

Committees

Note: - Except where expressly provided below, Council will allocate seats and appoint members to the following committees at each Annual General Meeting of Council. Each political group may then, where required, draw substitutes for their appointees from the membership of their political group, subject to the requirement that any substitute member must have completed any mandatory training required to sit on a committee and subject to the prohibition on Cabinet members sitting on a scrutiny committee.

1 Audit and Standards Committee

Introduction

- 1.1. The role of the Audit and Standards Committee is two-fold:

Audit & Governance

- 1.2. The Committee is responsible for ensuring that the authority operates an effective and proportionate system of internal control. It oversees the effectiveness of authority's [Code of Corporate Governance](#), which sets out the policies, processes and practices that comprise the authority's internal control environment. It makes recommendations to Council and Cabinet, where required, to secure continuous improvement in the authority's internal control environment.

- 1.3. In particular, the Committee:

- oversees the authority's internal audit and risk functions
- receives and approves external audit reports
- scrutinises the [Annual Statement of Accounts](#)

Member Standards

- 1.4. The Committee is responsible for overseeing standards of Member conduct. It is responsible for ensuring that the [Member Code of Conduct](#) remains current and effective.

Statement of Purpose

- 1.5. The committee's purpose is to provide an independent and high-level focus on the adequacy of governance, risk and internal control arrangements. Its role is to ensure that there is sufficient assurance over governance, risk and the internal control environment, giving confidence to those responsible for corporate governance that those arrangements are effective.

- 1.6. The committee has oversight of internal and external audit, together with key financial and governance reports, helping to ensure there are adequate arrangements in place for both internal challenge and public accountability.

Terms of Reference

Audit & Governance

- 1.7. Support a comprehensive understanding of governance across the council and among those responsible for governance.
- 1.8. Consider the effectiveness of the authority's risk management arrangements. It should understand the authority's risk appetite and profile and seek assurances that active arrangements are in place on risk-related issues for both the authority and its collaborative arrangements.
- 1.9. Monitor the effectiveness of the system of internal control, including arrangements for financial management, ensuring value for money and managing the authority's exposure to the risks of fraud and corruption.
- 1.10. Consider the arrangements in place to secure adequate assurance across the authority's full range of operations and collaborations with other entities.
- 1.11. In relation to the authority's internal audit functions:
- Oversee its independence, objectivity, performance and conformance to professional standards.
 - Support effective arrangements for internal audit.
 - Promote the effective use of internal audit within the assurance framework.
- 1.12. Consider the opinion, reports and recommendations of external audit and inspection agencies and their implications for governance, risk management or control, and monitor management action in response to the issues raised by external audit and inspection agencies.
- 1.13. Contribute to the operation of efficient and effective external audit arrangements, supporting the independence of auditors and promoting audit quality.
- 1.14. Support effective relationships between all providers of assurance, audits and inspections, and the organisation, encouraging openness to challenge, review and accountability.

Member Standards

- 1.15. Promoting and maintaining high standards of conduct by Members and co-opted people serving on the authority's committees (**Co-Optees**).
- 1.16. Advising the Council on the adoption or revision of the Member Code of Conduct.
- 1.17. Adopting and agreeing revisions to the [Code of Conduct Complaints Handling Procedure](#).
- 1.18. Monitoring the operation of the Code of Conduct.
- 1.19. Having oversight of all aspects of Councillor development.

2 Scrutiny Committee

Introduction

- 2.1. The Committee supports the work of the Cabinet and holds it to account. It does this through pre and post decision scrutiny.
- 2.2. Pre-decision scrutiny involves examining issues and offering advice to Cabinet on matters that Cabinet is due to consider.
- 2.3. Post-decision scrutiny happens through the "call-in" process set out in [Article 6](#) of the constitution and involves reviewing decisions that Cabinet has taken, but not yet implemented, and deciding whether to recommend that Cabinet reconsiders the decision it has taken.
- 2.4. The Committee also supports the work of the authority as a whole by scrutinising important matters of community interest that are within the remit of the authority's functions and powers and making recommendations to Cabinet and Council.
- 2.5. The Committee has no decision-making powers and cannot scrutinise individual regulatory or quasi-judicial issues.
- 2.6. Where appropriate, the Committee will undertake joint reviews with other organisations.

Terms of Reference

Pre-Decision and General Scrutiny

- 2.7. To provide the main forum for the Council's scrutiny work, focusing on activities within the Council's remit that improve outcomes for local people.
- 2.8. To approve an annual overview and scrutiny work programme and keep it under constant review. The work programme must include the programme of any task and finish groups it intends to convene, to ensure that the

Committee's work plan is realistic, proportionate and deliverable within the resources that Council has made available to the Committee.

- 2.9. To receive and action requests from the Cabinet and Council to scrutinise issues.
- 2.10. To investigate matters within the remit of the Council and make recommendations to Council and Cabinet.

Post-Decision Scrutiny

- 2.11. To exercise the powers contained within Section 21(3) of the Local Government Act 2000 (review of Cabinet decisions not yet implemented) in accordance with the [Scrutiny Procedure Rules](#).

Annual Reports

- 2.12. To provide an annual report to Council setting out the work completed by the Committee in the previous year. This report will be considered at the last ordinary Council meeting of each municipal year.

Chairing Arrangements

- 2.13. The Chair shall be a member of the Opposition and the Vice Chair a member of the Administration.

3 Development Management Committee

3.1. Terms of Reference

- a) Functions relating to town and country planning and development control.

3.2. Terms of Delegation

- a) Town and Country Planning Act 1990 and any related legislation including:
 - i) determination of planning applications (subject to b) below)
 - ii) enforcement of planning control
 - iii) waste land notices, purchase notices, etc.
- b) The only planning matters that are dealt with by the Committee are:
 - i) applications on which two or more material planning objections have been received in the stipulated time span, which has not been resolved by negotiation or through the imposition of conditions and which Officers wish to support.

- ii) applications which any Councillor requests in writing within 21 days of the circulation of the details of the application on the Weekly List, with a valid planning reason for bringing it to the Committee.
 - iii) major planning applications, or contentious applications which Officers, in consultation with the Chair, consider are likely to be of significant public interest.
 - iv) applications submitted by or on behalf of the Council for its own development, except for minor developments, for which no objections have been received.
 - v) applications which are notified to Planning Services as being submitted by or on behalf of a Councillor of the Authority, or their relevant person as defined in the Code of Conduct, the MP for the district, or Officers at Assistant Director Level or above.
- c) The following matters may be referred to the Committee by the responsible Director, subject to the criteria in paragraph b) above:
- i) householder development and related applications for listed building and conservation area consent;
 - ii) temporary planning permissions (subject to a maximum 3-year time limit) and related applications for listed building consents;
 - iii) applications for alterations to shop fronts, including the installation of external shutters and ATM's and other related applications;
 - iv) applications for a means of access;
 - v) advertisements, blinds, canopies and related applications for listed building and conservation area consent;
 - vi) all major commercial development;
 - vii) all new residential development.

4 Licensing Committee

4.1. Terms of Reference

- a) Functions relating to statutory licensing and registrable functions and health and safety.

4.2. Terms of Delegation

- a) Except in relation to the Statement of Licensing Policy, to discharge all functions conferred upon the Council as a licensing authority under the Licensing Act 2003, including responsibility for licensing the sale and supply of alcohol, the provision of regulated entertainment and late-night refreshment.
- b) Except in relation to the Statement of Licensing Policy, to discharge all functions conferred upon the Council as a licensing authority under the Gambling Act 2005.
- c) The enforcement of trading requirements relating to the sale of goods and opening hours of shops and other premises and the issue of licences, consents and/or registrations as appropriate.
- d) To consider crime and disorder matters referred to it for consideration in connection with the authority's licensing functions.
- e) The delegation of functions to the statutory Licensing Sub-Committee and/or officers of the Council.
- f) Any other matters relating to the statutory licensing function of the Council acting as the Licensing Authority that may be referred to it or its Sub-Committee.
- g) Any other matters relating to licensing which may be referred to it.

5 Licensing Sub Committee

5.1. Terms of Reference

- a) Function to consider any matters referred to it by the Licensing Committee or Officers in relation to functions conferred upon the Council as The Licensing Authority.

5.2. Terms of Delegation

- a) Except in relation to the Statement of Licensing Policy to discharge all functions conferred upon the Council as The Licensing Authority where:
 - i) Applications on which objections have been received in the stipulated time span, which cannot be resolved through negotiation or the imposition of conditions supported by Officers.
 - ii) Applications submitted by or on behalf of any Councillor, their spouse or partner or any officer of the Council their spouse or partner.

- iii) Any other matter that officers believe should rightly be referred for a decision to be made.
- b) To progress actions arising from the Crime & Disorder Strategy that may be referred to it for consideration.
- c) To report on an annual basis to Full Council decisions taken.
- d) Any other matters relating to the functions of the Licensing Authority that may be referred to it.

5.3. Membership

- a) The membership of each Licensing Sub Committee meeting will comprise of three Members of the Licensing Committee.

6 Regulatory Sub Committee

6.1. Terms of Reference

- a) Functions: relating to licencing and regulatory functions (in so far as not covered by any other Committee or Sub-Committee of the Council).

6.2. Terms of Delegation

- a) To discharge the functions of the Council in regard to its' licensable and registration functions bar those conferred on the Licensing Committee and Sub-Committee [above].
- b) The enforcement of trading requirements relating to the sale of goods, opening hours of premises and/or shops, issue of licences, consents and/or registrations as appropriate including but not limited to the enforcement of the following:
 - i) Hackney carriages and private hire vehicles, including their drivers, operators and vehicle inspections;
 - ii) pet shops, riding establishments, boarding kennels and catteries, dog breeding establishments, zoos and keepers of dangerous wild animals;
 - iii) ear piercing, acupuncture, electrolysis and tattooing;
 - iv) sex establishments;
 - v) street trading;
 - vi) pavement permits (Highways Act 1980);

- vii) charity street collections and house-to-house collections;
 - viii) camping and caravan sites;
 - ix) motor salvage operators and scrap metal dealers; and
 - x) game dealers; and
 - xi) markets.
- c) To progress actions arising from the Crime & Disorder Strategy that may be referred to it for consideration.
 - d) To report on an annual basis to Full Council decisions taken.
 - e) Any other matters relating to licensing which may be referred to it.

6.3. Membership

- a) The membership of each Regulatory Sub Committee meeting will comprise of three Members of the Licensing Committee.

7 **Civic Awards Panel**

- 7.1. To consider nominations and make recommendations for allocating Civic Awards.
- 7.2. The panel will consist of the Chair of the Council, the Vice-Chair of the Council and one representative of each political group represented on the Council.

8 **Appointments, Hearings & Determinations Committee**

Introduction

- 8.1. The Committee will comprise three members appointed by the Group Leaders on a politically proportionate basis. It will be convened on an ad-hoc basis to hear appeals and make determinations on the matters set out below.
- 8.2. The Monitoring Officer will, in consultation with the Group Leaders, settle the processes in force from time to time that shall apply to the matters that the Committee must hear and determine. In the absence of the agreement of the Group Leaders, the Monitoring Officer will refer such processes to Council for determination.

Terms of Reference

- 8.3. To discharge the functions of appointing, dismissing and disciplining senior officers where member involvement in the same is required in

accordance with the Officer Employment Procedure rules and where those functions are not delegated to the IDC.

- 8.4. To determine any of the following in respect of the Head of Paid Service:
- a) Changes to employment terms and conditions (including flexible retirement)
 - b) Exercisable discretions in relation to enhanced pension rights (subject to extant pension scheme requirements)
- 8.5. To determine any appeals brought by the Managing Director's direct reports about a final decision taken by the Managing Director in respect of:
- a) The matters stated in 8.4 above
 - b) Outcomes of disciplinary processes. In respect of any DSO, the Committee will only hear appeals against disciplinary action short of dismissal brought by any DSO.
- 8.6. To determine any Member Standards matters referred to the Committee by the Monitoring Officer under the Member Code of Conduct Complaints Handling Procedure.
- 8.7. To hear and determine any other hearings or appeals which, on the advice of the Monitoring Officer, require a Member hearing/determination and where there is no other more appropriate forum for the same.

9 Investigation and Disciplinary Committee (IDC)

Introduction

- 9.1. The IDC will determine disciplinary matters in respect of the Head of Paid Service, the Monitoring Officer and the Section 151 Officer (**Designated Statutory Officers or DSOs**), in accordance with the Model Disciplinary Procedure contained in the JNC Handbook, and any internal guidance from time to time in force.

Membership

- 9.2. The IDC will comprise 5 Members appointed by the Group Leaders on a politically proportionate basis as and when a committee is required to be convened. Members must have completed mandatory training.
- 9.3. A quorum for the meeting shall be 3 Members.
- 9.4. For consistency, unless unavoidably indisposed or conflicted, once appointed, the same Members shall comprise the Committee (and any adjournment of it) over the course of the full consideration of the matter (and any related matter), until such time as the matter is completed.

- 9.5. Should any Councillor become conflicted or indisposed over the course of the matter, any substitution shall be at the Chair's discretion in conjunction with the Committee's legal adviser.

Terms of Reference

- 9.6. In accordance with the Model Disciplinary Procedure contained in the JNC Handbook, IDC meetings shall be convened by the Monitoring Officer (in consultation with the Leader of the Council). Should the Monitoring Officer (MO) be unable to act, the Head of Paid Service or Deputy Monitoring Officer (DMO) can also convene the Committee. References to the MO that follow should be read accordingly.
- 9.7. The Monitoring Officer shall (in consultation with the Leader of the Council) filter out and deal with allegations of misconduct which are clearly unfounded, trivial or can best be dealt with under some other procedure.
- 9.8. The Monitoring Officer will also consider whether informal resolution is appropriate.
- 9.9. If a matter passes the filter stage, the Committee will in conjunction with its legal adviser consider allegations/issues regarding disciplinary matters (as defined in The Local Authorities (Standing Orders) (England) Regulations 2001 as amended) relating to the DSOs.
- 9.10. The Committee will after taking advice from its legal adviser decide:
- a) Whether no further formal action under this procedure is required
 - b) To appoint an Independent Investigator ("II") to investigate the issue and to commission reports from an II
 - c) Whether it is appropriate to reach agreement with the DSO on a formal sanction (short of dismissal) without the need to appoint an II
 - d) Whether to suspend a DSO or to reconsider suspension and to review at a frequency to be determined by the Committee, any decisions taken to suspend
 - e) What action should be taken against a DSO following an investigation. This could include a hearing, taking no further action, informal resolution/other appropriate procedures, disciplinary action short of dismissal or proposed dismissal. The Committee shall have delegated authority to impose disciplinary action short of dismissal in these circumstances.
- 9.11. In the event that the Committee recommends dismissal then that recommendation shall be referred to the Independent Persons Panel (**IPP**) prior to being referred to full Council for a determination.

- 9.12. With the exception of a decision to recommend to full Council that a DSO be dismissed, there shall be a right of appeal to the Appointments, Hearings & Determinations Committee against any decisions made by the IDC to take disciplinary action against a DSO.

10 Independent Persons Panel (IPP)

Introduction

- 10.1. The IPP provides independent advice to the IDC, Hearings & Determination Committee and Council on matters relating to disciplinary action taken against the DSOs.

Membership

- 10.2. At least two (preferably three) of the Independent Persons appointed by the Council under section 28(7) of the Localism Act 2011 or, where there are fewer than two such persons, such independent persons as have been appointed by another authority or authorities as the Council considers appropriate. The Monitoring Officer shall invite the Independent Persons to form an IPP, as necessary/appropriate.
- 10.3. The Panel will be appointed from those Independent Persons who have accepted an invitation to be considered for appointment, in accordance with the following priority order:
- a) an Independent Person who has been appointed by the authority and who is a local government elector in the Council's area
 - b) any other Independent Person who has been appointed by the authority
 - c) an Independent Person who has been appointed by another authority or authorities.

Terms of Reference

- 10.4. The IPP is an advisory committee appointed by the authority under section 102(4) of the Local Government Act 1972 for the purpose of advising the authority on matters relating to the dismissal of DSOs in accordance with Schedule 3 to The Local Authorities (Standing Orders) (England) Regulations 2001.
- 10.5. The advice of the Independent Persons Panel must be sought where the IDC propose to recommend the dismissal of a DSO.
- 10.6. The advice of the Independent Persons Panel may (but need not) be sought by the IDC at any other point in an investigation under the IDC

process or (if not conflicted) by the Hearings and Determination Committee in respect of an appeal it is considering from a DSO.

- 10.7. For the avoidance of doubt, the IPP may commission and have access to external legal and professional advice and may meet concurrently with an IDC hearing.