

Part C Responsibility for Functions

1. The Council

1.1 Policy Framework

The policy framework includes the following plans and strategies:

- Community Plan
- Development Management Documents prepared in accordance with the Planning and Compulsory Purchase Act 2004 (or as subsequently amended)
- The Planning Development Plan
- Licensing Authority Policy Statement
- Statement on Gambling Policy
- Crime and Disorder Reduction Strategy
- Annual Treasury Management Strategy
- Financial Strategy (Medium Term Financial Plan, Revenue Budget, Council Tax Setting and Capital Programme)
- Capital Investment Strategy]

1.2 Budget

The budget includes the allocation of financial resources to different services and projects, centrally held funds, determining the Council Tax base, setting the Council Tax and decisions relating to the control of the Council's borrowing requirement, the control of its capital expenditure and the setting of virement limits.

1.3 Functions of the full Council

The Council will exercise the following functions and those set out in Part C Section 22 of this Constitution:-

- 1.3.1 adoption and alteration of the Constitution apart from where legislation overrides an existing provision or changes to the Scheme of Delegation in relation to Executive functions;
- 1.3.2 approval or adoption of the policy framework and the budget (both revenue and capital programme);

- 1.3.3 appointment and removal of the Leader of the Council;
- 1.3.4 approval and/or amendment of Committee responsibilities;
- 1.3.5 determination of the allocation of seats on Committees and the appointment of Members to Committees;
- 1.3.6 approval of the annual General Fund Budget and determination of the Council Tax;
- 1.3.7 adoption of the Members' Code of Conduct and Allowance Scheme;
- 1.3.8 approval and amendment of the Petition Scheme;
- 1.3.9 appointment of Head of Paid Service and designation of Statutory Officers;
- 1.3.10 changing the name of the area, granting the Freedom of the District and conferring the title of Honorary Alderman;
- 1.3.11 electoral matters including functions relating to community governance;
- 1.3.12 making, amending, revoking, re-enacting or adopting bylaws and promoting or opposing the making of local legislation or personal Bills;
- 1.3.13 all other matters which, by law, must be reserved to Council.

1.4 Council Meetings

There are three types of Council meeting:

- i. The annual meeting;
- ii. Ordinary meetings; and
- iii. Extraordinary meetings;

and they will be conducted in accordance with Procedure Rule [] set out at Part D Section [] of this Constitution.

1.5 Responsibility for Functions

The Council shall discharge those functions which are not Cabinet functions or are otherwise reserved to the Council.

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2. The Chairman and Vice-Chairman of the Council

2.1 Appointment and Term of Office

2.1.1 The Chairman and Vice-Chairman of the Council will be elected by the Council annually.

2.1.2 The office of Chairman or Vice-Chairman of the Council cannot be held by the Leader or a Cabinet Member.

2.2 Functions of the Chairman and Vice-Chairman

2.2.1 The Chairman and in their absence the Vice-Chairman, will have the following responsibilities:

- i. to uphold and promote the purposes of the Constitution and to interpret the Constitution when necessary;
- ii. to preside over meetings of the Council so that its business can be carried out efficiently and with regard to the rights of Councillors and the interests of the community;
- iii. to ensure that the Council meeting is a forum for the debate of matters of concern to the local community and the place at which Councillors who are not Cabinet Members or who do not hold a the Chairman of a Committee are able to hold the Cabinet and the Chairmen of Committees to account;
- iv. to promote public involvement in the Council's activities;
- v. to be the conscience of the Council; and
- vi. to attend such civic and ceremonial functions as the Council and he/she determines appropriate following receipt of advice from the Head of Paid Service.

3. The Leader and Deputy Leader of the Council

3.1 Appointment and Term of Office

3.1.1 The Leader is elected by the Council and holds office for a four year period starting on the day of their election as Leader at an Annual Meeting of the Council, unless their term of office as a Councillor is shorter, in which case the term of office as Leader will be the same as their term of office as a Councillor.

3.1.2 The Leader's period of office will cease at an earlier date if they

- i. resign from the office; or
- ii. are no longer a Councillor; or
- iii. are removed from office by resolution of the Council.

3.1.3 If there is a vacancy in the position of Leader, the Council will elect a Leader at the first meeting following such vacancy.

3.2 Functions of the Leader

3.2.1 The Leader is responsible for those functions which are not the responsibility of any other part of the Council, whether by law or under this Constitution.

3.2.2 The Leader shall be responsible for producing and maintaining the Scheme of Cabinet Delegation and the Scheme of Officer Delegation set out in Part C Section 22 and Part C Section 23 respectively detailing who will discharge functions.

3.2.3 Only the Leader will exercise the following functions and those functions reserved to them in the Cabinet Scheme of Delegation:-

- i. appointment of the Deputy Leader;
- ii. appointment of the Cabinet; and the
- iii. allocation of portfolio responsibilities

3.2.4 The Leader will chair any meetings of the Cabinet.

3.3 The Deputy Leader

3.3.1 The Deputy Leader will be a Councillor appointment to the position by the Leader.

3.3.2 The Deputy Leader will hold office until the end of the term of office of the Leader, or until:

- i. they are removed from office by decision of the Leader;

- ii. they resign from the office; or
- iii. they are no longer a councillor

3.3.3 If for any reason the Leader is unable to act, or the office of the Leader is vacant, the Deputy Leader must act and exercise all functions reserved to the Leader in their absence.

3.3.4 If for any reason the Leader and Deputy Leader are unable to act, or their offices are vacant, the remaining Cabinet Members may act collectively or appoint an interim Leader.

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4. The Cabinet

- 4.1 The Cabinet will discharge all Cabinet functions (Executive functions). These are the functions which are not the responsibility of the Council, a Committee any other part of the Council.
- 4.2 The Cabinet also discharges those 'local choice' functions set out in Schedule 2 of the the Local Authorities (Functions and Responsibilities (England) Regulations 2000 (as amended).
- 4.2 The Cabinet comprises the Leader and Deputy Leader along with no more than nine other Councillors appointed to the Cabinet by the Leader.
- 4.3 The term of office of a Cabinet Member will be the same as for the Leader unless the Cabinet Member:-
- i. resigns from office; or
 - ii. is no longer a Councillor; or
 - iii. is removed from office, either individually or collectively, by decision of the Leader.
- 4.4 The portfolios of areas of responsibility of Cabinet Members (if any) for which they are delegated authority in accordance with the Cabinet Scheme of Delegation are allocated by the Leader.
- 4.5 The Cabinet is responsible for the preparation of the Council's Forward Plan and those functions reserved to it as set out in Part C Section 23.
- 4.6 The Cabinet can establish executive committees, chaired by the relevant Portfolio Holder, to which the Cabinet can appoint non-voting advisory members; subject to the adoption by Cabinet of an executive committee protocol which all executive committees must adhere to.
- 4.7 The proceedings of the Cabinet, including those of any of its Sub-Committees, shall be accordance with Procedure Rule [] set out in in Part D Section [] of this Constitution.

5. Cabinet Member Portfolio Holders and their Portfolios

5.1 The Cabinet comprises five portfolio holders including the Leader and Deputy Leader. The leader of the Council's largest opposition group is a Cabinet Member with voting rights but without portfolio.

5.2 The five portfolios are:-

- i. Strategy, Performance & Finance (held by the Leader)
- ii. Organisational Development & Governance (held by the Deputy Leader)
- iii. Economic Development & Visitors
- iv. Homes & Health
- v. Cleaner, Safer, Greener

5.3 The functions which fall within the portfolios and for which the Leader has delegated responsibility and decision-making to the portfolio holders in accordance with the Cabinet Scheme of Delegation set out at Part C Section 23 are set out below.

5.3.1 Portfolio for Strategy, Performance & Finance

- *Cross-Cutting Strategies*
 - Community Plan
 - Customer Access Strategy
 - Consultation & Engagement
 - Climate Change Strategy
 - Medium Term Financial Plan
- *Strategic Partnerships*
 - Representation of the Council in strategic partnerships such Economic Prosperity Committee Oversight of Arkwood Ltd
- *Communications*
 - Internal and external communications
 - Marketing and promotion
 - Design and brand management
 - Social media

- Reputation of the Council
- *Performance*
 - Oversight of performance management arrangements to ensure quality and value for money.
- *Finance*
 - Budget setting (presenting the budget)
 - Monitoring of expenditure and income
 - Treasury management
 - Banking, leasing, insurance, VAT etc
 - Staff payroll and Councillors' allowances
 - Contract monitoring for audit and procurement

5.3.2 **Portfolio for Organisational Development & Governance**

- *Organisational Development*
 - Corporate administration e.g., mail and corporate contracts such as mobile phones
 - Human resources and training (employment policies, supporting restructures, pay policy, training, consultation with trades unions, recruitment)
 - Responsibilities under the Equalities Act 2010 etc
 - Internal digital services and cyber security of the Council e.g., staff email and Council firewall
 - Development and delivery of the Council's emergency planning and business continuity plans
 - Health and safety at work
- *Customers*
 - Contact centre, online customer enquiries and reception face-to-fae enquiry services
 - Information governance, data storage and security

- UK GDPR and Data Protection Act, Freedom of Information Act and Environmental Information Regulations requests and responsibility for the Information Management Framework
- External digital services for customers e.g., ESB, Civica, web-chat, e-forms
- *Governance*
 - Liaison with Councillors and MPs
- *Operational Assets*
 - Management of the Council's operational assets including offices and buildings.
 - Facilities management of the Council's offices including security, contract management and the setting up of meeting rooms
- *Street Naming & Numbering*

5.3.3 Portfolio for Economic Development & Visitors

- *Economic Development*
 - Supporting regeneration across the district
 - Supporting jobs and employment
 - Running Invest Newark & Sherwood
 - Providing businesses support and advice
 - Assessing and administrating business grants
 - Assessing and administrating business rates
 - Developing the district's town centres
 - Licensing of businesses and services e.g., taxi, alcohol and entertainment licenses
- *Visitors*
 - Seeking to grow Newark and Sherwood's visitor economy Creating and implementing Destination Management Plans for the district's towns
 - Tourism Action Groups
 - Campaigns such as Totally Locally

- Running and promotion of the Palace Theatre, National Civil War Centre & Newark Castle
- *The Council's Commercial Assets*
 - Management, running and development of the Council's commercial assets such as the Buttermarket, Stodman St. and industrial units
 - Management and running of the Council's car parks and Newark Lorry Park
 - Management of non-NSDC car parks as a commercial service e.g., contract to manage Newark Town car parks
 - Major capital projects
- *Developing Neighbourhoods*
 - Evidencing, managing and implementing the Council's LDF (Local Development Framework)
 - Allocating land for housing and employment
 - Infrastructure provision
 - Neighbourhood planning
 - Evidencing, assessing and assigning Assets of Community Value
 - Planning services
 - Planning enforcement
 - Evidencing, managing and maintaining conservation areas
- *Regeneration and Regeneration programmes and schemes*

5.3.4 **Portfolio for Homes & Health**

- *Tenants*
 - Landlord responsibilities such as responsive repairs for Council tenants
 - Planned works on the Council's social housing
 - Developing the HRA (social) assets
 - Rents and income for social housing
 - Gathering evidence on housing need and use this evidence to develop a Business Plan for the Council's social housing and associated assets
 - Ensuring the HRA Business Plan is delivered

- Tenant engagement
- Running of supported housing e.g., Gladstone House and Vale View
- *Homes*
 - Running a housing options service to support residents to get safe and suitable housing
 - Targeted initiatives on energy to help residents achieve affordable warmth
 - Tackling homelessness and rough sleeping with advice and assistance
 - Running two temporary accommodation sites for those experiencing homelessness
 - Gather evidence on housing need and use this evidence to develop housing and regeneration policies, plans and strategies to ensure the district has appropriate housing
 - Programme of neighbourhood studies
 - Protection of tenants in the private housing sector e.g., HMO licensing
 - Assessing and administrating Disabled Facilities Grants
 - Council tax payments, administrating council tax discounts/benefits and creditor services and housing benefit payments.
- *Health*
 - *Tackling health inequalities and delivering health improvement through campaigns, programmes and targeted actions, such as: Healthy options takeaway, Breastfeeding initiatives, Community projects on sport and fitness, Food poverty*
 - *Tackling social mobility and improving the aspirations of young people*
 - *Arts development*
 - *Support for community groups including community/local sport*
 - *Running of community centres*
 - *Management of Active4Today*
 - *Liaison with health partners*

5.3.5 Portfolio for Cleaner, Safer, Greener Communities

- *Cleaner*
 - Domestic waste and recycling
 - Street cleansing and road sweeping
 - Litter picking and emptying street bins
 - Waste services: bulky waste, trade waste and garden waste
 - Enforcement of cleanliness (littering, dog fouling, fly tipping etc.)
 - Fleet management Maintaining and enforcing pollution/air quality legislation to ensure clean and quality air
- *Community Safety*
 - Community safety partnership
 - CCTV, ASB, domestic violence
 - Food safety
 - Occupational health/health & safety at work
 - Emergency planning in the community
 - Health and safety in NSDC public spaces
- *Greener*
 - Running and managing the Council's parks including coordinating parks volunteers and parks friends groups
 - Delivering the ranger service
 - Community engagement within parks and green spaces e.g.. community tree planting
 - Tree planting and greening projects, campaigns and activities
 - Grounds maintenance
 - Promotion, education and enforcement of recycling (waste enforcement)
 - Environmental conservation and tree protection (TPO enforcement)

5.4 The leader of the Council's largest opposition group is a Cabinet Member with voting rights but without portfolio. Their role is to provide leadership in the constructive challenge of the Council's policies and strategies, and in the co-ordination of alternative policies, strategies and service delivery. They are the main political spokesperson for the Council's opposition.

6. Committees

6.1 Functions which are the responsibility of the Council, not the Cabinet, are known as Non-Executive Functions. The Council may undertake such functions itself or delegate them to a Committee (or Officer).

6.2 The Council has established the following Committees:-

- i. Policy Performance and Improvement Committee
- ii. Licensing and General Purpose Committee
- iii. Audit & Governance Committee
- iv. Planning Committee
- v. Staffing Committee
- vi. Mansfield Crematorium Joint Committee
- vii. Trustee Board of Gilstrap & W.E. Knight

6.3 The composition of these Committees, their functions, responsibilities and terms of reference is set out at Part C Sections []

7. Councillors

- 7.1 Collectively all Councillors (also known as Members) are the ultimate policy-makers and carry out a number of functions. Councillors represent their communities and Wards and bring their views into the Council's decision-making process. Councillors may also be appointed to the Committees detailed above.
- 7.2 The role and responsibility of Councillors is set out in more detail at Part F Section [] of this Constitution.

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8. Officers

- 8.1 The Council's employees are called 'Officers' and they give advice, implement decisions and carry out the day-to-day delivery of the Council's services.
- 8.2 Some Officers such as the Head of Paid Service, the Monitoring Officer and the Chief Finance Officer (also known as the Section 151 Officer) have specific duties to undertake. These Officers are the Council's 'Statutory Officers' and they ensure that the Council acts within the law and uses its resources wisely.
- 8.3 Officers are delegated decision-making authority in accordance with the Officer Scheme of Delegation which is set out at Part C Section 24.
- 8.4 Officers must comply with the Employee Code of Conduct which is set out in Part G Section [] of this Constitution.
- 8.5 The recruitment, selection and dismissal of Officers will always comply with the Officer Employment Procedure Rules set out in Part G of this Constitution.
- 8.6 Officers are paid in accordance with the Council's Pay Policy.
- 8.7 The Council's management structure and more information about the role and responsibilities of the Statutory Officers is set out at Part C [].

9. Joint Arrangements and Contracting-Out

9.1 Joint Arrangements

The Council or the Leader (in respect of an Executive function), may:

9.1.1 enter into arrangements or agreements with any person or body;

9.1.2 co-operate with, or facilitate or co-ordinate the activities of, any person or body;
and

9.1.3 exercise on behalf of that person or body any functions of that person or body.

9.2 Details of any joint arrangements including any delegations to Joint Committees are set out at Part C Section [] of this Constitution.

9.3 Joint Arrangements for Non-Executive Functions

9.3.1 The Council may establish joint arrangements with one or more local authorities to exercise functions which are not Executive functions in any of the participating authorities, or advise the Council.

9.3.2 Such arrangements may involve the appointment of a Joint Committee with these other local authorities.

9.4 Joint Arrangements for Executive Functions

9.4.1 The Leader may establish joint arrangements with one or more local authorities to exercise functions which are Executive functions

9.4.2 Such arrangements may involve the appointment of Joint Committees with these other local authorities

9.4.3 If the functions to be discharged involve Key Decisions the legal requirements for determining and publicising Key Decisions will apply.

9.4.4 Except as set out below, the Leader may only appoint Cabinet Members to a Joint Committee and those Members need not reflect the political composition of the Council as a whole.

9.4.5 The Leader may appoint Members to a Joint Committee from outside the Cabinet in the following circumstances:

- i. the Joint Committee has functions for only part of the area of the authority, and that area is smaller than two-fifths of the authority by area or population. In such cases, the Leader may appoint to the joint

Committee any Councillor who is a Member for a Ward which is wholly or partly contained within the area;

- ii. the Joint Committee is between Nottinghamshire County Council and Newark & Sherwood District Council and relates to functions of the Leader of Nottinghamshire County Council. In such cases, the Leader may appoint to the Joint Committee any Councillor who is a Member for an electoral division which is wholly or partly contained within the area.

9.4.6 In the cases of (i) and (ii) above the political balance requirements do not apply to such appointments.

9.5 Joint Arrangements and Access to Information

9.5.1 Procedure Rule [] – at in Part D Section [] of this Constitution applies.

9.5.2 If all the Members of a Joint Committee are Members of the Cabinet / Executive of each of the participating authorities then the access to information regime will be the same as that applied to the Cabinet.

9.5.3 If the Joint Committee contains Members who are not Members of the Cabinet / Executive of any participating authority then the access to information rules in Part VA of the Local Government Act 1972 will apply.

9.6 Delegation to and from other Local Authorities

9.6.1 The Council may delegate non-Executive and/or local choice functions to another local authority or, in certain circumstances, the Leader of another local authority

9.6.2 The Leader may delegate Executive functions to the Executive of another local authority in certain circumstances.

9.6.3 The decision whether or not to accept such a delegation from another local authority shall be reserved to the Council (non-Executive functions) and the Leader (Executive functions).

9.7 Contracting Out

9.7.1 The Council (in respect of Non-Executive functions) and the Leader (in respect of Executive functions) may contract out to another body or organisation functions which may be exercised by an Officer and which are subject to an Order under section 70 of the Deregulation and Contracting Out Act 1994, or under contracting arrangements where the contractor acts as the Council's

agent under usual contracting principles, provided there is no delegation of the Council's discretionary decision-making.

9.7.2 Where Executive or Non-Executive functions are contracted out, the Cabinet or the Council as applicable retains ultimate responsibility for the function.

9.7.3 Every contract entered into must comply with the Council's Contract Procedure Rules and Financial Procedure Rules set out at Part D Section [] and Part D Section [] respectively.

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10. Decision-Making and Types of Decisions

10.1 Responsibility for Decision Making

The Council will issue and keep up to date a record of what part of the Council or individual has responsibility for particular types of decisions or decisions relating to particular areas or function.

10.2 Principles of Decision-Making

All decision-making must comply with the relevant Procedure Rules, applicable legislation and the below principles must be applied in respect of all decisions, and decision-makers will:-

10.2.1 be open and transparent;

10.2.2 act within their authority;

10.2.3 take into account all relevant considerations and ignore irrelevant considerations;

10.2.4 evaluate alternative options;

10.2.5 undertake consultation as required or as may be appropriate;

10.2.6 make decisions which are reasonable and proportionate to the desired outcome;

10.2.7 obtain and consider professional advice as may be required or appropriate;

10.2.8 ensure best value;

10.2.9 have regard to the Council's Constitution and relevant policies, rules and procedures;

10.2.10 have regard to the rules of natural justice;

10.2.11 comply with all relevant legislation including but not limited to as regards human rights and the public sector equality duty.

10.3 Decisions Reserved to Full Council (Non-Executive Decisions)

Decisions relating to the functions detailed in Part C Section 22 will be made by the Council.

10.4 Cabinet Decisions (Executive Decisions)

Cabinet decisions made by the Cabinet as a whole, a Committee of the Cabinet an individual Cabinet Member or individual Officer under the Cabinet Scheme of

Delegation or the Officer Scheme of Delegation set out at Part C Section 23 and Part C Section 24 respectively must be made in compliance with the Local Authorities (Executive Arrangements) (Meetings and Access to Information (England) Regulations 2021 and in accordance with the principles of decision-making and the Protocol for Individual Cabinet Member / Officer Executive Decision-Making set out at Part C Section 10 and Part H Section [] respectively of this Constitution.

10.5 **Non-Executive Decisions**

Non-Executive decisions made by the Council, a Committee or an individual Officer under the Officer Scheme of Delegation at Part C Section 24 must be made in accordance with the Openness of Local Government Bodies Regulations 2014.

10.6 **Key Decisions**

A Key Decision is a decision made or to be made in connection with the discharge of an Executive function which is likely to:-

10.6.1 result in the Council incurring revenue expenditure or savings of £150,000 or more; or,

10.6.2 result in the Council incurring capital expenditure or saving of £300,000 or more; or

10.6.3 be significant in terms of its effects on communities living or working in an area comprising two or more Wards or electoral divisions in the Council's area;

10.7 **Administrative Decisions**

An administrative decision is an operational decision made by an Officer in the performance of their day-to-day duties or by an individual Cabinet Member which gives effect to, or implements, an Executive, Non-Executive or Key Decision which has already been taken. An Officer making an administrative decision:-

10.7.1 Does not need to prepare or publish a formal report, but must ensure consultation is undertaken where appropriate;

10.7.2 Does not have to maintain a record of administrative decisions for the purpose of 2012 Regulations (see above at 10.4) or the 2014 Regulations (see above at 10.5) but must retain a record of decisions, with reasons, for audit purposes;

10.7.3 Must ensure those who need to know of the decision are promptly informed of it.

10.8 **Decision Making by Council Bodies Concerning Licences etc**

Where the Council, a Committee, a Councillor or an Officer is determining the grant, refusal or sanction of a permit, licence, permission or right they will follow a proper procedure which accords with the requirements of natural justice and the right to a fair trial contained in Article 6 of the European Convention on Human Rights.

10.9 **Urgent Decisions**

In the event that any matters arise in circumstances rendering it impossible for the Leader, Cabinet or Council to give instructions within sufficient time in the normal conduct of their business for such matters to be properly dealt with, the Head of Paid Service (or in their absence a nominated deputy) shall have delegated authority to take or authorise all necessary steps to deal with the matters sufficiently to protect the interests of the Council and the public provided that they comply with the applicable legislative requirements for determining decisions, including identifying the decision as being urgent and as such not subject to 'Call-In', and shall, before taking action, consult:

- i. the Monitoring Officer and the Section 151 Officer (or their deputies); and
- ii. in respect of Executive functions, either the Leader (or in their absence the Deputy Leader or in their absence another Cabinet Member); or
- iii. in respect of non-Executive functions, the Chairman of the Council (or in their absence the Vice-Chairman of the Council or their absence the Chairman of the relevant Committee).

10.9.2 Decisions taken as a matter of urgency must be reported to the next available meeting of the Council together with the reasons for urgency.

11. The Policy & Performance Improvement Committee (PPI Committee)

Rules

- [The Committee Procedure Rules, Overview and Scrutiny Procedure Rules and Access to Information Procedure Rules shall apply as applicable to the PPI Committee, it's Working Groups and Call-In Sub-Committee.
- Where the PPI Committee is exercising its overview and scrutiny function, the Overview and Scrutiny Procedure Rules shall take precedence in the event of a conflict between them and Committee Procedure Rules
- The Call-In Procedure Rules shall apply to the Call-In Sub-Committee
- The business of a Working Group shall also be conducted in accordance with its terms of reference as determined by the Committee.

Membership, Chairman and Quorum

Number of Members	15 (with a Chairman and Vice-Chairman)
Substitute Members Permitted	[Yes]
Political Balance Rules Apply	[Yes]
Appointments / Removals	TBC
Restrictions on Membership	Cabinet Members may not be a member of this committee.
Quorum	[One quarter (1/4) of the committee members rounded up]
Number of Ordinary Meetings per Council Year	[No less than 4]
Working Groups	<ul style="list-style-type: none">• To be established and convened as and when required• Normally led by the Chairman or Vice Chairman of the Committee

	<ul style="list-style-type: none"> • Membership between 3 and 9 Members drawn from across the Council but excluding Cabinet Members and any other Members with previous direct involvement in the matter
Call-In Sub-Committee	<p>Members</p> <ul style="list-style-type: none"> • [5] <p>Political Balance Rules</p> <ul style="list-style-type: none"> • Apply. <p>Chairman</p> <ul style="list-style-type: none"> • <p>Quorum</p> <p>[3]</p> <p>Meetings</p> <ul style="list-style-type: none"> • As required

Principles

The PPI Committee is committed to the developing of a respectful relationship between itself, the Cabinet and external partners. The work of the PPI Committee its Working Groups and Call-In Sub-Committee is underpinned by the following 6 (six) principles:

1. To positively and proactively contribute to the effective delivery of the Council's aims and objectives, reflecting the vision and priorities of the Council.
2. To develop a respectful relationship between the Committee, the Cabinet and external partners.
3. Enable purposeful, constructive and challenging performance review.
4. To be open to external outlook and input.

5. To consider cost effectiveness in the discharge of its functions.
6. To ensure that no individual Member may be involved in reviewing a decision or policy which they have had direct involvement with.

Remit and Terms of Reference:

This Committee is not a decision-making body. The exercise of the powers and functions set out below are delegated by the Full Council to the Committee in relation to development of policy [as may be requested by the Cabinet], and review of performance and improvement including the Council's statutory functions relating to scrutiny:

General and Working Groups:

1. To prepare and keep updated an annual work programme incorporating matters referred to the Committee by the Council, the Leader and Cabinet, [by the Committee on its own initiative and by individual Members] providing the criteria for inclusion in the work programme, as approved from time to time by Committee, is met.
2. To appoint Working Groups to assist with fulfilling the Committee's functions in relation to strategy and policy development, service and performance reviews and review of decisions in accordance with the requirements set out below:
 - 2.1. Each Working Group is to be time-limited appropriate to the scope and scale of the individual Working Group project.
 - 2.2. There is to be no more than one Working Group relating to the work of a single service area at any point in time.
 - 2.3. The Working Groups are unable to make decisions.
4. The Working Groups may comprise co-opted members from outside of the Council.
5. The Committee Chairman, or in their absence the Vice Chairman, has delegated authority to appoint Working Groups where it would cause undue delay to wait for the next meeting of the Committee.

Policy Development

1. To assist the Cabinet and the Council in the development of policy and the budget.
2. Review current policies and strategies and making recommendations to the Leader/Cabinet and Council.
3. Undertake in depth analysis of policy issues and options to assist the Leader/Cabinet in and the Council in the development of its budget and policy framework.
4. Consider matters referred to them by the Leader/Cabinet and reporting to the Leader/Cabinet with proposals and/or options.
5. Question members of the Cabinet and/or Committees and senior Officers from the Council about their views on issues and proposals affecting their areas of responsibility.
6. Review the Council's partnerships to ensure that community needs are being met and enhanced by collaborative working where appropriate.
7. Consider the impact of policies to assess their effectiveness.
8. Assessing the success of the Council's pilot exercises/projects
9. Such other matters as required by law or guidance to be the proper remit of the PPI Committee.

Scrutiny

1. To review and scrutinise decisions made or proposed; the implementation or proposed implementation of policies or other actions taken or proposed in connection with the discharge of any function by the Leader/Cabinet/Cabinet Member or Council Officers [or the discharge of any non-executive function]
2. Review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and delivery of services.
3. Question the Leader and all Cabinet Members and senior Officers about their decisions and performance, whether generally in comparison with service plans and targets over a period of time, or in relation to particular decisions, initiatives or projects.

4. Scrutinise the work of partnerships and partnership bodies in the local area.
5. Question and gather evidence from any person (with their consent where appropriate).
6. To make reports or recommendations to the Cabinet or Council as appropriate with respect to the discharge of any function, and to make reports or recommendations to partners as may be appropriate.
7. Convene a Call-In Sub-Committee to consider and determine a Call-In Notice and if necessary recommend that a decision made be reconsidered by the Cabinet or Council in accordance with the Call-In Procedure Rules. (*link*)
8. To act as the Council's designated Crime and Disorder Committee under the Police and Justice Act 2006.
9. Facilitate the Councillor Call for Action ("CCfA") process.
10. To fulfil all the functions conferred on the Council in relation to the scrutiny of health matters.
11. Report annually to Full Council on the discharge of its functions.
12. Such other matters as required by law or guidance to be the proper remit of the PPI Committee.

12. Audit & Governance Committee

Rules

- The Committee Procedure Rules and the Access to Information Procedure Rules shall apply to the Audit & Governance Committee and as applicable to its Sub-Committees.
- The business of the Sub-Committees shall also be conducted in accordance with the Council's Arrangements for Dealing with Standards Complaints and associated Codes and Protocols. (*links*)

Membership, Chairman and Quorum

Number of Members	7 + 1 co-opted Independent Member (non-voting)
Substitute Members Permitted	[Yes / No]
Political Proportionality Rules Apply	Yes
Appointments / Removals	Resolution of full Council
Restrictions on Membership	Cabinet Members may not be a member of this committee
Restrictions on Chairman / Vice Chairman	[to be confirmed – if any]
Quorum	[One quarter (1/4) of the committee members rounded up]
Number of Ordinary Meetings per Council Year	At least 4 per year (1 per quarter)
Standing Sub-Committee	<ul style="list-style-type: none">• None• [Standards Complaint Assessment Sub-Committee convened as required]• Standards Complaint Hearing Panel convened as required

Purpose

To provide those charged with Governance independent assurance on the adequacy of the risk management framework, the internal control environment and the integrity of the Council's financial reporting and governance processes.

Remit and Terms of Reference

Audit

1. Oversee the Council's financial reporting process.
2. Approve the Council's Annual Statement of Accounts in accordance with the relevant prevailing legislation.
3. Receive and consider the reports, plans and opinions of the internal auditor; agreeing and monitoring the implementation of actions agreed in respect of such reports, plans and opinions, and ensuring effective control within the assurance framework.
4. Receive and consider the reports and opinions of the external auditor and external inspection agencies; monitoring the implementation of actions agreed in respect of such reports and opinions.
5. Scrutiny of the Council's Treasury Management Strategy, Investments Strategy and Capital Strategy and the in-year monitoring of compliance with these.
6. Scrutiny of the Council's Medium Term Financial Plan, annual budget and in-year monitoring of these in the context of financial sustainability.
7. Act as an advisory committee to the Cabinet and Council on audit matters
8. Such other matters as required by law or guidance to be the proper remit of the Audit & Governance Committee.

Governance

1. Assurance of the Council's governance, risk management framework and associated control environment and policies including the Council's Risk Register, Risk Management Strategy, 'whistle-blowing', anti-fraud and anti-corruption arrangements.
2. Overview of the Council's Constitution and consideration of proposed amendments or revisions to the Constitution including the Schemes of Delegation, Procedure Rules and Protocols.

3. Review any matters within the committees' remit and terms of reference referred to it by the Chief Executive, Section 151 Officer, Monitoring Officer or any Body of the Council.
4. Act as an advisory committee to the Cabinet and Council on governance matters
5. Such other matters as required by law or guidance to be the proper remit of the Audit & Governance Committee.
6. Ensure that the Council achieves value for money through all of its arrangements.

Standards

1. Promote and maintain high standards of conduct by Members and Co-opted Members of the Council.
2. Overview of the Council's Members' Code of Conduct, Arrangements for Dealing with Standards Complaints and associated Protocols; recommendations as to the adoption of and / or amendments to the Code, Arrangements and associated Protocols.
3. Assist and advise Members and Co-opted Members of the Council [and parish councils within the district of the Council] on standards and compliance with the Code and associated Protocols [including as regards members' interests, gifts and hospitality].
4. Make recommendations as to the appointment of Independent Persons.
5. Support and assist the Monitoring Officer in their discharge of the role as regards member standards, conduct and behaviour.
6. [Act as an advisory committee to the Cabinet and Council on standards matters]
7. [Convene an Assessment Sub-Committee to consider and determine a standards complaint made against a Member or Co-opted Member of the Council or a parish council in accordance with the Arrangements where the Monitoring Officer has determined to refer such a complaint].
8. Convene a Standards Hearing Panel as may be required by the Monitoring Officer for the purpose of determining a standards complaint made against a Member or Co-opted Member of the Council or parish council in accordance with the Arrangements.

[Standards Complaint Assessment Sub-Committee

1. Shall be a Sub-Committee of the Audit & Governance Committee constituted as may be required by the Monitoring Officer
2. Shall comprise 3 elected Members of the Council, one of whom [shall] be a member of the Audit and Governance Committee.
3. Shall be politically proportionate so far as practicable and shall ordinarily comprise Members drawn from at least 2 of the Council's Political Groups.
4. Shall receive and determine in accordance with the Arrangements standards complaints as may be referred by the Monitoring Officer for the purpose].

Standards Complaint Hearing Panel

1. Shall be a Sub-Committee of the Audit & Governance Committee constituted as required by the Monitoring Officer.
2. Shall comprise 3 elected Members of the Council, one of whom [shall] be a member of the Audit and Governance Committee.
3. Shall be politically proportionate.
4. Shall hear and determine in accordance with the Arrangements as regards standards complaints referred to the Hearing Panel.

Note:

Electoral matters, ombudsman reports (maladministration); functions concerning parish councils and as regards corporate complaints could also sit with the A&G Committee – if not, they need to be included within the ToR of an alternative committee.

14. Employment Committee

Rules

- The Committee Procedure Rules and the Access to Information Procedure Rules shall apply to the Employment Committee and as applicable to its Hearing Panel.
- The Local Authorities (Standing Orders) (England) Regulations 2001 & Local Authorities (as amended) shall apply to the Employment Committee and as applicable to its Hearing Panel and shall take precedence in the event of their conflicting with the Committee Procedure Rules and / or the Access to Information Procedure Rules.

Membership, Chairman and Quorum

Number of Members	[]
Substitute Members Permitted	Yes
Political Proportionality Rules Apply	Yes
Appointments / Removals	Resolution of full Council
Restrictions on Membership	Must include at least 1 Cabinet Member
Restrictions on Chairman / Vice Chairman	[to be confirmed – if any]
Quorum	[One quarter (1/4) of the committee members rounded up]
Number of Ordinary Meetings per Council Year	At least [4] per year
Hearing Panel	<ul style="list-style-type: none">• Number of Members []• Must included at least 1 Cabinet Member• A minimum of 2 Independent Persons shall be included in a Hearing Panel• Political Proportionality Rules apply• Convened as required

Remit and Terms of Reference

The Employment Committee shall be primarily responsible for:

1. Undertaking the selection process for the appointment, and formulating recommendations to the full Council, in relation to the appointment and dismissal of the Head of Paid Service, Monitoring Officer and Chief Finance Officer of the Council (the Statutory Officers) and other members of the Council's Senior Leadership Team as applicable in accordance with The Local Authorities (Standing Orders) (England) Regulations 2001 (as amended).
2. Ensuring that the appropriate policies, guidelines and timescales are adhered to in dealing with Statutory Officers including the application of any procedures and legislation relevant to the office.
3. Acting as the disciplinary hearing body for cases involving a Statutory Officer, where dismissal is not the likely outcome.
4. Where dismissal is a possibility for a Statutory Officer, appoint a Hearing Panel in accordance with legislative requirements outlined in the Local Authorities (Standing Orders) (England) Regulations 2001 & Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 which set out some particular matters with relation to employment processes for Statutory Officers and these terms of reference.
5. Advising the Council in relation to any proposed dismissal of a Statutory Officer. To carry out this role by appointing a Panel to consider any disciplinary action in relation to a Statutory Officer. The membership of the Panel shall be determined by the Committee. The Panel membership must include at least 1 Cabinet Member up to 2 of the Independent Persons appointed by the Council (who shall be full voting members of the Panel) and may include any number of additional members so long as those members are from within the membership of the Committee and the proportionality rules shall apply to such a Panel.
6. Forwarding the outcome of the Hearing Panel to Council for consideration;
7. Overview of the Council's Officer Code of Conduct;
8. Dealing with any personnel or pension matters not covered by any other Committee or by Officer delegation;
9. Dealing with any functions relating to the designation of a Proper Officer;
10. Hearing appeals on decisions made by the Chief Executive from a Director;

11. Consulting on, and determining, pay awards to employees on locally agreed Pay Conditions (subsequent to taking into account any representations made by recognised Trade Unions and affected employees).
12. To do anything which is incidental, conducive or calculated to facilitate any of the Committee's functions or which are necessary for the discharge of the functions.

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15. Planning Committee

Rules

- The Committee Procedure Rules and the Access to Information Procedure Rules shall apply to the Planning Committee.
- The Planning Committee Procedure Rules shall apply to the Planning Committee and shall take precedence in the event of their conflicting with the Committee Procedure Rules.

Membership, Chairman and Quorum

Number of Members	[15]
Substitute Members Permitted	No
Political Proportionality Rules Apply	Yes
Appointments / Removals	Resolution of Full Council
Restrictions on Membership	<ul style="list-style-type: none">• Cabinet Members may not be a member of this committee• All Members of the Planning Committee must have undertaken the required training, a minimum of once a year.
Restrictions on Chairman / Vice Chairman	[to be confirmed – if any]
Quorum	[One quarter (1/4) of the committee members rounded up]
Number of Ordinary Meetings per Council Year	At least [4] per year

Remit and Terms of Reference

1. To perform the duties and exercise the powers of the Council as the local planning authority.
2. To determine and advise on all planning and development management applications, including but not limited to:-
 - Planning obligations;

- All matters concerning public path orders required as a result of planning legislation;
 - Advertisement consents;
 - Conservation area consents and notices;
 - Revocation or modification of planning permissions by order under planning legislation;
 - Enforcement action including in respect of advertisement contraventions;
 - Tree preservation orders;
 - Consent to carry out work to protected trees;
 - Listed building consents and notices;
 - Certificates of alternative development;
 - Direct action by execution of works, taking steps and/or carrying out operations, by or on behalf of the Council under any current planning legislation, including the recovery of any costs or expenses;
 - Legal proceedings in respect of any breach of planning obligations;
 - Any other notices, orders, demands, permissions, consents and grants under current planning legislation; and
 - Observations, comments and representations on development proposals being determined by other bodies and/or in adjoining or nearby administrative areas.
3. To determine planning and development management applications referred by Members or Officers of the Council.
 4. To determine planning and development management applications submitted by, or on behalf of, the Council or such applications in which the Council has an interest [save in respect of applications pertaining to the HRA housing development programme or the HRA housing stock];
 5. To determine planning and development management applications submitted by Members, Senior Officers (Senior Leadership Team and Business Managers) and Officers who would otherwise be involved in the determination of the application.
 6. The monitoring of enforcement action taken under planning and other applicable legislation.

7. To administer the registration and record keeping provisions required under applicable legislation.
8. To exercise the Council's statutory duties in respect of the Building Regulations and associated legislation.
9. To exercise the Council's statutory powers in respect of land drainage and associated legislation.
10. To exercise the Council's statutory powers in respect of highways and associated legislation.
11. To do anything which is incidental, conducive or calculated to facilitate any of the Committee's functions or which are necessary for the discharge of the functions.
12. To adopt a scheme of delegation to Officers, including the ability for District Councillors to reserve matters to Committee in circumstances prescribed by the scheme; the scheme to be reviewed as necessary and at least annually, and
13. To adopt a Protocol for Planning Committee

Planning Committee Procedure Rules

1. The Chairman will preside over meetings of the Planning Committee and, where the Chairman is absent for the whole or part of the meeting, the Vice-Chairman will preside over the meeting or that part of it. In the absence of both the appointed Chairman and Vice-Chairman for either the whole of or part of a meeting, the Planning Committee will appoint from those Councillors then present a person to act as Chairman for the duration of that meeting or part of it. (All references to 'Chairman' in these rules will be read as referring to the person acting as Chairman at the relevant meeting or part of it).
2. The Chairman of the Planning Committee meeting will be responsible for:
 - 2.1 calling items for consideration as they appear on the Agenda;
 - 2.2 maintaining good order at the Planning Committee meeting. For this purpose,
 - 2.3 the Chairman has the right to curtail any speaker (including a Councillor of the Committee), or to suspend the Planning Committee meeting, in cases of disorder, until good order has been restored.
3. In all matters of procedure and interpretation of these rules, the Chairman's decision will be final.

4. Decisions of the Planning Committee are not subject to scrutiny arrangements / call-in by a Call-In Sub-Committee of the PPI Committee.
5. The order of business for each meeting of the Planning Committee shall be:-
 - i. Opening matters;
 - ii. Apologies;
 - iii. Substitutes;
 - iv. Minutes;
 - v. Declarations of interest,
 - vi. Planning Applications (the planning applications will be listed in chronological order but will be considered in such order as determined by the Chairman)
 - vii. Other matters requiring consideration by the committee
6. Prior to the Planning Committee meeting, the Chairman and Vice-Chairman will whenever possible meet with Officers to discuss the process and speaking arrangements for each item to be heard at the meeting. Officers present will usually include planning and legal officers.
7. Where there is no provision made in these Planning Committee Procedure Rules the requirements of the Committee Procedure Rules will be followed at the discretion of the Chairman.

Minutes

8. Minutes will contain all motions and amendments in the form and order they were put.

Approval of Minutes

9. At every meeting of the Planning Committee the Chairman will move that the minutes of the previous meeting be signed as a correct record. The only part of the minutes that can be discussed is their accuracy.

Declarations of Interests

10. Declarations will be made in accordance with the Code of Conduct. These declarations will be made at the outset of the meeting under the item listed as 'declarations of interests' on that Planning Committee's agenda or as soon as the interest comes to light.

Consideration of Business on the Public Agenda

11. All Planning Applications to be decided by the Planning Committee will be dealt with as follows:

The Chairman will announce the agenda item number.

- i. The Planning Officer will introduce the application with any relevant updates and provide a visual presentation to aid members' understanding of the context of the application.
- ii. The Chairman will then ask members if they have technical questions of officers
- iii. The entire committee will then discuss/debate the application.
- iv. Members may seek further clarification of:-
 - (a) particular points from Officers, regarding the application; or
 - (b) on points raised by speakers, in the main debate, through the Chairman. Officers will respond to issues and questions raised by members.

The Committee will then make a decision by vote.

16. The Planning Policy Board

Rules

- The Planning Policy Board is an advisory body and has no decision-making authority.
- The Committee Procedure Rules do not apply

Membership, Chairman and Quorum

Number of Members	7
Substitute Members Permitted	[Yes / No]
Political Proportionality Rules Apply	[No]
Appointments / Removals	[]
Restrictions on Membership	The Planning Policy Board shall comprise:- <ul style="list-style-type: none">• Portfolio Holder for Economic Development & Visitors• 3 Members of the PPI Committee• 3 Members of the Planning Committee
Restrictions on Chairman / Vice Chairman	Board meetings to be chaired by the Portfolio Holder for Development & Visitors
Quorum	[]
Number of Ordinary Meetings per Council Year	At least [4] per year

Remit and Terms of Reference

1. To act in an advisory capacity to the Portfolio Holder for Economic Development & Visitor and Officers in the preparation of the Council's Planning Development Plan for its adoption by the Council.
2. To oversee the preparation of the Planning Development Plan including development targets, allocations of land for new development, planning polices for the determination of planning applications and the planning policies map which details where such land allocations and planning policies apply across the District of the Council.

3. To Provide strategic overview of the production of those documents which will comprise the Planning Development Plan.
4. To provide strategic overview of the production of those documents which will support the production and implementation of the Planning Development Plan.
5. At the discretion of the Chairman, Members of the Council may be invited to meetings of the Planning Policy Board and / or consulted on matters pertaining to the Planning Development Plan which may affect their Wards.

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22. Responsibility for Functions

1. Functions of the Council (Non-Executive Functions)

- 1.1 Those functions reserved as Council Functions by the Local Government Act 2000 (as amended) or any other Act.
- 1.2 Those functions set in Schedule 1 of the Local Authorities (Functions and Responsibilities (England) Regulations 2000 (as amended);
- 1.3 Those plans and strategies set out in Schedule 3 of the of the Local Authorities (Functions and Responsibilities (England) Regulations 2000 (as amended);
- 1.5 Those functions which would be Cabinet functions but for the circumstances set out in Schedule 4 of the Local Authorities (Functions and Responsibilities (England) Regulations 2000 (as amended);
- 1.6 Those functions set out at Part C Section 1 which the Council has determined shall be reserved to the Council.

2. The Council's functions may be discharged by the Council as a whole or delegated to a Committee or individual Officer in accordance with the Non-Executive Function Scheme of Delegation or the Officer Scheme of Delegation.

3. Functions of the Cabinet (Executive Functions)

- 3.1 The Cabinet exercises those exercises those functions which are not Non-Executive functions or otherwise reserved to the Council.
- 3.2 The Council has determined that the Cabinet shall exercise those 'local choice' functions set out in Schedule 2 of the of the Local Authorities (Functions and Responsibilities (England) Regulations 2000 (as amended);
- 3.3 Functions of the Cabinet may be discharged by the Cabinet as a whole, a Cabinet Committee, an individual Cabinet Member, and individual Officer or a joint committee in accordance with the Cabinet Scheme of Delegation or the Officer Scheme of Delegation respectively.

23. The Non-Executive Function Scheme of Delegation

1. The Non-executive functions out at Section 22 paragraph 1 above are the responsibility of the Council.
2. Non-Executive functions must be discharged by the Council but unless otherwise reserved to the Council, may be exercised under delegated authority to a Committee (including a joint committee) or an individual Officer.
3. Non-Executive functions cannot be delegated to, discharged by,:-
 - i. An individual Councillor (including the Chairmen of Non-Executive Committees);
 - ii. The Leader or Deputy Leader;
 - iii. The Cabinet, a Cabinet Committee or an individual Cabinet Member;
4. The Council has delegated to the following Non-Executive Committees the Non-Executive functions detailed in the Committees' remit and terms of reference responsibilities):-
 - i. Policy Performance and Improvement Committee
 - ii. Licensing and General Purpose Committee
 - iii. Audit & Governance Committee
 - iv. Planning Committee
 - v. Statutory Staffing Committee
 - vi. Mansfield Crematorium Joint Committee
 - vii. Trustee Board of Gilstrap & W.E. Knight
5. Where a Non-Executive Committee establishes a Sub-Committee it may delegate its functions to the Sub-Committee. The following Sub-Committees have been established:-
 - i. Licensing Hearing Sub-Committee (Licensing & General Purpose Committee)
 - ii. Call-In Sub-Committee (PPI Committee)
 - iii. Standards Hearing Sub-Committee (Audit & Governance Committee)
 - iv. Disciplinary Hearing Panel (Statutory Employment Committee)

Non-Executive Function Delegation to Officers

6. The Council has also delegated to individual Officers Non-Executive functions and decision-making via the Officer Scheme of Delegation and the Proper Officer Functions set out at Part C Section 25 and Part C Section 26 of this Constitution.
7. Individual Officers making Non-Executive decisions must comply with the Openness of Local Government Bodies Regulations 2014 and in accordance with the decision-making principles set out at Part C Section 10, the Protocol for Individual Decision-Making and Procedure Rule [] set at Part D Section []

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24. The Cabinet Scheme of Delegation

Introduction

1. The Leader is responsible overall for the discharge of Cabinet functions and may discharge any such function themselves regardless of whether the given function has been delegated.
2. The Leader has the power to delegate the discharge of Cabinet functions to:-
 - i. The Cabinet as a whole
 - ii. A Committee of the Cabinet
 - iii. An individual Cabinet Member
 - iv. An individual Officer
 - v. A Joint Committee

Functions Delegated to Cabinet Members (Portfolio Holders)

3. The Leader delegates to those Cabinet Members with portfolio the Cabinet functions which fall within their respective portfolio as set out at Part C Section 5 of this Constitution.
4. Cabinet Members with portfolio may take any decision in relation to their delegated functions, including Key Decisions.
5. In the discharge of their delegated functions and decision-making in respect thereof Cabinet Members shall comply with:-
 - 5.1 Any reservations, limits or restrictions set by the Leader including particularly and without limitation those set out below at 9.1 – 9.14 and 10.1 – 7.
 - 5.2 The law;
 - 5.3 This constitution, including particularly and without limitation:-
 - i. The approved Budget and Policy Framework
 - ii. The decision-making principles and Protocol for Individual Cabinet Member / Officer Decision-Making;
 - iii. The Contract Procedure Rules
 - iv. The Financial Procedure Rules
 - v. The advice of the Head of Paid Service, Monitoring Officer or the Chief Finance Officer

vi. The Members' Code of Conduct

6. Where an individual Cabinet Member is exercising their delegated powers, the Leader or the Cabinet as a whole may exercise that power where the Leader determines it appropriate to do so.
7. Where an individual Cabinet Member is making a decision under their delegated powers, they may refer that decision to the Leader or the Cabinet as a whole where they consider it appropriate to do so.
8. The portfolios and functions in respect of which the Cabinet Members with portfolio have been delegated authority are set out at Part C Section 5 of this Constitution.

Functions Reserved to the Leader

9. The following functions are reserved to the Leader:-
 - 9.1 To lead on implementing the Council's policy and budget decisions
 - 9.2 To provide leadership of the Council by setting the strategic direction and key priorities and overseeing the development of the financial strategies.
 - 9.3 To represent the Council in the community and in negotiations with regional and national public service organisations
 - 9.4 To be the lead spokesperson for the Council and deal with external relations with partners and other stakeholders.
 - 9.5 To take overall responsibility for the performance framework, including the monitoring of targets.
 - 9.6 To lead and co-ordinate the Council's work on key cross-cutting policy areas such as equalities, sustainability and communications.
 - 9.7 The appointment of a Deputy Leader
 - 9.8 To appoint up to 9 Councillors to be Cabinet Members
 - 9.9 To allocate to Cabinet Members areas of responsibility (portfolios)
 - 9.10 To provide leadership to the Cabinet and to chair Cabinet meetings
 - 9.11 To ensure the efficient despatch of business consistent with the Council's policies and strategies.
 - 9.12 To notify the Monitoring Officer of the allocation of responsibility so that the information can be published in the Constitution.

- 9.13 To take responsibility for Cabinet or portfolio functions in the absence of a Cabinet or individual Cabinet Member.
- 9.14 To reserve to themselves or the Cabinet as a whole the determination of an executive decision or the taking of a particular course of action pertaining to a Cabinet function.
- 9.15 To reserve to individual Cabinet Members or the Cabinet as a whole the determination of consultation responses and the launch of consultation exercises on behalf of the Council, except for day-to-day technical and operational consultations which amount to Administrative Decisions made by Officers.

Functions Reserved to the Cabinet

- 10. Decisions in respect of the following shall be taken by the Cabinet as a whole:
 - 10.1 Any decisions which in the opinion of the Leader should be determined by Cabinet;
 - 10.2 Proposing the Budget and Policy Framework and Capital Programme to the Council;
 - 10.3 Approving the Risk Management Strategies and Policies and reviewing the effectiveness of Risk Management Arrangements;
 - 10.4 Approval to the carry forward of underspends as required by the Council's Financial Regulations;
 - 10.5 Approval of in year budget reallocations above the limit stipulated by the Council's Financial Regulations;
 - 10.6 Reallocation of capital budgets which do not exceed the overall capital programme;
 - 10.7 Authorising the write-off of bad or doubtful debts above the amount specified as delegated to the Section 151 Officer in the Scheme of Delegation to Officers.

25. The Officer Scheme of Delegation

1. Introduction

- 1.1 This Officer Scheme of Delegation (the Scheme) has been adopted by the Council and sets out the extent to which the powers and duties of the Council are delegated to Officers under the Local Government Act 1972, the Local Government Act 2000 (as amended) and all other powers enabling the delegation of Executive and Non-Executive functions to Officers.
- 1.2 The Officer Scheme of Delegation is intended to provide a streamlined, clear and simple decision-making process and empower Officers to carry out their functions and deliver the Council's services within the Budget and Policy Framework set by the Council, and subject to the guidelines set by the Council, the Cabinet and the Council's management team. The Scheme should be interpreted widely.
- 1.3 All references to legislation shall be deemed to include any subsequent amendments to such legislation.
- 1.4 Under section 101 of the Local Government Act 1972 the Council may authorise an Officer to commission and monitor work for and on behalf of the Council by people who are not Officers of the Council. Such people will be bound by this Scheme, and the obligations contained in it, at all times when engaged on Council business.
- 1.5 In this Scheme references to powers and functions of 'the Council' include the powers and functions of the Cabinet (Executive).
- 1.6 The delegations under this Scheme are intended to be cumulative. Each delegation may be read on its own unless it is specifically expressed to be subject to another.
- 1.7 Where an Officer has delegated powers, the Council or the Cabinet or a Committee (as appropriate) can still exercise that power in a particular case if it considers it appropriate to do so. Equally it is always open to an Officer not to exercise delegated powers but to refer the matter up as appropriate.

2. Limitations

- 2.1 Any exercise of delegated powers under this Scheme is subject to the overriding requirements, restrictions and exceptions as set out below.

3. Consultation and Liaison

- 3.1 When exercising delegated powers Officers must consult as appropriate, give due regard to any advice received and keep Councillors and relevant other Officers properly informed of actions arising within the scope of the delegation exercised.

- 3.2 Officers must liaise closely with the Cabinet / Portfolio Holder in respect of Executive functions and the Chairman of the relevant Committee in respect of Non-Executive functions which fall within the remit of that Committee.
- 3.3 Officers must ensure Ward Councillors are consulted or advised of the exercise of delegated powers relevant to their area where appropriate.
- 3.4 Officers must ensure that the Chief Executive (Head of Paid Service) Chief Finance Officer (Section 151 Officer) and the Assistant Director Legal & Democratic Services (Monitoring Officer) are consulted and advised of any decisions as necessary.

4. Using a Delegation

- 4.1 Before exercising any delegated power, Officers must consider whether to consult with the relevant Portfolio Holder or Committee Chairman on the exercise of the delegated powers, or not to exercise delegated power and instead refer the matter to the relevant Councillor or Council Body to decide.
- 4.2 The Leader or any Cabinet Member may at any time, following consultation with the Chief Executive and relevant Officer, require a particular issue or any aspect of delegated powers to be referred to the appropriate Council Body for a decision.
- 4.3 This does not limit the general requirements set out elsewhere in the Constitution to consult with relevant Ward Councillors, Committee Chairmen and interested groups in reaching decisions.

5. Functions Which Are Not Delegated

- 5.1 This Scheme does not delegate to Officers:-
 - 5.1.1 any matter reserved to full Council;
 - 5.1.2 any matter which by law may not be delegated to an Officer;
 - 5.1.3 any Key Decision;
 - 5.1.4 any matter expressly withdrawn from delegation by the Council, Committees, Leader or Cabinet.

6. Restrictions

- 6.1 Any exercise of delegated powers is subject to:
 - 6.1.1 any statutory restrictions;
 - 6.1.2 the budget and policy framework;
 - 6.1.3 any provision of this Constitution including the Procedure Rules;

- 6.1.4 any financial limits set out in the revenue or capital budgets except as set out in the Financial Procedure Rules;
- 6.1.5 any policy set by the Council or its Committees, the Cabinet, the Leader or Chief Executive;
- 6.1.6 the Employee Code of Conduct;
- 6.1.7 the exceptions set out below at paragraph 20.

7. Transfer of Functions

- 7.1 Where the name of a post is changed, or its relevant functions become vested in a different post, any delegated powers possessed by the post shall be retained by the renamed post or transferred to the different post as the case may be. This includes any delegated powers vested in a post by resolution of the Council, the Cabinet, or a Committee / Sub Committee.
- 7.2 In the event of a restructure the Chief Executive shall have authority to re-allocate the delegated powers to other posts and shall give notice of this to the Assistant Director Legal & Democratic Services. Any use of this delegated power must be reported to the Council and / or to the Cabinet as soon as practicable.

8. General Delegation of Powers

- 8.1 This Scheme delegates to the Council's Chief Executive and Chief Officers (Directors*) all executive and non-executive powers and duties relevant and to their areas of responsibility as set out in the table below at paragraph 19, and as may be assigned from time to time, that rest with the Council or which have been delegated or granted to the Council, subject to the restrictions, requirements and exceptions set out below. This includes all powers and duties under all legislation present and future relating to a Director's area of responsibility and all powers and duties incidental and conducive to that legislation and the discharge of their functions including, but not limited to, those detailed in this Scheme.

*Includes the Assistant Director Legal & Democratic Services

9. Powers in Relation to Staff

- 9.1 Any action in accordance with the Council's agreed policies and procedures with respect to the recruitment, appointment, promotion, training, grading, discipline, determination of wages and salary scales, determination of allowances, determination and application of conditions of service, including but not limited to allocation of leave,

honorariums, ill health retirement and determination of establishment except as detailed in the Staff and Employment Exceptions Chart below at paragraph 22.

10. Powers in Relation to Contracts and Property

10.1 Powers in relation to contracts and property agreements to negotiate, put out to tender, bid, submit tenders, vary, terminate, dispute, extend and renew and in relation to contracts to buy and sell and in relation to property to acquire, dispose of, let and licence subject to the Contract Procedure Rules and Financial Procedure Rules.

11. Powers in Relation to Finance

11.1 Powers to incur capital and revenue expenditure, to seek recovery of amounts owed, to exercise discretion in recovery, alter or waive repayment periods, or approve exemptions in relation to repayments, agree refunds, reduce or remit payments and waive fines, subject to the requirements of the Financial Procedure Rules or the Legal Exceptions Chart.

12. Powers in Relation to Equipment

12.1 Purchase of vehicles, plant and equipment for which expenditure has been approved subject to any policy for standardisation (but if the purchase involves a leasing arrangement this must be made by the Section 151 Officer).

12.2 Hire of plant subject to inclusion of cost of hire within approved estimates.

12.3 Disposal of surplus plant, equipment and materials

13. Powers in Relation to Legal Action

13.1 In consultation with the Assistant Director Legal & Democratic Services as appropriate, take any steps to implement a decision of the Council, Cabinet or any Committee.

13.2 In consultation with, and subject to the agreement of, the Assistant Director Legal & Democratic Services as appropriate, authority to appear, institute proceedings, prosecute, defend, negotiate a settlement and take any steps necessary in any proceedings on behalf of the Council.

13.3 Instruct the Council's Legal Service.

13.4 Exclude people from Council premises where they consider it necessary in the interests of health and safety or the maintenance of order.

13.5 In consultation with the Assistant Director Legal & Democratic Services as appropriate, powers to authorise, appoint or nominate Officers and without limitation to:-

- investigate, prosecute, enforce, lay summons

- require individuals to disclose information,
- serve requisitions for information;
- publish information;
- make applications to court (including for warrants);
- sign, issue, serve, vary, revoke and publish notices, including fixed penalty notices, and serve documents;
- make, suspend, or vary prohibition notices or prohibition orders;
- issue temporary exemption notices;
- take emergency remedial action;
- carry out works in default;
- issue certificates, consents, permits, licenses;
- refuse, vary, suspend or revoke licences or licensing applications;
- obtain, introduce, operate, amend, extend, vary and revoke orders;
- impose conditions;
- introduce and maintain registers;
- without force, exercise powers of entry and / or seizure;
- vary or revoke and in relation to land relevant to service functions, to note applications for licences, planning, consents and approvals, a declaration; and grant, vary, revoke and attach conditions to consents and charge property except as detailed in the Legal Exceptions Chart.

Delegation of Specific Powers

14. The Head of Paid Service (Chief Executive)

14.1 The Chief Executive may carry out the powers and duties of the Deputy Chief Executive and the Directors in their absence or in consultation with them and in addition to the powers detailed above, or in their capacity as a designated Proper Officer, has following additional powers:-

14.1.1 to carry out the powers and duties of any of Officers in their absence or in consultation with them;

14.1.2 to incur expenditure in the event of a civil emergency;

14.1.3 in cases of urgency to take any decision which could be taken by the Council, the Cabinet or a Committee, in consultation with the Leader or relevant Committee Chairman;

14.1.4 to alter the areas of responsibility of the Directors set out in the areas of responsibility table below;

14.1.5 to make arrangements for the appointment of Chief Officer roles and to make appointments to Deputy Chief Officer roles;

14.1.5 to agree the Human Resources Policies following relevant consultation;

14.1.6 to make any changes necessary to the Employee Code of Conduct following relevant consultation.

15. The Monitoring Officer (Assistant Director Legal & Democratic Services)

15.1 In addition to any powers delegated as detailed above or in their capacity as a designated Proper Officer, the Monitoring Officer has delegated authority to:-

15.1.1 affix the Common Seal of the Council to any document;

15.1.2 to certify resolutions and documents as being true copies;

15.1.3 grant dispensations to councillors in accordance with the Localism Act 2011 with the power to refer any request for a dispensation back to the Audit & Governance Committee Purposes;

15.1.4 undertake an initial assessment of Member Code of Conduct complaints and determine any further in consultation with an Independent Person;

15.1.5 convene a Standards Hearing Sub-Committee;

15.1.6 determine the validity of a Call-In Notice in consultation with the Head of Paid Service and Chief Finance Officer where appropriate;

15.1.6 convene a Call-In Sub-Committee;

15.1.7 make minor amendments to this Constitution which are required to remove inconsistency or ambiguity, reflect legislative changes or are required to give effect to any decision of the Council or its Committees.

16. The Chief Finance Officer / Section 151 Officer

16.1 In addition to any powers detailed above or in their capacity as a designated Proper Officer, the Chief Finance Officer has delegated authority to carry out those responsibilities set out as delegated to them in the Financial Procedure Rules set out at Part D Section [] of this Constitution.

17. Officer Sub-Delegation

17.1 Any delegation to a Statutory Officer, Proper Officer, Chief Officer (Director) or other Officer includes authority for any further sub-delegation of powers within their area of responsibility (including cross-service delegation where appropriate).

17.2 Officers shall sub-delegate and devolve powers for service delivery and management to Officers who represent the nearest practicable point of delivery to the service user.

18. Decision-Making, Records and Publicity

18.1 Officers must make, record and publish decisions made under delegated authority in compliance with the Access to Information Regulations 2012 (executive decisions), Openness of Local Government Bodies Regulations 2014 (non-executive decisions), and in accordance with principles of decision-making and Protocol for Individual Member / Officer Decision-Making set out at Part C Section 10 and Part H Section []

19. Chief Officer / Director Areas of Responsibility

Post	Main Areas of Responsibility
Deputy Chief Executive & Director of Resources	<ul style="list-style-type: none"> • Financial Services • Corporate Property • ICT & Digital Services • Revenue & Benefits
Director of Housing, Health & Wellbeing	<ul style="list-style-type: none"> • Housing Estates & Management • Housing Income & Leaseholder Management • Housing Maintenance & Asset Management • Housing Strategy & Development • Housing Options & Community Relations
Director of Communities & Environment	<ul style="list-style-type: none"> • Environmental Services • Public Protection • Heritage & Culture
Director of Customer Services & Organisational Development	<ul style="list-style-type: none"> • HR & Training • Administrative Services • Customer Services • Communications • Transformation
Director of Planning & Growth	<ul style="list-style-type: none"> • Economic Growth & Visitor Economy • Planning Development (including development management) • Planning Policy

Assistant Director of Legal & Democratic Services	<ul style="list-style-type: none"> • Law & Governance • Elections & Democratic Services • Information Governance
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20. Exceptions

20.1 As applicable, the exercise of delegated authority under the Scheme is subject to the following:-

20.1.1 Contract Exceptions – refer to the Contract Procedure Rules;

20.1.2 Financial Exceptions – refer to the Financial Procedure Rules;

20.1.3 Planning & Legal Exceptions – refer to the Planning & Legal Exceptions Chart below at paragraph 21.

20.1.4 Staff and Employment Exceptions – refer to the Staff & Employment Exceptions Chart below at paragraph 22.

21. Planning & Legal Exceptions Chart

21.1 The planning and legal functions detailed in the Planning & Legal Exceptions Chart are not to be discharged by Officers under the Scheme.

21.2 The planning and legal functions detailed below must be discharged by an Officer, Committee or the Cabinet as indicated in the Chart.

Function	Officer	Committee	Cabinet
<p>Planning</p> <p>Determination of outline, full or reserved matters and planning / development management applications in relation to applications referred by:-</p> <ul style="list-style-type: none"> • Councillors • Officers 		Planning Committee	

<p>Determination of outline, full or reserved matters and planning / development management applications in relation to applications submitted by, or on behalf of:-</p> <ul style="list-style-type: none"> • the Council* • a Councillor • a Chief Officer / Director • Officers of the Senior Leadership Team • Business Managers • Officers who would otherwise be involved in the determination of the application 		<p>Planning Committee</p>	
<p>Determination of outline, full or reserved matters and planning / development management applications in relation to applications:-</p> <ul style="list-style-type: none"> • in which the Council has an interest* 		<p>Planning Committee</p>	

*Except where such applications pertain to the HRA housing development programme or the HRA housing stock.

Function	Officer	Committee	Cabinet
Legal <ul style="list-style-type: none"> Sealing Documents Legal Action paragraphs 13.1, 13.2 and 13.5 of the Scheme 	Assistant Director Legal & Democratic Services		
Legal <ul style="list-style-type: none"> Legal Action paragraphs 13.1, 13.2 and 13.5 of the Scheme 	Chief Officer / Director in consultation with and agreement of Assistant Director Legal & Democratic Service		

22. Staff & Employment Exceptions Chart

In accordance with the Local Government and Housing Act 1989 and the Local Authority (Standing Orders) (England) Regulations 2001:-

22.1 The staff and employment functions detailed in the Staff & Employment Exceptions Chart are not to be discharged by Officers under the Scheme.

22.2 The functions detailed below must be discharged as indicated in the Chart.

Function	Officer Delegation	Statutory Cabinet Member Consultation	Member Decision	Council Decision
Appointment of Head of Service	No	Yes (prescribed procedure)	Full Council	Yes (prescribed procedure)

Appointment of Monitoring Officer	No	Yes (prescribed procedure)	Statutory Employment Committee	Approval of recommendation of Statutory Employment Committee
Appointment of S151 Officer	No	Yes (prescribed procedure)	Statutory Employment Committee	Approval of recommendation of Statutory Employment Committee
Appointment of Chief Officers (Directors)	No	Yes (prescribed procedure)	Statutory Employment Committee	If required by Council
Appointment of Deputy Chief Officers [(Assistant Directors)]	Yes	No	No	No
Appointments below Deputy Chief Officers	Yes	Members cannot be involved in the appointment of Officers below Deputy Chief Officer	Members cannot be involved in the appointment of Officers below Deputy Chief Officer	Members cannot be involved in the appointment of Officers below Deputy Chief Officer
Dismissal of Head of Paid Service	No	Yes (prescribed procedure)	Yes (prescribed procedure)	Yes (prescribed procedure)
Dismissal of Monitoring Officer	No	Yes (prescribed procedure)	Yes (prescribed procedure)	If required by Council
Dismissal of S151 Officer	No	Yes (prescribed procedure)	Yes (prescribed procedure)	If required by Council

Dismissal of Chief Officers (Directors)	No	No	Statutory Employment Committee	If required by Council
Dismissal of Deputy Chief Officers [(Assistant Directors)]	Yes	No	No	No
Dismissals below Deputy Chief Officers	Yes	Members cannot be involved in the appointment of Officers below Deputy Chief Officer	Members cannot be involved in the appointment of Officers below Deputy Chief Officer	Members cannot be involved in the appointment of Officers below Deputy Chief Officer
Disciplinary Action	[]	[]	[]	[]
Redundancy	[]	[]	[]	[]
The Council's powers and duties as an employer under the Health and Safety at Work etc Act 1974	Head of Paid Service	No	No	No
The issuing of 'certificates of opinion' as to whether or not the duties of a post are within the criteria of	Relevant Director in consultation with the Customer Services & Organisational Development	No	No	No

'political sensitive'	[and the Monitoring Officer]			
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26. Proper Officer Designations and Functions

- 26.1 There are a number Acts which require certain functions to be undertaken by the "Proper Officer" of the Council. The below is a list of the Council's designated Proper Officers and their functions. In the event that a Proper Officer is not listed then the Proper Officer shall be the Director with responsibility for the function in question or in the alternative their authorised deputy.
- 26.2 "Proper Officer" functions may be discharged by their authorised deputies or other Officers duly authorised to act in the name of the "Proper Officer" concerned.

Statutory Post / Functions and Designated Officers

Legislation	Statutory Post / Function	Designated Officer
Section 4(1) Local Government and Housing Act 1989	Head of Paid Service	Chief Executive
Section 151 Local Government Act 1972	Chief Finance Officer (Section 151 Officer)	Director of Resources
Section 5(1) Local Government and Housing Act 1989	Monitoring Officer	Assistant Director Legal & Democratic Services
Section 28 and 35 Representation of the People Act 1983	Returning Officer	Chief Executive
Section 28(5) Representation of the People Act 1983	Deputy Returning Officer	As appointed from time to time by the Returning Officer
Section 8 Representation of the People Act 1983	Electoral Registration Officer	Chief Executive
Data Protection Act 2018 General Data Protection Regulations	Data Protection Officer	Information Governance/Data Protection Officer

Proper Officer Functions – Schedule of Appointments

Local Government Act 1972

SECTION	BRIEF DETAILS OF FUNCTION	PROPER OFFICER
13 (3)	Parish Trustee where no Parish Council.	Chief Executive
83 (1) to (4)	To witness and receive declarations of acceptance of office of Chairman, Vice-Chairman or Councillor made to the proper officer.	Chief Executive Assistant Director Legal & Democratic Services
84	To accept written notice of resignations from Councillors.	Chief Executive Assistant Director Legal & Democratic Services
88 (2)	Convening meetings of the Council for the purpose of filling a casual vacancy in case of Chairman of the Council.	Chief Executive Assistant Director Legal & Democratic Services
89 (1)(b)	Receipt of notice from electors requiring election to fill casual vacancy occurring in the office of Councillor.	Chief Executive Assistant Director Legal & Democratic Services
96 (1) & (2)	The officer to whom Members must give written notice of interests in contracts	Chief Executive Assistant Director Legal & Democratic Services
99 and Sch 12	To give notice and send summonses and receive formal notifications from councillors in respect of any Council meeting	Chief Executive Assistant Director Legal & Democratic Services
100 (A) to (F)	The provision of information about the decisions made or to be made by Councillors including access to agenda, reports, background papers, Members additional document access rights, minutes and records of decisions	Assistant Director Legal & Democratic Services Democratic Services Manager

115 (2)	Person to whom all officers shall pay monies received by them and due to the Council	Chief Finance Officer
138	Emergency disaster powers	Chief Executive
146 (1)(a) & (b)	Statutory declarations and issue any certificate in relation to securities on change of name of authority or change of area.	Assistant Director Legal & Democratic Services
151	Arrangements for proper administration the Council's financial affairs	Chief Finance Officer
191 (2)	Functions in respect of Ordnance Survey	Director of Planning & Growth
210(6) and (7)	Appoints the proper officer to be vested with certain powers in respect of charities	Chief Executive
212	The Officer to act a local registrar for local land charges	Assistant Director Legal & Democratic Services
223 (1)	Authorising officers to attend court and appear on behalf of the Council under Local Government Act 1972 and the County Courts Act 1984	Directors Assistant Director Legal & Democratic Services

225 (1)	To receive and give receipt for any document required to be formally deposited.	Assistant Director Legal & Democratic Services
228	Accounts to be open to inspection	Chief Finance Officer
229 (5)	Certification of photographic copies of documents for use in legal proceedings.	Assistant Director Legal & Democratic Services
233	The officer to receive documents required to be served on the Council	Assistant Director Legal & Democratic Services
234	The signing of any notice, order or other document which the Council is authorised or required to give under any enactment on behalf of the authority.	Directors Assistant Director Legal & Democratic Services
236 (9) and (10) and 238	Send copy byelaws to Parish Councils and Certifying of printed copies of byelaws.	Assistant Director Legal & Democratic Services Democratic Services Manager
248	The Officer responsible for keeping the roll of freemen	Assistant Director Legal & Democratic Services
Schedule 12, Para. 3(2), 4 (2) (b)	Signature of summons to Council meeting	Chief Executive Assistant Director Legal & Democratic Services
Schedule 12, Para. 4 (3)	Receipt of notices regarding address to which summons to Council is to be sent	Chief Executive Assistant Director Legal & Democratic Services
Schedule 14	Functions under the under Public Health 1936, and the Public Health Acts 1875 - 1924	Director of Communities & Environment
Schedule 14, Para. 25 (7)	Certification of copy resolutions under the Public Health Acts 1875-1925.	Assistant Director Legal & Democratic Services

Local Government Act 1974

SECTION	BRIEF DETAILS OF FUNCTION	PROPER OFFICER
30	Receipt of Local Ombudsman Reports and giving of public notice thereof.	Chief Executive Assistant Director Legal & Democratic Services

Local Elections (Principal Areas) (England and Wales) Rules 2006

REGULATION	BRIEF DETAILS OF FUNCTION	PROPER OFFICER
All	Rules for the conduct of the election of councillors of principal area where the poll is not taken together with another a poll at another election	Chief Executive Assistant Director Legal & Democratic Services

Local Government (Committees and Political Groups) Regulations 1990

Regulation	BRIEF DETAILS OF FUNCTION	PROPER OFFICER
All	For the purposes of the composition of committees and nominations to political groups	Assistant Director Legal & Democratic Services Democratic Services Manager

Local Authorities Cemeteries Order 1977

REGULATION	BRIEF DETAILS OF FUNCTION	PROPER OFFICER
10	To sign exclusive rights of burial	Director of Communities & Environment

Representation of the People Act 1983

SECTION	BRIEF DETAILS OF FUNCTION	PROPER OFFICER
All	All proper officer functions identified in the legislation	Chief Executive Deputy Chief Executive

Building Act 1984

SECTION	BRIEF DETAILS OF FUNCTION	PROPER OFFICER
78 and 93	To take action in relation to dangerous buildings and structures and the giving of notices.	Director of Planning & Growth

Local Government Finance Act 1989

SECTION	BRIEF DETAILS OF FUNCTION	PROPER OFFICER
114 and 115	Responsibility for Chief Financial Officer Reports.	Chief Finance Officer
116	Notification to auditor of date, time and place of meeting to consider Section 114 report and of decision of such meeting.	Chief Finance Officer
139A	Provision of information to the Secretary of State in relation to the exercise of his powers under this Act as and when required.	Chief Finance Officer

Local Government and Housing Act 1989

SECTION	BRIEF DETAILS OF FUNCTION	PROPER OFFICER
2(4)	Officer with whom the list of politically restricted posts shall be deposited.	Director of Customer Services & Organisational Development
3A	Officer responsible for the grant and supervision of exemptions from political restriction	Director of Customer Services & Organisational Development
15 -17	To undertake all matters relating to the formal establishment of political groups within the membership of the Council.	Assistant Director Legal & Democratic Services Democratic Services Manager

Local Government Act 2000

SECTION	BRIEF DETAILS OF FUNCTION	PROPER OFFICER
3	Producing a written statement of executive decisions made at meetings.	Assistant Director Legal & Democratic Services
5	Making a copy of written statements of executive decisions and associated reports available for inspection by the public.	Assistant Director Legal & Democratic Services
6	Making available for inspection a list of background papers.	Assistant Director Legal & Democratic Services

11(2)	Exclusion of whole or part of any report to the Cabinet where meeting is likely not to be open to the public.	Assistant Director Legal & Democratic Services
11(7)(c)	Provision to the press of other documents supplied to members of the Cabinet in connection with the item discussed.	Assistant Director Legal & Democratic Services
81	Establish and maintain a Register of Interests.	Assistant Director Legal & Democratic Services
	All references to the Proper Officer in the Local Government Act 2000 and subordinate legislation	Chief Executive

Local Government Act 2000 – Section 34: Local Government (Referendums) (Petitions and Directions) Regulations 2000

REGULATION	BRIEF DETAILS OF FUNCTION	PROPER OFFICER
34	Publishing the verification number of local government electors for the purpose of petitions under the Local Government Act 2000.	Assistant Director Legal & Democratic Services

Local Government (Miscellaneous Provisions) Act 1976

SECTION	BRIEF DETAILS OF FUNCTION	PROPER OFFICER
16	Notices requiring details of interest in land	Any Chief Officer
41(1)	The officer to certify copies of any resolution, order, report or minutes of proceedings of the Authority as evidence in any legal proceedings	Assistant Director Legal & Democratic Services

Local Land Charges Act 1975

SECTION	BRIEF DETAILS OF FUNCTION	PROPER OFFICER
3 and 19	Maintenance of the Local Land Charges Register	Assistant Director Legal & Democratic Services

Public Health (Control of Diseases) Act 1984

SECTION	BRIEF DETAILS OF FUNCTION	PROPER OFFICER
48	Preparation of certificate to Justice of Peace for removal of body to mortuary and for burial within a prescribed time or immediately.	Director of Communities & Environment
61	Right to enter premises to ascertain whether there has been a contravention of a provision of the 1984 Act or a Part 2A order made pursuant to the 1984 Act.	Director of Communities & Environment

	Proper Officer for the purposes of the 1984 Act and the Health protection Regulations 2010 and the Health Protection (Part 2A Orders) Regulations 2010	Director of Communities & Environment
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Health Protection (Notification) Regulations 2010

Regulation	BRIEF DETAILS OF FUNCTION	PROPER OFFICER
2, 3 and 6	Receipt and disclosure of notification of suspected notifiable disease, infection or contamination in patients and dead persons.	Director of Communities & Environment

The Civil Evidence Act 1995

Section	BRIEF DETAILS OF FUNCTION	PROPER OFFICER
9	To certify Council records for the purposes of admitting the document in evidence in civil proceedings.	Assistant Director Legal & Democratic Services

Local Government (Contracts) Act 1997

Section	BRIEF DETAILS OF FUNCTION	PROPER OFFICER
	Certification of relevant powers to enter into contracts.	Assistant Director Legal & Democratic Services

Food Safety Act 1990

SECTION	BRIEF DETAILS OF FUNCTION	PROPER OFFICER
49(3)	Any document authorised or required by or under this Act to give, make or issue may be signed on behalf of the authority by the proper officer of the authority as respects documents relating to matters within his province.	Director of Communities & Environment

Health Act 2006 and Smoke Free (Premises and Enforcement) Regulations 2006

SECTION	BRIEF DETAILS OF FUNCTION	PROPER OFFICER
10 (Reg 3)	To carry out the functions of an enforcement authority under Regulation 3	Director of Communities & Environment

Landlord and Tenants Acts

SECTION	BRIEF DETAILS OF FUNCTION	PROPER OFFICER
S23 of the Landlord and Tenant Act 1927 and S66 of the Landlord and Tenant Act 1954	To be the proper officer to serve and receive notices on behalf of the Council.	Director of Housing, Health & Wellbeing

Countryside and Rights of Way Act 2000

SECTION	BRIEF DETAILS OF FUNCTION	PROPER OFFICER
1	Access to the Countryside (Maps in Draft Form) (England) Regulations	Director of Housing, Health & Wellbeing

The Local Authorities (Standing Orders) (England) Regulations 2001

REGUATIONS	BRIEF DETAILS OF FUNCTION	PROPER OFFICER
All	Giving notice in respect of Head of Paid Service, Statutory and Chief Officer appointments	Director of Customer Services & Organisational Development

The Health and Safety at Work etc Act 1974

SECTION	BRIEF DETAILS OF FUNCTION	PROPER OFFICER
	As regards the Council's powers and duties as an employer under the Health and Safety at Work etc Act 1974	Chief Executive

Other Miscellaneous Proper or Statutory Officer Functions

SECTION	BRIEF DETAILS OF FUNCTION	PROPER OFFICER
	Any other miscellaneous proper or statutory officer functions not otherwise delegated by the Council	Chief Executive or their nominee

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