

BURY COUNCIL CONSTITUTION

Approved by Council on 21 November 2001 and subsequently amended.

Revised edition 25 November 2020 - effective from 1 January 2021, except Part 3 Section 3 which is effective from 19 May 2021 (apart from 'Audit Committee Functions' which are effective from 1 January 2021).

Version 5.

Contents

Contents *(Pages 7 - 8)*

Part 1 - INTRODUCTION AND SUMMARY *(Pages 9 - 10)*

Part 2 - ARTICLES

Article 1 - The Council and the constitution *(Pages 11 - 14)*

Article 2 - Councillors *(Pages 15 - 18)*

Article 3 - Citizens and the Council *(Pages 19 - 20)*

Article 4 - The Council meeting *(Pages 21 - 22)*

Article 5 - The Leader and the Cabinet *(Pages 23 - 24)*

Article 6 - Council Committee Structure *(Pages 25 - 26)*

Article 7 - Joint Arrangements *(Pages 27 - 30)*

Article 8 - The Chief Executive and other staff *(Pages 31 - 32)*

Article 9 - Decision-making *(Pages 33 - 34)*

Article 10 - Finance, Contracts and Legal Matters *(Pages 35 - 36)*

Part 3 - THE FUNCTIONS SCHEME

Section 1 Council Functions *(Pages 37 - 44)*

Section 2 - Local Choice Functions *(Pages 45 - 48)*

Section 3 - Committee Functions *(Pages 49 - 62)*

Section 4 - Cabinet Functions *(Pages 63 - 66)*

Section 5 - Scrutiny Function *(Pages 67 - 70)*

Section 6 - Additional Arrangements *(Pages 71 - 74)*

Section 7 - Officer Functions *(Pages 75 - 134)*

Part 4 - PROCEDURE RULES

Section 1 - Council Procedure Rules *(Pages 135 - 152)*

Section 2 - Committee Procedure Rules *(Pages 153 - 174)*

Section 3 - Access to Information Rules *(Pages 175 - 186)*

Section 4 - Budget and Policy Framework Rules *(Pages 187 - 194)*

Section 5 - Contract Procedure Rules *(Pages 195 - 216)*

Section 6 - Financial Regulations *(Pages 217 - 246)*

Section 8 - Officer Employment Procedure Rules *(Pages 247 - 260)*

Part 5 - THE CODES AND GUIDANCE

Section 1 - Councillor Code of Conduct *(Pages 261 - 270)*

Section 2 - Employee's Code of Conduct *(Pages 271 - 278)*

Section 3 - Protocol on Member and Officer Relations *(Pages 279 - 294)*

Section 4 - Anti Fraud and Corruption - Whistleblowing Policy *(Pages 295 - 306)*

Section 5 - Monitoring Officer Protocol *(Pages 307 - 312)*

Section 6 - Public Participation Guidance *(Pages 313 - 320)*

Section 7 - Probity in Planning Guidance *(Pages 321 - 336)*

PART 6

Councillors Allowance Scheme *(Pages 337 - 344)*

PART 7

**CABINET PORTFOLIOS, MEMBERSHIP OF THE COMMITTEE AND COUNCIL
MANAGEMENT STRUCTURE** *(Pages 345 - 354)*

TERMS OF REFERENCE

Locality Board Terms of Reference *(Pages 355 - 364)*

Health and Wellbeing Board Terms of Reference *(Pages 365 - 370)*

Radcliffe Cabinet Committee Terms of Reference *(Pages 371 - 372)*

Employment Panel Terms of Reference *(Pages 373 - 374)*

Joint Consultative Committee for Teachers Terms of Reference *(Pages 375 - 378)*

Corporate Joint Consultative Committee Terms of Reference *(Pages 379 - 382)*

Health & Safety Joint Consultative Committee Terms of Reference *(Pages 383 - 384)*

Corporate Parenting Board Terms of Reference *(Pages 385 - 390)*

Youth Cabinet Terms of Reference *(Pages 391 - 394)*

Overview and Scrutiny Committee Terms of Reference *(Pages 395 - 398)*

Health Scrutiny Committee Terms of Reference *(Pages 399 - 402)*

Children and Young People Scrutiny Committee *(Pages 403 - 408)*

Licensing and Safety Committee Terms of Reference *(Pages 409 - 412)*

Planning Committee Terms of Reference *(Pages 413 - 414)*

Standards Committee Terms of Reference *(Pages 415 - 418)*

PART 8

Constitutional Review Timeline

Schedule for Review 2023/24

Item	Lead Officer
Member Code of Conduct	Julie Gallagher
Local Choice Functions	Ruth Whittingham
Anti-fraud and corruption - Whistleblowing policy	Sam Evans
Scheme of Delegations	Relevant Executive Director
Ethical Governance	Jacqui Dennis

Internal Governance Boards	Jacqui Dennis
Governance of Housing Arrangements	Liz Cook