

## **PART 3**

### Responsibility for functions

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The law requires the Council to appoint a “proper officer” to perform specified tasks or carry out specified formal or administrative functions such as holding or maintaining specified records, receiving notices etc. This schedule lists the proper officer in respect of each of those functions.

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## **Preamble - General Principles**

### **(a) Council functions**

The role and functions of the Full Council are set out in Article 4. Full Council is broadly responsible for determining the Policy Framework – the major policies within which Council services are delivered - and the overall Council budget. There are also specific statutory functions, such as planning and licensing functions, which are the responsibility of Full Council. These statutory functions are generally delegated to committees appointed by the Full Council, or to Chief Officers.

Council delegations are set out in Schedule B.

### **(b) Executive functions**

All other functions (i.e. which are not the responsibility of Full Council or of committees appointed by Full Council) are executive functions, and are the responsibility of the Leader of the Council.

The Leader has delegated responsibility for executive functions to the Cabinet, to Cabinet members, to Chief Officers and to joint committees with one or more other Councils.

The Leader's delegations are set out in Schedule A.

The Leader may vary or withdraw a delegation to a Cabinet member at any time, either generally or in relation to a specific decision, and may allocate the matter to himself or herself, to the Cabinet, to another Cabinet member, to a Chief Officer or to a joint committee. Any change must be in writing and will take effect when only received by the Monitoring Officer. The Leader will provide a written record of any change of delegation to the next Council meeting.

Where executive functions have not been delegated by the Leader, he or she will carry them out or will delegate them to:

- The Cabinet or a committee of the Cabinet
- A Cabinet member
- An Officer of the Council
- Joint arrangements with one or more local authorities
- Another local authority

Any delegation must be in writing and will take effect when only received by the Monitoring Officer. The Leader will provide a written record of any in-year delegations to each Annual Meeting of the Council, as provided for by the Cabinet Procedures in Part 4C of this constitution.

(c) Delegation to Chief Officers

Both council and executive functions can be delegated to chief officers. These delegated functions broadly concern:

- The general management of service delivery, including the management of staff resources and departmental budgets;
- The detailed implementation of policies and the delivery of services in accordance with the overall decisions and directions of the relevant member-lead body;
- The carrying out of statutory functions within the terms of policies and directions of the relevant member-level body;
- The carrying out of statutory functions within the terms of policies and directions of the relevant member-level bodies, and ensuring that the Council fulfils its statutory functions.

**Schedule A - Executive Functions**Leader's general scheme of delegation of executive functions 2022/23

## 1. Cabinet Members and Portfolios

**Cabinet Portfolios 2022/23**

Cabinet Member	Portfolio
Councillor Anthony Okereke	Leader of the Council
Councillor Averil Lekau	Deputy Leader - Climate Change, Environment and Transport
Councillor Ann-Marie Cousins	Community Safety and Enforcement
Councillor Adel Khaireh	Equality, Culture and Communities
Councillor Mariam Lolavar*	Inclusive Economy, Business and Skills
Councillor Matthew Morrow	Children and Young People
Councillor Denise Scott-McDonald	Health and Adults' Social Care
Councillor Pat Slattery	Housing, Neighbourhoods and Homelessness
Councillor Aidan Smith	Regeneration
Councillor Ivis Williams	Finance, Resources and Social Value

\*Councillor Lolavar is presently on maternity leave. For the period of her absence, Councillor Denise Hyland is appointed as the Cabinet Member for Inclusive Economy, Business and Skills.

2. Leader's general scheme of delegation of executive functions 2022/23

<b>Functions</b>	<b>Leader (also as lead member)</b>	<b>Lead member</b>	<b>Cabinet</b>	<b>Joint Cttee</b>	<b>Chief Officer</b>
<b>Policies</b>					
Recommend to Council plans and strategies which make up the policy framework <sup>1</sup> (Council approves drafts and adopts final plans and strategies)			×		
Agree in year changes to the policy framework to the extent permitted by Council or by the constitution			×		
Initiate consultation on new draft corporate policies and strategies and amendments to existing ones	×				
Agree new corporate policies and strategies which would not result in a key decision being taken following consultation	×				
Agree new corporate policies and strategies which would result in a key decision being taken following consultation			×		
Initiate consultation on draft new service policies and strategies and amendments to existing ones	×	×			

<sup>1</sup> Community Strategy, Community Safety Strategy, Development Plan, Licensing and Gambling Policy, Local Transport Plan, Youth Justice Plan

<b>Functions</b>	<b>Leader (also as lead member)</b>	<b>Lead member</b>	<b>Cabinet</b>	<b>Joint Cttee</b>	<b>Chief Officer</b>
Agree new service policies and amendments to existing ones, post consultation, which would <u>not</u> result in a key decision being taken.	x	x			
Agree new service policies and amendments to existing ones, post consultation, which would result in a key decision being taken.			x		
Agree submissions of evidence to royal commissions, parliamentary committees and similar bodies	x	x			
Agree responses to consultation					x
<b>Finance</b>					
Prepare and submit estimates and amounts to Council to calculate the budget requirement and the Council Tax, and connected matters			x		
Recommend treasury management strategy to Council			x		
Consider reports from external auditors (including the management letter) and agree appropriate action			x		
Make bid for funding with resource implications of more than £500k					x

<b>Functions</b>	<b>Leader (also as lead member)</b>	<b>Lead member</b>	<b>Cabinet</b>	<b>Joint Cttee</b>	<b>Chief Officer</b>
Make bid for funding with resource implications of £500k or less					x
Approve budget transfers between services up to £500k					x
Approve budget transfers between services heads £500k and over	x				
Write off debts up to £100k					x
Write off debts £100k and over	x				
<b>Resources</b>					
Dispose of non-land assets up to £100k					x
Dispose of non-land assets £100k and over			x		
Agree use of trading and charging powers					x
Approve scheme and estimate report up to £20m	x	x			
Approve scheme and estimate report £20m and over			x		
Implementation of the Community Right to Challenge provisions of the Localism Act 2011			x		
Accept tenders within budget and below £500k					x

<b>Functions</b>	<b>Leader (also as lead member)</b>	<b>Lead member</b>	<b>Cabinet</b>	<b>Joint Cttee</b>	<b>Chief Officer</b>
Accept tenders within budget and £500k and over, provided they are the lowest price, or within 10% of the lowest if it the most economically advantageous					×
Accept all other tenders	× <sup>2</sup>				
Agree any restructuring proposal which would involve the redundancy or early retirement of highly paid employees, <sup>3</sup> or where the capital cost to the pension fund relating to an employee or group of employees is greater than £50,000 or where the proposal affects more than one department					×
Agree any restructuring proposal which would involve the redundancy or early retirement of any employee, where this is required to implement a decision by the Executive in relation to the Medium Term Financial Strategy and associated measures					×
Second staff to other local authorities					×

<sup>2</sup> In consultation with the Lead member

<sup>3</sup> Officers receiving in excess of £50,000 p.a. inclusive of all allowances



<b>Functions</b>	<b>Leader (also as lead member)</b>	<b>Lead member</b>	<b>Cabinet</b>	<b>Joint Cttee</b>	<b>Chief Officer</b>
Agree increase in fees and charges in line with or below inflation or where an increase provides for recovery of the Council's costs <sup>4</sup>					×
Agree increase in fees and charges by more than inflation <sup>5</sup>			×		
Agree eligibility criteria for access to Council services where there is a statutory responsibility to provide a service			×		
Consider reports from Overview and Scrutiny Committee	×	×			
Consider inspection and corporate reports of statutory agencies			×		
<b>Constitution</b>					
Respond to petitions to full Council	×	×			×
Respond to call in of decision <sup>6</sup>	×	×	×	×	×
Appoint and remove Cabinet members and decide their portfolios	×				
Appoint members to joint committees which carry out executive functions, and decide the number of members to be appointed and their term of office	×				

<sup>4</sup> For executive functions only. Fees for e.g. planning and licensing matters are set by the committee or chief officer

<sup>5</sup> For executive functions only. Fees for e.g. planning and licensing matters are set by the committee or chief officer

<sup>6</sup> Whoever took the decision will respond. If it was Cabinet, an urgency Cabinet will respond

<b>Functions</b>	<b>Leader (also as lead member)</b>	<b>Lead member</b>	<b>Cabinet</b>	<b>Joint Cttee</b>	<b>Chief Officer</b>
Agree appointments of members to joint committees which carry out at least one Council function, and agree the number of members to be appointed and their term of office	x				
Nominate representatives to school governing bodies		x			
Appoint representatives to all other outside bodies	x				
Appoint advisory bodies, working groups, etc. to advise the Leader, Cabinet Members, or Cabinet as a whole on executive functions	x				
Functions delegated to Cabinet which, in the opinion of the Chief Executive, require a decision before the next meeting of the Cabinet	x				
<b>Children</b>					
Agree schools admission policies			x		
Agree schools budget strategy		x			
Agree schools capital allocation strategy			x		
Agree proposal to permanently increase or decrease a school's roll up to two forms of entry		x			

<b>Functions</b>	<b>Leader (also as lead member)</b>	<b>Lead member</b>	<b>Cabinet</b>	<b>Joint Cttee</b>	<b>Chief Officer</b>
Make arrangements to hear appeals against exclusion of pupils, admission appeals and appeals by governing bodies					x
<b>Land</b>					
Make compulsory purchase order			x		
Acquire land or property following CPO					x
Acquire other land or property			x		
Agree programme of property disposals			x		
Dispose of land or property, with a notional value exceeding £100,000, not in the disposals programme or at an undervalue			x		
Dispose of land or property, with a notional value of £100,000 or less, not in the disposals programme or at an undervalue					x
Dispose of land or property at less than the market rate.	x				
Dispose of land or property where there is a statutory right to acquire					x
Dispose of land or property in the disposals programme and at market value					x
Agree to the appropriation of land	x				

<b>Functions</b>	<b>Leader (also as lead member)</b>	<b>Lead member</b>	<b>Cabinet</b>	<b>Joint Cttee</b>	<b>Chief Officer</b>
Agree leases of land or property					×
Agree leases of land or property at below market rates	×				
Agree asset management plan			×		
Agree rents and terms of tenancies for residential housing			×		
Designate conservation areas			×		
Agree, following consultation with the relevant Area Planning Committee, the Adoption of Conservation Area Appraisal and Management Strategies and related matters, e.g Conservation Area boundaries, buildings for local listing and recommendations to English Heritage regarding statutory listing of buildings.		×			
<b>Grants</b>					
Make one off grants and loans up to £10k					×
Make one off grants and loans between £10k and £20k		×			
Make one off grants and loans above £20k	×				

<b>Functions</b>	<b>Leader (also as lead member)</b>	<b>Lead member</b>	<b>Cabinet</b>	<b>Joint Cttee</b>	<b>Chief Officer</b>
Agree SLAs and SLA funding to voluntary organisations including commissioning			x		
<b>Festivals</b>					
Agreement to the funding, including awarding grants, for the Greenwich Festivals.		x			

<b>Planning, development and highways</b>					
Prepare, alter or replace a development plan - submit draft proposals to Council/ Planning Board for approval for public consultation			x		
Supplementary planning documents – agree proposals for consultation		x			
Agree supplementary planning documents following consultation			x		
Approval of implementation of Strategic* Traffic or Parking Management Schemes		x			
Approval of implementation of non-strategic Traffic Management Schemes					x
Publication of and consultation on traffic regulation orders					x

<b>Functions</b>	<b>Leader (also as lead member)</b>	<b>Lead member</b>	<b>Cabinet</b>	<b>Joint Cttee</b>	<b>Chief Officer</b>
Determination of traffic regulation orders, following publication and consultation, and for which no significant and substantial or material objections have been received					x
Determination of traffic regulation orders, following publication and consultation, and for which significant and substantial or material objections have been received		x			
Responding to consultation on transport issues of regional or national significance		x			
Responding to consultation on transport issues from service providers, TfL, Government or London Councils on highway and traffic operational matters					x
<b>Joint arrangements</b>					
National and provincial agreements regulating staff employment				x	
Appoint parking adjudicators				x	
Fix parking penalty charges				x	
Fix clamping penalty charges				x	
Administer and enforce traffic orders controlling heavy lorries				x	
Arrange concessionary fares				x	

Functions	Leader (also as lead member)	Lead member	Cabinet	Joint Cttee	Chief Officer
Agree levels of fixed penalties				×	
Determination of parking appeals relating to private land				×	
Waste disposal				×	
Administer grants to London wide voluntary organisations				×	
Provide crematoria services				×	
Issues relating to the London Local Joint Committee as applicable				×	

### 3 Additional delegations to Chief Officers

All executive functions, other than those allocated under section 1, are delegated to the Chief Officers listed in this section.

In addition, Chief Officers will exercise powers or duties specifically delegated to them by the Leader, Cabinet member or Cabinet.

Chief Officers may authorise officers under their control to exercise functions delegated to Chief Officers.

#### A. All Chief Officers

A.1 All Chief Officers are responsible for the general management of their Department and the services it provides. This includes: -

- the planning and discharge of departmental functions in accordance with Council policies and legislative requirements;
- the management of staff resources and professional leadership;
- the control and management of departmental budgets in accordance with Financial Regulations;
- the maintenance of appropriate monitoring arrangements to ensure the effectiveness and efficiency of service delivery;

- the provision of effective arrangements for consulting and involving the public
- ensuring that the Council fulfils its statutory obligations;
- compliance with Contracts Procedures in respect of the letting of contracts;
- the determination of all general staffing issues within his/her department, including changes, within budget provision, to staffing structures and departmental establishments;
- recording key decisions made by officers.

These general management responsibilities are always subject to any policies agreed by the Leader, Cabinet Member or Cabinet and guidelines and procedures established by the Chief Executive. In cases where it is not clear or there is disagreement as to the appropriate level at which a decision should be taken, the Chief Executive has authority to make a ruling in accordance with the general principles set out in this Section.

Chief Officers are responsible for ensuring that their staff are aware of and comply with Council policies and procedures.

A.2 All Chief Officers have authority to incur expenditure to implement executive decisions and to meet statutory obligations within the levels set for the budgets for which they are responsible, subject to compliance with Financial and Contracts Procedures. This includes: -

- authority to incur revenue expenditure on activities and matters already agreed by the Leader, Cabinet member or Cabinet and contained within the revenue budget for that year, and where otherwise authorised by Financial Regulations;
- authority to commence capital schemes under £100,000 which are included in approved capital and planned maintenance programmes;
- authority to invite and accept tenders, subject to compliance with Contracts Procedures.

A.3 The following paragraphs set out the general delegations to Chief Officers. Specific delegations are set out in the scheme of delegation to officers

B. Chief Executive

B.1 To act on behalf of the Leader, Cabinet Member, Cabinet or Chief Officer in respect of any of their functions on a matter which in his/her opinion is urgent.



B.2 To make grants up to £5,000 to voluntary organisations where the activities concerned do not fall within the responsibility of any other Department.

C. Director of Finance

C.1 To undertake the responsibilities in respect of contracts and the Approved List of Contractors as set out in Contracts Procedures.

C.2 To exercise delegated powers and undertake the detailed responsibilities in respect of the financial management of the Council (as set out in Financial Regulations). In particular, to maintain (including authority to amend) procedures, produced in accordance with Financial Regulations.

C.3 To undertake the detailed responsibilities in respect of Risk Management and ensuring Value for Money.

C.4 To have responsibility for all executive functions concerning Corporate Finance, Internal Audit, Anti-Fraud, Financial Operations and Payroll, Revenue Service and Benefits Service, ICT and Digital Services, Customer Services with the exception of those functions reserved for decision by the Leader or delegated to a Cabinet Member, Cabinet or a Joint Committee.

C.5 To delegate responsibility to the Assistant Director Financial Processing and Systems to act as "The Greenwich Director" on the Board of GS Plus as defined in the Articles of Association of the Company and exercise all relevant powers pursuant to the position. In the absence of the Assistant Director the role to be undertaken by the Chief Executive.

D. Director of Legal & HR

D.1 To exercise the functions of the Council's Solicitor and Chief Legal Officer, including the approval of contract terms, the conveyancing of land and property and the signature of documents on behalf of the Council.

D.2 To be responsible for the authentication of documents and contracts as prescribed by Financial and Contracts Procedures.

D.3 To institute, defend or settle legal proceedings as directed by the Chief Executive or another Chief Officer; and to be responsible for the

authorisation of certain Officers of the Council to prosecute, defend or appear in any legal proceedings on the Council's behalf.

D.4 To have responsibility for all executive functions concerning Legal Services and Human Resources with the exception of those functions reserved for decision by the Leader or delegated to a Cabinet Member, Cabinet or a Joint Committee.

E. Director of Children's Services

E.1 To have responsibility for all executive functions concerning Children's Social Care, Safeguarding, Looked After Children, Care leavers, Disabled Children, Special Education Needs, Education Attainment, School Admission and Place Planning, Youth Services, Children's Centres, Early Help, Youth Offending Services, Troubled Families / Families First with the exception of those functions reserved for decision by the Leader or delegated to a Cabinet Member, Cabinet or a Joint Committee.

F. Director of Regeneration, Enterprise and Skills

F.1 To have responsibility for all executive functions concerning:

- Regeneration including delivery of the priority investment programme
- Planning, enforcement and building control,
- Employment and Skills, including GLLAB, special employment initiatives, support to business
- Corporate and HRA Property (including acquisitions, disposals, licences or leases for land or property)
- Capital projects and property maintenance
- Sustainability
- Housing strategy, development (including relationship with RPs), HRA capital commissioning

with the exception of those functions reserved for decision by the Leader or delegated to a Cabinet Member, Cabinet or a Joint Committee.

G. Director of Health and Adult Services

G.1 To have responsibility for all executive functions concerning Adult Social Care, Older People Day Care Nursing, Residential Care, Healthier Communities, Supported Housing, Adult Safeguarding, Public Health and Community Wellbeing, Care Commissioning, Occupational Therapy and

Enablement with the exception of those functions reserved for decision by the Leader or delegated to a Cabinet Member, Cabinet or a Joint Committee.

G.2 To deputise for the Chief Executive in her / his absence.

H. Director of Public Health

H.1 To have responsibility for all executive functions concerning all of the Council's duties in relation to public health, including

- all of the Council's duties to take steps to improve public health
- preparing an Annual Report on the health of the local population
- any of the Secretary of State's public health protection or health improvement functions that s/he delegates to local authorities, either by arrangement or under regulations
- exercising the Council's functions in planning for, and responding to, emergencies that present a risk to public health
- the Council's role in co-operating with the police, the probation service and the prison service to assess the risks posed by violent or sexual offenders
- the Council's public health response as a responsible authority under the Licensing Act 2003,
- such other public health functions as the Secretary of State may specify in regulations

J. Director of Housing and Safer Communities

J.1 To have responsibility for all executive functions concerning:

- Environmental Health,
- Trading Standards,
- Safer Communities,
- Licensing,
- Asset Management,
- Tenancy Services,
- Home Ownership,
- Housing Needs and Options,
- Digital Greenwich and Smart Cities

with the exception of those functions reserved for decision by the Leader or delegated to a Cabinet Member, Cabinet or a Joint Committee

K. Director of Communities, Environment and Central

- K.1 To have responsibility for all executive functions of the Council concerning Corporate Communications, Community Engagement, Parks and Open Spaces, Sport and Leisure (GLL Client), Waste Management, Street Sweeping, Mortuary, Cemeteries & Crematoria, Emergency Planning, Anti-Poverty, Policy and Performance, Third Sector Commissioning, Film Unit, Arts and Culture, Tourism, Electoral Registration, Web Management, Registrars, Transportation and Parking including road safety, active travel, Corporate Governance and Mayor's Office with the exception of those functions reserved for decision by the Leader or delegated to a Cabinet Member, Cabinet or a Joint Committee.

4 Delegations to joint committees

The following executive functions are exercised through joint arrangements with other local authorities under section 101(5) Local Government Act 1972.

The Leader may appoint non-Cabinet Members to Joint Committees where those Committees cover 5 or more local authorities).

1. the following employment and general functions are delegated to the London Councils' Leaders Committee:
  - (a) national and provincial agreements regulating the employment of staff;
  - (b) the training of staff;
  - (c) information generally affecting human resources issues;
  - (d) health, safety and welfare matters;
  - (e) representation on national negotiating bodies dealing with pay and conditions of employment of staff;
  - (f) providing a conciliation and arbitration service in the resolution of staffing disputes;
  - (g) liaising with relevant employers' associations in relation to staffing matters;
  - (h) providing services to and representing and consulting on the common interests of London local authorities;
  - (i) providing forums for the discussion of matters of common concern;
  - (j) formulating policies for the development of democratic and effectively managed local government; and

- (k) providing information on local government issues relevant to London.

2 The following transport and environment functions are delegated to the London Councils' Transport and Environment Committee:

- (a) The appointment of parking adjudicators for the purposes of the Road Traffic Act 1991; fixing penalty charge levels for infraction of parking orders; agreeing arrangements in connection with the clamping and recovery of vehicles including charges and penalties; formulation of common practices throughout greater London in respect of vehicle parking penalties; any ancillary matters associated with these functions.
- (b) The administration, modification and enforcement of traffic orders controlling the use of heavy lorries in greater London at night and during week-ends.
- (c) The arrangements, including those with transport operators under section 50 London Regional Transport Act 1984, for concessionary fares for the elderly and disabled entitling them to use public transport in greater London free of charge during prescribed hours and the use of taxis at reduced rates of charge and all ancillary matters associated with these functions.
- (d) Agreement to the levels of fixed penalties for any fixed penalty offence under the London Local Authorities and Transport for London Act 2003 and the London Local Authorities Act 2004, and any other functions required or permitted to be carried out by the joint committee under those Acts.
- (e) Functions delegated to TEC to enter into the arrangement with the British Parking Association were and continue to be delivered pursuant to section 1 of the Localism Act 2011;
- (f) Provision of an appeals service for parking on private land for the British Parking Association under contract; and
- (g) making and enforcing pan-London Traffic Orders to facilitate the introduction of a pan-London Safer Lorries Scheme and make traffic orders covering the whole of London.

3. The following grants functions are delegated to the London Councils Grants Committee:

Administering grants to voluntary organisations under a scheme established under Section 48 Local Government Act 1985 on behalf of participating boroughs and in accordance with the constitutional and procedural arrangements set out in the scheme.

4. Crematoria functions are delegated to the Eltham Crematorium Joint Committee
5. Waste disposal functions are delegated to the South East London Waste Disposal Group
6. The following functions in relation to Joint Committee of London Local:

The discharge executive functions that relate to joint activities in areas of growth and opportunities for devolution to the sub-region as follows:

1. Strategic management and expenditure of the Annual Budget as defined by the Inter Authority Agreement made between Local London Members.
2. Strategic management and expenditure of external funding and all other financial resources allocated to the joint committee, including any funding allocated to the joint committee by any or all of the Local London Members in addition to the annual budget.
3. Approval of an annual business plan.
4. To collaborate on and coordinate a range of activities and opportunities that arise through greater devolution of powers from central government.
5. Securing local benefits and sustainable growth for the geographical areas of Local London Members.
6. Securing the long-term benefits for the functions carried out and services provided by Local London Members collectively, individually or in partnership with others.
7. Strategic and operational coherence to the collaborative work of Local London Members in relation to securing local benefits.
8. Joint bidding for funding, training and employment programmes, e.g. funding from the European Union and Regional Growth Fund (RGF) where bids from one Borough will not be entertained.

9. Establishing and facilitating the implementation of a programme for Local London Members which ensures local benefit and sustainable long term growth.

Any other executive functions relating to joint activities or areas of common concern in relation to growth and opportunities for devolution to the sub-region in relation to which funding is allocated through the annual budget or in respect of which external funding or any other financial resources as allocated to the joint committee.

## Schedule B - Council functions

### 1. Functions where the Council or committees of the Council will take decisions

<b>Decision making body</b>	<b>Membership</b>	<b>Function</b>	<b>Delegation of function</b>
Full Council	All members of the Council	Functions relating to elections as set out in Regulation 2 and Section D of Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (the Functions Regulations).	The Chief Executive in respect of all paragraphs in Section D, except 1, 6, 8, 9 and 17.
		Functions relating to the name and status of the area and individuals as set out in Regulation 2 and Section E of Schedule 1 to the Functions Regulations.	
		Making, amending, revoking or re-enacting byelaws.	
		Promoting or opposing local or personal bills.	
		Functions relating to local government pensions.	These functions are delegated to the Pension Fund Investment and Administration Panel.
		Making and amending standing orders, including financial and contracts procedures.	



<b>Decision making body</b>	<b>Membership</b>	<b>Function</b>	<b>Delegation of function</b>
		Adopting and amending a scheme for members' allowances.	The General Purposes Committee may agree minor changes in the level of allowances paid under this scheme.
		Approving the Council's statement of accounts, income and expenditure and balance sheet.	
		Making payments or providing other benefits in cases of maladministration.	Functions relating to local settlements are delegated to the Chief Executive.
		Functions relating to health and safety under any "relevant statutory provision" within the meaning of Part 1 of the Health and Safety at Work Act 1974, to the extent that those functions are discharged otherwise than in the council's capacity as employer.	These functions are delegated to the Director of Housing and Safer Communities.
		<p>Appointing and revoking the appointment of any individual</p> <ul style="list-style-type: none"> <li>• to any office other than an office in which he or she is employed by the authority</li> <li>• to any body other than <ul style="list-style-type: none"> <li>- the Council</li> <li>- a joint committee of two or more authorities which carries out</li> </ul> </li> </ul>	<p>These functions are delegated to the General Purposes Committee.</p> <p>NB. The Chief Executive, in consultation with the Leader and Party Whips, has delegated authority to establish Appointment Panels</p>

<b>Decision making body</b>	<b>Membership</b>	<b>Function</b>	<b>Delegation of function</b>
		<p>functions, all of which are the responsibility of the Cabinet; or</p> <ul style="list-style-type: none"> <li>- to any committee or sub-committee of such a body.</li> </ul>	and make appointment to the Panel.
Full Council	All members of the Council	Appointing staff other than 1 <sup>st</sup> and 2nd tier.	These functions are delegated to the relevant Chief Officer.
		All functions relating to town and country planning and development control as specified in Regulation 2 and section A Schedule 1 to the Functions Regulations, other than those delegated to the Planning Board or to Area Planning Committees.	These functions are delegated to the Director of Regeneration, Enterprise and Skills.
		All functions relating to licensing and registration as set out in regulation 2 and section B of Schedule 1 to the Functions Regulations, apart from paragraph 37, other than those delegated to the Planning Board or to Licensing Committee.	These functions are delegated to the Director of Housing and Safer Communities.
		All functions relating to the Licensing Act 2003, other than those delegated to the Licensing Committee under Part A of the Committee's Terms of Reference	These functions are delegated to the Director of Housing and Safer Communities.

<b>Decision making body</b>	<b>Membership</b>	<b>Function</b>	<b>Delegation of function</b>
		The registration of common land or town and village greens and the variation of rights of common as set out in paragraph 37 of section B to Schedule 1 to the Functions Regulations.	These functions are delegated to the Director of Regeneration, enterprise and Skills except where on the advice of the Director of Legal & HR the matter, due to a conflict of interest, should be determined by the General Purposes Committee.
		Appointing 1 <sup>st</sup> and 2 <sup>nd</sup> tier staff.	These functions are delegated to the General Purposes Committee. Full Council must confirm the appointment of the Chief Executive. NB. The Chief Executive, in consultation with the Leader and the Party Whips, has delegated authority to appoint individual Appointment Panels.
Licensing Committee	15 members of the Council	Determination of applications for registrations, permits or licenses which fall under Parts A and B of the Committee's Terms of Reference.	

Part 3

		Determination of licenses, registrations and permits as detailed in Part A of the Committee's Terms of Reference.	This is delegated to the Licensing Sub-Committees.
Planning Board	An ordinary committee of 10 member of the Council	Determining applications for planning permission and for registrations, permits or licences as set out in Part A of Schedule 1 to the Local Authorities (Function & Responsibilities) (England) Regulations 2000 (as amended)	So far as the matter is not reserved to the Planning Board or Local Planning Committee (as set out at paragraphs 4 and 5 below), these functions are delegated to the Director of Regeneration Enterprise and Skills as the Director with portfolio (referred to as "Chief Planning Officer").

<b>Decision making body</b>	<b>Membership</b>	<b>Function</b>	<b>Delegation of function</b>
Local Planning Committee	An ordinary committee of 8 members of the Council	<p>Determining applications for planning permissions and for registrations, permits or licences as set out in Part A of Schedule 1 to the Local Authorities (Functions &amp; Responsibilities) (England) Regulations 2000 (as amended) in so far as the matter is not reserved to the Planning Board as set out paragraphs 4 &amp; 5 below.</p> <p>The exercise of powers relating to the tree preservation and the protection of hedgerows as set out in Part I (46, 47 and 47A) of Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended).</p>	So far as the matter is not reserved to the Planning Board or Local Planning Committee (as set out at paragraphs 4 & 5 below), these functions are delegated to the Director of Regeneration Enterprise & Skills as the Director with portfolio (referred to as "Chief Planning Officer")
Director of Regeneration Enterprise & Skills		All development, control and planning matters, except for those matters reserved for decision by Member level bodies	
		Determining all applications under the Town & Country Planning Acts and related legislation and the Planning (Listed Building and Conservation Area)	

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		Act 1990 except for those matters reserved for decision by Member level bodies.	
		Determining Planning and related applications submitted on behalf of the Council under the Town and Country Planning General Regulations 1992 except for those matters reserved for decision by Member level bodies.	
		To require a right of entry to premises under the terms of Section 324 and 325 of the Town and Country Planning Act, and, where appropriate, carry out surveys for the purposes of any of the following acts : Public Health Acts 1875 to 1961, Highways Act 1980, Housing Acts 1957 to 1964, Town and Country Planning Act 1990, London Building Acts 1939 & Building Act 1984.	
General Purposes Committee	4 members of the Council	To take decisions on minor matters which are not executive functions and which require Member level decisions in between full Council meetings.	

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Standards Committee	3 members of the Council and 3 independent non-voting	Promoting and maintaining high standards of probity and conduct within the Council.	
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<b>Decision making body</b>	<b>Membership</b>	<b>Function</b>	<b>Delegation of function</b>
	members	Advising the council on the adoption or revision of its Code of Conduct.	
		Monitoring and advising the council about the operation of its Code of Conduct in the light of best practice, changes in the law.	
		Assisting members and co-opted members of the Council.	
		Ensuring that all members of the Council have access to training in the member Code of Conduct, that this training is actively promoted, and that members are aware of the standards expected from local councillors under the Code.	
		Consideration of complaints that Members have breached the Code of Conduct following a report of the Independent Person.	
		Grant exemptions from political restrictions.	



2. Council functions where officers will take decisions

Officer	Function
Chief Executive	Functions relating to elections as set out in all paragraphs in Section D to the Functions Regulations, except 1, 6, 8, 9 and 17
	Determining claims and payments to Members in accordance with the Council's Members' Allowances Scheme and authorising, for the purposes of payments under the Scheme, attendance by Members in official and courtesy visits on behalf of the Council, including visits outside the U.K.
	Making payments and providing other benefits to achieve local settlements in cases of maladministration.
Director of Finance	Managing the Pension Fund and implementing the provisions of the Local Government Pension Scheme Regulations.
Director of Regeneration, Enterprise and Skills	All development control and planning matters, except for those matters reserved for decision by Member level bodies.
	All functions relating to the powers and duties of the Council as Highways Authority, except for those functions reserved for decision by Member level bodies.
	Determining all applications under the Town & Country Planning Acts and related legislation and the Planning (Listed Building and Conservation Area) Act, 1990 except for those matters reserved for decision by Member level bodies.
	Determining planning and related applications submitted on behalf of the Council under the Town & Country Planning General Regulations, 1992 except for those matters reserved for decision by Member level bodies.
	To require a right of entry to premises under the terms of Section 324 and 325 of the Town and Country Planning Act, and, where appropriate, carry out surveys for the purposes of any of the following Acts: Public Health Acts, 1875 to 1961 Highways Act 1980 Housing Acts, 1957 to 1964 Town and Country Planning Act 1990 London Building Acts 1939 and Building Act 1984
	Issuing licences, permits and notices under the Highways Act, 1980, except for those matters reserved for decision by Member level bodies.

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<u>Director of Housing and Safer Communities</u>	All licensing and registration functions listed in section B of schedule 1 to the Functions Regulations, except for those matters reserved for decision by Member level bodies.
	Discharge of the Council's Functions under the Scrap Metal Dealers Act 2013.

### Schedule C – Proper officer appointments

There are various statutory requirements for the appointment of Proper Officers to carry out certain functions of the Council.

With the exception of documents to be executed under the seal of the Council, any officer to whom powers have been delegated is the Proper Officer for the purposes of authenticating any notice, order or other document which they are authorised or required by or under any enactment to give, make or secure.

In addition, the persons listed below have been appointed as the Proper Officers for the purposes of the functions specified. The appointed Proper Officer may make arrangements, as appropriate, for the proper officer functions so assigned to be carried out on his/her behalf or in his/her absence.

<u>Relevant Statutory Provision and Function</u>	<u>Proper Officer(s)</u>
<b>LOCAL GOVERNMENT ACT, 1972</b>	
<b>Section 83(1)</b> 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
<b>Section 83(3)(b)</b> the officer before whom a declaration of acceptance of office of Mayor or Deputy Mayor should be made.	Chief Executive
<b>Section 84</b> the Officer to whom a person elected to any office under the Act may give written notice of resignation.	Chief Executive
<b>Section 86</b> the Officer to declare any vacancy in any Office under the Section.	Director of Communities, Environment and Central
<b>Section 88(2)</b> the officer who may convene a meeting for the election of Mayor of the Borough.	Director of Communities, Environment and Central

<b><u>Relevant Statutory Provision and Function</u></b>	<b><u>Proper Officer(s)</u></b>
<b>Section 89(I)</b> the Officer who shall receive notification of casual vacancies occurring in the office of Councillor.	Director of Communities, Environment and Central
<b>Section 100B (2)</b> the officer who shall decide which reports or parts of reports relate to items during which, in his/her opinion, a meeting is not likely to be open to the public.	Chief Executive and relevant Chief Officers as appropriate in consultation with Director of Legal & HR
<b>Section 100B (7)(c)</b> the officer who shall decide on request whether to supply copies of any documents supplied to Members of the Council in connection with any items included in an agenda for the benefit of any newspaper.	Chief Officer of Services concerned in consultation with Director of Legal & HR
<b>Section 100C(2)</b> the officer who shall make a written summary of the proceedings of the whole of a meeting or the part, as the case may be, to provide members of the public with a fair and coherent record of the proceedings when the minutes, or a part, are excluded from publication or inspection because they disclose exempt information.	Director of Communities, Environment and Central
<b>Section 100D(1)(a)</b> the officer who shall compile a list of background papers for each report or part of a report which is open to inspection by members of the public under Section 100(b) or 100(c)(1) of the Act.	Chief Executive and relevant Chief Officers as appropriate.
<b>Section 100D(5)</b> the officer who shall decide which documents relating to the subject matter of any report, disclose any facts or matters on which the report is based or have been relied upon to a material extent in preparing the report.	Chief Executive and relevant Chief Officers as appropriate.
<b>Section 100F(2)</b> the officer who shall decide whether a	Chief Executive and

<b><u>Relevant Statutory Provision and Function</u></b>	<b><u>Proper Officer(s)</u></b>
document is not open to inspection under Section 100F(1) of the Act because it discloses exempt information of a description for the time being falling within the paragraphs of Schedule 12A to the Act.	relevant Chief Officers as appropriate
<b>Section 100G</b> the officer who shall maintain a register of the names and addresses of Members and membership of committees, lists of delegation and the like.	Director of Communities, Environment and Central
<b>Section 115(2)</b> the officer to whom money properly due from officers shall be paid	Director of Finance
<b>Section 146(1)</b> the officer to certify Council's entitlement to securities held in company books and/or dividends/interest arising from securities	Director of Finance
<b>Section 151</b> the officer to be responsible for the proper administration of the Authority's financial affairs	Director of Finance
<b>Section 223</b> the officer authorising officers to attend court and appear on behalf of the Council under Local Government Act 1972 and the County Courts Act 1984	Director of Legal & HR
<b>Section 225(1)</b> the officer with whom a document of any description is deposited pursuant to the Standing Orders of either House of Parliament or to any enactment or instrument and who shall receive and retain documents in the manner and for the purposes directed by the Standing Orders or enactment or instrument, and shall make notes or endorsements on, and give such acknowledgements and receipts, in respect of the documents as may be so directed.	Director of Legal & HR
<b>Section 229(5)</b> the officer who shall certify a photographic copy of a document in the custody of the Authority, or of a document which has been destroyed while in the custody of the Authority or of any part of any such document.	Director of Legal & HR

<b><u>Relevant Statutory Provision and Function</u></b>	<b><u>Proper Officer(s)</u></b>
<b>Section 233</b> the officer to receive documents required to be served on the Authority	Director of Legal & HR
<b>Section 234(1)</b> - the officer who may sign any notices, orders or other documents that the Council is required/entitled to give make or issue	Director of Legal & HR
<b>Section 238</b> the Officer who shall certify a printed copy of a bye law of the Authority.	Director of Legal & HR
<b>Schedule 12, part 1, para. 4(2)(b)</b> the Officer who shall sign a summons to attend a Council meeting.	Chief Executive
<b>Schedule 12, part 1, para. 4 (3)</b> the Officer to whom a Councillor shall give notice in writing desiring summonses to attend meetings of the Council to be sent to an address specified in the notice other than his/her place of residence.	Chief Executive
<b>Schedule 14, part 2, para. 25(7)</b> the officer who shall verify a resolution of the Council under this paragraph (resolutions applying or disapplying provisions of the Public Health Act 1875-1961).	Director of Legal & HR
<b>Section 87(2)</b> the officer responsible for publishing the Notice of Vacancy for any council seat	Head of Electoral Services
<b>LOCAL GOVERNMENT ACT 1972</b>	
<b>Section 30(5)</b> Officer to whom notice of a Local Government Ombudsman's report is to be served.	Chief Executive
<b>LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976</b>	
<b>Section 16</b> Notices requiring details of interest in land	Director of Service in consultation with Director of Legal & HR
<b>Section 41</b> the Officer to certify copies of any resolution, order, report or minutes of proceedings of the Authority	Director of Legal & HR

<b><u>Relevant Statutory Provision and Function</u></b>	<b><u>Proper Officer(s)</u></b>
as evidence in any legal proceedings.	
<b>EUROPEAN PARLIAMENTARY ELECTIONS ACT 2002</b>	
<b>Schedule 4, Para 1</b> the Officer to be the Acting Returning Officer for European Parliamentary Elections and Greater London Authority Elections and all other powers in relation to such elections	Chief Executive
<b>REPRESENTATION OF THE PEOPLE ACT 1983</b>	
<b>Section 8</b> – Officer to appoint a Registration Officer for the purpose of registering electors and approving the appointment of Deputy Electoral Registration Officer.	Chief Executive
<b>Section 18A-18E</b> - Officer responsible for the division of the area into polling districts and keeping the districts under review.	Chief Executive
<b>Section 35</b> – the Officer to be the Returning Officer at an election of London Borough councillors	Chief Executive
<b>Section 28</b> – Officer to be the Acting Returning Officer at an election of a Member of Parliament	Chief Executive
<b>Sections 82 and 89</b> – Officer to receive election expense declarations returns and the holding of those documents for public inspection	Chief Executive
<b>LOCAL GOVERNMENT &amp; HOUSING ACT, 1989</b>	
<b>Section 2(2)</b> the officer responsible for the preparation and maintenance of a list of politically restricted posts.	Director of Finance
<b>Section 3(3)</b> the officer responsible for certifying that a post is/is not politically restricted.	Director of Finance
<b>Section 5(1)(a)</b> the officer responsible for performing the duties of the Monitoring Officer imposed by this section	Director of Legal & HR

<u>Relevant Statutory Provision and Function</u>	<u>Proper Officer(s)</u>
of the Act.	
<b>CIVIL EVIDENCE ACT 1995</b>	
<b>Section 9</b> - The Officer certify documents for the purpose of proving they form part of Council records and admitting the document in evidence in civil proceedings	Director of Legal & HR
<b>LOCAL GOVERNMENT (COMMITTEES AND POLITICAL GROUPS) REGULATIONS, 1990</b>	
The officer who shall receive notices relating to the establishment and membership of political groups and the wishes of political groups with regard to the filling of committee seats allocated to them.	Chief Executive
<b>LOCAL AUTHORITY (MEMBERS' ALLOWANCES) REGULATIONS, 2003</b>	
<b>Regulation 13</b> the officer who shall receive written notice from a Member electing to forgo entitlement to allowances under Regulation 14.	Director of Communities, Environment and Central
<b>Regulation 10 – 17</b> the officer responsible for the maintenance of the Members Allowances Scheme and payments in accordance with the Scheme.	Director of Communities, Environment and Central
<b>NATIONAL ASSISTANCE ACT 1948 AND NATIONAL ASSISTANCE (AMENDMENT) ACT 1951</b>	
Proper officer to seek an order for removal of persons into care	Director of Children's Services or Director of Health and Adult Social Care in consultation with Director of Legal & HR



<b><u>Relevant Statutory Provision and Function</u></b>	<b><u>Proper Officer(s)</u></b>
<b>REGISTRATION SERVICES ACT 1953</b>	
Proper officer for Births, Deaths and Marriages	Director of Finance
<b>Section 9</b> – the officer responsible for appointing an officer to act as interim superintendent registrar or interim registrar where the current (superintendent) registrar ceases to hold office. (Officer to be appointed from existing deputies or where there are no deputies the proper officer shall make a fresh appointment).	Director of Finance
<b>Section 13</b> – the officer responsible under a local scheme for:- fixing hours of attendance of registrars; the distribution of business between registrars; transferring registrars within or between districts and supervising the administration of the provisions of the Act	Director of Finance
<b>Section 20 (b)</b> - the officer responsible for the exercise of functions set out under this section.	Director of Legal & HR
<b>LOCAL GOVERNMENT ACT 2000</b>	
<b>Section 9FB</b> - the officer to promote the role of, and to provide support to, the overview and scrutiny committee. The officer to provide support and guidance to the officers and members in relation to the overview and scrutiny committee	Head of Corporate Services
<b>LOCAL GOVERNMENT ACT 2003</b>	
<b>Section 25(1)</b> – the officer to report on the robustness of estimates for budget calculation purposes and the adequacy of financial reserves	Director of Finance
<b>PUBLIC HEALTH (CONTROL OF DISEASES) ACT 1984, FOOD SAFETY (GENERAL FOOD HYGIENE) REGULATIONS 1995 AND THE MILK AND DAIRIES GENERAL REGULATIONS 1969</b>	

<b><u>Relevant Statutory Provision and Function</u></b>	<b><u>Proper Officer(s)</u></b>
Requirement to appoint a suitably qualified person as the Council's Medical Advisor on Environmental Health and Proper Officer for notifiable diseases	Director of Housing and Safer Communities
<b>CIVIL EVIDENCE ACT 1995</b>	
To certify Council records for the purposes of admitting the document in evidence in civil proceedings.	Director of Legal & HR
<b>CRIME AND DISORDER ACT 1998</b>	
<b>Section 12</b> to apply for the discharge or variation of a Child Safety Order	Director of Children's Services in consultation with Director of Legal & HR
<b>No. STATUTE AND FUNCTION PROPER OFFICER</b>	
<b>Sections 17 and 37</b> 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 Chief Officers
<b>CRIMINAL JUSTICE AND POLICE ACT 2001</b>	
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)	Chief Executive in consultation with Director of Legal & HR and Director of Service
<b>LOCAL GOVERNMENT FINANCE ACT 1988</b>	
<b>Section 114</b> -the officer who shall issue a report if it appears that the executive has made a decision that:- has or could result in expenditure being incurred unlawfully; that has or could cause loss or deficiency or could result in unlawful entry on the Council's account.	Director of Finance
<b>Section 116</b> the officer required to notify the Council's	Director of Finance

<b><u>Relevant Statutory Provision and Function</u></b>	<b><u>Proper Officer(s)</u></b>
auditor of the date, time and place of any meeting to discuss a report prepared under section 114	
<b>Section 139A</b> the officer upon whom the secretary of state may be serve notice for the supply of information in relation to exercise of te secretary of state’s functions. The officer required to furnish the secretary of state with the requested information	Director of Finance
<b>LOCAL AUTHORITIES CONTRACTS REGULATIONS 1997</b>	
<b>Regulation 4-</b> the officer to receive copies of certificates issued in relation to a contract	Director of Legal & HR as Monitoring Officer
<b>Regulation 7-</b> the officer to sign certificates to be issued in relation to a contract	Director of Finance
<b>LOCALISM ACT 2011</b>	
<b>Section 29</b> – officer responsible for establishing and maintaining a register of Members and co-opted members interests	Director of Legal & HR
<b>NATIONAL HEALTH SERVICE ACT 2006</b>	
<b>Section 2B</b> – officer responsible (by virtue of section 73A) for taking appropriate steps to improve health in the borough	Director of Public Health
<b>Section 249</b> – officer responsible for cooperating with the prison service with a view to securing and maintaining the health of prisoners	Director of Public Health
<b>Section 73A(1)(d)</b> officer responsible in relation to planning for or responding to emergencies involving risk to public health	Director of Public Health
<b>Section 73A(1)(e)</b> officer responsible for cooperating with responsible bodies in relation to assessment and	Director of Public Health

<u>Relevant Statutory Provision and Function</u>	<u>Proper Officer(s)</u>
management of risks posed by offenders	
<b>Schedule 1</b> - officer responsible for:- the medical inspection/treatment of pupils; weighing and measuring of pupils; provision of contraceptive services and conducting or assisting any research in relation to their functions.	Director of Public Health
<b>LOCAL AUTHORITIES (EXECUTIVE ARRANGEMENTS) (ACCESS TO INFORMATION) (ENGLAND) REGULATIONS 2012</b>	
<b>Regulation 12</b> The officer responsible for producing a written record of an executive decision taken at a meeting or by an individual Cabinet member	Director of Communities, Environment and Central
<b>Regulation 14</b> the officer responsible for making available for public inspection copies of records, relevant reports and background papers in respect of executive decisions	Director of Communities, Environment and Central and relevant Chief Officer
<b>Regulation 7</b> the officer responsible for excluding from the agenda and reports to be made available to the public the whole or any part of the report relating to an item of business during which the public is likely to be excluded, and deciding whether documents should be supplied to a newspaper	Director of Communities, Environment and Central
<b>Regulation 10</b> the officer responsible for informing the chair of Overview and Scrutiny Committee that a key decision for which 28 days' notice has not been given is to be taken, and for making a notice as to this available for public inspection	Director of Communities, Environment and Central
<b>Regulation 16</b> the officer responsible for deciding whether documents contain exempt information or political advice, and whether they should not therefore	Director of Legal & HR

<b><u>Relevant Statutory Provision and Function</u></b>	<b><u>Proper Officer(s)</u></b>
be made available for inspection by members	

<b>LOCAL AUTHORITIES (REFERENDUMS) (PETITIONS AND DIRECTIONS) (ENGLAND) REGULATIONS 2011</b>	
<b>Regulation 4</b> the officer responsible for publishing the number that is equal to 5% of the number of local government electors in the area	Director of Communities, Environment and Central
<b>Regulation 11</b> the officer responsible for notifying the Secretary of State and petition organiser after receipt of a petition, including where it is held to be valid or not valid	Chief Executive
<b>Regulation 8</b> the officer responsible for taking the necessary procedural steps on receipt of a petition, including amalgamating petitions	Chief Executive
<b>LOCAL AUTHORITIES (STANDING ORDERS) (ENGLAND) REGULATIONS 2001</b>	
The officer responsible for notifying members of the Cabinet of the proposed appointment or dismissal of a Chief Officer or Deputy Chief Officer	Chief Executive
<b>NHS BODIES AND LOCAL AUTHORITIES (PARTNERSHIP ARRANGEMENTS, CARE TRUSTS, PUBLIC HEALTH AND LOCAL HEALTHWATCH) REGULATIONS 2012</b>	
Regulation 14 – responsible officer for functions under the Licensing Act 2003 including making representations in relation to the application, variation and review of premises licences and early morning alcohol restriction orders	Director of Public Health

<b><u>Relevant Statutory Provision and Function</u></b>	<b><u>Proper Officer(s)</u></b>
<b>LOCAL AUTHORITIES (PUBLIC HEALTH FUNCTIONS AND ENTRY TO PREMISES BY LOCAL HEALTHWATCH REPRESENTATIVES) REGULATIONS 2013</b>	
<b>Regulations 3 to 8</b> – officer responsible for carrying out functions of secretary of state including provision relating to weighing and measuring of children; health checks; universal health visitors; sexual health services; public health advice and providing information to relevant persons in preparation for local public health protection arrangements	Director of Public Health
<b>MISCELLANEOUS</b>	
<b>Section 41</b> Local Government (Miscellaneous Provisions) Act 1976 – the officer to certify true copies of resolutions in Minutes of proceedings etc.	Director of Legal & HR
<b>Section 19, Land Charges Act</b> the officer to act as Local Registrar as defined in Section 3 of the Land Charges Act 1975	Director of Regeneration, Enterprise and Skills
<b>Any other miscellaneous proper or statutory officer functions not otherwise delegated by the Authority or his/her nominee</b>	Chief Executive

## **Schedule D – Consultative arrangements**

### **Statement of Principles on Open Government**

The Council aims to have clear and effective decision-making procedures in which:

- the Council is accountable to local people;
- the decision-making processes are transparent and understandable;
- members of the local community can be involved in discussions about policy and service development;
- there are mechanisms by which the Council can listen and respond to the views of the local community.

The Constitution embodies the Council's commitment to open government.

Important elements are:

- There is provision at Full Council meetings to receive public deputations, for petitions to be presented, and for questions by members of the public. Members of the public may speak on or can express their views on reports that are to be discussed at Full Council meetings.
- The Overview and Scrutiny Committee and the Scrutiny Panels may undertake reviews of important local issues. This could include any aspect of the Council's performance or the work of other organisations. There is scope for 'evidence' to be taken from members of the public, and for representative stakeholders to be involved in reviews where appropriate.
- Advance notice of matters to be decided at Cabinet meetings will be given and whenever a key decision is to be taken there will be, where possible, 28 days notice. Members of the public are able to attend meetings of the Cabinet and may ask to speak on matters on the agenda.
- Effective mechanisms will be maintained for engaging with the local community as part of the Council's Greenwich Strategy initiative, Best Value and Service Improvement Programmes, and other policy development and planning processes.
- An important element of the Council's consultation and communication mechanisms is the Great Get Togethers and Housing Neighbourhood Panels.

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- A wide range of issues are determined at a local level by the three Area Planning Committees. Members of the public can speak on planning and local environmental issues at the Area Committee meetings.
- Licensing applications are considered by the three Licensing Sub-Committees which all allow for public involvement.
- Community participation and involvement is an integral part of Neighbourhood Renewal and Local Service Partnership initiatives.

The Council has always sought to promote access to information and will continue to ensure that all sections of the community are able to access its meetings; in particular

- meetings venues will normally be fully accessible
- meetings will be widely publicised
- copies of agenda documents will be publicly available in advance of the formal meetings where decisions are to be taken;
- reasons will be given where reports have to be kept confidential
- we will try to provide translations of agendas or interpreters when so requested, and support or facilities for people with a disability or sensory impairment.
- babysitting/carers allowances can be claimed in appropriate cases in respect of attendance at Council and Committee meetings.



## Schedule E - Terms of reference – Member-level Bodies 2020/21

### 1. Full Council

The following specific matters are reserved for decision by the Full Council:

- a. adopting and changing the Constitution;
- b. approving or adopting the Policy Framework, the Budget and any application to the Secretary of State in respect of any Housing Land Transfer;
- c. approving proposals in connection with the preparation of an altered or replacement development plan, prior to public consultation;
- d. making decisions about any matter in carrying out an executive function which is covered by:
  - i) the Policy Framework, where the decision maker is minded to make it in a manner which would be contrary to the Policy Framework, or
  - ii) the Budget, where the decision maker is minded to make it in a manner which would be contrary to or not wholly in accordance with the Budget.

subject to the urgency procedure contained in the Budget and Policy Framework Procedure in Part 4 of the Council's Constitution;

- e. appointing the Leader of the Council;
- f. agreeing and/or amending the terms of reference for committees, deciding on their composition and making appointments to them and appointing their chairs and vice-chairs (except in respect of committees appointed by the Cabinet in relation to executive functions);
- g. agreeing the list of outside bodies to be appointed to and making appointments accordingly unless the appointment is an executive function or has been delegated by the Council (N.B. where an in year vacancy arises the appointment to be made by the Chief Executive, in consultation with the relevant Party Whip);

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- h. adopting an allowances scheme under Article 2.05 of the Council's Constitution;
- i. changing the name of the area, conferring the title of honorary alderman or freedom of the borough;
- j. confirming the appointment of the Chief Executive;
- k. making, amending, revoking, re-enacting or adopting bylaws and promoting or opposing the making of local legislation or personal Bills;
- l. electing a Mayor of the Royal Borough of Greenwich each Municipal Year (at the Annual Council Meeting);
- m. determining the annual work programme of overview and scrutiny activities;
- n. approving a Local Code of Conduct for Members;
- o. the setting of the Council Tax;
- p. approving the annual Statement of Accounts;
- q. agreeing the overall pay banding for the Council's chief officer structure which includes all posts with a remuneration of £100,000 or over and also agreeing specific severance packages which exceed the limit of £95,000 set out in the Small Business, Enterprise and Employment Act 2015 (not including permitted contractual obligations) and authorising any application to MHCLG and/or the Treasury to waive the provisions.
- r. all other matters which, by law, must be reserved to Council.

In addition, the following matters may also be considered at meetings of the Full Council in accordance with the Council and Committee Procedure Rules (Part 4, Schedule A of the Council Constitution):

- i) Receipt of petitions, public deputations and public questions
- ii) Members Questions
- iii) As appropriate reports of committees (or sub-committees) on matters within their terms of reference
- iv) Motions of which Notice has been given by two or more members.

### 1.1 General Purposes Committee

- a. To appoint members to fill vacancies which arise from time to time on committees established by the Council in accordance with the wishes of the relevant political group.
- b. To appoint and revoke the appointment of any individual:
  - to any office other than an office in which he or she is employed by the Council
  - to any body other than:
    - the Council
    - a joint committee of 2 or more authorities which carries out functions, all of which are the responsibility of the Cabinet
- c. To decide on the up rating of subsistence, travel and carers allowance rates, and to make inflation-only increases in basic and special responsibility allowances.
- d. To determine applications for the registration of common land or town and village greens and the variation of rights of common as set out in paragraph 37 of section B to Schedule 1 to the Functions Regulations, where on the advice of the Director of Legal & HR it would not be appropriate for the Director of Regeneration, Enterprise and Skills to exercise her / his delegated authority.
- e. To agree the salary level for posts with a remuneration of £100,000 or over in relation to a specific appointment.
- f. To determine Human Resources Strategies/Policies and individual matters on behalf of Council.

### 1.2 Pension Fund Investment and Administration Panel

- a. To exercise all relevant functions conferred by regulations made under the Public Services Pensions Act 2013
- b. To consider and decide all matters regarding the management of the pension fund's investments and administration and to determine the

delegation of powers of management of the fund and to set boundaries for the managers' discretion.

- c. To decide all matters relating to policy and target setting for and monitoring the investment performance of the pension fund
- d. At least once every three months, to review the investments made by the investment managers and consider the desirability of continuing or terminating the appointment of the investment managers.
- e. To consider and make recommendations on policy and staff related issues which have an impact on the pension fund directly or indirectly through changes in employer pension contribution rates and through Fund employers' early retirement policies.
- f. To consider triennial valuation reports prepared by the Fund's actuaries, with recommended employer contributions.
- g. To receive monitoring reports from the Director of Finance on all matters relevant to the Pension Fund and the Administering Authority's statutory requirements.
- h. To receive reports as appropriate from the Pension Board.

## 2 Overview and Scrutiny Call-in Sub-Committee

To exercise on behalf of the Council the powers to call-in Executive decisions in accordance with the Overview and Scrutiny Committee procedures (Part 4, Schedule B of the Council's Constitution).

## 3. Overview and Scrutiny

### 3.1 Overview and Scrutiny Committee

- a. To co-ordinate and oversee all overview and scrutiny functions on behalf of the Council.
- b. To monitor and keep under review upcoming key decisions and forthcoming Cabinet business as published under the Access to Information Procedures in Part 4D of this Constitution.

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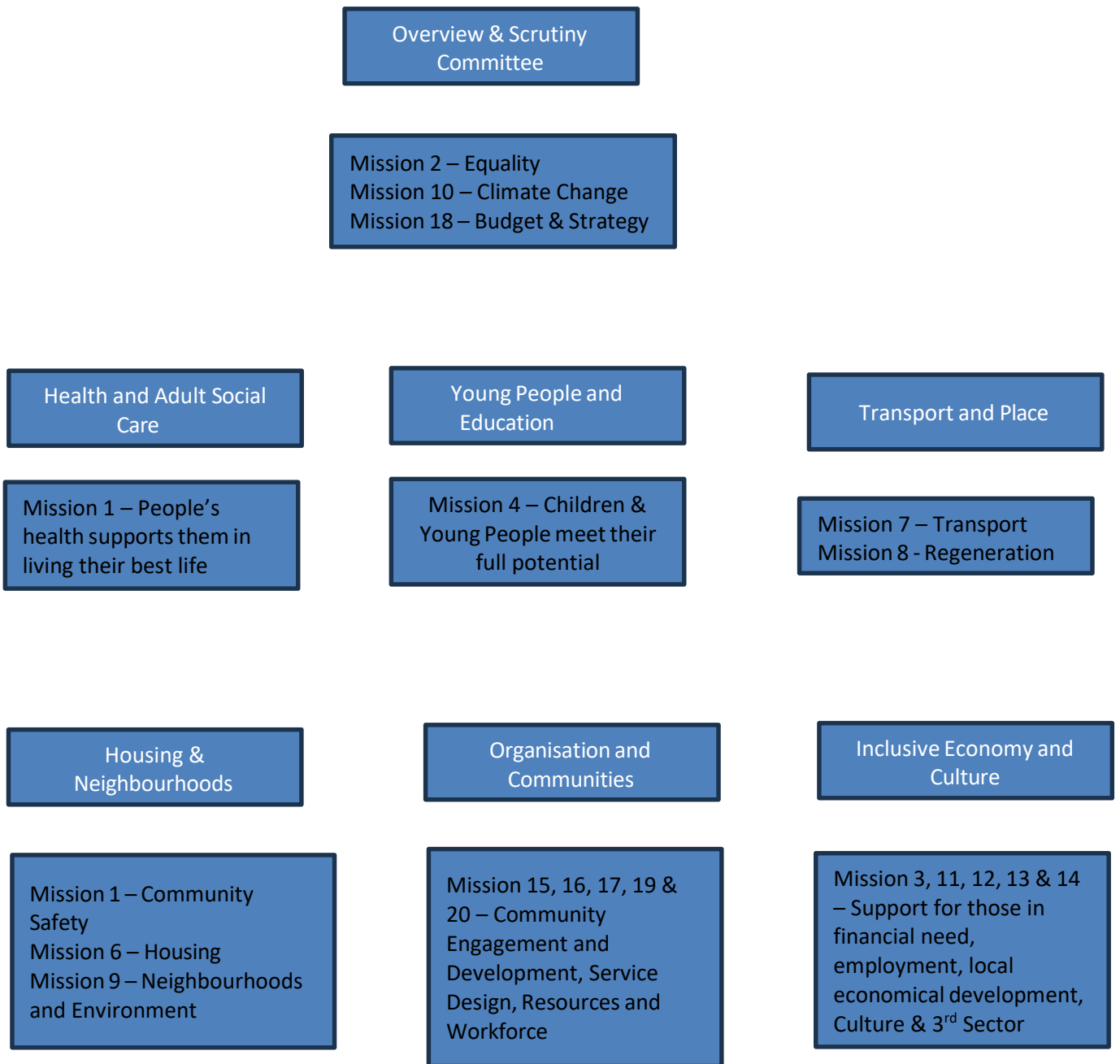
- c. To recommend to Council each year an annual work programme of overview and scrutiny activities. This may include the scrutiny or review of services or activities of other organisations which are relevant to the social, environmental or economic wellbeing of the Borough or its residents.
- d. To undertake scrutiny functions in respect of overarching issues which affect a number of service and subject areas, or which may be allocated specifically to the Committee by the Council, or which do not fall within service or subject areas of any Scrutiny Panel.
- e. In appropriate cases where matters fall within the remit of more than one Scrutiny Panel, to determine which panel will assume responsibility for any particular issue.
- f. To monitor action on matters referred by Overview and Scrutiny Committee to the Cabinet, either by way of report or for reconsideration, to ensure that they are managed efficiently and in accordance with the Council's Constitution and Overview and Scrutiny Procedures.
- g. To consider the outcome of Scrutiny reviews undertaken by the Scrutiny Panels and refer recommendations to the Chief Executive.

### 3.2 Scrutiny Panels

- a. To scrutinise in relation to functions assigned to the Panel issues relating to:
  - Performance Management
  - Value for Money
  - Holding the Executive to account
  - External bodies
  - Tackling inequality
- b. To monitor the budget management and general performance of Council services within the Panel's remit.
- c. To review and/or scrutinise the outcome of decisions made or actions taken by or on behalf of the Cabinet (including action taken under delegated powers) in relation to functions within the Panel's remit.

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3.3 The Scrutiny Panels are set out in the chart below together with details of their areas of responsibility by reference to Our Greenwich Missions.



## 4. Planning Board

### 4.1 Scope

4.1.1 The purpose of the Planning Board is to consider strategic development management and consideration of those Council matters referred to at Part 3 (Responsibility for Functions); Schedule B.1 – Council Functions and as more particularly set out as set out in Part A of Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) as delegated under paragraph 4.3 below.

4.1.2 More local matters are dealt with by the Local Planning Committee as set out at section 5 of this Part.

4.1.3 Most matters are dealt with by an officer.

4.1.4 The development of planning policy is an executive function and is formulated by the Council's Leader and Cabinet.

### 4.2 Definitions

4.2.1 In relation to proposals coming before the Planning Board:

(a) A '**Strategic Application**' means for these purposes as proposals for:

- (i) residential development comprising [50] or more dwellings; and
- (ii) development, including commercial, retail, and industrial developments, where the floor space to be created by the development is [3,000] square metres or more; and

(b) A '**Major Application**' means for these purposes, by reference to the Town and Country Planning (Development Management Procedure) (England) Order 2015, as proposals for:

- (i) the winning and working of minerals or the use of land for mineral-working deposits;
- (ii) waste development;
- (iii) the provision of dwellings where the number of dwellings to be provided is 10 or more;



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- (iv) development to be carried out on a site having an area of 0.5 hectares or more and where it is not known whether the number of dwellings to be provided is 10 or more; or
- (v) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more.

### 4.3 Delegation

4.3.1 The Planning Board will consider and determine all Strategic Applications.

4.3.2 In the circumstances set out at 4.4 below, the Planning Board will consider and determine the following Major Applications:

	<i>An application for:</i>	<i>as defined by:</i>	<i>in respect of (scale):</i>
(a)	planning permission	Part III or s.293A Town and Country Planning Act (T&CPA) 1990	all Major Applications
(b)	reserved matters approval	s.92 T&CPA 1990	all Major Applications
(c)	permission in principle	s.58A T&CPA 1990	all Major Applications
(d)	listed building consent	s.8(7) Planning (Listed Buildings and Conservation Areas) Act 1990	where submitted with a Major Application for other permissions listed in this table
(e)	permission to develop land without compliance with conditions previously attached	s.73 T&CPA 1990	all Major Applications other than where the Chief Planning Officer, in consultation with the Chair (or in the absence of the Chair, the Vice-Chair) considers that: <ul style="list-style-type: none"> <li>i) a condition can be imposed, varied or removed in respect of the permission as a result of which it would not be fundamentally different from or a substantial alteration to the permission which has been previously approved by the Council in relation to the same site; or</li> <li>ii) the application relates to minor material amendment(s) and the amended permission will not be substantially different from the permission which has been previously approved by the Council in relation to the same site.</li> </ul>

4.3.3 The Planning Board may consider and determine any other applications for planning permission, consent, approval or matter falling within the scope of the Planning Board, as set out in these terms of reference, which the Planning Board has specifically indicated it wishes to consider itself.

4.3.4 Any other item of business may be referred to the Planning Board where the Chief Planning Officer or the Monitoring Officer, in consultation with the Chair (or in the absence of the Chair, the Vice-Chair), is of the opinion that the item is within the scope of the Planning Board's or the Local Planning Committee terms of reference and should be considered by the Planning Board.

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4.3.5 Except as contained in these Paragraphs 4.3 (Planning Board) and 5.2 (Local Planning Committee), responsibility for the exercise of all functions relating to town and country planning and development control and associated or related matters, as specified the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended), is delegated to the Chief Planning Officer as set out at Part 3 Schedule B of the Council's Constitution.

### 4.4 Referral and reservation

4.4.1 Items of business are to be considered or determined by the Planning Board where:

- (a) a Major Application is recommended for approval contrary to the policies of the statutory development plan(s) and which, in the opinion of the Chief Planning Officer, constitutes a significant departure from those policies;
- (b) where [20] or more individual persons have submitted objections in writing to a Major Application that raise material planning considerations which, in the opinion of the Chief Planning Officer, cannot be overcome by planning conditions or planning mitigation;
- (c) where a Member has requested that a Major Application be referred (or "called-in") for consideration by the next appropriate Planning Board and where the request:
  - (i) was made within [15] working days of the Member being notified of the application;
  - (ii) sets out in writing:
    - (1) how the Major Application will affect their Ward; and
    - (2) their reasons as to why the Major Application should be determined by the Planning Board; and which
  - (iii) has been accepted by the Chief Planning Officer, in consultation with the Chair (or in the absence of the Chair, the Vice-Chair), as amounting to valid planning reasons for referral to the Planning Board;
- (d) a Major Application is made in respect of any land owned by the Council or for development of any land by the Council or by the Council jointly with any other person (except for matters which in the opinion of the Chief Planning Officer are minor);
- (e) the Chief Planning Officer is of the opinion that any proposal for development, application or matter is of strategic significance and should be considered by the Planning Board; or
- (f) the Planning Board reserves to itself any other applications for planning permission, consent or approval that would otherwise fall within the terms of reference of the Local Planning Committee but which the Planning Board has specifically indicated it wishes to consider itself.

### 4.5 Procedure on proposals against officer recommendation

4.5.1 Where a member of the Planning Board considers it likely that they will propose a motion to determine an application contrary to the officers' reported recommendation, whether for approval or refusal or changes to conditions or S106 planning obligations, the member(s) concerned are requested to seek advice and drafting assistance from the Chief Planning Officer and, if referred, the Monitoring Officer or their nominated staff (the planning and legal officers).

4.5.2 Before voting on a motion, the effect of which is to determine an application contrary to the officers' recommendation, whether for approval or refusal or changes to conditions or S106 planning obligations, the Chair is to:

- (a) ensure that the proposer and seconder have identified the planning reasons for the motion (which may need to be justified in the event of an appeal or other challenge), which shall be required to be placed in writing, if considered necessary by the Chair, before being further considered by the Planning Board;
- (b) ensure that relevant conditions or requirements to any resulting decision have been identified as a part of the motion (the detailed compilation and drafting of which may be delegated to the Chief Planning Officer);

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- (c) invite officers to provide planning advice on the clarity and validity of the reasons, including any associated risks, prior to further debate; and
- (d) consider, if there is any concern about the reasons or proposed conditions, whether to:
  - (i) adjourn the meeting for a short period in order for the Planning Board and/or the proposer and seconder of the motion to obtain advice from the planning officers present; or
  - (ii) defer the item to another meeting for the reasons or proposed conditions to be the subject of further advice and to then be tested and discussed at the next convened meeting.

### 4.6 Other matters

- 4.6.1 The Planning Board will agree and keep under review this scheme of delegation setting out which matters may be dealt with by the Planning Board, the Local Planning Committee and which of its powers are to be discharged by an officer.
- 4.6.2 The Planning Board will agree and keep under review a scheme for public speaking in respect of meetings of the Planning Board and the Local Planning Committee.

## 5. Local Planning Committee (Part 3 (Responsibility for Functions); Schedule B – Council Functions)

### 5.1 Scope

- 5.1.1 The purpose of the Local Planning Committee is to consider local planning and development management matters.
- 5.1.2 Unless a matter is reserved to the Planning Board or referred to the Local Planning Committee under the scheme of delegation below, any application for planning permission, consent, consultation or approval will be dealt with by an officer in exercise of the delegation of planning functions to the to the Director of Regeneration, Enterprise and Skills (being the Director with portfolio for exercising the local planning authority functions and referred to here as the ‘**Chief Planning Officer**’) as set out at Part 3B1 of this Constitution.
- 5.1.3 Strategic Applications, Major Applications and other matters are dealt with by the Planning Board as set out at section 4 of this Part.
- 5.1.4 The development of planning policy is an executive function and is formulated by the Council’s Leader and Cabinet.

### 5.2 Delegation

- 5.2.1 Other than Strategic Applications, Major Applications and those other matters reserved to the Planning Board set out at Section 4 above, in the circumstances set out at 5.3 below the Local Planning Committee will consider and determine the following matters (‘**Local Applications**’):

<i>An application for:</i>	<i>as defined by:</i>	<i>in respect of (scale):</i>
(a) planning permission	Part III or s.293A Town and Country Planning Act (T&CPA) 1990	all applications other than Strategic Applications, Major Applications and any other matters reserved to the Planning Board
(b) permission in principle	s.58A T&CPA 1990	all applications other than Strategic Applications, Major Applications and any other matters reserved to Planning Board
(c) listed building consent	s.8(7) Planning (Listed Buildings and Conservation Areas) Act 1990	where submitted with an application for other permissions listed in this table

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(d)	permission to develop land without compliance with conditions previously attached	s.73 T&CPA 1990	all applications other than Strategic Applications, Major Applications and any other matters reserved to Planning Board, except where the Chief Planning Officer, in consultation with the Chair (or in the absence of the Chair, the Vice-Chair), considers that:  i) a condition can be imposed, varied or removed in respect of the permission as a result of which it would not be fundamentally different from or a substantial alteration to the permission which has been previously approved by the Council in relation to the same site; or  ii) the application relates to minor material amendment(s) and the amended permission will not be substantially different from the permission which has been previously approved by the Council in relation to the same site.
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5.2.2 Any other item of business may be referred to the Local Planning Committee where the Chief Planning Officer or the Monitoring Officer, in consultation with the Chair (or in the absence of the Chair, the Vice-Chair), is of the opinion that the item is relevant to the Planning Board's or the Local Planning Committee terms of reference and should be considered by the Local Planning Committee.

5.2.3 Except as contained in these Paragraphs 4.2 (Planning Board) and 5.2 (Local Planning Committee), responsibility for the exercise of all functions relating to town and country planning and development control and associated or related matters, as specified the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended), is delegated to the Chief Planning Officer as set out at Part 3 Schedule B of the Council's Constitution.

## 5.3 Referral and reservation

5.3.1 Items of business are to be considered or determined by the Local Planning Committee where:

- (a) a Local Application is recommended for approval but would not accord with the Council's approved planning policies and, in the opinion of the Chief Planning Officer, would constitute a significant departure from the provisions of the adopted Development Plan;
- (b) a Local Application is recommended for approval and [12] or more individual persons have submitted objections in writing that raise material planning

considerations which, in the opinion of the Chief Planning Officer, cannot be overcome by planning conditions or planning mitigation;

- (c) a Member considers a Local Application will impact on their Ward has requested that the application be referred (or “called-in”) for consideration by the next appropriate Local Planning Committee and where the request:
  - (i) was made within [15] working days of the Member being notified of the application;
  - (ii) sets out in writing the planning considerations relevant to the proposal and stating why those matters warrant referral to the Local Planning Committee; and
  - (iii) has been accepted by the Chief Planning Officer, in consultation with the Chair or in the absence of the Chair, the Vice-Chair), as amounting to valid planning reasons for referral to the Local Planning Committee;
- (d) a Local Application is submitted in respect of any land owned by the Council or for development of any land by the Council or by the Council jointly with any other person (except for matters which in the opinion of the Chief Planning Officer are minor);
- (e) an application is been submitted by, or in respect of any land owned by:
  - (i) a Member of the Council;
  - (ii) a chief officer or deputy chief officer of the Council; or
  - (iii) an officer who, in the opinion of the proper officer, is directly employed in planning matters or in support of the Planning Board or Local Planning Committee; or
- (f) the Chief Planning Officer is of the opinion that any proposal for development, application or matter should be considered by the Local Planning Committee; or
- (g) the Chief Planning Officer or Monitoring Officer, in consultation with the Chair (or in the absence of the Chair, the Vice-Chair), is of the opinion that any other item of business falling within the Planning Board’s or the Local Planning Committee terms of reference should be considered by the Local Planning Committee.

#### 5.4 Procedure on proposals against officer recommendation

5.4.1 Where Members consider it likely that they will propose a motion to determine an application contrary to the officers’ reported recommendation, whether for

approval or refusal or changes to conditions or S106 planning obligations, the Members concerned are requested to seek advice and drafting assistance from the Chief Planning Officer and, if referred, the Monitoring Officer or their nominated staff (the planning officers).

- 5.4.2 Before voting on a motion, the effect of which is to determine an application contrary to the officers' recommendation, whether for approval or refusal or changes to conditions or S106 planning obligations, the Chair is to:
- (a) ensure that the proposer and seconder have identified the planning reasons for the motion (which may need to be justified in the event of an appeal or other challenge), which shall be required to be placed in writing, if considered necessary by the Chair, before being further considered by the Committee;
  - (b) ensure that relevant conditions or requirements to any resulting decision have been identified as a part of the motion (the detailed compilation and drafting of which may be delegated to the Chief Planning Officer);
  - (c) invite officers to provide planning and legal advice on the clarity and validity of the reasons, including any associated risks, prior to further debate; and
  - (d) consider, if there is any concern about the reasons or proposed conditions, whether to:
    - (i) adjourn the meeting for a short period in order for the Committee and/or the proposer and seconder of the motion to obtain advice from the planning officers present; or
    - (ii) defer the item to another meeting for the reasons or proposed conditions to be the subject of further advice and to then be tested and discussed at the next convened meeting.

#### 4. Licensing Committee

##### Part A

The Licensing Committee will undertake all functions of the Authority under the 2003 Act that are not the responsibility of the Council, as follows:

- make recommendations to the Council on the Statement of Licensing Policy;
- review the Statement of Licensing Policy within statutory intervals, keeping the policy under review at other times and undertaking appropriate consultations;
- advise the Authority in respect of matters relating to the protection of

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children from harm;

- decide the extent to which the Authority will recommend the classification of films;



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- monitor the impact of licensing on regulated entertainment in general and live music and dancing in particular;
- refer reports to the Planning Authority on the situation concerning licensed premises including the general impact of alcohol related crime and disorder;
- consider current licenses or applications for licenses where a valid representation has been made and not withdrawn;
- receive reports on the needs of the local tourist economy and the cultural strategy for the area;
- receive reports on the employment situation in the area;
- consider measures to promote the music, dancing and theatre for the wider cultural benefit.

The Director of Housing and Safer Communities has delegated authority, in consultation with the Chief Executive and Leader, to determine whether licensing matters should be considered by the Licensing Committee. Except where it is decided that a matter should be determined by the full Licensing Committee, the Licensing Authority accepts the Secretary of State recommendations that delegation by the Licensing Committee will be approached in the following way:

<b>Matter to be dealt with</b>	<b>Sub Committee</b>	<b>Officers</b>
Application for personal licence	If a Police objection made	If no objection made
Application for personal licence with unspent convictions	All cases	
Revocation or suspension of personal licence by local authority where it becomes aware of convictions or immigration penalties	All cases	
Application for premises licence/club premises certificate	If a relevant representation made. *	If no relevant representation made
Application for provisional statement	If a relevant representation made.	If no relevant representation made
Application to vary premises licence/club premises certificate	If a relevant representation made. *	If no relevant representation made

<b>Matter to be dealt with</b>	<b>Sub Committee</b>	<b>Officers</b>
Application to vary designated premises supervisor	If a police objection	All other cases
Request to be removed as designated premises supervisor		All cases
Application for transfer of premises licence	If a police objection	All other cases
Applications for interim authorities	If a police objection	All other cases
Application to review premises licence/club premises certificate	All cases	
Decision on whether a complaint is irrelevant, frivolous, vexatious etc.		All cases
Decision to object when local authority is a consulted and not the relevant authority considering the application	All cases	
Determination of a police objection to a temporary event notice.	All cases	
Classification of Films		All cases
Re-classification of Films		All cases

\*Where all persons required by the Act have agreed that a hearing is not necessary then it shall be for the Chair of the Licensing Committee to determine whether to dispense with a hearing under Section 9 of the Licensing Act 2003 (Hearings) Regulations 2005.

**Licensing Sub-Committees operating under delegated authority by the Licensing Committee will receive reports on matters determined by Licensing Officers with delegated authority.**

- The consideration and determination of the following where a valid representation has been made and not withdrawn:
- application for a Personal Licence;
- application for Personal Licence with unspent convictions;
- Revocation or suspension of personal licence by local authority where it becomes aware of convictions or immigration penalties

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- application for Premises Licence or Club Premises Certificate;
- application for provisional statement;
- application to vary a Premises Licence or Club Premises Certificate;
- application to vary Designated Premises Supervisor;
- application for transfer of Premises Licence;
- application for interim authorities;
- application to review a Premises Licence or Club Premises Certificate;
- determination of a Police Representation to a Temporary Event Notice;
- decision to object when the Authority is a consultee and not the relevant authority considering the application.
- determination of an appeal by the premises license holder in relation to interim steps imposed following a police application for a summary license review.

### **Part B**

Under the Gambling Act 2005 the Licensing Committee will undertake all functions that are not the responsibility of the Council, as follows:

- make recommendations to the Council on the Statement of Licensing Policy;
- review the Statement of Licensing Policy within statutory intervals, keeping the policy under review at other times and undertaking appropriate consultations;
- consider current licenses or applications for licenses where a valid representation has been made and not withdrawn.

The Director of Housing and Safer Communities has delegated authority, in consultation with the Chief Executive and Leader, to determine whether licensing matters should be considered by the Licensing Committee. Except where it is decided that a matter should be determined by the full Licensing Committee, the Licensing Authority accepts the Secretary of State's recommendations regarding delegation by the Licensing Committee in the following way:

X indicates the lowest level to which decisions can be delegated.

<b>Matter to be dealt with</b>	<b>Full council</b>	<b>Licensing (sub) committee</b>	<b>Officers</b>
Three year licensing statement of	X		

<b>Matter to be dealt with</b>	<b>Full council</b>	<b>Licensing (sub) committee</b>	<b>Officers</b>
principles			
Policy not to permit casinos	X		
Fee Setting – when appropriate			X (subject to Executive approval)
Application for premises licences/provisional statement		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Application for a transfer of a licence		Where representations have been received from the Commission	Where no representations received from the Commission
Review of a premises licence		X	
Application for club gaming/club machine permits		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Cancellation of club gaming/club machine permits		X	
Applications for other permits			X

<b>Matter to be dealt with</b>	<b>Full council</b>	<b>Licensing (sub) committee</b>	<b>Officers</b>
Alcohol licensed premises gaming machine permits for between 2 & 4 machines where there are no representations			X
Alcohol licensed premises gaming machine permits for between 2 & 4 machines where there are representations		X	
Alcohol licensed premises gaming machine permits for applications in excess of 4 machines		X	
Cancellation of licensed premises gaming machine permits			X
Consideration of temporary use notice			X
Decision to give a counter notice to a temporary use notice		X	

**Licensing Sub-Committees operating under delegated authority by the Licensing Committee will receive reports on matters determined by Licensing Officers with delegated authority. The stated authority is the lowest level that decision could be taken.**

The consideration and determination of the following where a valid representation has been made and not withdrawn:

- an application for a premises licence;
- an application for variation of a premises licence;
- an application for transfer, following representations by the Commission;
- an application for a provisional statement
- a review of a premises licence;
- an application for a club gaming permit or club machine permit.

The consideration and determination of the following;

- cancellation of a club gaming or club machine permit;
- decision to give a counter-notice.

**Licensing issues other than those that fall under the Licensing Act 2003 or the Gambling Act 2005, the Licensing Committee will undertake the functions as follows:**

1. The consideration and determination of applications for registrations, permits or licences, which fall into one of the following categories:
  - i) opposed applications (including renewals) for massage and special treatments;
  - ii) All applications for licences under Schedule 3, The Local Government (Miscellaneous Provisions) Act, 1982 (sex establishments);
  - iii) applications for site licences under the Caravan Sites and Central Development Act, 1960;
  - iv) opposed applications for approval of premises as a venue for civil weddings under the Marriage Act, 1994;
  - v) applications for licences to keep listed dangerous wild animals;
  - vi) revocation of existing licences;
  - vii) applications for Section 34 permits for new amusement arcades.
  - viii) functions under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982

#### Licensing Review Sub-Committee

The Licensing Review Sub-Committee will determine:

- a) An application to review a Premises Licence or Club Premises Certificate issued under Section 52(2) of the Licensing Act 2003;
- b) An application to review a Club Premises Certificate under Section 88(2) of the Licensing Act 2003;
- c) Decision on appropriate interim steps following a police application for a summary license review under Section 53a (2) of the Licensing Act 2003;
- d) A review of a premises license following a summary review application under Section 53A (1) of the Licensing Act 2003;
- e) A review of Premises Licence following closure order under Section 167(5)(a);
- f) An application to review a Premises Licence under Section 201 of the Gambling Act 2005.

5. Standards Committee

- (a) To promote high standards of conduct by members.

- (b) To advise the Council on the adoption or revision of a Code of Conduct and related Codes
- (c) To assist members to observe the Code of Conduct, in particular by ensuring access to training.
- (d) To consider and grant dispensations from requirements relating to interests set out in the Code of Conduct upon receipt of a written request made to the Monitoring Officer by a member or co-opted member. Having had regard to all relevant circumstances, Committee may grant a dispensation if it:
  - (i) considers that without the dispensation the number of persons prohibited from participating in any particular business would be so great a proportion of the body transacting the business as to impede the transaction of the business,
  - (ii) considers that without the dispensation the representation of different political groups on the body transacting any particular business would be so upset as to alter the likely outcome of any vote relating to the business,
  - (iii) considers that granting the dispensation is in the interests of persons living in the authority's area,
  - (iv) if it is an authority to which Part 1A of the Local Government Act 2000 applies and is operating executive arrangements, considers that without the dispensation each member of the authority's executive would be prohibited from participating in any particular business to be transacted by the authority's executive, or
  - (v) considers that it is otherwise appropriate to grant a dispensation.

**N.B. With regard to (d)(i) above the Chief Executive has authority to agree a dispensation to a member in relation to proportionality.**

- (e) To draw up a protocol for receipt and consideration of complaints.
- (f) To consider any written complaint that a member has failed to comply with the Code of Conduct and, if thought fit, to refer the complaint to the Chief Executive for investigation
- (g) To decide what action to take following an investigation, having sought and taken into account the views of an independent person appointed for that purpose.



6. Audit and Risk Management Panel

To provide an independent assurance of the adequacy of the risk management framework and the associated control environment, including the effectiveness of the Internal Audit and Corporate Anti-Fraud functions. In particular:

- a. To receive the annual review of internal controls and be satisfied that the Annual Governance Statement properly reflects the risk environment and any actions required to improve it.
- b. To consider (but not direct) the annual plans of the Internal Audit and Corporate Anti Fraud Services and to monitor performance throughout the year.
- c. To consider summaries of specific Internal Audit reports as requested and to seek assurances that action has been taken where necessary.
- d. To receive regular reports covering implementation of the Council's risk management policy and strategy to determine whether strategic risks are being actively managed.
- e. To report to Council on the risk management framework.
- f. To consider the effectiveness of the relationships between external and internal audit, inspection agencies and other relevant bodies, and to ensure that the value of the audit process is actively promoted.
- g. To receive reports on audit issues arising from the financial statements, external auditor's opinion and reports to members, and monitor management action in response to such issues.
- h. To provide input into the appointment of the council's external auditor.
- i. To maintain an audit overview of the council's constitution in respect of contract procedure rules, financial regulations and codes of conduct and behaviour.

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- j. To consider the Council's audit arrangements for corporate governance and agreeing necessary actions to ensure compliance with best practice.
- k. To comment on the Treasury Management Strategy, review the previous year's outturn position and to undertake a mid-year review.
- l. To comment on the Capital Strategy.

## 7. Housing Consultative Bodies

### 7.1 Local Housing Panels

- a. To draw up, publicise and monitor an annual Neighbourhood Action Plan to address local needs. Then to work with the Neighbourhood Manager to deliver the plan.
- b. To draw up and sign up to the Neighbourhood Tenant Participation Compact.
- c. To agree performance standards for key neighbourhood housing services and make recommendations on service delivery standards for the Council departments where practicable.
- d. To investigate and support fundraising from other sources to resource local community initiatives.
- e. To agree priorities for the neighbourhood Community Safety Budget.
- f. To be consulted on proposed changes and improvements to housing policy.
- g. To contribute to determining priorities for the neighbourhood Capital Programme.
- h. To monitor progress on all the neighbourhood's housing improvement and maintenance programmes.
- i. To monitor the quality of resident consultation and involvement.
- j. To receive and discuss any issues or reports from any Residents' Groups in their Area.

- k. To publicise to the community the work of the Panel.
- l. To ensure that the panel accurately reflects local residents views.
- m. To feed the Neighbourhood/Panel's views to the Council, through the Tenants' Consultative Forum or other bodies as appropriate.
- n. To promote opportunities for involvement in the Neighbourhood and Borough.
- o. To build partnerships with other agencies to benefit the Neighbourhood.

## 7.2 Leaseholders Forum

- a. To promote the interests and rights of Leaseholders.
- b. To facilitate communication and consultation and build a partnership between leaseholders and the Council.
- c. To enable Leaseholder representatives to express their views on the provision of services to leaseholders.

## 7.3 Borough-wide Housing Panel

- a. To assist the Council in setting the overall strategic direction and priorities for the Neighbourhood Services.
- b. To promote and act on recommendations from the Diversity Review Board and work with the Borough Wide Leaseholder Forum.
- c. To develop the Tenant Compact.
- d. To make recommendation on housing budgets and rent levels.
- e. To make recommendations on borough-wide issues (both housing and broader issues, including common concerns raised across the Neighbourhood Panels.

- f. To make recommendations to support and resources needed for effective tenant involvement.

8. Royal Borough of Greenwich and Joint Committee

The functions of the Committee shall relate to all employees whose terms and conditions of employment are negotiated by the National Joint Council for Local Government Services and shall include the following:-

- a. To establish regular methods of negotiation between the Local Authority and its employees in order to prevent differences and to adjust them should they arise, but excluding any matter pertaining to an individual employee.
- b. To consider any relevant matter referred to it by the Council, a Committee, a Joint Committee or the Chief Executive of the Local Authority, or by any of the trade unions.
- c. To make recommendations to the Council as to the application of the terms and conditions of service and the training and development of those employed by the Authority.
- d. To discharge such other functions specifically assigned to the Committee by the Council or any other matter which the Committee deems to be appropriate having received proper advice from the Chief Executive.
- e. The Committee shall not consider any matter relating only to a single Council department except as a referral from that department's joint consultative body.

9. Standing Advisory Council on Religious Education

To advise the Council upon such matters connected with religious worship in county schools and the religious education to be given in accordance with an agreed syllabus as the Education Authority may refer to the Council or as the Council may see fit. In particular the following:-

- a. Methods of teaching, the choice of materials and provision of training for the teachers.

Part 3

- b. To consider whether it is appropriate for the requirement for Christian collective worship to apply in the case of particular schools or groups of pupils at a school, upon application by the Headteacher.
- c. To consider the requirement of the LEA to review its current agreed syllabus.

10. Appointments Panel

To undertake all stages in respect of the appointment or dismissal of Chief Officers and Deputy Chief Officers in accordance with the Council's Officer Employment Procedures (Part 4, Schedule H of the Council's Constitution).

N.B. The Chief Executive, in consultation with the Leader and the Party Whips, has authority to establish individual Appointment Panels and to appoint members in accordance with the wishes of the Leader of the Council and the respective Party Whips.

11. Margaret McMillan Field Study Centre Trust Sub-Committee

To undertake the functions of the Council as Trustee of the Margaret McMillan Field Study Centre.

12. Health and Wellbeing Board

- (a) To encourage persons who arrange for the provision of any health or social care services in Greenwich to work in an integrated manner so as to advance the health and wellbeing of the people in the area;
- (b) To provide such advice, assistance or other support as it thinks appropriate to encourage the making of arrangements under section 75 National Health Service Act 2006 in connection with the provision of such services;
- (c) To encourage persons who arrange for the provision of any health-related services in the area to work closely with the Health and Wellbeing Board;
- (d) To encourage persons in paragraphs (a) and (c) above to work closely together;
- (e) To prepare and publish the Joint Strategic Needs Assessment and the Joint Health and Wellbeing Strategy.
- (f) To appoint and delegate functions to such sub-committees as it thinks appropriate.

13. Corporate Parenting Board

The Board will provide oversight of the Royal Borough of Greenwich's role as a corporate parent, and will provide a forum for looked after children to participate and provide an opportunity for them to talk about relevant issues.

NB The Board is not a Committee of the Council under s.101 of the Local Government Act 1972 and will have no delegated powers and is not subject to the rules under the 1972 Act and Part 8 of the Council's Constitution requiring public access to agendas and meetings.

#### 14. Pension Board

The Board will assist the Administering Authority in its role of Scheme Manager of the Pension Scheme. Such assistance is to:

- Assist the Royal Borough of Greenwich Administering Authority as Scheme Manager:
  - to secure compliance with the LGPS regulations and any other legislation relating to the governance and administration of the LGPS
  - to secure compliance with requirements imposed in relation to the LGPS by the Pensions Regulator
  - Any such other matters as the LGPS regulations may specify.
- Secure the effective and efficient governance and administration of the LGPS for the Royal Borough of Greenwich Pension Fund
- Provide the Scheme Manager with such information as it requires to ensure that any member of the Pension Board or person to be appointed to the Pension Board does not have a conflict of interest.

NB The Board is not a committee constituted under Section 101 of the Local Government Act 1972. Therefore no general duties, responsibilities or powers assigned to such committees or to any sub-committees or officers under the constitution, standing orders or scheme of delegation of the Administering Authority apply to the Board.