

CONSTITUTION

PART 3 - RESPONSIBILITY FOR FUNCTIONS

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Responsibility for Functions

The Local Authorities (Functions and Responsibilities) (England) Regulation 2000 (as amended or replaced) specify which Local Authority Functions are not to be the responsibility of the Executive Functions which may be the responsibility of the Executive (Local Choice Functions) and those Functions that are partly the responsibility of the Executive and partly the Council.

1.1 RESPONSIBILITY FOR LOCAL CHOICE FUNCTIONS

The following table sets out who is responsible for the following local choice functions.

Function	Decision making body	Membership	Delegation of functions
Dealing with any functions under new Local Acts/Legislation	Council	35	Function to remain with Council
Existing powers Notts. County Council Acts 1951 and 1985	Executive	10	All powers unless the powers relate to quasi-judicial committees.
Environmental Protection Issues	Executive and all other Committees	10	<ol style="list-style-type: none"> 1. The discharge of any function relating to contaminated land. 2. The discharge of any function relating to the control of pollution or the management of air quality. 3. The service of any abatement notice in respect of a statutory nuisance, Environmental Protection Act 1990. 4. The passing of a resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply in the Authority's area.
Appointment of individuals to outside office/body	Council and all other Committees	35	<ol style="list-style-type: none"> 5. The inspection of the Authority's area to detect any statutory nuisance or investigation of any complaint as to the existence of a statutory nuisance, Environmental Protection Act 1990. Function to remain with Council

<p>The hearing of appeals against any decision made by or on behalf of the Council shall not be an Executive function. Appeals against decisions of Officers in respect of functions which are the responsibility of the quasi-judicial committees shall be heard by the respective committees, except where statutes provide otherwise.</p>	<p>Dependent on Decision Maker</p>		
<p>The making of agreements with other local authorities for the placing of staff at the disposal of those authorities.</p>	<p>Executive</p>	<p>10</p>	
<p>The obtaining of information under Section 330 Town and Country Planning Act 1990 as to interests in land.</p>	<p>Executive</p>	<p>10</p>	
<p>The obtaining of particulars of persons interested in land under Section 16 of the Local Government (Miscellaneous Provisions) Act 1976</p>	<p>Executive</p>	<p>10</p>	

Charities	Reserved to Council	35	<p>Reserved to Council</p> <ol style="list-style-type: none"> 1. Approval of land transactions – disposals including sales/leases save as set out below and excluding licences and short hiring arrangements. 2. Membership of the Charities Committee. 3. Constitutional/Governance issues and changes. 4. Mortgages. 5. Decisions to dissolve a Charity. 6. Receive an Annual Report from the Charities Committee including accounts relating to the Trusts. 7. Approval of the Annual Report and Accounts for the Registered Charities. 8. Making of Byelaws. 9. Fundraising save as set out below in terms of grant funding applications but including acceptance of successful grant funding bids. 10. Scheme of Delegation to Officers. 11. Development of Trust Assets (such as new buildings or refurbishments or alterations).
			<p>Delegated to Charities Committee</p>
	Delegated to Charities Committee		<ol style="list-style-type: none"> 12. Day to day management and administration of the Charities including repairs and maintenance of Trust land and buildings. 13. Approval of the surrender and/or assignment of a Lease. 14. Receiving reports and requests from Advisory Groups.
			<ol style="list-style-type: none"> 15. Approval of Rules and Regulations and Legal Agreements relating to User Groups. 16. Delegation of specific management and administration issues to Officers as relevant. 17. Fiscal arrangements.
			<ol style="list-style-type: none"> 18. To approve grant funding applications in principle. 19. Making recommendations to Council in respect of any of the functions retained by the Council.

			<p>Delegated to the Executive Director of Governance</p> <p>20. Grant, renewal and variation of licences, wayleave agreements and short term hiring agreements.</p> <p>21. Emergency repairs/maintenance of Trust land and buildings.</p> <p>22. Day to day expenditure.</p> <p>23. To finalise and sign grant funding applications following approval in principle to such applications by the Charities Committee.</p>
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1.2 RESPONSIBILITY FOR COUNCIL FUNCTIONS AND SCHEME OF DELEGATIONS

- a) The Council has resolved to delegate all Council functions, which are not specifically reserved to Council, to the Committees described in this Scheme of Delegation.
- b) The Council has resolved to delegate all Council functions which are not specifically reserved to Council, and which the law allows to be delegated, to the officers described in this Scheme of Delegation.
- c) The Chief Executive determines and maintains a record of Chief Officer responsibilities as defined in Article 11.
- d) Any Chief Officer with delegated powers may delegate other officers to act in their own name.

Such delegation must be in writing. A copy must be provided to the officer being given the delegation, the original must be retained by the person delegating and a copy provided to Democratic Services to keep on the central register.

An officer acting under delegated authority takes the decision in their own name and professional capacity on behalf of the Chief Officer who delegated the power.

The Chief Officer retains accountability for ensuring that the decisions being taken are being taken properly.

- e) It is the responsibility of the Chief Executive (Proper Officer) to enact the wishes of the Groups of the Council in appointing members to committees based on the established political proportionality. This is in accordance with the Local Government and Housing Act 1989, the Local Government Act 2000, the relevant Statutory Regulations, and the Council’s Constitution.

Any changes to committee membership must be notified to Democratic Services by the relevant Group Leader no later than 5pm **7 clear working days** before the meeting of the committee with altered membership.

Changes to committee membership will be announced by the appropriate Chairman at the next meeting of the committee with altered membership.

f) Ad hoc delegations Council.

By resolution of the Council, delegations to ad hoc Committees, Sub-Committees, Officers or joint arrangements will be effective notwithstanding that the delegation is not set out in this Part.

The following table sets out and mirrors the table in Schedule 1 of the Functions Regulations (as amended) and the Functions that are not to be the responsibility of the Executive. It sets out to whom they have been delegated or whether they are retained by Council.

Committee		Nature of Function	Delegation of Function
Planning Committee	A.	Functions relating to town and country planning and development control	Officer Delegation
	1- 4	Removed by the Local Authorities (Functions and Responsibilities) (Amendment) (no 2) (England) 2005	
	5	Power to determine application for planning permission.	Chief Executive or Assistant Director - Planning
	6	Power to determine applications to develop land without compliance with conditions previously attached.	Chief Executive or Assistant Director - Planning
	7	Power to grant planning permission for development already carried out.	Chief Executive or Assistant Director - Planning
	8	Power to decline to determine application for planning permission.	Chief Executive or Assistant Director - Planning
	9	Duties relating to the making of determinations of planning applications.	Chief Executive or Assistant Director - Planning

	10	Power to determine application for planning permission made by a local authority, alone or jointly with another person.	Chief Executive or Assistant Director - Planning
	11	Power to make determinations, give approvals and agree certain other matters relating to the exercise of permitted development rights.	Chief Executive or Assistant Director - Planning
	12	Power to enter into agreement regulating development or use of land.	Chief Executive or Assistant Director - Planning
	13	Power to issue a certificate of existing or proposed lawful use or development.	Chief Executive or Assistant Director - - Planning
	14	Power to serve a completion notice.	Chief Executive or Assistant Director - Planning
	15	Power to grant consent for the display of advertisements.	Chief Executive or Assistant Director - Planning
	16	Power to authorise entry onto land.	Chief Executive or Assistant Director - Planning
	17	Power to require the discontinuance of a use of land.	Chief Executive or Assistant Director - Planning
	18	Power to serve a planning contravention notice, breach of condition notice or stop notice.	Chief Executive or Executive Director of Place
	18a	Power to issue a temporary stop notice.	Chief Executive or Executive Director of Place
	19	Power to issue an enforcement notice.	Chief Executive or Executive Director of Place
	20	Power to apply for an injunction restraining a breach of planning control.	Chief Executive or Assistant Director - Planning

	21	Power to determine applications for hazardous substances consent, and related powers.	Chief Executive or Assistant Director - Planning
	22	Duty to determine conditions to which old mining permissions, relevant planning permissions relating to dormant sites or active Phase I or II sites, or mineral permissions relating to mining sites, as the case may be, are to be subject.	Chief Executive or Assistant Director - Planning
	23	Power to require proper maintenance of land.	Chief Executive or Assistant Director - Planning
	24	Power to determine application for listed building consent, and related powers.	Chief Executive or Assistant Director - Planning
	25	Power to determine applications for conservation area consent.	Chief Executive or Assistant Director - Planning
	26	Duties relating to applications for listed building consent and conservation area consent.	Chief Executive or Assistant Director - Planning
	27	Power to serve a building preservation notice, and related powers.	Chief Executive or Assistant Director - Planning
	28	Power to issue enforcement notice in relation to demolition of [listed] ⁹ building in conservation area.	Chief Executive or Assistant Director - Planning
	29	Powers to acquire a listed building in need of repair and to serve a repairs notice.	Chief Executive or Assistant Director - Planning
	30	Power to apply for an injunction in relation to a listed building.	Chief Executive or Assistant Director - Planning

	31	Power to execute urgent works.	Chief Executive or Assistant Director - Planning
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Licensing Committee	B.	Licensing and registration functions (in so far as not covered by any other paragraph of this Schedule)	
	1	Power to issue licences authorising the use of land as a caravan site ("site licences").	Chief Executive or Executive Director of Place
	2	Power to license the use of moveable dwellings and camping sites.	Chief Executive or Executive Director of Place
	3	Power to license hackney carriages and private hire vehicles.	Chief Executive or Executive Director of Place or Executive Director of Governance
	4	Power to license drivers of hackney carriages and private hire vehicles.	Chief Executive or Executive Director of Place or Executive Director of Governance
	5	Power to license operators of hackney carriages and private hire vehicles.	Chief Executive or Executive Director of Place or Executive Director of Governance
	6	Power to register pool promoters.	Chief Executive or Executive Director of Place
	7	Power to grant track betting licences.	Chief Executive or Executive Director of Place
	8	Power to license inter-track betting schemes.	Chief Executive or Executive Director of Place
	9	Power to grant permits in respect of premises with amusement machines.	Chief Executive or Executive Director of Place
	10	Power to register societies wishing to promote lotteries.	Chief Executive or Executive Director of Place
	11	Power to grant permits in respect of premises where amusements with prizes are provided.	Chief Executive or Executive Director of Place

	12	Power to issue Premises Licences and Club Premises Certificates relating to the sale / supply of alcohol, provision of regulated entertainments, and the provision of late night refreshment.	Chief Executive or Executive Director of Place
	12a	Functions relating to licensing.	Chief Executive or Executive Director of Place
	12aa	Duty to comply with requirement to provide information to Gambling Commission.	Chief Executive or Executive Director of Place
	12ab	Functions relating to exchange of information.	Chief Executive or Executive Director of Place
	12ac	Functions relating to occasional use notices.	Chief Executive or Executive Director of Place
	12b	Power to resolve not to issue a casino premises licence	Chief Executive or Executive Director of Place
	12c	Power to designate officer of a licensing authority as an authorised person for a purpose relating to premises.	Chief Executive or Executive Director of Place
	12ca	Power to make order dis-applying <u>section 279</u> or <u>282(1)</u> of the 2005 Act in relation to specified premises.	Chief Executive or Executive Director of Place
	12d	Power to institute criminal proceedings	Chief Executive or Executive Director of Place
	12e	Power to exchange information	Chief Executive or Executive Director of Place
	12f	Functions relating to the determination of fees for premises licences.	Chief Executive or Executive Director of Place
	12g	Functions relating to the registration and regulation of small society lotteries.	Chief Executive or Executive Director of Place
	13	Power to license sex shops, sex cinemas, and sexual entertainment venues.	Chief Executive or Executive Director of Place
	14	Power to license performances of hypnotism.	Chief Executive or Executive Director of Place

	15	Power to license premises for acupuncture, tattooing, ear-piercing and electrolysis.	Chief Executive or Executive Director of Place or Assistant Director - Planning
	16	Power to license pleasure boats and pleasure vessels.	Chief Executive or Executive Director of Place
	17	Power to register door staff. – only applies to London Boroughs	Chief Executive or Executive Director of Place
	18	Power to license market and street trading.	Chief Executive or Executive Director of Place
	19	Power to license night cafes and take-away food shops. – only applies to London Boroughs	N/A
	20	Duty to keep list of persons entitled to sell non-medicinal poisons.	Chief Executive or Executive Director of Place
	21	Power to license dealers in game and the killing and selling of game.	Chief Executive or Executive Director of Place
	22	Power of register and license premises for the preparation of food.	Chief Executive or Executive Director of Place
	23	Power to license scrap metal dealers.	Chief Executive or Executive Director of Place
	24	Power to issue, amend or replace safety certificates (whether general or special) for sports grounds.	Chief Executive
	25	Power to issue, cancel, amend or replace safety certificates for regulated stands at sports grounds.	Chief Executive
	26	Power to issue fire certificates.	Chief Executive
	27	Power to license the breeding of dogs, the sale of pets, the hiring of horses, the boarding of cats and dogs, the exhibition of animals	Chief Executive or Executive Director of Place or Assistant

			Director - Planning
	28	Power to license zoos.	Chief Executive or Executive Director of Place or Assistant Director - Planning
	29	Power to license dangerous wild animals.	Chief Executive or Executive Director of Place or Assistant Director - Planning
	30	Power to license the employment of children.	Chief Executive or Executive Director of Place
	31	Power to approve premises for the solemnisation of marriages.	Chief Executive or Executive Director of Place
	32	Power to register common land or town or village greens, except where the power is exercisable solely for the purpose of giving effect to.	Chief Executive or Executive Director of Place
	32a	(a) an exchange of lands effected by an order under <u>section 19(3)</u> of, or <u>paragraph 6(4) of Schedule 3</u> to, the <u>Acquisition of Land Act 1981 (c. 67)</u> or	Chief Executive or Executive Director of Place
	32b	(b) an order under <u>section 147</u> of the <u>Inclosure Act 1845 (c. 8 & 9 Vict. c. 118)</u> .	Chief Executive or Executive Director of Place
	33	Power to register variation of rights of common.	Chief Executive or Executive Director of Place
	34	Power to license persons to collect for charitable and other causes.	Chief Executive or Executive Director of Place
	35	Power to grant consent for the operation of a loudspeaker.	Chief Executive or Executive Director of Place
	36	Power to grant a street works licence.	Chief Executive or Executive Director of Place

	37	Power to license agencies for the supply of nurses.	Chief Executive or Executive Director of Place
	38	Power to issue licences for the movement of pigs.	Chief Executive or Executive Director of Place
	39	Power to license the sale of pigs.	Chief Executive or Executive Director of Place
	40	Power to license collecting centres for the movement of pigs.	Chief Executive or Executive Director of Place
	41	Power to issue a licence to move cattle from a market.	Chief Executive or Executive Director of Place
	42	Power to authorise erection of stiles etc. on footpaths or bridleways.	Chief Executive or Executive Director of Place
	43	Power to dispense with obligation to erect hoarding or fence.	Chief Executive or Executive Director of Place
	44	Power to sanction use of parts of buildings for storage of celluloid.	Chief Executive or Executive Director of Place
	45	Power to approve meat product premises.	Chief Executive or Executive Director of Place
	46	Power to approve premises for the production of minced meat or meat preparations.	Chief Executive or Executive Director of Place
	47	Power to approve dairy establishments.	Chief Executive or Executive Director of Place
	48	Power to approve egg product establishments.	Chief Executive or Executive Director of Place
	49	Power to issue licences to retail butchers' shops carrying out commercial operations in relation to unwrapped raw meat and selling or supplying both raw meat and ready-to-eat foods.	Chief Executive or Executive Director of Place
	50	Power to approve fish products premises.	Chief Executive or Executive Director of Place

	51	Power to approve dispatch or purification centres.	Chief Executive or Executive Director of Place
	52	Power to register fishing vessels on board which shrimps or molluscs are cooked.	Chief Executive or Executive Director of Place
	53	Power to approve factory vessels and fishery product establishments.	Chief Executive or Executive Director of Place
	54	Power to register auction and wholesale markets.	Chief Executive or Executive Director of Place
	55	Duty to keep register of food business premises.	Chief Executive or Executive Director of Place
	56	Power to register food business premises.	Chief Executive or Executive Director of Place
	57	Power to issue near beer licence. – only applies to London Boroughs	N/A
	58	Power to register premises or stalls for the sale of goods by way of competitive bidding. – only applies to London Boroughs	N/A
	59	Functions relating to the registration of common land and town or village greens.	Chief Executive or Executive Director of Place
	60.	Power to issue (Temporary) Pavement Licences (Business & Planning Act 2020)	Chief Executive or Executive Director of Place
Licensing Committee	C.	Functions relating to health and safety at work	
		Functions under any of the “relevant statutory provisions” within the meaning of <u>Part I</u> (health, safety and welfare in connection with work, and control of dangerous substances) of the <u>Health and Safety at Work etc. Act 1974</u> , to the extent that those functions are discharged otherwise than in the authority’s capacity as an employer.	Chief Executive
No Delegation	D.	Functions relating to elections	

	1	Duty to appoint an electoral registration officer.	No Delegation
	2	Power to assign officers in relation to requisitions of the registration officer.	Executive Director of Governance
	3	Functions in relation to parishes and parish councils.	Executive Director of Governance
	4	Power to dissolve small parish councils.	No Delegation
	5	Power to make orders for grouping parishes, dissolving groups and separating parishes from groups.	No Delegation
	6	Duty to appoint returning officer for local government elections.	No Delegation
	7	Duty to provide assistance at European Parliamentary elections.	Executive Director of Governance
	8	Duty to divide constituency into polling districts.	Executive Director of Governance
	9	Power to divide electoral divisions into polling districts at local government elections.	Executive Director of Governance
	10	Powers in respect of holding of elections.	Executive Director of Governance
	11	Power to pay expenses properly incurred by electoral registration officers.	Executive Director of Governance
	12	Power to fill vacancies in the event of insufficient nominations.	Executive Director of Governance
	13	Duty to declare vacancy in office in certain cases.	Executive Director of Governance
	14	Duty to give public notice of a casual vacancy.	Executive Director of Governance
	15	Power to make temporary appointments to parish councils.	Executive Director of Governance
	16	Removed by the Local Authorities (Functions and Responsibilities) (Amendment) (no 2) (England) 2005	

	17	Power to submit proposals to the Secretary of State for an order under <u>section 10</u> (pilot schemes for local elections in England and Wales) of the <u>Representation of the People Act 2000</u> .	Executive Director of Governance
	18	Duty to consult on change of scheme for elections.	Executive Director of Governance
	19	Duties relating to publicity.	Executive Director of Governance
	20	Duties relating to notice to Electoral Commission.	Executive Director of Governance
	21	Power to alter years of ordinary elections of parish councillors.	No Delegation
	22	Functions relating to change of name of electoral area.	No Delegation
No Delegation	E.	Functions relating to name and status of areas and individuals	
	1	Power to change the name of a county, district or London borough.	No Delegation
	2	Power to change the name of a parish.	No Delegation
	3	Power to confer title of honorary alderman or to admit to be an honorary freeman.	No Delegation
	4	Power to petition for a charter to confer borough status.	No Delegation
No Delegation	EB.	Functions relating to community governance	
	1	Duties relating to community governance reviews.	Chief Executive
	2	Functions relating to community governance petitions.	Chief Executive
	3	Functions relating to terms of reference of review.	Chief Executive
	4	Power to undertake a community governance review.	Chief Executive
	5	Functions relating to making of recommendations.	Chief Executive
	6	Duties when undertaking review.	Chief Executive
	7	Duty to publicise outcome of review.	Chief Executive
	8	Duty to send two copies of order to Secretary of State and Electoral Commission.	Chief Executive

	9	Power to make agreements about incidental matters.	Chief Executive
No Delegation	F.	Power to make, amend, revoke, re-enact or enforce byelaws.	No Delegation
Licensing Committee	FA.	Functions relating to smoke-free premises, etc	
	1	Duty to enforce Chapter 1 and regulations made under it.	Chief Executive or Executive Director of Place
	2	Power to authorise officers.	Chief Executive or Executive Director of Place
	3	Functions relating to fixed penalty notices.	Chief Executive or Executive Director of Place
	4	Power to transfer enforcement functions to another enforcement authority.	Chief Executive or Executive Director of Place
No Delegation	G.	Power to promote or oppose local or personal Bills.	No Delegation
No Delegation	H.	Functions relating to pensions etc.	
	1	Functions relating to local government pensions, etc.	Chief Executive
	2	Functions under the Fire-fighters' Pension Scheme relating to pensions, etc as respects persons employed by fire and rescue authorities pursuant to <u>section 1</u> of the <u>Fire and Rescue Services Act 2004</u> ⁸⁴	Chief Executive
Planning Committee	I.	Miscellaneous functions	
		Part I: functions relating to public rights of way	
	1	Power to create footpath [, bridleway or restricted byway] ⁸⁷ by agreement.	Chief Executive or Executive Director of Place
	2	Power to create footpaths [, bridleways and restricted byways] ⁸⁷ .	Chief Executive or Executive Director of Place

	3	Duty to keep register of information with respect to maps, statements and declarations.	Chief Executive or Executive Director of Place
	4	Power to stop up footpaths [bridleways and restricted byways] ⁸⁷ .	Chief Executive or Executive Director of Place
	5	Power to determine application for public path extinguishment order.	Chief Executive or Executive Director of Place
	6	Power to make a rail crossing extinguishment order.	Chief Executive or Executive Director of Place
	7	Power to make a special extinguishment order.	Chief Executive or Executive Director of Place
	8	Power to divert footpaths, [bridleways and restricted byways]	Chief Executive or Executive Director of Place
	9	Power to make a public path diversion order.	Chief Executive or Executive Director of Place
	10	Power to make a rail crossing diversion order.	Chief Executive or Executive Director of Place
	11	Power to make a special diversion order.	Chief Executive or Executive Director of Place
	12	Power to require applicant for order to enter into agreement.	Chief Executive or Executive Director of Place
	13	Power to make an SSSI diversion order.	Chief Executive or Executive Director of Place
	14	Duty to keep register with respect to applications under sections 118ZA, 118C, 119ZA and 119C of the <u>Highways Act 1980</u> .	Chief Executive or Executive Director of Place
	15	Power to decline to determine certain applications.	Chief Executive or Executive Director of Place
	16	Duty to assert and protect the rights of the public to use and enjoyment of highways.	Chief Executive or Executive Director of Place

	17	Duty to serve notice of proposed action in relation to obstruction.	Chief Executive or Executive Director of Place
	18	Power to apply for variation of order under <u>section 130B</u> of the <u>Highways Act 1980</u> .	Chief Executive or Executive Director of Place
	19	Power to authorise temporary disturbance of surface of footpath [, bridleway or restricted byway] ⁸⁷ .	Chief Executive or Executive Director of Place
	20	Power temporarily to divert footpath [, bridleway or restricted byway] ⁸⁷ .	Chief Executive or Executive Director of Place
	21	Functions relating to the making good of damage and the removal of obstructions.	Chief Executive or Executive Director of Place
	22	Powers relating to the removal of things so deposited on highways as to be a nuisance.	Chief Executive or Executive Director of Place
	23	Power to extinguish certain public rights of way.	Chief Executive or Executive Director of Place
	24	Duty to keep definitive map and statement under review.	Chief Executive or Executive Director of Place
	25	Power to include modifications in other orders.	Chief Executive or Executive Director of Place
	26	Duty to keep register of prescribed information with respect to applications under <u>section 53(5)</u> of the <u>Wildlife and Countryside Act 1981</u> .	Chief Executive or Executive Director of Place
	27	Removed by the Restricted Byways (Application and Consequential Amendments of Provisions) Regulations 2006	Chief Executive or Executive Director of Place
	28	Power to prepare map and statement by way of consolidation of definitive map and statement.	Chief Executive or Executive Director of Place
	29	Power to designate footpath as cycle track.	Chief Executive or Executive Director of Place
	30	Power to extinguish public right of way over land acquired for clearance.	Chief Executive or Executive Director of Place

	31	Power to authorise stopping-up or diversion of footpath [, bridleway or restricted byway] ⁸⁷ .	Chief Executive or Executive Director of Place
	32	Power to extinguish public rights of way over land held for planning purposes.	Chief Executive or Executive Director of Place
	33	Power to enter into agreements with respect to means of access.	Chief Executive or Executive Director of Place
	34	Power to provide access in absence of agreement.	Chief Executive or Executive Director of Place
		Part II: other miscellaneous functions	
Licensing Committee	35	Functions relating to sea fisheries.	No Delegation
No Delegation	36	Power to make standing orders.	No Delegation
No Delegation	37	Power to appoint staff, and to determine the terms and conditions on which they hold office (including procedures for their dismissal).	Chief Executive or Relevant Chief Officers
No Delegation	38	Power to make standing orders as to contracts.	No Delegation
No Delegation	39	Duty to make arrangements for proper administration of financial affairs etc.	No Delegation
No Delegation	40	Power to appoint officers for particular purposes (appointment of "proper officers").	Chief Executive
Planning Committee	41	Power to make limestone pavement order.	Chief Executive or Executive Director of Place
Licensing Committee	42	Power to make closing order with respect to premises licensed under the Licensing Act 2003.	Chief Executive or Executive Director of Place
Chief Officer Employment Committee	43	Duty to designate officer as the head of the authority's paid service, and to provide staff, etc (For recommendation to Council).	No Delegation
Chief Officer Employment Committee	44	Duty to designate officer as the monitoring officer, and to provide staff, etc.	No Delegation

No Delegation	44a	Duty to provide staff, etc to person nominated by monitoring officer.	Chief Executive
Principal Select Committee	44b	Powers relating to overview and scrutiny committees (voting rights of co-opted members).	No Delegation
Audit Committee	45	Duty to approve authority's statement of accounts, income and expenditure and balance sheet, or record of payments and receipts (as the case may be)	No Delegation
Planning Committee	46	Powers relating to the protection of important hedgerows.	Chief Executive or Executive Director of Place
Planning Committee	47	Powers relating to the preservation of trees.	Chief Executive or Executive Director of Place
Planning Committee	47.1	Powers relating to complaints about high hedges.	Chief Executive or Executive Director of Place
No Delegation	48	Power to make payments or provide other benefits in cases of maladministration etc.	Chief Executive
Licensing Committee	49	Power to make an order identifying a place as a designated public place for the purposes of police powers in relation to alcohol consumption.	No Delegation
Charities Committee	50	Power to exercise delegations relating to the formation of and management of charitable trust arrangements in the District	Executive Director of Governance
Licensing Committee	51	Power to apply for an enforcement order against unlawful works on common land.	Chief Executive or Executive Director of Place
Licensing Committee	52	Power to protect unclaimed registered common land and unclaimed town or village greens against unlawful interference.	Chief Executive or Executive Director of Place
Licensing Committee	53	Power to institute proceedings for offences in respect of unclaimed registered common land and unclaimed town or village greens.	Chief Executive or Executive Director of Place

ADDITIONAL DELEGATIONS – COUNCIL SCHEME OF DELEGATION

To the Chief Executive (or designated Officer) of Mansfield District Council, Bassetlaw District Council, Newark & Sherwood District Council, Broxtowe Borough Council, Gedling Borough Council, Nottingham City Council, Rushcliffe Borough Council and Bolsover District Council, the power to undertake the following functions on behalf of Ashfield District Council:

Licensing Committee		Powers relating to enforcement action in respect of hackney carriage vehicles/private hire vehicles and drivers licensed to Ashfield District Council under the Town Police Clauses Act 1847 Sections 40,45,47,48,52,58,59,60,62 and 64 Local Government (Miscellaneous Provisions) Act 1976 Part II Sections 46,48,50 53, 54,56,60,64,71 and 73	Chief Executive (or designated Officer)
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1.3 FUNCTIONS WHICH ARE THE RESPONSIBILITY OF COUNCIL UNDER ARTICLE 4

	Those required by law to be adopted by the Council: Plans and Strategies	Reference
<u>1</u>	Ashfield Community Partnership Strategy	Sections 5 and 6 of the Crime and Disorder Act 1998 (c.37)
<u>2</u>	Plans and Strategies which together comprise the Local Plan	
<u>3</u>	Licensing Policy Statement	Section 349 of the Gambling 2005 Act
	Those non statutory plans and strategies:	
<u>1</u>	Council's Corporate Plan	
<u>2</u>	Medium Term Financial Strategy	
	Function	Circumstances
<u>1</u>	The adoption or approval of a plan or strategy (whether statutory or non-statutory), other than a plan or strategy of a description referred to in Regulation 2000 4(1)(b) or Schedule 3	The authority determines that the decision whether the plan or strategy should be adopted or approved should be taken by them
<u>2</u>	The determination of any matter in the discharge of a function which:	The individual or body by whom (by virtue of Sections 14 to 17 of the Local Government Act 2000 or provision made

	<p>(a) is the responsibility of the Executive; and</p> <p>(b) is concerned with the authority's budget, or their borrowing or capital expenditure</p>	<p>under Section 18 or 20 of that Act) the determination is to be made –</p> <p>a) Is minded to determine the matter contrary to, or not wholly in accordance with –</p> <p>(i) The authority's budget; or</p> <p>(ii) The plan or strategy for the time being approved by the authority in relation to their borrowing or capital expenditure; and</p> <p>b) Is not authorised by the authority's Executive arrangements, financial regulations, standing orders or other rules or procedures to make a determination in those terms.</p>
<u>3</u>	<p>The determination of any matter in the discharge of a function:</p> <p>a) Which is the responsibility of the Executive; and</p> <p>b) In relation to which a plan or strategy (whether statutory or non-statutory) has been adopted or approved by the authority</p>	<p>The individual or body by whom (by virtue of Sections 14 to 17 of the Local Government Act 2000 or provision made under Section 18 or 20 of that Act) the determination is to be made, is minded to determine the matter in terms contrary to the plan, or as the case may be, the strategy adopted or approved by the authority</p>

1.4 TRAINING PRE-REQUISITE

It is Council policy that before sitting and taking part in meetings of the following Committees that Members must have received appropriate training:

- a) Planning Committee;
- b) Licensing Committee and Sub-Committees;
- c) Standards and Personnel Appeals Committee and Sub-Committees
- d) Chief Officers' Employment Committee and Sub-Committees.

1.5 FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE EXECUTIVE BY STATUTE

Section 13 of the Local Government Act 2000 makes the Executive responsible for every function other than those required or allowed by the law to be the responsibility of the Council.

In accordance with 8.9E of the Local Government Act 2000 (as amended) it is the responsibility of the Leader of the Council to discharge Executive Functions,

or arrange for their discharge by the Executive or another member of the Executive, by a Committee of the Executive or by an Officer.

1.6 EXECUTIVE FUNCTIONS – SCHEME OF DELEGATIONS

As Leader of Ashfield District Council, under the powers and duties invested in me by the Local Government Act 2000, I make this following Scheme of Delegations.

1 January 2024

.....
Councillor Jason Zadrozny
Leader of Ashfield District Council

1. All functions of the Council are executive functions except those reserved by law or by the constitution to the Council or to Council Committees.

Leader of the Council

2. The Leader is personally responsible for the discharge of all Executive Functions and may take any decision in relation to any such function, whilst recognising the specific and/or statutory responsibilities placed on individual Executive Lead Members.

Functions Reserved to the Leader

1. Appointment of Cabinet and Deputy Leader
2. Determination of Scheme of Delegations

Cabinet

3. The Leader delegates all Executive Functions to the Cabinet who collectively may take any decision in relation to any such function – subject only to the reservations set out in paragraph 5. Cabinet Members may also determine that a matter is one which should be decided by the Leader him/herself and/or Cabinet.

4.

Functions Reserved to the Cabinet Collectively (Financial Procedure Rule (FPR) or Contract Procedure Rule (CPR) reference shown in brackets)

- (i) Proposing the Budget and Policy Framework and Capital Programme to the Council and discharging Executive Functions in accordance with the Budget and Policy Framework agreed by Council. (FPR A4)
- (ii) Approving the Risk Management Policy Statement and Strategy and reviewing the effectiveness of Risk Management arrangements. (FPR C2)
- (iii) Approval to the carry forward of underspends in excess of £15,000. (FPR A25)

- (iv) in-year budget re-allocations up to £100k. Reference FPR B4.
- (v) Reallocation of capital budgets which do not exceed the overall capital programme. FPR B9.
- (vi) Receiving reports from the Chief Finance Officer on insurance cover, as appropriate. (FPR C37)
- (vii) Receiving regular reports on the Treasury Management policies and practices. (FPR C30)
- (viii) Authorising write-off amounts in excess of £10,000. (FPR D29(c))
- (ix) Approval of Code of Procedures relating to Disposal of Land and Buildings and Progress in respect of Disposals.

Cabinet Members

5. Subject to 2 above, the Leader delegates all Executive Functions which fall within the portfolio of each Cabinet Member to that Cabinet Member who may take any decision in relation to those functions as set out below, subject to:
- (i) the reservations in the lists above and;
 - (ii) the Leader's directions in respect of controversial, high profile and/or financially significant decisions.

Functions Delegated to Cabinet Members

The Cabinet will consist of:

The Leader and nine other Cabinet Members.

Role of Leader

- To provide the Council's overall cohesive corporate and strategic direction, budget strategy and policy development.
- To develop and promote the reputation and interests of the Council locally and nationally.
- To nominate Deputy Leader(s) to act in his/her absence. In the event the Leader has not nominated/is unable to nominate the Deputy Leader, the Deputy Leader for Community Safety and Crime Reduction will be deemed to be so nominated to act.

Role of Deputy(s) and Cabinet Members

- To be responsible for the following in their areas of activity:

- To lead in the preparation, review, development and implementation of strategies and plans.
- To lead the achievement of value for money in the delivery of services and the Council's objectives.
- To develop and maintain effective consultation with non-executive Councillors, the community and public and private sector partner organisations.
- To assist in the community planning process.
- To be the spokesperson for the relevant portfolio.

Cabinet Member and Title	Detailed Delegation
<p>LEADER OF THE COUNCIL</p> <p>Councillor Jason Zadrozny</p>	<ul style="list-style-type: none"> • Corporate Strategy and Performance • Strategic Partnerships • Corporate Risk Management • Corporate Communications • Website Content and Social Media
<p>DEPUTY LEADER</p> <p>Executive Lead Member for Parks and Environmental Services</p> <p>Councillor Helen-Ann Smith</p>	<ul style="list-style-type: none"> • To deputise for the Leader • Streets • Parks and Open Spaces • Waste Management • Recycling • Fleet Transport • Cemeteries
<p>DEPUTY LEADER</p> <p>Executive Lead Member for Strategic Housing and Climate Change</p> <p>Councillor Thomas Hollis</p>	<ul style="list-style-type: none"> • To deputise for the Leader • Housing Strategy • Housing Development • Housing Options • Disabled Facilities Grants • Environmental Health Services • Licensing • Building Control • Empty and Dilapidated Properties • Private Sector Enforcement • Climate Change
<p>Executive Lead Member for Governance</p> <p>Councillor Vicki Heslop</p>	<ul style="list-style-type: none"> • Legal Services • Scrutiny and Democratic Services • Electoral Services • Internal Audit • HR and Payroll

	<ul style="list-style-type: none"> • Health and Safety • Emergency Planning and Business Continuity
<p>Executive Lead Member for Finance, Revenues and Benefits</p> <p>Councillor Rachel Madden</p>	<ul style="list-style-type: none"> • Financial Strategy – including Medium Term Financial Strategy • Treasury Management • Capital Strategy and Programme • Revenues and Benefits • Commercial Property • Financial Governance • Strategic Procurement • Towns Fund – Automated Distribution and Manufacturing Centre (ADMC)
<p>Executive Lead Member for Social Housing and Assets</p> <p>Councillor Andrew Meakin</p>	<ul style="list-style-type: none"> • Social Housing Regulation • HRA Business Plan • Tenancy Support, Management and Engagement • Housing Repairs • Maintenance of Non-Domestic Assets • Housing Capital Investment • Aids and Adaptations
<p>Executive Lead Member for Leisure, Health and Wellbeing</p> <p>Councillor Christopher Huskinson</p>	<ul style="list-style-type: none"> • Strategic Leisure (including outdoor sports provision) • Health and Wellbeing • Arts, Heritage, Tourism and Culture • Corporate Events
<p>Executive Lead Member for Community Safety and Crime Reduction</p> <p>Councillor John Wilmott</p>	<ul style="list-style-type: none"> • Community Safety Partnership • Anti-Social Behaviour • Community Protection • Safeguarding Vulnerable Adults and Children • CCTV • Community Cohesion • Combating Modern Slavery and Human Trafficking

<p>Executive Lead Member for Growth, Regeneration and Local Planning</p> <p>Councillor Matthew Relf</p>	<ul style="list-style-type: none"> • Discover Ashfield Board • Regeneration and Economic Growth • Business Support • Town Centres • Markets • Car Park Strategy • Strategic Planning – Local Plan • Development Advice & Management
<p>Executive Lead Member for Customer and Digital Experience</p> <p>Councillor Samantha Deakin</p>	<ul style="list-style-type: none"> • Customer Experience • Digital Services Transformation ICT and IT Strategy, Security, Operations and Website Platform

Cabinet Committees

6.

No Cabinet committees are established.

Joint Arrangements

7.

Mansfield and District Crematorium Joint Committee

8. Functions Delegated to Officers

Chief Executive

The Leader delegates, subject to the reservations in the list at paragraphs 2 to 7 above, all Executive Functions to the Chief Executive.

Chief Officers

Chief Officers are delegated authority to take any decision in relation to the functions within their area of service responsibility. The Chief Executive (in consultation with the Leader as appropriate) will determine the service responsibilities of each Chief Officer and the extent to which their delegations shall be exercised. Such delegations and service responsibilities will be in writing.

Any Chief Officer with delegated powers may delegate other officers to act in their own name.

Such delegation must be in writing. A copy must be provided to the officer being given the delegation, the original must be retained by the person delegating and a copy provided to Democratic Services to keep on the central register.

An officer acting under delegated authority takes the decision in their own name and professional capacity on behalf of the Chief Officer who delegated the power.

The Chief Officer retains accountability for ensuring that the decisions being taken are being taken properly.

Current service responsibilities of each Chief Officer are:

Executive Director of Governance

- Electoral Registration and Elections
- Democratic Services
- Scrutiny
- Legal Services
- Internal Audit (via Central Midlands Audit Partnership)
- Corporate Health and Safety (including Business Continuity & Emergency Planning)
- HR and Payroll (Shared Service)

Executive Director of Place

- Community Safety
- Environmental Health (including Licensing)
- Planning and Building Control
- Regeneration and Business/Skills
- Leisure (including Leisure Centres)
- Arts, Heritage, Tourism and Culture
- Health and Wellbeing
- Communities (including Community Engagement and Events)
- Town Centres and Markets
- Private Sector Enforcement
- Lettings and Strategic Housing
- Homelessness and Housing Options
- Disabled Facilities Grants

Executive Director of Operations

- Tenancy and Supported Housing
- Housing Operations
- Asset Management
- Climate Change Strategy
- Aids and Adaptations

- Social Housing Development
- Housing Regulation
- Waste and Environment
- Transport Services

Executive Director of Transformation

- ICT and ICT Security
- Corporate Communications (including website)
- Corporate Finance
- Revenues and Benefits
- Organisational Development
- Policy and Performance
- Customer Experience

Corporate Resource Director

- Commercial Property
- Procurement
- Anti-Fraud and Data-Matching

Monitoring Officer

9. The Executive Director of Governance is the Monitoring Officer for the purposes of Section 5 of the Local Government and Housing Act 1989, the Local Government Act 2000 and accompanying regulations (as amended) and the Locality Act 2011 (as amended).
10. The Executive Director of Governance is required to advise, and to report as appropriate, on issues of legality, decision making procedure, maladministration, standards of conduct and probity and compliance with the budget and policy framework, and generally to exercise the functions of the Council's Monitoring Officer under Section 5 of the Local Government and Housing Act 1989, the Local Government Act 2000 and accompanying regulations.

Data Protection Officer (DPO)

11. The Executive Director of Governance (Monitoring Officer) is designated as the Council's Statutory Data Protection Officer (DPO). The role of the DPO is to monitor internal compliance, inform and advise on data protection obligations, provide advice regarding Data Protection Impact Assessments (DPIAs) and act as a contact point for data subjects and the Supervisory Authority. The DPO is a key role in the organisation's data protection governance structure and helps improve accountability.

Chief Finance Officer

12. The Corporate Resource Director is the Chief Financial Officer with responsibility for the administration of the Council's financial affairs for the purpose of Section 6 of the Local Government and Housing Act 1989 and Section 151 of the Local Government Act 1972.

Social Housing Regulation

13. The Executive Director of Operations is the designated officer responsible for the Housing Regulatory Consumer Standards and related duties and as may be prescribed by the Social Housing (Regulation) Act 2023 when enacted and/or by the Regulator of Social Housing.
14. The Assistant Director – Corporate Health and Safety is the designated officer responsible for Health and Safety and related duties and as may be prescribed by the Social Housing (Regulation) Act 2023 when enacted and/or by the Regulator of Social Housing.

1.7 NON-AVAILABILITY OF EXECUTIVE MEMBER

In the event of the non-availability of an Executive Member, the Leader (or in his/her absence the Deputy Leader) may assume the responsibility for the particular portfolio or as he/she deems appropriate may request other Executive Member(s) to take on the responsibility for that portfolio.

1.8 COMMITTEE TERMS OF REFERENCE

All Committees are Committees of the Council constituted under Sections 101 and 102 of the Local Government Act 1972.

PLANNING COMMITTEE

(9 Members of the Authority)

To exercise all the District Council functions relating to Town and Country Planning and Development Control as set out in Schedule 1 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) (parts 1-2 of this Part) being those functions which are not to be the responsibility of the Executive.

LICENSING COMMITTEE

(10 Members of the Authority)

This Committee is a Committee of the Council constituted:

- (1) In relation to its functions under the Licensing Act 2003, under Section 6 of that Act.

- (2) In relation to its functions under the Gambling Act 2005.
- (3) In relation to its other functions, under Sections 101 and 102 of the Local Government Act 1972.
- (4) In relation to all District Council functions relating to Licensing as set out in Schedule 1 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) being those functions which are not to be the responsibility of the Executive (See parts 1-2 of this Part)

DELEGATED MATTERS:

1. To discharge the functions of the Council, that are licensing functions within the meaning of the Licensing Act 2003 as amended.
2. To discharge the functions of the Local Authority as set out in the Gambling Act 2005.
3. The appointment of Licensing Sub-Committees under Section 10 of the Licensing Act 2003.
4. In respect of the relevant prescribed period, to consider the Council's policy with respect to the exercise of its licensing functions and recommend to Council the adoption of the Statement of Licensing and Gambling Policy within the relevant prescribed period.
5. During each relevant prescribed period, to keep the Statement of Licensing and Gambling under review and to recommend any revisions to it, to Council.
6. To determine policies that are relevant to the Council's functions under Part 3 of the Constitution which relate to those licensing and registration functions unless the policy must be determined by the Council.
7. To exercise the Council's functions under Part 3 of the Constitution which relate to those licensing and registration functions except where the function has been delegated to Officers of the Council.
8. To exercise all the District Council functions of the Council relating to health and safety at work as set out in Part "C" Schedule 1 of the functions and responsibilities regulations being those functions which must not be the responsibility of the Executive.

LICENSING SUB-COMMITTEES

(3 Members drawn from the pool of 10 Members on the Committee)

These Sub-Committees are Sub Committees of the Licensing Committee, appointed by that Committee under Section 10 of the Licensing Act 2003.

To determine applications under the Licensing Act 2003 and Gambling Act 2005, where relevant representations are received.

CHIEF OFFICERS' EMPLOYMENT COMMITTEE

(7 Members of the Authority)

1. To deal with all employment issues concerning the Head of Paid Service, Chief Finance Officer (Section 151), Monitoring Officer and Chief Officers (as defined in Article 11).
2. To determine the Council's employment policies in respect of the aforesaid positions.
3. To determine job descriptions and person specifications in respect of the aforesaid positions.
4. To determine whether, in the first instance, recruitment to a vacant post set out above shall be from among existing Officers or shall be advertised publicly.
5. To make arrangements for the vacancy to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it.
6. To interview all shortlisted candidates for vacant posts set out above.
7. To appoint the preferred candidate except that the appointment of the Head of Paid Service, Monitoring Officer and Chief Finance Officer (S151 Officer) is reserved to Council, in which case the Committee will make a recommendation to Council.
8. To discharge disciplinary and grievance proceedings, including determining the need for any investigation, appointing an independent designated person (where necessary) and conducting the hearing.
9. To discharge dismissal procedures regarding officers at Chief Officer level in accordance with the Employment Procedure Rules (Part 4 of the Constitution).
10. To make recommendations to Council regarding the dismissal of an officer designated as Head of Paid Service, Chief Finance Officer (Section 151) and Monitoring Officer only after considering recommendations from a report made by a designated independent person (i.e. as set out in Regulation 7 of the Local Authorities (Standing Orders) (England) Regulations 2001.)
11. To discharge dismissal procedures for the dismissal of an officer designated Head of Paid Service, Chief Finance Officer (section 151) and Monitoring Officer only after Council has approved that dismissal.
12. To determine, where necessary, special arrangements for the composition and nature of a hearing committee, after receiving the advice of the HR & Payroll Manager as to such composition, where a conflict of interest may arise if the

Chief Officers' Employment Committee conducted the hearing itself. The composition may be made from external (non ADC) members in exceptional circumstances.

AUDIT COMMITTEE

(7 Members of the Authority)

To provide assurance as to the adequacy of the risk management framework and control environment, scrutiny of the authority's financial and non-financial performance in that context, and oversight of the financial reporting process, including:

1. Supporting the Monitoring Officer in the annual audit planning process and approving the Annual Audit Plan.
2. To approve the Internal Audit Charter and other policy documents developed by the Monitoring Officer for the purpose of maintaining or enhancing the independence and effectiveness of internal audit.
3. To monitor progress in delivering the Annual Audit Plan and developing assurance about the Council's Governance Framework; and to receive and consider the assurance provided by the Internal Audit Annual Report and Opinion as to the overall adequacy and effectiveness of the council's framework of governance, risk management and control.
4. To receive and consider the key findings of all internal audit assignments and all reports and letters issued by External Audit and other relevant inspection agencies; and to monitor the adequacy of management responses.
5. To receive periodic reports from internal audit on progress with the implementation of agreed recommendations and to seek explanations from responsible managers and/or Executive Lead Members for delays in dealing with material deficiencies in the Council's Governance Framework.
6. To consider any reports on the extent of the internal audit function's conformance to the Public Sector Internal Audit Standards and Local Government Application Note and in instances where the internal audit function does not conform, consider whether the non-conformance is significant enough to be included in the Annual Governance Statement.
7. To monitor the effective development and operation of risk management and corporate governance in the Council.
8. To monitor the Council's Whistleblowing Policies and Anti-Fraud and Anti-Corruption Strategies and effective application of those policies and strategies.
9. To review any issue referred to it by the Chief Executive, a Director or any Council body.

10. To consider the Council's compliance with its own and other published standards and controls.
11. To maintain an overview of the Council's Constitution in respect of Contract Procedure Rules and Financial Regulations.
12. To oversee the development of the Council's Governance Statement in-year, to consider a report on the effectiveness of internal audit to support the Statement and to approve the completed Annual Governance Statement.
13. To approve the Annual Statement of Accounts on receipt of appropriate assurance that proper accounting policies have been followed and that there are no material issues arising from the Financial Statements or from the audit that need to be brought to the attention of the Council.
14. To discharge the Council's statutory responsibilities in respect of the appointment of an external auditor.
15. To comment on the scope and depth of external audit work and to ensure it gives value for money; advise and recommend on the effectiveness of relationships between internal audit and other inspection agencies or relevant bodies; and in conjunction with the Council's s151 Officer, to commission work from external audit.
16. To consider reports dealing with the performance of the providers of the Council's internal audit services.
17. To have responsibility for ensuring effective scrutiny of the Treasury Management Strategy and policies.

STANDARDS AND PERSONNEL APPEALS COMMITTEE

(7 Members of the Authority)

Standards Functions

For Recommendation to Council:-

1. The adoption or revision of the Members' Code of Conduct.
2. To propose amendments to the Constitution relating to matters of an ethical standards nature.

Delegated Matters:

3. To promote and maintain high standards of conduct by Members and Officers.

4. To grant dispensations to Councillors and Co-opted Members from requirements relating to interests set out in Members' Code of Conduct, where not delegated to the Monitoring Officer.
5. To hear appeals against decisions of the Monitoring Officer not to grant a dispensation.
6. To monitor and review the Council's Whistleblowing policy.
7. To monitor and review protocols for standards of behaviour for Members and Officers.
8. To monitor and review protocols for Members and Officers on relationships and dealings with outside organisations and individuals.
9. To monitor and review Member and Officer procedures relating to gifts and hospitality and disclosable pecuniary interest and other interests.
10. To arrange, monitor and review mandatory training for Members and Officers on ethics, probity and the local Code of Conduct for Members.
11. To monitor and oversee the response by the Council to complaints to the Ombudsman.
12. Dealing with complaints of alleged Member misconduct referred to the Monitoring Officer under Section 28(6) of the Localism Act 2011.
13. Granting and supervision of exemptions from posts being designated as politically restricted.

Personnel Appeals Functions

To hear and determine:

1. Appeals in accordance with the Council's procedures including in respect of discipline (including dismissal); and
2. Other appeals where the right of appeal to an Employment Tribunal exists.

Hearings Sub-Committee

(maximum of 3 Members taken from the Standards and Personnel Appeals Committee selected by the Monitoring Officer, the Independent Person invited)

1. To consider complaints referred to it by the Monitoring Officer in consultation with the Independent Person in accordance with Section 28 of the Localism Act 2011.

Referrals Sub-Committee

(minimum of 3 and maximum of 5 Members taken from the Standards and Personnel Appeals Committee selected by the Monitoring Officer. The Independent Person is invited to all Referrals Sub-Committee meetings)

1. To consider complaints referred to it by the Monitoring Officer to decide whether or not the complaint should be investigated or other action taken.

CHARITIES COMMITTEE

(7 Members of the Authority)

1. To ensure compliance with relevant Charity Law.
2. To make recommendations on, monitor and review the management, administration and associated arrangements for the day to day running of all the Charities of which the Council is the Sole Trustee.
3. To promote the purposes of the various Charities of which the Council is the Sole Trustee and ensure that the Charities are run in accordance with the relevant Trust purposes.
4. To oversee and manage programmes of Trust development.
5. To receive reports, accounts and requests from the relevant Advisory Groups.
6. To make an Annual Report to the Council.

PRINCIPAL SELECT COMMITTEE

(7 Members of the Authority)

In accordance with Article 8 of this Constitution:

1. To review and scrutinise individual decisions before or after implementation.
2. To review, monitor and approve the Select Work Programme.
3. To undertake time limited reviews on topics approved for the work programme.
4. To report any recommendations or considerations agreed by the Principal Select Committee to Cabinet.
5. To undertake such other overview and scrutiny functions as may be required including crime and disorder scrutiny and housing performance scrutiny.

The Committee does not have power to call-in decisions made by non-executive committees.

INWARD FOCUS SELECT COMMITTEE & OUTWARD FOCUS SELECT COMMITTEE

(7 Members of the Authority)

To undertake such tasks as may be requested by the Council or the Executive or as agreed by the Principal Select Committee as part of the work programme.

LOCAL PLAN DEVELOPMENT COMMITTEE

The Local Plan Development Committee's purpose is to inform and advise the Cabinet in reaching any decisions they may have to make in moving forward planning policy. The Local Plan Development Committee has no decision-making powers.

The terms of reference of the Committee is to:

- Oversee the preparation of the Local Plan
- Oversee the project management of work streams
- Give elected member views to the officer working group
- Provide advice on issues that affect businesses and residents
- Ensure integration / complementarity of the vision, objectives and policies of the Local Plan with other Corporate /Partners regional plans
- Advise on other key decisions on matters relating to Local Plan production including resources, scope of documents, evidence base, identification of alternative development options, content of the local development scheme, sustainability appraisal/ appropriate assessment, consultation methods, engagement, and relationships with the sub-regional context.
- Provide a forum for discussion of progress
- Guide the development of recommendations for further work

The Committee is politically balanced and is comprised of 9 Members appointed by the Council. Appropriate officers also attend to facilitate the work of the Committee.