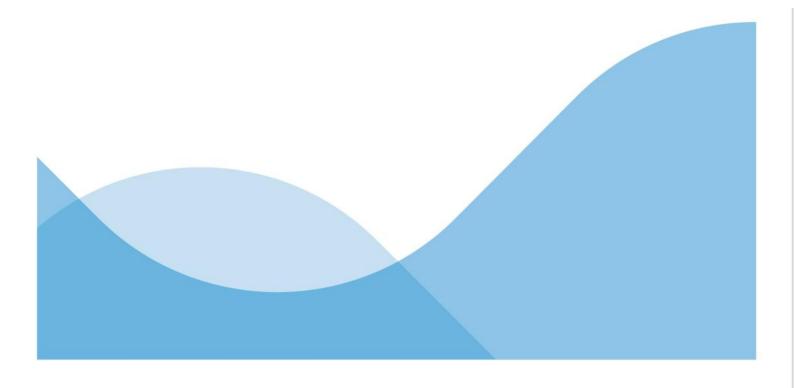


## East Sussex County Council Constitution



## **Contents**

- Constitution Index
- Decision Making Arrangements
- Part 1 Summary and Explanation
- Part 2 Articles of the Constitution
- Part 3 Responsibility for Functions
- Part 4 Rules of Procedure
- Part 5 Codes and Protocols
- Part 6 Scheme of Members' Allowances

Decision Making Arrangements	11 - 16
Part 1 - Summary and Explanation	
Summary and Explanation	17 - 20
<ul> <li>The Council's Constitution</li> <li>What's in the Constitution</li> <li>How the Council Operates</li> <li>How Decisions are Made</li> <li>Overview and Scrutiny</li> <li>The Council's Staff</li> <li>Citizens' Rights</li> </ul>	
Part 2 - Articles of the Constitution	
Article 1 - The Constitution	21 - 22
Article 2 - Members of the Council	23 - 26
Article 3 - Citizens of the Council	27 - 28
Article 4 - The Full Council	29 - 30
Article 5 - Chairing the Council	31 - 32
Article 6 - Overview and Scrutiny Committees	33 - 38
Article 7 - The Cabinet	39 - 44
Article 8 - Regulatory and other committees	45 - 46
Article 9 - The Standards Committee	47 - 50
Article 10 - Area Committees and Forums	51 - 52
Article 11 - Joint Arrangements	53 - 56
Article 12 - Officers	57 - 60
Article 13 - Decision Making	61 - 62
Article 14 - Finance, Contracts and Legal Matters	63 - 64
Article 15 - Review and Revision of the Constitution	65 - 66
Article 16 - Suspension, Interpretation and Publication of the Constitution	67 - 68
Schedule 1 - Description of Executive Arrangements	69 - 70

## Part 3 - Responsibility for Functions

Responsibility for F	unctions Exercised only by the County Council	71 - 72
Table 1 - Cabinet Re	esponsibilities and Functions	73 - 78
Table 2 - Responsib	oility for Local Choice Functions	79 - 80
	oility for executive functions exercised by Cabinet I by the Leader (Article 7.06 of the Constitution	81 - 82
Table 4 - Regulatory	Committee Responsibilities and Functions	83 - 86
functions which are the Cabinet by advis	nmittees and Panels Appointed to undertake e not the responsibilities of the Cabinet, or to assist sing it on issues for which it is responsible, or rdance with legislative requirements	87 - 116
Table 6 - Scheme of	Delegations to Officers	117 - 160
<ul> <li>Delegat</li> </ul>	l delegation tions to Chief Executive and all Directors tions to Particular Officers	
List of Proper Office	ers Designated by the County Council	161 - 166
Part 4 - Rules	of Procedure	
(1) Council Procedu	ire Rules	167 - 204
<ul> <li>Scope – Stand</li> <li>Part 1 – Counce</li> <li>(A) Gender</li> <li>SO1</li> <li>SO2</li> <li>SO3</li> <li>SO4</li> <li>SO5</li> <li>SO6</li> <li>SO7</li> <li>SO8</li> <li>SO9</li> <li>SO10</li> <li>SO11</li> <li>SO12</li> <li>SO13</li> <li>SO14</li> </ul>	cil Meetings neral Interpretation Place and time of meeting No smoking Mobile phones and refreshments Summons Circulation of committee reports Record of attendances Admission of public and press and recording of proceedings Motions affecting employees Order of business Election of Chairman and Appointment of Vice-Chairman Minutes Council in Committee	

	SO15 SO16	Termination of meetings Adjournment of meeting
0	SO17 (B) Pres SO18	Quorum entation of Reports Reserved paragraphs
0	(C) Rule SO19 SO20 SO21 SO22 SO23 SO24	s of Debate Members to stand Respect for the Chairman Relevance of speeches Points of order or personal explanation Length of Speeches Requirement for a motion or amendment to be seconded
	SO25 SO26 SO27 SO28 SO29 SO30 SO31	Seconder may reserve speech When a member may speak again Definition of "amendment" Disposal of amendments Alteration of motions Withdrawal of motion or amendment Closure of debate on a motion or amendment
	SO32	Right of reply
0	(D) Votir SO33 SO33	ng Method of Voting Recorded Vote on Budget and Council Tax setting
	SO34	Voting on appointments
0	(E) Motio SO35	Motions which may be moved without notice and/or during debate
	SO36 SO36.9	Motions of which notice must be given Motions separately referred to on summons
	SO36.1	of appropriate Committee
	SO36.12 SO37	2 Motions referred to a Committee or a Lead Cabinet Member Members' rights in relation to motions
	SO38 SO29	Motion not moved to lapse Restrictions on Further Motions
0	(E) Datitions	
0	(G) Que SO41	Provisions which relate to questions from members of the public and members of the County Council (oral and written)
	SO42 SO43	Questions from members of the public Oral Questions by members of the County Council
	SO44	Written Questions by Members of the

## County Council

	0	(H) Deb SO45	ate of Cabinet's priorities for year ahead  Debate of Cabinet's priorities for year  ahead	
	0	(I) Disor	derly conduct	
			Disorderly conduct	
		SO47		
•	Part 2	<ul><li>Comm</li><li>SO48</li></ul>	nittees and Delegations to Individual Members Appointment of Committees and Sub-	
		3040	Committees	
		SO49	The Cabinet	
		SO50	•	
		SO51	Sub-Committees, Panels and other bodies Committee Chairs and Vice-Chairs	
		3031	Appointed by the Council	
		SO52	Chairs of Panels and Other Groups of	
			Members	
		SO53	All Committees, Sub-Committees and	
		SO54	Panels Summoning of meetings	
		SO55	Voting in Cabinet, Committees and Sub-	
			Committees	
		SO56	Delegations to Individual Members	
		SO57	Standing Orders to apply to Committees and Sub-Committees	
		SO58	Remote Attendance at meetings	
•	Part 3	– Gener	ral	
		SO59	Custody of common seal	
		SO60	Sealing of documents	
		SO61 SO62	Inspection of documents Inspection of lands, premises, etc	
		SO63	Personal Interests	
		SO64	Interest of officers in contracts	
		SO65	Members intending to act in a professional	
			capacity in a matter in which the Council has an interest	
		SO66	Standing Orders and Statement of the Role	
			of Councillors	
(2) Ac	cess t	o Inform	nation Procedure Rules	205 - 216
. ,	<b>.</b> .			
	Rule 1	Scope		
	2	•	al Rights to Information	
	3		o Attend Meetings	
	4		of Meeting	
	5		to Agenda and Reports Before the	
	6	Meeting Supply	of Copies	
	7		to Minutes etc After the Meeting	
	8	Backgro	ound Papers	
	9	Summa	ry of Public's Rights	

	10 11 12 13 14	Exclusion of Access by the Public to Meetings Exclusion of Access by the Public to Reports Application of Rules to the Cabinet Procedure Before Taking Key Decisions The Forward Plan	
	15	General Exception	
	16	Special Urgency	
	17	Report to Council	
	18	Record of Decisions	
	19	Cabinet Meetings Relating to Matters which are not Key Decisions	
	20	Notice of Private Meeting of the Cabinet	
	21	Attendance at Private Meetings of the Cabinet	
	22	Decisions by Individual Members of the Cabinet	
	23	Overview and Scrutiny Committees Access to Documents	
	24	Additional Rights of Access for Members	
	25	Procedures Prior to Private Meetings	
(3) Bu	dget a	and Policy Framework Procedure Rules	217 - 222
	1	The framework for Cabinet decisions	
		Process for developing the framework	
	3	Decisions outside the budget or policy	
		framework	
		Urgent decisions outside the budget or policy framework	
		Virement	
	7	In-year change to policy framework Call-in of decisions outside the budget or policy framework	
(4) Ca	binet I	Procedure Rules	223 - 226
•		does the Cabinet operate? are Cabinet Meetings Conducted?	
(5) Ov	erview	and Scrutiny Procedure Rules	227 - 238
		What will be the number and arrangement for overview and scrutiny committees?	
	2	Organisational Arrangements and Responsibilities	
	3	"Substitutes" on Scrutiny Committees	
	4	Press and media releases	
	5	Timetable for Reviews	
	6	Interviews as Part of Review	
	7	Meetings of the Chairs and Vice-Chairs of	
	-	Scrutiny and Audit Committees	
	8	Who may sit on overview and scrutiny	
	-	committees?	

	9	Co-opted Members	
	10	Meetings of the overview and scrutiny	
		committees	
	11	Quorum	
	12	Who chairs overview and scrutiny committee meetings?	
	13	Work programme	
	14	Agenda items	
	15	Policy review and development	
	16	Reports from overview and scrutiny	
	10	committee	
	17	Making sure that overview and scrutiny	
	• •	reports are considered by the Cabinet or	
		policy committees	
	18	Rights of overview and scrutiny committees	
		members to documents	
	19	Guidance on Call-in	
	20	Call-in and Call-in & Special Urgency	
	21	The party whip	
	22	Procedure at overview and scrutiny	
		committee meetings	
	23	Matters within the remit of more than one	
		overview and scrutiny committee	
(6) Pu	blic s	peaking at meetings of the Planning Committee	239 - 242
` '	•		
(7) Fir	nancia	I Procedure Rules	243 - 262
	A.1	Introduction	
	A.2	General Financial Management	
	A.3	Accounting Arrangements	
	A.4	Audit Arrangements	
	A.5	Control of Financial Budgets	
	A.6	Control of Staffing Budget	
	A.7	Control of Financial Information and	
		Communication Systems	
	A.8	Control of Contracts	
	A.9	Banking Arrangements	
	A.10	Treasury Management, Investments and	
	۸ 44	Trust Funds	
	A.11		
		Insurance Financial Limits	
		Fees and Charges	
		Reserves	
		Value Added Tax (VAT) and Taxation	
(O) D		and Otan din a Ondana	000 000
(8) Pro	ocurei	ment Standing Orders	263 - 282
	1	Introduction	
	2	Finding and contracting with suppliers	
	3	Procurement methods	
	4	Waivers and Emergencies	

5 6 7 8	Liability and Security Managing Contracts Paying our suppliers Disposing of surplus goods	
(9) Office	283 - 290	
1 2 3 4 5 6	Recruitment and appointment Recruitment of head of paid service and chief officers Appointment of head of paid service Appointment of chief officers and deputy chief officers Other appointments Disciplinary action	
Part 5	- Codes and Protocols	
(1) Code	of Conduct for Members	291 - 304
<ul><li>Pa</li><li>Pa</li></ul>	rt 1 – General Provisions rt 2 – Interests rt 3 – Registration of Interests pendix 1 – The Seven Principles of Public Life	
(2) Code	of Conduct and Conflict of Interest Policy	305 - 320
(3) Code	on Member/Employee Relationships	321 - 334
(4) Protoc	col on Decision Making	335 - 340
(5) Advic	e to Members Serving on Outside Bodies	341 - 348
Part 6	- Scheme of Members' Allowances	
Scheme of	of Members' Allowances	349 - 358
<ul> <li>Sp</li> <li>Tra</li> <li>Sul</li> <li>De</li> <li>Tel</li> <li>Co</li> <li>Am</li> <li>Pa</li> <li>Co</li> <li>An</li> <li>any</li> <li>An</li> </ul>	sic Allowance ecial Responsibility Allowance avel Allowances besistence Allowances pendents' Carers' Allowance lephones -optees' Allowance nendments to the Scheme yment of allowances ection not to receive payment uncillor Parental Leave Policy nex 1 – Other bodies to which the Authority makes appointme y Committee or Sub-Committee of these bodies) nex 2 – Travelling and Subsistence Rates pendix 1 – Member Parental Leave Policy	ent or nominations (and