take over the next 4 months.

Head of Paid ServiceThe most senior officer, with overall responsibility for

the management and operation of the Council. The Head of Paid Service is a statutory 'proper officer' role.

Joint Committee A body appointed under <u>Section 101 of the Local</u>

Government Act 1972 (e.g. crematoria committees).

Key DecisionA decision by the Executive which is likely either to

incur significant expenditure/make significant savings or to have a significant impact on those living or working in 2 or more Wards (sometimes 1 Ward). (See

Article 10 for more information).

Leader of the Council Elected by the whole Council usually, though not

always, from within the political party group with most councillors on the Council. Proposes the membership of the Executive, which must then be approved by the

whole Council. Leads and Chairs the Executive.

Mayor Although the City of Durham has a ceremonial Mayor,

in this constitution, any reference to a mayor is to an elected mayor, which does not currently exist for the area and would require a change in the governance structure of the Council from the current Leader and

Cabinet model.

Monitoring Officer The Officer charged with ensuring that everything that

the Council does is fair and lawful. The Monitoring Officer is currently the Head of Legal and Democratic

Services. This is a statutory 'proper officer' role.

Overview & Scrutiny A Corporate Overview and Scrutiny Committee

providing strategic leadership and five thematic committees to provide support and advice to the Executive by contributing to the review and development of policy. Also to hold the Executive to

development of policy. Also to hold the Executive to account by questioning, challenging and monitoring

their performance.

Political Proportionality A legal principle which dictates that committees of the

Council (but not the Executive) must include elected politicians in proportion to the size of their groups on

the Council as a whole.



Portfolio Holder A Cabinet Member with responsibility for ensuring the

effective management and delivery of a particular area

of the Council's work. See Article 6.

Procedure Rules Detailed rules which govern how the Council operates

and how decisions are taken. See Part 4 of the

Constitution.

Proper Officer A senior officer of the Council who has specific

responsibilities in law.

Protocols Codes of Practice which set out how, for example,

various elements of the Council are expected to

interact with each other.

Quorum The minimum number of people who have to be

present before a meeting can take place. This is set out in the relevant Rules of Procedure in Part 4 of the

Constitution.

Scheme of Delegation The document in Part 3 of the Constitution which sets

out the functions that are the responsibility of the full Council or a committee or sub-committee of the Council and those functions which are the

<u>responsibility of the Executive or an which officer is</u> <u>responsible for particular functions</u> of the Council.

Substitute Some committees permit councillors to appoint a

substitute (or reserve) councillor to attend a meeting, which they cannot attend themselves (for regulatory committees, the substitute must have completed the

required training).

Summons The term used to describe the Agenda for meetings of

the full Council.

Virement Moving budget funds from one area of expenditure to

another within a financial year.