

FOLKESTONE & HYTHE DC
COMPARISON SUMMARY OF CHANGE IN CONSTITUTIONAL ARRANGEMENTS

<i>Draft provision – Committee system</i>	<i>Current provision – Exec system</i>	
Role description	Article 5 & 7	
Leader and Dep Leader is not a formal office of the Council. Appointed to formal office of Chair & Vice Chair of Resources Committee each year as part of AM Informal role for political focus but no decision making powers	Article 7: Leader is the senior executive member of the council. Leader is elected for a term determined by council, currently for full term of cllr (>4yrs) Ldr appoints deputy and cabinet Ldr determines delegations and decisions for exec functions	Legal requirements
Spokespersons as informal support roles to a committee. No decision making powers	Cabinet members as portfolio holders Have decision making powers as delegated by Leader	Spokespersons not necessary and a choice
Group leaders	No current description	
Chair	Article 5: Function of chair of the council remains as is	
Chairs & Group spokespersons	No equivalent description for other roles	
Council similar as now cttee system reservations	Article 4	
Policy Terms of reference	Articles 6,7,8	
Resources Committee and Communities Committee, includes employment matters. They are responsible for active functions and referred to as 'policy committees', but can cover other matters as desired Politically balanced.	Cabinet. Executive or non-executive functions are fixed legal concepts Personnel Committee separate (as non-executive) Not politically balanced. As above	
O&S functions not adopted. Style is incorporated into policy committees	O&S committee	Must resolve to adopt or not
Planning committee	As now, separated from planning and licensing	A choice
Licensing and Licensing Act Committee	As now, separated from planning and licensing	LA 2003 required

Draft provision – Committee system	Current provision – Exec system	
Politically balanced Licensing Committee appointed - Same members for the separate statutory committee for functions under the Licensing Act 2003		
Audit and Governance	As now	No change
Key decision: a choice – policy committee decisions The trigger for inclusion on Forward Plan and for being able to have decision referred from officer to committee and for rescission (call-in) to Resources Committee or Council	Article 12.3 – legal requirement for exec decisions The trigger for inclusion on Forward Plan and for being able to have decision called-in to scrutiny	A choice but must adopt or not
Legal definition Not included council budget and policy decisions as to be decided at Council in any event Financial significance defined locally as now (or will be) Means of determining significant	Legal definition Added to with inclusion of non-executive council budget and policy decisions Financial significance defined locally No means of determining significant	
Forward Plan - also a choice. Added the term ‘normally’	Advance notice of key executive decisions a requirement	
Referral: withdrawal of delegation on officer key decisions <i>before</i> decision to be made and sent to committee	No current process	a choice
Draft process for discussion – threshold & criteria?	At absolute discretion of the Leader	
Rescission: withdrawal of delegation on key decisions <i>after</i> decision made	Call-in after decision made: a requirement	a choice
May be re-made, or may be referred back, by resources committee or council	Suspension of implementation and key decision may be confirmed or referred back	
Criteria is to be the same as currently used for call in?	O&S Rules 3.2	