

# COMMITTEE TERMS OF REFERENCE

## Explanation of Terms

Subject to the urgency provisions of (vii) below, powers, duties, and delegation arrangements for each Committee are set out under these headings:

### 1. TERMS OF REFERENCE

These set out the duties/functions/provision of services for which a Committee is responsible.

### 2. TO RECOMMEND (matters reserved for Full Council to determine)

This signifies that a Committee has no power of decision but may only make recommendations to Full Council to be determined there. Such recommendations are to the Council unless expressly stated to be otherwise.

### 3. TO RESOLVE (matters reserved for a Committee to determine)

This signifies that the Council has delegated its power to decide issues to a Committee. A Committee can resolve matters within its terms of reference, provided they are not reserved for determination by Full Council (by virtue of this Constitution or statute) even if the matter concerned does not appear within the list of its 'resolved' functions.

### 4. DELEGATION TO:

Each **Sub-Committee** is identified within the main Terms of Reference of each committee, together with (if any) the powers delegated by the parent Committee.

**The Chief Executive and other Chief Officers** (i.e. Statutory Officers, Directors and the Head of Finance) are empowered to exercise, on behalf of the Council, all those functions, which are not reserved in this Constitution for determination by Council, Committees or Sub-Committees.

### 5. URGENCY POWERS

The Chief Executive and Chief Officers are authorised to take decisions on the grounds of urgency regarding matters which would otherwise be reserved for determination by a Committee or Council. A matter can be deemed urgent if, in the reasonable opinion of the officer concerned, a delay would seriously prejudice the interest of the Council or of the public and it is not practicable to convene a quorate meeting of the relevant decision-making body in sufficient time to take the decision. The officer concerned shall also:

- advise and seek the views of the Chair of the appropriate Committee at the earliest opportunity;
- report the matter to next scheduled meeting of the appropriate Committee; and
- ensure all members are advised at the earliest opportunity (via members update currently).

6. **General arrangements**

- Notwithstanding the fact that a body has delegated a power to another body, the delegating body may elect to take a decision on such a matter itself.
- The Council, its Committees and Sub-Committees may delegate individual decisions to other Council bodies or Officers from time to time.
- Principles or policies laid down by the Council or its Committees shall not be contravened or varied without further recourse to the Council or the relevant Committee as appropriate.

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# COMMUNITY AND WELLBEING COMMITTEE

**(10 members)**

## **1. TERMS OF REFERENCE**

1. To carry out the functions falling within the committee's area of responsibility as set out below, working within the budget and policy framework approved by Council, except where these functions remain reserved to the Council or have been delegated to another Committee within the Council's scheme of delegation.
2. To establish Sub-Committees to progress work of the Committee.
3. To decide on matters falling within its responsibility or delegate decision making to Directors. However, this does not prevent the Committee from choosing to exercise the function itself.

### **Areas of responsibility:**

- a. Tourism, culture, and recreational activities including the arts, sports and other leisure activities;
- b. PREVENT and PROTECT (part of the CONTEST – Counter Terrorism strategy);
- c. Council venues including The Playhouse, Bourne Hall, Ewell Court House, The Rainbow Centre, Bourne Hall Museum;
- d. Services for young people;
- e. Affordable housing;
- f. Strategic housing and investment;
- g. Housing standards, homelessness, homelessness prevention and advice, housing needs assessment;
- h. Housing benefit in relation to welfare aspects;
- i. Private sector housing and administration of housing grants;
- j. Collaboration and Partnerships related to the remit of this Committee;
- k. Personal social services for older and disabled persons including community meals services, community alarm, day centres, community transport;

- l. Community and Voluntary sector grants;
- m. Consultations on local health service provision and NHS services;
- n. Armed Forces Covenant;
- o. Voluntary Sector.

**In carrying out its responsibilities the Committee will**

- 1. Work in partnership with other Policy committees and sub committees.
- 2. Develop, make decisions about and keep under review the Committee's budget ensuring any decisions about spend are made within the allocated budget envelope.
- 3. Ensure any decisions about additional spend to the Committee's agreed budget are in accordance with the Financial Regulations.
- 4. Have consideration to the Risk Management Strategy, Key Performance indicators and any action relevant to the Committee's remit;
- 5. Work with the Voluntary Sector, health partners and other agencies.
- 6. Have oversight of any matters of interest or concern relevant to this Committees remit.

**2. TO MAKE RECOMMENDATIONS REGARDING:**

- a. Changes to this Committee's Terms of Reference.
- b. Other matters under the Committee's jurisdiction which, by virtue of statutory provision, must be determined by full Council.
- c. New policies or changes in policy within the remit of the Committee which would require resources beyond those allocated to the Committee.

**3. TO RESOLVE**

- a. New policies or changes in policy within the remit of the Committee which can be accommodated within the Committee's overall allocation of resources.

**4. DELEGATION TO OFFICERS**

- 1. To the Chief Executive and Directors, the power to implement Council/Committee policies and deal with the day-to-day management of services relevant to this Committee, including the discharge of all functions of the Council, except for those which are

identified above as reserved for determination by the Council, Committee or Sub-Committee.

2. The officers referred to in 1. above have the power in turn to delegate to other officers of their choice, the power to deal on their behalf and in their name with any of the above functions. Such delegation shall be in writing and signed by the relevant SMT Member and may contain such limitations or be subject to such conditions as that Officer shall decide.
3. Where committee delegated action has been taken by officers in 1. and 2. above, or the use of urgency powers has been exercised by the Chief Executive or Director this must be reported back to the Chair and Vice Chair at the next available meeting.

## Health Liaison Panel

To advise the Community & Wellbeing Committee on:

**(These ToR have not been amended at this stage as there needs to be a review of the scope of this panel)**

1. Preparing, promoting and monitoring the Council's Health Strategy in association with National Health Service bodies, Social Services and the voluntary sector;
2. Providing leadership and liaising with NHS bodies, the County Council and other agencies to promote the effective use of all resources and the delivery of best value Health and Social Services to the community.
3. Working in partnership with a Member from each of the following – Elmbridge Borough Council, Mole Valley District Council, Reigate & Banstead District Council and officers from these local authorities on:
  - a. Promoting the interests of the local residents in any decisions concerning health services;
  - b. Developing a shared vision for the nature, location and quality of local NHS services;
  - c. Facilitating partnership working and the sharing of information and to co-ordinate input into the NHS decision-making processes.
4. Providing a focus for the Councillor-lead meetings and interaction with local NHS representatives.

5. Furthering the local democratic legitimacy of NHS bodies and their local public accountability.

# ENVIRONMENT AND SAFE COMMUNITIES

**(10 Members)**

## **1. TERMS OF REFERENCE**

1. To carry out the functions falling within the committee's area of responsibility as set out below, working within the budget and policy framework approved by Council, except where these functions remain reserved to the Council or have been delegated to another Committee within the Council's scheme of delegation.
2. To recommend to Council new or changes in previously agreed policies.
3. To establish Sub Committees to progress work of the Committee.
4. To decide on matters falling within its responsibility or delegate decision making to Directors. However, this does not prevent the Committee from choosing to exercise the function itself.

### **Areas of responsibility:**

- a. Waste management refuse collection and recycling services;
- b. Climate change and environmental improvement schemes;
- c. Highway matters that are the responsibility of the Borough Council including drainage;
- d. Consider and approve local transportation policy;
- e. PROTECT strategy;
- f. Contaminated Land and Waterways;
- g. Parks, open spaces and countryside and Allotments;
- h. Grounds maintenance;
- i. Public spaces, public realm and cleansing;
- j. Street trading including markets;
- k. Environmental protection, pollution control and biodiversity;
- l. Food hygiene;
- m. Health & Safety;

- n. Burials, cemeteries, and closed churchyards;
- o. Street naming and numbering;
- p. Parking including the provision and management of parking and the fixing of charges and parking enforcement.
- q. Collaboration and Partnerships related to the remit of this Committee.

**In carrying out its responsibilities the Committee will**

1. Work in partnership with other Policy committees and sub committees;
2. Develop, make decisions about and keep under review the Committee's budget ensuring any decisions about spend are made within the allocated budget envelope;
3. Ensure any decisions about additional spend to the Committee's agreed budget are in accordance with the Financial Regulations;
4. Have consideration to the Risk Management Strategy, Key Performance indicators and any action relevant to the Committee's remit;
5. Work with partners and other agencies to fulfil its responsibilities;
6. Have oversight of any matters of interest or concern relevant to this Committees remit.

**2. TO MAKE RECOMMENDATIONS REGARDING:**

- a. Changes to this Committee's Terms of Reference.
- b. Other matters under the Committee's jurisdiction which, by virtue of statutory provision, must be determined by full Council.
- c. New policies or changes in policy within the remit of the Committee which would require resources beyond those allocated to the Committee.

**3. TO RESOLVE**

- a. New policies or changes in policy within the remit of the Committee which can be accommodated within the Committee's overall allocation of resources.
- b. Responses to consultations from the Government, other authorities and external agencies where there is a potentially significant impact upon the delivery of services falling under the remit of the Committee.

- c. Rents and charges for services, accommodation and land, not under the purview of another Committee.

#### **4. DELEGATION TO CRIME AND DISORDER SUB-COMMITTEE**

1. Act as the local Crime & Disorder Committee;
2. To call upon representatives of outside organisations and partner agencies to present information about services which have a significant impact upon local residents including measures delivered via the Community Safety Partnership.

#### **5. DELEGATION TO OFFICERS**

1. To the Chief Executive and Directors, the power to implement Council/Committee policies and deal with the day-to-day management of services relevant to this Committee, including the discharge of all functions of the Council, except for those which are identified above as reserved for determination by the Council, Committee or Sub-Committee.
2. The officers referred to in 1. above have the power in turn to delegate to other officers of their choice, the power to deal on their behalf and in their name with any of the above functions. Such delegation shall be in writing and signed by the relevant SMT Member and may contain such limitations or be subject to such conditions as that Officer shall decide.
3. Where committee delegated action has been taken by officers in 1. and 2. above, or the use of urgency powers has been exercised by the Chief Executive or Director this must be reported back to the Chair and Vice Chair at the next available meeting.

#### **Crime and Disorder Sub Committee**

1. To be active members of the Community Safety Partnership (CSP), which is a statutory multi agency group which meets quarterly with the remit to work together to reduce crime and disorder in the community. The primary functions of the CSP are to:
  - reduce high harm crime (Child Sexual Exploitation, Violence Against Women and Girls, Serious Organised Crime including Human Trafficking and Modern Slavery) and anti-social behaviour by tackling offenders, reduce reoffending and to support vulnerable victims and areas;

- protect the most vulnerable individuals in our communities from high harm and abuse;
  - maintain public confidence by making residents feel safe and secure.
2. The PREVENT and PROTECT activities, both part of the CONTEST (Counter Terrorism) strategy which uses an early intervention multi-agency problem solving approach to manage risk and works in pre criminal space. The main aim of the Prevent workstream is to reduce the threat to the UK from terrorism by stopping people becoming terrorists or supporting terrorism. The PROTECT workstream concentrates on keeping the public safe from an attack.

# LICENSING AND PLANNING POLICY COMMITTEE

**(10 members)**

## **1. TERMS OF REFERENCE**

1. To be responsible for exercising regulatory and policy functions under the relevant legislation concerning the determination of:
  - a. Alcohol and entertainment licence applications;
  - b. Gambling licence applications;
  - c. Applications for the granting, renewal, transfer or revocation of sex establishments licenses; private hire and public hire licences.
2. To be responsible for influencing and controlling development and use of land as Local Planning Authority including:
  - a. Preparation, adoption and review of the statutory Development Plan, including Local Development Documents;
  - b. Preparation, adoption and review of Supplementary Planning Documents.
3. To carry out the functions falling within the Committee's area of responsibility as set out below, working within the budget and policy framework approved by Council, except where these functions remain the reserve of the Council or have been delegated to another Committee within the Council's scheme of delegation.
4. To recommend to council new or changes to previously approved policies.
5. To establish Sub Committees or member working groups to progress work of the Committee.
6. To decide on matters falling within its responsibility or delegate decision making to Directors of the council. However, this does not prevent the Committee from choosing to exercise the function itself.

### **Areas of responsibility:**

- a) To consider and approve Local Plan documents for public consultation (including Development Plan Documents up to Preferred Options stage and Supplementary Planning Documents up to Consultation stage);
- b) To consider and recommend for approval to Council, submission versions of Development Plan documents;

- c) To consider and approve final versions of Supplementary Planning Guidance (including Masterplans and Design Codes) Planning Guidance Documents, land use policy statements, masterplans and briefs for specific areas;
- d) and any subsequent changes to the Development Plan not constituting a new or substantially revised Development Plan Document;
- e) To consider and approve other informal policy guidance for adoption;
- f) To consider and approve the Council's Local Development Scheme and Annual Monitoring Report;
- g) To consider and approve (i) draft Conservation Area Appraisals and Management Plans for public consultation and (ii) the final version of Conservation Area Appraisals and Management Plans;
- h) To consider and approve the Council's Local List of historic assets or policy documents to safeguard the historic environment;
- i) To consider and approve matters related to the Community Infrastructure Levy (CIL) leading up to the examination in public and the adoption of the CIL charging schedule;
- j) To consider and comment upon other authorities' or stakeholder's planning policy documents;
- k) To respond to government consultations on draft planning legislation and proposed planning policies;
- l) To consider any other planning policy matters not included in any of the above as deemed necessary by the Head of Planning;
- m) To consider and approve Hackney Carriage and Private Hires policies and procedures;
- n) To consider and determine (or delegate to a Licensing Sub Committee):
  - (i) Opposed and/or contentious applications made under the Licensing Act 2003 and/or applications for review under the said Act;
  - (ii) Opposed and/or contentious applications made under the Gambling Act 2005 and/or applications for review under the said Act;

- (iii) Opposed and/or contentious applications for the granting, renewal, transfer or revocation or sex establishments licenses; private hire and public hire licences in reference to applications listed in 1 a) above;
- o) To consider and approve a licensing policy statement and gambling policy statement for recommendation to the Council and to keep this under review in accordance with the Licensing Act 2003 and the Gambling Act 2005 respectively;
- p) Collaboration and Partnerships related to the remit of this Committee.

**2. TO MAKE RECOMMENDATIONS REGARDING:**

- a. Changes to this Committee's Terms of Reference.
- b. Other matters under the Committee's jurisdiction which, by virtue of statutory provision, must be determined by full Council.
- c. New policies or changes in policy within the remit of the Committee which would require resources beyond those allocated to the Committee.

**3. TO RESOLVE:**

- a. New policies or changes in policy within the remit of the Committee which can be accommodated within the Committee's overall allocation of resources.
- b. Preparation and review of Local Planning Development Documents.
- c. Adoption of Neighbourhood Development Plans.
- d. Adoption of Supplementary Planning Documents.
- e. Confirmation of Conservation Area designations.
- f. Confirmation of lists of local heritage assets.
- g. Responses to consultations from the government, other authorities, external agencies and other bodies, including transportation related consultations, where they would have a significant impact on the delivery of the Local Plan or on the District's environment.
- h. The seeking of Deemed Planning Consents.
- i. Approving Local Development Orders, Neighbourhood Development Orders and Community Right to Build Orders.

#### **4. DELEGATION TO OFFICERS**

1. To the Chief Executive and Directors, the power to implement Council/Committee policies and deal with the day-to-day management of services relevant to this Committee, including the discharge of all functions of the Council, except for those which are identified above as reserved for determination by the Council, Committee or Sub-Committee.
2. The officers referred to in a) above have the power in turn to delegate to other officers of their choice, the power to deal on their behalf and in their name with any of the above functions. Such delegation shall be in writing and signed by the relevant SMT Officer and may contain such limitations or be subject to such conditions as that Officer shall decide.
3. Where committee delegated action has been taken by officers in a). and b) above, or the use of urgency powers has been exercised by the Chief Executive or Director this must be reported back to the Chair and Vice Chair at the next available meeting.

#### **The Licensing (Hearings) Sub Committee**

Determination of license/registration applications relating to:

- (a) a personal licence where an objection has been made;
- (b) a personal licence with unspent convictions;
- (c) a premises licence where a representation has been made;
- (d) a club premises certificate where a representation has been made;
- (e) a provisional statement where a representation has been made;
- (f) a variation of a premises licence/club premises certificate where a representation has been made;
- (g) a variation of designated premises supervisor if there is a police objection;
- (h) a transfer of premises licence if there is a police objection;
- (i) interim authorities if there is a police objection;
- (j) review of a premises licence/club premises certificate.

#### **The Licensing (General) Sub Committee**

Determination of license/registration applications relating to:

- (a) Opposed and/or contentious applications for the granting, renewal, transfer or revocation of gaming permits;
- (b) Opposed and/or contentious applications for the granting, renewal, transfer or revocation of sex establishment licences;
- (c) Contentious applications for the grant or renewal of Private Hire and Hackney Carriage Driver, Vehicle and Operator Licences and the refusal, suspension or revocation of these licences where serious offences or breaches of licence conditions have been committed.

# STRATEGY AND RESOURCES COMMITTEE

**(10 Members)**

## **1. TERMS OF REFERENCE**

1. To make recommendations to the Council on budget and policy matters;
2. To provide strategic direction to the operation of the Council, determining policies in the areas set out below and any cross-cutting policies that impact on other Committee areas;
3. To make decisions regarding land and property including acquisition, disposal and appropriation, not within the purview of any other Committee;
4. To provide strategic oversight of the Corporate Risk Register;
5. To be responsible for all policy matters not otherwise allocated to any other Committee and to determine any disputes or differences between Committees;
6. The annual budget preparation process and consideration of overall Committee budgets, including the setting of Council Tax and prudential indicators.
7. Civic and Ceremonial matters (including the appointment of representatives on Outside Bodies with the exception of the list considered at the Annual Meeting of the Council; Members' Allowances and Regalia).
8. The appointment of, and disciplinary action against, Chief and Statutory Officers.

### **Areas of responsibility:**

- a. Lead on the Corporate Governance Framework (jointly with the Chairs of Standards & Constitution and Audit & Scrutiny Committees) incorporating Strategic Planning, Corporate Risk and Performance Management;
- b. Council compliance with Financial Regulations;
- c. All matters relating to the oversight of the approved Council Budget and Policy Framework (including the setting of staff pay);
- d. Medium Term Financial Strategy to include, though not exclusively, Capital Investment Strategy, Council tax support scheme, Business Rates and use of Council reserves;
- e. Implementation and monitoring of Treasury management policies;

- f. Asset management Strategy including the purchase, management and disposal of real property owned or held by the Council (note other committees may have responsibilities for service provision, venues or activities);
- g. Community right to Challenge and Community Right to bid for Assets of Community Value;
- h. Exercise the Council's functions as Shareholder and consider recommendations from the Shareholders Sub Committee, making decisions as required;
- i. Exercise of the Council's powers as Trustee of any land or money held by the Council in trust
- j. Administration of Council Tax & Housing benefits;
- k. Collaboration and Partnerships related to the remit of this Committee;
- l. Electoral matters including polling stations, ward boundaries, ballots and referendums;
- m. Procurement strategy and those matters that have budget or procurement implications for more than one committee;
- n. The local economy and regeneration;
- o. Emergency planning, resilience and business continuity;
- p. Agreeing, recommending and reviewing key Corporate and Financial strategies (including but not limited to those relating to Workforce matters; ICT; Information Management, Information Governance and Data Protection; Communication and Engagement) which do not fall within the remit of other Committees.
- q. Dealing (in the first instance) with any matters of general policy which do not fall within the terms of reference of any other committee and are not reserved to the Full Council.

**In carrying out its responsibilities the Committee will**

1. Work in partnership with other Policy Committees and Sub Committees;
2. Develop, make decisions about and keep under review the Committee's budget ensuring any decisions about spend are made within the allocated budget envelope;
3. Ensure any decisions about additional spend to the Committee's agreed budget are in accordance with the Financial Regulations;

4. Have consideration to the Risk Management Strategy, Key Performance indicators and any action relevant to the Committee's remit;
5. Have oversight of any matters of interest or concern relevant to this Committees remit.

**2. TO MAKE RECOMMENDATIONS REGARDING:**

- a. New policies or changes in policy within the remit of the Committee which would require resources beyond those allocated to the Committee;
- b. Financial programmes for overall revenue and capital expenditure, including the Medium Term Financial Strategy and, as part of the annual budget setting process, the level of Council Tax and Prudential Indicators, subject to consultation with other Policy Committees;
- c. Changes of use of Council owned (General Fund) land, subject to consultation with other Policy Committees who may be responsible for services currently operating from the land in question;
- d. Annual pay policy statements;
- e. Civic and ceremonial matters as detailed in 1 (7) above;
- f. Polling District and Ward Reviews, ballots and referendums;
- g. Changes to this Committee's Terms of Reference;
- h. Other matters under the Committee's jurisdiction which, by virtue of statutory provision, must be determined by full Council.

**3. TO RESOLVE**

1. New policies or changes in policy within the remit of the Committee which can be accommodated within the Committee's overall allocation of resources;
2. The formation of other subsidiary companies and special purpose vehicles as deemed necessary to support property projects;
3. Determination of applications by community organisations for rental subsidies in respect of their use of Council owned land;
4. Determination of the tax base for Council Tax purposes;
5. Rents and charges for services, accommodation and land which are outside of the purview of other Committees;

6. Responses to consultations from the Government, other authorities and external agencies where there is a potentially significant impact upon the delivery of services falling under the remit of the Committee.

#### **4. DELEGATION TO OFFICERS**

1. To the Chief Executive and Directors, the power to implement Council/Committee policies and deal with the day-to-day management of services relevant to this Committee, including the discharge of all functions of the Council, except for those which are identified above as reserved for determination by the Council, Committee or Sub-Committee.
2. The officers referred to in 1. above have the power in turn to delegate to other officers of their choice, the power to deal on their behalf and in their name with any of the above functions. Such delegation shall be in writing and signed by the relevant SMT Member and may contain such limitations or be subject to such conditions as that Officer shall decide.
3. Where committee delegated action has been taken by officers in 1. and 2. above, or the use of urgency powers has been exercised by the Chief Executive or Director this must be reported back to the Chair and Vice Chair at the next available meeting.

#### **Shareholder Sub Committee**

**(These ToR have not been amended as this will be done as part of the Annual Plan priority of reviewing EEPIC)**

- (a) Power to remove and appoint company directors;
- (b) Approve the annual company business plan, ensuring that it aligns with the corporate objectives of the Council;
- (c) Periodically evaluate financial performance of a company, and performance against the current business plan;
- (d) Consider any recommendations to cease trading by a company;
- (e) Monitor compliance with relevant legislation;
- (f) Approve any Shareholder Agreement with the company, or any variation to such agreement;

- (g) Consider such other matters, as require prior consultation with shareholders or as are reserved to the Shareholders in general meeting and make such decision on those matters as they think fit.

## Financial Policy Panel

### 1. TERMS OF REFERENCE

1. To advise the Strategy and Resources Committee on the budget setting framework for the next financial year;
2. Consider the annual central government funding settlement and provide a recommendation to Council on the level of council tax for the next financial year, with a cross-Committee mandate;
3. Consider the Treasury Management Strategy, before it is recommended for approval at Full Council.

## Human Resources Panel

**(These ToR have not been amended at this stage as there needs to be a review of the scope and frequency of this panel)**

### 1. TERMS OF REFERENCE

1. To advise the Strategy and Resources Committee on:
  - a. employment policies and good practice (excluding the setting of staff pay);
  - b. staff wellbeing.
2. The Panel is able to invite the Staff Consultative Group to attend the Panel as and when required or to present such reports as it may require.

# AUDIT AND SCRUTINY COMMITTEE

**(10 Members)**

## **1. TERMS OF REFERENCE**

1. To be responsible for the scrutiny and review of the decisions and performance of the Council;
2. To carry out the functions falling within the Committee's area of responsibility as set out below, working within the budget and policy framework approved by Council, except where these functions remain the reserve of the Council or have been delegated to another Committee within the Council's scheme of delegation.
3. To seek assurance of the existence and application of key policies and strategies as well as undertaking scrutiny of performance monitoring to evaluate whether expected outcomes are being achieved in accordance with the Council's Strategic Plan.
4. To establish Sub-Committees to progress work of the Committee.
5. To decide on matters falling within its responsibility or delegate decision making to Directors of the council. However, this does not prevent the Committee from choosing to exercise the function itself.

### **Areas of Responsibility:**

- a. Overall responsibility for audit and governance frameworks (including functions of an audit committee);
- b. Oversee compliance with the Council's duties concerning Best Value;
- c. Monitor implementation of agreed recommendations and actions from both the Internal and External audit reports;
- d. Monitor progress on the Council's Annual Plan on a quarterly basis;
- e. Review and approve the Annual Governance Statement;
- f. Exercise scrutiny over the Council's budget; the management of its budget, capital programme, treasury management, reserves, revenue borrowing and assets and the audit arrangements thereof, plus associated strategy and policies;
- g. Exercise scrutiny of the quarterly budget monitoring reports;

- h. Exercise scrutiny and approval (where applicable) of the annual Statement of Accounts, financial outturn, and external audit reports;
- i. Receive an annual report setting out the activities relating to compliance with key council policies including (but not limited to) Anti-Bribery, Anti-Corruption, Whistleblowing policies, Modern Slavery and Equality, Diversity and Inclusion;
- j. Receive and review the Local Government Ombudsman's annual report;
- k. Receive and review, on a quarterly basis, the latest version of the key performance indicators and targets from each Committee which seek to ensure the provision of cost effective, quality services to the community (as part of the Council's own performance management regime);
- l. Review and/or scrutinise decisions made, or actions taken, in connection with the discharge of any of the Council's functions and make reports and/or recommendations to full Council where necessary;
- m. Undertake, in specific circumstances, pre-scrutiny reviews relating to Council services, projects or services;
- n. Exercise the right to call-in, for reconsideration, decisions made but not yet implemented by any Policy Committee.

**In carrying out its responsibilities the Committee will**

- 1. Work in partnership with other Policy committees and Sub Committees.
- 2. Have consideration to the Corporate Risk Management Strategy, Key Performance indicators and any other actions relevant to the Committee under scrutiny;
- 3. Have oversight of any matters of interest or concern relevant to this Committees remit.

**2. TO MAKE RECOMMENDATIONS REGARDING:**

- a. Matters with significant budgetary and/or policy implications arising from Internal or External audit reports.
- b. Matters with significant budgetary and/or policy implications arising from the reviewing and scrutinising of the performance of the Council in relation to its policy objectives, performance targets, Committee Work Plans and any Government sponsored assessment regime.

- c. Matters with significant budgetary and/or policy implications arising from presentations by representatives of outside organisations about services which have a significant impact upon local residents.
- d. Consideration of any Councillor Call for Action.
- e. Changes to this Committee's Terms of Reference.
- f. Other matters under the Committee's jurisdiction which, by virtue of statutory provision, must be determined by full Council.

### **3. TO RESOLVE:**

- a. Matters in connection with 2 (a) to (c) above with no significant budgetary and/or policy implication.
- b. Decisions to refer matters to Policy Committees.

### **4. DELEGATION TO OFFICERS**

- 1. To the Chief Executive and Directors, the power to implement Council/Committee policies and deal with the day-to-day management of services relevant to this Committee, including the discharge of all functions of the Council, except for those which are identified above as reserved for determination by the Council, Committee or Sub-Committee.
- 2. The officers referred to in 1. above have the power in turn to delegate to other officers of their choice, the power to deal on their behalf and in their name with any of the above functions. Such delegation shall be in writing and signed by the relevant SMT Member and may contain such limitations or be subject to such conditions as that Officer shall decide.
- 3. Where committee delegated action has been taken by officers in 1. and 2. above, or the use of urgency powers has been exercised by the Chief Executive or Director this must be reported back to the Chair and Vice Chair at the next available meeting.

# PLANNING COMMITTEE

(13 members)

## 1. TERMS OF REFERENCE

1. To be responsible for exercising regulatory functions under the Town and Country Planning legislation specifically:
  - i. Determination of planning and related applications.
  - ii. Determination of Tree Preservation and High Hedges applications
2. To receive and review the summary of enforcement action taken in response to breaches of control on a quarterly basis.
3. To receive and review summaries of planning appeals on a quarterly basis or when appeals have been received as appropriate

## 2. TO MAKE RECOMMENDATIONS REGARDING:

- a. Applications for planning related permission submitted by the Council itself.
- b. Changes to the Committee's Terms of Reference.
- c. Other matters under the Committee's jurisdiction which, by virtue of statutory provision, must be determined by full Council.

## 3. TO RESOLVE:

- a. Determination of planning and related applications referred to the Committee by any Member of the Council and/or the Head of Planning in accordance with the provisions set out in the Councils constitution
- b. Guidelines under which the Committee shall determine its level of involvement in individual planning, building and enforcement decisions.
- c. Confirmation (or modification) of Tree Preservation Orders where there are unresolved objections.

## 4. DELEGATION TO OFFICERS

- a. To the Chief Executive and Directors, the power to implement Council/Committee policies and deal with the day-to-day management of services relevant to this Committee, including the discharge of all functions of the Council, except for those which are

identified above as reserved for determination by the Council, Committee or Sub-Committee.

- b. The officers referred to in 1. above have the power in turn to delegate to other officers of their choice, the power to deal on their behalf and in their name with any of the above functions. Such delegation shall be in writing and signed by the relevant SMT Member and may contain such limitations or be subject to such conditions as that Officer shall decide.
- c. To the Chief Executive and Directors the power to authorise, in writing, officers to enter on to land or to apply for a warrant and thereafter enter land pursuant to sections 196A-196C and 214B-214D of the Town and Country Planning Act 1990 as amended.

# STANDARDS AND CONSTITUTION

**(9 Members)**

## **1. TERMS OF REFERENCE**

1. Promoting and maintaining high standards of conduct by Councillors in accordance with the duty contained in Section 27 of the Localism act 2011.
2. Assisting Councillors to observe the Members' Code of Conduct.
3. Advising the Council on the adoption or revision of the Members' Code of Conduct.
4. Granting dispensations under Section 33 of the Localism act 2011 to Councillors from the requirements relating to interests set out in the Members' Code of Conduct.
5. Making arrangements for investigating and determining complaints regarding alleged breaches of the Members' Code of Conduct.
6. Discharging, through a Hearings Panel, decisions made following consideration of reports by an Investigating Officer in connection with 5) above.
7. Receiving requests for, and/or proposing, review of the Constitution or parts thereof as necessary.

## **2. TO MAKE RECOMMENDATIONS REGARDING:**

1. Significant revisions to the Constitution (subject to other Policy Committees being able to make recommendations direct to Council about proposed changes to their Terms of Reference).
2. The adoption and revision of the Members' Code of Conduct.
3. Changes to the Committee's Terms of Reference.
4. Other matters under the Committee's jurisdiction which, by virtue of statutory provision, must be determined by full Council.

## **3. TO RESOLVE:**

The granting of dispensations in the following circumstances (under Section 33 of the Localism act 2011) to Councillors from the requirements relating to interests set out in the Members' Code of Conduct:

- a. that without the dispensation, the representation of Political Groups transacting the business would be so upset as to alter the outcome of any vote on the matter;
- b. that dispensation is in the interests of persons living in the authority's area;
- c. it is otherwise considered appropriate to grant a dispensation.

#### **4. DELEGATION TO HEARINGS PANELS**

1. Determination of complaints referred by an Investigating Officer regarding alleged breaches of the Members' Code of Conduct.
2. Such Panels shall comprise three Borough Councillors serving on the Standards and Constitution Committee.

#### **5. DELEGATION TO OFFICERS**

1. To the Monitoring Officer, in consultation with the Chair of the Standards and Constitution committee, to grant dispensations in situations where so many Members of the decision-making body have Disclosable Pecuniary Interests in a matter that it would otherwise impede the transaction of the business.
2. To the Monitoring Officer and/or Deputy Monitoring Officer respectively the power to determine matters in respect of the Code of Conduct and arrangements for dealing with allegations of breach (following consultation with the Independent Person where required) except for those which are identified above as reserved for determination by the Council, Committees or Hearings Panel.

#### **Standards and Constitution - Hearing Sub Committee**

Determination of complaints referred by the Monitoring Officer and Investigating Officer regarding alleged breaches of the Members' Code of Conduct. Such Panels shall comprise three Borough Councillors serving on the Standards and Constitution Committee.