

Summary of amendments Constitution

Chapter 1	Amendment
Summary and explanation	Change from 37 Councillors to 39 to reflect the Boundary Commission review.
	<p>Article 1 of the Constitution commits the Council to exercise all its powers and duties in accordance with the law and this Constitution. Articles 2-13 explain the rights of residents and how the key parts of the Council operate.</p> <p>Article 1 of the Constitution commits the Council to exercise all its powers and duties in accordance with the law and this Constitution. Articles 3 explain the rights of residents and how the key parts of the Council operate.</p> <p>Article 2-13, has been replaced by Article 3.</p>
	<p>The Council is composed of 37 members who hold office for four years. Details of the political composition of the Council are available on the Council's website.</p> <p>37 replaces by 39, as stated in paragraph 1.</p>
	<p>The Planning and Development Committee,</p> <p>Amended to the correct committee title.</p>

Chapter 2	Amendment
Articles of the Constitution	1.3 (d) enable decisions to be taken efficiently, effectively and transparently.
	<p>1.4 Where the Constitution permits the Council to choose between different courses of action at its meeting, the Council should choose that option which it thinks is closest to the purposes stated above.</p> <p>The Council may call upon the Monitoring Officer to provide an interpretation of any aspect of the Constitution from time to time.</p> <p>The Procedural Rules provide mechanisms for interpreting and operating the Constitution. The Chairman of any meeting will have the final decision on the correct application of the procedure rules to said meeting, having taken into account the advice of the Monitoring Officer.</p>

<p>Article 2 – Members of the Council</p>	<p>2.1 Composition and eligibility</p> <p>(a) Composition. The Council will comprise 37 39 members. One or more members will be elected by the voters of each ward in accordance with a scheme drawn up by the Local Government Boundary Commission for England and approved by the Secretary of State.</p> <p>(b) Eligibility. Only registered voters of the Borough; or those owning or occupying land or premises; or living or working in the Borough will be eligible to hold the office of member.</p>
	<p>2.2 Election and terms of members</p> <p>Election and Terms</p> <p>(a) The regular election of at least one third of members will generally be held on the first Thursday in May in each year (for three out of years, with the County Council election being held on the fourth year).</p>
	<p>2.3 Roles and functions of all members</p> <p>2.3.1 Key roles. All members will: (C) effectively represent the interests of their ward and of individual constituents.</p>
	<p>2.4 Conduct</p> <p>Members will at all times observe the Members’ Code of Conduct and have proper regard for the Code of Conduct on Planning Matters and the Protocol on Member/Staff Relations set out in Chapter 5 of this Constitution.</p>
	<p>2.6 Training</p> <p>The Council will ensure the Councillors have the opportunity for adequate training for their roles and duties</p>
<p>Article 3 – Residents and the Council</p>	<p>3.1 (a) Voting and Petitions</p> <p>Residents on the electoral roll for the area have the right to vote and sign petition to request a referendum for an elected Mayor form of Governance.</p> <p>The Council’s petition scheme Chapter 4, paragraph 12, enables residents’ in the Borough to submit a petition on an issue of concern.</p>
	<p>3.1.2 (a) Information</p> <p>Residents have the right to:</p>

	<p>(i) attend meetings of the Council and its committees, and the sub committees except where confidential or exempt information is likely to be disclosed, and the meeting is therefore held in private;</p> <p>(ii) see reports and background papers and any records of decisions made by the Council; and</p> <p>(iii) inspect the Council's accounts and make their view known to the external auditor.</p>
	<p>3.1.4 Complaints</p> <p>Residents have the right to complain:</p> <p>(c) The Council's Monitoring Officer about a breach of the Member's Code of Conduct.</p>
	<p>3.2 Residents' responsibilities</p> <p>Residents must not be violent, abusive or threatening to Members or Officers and must not wilfully harm things owned by the Council, Members or Officers.</p>
<p>Article 4 – Policy Framework and Budget</p>	<p><u>Budget</u></p> <p>The budget includes the allocation of financial resources to different services and projects, proposed contingency funds, the council tax base, setting the council tax and decisions relating to the control of the Council's borrowing requirement, the control of its capital expenditure and the setting of virement limits, but does not include the approval of supplementary estimates, the setting of fees and charges and other minor variations to budget or capital programme, so far as these are delegated to an officer or a Committee.</p>
	<p>4.2 Functions of the Council</p> <p>Only the Council will exercise the following functions:-</p> <p>Only the Council will exercise the following functions:-</p> <p>(a) adopting and changing the Constitution in Article 12;</p> <p>(b) approving or adopting the Council policies and strategies which form the policy framework, the budget and any application to the Secretary of State in respect of any Housing Land Transfer;</p> <p>(c) agreeing and approving the budget;</p> <p>(c) appointing the Leader/Deputy Leader of the Council</p> <p>(d) removal of the Leader/ Deputy Leader of the Council</p> <p>(e) receiving any resignation of the Leader of the Council</p>

	<p>(e) appointing the Mayor and Deputy Mayor of the Council</p> <p>(f) receiving any resignation of the Mayor or Deputy Mayor of the Council</p> <p>(h) agreeing and/or amending the terms of reference for committees deciding on their composition and making appointment to them (except for authorised substitution to Committees under Chapter 4 – Procedure Rules).</p> <p>((i) appointing representatives to outside bodies unless the appointment has been delegated by the Council;</p> <p>(j) adopting a members' allowances scheme under Chapter 6;</p> <p>(k) changing the name of the Borough</p> <p>(l) conferring the title of Honorary Alderman/Alderwomen or Freeman/Freewomen or Freedom of the Borough;</p> <p>(m) approving the appointment of or dismissal of the Statutory Officers</p> <p>(n) making, amending, revoking, re-enacting or adopting bylaws and promoting or opposing the making of local legislation or personal Bills;</p> <p>(o) all other matters which by law must be reserved to Council;</p> <p>(p) adoption of the Code of Conduct for Members;</p> <p>(q) approving the making of a virement or payment from the Council's reserves for values exceeding £200,000; and</p> <p>(r) determination of other matters appropriately referred to Council.</p>
	<p>4.3 The Full Council is not required to approve</p> <p>amendment or revocations of any plan or strategy necessary to give effect to the requirements of the Secretary of State or Minister made when he was asked to approve it.</p> <p>amendment or revocations to any plan or strategy if the Council has delegated the powers to amend or revoke it to a Committee or Sub-Committee or officer, either in this Constitution or at the time is approved the plan or strategy.</p>
4.5	<p>4.5 Responsibilities for Functions</p> <p>The Council will maintain the tables in Chapter 3 of this Constitution setting out the responsibilities for the Council's functions including those responsibilities which are delegated to committees or officers.</p>

<p>Article 5 – Election, role and function of the Mayor</p>	<p>5.1 Ceremonial role</p> <p>The Mayor acts in a non-political capacity as a symbol of the Authority. On civic and ceremonial occasions the Mayor represents the Borough and its inhabitants and fulfils the role of ambassador for the Council, in its relationship with society at large.</p>
	<p>5.2 Chairing the Council Meeting</p> <p>The Mayor will be elected by Council annually. The Mayor will have the following responsibilities:-</p> <p>to uphold and promote the purpose of the Constitution and to interpret the Constitution when necessary.</p> <p>(f) to attend such civic and ceremonial functions for as the Council as he/she determines to be appropriate.</p>
<p>Article 6 – Audit & Scrutiny Committee Regulatory and other committees</p>	<p>6.1 Appointment of Committees</p> <p>The Council will appoint the Committees set out in Chapter 3 of this Constitution to discharge the functions as detailed in each Committee’s terms of reference. All committees of the Council will be subject to the political balance rules as set out in s.15 of the Local Government Housing Act 1989.</p> <p>6.2 Sub-Committee</p> <p>A Committee may appoint a Sub-Committee of its members for a specific function within the Committee’s terms of reference. A Sub-Committee will be subject to political balance rules and all usual rules of procedure applicable to an ordinary Committee.</p> <p>6.3 Working Groups</p> <p>A Committee can form a working group to consider a topic informally and at pace. The membership of the working group will be decided by the Committee and will not be subject to the political balance rules nor will substitutions be allowed as continuity of the membership is important. Meetings of the working group will not be held in public and all agendas and minutes will not be publicly available. The working group will report back to the parent Committee with its findings.</p>
<p>Article 7 – Committees Audit & Scrutiny Committee</p>	<p>Article title has changed.</p>
<p>Article 8 – Joint Arrangements</p>	<p>8.1 Arrangement to Promote Well-Being</p> <p>The Council in order to promote the economic, social or environmental well-being of its area, may:-</p> <p>(a) Enter into arrangements or agreements with a person or body:</p>

	<p>(b) Co-operate with, or facilitate or co-ordinate the activities of, any person or body; and</p> <p>(c) Exercise on behalf of that person or body any functions of that person or body</p> <p>(d) Subject in all cases to compliance with relevant statutory provisions</p>
	<p>8.2 Joint arrangements</p> <p>(a) The political balance requirements do not apply to such appointments.</p>
	<p>8.4 Delegation to and from other local authorities</p> <p>(a) The Council may delegate functions to another local authority or, in certain circumstances, the executive of another local authority.</p>
	<p>8.5 Contracting Out</p> <p>(b) The Council may contract out to another body or organisation functions which may be exercised by an officer and which are subject to an order under section 70 of the Deregulation and Contracting Out Act 1994, or under contracting arrangements where the contractor acts as the Council's agent under usual contracting principles, providing there is no delegation of the Council's discretionary decision making.</p>
<p>Article 9 – Officers Terminology</p>	<p>9.1 Management Structure</p> <p>(a) General</p> <p>The Full Council may engage such staff (referred to as officer) as it considers necessary to carry out its functions.</p> <p>(b) Chief Officers</p> <p>The Full Council will engage persons for the following posts, who will be designated~Chief Officers. in accordance with the relevant legislation.</p> <p>Post Functions and Areas of Responsibility Chief Executive (and Head of Paid Service)</p> <p>Overall corporate management and operational responsibility (including overall management responsibility for all officers) as set out in the management structure in Part 7 of the Constitution.</p> <p>Ensuring appropriate professional advice to all parties in the decision-making process.</p> <p>Together with the Monitoring Officer, responsibility for a system of record keeping for all of the Council's decisions.</p>

	<p>Representing the Council on partnerships and external bodies (as required by statute or the Council).</p> <p>(a) Head of Paid Service, Monitoring Officer and Chief Finance (S. 151) Officer The Council will designate the following posts as shown:-</p> <table border="0"> <tr> <td>Post</td> <td>Designation</td> </tr> <tr> <td>Chief Executive Director of People & Governance* Director of Resources* *or successor in title.</td> <td>Head of Paid Service Monitoring Officer Chief Finance (S.151) Officer</td> </tr> </table> <p>Such posts will have functions described in Article 10.2 - 10.4 below.</p> <p>Structure. The Head of Paid Service will determine and publicise a description of the overall departmental structure of the Council showing the management structure and deployment of officers. This is set out at Part 7 of this Constitution.</p>	Post	Designation	Chief Executive Director of People & Governance* Director of Resources* *or successor in title.	Head of Paid Service Monitoring Officer Chief Finance (S.151) Officer
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Chief Executive Director of People & Governance* Director of Resources* *or successor in title.	Head of Paid Service Monitoring Officer Chief Finance (S.151) Officer				
	<p>9.3 Functions of the Monitoring Officer</p> <p>(c) Supporting the Standard Committee The Monitoring Officer will contribute to the promotion and maintenance of high standards of conduct through provision of support to the Standards Committee.</p> <p>(d) Conducting Investigations The Monitoring Officer will conduct investigations into matters of conduct and make reports and recommendations to the Standards Committee.</p> <p>(g) Designation of Deputy An officer will be designated by the Monitoring Officer to deputise for him/her during any absence.</p>				
	<p>9.4 Functions of the Chief Finance Officer (section 151 officer)</p> <p>(e) Give financial information</p> <p>The Chief Finance Officer will provide financial information to the media, members of the public as are in their opinion sufficient to all their duties to be performed.</p>				
	<p>9.8 Pay Policy Statement</p> <p>The Council is required by the Localism Act 2011 to annually approve and publish a pay policy statement that sets out:-</p> <p>(a) The remuneration of its Chief Officers (b) The remuneration of its lowest paid employees, and (a)(c) The relationship between-</p>				

	<ul style="list-style-type: none"> (i) The remuneration of its Chief Officers and (ii) the remuneration of its employees who are not chief officers
Article 10 Decision Marking	<p>10.2 Principles of decision making</p> <p>All decisions of the Council will be made in accordance with the following principles:</p> <ul style="list-style-type: none"> (a) Proportionality (i.e. the action must be proportionate to the desired outcome); (b) Due consultation and the taking of professional advice from officers; (c) Respect for human rights; (d) A presumption in favour of openness; (e) Clarity of aims and desired outcomes; (f) Consideration of all options available; (g) Only relevant matters to be taken into account; (h) Due weight to be given to all material considerations and; (i) Proper procedures shall be followed.
	<p>10.3 Decision making by the Full Council, committees and sub-committees</p> <p>The relevant Council Procedure Rules set out in Chapter 4 of this Constitution will be followed when considering any matter. The relevant Council Procedure Rules set out in Chapter 4 of this Constitution will be followed at meetings of the Council, committees and sub-committees when considering any matter.</p>
	<p>10.4 Decision making by Committees and Sub-Committee, established by this Council</p> <p>Council Committees and Sub-Committees will follow those parts of the Committee and Sub-Committee Procedure Rules set out in Part 3 of this Constitution as apply to them.</p>
	<p>10.5 Decision making by Council bodies acting as a Tribunal</p> <ul style="list-style-type: none"> (a) The Council, or a member or an Officer acting as a tribunal or in a quasi judicial manner or determining/considering (other than for the purpose of giving advice). The civil rights or obligations or the criminal responsibility of any person will follow a proper procedure. Which accords with the requirements of natural justice and the right to a fair trial contained in Article 6 of the European Convention on Human Rights.
Article 11	11.5 Common Seal of the Council

<p>Finance, Contracts and Legal Matters</p>	<p>(a) The Common Seal of the Council will be kept in a safe place in the custody of the Monitoring Officer. A Decision of the Council, or of any part of it, will be sufficient authority for sealing any document necessary to give effect to the decision. The Common Seal will be affixed to those documents which in the opinion of the Monitoring Officer should be sealed. The affixing of the Common Seal will be attested by the Monitoring Officer or some other person authorised by him/her.</p>
<p>Article 12 Review and revision of the Constitution</p>	<p>12.1 <u>Duty to monitor and review the Constitution</u></p> <p>The Monitoring Officer will monitor and review the operation of the Constitution to ensure that the aims and principles of the Constitution are given full effect and to bring forward any recommendations that are necessary</p> <p>The Chief Finance Officer shall be responsible for keeping under review the Financial Regulations and Contract Procedure Rules set out in the Constitution and shall make any necessary amendment and revisions as are required from time to time. If revisions are made they should be reported to Full Council for approval.</p>
	<p>12.2 <u>Changes to the Constitution</u></p> <p>Changes to the Constitution shall only be approved at a meeting of the Council after consideration of the proposal by the Monitoring Officer unless in the reasonable opinion of the Monitoring Officer a change is:</p> <p>(a) A legislative requirement (b) A minor variation which is of a non-substantive nature; (c) Required to be made to remove any inconsistency or ambiguity; or (d) Required to be made so as to put into effect any decision of the Council or its Committee, in which case the Monitoring Officer may make such a change and publicise such changes on the Council's website</p> <p>Any such change made by the Monitoring Officer shall come into force with immediate effect but shall be referred to Full Council as soon as reasonably possible and shall continue to have effect only if Full Council agrees.</p> <p>Other changes to the Constitution shall come into effect at such a date as the Council may stipulate.</p> <p>The Council should review the Constitution at least annually.</p>
<p>Article 13 Interpretation and publication of</p>	<p>13.2 Interpretation</p> <p>The ruling of the Mayor of the Council as to the construction or application of this Constitution or as to any proceedings of the Council shall not be challenged at</p>

the Constitution	any meeting of the Council. Such interpretation will have regard to the purpose of this Constitution contained in Article 1.
	<p>13.3 Publication</p> <p>(a) The Monitoring Officer will give details of the website address for this Constitution to each Member of the authority upon delivery to him/her of that individual's declaration of acceptance of office on the member first being elected to the Council and will provide a hard copy if so required by the elected member.</p> <p>(b) The Monitoring Officer will ensure copies are available for inspection at the Town Hall, Libraries and other appropriate locations, and can be purchased by members of the local press and the public on payment of a reasonable fee.</p> <p>(c) The Monitoring Officer will ensure that the Constitution is published on the Council's website.</p> <p>(d) The Monitoring Officer will ensure that the summary of the Constitution is made widely available within the area and is updated as necessary.</p>

Chapter 3	Amendment
Powers and Delegations	<p>Terms of Reference Constitution Working Group – The membership of this working group be removed from the terms of reference for FAIR and will form part of the Terms of Reference of Audit & Scrutiny Committee.</p> <p>Staff Employment Committee: The CWG specified that one committee is established, with two sub-committees; Staff Appointments Committee and Dismissal Committee from its membership.</p> <p>Licensing Committee: The CWG specified that Planning and Licensing Committee have different membership. This will assist and support the need for the Licensing sub-committee.</p>
	19. Appointments and Substitutions – this has be removed and now forms part of Chapter 4 (Procedural Rules)
	Part 3.2 Delegation of Staff – to be review in the new municipal year.

Chapter 4	Amendment
Procedural Rules	<p>1.4 Extraordinary meetings (c) the Monitoring Officer; or</p>

	(d) Any five Members of the Council if they have signed a requisition specifying the business to be considered at the meeting and presented the requisition to the Mayor and he/she has refused to call a meeting or has failed within seven days of the presentation of the requisition to call a meeting.
	<p>2 Agenda</p> <p>a) accept that the Chief Executive or Monitoring Officer will appoint a person to preside over the election of the Mayor and Deputy Mayor if the outgoing Mayor or Deputy Mayor are not present.</p> <p>(i) Elect from its members a Leader and Deputy Leader of the Council in any year in which their term of office expires; for the municipal year.</p>
	<p>2.2 Agenda for Ordinary meetings of the Council</p> <p>(h) to consider reports from the Constitution Working Group</p> <p>(j) for Leader and Chairs of committees to answer questions from Members pursuant to Rule 7.</p> <p>(l) receive nominations for, and make appointments to, those outside bodies to which the Council is entitled to appoint except where that right of appointment is exercisable only by the Leader;</p> <p>(m) deal with any business deferred from the last Council meeting.</p>
	9.8 Remote Voting – this has been removed.
	<p>11. Questions from the Public (also amends any scheme the Council has for public participation in planning, Licensing and any other committee.</p> <p>(d) The member of the public who wishes to ask the question shall be given the opportunity of attending the Council meeting to put the question in person but if not present to ask the question when the item is called, the question shall be deleted from the list of questions to be asked, unless the questioner has informed the Mayor that they would like them to present their question on their behalf.</p>
	12. Memorial or Petitions – process including on submission of a Petition.
	18.Size – has been removed this information is now with Chapter 3.
	19. Quorum – Members in remote attendance. This has been removed.
	<p>20.4 Appointments and Substitutes</p> <p>Substitutes for Planning, Licensing and Audit & Scrutiny committees must be drawn from Members who have received training in regulatory decision making. If a casual vacancy occurs on a regulatory committee it will not be filled until the nominated member has been trained.</p>

	<p>21. Appointment and Removal of the Mayor</p> <p>21.1 The Council will appoint a Mayor of the Council for the municipal year at the Annual Council meeting.</p> <p>21.2 The Chair may be removed from the office of Mayor of the Council by motion on notice to an ordinary meeting of the Council or an extraordinary meeting convened for that purpose. The vote will succeed by simple majority.</p> <p>21.3 A successful vote to remove the Mayor will take immediate effect and the Deputy Mayor will assume the chair until a new Mayor is appointed at the next ordinary meeting of the Council or at an extraordinary meeting convened for that purpose.</p> <p>21.4 At any time, by motion with or without notice, the Council may take a vote of no confidence in the Mayor. If the vote succeeds, the Mayor will consider their position and provide their response to the next ordinary meeting of the Council.</p> <p>21.5 Appointment and Removal of the Deputy Mayor</p> <p>21.6 The Council will appoint a Deputy Mayor of the Council for the municipal year at the Annual Council meeting.</p> <p>21.7 The Vice-Chair may be removed from the office of Deputy Mayor of the Council by motion on notice to an ordinary meeting of the Council or an extraordinary meeting convened for that purpose. The vote will succeed by simple majority.</p> <p>21.8 A successful vote to remove the Deputy Mayor will take immediate effect. A new Deputy Mayor will be appointed at the next ordinary meeting of the Council or at an extraordinary meeting convened for that purpose.</p> <p>21.9 At any time, by motion with or without notice, the Council may take a vote of no confidence in the Deputy Mayor. If the vote succeeds, the Deputy Mayor will consider their position and provide their response to the next ordinary meeting of the Council.</p> <p>21.10 Appointment and Removal of the Leader and Deputy Leader</p> <p>21.11 The Council will appoint a Leader of the Council and a Deputy Leader of the Council for the municipal year at the Annual Council meeting.</p> <p>21.12 The Leader may be removed from the office of Leader of the Council by motion on notice to an ordinary meeting of the Council or an extraordinary meeting convened for that purpose. The vote will succeed by simple majority.</p> <p>21.13 A successful vote to remove the Leader will take immediate effect and the Deputy Leader will assume the position of Leader until a new Leader is appointed at the next ordinary meeting of the Council or at an extraordinary meeting convened for that purpose.</p> <p>21.14 A successful vote to remove the Deputy Leader will take immediate effect. A new Deputy Leader will be appointed at the next ordinary meeting of the Council or at an extraordinary meeting convened for that purpose.</p>
	<p>29.1 Termination of Committee and Sub-Committee Meetings</p> <p>If the business of the meeting has not been concluded by two hours after its start, the Chair must interrupt the meeting. The Chair will then and without debate take a vote as to whether to continue with the meeting for a specified period of no longer than 30 minutes. This rule does not apply to meetings of the Planning or Licensing Committee.</p>
<p>Part 4.3 - Budget and policy framework</p>	<p>Amendments to job titles and committee title.</p>

procedure rules	
Part 4.4 Overview and scrutiny procedure rules	N/A
PART 4.5 - Financial regulations	Amendments to job titles.
PART 4.6 Risk management and control of resources	Amendments to job titles.
PART 4.7 - Standing orders relating to contracts	Amendments to job titles and committee title.
PART 4.9 - Staff employment procedure rules	<p>4. Appointment of Chief Officers</p> <p>4.1 Every appointment of a Statutory Chief Officer shall be made by the Council Following the recommendation of such an appointment by a Panel of Members comprising not less than five councillors allocated between political groups in accordance with Widdicombe pro-rata rules.</p> <p>4.2 A report will be made to Full Council following the member panel setting out the voting of the panel and its recommendations. The Chief Officer Appointments Sub-Committee will appoint Chief Officers. Where the salary of the postholder exceeds £100,000 per annum the appointment decision will be reserved to the Full Council.</p> <p>.(a) Officers below Chief Officer. Appointments of Officers below Chief Officer (other than assistants to political groups) is the responsibility of the Head of Paid Service or their nominee, and may not be made by Councillors.</p> <p>(b) Assistants to Political Groups (Local Government and Housing Act (1989). Appointment of an assistant to a political group shall be made in accordance with the wishes of that political group.</p>
	<p>7. Disciplinary</p> <p>(c) Councillors will not be involved in the disciplinary action against any Officer below Director level except where such involvement is necessary for any investigation or inquiry into alleged misconduct though the Council's disciplinary capability and related procedures as adopted from time to time may allow a right of appeal to Councillors in respect of disciplinary action.</p>
	<p>8. Procedure for Disciplinary Action Against s.151 Officer, Head of Paid Service and Monitoring Officer</p>

8.1 This procedure applies to the appointment of the Chief Officers Disciplinary and Appeals Sub-Committee (the Panel) to advise the full Council in relation to the dismissal of the Head of Paid Service, the Monitoring Officer or the s.151 Officer ('relevant officers') and has been incorporated into these Rules as required by the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015.

8.2 The Council must invite independent persons appointed under Section 28(7) of the Localism Act 2011 ("the 2011 Act") to be considered for appointment to the Panel, with a view to appointing at least two independent persons to the Panel.

8.3 In paragraph 2, independent person means any independent person who has been appointed by the Council or, where there are fewer than two independent persons, such independent persons as have been appointed by another authority or authorities as the Council considers appropriate.

8.4 The Independent Panel shall consist of the Council's independent persons appointed under section 28(7) of the 2011 Act provided that at least two such independent persons are willing to sit on the Panel. If they are not then, subject to paragraph 5, the Council must appoint to the Panel independent persons who have accepted an invitation issued under paragraph 2, in the following order of priority:

- (a) an independent person who has been appointed by the Council and who is a local government elector in the Council's area;
- (b) any other independent person who has been appointed by the Council;
- (c) an independent person who has been appointed by another authority or authorities.

8.5 The Council may appoint more than two independent persons.

8.6 The Council must appoint the Panel at least 20 working days before the full Council meets to consider whether or not to approve a proposal to dismiss a relevant officer.

8.7 Any remuneration, allowances or fees paid by the Council to an independent person appointed to the Panel must not exceed the level of remuneration, allowances or fees payable to that independent person in respect of that person's role as an independent person under the 2011 Act.

	8.8 The decision to dismiss the Head of Paid Service, the s.151 Officer or the Monitoring Officer is reserved to the Full Council.
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