

# **District Executive Procedure Rules**

## **1. How does the District Executive operate?**

### **1.1 Who may make executive decisions?**

The arrangements for the discharge of District Executive functions shall be set out in the executive arrangements adopted by the Council. The arrangements may provide for executive functions to be discharged by:

- (i) the District Executive as a whole;
- (ii) a committee of the District Executive;
- (iii) an executive portfolio holder
- (iv) an officer;
- (v) an area committee;
- (vi) joint arrangements; or
- (vii) another local authority.

### **1.2 Sub-delegation of executive functions**

- (a) Where the District Executive or a committee of the District Executive is responsible for an executive function, they may delegate further to an area committee, individual executive portfolio holder, 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 body who delegated.

### **1.3 The Council's Scheme of Delegation and Executive functions**

The Council's Scheme of Delegation will be subject to adoption by the Council and may only be amended by the Council. It will contain the details required in Article 7 and set out in Part 3 of this Constitution.

### **1.4 Conflicts of Interest**

- (a) Where any member of the District 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.
- (b) If the exercise of an executive function has been delegated to a committee of the District Executive, or an officer, and should a conflict of interest arise, then the function will be exercised in the first instance by the 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 District Executive meetings – when and where?**

The District Executive will meet at least 10 times per year at times to be agreed by the Leader. The District Executive shall meet at the Council's main offices or another location to be agreed by the Leader.

### **1.7 Public meetings of the District Executive**

Meetings of the District Executive shall be open to the public in accordance with the Access to Information Procedure Rules. Items will be considered in private session

only if they qualify under the grounds to exclude the public under the Access to Information procedure Rules

## 1.8 **Quorum**

The quorum for a meeting of the District Executive, or a committee of it, shall be one quarter of the total number of members of that body. Provided that in no case shall the quorum be less than three.

## 1.9 **How are decisions to be taken by the District Executive?**

- (a) Executive decisions which have been delegated to the District Executive as a whole will be taken at a meeting convened in accordance with the Access to Information Procedure Rules in Part 4 of the Constitution.
- (b) Where executive decisions are delegated to a committee of the District Executive, the rules applying to executive decisions taken by them shall be the same as those applying to those taken by the District Executive as a whole.

## 2. **How Are District Executive Meetings Conducted?**

### 2.1 **Who presides?**

If the Leader is present he/she will preside. In his/her absence, then the deputy Leader shall preside. In the absence of both a person appointed to do so by those present shall preside.

### 2.2 **Who may attend?**

It shall be open to all members of the Council to attend and speak at meetings of the District Executive. All meetings of the District Executive shall also be open to the public who may address the meeting in accordance with the Council Procedure Rules on Public Participation.

### 2.3 **What business?**

At each meeting of the District Executive the following business will be conducted:

- (i) consideration of the minutes of the last meeting;
- (ii) declarations of interest, if any;
- (iii) matters referred to the Executive (whether by the Scrutiny Committee, or by the Council) for reconsideration by the Executive in accordance with the provisions contained in the Scrutiny Procedure Rules or the Budget and Policy Framework Procedure Rules set out in Part 4 of this Constitution;
- (iv) matters set out in the agenda for the meeting, which agenda shall indicate those matters which are key decisions and those which are not in accordance with the Access to Information Procedure rules set out in Part 4 of this Constitution.
- (v) reports from the Council's Management Team.
- (vi) items raised by the Area Committee Chairmen.

## 2.4 **Consultation**

All reports to the District Executive from any member of the District Executive or an officer on proposals relating to the budget and policy framework must contain details of the nature and extent of consultation with stakeholders and relevant committees, 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 District Executive agenda?**

The Leader will decide upon the schedule for the meetings of the District Executive.

Officers will submit reports for decision as required by the Council's Scheme of Delegation.

Any member of the District Executive may require the Democratic Services Specialist to make sure that an item is placed on the agenda of the next available meeting of the District Executive for consideration. If he/she receives such a request the proper officer will comply.

The Democratic Services Specialist will make sure that an item is placed on the agenda of the next available meeting of the District Executive where the Scrutiny Committee or the full Council have resolved that an item be considered by the District Executive.