

Scrutiny Board (Children and Families)

The Scrutiny Board (Children and Families) is authorised to discharge the following overview and scrutiny functions¹.

1. to review or scrutinise the exercise of any council or executive function or any other related matter including :-
 - a) reducing the numbers of looked after children
 - b) improving attendance
 - c) increasing the number of young people in employment, education and training
2. to carry out such other reviews or policy development tasks as it may be requested to do by either the Executive Board or the Council.
3. to act as the appropriate Scrutiny Board in relation to the Executive's initial proposals for a relevant plan or strategy² within the Budget and Policy Framework³
4. to review or scrutinise executive decisions that have been Called In ⁴
5. to receive and monitor formal responses to any reports or recommendations made by the Board
6. to review outcomes, targets and priorities within the Council Business Plan and City Priority Plans and to make such reports and recommendations as it considers appropriate;
7. to receive requests for scrutiny and councillor calls for action⁵ and undertake any subsequent work

¹ In relation to functions delegated to the Director of Children's Services under the Officer Delegation Scheme whether or not those functions are concurrently delegated to any other committee or officer.

² Namely the Youth Justice Plan and the Children and Young Peoples Plan

³ In accordance with Budget and Policy Framework Procedure Rules.

⁴ In accordance with the Scrutiny Board Procedure Rules.

⁵ Including requests made in relation to health and social care matters in accordance with the Local Authority (Overview and Scrutiny Committees Health Scrutiny Functions) Regulations 2002 but not including requests in relation to crime and disorder matters.

Scrutiny Board (Health and Well-being and Adult Social Care)

The Scrutiny Board (Health and Well-being including Adult Social Care) is authorised to discharge the following overview and scrutiny functions¹.

1. to review or scrutinise the exercise of any council or executive function or any other related matter including :-
 - a) Reducing smoking in the over 18s
 - b) Service Change and Commissioning in Adult Social Care
 - c) Reducing avoidable admissions to hospital and care homes
 - d) The transformation of health and Social Care Services
2. to carry out such other reviews or policy development tasks as it may be requested to do by either the Executive Board or the Council.
3. to act as the appropriate Scrutiny Board in relation to the Executive's initial proposals for a relevant plan or strategy² within the Budget and Policy Framework³
4. to review or scrutinise executive decisions made that have been Called In⁴
5. 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.
6. In relation to matters in respect of which a local NHS body consults more than one scrutiny committee within its area, or in relation to matters which a number of Yorkshire and Humber Councils elect to jointly scrutinise a function or service provided by the NHS body⁵, to:
 - a) nominate Members to a joint committee, such nominations to reflect the political balance of the Board;
 - b) delegate its scrutiny functions to another local authority.
7. to receive and monitor formal responses to any reports or recommendations made by the Board

¹ In relation to functions delegated to the Director of Adult Social Services under the Officer Delegation Scheme whether or not those functions are concurrently delegated to any other committee or officer.

² Namely the Health and Wellbeing City Priority Plan

³ In accordance with Budget and Policy Framework Procedure Rules.

⁴ In accordance with the Scrutiny Board Procedure Rules.

⁵ Or in relation to matters which a number of councils are required to carry out joint scrutiny by virtue of a direction of the Secretary of State.

Council Committees' Terms of Reference

8. to review outcomes, targets and priorities within the Council Business Plan and City Priority Plans and to make such reports and recommendations as it considers appropriate;
9. to receive requests for scrutiny and councillor calls for action⁶ and undertake any subsequent work

⁶ Including requests made in relation to health and social care matters in accordance with the Local Authority (Overview and Scrutiny Committees Health Scrutiny Functions) Regulations 2002 but not including requests in relation to crime and disorder matters.

Scrutiny Board (Regeneration)

The Scrutiny Board (Regeneration) is authorised to discharge the following overview and scrutiny functions¹.

1. to review or scrutinise the exercise of any council or executive function or any other related matter including:-
 - a) Green space – promotion, protection, management
 - b) Housing growth challenge both in terms of brownfield and Greenfield development, private and affordable
 - c) Condition of private sector housing
2. to carry out such other reviews or policy development tasks as it may be requested to do by either the Executive Board or the Council.
3. to act as the appropriate Scrutiny Board in relation to the Executive's initial proposals for a relevant plan or strategy² within the Budget and Policy Framework³
4. to review or scrutinise executive decisions that have been Called In⁴
5. to receive and monitor formal responses to any reports or recommendations made by the Board
6. to review outcomes, targets and priorities within the Council Business Plan and City Priority Plans and to make such reports and recommendations as it considers appropriate;
7. to receive requests for scrutiny and councillor calls for action⁵ and undertake any subsequent work

¹ In relation to functions delegated to

- a) the Director of Environment and Neighbourhoods under the Officer Delegation Scheme (Executive Functions) paragraphs 2(d), (e) and (g); and
- b) the Director of City Development under
 - the Officer Delegation Scheme (Council Functions) at paragraphs (b) to (i), (k) to (p), (w), (ff) to (gg), (kk) to (ll), (rr) and (tt), and
 - the Officer Delegation Scheme (Executive Functions) at paragraphs 1(a) to (c) and 2 (a) to (g) and (i) to (l); and
- c) the Chief Planning Officer under
 - the Officer Delegation Scheme (Council Functions) at Section 2, and
 - the Officer Delegation Scheme (Executive Functions) at paragraph (a)

whether or not those functions are concurrently delegated to any other committee or officer.

² Namely the Development Plan Documents, the Plans and Alterations which together comprise the Development Plan and the Regeneration City Priority Plan.

³ In accordance with Budget and Policy Framework Procedure Rules.

⁴ In accordance with the Scrutiny Board Procedure Rules.

⁵ Including requests made in relation to health and social care matters in accordance with the Local Authority (Overview and Scrutiny Committees Health Scrutiny Functions) Regulations 2002 but not including requests in relation to crime and disorder matters.

Scrutiny Board (Safer and Stronger Communities)

The Scrutiny Board (Safer and Stronger Communities) is authorised to discharge the following overview and scrutiny functions¹.

1. to review or scrutinise the exercise of any council or executive function or any other related matter including:-
 - a) Reducing burglary
 - b) The management and reduction of anti-social behaviour
 - c) The effectiveness of streetscene services
 - d) The relationship and respective roles of the city council and third sector organisations in mitigating the negative effects of the recession on the communities they serve
2. To carry out such other reviews or policy development tasks as it may be requested to do by either the Executive Board or the Council.
3. to act as the appropriate Scrutiny Board in relation to the Executive's initial proposals for a relevant plan or strategy² within the Budget and Policy Framework³
4. to review or scrutinise executive decisions that have been Called In⁴
5. to exercise the functions of a crime and disorder committee⁵, 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 or disorder matter in relation to a Member⁸

¹ In relation to the functions delegated to

- a) the Director of Environment and Neighbourhoods under
 - the Officer Delegation Scheme (Council Functions) and
 - the Officer Delegation Scheme (Executive Functions) at paragraphs 1(a) to (e), and 2 (a) to (c), (f) and (h) to (k); and
- b) the Assistant Chief Executive (Planning, Policy and Improvement) under the Officer Delegation Scheme (Executive Functions) at paragraph (k)

whether or not those functions are concurrently delegated to any other committee or officer.

² Namely the Safer and Stronger Communities Plan

³ In accordance with Budget and Policy Framework Procedure Rules.

⁴ In accordance with 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 set out in 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

Council Committees' Terms of Reference

6. to receive requests for scrutiny and councillor calls for action in relation to crime and disorder matters.
7. to receive and monitor formal responses to any reports or recommendations made by the Board
8. to review outcomes, targets and priorities within the Council Business Plan and City Priority Plans and to make such reports and recommendations as it considers appropriate;
9. to receive requests for scrutiny and councillor calls for action⁹ and undertake any subsequent work

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 Including requests made in relation to health and social care matters in accordance with the Local Authority (Overview and Scrutiny Committees Health Scrutiny Functions) Regulations 2002 but not including requests in relation to crime and disorder matters.

Scrutiny Board (Sustainable Economy and Culture)

The Scrutiny Board (Sustainable Economy and Culture) is authorised to discharge the following overview and scrutiny functions¹.

1. to review or scrutinise the exercise of any council or executive function or any other related matter including:-
 - a) City Centre Development/Promoting economic growth in the City
 - b) Reducing CO2 emissions in the Local Authority Estate
 - c) the impact of existing major sources of travel movements within the City, and the plans being made to address the impact of known future developments on the City's transport infrastructure.
 - d) The City's cultural development
2. To carry out such other reviews or policy development tasks as it may be requested to do by either the Executive Board or the Council.
3. to act as the appropriate Scrutiny Board in relation to the Executive's initial proposals for a relevant plan or strategy² within the Budget and Policy Framework³
4. to review or scrutinise executive decisions made that have been Called In⁴
5. to review and scrutinise the exercise by risk management authorities⁵ of flood risk management functions⁶ which may effect the Leeds City Council area⁷.
6. to receive and monitor formal responses to any reports or recommendations made by the Board
7. to review outcomes, targets and priorities within the Council Business Plan and City Priority Plans and to make such reports and recommendations as it considers appropriate;
8. to receive requests for scrutiny and councillor calls for action⁸ and undertake any subsequent work

¹ In relation to functions delegated to the Director of City Development under;

- the Officer Delegation Scheme (Council Functions) at paragraphs (a), (j), (q) to (v), (x) to (ee), (hh) to (jj), (mm) to (qq), (ss), and (uu) to (xx); and
- the Officer Delegation Scheme (Executive Functions) at paragraphs 2(h) and (m) to (q) whether or not those functions are concurrently delegated to any other committee or officer.

² Namely the Local Transport Plan and the Sustainable Economy and Culture City Priority Plan

³ In accordance with Budget and Policy Framework Procedure Rules.

⁴ In accordance with the Scrutiny Board Procedure Rules.

⁵ As defined by Section 6 Flood and Water Management Act 2010

⁶ As defined by Section 4 Flood and Water Management Act 2010

⁷ In accordance with Section 21F Local Government Act 2000

⁸ Including requests made in relation to health and social care matters in accordance with the Local Authority (Overview and Scrutiny Committees Health Scrutiny Functions) Regulations 2002 but not including requests in relation to crime and disorder matters.

Scrutiny Board (Resources and Council Services)

The Scrutiny Board (Resources and Council Services) is authorised to discharge the following overview and scrutiny functions¹.

1. to review or scrutinise the exercise of any council or executive function or any other related matter²;
2. 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;
3. to carry out such other reviews or policy development tasks as it may be requested to do by either the Executive Board or the Council.
4. to receive and review external audit and inspection reports;
5. to act as the appropriate Scrutiny Board³ in relation to the Executive's initial proposals for a plan or strategy⁴ within the Budget and Policy Framework⁵;
6. to undertake value for money reviews;
7. to review outcomes, targets and priorities within the Council Business Plan and City Priority Plans and to make such reports and recommendations as it considers appropriate;
8. to review or scrutinise executive decisions⁶ made that have been Called In⁷ and
9. to receive requests for scrutiny and councillor calls for action and undertake any subsequent work
10. to receive and monitor formal responses to any reports or recommendations made by the Board.

¹ In relation to functions not within the terms of reference of any other Scrutiny Board.

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 Namely the Licensing Authority Policy Statement, the Vision for Leeds, the Council Business Plan and the Budget, and any other plan or policy which shall be added to the Policy Framework and is not included within the Terms of Reference of any other Scrutiny Board.

⁵ Including in relation to the Budget

⁶ Other than those within the Terms of Reference of any other Scrutiny Board

⁷ In accordance with of the Scrutiny Board Procedure Rules.

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 arrange for the consideration and determination of any complaints⁸ made against Members and the determination of 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 Standards Committee (Further Provisions) (England) Regulations 2009

¹⁰ Such external agencies may include, but are not restricted to, the District or Approved Auditor, Communities and Local Government, Standards for England, an Ethical Standards Officer, the First-Tier Tribunal (Local Government Standards in England) or a case tribunal.

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 employees and to promote, monitor and review the Code of Conduct;¹¹
9. to consider any application for exemption from political restriction which is made to the Committee;¹²
10. on the application of any person or otherwise, to give directions to the relevant authority requiring it to include a post in the list of politically restricted posts.¹³

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.

¹² Section 3A(1)(a) of the Local Government and Housing Act 1989 (as amended by Section 202 of the Local Government and Public Involvement in Health Act 2007)

¹³ Section 3A(1)(b) of the Local Government and Housing Act 1989 (as amended by Section 202 of the Local Government and Public Involvement in Health Act 2007)

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 Annual Governance Statement³; 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 agencies⁴ about any matter relating to general principles of conduct, model

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 1 Schedule 1 of Local Authorities (Functions and Responsibilities) (England) Regulations as amended.

³ The Annual Governance Statement is Leeds City Council's Statement on Internal Control which is approved under Regulation 4(3) of the Accounts and Audit (England) Regulations 2011.

⁴ 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

codes of conduct and the codes of conduct or protocols approved from time to time by or on behalf of the Council.

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 any Council (non-executive) function¹ delegated² to a Director³ which does not fall within the terms of reference of any other 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.⁴

¹ These functions include local choice functions, which have been determined as non executive functions.

² Whether or not the post is vacant

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

⁴ '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, Plans Panels or Licensing Committee 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, Plans Panels or Licensing Committee 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 area⁸;*
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 Part 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 take disciplinary action short of dismissal against the Chief Executive.
3. to hear any grievance submitted by the Chief Executive and referred to it by the Chief Officer Human Resources.
4. to hear any appeal referred to it by the Chief Officer Human Resources against the outcome of the first formal stage of a grievance against the Chief Executive.
5. to suspend the Chief Executive, Monitoring Officer or Director of Resources pending completion of the disciplinary process. Any such suspension must not last longer than two months (unless extended by the Designated Independent Person³).
6. to appoint or dismiss or take disciplinary action against Directors⁴.
7. to deal with appeals⁵ relating to grading, grievance and disciplinary action short of dismissal in respect of the Chief Executive.
8. to deal with appeals⁵ relating to grading, grievance and disciplinary action (including dismissal) in respect of Directors⁴.

¹ Item 37 of paragraph 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 Regulation 6 and Schedule 3 of the Local Authorities (Standing Orders) (England) Regulations 2001

⁴ 'Directors' in this context is to be construed as any officer referred to in sub-paragraph (b), (c), or (d) of paragraph 3 of Part II of Schedule 1 of the Local Authorities (Standing Orders)(England) Regulations 2001, namely:

- the Deputy Chief Executive, the Assistant Chief Executive, 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 to, 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.

⁵ Any such appeals shall be heard by a differently constituted Employment Committee from that which heard the original grievance or dealt with the original disciplinary proceedings, as the case may be

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 determine requests to establish informal Working Groups of Members, except where such a request falls to be determined by another Committee⁵;
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;
5. to represent the views of Elected Members to the executive, in relation to the provision to Elected Members of information, communication and associated technologies; and
6. to represent the views of Elected Members to the executive, in relation to the provision of accommodation for 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
- 2.1 to discharge any other function of the authority referred to it by full Council;⁷
- 2.2 pursuant to the provision in section 2.1 above full Council has delegated to the Licensing Committee the following functions:
 - 2.2.1 the power to make a designated public places order in respect of alcohol consumption under the Criminal Justice and Police Act 2001⁸
 - 2.2.2 the power to designate an area as an Alcohol Disorder Zone⁹
 - 2.2.3 hackney carriages and private hire vehicles¹⁰
 - 2.2.4 sexual entertainment venues, sex shops and sex cinemas¹¹
 - 2.2.5 performances of hypnotism¹²
 - 2.2.6 charitable collections¹³

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 both 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.

⁸ Item 49 of Para I of Schedule 1 to the 2000 Regulations

⁹ Item 50 Para I of Schedule 1 to the 2000 Regulations

¹⁰ Item 3 – 5 of Para. B of Schedule 1 to the 2000 Regulations

¹¹ Item 15 of Para. B of Schedule 1 to the 2000 Regulations and Section 27 Policing and Crime Act 2009 and Schedule 3 Local Government (Miscellaneous Provisions) Act 1982

¹² Item 16 of Para. B of Schedule 1 to the 2000 Regulations

Part 3 Section 2B(13a)

- 3 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.
4. to make recommendations to full Council in connection with the discharge of its functions as licensing authority;¹⁴ and
5. to receive reports from, and to make recommendations and representations to other committees or bodies as appropriate.¹⁵

¹³ Item 39 of Para. B of Schedule 1 to the 2000 Regulations

¹⁴ Including recommendations arising from the monitoring of the operation and impact of the licensing or Gambling policy by the Licensing Committee.

¹⁵ 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)).

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.