

**PART 3**

**RESPONSIBILITY FOR FUNCTIONS**

## **PART 3 RESPONSIBILITY FOR FUNCTIONS**

### **3.1 INTRODUCTION**

This part of the Constitution sets out which parts of the Council are responsible for carrying out particular functions.

Functions fall into three categories:

- i) Council functions (sometimes referred to as non-executive functions). These functions may be exercised by the Council itself or by a Committee, Sub-Committee or officer. Where a matter is delegated to a Committee or Sub-Committee, it will be set out in the Terms of Reference for that Committee/Sub-Committee.
- ii) Executive functions. The Mayor may decide to arrange for these functions to be delegated to the Executive (Mayor and Cabinet), a Committee of the Executive, a single Executive (Lead) Member or an officer.
- iii) Local choice functions. These are functions which the Council can choose to discharge either through a Committee/Sub-Committee or the Executive. They may also be delegated to officers.

## **PART 3 RESPONSIBILITY FOR FUNCTIONS**

### **3.2 NON-EXECUTIVE FUNCTIONS, WHICH ARE THE RESPONSIBILITY OF THE FULL COUNCIL AND THEIR DELEGATIONS**

These are local authority functions which cannot be the responsibility of the Executive. The following tables specify the delegation of Council functions to Committees, Sub-Committees and officers. The numbering in the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 is used to ease reference. Where the table indicates that the function is exercisable by both a Committee or Sub-Committee and a Chief Officer, the Chief Officer may only exercise the function to the extent that is not covered within the Terms of Reference of the Committee or Sub-Committee.

## PART 3 RESPONSIBILITY FOR FUNCTIONS

### 3.2 FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE FULL COUNCIL AND THEIR DELEGATIONS

#### **A. Functions relating to town and country planning and development control**

<b><u>Function</u></b>	<b><u>Provision of Act or Statutory Instrument</u></b>	<b><u>Function exercised by</u></b>
1-4	Removed by the Local Authorities (Functions and Responsibilities) (Amendment) (No. 2) (England) Regulations 2005 No. 929.	
5.	Power to determine application for planning permission.	Sections 70(1)(a) and (b) and 72 of the Town and Country Planning Act 1990 (c.8).
		Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Development.
6.	Power to determine applications to develop land without compliance with conditions previously attached.	Section 73 of the Town and Country Planning Act 1990.
		Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Development.
7.	Power to grant planning permission for development already carried out.	Section 73A of the Town and Country Planning Act 1990.
		Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Development.

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#### **A. Functions relating to town and country planning and development control**

<b><u>Function</u></b>	<b><u>Provision of Act or Statutory Instrument</u></b>	<b><u>Function exercised by</u></b>
8. Power to decline to determine application for planning permission.	Section 70A of the Town and Country Planning Act 1990.	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Development.
9. Duties relating to the making of determinations of planning applications.	Sections 69, 76A and 92 of the Town and Country Planning Act 1990 and Articles 8, 10 to 13, 15 to 22 and 25 and 26 of the Town and Country Planning (General Development Procedure) Order 1995 (S.I. 1995/419) and directions made thereunder.	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Development.
10. Power to determine application for planning permission made by a local authority, alone or jointly with another person.	Section 316 of the Town and Country Planning Act 1990 and the Town and Country Planning General Regulations 1992 (S.I. 1992/1492).	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Development.
11. Power to make determinations, give approvals and agree certain other matters relating to the exercise of permitted development rights.	Parts 6, 7, 11, 17, 19, 20, 21 to 24, 26, 30 and 31 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 (S.I. 1995/418).	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Development.
12. Power to enter into agreement regulating development or use of land.	Section 106 of the Town and Country Planning Act 1990.	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Development.

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#### **A. Functions relating to town and country planning and development control**

<b><u>Function</u></b>	<b><u>Provision of Act or Statutory Instrument</u></b>	<b><u>Function exercised by</u></b>
13. Power to issue a certificate of existing or proposed lawful use or development.	Sections 191(4) and 192(2) of the Town and Country Planning Act 1990.	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Development.
14. Power to serve a completion notice.	Section 94(2) of the Town and Country Planning Act 1990.	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Development.
15. Power to grant consent for the display of advertisements.	Section 220 of the Town and Country Planning Act 1990 and the Town and Country Planning (Control of Advertisements) Regulations 1992 (S.I. 1992/666).	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Development.
16. Power to authorise entry onto land.	Section 196A of the Town and Country Planning Act 1990.	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Development.
17. Power to require the discontinuance of a use of land.	Section 102 of the Town and Country Planning Act 1990.	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Development.

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#### A. Functions relating to town and country planning and development control

<u>Function</u>	<u>Provision of Act or Statutory Instrument</u>	<u>Function exercised by</u>
18. Power to serve a planning contravention notice, breach of condition notice or stop notice.	Sections 171C, 187A and 183(1) of the Town and Country Planning Act 1990.	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Development.
18A. Power to issue a temporary stop notice.	Required by Section 171E of the Town and Country Planning Act 1990.	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Development.
19. Power to issue an enforcement notice.	Section 172 of the Town and Country Planning Act 1990.	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Development.
20. Power to apply for an injunction restraining a breach of planning control.	Section 187B of the Town and Country Planning Act 1990.	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Development.
21. Power to determine applications for hazardous substances consent, and related powers.	Sections 9(1) and 10 of the Planning (Hazardous Substances) Act 1990 (c. 10).	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Development.

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**A. Functions relating to town and country planning and development control**

<u>Function</u>	<u>Provision of Act or Statutory Instrument</u>	<u>Function exercised by</u>
22. Duty to determine conditions to which old mining permissions, relevant planning permissions relating to dormant sites or active Phase I or II sites, or mineral permissions relating to mining sites, as the case may be, are to be subject.	Paragraph 2(6)(a) of Schedule 2 to the Planning and Compensation Act 1991 (c.34), paragraph 9(6) of Schedule 13 to the Environment Act 1995 (c.25) and paragraph 6(5) of Schedule 14 to that Act.	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Development.
23. Power to require proper maintenance of land.	Section 215(1) of the Town and Country Planning Act 1990.	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Development.
24. Power to determine application for listed building consent, and related powers.	Sections 16(1) and (2), 17 and 33(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9).	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Development.



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#### **A. Functions relating to town and country planning and development control**

<b><u>Function</u></b>	<b><u>Provision of Act or Statutory Instrument</u></b>	<b><u>Function exercised by</u></b>
25. Power to determine applications for conservation area consent.	Section 16(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9), as applied by section 74(3) of that Act.	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Development.
26. Duties relating to applications for listed building consent and conservation area consent.	Sections 13(1) and 14(1) and (4) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9) and regulations 3 to 6 and 13 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 (S.I. 1990/1519) and paragraphs 8, 15 and 26 of Department for Communities & Local Government Circular 01/01.	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Development.
27. Power to serve a building preservation notice, and related powers.	Sections 3(1) and 4(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9).	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Development.
28. Power to issue enforcement notice in relation to demolition of listed building in conservation area.	Section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9).	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Development.

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<b><u>Function</u></b>	<b><u>Provision of Act or Statutory Instrument</u></b>	<b><u>Function exercised by</u></b>
29. Powers to acquire a listed building in need of repair and to serve a repairs notice.	Sections 47 and 48 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9).	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Development.
30. Power to apply for an injunction in relation to a listed building.	Section 44A of the Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9).	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Development.
31. Power to execute urgent works.	Section 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9).	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Development.

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**B. Licensing and registration functions (in so far as not covered by any other paragraph in this part)**

<u>Function</u>	<u>Provision of Act or Statutory Instrument</u>	<u>Function exercised by</u>
1. Power to issue licences authorising the use of land as a caravan site ("site licences").	Section 3(3) of the Caravan Sites and Control of Development Act 1960 (c. 62).	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
2. Power to license the use of moveable dwellings and camping sites.	Section 269(1) of the Public Health Act 1936 (c.49).	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
3. Power to license hackney carriages and private hire vehicles.	(a) as to hackney carriages, the Town Police Clauses Act 1847;  (b) as to private hire vehicles, the Local Government (Miscellaneous Provisions) Act 1976.	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.

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<b><u>Function</u></b>	<b><u>Provision of Act or Statutory Instrument</u></b>	<b><u>Function exercised by</u></b>
4. Power to license drivers of hackney carriages and private hire vehicles.	Sections 51, 53, 54, 59, 61 and 79 of the Local Government (Miscellaneous Provisions) Act 1976.	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
5. Power to license operators of hackney carriages and private hire vehicles.	Sections 55 to 58, 62 and 79 of the Local Government (Miscellaneous Provisions) Act 1976.	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
6. Power to register pool promoters.	Gambling Act 2005.	Reserved to the Gambling Commission.
7. Power to grant track betting licences.	Gambling Act 2005.	Reserved to the Gambling Commission.

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<u>Function</u>	<u>Provision of Act or Statutory Instrument</u>	<u>Function exercised by</u>
8. Power to license inter-track betting schemes	Gambling Act 2005.	Reserved to the Gambling Commission.
9. Power to grant permits in respect of premises with amusement machines.	Gambling Act 2005.	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
10. Power to register societies wishing to promote lotteries.	Gambling Act 2005.	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
11. Power to grant permits in respect of premises where amusements with prizes are provided.	Gambling Act 2005.	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.

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<u>Function</u>	<u>Provision of Act or Statutory Instrument</u>	<u>Function exercised by</u>
12. Power to issue cinema and cinema club licences.	Part 3, Licensing Act 2003.	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
13. Power to issue theatre licences.	Part 3, Licensing Act 2003.	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
14. Power to issue entertainments licences.	Section 12 of the Children and Young Persons Act 1933 (c. 12), section 52 of, and Schedule 12 to, the London Government Act 1963 (c. 33), section 79 of the Licensing Act 1964 (c. 26), sections 1 to 5 and 7 of, and Parts I and II of the Schedule to, the Private Places of Entertainment (Licensing) Act 1967 (c. 19) and Part I of, and Schedules 1 and 2 to, the Local Government (Miscellaneous Provisions) Act 1982 (c. 30).	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.

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<b><u>Function</u></b>	<b><u>Provision of Act or Statutory Instrument</u></b>	<b><u>Function exercised by</u></b>
14A. Any function of a Licensing Authority (except the approval of the Statement of the Licensing Policy and establishment of a Licensing Committee in respect of which there is not delegation).	Required by Licensing Act 2003 (c.17) and any regulations or orders made under that Act.	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment (except the recommendation of the Statement of Licensing Policy).
14AZA. Powers and functions relating to late night levy requirements.	Chapter 2 of Part 2 of the Police Reform and Social Responsibility Act 2011 (c.13) and any regulations made under that Chapter.	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
14AA. Duty to comply with requirement to provide information to Gambling Commission.	Section 29 of the Gambling Act 2005.	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
14AB. Functions relating to exchange of information.	Section 30 of the Gambling Act 2005.	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
14AC. Functions relating to occasional use notices.	Section 39 of the Gambling Act 2005.	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.

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<u>Function</u>	<u>Provision of Act or Statutory Instrument</u>	<u>Function exercised by</u>
14B. Power to resolve not to issue a casino premises licence.	Section 166 of the Gambling Act 2005.	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
14C. Power to designate officer of a licensing authority as an authorised person for a purpose relating to premises.	Section 304 of the Gambling Act 2005.	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
14CA. Power to make order disapplying section 279 or 282(1) of the 2005 Act in relation to specified premises.	Section 284 of the Gambling Act 2005.	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
14D. Power to institute criminal proceedings.	Section 346 of the Gambling Act 2005.	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
14E. Power to exchange information.	Section 350 of the Gambling Act 2005.	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.



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<u>Function</u>	<u>Provision of Act or Statutory Instrument</u>	<u>Function exercised by</u>
14F. Functions relating to the determination of fees for premises licences.	The Gambling (Premises Licence Fees) (England and Wales) Regulations 2007 (S.I. 2007/479)	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
14G. Functions relating to the registration and regulation of small society lotteries.	Part 5 of Schedule 11 to the Gambling Act 2005.	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
15. Power to license sex shops and sex cinemas.	The Local Government (Miscellaneous Provisions) Act 1982, section 2 and Schedule 3.	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
16. Power to license performances of hypnotism.	The Hypnotism Act 1952 (c. 46).	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
17. Power to license premises for acupuncture, tattooing, ear-piercing and electrolysis.	Sections 13 to 17 of the Local Government (Miscellaneous Provisions) Act 1982.	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.

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<u>Function</u>	<u>Provision of Act or Statutory Instrument</u>	<u>Function exercised by</u>
18. Power to license pleasure boats and pleasure vessels.	Part 3, Licensing Act 2003.	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
19. Power to register door staff. (London Boroughs only)	Paragraphs 1(2) and 9 of Schedule 12 to the London Government Act 1963 (c. 33) and Part V of the London Local Authorities Act 1995 (c. x).	
20. Power to license market and street trading.	Part III of, and Schedule 4 to, the Local Government (Miscellaneous Provisions) Act 1982, Part III of the London Local Authorities Act 1990 (c. vii) and section 6 of the London Local Authorities Act 1994 (c. xii).	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
21. Power to license night cafes and take-away food shops.	Licensing Act 2003.	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.

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<u>Function</u>	<u>Provision of Act or Statutory Instrument</u>	<u>Function exercised by</u>
22. Duty to keep list of persons entitled to sell non-medicinal poisons.	Sections 3(1)(b)(ii), 5, 6 and 11 of the Poisons Act 1972 (c. 66).	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
23. Removed by the Regulatory Reform (Game) Order 2007 No. 2007.		
24. Power of register and license premises for the preparation of food.	Section 19 of the Food Safety Act 1990 (c. 16).	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
25. Power to license scrap yards.	Sections 1 – 10 of the Scrap Metal Dealers Act 2013 (c.10).	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
26. Power to issue, amend or replace safety certificates (whether general or special) for sports grounds.	The Safety of Sports Grounds Act 1975 (c. 52).	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.

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<u>Function</u>	<u>Provision of Act or Statutory Instrument</u>	<u>Function exercised by</u>
27. Power to issue, cancel, amend or replace safety certificates for regulated stands at sports grounds.	Part III of the Fire Safety and Safety of Places of Sport Act 1987 (c.27).	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
28. Power to issue fire certificates.	Section 5 of the Fire Precautions Act 1971 (c. 40).	Reserved to the Fire Authority.
29. Power to license premises for the breeding of dogs.	Section 1 of the Breeding of Dogs Act 1973 (c. 60) and section 1 of the Breeding and Sale of Dogs (Welfare) Act 1999 (c. 11).	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
30. Power to license pet shops and other establishments where animals are bred or kept for the purposes of carrying on a business.	Section 1 of the Pet Animals Act 1951 (c. 35); section 1 of the Animal Boarding Establishments Act 1963(c. 43); the Riding Establishments Acts 1964 and 1970 (1964 c. 70 and 1970 c. 70); section 1 of the Breeding of Dogs Act 1973 (c. 60), and sections 1 and 8 of the Breeding and Sale of Dogs (Welfare) Act 1999.	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.

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#### **B. Licensing and registration functions (in so far as not covered by any other paragraph in this part)**

<b><u>Function</u></b>	<b><u>Provision of Act or Statutory Instrument</u></b>	<b><u>Function exercised by</u></b>
31. Power to register animal trainers and exhibitors.	Section 1 of the Performing Animals (Regulation) Act 1925 (c. 38).	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
32. Power to license zoos.	Section 1 of the Zoo Licensing Act 1981 (c. 37).	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
33. Power to license dangerous wild animals.	Section 1 of the Dangerous Wild Animals Act 1976 (c. 38).	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
34. Power to license knackers' yards.	Section 4 of the Slaughterhouses Act 1974. See also the Animal By-Products Order 1999 (S.I. 1999/646).	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.

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<u>Function</u>	<u>Provision of Act or Statutory Instrument</u>	<u>Function exercised by</u>
35. Power to license the employment of children.	Part II of the Children and Young Persons Act 1933 (c. 33), byelaws made under that Part, and Part II of the Children and Young Persons Act 1963 (c. 37).	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
36. Power to approve premises for the solemnisation of marriages.	Section 46A of the Marriage Act 1949 (c. 76) and the Marriages (Approved Premises) Regulations 1995 (S. I. 1995/510).	Licensing Committee, Chief Executive, Director of Finance & Corporate Services and Assistant Director of Legal & Democratic Services.
37. Power to register common land or town or village greens, except where the power is exercisable solely for the purpose of giving effect to -	Regulation 6 of the Commons Registration (New Land) Regulations 1969 (S.I. 1969/1843).	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
(a) an exchange of lands effected by an order under section 19(3) of, or paragraph 6(4) of Schedule 3 to, the Acquisition of Land Act 1981 (c. 67) or		
(b) an order under section 147 of the Inclosure Act 1845 (c. 8 & 9 Vict. C. 118).		

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	<b><u>Function</u></b>	<b><u>Provision of Act or Statutory Instrument</u></b>	<b><u>Function exercised by</u></b>
38.	Power to register variation of rights of common.	Regulation 29 of the Commons Registration (General) Regulations 1966 (S.I. 1966/1471).	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
39.	Power to license persons to collect for charitable and other causes.	Section 5 of the Police, Factories etc. (Miscellaneous Provisions) Act 1916 (c. 31) and section 2 of the House to House Collections Act 1939 (c. 44).	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
40.	Power to grant consent for the operation of a loudspeaker.	Schedule 2 to the Noise and Statutory Nuisance Act 1993 (c. 40).	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
41.	Power to grant a street works licence.	Section 50 of the New Roads and Street Works Act 1991 (c. 22).	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
42.	Power to license agencies for the supply of nurses.	Section 2 of the Nurses Agencies Act 1957 (c. 16).	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.

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<u>Function</u>	<u>Provision of Act or Statutory Instrument</u>	<u>Function exercised by</u>
43. Power to issue licences for the movement of pigs.	Article 12 of the Pigs (Records, Identification and Movement) Order 1995 (S.I. 1995/11).	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
44. Power to license the sale of pigs.	Article 13 of the Pigs (Records, Identification and Movement) Order 1995.	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
45. Power to license collecting centres for the movement of pigs.	Article 14 of the Pigs (Records, Identification and Movement) Order 1995.	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
46. Power to issue a licence to move cattle from a market.	Article 5(2) of the Cattle Identification Regulations 1998 (S.I. 1998/871).	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.



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<u>Function</u>	<u>Provision of Act or Statutory Instrument</u>	<u>Function exercised by</u>
46A. Power to grant permission for provision, etc. of services, amenities, recreation and refreshment facilities on highway, and related powers.	Section 115E, 115F and 115K of the Highways Act 1980.	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
47. Power to permit deposit of builder's skip on highway.	Section 139 of the Highways Act 1980 (c. 66).	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
47A. Duty to publish notice in respect of proposal to grant permission under Section 115E of the Highways Act 1980.	Section 115G of the Highways Act 1980.	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
48. Power to license planting, retention and maintenance of trees etc. in part of highway.	Section 142 of the Highways Act 1980.	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.

## PART 3 RESPONSIBILITY FOR FUNCTIONS

### 3.2 FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE FULL COUNCIL AND THEIR DELEGATIONS

**B. Licensing and registration functions (in so far as not covered by any other paragraph in this part)**

<u>Function</u>	<u>Provision of Act or Statutory Instrument</u>	<u>Function exercised by</u>
49. Power to authorise erection of stiles etc. on footpaths or bridleways.	Section 147 of the Highways Act 1980.	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
50. Power to license works in relation to buildings etc. which obstruct the highway.	Section 169 of the Highways Act 1980.	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
51. Power to consent to temporary deposits or excavations in streets.	Section 171 of the Highways Act 1980.	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
52. Power to dispense with obligation to erect hoarding or fence.	Section 172 of the Highways Act 1980.	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.

## PART 3 RESPONSIBILITY FOR FUNCTIONS

### 3.2 FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE FULL COUNCIL AND THEIR DELEGATIONS

**B. Licensing and registration functions (in so far as not covered by any other paragraph in this part)**

<u>Function</u>	<u>Provision of Act or Statutory Instrument</u>	<u>Function exercised by</u>
53. Power to restrict the placing of rails, beams etc. over highways.	Section 178 of the Highways Act 1980.	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
54. Power to consent to construction of cellars etc. under street.	Section 179 of the Highways Act 1980.	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
55. Power to consent to the making of openings into cellars etc. under streets, and pavement lights and ventilators.	Section 180 of the Highways Act 1980.	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
56. Power to sanction use of parts of buildings for storage of celluloid.	Section 1 of the Celluloid and Cinematograph Film Act 1922 (c. 35).	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.

## PART 3 RESPONSIBILITY FOR FUNCTIONS

### 3.2 FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE FULL COUNCIL AND THEIR DELEGATIONS

**B. Licensing and registration functions (in so far as not covered by any other paragraph in this part)**

<u>Function</u>	<u>Provision of Act or Statutory Instrument</u>	<u>Function exercised by</u>
57. Power to approve meat product premises.	EC Regulation 852/2004 and 853/2004 and the Food Hygiene (England) Regulations 2005.	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
58. Power to approve premises for the production of minced meat or meat preparations.	EC Regulation 852/2004 and 853/2004 and the Food Hygiene (England) Regulations 2005.	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
59. Power to approve dairy establishments.	EC Regulation 852/2004 and 853/2004 and the Food Hygiene (England) Regulations 2005.	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
60. Power to approve egg product establishments.	EC Regulation 852/2004 and 853/2004 and the Food Hygiene (England) Regulations 2005.	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.

## PART 3 RESPONSIBILITY FOR FUNCTIONS

### 3.2 FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE FULL COUNCIL AND THEIR DELEGATIONS

**B. Licensing and registration functions (in so far as not covered by any other paragraph in this part)**

<u>Function</u>	<u>Provision of Act or Statutory Instrument</u>	<u>Function exercised by</u>
61. Removed by the Food Hygiene (England) Regulations 2005 No. 2059.		
62. Power to approve fish products premises.	EC Regulation 852/2004 and 853/2004 and the Food Hygiene (England) Regulations 2005.	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
63. Power to approve dispatch or purification centres.	EC Regulation 852/2004 and 853/2004 and the Food Hygiene (England) Regulations 2005.	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
64. Power to register fishing vessels on board which shrimps or molluscs are cooked.	EC Regulation 852/2004 and 853/2004 and the Food Hygiene (England) Regulations 2005.	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
65. Power to approve factory vessels and fishery product establishments.	EC Regulation 852/2004 and 853/2004 and the Food Hygiene (England) Regulations 2005.	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.

## PART 3 RESPONSIBILITY FOR FUNCTIONS

### 3.2 FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE FULL COUNCIL AND THEIR DELEGATIONS

**B. Licensing and registration functions (in so far as not covered by any other paragraph in this part)**

<u>Function</u>	<u>Provision of Act or Statutory Instrument</u>	<u>Function exercised by</u>
66. Power to register auction and wholesale markets.	EC Regulation 852/2004 and 853/2004 and the Food Hygiene (England) Regulations 2005.	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
67. Removed by the Food Hygiene (England) Regulations 2005 No. 2059.		
68. Power to register food business premises.	EC Regulation 852/2004 and 853/2004 and the Food Hygiene (England) Regulations 2005.	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
69. Power to issue near beer licence. (London Boroughs only)	Sections 16-19 and 21 of the Local London Authorities Act 1995 (c.x.) and, to the extent that it does not have effect by virtue of regulation 2 (3), section 25 of that Act.	Not applicable.

## PART 3 RESPONSIBILITY FOR FUNCTIONS

### 3.2 FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE FULL COUNCIL AND THEIR DELEGATIONS

**B. Licensing and registration functions (in so far as not covered by any other paragraph in this part)**

<u>Function</u>	<u>Provision of Act or Statutory Instrument</u>	<u>Function exercised by</u>
70. Power to register premises or stalls for the sale of goods by way of competitive bidding. (London Boroughs only)	Section 28 of the Greater London Council (General Powers) Act 1984 (c.xxvii).	Not applicable.
71. Power to register motor salvage operators.	Part I of the Vehicles (Crime) Act 2001 (c.3)	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
72. Functions relating to the registration of common land and town or village greens.	Part 1 of the Commons Act 2006 (c.26) and the Commons Registration (England) Regulations 2008 (S.I. 2008/1961).	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.

**PART 3  
RESPONSIBILITY FOR FUNCTIONS**

**3.2 FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE FULL  
COUNCIL AND THEIR DELEGATIONS**

**C. Functions relating to health and safety at work**

<b><u>Function</u></b>	<b><u>Provision of Act or Statutory Instrument</u></b>	<b><u>Function exercised by</u></b>
Functions under any of the "relevant statutory provisions" within the meaning of Part I (health, safety and welfare in connection with work, and control of dangerous substances) of the Health and Safety at Work etc. Act 1974, to the extent that those functions are discharged otherwise than in the authority's capacity as an employer.	Part I of the Health and Safety at Work etc. Act 1974 (c. 37).	Elections and Democratic Structures Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.



## PART 3 RESPONSIBILITY FOR FUNCTIONS

### 3.2 FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE FULL COUNCIL AND THEIR DELEGATIONS

#### D. Functions relating to elections

<u>Function</u>	<u>Provision of Act or Statutory Instrument</u>	<u>Function exercised by</u>
1. Duty to appoint an electoral registration officer.	Section 8(2) of the Representation of the People Act 1983 (c. 2).	Elections and Democratic Structures Committee (No Delegation). (Recommendation to Council).
2. Power to assign officers in relation to requisitions of the registration officer.	Section 52(4) of the Representation of the People Act 1983.	Elections and Democratic Structures Committee, Chief Executive, Director of Corporate Resources and Assistant Director of Legal and Democratic Services.
3. Functions in relation to parishes and parish councils.	Part II of the Local Government and Rating Act 1997 (c. 29) and subordinate legislation under that Part.	Elections and Democratic Structures Committee, Chief Executive, Director of Corporate Resources and Assistant Director of Legal and Democratic Services.
4. Power to dissolve small parish councils.	Section 10 of the Local Government Act 1972.	Elections and Democratic Structures Committee (No Delegation) (Recommendation to Council).

## PART 3 RESPONSIBILITY FOR FUNCTIONS

### 3.2 FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE FULL COUNCIL AND THEIR DELEGATIONS

#### D. Functions relating to elections

<u>Function</u>	<u>Provision of Act or Statutory Instrument</u>	<u>Function exercised by</u>
5. Power to make orders for grouping parishes, dissolving groups and separating parishes from groups.	Section 11 of the Local Government Act 1972.	Elections and Democratic Structures Committee (No Delegation) (Recommendation to Council).
6. Duty to appoint Returning Officer for Local Government elections.	Section 35 of the Representation of the People Act 1983.	Elections and Democratic Structures Committee (No Delegation) (Recommendation to Council).
7. Duty to provide assistance at European Parliamentary elections.	Section 6(7) and (8) of the European Parliamentary Elections Act 2002 (c.24).	Elections and Democratic Structures Committee, Chief Executive, Director of Corporate Resources and Assistant Director of Legal and Democratic Services.
8. Duty to divide constituency into polling districts.	Sections 18A to 18E of, and Schedule A1 to, the Representation of the People Act 1983.	Elections and Democratic Structures Committee, Chief Executive, Director of Corporate Resources and Assistant Director of Legal and Democratic Services.

## PART 3 RESPONSIBILITY FOR FUNCTIONS

### 3.2 FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE FULL COUNCIL AND THEIR DELEGATIONS

#### D. Functions relating to elections

	<u>Function</u>	<u>Provision of Act or Statutory Instrument</u>	<u>Function exercised by</u>
9.	Power to divide electoral divisions into polling districts at local government elections.	Section 31 of the Representation of the People Act 1983.	Elections and Democratic Structures Committee, Chief Executive, Director of Corporate Resources and Assistant Director of Legal and Democratic Services.
10.	Powers in respect of holding of elections.	Section 39(4) of the Representation of the People Act 1983.	Elections and Democratic Structures Committee, Chief Executive, Director of Corporate Resources and Assistant Director of Legal and Democratic Services.
11.	Power to pay expenses properly incurred by electoral registration officers.	Section 54 of the Representation of the People Act 1983.	Elections and Democratic Structures Committee, Chief Executive, Director of Corporate Resources and Assistant Director of Legal and Democratic Services.
12.	Power to fill vacancies in the event of insufficient nominations.	Section 21 of the Representation of the People Act 1985.	Elections and Democratic Structures Committee, Chief Executive, Director of Corporate Resources and Assistant Director of Legal and Democratic Services.

## PART 3 RESPONSIBILITY FOR FUNCTIONS

### 3.2 FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE FULL COUNCIL AND THEIR DELEGATIONS

#### D. Functions relating to elections

<u>Function</u>	<u>Provision of Act or Statutory Instrument</u>	<u>Function exercised by</u>
13. Duty to declare vacancy in office in certain cases.	Section 86 of the Local Government Act 1972.	Elections and Democratic Structures Committee, Chief Executive, Director of Corporate Resources and Assistant Director of Legal and Democratic Services.
14. Duty to give public notice of a casual vacancy.	Section 87 of the Local Government Act 1972.	Elections and Democratic Structures Committee, Chief Executive, Director of Corporate Resources and Assistant Director of Legal and Democratic Services.
15. Power to make temporary appointments to parish councils.	Section 91 of the Local Government Act 1972.	Elections and Democratic Structures Committee, Chief Executive, Director of Corporate Resources and Assistant Director of Legal and Democratic Services.
16. Removed by the Local Authorities (Functions and Responsibilities) (England) (Amendment No.4) Regulations 2007 No. 2593.		

## PART 3 RESPONSIBILITY FOR FUNCTIONS

### 3.2 FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE FULL COUNCIL AND THEIR DELEGATIONS

#### D. Functions relating to elections

	<u>Function</u>	<u>Provision of Act or Statutory Instrument</u>	<u>Function exercised by</u>
17.	Power to submit proposals to the Secretary of State for an order under section 10 (pilot schemes for local elections in England and Wales) of the Representation of the People Act 2000.	Section 10 of the Representation of the People Act 2000 (c. 2).	Elections and Democratic Structures Committee, Chief Executive, Director of Corporate Resources and Assistant Director of Legal and Democratic Services.
18.	Duty to consult on change of scheme for elections.	Sections 33(2), 38(2) and 40(2) of the Local Government and Public Involvement in Health Act 2007.	Elections and Democratic Structures Committee, Chief Executive and Returning Officer.
19.	Duties relating to publicity.	Sections 35, 41 and 52 of the Local Government and Public Involvement in Health Act 2007.	Elections and Democratic Structures Committee, Chief Executive and Returning Officer.
20.	Duties relating to notice to Electoral Commission.	Sections 36 and 42 of the Local Government and Public Involvement in Health Act 2007.	Elections and Democratic Structures Committee, Chief Executive and Returning Officer.
21.	Power to alter years of ordinary elections of parish councillors.	Section 53 of the Local Government and Public Involvement in Health Act 2007.	Elections and Democratic Structures Committee (No Delegation).
22.	Functions relating to change of name of electoral area.	Section 59 of the Local Government and Public Involvement in Health Act 2007.	Elections and Democratic Structures Committee (No Delegation).

## PART 3 RESPONSIBILITY FOR FUNCTIONS

### 3.2 FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE FULL COUNCIL AND THEIR DELEGATIONS

#### **E. Functions relating to name and status of areas and individuals**

<b><u>Function</u></b>	<b><u>Provision of Act or Statutory Instrument</u></b>	<b><u>Function exercised by</u></b>
1. Power to change the name of a county, district or London borough.	Section 74 of the Local Government Act 1972.	Elections and Democratic Structures Committee (No Delegation) (Recommendation to Council).
2. Power to change the name of a parish.	Section 75 of the Local Government Act 1972.	Elections and Democratic Structures Committee (No Delegation) (Recommendation to Council).
3. Power to confer title of honorary alderman or to admit to be an honorary freeman.	Section 249 of the Local Government Act 1972.	Council (No Delegation).
4. Power to petition for a charter to confer borough status.	Section 245b of the Local Government Act 1972.	Elections and Democratic Structures Committee (No Delegation) (Recommendation to Council).

## PART 3 RESPONSIBILITY FOR FUNCTIONS

### 3.2 FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE FULL COUNCIL AND THEIR DELEGATIONS

#### **EA. Functions relating to changing governance arrangements**

Removed by Statutory Instrument 2008 No.2787.

#### **EB. Functions relating to community governance**

<b><u>Function</u></b>	<b><u>Provision of Act or Statutory Instrument</u></b>	<b><u>Function exercised by</u></b>
1. Duties relating to community governance reviews.	Section 79 of the Local Government and Public Involvement in Health Act 2007.	Elections and Democratic Structures Committee, Chief Executive and Returning Officer.
2. Functions relating to community governance petitions.	Sections 80, 83 to 85 of the Local Government and Public Involvement in Health Act 2007.	Elections and Democratic Structures Committee, Chief Executive and Returning Officer.
3. Functions relating to terms of reference of review.	Sections 81(4) to (6) of the Local Government and Public Involvement in Health Act 2007.	Elections and Democratic Structures Committee, Chief Executive and Returning Officer.
4. Power to undertake a community governance review.	Section 82 of the Local Government and Public Involvement in Health Act 2007.	Elections and Democratic Structures Committee, Chief Executive and Returning Officer.
5. Functions relating to making of recommendations.	Sections 87 to 92 of the Local Government and Public Involvement in Health Act 2007.	Elections and Democratic Structures Committee, Chief Executive and Returning Officer.

## PART 3 RESPONSIBILITY FOR FUNCTIONS

### 3.2 FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE FULL COUNCIL AND THEIR DELEGATIONS

#### **EB. Functions relating to community governance**

<b><u>Function</u></b>	<b><u>Provision of Act or Statutory Instrument</u></b>	<b><u>Function exercised by</u></b>
6. Duties when undertaking review.	Sections 93 to 95 of the Local Government and Public Involvement in Health Act 2007.	Elections and Democratic Structures Committee, Chief Executive and Returning Officer.
7. Duty to publicise outcome of review.	Section 96 of the Local Government and Public Involvement in Health Act 2007.	Elections and Democratic Structures Committee, Chief Executive and Returning Officer.
8. Duty to send two copies of order to Secretary of State and Electoral Commission.	Section 98(1) of the Local Government and Public Involvement in Health Act 2007.	Elections and Democratic Structures Committee, Chief Executive and Returning Officer.
9. Power to make agreements about incidental matters.	Section 99 of the Local Government and Public Involvement in Health Act 2007.	Elections and Democratic Structures Committee, Chief Executive and Returning Officer.



## PART 3 RESPONSIBILITY FOR FUNCTIONS

### 3.2 FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE FULL COUNCIL AND THEIR DELEGATIONS

#### **F. Power to make, amend, revoke, re-enact or enforce byelaws**

<b><u>Function</u></b>	<b><u>Provision of Act or Statutory Instrument</u></b>	<b><u>Function exercised by</u></b>
1. Power to make, amend, revoke, re-enact or enforce byelaws.	Any provision of any enactment (including a local Act), whenever passed, and section 14 of the Interpretation Act 1978 (c. 30).	Elections and Democratic Structures Committee (No delegation) (Recommendation to Council).

#### **FA. Functions relating to smoke-free premises, etc**

<b><u>Function</u></b>	<b><u>Provision of Act or Statutory Instrument</u></b>	<b><u>Function exercised by</u></b>
1. Duty to enforce Chapter 1 and regulations made under it.	Section 10(3) of the Health Act 2006.	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
2. Power to authorise officers.	Section 10(5) of, and paragraph 1 of Schedule 2 to, the Health Act 2006.	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
3. Functions relating to fixed penalty notices.	Paragraphs 13, 15 and 16 of Schedule 1 to the Health Act 2006.  Smoke-free (Vehicle Operators and Penalty Notices) Regulations 2007 (S.I. 2006/760).	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.

## PART 3 RESPONSIBILITY FOR FUNCTIONS

### 3.2 FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE FULL COUNCIL AND THEIR DELEGATIONS

#### **FA. Functions relating to smoke-free premises, etc**

	<b><u>Function</u></b>	<b><u>Provision of Act or Statutory Instrument</u></b>	<b><u>Function exercised by</u></b>
4.	Power to transfer enforcement functions to another enforcement authority.	Smoke-free (Premises and Enforcement) Regulations 2006 (S.I. 2006/3368).	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.

#### **G. Power to promote or oppose local or personal Bills.**

	<b><u>Function</u></b>	<b><u>Provision of Act or Statutory Instrument</u></b>	<b><u>Function exercised by</u></b>
1.	Power to promote or oppose local or personal bills.	Section 239 of the Local Government Act 1972.	Elections and Democratic Structures Committee (No Delegation) (Recommendation to Council).

#### **H. Functions relating to pensions etc.**

	<b><u>Function</u></b>	<b><u>Provision of Act or Statutory Instrument</u></b>	<b><u>Function exercised by</u></b>
1.	Functions relating to local government pensions, etc.	Regulations under section 7, 12 or 24 of the Superannuation Act 1972 (c. 11).	Chief Executive and Director of Corporate Resources.

## PART 3 RESPONSIBILITY FOR FUNCTIONS

### 3.2 FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE FULL COUNCIL AND THEIR DELEGATIONS

#### H. Functions relating to pensions etc.

<u>Function</u>	<u>Provision of Act or Statutory Instrument</u>	<u>Function exercised by</u>
2. Functions under the Fire-Fighters' Pension Scheme relating to pensions, etc as respects persons employed by fire and rescue authorities pursuant to section 1 of the Fire and Rescue Services Act 2004.	Sections 34 and 36 of the Fire and Rescue Services Act 2004 (c.21).	Chief Executive and Director of Corporate Resources.

#### I. Miscellaneous functions

##### *Part I: Functions Relating to Public Rights of Way*

1. Power to create footpath, bridleway or restricted byway by agreement.	Section 25 of the Highways Act 1980 (c.66)	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
2. Power to create footpaths, bridleways and restricted byways.	Section 26 of the Highways Act 1980 (c.66).	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment

## PART 3 RESPONSIBILITY FOR FUNCTIONS

### 3.2 FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE FULL COUNCIL AND THEIR DELEGATIONS

#### I. Miscellaneous functions

##### *Part I: Functions Relating to Public Rights of Way*

<u>Function</u>	<u>Provision of Act or Statutory Instrument</u>	<u>Function exercised by</u>
3. Duty to keep register of information with respect to maps, statements and declarations.	Section 31A of the Highways Act 1980.	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
4. Power to stop up footpaths, bridleways and restricted byways.	Section 118 of the Highways Act 1980.	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
5. Power to determine application for public path extinguishment order.	Sections 118ZA and 118C(2) of the Highways Act 1980	Planning Committee (No Delegation).
6. Power to make a rail crossing extinguishment order.	Section 118A of the Highways Act 1980.	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.

## PART 3 RESPONSIBILITY FOR FUNCTIONS

### 3.2 FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE FULL COUNCIL AND THEIR DELEGATIONS

#### I. Miscellaneous functions

##### *Part I: Functions Relating to Public Rights of Way*

<u>Function</u>	<u>Provision of Act or Statutory Instrument</u>	<u>Function exercised by</u>
7. Power to make a special extinguishment order.	Section 118B of the Highways Act 1980.	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
8. Power to divert footpaths, bridleways and restricted byways.	Section 119 of the Highways Act 1980.	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
9. Power to make a public path diversion order.	Sections 119ZA and 119C(4) of the Highways Act 1980.	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
10. Power to make a rail crossing diversion order.	Section 119A of the Highways Act 1980.	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.

## PART 3 RESPONSIBILITY FOR FUNCTIONS

### 3.2 FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE FULL COUNCIL AND THEIR DELEGATIONS

#### I. Miscellaneous functions

##### *Part I: Functions Relating to Public Rights of Way*

<u>Function</u>	<u>Provision of Act or Statutory Instrument</u>	<u>Function exercised by</u>
11. Power to make a special diversion order.	Section 119B of the Highways Act 1980.	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
12. Power to require applicant for order to enter into agreement.	Section 119C(3) of the Highways Act 1980.	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
13. Power to make a Site of Special Scientific Interest diversion order.	Section 119D of the Highways Act 1980.	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
14. Duty to keep register with respect to applications under Sections 118ZA, 118C, 119ZA and 119C of the Highways Act 1980.	Section 121B of the Highways Act 1980 – Register must be kept for applications for public path extinguishments and diversion orders.	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.

## PART 3 RESPONSIBILITY FOR FUNCTIONS

### 3.2 FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE FULL COUNCIL AND THEIR DELEGATIONS

#### I. Miscellaneous functions

##### *Part I: Functions Relating to Public Rights of Way*

<u>Function</u>	<u>Provision of Act or Statutory Instrument</u>	<u>Function exercised by</u>
15. Power to decline to determine certain applications.	Section 121C of the Highways Act 1980 – to determine applications for footpath closures and diversions.	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
16. Duty to assert and protect the rights of the public to use and enjoyment of highways.	Section 130 of the Highways Act 1980.	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
17. Duty to serve notice of proposed action in relation to obstruction.	Section 130A of the Highways Act 1980.	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
18. Power to apply for variation of order under Section 130B of the Highways Act 1980.	Section 130B(7) of the Highways Act 1980.	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.

## PART 3 RESPONSIBILITY FOR FUNCTIONS

### 3.2 FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE FULL COUNCIL AND THEIR DELEGATIONS

#### I. Miscellaneous functions

##### *Part I: Functions Relating to Public Rights of Way*

<u>Function</u>	<u>Provision of Act or Statutory Instrument</u>	<u>Function exercised by</u>
19. Power to authorise temporary disturbance of surface of footpath, bridleway or restricted byway.	Section 135 of the Highways Act 1980.	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
20. Power temporarily to divert footpath, bridleway or restricted byway.	Section 135A of the Highways Act 1980.	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
21. Functions relating to the making good of damage and the removal of obstructions.	Section 135B of the Highways Act 1980.	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
22. Powers relating to the removal of things so deposited on highways as to be a nuisance.	Section 149 of the Highways Act 1980.	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
23. Power to extinguish certain public rights of way.	Section 32 of the Acquisition of Land Act 1981 (c.67).	Planning Committee (No Delegation).



## PART 3 RESPONSIBILITY FOR FUNCTIONS

### 3.2 FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE FULL COUNCIL AND THEIR DELEGATIONS

#### I. Miscellaneous functions

##### *Part I: Functions Relating to Public Rights of Way*

<u>Function</u>	<u>Provision of Act or Statutory Instrument</u>	<u>Function exercised by</u>
24. Duty to keep a definitive map and statement under review.	Section 53 of the Wildlife and Countryside Act 1981 (c. 69).	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
25. Power to include modifications in other orders.	Section 53A of the Wildlife and Countryside Act 1981.	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
26. Duty to keep register of prescribed information with respect to applications under Section 53(5) of the Wildlife and Countryside Act 1981.	Section 53 of the Wildlife and Countryside Act 1981 – requires a register of applications to modify the definitive footpath map.	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
27. Removed by The Restricted Byways (Application and Consequential Amendment of Provisions) Regulations 2006. No. 1177		
28. Power to prepare map and statement by way of consolidation of definitive map and statement.	Section 57A of the Wildlife and Countryside Act 1981.	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.

## PART 3 RESPONSIBILITY FOR FUNCTIONS

### 3.2 FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE FULL COUNCIL AND THEIR DELEGATIONS

#### I. Miscellaneous functions

##### *Part I: Functions Relating to Public Rights of Way*

<u>Function</u>	<u>Provision of Act or Statutory Instrument</u>	<u>Function exercised by</u>
29. Power to designate footpath as cycle track.	Section 3 of the Cycle Tracks Act 1984(c.38).	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
30. Power to extinguish public right of way over land acquired for clearance.	Section 32 of the Acquisition of Land Act 1981.	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
30A. Power to authorise stopping up or diversion of highway.	Section 247 of the Town & Country Planning Act 1990 (c.8).	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
31. Power to authorise stopping up or diversion of footpath, bridleway or restricted byway.	Section 257 of the Town & Country Planning Act 1990.	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.

## PART 3 RESPONSIBILITY FOR FUNCTIONS

### 3.2 FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE FULL COUNCIL AND THEIR DELEGATIONS

#### I. Miscellaneous functions

##### *Part I: Functions Relating to Public Rights of Way*

<u>Function</u>	<u>Provision of Act or Statutory Instrument</u>	<u>Function exercised by</u>
32. Power to extinguish public rights of way over land held for planning purposes.	Section 258 of the Town & Country Planning Act 1990.	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
33. Power to enter into agreements with respect to means of access.	Section 35 of the Countryside and Rights of Way Act 2000 (c.37).	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
34. Power to provide access in absence of agreement.	Section 37 of the Countryside and Rights of Way Act 2000.	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.

## PART 3 RESPONSIBILITY FOR FUNCTIONS

### 3.2 FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE FULL COUNCIL AND THEIR DELEGATIONS

#### Part 2: Other Miscellaneous Functions

<u>Function</u>	<u>Provision of Act or Statutory Instrument</u>	<u>Function exercised by</u>
35. Functions relating to sea fisheries.	Sections 1, 10 and 19 of the Sea Fisheries Regulation Act 1966 (c. 38).	Licensing Committee (No Delegation).
36. Power to make standing orders.	Section 106 of, and Paragraph 42 of Schedule 12 to, the Local Government Act 1972(c.70).	Council (No Delegation)
37. Power to appoint staff and to determine the terms and conditions on which they hold office (including procedures for their dismissal).	Section 112 of the Local Government Act 1972.	See Employment Procedure Rules – Part 4, Section 8 of the Constitution.
38. Power to make standing orders as to contracts.	Section 135 of the Local Government Act 1972.	Elections and Democratic Structures Committee (No Delegation) (Recommendation to Council).
39. Duty to make arrangements for proper administration of financial affairs etc. and duty to designate a Chief Finance Officer.	Section 151 of the Local Government Act 1972.	See Employment Procedure Rules – Part 4, Section 8 of the Constitution.

## PART 3 RESPONSIBILITY FOR FUNCTIONS

### 3.2 FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE FULL COUNCIL AND THEIR DELEGATIONS

#### Part 2: Other Miscellaneous Functions

<u>Function</u>	<u>Provision of Act or Statutory Instrument</u>	<u>Function exercised by</u>
40. Power to appoint officers for particular purposes (appointment of "Proper Officers").	Section 270(3) of the Local Government Act 1972.	Chief Officers Appointments Committee, Chief Executive, Directors and Assistant Directors.
41. Power to make limestone pavement order.	Section 34(2) of the Wildlife and Countryside Act 1981 (c. 69).	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Development.
42. Removed by the Licensing Act 2003.		
43. Duty to designate officer as the Head of the Authority's Paid Service, and to provide staff, etc.	Section 4(1) of the Local Government and Housing Act 1989(c.42).	Chief Officers Appointments Committee (No Delegation) (Recommendation to Council).
44. Duty to designate officer as the Monitoring Officer, and to provide staff, etc.	Section 5(1) of the Local Government and Housing Act 1989.	See Employment Procedure Rules – Part 4, Section 8 of the Constitution.

## PART 3 RESPONSIBILITY FOR FUNCTIONS

### 3.2 FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE FULL COUNCIL AND THEIR DELEGATIONS

#### Part 2: Other Miscellaneous Functions

<u>Function</u>	<u>Provision of Act or Statutory Instrument</u>	<u>Function exercised by</u>
44A. Duty to provide staff, etc. to person nominated by Monitoring Officer.	Section 82A(4) and (5) of the Local Government Act 2000.	Chief Executive, Directors and Assistant Directors.
44B. Powers relating to Overview and Scrutiny Committees (Voting Rights of Co-Opted Members).	Paragraphs 12 and 14 of Schedule 1 to the Local Government Act 2000.	Overview and Scrutiny Management Committee (No Delegation).
45. Removed by the Accounts and Audit Regulations 2003 No. 533.		
46. Powers relating to the protection of important hedgerows.	Hedgerows Regulations 1997 (SI 1997/1160).	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Development.
47. Powers relating to the preservation of trees.	Section 197 to 214D of the Town and Country Planning Act 1990 and the Trees Regulations 1999 (SI 1999/1892).	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Development.

## PART 3 RESPONSIBILITY FOR FUNCTIONS

### 3.2 FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE FULL COUNCIL AND THEIR DELEGATIONS

#### Part 2: Other Miscellaneous Functions

<u>Function</u>	<u>Provision of Act or Statutory Instrument</u>	<u>Function exercised by</u>
47A. Powers relating to complaints about high hedges.	Part 8 of the Anti-Social Behaviour Act 2003.	Planning Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Development.
48. Power to make payments or provide other benefits in cases of maladministration etc.	Section 92 of the Local Government Act 2000.	Elections and Democratic Structures Committee, Chief Executive, Director of Corporate Resources.
49. Replaced by Section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014. (Power to make Public Spaces Protection Orders) (Executive function).		
50. Power to make or revoke an order designating a locality as an alcohol disorder zone.	Section 16 of the Violent Crime Reduction Act 2006.	Council (No Delegation).
51. Power to apply for an enforcement order against unlawful works on common land.	Section 41 of the Commons Act 2006.	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.

## **PART 3 RESPONSIBILITY FOR FUNCTIONS**

### **3.2 FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE FULL COUNCIL AND THEIR DELEGATIONS**

#### **Part 2: Other Miscellaneous Functions**

<b><u>Function</u></b>	<b><u>Provision of Act or Statutory Instrument</u></b>	<b><u>Function exercised by</u></b>
52. Power to protect unclaimed registered common land and unclaimed town or village greens against unlawful interference.	Section 45(2)(a) of the Commons Act 2006.	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.
53. Power to institute proceedings for offences in respect of unclaimed registered common land and unclaimed town or village greens.	Section 45(2)(b) of the Commons Act 2006.	Licensing Committee, Chief Executive, Director of Regeneration and Environment and Assistant Director of Environment.



## **PART 3 RESPONSIBILITY FOR FUNCTIONS**

### **3.3 FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE FULL COUNCIL UNDER LAW**

(The following plans and strategies form the **Policy Framework**)

**Those required by law to be adopted by the Full Council:**

<b><u>Plans and strategies</u></b>	<b><u>Reference</u></b>
1. Crime and Disorder Reduction Strategy.	Sections 5 and 6 of the Crime and Disorder Act 1998 (c.37).
2. Local Transport Plan.	Section 108(3) of the Transport Act 2000 (c.38).
3. Plans and alterations which together comprise the Development Plan.	Planning and Compulsory Purchase Act 2004, Sections 15 and 17(3), SS4.
4. Youth Justice Plan.	Section 40 of the Crime and Disorder Act 1998 (c.37).
5. Licensing Authority Policy Statement.	Section 349 of the Gambling Act 2005.
6. Sustainable Community Strategy.	Section 4 of the Local Government Act 2000.

**Other plans and strategies which the Full Council decide should be adopted by the Full Council:**

1. Corporate Plan.
2. Health and Wellbeing Strategy.

#### **Statutory and Guidance References**

**Local Authorities (Functions and Responsibilities) (England) Regulations 2000**

**Local Authorities (Functions and Responsibilities) (England) (Amendment) Regulations 2001**

**Local Authorities (Functions and Responsibilities) (England) (Amendment) Regulations 2006**

**DETR New Council Constitutions Guidance Chapter 2**

**Planning and Compulsory Purchase Act 2004**

## PART 3 RESPONSIBILITY FOR FUNCTIONS

### 3.4 FUNCTIONS TO BE EXERCISED BY FULL COUNCIL ONLY

	(1)	(2)
	<u>Function</u>	<u>Circumstances</u>
1.	The adoption or approval of a plan or strategy (whether statutory or non-statutory), other than a plan or strategy of a description referred to in regulation 4(1)(b) or Schedule 3.	The authority determines that the decision whether the plan or strategy should be adopted or approved should be taken by them.
2.	<p>The determination of any matter in the discharge of a function which -</p> <p>(a) is the responsibility of the Executive; and</p> <p>(b) is concerned with the authority's budget, or their borrowing or capital expenditure.</p>	<p>The Executive -</p> <p>(a) is minded to determine the matter contrary to, or not wholly in accordance with -</p> <p style="margin-left: 20px;">(i) the authority's budget; or</p> <p style="margin-left: 20px;">(ii) the plan or strategy for the time being approved or adopted by the authority in relation to their borrowing or capital expenditure; and</p> <p>(b) is not authorised by the authority's executive arrangements, financial regulations, standing orders or other rules or procedures to make a determination in those terms.</p>
3.	<p>The determination of any matter in the discharge of a function -</p> <p>(a) which is the responsibility of the Executive; and</p> <p>(b) in relation to which a plan or strategy (whether statutory or non-statutory) has been adopted or approved by the authority.</p>	The Executive is minded to determine the matter in terms contrary to the plan or, as the case may be, the strategy adopted or approved by the authority.

**PART 3  
RESPONSIBILITY FOR FUNCTIONS**

**3.4 FUNCTIONS TO BE EXERCISED BY FULL COUNCIL ONLY**

<b>(1)</b>	<b>(2)</b>
<b><u>Function</u></b>	<b><u>Circumstances</u></b>
4. The making of appointments of members by relevant Councils to Police and Crime Panels.	Paragraphs 8 to 9 of Schedule 6, Part 2 of the Police and Social Responsibility Act 2011.
5. Duty to nominate the Elected Mayor to be a member of the Police and Crime Panel.	Paragraphs 33 to 35 of Schedule 6, Part 2 of the Police and Social Responsibility Act 2011.

## PART 3 RESPONSIBILITY FOR FUNCTIONS

### 3.5 LOCAL CHOICE FUNCTIONS

Function	Provision of Act or Statutory Provision	Function exercised by
1. Any function under a Local Act other than a function specified or referred to under Regulation 2 or Schedule 1.		Council.
2. The determination of an appeal against any decision made by or on behalf of the Authority.	Local Authorities (Functions & Responsibilities) Regulations 2000 (S.I. 2853).	Regulatory Committee as appropriate.
3. The making of arrangements in respect of Appeals against the exclusion of pupils from maintained schools.	Subsection (1) of Section 67 of Schedule 18 to the 1998 Act.	Council.
4. The making of arrangements in respect of admission appeals.	Section 94(1), 1 (A) and (4) of, and schedule 24 to, the 1998 Act.	Council.
5. The making of arrangements in respect of children to whom Section 87 applies: appeals by Governing Bodies.	Section 95(2) of, and Schedule 25 to, the 1998 Act.	Council.
6. The conducting of best value reviews in accordance with the provisions of any order under the Act.	Section 5 (best value reviews) of the Local Government Act 1999.	The Executive.
7. Any function relating to contaminated land.	Environmental Protection Act 1990, Part IIA.	The Executive.

## PART 3 RESPONSIBILITY FOR FUNCTIONS

### 3.5 LOCAL CHOICE FUNCTIONS

Function	Provision of Act or Statutory Provision	Function exercised by
8. The discharge of any function relating to the control of pollution or the management of air quality.	Pollution Prevention and Control Act 1990; Environment Act 1995 (Part IV); Environmental Protection Act 1990 (Part I); Clean Air Act 1993.	The Executive.
9. The service of an abatement notice in respect of a statutory nuisance.	Environmental Protection Act 1990, Section 80(1).	The Executive.
10. The passing of a resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply in the authority's area.	Noise and Statutory Nuisance Act 1993, Section 8.	The Executive.
11. The inspection of an authority's area to detect any statutory nuisance.	S.79 Environmental Protection Act 1990.	The Executive.
12. The investigation of any complaint as to the existence of a statutory nuisance.	S.79 Environmental Protection Act 1990.	The Executive.
13. The obtaining of information as to interests in land where the function requiring the information is the responsibility of the Executive.	Town and Country Planning Act 1990 S330.	The Executive.

## PART 3 RESPONSIBILITY FOR FUNCTIONS

### 3.5 LOCAL CHOICE FUNCTIONS

Function	Provision of Act or Statutory Provision	Function exercised by
14. The obtaining of particulars of persons interested in land where the function is the responsibility of the Executive.	Local Government (miscellaneous provisions) Act 1976, Section 16.	The Executive.
15. The obtaining of information as to interests in land where the function requiring the information is the responsibility of the Full Council.	Town and Country Planning Act 1990, Section 330.	Council.
16. The obtaining of particulars of persons interested in land where the function is the responsibility of the Full Council.	Local Government (Miscellaneous Provisions) Act 1976, Section 16.	Council.
17. The making of agreements for the execution of highways works.	Highways Act 1980, Section 278 (substituted by the New Roads and Street Works Act 1991, Section 23.)	The Executive.
18. The appointment of any individual: (a) to any office other than an office in which he is employed by the authority; (b) to any body other than - the authority; a joint committee of two or more authorities; or (c) to any Committee or Sub-Committee of such a body, where the appointment		The Executive.

**PART 3  
RESPONSIBILITY FOR FUNCTIONS**

**3.5 LOCAL CHOICE FUNCTIONS**

<b>Function</b>	<b>Provision of Act or Statutory Provision</b>	<b>Function exercised by</b>
<p>relates to a function in which the Council has resolved that the appointment or revocation of any such appointment should be the responsibility of the Executive.</p>		
<p>19. The review of a schedule of organisations relating to the appointment of any individual -            (a) to any office other than an office in which he is employed by the authority;            (b) to any body other than - the authority; a joint committee of two or more authorities; or            (c) to any Committee or Sub-Committee of such a body, and the determination of whether the appointment (or revocation of any such appointment) should be made by the Full Council or the Executive.</p> <p>To make or revoke appointments to those organisations deemed to be the responsibility of Full Council.</p>		<p>Council.</p>

**PART 3  
RESPONSIBILITY FOR FUNCTIONS**

**3.5 LOCAL CHOICE FUNCTIONS**

<b>Function</b>	<b>Provision of Act or Statutory Provision</b>	<b>Function exercised by</b>
20. The making of agreements with other local authorities for the placing of staff at the disposal of those other authorities.	Local Authorities (Functions & Responsibilities) Regulations 2000 (S.I. 2853) as amended.	The Executive.
21. The adoption of a Library Position Statement.	Section 1(2) of the Public Libraries and Museums Act 1964 (c.75). (As and when the Secretary of State may require.)	Council.



## **PART 3 RESPONSIBILITY FOR FUNCTIONS**

### **3.6 SPECIFIC FUNCTIONS AND DELEGATIONS - PROPER OFFICER**

- 1.1 The Local Government Act 1972 and other legislation requires local authorities to make specific statutory appointments which carry specific responsibilities. The proper officers for various statutory Council functions are set out below.
- 1.2 In the event of any Officers mentioned being for any reason unable to act or of any of their posts being vacant, the Chief Executive or in his/her absence, their nominated Deputy, will appoint an Officer to act in their place.
- 1.3 The specific delegations set out are without prejudice to the general hierarchy of delegations in Part 3.
- 1.4 Every appointment hereby made in relation to a provision that is replaced or re-enacted shall be effective as an appointment of the same officer in relation to the corresponding new provision.
- 1.5 Until the Council decides otherwise, the Chief Executive is appointed the Proper Officer for the purpose of all statutory provisions, whether existing or future, in respect of which no express Proper Officer appointment has, for the time being, been made.

## PART 3 RESPONSIBILITY FOR FUNCTIONS

### 3.6 SPECIFIC FUNCTIONS AND DELEGATIONS - PROPER OFFICER

STATUTE AND FUNCTION	PROPER OFFICER
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#### REPRESENTATION OF THE PEOPLE ACT 1983

Section 8 – The Registration Officer for the purpose of the registration of electors.	Chief Executive.
Section 28 – Acting Returning Officer at an election of a Member of Parliament.	Chief Executive
Section 67 – Giving Public Notice of the appointment of an election agent.	Chief Executive
S131 – Providing accommodation for holding election count.	Chief Executive

#### LOCAL GOVERNMENT ACT 1972

Section 83 (1) – The officer to whom a person elected to the office of Councillor shall deliver a declaration of acceptance of office on a form prescribed by rules made under Section 42 of the Act.	Chief Executive
Section 83 (3)(b) – The officer before whom a declaration of acceptance of office of Chair of Council may be made.	Chief Executive
Section 84 – The officer to whom written notice of resignation of elected office shall be delivered.	Chief Executive
Section 86 – To declare any vacancy in any office under the Section.	Chief Executive
Section 88 (2) – The officer by whom a meeting of the Council for the election of the vacant office of Chair person of the Council may be convened.	Chief Executive
Section 89 (1)(b) – The officer to whom notice in writing of a casual vacancy occurring in the office of Councillor may be given by two local government electors for the Borough	Chief Executive
Section 96 – The officer to whom general notices and recording of disclosures of interests under Section 94 should be given	Chief Executive
Section 99 + Schedule 12 – To give notice and send summonses in respect of any Council meeting	Chief Executive

## PART 3 RESPONSIBILITY FOR FUNCTIONS

### 3.6 SPECIFIC FUNCTIONS AND DELEGATIONS - PROPER OFFICER

<b>STATUTE AND FUNCTION</b>	<b>PROPER OFFICER</b>
Section 100 – To give public notice of any meeting to which the public are entitled to attend, provide copies of agenda and facilities for the press	Chief Executive Assistant Director Legal & Democratic Services
Section 100B (2) – The officer to exclude from committees, sub-committees, Council or Executive meeting agendas any information to be dealt with in a meeting from which the public are likely to be excluded	Chief Executive Assistant Director Legal & Democratic Services
Section 100B (7)(c) - The officer to supply to any newspaper copies of documents supplied to Members of committees, sub-committees, Council or Executive meetings in connection with an item for consideration	Chief Executive Assistant Director Legal & Democratic Services
Section 100C (2) – The officer to prepare a written summary of proceedings of committees, sub-committees, Council or the Executive from which the public were excluded	Chief Executive Assistant Director Legal & Democratic Services
Section 100D (1)(a) – The officer to prepare a list of background papers for reports considered by committees, sub-committees, Council or the Executive	Chief Executive Assistant Director Legal & Democratic Services
Section 100D (5) – The officer to determine which documents constitute background papers and Section 100H – ability to charge for the provision of such documents	Chief Executive Assistant Director Legal & Democratic Services
Section 100F (2) – The officer to decide which documents are not, by virtue of containing exempt information, required to be open to inspection	Chief Executive Assistant Director Legal & Democratic Services
Section 100G – To maintain a register of the names and addresses of Members and membership of committees, lists of delegations and the like	Chief Executive Assistant Director Legal & Democratic Services
Section 115 – The officer to whom money properly due from officers shall be paid	Chief Financial Officer and Assistant Director - Finance
Section 146 – The officer to make statutory declarations and issue any certificate with regard to securities held by local authority companies	Chief Financial Officer and Assistant Director - Finance
Section 151(and Section 114 of the Local Government Finance Act 1988) S210 To Exercise functions relating to charities	Chief Financial Officer and Assistant Director - Finance

## PART 3 RESPONSIBILITY FOR FUNCTIONS

### 3.6 SPECIFIC FUNCTIONS AND DELEGATIONS – PROPER OFFICER

<b>STATUTE AND FUNCTION</b>	<b>PROPER OFFICER</b>
S.223 Authorising officers to attend court and appear on behalf of the Council under Local Government Act 1972 and the County Courts Act 1984	Chief Executive Director of Corporate Resources Assistant Director Legal & Democratic Services
Section 225 (1) – The officer to receive and retain statutory documents on behalf of the Authority	Chief Executive
Section 228 – Account of any proper officer to be open to inspection by any member of the authority	Chief Executive
Section 229 (4)(5) – The officer to receive and retain statutory documents on behalf of the Authority	Chief Executive
Section 233 – The officer to receive documents required to be served on the Authority	Chief Executive
Section 234 (1) & (2) – The officer to authenticate documents on behalf of the Authority	Chief Executive
Section 238 – The officer to certify printed copies of bylaws	Chief Executive
Section 248 – The officer responsible for the keeping of the role of freeman	Chief Executive
Schedule 12 [paragraphs 4(2)(b) & 4(3)] – The officer responsible for the receipt of notices regarding address to which summons to meetings is to be sent	Chief Executive
Schedule 14 [paragraph 25(7)] – The officer responsible for the certification of true copies of resolutions	Chief Executive
Schedule 29 [paragraph 41] – The officer responsible for the exercise of functions under Section 9 (1) & (2), 13 (2) (h) and (3) (b) and 20 (b) of the Registration Services Act 1953 (Proper Officer)	Chief Executive

## PART 3 RESPONSIBILITY FOR FUNCTIONS

### 3.6 SPECIFIC FUNCTIONS AND DELEGATIONS – PROPER OFFICER

#### LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

STATUTE AND FUNCTION	PROPER OFFICER
Section 41 – The officer to certify copies of any resolution, order, report or minutes of proceedings of the Authority as evidence in any legal proceedings	Chief Executive
Section 16 – Notices requiring details of interest in land	Chief Executive

#### LOCAL GOVERNMENT AND HOUSING ACT 1989

Section 2 – The officer to hold on deposit the list of politically restricted posts and Section 2 – provision of certificates as to whether a post is politically restricted	Chief Executive, Assistant Director Legal & Democratic Services
Section 4 – The officer to be designated Head of the Paid Services	Chief Executive
Section 5 – The officer to be designated Monitoring Officer	Assistant Director Legal & Democratic Services
Section 15 – 17 (and regulations made thereunder) – The officer to receive notices relating to the membership of political groups	Chief Executive

#### LOCAL GOVERNMENT ACT 2000

The officer responsible for ensuring a proper record is made of Executive decisions and that a document giving details of all key decisions to be taken on behalf of the Authority is published at least 28 clear days before a key decision is made, in accordance with the Local Authorities (Executive Arrangements) (Meetings and Access to Information)(England) Regulations 2012	Chief Executive
To establish and maintain the Members Register of Interests (Section 81 LG A2000) and ensure it is available for public inspection	Chief Executive
To ensure that copies of the constitution are available for inspection	Chief Executive

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## PART 3 - RESPONSIBILITY FOR FUNCTIONS

### 3.6 SPECIFIC FUNCTIONS AND DELEGATIONS – PROPER OFFICER

STATUTE AND FUNCTION	PROPER OFFICER
To make payments of relevant allowances in accordance with the Council's members allowances scheme	Chief Executive
To defray expenses of any Members making official and courtesy visits, receptions and entertainment of distinguished persons visiting the Borough	Chief Executive

#### **LOCAL LAND CHARGES ACT 1975**

Section 19 – The officer to act as Local Registrar as defined in Section 3 of the Land Charges Act 1975	Chief Executive
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#### **NATIONAL ASSISTANCE ACT 1948 AND NATIONAL ASSISTANCE (AMENDMENT) ACT 1951**

Proper officer to seek an order for removal of persons into care	Director of Learning Opportunities & Skills
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#### **REGISTRATION SERVICES ACT 1953**

Proper officer for Births Deaths and Marriages	Assistant Director of Legal and Democratic Services
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#### **LOCAL GOVERNMENT ACT 2003**

Requirement to report to Council annually on the robustness of estimates and financial reserves	Chief Financial Officer and Assistant Director - Finance
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#### **PUBLIC HEALTH (CONTROL OF DISEASES) ACT 1984 FOOD SAFETY (GENERAL FOOD HYGIENE) REGULATIONS 1995 AND THE MILK AND DAIRIES (GENERAL) REGULATIONS 1969**

Requirement to appoint a suitably qualified person as the Council's Medical Advisor on Environmental Health and Proper Officer for notifiable diseases	As may be appointed from time to time by the Director of Regeneration and Environment
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#### **CIVIL EVIDENCE ACT 1995**

To certify Council records for the purposes of admitting the document in evidence in civil proceedings.	Assistant Director of Legal and Democratic Services
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## PART 3 RESPONSIBILITY FOR FUNCTIONS

### 3.6 SPECIFIC FUNCTIONS AND DELEGATIONS – PROPER OFFICER

STATUTE AND FUNCTION	PROPER OFFICER
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#### CRIME AND DISORDER ACT 1998

Section 12 – to apply for the discharge or variation of a Child Safety Order	Director of Learning Opportunities & Skills
Sections 17 and 37 to have regard to effect of the exercise of any function on the need to prevent crime and disorder and offending by children and young persons	All Directors

#### CRIMINAL JUSTICE AND POLICE ACT 2001

Delegated power to authorise officers to enter premises and seize items where the Council has a power of seizure under this Act and to perform other related duties (return and security of seized items)	The Chief Executive, Directors and Assistant Directors
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#### LOCAL GOVERNMENT FINANCE ACT 1988

Section 116 – Notification to the Council's auditor of any meeting to be held under Section 15 of the 1988 Act (meeting to consider any report of the Chief Finance Officer under Section 114)	Chief Financial Officer and Assistant Director - Finance
Section 139A – Provision of information to the Secretary of State in relation to the exercise of his powers under this Act as and when required. S114, S115 & II5A Responsibility for Chief Finance Officers reports to the Council Executive	Chief Financial Officer and Assistant Director - Finance

#### LOCAL GOVERNMENT (CONTRACTS) ACT 1997

Certification of relevant powers to enter into contracts S3&4 – Officer designated with authority to sign	Chief Financial Officer and Assistant Director - Finance
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## PART 3 RESPONSIBILITY FOR FUNCTIONS

### 3.6 SPECIFIC FUNCTIONS AND DELEGATIONS – PROPER OFFICER

#### OTHER MISCELLANEOUS PROPER OFFICER FUNCTIONS

Any other miscellaneous proper or statutory officer functions not otherwise delegated by the Authority	Chief Executive or his/her nominee
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#### LOCAL GOVERNMENT ACT 1974

Purpose of Appointment	Proper Officer
Section 30 (5) Giving public notice of receipt of report by a Local Commissioner (Ombudsman)	Assistant Director of Legal and Democratic Services

#### LOCAL GOVERNMENT ACT 2000: THE LOCAL AUTHORITIES (EXECUTIVE ARRANGEMENTS) (MEETINGS AND ACCESS TO INFORMATION) (ENGLAND) REGULATIONS 2012 (SI 2012/2089)

Purpose of Appointment	Proper Officer
Regulation 7 (2) Exclusion of whole or part of any report to the Executive where meeting is likely to be a private meeting.	Assistant Director of Legal and Democratic Services
Regulation 7 (7) (c) Provision to the public or press of other documents supplied to Members of the Executive in connection with the item discussed.	Assistant Director of Legal and Democratic Services
Regulation 10 (1) Informing the relevant Overview and Scrutiny Committee Chair/Members of key decisions to be made where the publication of the intention to make a key decision is impracticable.	Assistant Director of Legal and Democratic Services
Regulation 10(3) Making available a notice setting out the reasons why publication of intention to make a key decision is impracticable.	Assistant Director of Legal and Democratic Services
Regulation 12 Producing a written statement of Executive decisions made at meetings.	Assistant Director of Legal and Democratic Services
Regulation 13 Producing a written statement of Executive decisions made by individual members.	Assistant Director of Legal and Democratic Services



## PART 3 RESPONSIBILITY FOR FUNCTIONS

### 3.6 SPECIFIC FUNCTIONS AND DELEGATIONS – PROPER OFFICER

STATUTE AND FUNCTION	PROPER OFFICER
<b>Purpose of Appointment</b> Regulation 14 Making a copy of written statements of Executive decisions and associated reports available for inspection by the public.	<b>Proper Officer</b> Assistant Director of Legal & Democratic Services
Regulation 15 Making available for inspection a list of background papers.	Assistant Director of Legal & Democratic Services
Regulation 16 Determining whether documents contain exempt information	Assistant Director of Legal & Democratic Services

#### **LOCAL GOVERNMENT ACT 2000: SECTION 34: LOCAL AUTHORITIES (REFERENDUMS) (PETITIONS AND DIRECTIONS) REGULATIONS 2000 (SI 2000/760)**

Purpose of Appointment	Proper Officer
Section 34 Publishing the verification number of local government electors for the purpose of petitions under the Local Government Act 2000	Chief Executive

#### **LOCAL GOVERNMENT ACT 2000: LOCAL AUTHORITIES (STANDING ORDERS) (ENGLAND) REGULATIONS 2001**

Purpose of Appointment	Proper Officer
1 (Part II) Notifications to the Executive concerning appointments and dismissals	Assistant Director of Human Resources, Communications and Executive Office

#### **REGULATION OF INVESTIGATORY POWERS ACT 2000**

Purpose of Appointment	Proper Officer
Maintaining of RIPA authorisations	Assistant Director of Legal & Democratic Services
Authorising confidential material or use of a vulnerable person or juvenile as a covert human intelligence source (under the Codes of Practice pursuant to s71 of the Regulation of Investigatory powers Act 2000)	Chief Executive

## PART 3 RESPONSIBILITY FOR FUNCTIONS

### 3.6 SPECIFIC FUNCTIONS AND DELEGATIONS – PROPER OFFICER

STATUTE AND FUNCTION	PROPER OFFICER
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#### LOCAL GOVERNMENT ACT 2003

Purpose of Appointment	Proper Officer
All finance-related Officer duties	Chief Financial Officer and Assistant Director - Finance

#### HOUSING ACT 1985

Purpose of Appointment	Proper Officer
Section 606 Receive complaints and make reports on the condition of houses	Director of Regeneration & Environment

#### LOCAL ELECTIONS (PRINCIPAL AREAS) RULES 1986

Purpose of Appointment	Proper Officer
All functions	Chief Executive

#### LOCAL GOVERNMENT FINANCE ACT 1988

Purpose of Appointment	Proper Officer
Sections 114, 115 and 115A Responsibility for Chief Finance Officer Reports to the Council/Executive	Chief Financial Officer and Assistant Director - Finance
Section 116 (1) Responsibility for notifying the external auditor of arrangements for a meeting to consider a report from the “Chief Financial Officer” under this Act	Chief Financial Officer and Assistant Director - Finance

#### FREEDOM OF INFORMATION ACT 2000

Purpose of Appointment	Proper Officer
Section 36 To authorise exemption for release for prejudice effective conduct of public affairs	Chief Executive, Assistant Director Legal & Democratic Services

## PART 3 - RESPONSIBILITY FOR FUNCTIONS

### 3.7 EXECUTIVE FUNCTIONS – SCHEME OF DELEGATIONS

As Mayor of City of Doncaster Council, under the powers and duties invested in me by the Local Government Act 2000, I make this following Scheme of Delegations.

.....  
Ros Jones  
Mayor of City of Doncaster Council

Date: 25<sup>th</sup> August 2023

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This section last updated – Sep 2023

1. All functions of the Council are executive functions except those reserved by law or by the constitution to the Full Council or to Council Committees.

#### **Elected Mayor**

2. The Mayor is personally responsible for the discharge of all Executive Functions and may take any decision in relation to any such function, whilst recognising the specific and/or statutory responsibilities placed on individual portfolio holders.

<b><i>Functions Reserved to the Mayor</i></b>	
1.	Appointment of Cabinet and Deputy Mayor.
2.	Determination of Scheme of Delegations.

#### **Cabinet**

The Cabinet will consist of:		
Cabinet Member	Ward	Portfolio Remit
Ros Jones, Mayor	N/A	Budget and Policy Framework
Councillor Glyn Jones Deputy Mayor	Hexthorpe & Balby North	Housing and Business
Councillor Lani-Mae Ball	Conisbrough	Early Help, Education, Skills and Young People
Councillor Nigel Ball	Conisbrough	Public Health, Communities, Leisure and Culture
Councillor Joe Blackham	Thorne & Moorends	Highways, Infrastructure and Enforcement
Councillor Rachael Blake	Rossington & Bawtry	Children's Social Care and Equalities

Councillor Phil Cole	Edlington & Warmsworth	Finance, Traded Services and Planning
Councillor Mark Houlbrook	Thorne & Moorends	Sustainability and Waste
Councillor Jane Nightingale	Bentley	Corporate Resources
Councillor Sarah Smith	Adwick & Carcroft	Adult Social Care

3. The Mayor delegates all Executive Functions to the Cabinet who collectively may take any decision in relation to any such function – subject only to the reservations set out in paragraph 5. Cabinet Members may also in respect of any issue decide that the matter is one which should be decided by the Mayor and/or Cabinet. In exercising this delegation, Cabinet Members will follow the principles and conditions shown at Appendix 3.
4. The Cabinet is collectively responsible for the financial decision making and budgetary functions set out in Appendix 5.

### **Cabinet Members**

5. Subject to paragraphs 2, 3 and 4 above, the Mayor delegates all Executive Functions shown in Appendix 1 which involve decisions that are strategic, high profile or controversial and which fall within the portfolio of each Cabinet Member as set out in Appendix 1, to that Cabinet Member, subject to the Mayor's directions from time to time to individual Cabinet Members in respect of controversial, high profile and/or financially significant decisions. In exercising delegations, Cabinet Members will follow the principles and conditions shown at Appendix 3. In the event that the Mayor is absent or unable to act the Deputy Mayor must act in her place and may take any decision which the Mayor may ordinarily take. In the event that the Deputy Mayor is unavailable or absent the following Cabinet Members will assume the role of Deputy Mayor in the following order:-  
Councillor Joe Blackham, Councillor Nigel Ball, Councillor Rachael Blake, Councillor Jane Nightingale, Councillor Lani-Mae Ball, Councillor Mark Houlbrook, Councillor Phil Cole and Councillor Sarah Smith.
6. The Mayor has specific responsibility for those functions in relation to financial decision making and budgetary responsibility referred to in the Council's Financial Procedure Rules as set out at Appendix 6.
7. The establishment of advisory groups to assist in the discharge of Executive functions shall be reserved to the Mayor. No such group shall be established without formally recording the following:-
  - (i) The purpose and scope (explicitly stating that it is a non-decision making body)
  - (ii) The membership of the Body and how that is appointed
  - (iii) The costs and benefit of establishment
  - (iv) The arrangements for servicing the Body, including the keeping of minutes

- (v) Stating to whom the recommendations are made and that the decision makers discretion is not fettered by the making of those recommendations

A record of each group established shall be maintained by the Chief Executive.

### **Cabinet Committees**

8.

No Cabinet Committees are established.

### **Joint Arrangements**

9.

The following Joint Arrangements are established to discharge executive arrangements.

- i Joint Advisory Committee for South Yorkshire Archaeology
- ii South Yorkshire Joint Advisory Committee on Archives
- iii South Yorkshire Joint Trading Standards Committee
- iv South Yorkshire Local Pensions Board
- v Yorkshire and Humberside Grid for Learning Joint Committee
- vi Barnsley, Doncaster & Rotherham (BDR) Waste Partnership (Joint Waste Board)
- vii Yorkshire Purchasing Organisation

### **Area Committees**

10.

There are no Area Committees discharging executive functions.

### **Chief Executive/Directors**

11. The Mayor delegates, subject only to the reservations in the lists at paragraphs 2 to 10 above, all Executive Functions to the Chief Executive, also to Directors, who may take any decision in relation to the functions delegated to them as set out in paragraph 13. The Chief Executive (in consultation with the Mayor as appropriate) will determine from time to time the service responsibilities of each Director and the extent to which their delegations shall be exercised. The Chief Executive and Directors have a specific delegation to approve Member attendance at events both within and outside the UK. The Mayor must be informed, prior to any approval, of Cabinet Member attendance at events both within and outside of the UK, and those decisions cannot be delegated to Assistant Directors or Heads of Service.

### **Assistant Directors and Heads of Service**

12. The Mayor delegates, subject only to the reservations in the lists at paragraphs 2 to 11 above, to each Assistant Director all Executive Functions which fall within their service area, as shown at paragraph 11 above. The Director to whom the Assistant Directors report will

determine from time to time, what the service responsibilities of each Assistant Director, are and the extent to which their delegations shall be exercised. Assistant Directors can authorise member attendance at events within the UK.

13. A list of the Executive Functions delegated to Officers is set out at Appendix 2. In exercising delegation, Officers will follow the principles and conditions set out at Appendix 4.
14. Notwithstanding the Scheme of Delegations for the discharge of Executive Functions, the law requires the Council to appoint certain statutory officers that are responsible for the governance of the Council and have specific statutory powers. These are shown below.

### **Head of Paid Service**

15. The Chief Executive is the Head of Paid Service for the purpose of Section 4 of the Local Government and Housing Act 1989.

### **Section 151 Officer**

16. The Assistant Director of Finance is the officer with responsibility for the administration of the Council's financial affairs for the purposes of Section 6 Local Government and Housing Act 1989 and Section 151 Local Government Act 1972.

### **Monitoring Officer**

17. The Assistant Director of Legal & Democratic Services is the Monitoring Officer for the purposes of Section 5 of the Local Government and Housing Act 1989 and will advise, and report as appropriate, on issues of legality, decision making procedure, maladministration, standards of conduct and probity and compliance with the budget and policy framework, and generally to exercise the functions of the Council's Monitoring Officer under Section 5 of the Local Government and Housing Act 1989, the Local Government Act 2000 and accompanying regulations.

### **Director of Public Health**

18. The Director of Public Health is the Officer with responsibility for the Council's Public Health functions for the purposes of Section 30 of the Health and Social Care Act 2012 and discharging the responsibilities for Public Health within Doncaster in accordance with the requirements of the Health and Social Care Act 2012 and the NHS Act 2006.

### **Director of Children's Services**

19. S18 of the Children Act 2004 requires that an Authority appoint a Director of Children's services. The purposes for which the Director of Children's Services is appointed are local authority education functions, social services functions for children; functions in relation to young person's leaving care; functions conferred on the authority under sections 10–12 and 17 of the 2004 Act; any functions delegated to the authority by an NHS body under section 31 of the Health Act 1999, so far as relating to

children; and any other function prescribed by the Secretary of State by regulations. The authority may include in the remit of the Director of Children's Services such additional functions as they consider appropriate.

### **Director of Adults Services**

20. The Children Act 2004 amended Section 6 of the Local Authority Social Services Act 1970. This requires a local authority with social services responsibility in England to appoint an officer as the Director of Adult Social Services. The Director of Adult Social Services is made accountable for the delivery of local authority social services functions listed in Schedule 1 of the Local Authority Social Services Act 1970 (as amended), other than those for which the Director of Children's services is responsible, in respect of adults.

## APPENDIX 1

### ROS JONES, MAYOR (Lead for Budget and Policy)

Director of Corporate Resources	Overall responsibility for the setting of the Medium Financial Strategy of the Council and effective governance arrangements within the Council in line with the Budget and Policy Framework.
	Providing leadership for major projects including the South Yorkshire Airport City programme.
Relevant Service Director	Policy Framework
Chief Financial Officer and Assistant Director of Finance and Technology	Strategic Finance/Budget Strategy
Assistant Director of Policy, Insight and Change	Corporate Policy and Performance
	Borough Strategy/Corporate Plan
	Policy & Strategy Lead & Formulation
	Regional and Sub-regional engagement and strategy
Assistant Director of Economy and Development	Inward Investment



**COUNCILLOR GLYN JONES DEPUTY MAYOR  
(Cabinet Member for Housing and Business)**

Director of Adults, Wellbeing and Culture (Statutory DASS)	Strategic Lead for Homelessness
Assistant Director of Strategic Housing and Sustainability	Strategic Housing:- <ul style="list-style-type: none"> <li>• Affordable Housing</li> <li>• New Homes</li> <li>• Delivery of the Council House Build Programme</li> <li>• Housing Needs Assessment</li> <li>• Housing Regeneration and private sector empty homes</li> <li>• St Leger Homes Client Role, including Building Safety Group</li> <li>• Strategic input on Homelessness policy</li> <li>• Sheffield City Region partnership working</li> <li>• Private sector housing stock condition and housing retrofit</li> </ul>
Assistant Director of Policy, Insight and Change	Housing Strategy Development
	Housing Market Research and Analysis
	Economic Strategy
	Management of industrial and employee relations (IR&ER), including recognised Trade Unions*
	IR & ER negotiation and consultation frameworks* *Shared jointly with Cabinet Member for Highways, Infrastructure and Enforcement
Assistant Director of Economy and Development	Business Doncaster:- <ul style="list-style-type: none"> <li>• Support for businesses and enterprise</li> <li>• Tourism</li> <li>• Destination Marketing</li> <li>• Town Centre Strategy and commercial events</li> </ul>

**COUNCILLOR SARAH SMITH**  
**(Cabinet Member for Adult Social Care)**

Director of Adults, Wellbeing and Culture (Statutory DASS)	Strategic owner and lead for adult social care, adult safeguarding, strategic commissioning for adults and domestic and sexual abuse (all age).
	Coordination of health and care alongside Doncaster's NHS bodies
	Doncaster Safeguarding Adults Partnership Board
	All age Carers strategy
	Practice development within Adult Social Care
Head of Strategic Commissioning	Adults Strategic Commissioning – Joint Commissioning and Provider Alliance Agreements
Assistant Director of Integration and Partnerships	<p>Therapy, reablement and hospital discharge</p> <ul style="list-style-type: none"> <li>• Occupational Therapy services (Adults and Children)</li> <li>• Home adaptations and community equipment</li> <li>• Integrated Discharge Team</li> <li>• STEPs Community Reablement Service</li> <li>• Positive Step Intermediate Care Assessment Unit</li> <li>• Home Emergency Alarm Team</li> </ul> <p>Safeguarding, workforce strategy and quality assurance</p> <ul style="list-style-type: none"> <li>• Safeguarding Personal Assets Team (SAPAT)</li> <li>• Safeguarding Adults Hub</li> <li>• Workforce team</li> <li>• Commissioning arrangements for homecare, care homes, supported living, day support, community equipment, Direct Payments</li> </ul> <p>Domestic and Sexual Abuse</p> <ul style="list-style-type: none"> <li>• Domestic and Sexual Abuse Team</li> <li>• Domestic and Sexual Abuse partnership strategy and action plan</li> </ul> <p>Strategic partnership responsibilities</p> <ul style="list-style-type: none"> <li>• Court of Protection and Deputyship</li> <li>• Urgent and Emergency Care including Home First model</li> <li>• Adult Social Care Market Shaping, contracting and workforce</li> <li>• Directorate link with Safer Stronger Doncaster Partnership</li> </ul>
Assistant Director of Adult Social Care	<p>Specialist social work teams and direct provision</p> <ul style="list-style-type: none"> <li>• Community Adult Learning Disability team</li> <li>• Transitions (preparation for adulthood)</li> <li>• Mental Health Social Work Team</li> <li>• Approved Mental Health Professional Service (AMHPs)</li> <li>• Deprivation of Liberty Safeguards Team (DOLS)</li> <li>• Amersall Court – Residential Care</li> <li>• Hamilton Court – Supported Living</li> <li>• Wickett Hern – residential short breaks</li> <li>• Eden Lodge - residential short breaks</li> <li>• SMILE – day opportunities</li> <li>• Sensory Team</li> <li>• Support to Doncaster prisons</li> </ul> <p>Locality Social work</p> <ul style="list-style-type: none"> <li>• Locality social work teams</li> </ul> <p>Coordinated support for people at risk of homelessness with multiple</p>

Assistant Director of Adult Social Care (Cont'd/...)	morbidity <ul style="list-style-type: none"> <li>• Complex Lives Team</li> </ul> Tactical coordination of Team Doncaster for Central Locality <ul style="list-style-type: none"> <li>• Central Locality Lead</li> <li>• Central Locality Bronze multi-agency coordination</li> </ul> Strategic partnership responsibilities <ul style="list-style-type: none"> <li>• Caldicott Guardian and member of SIRO Board</li> <li>• Transforming Care Partnership</li> <li>• Application of Mental Health Act and Deprivation of Liberty Safeguards</li> <li>• Complex Lives Alliance</li> </ul>
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**COUNCILLOR NIGEL BALL**  
**(Cabinet Member for Public Health, Communities, Leisure and Culture)**

Director of Public Health and Prevention	Surveillance and assessment of the population's health and wellbeing (including managing, analysing and interpreting information, knowledge and statistics)
	Health and Well Being Board
	Director of Public Health Annual Report
	Local Authority's Public Health response as a responsible Authority under the Licensing Act
	Local Authority's role in cooperating with police, probation service and prison service to assess risks posed by violent or sexual offenders
	Emergency Preparedness, Resilience and Response for emergencies that pose a risk to public health and duties related to the Authority's role in the Local Health Resilience Forum
	Get Doncaster Moving – Physical Activity and Sport
	Leisure Services
	Combatting Drugs Partnership
	Development of a Community Prevention Model
	Deputy Director of Public Health and Prevention
Public Mental Health	
Child Death Overview Panel	
Approaches to reduce health inequalities	
Public Health delivery: <ul style="list-style-type: none"> <li>• Children, young people and families</li> <li>• Working Age and healthy lives</li> <li>• Well Doncaster Community based approaches</li> </ul>	
Co-ordinate health care public health advice to Integrated Care Board (ICB): <ul style="list-style-type: none"> <li>• Strategic planning: assessing needs; reviewing service provision; deciding priorities.</li> <li>• Procuring services: planning capacity and managing demand; designing shape and structure of supply.</li> </ul>	
Head of Service - Public Health	Health Protection assurance - identify, address and monitor local health protection incidents, outbreaks and emergencies.
	Health Protection Assurance Group
	Liaison with NHS England, clinical networks and clinical senates.
	Tobacco Control Alliance
	Supporting reviewing and challenging delivery of key public health funded and NHS delivered services such as Immunisation and screening programmes.
	Public Health training placement coordination
Chief Investigator - HDRC	Research active Council
	Knowledge into practice and policy
Public Health Principal	Public Health Delivery: <ul style="list-style-type: none"> <li>• Vulnerable people and improving lives</li> <li>• Wider Determinants of public health</li> </ul>
	Wellbeing essentials and fairness

Assistant Director of Policy, Insight and Change	Corporate Health, Safety and Welfare Strategy and development
Head of Service Communities and Wellbeing	Area and Neighbourhood management including:- <ul style="list-style-type: none"> <li>• Early intervention and prevention (all age) to tackle issues early in the localities to seek to prevent escalation</li> <li>• Local community safety and reassurance</li> <li>• Tackling anti-social behaviour, hate crime, criminal damage and low-level crime issues</li> <li>• Supporting vulnerable victims</li> <li>• Tackling local issues with partners and communities</li> <li>• Develop and lead the community-led support model</li> <li>• Development of a Community Prevention model</li> <li>• Locality Working Model</li> </ul>
	Translation and Interpretation Service
	Refugee Settlement Schemes/Controlling Migration/Monitoring of the dispersed asylum programme/Homes for Ukraine scheme
	Wellbeing Team
Head of Heritage and Culture	Heritage and Culture Service, including:- <ul style="list-style-type: none"> <li>• Doncaster Culture Strategy and Partnership Development</li> <li>• Culture (Heritage and Library) Services</li> <li>• Events Team</li> <li>• Archives</li> <li>• Local History</li> <li>• Doncaster Music Service and Hub and Events</li> <li>• Buy Doncaster</li> </ul>

**COUNCILLOR PHIL COLE**  
**(Cabinet Member for Finance, Traded Services and Planning)**

Chief Financial Officer and Assistant Director of Finance and Technology	Finance: <ul style="list-style-type: none"> <li>• Financial Management</li> <li>• Capital Programmes</li> <li>• Budgeting and Monitoring</li> <li>• Insurance</li> <li>• Treasury Management</li> <li>• Completion of Financial Government Returns/Reports &amp; National Consultation Responses</li> <li>• Statement of Accounts and external audit</li> <li>• Banking arrangements</li> </ul>
	Internal Audit Services: <ul style="list-style-type: none"> <li>• Planned Audit work</li> <li>• Advice and Consultancy</li> <li>• Counter Fraud Work</li> </ul>
	Financial & Business Systems: <ul style="list-style-type: none"> <li>• Financial Systems</li> <li>• Professional Business Support</li> <li>• Payment Processing</li> <li>• Debt Management</li> <li>• Social Care Payments</li> <li>• Printing &amp; Outgoing Mail</li> <li>• Incoming Post and Document Scanning</li> </ul>
Assistant Director of Legal and Democratic Services	Procurement and Contracts Management
Assistant Director of Policy, Insight and Change	Parish Councils Joint Consultative Committee Attendee
Head of Traded Services	Traded Services, comprising:- <ul style="list-style-type: none"> <li>• Schools Catering</li> <li>• Civic Catering</li> <li>• Doncaster Markets Client Function</li> <li>• Bereavement Services (Cemeteries &amp; Crematoria)</li> <li>• Metro Clean</li> <li>• Pest Control</li> <li>• Dog Wardens</li> </ul>
Assistant Director of Economy and Development	Development Management:- <ul style="list-style-type: none"> <li>• Planning Applications</li> <li>• Waste &amp; Minerals Planning Applications</li> <li>• Planning Enforcement (Client) *See also AD Environment</li> <li>• Building Regulations</li> <li>• Safety at Sports Grounds</li> </ul>

Assistant Director of Economy and Development (Cont'd/...)	Planning Policy:- <ul style="list-style-type: none"><li>• Local Plan</li><li>• Supplementary Planning Documents</li><li>• Regional Engagement &amp; Policy</li><li>• Landscaping, Trees and Hedgerows</li><li>• Design, Master Planning &amp; Conservation</li></ul>
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**COUNCILLOR JOE BLACKHAM**  
**(Cabinet Member for Highways, Infrastructure and Enforcement)**

Assistant Director of Environment	Street Scene, including:- <ul style="list-style-type: none"> <li>• Street Cleansing (including Fly Tipping and Graffiti)</li> <li>• Grounds Maintenance</li> <li>• Trees and Woodlands</li> <li>• Parks Management (including Play Infrastructure and Technical Services)</li> </ul>
	Regulation and Enforcement, including:- <ul style="list-style-type: none"> <li>• Planning Enforcement (Operator) *See also AD Economy and Development</li> <li>• Environmental Enforcement</li> <li>• Trading Standards</li> <li>• Licensing &amp; Business Safety</li> <li>• Environmental Health</li> <li>• Food and Animal Health</li> <li>• Resilience and Emergency Planning</li> <li>• Anti-Social Behaviour Enforcement</li> <li>• Parking Enforcement and Car Parks Management</li> <li>• Gypsy and Traveller Liaison</li> <li>• Private Sector Housing Enforcement</li> </ul>
	Highways, including:- <ul style="list-style-type: none"> <li>• Bridges Infrastructure</li> <li>• Roads</li> <li>• Safer Roads</li> <li>• Public Rights of Way</li> <li>• Street Lighting</li> <li>• Drainage</li> <li>• Traffic Management</li> <li>• Flood Management</li> <li>• Network Management</li> <li>• Asset Maintenance</li> </ul>
Assistant Director of Economy and Development	Property Services:- <ul style="list-style-type: none"> <li>• Strategic Asset Management, including:- <ul style="list-style-type: none"> <li>○ Sale and Acquisition of Assets</li> <li>○ Asset Management Plans and Systems</li> <li>○ Property Advisory Service</li> <li>○ Management of Commercial Property Portfolio</li> <li>○ Council Accommodation Planning</li> </ul> </li> <li>• Professional Building Maintenance</li> <li>• Facilities Management</li> <li>• Energy</li> <li>• Design</li> <li>• Stores</li> <li>• Statutory Planned Maintenance</li> </ul>
	Major Transport Scheme Initiation
	Major Transport Scheme Feasibility, Design, Procurement and Delivery



Assistant Director of Economy and Development (Cont'd/...)	Transportation, including:- <ul style="list-style-type: none"> <li>• Strategic Transport Policy</li> <li>• Regional Transport Activity</li> <li>• Local Transport Plan</li> <li>• Bridges Infrastructure</li> <li>• Roads</li> </ul>
	Major physical regeneration projects
Head of Trading Services	Fleet Transport
Assistant Director of Strategic Housing and Sustainability	Countryside Unit
Head of Communities Safer Stronger	Community Safety and City Centre, including:- <ul style="list-style-type: none"> <li>• Safer Stronger Doncaster Partnership (SSDP) and associated themes within the Community Safety Strategy</li> <li>• Neighbourhood Response Team</li> <li>• CCTV, Out of Hours contact (ARC) and security issues</li> <li>• Management of the City Centre and Engagement officers</li> <li>• Prevent agenda, which includes prevention of extremism and radicalisation and the Channel programme</li> <li>• Hate Crime, Alleygate repairs and maintenance and the Boroughwide weekly community tension assessment.</li> </ul>
Assistant Director of Policy, Insight and Change	Management of industrial and employee relations (IR&ER), including recognised Trade Unions*
	IR & ER negotiation and consultation frameworks*
*Shared jointly with Cabinet Member for Housing and Business	

**COUNCILLOR LANI-MAE BALL**  
**(Cabinet Member for Early Help, Education, Skills and Young People)**

<p>Director of Children's Services (Statutory DCS)</p>	<p>Leadership:-</p> <ul style="list-style-type: none"> <li>• Promote the importance of improving outcomes for all children and young people, and narrowing the gap for those in disadvantaged groups, across local authority services and activities.</li> <li>• To encourage all services to contribute to improving outcomes for all children and narrowing gaps within the other partnerships, e.g. local strategic partnership.</li> <li>• Work with local headteachers collectively to drive up standards in schools and ensure that they work together and with others to improve children and young people's wellbeing.</li> </ul> <p>Championing children, young people and their families within the local area, in particular:-</p> <ul style="list-style-type: none"> <li>• Driving joint working with and between bodies which commission, provide, or have an interest in services affecting local children, young people and their families.</li> <li>• Maintain strategic oversight of the production of the children and young people's plan.</li> <li>• Ensuring that services are available for all children within the local authority area, including early years and school settings.</li> </ul>
<p>Assistant Director of Education and Skills</p>	<p>Statutory lead for Education, inclusion, pupil welfare, transition SEND Strategy</p> <p>Children and Young People with Special Educational Needs and Disability (SEND)</p> <p>Virtual School for Children Looked After, Children in Need (CIN) and children with a social worker.</p> <p>Language Support English as an Additional Language and Gypsy, Roma and Traveller Services</p> <p>School Governor Support</p> <p>School Forum</p> <p>International Links</p> <p>Education, Standards and Effectiveness</p> <p>All age Education and Skills</p> <p>Education Psychology</p> <p>Standing Advisory Council on Religious Education (SACRE)</p> <p>Statutory Education Provision, Post 16, secondary, primary, junior, infants, special schools and alternative provision and adult family learning.</p> <p>Skills</p> <p>Adult and Family Learning</p> <p>Strategic Partnership lead for Inclusion</p> <p>ASCETS (Autism, and Social Interaction and Communication Education and Training Service)</p> <p>Initial Teacher Training (ITT) Accountable Body</p>

Assistant Director of Education and Skills (Cont'd/...)	Hearing and Visual Impairment Services Behaviour Support Attendance
	Joint Strategic Improvement and Performance
Assistant Director of Partnerships and Operations	Youth Strategy
	Children and Young People Plan
	Early Intervention and Prevention, including Early Help, Family Hubs, Start for Life Early Years
	Partnership Development & Engagement
	Wellbeing and Mental Health
	Local Office of the Children's Commissioner
	Participation and Engagement, including Youth Council, Youth Advisory Board and Young Advisors
	All Information, Advice and Guidance (IAG), including Local offer, Family Information Service
	SAIDSEND (Support, Advice, Information Doncaster Special Educational Needs and Disabilities)
	Quality Assurance Early Years Private, Voluntary or Independent (PVI) settings
	Short Breaks
	Early Years and Portage
	Locality Working Model, including the Your Family Teams and Regenerative Neighbourhoods
	Lead for the North Bronze meetings
	All age sufficiency and place planning - School admissions and childcare sufficiency
	Home to School Transport
School Crossing Patrol	
Business Support	
Assistant Director of Children's Social Care	Youth Offending Service and EPIC

**COUNCILLOR RACHAEL BLAKE**  
**(Cabinet Member for Children’s Social Care and Equalities)**

Director of Children’s Services (DCS)	Safeguarding and promoting the welfare of children and young people.
Assistant Director of Partnerships and Operations	Operational and Strategic Commissioning
	All age safeguarding business unit
Assistant Director of Children’s Social Care	Advocacy and Engagement Service
	Children’s Social Care Referral Service and Emergency Social Services Team (ESST)
	Child Protection, Child in Need Assessment and Social Work Services Service
	Children and Young People In Care Service including Fostering, Adoption, residential Services, Leaving Care (16+) and Field Teams
	Multi Agency Safeguarding Hub (MASH)
	Independent Reviewing Service
	Family Support Service
	Therapeutic and Support services: Multisystemic Therapy for Child Abuse and Neglect team (MST- CAN); Domestic Abuse Navigators Service (DANS); Psychological services
	Support Services: Edge of Care, Child Sexual Abuse
Assistant Director of Policy, Insight and Change	Equalities, Diversity and Inclusion
	Parish Councils Joint Consultative Committee Attendee

**COUNCILLOR JANE NIGHTINGALE  
(Cabinet Member for Corporate Resources)**

Assistant Director of Policy, Insight and Change	Performance Management Framework
	Intelligence, Research & Analysis/Needs Analysis
	External Inspection Coordination & Preparation
	Engagement and Consultation Lead – Expertise and Quality Assurance
	Service Review and Improvement
	Data Quality - Expertise and Quality Assurance
	Parish Council JCC support
	External Funding including: <ul style="list-style-type: none"> <li>• Accountable body for a range of funding streams</li> <li>• Grant search support</li> <li>• Development and submission of strategic funding submissions</li> </ul>
	Project and Programme Management – Expertise and Quality Assurance
	Employment Policy and Workforce Strategy Development
	Corporate Strategic Human Resources
	Transactional HR (Payroll, Training Booking, Recruitment Administration)
	Occupational Health and Employee Well-Being
	Organisational Change and Transformation
	Organisation and Culture Development
	Leadership and Management Development
	Employee engagement, behaviours and performance standards
	Corporate Recruitment & Agency Staffing
	Workforce Planning, Skills & Development, including Apprenticeships
	Communications and Engagement Strategy development
	Communications (internal and external media)
	Marketing, Campaigns, Branding, Press and PR
	Digital/Web and Intranet
	Executive and Leadership Offices
	Customer Service Strategy
	Customer Contact Centre
	Complaints and Local Government Ombudsman
Civic Office One-Stop-Shop	
Assistant Director of Legal & Democratic Services	Land Charges
	Legal Services
	Democratic Services
	Overview and Scrutiny
	Member Support – Members' Services
	Civic Office
	Electoral Services
	Coroners
Registrars	

Assistant Director of Legal & Democratic Services (Cont'd/...)	Freedom of Information
	Data Protection
	Data Sharing
	Information Management
	Records Management
Chief Financial Officer and Assistant Director of Finance and Technology	Revenues and Benefits, comprising:- <ul style="list-style-type: none"> <li>• Council Tax Billing, Collection and Enforcement</li> <li>• Business Rates Billing, Collection and Enforcement</li> <li>• Housing Benefits and Council Tax Support administration</li> <li>• Financial Assessments for Social Care charges and personal budgets</li> <li>• Financial Assessments for Child Care Services</li> <li>• Free School Meals administration</li> <li>• Local Assistance Scheme</li> <li>• Discretionary Housing Payments</li> <li>• Disabled Person's Travel Permits</li> </ul>
	Digital & ICT : <ul style="list-style-type: none"> <li>• ICT &amp; Digital Strategy</li> <li>• TGB Governance</li> <li>• ICT Support,</li> <li>• ICT Asset, License and Contract management</li> <li>• ICT Architecture</li> <li>• ICT Application Development and support</li> <li>• Data, Voice and Mobile Services</li> <li>• Digital Training</li> <li>• Integrated People Solution (Adults, Children's &amp; Education)</li> </ul>

**COUNCILLOR MARK HOULBROOK**  
**(Cabinet Member for Sustainability and Waste)**

Assistant Director of Environment	Waste Management and Recycling
	Environment and Sustainability functions
	Air Quality and Pollution Control
	Flood Management
Assistant Director of Strategic Housing and Sustainability	Sustainability Unit implementing the Environment and Sustainability Strategy
	Built and Natural environment initiatives for carbon reduction and nature recovery
	Influencing behaviour change and consumption
	Green technology and economy projects
Head of Communities	Veterans strategic lead and development of the statutory duty relating to the covenant work
	Armed Forces Champion

## APPENDIX 2

### CHIEF EXECUTIVE (HEAD OF PAID SERVICE)

The Chief Executive is the Head of Paid Service for the purposes of Section 4 Local Government and Housing Act 1989 with the following specific responsibilities:

1. The overall corporate management and operational responsibility (including overall management responsibility for all staff).
2. The overall provision of professional advice to all parties in the decision making process (the Executive, Overview and Scrutiny, the Council and other Committees).
3. Together with the Monitoring Officer, responsibility for a system of record keeping for all the Local Authority's decisions (Executive or otherwise).
4. Representing the Authority on partnership and external bodies (as required by the Mayor).
5. In consultation with the Mayor, to take such action as may be necessary to protect the interests of the Council and keep citizens safe in any emergency situations.
6. To ensure the Council has an appropriate and effective Health and Safety Policy.
7. To act as Returning Officer for elections and referenda.
8. To deal with any operational matters not otherwise delegated in any period between the last meeting of the Council until the new Council is set up following statutory elections.
9. To give direction in any circumstances that any officer does not exercise a delegated function for whatever reason including interim replacement.
10. To take action on any matter delegated to other Directors as the Chief Executive sees fit.
11. Duties and responsibilities that are relevant and appropriate under the Council's Financial Procedure Rules and to Contract Procedure Rules, including, without prejudice, the power to accept quotations and tenders for the supply or hire of goods, materials, plant or services.
12. Agree HR and OD employment policies and procedures, in particular recruitment, retention, change/reorganisation, redundancy, redeployment, capability, conduct and dismissal of staff under Section 112 of the Local Government Act 1972.
13. Approval of press releases and official statements to press enquiries on behalf of the Authority.
14. To approve the granting and supervision of exemptions from posts being designated as politically restricted, in consultation with the Monitoring Officer.



## CHIEF EXECUTIVE'S DIRECTORATE

Assistant Director of Policy, Insight and Change	Corporate Policy and Performance
	Strategic Partnership (Team Doncaster) Lead
	Borough Strategy/Corporate Plan
	Performance Management Framework
	Policy & Strategy Lead & Formulation
	Intelligence, Research & Analysis/Needs Analysis
	External Inspection Coordination & Preparation
	Engagement and Consultation Lead – Expertise and Quality Assurance
	Service Review and Improvement
	Data Quality - Expertise and Quality Assurance
	Parish Council JCC support
	Housing Strategy Development
	Housing Market Research and Analysis
	External Funding including: <ul style="list-style-type: none"> <li>• Accountable body for a range of funding streams</li> <li>• Grant search support</li> <li>• Development and submission of strategic funding submissions</li> </ul>
	Project and Programme Management – Expertise and Quality Assurance
	Regional and Sub-regional engagement and strategy
	Economic Strategy
	Employment Policy and Workforce Strategy Development
	Corporate Strategic Human Resources
	Management of industrial and employee relations (IR&ER), including recognised Trade Unions
	IR & ER negotiation and consultation frameworks
	Transactional HR (Payroll, Training Booking, Recruitment Administration)
	Occupational Health and Employee Well-Being
	Organisational Change and Transformation
	Organisation and Culture Development
	Leadership and Management Development
	Employee engagement, behaviours and performance standards
	Corporate Recruitment & Agency Staffing
	Workforce Planning, Skills & Development, including Apprenticeships
	Equalities, Diversity and Inclusion
	Communications and Engagement Strategy development
	Communications (internal and external media)
	Marketing, Campaigns, Branding, Press and PR
	Digital/Web and Intranet
Executive and Leadership Offices	
Customer Service Strategy	
Customer Contact Centre	

Assistant Director of Policy, Insight and Change (Cont'd/...)	Complaints and Local Government Ombudsman
	Civic Office One-Stop-Shop
	Corporate Health, Safety and Welfare Strategy and development

**DIRECTOR OF PUBLIC HEALTH AND PREVENTION  
(Chief Executive's Directorate)**

Personally	Overall responsibility for all services and issues concerning Public Health, and for professional advice to the Cabinet, Executive and Council as the designated statutory Director of Public Health (including exercising the duties and functions set out in the statutory guidance for Director of Public Health)
	Representing the Authority on partnership and external bodies (as required by the Mayor or Chief Executive)
	Surveillance and assessment of the population's health and wellbeing (including managing, analysing and interpreting information, knowledge and statistics)
	Health and Well Being Board
	Director of Public Health Annual Report
	Local Authority's Public Health response as a responsible Authority under the Licensing Act
	Local Authority's role in cooperating with police, probation service and prison service to assess risks posed by violent or sexual offenders
	Emergency Preparedness, Resilience and Response for emergencies that pose a risk to public health and duties related to the Authority's role in the Local Health Resilience Forum
	Get Doncaster Moving – Physical Activity and Sport
	Leisure Services
	Combatting Drugs Partnership
	Development of a Community Prevention Model
	Deputy Director of Public Health and Prevention
Public Mental Health	
Child Death Overview Panel	
Approaches to reduce health inequalities	
Public Health delivery: <ul style="list-style-type: none"> <li>• Children, young people and families</li> <li>• Working Age and healthy lives</li> <li>• Well Doncaster Community based approaches</li> </ul>	
Co-ordinate health care public health advice to Integrated Care Board (ICB): <ul style="list-style-type: none"> <li>• Strategic planning: assessing needs; reviewing service provision; deciding priorities.</li> <li>• Procuring services: planning capacity and managing demand; designing shape and structure of supply.</li> </ul>	
Head of Service - Public Health	Health Protection assurance - identify, address and monitor local health protection incidents, outbreaks and emergencies.
	Health Protection Assurance Group
	Liaison with NHS England, clinical networks and clinical senates.

Head of Service - Public Health (Cont'd/...)	Tobacco Control Alliance
	Supporting reviewing and challenging delivery of key public health funded and NHS delivered services such as Immunisation and screening programmes.
	Public Health training placement coordination
Chief Investigator - HDRC	Research active Council
	Knowledge into practice and policy
Public Health Principal	Public Health Delivery: <ul style="list-style-type: none"> <li>• Vulnerable people and improving lives</li> <li>• Wider Determinants of public health</li> </ul>
	Wellbeing essentials and fairness
Head of Service Communities and Wellbeing	Area and Neighbourhood management including:- <ul style="list-style-type: none"> <li>• Early intervention and prevention (all age) to tackle issues early in the localities to seek to prevent escalation</li> <li>• Local community safety and reassurance</li> <li>• Tackling anti-social behaviour, hate crime, criminal damage and low-level crime issues</li> <li>• Supporting vulnerable victims</li> <li>• Tackling local issues with partners and communities</li> <li>• Develop and lead the community-led support model</li> <li>• Development of a Community Prevention model</li> <li>• Locality Working Model</li> <li>• Veterans strategic lead and development of the statutory duty relating to the covenant work</li> </ul>
	Translation and Interpretation Service
	Refugee Settlement Schemes/Controlling Migration/Monitoring of the dispersed asylum programme/Homes for Ukraine scheme
	Wellbeing Team

## DIRECTOR OF PLACE

Personally	Overall responsibility for all services and issues concerning the Place Directorate
	Representing the Authority on partnership and external bodies (as required by the Mayor or Chief Executive)
Head of Communities Safer Stronger (Reports to Director)	<p>Community Safety and City Centre including:-</p> <ul style="list-style-type: none"> <li>• Safer Stronger Doncaster Partnership (SSDP) and associated themes within the Community Safety Strategy</li> <li>• Neighbourhood Response Team</li> <li>• CCTV, Out of Hours contact (ARC) and security issues</li> <li>• Management of the City Centre and Engagement officers</li> <li>• Prevent agenda, which includes prevention of extremism and radicalisation and the Channel programme</li> <li>• Hate Crime, Alleygate repairs and maintenance and the Boroughwide weekly community tension assessment.</li> </ul>
Head of Traded Services (Reports to Director)	<p>Traded Services, comprising:-</p> <ul style="list-style-type: none"> <li>• Schools Catering</li> <li>• Civic Catering</li> <li>• Doncaster Markets Client Function</li> <li>• Bereavement Services (Cemeteries &amp; Crematoria)</li> <li>• Fleet Transport</li> <li>• Metro Clean</li> <li>• Pest Control</li> <li>• Dog Wardens</li> </ul>
Assistant Director of Economy and Development	<p>Development Management:-</p> <ul style="list-style-type: none"> <li>• Planning Applications</li> <li>• Waste &amp; Minerals Planning Applications</li> <li>• Planning Enforcement (Client) *See also AD Environment</li> <li>• Building Regulations</li> <li>• Safety at Sports Grounds</li> </ul>
	<p>Planning Policy:-</p> <ul style="list-style-type: none"> <li>• Local Plan</li> <li>• Supplementary Planning Documents</li> <li>• Regional Engagement &amp; Policy</li> <li>• Landscaping, Trees and Hedgerows</li> <li>• Design, Master Planning &amp; Conservation</li> </ul>
	Major Transport Scheme Initiation
	Major Transport Scheme Feasibility, Design, Procurement and Delivery
	<p>Transportation including:-</p> <ul style="list-style-type: none"> <li>• Strategic Transport Policy</li> <li>• Regional Transport Activity</li> <li>• Local Transport Plan</li> <li>• Bridges Infrastructure</li> <li>• Roads</li> </ul>
	Major physical regeneration projects

Assistant Director of Economy and Development (Cont'd/...)	Business Doncaster:- <ul style="list-style-type: none"> <li>• Support for businesses and enterprise</li> <li>• Attracting Inward Investment</li> <li>• Tourism</li> <li>• Destination Marketing</li> <li>• Town Centre Strategy and commercial events</li> </ul>
	Property Services:- <ul style="list-style-type: none"> <li>• Strategic Asset Management including:- <ul style="list-style-type: none"> <li>○ Sale and Acquisition of Assets</li> <li>○ Asset Management Plans and Systems</li> <li>○ Property Advisory Service</li> <li>○ Management of Commercial Property Portfolio</li> <li>○ Council Accommodation Planning</li> </ul> </li> <li>• Professional Building Maintenance</li> <li>• Facilities Management</li> <li>• Energy</li> <li>• Design</li> <li>• Stores</li> <li>• Statutory Planned Maintenance</li> </ul>
Assistant Director of Environment	Street Scene including:- <ul style="list-style-type: none"> <li>• Street Cleansing (including Fly Tipping and Graffiti)</li> <li>• Grounds Maintenance</li> <li>• Trees and Woodlands</li> <li>• Parks Management (including Play Infrastructure and Technical Services)</li> </ul>
	Regulation and Enforcement including:- <ul style="list-style-type: none"> <li>• Planning Enforcement (Operator) *See also AD Economy and Development</li> <li>• Environmental Enforcement</li> <li>• Trading Standards</li> <li>• Licensing &amp; Business Safety</li> <li>• Environmental Health</li> <li>• Food and Animal Health</li> <li>• Resilience and Emergency Planning</li> <li>• Air Quality and Pollution Control</li> <li>• Anti-Social Behaviour Enforcement</li> <li>• Parking Enforcement and Car Parks Management</li> <li>• Gypsy and Traveller Liaison</li> <li>• Private Sector Housing Enforcement</li> </ul>
	Waste Management and Recycling
	Highways, including:- <ul style="list-style-type: none"> <li>• Bridges Infrastructure</li> <li>• Roads</li> <li>• Safer Roads</li> <li>• Public Rights of Way</li> <li>• Street Lighting</li> <li>• Drainage</li> <li>• Traffic Management</li> <li>• Flood Management</li> <li>• Network Management</li> <li>• Asset Maintenance</li> </ul>

Assistant Director of Strategic Housing and Sustainability	Strategic Housing:- <ul style="list-style-type: none"> <li>• Affordable Housing</li> <li>• New Homes</li> <li>• Delivery of the Council House Build Programme</li> <li>• Housing Needs Assessment</li> <li>• Housing Regeneration and private sector empty homes</li> <li>• St Leger Homes Client Role, including Building Safety Group</li> <li>• Strategic input on Homelessness policy</li> <li>• Sheffield City Region partnership working</li> <li>• Private sector housing stock condition and housing retrofit</li> <li>• Sustainability Unit implementing the Environment and Sustainability Strategy</li> <li>• Built and Natural environment initiatives for carbon reduction and nature recovery</li> <li>• Influencing behaviour change and consumption</li> <li>• Green technology and economy projects</li> <li>• Countryside Unit</li> <li>• AD Lead for South Locality</li> </ul>
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## DIRECTOR OF CORPORATE RESOURCES

Personally	Overall responsibility for all issues and services concerning the Corporate Resources Directorate. Representing the Authority on partnership and external bodies (as required by the Mayor or Chief Executive)
	Overall responsibility for the setting of the Medium Financial Strategy of the Council and effective governance arrangements within the Council in line with the Budget and Policy Framework.
	Providing leadership for major projects including the South Yorkshire Airport City programme.
Chief Financial Officer and Assistant Director of Finance and Technology	<p>Finance:</p> <ul style="list-style-type: none"> <li>• Financial Management</li> <li>• Budget Strategy</li> <li>• Capital Programmes</li> <li>• Budgeting and Monitoring</li> <li>• Insurance</li> <li>• Treasury Management</li> <li>• Completion of Financial Government Returns/Reports &amp; National Consultation Responses</li> <li>• Statement of Accounts and external audit</li> <li>• Banking arrangements</li> </ul>
	<p>Internal Audit Services:</p> <ul style="list-style-type: none"> <li>• Planned Audit work</li> <li>• Advice and Consultancy</li> <li>• Counter Fraud Work</li> </ul>
	<p>Financial &amp; Business Systems:</p> <ul style="list-style-type: none"> <li>• Financial Systems</li> <li>• Professional Business Support</li> <li>• Payment Processing</li> <li>• Debt Management</li> <li>• Social Care Payments</li> <li>• Printing &amp; Outgoing Mail</li> <li>• Incoming Post and Document Scanning</li> </ul>
	<p>Revenues and Benefits, comprising:-</p> <ul style="list-style-type: none"> <li>• Council Tax Billing, Collection and Enforcement</li> <li>• Business Rates Billing, Collection and Enforcement</li> <li>• Housing Benefits and Council Tax Support administration</li> <li>• Financial Assessments for Social Care charges and personal budgets</li> <li>• Financial Assessments for Child Care Services</li> <li>• Free School Meals administration</li> <li>• Local Assistance Scheme</li> <li>• Discretionary Housing Payments</li> <li>• Disabled Person's Travel Permits</li> </ul>

<p>Chief Financial Officer and Assistant Director of Finance and Technology (Cont'd/...)</p>	<p>Digital &amp; ICT :</p> <ul style="list-style-type: none"> <li>• ICT &amp; Digital Strategy</li> <li>• TGB Governance</li> <li>• ICT Support,</li> <li>• ICT Asset, License and Contract management</li> <li>• ICT Architecture</li> <li>• ICT Application Development and support</li> <li>• Data, Voice and Mobile Services</li> <li>• Digital Training</li> <li>• Integrated People Solution (Adults, Children's &amp; Education)</li> </ul>
<p>Assistant Director of Legal &amp; Democratic Services</p>	<p>Land Charges</p> <p>Legal Services</p> <p>Democratic Services</p> <p>Overview and Scrutiny</p> <p>Member Support – Members' Services</p> <p>Civic Office</p> <p>Electoral Services</p> <p>Coroners</p> <p>Registrars</p> <p>Freedom of Information</p> <p>Data Protection</p> <p>Data Sharing</p> <p>Information Management</p> <p>Records Management</p> <p>Procurement and Contracts Management</p>



**DIRECTOR OF CHILDREN, YOUNG PEOPLE AND FAMILIES  
(Statutory DCS)**

Personally	Overall responsibility for all services for and issues concerning children and young people, as the designated statutory Director of Children’s Services (DCS), including exercising the duties and functions set out in the statutory guidance for Directors of Children’s Services.
	Representing the Authority on partnership and external bodies (as required by the Mayor or Chief Executive)
Assistant Director of Education and Skills	Statutory lead for Education, inclusion, pupil welfare, transition SEND Strategy
	Children and Young People with Special Educational Needs and Disability (SEND)
	Virtual School for Children Looked After, Children in Need (CIN) and children with a social worker.
	Language Support English as an Additional Language and Gypsy, Roma and Traveller Services
	School Governor Support
	School Forum
	International Links
	Education, Standards and Effectiveness
	All age Education and Skills
	Education Psychology
	Standing Advisory Council on Religious Education (SACRE)
	Statutory Education Provision, Post 16, secondary, primary, junior, infants, special schools and alternative provision and adult family learning.
	Skills
	Adult and Family Learning
	Strategic Partnership lead for Inclusion
	ASCETS (Autism, and Social Interaction and Communication Education and Training Service)
	Initial Teacher Training (ITT) Accountable Body
	Hearing and Visual Impairment Services Behaviour Support Attendance
	Joint Strategic Improvement and Performance
	Representing the Authority on partnership and external bodies (as required by the Mayor, Chief Executive and the Director)
Assistant Director of Partnerships and Operations	Youth Strategy
	Children and Young People Plan
	Early Intervention and Prevention, including Early Help, Family Hubs, Start for Life Early Years
	Partnership Development & Engagement
	Wellbeing and Mental Health
	Local Office of the Children’s Commissioner
	Participation and Engagement, including Youth Council, Youth Advisory Board and Young Advisors

Assistant Director of Partnerships and Operations (Cont'd/...)	All Information, Advice and Guidance (IAG), including Local offer, Family Information Service
	SAIDSEND (Support, Advice, Information Doncaster Special Educational Needs and Disabilities)
	Quality Assurance Early Years Private, Voluntary or Independent (PVI) settings
	Short Breaks
	Early Years and Portage
	Locality Working Model, including the Your Family Teams and Regenerative Neighbourhoods
	Lead for the North Bronze meetings
	Operational and Strategic Commissioning
	All age sufficiency and place planning - School admissions and childcare sufficiency
	All age safeguarding business unit
	Home to School Transport
	School Crossing Patrol
	Business Support
	Representing the Authority on partnership and external bodies (as required by the Mayor, Chief Executive and the Director) including mental health, domestic abuse and child exploitation
Assistant Director of Children's Social Care	Advocacy and Engagement Service
	Children's Social Care Referral Service and Emergency Social Services Team (ESST)
	Child Protection, Child in Need Assessment and Social Work Services Service
	Children and Young People In Care Service including Fostering, Adoption, residential Services, Leaving Care (16+) and Field Teams
	Multi Agency Safeguarding Hub (MASH)
	Independent Reviewing Service
	Family Support Service
	Youth Offending Service and EPIC
	Therapeutic and Support services: Multisystemic Therapy for Child Abuse and Neglect team (MST- CAN); Domestic Abuse Navigators Service (DANS); Psychological services
	Support Services: Edge of Care, Child Sexual Abuse
	Representing the Authority on partnership and external bodies (as required by the Mayor, Chief Executive and the Director) including mental health, domestic abuse and child exploitation

## DIRECTOR OF ADULTS, WELLBEING AND CULTURE (Statutory DASS)

Personally	<p>Overall responsibility for all services for and issues concerning adult social care, adult safeguarding, strategic commissioning for adults, domestic and sexual abuse (all age) and culture and heritage, and for professional advice to the Cabinet and Executive as the designated statutory Director of Adult Social Services (DASS).</p> <p>Coordination of health and care alongside Doncaster's NHS bodies</p> <p>Doncaster Safeguarding Adults Partnership Board</p> <p>Strategic Lead for Homelessness</p> <p>All age Carers strategy</p> <p>Practice development within Adult Social Care, including as co-chair of the Making It Real Board</p> <p>Representing the Authority on partnership and external bodies (as required by the Mayor or Chief Executive)</p>
Head of Strategic Commissioning (Reports to Director)	Adults Strategic Commissioning – Joint Commissioning and Provider Alliance Agreements
Head of Heritage and Culture (Reports to Director)	<p>Heritage and Culture Service, including:-</p> <ul style="list-style-type: none"> <li>• Doncaster Culture Strategy and Partnership Development</li> <li>• Culture (Heritage and Library) Services</li> <li>• Events Team</li> <li>• Archives</li> <li>• Local History</li> <li>• Doncaster Music Service and Hub and Events</li> <li>• Buy Doncaster</li> </ul>
Assistant Director of Integration and Partnerships	<p>Therapy, reablement and hospital discharge</p> <ul style="list-style-type: none"> <li>• Occupational Therapy services (Adults and Children)</li> <li>• Home adaptations and community equipment</li> <li>• Integrated Discharge Team</li> <li>• STEPs Community Reablement Service</li> <li>• Positive Step Intermediate Care Assessment Unit</li> <li>• Home Emergency Alarm Team</li> </ul> <p>Safeguarding, workforce strategy and quality assurance</p> <ul style="list-style-type: none"> <li>• Safeguarding Personal Assets Team (SAPAT)</li> <li>• Safeguarding Adults Hub</li> <li>• Workforce team</li> <li>• Commissioning arrangements for homecare, care homes, supported living, day support, community equipment, Direct Payments</li> </ul> <p>Domestic and Sexual Abuse</p> <ul style="list-style-type: none"> <li>• Domestic and Sexual Abuse Team</li> <li>• Domestic and Sexual Abuse partnership strategy and action plan</li> </ul> <p>Strategic partnership responsibilities</p> <ul style="list-style-type: none"> <li>• Court of Protection and Deputyship</li> <li>• Urgent and Emergency Care including Home First model</li> <li>• Adult Social Care Market Shaping, contracting and workforce</li> <li>• Directorate link with Safer Stronger Doncaster Partnership</li> </ul>

	Representing the Authority on partnership and external bodies (as required by the Mayor, Chief Executive and the Director)
Assistant Director of Adult Social Care	<p>Specialist social work teams and direct provision</p> <ul style="list-style-type: none"> <li>• Community Adult Learning Disability team</li> <li>• Transitions (preparation for adulthood)</li> <li>• Mental Health Social Work Team</li> <li>• Approved Mental Health Professional Service (AMHPs)</li> <li>• Deprivation of Liberty Safeguards Team (DOLS)</li> <li>• Amersall Court – Residential Care</li> <li>• Hamilton Court – Supported Living</li> <li>• Wickett Hern – residential short breaks</li> <li>• Eden Lodge - residential short breaks</li> <li>• SMILE – day opportunities</li> <li>• Sensory Team</li> <li>• Support to Doncaster prisons</li> </ul> <p>Locality Social work</p> <ul style="list-style-type: none"> <li>• Locality social work teams</li> </ul> <p>Coordinated support for people at risk of homelessness with multiple morbidities</p> <ul style="list-style-type: none"> <li>• Complex Lives Team</li> </ul> <p>Tactical coordination of Team Doncaster for Central Locality</p> <ul style="list-style-type: none"> <li>• Central Locality Lead</li> <li>• Central Locality Bronze multi-agency coordination</li> </ul> <p>Strategic partnership responsibilities</p> <ul style="list-style-type: none"> <li>• Caldicott Guardian and member of SIRO Board</li> <li>• Transforming Care Partnership</li> <li>• Application of Mental Health Act and Deprivation of Liberty Safeguards</li> <li>• Complex Lives Alliance</li> </ul>
	Representing the Authority on partnership and external bodies (as required by the Mayor, Chief Executive and the Director)

### EXERCISE OF DELEGATION BY THE MAYOR AND CABINET MEMBERS

Where decisions are taken or powers are exercised by the Mayor or Cabinet Members acting under individual delegations from the Mayor, the following principles and conditions shall apply:-

1. Powers and duties shall be exercised in accordance with the Law, the Council's Procedure Rules, Financial Procedure Rules, Contract Procedure Rules and any policies relevant to the functions delegated. Members must also be mindful of the requirements under the Member Code of Conduct and where appropriate make it known if there is an interest to declare. Where a Member has an interest, that Member should take no part in the decision.
2. Decisions taken in the name of the Mayor or individual Cabinet Members shall be taken personally by the individual with delegated powers.
3. Decisions must be taken on the basis of a written report setting out all the information and advice relevant to the decision, evaluating any alternative courses of action and recording the outcome of any consultation undertaken.
4. Rule 21(4) of the Access to Information Procedure Rules requires the Mayor or Cabinet Member taking a decision to prepare, or instruct the Chief Executive to prepare, a record of the decision including a statement of the reasons for it and any alternative options considered and rejected.
5. The Financial Procedure Rules set out the requirements of the Council in ensuring principles of accounting good practice and financial probity are adhered to. Compliance with these rules is required in order to protect the interests of the decision maker and of the Council.
6. Any delegated powers can also be exercised at any time by the Mayor, or unless the Mayor directs otherwise, by the Cabinet collectively.
7. In exercising delegated powers consistency with the Council's Budget and Policy Framework will be of paramount importance.
8. Due regard must be had to the principles of decision making set out at Article 8.02 (a) to (k) of the Constitution.

### EXERCISE OF DELEGATION BY OFFICERS

In deciding whether or not to exercise delegated powers, Officers shall consult with the Mayor/Deputy Mayor or relevant Cabinet Member. Whilst the Scheme of Delegation sets out at paragraph 5 the types of decisions Cabinet Members should take, it is expected that each Director will meet with their respective Portfolio Holders to agree arrangements for consulting with them on certain types of decisions to be taken by officers within their Directorate. Where decisions are taken or powers are exercised by Officers under delegations from the Mayor, the following principles and conditions shall apply:-

1. Powers shall be exercised in accordance with the Law, the Council's Procedure Rules, Financial Procedure Rules, Contract Procedure Rules and any policies relevant to the functions delegated.
2. Decisions shall be taken in the name of, but not necessarily personally by, the Officer with the delegated power. Any Officer with delegated powers may authorise another Officer to act in their name. Such decisions remain the responsibility of the Officer with the delegation.
3. Key decision making must be taken on the basis of a written report setting out all the information and advice relevant to the decision, evaluating any alternative courses of action and recording the outcome of any consultation undertaken.
4. It is the responsibility of Officers who take delegated Non-Key Decisions to keep an appropriate record of the date the decision was taken, the principal considerations involved in reaching the decision and the reasons for the decision.
5. In exercising delegated authority regard must be had to:-
  - (i) the policy directions given by the Mayor;
  - (ii) the comments and views of relevant Cabinet Member(s);
  - (iii) the principles set out in Article 8.02 (a) to (k) of the Constitution; and
  - (iv) the requirement to demonstrate the need to provide continuous improvement of the delivery of services.
6. In exceptional circumstances (in particular where set out in the Council's urgency procedures) Officers will together with the relevant Cabinet Member consult the Overview & Scrutiny Management Committee Chair or relevant Scrutiny Panel Chair. Officers shall always be entitled to refer matters for decision to the appropriate Member body where they consider they should do so.
7. In exercising these delegated powers the officers concerned shall have broad discretion, subject to these rules, to use the most efficient and effective means available, including the deployment of staffing and other

resources within their control and the procurement of other resources necessary whether within or outside the Council.

8. Officers shall act so as to achieve for their service the policies and objectives of their Service and always having regard to the overall and corporate interests of the Council.
9. In the absence of a Director, decisions delegated to that Director may be taken by their authorised deputy.
10. Any power delegated to officers may, unless the Mayor directs otherwise, also be exercised by the Mayor or the Cabinet collectively, and where the Mayor directs, by individual Cabinet Members.
11. Decisions about the overall structure of the Directorate and the make-up of services within the Directorate are reserved to the relevant Director, in consultation with the Portfolio Holder and in accordance with Council procedures and guidance.

#### **Statutory and Guidance References**

**Local Government Act 2000, Ss 10, 15**

**Local Authorities (Functions and Responsibilities) (England) Regulations 2000**

**DETR New Council Constitutions Guidance Chapter 4**

<b>FUNCTIONS RESERVED TO THE CABINET COLLECTIVELY (FINANCIAL PROCEDURE RULE REFERENCE SHOWN IN BRACKETS)</b>	
(i)	Proposing the Budget and Policy Framework and Capital Programme to the Full Council and discharging Executive functions in accordance with the Budget and Policy Framework agreed by Full Council (A.4).
(ii)	Approving the Strategic Risk Management Policy Statement and Strategy and promoting a culture of risk management awareness throughout the Council (A.5 and C.2).
(iii)	Approval of the Council's Anti-Fraud and Corruption Policy (A.8).
(iv)	Agreeing the annual Revenue Budget (including medium-term financial strategy) proposed by the Elected Mayor prior to its submission to the Full Council for approval (B.1).
(v)	Agreeing the multi-year capital programme proposed by the Elected Mayor, prior to its submission to the Full Council for approval (B.3).
(vi)	Receiving regular reports on the latest forecast budget position and any significant deviations from expectations for prudential indicators (B.7, B.10).
(vii)	Approving proposals for virement between Directorates of over £250,000. [Note: Key decision approval is required, i.e. by Elected Mayor and/or Cabinet and/or Portfolio Holder] (B.14).
(viii)	Receiving reports from the Chief Financial Officer on proper insurance cover, as appropriate (C.3).
(ix)	Approving revised rent, licence fees, easement or wayleave payments or compensation claims in excess of £250,000 per annum (C.19).
(x)	Approval of land and property disposals where the estimated disposal value of individual property assets is equal to or greater than £1,000,000 (C.20).
(xi)	Approval to proceed with disposals at less than the Best Consideration where the estimated disposal value would otherwise have been at or above £250,000 (C.20).
(xii)	Receiving regular reports on the Treasury Management activities, including as a minimum, an Annual Strategy Report in advance of the forthcoming financial year and an Annual Report detailing the performance of actual activity six months after the financial year (C.30).



(xiii) Approving delegation of Financial Management arrangements relating to, and specifically, agreeing partnerships (E.3). The Council representative on any partnership, trust or other organisation must refer all financial decisions to Cabinet, including considering any recommendations that would create a commitment or liability for the Council (E.4).

### **FUNCTIONS RESERVED TO CABINET MEMBERS (FINANCIAL PROCEDURE RULE REFERENCE SHOWN IN BRACKETS)**

#### **A. Elected Mayor**

- (i) The Elected Mayor determines the Scheme of Delegations which will govern the framework for financial decision-making and budgetary responsibility (A.6).
- (ii) Approving proposals for virement between Directorates of over £250,000. [Note: Key decision approval is required, i.e. by Elected Mayor and/or Cabinet and/or Portfolio Holder] (B.14).
- (iii) The Chief Financial Officer will consult with the Elected Mayor before authorising the writing-off of debts of £250,000 or over (D.9).

#### **B. Relevant Portfolio Holder**

- (i) Approving proposals for virement between Directorates of over £250,000. [Note: Key decision approval is required, i.e. by Elected Mayor and/or Cabinet and/or Portfolio Holder] (B.14).
- (ii) Any exceptions to the annual percentage change for all discretionary fees and charges for the forthcoming financial year, as proposed by Cabinet, will be agreed by the relevant Portfolio Holder prior to the annual Council budget meeting (B.15).
- (iii) Any new fees and charges proposed within the financial year or any changes to existing fees and charges will be approved by the Chief Financial Officer in consultation with the relevant Portfolio Holder, subject to key decision rules and reported to Cabinet in the quarterly monitoring report (B.16).

#### **Statutory and Guidance References**

**Local Government Act 2000, Ss 10, 15**

**Local Authorities (Functions and Responsibilities) (England) Regulations 2000**

## **PART 3 - RESPONSIBILITY FOR FUNCTIONS**

### **3.8 FULL COUNCIL FUNCTIONS - SCHEME OF DELEGATIONS**

- (a) The Council has resolved to delegate all Council functions, which are not specifically reserved to Full Council, to the Committees described in this Scheme of Delegation with the terms of reference as set out.
- (b) The Council has resolved to delegate all Council functions which are not specifically reserved to Full Council, and which the law allows to be delegated, to the Officers described in Part 3.2 of this Constitution.
- (c) A Committee of the Council has a specific delegation to approve the attendance of any Member of the Committee or co-optees at conferences, events and meetings including travel outside the UK.

The Chief Executive and Directors have a specific delegation to approve Member attendance at events both inside and outside the UK. The respective Committee Chair must be informed of any approval of Member attendance at events outside the UK and these decisions cannot be delegated to Assistant Directors or Heads of Service. Assistant Directors or Heads of Service can authorise attendance at events within the UK.

- (d) The Head of Paid Service (Chief Executive) has a specific delegation to discharge those functions relating to the national and local terms and conditions of service staff excluding those functions exclusively relating to Chief Officers, which are covered within the remit of the Chief Officers' Appointments Committee. This delegation excludes any changes affecting the majority of staff, e.g. major changes to terms and conditions or large scale redundancies, which require a report to Full Council.
- (e) The Monitoring Officer is authorised to approve requests in writing for Member absence in excess of six months, if satisfied that the grounds for such a request are reasonable. (Members are asked to make requests prior to the expiry of the fifth month of absence.)

In the event that any such approval is granted, a report will be presented to the next available meeting of Council.

In the event that the Monitoring Officer does not feel able to approve the request Council will be asked to consider the extension.

- (f) The Chief Executive determines and maintains a record of Director, Assistant Director and Heads of Service responsibilities.
- (g) Any person with delegated powers may not further delegate those powers but may authorise others to act in their name.

## **PART 3 RESPONSIBILITY FOR FUNCTIONS**

### **3.8 FULL COUNCIL FUNCTIONS - SCHEME OF DELEGATIONS**

- (h) Ad hoc delegations by Full Council.

By resolution of the Full Council delegations to ad hoc Committees, Committees, Sub-Committees, Officers or joint arrangements will be effective notwithstanding that the delegation is not set out in this Part.

## **PART 3**

### **RESPONSIBILITY FOR FUNCTIONS**

#### **3.8.1 EXERCISE OF FULL COUNCIL DELEGATION BY OFFICERS**

Where decisions are taken or powers are exercised by Officers under delegations from the Council, the following principles and conditions shall apply:-

1. Powers shall be exercised in accordance with the Law, the Council's various Procedure Rules set out in this Constitution and any policies relevant to the functions delegated.
2. Decisions shall be taken in the name of, but not necessarily personally by, the Officer with the delegated power. Any Officer with delegated powers may authorise another Officer to act in their name. Such decisions remain the responsibility of the Officer with the delegation.
3. It is the responsibility of Officers who take delegated decisions to keep an appropriate record of the date the decision was taken, the principal considerations involved in reaching the decision and the reasons for the decision. In exercising delegated authority regard must be had to:-
  - (a) Reasonableness and proportionality of a decision. (Taking into account only relevant considerations, disregarding irrelevant considerations; taking account of any impact on the human rights of individuals).
  - (b) The lawfulness of the decision. (There must be a statutory power and the decision must be in accordance with the relevant Procedure Rules contained within the Constitution and all other procedural and legal requirements. The person making the decision must be properly authorised to do so.)
  - (c) The decision being taken for a proper purpose. (A purpose consistent with the legal power which enables the decision.)
  - (d) Financial information and advice.
  - (e) Absolute standards of integrity and probity.
4. In taking any decision Officers must have regard to and apply as appropriate the principles of decision making contained at Article 8.02 (a) to (k) of the Constitution.

## **PART 3 RESPONSIBILITY FOR FUNCTIONS**

### **3.8.1 EXERCISE OF FULL COUNCIL DELEGATION BY OFFICERS**

5. In deciding whether or not to exercise delegated powers, Officers shall comply with any protocol agreed by the relevant Committee in the exercise of delegation and shall consider consulting with the relevant Elected Member and/or Overview and Scrutiny Chair and shall always be entitled to refer matters for decision to the appropriate Member body where they consider they should do so.
6. In exercising these delegated powers the Officers concerned shall have broad discretion, subject to complying with all relevant law, the Council's Procedural Rules and approved budgets and Capital Programmes to use the most efficient and effective means available, including the deployment of staffing and other resources within their control and the procurement of other resources necessary whether within or outside the Council.
7. Officers shall act so as to achieve for their service the policies and objectives of their Service and always having regard to the overall and corporate interests of the Council.
8. In the absence of the Chief Executive or a Director or Assistant Director, decisions delegated to that Director or Assistant Director may be taken by their authorised deputy.

## **PART 3 RESPONSIBILITY FOR FUNCTIONS**

### **3.8.2 TERMS OF REFERENCE OF COMMITTEES AND SUB-COMMITTEES**

#### **PLANNING COMMITTEE**

This Committee is a Committee of the Council constituted under Sections 101 and 102 of the Local Government Act, 1972.

1. Exercise of the Full Council's functions under Part 3 of this Constitution including:
  - i. Functions relating to Town and Country Planning and Development Control;
  - ii. Miscellaneous functions relating to the creation, diversion, extinguishment stopping up of footpaths and bridleways and the diversion or extinguishment of a rail crossing.
  - iii. Functions relating to complaints about high hedges.
2. Advise and recommend to the Executive on the preparation, content and implementation of the Local Development Framework and supporting planning policy.

## **PART 3 RESPONSIBILITY FOR FUNCTIONS**

### **3.8.2 TERMS OF REFERENCE OF COMMITTEES AND SUB-COMMITTEES**

#### **EMPLOYEE RELATIONS DISPUTES RESOLUTION COMMITTEE**

This is a Committee of the Council constituted under Sections 101 and 102 of the Local Government Act, 1972.

1. To consider disputes of a collective nature, or which have collective application, not resolved through the Corporate Negotiating Group, in line with Part 3 – Disputes Resolution, of the Industrial Relations Framework.

#### **CHIEF OFFICERS' APPOINTMENTS COMMITTEE**

This Committee is a Committee of the Council constituted under Sections 101 and 102 of the Local Government Act 1972.

1. To exercise the Full Council's functions under Part 3 and the Employment Procedure Rules of this Constitution in respect of appointment of Chief Officers of Chief Executive (Head of Paid Service), Directors, Monitoring Officer and Chief Financial Officer (Section 151 Officer).
2. To establish an appointment panel comprising up to five members of the Chief Officers' Appointments Committee, that will include two members of the Cabinet nominated by the Mayor for each Chief Officer Post to be appointed to. Full Council approval is required for the appointment of the three Relevant Officers – Chief Executive (Head of Paid Service), Monitoring Officer and Chief Financial Officer (Section 151 Officer).
3. To compromise any claims or agree terms for the settlement of any dispute involving Chief Officers (of Chief Executive (Head of Paid Service), Directors, Monitoring Officer and Chief Financial Officer (Section 151 Officer)).



## **PART 3 - RESPONSIBILITY FOR FUNCTIONS**

### **3.8.2 TERMS OF REFERENCE OF COMMITTEES AND SUB-COMMITTEES**

#### **CHIEF OFFICERS INVESTIGATORY SUB-COMMITTEE**

This Sub-Committee is a Sub-Committee of the Council constituted under Sections 101 and 102 of the Local Government Act 1972 and in accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015; including the appointment of such relevant independent persons.

#### **DELEGATED MATTERS:-**

In relation to the Chief Executive (Head of Paid Service), Monitoring Officer and Chief Financial Officer (Section 151 Officer).

- i. To discharge the functions of the Panel as defined by the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015.
- ii. To consider any allegations made against the Chief Executive (Head of Paid Service), Monitoring Officer or Chief Financial Officer (Section 151 Officer) and decide if further investigation is required, to undertake suspension and take disciplinary action short of dismissal.
- iii. To carry out an investigation and determine if a question of discipline exists which requires disciplinary action to be taken.
- iv. To make recommendations to Full Council for approval of any proposed dismissal before notice is given to the Chief Executive (Head of Paid Service), Monitoring Officer or Chief Financial Officer (Section 151 Officer).

#### **CHIEF OFFICERS' APPEALS COMMITTEE**

This Committee is a Committee of the Council constituted under Sections 101 and 102 of the Local Government Act, 1972.

1. To hear appeals against decisions of the Chief Officers' Appointments Committee.
2. To hear appeals against any action short of dismissal taken by the Investigatory Sub-Committee against the Chief Executive (Head of Paid Service), Chief Financial Officer (Section 151 Officer) and Monitoring Officer.
3. To hear appeals against decisions to dismiss or action short of dismissal taken by the Chief Executive.

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## **PART 3 - RESPONSIBILITY FOR FUNCTIONS**

### **3.8.2 TERMS OF REFERENCE OF COMMITTEES AND SUB-COMMITTEES**

#### **LICENSING COMMITTEE**

This Committee is a Committee of the Council constituted:

- (1) In relation to its functions under the Licensing Act 2003, under Section 6 of that Act.
- (2) In relation to its functions under the Gambling Act 2005.
- (3) In relation to their functions under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982, as amended by section 27 of the Policing and Crime Act 2009.
- (4) In relation to its other functions, under Sections 101 and 102 of the Local Government Act 1972.

#### **Terms of Reference**

##### **FOR RECOMMENDATION TO COUNCIL:-**

1. In respect of the relevant prescribed period to consider the adoption of the Statement of Licensing Policy.
2. During the relevant prescribed period to keep the Statement of Licensing Policy under review, and to recommend any revisions to it.

##### **FOR RECOMMENDATION TO THE EXECUTIVE AND THEN TO COUNCIL:-**

1. In respect of the relevant prescribed period to advise on the preparation, content and implementation of the Statement of Gambling Policy.
2. During the relevant prescribed period to keep the Statement of Gambling Policy under review, and to recommend any revisions to it.

##### **DELEGATED MATTERS:-**

1. To discharge the functions of the Council that are licensing functions within the meaning of the Licensing Act 2003 as amended.
2. To discharge the functions of the Local Authority as set out in the Gambling Act 2005.
3. The appointment of Licensing Sub-Committees under Section 10 of the Licensing Act 2003.
4. The appointment of Licensing Sub Committees in relation to functions under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982, as amended by section 27 of the Policing and Crime Act 2009.

## **PART 3 - RESPONSIBILITY FOR FUNCTIONS**

### **3.8.2 TERMS OF REFERENCE OF COMMITTEES AND SUB-COMMITTEES**

5. To determine Policies that are relevant to the Council's functions under Part 3 of the Constitution which relate to those licensing and registration functions unless the policy must be determined by Full Council.
6. To exercise the Council's functions under Part 3 of the Constitution which relate to those licensing and registration functions except where the function has been delegated to Officers of the Council

#### **LICENSING SUB-COMMITTEES**

These Sub-Committees are Sub-Committees of the Licensing Committee appointed by that Committee and constituted:

- (1) Pursuant to Section 10 of the Licensing Act 2003, in relation to their functions under the Licensing Act 2003, under Section 6 of that Act.
- (2) In relation to their functions under the Gambling Act 2005.
- (3) In relation to their functions under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982, as amended by section 27 of the Policing and Crime Act 2009.
- (4) In relation to the other licensing and registration functions as set out in Part 3 of the Council's Constitution.

#### **Terms of Reference**

1. To determine applications under the Licensing Act 2003, where relevant representations are received.
2. To determine applications under the Gambling Act 2005, where relevant representations are received.
3. To determine applications in relation to the Council's functions under Part 3 of the Constitution which relate to those licensing and registration functions, where relevant representations are received.
4. To determine applications and reviews in relation to the licensing of private hire and hackney carriage drivers, operators and vehicles except where those functions have been delegated to officers under the Council's Hackney Carriage and Private Hire Licensing Policy.
5. To determine all other applications and reviews in relation to the Council's functions under Part 3 of the Constitution which relate to those licensing and registration functions, except where those functions have been delegated to officers.

## **PART 3 RESPONSIBILITY FOR FUNCTIONS**

### **3.8.2 TERMS OF REFERENCE OF COMMITTEES AND SUB-COMMITTEES**

#### **ELECTIONS AND DEMOCRATIC STRUCTURES COMMITTEE**

This Committee is a Committee of the Council constituted under Sections 101 and 102 of the Local Government Act 1972.

#### **1. TO MAKE RECOMMENDATIONS TO FULL COUNCIL IN RELATION TO:-**

- i. Submission of proposals to the Secretary of State for pilot schemes for local elections.
- ii. To change the name of a parish.
- iii. The making and revision of Byelaws.
- iv. Promotion of or opposition to local or personal bills.
- v. Boundary, structural and electoral reviews.
- vi. Any proposed revisions to the Council's Constitution except those in relation to the Code of Conduct, Ethical Governance and Corporate Governance issues.
- vii. To monitor, review and make recommendations on the operation of the Council's decision-making structures.

#### **2. TO EXERCISE THE FUNCTIONS OF FULL COUNCIL IN RELATION TO:-**

- i. Electoral Registration and Elections.
- ii. All other Full Council functions not specifically dealt with by other Committees or reserved to the Council.

## **PART 3 - RESPONSIBILITY FOR FUNCTIONS**

### **3.8.2 TERMS OF REFERENCE OF COMMITTEES AND SUB-COMMITTEES**

#### **AUDIT COMMITTEE**

This Committee is a Committee of the Council constituted under Sections 101 and 102 of the Local Government Act 1972.

#### **Statement of Purpose**

1. Our Audit Committee is a key component of City of Doncaster Council's Corporate Governance. It provides an independent and high-level focus on the audit, assurance and reporting arrangements that underpin good governance and financial standards.
2. The purpose of our Audit Committee is to provide independent assurance to the Members on the adequacy of the risk management framework and the internal control environment. It provides an independent review of City of Doncaster Council's governance, risk management and control frameworks and oversees the financial reporting and annual governance processes. It oversees internal audit and external audit, helping to ensure efficient and effective assurance arrangements are in place.

#### **FOR RECOMMENDATION TO COUNCIL:-**

- (a) The adoption or revision of the Members' Code of Conduct.

**DELEGATED MATTERS:-** (the Committee may recommend any matter to Full Council when it considers it expedient to do so, after taking advice from the Head of Paid Service)

#### **1. Audit Activity**

##### **INTERNAL AUDIT**

- I. To approve the Internal Audit Charter.
- II. To approve the risk-based internal audit plan, including internal audit's resource requirements, the approach to using other sources of assurance and any work required to place reliance upon those other sources.
- III. To approve significant interim changes to the risk-based internal audit plan and resource requirements.
- IV. To make appropriate enquiries of both management and the Head of Internal Audit to determine if there are any inappropriate scope or resource limitations.

## **PART 3 - RESPONSIBILITY FOR FUNCTIONS**

### **3.8.2 TERMS OF REFERENCE OF COMMITTEES AND SUB-COMMITTEES**

#### **AUDIT COMMITTEE**

- V. To consider any impairments to independence or objectivity arising from additional roles and responsibilities outside of internal auditing of the Head of Internal Audit. To approve and periodically review safeguards to limit such impairments.
- VI. To consider reports from the Head of Internal Audit on internal audit's performance during the year, including the performance of external providers of internal audit services where used. These will include:
- a) Updates on the work of internal audit including key findings, issues of concern and action in hand as a result of internal audit work.
  - b) Regular reports on the results of the Quality Assurance Improvement Programme (QAIP).
  - c) Reports on instances where the internal audit function does not conform to the Public Sector Internal Audit Standards (PSIAS) and Local Government Advisory Note (LGAN), considering whether the non-compliance is significant enough that it must be included in the Annual Governance Statement (AGS).
- VII. To consider the Head of Internal Audit's annual report:
- a) The statement on the level of conformance with the PSIAS and LGAN and the results of the QAIP that support the statement – these will indicate the reliability of the conclusions of internal audit.
  - b) The opinion on the overall adequacy and effectiveness of the Council's framework of governance, risk management and control together with the summary of the work supporting the opinion – these will assist the Committee in reviewing the AGS.
- VIII To consider summaries of specific internal audit reports as requested.
- IX. To receive reports outlining the action taken where the Head of Internal Audit has concluded that management has accepted a level of risk that may be unacceptable to the authority or where there are concerns about progress with the implementation of agreed actions.

## **PART 3 - RESPONSIBILITY FOR FUNCTIONS**

### **3.8.2 TERMS OF REFERENCE OF COMMITTEES AND SUB-COMMITTEES**

#### **AUDIT COMMITTEE**

- X. To contribute to the QAIP and in particular, the external quality assessment of internal audit that takes place at least once every five years.
- XI. To provide free and unfettered access to the Audit Committee Chair for the Head of Internal Audit, including the opportunity for a private meeting with the Committee.

#### **EXTERNAL AUDIT**

- XII. To support the independence of external audit through consideration of the External Auditor's annual assessment of its independence and review of any issues raised by Public Sector Audit Appointments (PSAA) or the authority's auditor panel as appropriate.
- XIII. To advise and recommend on the effectiveness of relationships between external and internal audit and other inspection agencies or relevant bodies.
- XIV. To consider the external auditor's annual report, other relevant reports and the report to those charged with governance.
- XV. To consider specific reports as agreed with the external auditor.
- XVI. To comment on the scope and depth of external audit work and to ensure it gives value for money.
- XVII. To liaise with the Officers of the Council regarding Public Sector Audit Appointments and the appointment of the Council's external auditor.
- XVIII. To commission work from internal and external audit.
- XIX. To receive training on matters related to the Audit Committee's responsibilities.

## **2. Regulatory Framework**

- I. To review and where appropriate make recommendations to Council on proposed revisions to the Council's Constitution and other policies and procedures in relation to Corporate Governance issues.
- II. To review any issue referred to it by the Chief Executive or a Director or any council body as the Chair considers appropriate within the general Terms of Reference of the Audit Committee.

## **PART 3 - RESPONSIBILITY FOR FUNCTIONS**

### **3.8.2 TERMS OF REFERENCE OF COMMITTEES AND SUB-COMMITTEES**

#### **AUDIT COMMITTEE**

- III. To monitor the effective development and operation of risk management in the Council.
- IV. To monitor progress in addressing risk-related issues reported to the Committee.
- V. To monitor counter-fraud strategy, actions and resources.
- VI. To review the assessment of fraud risks and potential harm to the Council from fraud, bribery and corruption.
- VII. To review the Annual Governance Statement (AGS) prior to approval and consider whether it properly reflects the risk environment and supporting assurances, taking into account internal audit's opinion on the overall adequacy and effectiveness of the Council's framework of governance, risk management and control.
- VIII. To review the Council's corporate governance arrangements against the good governance framework, including the ethical framework and consider the local code of governance.
- IX. To consider the Council's arrangements to secure value for money and review assurances and assessments on the effectiveness of these arrangements.
- X. To consider the Council's framework of assurance and ensure that it adequately addresses the risks and priorities of the Council.
- XI. To consider reports on the effectiveness of internal controls and monitor the implementation of agreed actions.
- XII. To consider reports on breaches and waivers to the Council's contract procedure rules on a twice yearly basis.
- XIII. To review the governance and assurance arrangements for significant partnerships or collaborations.
- XIV. To report and make recommendations to the Executive or Council on major issues within the remit of the Committee.
- XV. To have rights of access to other Committees of the Council and to strategic functions as it deems necessary.
- XVI. To maintain oversight of any major issues arising from Police or other enquiries into the conduct of the Council in order to minimise disruption to other branches of the Authority.



## **PART 3 - RESPONSIBILITY FOR FUNCTIONS**

### **3.8.2 TERMS OF REFERENCE OF COMMITTEES AND SUB-COMMITTEES**

#### **AUDIT COMMITTEE**

- XVII. To receive periodic reports from appropriate Directors on probity and corporate governance issues not specifically referred to elsewhere within the Committee's Terms of Reference.
- XVIII. To review the Council's policy under the Regulation of Investigatory Powers Act 2000 annually and to monitor compliance with the policy on a twice yearly basis.

### **3. Accounts**

- I. To review the annual statement of accounts. Specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the council.
- II. To consider the external auditor's report to those charged with governance on issues arising from the audit of the accounts.

### **4. Ethical Governance**

- I. To promote and maintain high standards of conduct by Members and Officers.
- II. To hear appeals against decisions of the Monitoring Officer not to grant a dispensation.
- III. To monitor and review the Council's Whistleblower's policy.
- IV. To monitor and review the Council's anti-fraud, bribery and corruption policy.
- V. To monitor and review the Council's money laundering policy.
- VI. To monitor and review protocols for standards of behaviour for Members and Officers.
- VII. To monitor and review protocols for Members and Officers on relationships and dealings with outside organisations and individuals.
- VIII. To monitor and review Member and Officer procedures relating to gifts and hospitality and disclosable pecuniary interests and other interests.

## **PART 3 - RESPONSIBILITY FOR FUNCTIONS**

### **3.8.2 TERMS OF REFERENCE OF COMMITTEES AND SUB-COMMITTEES**

#### **AUDIT COMMITTEE**

- IX. To monitor and oversee the response by the Council to complaints to the Ombudsman.
- X. To deal with complaints of alleged Member misconduct referred to the Monitoring Officer under Section 28(6) of the Localism Act 2011.
- XI. To arrange for the exercise of all the above functions in relation to Parish Councils wholly or mainly in its area and to the members of those Parish Councils.

#### **HEARINGS SUB-COMMITTEE**

##### **TERMS OF REFERENCE**

This Sub-Committee is a Sub-Committee of the Council constituted under Sections 101 and 102 of the Local Government Act 1972.

1. To consider complaints of alleged member misconduct referred to it by the Monitoring Officer in consultation with the Independent Person in accordance with Section 28 of the Localism Act 2011.
2. To hear appeals against decisions of the Monitoring Officer not to grant a dispensation.

## **PART 3 RESPONSIBILITY FOR FUNCTIONS**

### **3.8.2 TERMS OF REFERENCE OF COMMITTEES AND SUB-COMMITTEES**

#### **AWARDS, GRANTS AND TRANSPORT (APPEALS) COMMITTEE**

This Committee is a Committee of the Council constituted under Sections 101 and 102 of the Local Government Act 1972.

1. To consider and determine appeals for grant aid from students who do not meet the approved criteria for assistance, under either local or national award regulations.
2. To consider and determine appeals for the payment of expenses of children attending community, foundation voluntary or special schools to enable them to take part in any school activity or educational facility who do not qualify for assistance under the approved policies of the Authority.
3. To consider and determine appeals for the granting of scholarships, exhibitions, bursaries or other allowances to persons over compulsory school age who do not qualify for assistance under the approved policies of the Authority.
4. To consider and determine appeals for the provision of free home to school or college transport – including whether a particular walking route(s) is safe, or the payment of reasonable travelling expenses, to persons who do not qualify for either under the approved policies of the Authority.

## **PART 3 - RESPONSIBILITY FOR FUNCTIONS**

### **3.8.2 TERMS OF REFERENCE OF COMMITTEES AND SUB-COMMITTEES**

#### **OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE (OSMC)**

This Committee is a Committee of the Council constituted under Sections 101 and 102 of the Local Government Act 1972.

1. To be responsible for co-ordinating and undertaking the Council's scrutiny and overview function in respect of all areas of Council activity including partnership working and particularly the responsibility to: -
  - (a) review or scrutinise decisions made, or other action taken, in connection with the discharge of any functions which are the responsibility of the Executive;
  - (b) make reports or recommendations to the Authority or the Executive with respect to the discharge of any functions which are the responsibility of the Executive;
  - (c) review or scrutinise decisions made, or other action taken, in connection with the discharge of any functions which are not the responsibility of the Executive;
  - (d) make reports or recommendations to the Authority or the Executive with respect to the discharge of any functions which are not the responsibility of the Executive;
  - (e) review and scrutinise relevant public bodies and partners in the Borough, including the Council's contribution and relationship with them and, where necessary, request them to address overview and scrutiny and local people about their activities and performance or particular decisions, initiatives or projects; and
  - (f) make reports or recommendations to the Authority or the Executive on matters which affect the Authority's area or the inhabitants of that area.
2. To carry out functions necessary to operate the call-in procedure set out in the Overview and Scrutiny Procedure Rules.
3. To have authority to establish ad hoc Overview and Scrutiny (Panels) and appoint Chairs to look at specific issues determined by the Overview and Scrutiny Management Committee. Membership of Overview and Scrutiny Panels to be drawn from a pool of all Council Members, excluding the Executive.
4. To be responsible for drafting protocols in respect of the Overview and Scrutiny process.

## **PART 3 RESPONSIBILITY FOR FUNCTIONS**

### **3.8.2 TERMS OF REFERENCE OF COMMITTEES AND SUB-COMMITTEES**

#### **STANDING OVERVIEW & SCRUTINY PANELS**

These Panels are Sub-Committees of the Council constituted under Sections 101 and 102 of the Local Government Act 1972.

#### **Terms of Reference**

1. The Panels will conduct enquiries and investigations, in relation to those functions of the Council (and other matters of local interest), referred to them in the Annual Work Plan and any additional issues referred by the Overview and Scrutiny Management Committee.
2. The work of the Panels will be undertaken in accordance with the requirements of the Council's Constitution including the Overview and Scrutiny Procedure Rules and any Overview and Scrutiny protocols.
3. The Panels be empowered to establish ad hoc Working Groups from within its membership, to undertake project and policy development work, to meet the objectives and targets of its annual Work Plan.
4. The Panels may review and scrutinise relevant public bodies and partners in the Borough, including the Council's contribution and relationship with them and, where necessary, request them to address overview and scrutiny and local people about their activities and performance or particular decisions, initiatives or projects.

#### **PANEL/COMMITTEE RESPONSIBLE FOR OVERVIEW AND SCRUTINY OF CRIME AND DISORDER REDUCTION**

In addition to the Terms of Reference detailed above at 1-4, or in addition to the Terms of Reference for the Overview and Scrutiny Management Committee where this responsibility becomes the responsibility of OSMC, this Panel/Committee will also include the following Terms of Reference:

5. Review or scrutinise decisions made or other action taken in connection with the discharge by the responsible authorities who comprise the local Crime and Disorder Reduction Partnerships (e.g., the Police, Fire and Rescue Authority and any relevant NHS Body or Health Service Provider).
6. To make reports and recommendations to the responsible authorities with respect to the discharge of those functions.
7. To require the attendance of an officer of the responsible authority.

## **PART 3 RESPONSIBILITY FOR FUNCTIONS**

### **3.8.2 TERMS OF REFERENCE OF COMMITTEES AND SUB-COMMITTEES**

8. To consider the activities of the CDRP at least once in every 12 month period.
9. To consider any Councillor Calls for Action relating to crime and disorder issues.

#### **PANEL/COMMITTEE RESPONSIBLE FOR HEALTH OVERVIEW & SCRUTINY**

This Panel or Committee is a Sub-Committee of the Council constituted under Sections 101 and 102 of the Local Government Act 1972

The generic Terms of Reference for Overview & Scrutiny Standing Panels/OSMC apply to the Overview and Scrutiny Panel/Committee responsible for Health Overview and Scrutiny.

In addition, because the Council has delegated powers under relevant legislation to the Health Scrutiny Panel, the following Terms of Reference will also apply to this Panel.

1. To review and scrutinise any matter relating to the planning, provision and operation of health services in the local regions.
2. To make reports and recommendations to the relevant NHS body or health service provider, the OSMC, the Executive and the Council on any matter reviewed or scrutinised using the specific powers of Health Scrutiny.
3. To require the attendance of an officer of a relevant NHS body or health service provider to answer questions and provide explanations about the planning, provision and operation of health services in the area and invite interested parties and take account of relevant information provided by the Local Health Watch organisation or contractor when it refers a matter to the authority.
4. To require a NHS body or service provider to provide information about the planning, commissioning, provision and operation of health services in the Local Authority's area subject to exemptions outlined in the Health and Social Care Act 2012.
5. To consider matters referred by a Local Health Watch or its contractor.

## **PART 3 RESPONSIBILITY FOR FUNCTIONS**

### **3.8.2 TERMS OF REFERENCE OF COMMITTEES AND SUB-COMMITTEES**

6. To require (under the Health and Social Care Act 2012) NHS bodies or relevant health service provider to refer service development proposals which involve substantial change or variation of their service to the Local Authority or if powers are delegated, the Health Overview and Scrutiny Panel.
7. To recommend to Full Council to report to the Secretary of State for Health:
  - a) Where the Overview and Scrutiny is concerned that consultation on substantial variation or development of services has been inadequate in relation to content or time allowed;
  - b) Where Overview and Scrutiny is not satisfied with the urgency reasons given by a NHS body or service provider in taking a decision without allowing time for consultation; and
  - c) Where Overview and Scrutiny considers that the proposal would not be in the interests of the health services in its area.

## **PART 3 RESPONSIBILITY FOR FUNCTIONS**

### **3.8.2 TERMS OF REFERENCE OF COMMITTEES AND SUB-COMMITTEES**

#### **DONCASTER HEALTH AND WELLBEING BOARD**

##### **1. Purpose**

- 1.1** The purpose of the Board is to improve the health and wellbeing for the residents of the City of Doncaster and to reduce inequalities in outcomes. The Health and Social Care Act assigns specific new functions to the Health and Wellbeing Board including leading on the Joint Strategic Needs Assessment (JSNA) together with leading on the development of a Joint Health and Wellbeing Strategy (JHWS).

The Health and Wellbeing Board will not be a commissioning body. The accountability for commissioning decisions will remain with the commissioners.

##### **2. Aims**

- 2.1** The primary aim of the Board is to promote integration and partnership working between the local authority, NHS and other local services and improve the local democratic accountability of health.

##### **3 Role and Functions**

- 3.1** In accordance with the requirements of the Health and Social Care Act 2012, the Doncaster Health and Wellbeing Board is a formally constituted Committee of the Council in accordance with the requirements of the Local Government Act 1972, as amended.

##### **For recommendation to Council.**

Adoption of the Health and Wellbeing Strategy.  
Health and Wellbeing Board Annual Report and Workplan

##### **3.2 Key Responsibilities**

- Provide strategic leadership to promote health and wellbeing in and ensure that statutory duties are complied with;
- Assess the needs of the local population by leading the development of and monitoring the impact of the JSNA;



## **PART 3**

### **RESPONSIBILITY FOR FUNCTIONS**

#### **3.8.2 TERMS OF REFERENCE OF COMMITTEES AND SUB-COMMITTEES**

- To oversee the development of and monitoring the implementation of a joint Health and Wellbeing Strategy ensuring that issues highlighted in the strategy are taken forward by partners;
- To involve third parties and have regard to the NHS England mandate and statutory guidance in the preparation of the JSNA and JHWS.
- Promote integrated working and partnership working between health and social care, through joined up commissioning plans.
- Work effectively with and through partnership bodies, with clear lines of accountability and communication, including the Local Safeguarding Boards;
- Build effective relationships with supra-local structures e.g. NHS England, Office for Health Improvement and Disparities (OHID) and UK Health Security Agency (UKHSA);
- Take a strategic approach and promote integration across health and adult social care, children's services, including safeguarding and the wider determinants of health;
- Building partnership for service changes and priorities.

### **3.3 Duties**

In discharging the role above, the specific duties of the Health and Wellbeing Board are as follows:

- Ensure joint arrangements are in place to agree priority areas for investment to support health and social care.
- Focus on driving up whole system quality and ensure that opportunities for gains in both productivity and efficiency that are available across the local economy are maximised.
- Make recommendations on the use of freedoms and flexibilities to deliver the core purpose of the board e.g. pooled budgets, joint commissioning, place based budgets;
- Ensure that Commissioning Plans produced by all parties are joined up and that in relation to productivity and efficiency there is a high level of transparency between the NHS and Local Authority.

## **PART 3 RESPONSIBILITY FOR FUNCTIONS**

### **3.8.2 TERMS OF REFERENCE OF COMMITTEES AND SUB-COMMITTEES**

- Ensure that Commissioning Plans are consistent and in accordance with the Health and Wellbeing Strategy.
- Conduct an open and equal dialogue with NHS England highlighting views on the relationship and effectiveness of national decision-making to the needs of the local population as defined in the Health and Wellbeing Strategy.
- Review how well commissioning plans have contributed to the delivery of the Health and Wellbeing Strategy.
- Consider the contributions that the Clinical Commissioning Group, the Council and other Partners have made to the successful delivery of the Joint Health and Wellbeing Strategy when conducting its annual performance assessment of the CCG or successor body.
- Produce and maintain a Pharmaceutical Needs Assessment.
- To agree and monitor the delivery of the Better Care Fund and make recommendations on the financial strategy to deliver the Better Care Fund to the relevant statutory bodies.
- Receive the minutes from both the Joint Commissioning Management Board and the Integrated Care Partnership Board.
- To receive the Doncaster Child Death Overview Panel Annual Report.
- Establish effective health protection arrangements.

#### **4. Arrangements for the Conduct of Business**

##### **4.1 Conduct of Meetings**

Meetings are to be conducted in accordance with the Council's Procedure Rules.

##### **4.2 Chair of the Board**

The Chair of the Board will be appointed at the Council Annual General Meeting each year.

##### **4.3 Quorum**

The quorum will be no less than four members of the Board.

## **PART 3 RESPONSIBILITY FOR FUNCTIONS**

### **3.9 JOINT ARRANGEMENTS**

#### Joint Authorities:

- (a) South Yorkshire Fire and Rescue Authority
- (b) South Yorkshire Mayoral Combined Authority (including the Transport Committee of the Authority)
- (c) Police and Crime Panel
- (d) South Yorkshire Pensions Authority

#### Joint Committees:

- (a) Joint Advisory Committee for South Yorkshire Archaeology
- (b) South Yorkshire Joint Advisory Committee on Archives
- (c) South Yorkshire Joint Trading Standards Committee
- (d) South Yorkshire Local Pensions Board
- (e) Yorkshire and Humberside Grid for Learning Joint Committee
- (f) Barnsley, Doncaster & Rotherham (BDR) Waste Partnership (Joint Waste Board)
- (g) Yorkshire Purchasing Organisation.

#### **Statutory and Guidance References**

**Local Government Act 2000, S.20**  
**DETR New Council Constitutions Guidance Chapter 6**

### **3.10. AREA COMMITTEES**

No Area Committees are currently established by the Full Council or the Executive.

#### **Statutory and Guidance References**

**Local Government Act 2000, S.18**  
**DETR New Council Constitutions Guidance Chapter 6**

## **PART 3 RESPONSIBILITY FOR FUNCTIONS**

### **3.11. OVERVIEW AND SCRUTINY COMMITTEES**

- (a) Full Council will establish the Overview and Scrutiny Management Committee established under Article 6 and will appoint and maintain such standing Overview and Scrutiny Sub-Committees as necessary.
- (b) The proper officer will maintain and publish a list of any ad hoc Overview and Scrutiny Sub-Committees established from time to time.