

## Part 3: Responsibility for Functions

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## Responsibility for Local Choice Functions (Table 1)

The table below sets out responsibility for the functions where there is a choice whether these are functions of Council or Cabinet in accordance with the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended).

<b>Function</b>	<b>Responsibility</b>	<b>Delegation of Functions</b>
Any function under a local Act	Council	None
The determination of appeals in respect of disciplinary action or grievance	Council	Employment and Staffing Committee or panel thereof where not delegated to officers
<p>Functions relating to contaminated land:</p> <p>Approval of Contaminated Land Strategy</p> <p>All other functions</p>	Cabinet	<p>Lead cabinet member responsible for Environmental Services</p> <p>Head of Shared Waste and Environment</p>
<p>Functions relating to the control of pollution or the management of air quality:</p> <p>Approval of Air Quality Strategy and declaration of Air Quality Management Areas</p> <p>All other functions</p>	Cabinet	<p>Lead cabinet member responsible for Environmental Services</p> <p>Head of Shared Waste and Environment</p>
Service of an abatement notice in respect of a statutory nuisance	Cabinet	Head of Shared Waste and Environment

Part 3 – Table 1: Responsibility for Local Choice Functions

Function	Responsibility	Delegation of Functions
Passing of a resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply in the Authority's area	Cabinet	Head of Shared Waste and Environment
Inspection of the Authority's area to detect statutory nuisances	Cabinet	Head of Shared Waste and Environment
Investigation of complaints as to the existence of statutory nuisances	Cabinet	Head of Shared Waste and Environment
Obtaining of information under Section 330 of the Town and Country Planning Act 1990 as to interests in land	Cabinet	Joint Director of Planning and Economic Development
Obtaining of information under Section 16 of the Local Government (Miscellaneous Provisions) Act 1976 as to interests in land	Cabinet	All Heads of Service
<p>Appointments to Outside Bodies and revocation of such appointments</p> <p>(i) where the appointment relates to a non-executive function.</p> <p>(ii) Where the appointment relates to an executive function</p>	<p>Council</p> <p>Leader</p>	<p>Chief Executive/Monitoring Officer have authority to fill vacancies subject to confirmation at next Council meeting</p>

## Responsibility for Council Functions (Table 2)

<b>Council Membership</b>	<b>Functions</b>	<b>Delegation of Functions</b>
All 45 members of the District Council	The functions which are reserved to the Council are set out in Article 4.2 of the Constitution.	None, save as otherwise specified in Article 4.2.

## Responsibility for Council Functions (Committees) (Table 3)

The Council has established the following committees with the respective composition of members to carry out the functions set out in the second column of the Table 3 below, subject to the delegation of functions prescribed in the third column thereof. All functions may be further delegated downwards to committees, sub-committees, panels or officers, subject to law and the Scheme of Delegation.

### Civic Affairs Committee

Membership	Functions	Delegation of functions
<p>9 councillors (including the Chair of Council, as an ex officio member).</p> <p>Appointments to be subject to the requirements of political proportionality.</p> <p>-</p>	<p><b>Review of the Council's Constitution:</b></p> <p>1. To bring forward proposals which, in the opinion of the Chief Executive and Monitoring Officer, entail substantive changes to the Constitution, for consideration by the Council, with the exception of those exclusions referred to in Article 4.2 (a).</p> <p><b>Electoral Arrangements:</b></p> <p>2. Determination as follows:</p> <p>2.1 review district or parish electoral arrangements including boundaries and report recommendations to Council;</p>	<p>-</p> <p>-</p>

Part 3 – Table 3: Responsibility for Council Functions (Committees)

Membership	Functions	Delegation of functions
	<p>2.2 give parish meetings powers of parish council;</p> <p>2.3 increase / reduce number of parish councillors;</p> <p>2.4 change parish electoral arrangements where agreed including parish warding; and</p> <p>2.5 appoint temporary parish councillors, s. 91 LGA, 1972.</p> <p>3. Recommend to Council:</p> <p>3.1 district and district ward boundary changes arising from review;</p> <p>3.2 parish warding and boundary changes where not agreed;</p> <p>3.3 Periodic Electoral Review; and</p> <p>3.4 new parish establishment.</p>	
-	<p><b>Ethical Standards:</b></p> <p>4. As set out in Article 9.3</p>	<p>Functions relating to standards of conduct of members under any relevant provision of, or regulations made under the Localism Act 2011, are delegated to a sub-committee which shall</p>

Part 3 – Table 3: Responsibility for Council Functions (Committees)

Membership	Functions	Delegation of functions
		<p>comprise 3 members of the Civic Affairs Committee, plus the Independent Person.</p> <p>The Monitoring Officer, in consultation with the Chair of the Civic Affairs Committee, is authorised to appoint to the sub-committee as and when it is required to be convened.</p>

### Audit and Corporate Governance Committee

Membership	Functions	Delegation of functions
<p>7 councillors, who are not members of the Cabinet.</p> <p>Appointments to be subject to the requirements of political balance.</p> <p>The Chair of the Scrutiny and Overview Committee shall not be eligible to chair the Committee although they may be a member of it.</p>	<p><b>Statement of Purpose</b></p> <ol style="list-style-type: none"> <li>1. The Audit and Corporate Governance Committee is a key component of the Council’s corporate governance framework. It provides an independent and high-level focus on the audit, assurance and reporting arrangements that underpin good governance and financial standards.</li> <li>2. The purpose of the committee is to provide independent assurance of the adequacy of the risk management framework and the internal control environment. It provides independent review of the governance, risk</li> </ol>	<p>-</p>



Part 3 – Table 3: Responsibility for Council Functions (Committees)

Membership	Functions	Delegation of functions
	<p>management and control frameworks; and oversees the financial reporting and annual governance processes. It oversees internal audit and external audit, helping to ensure efficient and effective assurance arrangements are in place.</p> <p><b>Governance, Risk and Control</b></p> <ol style="list-style-type: none"> <li>3. To review the Council's corporate governance arrangements against the good governance framework, ethical frameworks, and to consider the Local Code of Governance.</li> <li>4. To review the Annual Governance Statement prior to approval and consider whether it properly reflects the risk environment and supporting assurances, taking into account internal audit's opinion on the overall adequacy and effectiveness of the Council's framework of governance, risk management and control.</li> <li>5. To consider the Council's arrangements to secure value for money and review assurances and assessments on the effectiveness of these arrangements.</li> <li>6. To consider the Council's framework of assurance and ensure that it adequately</li> </ol>	

Part 3 – Table 3: Responsibility for Council Functions (Committees)

Membership	Functions	Delegation of functions
	<p>addresses the risks and priorities of the Council.</p> <p>7. To monitor the effective development and operation of risk management in the Council, and to monitor progress in addressing risk-related issues reported to the committee.</p> <p>8. To consider reports on the effectiveness of internal controls and monitor the implementation of agreed actions.</p> <p>9. To review the assessment of fraud risks and potential harm to the Council from fraud and corruption, and to monitor the counter-fraud strategy, actions and resources.</p> <p>10. To review the governance and assurance arrangements for significant partnerships or collaborations.</p> <p>11. To maintain an overview of the main instruments of financial control, such as Standing Orders in relation to Contracts, Financial Regulations; and, where appropriate, make recommendations to the Council for improvement.</p> <p>12. To receive quarterly updates on the Council’s use of Regulation of Investigatory Powers Act 2000 (RIPA)</p>	

Part 3 – Table 3: Responsibility for Council Functions (Committees)

Membership	Functions	Delegation of functions
	<p>powers and to review the policy on an annual basis.</p> <p><b>Internal audit</b></p> <p>13. To approve the Internal Audit Charter and provide free and unfettered access to the Audit Committee Chair for the Head of Internal Audit, including the opportunity for a private meeting with the committee.</p> <p>14. To consider any impairments to independence or objectivity arising from additional roles or responsibilities outside of internal auditing of the Head of Internal Audit. To approve and periodically review safeguards to limit such impairments.</p> <p>15. To approve the Risk-Based Internal Audit Plan, including internal audit's resource requirements, and the approach to using other sources of assurance.</p> <p>16. To consider reports from the Head of Internal Audit during the year, including updates on the work of internal audit, key findings, issues of concern and actions.</p> <p>17. To consider the Head of Internal Audit's annual report, including:</p> <p>17.1 the results of the Quality Assurance and Improvement Programme, plus</p>	

Part 3 – Table 3: Responsibility for Council Functions (Committees)

Membership	Functions	Delegation of functions
	<p>conformance with the Public Sector Internal Audit Standards and the Local Government Application Note; and</p> <p>17.2 the opinion on the overall adequacy and effectiveness of the Council’s framework of governance, risk management and control, together with the summary of the work supporting the opinion</p> <p><b>External Audit</b></p> <p>18. To ensure the independence of external audit through consideration of the external auditor’s annual assessment of its independence; and review of any issues raised by Public Sector Audit Appointments, or the authority’s auditor panel, as appropriate.</p> <p>19. To consider the external auditor’s annual letter, relevant reports and the report to those charged with governance.</p> <p>20. To consider specific reports as agreed with the external auditor.</p> <p>21. To monitor management actions, in response to external audit.</p> <p>22. To comment on the scope and depth of external audit work</p>	

Part 3 – Table 3: Responsibility for Council Functions (Committees)

Membership	Functions	Delegation of functions
	<p>and to ensure it gives value for money.</p> <p>23. To commission work from internal and external audit.</p> <p>24. To advise and recommend on the effectiveness of relationships between external and internal audit and other inspection agencies or relevant bodies.</p> <p><b>Financial Reporting</b></p> <p>25. To review the annual Statement of Accounts, prior to approval in accordance with the Accounts and Audit Regulations, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the Council.</p> <p>26. To notify Council with regard to conclusion and submission of the Statement of Accounts and provide feedback for any potential opportunities for improvements to be proposed.</p> <p>27. To consider the external auditor’s report to those charged with governance on issues arising from the audit of the accounts.</p>	

Part 3 – Table 3: Responsibility for Council Functions (Committees)

Membership	Functions	Delegation of functions
	<p><b>Accountability Arrangements</b></p> <p>28. To report to those charged with governance on the committee’s findings, conclusions and recommendations concerning the adequacy and effectiveness of their governance, risk management and internal control frameworks, financial reporting arrangements, and internal and external audit functions.</p> <p>29. To publish an annual report on the work of the committee, and report on the committee’s performance in relation to the terms of reference and the effectiveness of the committee in meeting its purpose.</p>	

**Employment and Staffing Committee**

Membership	Functions	Delegation of functions
<p>7 councillors, including at least one from the Cabinet who shall normally be the lead cabinet member with responsibility for staffing matters.</p> <p>Appointments to be subject to the</p>	<p>1. To consider appeals and grievances by employees of the Council where the Council’s disciplinary and grievance appeals provide for a right of appeal to members.</p>	<p>Employee Appeals Panel.</p>

Part 3 – Table 3: Responsibility for Council Functions (Committees)

Membership	Functions	Delegation of functions
<p>requirements of political proportionality.</p>		
<p>When overseeing the recruitment to the roles of Head of Paid Service, Chief Finance Officer and Monitoring Officer the Committee shall normally include the Leader and the Leader of the Major Opposition Group.</p> <p>The Committee shall not be chaired by a Cabinet member.</p>	<p>2. To make arrangements for the appointment of the Head of Paid Service and Chief Officers. This Committee’s responsibilities shall include determining:</p> <p>2.1 the Job Description and Person Specification of the above posts.</p> <p>2.2 whether the post should be advertised externally and, if so, how it should be advertised and who should run the external recruitment process.</p> <p>2.3 interim arrangements for a vacant Head of Paid Service post, if necessary.</p> <p>These steps should be taken before a Senior Officers Appointments Panel is appointed to manage the selection process.</p>	<p>The Head of Paid Service, after consultation with the Leader, relevant lead cabinet member and Chair of the Employment and Staffing Committee, is authorised to make interim arrangements for a vacant Chief Officer post. Designation of a person as the Council’s Head of Paid Service, Monitoring Officer and Chief Finance Officer remains the responsibility of full Council.</p>

Part 3 – Table 3: Responsibility for Council Functions (Committees)

Membership	Functions	Delegation of functions
-	<p>3. To be responsible for the selection and appointment of the Head of Paid Service and, Chief Officers in accordance with the Officer Employment Procedure Rules.</p>	<p>Senior Officers Appointments Panel</p> <p>The Committee may consider delegating to a joint panel if convened for the purpose of appointing the Joint Director of Planning and Economic Development.</p>
-	<p>4. To suspend Chief Officers.</p>	<p>The Head of HR and Corporate Services, after consultation with the Chair of the Committee.</p>
-	<p>5. To take disciplinary action (short of dismissal) in respect of the Head of Paid Service, the Chief Finance Officer, and/or the Monitoring Officer.</p>	<p>Investigating and Disciplinary Panel</p>
-	<p>6. To take disciplinary action (including dismissal), in respect of the Chief Operating Officer and Joint Director of Planning and Economic Development.</p>	<p>Investigating and Disciplinary Panel</p>
-	<p>7. Where it is proposed to dismiss the Head of Paid Service, the Chief Finance Officer or the Monitoring Officer, to refer the matter for consideration by the Independent Panel *.</p>	<p>*Responsibility for making recommendations to full Council relating to the dismissal of the Head of Paid Service, the Chief Finance Officer or Monitoring Officer is vested in the Independent Panel in accordance with Schedule 3 to the Local Authorities (Standing Orders) (England) Regulations 2001.</p>



Part 3 – Table 3: Responsibility for Council Functions (Committees)

Membership	Functions	Delegation of functions
-	<p>8. To keep under review local terms and conditions of employment for employees.</p> <p>9. To promote and pursue a policy of equal opportunities in employment and review key information before it is published i.e. Gender Pay Reporting.</p> <p>10. To consider matters relating to superannuation, pensions and gratuities.</p> <p>11. To keep under review:</p> <p style="padding-left: 40px;">11.1. the requirements for, and the availability of skills and capacity necessary for the delivery of the Council's objectives;</p> <p style="padding-left: 40px;">11.2. the promotion of good employee relations in the Council; and</p> <p style="padding-left: 40px;">11.3. the promotion of equal opportunities for all employees of the Council, and in the Council's recruitment and selection procedures, and to monitor the effectiveness of such measures.</p> <p>12. To keep under review the People and Organisational Development Strategy.</p> <p>13. To review and recommend the Annual Pay Policy Statement prior to submission to Council.</p>	-

Membership	Functions	Delegation of functions
	<p>14. To undertake reviews and conduct such research on employment and staffing related matters as may be commissioned by the Cabinet from time to time and to make recommendation to Cabinet as appropriate.</p> <p>15. To identify and recommend Cabinet on any employment and staffing related matters which it is considered should be subject to review and recommendation by the committee.</p>	

## Panels of the Employment and Staffing Committee

### Senior Officers Appointments Panel

Membership	Functions	Delegation of functions
<p>Panel appointed by the Monitoring Officer* on an ad hoc basis comprising 3 councillors (for Chief Operating Officer &amp; Director appointments) and at least 5 councillors (for Head of Paid Service, Chief Finance Officer and Monitoring Officer appointments)</p>	<p>To manage the appointment of Chief Officers</p> <p>Specifically, to:</p> <ol style="list-style-type: none"> <li>1. shortlist, interview and:                             <ol style="list-style-type: none"> <li>1.1 recommend to Council appointment of the Head of Paid Service, Chief Finance Officer and Monitoring Officer; and</li> <li>1.2. appoint the Chief Operating Officer and Joint</li> </ol> </li> </ol>	<p>-</p>

Part 3 – Table 3: Responsibility for Council Functions (Committees)

Membership	Functions	Delegation of functions
<p>chosen by the Chair of the Employment and Staffing Committee (or Vice-Chair in their absence) from a pool of all members and substitutes of the Employment and Staffing Committee) and including at least one member of the Cabinet.</p> <p>(* Chief Executive shall act in place of the Monitoring Officer in the case of an appointment to the post of Monitoring Officer)</p> <p>For the appointment of:</p> <ol style="list-style-type: none"> <li>1. Head of Paid Service, Chief Finance Officer and Monitoring Officer: membership shall normally include the Leader and lead cabinet member for staffing.</li> <li>2. Chief Operating Officer/Joint Director of Planning and Economic Development: membership</li> </ol>	<p>Director of Planning and Economic Development</p> <p>in accordance with the Officer Employment Procedure Rules.</p>	

Part 3 – Table 3: Responsibility for Council Functions (Committees)

Membership	Functions	Delegation of functions
<p>shall normally include the lead cabinet member for staffing or a relevant lead cabinet member.</p> <p>So far as circumstances allow, the composition of the panel shall comply with the principles of proportionality and Council policy and good practice on equalities.</p>		

### Investigating and Disciplinary Panel

Membership	Functions	Delegation of functions
<p>Panel appointed by the Monitoring Officer on an ad hoc basis comprising at least 3 councillors chosen by the Chair of Employment and Staffing Committee (or Vice-Chair in their absence) from a pool of all members and substitutes of the Employment and Staffing Committee and at least one</p>	<p>In accordance with the Officer Employment Procedure Rules:</p> <p>To deal with disciplinary matters, short of dismissal, relating to the Head of Paid Service, Chief Finance Officer and Monitoring Officer.</p> <p>To deal with disciplinary matters, including dismissal, relating to the Chief Operating Officer and Joint Director of Planning and Economic Development.</p> <p>Specifically:</p>	<p>-</p>

Part 3 – Table 3: Responsibility for Council Functions (Committees)

Membership	Functions	Delegation of functions
<p>cabinet member (normally including the lead cabinet member with responsibility for staffing).</p> <p>So far as reasonably practicable, the composition of the Panel shall comply with the principles of proportionality and Council policy and good practice on equalities.</p>	<ol style="list-style-type: none"> <li>1. To investigate whether there are sufficient grounds for taking disciplinary action.</li> <li>2. To hold a hearing to consider and make findings as to allegations against the employee.</li> <li>3. To report the outcome of any investigation and hearing to the Employment and Staffing Committee</li> </ol>	

**Independent Panel**

Membership	Functions	Delegation of functions
<p>At least two independent persons appointed by the Council under Section 28(7) of the Localism Act 2011 or, where there are fewer than two such persons, such independent persons as have been appointed by another authority or authorities as the Council considers appropriate.</p>	<p>To consider any proposal by the Employment and Staffing Committee to dismiss the Head of Paid Service, Chief Finance Officer or Monitoring Officer.</p> <p>To offer advice, views or recommendations to the Council on matters relating to the dismissal of the Head of Paid Service, Chief Finance Officer or Monitoring Officer as applicable.</p>	-

## Employee Appeals Panel

Membership	Functions	Delegation of functions
<p>Panel appointed by the Monitoring Officer on an ad hoc basis comprising at least 3 councillors chosen by the Chair of Employment and Staffing Committee (or Vice-Chair in their absence) including at least one member of the Cabinet. Any member of the Council who has received the appropriate training shall be eligible for appointment to the panel provided that they have had no prior involvement in the case to be heard.</p> <p>As far as circumstances allow, the composition of the panel shall comply with the principles of proportionality and Council policy and good practice on equalities.</p>	<p>To consider and determine appeals by employees where the Council’s disciplinary and grievance appeals procedures provide for a right of appeal to members.</p>	<p>-</p>

## Licensing Committee

Membership	Functions	Delegation of functions
<p>14 councillors, which may include the lead cabinet member with responsibility for Licensing, who have received suitable training as required by Article 8 3.</p> <p>Appointments to be subject to the requirements of political proportionality.</p> <p>-</p> <p>-</p>	<p>1. All licensing applications not determined by the Licensing Officer under delegated powers, under any provisions which are the statutory function of the Council, not otherwise the functions of the Planning Committee.</p> <p>2. All appeals from the determination of the Licensing Officer where in-house procedures allow appeals.</p> <p>3. All private hire driver licence applications following a</p>	<p>The Licensing Officer has general delegated powers subject to the Scheme of Delegation.</p> <p>The Licensing Appeals Sub-Committee, comprising at least 3, but not more than 5, councillors from the Licensing Committee who have undertaken the necessary training. The Democratic Services Officer, after consultation with the Chair of the Licensing Committee, or in their absence the Vice-Chair, shall:</p> <ol style="list-style-type: none"> <li>1. select members to sit on the Sub-Committee when it is required to meet.</li> <li>2. select the Chair of the Sub-Committee when it is required to meet.</li> </ol> <p>A Licensing Review Panel, comprising not more than 5 councillors from the Licensing Committee, who have</p>

Part 3 – Table 3: Responsibility for Council Functions (Committees)

Membership	Functions	Delegation of functions
	referral by the Licensing Officer or authorised officer.	undertaken the necessary training. The Democratic Services Officer, after consultation with the Chair of the Licensing Committee, or in their absence, the Vice-Chair is authorised to make appointments to the Panel when it is required to meet.
-	4. Determination of Consent, Licence and Prohibited Streets and all other functions set out in the Local Government (Miscellaneous Provisions) Act, 1982.	The Licensing Officer after consulting the Chair of the committee and the local member(s).

**Licensing Committee (2003 Act)**

Membership	Functions	Delegation of functions
10-15 councillors, who have received suitable training as required by Article 8.3, who shall be the same as the membership of the Licensing Committee	1. All licensing applications under the Licensing Act 2003 not determined by the Licensing Officer under delegated powers.	As set out in Annex 1 below (Delegation of Functions)
-	2. All licensing applications under the Gambling Act 2005 not determined by the Licensing Officer under delegated powers	As set out in Annex 2 below (Delegation of Functions)



**Annex 1 - Table of Delegations in respect of the Licensing Act 2003 Functions**

<b>Matter to be dealt with</b>	<b>Full Committee</b>	<b>Sub Committee</b>	<b>Officers</b>
Application for personal licence	-	If a police representation is made	If no representation is made
Application for personal licence with unspent convictions relevant to the act	-	All Cases	-
Application for premises licence / club premises certificate	If relevant representation relates to Cumulative impact	If a relevant representation is made	If no representation is made
Application for provisional statement	If relevant representation relates to Cumulative impact	If a relevant representation is made	If no representation is made
Application to Vary premises licence / club premises certificate	If relevant representation relates to Cumulative impact	If a relevant representation is made	If no representation is made
Application to vary designated premises supervisor	-	If a police representation is made	All other cases
Request to be removed as designated premises supervisor	-	-	All cases

Part 3 – Table 3: Responsibility for Council Functions (Committees)

Application for transfer of premises licence	-	If a police representation is made	All other cases
Application for interim authority	-	If a police representation is made	All other cases
Application to review premises licence / club premises certificate	-	All cases	
Decision on whether a representation is irrelevant, frivolous, vexatious etc	-	-	All cases
Decision to object when local authority is a consultee and not the relevant authority considering the application	-	All cases	-
Determination of an objection to a temporary event notice	-	All cases	-
Determination of application to vary premises licence at community premises to include alternative licence condition	-	If a police representation is made	All other cases
Decision whether to consult other responsible authorities on minor variation application	-	-	All cases

Part 3 – Table 3: Responsibility for Council Functions (Committees)

Determination of minor variation application	-	-	All cases
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**Annex 2 - Table of Delegations in respect of the Gambling Act 2005 Functions**

<b>Matter to be dealt with</b>	<b>Full Council</b>	<b>Full Committee</b>	<b>Sub Committee</b>	<b>Officers</b>
Final approval of the Licensing Authority Statement of policy	All cases	-	-	-
Policy not to permit casinos	All cases	-	-	-
Fee setting (when appropriate)	-	All cases	-	-
Application for premises licences	-	-	Where representations received and not withdrawn	Where no representations received / representations have been withdrawn
Application for a variation to a licence	-	-	Where representations received and not withdrawn	Where no representations received / representations have been withdrawn
Application for transfer of a licence	-	-	Where representations have been received from the Commission or responsible authority	Where no representations received from the Commission or responsible authority

Part 3 – Table 3: Responsibility for Council Functions (Committees)

Application for a provisional statement	-	-	Where representations received and not withdrawn	Where no representations received / representations have been withdrawn
Review of a premises licence	-	-	All cases	-
Application for club gaming/club machine permits	-	-	Where representations received and not withdrawn	Where no representations received / representations have been withdrawn
Cancellation of club gaming / club machine permits	-	-	All cases	-
Applications for other permits	-	-	-	All cases
Cancellation of licensed premises gaming machine permits	-	-	-	All cases
Cancellation of temporary use notice	-	-	All cases	-
Decision to give a counter notice to a temporary use notice	-	-	All cases	-

## Planning Committee

Membership	Functions	Delegation of functions
<p>11 councillors, which may include the lead cabinet member with responsibility for development control, who have received suitable training as required by Article 8.3.</p> <p>Appointments to be subject to the requirements of political proportionality.</p>	<ol style="list-style-type: none"> <li>1. Functions relating to town and country planning and development control as specified in Schedule 1 Part A to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, as amended, including determining applications and exercise of all enforcement activities in respect of those functions, with the exception of applications to be determined by the Joint Development Control Committee – Cambridge Fringes established by the Council in accordance with Section 101 of the Local Government Act 1972.</li> <li>2. Functions in relation to Public Paths, Protection of Important Hedgerows and Tree Preservation and safety.</li> <li>3. Administration and enforcement of Building Regulations regimes for existing or proposed buildings.</li> </ol> <p>[Note: NOT determination of POLICY or designation of conservation areas or Building Regulation policy].</p>	<p>As set out in Part 3, Table 5 (as may be amended by the committee from time to time).</p>

## Advisory Committees

### Grants Advisory Committee

Membership	Functions	Delegation of functions
<p>5 councillors.</p> <p>Appointments to be subject to the requirements of political proportionality.</p>	<p>1. To consider and make recommendations to the lead cabinet member responsible for grants, or Cabinet as appropriate, including, but not limited to:</p> <p>1.1. Review of the Council's grants schemes to ensure they reflect Council priorities.</p> <p>1.2. Design of any new or revised grants schemes, including consideration of criteria and guidance applicable in respect of each scheme.</p> <p>1.3. Consideration of applications made under the Council's grants schemes.</p>	<p>Acts as an Advisory Committee with no delegated decision making.</p> <p>Decisions shall be taken by the lead cabinet member responsible for grants or Cabinet, as appropriate, after consultation with the Advisory Committee.</p>

### Climate Change and Environment Advisory Committee

Membership	Functions	Delegation of functions
<p>7 councillors.</p> <p>Appointments to be subject to the requirements of</p>	<p>1. To advise Cabinet on policies, actions and resources required to deliver on the Council's climate change and environmental ambitions, and to provide updates on progress</p>	<p>Acts as an Advisory Committee with no delegated decision making.</p>

Part 3 – Table 3: Responsibility for Council Functions (Committees)

Membership	Functions	Delegation of functions
<p>political proportionality.</p>	<p>towards achieving agreed targets and outcomes.</p> <p>This will include, but not be limited to:</p> <ol style="list-style-type: none"> <li>1.1. Considering, taking account of available evidence and best practice, innovations, and best practice for zero carbon, climate resilience and environmental sustainability, and recommending appropriate actions.</li> <li>1.2. Investigating specific climate and environment-related issues and, where appropriate, organising informal Member workshops to review the evidence and recommendations.</li> <li>1.3. Reviewing the development of Council strategies and roadmaps/action plans for carbon reductions, climate resilience, biodiversity, and environmental sustainability; making recommendations for their adoption; updating Cabinet on progress with implementation and recommending any mitigating actions necessary.</li> <li>1.4. Reviewing relevant strategic policies, decisions, future plans, corporate budgets, and green investments to ensure that they are in line with a shift to zero carbon and environmental</li> </ol>	<p>Acts as an Advisory Committee with no delegated decision making.</p> <p>Decisions will be taken by Cabinet, after consultation with the Advisory Committee.</p>

Part 3 – Table 3: Responsibility for Council Functions (Committees)

Membership	Functions	Delegation of functions
	<p>sustainability, taking account also of fairness and cost implications.</p> <p>1.5. Reviewing development of the new Greater Cambridge Local Plan to ensure it fulfills its role in bringing forward net zero carbon development together with biodiversity and green spaces, particularly in new housing and infrastructure, as well as ensuring that new development can adapt to our changing climate.</p> <p>1.6. Providing leadership on climate change and sustainability, working with partners, as appropriate, to deliver the Council’s targets, including public sector, academia, communities, farming, and businesses.</p> <p>1.7. Promoting and facilitating the Zero Carbon Communities network, sharing information, guidance and best practice for Parish Councils and local community groups wanting to help shift towards a zero carbon lifestyle.</p> <p>1.8. Reviewing the internal operations of the Council with a view to promoting zero carbon and sustainability, adopting best practice and strengthening the Council’s environmental performance,</p>	



Part 3 – Table 3: Responsibility for Council Functions (Committees)

Membership	Functions	Delegation of functions
	<p>with a view to being an 'exemplar council'.</p> <p>1.9. Influencing and interpreting county, regional and national policy for the benefit of South Cambridgeshire.</p> <p>1.10. Making recommendations on bids for funding relating to climate change, tree planting and the protection and enhancement of nature.</p>	

## Responsibility for Executive Functions (Table 4)

### 1. Arrangements for carrying out Executive functions

All functions which are not reserved to the Council:

- 1.1 in the Articles; or
- 1.2 by law, or
- 1.3 as set out in the preceding sections (Tables 1 – 3); or
- 1.4 as specifically reserved to it at any time

are the responsibility of the Executive.

The Leader of the Council shall make arrangements for the discharge of Executive functions as set out in Rule 1 of the Cabinet Procedure Rules.

Details of these arrangements shall be set out in **Table 4**

### 2. Arrangements for the Leader to change the allocation of functions and responsibilities set out in Table 4

The Leader may refine the allocation of functions and responsibilities set out in Table 4 as they wish. To effect changes, the Leader shall provide details of the changes they wish to make in writing to the Chief Executive, such changes to have effect immediately upon subsequent notification to all members.

The Council may agree amendments to its definitions of the budget and policy framework, which have the effect of limiting or extending the extent of executive functions delegated to the Leader, consequently Table 4 may be altered accordingly.

### 3. Delegation to Chief Officers

Matters which the Leader has not specifically reserved for exercise by another decision taker shall be delegated to Chief Officers and Heads of Service as operational management. The Scheme of Delegation at Part 3, Table 7 of this Constitution sets out the extent of Chief Officers/Heads of Services' delegated authority, which the Leader may limit or withdraw as they see fit.

## Table 4: Executive Functions

Given below are executive functions reserved for decision by the Leader of the Council, whole Cabinet, individual lead cabinet members or local Ward members.

Notes:

1. In all cases decisions shall be referred to Council if there are, or are likely to be, financial implications which cannot be met from within the financial discretion allowed to the Leader of the Council. Council has delegated authority to the Leader of the Council to approve, after opportunities for virement have been exhausted, in-year supplementary revenue and capital estimates up to £100,000\* per item, subject to this expenditure being within approved policy. (\* Council at its meeting held on 21 May 2020 agreed to increase the maximum limit for a supplementary estimate from £50,000 to £100,000 in view of the Covid-19 emergency until specified otherwise, on the understanding that where it subsequently becomes evident that such additional expenditure can be met from savings, it will be. Council agreed to delegate authority to the Leader, Chief Executive and Chief Finance Officer to approve such supplementary revenue and capital estimates).
2. Specific executive functions not referred to in the table are delegated to Chief Officers and Heads of Service as operational management. In exercising delegated powers, Chief Officers and Heads of Service shall have regard to the provisions of the Scheme of Delegation as set out at Part 3, Table 7, of this Constitution.

**General Matters**

The following delegations shall apply to all areas of Cabinet responsibility. Where matters are delegated to lead cabinet members, the delegation shall be to the lead cabinet members for the relevant service area.

**General**

<b>Ref No.</b>	<b>For decision by the whole Cabinet</b>	<b>For decision by Lead Cabinet members</b>	<b>Matters reserved for the Leader</b>
1.	The exercise of functions, ordinarily within lead cabinet members' delegated powers, in respect of matters which the lead cabinet member has referred upwards in accordance with the Scheme of Delegation at Part 3, Table 7, of this Constitution.	The exercise of functions, ordinarily within Chief Officers/Head of Services' delegated powers, in respect of matters which the officer has referred upwards in accordance with the Scheme of Delegation at Part 3, Table 7, of this Constitution.	-

**Staffing Matters**

<b>Ref No.</b>	<b>For decision by the whole Cabinet</b>	<b>For decision by Lead Cabinet members</b>	<b>Matters reserved for the Leader</b>
2.	To recommend to Council approval or rejection of pay awards or allowance adjustments beyond provision made in the budget and outside the financial discretion allowed in delegation 7 below.	To approve or reject pay awards or allowance adjustments within budget provision. The Chief Executive may approve the implementation of national allowance adjustments provided they are within budget.	-

Part 3 – Table 4: Responsibility for Executive Functions

<b>Ref No.</b>	<b>For decision by the whole Cabinet</b>	<b>For decision by Lead Cabinet members</b>	<b>Matters reserved for the Leader</b>
3.	To approve new policies relating to employment; health and safety; and recruitment and retention of staff which have significant financial implications or are not in accordance with national agreements.	-	-
4.	To determine proposals to carry out substantial changes to the organisational structure.	-	-

**Financial Matters**

<b>Ref No.</b>	<b>For decision by the whole Cabinet</b>	<b>For decision by Lead Cabinet members</b>	<b>Matters reserved for the Leader</b>
5.	To approve capital and revenue estimates (for recommendation to Council).	To approve capital and revenue estimates for Staffing and Central Overhead accounts as the basis for the preparation of service budgets.	-
6.	-	To approve the Council's response to the annual provisional financial settlement issued by Government.	-

Part 3 – Table 4: Responsibility for Executive Functions

Ref No.	For decision by the whole Cabinet	For decision by Lead Cabinet members	Matters reserved for the Leader
7.	To approve, after opportunities for virement have been exhausted, in-year supplementary revenue and capital estimates up to £100,000 per item, subject to this expenditure being within approved policy, and to make recommendations to Council where the revenue or capital requirement exceeds this amount. (see note 1 on page 34)	-	-
8.	-	Relevant lead cabinet members to approve virement across 2 or more areas of Cabinet responsibility (with the Chief Finance Officer). <b>See Rule 5, Budget and Policy Framework Procedure Rules.</b>	To approve virement where the affected lead cabinet members have not agreed.
9.	-	To approve project appraisals (i.e. approval of a report on the proposals) for non-housing new general fund revenue schemes greater than £50,000 or capital schemes greater than £200,000 included in the budget or capital estimates.	-

Part 3 – Table 4: Responsibility for Executive Functions

Ref No.	For decision by the whole Cabinet	For decision by Lead Cabinet members	Matters reserved for the Leader
10.	To approve new policies for fees and charges, and revisions to existing policies, where income, or variation of income is estimated to be over £50,000 per annum.	<p>To approve new policies for fees and charges, and revisions to existing policies, where income, or net variation of income is estimated to be up to £50,000 per annum.</p> <p>To approve all changes to fees and charges within policy (except the following which are delegated to officers:</p> <p>(a) charges for one-off publications and events; and</p> <p>(b) variation of charges or introduction of new charges during the course of a year where considered essential to do so in order to maintain income levels, improve the service offer to users and/or where opportunities arise to increase income (after consultation with relevant lead cabinet member))</p>	-
11.	-	<p>To accept tenders above 10% and up to 15% greater than the budget provision for the proposal in question, provided that the cost can be met from resources within the departmental budget.</p> <p>[All Chief Officers/Heads of Service are authorised to accept tenders up to 10%</p>	-

Part 3 – Table 4: Responsibility for Executive Functions

<b>Ref No.</b>	<b>For decision by the whole Cabinet</b>	<b>For decision by Lead Cabinet members</b>	<b>Matters reserved for the Leader</b>
		above estimate (provided that the cost can be met from within the same budget).]	
12.	To receive year-end integrated business monitoring reports combining financial and performance information.	To receive in-year integrated business monitoring reports combining financial and performance information.	-
13.	-	To approve carry forward of uncommitted balances on reserve account for grants.	-
14.	-	To consider and make recommendations to Council in respect of the annual Treasury Management Performance report.	-



**Grants**

<b>Ref No.</b>	<b>For decision by the whole Cabinet</b>	<b>For decision by Lead Cabinet members</b>	<b>Matters reserved for the Leader</b>
15.	To approve policies and criteria for the approval of grant schemes under which awards above Level 1 (£5,000) may be made.	To approve policies and criteria for the approval of grant schemes under which no award exceeds level one (£5,000) (See note 1 below).  To determine applications made under the Council's grants schemes (see note 1 below).	-
16.	To approve statutory or non-statutory grants, guarantees or loans above Level 4.	To approve non-statutory grants or guarantees or loans where the value exceeds Level 2 up to and including Level 4 (in consultation with Lead Cabinet Member for Finance).  To approve statutory grants where the value exceeds Level 3 up to and including Level 4 (in consultation with the Lead Cabinet Member for Finance).	-

**Notes:**

1. Decisions of the lead cabinet member responsible for grants or the Cabinet, as appropriate, shall be taken after consultation with the Grants Advisory Committee.
2. The Head of Housing has delegated powers to approve non-statutory / discretionary grants up to and including Level 2 and statutory grants (such as disabled facility grants) up to and including Level 3, subject to such awards being consistent with policy (e.g: the Cambridgeshire Housing Adaptations and Repairs Policy – April 2019)

**Policy and Performance**

<b>Ref No.</b>	<b>For decision by the whole Cabinet</b>	<b>For decision by Lead Cabinet member</b>	<b>Matters reserved for the Leader</b>
17.	Review of the Council's corporate objectives, making recommendations to Council where appropriate.	-	-
18.	To consider, for recommendation to Council, policies, strategies or plans which would have the effect of amending or adding to the Council's finance and policy framework.	To consider and make a recommendation to Council in respect of the adoption and amendment of the Investment Strategy.	-
19.	To approve policies, strategies or plans which would not impact upon the Council's finance and policy framework but would nevertheless have implications across more than one Cabinet area of responsibility and a substantial impact within an operational service, directly affecting the service received by the public.	To approve operational guidelines which relate only to the service within the lead cabinet members' responsibilities.  To approve policies, strategies or plans which would not impact upon the Council's finance and policy framework but would nevertheless have implications across more than one Cabinet area of responsibility and a substantial impact within a back office service.	-

Part 3 – Table 4: Responsibility for Executive Functions

<b>Ref No.</b>	<b>For decision by the whole Cabinet</b>	<b>For decision by Lead Cabinet member</b>	<b>Matters reserved for the Leader</b>
20.	-	<p>To release a draft policy, strategy or plan for consultation or refer the matter to the Leader if likely to be sensitive or controversial or affect other Cabinet areas of responsibility.</p> <p>(Note – this delegation does not apply to Development Plan Documents brought forward as part of the Council’s Local Development Framework – see delegation 75 below.)</p>	To release a draft policy, strategy or plan for consultation, if referred to the Leader by a lead cabinet member.
21.	-	To approve annual service plans for services.	-
22.	-	To monitor the implementation of service plans and to decide whether to refer matters of concern to the Leader.	To consider concerns referred by a lead cabinet member in relation to the achievement of service plans.

<b>Ref No.</b>	<b>For decision by the whole Cabinet</b>	<b>For decision by Lead Cabinet member</b>	<b>Matters reserved for the Leader</b>
23.	To approve responses to consultation papers from the Government or other statutory agencies, containing proposals which would conflict with, or substantially add to or amend, the Council's policy and budget framework. (excluding the response to the annual provisional financial settlement – see delegation 6 above).	To approve responses to consultation papers from the Government or other statutory agencies, other than those containing proposals which would conflict with or substantially add to or amend, the Council's policy and budget framework.	-

### Service Levels / Efficiency

<b>Ref No.</b>	<b>For decision by the whole Cabinet</b>	<b>For decision by Lead Cabinet member</b>	<b>Matters reserved for the Leader</b>
24.	To approve, reject or amend substantial changes (planned or unplanned) to services (or new services).	To approve, reject or amend significant variations to existing levels of service.	-
25.	To consider the external auditors' annual Management Letter.	To receive external audit reports and decide whether to refer to the Leader any matters of concern.	To receive external audit reports referred by lead cabinet members.
26.	-	To receive update reports relating to ongoing efficiencies work.	-

**Personal Applications**

Ref No.	For decision by the whole Cabinet	For decision by Lead Cabinet member	Matters reserved for the Leader
27.	-	Payment of ex-gratia payments or compensation above Level 2, in relation to matters which are executive matters.	-

**Notes:**

3. Chief Officers/Heads of Service are authorised to approve any requests for financial assistance, grants or services from the Council falling outside the normal rules or policies. Examples would include (but not exclusively):
  - 3.1 Rate relief
  - 3.2 Rents or charges
  - 3.3 Ex-gratia payments or compensation up to and including Level 2.

**Contracts**

<b>Ref No.</b>	<b>For decision by the whole Cabinet</b>	<b>For decision by Lead Cabinet members</b>	<b>Matters reserved for the Leader</b>
28.	In the case of new contracts for the provision of services, works or goods, to approve the principle of contracting out and the key elements of the service specification. (To Council if there are or are likely to be implications for the policy / budget framework – in particular if the contract binds the Council to future additional financial commitments).	-	-
29.	-	To terminate a contract before expiry of the term (relevant lead cabinet member in consultation with the Lead Cabinet Member for Finance).	-

**Notes:**

4. Chief Officers/Heads of Service have delegated authority for all other matters relating to contracts, after consulting the Lead Cabinet Member for Finance and any other relevant lead cabinet member(s). This shall include consortium framework contract considerations, tender listing, acceptance, adjustments of any kind, extensions and emergency or urgent provision.

**Conferences / Appointments**

<b>Ref No.</b>	<b>For decision by the whole Cabinet</b>	<b>For decision by Lead Cabinet members</b>	<b>Matters reserved for the Leader</b>
30.	-	-	To appoint member representatives on outside bodies and revocation of such appointments where the appointment relates to an executive function.
31.	-	-	To approve submission of motions to the LGA or other conferences on behalf of the Council.
32.	-	-	To appoint Member Champions.

**Partnerships**

<b>Ref No.</b>	<b>For decision by the whole Cabinet</b>	<b>For decision by Lead Cabinet members</b>	<b>Matters reserved for the Leader</b>
33.	To approve policies, objectives, targets, or substantial commitments entered into with partner organisations (to Council if the policy framework would be affected or if the commitment would bind the Council in future years).	To approve commitments entered into with partner organisations, which are within existing budgets and policies and would not involve other areas of Cabinet responsibility.	-

**Economic Development**

<b>Ref No.</b>	<b>For decision by the whole Cabinet</b>	<b>For decision by Lead Cabinet members</b>	<b>Matters reserved for the Leader</b>
34.	-	-	To receive and consider reports and recommendations in respect of economic development initiatives.

**Land and Property**

<b>Ref No.</b>	<b>For decision by the whole Cabinet</b>	<b>For decision by Lead Cabinet members</b>	<b>Matters reserved for the Leader</b>
35.	<p>Disposal of Council interest in land or property where the value exceeds Level 4 or where other conditions in item 5 of paragraph 4.6 of the Scheme of Delegation are not met.</p> <p>Does not apply to disposals under right to buy legislation or the Council's equity share scheme which are delegated to officers.</p> <p>Additional delegations relating to disposal of housing land and property are set out in the HRA Asset Sustainability Policy (Disposals and Acquisitions).</p>	<p>Disposal of Council interest in land or property where the value exceeds Level 2 up to and including Level 4 or where other conditions in item 5 of paragraph 4.6 of the Scheme of Delegation are not met.</p>	-



<b>Ref No.</b>	<b>For decision by the whole Cabinet</b>	<b>For decision by Lead Cabinet members</b>	<b>Matters reserved for the Leader</b>
36.	-	Acquisition of leases or other ongoing commitment where the value exceeds Level 2 (to Council if budget provision not available).	-

### **Executive Matters Reserved to the Cabinet and Lead Cabinet Members by Cabinet area of Responsibility**

Given below are matters within individual Cabinet areas of responsibility to be reserved to the Cabinet and lead cabinet members as indicated.

#### **Customer Services and Business Improvement**

<b>Ref No.</b>	<b>For decision by the whole Cabinet</b>	<b>For decision by Lead Cabinet members</b>	<b>Matters reserved for the Leader</b>
37.	-	To approve street names, where there is an objection from the local member(s) or any statutory consultees.	-
38.	-	To review areas of special control of advertisements.	-

<b>Ref No.</b>	<b>For decision by the whole Cabinet</b>	<b>For decision by Lead Cabinet members</b>	<b>Matters reserved for the Leader</b>
39.	-	To approve arrangements for member training and support (including IT support), together with approval of attendance of members at conferences or external training events where funded from the Democratic Representation budget.	-

### **Environmental Services and Licensing**

<b>Ref No.</b>	<b>For decision by the whole Cabinet</b>	<b>For decision by Lead Cabinet members</b>	<b>Matters reserved for the Leader</b>
40.	-	-	To approve the Council's contribution and commitments under the Joint Municipal Waste Strategy (making recommendations to Council where the budget and policy framework would be affected).
41.	-	To approve the Air Quality Strategy and declaration of Air Quality Management Areas.	-
42.	-	To approve the Council's Contaminated Land Strategy.	-
43.	-	To approve the Land Drainage Maintenance Plan.	-

Part 3 – Table 4: Responsibility for Executive Functions

<b>Ref No.</b>	<b>For decision by the whole Cabinet</b>	<b>For decision by Lead Cabinet members</b>	<b>Matters reserved for the Leader</b>
44.	-	To approve operating practices and representation on the Swavesey Byways Advisory Committee.	-
45.	-	To approve Licensing Committee policies and procedures, subject to consultation with the Licensing Committee, with the exception of the Licensing Act 2003 policy and the Gambling Act 2005 policy, which need the approval of Full Council.	-
46.	-	-	To approve the Council's emergency planning arrangements, subject to the Council's policy and budget framework.
47.	-	To approve the Council's flood defence statement.	-

**Finance**

<b>Ref No.</b>	<b>For decision by the whole Cabinet</b>	<b>For decision by Lead Cabinet member</b>	<b>Matters reserved for the Leader</b>
48.	To approve relevant strategies, plans and policies, including: Financial Strategy, budget, Council Tax levels, Investment Strategy, and Corporate Plan for recommendation to Council where in the budget / policy framework.	To approve the Capital Strategy and Asset Management Plan.	-
49.	-	Agreement and ownership of the strategic risks facing the Council.	-
50.	-	To approve policies and criteria for rate relief.	-
51.	-	To determine applications for discretionary rate relief outside the approved policy and criteria.	-
52.	-	To approve discretionary rate relief appeals.	-
53.	-	To write off debts above Level 2.	-
54.	To give approvals to matters which do not comply with Financial and Contract Regulations.	-	-

**Notes:**

5. The Chief Finance Officer is authorised to write off any individual debt up to and including Level 2, provided that they are satisfied that all action for recovery of the debt appropriate to the amount has been taken (see Financial Regulations 13.8).
6. The Chief Finance Officer is authorised to determine applications for discretionary rate relief within the approved policy and criteria, and to determine discretionary housing payments.
7. The Chief Finance Officer is authorised to review and determine the boundaries of rural settlements for the administration of Rural Rate Relief in accordance with Section 42B of the Local Government and Rating Act 1997.
8. Where changes are required as a result of Government direction these can be approved by the Chief Finance Officer.

**Housing**

<b>Ref No.</b>	<b>For decision by the whole Cabinet</b>	<b>For decision by Lead Cabinet members</b>	<b>Matters reserved for the Leader</b>
55.	To make recommendations to Council on the HRA, rents and charges.	-	-
56.	To approve changes to Housing Allocations policy.	-	-
57.	-	To approve changes to and variations of Conditions of Tenancy.	-
58.	-	To approve programmes of parking, lighting and estate roads improvement schemes, subject to	-

Part 3 – Table 4: Responsibility for Executive Functions

Ref No.	For decision by the whole Cabinet	For decision by Lead Cabinet members	Matters reserved for the Leader
		consultation with local members.	
59.	-	To approve decisions by the Head of Housing to approve change of use subject to any planning requirements.	-
60.	-	To approve decisions of the Head of Housing to make land / property available for redevelopment by the Council.	-
61.	To approve land / property being made available at less than market value for affordable housing schemes where the annual limit of £1 million shall be exceeded.	To approve decisions by the Head of Housing to make land / property available at less than market value for affordable housing schemes, subject to an annual limit of £1 million and compliance with current planning policies and General Consent under Section 28 of the Local Government Act 1988.	-
62.	To approve individual properties for sale on the open market where the annual limit of £2m is exceeded.	To approve decisions by the Head of Housing to agree individual properties for sale on the open market, subject to an annual limit of £2m.	-

Part 3 – Table 4: Responsibility for Executive Functions

<b>Ref No.</b>	<b>For decision by the whole Cabinet</b>	<b>For decision by Lead Cabinet members</b>	<b>Matters reserved for the Leader</b>
63.	To approve the sale of land where the annual limit of £2m is exceeded.	To approve decisions of the Head of Housing to agree the sale of land subject to an annual limit of £2m and subject to planning approval and provision of quarterly performance monitoring data to Cabinet	-
64.	To approve the purchase of land where the value exceeds £2m.	To approve decisions of the Head of Housing (with the agreement of the Section 151 Officer) to approve purchase of land within budget, subject to planning approval and up to a limit of £2m.	-
65.	To approve the purchase of individual properties where the value exceeds £2m.	To approve decisions of the Head of Housing to approve the purchase of individual properties within the set budget, subject to contract and up to a limit of £2m.	-
66.	To approve the purchase of “off the shelf” properties where the value exceeds £2m.	To approve decisions of the Head of Housing to purchase “off the shelf” properties within the set budget (with the agreement of the Section 151 Officer, for package deals that exceed £1m), subject to contract and up to a limit of £2m.	-
67.	To agree to enter into contract and progress to completion new build	To approve decisions of the Head of Housing to enter into contract and	-

Part 3 – Table 4: Responsibility for Executive Functions

Ref No.	For decision by the whole Cabinet	For decision by Lead Cabinet members	Matters reserved for the Leader
	schemes to provide affordable council homes where the value of the scheme exceeds £2m.	progress to completion new build schemes to provide affordable council homes within the set budget (with the agreement of the Section 151 Officer) up to a limit of £2m. Substituted sites within overall budget parameters are permitted and form part of this delegation.	
68.	To approve the sale of properties to South Cambs Ltd where the value exceeds £2m.	To approve decisions of the Head of Housing, with the consent of the Section 151 Officer, (approval of Lead Cabinet members for both Housing and Finance required) for the sale of properties to South Cambs Ltd up to a limit of £2m and subject to Secretary of State consent in accordance with Section 32 of the Housing Act 1985 (General Housing Consents 2013).	-
69.	To approve any other proposals which would have the effect of adding to or reducing the housing stock (other than through Right to Buy legislation; or the Council's equity share scheme; or where delegated under the HRA Asset Sustainability Policy and subject to the	-	-



Part 3 – Table 4: Responsibility for Executive Functions

Ref No.	For decision by the whole Cabinet	For decision by Lead Cabinet members	Matters reserved for the Leader
	Council's policy and budget framework).		
70.	-	To allocate the s106 money received by SCDC in lieu of an affordable housing contribution on site.	-
71.	To determine proposals for substantial changes in service provision relating to traveller sites provided to tenants by the Council (subject to any necessary planning consents from the Planning Committee).	-	-
72.	-	To approve or refuse requests to waiver the local land charge in respect of disabled facilities grants.	-

**Notes:**

9. The Head of Housing is authorised to approve allowances or expenses to Council tenants.
10. The HRA Asset Sustainability Policy (Disposals and Acquisitions) approved in September 2013, as amended, sets out delegations to the Head of Housing to take decisions on various matters relating to disposals and acquisitions, subject to the consultations / notifications and conditions specified in those delegations (including obtaining the approval of lead cabinet members as set out in delegations 61 – 70 above and consultations / notifications with local members and Parish Councils as specified in Section 6 of that Policy).

## Planning

Ref No.	For decision by the whole Cabinet	For decision by Lead Cabinet members	Matters reserved for the Leader
73.	To approve draft Development Plan Documents for statutory consultation and recommend to Council approval of Development Plan Documents for submission to the Secretary of State.	To determine all relevant stages of the plan-making process up to the approval of draft Development Plan Documents for statutory consultation.	-
74.	-	To approve draft and final Supplementary Planning Guidance.	-
75.	-	To consider and approve the Local Development Framework Annual Monitoring Report for submission to central government.	-
76.	-	To approve dual use agreements.	-
77.	-	To respond as consultee to traffic-related issues from Cambridgeshire County Council.	-
78.	-	To approve the programme of Conservation Area Appraisals.	-

Part 3 – Table 4: Responsibility for Executive Functions

<b>Ref No.</b>	<b>For decision by the whole Cabinet</b>	<b>For decision by Lead Cabinet members</b>	<b>Matters reserved for the Leader</b>
79.	-	To designate Conservation Areas, agree amendments to their boundaries and agree supplementary planning guidance (e.g., Village Appraisal) where one parish only affected.	-
80.	-	To make decisions on neighbourhood area designations where substantive objections are received.	-
81.	-	To determine the way forward where the examiner raises any significant concerns relating to a neighbourhood plan and is not recommending that it should proceed to referendum.	-

## Responsibility for Council Functions (Table 5)

### Powers and Functions Delegated by the Planning Committee

South Cambridgeshire District Council operates an adopted scheme of delegation which sets out the range of decisions that designated officers may make on behalf of the Council. Decisions on the majority of planning proposals and associated applications are delegated to designated officers without the need for them to be decided by members at Planning Committee

Delegated decisions are carefully considered by the case officer who outlines their recommendations, and reasons behind the recommendations, in a balanced delegated report, which is checked by a designated officer before a decision is agreed and issued.

By operating a scheme of delegation, decisions are made in good time, in line with statutory target dates, and the Planning Committee can concentrate on the most contentious and significant proposals.

### **Applications for consent or permission under the Town and Country Planning Acts and Listed Building and Conservation Area Acts shall be dealt with under delegated powers unless:**

1. A local member or Parish Council writes, or emails, a request for a particular application to be considered by Planning Committee, and sound planning reasons are given for why this is considered necessary and the request is accepted by the Joint Director of Planning and Economic Development, in consultation with the Chair of Planning Committee (or Vice-Chair in their absence).

(Footnote: Notwithstanding any decision is ultimately one for the officer themselves, the committee's guidance in terms of decisions made in accordance with the delegation rules is that in cases which raise issues which are sensitive or controversial, the committee would expect the officer normally to refer the matter to committee.)

The request by Parish Councils should be made within 21 days of the date of registration and by local members not later than 28 days of the date of registration of the application, or within 14 days of receipt of any subsequent significant amendment to a current proposal. If the Joint Director, in consultation with the Chair, declines a request, a written explanation shall be given to the Parish Council and copied to the local member.

2. An application is made by an elected member or an officer of the Council, or a close friend, relative or partner of either of such persons.
3. If approved, the application would represent a significant departure from the approved policies of the Council (officer delegation is still permitted if the application

is to be refused). Significant departures shall include, but are not limited to, development which requires referral to the Secretary of State;

4. Any 'Major' or 'Minor' application relating to the Council's own land or development where representations have been received against the proposal;
5. The application is for the demolition of a listed building or a Building of Local Interest or
6. The application is one that in the opinion of officers, in consultation with the Chair and Vice-Chair, should be determined by Committee because of special planning policy considerations, the complexity of the application, the application is significant and / or of strategic importance to an area beyond both specific site and parish.

**Note:**

For the purposes of considering requests under clause 1 above, the Director, in consultation with the Chair of the Planning Committee, shall have regard to the following criteria:

1. Relevant material planning considerations raising significant planning concerns
2. Significant implications for adopted policy;
3. The nature, scale and complexity of the proposed development.
4. The planning history of the site.

## **Strategic Lead (3C Building Standards)–Delegated Powers**

### **The Strategic Lead (3C Building Standards) is authorised to:**

1. Pass or reject Building Plans deposited for Building Regulation consent, or pass them subject to certain conditions, as may be specified being met (Section 16 Building Act 1984) and, where appropriate, state the grounds for rejection of Building Plans include those linked powers in the Building Act of Section 18 (Building over Sewers etc.), Section 21 (Provision of Drainage), & Section 25 (Provision of Water Supply).
2. Relax or dispense with a requirement of the Building Regulations upon receipt of an application. In considering the request, consultation shall be made, where appropriate, with the Fire Authority, and adjoining owners of the premises. (Section 8 Building Act 1984)
3. Serve all relevant notices under Section 36 and Section 37 of the Building Act 1984 (Removal or alteration of Offending Work) in respect of work contravening the Building Regulations and relevant Sections of the Building Act 1984.
4. Serve all relevant notices under Section 71 of the Building Act 1984 (Entrances, exits etc. to be required in certain cases) to ensure public safety in certain buildings. Before the serving of such notices, consultation shall be made with the Fire Authority.
5. Serve all relevant notices under Section 72 of the Building Act 1984 (Means of Escape in case of Fire) to ensure the health and safety of occupants in certain buildings. Before the serving of such notices, consultation shall be made with the Fire Authority.
6. Apply to a magistrates' court, where necessary, for an order under Section 77 of the Building Act (Dangerous Building) to ensure the execution of any such work to obviate or remove the danger or restrict the use of a building.
7. Serve notice under Section 78 of the Building Act (Dangerous Building – emergency measures) on the owner and occupier of a building which is in such a dangerous condition that immediate action is necessary to obviate that danger.
  - 7.1 The Strategic Lead (3C Building Standards) and Building Control Surveyors of any designation are considered Authorised Officers in respect of the definition in the Building Act 1984.
  - 7.2 The powers set out above are also delegated to the Joint Director of Planning and Economic Development.

8. Serve all relevant notices under Section 80 and Section 81 of the Building Act 1984 (Demolition) in respect of any demolition works under the relevant Sections of the Building Act 1984.

## Consultancy Team Leader – Delegated Powers

1. The Consultancy Team Leader is authorised to exercise the following powers under the Listed Buildings Act 1990 (“the 1990 Act”), in accordance with the provisions of the development plan and the Council's planning and conservation policies:
  - 1.1 the determination, with or without conditions, of applications for:
    - (a) Listed Building Consent and any amendments
    - (b) Conservation Area Consent and any amendments;
    - (c) approval of any schemes, matters or details reserved in relation to (a) or (b) above for the further approval of the Council;

**except** where any of the following apply:

    - (i) material or contrary representations have been received through consultation procedures and cannot be substantially satisfied by the proposed decision of the Consultancy Team Leader;
    - (ii) in the case of reserved matters or details, approval has been specifically retained by the Planning Committee.
  - 1.2 the serving of Listed Building Repairs Notices and Building Preservation Notices in cases of emergency; in accordance with the provisions of the 1990 Act; and the determination of applications for consent for tree works in accordance with the Town and Country Planning Act 1990.
  - 1.3 the instigation of legal proceedings, after consultation with the Chair of the Planning Committee and Head or Deputy Head of Legal Practice, in relation to any matter contained in the 1990 Act or any statutory modification or re-enactment thereof.
2. The Consultancy Team Leader is authorised to serve remedial notices relating to high hedges under Part 8 of the Anti-Social Behaviour Act 2003.
3. The Joint Director of Planning and Economic Development, Assistant Director (Strategy and Economy) and Built and Natural Environment Manager have the same delegated powers as set out above



## **Trees Officer – Delegated Powers**

1. The Trees Officer (or the Trees Assistant in their absence) in consultation with the Chair of the Planning Committee and the local member(s), may:
  - 1.1 determine applications for consent for tree works in conservation areas;
  - 1.2 issue and serve any Breach of Condition notices (or withdraw any that have been served) relating to the submission or implementation of any landscaping scheme required by any condition of any planning permission; and
  - 1.3 issue and serve, in an emergency, any Tree Preservation Order.
2. The Joint Director of Planning and Economic Development, Assistant Director (Strategy and Economy) and Built and Natural Environment Manager have the same delegated powers as set out above.

## **Additional Delegated Powers**

1. The Head or Deputy Head of Legal Practice and Joint Director of Planning and Economic Development are individually authorised to investigate breaches of planning control and to issue and serve all appropriate notices (including Stop Notices) under Parts VII and VIII of the Town and Country Planning Act 1990 (as amended) and Parts I and II of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended in connection with breaches of planning control.
2. The Head or Deputy Head of Legal Practice and Joint Director of Planning and Economic Development are individually authorised, in cases of emergency, and after consulting the Chair of the Planning Committee and informing the local member(s) where practicable to do so, to institute proceedings for an injunction in respect of a threatened, suspected or actual breach of planning control. Normally the power is reserved to the committee.