

EXECUTIVE PROCEDURE RULES

1.	How Does the Executive Operate?
1.1	Who may make executive decisions
<p>The arrangements for the discharge of executive functions may be set out in the executive arrangements adopted by the Council. If they are not set out there, then the Leader may decide how they are to be exercised. In either case, the arrangements or the Leader may provide for executive functions to be discharged by:</p>	
(a)	The executive as a whole;
(b)	A committee of the executive;
(c)	An individual member of the executive;
(d)	An officer;
(e)	An area committee;
(f)	Joint arrangements; or
(g)	Another local authority.
1.2	Delegation of Functions
<p>At the annual meeting of the Council, the leader will present to the Council for adoption a written statement of recommended delegations for inclusion in the Council's scheme of delegation in Part 3 of this Constitution. The document presented by the Leader will contain the following recommendations about executive functions in relation to the coming year:</p>	
(a)	the extent of any authority to be delegated to executive members individually, including details of the limitation on their authority;
(b)	the terms of reference and constitution of such executive committees as the leader recommends be appointed and the names of executive members to be appointed to them;
(c)	the nature and extent of any intended delegation of executive functions to area committees, any other authority or any joint arrangements and the names of those executive members to be appointed to any joint committee for the coming year; and

(d)	the nature and extent of any delegation to officers with details of any limitation on that delegation, and the title of the officer to whom the delegation is made.
1.3	Sub-delegation of Executive Functions
(a)	Where the executive, a committee of the executive or an individual member of the executive is responsible for executive functions, they may delegate further to an area committee, joint arrangements or an officer
(b)	Even where executive functions have been delegated, that fact does not prevent the discharge of delegated functions by the person or body who delegated
1.4	The Council's Scheme of Delegation of Executive Functions
<p>Article 7 and Part 3 of this Constitution set out the delegation arrangements currently in force in the authority. These will be subject to adoption by the Council and may only be amended by the Council other than in relation to the nature and extent of, and limitation on delegation to officers which may be amended by the Leader at any time. The Leader must give written notice of such officer delegation amendments to the Chief Executive who will present a report to the next meeting of the Council setting out the changes made by the Leader.</p>	
1.5	Conflicts of Interest
Unless a dispensation to vote has been given:	
(a)	Where the Leader has a conflict of interest this should be dealt with as set out in the Council's Code of Conduct for Members in Part 5 of this Constitution.
(b)	If every member of the executive has a conflict of interest this should be dealt with as set out in the Council's Code of Conduct for Members in Part 5 of this Constitution.
(c)	If the exercise of an executive function has been delegated to a committee of the executive, an individual member or an officer, and should a conflict of interest arise, then the function will be exercised in the first instance by the person or body by whom the delegation was made and otherwise as set out in the Council's Code of Conduct for Members in Part 5 of this Constitution.

1.6	When and where Executive meeting will be held
The executive will be scheduled to meet at least five times per year at times to be agreed by the Council. The executive shall meet at the Council's main offices or any other location to be determined by the Chief Executive in consultation with the Leader.	
1.7	Public Access to meetings of the Executive
All meetings of the executive will be open to the public, unless the item under discussion is considered exempt or confidential – see the Access to Information Procedure Rules in this part of the Constitution for further information.	
1.8	Quorum
The quorum of a meeting of the executive, or a committee of it, shall be three members of the executive.	
1.9	How are Decisions to be taken by the Executive?
(a)	Executive decisions which have been delegated to the executive as a whole will be taken at a meeting convened in accordance with the Access to Information Rules in Part 4 of the Constitution.
(b)	Where executive decisions are delegated to a committee of the executive, the rules applying to executive decisions taken by them shall be the same as those applying to those taken by the executive as a whole.
(c)	Key decisions (as defined in Article 8.03 in Part 2 of the Constitution) may only be made where the provisions of paragraphs 13-16 of the Access to Information Procedure Rules have been complied with.
2.	How are Executive Meetings Conducted
2.1	Who presides?
If the Leader is present they will preside. In their absence, then a person appointed to do so by those present shall preside.	
2.2	Who may attend?
Any member of the Council may attend any executive meeting. Members of the public may attend any executive meeting, except when confidential or exempt information is being discussed. Save as expressly permitted by rules 5.21 to 5.24 of the Council and Committee Procedure Rules (Petitions) public speaking shall not be permitted at meetings of the Executive and/or any committee of the Executive.	

Members of the Council who are not members of the executive may attend meetings of the executive and any committee of the executive. With the agreement of the Leader any such member may address the executive on any item on the agenda, but may not vote.

Notwithstanding the above, Members of the Council who are not members of the executive may attend a meeting of the executive to which a Petition has been referred in accordance with the Council and Committee Procedure Rules. Members shall be entitled to address the meeting on the matters raised in the Petition provided that no speech may exceed five minutes without the consent of the Chairman.

The Chief Executive, the Chief Finance Officer and the Monitoring Officer and their nominees are entitled to attend any meeting of the executive or a committee of the executive.

2.3	What business
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At each meeting of the executive the following business will be conducted:

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| (a) | Consideration of the minutes of the last meeting; |
| (b) | Declarations of interest, if any; |
| (c) | Matters referred to the executive (whether by the Overview and Scrutiny committee or by the Council) for reconsideration by the executive in accordance with the provisions contained in the Overview and Scrutiny Procedure Rules or the Budget and Policy Framework Procedure Rules set out in Part 4 of this Constitution; |
| (d) | Issues arising from Overview and Scrutiny; |
| (e) | Receipt of written representations from Members of the Council; and |
| (f) | Matters set out in the agenda for the meeting, and which shall indicate which key decisions are and which are not in accordance with the Access to Information Procedure rules set out in Part 4 of this Constitution. |

2.4	Consultation
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All reports to the executive from any members of the executive or an officer on proposals relating to the Budget and Policy Framework must contain details of the nature and extent of consultation carried out with stakeholders and the Overview and Scrutiny Committee and the outcome of that consultation. Reports about other matters will set out the details and outcome of consultation as appropriate. The level of consultation required will be appropriate to the nature of the matter under consideration.

2.5	Who can put items on the Executive agenda?
(a)	Any member of the executive may require the Chief Executive to ensure that an item is placed on the agenda of the next available meeting of the executive for consideration whether or not authority has been delegated to the executive, a committee of the executive, any individual member of the executive, or officer in respect of that matter.
(b)	The Chief Executive will ensure that an item is placed on the agenda of the next appropriate meeting of the executive where the Overview and Scrutiny committee or the Full Council have resolved that an item be considered by the executive.
(c)	The Chief Executive may include an item for consideration on the agenda of an executive meeting in pursuance of their statutory duties or where they are of the opinion that an executive decision is required on any matter.
If the volume of business for any one meeting appears excessive, the Leader, in consultation with the Chief Executive, may defer consideration to the next appropriate meeting except that items placed on the agenda by the Council may not be deferred if the Council requires them to be considered at that meeting.	