

# **PART 9**

## **GLOSSARY OF COMMON TERMS**

## **GLOSSARY OF COMMON TERMS USED IN THE CONSTITUTION**

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The Constitution uses a number of words or phrases that have a certain meaning. Some of these are defined in legislation.

Below are plain English definitions for words or phrases referred to within the Constitution. Please refer to the body of the Constitution or the relevant legislation for more detailed descriptions.

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| <b>Abstain</b>                     | When a Councillor chooses not to vote on a motion.                                                                                                                                                                                  |
| <b>Access to Information</b>       | By law the public must be given reasonable notice of matters to be discussed at a Council, Committee or Sub-Committee meeting.                                                                                                      |
| <b>Adjourn</b>                     | When a meeting is briefly suspended.                                                                                                                                                                                                |
| <b>Affirmation of the Meeting</b>  | When something is agreed by general consensus of the members present.                                                                                                                                                               |
| <b>Agenda</b>                      | A document containing reports which sets out the business to be considered at a meeting. The Agenda is published at least five clear working days before the meeting.                                                               |
| <b>Amendment</b>                   | A change to a motion.                                                                                                                                                                                                               |
| <b>Annual Council</b>              | The yearly ceremonial meeting of the Council at which the Leader and Chairman of the Council are elected.                                                                                                                           |
| <b>Articles</b>                    | The basic rules governing the Council's business.                                                                                                                                                                                   |
| <b>Background Papers</b>           | Documents on which reports are primarily based. The law says that report authors must list any papers used in compiling a report for decision, and these papers must be available for four years to anyone wishing to inspect them. |
| <b>Budget</b>                      | All the financial resources allocated to different services.                                                                                                                                                                        |
| <b>Budget and Policy Framework</b> | The plans and strategies adopted by the Council within which the Executive must operate.                                                                                                                                            |
| <b>Cabinet</b>                     | The Councillors who make up the Executive.                                                                                                                                                                                          |

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| <b>Call-In</b>                  | A mechanism which allows Scrutiny to examine and challenge an Executive decision before it is implemented.                                                                                                                    |
| <b>Carried</b>                  | When a motion is carried, it is agreed.                                                                                                                                                                                       |
| <b>Casting Vote</b>             | The Chairman has a casting vote which decides the matter when votes are equally divided.                                                                                                                                      |
| <b>Chairman</b>                 | The person appointed to oversee meetings.                                                                                                                                                                                     |
| <b>Chief Executive</b>          | The most senior officer, with overall responsibility for the management and operation of the Council. Also known as the Head of Paid Service.                                                                                 |
| <b>Chief Finance Officer</b>    | The officer responsible for the administration of the Council's finances. Also known as the Section 151 Officer.                                                                                                              |
| <b>Clear Days</b>               | Clear days does not include the day the papers are sent out or the date of the meeting. So for example, if a meeting is taking place on a Tuesday, the agenda must be published on the Monday in the week before the meeting. |
| <b>Closure Motion</b>           | When a member moves that a vote is taken to decide a question under consideration immediately, without further debate.                                                                                                        |
| <b>Code of Conduct</b>          | A set of rules to guide behaviour.                                                                                                                                                                                            |
| <b>Committees</b>               | May be established by the Council to assist with non-Executive functions.                                                                                                                                                     |
| <b>Confidential Information</b> | Information either given to the Council by the Government on terms which forbid its public disclosure or which cannot be publicly disclosed by Court Order. See also 'Exempt Information' below.                              |
| <b>Constitution</b>             | A document setting out how the Council operates, how decisions are made and all the procedures which have to be followed.                                                                                                     |

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| <b>Co-Optee</b>                 | A person who is not elected but is appointed to serve on a Committee or Sub-Committee in a participatory capacity.                                                                                                           |
| <b>Council</b>                  | The 38 Councillors Elected for North West Leicestershire.                                                                                                                                                                    |
| <b>Councillor</b>               | A person elected to represent their Ward on the Council.                                                                                                                                                                     |
| <b>Council Tax</b>              | A tax charged to households by local authorities, based on the estimated value of the property and the number of people living in it.                                                                                        |
| <b>Debate</b>                   | A discussion on an issue in which different views are put forward.                                                                                                                                                           |
| <b>Declarations of Interest</b> | Councillors have to abide by a Code of Conduct, part of which requires them to declare any interests they have which could influence any decisions they make.                                                                |
| <b>Defer</b>                    | When an issue is put off or postponed until a future time.                                                                                                                                                                   |
| <b>Delegated Powers</b>         | Formal authorisation for a committee, portfolio holder or officer to take an action which is the ultimate responsibility of the Council or Executive.                                                                        |
| <b>Deputations</b>              | A person or group appointed to represent issues on behalf of others at Council meetings.                                                                                                                                     |
| <b>Deputy Chairman</b>          | The person appointed to preside in the absence of the Chairman.                                                                                                                                                              |
| <b>Deputy Leader</b>            | The Councillor elected to the position of Deputy Leader of the Council.                                                                                                                                                      |
| <b>Directors</b>                | The officers in charge of the Council Directorates.                                                                                                                                                                          |
| <b>Dispensation</b>             | Where Councillors have an interest in a matter, the Audit and Governance Committee may, in some circumstances, grant a Councillor a dispensation to speak, and sometimes to vote, depending upon the nature of the interest. |

## **NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL CONSTITUTION**

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| <b>District</b>                           | The geographical area which the Council provides services for.                                                                                                                          |
| <b>Exclusion of the Public</b>            | The public are excluded from meetings when exempt or confidential information is being considered.                                                                                      |
| <b>Executive</b>                          | The Leader and the Cabinet; responsible for carrying out almost all of the local authority's functions.                                                                                 |
| <b>Executive Decisions</b>                | Decisions which can be made by the Cabinet, a member or committee of the Cabinet, or an officer.                                                                                        |
| <b>Executive Decision Notice</b>          | A public document of executive and key decisions to be taken by the Executive or officers no earlier than 28 days after its publication.                                                |
| <b>Executive Functions</b>                | Functions which can be carried out by the Cabinet, a member or committee of the Cabinet, or an officer.                                                                                 |
| <b>Exempt Information</b>                 | Information falling into one of seven categories which usually cannot be publicly disclosed – see the Access to Information Procedure Rules in Part 4 of the Constitution.              |
| <b>Extraordinary Meeting</b>              | A meeting convened for a specific purpose.                                                                                                                                              |
| <b>General Exception</b>                  | A procedure which must be followed when items which are likely to be Executive/Key decisions have not been included in the Executive Decision Notice before the decision will be taken. |
| <b>General Fund</b>                       | Used to pay for items of everyday expenditure such as salaries.                                                                                                                         |
| <b>Group Leader</b>                       | Leader of a political group.                                                                                                                                                            |
| <b>Head of Legal and Support Services</b> | See Monitoring Officer below.                                                                                                                                                           |
| <b>Head of Paid Service</b>               | The most senior officer, with overall responsibility for the management and operation of the Council; also known as the Chief Executive.                                                |

## **NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL CONSTITUTION**

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| <b>Head of Service</b>        | An officer with responsibility for a specific service area who reports to a Director.                                                                                           |
| <b>Independent Member</b>     | A Councillor who is not a member of a recognised political party. In the context of the Audit and Governance Committee, this also refers to the non-elected members.            |
| <b>Joint Arrangements</b>     | Services provided in partnership with other Councils or by or on behalf of those Councils.                                                                                      |
| <b>Key Decision</b>           | An Executive decision which involves significant expenditure or savings, or which has a significant impact on local communities.                                                |
| <b>Leader</b>                 | Usually the Councillor who heads the largest political group, and is elected by the full Council to the position of Leader of the Council. The Leader chairs the Executive.     |
| <b>Local Authority</b>        | The Council.                                                                                                                                                                    |
| <b>Local Choice Functions</b> | Activities which can be the responsibility of the Council or Cabinet.                                                                                                           |
| <b>Meeting</b>                | a meeting of the Council or of the Cabinet, a Committee or of a Sub-Committee.                                                                                                  |
| <b>Member</b>                 | Elected Councillors, or a person co-opted to the Council's Committees.                                                                                                          |
| <b>Minister of the Crown</b>  | A government Cabinet minister.                                                                                                                                                  |
| <b>Minutes</b>                | A public record of decisions taken at meetings of the Council, its Committees and Sub-Committees.                                                                               |
| <b>Monitoring Officer</b>     | The Council officer charged with ensuring that everything that the Council does is fair and lawful. The Monitoring Officer is currently the Head of Legal and Support Services. |
| <b>Motions</b>                | A formal proposal made by a Councillor for the consideration of the meeting.                                                                                                    |

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| <b>Move (a Motion)</b>                    | A motion is moved when a formal proposal is made by a Councillor.                                                                                                                                           |
| <b>Negate (a Motion)</b>                  | A motion is negated when it is made ineffective.                                                                                                                                                            |
| <b>Non-Executive Members</b>              | All Councillors that are not members of the Cabinet.                                                                                                                                                        |
| <b>Notice of Meeting</b>                  | The public notice stating the date, time and place of a meeting.                                                                                                                                            |
| <b>Outside Body</b>                       | An external organisation which has invited the Authority to nominate representative(s) to serve on its management body.                                                                                     |
| <b>Petition</b>                           | A formal written request, signed by more than fifteen people, appealing to the Council.                                                                                                                     |
| <b>Point of Order</b>                     | A question raised to clarify whether the procedural rules are being adhered to.                                                                                                                             |
| <b>Political Balance/ Proportionality</b> | Comes from legal rules which dictate that Committees of the Council (but not the Executive) must include elected politicians in proportion to the size of their political groups on the Council as a whole. |
| <b>Portfolio Holder</b>                   | Responsible for ensuring the effective management and delivery of Executive functions. Each Portfolio Holder has specific areas of responsibility.                                                          |
| <b>Precept</b>                            | A proportion of Council Tax which is paid to other authorities such as the County Council and Police.                                                                                                       |
| <b>Procedure Rules</b>                    | Rules governing how the Council operates and how decisions are taken.                                                                                                                                       |
| <b>Proper Officer</b>                     | A senior officer of the Council who is given a set of responsibilities by statute.                                                                                                                          |
| <b>Proposal/Proposition</b>               | Another term for a motion.                                                                                                                                                                                  |

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| <b>Quasi Judicial</b>        | A process of decision-making which is similar to a court of law, in that each party with an interest in the matter under consideration has an opportunity to make their case, following which a decision on the facts and representations is made. |
| <b>Quorum</b>                | The minimum number of people who have to be present before a meeting can take place.                                                                                                                                                               |
| <b>Recorded Vote</b>         | A vote in which the names of those voting for and against are recorded.                                                                                                                                                                            |
| <b>Register of Interests</b> | The record of all interests declared by Councillors.                                                                                                                                                                                               |
| <b>Regulatory Committees</b> | The Committees of the Council that are charged with regulatory functions, such as Planning and Licensing Committee.                                                                                                                                |
| <b>Representation</b>        | A statement of reasons made when appealing or protesting.                                                                                                                                                                                          |
| <b>Rescind (a Decision)</b>  | When a decision is revoked or withdrawn.                                                                                                                                                                                                           |
| <b>Resolution</b>            | A motion/decision agreed by a meeting is subsequently referred to as a resolution.                                                                                                                                                                 |
| <b>Right of Reply</b>        | The mover of a motion has a right to reply at the close of debate on a motion or amendment.                                                                                                                                                        |
| <b>Scheme of Delegation</b>  | Sets out which committee, Councillor or officer is responsible for particular functions of the Council.                                                                                                                                            |
| <b>Scrutiny</b>              | Provides support and advice to the Executive by contributing to the development and review of policy; also holds the Executive to account by questioning. Challenging and monitoring performance.                                                  |
| <b>Second</b>                | When a motion is endorsed by another member, it is 'seconded', and can then be voted upon.                                                                                                                                                         |
| <b>Secretary of State</b>    | The head of a major government department.                                                                                                                                                                                                         |
| <b>Special Urgency</b>       | A procedure which must be followed when an Executive/ Key Decision needs to be taken urgently.                                                                                                                                                     |



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| <b>Stakeholder</b>        | A person or group that may be affected by a matter.                                                                                                         |
| <b>Statutory</b>          | Required by law.                                                                                                                                            |
| <b>Sub-Committee</b>      | A formal decision-making body with functions referred or delegated to it by a Committee.                                                                    |
| <b>Substantive Motion</b> | The term used to refer to a motion which has been amended by agreement of the meeting.                                                                      |
| <b>Summons to Meeting</b> | The term used to describe the Agenda for meetings of the Council.                                                                                           |
| <b>Team Manager</b>       | An officer with responsibility for a specific service area who reports to a Head of Service.                                                                |
| <b>Tendering</b>          | The making of an offer by a contractor to carry out work.                                                                                                   |
| <b>Terms of Reference</b> | The description of what a committee, sub-committee or panel may concern itself with.                                                                        |
| <b>Virement</b>           | Moving budget funds from one area of expenditure to another within a financial year.                                                                        |
| <b>Ward</b>               | The defined area within the District which a Councillor represents. The Councillor is elected to represent the interests of the constituents in their Ward. |
| <b>Whip</b>               | A member of a political party who gives instructions to members regarding meetings and attendance.                                                          |