

APPENDIX 1 (ANNEX 2)

TERMS OF REFERENCE OF THE COMMITTEES, SUB-COMMITTEES AND WORKING PARTIES OF COUNCIL

COMMITTEE OF FULL COUNCIL

To determine any matter referred to it by the Mayor, the Council, Cabinet or any Committee of the Council and not otherwise reserved to Full Council. The Committee of Full Council is chaired by the Leader of the Council.

AUDIT AND RISK COMMITTEE

Audit Activity

- (1) To receive, review and approve, but not direct the annual Internal Audit plan, annual strategy, terms of reference and audit protocol
- (2) To review quarterly Internal Audit progress reports and the main issues arising and to seek assurance that action has been taken where necessary
- (3) To consider reports from Internal Audit on agreed recommendations not implemented within a reasonable timescale and to monitor the Council's response to ensure that this is acceptable
- (4) To ensure that there are effective relationships between external and Internal Audit, inspection agencies and other relevant bodies, and that the value of the audit process is actively promoted
- (5) To consider the Audit Manager's annual report and opinion, and the level of assurance Internal Audit can give over the Council's corporate governance arrangements
- (6) To consider any reports dealing with the management or arrangements for the provision of the Internal Audit service.
- (7) To ensure the Internal Audit section is adequately resourced and has appropriate standing within the Council
- (8) To receive, review and approve but not direct the annual external audit plan.
- (9) To consider the external auditor's annual audit and inspection letter, relevant reports to those charged with governance, delegating the consideration of such reports and any investigations to other committees as necessary
- (10) To consider specific reports as agreed with the external auditor
- (11) To monitor the Council's response to the external auditor's findings and the implementation of external audit recommendations.

Regulatory Framework

- (1) To consider the internal control environment and the level of assurance that may be given as to its effectiveness, to include the review of the Annual Governance Statement and the recommendation to the Council of its adoption
- (2) To satisfy itself that the Council's assurance statements, including the Annual Governance Statement, properly reflect the risk environment and any actions required to improve it
- (3) To monitor the effectiveness of the Council's risk management arrangements, including the actions taken to manage risks and to receive regular reports on risk management
- (4) To review the effectiveness of corporate governance arrangements to ensure that the Council complies with best practice
- (5) To monitor the effectiveness of the Council's policies and arrangements for anti-fraud, anti-corruption, bribery and anti-money laundering
- (6) To review any issue referred to it by the Chief Executive, Section 151 Officer, Monitoring Officer, Executive Director or any Council body
- (7) To maintain an overview of the Council's Constitution in respect of Procedure Rules in relation to Contracts and Financial Regulations and make recommendations to Council in consultation with the Monitoring Officer and Section 151 Officer for any amendments
- (8) To receive annual reports on exceptions and exemptions to the Council's Financial Regulations and Procedure Rules in Relation to Contracts.

Accounts

- (1) To approve the Council's Statement of Accounts
- (2) To consider the external auditors report to those charged with governance on issues arising from the audit of the accounts.

Other Areas

- (1) To consider reports from external inspectors (for example Office of the Surveillance Commissioner, Health & Safety Executive)
- (2) To receive reports from the Corporate Health and Safety Officer
- (3) To receive reports in respect of the Council's Treasury Management arrangements.

PLANNING COMMITTEE

- (1) To exercise all the Council's powers and duties as the district planning authority for its area in accordance with the Town and Country Planning Acts, and other planning legislation. This includes amongst other things the following:

The control of development including:

- a) determining applications for planning permission, consent or approval
- b) determining whether or not planning permission is required
- c) control of advertisements
- d) determining applications for certificates of lawfulness
- e) issuing certificates of appropriate alternative development
- f) authorising or otherwise in accordance with the Town and Country Planning General Regulations, the carrying out of development by the Council or by others on the Council's land.
- g) determining proposals in relation to the Development Plan Documents

The enforcement of planning control:

Landscape and building conservation and enhancement including:

- a) the designation and enhancement of conservation areas
 - b) listed building control and enforcement
 - c) the offering of grants towards the repair and maintenance of listed buildings
 - d) tree preservation
 - e) derelict land reclamation.
- (2) To exercise the Council's powers and duties under the Building Regulations including:
- (i) the passing and rejection of plans;
 - (ii) determining applications to relax the Regulations;
 - (iii) regularising and enforcing compliance with the Regulations.
- (3) To consider and comment on issues of Planning policy to the Council.

PUBLIC PROTECTION COMMITTEE

To exercise the powers and duties of the Council in relation to licensing and registration functions.

To exercise and perform the powers and duties of the Council in relation to the following matters:

(1) Food Safety and Control

To ensure that all food prepared, manufactured, processed and sold within the Borough is produced in safe and hygienic conditions.

(2) Occupational Health and Safety

To ensure that persons working in premises which fall within the area of responsibility of the Borough Council, do so in a safe and healthy environment.

(3) Infectious Disease Control

To control and prevent the spread of specified infectious diseases.

(4) Water Supply

To ensure that all residents in the Borough are provided with a constant supply of wholesome and potable water.

(5) Swimming Baths

To monitor and control the quality of bathing water.

(6) Health Education and Promotion

To promote awareness of health matters to residents of the Borough.

(7) Home Safety

To ensure that homes within the Borough can be occupied with minimum risk to the health and safety of the occupants.

(8) Animal Welfare

To ensure that, where animals are bred, boarded, sold or used in any other way, they are cared for in an humane manner.

(9) Pest Control

To control infestations within the Borough by rats and mice, to remedy the existence of verminous premises, persons or articles, and to control insect pests of public health significance in premises.

(10) Sunday trading

To implement the Sunday Trading Act 1994.

(11) Atmospheric Pollution Control

To protect and improve local air quality; to control statutory nuisances and regulate Part B processes.

(12) Nuisance

Classification: NULBC **UNCLASSIFIED**

To protect the local environment by the control of public and statutory nuisances including noise sources and the promotion of awareness of the need not to create or allow Nuisance including excessive noise.

(13) Control of Dogs

To promote responsible dog ownership within the Borough.

(14) Asbestos Removal

To eliminate environmental hazards associated with asbestos.

(15) Contaminated and Derelict Land
(Including Landfill Sites)

To ensure that materials identified as being present on land in the Borough do not cause a hazard to health or nuisance to neighbouring properties and that any development provides a safe and healthy environment for occupation and use; and to promote the reclamation of derelict land

(16) Pollution Monitoring

To identify the presence of pollutants within the environment both generally and in relation to specific sources.

(17) Environmental Impact Assessments

To assess potential environmental impacts from new developments in the Borough.

(20) Cleansing Enforcement

To prevent the unauthorised and improper disposal of waste within the Borough.

(23) Housing

To review housing conditions throughout the Borough and initiate action in relation to nuisance disrepair, improvement, clearance and demolition; and to administer renovation grants.

(24) Camping and Caravan Site

To control camp and caravan sites.

(25) Licensing and Registration

To exercise powers and duties in relation to all licensing and registration excluding those matters which relate to the Licensing Act 2003 and the Gambling Act 2005 delegated to the Licensing Committee.

STANDARDS COMMITTEE

The Standards Committee will have the following roles and functions:

Classification: NULBC **UNCLASSIFIED**

Classification: NULBC **UNCLASSIFIED**

- (1) Promoting and maintaining high standards of conduct by Members
- (2) Monitoring the operation of the Members' Code of Conduct;
- (3) Advising the Council on the adoption or revision of the Members' Code of Conduct
- (4) To oversee the effectiveness of the Council's procedures for investigating and responding to complaints of breaches of the Members' Code of Conduct
- (5) To interview and make recommendations to Council on the appointment of Independent Person(s) in accordance with the requirements of the Localism Act 2011
- (6) To deal with complaints of alleged breaches of the Code of Conduct which the Monitoring Officer, in consultation with the Independent Person(s), considers warrant detailed consideration and to make final recommendations thereon
- (7) To advise, train or arrange to train Members and Independent Person(s) on matters relating to the Members' Code of Conduct;
- (8) To consider requests from Members to grant dispensations from being precluded from participation in a meeting
- (9) To oversee, review and make any recommendations on the effectiveness and operation of the Constitution and any of the provisions of it
- (10) An overview of complaints handling and Local Government Ombudsman investigations.

CONSERVATION ADVISORY WORKING PARTY

- (1) To provide a view to the Authority on proposals which may affect the historic environment and in particular on applications for planning permission, listed building consent, conservation area consent and advertisement consent which would, in the Authority's opinion, affect either the character and appearance of a Heritage Asset or its setting, whether designated or not (meaning a part of the historic environment that is seen to have significance because of its historic, archaeological, architectural or artistic interest as defined in Planning Policy Statement 5).
- (2) To provide a view to the Authority on conservation policy, the preparation of schemes of enhancement and the production of design guides for Conservation Areas.
- (3) To provide a view to the Authority on applications for historic buildings grants.

EMPLOYEES' CONSULTATIVE COMMITTEE

To act as a consultative body on matters affecting the working practices etc. of all employees of the Council.

CHIEF OFFICER APPOINTMENTS, DISMISSAL, REVIEW AND

Classification: NULBC **UNCLASSIFIED**

APPEALS COMMITTEE

In accordance with the statutory rules and in particular Annex 2 of the Council's Rules of Procedure (Appendix 6), to oversee the process of the appointment of the Chief Executive, Executive Directors and Proper Officers, the review of their terms and conditions of employment, dismissal and appeals which are not dealt with by officers.

JOINT PARKING COMMITTEE

- (1) Making recommendations to the district council in respect of policy for off-street parking management.
- (2) Setting deployment strategies for all on-street enforcement activity
- (3) Using available guidance policies and local knowledge, designating the areas for consideration for residents' parking schemes and the priority order for their implementation and dealing with the initial process to enable proposals to be made
- (4) Considering initial representations against the making of residents' parking schemes
- (5) Setting on-street charges (if applicable) and designating controlled parking zones in accordance with the agreed policy
- (6) Making recommendations to the Parking Board to amend policies
- (7) Identifying and nominating to the County Council the introduction of new, revised or amended Traffic Regulation Orders (TRO) that seek to address local congestion issues. These will be pursued by the County Council in accordance with its own formal TRO procedures and in accordance with best practice, taking account of the consultation process and other legal constraints
- (8) Responding as consultee to any proposed parking related TRO or any amendment to any existing TRO, receiving formal notification of the progress in implementing any proposed TRO or in making any amendment to any existing TRO, and receiving formal justification in the event that any existing TRO is proposed to be terminated
- (9) Monitoring and reporting to the Parking Board decriminalised parking enforcement (DPE) performance against agreed local performance indicators
- (10) Identifying schemes and generating programmes of work for the lawful use of surplus income from the DPE appropriation account to be used in the district of origin as permitted by Section 55 of the Road Traffic Regulation Act 1984 and reporting the details of such to the Parking Board.

LICENSING COMMITTEE

To deal with all matters under the Licensing Act 2003 and the Gambling Act 2005 delegated from Full Council including:

- (1) With the exception of the Council's Licensing Policy Statements under the Licensing Act 2003 and the Gambling Act 2005 (upon which it will advise), the Licensing Committee shall from time to time determine its policy relating to

Classification: NULBC **UNCLASSIFIED**

licensing matters after it has consulted with such parties as the law may require and/or whom it considers to be appropriate and it shall cause that policy to be published

- (2) The Licensing Committee may, from time to time, establish conditions to the extent permitted by the law governing the administration of licensing matters, the conduct and behaviour of licence holders and for technical requirements and specifications, licensed premises and vehicles
- (3) The Committee shall have delegated powers to consider and determine all applications for licences and permissions issued by or on behalf of the Council, including attaching conditions thereto, to consider and determine all applications for review, continuation, transfer, variation, renewal, suspension, closure orders, forfeiture or revocation of all licences and permissions issued by or on behalf of the Council, including attaching conditions thereto and to consider appeals against terminations of tenancy at will
- (4) The Committee shall, from time to time, receive reports on the cultural, economic and tourism impact of its work and it shall, from time to time, as required by law or as it considers appropriate, make reports of its activity to Cabinet, overview and scrutiny committees and the Planning Committee
- (5) The Committee may from time to time and to the extent permitted by law, delegate any of its functions in paragraph 4 above to a body comprising not less than three elected Members drawn from members of the Committee, to be known as a licensing panel, a quorum for such panel being three Members. The Committee may establish more than one panel and membership of the panel(s) may be rotated as necessary amongst members of the Committee
- (6) The Committee may from time to time and to the extent permitted by law, delegate any of its functions in paragraph 4 above to be discharged by an Executive Director. The Executive Director may delegate such powers, duties, responsibilities and functions as he considers appropriate, and to the extent permitted by law, to officers of the Council.

STAFFING COMMITTEE

To be responsible for the Council's functions as an employer including the Local Government Pension Scheme which are not delegated to officers or referred to Full Council or constrained by the law. For the avoidance of doubt the following functions are included:

- (1) The adoption and amendment of all employment policies including the following as they relate to staffing matters:
 - Adoption leave policy
 - Agency staff procedure
 - Alcohol, drugs, substance misuse policy
 - Attendance management policy
 - Bullying and harassment policy
 - Capability procedure
 - Officers' Code of Conduct
 - Compensatory leave policy
 - Computer, telephone and clear desk policy
 - Equal opportunities and diversity in employment

Disciplinary procedure
Discretionary powers
Driving at work
Early retirement
Email
Employee recognition policy
Employees' handbook
Flexible retirement
Flexible working hours
Grievance procedure
Health and safety
Home working
Information policies – internet, email
Job evaluation
Job sharing
Local Government Pension Scheme
Maternity and paternity
National agreement on pay and conditions of service
Smoking
Recruitment
Redundancy
Restructuring
Remote working
Staff communications and consultation
Stress at work
Time off for trade union duties
Working time.

- (2) To make arrangements for members of the Committee to determine appeals of employees in accordance with the appropriate policies.

Updated November 2014