

COMMITTEE	COUNCIL MEETING
MEMBERSHIP	All 31 Members of the Council
LEAD OFFICER	Head of Paid Service
OFFICERS/UNITS PRIMARILY REPORTING	Corporate Directors

TERMS OF REFERENCE

The Council Meeting will deal with the following matters:

1. Adopt any fundamental changes to the Council’s Constitution after consideration by the Performance, Governance and Audit Committee.
2. Make appointments to -
 - all committees and approve the delegation / allocation of functions to them; and
 - outside bodies and joint committees.
3. Determine the Budget Strategy in terms of the total revenue and capital budgets each year for the General Fund.
4. Determine the amount of Council Tax to be levied.
5. Adopt a Code of Conduct for Members and employees.
6. Approve or adopt the following applications, plans, schemes and strategies:
 - Corporate Plan
 - Capital Strategy
 - Risk Management Strategy
 - Medium-Term Financial Strategy
 - Local Plan
 - Car Parking Strategy
 - Waste Management and Recycling Strategy
 - Community Safety Partnership Plan
 - Sport and Leisure Facilities Strategy
 - Treasury Management Strategy, including borrowing controls
 - Asset Management Plan
 - Communications Strategy

and any other plans, policies or strategies which have a significant corporate impact on the Council or which have a significant impact on the Council’s resources.

7. Adopt an allowances scheme under Part VI of the Constitution having regard to the recommendations of the Independent Remuneration Panel;
8. Confirm the appointment of the Head of the Paid Service;
9. Appoint a Returning Officer, Electoral Registration Officer, and designate other Proper and Responsible Officers as required by statute.

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10. Consider recommendations from the Investigating and Disciplinary Panel (Section 27a of the Localism Act) and agree action to be taken in relation to dismissal of the statutory officers.
11. Debate issues that are the subject of petitions signed by a specified number of people (as set out in the Petitions Scheme in the appendix to the Constitution);
12. The determination of neighbourhood area applications in the following circumstances:
 - where appropriate representations have been received;
 - where the area to be designated includes land within another civil parish not represented by the applicant;
 - where an application is made by an organisation or body not recognised by Section 61G of the Town and Country Planning Act 1990; or
 - where there are two competing neighbourhood area applications for the same location
13. Consider all other matters which, by law, must be reserved to Council or otherwise as provided for in the Council's Constitution.

COMMITTEE	STRATEGY AND RESOURCES
MEMBERSHIP	16 Members of the Council appointed annually and politically balanced
LEAD OFFICER	Director of Strategy, Performance and Governance/Director of Resources
OFFICERS/UNITS PRIMARILY REPORTING	All Directors

TERMS OF REFERENCE

The Strategy and Resources Committee will exercise the Council’s powers in relation to the following, subject to its recommending policy for those areas that fall outside the policy or budget framework, which will be submitted to the Council for approval or adoption.

(a) Review and recommend to the Council on its budget framework including:

- Medium Term Financial Strategy
- Capital Strategy
- Capital and Revenue Budgets
- Treasury Management Strategy
- Fees and Charges levied by the Council
- Funding initiatives

provided that the Committee may change individual fees and charges where the Council needs to respond to market changes or changes to the cost base.

- (b) Regulation and control of the Council’s finances, including investments and borrowing, in accordance with its treasury management strategy.
- (c) Ensure compliance with the Council’s budget including its revenue and capital budgets
- (d) Review the Council’s overall policy framework, and recommend on those plans, policies and strategies (except relating to Public Licensing and Risk Management) which are reserved to the Council for approval and adoption.
- (e) Approval or adoption any other plans, policies and strategies which do not have a significant corporate impact on the Council or on its resources.
- (f) Strategic control and management of the Council’s assets, including decisions on leases with an annual value in excess of £25,000 or tenure in excess of 14 years.
- (g) Approval of business cases for new corporate and commercial projects, and allocation of resources where required.

- (h) Consideration and recommend to the Council on -
 - Strategic and Corporate Objectives
 - Adoption of a new function or sphere of activity
 - Cessation of a new function or sphere of activity
 - Contracting out of an existing activity or reinstatement in-house of a previously contracted out activity (including service tender proposals under the Community Right to Challenge)
- (i) Preparation, planning and oversight of civil emergencies.
- (j) Consideration of strategic transport and flood management matters.
- (k) Review and appraisal of designated Conservation Areas, the approval of Conservation Area Management Plans, and the identification and designation of new Conservation Areas.
- (l) Approval of the Local Planning Authority's response to the Neighbourhood Planning Consultations under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012.
- (m) Decisions in exercise of any function, duty or power of the council which is not delegated to another Committee, Sub-Committee or an officer, or reserved for decision by full Council under this Constitution or by law.
- (n) Receive reports on Human Resources statistics.

OPERATING PROTOCOL

1. The Committee will meet in accordance with arrangements determined by the Council.
2. Other Members, the Head of Paid Service, Monitoring Officer, S151 Officer and Directors will also have the right to attend.
3. In all other respects and as appropriate, the Council and Committee Procedure Rules will apply.

COMMITTEE	PERFORMANCE, GOVERNANCE AND AUDIT
MEMBERSHIP	15 Members of the Council appointed annually and politically balanced
LEAD OFFICER	Director of Strategy, Performance and Governance
OFFICERS/UNITS PRIMARILY REPORTING	All Directors

TERMS OF REFERENCE

The Performance, Governance and Audit Committee is primarily responsible for the monitoring of the performance of the Council, oversee the Council’s audit and risk functions, and keep under review the Council’s Corporate Governance arrangements. In particular, it will:

Performance and service delivery

- a) Monitor and scrutinise the performance of the Council in the execution of its functions and delivery of services against business and improvement plans.
- b) Make decisions within the Council’s budget and overall policy framework on the delivery and performance of services, save for where provision is made in the terms of reference of another Committee or in the Scheme of Delegation, with particular attention to the Corporate Priorities.

Governance

- c) Ensure the effective development and operation of corporate governance within the Council, including compliance with best practice.
- d) Review the operation of the Council’s Constitution and recommend to the Council on any changes identified.
- e) Reviewing and recommending to the Council on Financial Regulations, Financial Procedures and Contract Procedure Rules
- f) Consult the Joint Standards Committee in connection with the review of any codes or protocols relating to the ethical framework.
- g) Review issues raised by the Council’s statutory officers and Directors.
- h) Undertake and implement the outcome of Community Governance Reviews.

Audit and risk

- i) Review the internal audit arrangements within the Authority, enhance the profile, status and authority of the Internal Audit function, and demonstrate its independence.

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- j) Approve (but not direct) the Internal Audit Plan and Strategy, and monitor progress against plans and delivery of the Internal Audit service, ensuring that co-ordination of effort between internal and external audit is maximised.
- k) Receive the annual report and opinion of the Officer responsible for Internal Audit and consider the level of assurance given in respect of the Council's corporate governance arrangements.
- l) Receive and consider summary Internal Audit reviews and reports, including reports of agreed recommendations not implemented within reasonable timescales, and seek assurance that action has been taken where necessary.
- m) Monitor the effective development and operation of risk management and corporate governance in the Council, and seek assurance that action is being taken on issues identified by auditors and inspectors.
- n) Ensure that the Council achieves value for money and that satisfactory arrangements are in place to promote economy, efficiency and effectiveness.
- o) Ensure there are effective relationships between Members, Internal and External Auditors, inspection agencies and other relevant bodies, and that the value of the audit process is actively promoted.
- p) Approve appointment of the external auditor and the external audit plan.
- q) Receive and consider the reports of external audit and inspection agencies.
- r) Review the external auditor's opinion and reports, and monitor management action in response to the issues raised by external audit.
- s) Receive and consider reports on the effectiveness of the monitoring and management of arrangements with external suppliers.
- t) Consider the effectiveness of the Authority's counter fraud and corruption arrangements (including 'Whistleblowing' and RIPA) and promote an anti-fraud culture relating to all the activities of the Council.
- u) Approve the Annual Governance Statement on behalf of the Council, ensuring it properly reflects the risk, control and governance environment and any actions required to improve it.
- v) Approve the Statement of Accounts.
- w) Oversee corporate health and safety issues in relation to the Council's activities.
- x) Approve the Risk Management Policy and receive regular reports on risk management and the quarterly corporate risk register.

OPERATING PROTOCOL

1. The Committee has a key role to provide independent assurance to the Council on the adequacy of the risk management framework and the associated internal control

environment and the extent to which the Council is complying with good corporate governance principles. The Committee independently scrutinises the Authority's financial and non-financial performance to the extent that it affects the Authority's exposure to risk and weakens the control environment, and will oversee the financial reporting process and scrutinise the internal and external audit arrangements and review the overall performance.

2. The Committee will meet at least four times a year and in accordance with arrangements determined by the Council. It will meet separately with the External Auditor as necessary.
3. Meetings will normally be attended by the Director of Resources (S151 Officer) and representative(s) from the Council's Internal Audit provider and External Auditors when dealing with audit and risk management matters. Other Members, the Head of Paid Service, Monitoring Officer and Directors will also have the right to attend.
4. The Committee may require any officer to attend its meetings to provide pertinent information and advice in relation to any internal or external audit report.
5. In all other respects and as appropriate, the Council and Committee Procedure Rules will apply.

COMMITTEE	OVERVIEW AND SCRUTINY
MEMBERSHIP	8 Members of the Council appointed annually, politically balanced, excluding Chairman of Council, Leader and Deputy Leader and Chairmen of Strategy and Resources and Performance, Governance and Audit Committees
LEAD OFFICER	Director of Resources
OFFICERS/UNITS PRIMARILY REPORTING	All Directors

The Committee will also act as the Council’s Crime and Disorder Committee.

TERMS OF REFERENCE

- (a) Prepare and agree a work programme annually, taking account of items put forward by Members and the Corporate Leadership Team, ensuring that those items that relate to the Council’s functions fall, primarily, within the Council’s Priorities.
- (b) Co-ordinate and monitor the Committee’s work programme
- (c) Recommend to the Council the detailed arrangements for the discharge of the overview and scrutiny function.
- (d) Prepare and present an Annual Report to Council.
- (e) Review experience, identify good practice and develop learning in relation to the overview and scrutiny role.
- (f) Have a strong and effective role in corporate policy development and review, including proposing policy options to the Strategy and Resources Committee, Corporate Directors, or exceptionally to the Council Meeting.
- (g) Receive reports and other evidence from public bodies, organisations and individuals which the Committee or a working group considers relevant to its work.
- (h) Take a lead on specific improvement objectives assigned to it by the Council.
- (i) Review or scrutinise decisions made or other action taken in connection with the discharge of any functions of the Council and to present reports and/or recommendations either with respect to the discharge of any functions of the Council or on matters which affect the Council’s area or the inhabitants of the area as follows:
 - to the Council or,
 - to any committee or sub-committee of the Council or
 - to any joint committee on which the Council is represented or any sub-committee of such a committee.

- (j) When acting as the Crime and Disorder Committee, the undertaking of the Council's crime and disorder functions as follows by way of the review or scrutiny of decisions made, or other action taken, by the responsible authorities (within the meaning of section 5 of the Crime and Disorder Act 1998) in connection with crime and disorder functions.
- (k) Consideration of petitions in accordance with the Council's Petition Scheme, in particular requests for review of action taken or responses to petitions, and report on the outcome to either the Council or the appropriate Committee.

OPERATING PROTOCOL

1. The Committee will meet in accordance with arrangements determined by the Council.
2. To conduct as much of its proceeding as possible in public
3. In all other respects and as appropriate, the Council and Committee Procedure Rules will apply.
4. To appoint the chair and members of working groups to undertake tasks within the work programme, where appropriate; to establish the terms of reference for working groups, together with reporting arrangements; and co-ordinate and monitor the work of those working groups.

COMMITTEE	LICENSING
MEMBERSHIP	10 Members of the Council appointed annually, and politically balanced
LEAD OFFICER	Director of Service Delivery
OFFICERS/UNITS PRIMARILY REPORTING	Licensing Officers, Legal Specialists
SUB-COMMITTEE	Licensing Sub-Committee

TERMS OF REFERENCE

1. The Committee will recommend to the Council on the approval and adoption of polices under the Licensing Act 2003 and the Gambling Act 2004, and the making of any regulations for the performance of licensing functions.
2. The Committee will also recommend to the Council on fees for all the Council’s licensing functions (including fees for Hackney Carriage and Private Hire Licences and the determination of objections to them).
3. The Committee will (save as set out above) exercise all the Council’s licensing and registration functions including relating to:
 - (a) licensing under the Licensing Act 2003
 - (b) gambling or gaming under the Gaming Act 1968 and the Gambling Act 2005
 - (c) the control of sex establishments pursuant to Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by Section 27 of the Policing and Crime Act 2009
 - (d) licensing under the Scrap Metal Dealers Act 2013
 - (e) hackney carriage drivers and vehicles, private hire drivers,
 - (f) vehicle and operators
 - (g) street and house to house collections
 - (h) registration of society lotteries
 - (i) temporary road closures under the Town Police Clauses Act 1847
 - (j) decisions upon applications under Schedule 1 part B of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 and other licensing and regulatory matters not falling within the remit of any other Committee Licensing Sub Committee or under the Scheme of Delegation to Officers.

save for those matters falling within the remit of the Licensing Sub-Committee or otherwise provided for in the Scheme of Delegation to Officers.

4. The Committee will consider the making of byelaws and regulations for land and premises under the Council’s control, including the River Blackwater, for recommendation to the Council.

OPERATING PROTOCOL

1. The Committee will meet in accordance with arrangements determined by the Council.

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2. All members of the Committee shall have received appropriate and regular training on licensing matters.
3. In all other respects and as appropriate, the Council and Committee Procedure Rules will apply.

COMMITTEE	LICENSING SUB-COMMITTEE
MEMBERSHIP	3 Members of the Licensing Committee (see Operating Protocol 2 below)
LEAD OFFICER	Licensing Officer(s)/Lead Legal Specialist
COMMITTEE REPORTING	Licensing Committee

TERMS OF REFERENCE

Licensing Act 2003

1. To determine applications for Premises Licences and Club Premises Certificates where representations are made by an Interested Party or a Responsible Authority.
2. To determine applications to vary Premises Licences and Club Premises Certificates where representations are made by an Interested Party or a Responsible Authority.
3. To determine applications to transfer Premises Licences where the Chief Officer of Police gives notice that granting an application would undermine the crime prevention objective.
4. To determine applications for reviews of Premises Licences and Club Premises Certificates.
5. To determine reviews of Premises Licences where a Closure Order has come into force and where notice has been received of a Magistrates' Court Determination.
6. To determine applications for Provisional Statements where representations are made by an Interested Party or a Responsible Authority.
7. To determine applications to vary a Designated Premises Supervisor where the Chief Officer of Police gives notice that granting an application would undermine the crime prevention objective.
8. To determine Interim Authority Notices where the Chief Officer of Police gives notice that failure to cancel any notice will undermine the crime prevention objective.
9. To consider Objection Notices given by the Chief Officer of Police in respect of Temporary Event Notices and determine if a Counter Notice is to be issued to the applicant.
10. To determine applications for Personal Licences where the Chief Officer of Police gives an Objection Notice that granting an application would undermine the crime prevention objective.
11. To determine applications for renewals of Personal Licences where the Chief Officer of Police gives an Objection Notice that granting an application would undermine the crime prevention objective.
12. To determine Objection Notices given by the Chief Officer of Police where a Personal Licence holder has been convicted during the application period of a Relevant or Foreign Offence after the grant or renewal of a Personal Licence.
13. The determination of requests for film exhibitions at a classification that differs from that granted by the British Board of Film Classification (including the viewing of such films).

Gambling Act 2005

14. Determination of applications for the following matters where objections have been received and not withdrawn:
 - (a) premises licences;
 - (b) variation to licences;
 - (c) transfers of licences;
 - (d) provisional statements;
 - (e) club gaming / club machine permits.

15. Determination of applications or decisions on the following matters:
 - (f) review of premises licences;
 - (g) cancellation of club gaming / club machine permits;
 - (h) giving a counter notice to a temporary use notice.

Other Licensing Functions

16. The determination of applications for sex establishments where an objection has been received to the grant, renewal or transfer of the licence.

17. The determination of applications for Hackney Carriage and Private Hire Drivers' Licences where the applicant has unspent convictions or endorsements exceeding six points accrued on his/her Driving Licence or where the applicant is aggrieved at a decision to refuse the grant of a Drivers Licence on medical grounds.

18. The determination of applications for Charitable Collections (Street and House to House Collections), the Registration of Society Lotteries and Temporary Road Closures (for special events) where an objection has been received to the grant of a licence, permit or registration.

19. To determine licence applications under the Scrap Metal Dealer Act 2013 where the Officers acting under delegated powers are minded to refuse the application and representations have been received.

20. To revoke or vary licence applications under the Scrap Metal Dealer Act 2013 where representations have been received.

OPERATING PROTOCOL

1. The Sub-Committee will meet in accordance with arrangements determined by the Council.

2. The Sub-Committee will be constituted on an ad hoc basis to deal with matters which require a hearing under the relevant legislation. The membership of each Licensing Sub-Committee meeting comprises three Members drawn from the membership of the Licensing Committee. Four Members will actually be called, one operating as a

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reserve in the case of unavailability or an appointee having to stand down due to a conflict of interest (including being a Ward Member for the subject premises).

3. All members of the Committee shall have received appropriate and regular training on licensing matters.
4. In all other respects and as appropriate, the Council and Committee Procedure Rules will apply.