



The Constitution of Harborough District Council

Part 1: Summary and Explanation

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1. About the district

1.1.1. The district of Harborough is a large, mainly rural area with a growing population of around 98,000. Long and healthy lives are enjoyed by residents of the district. Unemployment levels are lower than the national average with more than 60% of residents being economically active. Due to its location, the district is attractive in logistic terms, however 75% of businesses are in a rural location.

1.1.2. The district is split into 19 smaller areas (called wards) which elect the 34 councillors that make up the Council every 4 years. The most recent election was in May 2023. Councillors are democratically accountable to residents of their electoral division. The overriding duty of Councillors is to the whole community, but they have a special duty to their constituents, including those who did not vote for them.

1.1.3. Councillors are required by law to follow a code of conduct to ensure high standards in the way they undertake their duties. They meet together as the Council at meetings which are normally open to the public. During the meetings, they decide the Council's overall policies and set the budget each year and are responsible for:

1.1.3.1. providing a wide range of public services to the people of the district;

1.1.3.2. representing and promoting the interests of Harborough when dealing with regional, national and international affairs;

1.1.3.3. deciding how and where money is best spent in their area to help local people.

1.1.4. The Council has identified its priorities for the district and set them out in its **corporate plan**. The plan focuses on four principal areas and sets out how the Council will deliver for each priority:

1.1.4.1. Place and community – ensuring there is housing to meet local needs of all ages, that growth provides employment and is designed well, recognising the rural nature of the district and that communities are involved in how that growth is shaped;

1.1.4.2. Healthy Lives – giving the guidance and support to all residents to

make healthy life choices, to live longer healthier independent lives, not only physically but in good mental health too.

1.1.4.3. Environment and sustainability – enhancing and protecting the natural environment with improved access to open and green spaces, addressing climate issues proactively looking to future sustainable options and reducing environmental crime to further protect the environment;

1.1.4.4. Economy – that local employment options are available to allow residents to prosper in the district, developing and retaining the skills employers need and supporting businesses to be successful, promoting the area to employees, employers, and visitors to ensure a stable future economy.

2. What is in the constitution?

1.2.1 This constitution was adopted in accordance with the requirements of the Local Government Act 2000 and guidance issued from time to time by the government. It sets out how the Council operates and contains the information the Council is required to include. It includes how decisions are made and the procedures which are followed to make sure the Council is efficient, transparent and accountable to local people. Some of these processes are required by law, while others have been chosen by the Council.

1.2.2 The Constitution is divided into a number of parts to make it easier to navigate:

Part 1: A summary and explanation of how the Council operates, including an outline of the rights of those who live and work in the district to engage with and participate in the Council's democratic processes, and a glossary of common terms used in this Constitution.

Part 2: The basic rules governing the Council are separated into Articles here. They provide details of the decision-making structure, roles and responsibilities.

Part 3: Who is responsible for making what decisions, including the remit of each part of the decision-making structure, whether councillor or employee focused.

Part 4: Provides the administrative framework of the Council in various rules of procedure.

Part 5: The codes and protocols binding councillors and employees of the Council, including guidance on the Council's practices and the law.

Part 6: The current Members Allowances Scheme.

Part 7: The Council's management structure.

In the interests of efficiency and ease of use, where possible hyperlinks have been included in the constitution to improve access to relevant information.

3. How the Council Operates

1.3.1 The powers and responsibilities of the Council are largely set by Parliament. However, the Council has decided to deliver its functions by the following structure:

1.3.1.1 A Cabinet of 7 councillors who meet every 6 weeks or so to take decisions which implement the Council's policies within its budget. The Cabinet publicises the key decisions it will take in public or in private in advance, and publishes records of the decisions it takes on the Council website. The Cabinet is chaired by the Leader of the Council;

1.3.1.2 Up to 3 Overview and Scrutiny Panels which monitor decisions made by Cabinet and contribute to the formation of policies adopted by the Council;

1.3.1.3 The full Council of 34 councillors, which meets at least 5 times a year to perform a number of functions including, but not limited to, adopting and changing the constitution, approving the policy framework and budget for the Council, appointing the leader of the council and the Head of Paid Service, determining what committees to have and who should be appointed to them, appointing representatives to outside bodies and receiving reports and recommendations from other council bodies;

1.3.1.4 The formation of a number of Committees which can be statutory-that is required by law (such as licensing committees and those dealing with alleged breaches of the Councillor code of conduct), regulatory (such as planning) or general in nature (such as the Employment Committee);

1.3.1.5 Delegation of certain functions to officers.

4. The Council's staff

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- 1.4.1 The Council has people working for it (called 'Officers') to give advice, implement decisions and manage the day-to-day delivery of its services. Some Officers have a specific duty to ensure that the Council acts within the law and uses its resources wisely. Codes of conduct and practice in Part 5 of this Constitution govern the actions of Officers, and the relationships between Officers and Councillors.
- 1.4.2 Officers may be authorised, either by the Council or Cabinet, to take certain decisions. The scope of the general powers delegated to Officers is contained in Part 3 of this Constitution. The power to make certain specific or individual decisions may also be granted, from time-to-time, to Officers by the Leader, Cabinet, a Cabinet Committee, the Council or a Council Committee.

5. Citizens' rights

- 1.5.1 Citizens have a number of rights in their dealings with the Council. These are set out in more detail in [Article 3](#). Some of these are legal rights, whilst others depend on the Council's own processes.
- 1.5.2 Where members of the public use specific council services, they have additional rights. These are not covered in this Constitution.
- 1.5.3 Citizens have the right to:
 - 1.5.3.1 vote at local elections if they are registered;
 - 1.5.3.2 contact their local councillor about any matters of concern to them;
 - 1.5.3.3 obtain a copy of the Constitution;
 - 1.5.3.4 attend meetings of the Council, the Cabinet, panels and committees except where confidential or exempt matters are being discussed;
 - 1.5.3.5 petition to request a referendum on a mayoral form of Cabinet;
 - 1.5.3.6 participate by submitting written questions to Council or Cabinet, and petitions to the Council;
 - 1.5.3.7 contribute to investigations by Overview and Scrutiny Panels;
 - 1.5.3.8 find out, from published notices, what major decisions are to be discussed by the Cabinet or decided by the Cabinet or Officers, and when;
 - 1.5.3.9 see reports and background papers except where exempt matters are to be or were discussed, and any record of decisions made by the Council and the Cabinet;

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- 1.5.3.10 complain to the Council about the services it provides (in accordance with the Council’s Complaints Procedure);
 - 1.5.3.11 complain to the Audit and Standards Committee if they have evidence which they think shows that a councillor has not followed the Councillor Code of Conduct;
 - 1.5.3.12 complain to the Local Government and Social Care Ombudsman if they think the Council has not followed its procedures properly. However, they should only do this after using the Council’s own complaints process; and
 - 1.5.3.13 inspect the Council’s accounts, and make their views known to the external auditor.
- 1.5.4 The Council welcomes participation by its citizens in its work and publishes information on citizen’s rights on its website.
- 1.5.5 The rights of citizens to inspect agendas and reports and attend meetings is set out in the [Access to Information Rules in Part 4 of the Constitution](#)

Glossary of abbreviations and terms

This section of the guidance sets out the abbreviations common to local government and definitions of words and phrases to aid consistency. It is preferable to make sure that plain English is used in all documents and communications, but sometime jargon and technical terms cannot be avoided.

Abbreviations

ALMO:	Arm’s-Length Management Organisation (Housing)
BVPI:	Best Value Performance Indicators (legacy term)
CAP:	Cabinet Advisory Panels
CCG:	Clinical Commissioning Groups
CCFA:	Councillor call for action
CFO:	Chief Finance Officer (also known as the Responsible Finance Officer - RFO - or section 151 officer)
CIPFA:	Chartered Institute of Public Finance and Accountancy
CPR:	Council Procedure Rules
CRF:	Community Renewal Fund

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DfE:	Department for Education
DLUHC:	Department for Levelling Up, Housing and Communities
DPS:	Dynamic Purchasing System
DWP:	Department of Work and Pensions
EC:	Electoral Commission
ECAB:	Electoral Coordination and Advisory Board
EIA:	Equality Impact Assessment
EPR:	Executive Procedure Rules
FOI:	Freedom of Information
FTE:	Full-Time Equivalent
FPCR:	Finance, Procurement and Contract Rules
GBF:	Getting Building Fund
HDC:	Harborough District Council
HMRC:	Her Majesty's Revenue and Customs
HoPS:	Head of Paid Service (Chief Executive)
HR:	Human Resources
HWRC:	Household Waste and Recycling Centre
IAGF:	Invitation to Apply for Grant Funding
IP:	Intellectual Property
ICT:	Information and Communications Technology
IT:	Information Technology
ITQ:	Invitation to Quote
ITT:	Invitation to Tender
JCS:	Joint Core Strategy
JCT:	Joint Contracts Tribunal (Construction Works)
LRALC:	Leicestershire and Rutland Association of Local Councils
LEP:	Local Enterprise Partnership
LGA:	Local Government Association
LGiU:	Local Government Information Unit
LGR:	Local Government Reform

LHA:	Local Highway Authority
LIVE:	Learning, Independence, Volunteering and Supported Employment
LJCS:	Leicestershire Joint Core Strategy
LLG	Lawyers in Local Government
LTA:	Local Transport Authority
LPI:	Local Performance Indicator
M&C:	Monitoring and Claim
MHCLG:	Ministry of Housing, Communities and Local Government
MO:	Monitoring Officer (Director of Governance and Law)
MTFS:	Medium Term Financial Strategy
NLW:	National Living Wage
NPPF:	National Planning Policy Framework
OH&P:	Overhead and Profit Terms (Contract)
PCSA:	Pre-construction Services Agreement
PFI:	Private Finance Initiative
PI:	Performance Indicator
PIA:	Privacy Impact Assessment
RAG:	Red Amber Green (Rating – Projects)
RIBA:	Royal Institute of British Architects
RO:	Returning Officer (Chief Executive)
RPI:	Retail Price Index
S106:	Section 106 Agreement (Town and Country Planning Act 1990)
S151:	Section 151 (Local Government Act 1972) (Director of Finance)
SEMLEP:	South East Midlands Local Enterprise Partnership
SIRO:	Senior Information Risk Officer
SI:	Statutory Instrument
SMEs:	Small to Medium Sized Enterprises
SoS:	Secretary of State
SR:	Spending Review
SRO:	Senior Responsible Officer

SSA: Sustainable Site Assessment
WGA: Whole of Government Accounts

Access to Information Rules	The rules which govern meetings of, and information held by, the Council, including by councillors and the public, found in Part 4 of the Constitution. This includes provision for attending meetings, accessing reports considered, reporting on proceedings, production of minutes, availability of background papers and preventing the public from attending meetings during the consideration of exempt or confidential material. It also covers the “call-in” of decisions.
adjourned	To suspend (i.e., a meeting) with the intention to resume it later
advisor	A person, who is neither a councillor nor an officer of the Council, appointed by a committee, sub-committee or panel to advise on specific matters or generally. This person cannot vote on council decisions.
Annual Governance Statement	A public statement which reviews how well the Council has kept to its Governance rules
Annual Statement of Accounts	See Statement of Accounts.
Anti-Fraud and Corruption Strategy	The Council’s strategy for protecting its valuable resources which describes the expectations and practices to avoid their loss.
approved supplier list	A list of suppliers which have met specific criteria to enable them to provide particular goods or services to the Council.
asset management strategy	The Council’s approach to getting the best possible value and revenue from things it owns (assets), such as buildings, land, roads, and technology.
Audit and Standards Committee	The Council has established an Audit and Standards Committee to act as an advisory committee to the Council and the Cabinet on audit and governance issues. The functions that are to be discharged by the Committee are not executive functions and cannot be discharged by the Cabinet.
background papers	The law says that report authors must list any papers used in compiling a report for decision, and these papers must be available for 4 years to anyone wishing to inspect them.

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balance sheet	A statement of the Council’s assets, liabilities, and capital at a particular point in time which details the balance of the Council’s income and expenditure over the preceding period.
best value	The optimum combination of whole life costs, quality and benefits, including economic, environmental and social value to meet the customer’s requirement
budget	Every year the Council puts a financial plan in place which describes how and where the Council will spend money to provide services and deliver the aims which it set out in its corporate plan. It also sets the level of council tax which it will charge in the next financial year. The budget sets out the money which the Council intends to spend during the year against the money available which has been received in council tax, income, and grants.
budget and the policy framework	The budget, plans and strategies, which have to be adopted by the full Council and within which the Cabinet, and officers, have to operate (see Article 4 and Part 4).
business rates	The income collected from businesses in the district based on rateable values set by the Valuation Office.
Cabinet	<p>Sometimes known as the Executive, the Cabinet is the Council’s decision-making body responsible for making the majority of decisions. The Cabinet makes decisions within a policy framework and budget set by the whole Council. The Cabinet is made up of the Leader and up to nine other Members, including a Deputy Leader, appointed by the Leader.</p> <p>The term “Cabinet“ includes any successor acting collectively or individually and shall also include officers with delegated responsibility for Cabinet functions – see further Part 3 of the Constitution (Responsibility for Functions).</p>
Cabinet Advisory	Cross Party meetings of elected members established by the Cabinet where policy is developed and recommendations are made to Cabinet. They are consultative forums with no decision-making powers but promote inclusive decision-making. They may also involve individuals with specific expertise who are not councillors.
Cabinet member	A councillor appointed to the Cabinet by the Leader. Some Cabinet members are assigned responsibility for a specific portfolio and are sometimes referred to as Portfolio Holders.

Cabinet members can also make decisions when Executive powers to do so are delegated to them by the Cabinet or Leader.

Cabinet Procedure Rules

See Executive Procedure Rules

Call-in

A mechanism, which allows the Overview & Scrutiny Panels to examine, and challenge, an Executive decision before it is implemented.

Call-off

A purchase from an existing framework agreement that creates a new contract.

Capital

Expenditure on an item or related group of items is normally defined as capital expenditure if it will last for more than a year, and cost more than £10,000 in total, excluding VAT.

Capital Programme

The Council's medium to long term plan for investing in its asset base. The Capital Programme is part of the Medium-Term Financial Strategy which sets out capital projects approved by full Council over a medium term, multi-year period. Such items follow a rigorous selection process and are funded from the Council's capital funds.

Chairman of the Council

The Chairman of the Council is the councillor who chairs meetings of the Council and carries out a variety of civic and ceremonial duties. The Chairman is elected to the role by the other councillors, usually at the Council's Annual Meeting. The Chairman cannot be a Cabinet member and is assisted in their work by the Vice-Chairman (see further [Article 4 at Part 2 and the Civic Protocol at Part 5 of the Constitution](#)).

Chief Executive

The Council's most senior Officer who is responsible for the management and direction of the Council's staff. The Chief Executive is accountable to the Leader of the Council, the Cabinet, and the Council as a whole. The Chief Executive is also generally designated as the Council's Head of Paid Service - a statutory role. The postholder has powers set out in law as well as the powers given to them by this Constitution (see further [Article XX in Part 2 and Part 3 of the constitution](#)).

Chief Finance Officer

The Chief Finance Officer (CFO) is a Statutory Chief Officer. Their powers are set out in legislation. The CFO is also referred to as the Section 151 Officer because the most important function of the role is imposed by section 151 of the

Local Government Act 1972. Every Council must appoint a CFO to manage the Council's finances and provide expert financial advice to the Council. The CFO must be a qualified accountant and must ensure that the Council does not spend more money than it has to carry out its plans (this is called a balanced budget). The CFO can also be known as the Responsible Finance Officer (RFO).

Chief Officers

The most senior Council staff, defined by section 43 of the Localism Act 2011 as:

- a. the Head of Paid Service;
- aa. a chief executive of a corporate joint committee;
- b. the Monitoring Officer;
- c. statutory chief officers (section 2(6) of the Local government and Housing Act 1989);
- d. a non-statutory chief officer (section 2(7) of the Local Government and Housing Act 1989);
- e. a deputy chief officer (section 2(8) of the Local government and Housing Act 1989).

The description also applies to:

- f. a person for whom the Head of Paid Service is directly responsible;
- g. a person who, as respects all or most of the duties of their post, is required to report directly (or is directly accountable) to the Head of Paid Service; and
- h. any person who, as respects all or most of the duties of their post, is required to report directly (or is directly accountable) to the local authority themselves, the Cabinet or any committee or sub-committee of the authority,

whose duties are not solely secretarial or clerical, or otherwise in the nature of support services;

clear [working] days

Relevant to notices e.g. all agendas and papers for decision in public must be available 5 clear working days before the decision is taken (special rules can apply to urgent late items). The five days does NOT include the day the papers are sent out or the date of the meeting (hence the use of 'clear'). 'Working' is taken to be Monday to Friday inclusive

and excludes Saturdays, Sundays and Bank Holidays

combined work plan	The document maintained by Democratic Services showing all Key Decisions and other significant decisions which are on the Forward Plan and the internal deadlines and processes for getting the decision to the declared decision meeting / period.
commercial agreement	A type of contract for goods or services in exchange for something in return, usually money.
commissioning	Within the Council, the process of buying services from outside the Council and monitoring and managing the purchase and carrying out of those services.
committee	A Committee is a formal group of councillors whose remit, terms of reference and operating rules are set out in the Council's constitution. There are many different committees – see Article 7 at Part 2 of this Constitution. Each one makes decisions about a specific area of responsibility – for example planning or licensing. Individuals who are not councillors may be involved in the committee by co-option.
concession contract	Contracts for pecuniary interest, where the consideration is either that the Supplier has the right to exploit the works / services that are the subject of the Contract, or where the Supplier has that right together with some payment from the Contracting Authority
confidential information	In relation to meetings and reports this is information which the Council has received from a Government department on terms which cannot be disclosed publicly. It can also be information which: <ul style="list-style-type: none">(i) the Council cannot disclose due to a court order or legislation; or(ii) is not public and is information which was given to the Council in such a way that made it clear it was meant to be kept confidential.
constitution	The governance document, or 'rule book', which sets out how the Council will make decisions and who will make those decisions. It also sets out how residents and others can participate.
contract	An agreement which: may be oral, written, partly oral and partly written or implied from conduct between the Council and another person; gives rise to obligations which

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are enforceable or recognised by law (i.e. legally binding) and commits the Council to paying or doing something. A reference to a contract may also include a contract to which the **Finance, Procurement and Contract Rules** apply (see further Part 4 of the Constitution) and a “call off contract” means an order made or call off contract entered into under a Framework Agreement.

contracting authorities	National, regional or local authorities, bodies governed by public law, associations formed by one or several of such authorities or on or several of such bodies governed by public law.
contractors	See suppliers.
Contract Finder	The government portal for information on public sector contracts.
contract management	The process of ensuring the contract results in the benefits and outcomes envisaged and that the advantages secured during the tendering phase are realised and improved through further proactive performance management during its term.
contract management system	The IT system and associated processes used to support supplier and contract management, providing visibility and a single view of all Council contracts. It is also the Council’s contract register.
Contract Procedure Rules	see Finance, Procurement and Contract Rules.
co-optee / co-opted	A non-councillor (may be non-voting) appointed to serve on a Committee / Sub-Committee in a participatory capacity.
corporate plan	Sets out the Council’s vision and priorities for the area.
Council	The term often used to refer to the whole organisation (i.e., councillors and officers); but see full Council below. Harborough District Council is led by councillors who are elected by the public. They set the priorities and the budget for the organisation. Staff working for the Council (officers) deliver the day-to-day operations. The word Council is used to refer both to the organisation as a whole and specifically to the decision-making body.
council body	May include any Committee, Board, Panel, or informal

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working group.

councillor

A councillor is elected and is a member of the Council. Councillors stand for election normally every four years and are accountable to the residents of a specific area (their electoral ward) but are responsible for making decisions for the entire council area. Councillors do not have to be a member of a political party, but most are. Those who do not are known as 'un-grouped' or 'independent' councillors.

councillor call for action

The Councillor Call for Action allows councillors to refer matters of concern within the community to the relevant Committee, providing them with additional powers to respond to local community concerns which have proved difficult to resolve.

Council Procedure Rules

Rules governing meetings of Council committees and sub committees, apart from the Cabinet (see further **Part 4 of the Constitution**).

council tax

The income collected from residents based on banded property values and which funds a significant proportion of council services.

debt management action

The Council's strategy to manage and recover the sums of money it is owed.

decision

The choices and agreements made on a particular issue. The Council's Constitution sets out the rules on how formal decisions are to be taken in compliance with the law (see also Key Decisions). The Constitution also sets out how decisions are to be recorded and published.

delegatee

A person to whom authority, power, responsibility, etc., is delegated.

delegation

Formal authorisation for a committee, Cabinet Member, joint committee or officer to take an action, which is the ultimate responsibility of the Council or Cabinet.

delegator

A person or group delegating authority, power, responsibilities, etc., to another person or group (the delegatee).

deputy chief officer

A person who, for all or most of the duties of their post, reports directly (or is directly accountable) to a chief officer and whose duties are not solely secretarial or clerical, or

otherwise in the nature of support services;

development plan Means the Council's local plans and other documents that set out the policies and proposals for the development and use of land within the administrative area of Harborough District Council.

director The Council's most senior officers report directly to the Chief Executive and are accountable to Members and the Cabinet – see also Chief Officer.

disclosable pecuniary interest A disclosable interest means something which a councillor must declare in a meeting relating to their role outside the Council which could impact on their decisions for the Council – see further the Councillor Code of Conduct at Part 5 of the Constitution. A pecuniary interest is a financial interest as defined in 'The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012.

elected member See Councillor.

Employment Committee Under the Local Government Act 1972 the Council has established an Employment Committee. Employment matters are not Executive functions and cannot be discharged by the Executive. The powers and responsibilities of the Employment Committee are set out in Part 3 of the constitution the Constitution but generally deal with employment matters relating to specified senior Officers.

Executive Procedure Rules (EPR)

The rules governing executive meetings and functions, including Cabinet sub-committees.

exempt information In relation to meetings and reports this means information which can be withheld from the public. It must pass one of seven tests in order for it to be exempt and it must also be in the public interest to do so. If an item is deemed to be exempt during a public meeting, then members of the public and any press have to leave the meeting while exempt information is being discussed. See further the [Access to Information Rules](#) at Part 5 Section 4 of this Constitution.

EU Procurement Regulations

The collective term for trade agreements and arrangements, including:

- the Agreement on Government Procurement (GPA) entered into via the World Trade Organisation;
- the European Community Treaty (EU Treaty)*;

- any relevant regulations, directives, or decisions of the European Community*;
- any Acts of Parliament or statutory instruments implementing the above for the time being in force in the United Kingdom;
- any relevant judgements of the European Court of Justice* or UK courts.

*These will continue to be followed at the present time until replaced, even though the United Kingdom has left the European Union.

external auditors	An independent auditor appointed to review the Council's financial and management arrangements.
financial year	The financial year for the Council is not the same as the calendar year – it starts on 1 April and ends on 31 March.
Finance, Procurement and Contract Rules	The rules which set out how the Council will manage its financial affairs (Part 4 Section XX of the Constitution) .
Financial Scheme of Delegation	The financial limits on spend set up by service area – see Part 4 section XX of the Constitution .
Find a Tender	The UK e-notification service in which all tenders from the public sector above relevant thresholds must be published.
follow on decisions	Means a decision on consequential matters following a decision to approve a Planning Application. These include but are not limited to: approval or discharge of planning conditions, legal agreements, and non-material amendments.
Forward Plan	A list of the 'Key Decisions' the Council will make over the next one to four months. The Forward Plan also includes a summary of any reports which will be presented to the Cabinet. You can view the Forward Plan for the Council on its website.
framework	A term used in different ways which refers to the way that the Council operates - for example, policy framework, commissioning framework, governance framework.
framework agreement	An agreement which sets out the terms and conditions under which the Council can make specific purchases ("Call-Off") from a Supplier(s) to provide services, goods or works at agreed standards and prices. If the Council calls off services, goods or works from the Supplier then a binding Contract is formed.

full Council / Council	The full Council is all the councillors who make up Harborough District Council. Full Council meets throughout the year with the meeting being chaired by the Chairman. Full Council takes specific decisions, including setting the budget. It also appoints committees to make decisions about specific issues such as planning and licensing. It operates in accordance with the Council Procedure Rules at Part 4 of the constitution.
function	Within the Council, a function is something the Council provides or does, by choice (i.e. discretionary) or as a duty (statutory) - for example leisure services and household waste collection respectively. It also includes “power” and “responsibility”.
grant	For the purposes of this constitution means a formal agreement giving financial assistance to an individual or organisation to assist in meeting its general purpose or objectives but where the specific supply of goods, works or services is not required in return. There should be award criteria, performance targets and conditions on how the money is spent and Officers should monitor these in accordance with the terms of the grant agreement.
Head of Paid Service	The Head of Paid Service is a Statutory Chief Officer appointed by Council with responsibility for the employment of Council officers (generally the Chief Executive) (See Article 9).
Head of service	a person, other than the Head of Paid Service, whose post is titled “Head of (a service or services)” and whose duties are not solely secretarial or clerical, or otherwise in the nature of support services.
Health and Wellbeing Board	The Health and Wellbeing Board is a statutory committee that enables key leaders from across Leicestershire to secure better health and wellbeing outcomes for the local population, better quality of care for all patients and care users, better value for the taxpayer and reduce health inequalities by shaping the future of services through a more integrated approach to commissioning health and wellbeing related services.
independent person	The Council must have at least one designated independent person who is not a councillor or a member of staff in accordance with section 28(7) of the Localism Act 2011. The

independent person is consulted about complaints made against councillors and also about the dismissal of any of the Council's statutory officers and attend the committees dealing with councillor standards issues and Audit matters.

interpretation

The ruling of the Chairman of the Council as to the construction or application of the Constitution or as to any proceedings of the Council shall not be challenged at any meeting of the Council. Such interpretation will have regard to the purposes of this Constitution. Any references to legislation contained within the Constitution includes subsequent amendments to that legislation.

joint committee

A body appointed under Section 101 of the Local Government Act 1972 (e.g. crematoria committees).

Key Decision

Key Decisions are Executive decisions (not those made by committee) and are defined in the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) (Regulations) 2012 and are decisions which:

- Result in the Council incurring expenditure which is, or making savings which are, significant having regard to the Council's budget for the service or function to which the decision relates; or
- Are deemed significant in terms of their effect on communities living or working within the area of the Council. The Council has decided that a significant decision financially is £50,000.

Leader (of the Council)

Councillors elect a person who will be the Leader of the Council. Usually this is the leader of the largest political group on the whole Council. The Leader of the Council is also the Leader of the Cabinet and will appoint up to nine other councillors to form the Cabinet to take executive decisions on behalf of the Council. The Leader can appoint a Deputy Leader from the councillors appointed to the Cabinet (see further [Article 5 in Part 2 of the Constitution](#))

legal professional

Confidential communications between lawyers and their clients can be withheld from a court or from a third party using legal professional privilege.

legislation

Laws made by Parliament in the form of Acts of Parliament (a Statute) or Statutory Regulations or By-laws which can be made by the Council.

Medium Term Financial Strategy (MTFS)	Sets out the Council's budget (revenue and capital) over a period of more than one year and is linked to the Corporate Plan and Service Plans.
Member	See Councillor.
minutes	The formal written record of a meeting. Minutes of Harborough District Council meetings are available on the Council's website.
Monitoring Officer	The Monitoring Officer is a Statutory Officer responsible for the lawful and good governance of the Council due to section 5 of the Local Government and Housing Act 1989. This includes responsibility for the Constitution, decision-making and the conduct of Council officers and councillors. It also includes the conduct of local councillors (i.e. Town and Parish). (see further Article XX of Part 2 and Part 3 of the constitution).
motion	A proposal for a discussion or debate.
municipal year	The period between annual meetings of the Council. The municipal year is neither the calendar year, school year or financial year, but rather usually starts and ends in May. There is no fixed date and as such the number of days in a municipal year varies slightly.
natural justice	The right of all parties in proceedings to a fair hearing before an impartial tribunal (which includes a committee)
officer	Someone employed by the Council.
other disclosable interest	An interest which is not a pecuniary interest but is disclosable by members as set out in the Councillor Code of Conduct (see Part 5 of the Constitution)
overview and scrutiny panel	Also referred to as a Scrutiny Committee these committees support and challenge the work of the Cabinet and help hold it to account. The Scrutiny Committee is made up of councillors who are not part of the Cabinet.
permission in principle (PIP)	Means an application by a developer to the Council to determine a housing development is acceptable in principle only and does not include technical details. A Permission in Principle is not a grant of planning consent.

plan	A document setting out in detail how to achieve a desired outcome;
planning applications	Means planning applications for full and outline consent as well as applications for reserved matters approvals and, for the avoidance of doubt, excludes Permission in Principle (PIP) and Related Matters.
policy	A document which sets out a strategic objective for the Council and provides a framework of principles and guidelines which must be followed to achieve those objectives.
policy framework	Refers to the Council's strategies and policies as set out in Part 3 of the Constitution.
political proportionality	A legal principle which dictates that Committees of the Council (but not the Cabinet) must include elected politicians in proportion to the size of their groups on the Council as a whole.
point of order	Where a councillor considers that a breach of the Council Procedure Rules or legislation has occurred within a debate.
portfolio	Within the Council, a portfolio is a specific area of responsibility - for example housing. The portfolios and who is responsible for each area (the Cabinet members) on the website and in the Constitution.
procedure	The means by which a strategy or policy will be implemented or a process which must be followed.
procurement	How the Council identifies, sources, selects, and manages the resources it needs to buy in to deliver services or meet its strategic objectives.
Procurement and Contract Rules	The part of the Constitution that sets out the procedures to be followed when seeking to establish a contract with an external supplier-contained within the Finance, Procurement and Contract Rules in Part 4 of the Constitution.
proper officer	A term used to refer to the Council's lead Officer for a particular function. The list of Proper Officers is in Part 3 or 4 of the Constitution.
protocol	A document recording conventions, agreements etiquette or

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	precedence
publication	Provision of information on the Council's website, in the local press and available for inspection at the Council's registered office.
quorum	The minimum number of attendees who have to be present at a meeting of the Council, a Committee or Sub-Committee etc to conduct its business.
registered office	The Council's main office for service of documents and inspection of documents is The Symington Building, Adam and Eve Street, Market Harborough, Leicestershire, LE16 7AG.
Regulatory committee	The committee which discharges the Council's regulatory functions other than licensing under the Licensing Act 2003.
related matters	Means applications for permitted development, prior approvals, advertisement consent, tree preservation orders, high hedges, and listed building consent.
representations	Members of the public can give their views on any Cabinet or Cabinet member reports or on any proposed decision by informing Democratic Services by the deadline outlined on the meeting agenda.
reserves	Sums of money set aside on the Council's balance sheet. The Council has 'general reserves', and 'earmarked reserves' which are set aside for a specific purpose.
scheme of delegation	A Scheme of Delegation sets out how the Council and the Cabinet have delegated authority to a committee or another body, or to an individual Cabinet member or officer to exercise their powers or perform their functions. The Officer Scheme of Delegation concerns those powers and functions delegated to officers. The Scheme of Delegation will also specify any limits on the delegated authority
scrutiny committee	See overview and scrutiny panel
seal	The Monitoring Officer has custody of the Common Seal of the Council and is responsible for ensuring that the seal is only affixed in accordance with procedures and permissions determined by the Monitoring Officer. The Common Seal of the Council may be affixed electronically in accordance with

the Electronic Communications Act 2000, provided that the Monitoring Officer is satisfied that proper arrangements are in place for the use and application of an electronic version of the Common Seal of the Council.

**Section 151 Officer
(S151 Officer)**

See Chief Finance Officer.

**Significant operational
decision**

This is either:
i) a Key Decision; or
(ii) a decision that would otherwise have been taken by the full Council, a committee or sub-committee of the Council but has been delegated to an officer either:
a) under a specific express authorisation; or
b) under a general authorisation to officers to take such decisions and, the effect of the decision is to:
(aa) grant a permission or licence;
(bb) affect the rights of an individual; or
(cc) award a contract or incur expenditure which, in either case, materially affects that relevant local government body's financial position, which is taken to mean expenditure in excess of £100,000 (excluding social care packages or placements)

standards complaint

Refers to a complaint that a councillor has failed to comply with the relevant Councillor Code of Conduct. It can be made against an elected or co-opted councillor of the unitary authority or of a local council, i.e. a town or parish councillor.

statement of accounts

A document required by law which sets out the Council's financial position at 31 March each year and includes the Council's income and expenditure for a given financial year.

statute

An Act of Parliament – the law – see also legislation.

statutory

Required by law. Councils have statutory duties including preventing homelessness, safeguarding children and vulnerable adults, providing education, maintaining roads, managing community safety, and enforcing regulations e.g. in relation to planning, licensing and the environment.

statutory chief officers

The Council is required by law to appoint officers in certain key roles. The Statutory Chief Officer roles are:
- the Head of Paid Service;
- the Monitoring Officer; and
- the Section 151 Officer.

statutory officers	The Council is required by law to appoint other officers including a Data Protection Officer
strategy	A general plan or set of plans intended to achieve something, usually over a long period
sub-committee	A group of elected councillors from the committee in question convened to undertake a particular task or perform a particular function. The sub-committee then reports back and is accountable to the committee.
substitute	Some committees permit councillors to appoint a substitute (or reserve) councillor to attend a meeting, which they cannot attend themselves (for regulatory committees, the substitute must have completed the required training).
summons	The term used to describe the Agenda for meetings of the full Council.
suppliers	Also known as contractors, suppliers are those parties which enter into a contract with the Council to provide goods or services.
trading account	Services which are funded by generating income from internal and external sources.
treasury management strategy	The way in which the Council manages its cash, borrowing, lending and investments, and associated risks.
virement	The movement of money from one budget heading to another.
vires (intra vires / ultra vires)	A Latin phrase which means 'powers'. Within the Council vires concerns the power or lawful authority to make a decision, perform a function, or undertake an action. A decision made, function performed, or action undertaken will be 'intra vires' if the Council has the power and lawful authority to do it and 'ultra vires' if it does not.
ward	A ward is an electoral area determined by the Boundary Commission. Harborough District Council has 19 wards. The number of Councillors representing a ward varies from 1 to 3 depending on the size of the ward.

