

CHANGES TO THE CONSTITUTION (LDS/209)

Function	Amendment	Reason for Amendment
<p>Council Officer Responsibilities and Decision Making (page 70)</p> <p>(DC/GB)</p>	<p>Amend Generic Delegation 5 as follows:</p> <p>“Matters in respect of consultations:</p> <p>a) Approval of documents for public/stakeholder consultation, the carrying out of consultation, responding to consultation in line with this Council’s Protocol, adoption of documents following consultation and the submission of documents to the appropriate authority.</p> <p>b) Responding to consultation documents where the views of local authorities are sought generally. (NB. All responses from the Council as Local Planning Authority to plans and proposals (including proposed Traffic Regulation Orders) submitted by other Local Authorities are reserved to the Head of Economy and Planning.) A copy of the response to consultations submitted shall be published in the Councillors’ Information Bulletin.</p> <p>c) Prior to submission, any officer must consult the Head of Community Services on any proposed Traffic Regulation Orders.”</p>	<p>To ensure that officers with the appropriate expertise are consulted before applications for Traffic Regulation Orders are submitted to West Sussex County Council.</p> <p>Head of Economy and Planning has confirmed they do not feel it is relevant to their role now and would be better aligned with the Head of Community Services.</p> <p><i>NB each Chief Officer’s Sub-Delegation Scheme will need to be amended to reflect any amended wording.</i></p>
<p>Full Council Procedure Rules (page 83)</p> <p>(MM/CP)</p>	<p>Amend Rule 7.2 as follows:</p> <p>“Quorum: The quorum of a Full Council meeting shall be more than one third of the Councillors of the Council (13). If a meeting remains inquorate 15 minutes after its scheduled start time, an officer (usually a member of the Democratic Services team) will announce that the meeting is inquorate and those present will be requested to informally agree to either reconvene at a later date or defer items on the agenda to a future scheduled meeting.”</p>	<p>Whilst the Constitution states the quorum for each meeting it does not provide guidance on the process should a meeting be inquorate. This amendment will provide that guidance.</p>

Function	Amendment	Reason for Amendment
<p>General Committee Procedure Rules (page 92)</p> <p>(MM/CP)</p>	<p>Amend Rule 8.2 as follows:</p> <p>“Quorum: The quorum of a Committee meeting shall be one quarter of the whole number of Councillors rounded up where necessary to the next number and no less than three Councillors. Specific quorum requirements relating to the Employment Panel are set out in its functions (Section 1 of this Constitution). The attendance of the Independent Member to the Audit Committee shall not be taken into account when calculating the quorum at Audit Committee meetings.</p> <p>“If a meeting remains inquorate 15 minutes after its scheduled start time, an officer (usually a member of the Democratic Services team) will announce that the meeting is inquorate and those present will be requested to informally agree to either reconvene at a later date or defer items on the agenda to a future scheduled meeting.”</p>	<p>Whilst the Constitution states the quorum for each meeting it does not provide guidance on the process should a meeting be inquorate. This amendment will provide that guidance.</p>
<p>Scrutiny Procedure Rules (page 128)</p> <p>(MM/CP)</p>	<p>Amend Rule 10.2 as follows:</p> <p>“Quorum: The quorum of a Commission or Scrutiny Panel meeting shall be one quarter of the whole number of Councillors rounded up where necessary to the next number and no less than three Councillors. If a meeting remains inquorate 15 minutes after its scheduled start time, an officer (usually a member of the Democratic Services team) will announce that the meeting is inquorate and those present will be requested to informally agree to either reconvene at a later date or defer items on the agenda to a future scheduled meeting.”</p>	<p>Whilst the Constitution states the quorum for each meeting it does not provide guidance on the process should a meeting be inquorate. This amendment will provide that guidance.</p>

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<p>Cabinet Procedure Rules (page 139)</p> <p>(MM/CP)</p>	<p>Amend Rule 3.2 as follows:</p> <p>“Membership, the Chair and Quorum: The Cabinet will consist of the Leader and their Cabinet Members with the Leader chairing the meeting, in their absence the Deputy Leader shall act as Chair. The quorum of the Cabinet is three. If a meeting remains inquorate 15 minutes after its scheduled start time, an officer (usually a member of the Democratic Services team) will announce that the meeting is inquorate and those present will be requested to informally agree to either reconvene at a later date or defer items on the agenda to a future scheduled meeting.”</p>	<p>Whilst the Constitution states the quorum for each meeting it does not provide guidance on the process should a meeting be inquorate. This amendment will provide that guidance.</p>
<p>Financial and Budget Procedure Rules (page 166)</p> <p>(CM)</p>	<p>Amend Section J (Financial Approval Levels and Procurement Thresholds) section of the Rules as set out in the appendix to this report).</p>	<p>The virement limits have remained at £50k for a significant number of years. This can result in significant delay in operational virements to be actioned. The proposed increase in limit will improve the effectiveness of the process. Virements will continue to be summarised in the quarterly budget monitoring reports for transparency. It should be noted that any virement which require more scrutiny will continue to be cascaded to Cabinet or Full Council where appropriate regardless of value.</p>

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Petitions Scheme (page 230) (CP)	<p>Add the following wording under Paragraph 3 (What will Happen with Petitions):</p> <p>“3.3 The Petitions Officer may delay the progress of a relevant petition to a formal Council meeting if its consideration would fall during the Pre-Election Period (period of heightened sensitivity) and could be deemed politically sensitive.”</p>	<p>This will allow the Monitoring Officer to delay progress if they believe the issue should not be considered during Purdah.</p>

J. FINANCIAL APPROVAL LEVELS AND PROCUREMENT THRESHOLDS

Financial Approval Levels

	Budget Transfers (Virements)		Redundancies/early retirement	Supplementary Estimate		Purchase land/property	Asset Disposal	Write-offs	Sale of land
	Revenue	Capital		Revenue	Capital				
Heads of Service	£50,000 within service area, no future commitment	£50,000 within service area					£10,000		
Head of Corporate Finance	£50,000 £100,000 across the Council, no future commitment	£50,000 across the Council	£500,000			<i>For investment:</i> Within the limits of the Investment Acquisition Reserve	£10,000 - £50,000	Up to £2,500	Up to £25,000
Head of Crawley Homes in agreement with the Head of Corporate Finance *						<i>For housing delivery **:</i> Within the limits of the Housing Revenue Account Budget			

	Budget Transfers (Virements)		Redundancies/early retirement	Supplementary Estimate		Purchase land/property	Asset Disposal	Write-offs	Sale of land
	Revenue	Capital		Revenue	Capital				
Head of Strategic Housing in agreement with the Head of Corporate Finance *						<i>For temporary accommodation **: Within the limits of the Temporary Accommodation Acquisitions Budget</i>			
Leader								£2,500 - £50,000	£25,000 - £200,000
Cabinet	Over £100,000, £50,000 or and up to £100,000 future commitment	Over £50,000		Up to £100,000 per request, up to maximum of £500,000 per annum	Up to £500,000 per scheme		Over £50,000	Over £50,000	Over £200,000
Full Council	Future commitment above £100,000			Over £100,000	Over £500,000				

* In consultation with the appropriate Cabinet Member and the Leader.

** Each acquisition must be assessed on its individual merits and may include, but is not limited to, the following options:

- a) Council-owned land to be delivered in-house.
- b) Land acquisitions to be progressed in-house.
- c) Joint Venture developments with investors, developers or housing associations.
- d) Off-plan and off-market acquisitions to be delivered on 'turnkey' basis.
- e) S106 affordable housing within market-led schemes.
- f) Securing additional affordable housing within market-led schemes.
- g) Securing 'off-the-shelf' schemes that are nearing completion.
- h) 'Flipping' tenures on existing S106 schemes.
- i) Land or schemes under auction on the market.
- j) Step-in arrangements to complete schemes that are at risk.
- k) Institutionally funded schemes on a lease-back basis.