

SECTION 2B

**COUNCIL COMMITTEES' TERMS
OF REFERENCE**

Scrutiny Board (Adult Social Care)

1. In relation to **Adult Services**¹ to exercise the functions of a Scrutiny Board including the following:
 - (a) to review or scrutinise the exercise of any council or executive function, or any other related matter²;
 - (b) to make reports or recommendations to Council or the Executive in connection with the exercise of any functions of the Council or the Executive;
 - (c) to receive and review external audit and inspection reports;
 - (d) to act as the appropriate Scrutiny Board³ in relation to the Executive's initial proposals for a plan or strategy within the Budget and Policy Framework;
 - (e) to review corporate performance indicators and to make such reports and recommendations as it considers appropriate;
 - (f) to review outcomes, targets and priorities within the Leeds Strategic Plan and to make such reports and recommendations as it considers appropriate; and
 - (g) to review or scrutinise executive decisions made but not implemented.⁴

2. To receive and monitor formal responses to any reports or recommendations made by the Board.

¹ These are the functions delegated to the Director of Adult Social Services under the officer delegation scheme (council functions) and the officer delegation scheme (executive functions) including matters pertaining to outside bodies and partnerships to which appointments have been made by the authority

² including matters pertaining to outside bodies and partnerships to which appointments have been made by the authority

³ under the Budget and Policy Framework Procedure Rules

⁴ which have been called-in under Rule 22 of the Scrutiny Board Procedure Rules.

Scrutiny Board (Central and Corporate Functions)

1. In relation to matters concerning **Central and Corporate Functions**¹, to exercise the functions of a Scrutiny Board including the following:
 - (a) to review or scrutinise the exercise of any council or executive function or any other related matter²;
 - (b) to make reports or recommendations to Council or the Executive in connection with the exercise of any functions of the Council or the Executive, including proposals for changes to policies and practices;
 - (c) to receive and review external audit and inspection reports;
 - (d) to act as the appropriate Scrutiny Board³ in relation to the Executive's initial proposals for a plan or strategy within the Budget and Policy Framework⁴;
 - (e) to review corporate performance indicators and to make such reports and recommendations as it considers appropriate;
 - (f) to review outcomes, targets and priorities within the Leeds Strategic Plan and to make such reports and recommendations as it considers appropriate;
 - (g) to review or scrutinise executive decisions made but not implemented;⁵ and
 - (h) to monitor the implementation of the capital programme⁶.

2. To receive and monitor formal responses to any reports or recommendations made by the Board.

¹ These are the functions delegated under the officer delegation scheme (council functions) and the officer delegation scheme (executive functions) to:

- the Chief Executive;
- the Deputy Chief Executive;
- the Assistant Chief Executive (Corporate Governance);
- the Assistant Chief Executive (Planning, Policy and Improvement); and
- the Director of Resources.

² including matters pertaining to outside bodies and partnerships to which appointments have been made by the authority

³ under the Budget and Policy Framework Procedure Rules

⁴ including in relation to the Budget

⁵ which have been called-in under Rule 22 of the Scrutiny Board Procedure Rules.

⁶ Each Scrutiny Board may consider individual capital schemes that fall within its terms of reference.

Scrutiny Board (Children's Services)

1. In relation to **Children's Services**¹, to exercise the functions of a Scrutiny Board including the following:
 - (a) to review or scrutinise the exercise of any council or executive function, or any other related matter²;
 - (b) to make reports or recommendations to Council or the Executive in connection with the exercise of any functions of the Council or the Executive including proposals for changes to policies and practices;
 - (c) to receive and review external audit and inspection reports;
 - (d) to act as the appropriate Scrutiny Board³ in relation to the Executive's initial proposals for a plan or strategy within the Budget and Policy Framework;
 - (e) to review corporate performance indicators and to make such reports and recommendations as it considers appropriate;
 - (f) to review outcomes, targets and priorities within the Leeds Strategic Plan and to make such reports and recommendations as it considers appropriate; and
 - (g) to review or scrutinise executive decisions made but not implemented.⁴

2. To receive and monitor formal responses to any reports or recommendations made by the Board.

¹ These are the functions delegated under the officer delegation scheme (council functions) and the officer delegation scheme (executive functions) to:

- the Director of Children's Services; and
- the Chief Officer (Early Years and Youth Services);

but excluding those matters assigned to the Scrutiny Board (Health) under the Local Authority (Overview and Scrutiny Committees Health Scrutiny Functions) Regulations 2002 as amended.

² including matters pertaining to outside bodies and partnerships to which appointments have been made by the authority

³ under the Budget and Policy Framework Procedure Rules

⁴ which have been called-in under Rule 22 of the Scrutiny Board Procedure Rules

Scrutiny Board (City Development)

1. In relation to **City Development**,¹ to exercise the functions of a Scrutiny Board including the following:
 - (a) to review or scrutinise the exercise of any council or executive function, or any other related matter²;
 - (b) to make reports or recommendations to Council or the Executive in connection with the exercise of any functions of the Council or the Executive including proposals for changes to policies and practices;
 - (c) to receive and review external audit and inspection reports;
 - (d) to act as the appropriate Scrutiny Board³ in relation to the Executive's initial proposals for a plan or strategy within the Budget and Policy Framework; and
 - (e) to review corporate performance indicators and to make such reports and recommendations as it considers appropriate;
 - (f) to review outcomes, targets and priorities within the Leeds Strategic Plan and to make such reports and recommendations as it considers appropriate; and
 - (g) to review or scrutinise executive decisions made but not implemented.⁴

2. To receive and monitor formal responses to any reports or recommendations made by the Board.

¹ These are

- the functions delegated to the Director of City Development under (the officer delegation scheme (council functions) and of the officer delegation scheme (executive functions);
- the functions delegated to the Chief Planning Officer under the officer delegation scheme (council and executive functions);
- the functions delegated to the Chief Officer Highways and Transportation under the officer delegation schemes (council and executive functions); and
- the functions delegated to the Chief Libraries Arts and Heritage Officer under the officer delegation schemes (executive functions).

² including matters pertaining to outside bodies and partnerships to which appointments have been made by the authority

³ under the Budget and Policy Framework Procedure Rules

⁴ which have been called-in under Rule 22 of the Scrutiny Board Procedure Rules.

Scrutiny Board (City and Regional Partnerships)

1. In relation to **city and regional partnerships**,¹ to exercise the functions of a Scrutiny Board including the following:
 - (a) to review or scrutinise the exercise of any council or executive function or any other related matter;
 - (b) to review how any partnership contributes to the outcomes, targets and priorities within the Leeds Strategic Plan;
 - (c) to receive and review external audit and inspection reports;
 - (d) to make reports or recommendations to the Council, the Executive or a relevant partnership in connection with the partnership's performance and functions, and the authority's engagement with the partnership;
 - (e) to act as the appropriate Scrutiny Board² in relation to the Executive's initial proposals for a plan or strategy within the Budget and Policy Framework; and
 - (f) to review or scrutinise executive decisions made but not implemented.³

2. To receive and monitor formal responses to any reports or recommendations made by the Board.

¹ These include:

- strategic and key partnerships identified as such under the Appointment to Outside Bodies Procedure Rules; and
- significant partnerships identified as such under the Council's Governance Framework.

² under the Budget and Policy Framework Procedure Rules

³ which have been called-in under Rule 22 of the Scrutiny Board Procedure Rules.

Scrutiny Board (Environment and Neighbourhoods)

1. In relation to **Environment and Neighbourhoods**¹, to exercise the functions of a Scrutiny Board including the following:
 - (a) to review or scrutinise the exercise of any council or executive function, or any other related matter²;
 - (b) to make reports or recommendations to Council or the Executive in connection with the exercise of any functions of the Council or the Executive including proposals for changes to policies and practices;
 - (c) to receive and review external audit and inspection reports;
 - (d) to act as the appropriate Scrutiny Board³ in relation to the Executive's initial proposals for a plan or strategy within the Budget and Policy Framework; and
 - (e) to review corporate performance indicators and to make such reports and recommendations as it considers appropriate;
 - (f) to review outcomes, targets and priorities within the Leeds Strategic Plan and to make such reports and recommendations as it considers appropriate; and
 - (g) to review or scrutinise executive decisions made but not implemented.⁴

2. To exercise the functions of a **crime and disorder committee**⁵, including the following:
 - (a) to review or scrutinise the exercise of crime and disorder functions⁶ by responsible authorities⁷;
 - (b) to review or scrutinise any local crime and disorder matter in relation to a Member⁸;

¹These are the functions delegated to the Director of Environment and Neighbourhoods, the Chief Officer (Environmental Services), the Chief Officer (Housing Services) and the Chief Officer (Regeneration) under the officer delegation schemes (council functions) and the officer delegation scheme (executive functions), and the functions which the authority has agreed that another person should exercise as agent of the authority (Section 27 of the Housing Act 1985).

² including matters pertaining to outside bodies and partnerships to which appointments have been made by the authority

³ under the Budget and Policy Framework Procedure Rules

⁴ which have been called-in under Rule 22 of the Scrutiny Board Procedure Rules.

⁵ In accordance with Section 19 Police and Justice Act 2006

⁶ As defined by Section 6 Crime and Disorder Act 1998 (formulating and implementing crime and disorder strategies).

⁷ These are the authorities responsible for crime and disorder strategies (Section 5 of the Crime and Disorder Act 1998)

⁸ This is any matter concerning-

(a) crime and disorder (including in particular forms of crime and disorder that involve anti-social behaviour or other behaviour adversely affecting the local environment) or

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- (c) to make a report or recommendations to the Council or the Executive about the exercise of crime and disorder functions⁹ or any local crime and disorder matter in relation to a Member¹⁰.
3. To receive and monitor formal responses to any reports or recommendations made by the Board.

(b) the misuse of drugs alcohol and other substances in that area which affects all or part of the electoral area for which the Member is elected or any person who lives or works in that area.

⁹ See footnote 6 above

¹⁰ See footnote 8 above

Scrutiny Board (Health)¹

1. To review any matter relating to the planning, provision and operation of health services in relation to:
 - arrangements made by local NHS bodies² and the authority to secure hospital and community health and health related services to the inhabitants of the authority's area;
 - the provision of such services to those inhabitants;
 - the provision of family health services (Primary Care Trust), personal medical services personal dental services, pharmacy and NHS ophthalmic services;
 - the public health arrangements in the area including arrangements by local NHS bodies for the surveillance of, and response to, outbreaks of communicable disease or the provision of specialist health promotion services;
 - the planning of health and health related services by local NHS bodies and the authority, including plans made in co-operation with partners for setting out a strategy for improving both the health of the local population and the provision of health care to that population;
 - the arrangements made by local NHS bodies and the authority for consulting and involving patients and the public under the duty placed on them by Section 11 of the Health and Social Care Act 2001;
 - any proposals for a substantial development or variation of health services within the authority's area.
2. To consider such proposals as are referred to it by local NHS bodies and the authority and to report back the result of its considerations to the referring body and others as appropriate.
3. To review how and to what effect health policy is being implemented, and health improvement achieved, by the authority and local NHS bodies and to make reports and recommendations as appropriate.
4. To receive representations from Area Committees or relevant groups of interest and to report to the authority and local NHS Bodies as appropriate.
5. In relation to matters in respect of which a local NHS body consults more than

¹ Local Authority (Overview and Scrutiny Committees Health Scrutiny Functions) Regulations 2002 as amended.

² in Leeds this means the Primary Care Trust, the Leeds Teaching Hospitals NHS Trust, NHS Yorkshire and the Humber and the Leeds Mental Health Teaching NHS Trust

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one scrutiny committee within its area, or in relation to matters which a number of West Yorkshire Metropolitan Councils elect to jointly scrutinise a function or service provided by the NHS body, to:

- (i) nominate Members to a joint committee, such nominations to reflect the political balance of the Board;
- (ii) delegate its scrutiny functions to another local authority.

The Standards Committee

The Standards Committee is authorised to discharge the following functions¹:

1. to advise the authority on the adoption or revision of a Code of Conduct for Members² and to promote, monitor and review the operation of the Members' Code of Conduct.
2. to consider and determine one or more local codes of conduct for Members or protocols for Member/officer relations³ and to promote, monitor, review and amend such codes of conduct or protocols;
3. to appoint sub-committees⁴ to consider and initially assess⁵ or review decisions not to act⁶ in respect of any written allegations⁷ made against Members;
4. to consider and determine any complaints⁸ made against Members and to determine any sanction to be imposed on a finding of misconduct;
5. to consider and determine applications for dispensations⁹;
6. to make recommendations to the Corporate Governance and Audit Committee where representations (on behalf of the Council) are required to be made to external agencies,¹⁰ about any matter relating to general principles of conduct, model codes of conduct and the codes of conduct or protocols approved from time to time by or on behalf of the Council and to make representations on its own behalf;

¹ 'Functions' for these purposes shall be construed in a broad and inclusive fashion and shall include the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions. The functions derive from Part 3 of the Local Government Act 2000 and are discharged both in relation to Leeds City Council and its Members, and parish councils wholly or mainly in its area and the Members of those parish councils.

² Section 54(2)(a) Local Government Act 2000

³ To be known as 'Local Codes'

⁴ Regulation 6, Standards Committee (England) Regulations 2008 No. 1085/2008

⁵ Section 57A Local Government Act 2000

⁶ Section 57B Local Government Act 2000

⁷ written allegations made by any person under section 57A Local Government Act 2000

⁸ "complaints" for these purposes to mean allegations of breach of

- the Members Code of Conduct adopted by Leeds City Council; or
- the National Code of Local Government Conduct where the alleged breach is committed before 5 April 2002; or
- any of the Authority's Local Protocols/Codes which refer to the conduct of Members, other than the Code of Conduct;

which have been the subject of an investigation resulting in a finding of failure to comply (or in relation to which the Standards Committee have resolved not to accept a finding of no failure to comply) and are therefore referred to the Committee by the Monitoring Officer

⁹ In accordance with the Relevant Authorities (Standards Committees) (Dispensations) Regulations 2002

¹⁰ Such external agencies may include, but are not restricted to, the District or Approved Auditor, the Commission for Local Government, the Standards Board for England, an Ethical Standards Officer, the Adjudication Panel for England or an adjudication case panel

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7. to provide advice and guidance to Members and officers and to make arrangements for training in matters relating to codes of conduct and protocols;
8. to consider and advise the Council with respect to the adoption or amendment of a Code of Conduct for Officers and to promote, monitor and review the Code of Conduct.¹¹

¹¹ It is not the function of the Committee to determine or become involved in individual officer conduct or disciplinary cases but rather to provide an overview of the application of the provisions of the Code across the Council.

Corporate Governance and Audit Committee

The Corporate Governance and Audit Committee is authorised to discharge the following functions¹:

1. to consider the Council's arrangements relating to accounts² including:
 - (a) the approval of the statement of accounts and any material amendment of the accounts recommended by the auditors;
 - (b) the approval of the Statement on Internal Control; and
 - (c) with the exception of any matter, which may result in the accounts being qualified, responding to the Council's auditors in respect of any matter where it is not considered appropriate to make the amendments recommended by the auditors.
2. to consider the Council's arrangements relating to external audit requirements including:
 - (a) agreement and review of the nature and scope of the annual audit plan,
 - (b) the receipt of external audit reports so as to:
 - (i) inform the operation of Council's current or future audit arrangements; and
 - (ii) provide a basis for gaining the necessary assurance regarding governance prior to the approval of the Council's accounts.
3. to review the adequacy of policies and practices to ensure compliance with statutory and other guidance
4. to review the adequacy of the Council's Corporate Governance arrangements (including matters such as internal control and risk management)
5. to consider the Council's arrangements relating to internal audit requirements including:
 - (a) considering the Annual Internal Audit Report
 - (b) monitoring the performance of internal audit
6. to make, on behalf of the Council, and having had regard to any recommendations of Standards Committee, representations to external agencies³ about any matter relating to general principles of conduct, model codes of conduct and the codes of conduct or protocols approved from time to time by or on behalf of the Council.

¹ Functions" for these purposes shall be construed in a broad and inclusive fashion and shall include the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions.

² Item 45 Paragraph I Schedule 1 of Local Authorities (Functions and Responsibilities) (England) Regulations as amended.

³ Such external agencies may include, but are not restricted to, the District or Approved Auditor, the Commission for Local Government, the Standards Board for England, an Ethical Standards Officer, the Adjudication Panel for England or an adjudication case panel

General Purposes Committee

With the exception of any matter which falls within the terms of any other council committee, the General Purposes Committee is authorised:

1. to consider and determine Council (non-executive) functions¹ delegated to a Director² where the Director has decided not to exercise the delegated authority and has referred the matter to the Committee;
2. to consider proposals to amend the constitution and make recommendations to full Council; and
3. to make recommendations to full Council in connection with the discharge of any of its functions.³

¹ Where the functions do not fall within the terms of reference of any other council committee. These functions, which include those local choice functions, which have been determined as non executive functions, are detailed in Sections 1 and 2 of Part 3 of the Constitution.

² "Director" includes those Officers specified in Sections 1 and 2 of Part 3 of the Constitution.

³ "Function" in this context does not include shared functions with the executive

Area Committees

Within each Committee's area:

(Council functions)

1. to make Elected Member¹ appointments² to Outside Bodies as determined by the Member Management Committee;
2. to advise or make representations to the Council, the Executive Board, Scrutiny Boards or Regulatory Panels on all matters affecting community interests;³
3. to consider and respond to consultations on planning briefs and frameworks and on major development proposals affecting the Committee's area;⁴
4. to consider proposals referred to the Committee by the Council, Executive Board, Scrutiny Boards or Regulatory Panels and to report back the Committee's views to the referring body;⁵
5. to receive and hear deputations;
6. to consider the performance, targeting, frequency and co-ordination of services and make recommendations to the Executive Board as appropriate;⁶

(Executive functions)⁷

7. *to promote and improve the economic, social and environmental well-being of the Committee's area*⁸;
8. *to exercise Area Functions*;⁹

¹ Including the appointment of a suitable nominee as set out in the Appointments to Outside Bodies Procedure Rules

² In accordance with the Appointments to Outside Bodies Procedure Rules at Section 4 of the Constitution.

³ This is an advisory function under Section 102(4) Local Government Act 1972.

⁴ This is an advisory function under Section 102(4) Local Government Act 1972.

⁵ This is an advisory function under Section 102(4) Local Government Act 1972.

⁶ This is an advisory function under Section 102(4) Local Government Act 1972

⁷ All executive functions will be exercisable concurrently with the Executive Board.

⁸ In accordance with Section 2 of the Local Government Act 2000, and in furtherance of, and subject to the limitations set out in the Well-being Schedule detailed in Part 3 Section 3D of the Constitution, as determined from time to time by the Executive Board

⁹ As determined from time to time by the Executive Board and in furtherance of, and subject to the limitations set out in the Area Function Schedule(s) detailed in Part 3 Section 3D of the Constitution and the Area Committee Procedure Rules in Part 4 of the Constitution.

Employment Committee

The Employment Committee is authorised to discharge the following Council (non-executive)¹ functions².

1. to make recommendations to Council to appoint or dismiss the Chief Executive.
2. to appoint or dismiss or take disciplinary action against the Deputy Chief Executive and Directors³.
3. to deal with appeals relating to grading, grievance and discipline in respect of the Chief Executive, Deputy Chief Executive and Directors.

¹ Item 37 of para I of Schedule 1 to the Local Authorities (Functions and Responsibilities)(England) Regulations 2000 as amended

² "Functions" for these purposes shall be construed in a broad and inclusive fashion and shall include the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions

³ "directors" in this context is to be construed as any officer referred to in sub-paragraph (b), (c), or (d) of paragraph 3 of the Local Authorities (Standing Orders)(England) Regulations 2001, namely:

- the Deputy Chief Executive, the Assistant Chief Executives, those named as Directors in the Council structure and any other officers who are required to report directly to, or who are directly accountable to, the Chief Executive in relation to most or all of the duties of their posts; and
- any officer who is required to report directly or is directly accountable to any officer included within the immediately preceding paragraph in relation to all or most of the duties of their post.

Member Management Committee

The Member Management Committee is authorised to discharge the following functions¹:

1. to determine which outside bodies² require Elected Member³ representation or appointment and to act as Appointing Body for the purposes of making appointments to outside bodies categorised as Strategic and Key Partnership Outside Bodies⁴;
2. to consider requests to establish informal Working Groups of Members⁵;
3. to act as an Advisory Body for the purposes of implementing practices and procedures affecting Elected Members⁶; and
4. to consider matters in relation to the Training and Development of Elected Members; and
5. to consider matters in relation to the provision of information, communication and associated technologies in support of Elected Members.

¹ "Functions" for these purposes shall be construed in a broad and inclusive fashion and shall include the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions.

² Excluding those appointments to joint committees which are reserved to full Council

³ Including the appointment of a suitable nominee as set out in the Appointments to Outside Bodies Procedure Rules

⁴ Within the Protocol for making Local Authority Appointments to Outside Bodies, such bodies are categorised as either Strategic and Key Partnership bodies (for which this Committee is the Appointing Body) or Community and Local Engagement bodies (for which the relevant Area Committee is the Appointing Body).

⁵ This Committee will not be the sole body for appointing Working Groups and, specifically, those Working Groups referred to in the Scrutiny Board Procedure rules are excluded. However, the Committee may be asked to consider cases where it is necessary to set up an ad hoc Working Group to reflect a wide range of Member views and there are no clear criteria for determining membership.

⁶ This Committee may not vary the requirements of the Constitution but there may be cases where alternative arrangements may have general implications for Members and it is appropriate to seek a view which reflects a broad view of Members before determining how a particular matter should be progressed

The Licensing Committee

With the exception¹ of

- any licensing function under the Licensing Act 2003 (the 2003 Act) or the Gambling Act 2005 (the 2005 Act) reserved to full Council;² or
- any licensing function where full Council has referred a matter to another committee,³

the Licensing Committee is authorised to discharge⁴ the following functions⁵:

1. to discharge the licensing functions of the licensing authority;⁶
2. to discharge any other function of the authority referred to it by full Council;⁷
3. to make recommendations to full Council in connection with the discharge of its functions as licensing authority;⁸ and
4. to receive reports from, and to make recommendations and representations to other committees or bodies as appropriate.⁹

¹ In accordance with Section 7(2) of the 2003 Act or s154 (2) (a) and (c) of the 2005 Act.

² Part 3, Section 2A of the Constitution sets out licensing functions reserved to full Council, as licensing authority under the 2003 Act and under the 2005 Act.

³ Under the provisions of Section 7(5)(a) of the 2003 Act.

⁴ The Committee may arrange for any of its functions to be discharged by one or more sub-committees, or by an officer, subject to the exceptions set out in Section 10(4) of the 2003 Act see also Section 154 of the 2005 Act.

⁵ "Functions" for these purposes shall be construed in a broad and inclusive fashion and shall include the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions.

⁶ This includes the power to set fees under Section 212 of the 2005 Act

⁷ Full Council may arrange for the Licensing Committee to discharge any function of the authority which relates to a matter referred to the Committee but is not a licensing function (Section 7(3)). It may also refer a matter to the Committee where a matter relates to a licensing function and to a function of the authority which is not a licensing function, and arrange for the Committee to discharge the other function (Section 7(5)(b) of the 2003 Act). Before exercising this power, the Council must consult with the Committee.

Pursuant to this provision on 11 January 2006 Council delegated to the Licensing Committee the power to make a designated public places order in respect of alcohol consumption under the Criminal Justice and Police Act 2001

⁸ Including recommendations arising from the monitoring of the operation and impact of the licensing or Gambling policy by the Licensing Committee.

⁹ Where the licensing authority exercises its power under Section 7(5)(a) of the 2003 Act the other Committee must consider a report of the Licensing Committee. Where the Council does not make arrangements under Section 7(3), it must (unless the matter is urgent) consider a report of the Licensing Committee with respect to the matter before discharging the function (Section 7(4)).

REGULATORY PANELS

Licensing and Regulatory Panel

The Licensing and Regulatory Panel is authorised to discharge¹ the following functions:²

1. To discharge all Council (non-executive)³ functions relating to:
 - (a) licensing and registration functions⁴ in respect of:
 - (i) caravan sites⁵
 - (ii) hackney carriages and private hire vehicles⁶
 - (iii) sex shops and sex cinemas⁷
 - (iv) performances of hypnotism⁸
 - (v) acupuncture, ear-piercing and electrolysis⁹
 - (vi) pleasure boats and vessels¹⁰
 - (vii) market and street trading¹¹
 - (viii) scrap yards¹²
 - (ix) dog breeding, pet shops, animal breeding, animal trainers and exhibitors, zoos, wild animals¹³
 - (x) the employment of children¹⁴
 - (xi) premises for the solemnisation of marriage¹⁵
 - (xii) charitable collections¹⁶
 - (xiii) operation of loudspeakers¹⁷
 - (xiv) movement and sale of pigs and cattle¹⁸
 - (xv) storage of celluloid¹⁹
 - (xvi) meat product premises and dairy establishments²⁰
 - (xvii) motor salvage operators²¹

¹ With the exception of any licensing function under the Licensing Act 2003, the Panel and the Council may arrange for any of these functions to be discharged by an officer – the functions for the time being so delegated are detailed in Section 2 of Part 3 of this Constitution

² "Functions" for these purposes shall be construed in a broad and inclusive fashion and shall include the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions.

³ Local Authorities (Functions and Responsibilities) (England) Regulations 2000 as amended (the 2000 Regulations).

⁴ Para. B of Schedule 1 to the 2000 Regulations

⁵ Items 1 and 2 of Para. B of Schedule 1 to the 2000 Regulations

⁶ Item 3 – 5 of Para. B of Schedule 1 to the 2000 Regulations

⁷ Item 15 of Para. B of Schedule 1 to the 2000 Regulations

⁸ Item 16 of Para. B of Schedule 1 to the 2000 Regulations

⁹ Item 17 of Para. B of Schedule 1 to the 2000 Regulations

¹⁰ Item 18 of Para. B of Schedule 1 to the 2000 Regulations

¹¹ Item 20 of Para. B of Schedule 1 to the 2000 Regulations

¹² Item 25 of Para. B of Schedule 1 to the 2000 Regulations

¹³ Items 29 - 33 of Para. B of Schedule 1 to the 2000 Regulations

¹⁴ Item 35 of Para. B of Schedule 1 to the 2000 Regulations

¹⁵ Item 36 of Para. B of Schedule 1 to the 2000 Regulations

¹⁶ Item 39 of Para. B of Schedule 1 to the 2000 Regulations

¹⁷ Item 40 of Para. B of Schedule 1 to the 2000 Regulations

¹⁸ Items 43 – 46 of Para. B of Schedule 1 to the 2000 Regulations

¹⁹ Item 56 of Para. B of Schedule 1 to the 2000 Regulations

²⁰ Items 57 – 59 of Para. B of Schedule 1 to the 2000 Regulations

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- (b) health and safety at work²² to the extent that those functions are discharged otherwise than in the authority's capacity as an employer; and
- (c) smoke-free premises under the Health Act 2006 and regulations.²³

2. In respect of any approval, consent, licence, permission, or registration which they may grant,

- (a) To impose conditions limitations or restrictions;
- (b) To determine any terms;
- (c) To determine whether and how to enforce any failure to comply;
- (d) To amend, modify, vary or revoke;
- (e) To determine whether a charge should be made or the amount of such a charge.

3. To discharge any licensing function²⁴, where full Council has referred a matter to the Panel.²⁵

²¹ Item 71 of Para. B of Schedule 1 to the 2000 Regulations

²² Para. C of Schedule 1 to the 2000 Regulations

²³ Para FA, of Schedule 1 to the 2000 Regulations.

²⁴ Under the Licensing Act 2003

²⁵ (Section 7(5)(a) of the Licensing Act 2003). The matter must relate to

- a licensing function of the licensing authority under the Licensing Act 2003 and
- a function which is not a licensing function.

Unless the matter is urgent, the Panel must consider a report of the Licensing Committee in respect of the matter before discharging the function concerned (Section 7(6)).

Plans Panels

The Plans Panels are authorised¹ to discharge² the following functions³

1. all Council (non-executive)⁴ functions relating to:
 - (a) town and country planning and development control⁵;
 - (b) safety certificates for sports grounds and fire certificates⁶;
 - (c) common land or town and village greens⁷;
 - (d) street works and highways⁸;
 - (e) public rights of way⁹;
 - (f) the protection of hedgerows and the preservation of trees¹⁰; and
 - (g) high hedges¹¹
2. in respect of any approval, consent, licence, permission, or registration which they may grant:
 - (a) to impose conditions limitations or restrictions;
 - (b) to determine any terms;
 - (c) to determine whether and how to enforce any failure to comply;
 - (d) to amend, modify, vary or revoke; and/or
 - (e) to determine whether a charge should be made or the amount of such charge.
3. to discharge any licensing function¹², where full Council has referred a matter to the panel.

¹ Each Plans Panel is authorised to discharge functions in respect of its own geographical area as indicated on the plan attached (A larger scale more detailed copy of the plan is maintained by the Chief Planning Officer)

² With the exception of any licensing function under the Licensing Act 2003, the Panels and the Council may arrange for any of these functions to be discharged by an officer – the functions for the time being so delegated are detailed in Section 2 of Part 3 of this Constitution.

³ "Functions" for these purposes shall be construed in a broad and inclusive fashion and shall include the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions

⁴ Local Authorities (Functions and Responsibilities)(England)Regulations 2000 as amended

⁵ Items 5-31, Para. A of Schedule 1 of the 2000 Regulations

⁶ Items 26 and 27 of Para B of Schedule 1 of the 2000 Regulations

⁷ Items 37, 38 and 72 of Para B and Items 51-53 of Para I of Schedule 1 of the 2000 Regulations

⁸ Items 41,46A to 55 of Para B of Schedule 1 of the 2000 Regulations

⁹ Part I of Para I of Schedule 1 of the 2000 Regulations

¹⁰ Items 46 and 47 of Para I of Schedule 1 of the 2000 Regulations

¹¹ Item 47A of Para. I of Schedule 1 of the 2000 Regulations

¹² (section 7 (5) (a) of the Licensing Act 2003) The matter must relate to:

- a licensing function of the licensing authority and
- a function which is not a licensing function

Unless the matter is urgent, the Panel must consider a report of the Licensing Committee in respect of the matter before discharging the function concerned (Section 7 (6))

ADVISORY COMMITTEE

Development Plan Panel

An advisory Committee¹ authorised to make recommendations regarding:

1. the Authority's Unitary Development Plan; and
2. the Local Development Framework.

In particular

To advise the Council in relation to functions which are²

- specified as being non executive functions or
- being local choice functions, are reserved to the Council; and

To advise the Executive in relation to functions which are²

- *specified as being executive functions, or*
- *being local choice functions, are not reserved to the Council, or*
- *are functions which are not specified as being either non executive functions or local choice functions and by default are executive functions*

¹ Appointed by the Council in accordance with Section 102(4) of the Local Government Act 1972.

² In accordance with the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 as from time to time amended.