

Constitution Working Group

Folkestone & Hythe DC



For 18 December 2023

From the last meeting

- Committee Chairs will act as “spokespersons” – further discussion required around scope
- Virement thresholds have been agreed as follows:
 - HoPS can vire payroll budget to various budget headings, to facilitate delivery of existing policies
 - Chief Officers can vire within a budget heading, and across budget headings, up to £25k
 - Virements between £25 and £100k to be agreed by relevant Director and s.151 in consultation with relevant Committee Chair
 - Virements over £100k to committee
- Financial limits for committee decisions to be considered further

Reflections from Member Briefing

- Feedback on the Member Briefing that took place on 11 December 2023

Financial thresholds for committees

Draft suggestion

- Unless falling within previous approvals or decisions by full Council or the Resources Committee, or for which authority has been lawfully delegated to Officers, the Resources Committee shall be responsible for decisions:
 - Involving the incurring of expenditure, or the making of savings, which are anticipated to be in excess of £300,000 (with the exception of items previously included in the relevant approved budget);
 - Involving the award of contracts in excess of £500,000;
 - Involving the acquisition or disposal of land with a value in excess of £500,000; or
 - Which are likely to be significant in terms of their effects on communities living or working in an area comprising two or more wards or electoral divisions in the Council's area.
- First Tier Officer can take key decisions where it is impractical for the committee to take the decision because of the urgent nature of the decision to be made

Summary of the role of the Chair

- Preside over meetings of the committee to ensure:
 - Efficient, lawful and effective decision making
 - Compliance with constitution and standing orders
 - High standards of conduct by members
- In relation to the functions for which the committee is responsible, to:
 - Develop and share expertise and knowledge
 - Act as the political point of contact and provide political focus and leadership
 - Lead the political development of approaches to policy
 - Establish effective working relationships with key officers
 - Represent the interests of the committee in the community and at regional and national levels
 - Liaise with members, partners and other stakeholders as appropriate
 - Periodically present reports and updates to the committee

Consultation

- No legal requirement for consultation
- If do choose to consult - Gunning Principles
 - Consultation must take place when proposals at formative stage
 - Sufficient information must be given to allow for intelligent consideration and response
 - Adequate time must be given
 - There must be conscientious consideration of responses
- Consultation should be meaningful
- Public consultation on public participation options and democratic accessibility?

Discussion