

Constitution Glossary

Access To Information Rules

The legislative framework giving public access to information held by the Council (see also Confidential and Exempt information).

Administration

The political group on the Council with the most seats and able to form a majority.

Advisory Groups

Informal meetings which may involve non-councillors and may, or may not, be open to the public. No decisions can be taken by such groups ([see also Task Groups](#)).

Agenda

These set out the business to be considered at formal meetings of the Council, Executive, Scrutiny Commission, Appeals Panels and Committees. They are public documents and are available for inspection before each meeting at the Council's main offices and on the Council's website.

Amendment

Motion to insert or alter or omit words in the resolution under discussion. A direct negative is not an amendment.

Annual Meeting

The annual meeting of the Council which elects the Leader of the Council and appoints Chairs and Councillors to memberships of Committees. The meeting takes place in May each year.

Appeals Panel

A Panel constituted to determine an appeal against a relevant decision of the Council.

Council Bodies / Council Body

The Council, Executive and any Body constituted by them to exercise powers delegated to them.

Budget

The budget agreed by Council for the upcoming financial year at the Budget Meeting as delegated to Budget Holders to manage in accordance with the powers given to them.

Budget Holder

An Officer with responsibility for managing, monitoring, authorising and reporting on spend within specified council budgets.

Budget Meeting of Council

The Ordinary Meeting of the Council taking place in February/March each year which considers the Budget.

Call-In

"Call-In" is a statutory right for Members of the Council to call in a decision of Executive or an individual Executive Member or Executive Commissions.

Confidential Information

Information given to the Council by a Government Department on terms which forbid its public disclosure or information which cannot be publicly disclosed by Court Order. ([see also Exempt Information](#)).

Constitution

Every principal Council must produce a document known as the Constitution which sets out how the Council will conduct its business.

Corporate Complaints Procedure

Formal process to investigate and resolve complaints.

Council

A legal entity created by law to administer certain functions within a local area. Within this constitution it means West Berkshire Council.

Councillors

A Councillor represents his or her Ward on the Council and acts as an advocate and decision maker for local issues. [You can find who your Councillor is here.](#)

Chairman of Council

Elected annually by councillors at the Annual Meeting and presides over meetings of Council.

Decisions

Decision of a decision of relevant Council Body or Officer.

Declaration of Interest

Councillors must declare interests under The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 The Register of Members' Interests is maintained by the Monitoring Officer. Interests must be declared 28 days from becoming a member and 28 days from becoming aware of the interest Declarations of interest should be made at all meetings where relevant to the business on the agenda.

Deputation

A group of people appointed to take part in a formal process on behalf of a larger group or to represent the views of that group.

District

The administrative area of West Berkshire.

Exempt Information

Information that the Council may not be required to publish because it falls within specific categories defined in Schedule 12A of the Local Government Act 1972.

Extraordinary Meeting

A Council Meeting called by resolution of the Council, the Head of Paid Service or by requisition of any five Councillors which takes place in addition to an Ordinary Meeting or the Annual Meeting.

Executive

The Executive is a group of Councillors, including the Leader, who work with Council staff to run the Council and take most decisions, except those about major policy issues or setting the annual budget (which only the Full Council Meeting can do), or decisions on regulatory matters such as whether to give planning permissions or licenses which only Committees established for those purposes can take. The Leader of the Council appoints the Executive and chairs its meetings. Executive Members remain in office until the next election unless they resign, are suspended, are no longer a member of the Council or

are removed from office by the Leader. The Executive is made of up to nine Councillors and the Leader. The Councillors in the Executive can only make decisions within the scope of the overall Budget and Policy Framework set by the Council and the Constitution.

Executive Decisions

A decision within the remit of the Executive under the Local Government Act 2000 See also [Key Decisions](#) and [Urgent Key Decisions](#).

Executive Decision-maker

The Executive, Individual Executive Member, a Committee of the Executive, or an officer taking a decision that is an Executive Decision.

Executive Members

The Councillors in the Executive each have responsibility for areas of the Council's work allocated to them by the Leader. Each area of responsibility is known as an Executive Member portfolio and each portfolio is given a title.

First Annual Meeting of Council

The first meeting of Council in the municipal year.

Forward Plan

The plan of future key decisions. The Forward Plan must be published 28 clear working days before the decision is made, unless an urgent decision is required.

Group Leaders (and Deputy Group Leaders)

Political groups will appoint a person to lead their group who are known as Group Leaders.

Head of Paid Service

See [Statutory Officers](#).

Independent Person (Audit)

An individual that is separate from and not influenced or controlled by those providing the information.

Independent Person (Standards)

An individual that is separate from the Monitoring Officer and not influenced or controlled by them.

Items of Business

Items on an agenda requiring a decision.

Key Decisions

A key decision is an Executive decision which is likely: to result in the 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 to be significant in terms of its effects on communities living or working in an area comprising two or more Wards in the area of the local authority. **Note: Can list what is considered "significant" here by reference to financial thresholds Any Contract with a value in excess of £500,000 shall be deemed to be a key decision.**

Leader

Leader of the Executive appointed under the Stronger Leader and Cabinet Model as the political Head of the Council.

Legislation

Laws passed by Government.

Licensing Sub-committee

Councillors trained in licensing matters appointed to hear licensing applications.

LGA 1972

Local Government Act 1972 as amended.

LGA 2000

Local Government Act 2000 as amended.

Local Government Elector

A person registered as a local government elector in the register of electors in the authority's area in accordance with the Representation of the People Acts.

Meetings

Formally-constituted meetings convened in accordance with the LGA 1972 with due notice, formal agenda, open to the public and with minutes taken forming the legal record of the discussion.

Minutes

Notes taken at meeting, approved at subsequent meeting as a correct record and which then form the legal record of the meeting.

Monitoring Officer

This is a statutory appointment under Section 5 of the Local Government and Housing Act 1989. The Monitoring Officer is responsible for reporting the actual or potential breach of a legal requirement to the Council Meeting or Executive and for dealing with complaints of breaches of the code of conduct by Councillors, reporting as necessary to the Governance and Ethics Committee. The Service Director, Strategy and Governance is the designated 'Monitoring Officer'. See [Statutory Officers](#).

Motions

Formal proposal from a Councillor.

Named for Disorderly Conduct

Process by which Chairman calls out a councillor for disorderly conduct, requests them to stop and, if they do not do so, asks them to leave.

Officer

Person appointed to or holding a paid office of the authority or employed by the authority. Officers carry out the decisions made by Councillors and ensure that council policies are put in place and council services are being delivered well.

Ordinary Meeting

Council Meetings held in accordance with a programme of meetings decided by the Council.

Outside Bodies

Organisations with whom the Council works in partnership, appoints councillors to but over whom the Council has no direct control.

Overview and Scrutiny

The action of overseeing and scrutinising decisions made by the Executive undertaken by the Scrutiny Board.

Petitions

A written or electronic communication signed or sent to the Council on behalf of at least 10 signatories from at least 5 identifiable households and including a clear and concise statement indicating what action the petitioners wish the Council to take and the name, identifiable address and signature of any person supporting the petition. Petitions will be received by the Council in accordance with the Petitions Scheme ***add link?***

Point of Explanation

Restriction on what a councillor may say in a debate. In this case a point made that will assist other councillors in understanding the matter under debate.

Point of Order

Restriction on what a councillor may say in a debate. In this case a point made about the process which should be followed.

Presenter of a Report

The councillor with responsibility for presenting a report to Council.

Procedural Motions

Motions that can be moved without notice.

Proposals

Proposal to adopt a recommendation. It must be moved and seconded and can then be debated in accordance with the Rules of Procedure.

Questions

Written questions submitted by the public to Council **[in the context of the Meeting Rules]**.

Quorum

This is the required number of Councillors which need to be present at a meeting to enable the business of that meeting to be transacted.

Recommendations

May be moved on notice at a particular meeting (often contained within a report to that meeting by an officer or from another authority).

Relevant Officer

A person designated as being responsible for a particular function or range of functions. This can be the Chief Executive, S151 Finance Officer or Monitoring Officer.

Reports

Written items prepared by officers for consideration by Councillors.

Rules of Procedure (Rules of Debate)

These set out how meetings of the Council, the Executive, the Scrutiny Commission, other Committees and other bodies will be conducted.

Scrutiny Commission

Scrutiny is a role fulfilled by all Councillors who are not Members of the Executive. It is a statutory function under the Local Government Act 2000. The role of the Scrutiny Commission is to help develop policy, to carry out reviews of Council and other local services and to hold Executive and Executive Members to account for their actions and decisions.

Second the Motion

To indicate support of a Motion proposed by another councillor, which enables that Motion to be considered.

S.151 Officer

See [Statutory Officers](#).

Senior Officers (tiers of management)

Officers who are Heads of Service or above.

Statutory Officers: Chief Executive / Head of Paid Service Monitoring Officer / MO Section 151 Officer / S.151 Officer / Chief Finance Officer

A statutory appointment under Section 4 of the Local Government and Housing Act 1989. Every Council has to have a Head of Paid Service, who is ultimately responsible for the Councils' delivery of effective services and is responsible for reporting to the Council on how employees are organised and deployed. The Chief Executive has been designated as the Head of Paid Service. A statutory appointment under Section 5 of the Local Government and Housing Act 1989. The Monitoring Officer is responsible for reporting the actual or potential breach of a legal requirement to the Council or Executive and for dealing with

complaints of breaches of the code of conduct by Councillors. Any reference to Monitoring Officer shall include their duly appointed deputy. A statutory appointment required under S151 of the Local Government Act 1972. Every Council must designate an officer as responsible for the proper administration of the Council's financial affairs. Any reference to Section 151 Officer shall include their duly appointed deputy.

Sub-committees

Formed by the Council, or a committee, to carry out specific tasks with the Council, or committee, delegating the powers (hence "sub" because the powers are taken from the committee and cannot exceed the powers of the parent body).

Summons

Formal notification of a meeting setting out the agenda for business it is proposed will be considered at the meeting.

Task Groups

Informal meetings which may involve non councillors and may, or may not, be open to the public. No decisions can be taken by such groups (see also Advisory Groups).

Timetable of Meetings

The timetable for the year put forward for approval by Council at the Annual Meeting.

Urgent Key Decisions

A Key Decision that cannot wait for the next meeting of the decision making of the Executive. Such decision, if made, are certified not to be subject to Call-in.

Urgent Motion

A motion proposed without the requisite notice accepted as urgent by the Chairman.

Vice-Chairman of Council

The Councillor appointed to deputise for the Chairman.
