

GUILDFORD BOROUGH COUNCIL**EXECUTIVE PROCEDURE RULES****1. How does the Executive operate?****1.1 Who may make executive decisions?**

The Leader has responsibility for the discharge of all executive functions and may delegate any or all of these functions to:

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

1.2 Delegation of executive functions

~~The Executive Head of Governance will present to the Council a written record of delegations made by the Leader/Executive on an annual basis for inclusion in the Council's scheme of delegation at Part 3 to this Constitution. The document presented by the Executive Head of Governance will contain the following information about executive functions in relation to the coming year:~~

- ~~(i) the names, addresses and wards of the Leader and councillors appointed to the Executive;~~
- ~~(ii) the extent of any authority delegated to members of the Executive individually, including details of the limitation on their authority;~~
- ~~(iii) the terms of reference and constitution of such Executive committees as may be appointed and the names of members of the Executive appointed to them;~~
- ~~(iv) the nature and extent of any delegation of executive functions to area committees, any other authority or any joint arrangements and the names of those members of the Executive appointed to any joint committee for the coming year; and~~
- ~~(v) the nature and extent of any delegation to officers with details of any limitation on that delegation, and the title of the officer to whom the delegation is made.~~

~~1.3 Sub-delegation of executive functions~~

- (a) Where the Executive is responsible for an executive function, it may delegate further to a committee of the Executive, lead councillor, area committee, joint arrangements or officer.

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- (b) Unless the Leader/Executive directs otherwise, a committee of the Executive or lead councillor may delegate further to an officer.
- (c) Even where executive functions have been delegated, that fact does not prevent the discharge of delegated functions by the person or body who delegated.

1.43 The Leader's scheme of delegation and Executive functions

~~The Leader's scheme of delegation in respect of executive functions set out in Part 3 of this Constitution, may only be agreed or amended by the Leader.~~

- (a) The Leader may amend the scheme of delegation relating to executive functions at any time. In doing so the Leader will give written notice to the Executive Head of Governance and to the person, body or committee concerned. The notice must set out the extent of the amendment to the scheme of delegation, and whether it entails the withdrawal of delegation from any person, body or committee. The Executive Head of Governance will present a report to the next ordinary meeting of the Council setting out the changes made by the Leader.
- (b) Where the Leader seeks to withdraw delegation from a committee of the Executive, notice will be deemed to be served on that committee when he has served it on its chairman.

1.54 Conflicts of interest

- (a) Where the Leader has a conflict of interest this should be dealt with as set out in the Councillors' Code of Conduct in Part 5 of this Constitution.
- (b) If ~~every~~any member of the Executive has a conflict of interest this should be dealt with as set out in the Councillors' Code of Conduct in Part 5 of this Constitution.
- (c) If the exercise of an executive function has been delegated to a committee of the Executive, an individual lead councillor or an officer, and should a conflict of interest arise, then the function will be exercised in the first instance by the person or body by whom the delegation was made and otherwise as set out in the Councillors' Code of Conduct in Part 5 of this Constitution.

1.65 Executive meetings

The Executive will meet at such times as the Leader shall determine. The Executive shall meet at the Council's main offices or another location to be agreed by the Executive Head of Governance, in consultation with the Leader of the Council.

1.76 Quorum

The quorum for a meeting of the Executive shall be 3 members of the Executive.

1.87 How are decisions to be taken by the Executive?

- (a) Executive decisions which have been delegated to the 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 Executive, the Procedure Rules applying to executive decisions taken by them shall be the same as those applying to those taken by the Executive as a whole.

2 How are the Executive meetings conducted?**2.1 Who presides?**

The Leader, or in his or her absence the Deputy Leader, will preside. In the absence of both the Leader and Deputy Leader, then a member of the Executive appointed to do so by those present shall preside.

2.2 Who may attend?

Meetings of the Executive will be held in accordance with the Access to Information Rules in Part 4 of this Constitution.

2.3 What business?

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

- (i) disclosure of interests (if any);
- (ii) consideration of the minutes of the previous meeting of the Executive
- (iii) matters referred to the Executive by the scrutiny committees or by the Council for reconsideration by the Executive in accordance with the provisions contained in the Overview and Scrutiny Procedure Rules or the Budget and Policy Framework Procedure Rules set out in Part 4 of this Constitution;
- (iv) consideration of reports and recommendations from the scrutiny committees;
- (v) matters set out in the agenda for the meeting, which shall indicate which are key decisions.

2.4 Consultation

All reports to the Leader/Executive on proposals relating to the budget and policy framework must contain details of the nature and extent of consultation 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.