

Part 7: Glossary of Terms

This glossary of terms incorporates the separate glossary of terms included in Part 4H 'Financial Standing Orders' and Part 4I 'Contract Procedure Rules'. Where terms are unique to these Parts of the Constitution these have been indicated below.

- “**Accountable body**” the arrangement whereby the County Council has agreed to accept responsibility for the obligations set out in the terms of any funding granted to a third party organisation.
- “**Amendment of approved budgets**” in respect of the revenue budget is the transfer of resources; to or from contingencies, to and from general reserves, and, to and from earmarked reserves. In respect of the capital budget it is the inclusion of a new scheme in the capital programme. Amendments to the revenue and capital budgets involve a formal process of approval.
- “**Assets**” include land, buildings, vehicles, furniture and equipment, computer systems, stocks and materials, money and investments, data and information.
- “**Award Criteria**” has the meaning given in the Public Contracts Regulations 2006 or any statutory replacement thereof.
- “**Budget**” means plan for revenue and capital expenditure and income, and financing relating to activities of the County Council.
- “**Budget line**” is the lowest level of detail at which approval of the original budget takes place, as included in the medium term financial plan.
- “**Budget Manager**” means accountable budget manager and devolved budget manager.
- “**Cabinet**” means the Leader of the Council and such other members of the Council as the Leader may appoint, and is the main decision making body of the County Council.
- “**Candidate**” Has the meaning given in the Public Contracts Regulations 2015.
- “**Capital Programme**” means the overall five year programme of schemes approved by Council.
- “**Corporate Director**” means the officer posts of Corporate Director - Children’s Services, Corporate Director - Health and Care Services, Corporate Director – Resources, and Corporate Director - Environment and Community Services.
- “**Consultant**” an individual, firm or company (not being a firm of Solicitors, a Solicitor or a Barrister) procured to provide professional services, including advice.
- “**Contractor**” has the meaning given to the definition “economic entity in the Public Contract Regulations 2015.
- “**Contracts Register**” the County Council’s database of contracts.
- “**Council**” means full Council.
- “**County Council**” means Cumbria County Council.

- “**Director**” (in the context of Part 4H only) means the County Council’s Chief Executive and all senior officers designated as Corporate Directors, or reporting to Corporate Directors and with delegated financial responsibilities nominated by the Corporate Director.
- “**EU Procedure**” the procedure set out in the Public Contracts Regulations 2015 applicable to the procurement exercise being undertaken.
- “**EU Threshold**” the financial threshold at which contracts must be procured using the EU Procedure.
- “**Executive Decision**” means a decision taken by the Leader and Cabinet and also certain Local Committees and officer decisions which have been delegated to them by the Leader.
- “**Executive Function**” means those functions of the council which the Local Government Act 2000 states are to be the responsibility of the Leader and Cabinet. These are the vast majority of the council’s functions, some of which the Leader has delegated to Local Committees and Officers.
- “**Executive Member**” means any member of the Cabinet.
- “**Exemption**” (in the context of Part 4I only) a disapplication of the Contract Procedure Rules.
- “**Financial Regulations**” means financial standing orders.
- “**Financial Year**” is the County Council’s accounting period which runs from 1st April to 31st March.
- “**Framework Agreement**” has the meaning given in the Public Contracts Regulations 2015.
- “**Guidance**” (in the context of Part 4I only) the County Council’s Commissioning/ Procurement Cycle and Process Mapping Guidance (including relevant internal mini gateway review procedures, where required) or any replacement of such Guidance
- “**Head of Paid Service**” means the Chief Executive.
- “**Internal Audit**” means the Management Audit Unit.
- “**Lead Body**” the arrangement whereby the County Council is the applicant and/or recipient of an external grant or other funding for a special purpose.
- “**Leader**” means the Leader of the Council.
- “**Medium Term Financial Plan**” incorporates the revenue budget and capital programme approved by Council for the forthcoming financial year together with indicative figures for the subsequent two financial years.
- “**Members**” means the elected Councillors of Cumbria County Council.
- “**Monitoring Officer**” is the officer with the statutory responsibility for ensuring the council acts within its legal powers
- “**Non-Executive Decision**” means a decision taken by any other committee apart from the Leader and cabinet (NB: Local Committees may make both

executive and non-executive decisions but the differences are clearly marked in the Terms of Reference).

- **“Non-Executive Function”** means those functions which regulations made under the Local Government Act 2000 specify are not to be the responsibility of the Leader and Cabinet.
- **“Non-Executive Member”** means any elected member who is not a member of the Cabinet.
- **“Officers”** mean the employees of Cumbria County Council.
- **“Scrutiny Boards”** means to the County Council’s Scrutiny Management Board, Scrutiny Advisory Boards, and the Cumbria Health Scrutiny Committees.
- **“Partnership Agreements”** Legally unenforceable arrangements between the County Council and one or more third parties to deliver common functions in collaboration with each other.
- **“Relevant Contract”** any arrangement, including a Framework Agreement made by or on behalf of the County Council for the carrying out of Works or for the supply of Supplies or Services, unless the arrangement is subject to an Exception in these Rules.
- **“Responsible Officer”** in Part 4I the Officer who has the lead responsibility for the commissioning, procurement and/or management of a Relevant Contract.
- **“Section 151 Officer”** is the officer with the statutory responsibility for the proper administration of the County Council’s financial affairs.
- **“Scheme”** means the level at which capital items are approved for inclusion in the capital programme by Council when approving the budget or by Cabinet/Council during the year (according to value). A scheme may comprise a single project or a collection of projects delivered as one overall scheme of activity, for example priority maintenance for schools.
- **“Services”** (in the context of Part 4I only) has the meaning given in the Public Contracts Regulations 2015.
- **“Social and other specific Services”** has the meaning given in the Public Contracts Regulations 2015.
- **“Statutory Officer”** means the officers’ posts that the County Council is required to have under relevant legislation, for example; *Head of Paid Service* (appointed under Section 5 of the Local Government and Housing Act 1989).
- **“Supplies”** (in the context of Part 4I only) has the meaning given in the Public Contracts Regulations 2015.
- **“Tender Receipt Log”** the formal record of tenders received by the County Council.
- **“The County Council”** means Cumbria County Council.
- **“Total Value”** Is the financial value of a Relevant Contract as more particularly defined in the Public Contracts Regulations 2015. The Total Value of a Relevant Contract always includes the value of any extension to a Relevant Contract.

- **“Trading Accounts”** are County Council services/activities which are financed by either trading income, funding partners or by direct government finance.
- **“Virement”** is the transfer of resources between budget headings (lines), as published in the medium term financial plan each year, involving a formal process of approval.
- **“Works”** has the meaning given in the Public Contracts Regulations 2015.