

## Section 7. The Membership and Terms of Reference of Committees and Panels

<b>Council Body</b>	<b>Membership</b>
Council	All Councillors
District Executive	Ten Councillors, including the Leader and Deputy Leader as further described in Article 7
Scrutiny Committee	Fourteen Members politically balanced
Regulation Committee	Fourteen Members, politically balanced and, as far as practicable, drawn equally from each of the four area committees
Audit Committee	Ten Members - politically balanced
Licensing Committee	Fifteen Members
Area Committees	Each of the four area committees comprise all those District Council members elected from that area as further described in Article 10
Standards Committee	Six District Councillors and three parish representatives co-opted as non-voting members. Composition is further described in Article 9
Appointments Committee	Seven Members - politically balanced
Appeals Panel	Pool of Eight Members - politically balanced

# Terms of Reference of Committees and Panels

## 1. District Executive

### General

The District Executive will carry out all of the local authority's functions which are not the responsibility of any other part of the local authority, whether by law or under this Constitution. It is responsible for all executive functions and those local choice functions specified as being the responsibility of the District Executive.

### Specifically

The District Executive shall:

Co-ordinate the policy objectives of the Council, monitor progress towards the corporate objectives, and give the Area Committees strategic direction.

Consider recommendations from Area Committees, Scrutiny Committee, Audit Committee and Portfolio holders on policy development and change.

Recommend key priorities for the Council and the overall policy framework.

Agree core minimum standards for service delivery.

Consider Referrals from Area Committees on matters which have major policy or resource implications.

Keep under review the Council's financial affairs and receive reports from the relevant Director and Section 151 officer on matters for which he/she is responsible.

Recommend the Capital Programme, revenue budgets and the level of Council Tax.

Agree resource allocation procedures and processes, including service planning and performance review arrangements.

Receive reports on matters relating to the overall staff establishment, discipline, training and welfare, redundancies and early retirements, conditions of employment and performance monitoring.

Approve strategic disposals and acquisition including :

- leases
- sales of land valued in excess of £10,000

## 2. Area Committees

### General

Each Area Committee shall monitor service delivery in its area, provide leadership for its communities, and take decisions on regulatory matters such as planning applications and statutory orders. They shall also take executive decisions as specifically delegated by the Executive.

### Specifically

The Area Committees shall:

Within their area, take decisions in respect of non-executive functions as listed in section 3 of this Constitution; and take executive decisions as set out section 4 of Part 3 of this Constitution. They may also take all other non-executive (regulatory) decisions required to be made by the Council and affecting their area only, and which are not reserved to be taken by any other committee, or the Council itself.

Determine planning applications within its area subject to guidelines in respect of referrals to the Regulation Committee.

Discuss any matter of interest to the area.

Oversee and monitor the operation of services in their area.

Oversee capital schemes to include budgetary control in cases where this has been delegated by the District Executive.

Manage local regeneration projects within financial limits agreed by District Executive.

Prepare Area Action Plans.

Make nominations to serve on outside bodies.

Form working groups and panels subject to budgetary constraints and notification to the District Executive.

Approve sales of land up to the value of £10,000.

Play an enabling role by taking opportunities to provide services and benefits for the people of the area in collaboration with external agencies.

Foster a close working relationship with Town and Parish Councils in the area.

Consult and consider the views of the public on area priorities and provide opportunities for public participation, working in collaboration with external agencies.

Submit to the District Executive ideas for improvements to services or innovative ways of working which may be of interest or benefit to other Areas.

Contribute towards the formulation of district-wide policies.

Be responsible for the local area aspects of the Community Plan.

The following decisions need to be referred to the District Executive: matters of policy which have district wide significance, matters that might have an impact on more than one area (planning matters will be referred to the Regulation Committee in accordance with agreed guidelines) expenditure not covered by an approved budget or within the approved capital programme, sales of land over £10,000.

### **3. Scrutiny Committee**

The Scrutiny Committee shall monitor and scrutinise the performance of the Council and its services and make recommendations on any issue for which the Council is responsible or which affects the local community including those services provided by outside agencies. The Committee will undertake or commission reviews of policy, including value for money checks and keep an overview of the Council's political management arrangements.

The Scrutiny Committee is not able to take decisions but makes recommendations to either the District Executive or the full Council.

There are three main elements to the work of the Committee:

- a. The Scrutiny Committee is able to "call in" decisions taken by the Executive or Area Committees but not implemented. It can ask the District Executive or Area Committee to re-consider its decision.
- b. The Committee is able to review the implementation of decisions and ask the District Executive or full Council to look at a particular area of policy in respect of which the decision was made.
- c. The Committee is able to undertake detailed reviews of issues either within or outside the council

#### **4. Audit Committee**

The purpose of the Audit Committee is to provide independent assurance of the adequacy of the risk management framework and the associated control environment, independent scrutiny of the authority's financial and non-financial performance, to the extent that it affects the authority's exposure to risk and weakens the control environment and to oversee the financial reporting process.

The Audit Committee should review the Code of Corporate Governance seeking assurance where appropriate from the Executive or referring matters to management on the scrutiny function.

The terms of reference of the Audit Committee are:

##### **Internal Audit Activity**

1. To approve the Internal Audit Charter and annual Internal Audit Plan;
2. To receive quarterly summaries of Internal Audit reports and seek assurance from management that action has been taken;
3. To receive an annual summary report and opinion, and consider the level of assurance it provides on the council's governance arrangements;
4. To monitor the action plans for Internal Audit reports assessed as "partial" or "no assurance;"
5. To consider specific internal audit reports as requested by the Head of Internal Audit, and monitor the implementation of agreed management actions;
6. To receive an annual report to review the effectiveness of internal audit to ensure compliance with statutory requirements and the level of assurance it provides on the council's governance arrangements;

##### **External Audit Activity**

7. To consider and note the annual external Audit Plan and Fees;
8. To consider the reports of external audit including the Annual Audit Letter and seek assurance from management that action has been taken;

## **Regulatory Framework**

9. To consider the effectiveness of SSDC's risk management arrangements, the control environment and associated anti-fraud and corruption arrangements and seek assurance from management that action is being taken;
10. To review the Annual Governance Statement (AGS) and monitor associated action plans;
11. To review the Local Code of Corporate Governance and ensure it reflects best governance practice. This will include regular reviews of part of the Council's Constitution and an overview of risk management;
12. To receive reports from management on the promotion of good corporate governance;

## **Financial Management and Accounts**

13. To review and approve the annual Statement of Accounts, external auditor's opinion and reports to members and monitor management action in response to issues raised;
14. To provide a scrutiny role in Treasury Management matters including regular monitoring of treasury activity and practices. The committee will also review and recommend the Annual Treasury Management Strategy Statement and Investment Strategy, MRP Strategy, and Prudential Indicators to Council;
15. To review and recommend to Council changes to Financial Procedure Rules and Procurement Procedure Rules;

## **Overall Governance**

16. The Audit Committee can request of the S151 Officer, the ADirector (Support Services) (the Monitoring Officer), or the Chief Executive (Head of Paid Services) a report (including an independent review) on any matter covered within these Terms of Reference;
17. The Audit Committee will request action through District Executive if any issue remains unresolved;
18. The Audit Committee will report to each full Council a summary of its activities.

Meetings of the Audit Committee are held monthly including at least one meeting with the Council's external auditor.

## **5. Standards Committee**

- promote and maintain high standards of conduct by Members and Co-opted Members;
- advise, train or arrange to train Members and Co-opted Members of the Council on matters relating to the Authority's Members' Code of Conduct and wider propriety issues, including issuing guidance where appropriate;

- recommend the adoption or revision of any Council Codes of Conduct for Members and Co-opted Members, and to monitor the operation of such code(s) of conduct;
- deal with the assessment and determination of complaints under the Members' Code of Conduct relating to Members and Co-opted Members (other than where the power to deal with such matters has been delegated to and exercised by the Monitoring Officer). Where the investigation finds evidence of a failure to comply with the Code of Conduct and a local resolution is not appropriate or not possible, then a Hearing Panel of the Committee (comprising 3 voting members of the Standards Committee agreed by the Monitoring Officer in consultation with the Committee Chairman) will consider and decide the complaint.
- to take decisions in respect of a Member and Co-opted Member who is found on hearing to have failed to comply with the Code of Conduct, including –
  - Reporting its findings to Council [or to the Parish Council] for information;
  - Recommending to the member's Group Leader that he/she be removed from any or all Committees or Sub-Committees of the Council (other than the relevant Area Committee);
  - Recommending to the Leader of the Council that the member be removed from the District Executive Committee, or removed from particular Portfolio responsibilities;
  - Instructing the Monitoring Officer to [or recommend that the Parish Council] arrange training for the member;
  - Removing [or recommend to the Parish Council that the member be removed] from all outside appointments to which he/she has been appointed or nominated by the authority [or by the Parish Council];
  - Withdrawing [or recommend to the Parish Council that it withdraws] facilities provided to the member by the Council, such as a computer, website and/or email and Internet access;
  - Restricting contact to named officers or requiring contact be through named officers; or
  - Excluding [or recommend that the Parish Council exclude] the member from the Council's offices or other premises, with the exception of meeting rooms as necessary for attending Council, Committee and Sub-Committee meetings.
- advise on the management of statutory and other registers of interest and gifts / hospitality received;
- advise the Council on possible changes to the Constitution (except the Council and Cabinet Schemes of Delegation) in relation the key documents and protocols dealing with members conduct and ethical standards;

## **6. Regulation Committee**

The Committee shall:

- Determine applications for planning permission referred from the Area Committees in accordance with the approved guidelines set out in this document.
- Pass Resolutions in respect of significant Council applications for planning permission.

#### **7. Licensing Committee**

The Committee shall be responsible for those licensing functions listed in part 3 of the Constitution as being the responsibility of the Committee. This will include licensing matters referred to it by officers, in accordance with the Officer Scheme of Delegation, such as contested public entertainment licences, and applications for taxi driver licences where the officer considers the application should be determined by members. The Committee shall also be responsible for all the functions assigned to it under the Licensing Act 2003.

#### **8. Appointment Committee**

The Committee shall make appointments to director level posts in accordance with the Human Resources Management Rules (see Part 4)

#### **9. Appeals Panel**

The Panel will be constituted in line with the Council's Disciplinary Procedures.