Part Three, Section B Responsibility for functions: Full Council & Non-Executive Bodies

SECTION 1 - THE COUNCIL

THE COUNCIL

1. Only the Council will exercise the following functions:

(a) Adopting and changing the Constitution;

(b) Approving or adopting the policy framework as set out in Article 4, above;

(c) Approving the budget and levying Council Tax (NB. the setting of rents and service charges for Council properties to be determined by the Cabinet);

(d) Determining the borrowing limits for the authority for each financial year and the proportions of borrowing that are to be set at variable rates;

(e) Making or revising a Council Tax Reduction Scheme;

(f) Approval of the Community Infrastructure Levy Charging Schedule;

(g) Approval of Development Plan Documents (DPDs) prior to submission to the Secretary of State;

(h) Approving any application to the Secretary of State in respect of any Housing Land Transfer as set out in Article 4;

(i) Subject to the urgency procedure contained in the Access to Information Procedure Rules in Part 4 of this Constitution, making decisions about any matter in the discharge of a Cabinet function which is covered by the policy framework or the budget where the decision maker is minded to make it in a manner which would be contrary to the policy framework or contrary to/or not wholly in accordance with the budget;

(j) Electing the Leader;

(k) Agreeing and/or amending the terms of reference for committees, deciding on their composition and making appointments to them and

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delegating functions to them from time to time as may be appropriate;

(l) Agreeing recommendations arising from Scrutiny Reviews of non-executive functions;

(m) Deciding on recommendations arising from Scrutiny Reviews not accepted by the Cabinet and referred by the Chair of Overview and Scrutiny Committee;

(n) Agreeing and/or amending the Scheme of Delegations to Officers with respect to non-executive functions;

(o) Appointing representatives to outside bodies unless the appointment is a Cabinet function or has been delegated by the Council;

(p) Adopting and amending the Members' Allowances Scheme;

(q) Changing the name of the area, conferring the title of honorary alderman or freedom of the Borough and establishing any new Civic Link;

(r) Confirming the appointment or dismissal of the Head of Paid Service, and the dismissal of the Chief Finance Officer and Monitoring Officer;

(s) Making, amending, revoking, re-enacting or adopting bylaws and promoting or opposing the making of local legislation or personal Bills including the adoption of any legislation where the Council has a discretion;

(t) All local choice functions set out in Part 3 to this Constitution which the Council decides should be undertaken by itself rather than the Executive, or any of its Committees, Sub-Committees or an officer;

(u) Entering into, or confirming existing, joint arrangements with other local authorities unless this only concerns either:
i)"executive" functions when the decision is for the Executive, or
ii) the creation of joint sub-committees by the Health and Wellbeing Board pursuant to s198 of the Health and Social Care Act 2012;

(v) Adopting the Members' Code of Conduct;

(w) Approving Pilot Schemes for Local Elections;

(x) To discharge all licensing functions and such other matters which must be reserved to the Council as specified in the Licensing Act 2003 (the "Act"), or any Regulations published in relation to the Act or any other legislation or any statute or regulations amending, consolidating or replacing them including approving, reviewing and revising any Statement of Licensing Policy in relation to the Licensing Act 2003;

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(y) To discharge all functions which must be reserved to full Council as specified in the Gambling Act 2005, or any other ancillary regulations or legislative provisions amending, consolidating or replacing the same, including:
  (i) approving and revising any Statement of Licensing Policy;
  (ii) resolving not to issue any casino premises licences in the next three years;

(z) Adopting Standing Orders for the Council and Standing Orders as to Contracts;

(za) Making any decisions in respect of non-Executive functions which have not been expressly delegated elsewhere;

(zb) All matters that must be reserved to Council under the Financial Regulations including the adoption and amendment of the Treasury Management Strategy Statement and the consideration of annual, mid-year monitoring reports and an out-turn report after the close of the year on treasury management policies and practices; and

(zc) All other matters that, by law, must be reserved to Council.

2. The full Council is responsible for approving certain plans and strategies in accordance with the Policy Framework. These are plans and strategies that the full Council must approve either (i) in accordance with the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) or (ii) those that the Council itself has determined shall be reserved to the full Council for approval.

   A complete list of all the plans and strategies comprising the Council's Policy Framework is set out below.

(a) Those required to be approved by Council by law:
  (i) Crime and Disorder Reduction (community safety) Strategy
  (ii) Development Plan documents
  (iii) Youth Justice Plan
  (iv) Statement of Licensing Policy
  (v) Statement of Gambling Policy
  (vi) Treasury Management Strategy
  (vii) Any other policies that the law requires must be approved by full Council.

(b) Any other plans and strategies that the Council agrees from time to time that it should consider as part of its Policy Framework:
(i) Housing Strategy

[1] "Although the 2000 Regulations still specify that the Council's Annual Library plan needs to be part of the Policy Framework, the Council is not currently required by statute to produce an Annual Library Plan under s1(2) of the Public Library and Museums Act 1964.The Annual Library Plan has been removed from the Policy Framework on 5 February 2025. This is a similar approach taken by other local authorities. A Library Strategy is currently being developed, and it is open to the Council to include this in the Policy Framework when it is ready for approval.

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SECTION 2 – COMMITTEES

The following shall be committees of the Council and they shall have the membership as described in the Appointments of Committees, Sub-Committees, Panels, etc (as approved by the Annual Meeting):

1. **General Purposes Committee**
2. **Audit Committee**
3. **Combined Pensions Committee and Board**
4. **Overview and Scrutiny Committee**
5. **Standards Committee**
6. **Alexandra Palace and Park Board**
7. **The Licensing Committee**
8. **The Strategic Planning Committee**
9. **The Health and Wellbeing Board**
10. **Appointments Panel**
11. **Disciplinary, Grievance and Dismissal Panel**

The Terms of Reference of each Committee shall be as set out on the following pages:

1. General Purposes Committee

General Purposes Committee has: -

(a) all the functions listed below in (b) and stated not to be the responsibility of the Council's Executive/Cabinet in Reg. 2 and Schedule 1 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 S.I. 2853 (as amended or further amended in any statute or subordinate legislation). References to paragraphs below are to those in the appropriate Schedule of the Regulations.

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(b) the following Schedule 1 functions:

(i) Paragraph C - Health and Safety at Work; all functions discharged otherwise than in the Council's capacity as employer.

(ii) Paragraph D – Elections; all functions relating to Elections except the approval of pilot schemes for local elections which is reserved to full Council.

(iii) Paragraph I – Miscellaneous; all functions except those retained by full Council in Article 4 or reserved for the Appointments Panel and Disciplinary, Grievance and Dismissal Panel. The Committee's functions include:

(iv) All functions relating to public rights of way in Part 1 except the creation, stopping up and diversion of highways, footpaths and bridleways in connection with development control decisions which are delegated to the Planning Sub-Committee.

v) Authorising the making of payments or the provision of other benefits in cases of maladministration.

c) The following "Local Choice" functions set out in Schedule 2 of the above Regulations: -

(i) any function under a local Act other than a function specified or referred to in Reg. 2 or Schedule 1 or expressly delegated elsewhere in this Constitution;

(ii) the determination of an appeal against any decision made by or on behalf of the authority.

(iii) passing a resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply to the Council's area (consent to the operation of loudspeakers).

d) making orders designating public places in order to confer power on the police to prevent nuisance by the consumption of alcohol.

<u>Staffing Functions</u>

e) To exercise the functions which are stated not to be the responsibility of the Executive in Regulation 2 and Schedule 1 paragraphs H and I of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) and in any Statute or subordinate legislation further amending these Regulations as follows:

f) Paragraph H – Pensions; Determining the Council's policy statement of discretions as "Employing Authority" under the Local Government Pension Scheme Regulations 2013 and the Teachers' Pension Regulations 2010

g) Paragraph I – Miscellaneous; Determining the terms and conditions of service for all staff, including procedures for dismissal. The Committee agrees the terms and conditions of employment, and the pay structure for all posts with the exception of pay and other terms and conditions for teachers which are fixed under statute by the Schoolteachers' Pay and Conditions Documents.

h) To approve the remuneration levels (other than those associated with National Pay Awards) for the Head of Paid Service and Directors.

i) To approve procedures for appointment and dismissal of staff.

j) To approve all human resources policies including pay and grading structures, and changes to employees' terms and conditions of employment and to approve policies on how the Council exercises its functions under the Local Government Pension Scheme and the Teachers' Pension Scheme.

(k) the power to make recommendations to the Council on any of its functions set out in Article 4, and the power to establish Sub-Committees to consider and report on any such functions but this does not include recommendations to amend the Council's Constitution, nor does it prevent the Council from making decisions on any matter when necessary without a prior recommendation from the Committee.

2. Audit Committee

Statement of purpose

The Committee's purpose is to provide an independent and high-level focus on the adequacy of governance, risk and control arrangements. Its role in ensuring there is sufficient assurance over governance, risk and control gives greater confidence to all those charged with governance that those arrangements are effective.

The Committee has oversight of both internal and external audit, together with the financial and governance reports, helping to ensure there are adequate arrangements in place for both internal challenge and public accountability.

Governance, risk and control

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(a) To review the council's corporate governance arrangements against the good governance framework, including the ethical framework, and consider the local code of governance.
(b) To monitor the effective development and operation of risk management in the council.
(c) To monitor progress in addressing risk-related issues reported to the committee.
(d) To consider reports on the effectiveness of internal controls and monitor the implementation of agreed actions.
(e) To consider reports on the effectiveness of financial management arrangements, including compliance with CIPFA's Financial Management Code.
(f) To consider the council's arrangements to secure value for money and review assurances and assessments on the effectiveness of these arrangements.
(g) To review the assessment of fraud risks and potential harm to the council from fraud and corruption.
(h) To monitor the counter fraud strategy, actions and resources.
(i) To review the governance and assurance arrangements for significant partnerships or collaborations.

Governance reporting

(j) To review the Annual Governance Statement (AGS) prior to approval and consider whether it properly reflects the risk environment and supporting assurances, including the head of internal audit's annual opinion.
(k) To consider whether the annual evaluation for the AGS fairly concludes that governance arrangements are fit for purpose, supporting the achievement of the authority's objectives.

Financial reporting

l) To monitor the arrangements and preparations for financial reporting to ensure that statutory requirements and professional standards can be met.
m) To review the annual statement of accounts. Specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the council.
n) To consider the external auditor's report to those charged with governance on issues arising from the audit of the accounts.

Arrangements for audit and assurance

o) To consider the council's framework of assurance and ensure that it adequately addresses the risks and priorities of the council.

External audit

p) To support the independence of external audit through consideration of the external auditor's annual assessment of its independence and review of any issues raised by Public Sector Audit Appointments (PSAA) or the

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authority's auditor panel as appropriate.

q) To consider the external auditor's annual letter, relevant reports and the report to those charged with governance.
r) To consider specific reports as agreed with the external auditor.
s) To comment on the scope and depth of external audit work and to ensure it gives value for money.
t) To consider additional commissions of work from external audit.
u) To advise and recommend on the effectiveness of relationships between external and internal audit and other inspection agencies or relevant bodies.
v) To provide free and unfettered access to the audit committee chair for the auditors, including the opportunity for a private meeting with the committee.

Internal audit

w) To approve the internal audit charter.
x) To review proposals made in relation to the appointment of external providers of internal audit services and to make recommendations.
y) To approve the risk-based internal audit plan, including internal audit's resource requirements, the approach to using other sources of assurance and any work required to place reliance upon those other sources.
z) To approve significant interim changes to the risk-based internal audit plan and resource requirements.
A1) To make appropriate enquiries of both management and the head of internal audit to determine if there are any inappropriate scope or resource limitations.
A2) To consider any impairments to the independence or objectivity of the head of internal audit arising from additional roles or responsibilities outside of internal auditing and to approve and periodically review safeguards to limit such impairments.
A3) To consider reports from the head of internal audit on internal audit's performance during the year, including the performance of external providers of internal audit services. These will include:
A4) updates on the work of internal audit, including key findings, issues of concern and action in hand as a result of internal audit work;
A5) regular reports on the results of the QAIP; and
A6) reports on instances where the internal audit function does not conform to the PSIAS and LGAN, considering whether the non-conformance is significant enough that it must be included in the AGS.
A7) To consider the head of internal audit's annual report, including:
-the statement of the level of conformance with the PSIAS and LGAN and the results of the QAIP that support the statement (these will indicate the reliability of the conclusions of internal audit); and
-the opinion on the overall adequacy and effectiveness of the council's framework of governance, risk management and control, together with the summary of the work supporting the opinion (these will assist the committee in reviewing the AGS).
A8) To consider summaries of specific internal audit reports as requested.
A9) To receive reports outlining the action taken where the head of internal

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audit has concluded that management has accepted a level of risk that may be unacceptable to the authority or there are concerns about progress with the implementation of agreed actions.

A10) To contribute to the QAIP and in particular to the external quality assessment of internal audit that takes place at least once every five years.

A11) To consider a report on the effectiveness of internal audit to support the AGS where required to do so by the accounts and audit regulations.

A12) To provide free and unfettered access to the audit committee chair for the head of internal audit, including the opportunity for a private meeting with the committee.

Treasury Management

A13) Formulating the Treasury Management Strategy Statement and amendments to it for recommendation to full Council through Overview and Scrutiny Committee and in consultation with the Cabinet Member responsible for Finance. Reviewing and monitoring treasury management arrangements in accordance with Treasury Management in the Public Services: Code of Practice and Cross-Sectoral Guidance Notes (CIPFA, 2017).

Accountability arrangements

A14) 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.

A15) To report to full council on a regular basis on the committee's performance in relation to the terms of reference and the effectiveness of the committee in meeting its purpose.

A16) To publish an annual report on the work of the committee, including a conclusion on the compliance with the CIPFA Position Statement.

Advisers to the Committee

A17) The Committee would be supported in its role and responsibilities through the appointment of two independent advisers, who are appropriately qualified.

A18) It is for individual Committee members to be satisfied that they have the appropriate degree of knowledge and understanding to enable them to properly exercise their functions.

A19) The Council will provide a training programme, which all Committee members must attend. Training undertaken will be reported at each meeting.

Other legislative powers include:

A20) Making arrangements for proper administration of financial affairs under

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section 151 Local Government Act 1972 but the appointment or dismissal of the Chief Finance Officer is to be in accordance with the Officer Employment Procedure Rules in Part 4;

A21) The power to make recommendations to the Council on any of its functions set out in Article 4.

3. Combined Pensions Committee and Board

The Committee Procedure Rules and Access to Information Rules apply to this Committee and Board except where this would be inconsistent with either these Terms of Reference or the legislation relating to the Committee and Board.

1. Responsibilities

The Pensions Committee and Board has the following functions and responsibilities:

(a) all the functions which are stated not to be the responsibility of The Executive in Regulation 2 and Schedule 1 paragraph H of The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) and in any Statute or subordinate legislation further amending these Regulations relating to those matters concerning the Local Government Pension Scheme.

(b) Exercising all the Council's functions as "Administering Authority" and being responsible for the management and monitoring of the Council's Pension Fund and the approval of all relevant policies and statements. This includes:

(i) Approving, maintaining and monitoring the Fund's the Investment Strategy, Funding Strategy Statement, Governance Strategy, Training Strategy and all other statutory policies and statements required under LGPS legislation

(ii) ~~Determining the allocation of investments between each asset class;~~Determining the Fund's investment objectives, strategic asset allocation and investment strategy while recognising the implementation responsibilities of the LGPS asset pool.

~~(ii)~~(iii) Oversight of the Fund's participation in its LGPS asset pool and monitoring the performance of the pool in delivering the Fund's agreed investment strategy.

~~(iii)~~(iv) ~~Reviewing specialist external advisers performance;~~ Appointing, terminating and reviewing the performance of the Fund Actuary, Independent Person and any other professional advisors to the Fund.

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~~(iv)~~(v) Publicising statements and policy documents as required by legislation, government directives and best practice.

(c) ~~Monitoring and as appropriate to decide upon Pensions Administration issues.~~Monitor the performance, effectiveness and regulatory compliance of the pension administration services including service standards, key performance indicators, data quality and member outcomes.

(d) Monitoring the Pension Fund Budget including Fund expenditure and actuarial valuations; and to receive the Pension Fund Budget annually.

~~(e) Agreeing the admission of bodies into the Council's Pension scheme.~~

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(f) Receiving actuarial valuations.

(g) Ensuring ~~that members of the Committee and Board receive appropriate training to undertake their responsibilities.~~compliance with the Fund's Training Strategy and statutory knowledge and understanding requirements applicable to Committee and Board members.

(h) Approving the Annual Accounts of the Local Government Pension Scheme and consider recommendations from the Auditor.

(i) To ~~secure, and to assist in securing compliance with:~~monitor compliance with the LGPS legislations, statutory guidance, the Pensions Regulator's requirements, relevant Codes of Practice and Scheme Advisory Board guidance.

~~i) the Regulations,~~
~~ii) and any other legislation relating to the governance and administration of the Scheme and any connected scheme,~~
~~iii) any requirements imposed by the Pensions Regulator in relation to the Scheme and any connected scheme, and~~

~~(j) (j) To ensure, and to assist in securing the effective and efficient governance and administration of the Scheme and any connected scheme.~~To oversee the Pension Fund's risk management framework including review of the Fund's risk register and mitigation actions.

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(k) To receive assurance from the LGPS Senior Officer on compliance with statutory requirements, governance arrangements, administration performance and risk management.

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(l) To consider reports and recommendations from the Independent Person regarding governance effectiveness, conflict of interest, knowledge and skills, and compliance with statutory guidance.

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(m) To commission, receive and consider Independent Governance Reviews and monitor implementation of any resulting action plans.

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When undertaking Local Pension Board functions, the Committee and Board shall assist the administering authority in securing compliance with LGPS legislation, regulations and guidance and in ensuring the effective and efficient governance and administration of the Scheme.

For the avoidance of doubt, none of the functions set out above entail the committee in regulating or controlling the finances of the Council or its area.

2. Membership

2.1 The Committee and Board shall consist of 10 members and be constituted as follows:

Councillors

(a) Six Councillors appointed by the administering authority

Employer Representatives (co-optees)

(b) Two representatives who have the capacity to represent scheduled and admitted employers,

Employee Representatives (co-optees)

(c) Two scheme membership representatives, one being appointed by local trade unions and the other selected from scheme member nominations.

2.2 The Chair and vice chair of the Committee and Board will be Council representatives. The Chair *and* vice chair will be appointed by full Council.

2.3 The Chair will ensure that meetings are properly conducted, decision making is clear and professional advice is followed. The Chair will monitor the performance and attendance of Committee and Board members and if appropriate make recommendation to terminate appointments in accordance with Section 3 below.

2.4 All members of the Committee and Board will have equal voting rights. The Chair will have a casting vote.

2.5 The Committee and Board may nominate advisers to support them. These nominees are not Committee and Board members and do not have voting rights.

2.6 The Committee and Board is to be supported by the LGPS Senior Officer and the Independent Person in fulfilling its statutory obligations.

3. Appointment and removal of Committee and Board Members

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a) Council Members:

3.1 The administering authority will appoint and replace as it sees fit, the six councillor members of the Committee.

b) Employer representatives:

3.2 The employer representatives will be nominated by employers other than the Council. If there are more than two nominations a panel consisting of the Chair of the Committee and Board and Chief Financial Officer to the Council will select the representatives to be appointed.

3.3 Employer representatives will serve for a period of four years and will be eligible to be re-appointed in accordance with the above processes, subject to compliance with the conditions of appointment.

3.4 Employer representatives will remain as members of the Committee and Board during their appointed term of office unless in the opinion of the administering authority they are not adequately performing their role (including non-attendance at two consecutive meetings), they become incapable of acting, they cease to represent their constituency, they resign or a replacement member is nominated by their relevant nominating body. If an appointment is terminated a new process will commence for the remainder of the term.

c) Employee representatives:

3.5 The employee representatives will be appointed as follows:

i) one active scheme member representative will be appointed jointly by trade unions who represent working scheme members.
ii) one pensioner and deferred member representative will be selected through an open invitation to apply.

3.6. If there is more than one nomination for these positions a panel consisting of the Chair of the Committee and Board and the ~~Chief Financial Officer~~LGPS Senior Officer ~~to the Council~~ will select the representatives to be appointed.

3.7 Employee representatives will serve for a period of four years and will be eligible to be re-appointed in accordance with the above processes, subject to compliance with the conditions of appointment.

3.8 Employee representatives will remain as members of the Committee and Board during their appointed term of office unless in the opinion of the administering authority they are not adequately performing their role (including non-attendance at two consecutive meetings), they become incapable of acting, they cease to represent their constituency, they resign or a replacement member is nominated by their relevant nominating body.

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If an appointment is terminated a new appointment process will commence for the remainder of the term.

All appointed members:

3.9 Prospective members of the Committee and Board will be required to demonstrate to the panel consisting of the Chair of the Committee and Board and the ~~Chief Financial Officer~~LGPS Senior Officer that they have the capacity to represent other employers and employees (as appropriate) and that they do not have a conflict of interest. The decision of the panel will be final.

3.10 Each Committee and Board member should endeavour to attend all meetings during the year.

3.11 Other than by ceasing to be eligible as set out above, a Committee and Board member may only be removed from office during a term of appointment by full Council on a recommendation from the panel.

4. Quorum, voting and substitutes

4.1 The Committee and Board shall have a formal quorum of five comprising at least three Council and two employer or employee representatives. Advisers and other nominees do not count towards the quorum. All decisions will be taken by majority of votes, with the Chair having a casting vote when the votes are initially tied unless stated otherwise in these terms, although it is expected that the Committee and Board will, as far as possible, reach a consensus.

4.2 No substitutes shall be permitted for employer and employee representatives.

5. Meetings

5.1 The Committee and Board shall meet sufficiently regularly to discharge its duties and responsibilities. There will be at least four meetings a year, with additional meetings if the Committee and Board so agrees.

5.2 Notice of all meetings will be provided to Committee and Board members at least 30 days in advance, unless agreed otherwise by Committee and Board members.

5.3 The agenda for each meeting will be agreed by the Chair and all papers will be circulated to members in accordance with the Access to Information Procedure Rules.

5.4 A formal record of Committee and Board proceedings will be maintained. Following the approval of the minutes by the Chair, they shall be circulated to all members and published in accordance with the Access to

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Information Procedure Rules.

5.5 The Committee and Board has the power to set up working groups on whatever terms that it determines and will prepare terms of reference for these entities.

6. Standards of Conduct and Conflicts of Interest

6.1 All members of the Committee and Board, councillors and others, are expected to act at all times within these terms of reference and will be required to comply with both the Members' Code of Conduct and the provisions of the Localism Act relating to Standards. In accordance with section 108 of the Regulations, Committee and Board members must not have a financial or other interest that could prejudice them in carrying out their duties. This does not include a financial or other interest arising merely by virtue of membership of the LGPS.

6.2 Each Committee and Board member must provide the Council with such information as is reasonably required for the purpose of complying with the Members' Code of Conduct and demonstrating that there is no conflict of interest.

7. Budget and Business Plan

7.1 The LGPS Senior Officer ~~Committee and Board~~ will be responsible for ~~prepare~~ preparing an ~~a~~ Annual Business Plan and Budget to be presented to the Committee and Board for approval in advance of each financial year.~~.~~

8. Committee and Board Review Process

8.1 The Committee and Board will undertake each year a formal review process to assess how well it and the members are performing with a view to seeking continuous improvement in performance.

9. Advisers to the Committee and Board

9.1 The Committee and Board may be supported in its role and responsibilities through the appointment of advisers, and shall, subject to any applicable regulation and legislation from time to time in force, consult with such advisers on such terms as it shall see fit to help better perform its duties. Advisers may include:

i) ~~i)~~ Officers from the Council's Finance, Human Resources, Legal and other teams as needed;
ii) The Fund's LGPS Asset Pool (London CIV)
~~ii) An independent Person~~Advisor;
iii) The Fund's Actuary;
~~iii)~~iv) An Independent Person;
~~iv) The Fund's Investment Managers and Custodian;~~

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~~v) The Fund's Investment Consultant; and~~
~~vi)~~v) Any other professional advisers appointed ~~advisers~~by the Fund.

9.2 Any remuneration to advisors appointed by the Committee and Board must be in accordance with the Budget.

9.3 The Committee and Board shall regularly review the performance of the LGPS Asset Pool and any advisers, contractors and service providers appointed in relation to the management, investment, governance and administration of the Fund.

~~The Committee and Board shall ensure that the performances of the advisors are reviewed on a regular basis.~~

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10. Knowledge and Skills

10.1 Every member of the Committee and Board must be conversant with –

i) The rules of the LGPS.

ii) Any document recording policy ~~about the administration of the LGPS which is for the time being~~relating to the funding, investment, governance, communications or administration of the LGPS which is adopted by the ~~LB Haringey Pension~~ Fund.

10.2 ~~It is for individual~~ Committee and Board members must maintain the ~~to be satisfied that they have the appropriate degree of~~ knowledge and understanding required under LGPS legislation and statutory guidance to enable them to properly exercise their delegated responsibilities. ~~functions.~~

10.3 Committee and Board members are required to be able to demonstrate their knowledge and understanding and to keep these up to date and to maintain a written record of relevant training and development.

10.4 The ~~Council Senior~~ LGPS Senior Officer will provide a training ~~programme~~Strategy and plan, which all Committee and Board members must attend. Training undertaken will be reported at each meeting.

11. Expense Reimbursement

11.1 Remuneration for Employee and Employer Representatives who are not councillors will be limited to a refund of actual expenses incurred in attending meetings and training. Remuneration for councillors will be via the Members Allowances Scheme.

11.2 The expenses of the Committee and Board are a part of the costs of administering the Pension Fund.

12. Publication of Committee and Board Information

12.1 The Council will publish up to date information on the Council's website

including:

- The names and information of the Committee and Board members.
- The Committee and Board's terms of reference.
- Papers, agendas and minutes of meetings.

4. Overview and Scrutiny Committee

The Overview and Scrutiny Committee may:

(a) exercise an overview of the forward plan;

(b) review or scrutinise decisions made or actions taken in connection with the discharge of any of the Cabinet's or Council's functions;

(c) make reports and recommendations to the full Council, the Cabinet or relevant non-Executive Committee in connection with the discharge of any functions;

(d) make reports or recommendations on matters affecting the area or its inhabitants;

(e) exercise the right to call-in, for reconsideration, key decisions made but not yet implemented by the Cabinet;

(f) receive the reports and recommendations of its Scrutiny Review Panels;

(g) in accordance with statutory regulations to review and scrutinise matters relating to the health service and all NHS funded services within the Authority's area and to make reports and recommendations thereon to local NHS and NHS funded bodies;

(h) enter into or appoint such joint overview and scrutiny committees that include the London Borough of Haringey and other boroughs for the purpose of responding to consultation by NHS bodies on proposals for substantial variation or development in the provision of health services as required by The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013;

(i) review or scrutinise decisions made, or other action taken, in connection with the discharge by the responsible partner authorities of their crime and disorder functions;

(j) make reports or recommendations to the Cabinet or full Council where appropriate with respect to the discharge of the crime and disorder functions by the responsible partner authorities;

(k) make arrangements which enable any councillor who is not a Committee member to refer any crime and disorder matter to the Committee under the Councillor Call for Action procedure; and

(l) make arrangements which enable any councillor who is not a Committee member to refer to the Committee any local government matter which is

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relevant to the functions of the Committee under the Councillor Call for Action procedure.

(m) there is a Protocol outside this Constitution setting out how the Overview and Scrutiny Committee is to operate. The Protocol shall be applied in a manner consistent with the Committee Procedure Rules in Part 4 and any issue on procedure at the meeting shall be subject to the ruling of the Chair. The Protocol can be amended by the written agreement of the Leaders of the Political Groups on the Council.

(o) to appoint two representatives to the standing Joint Health Overview and Scrutiny Committee for North Central London. (Since this appointment is for only two members to the Joint Committee, the "political proportionality" rules in the Local Government and Housing Act 1989 do not apply.)

5. Standards Committee

The Standards Committee will have the following roles and functions:

(a) Promoting and maintaining high standards of conduct by councillors, co-opted members and representatives of religious organisations and parent governor representatives;

(b) Assisting the Leader, councillors, co-opted members and representatives of religious organisations and parent governor representatives to observe the Members' Code of Conduct;

(c) Advising the Council on the adoption or revision of the Members' Code of Conduct;

(d) Monitoring the operation of the Members' Code of Conduct;

(e) Advising, training or arranging to train councillors and co-opted members on matters relating to the Members' Code of Conduct and the ethical framework;

(f) Granting dispensations to the Mayor, councillors and co-opted members from requirements relating to interests set out in the Members' Code of Conduct;

(g) Advising the Council on codes and protocols forming the Council's ethical framework and its governance arrangements, monitoring the effectiveness of those arrangements and making reports and recommendations accordingly;

(h) Assessing, hearing and determining allegations of failure to comply with

Unrestricted Document

the Members' Code of Conduct by councillors and co-opted members.

(i) Responding to national reviews and consultations on standards related issues;

(j) Granting exemptions for politically restricted posts and giving directions to include a post on the list of restricted posts;

(k) Advising the Council on the appointment of independent persons and taking steps to select them;

(l) Considering amendments to the Constitution and recommending proposals to full Council for approval.

6. Alexandra Palace and Park Board

To fulfil the functions, powers and duties of the Council as Trustee of Alexandra Palace and Park under the Alexandra Park and Palace Acts and Order 1900 to 1985 and, without prejudice to the generality of this, these functions include:

(a) The duty to uphold, maintain and repair the Palace and to maintain the Park and Palace as a place of public resort and recreation and for other public purposes.

(b) Acting as the employing body for employees engaged in the working of the Trust at Alexandra Palace, and to be responsible for the setting of staffing policies, conditions of service and terms of employment of those employees.

(c) In relation to the Trust, being responsible for developing and monitoring the implementation of effective policies and practices to achieve equality of opportunity both for employment and service delivery.

7. The Licensing Committee

The Licensing Committee has functions either (1) as the statutory Licensing Committee of the Council under the Licensing Act 2003, which also exercises functions under the Gambling Act 2005, or (2) as a non-statutory Committee exercising other non-executive functions relating to Licensing, and other regulatory matters generally. At the beginning, and at other appropriate stage(s) in each meeting, the Chair will make a short announcement indicating whether the Committee is operating in its capacity as "statutory Licensing Committee" or as a "non-statutory Committee".

Membership

The Licensing Committee must have between 10 and 15 members in order to comply with the legislation as statutory Licensing Committee.

Unrestricted Document

Protocol

There is a Protocol outside this Constitution setting out how the Licensing Committee is to operate. The Protocol shall be applied in a manner consistent with Committee Procedure Rules in Part 4 and the relevant Licensing Procedure Rules when the Committee is conducting a formal hearing. Any issue on procedure at the meeting shall be subject to the ruling of the Chair. The Protocol can be amended by the written agreement of the Leaders of the Political Groups on the Council.

(1) In its capacity as the statutory Licensing Committee the Committee has all the functions referred to it by law under the Licensing Act 2003 and the Gambling Act 2005. These include:

(a) To be responsible for monitoring the operation of the Acts licensable activities and gambling in the Borough;

(b) To establish the Licensing Sub-Committee and to agree the delegation of functions to the Sub-Committee and to officers;

(c) To receive reports on the matters in (a) above and on the functions delegated to the Licensing Sub-Committee and to officers. To call for a report on any individual case;

(d) To determine the procedures to be followed in handling applications, notices, representations and all hearings, subject to the relevant Regulations;

(e) Subject to Regulations, to determine the fees payable for applications for premises licences and related matters under the Gambling Act 2005;

(f) In a Council Election Year when there is a need to hold a hearing in the period between Election day and the Annual Meeting of the Council, those members of the Committee who are re-elected as councillors shall meet as the Committee (subject to there being a quorum of 3 members) in order to exercise any of the functions of the Licensing Sub-Committees, or of the Committee under (f) above, and shall elect a Chair for the meeting.

(2) In its capacity as the non-statutory Committee exercising other non-executive functions the Committee has the following functions:

(a) Exercising the functions which are stated not to be the responsibility of The Executive/Cabinet In Regulation 2 and Schedule 1, Paragraph B (Licensing and Registration) of The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) and in any Statute or subordinate legislation further amending these Regulations. The Committee's functions are to determine all policy issues, procedures and standard terms and conditions relating to the non-executive licensing functions but exclude decisions in individual cases which are delegated to the Licensing Sub-Committees. The Sub-Committee's remit includes the licensing of street trading, scrap metal dealing, special treatment premises, sex establishments and dog breeding establishments;

Unrestricted Document

(b) Formulating, reviewing and approving for consultation the Statement of Licensing Policy under the Licensing Act 2003 and recommending it, and any revisions to it, to full Council for adoption;

(c) Being consulted informally on the review and determination of the Statement of Gambling Policy, including procedures for Council consultation with external stakeholders, and making recommendations on these matters to the Cabinet;

(d) Reviewing all Council plans and policies on any licensing, or regulatory matters, exercising an overview in relation to common themes and making informal recommendations on these matters to Cabinet and full Council;

(e) Making informal recommendations to the Cabinet and other bodies on service delivery, grant aid, commissioning and procurement matters when these involve or relate to licensing, or regulatory issues.

8. The Strategic Planning Committee

There is a Protocol outside this Constitution setting out how the Strategic Planning Committee is to operate. The Protocol shall be applied in a manner consistent with Committee Procedure Rules in Part 4. Any issue on procedure at the meeting shall be subject to the ruling of the Chair. The Protocol can be amended by the written agreement of the Leaders of the Political Groups on the Council.

There is also a Protocol setting out how members of the Planning Sub-Committee will exercise any functions delegated to the Sub-Committee, including behaviour in relation to applicants, residents and other third parties, to ensure the probity of planning transactions and the highest standards expected in public office, which will also be followed by members of Strategic Planning Committee when exercising the same functions as the Sub-Committee. This protocol is supplementary to the Members' Code of Conduct at Part 5 of the Constitution. The Strategic Planning Committee has all the functions which are stated not to be the responsibility of the Executive in Regulation 2 and Schedule 1, Paragraph A (Town and Country Planning) of The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) and in any statute or subordinate legislation further amending those Regulations. This includes Planning related Regulatory matters.

The Strategic Planning Committee will establish the Planning Sub-Committee and agree the delegation of functions to that Sub-Committee.

The Committee shall also:

(i) Make informal recommendations to the Cabinet and full Council on local development documents, development plan documents, and any other planning policy matter;

(ii) Review all Council plans and policies on any planning matters, exercising an overview in relation to common themes and making informal recommendations on these matters to Cabinet and full Council;

(iii) Make informal recommendations to the Cabinet and other bodies on service delivery, grant aid, commissioning and procurement matters when these involve or relate to , planning, conservation or regulatory issues.

9. The Health and Wellbeing Board

9.1 Health and Wellbeing Board functions

The Health and Wellbeing Board will have the following functions:

(a) To carry out the Board's statutory duties as set out in the Health and Social Care Act 2012, in particular:

(i) for the purpose of advancing the health and wellbeing of the people in its area, to encourage persons who arrange for the provision of any health or social care services in its area to work in an integrated manner;

(ii) to provide advice, assistance or other support as it thinks appropriate for the purpose of encouraging arrangements under section 75 of the NHS Act 2006. These are arrangements under which, for example, NHS Bodies and local authorities agree to exercise specified functions of each other or pool funds;

(iii) to encourage persons who arrange for the provision of any health-related services in its area to work to closely with the Health and Wellbeing Board;

(iv) to encourage persons who arrange for the provision of any health or social care services in its area and persons who arrange for the provision of any health-related services in its area to work closely together;

(v) to discharge the functions of CCGs and local authorities in preparing joint strategic needs assessments (JSNA) and joint Health Wellbeing Strategy (HWB strategy);

(vi) to inform the local authority of its views on whether the authority is discharging its duty to have regard to the JSNA and joint HWS in discharging its functions;

(vii) to discharge any other function as the Council may from time to time choose to delegate to the Board;

(viii) to collaborate across borough boundaries and with other London HWBs in respect of its responsibilities and to secure better health outcomes, quality of services, use of resources and value for money for the local population;

(ix) to arrange for any of its functions to be exercised by the joint sub-committee of the Haringey and Islington HWBs;

(x) to enter into joint arrangements including formal joint sub-committees with other London HWBs and delegate any of its functions to those joint sub committees.

9.2 Health and Wellbeing Board operating principles

The Health and Wellbeing Board will have the following operating principles:

(a) To provide collective leadership and enable shared decision-making, ownership and accountability;

(b) To achieve democratic legitimacy and accountability, and empower local people to take part in decision-making in an open and transparent way;

(c) To ensure the delivery of the Health and Wellbeing Strategy;

(d) To reduce health inequalities;

(e) To promote prevention and early help.

9.3 Health and Wellbeing Board roles and responsibilities

The Health and Wellbeing Board will have the following roles and responsibilities:

(a) The Board will set a strategic framework for the authority's statutory duties and have a key role in promoting and coordinating joint commissioning and integrated provision between the NHS, social care and related children's and public health services in Haringey;

(b) The Board has a duty to develop, update and publish the JSNA and related needs assessments, and the HWB Strategy;

(c) The Board has a duty to develop, update and publish the local pharmaceutical needs assessment as set out in section 128A of the NHS Act 2006;

(d) The Board will advise on effective evidence based strategic

commissioning and decommissioning intentions for children and adults based on the JSNA's robust analysis of their needs. It will ensure that commissioning plans are in place to address local need and priorities, in line with the HWB Strategy, and will deliver an integrated approach to the planning and delivery of services;

(e) The Board expects, and seeks assurance from, partners that the views of children, adults and their carers about the services they receive are taken into account in the commissioning, decommissioning and delivery of those services;

(f) The Board expects, and seeks assurance from, partners that the views of patients and the public have a voice through Healthwatch in the commissioning, decommissioning and delivery of those services;

(g) The Board will collaborate with and involve local stakeholders to secure better health outcomes, quality of services, a more focussed use of resources and value for money for the local population;

(h) The Board will promote the strengthening of working relationships between professionals and organisations which support people in Haringey, ensuring effective sharing and use of information and best practice; including collaborating with the CCG in the development of its plan;

(i) The Board will lead commissioning for particular services with pooled budgets and joint commissioning arrangements where commissioning plans are delegated to them;

(j) The Board will oversee the delivery of the authority's strategic outcomes for local health and wellbeing targets, holding those responsible to account;

(k) The Board will work with the local health scrutiny process and the local Healthwatch to improve outcomes for communities and people who use services.

9.4 Membership of the Board

Meetings of the Board will be chaired by a member of the local authority:

- Local authority councillor(s), who will be (as nominated by the Leader of the Council):
  (i) The Leader of the Council
  (ii) The Cabinet Member for Children, Schools ~~and~~ & Families
  (iii) The Cabinet Member for ~~Adults and~~ Health, Social Care, and Wellbeing

- Chair, Clinical Commissioning Group (Vice Chair of HWB)

- Chair of Healthwatch
- Director of Adults ~~and~~, Health & Communities
- Director of Children's Services
- Director of Public Health
- Chief Officer, Clinical Commissioning Group
- Lay Board Member, Clinical Commissioning Group
- GP Board Member, Clinical Commissioning Group
- Bridge Renewal Trust representative
- Representative for the NHSCB (as required)
- Chair - Haringey Local Safeguarding Children Board (when appropriate)
- Chair - Haringey Safeguarding Adult Board (when appropriate)

The local authority may appoint others to the Board as it deems appropriate, following consultation with the Board. The Board may itself also appoint such additional members to the Board as it deems appropriate.

The Board may invite additional officers to attend on an ex-officio basis, who will not be voting members of the Board, to advise and guide on specific issues when appropriate. Attendance by non-members is at the invitation of the Chair.

9.5 Public Meetings

(a) A minimum of four formal public decision-making business meetings a year will be held. The Board will have the ability to call special meetings as and when required.

(b) A meeting of the Board will be considered quorate when at least three voting members are in attendance, including one local authority elected representative and one of either the Chair, Clinical Commissioning Group or the Chair, Healthwatch (or their substitutes).

(c) The Chair of the meeting will have a casting vote.

(d) All voting members of the Board, (to include any substitutes), will be required to comply both with the Members' Code of Conduct and the provisions of the Localism Act 2011 relating to Standards. In particular, voting members will be required to complete a register of interests which must be kept up to date. Voting members must also declare any disclosable pecuniary interest or prejudicial interest in any matter being considered and must not take part in any discussion or decision with respect to these items.

(e) Board members will agree protocols for the conduct of members and meetings.

(f) The Board will determine its sub groups/committees.

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(g) Only the following members of the Board will have voting rights:

- Local authority councillor(s), who will be (as nominated by the Leader of the Council):
  (i) The Leader of the Council
  (ii) The Cabinet Member for Children, Schools ~~and~~ & Families
  (iii) The Cabinet Member for ~~Adults and~~ Health, Social Care, and Wellbeing
- Chair, Clinical Commissioning Group (Vice Chair of HWB)
- Chair, Healthwatch
- Lay Member Haringey Clinical Commissioning Group

(h) Any additional persons appointed to the Board either by the local authority or the Board will be appointed on a non-voting basis.

(i) The full Council may at any time make a direction to alter the voting right of Board members, following consultation with the Board.

9.6 Committee procedures

(a) The Board will be accountable to full Council in its capacity as a committee of the local authority. The Board will be subject to health scrutiny as set out in the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013.

(b) The Access to Information Procedure Rules in Part 4 of this Constitution apply to the Board. The Committee Procedure Rules in Part 4 apply to the Board except where this would be inconsistent with either these Terms of Reference or the legislation governing this board.

9.7 Facilitating the work of the Health and Wellbeing Board

(a) Workshop meetings will be held to cement links with partners including the Community Safety Partnership, the Children's Trust, and regeneration partners, to facilitate co-ordination and focus on priority issues relevant to all parties.

(b) In addition to formal board meetings, the Board will hold informal, non-decision making seminars as and when required with attendees specifically invited by the Board. These seminars will be held in private in order to ensure the ongoing organisational development of the Board and to provide a forum in which complex and sensitive issues can be fully aired and discussed to manage potential blockages to effective delivery of the strategy.

9.8 Representatives and substitutes

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(a) Representatives will provide a link with their own organisation, reporting back and instigating partner action, being responsible for disseminating decisions and actions within their own organisation, ensuring compliance with any actions required and reporting back progress.

(b) Partner bodies are responsible for ensuring that they are represented at an appropriate level (either equivalent to the core member they are representing and no more than one tier below).

(c) If a representative is absent for three consecutive meetings the organisation/sector will be asked to re-appoint/confirm its commitment to the Board.

(d) Substitutes for voting members will not be permitted with the exception the Chair of the CCG and the Chair of Healthwatch. In their absence, the Deputy Chair of the CCG and the Deputy Chair of Healthwatch may attend in their place. All substitutes must be declared in name at the beginning of each municipal year.

10. Appointments Panel

Be the appropriate body to fulfil the Employment Procedure Rules as set out in Part 4 Section K in relation to Appointments.

a) To exercise functions in respect of the appointment of the Chief Executive, Section 151 Officer and Monitoring Officer and Directors in accordance with the Local Authorities (Standing Orders) (England) Regulations 2001.

b) To make recommendations to Council on the appointment of the Head of the Paid Service; and the appointment of the Chief Finance Officer and Monitoring Officer, in accordance with the Local Authorities (Standing Orders) (England) Regulations 2001.

c) To consider and approve remuneration of Directors of £100,000 or more, at Appointment Panel meeting in accordance with guidance issued under section 40 of the Localism Act 2011 and with the Local Authorities (Standing Orders) (England) Regulations 2001 and Section K.

d) That only members of this Panel participating in the Shortlisting, Interview and Appointment of Directors will have access to decision making reports and Appointments meeting.

e) The substantive membership would be Leader of the Council (Chair) Cabinet Member responsible for Human Resources, Chair of General Purposes,(Vice Chair) Member of General Purposes Committee and Member of the Opposition. The substitution rules will still apply to this

Panel and Cabinet Members will be able to substitute and vote on appointments concerning their portfolio area. The quorum of the Committee shall be a minimum of three members.

f) The minutes of the Panel would be received by the General Purposes Committee, in keeping with their responsibility and oversight for staffing functions of the Council.

11.Disciplinary, Grievance and Dismissal Panel

Be the appropriate body to fulfil the employment procedure rules as set out in Part 4 Section K in relation to Disciplinaries, Grievance and Dismissals.

a) Disciplinary, conduct and capability decisions relating to the Head of Paid Service, Section 151 Officer and Monitoring Officer, and determining whether these officers should be suspended in accordance with the provisions of the Local Authorities (Standing Orders) (England) Regulations 2001.

b) Hearing and deciding substantive grievances either about or from the Head of Paid Service. The Monitoring Officer will decide whether or not the grievance is substantive.

c) To exercise functions in respect of the Dismissal (including terms of release) of Directors in accordance with the Local Authorities (Standing Orders) (England) Regulations 2001 including conducting case hearings and making decisions in relation to Directors where dismissal of the officer is a possible outcome, noting that as set out in the Employment procedure rules in section K, the need to consider the views of an independent Panel when considering the dismissal of the Head of Paid Service, Chief Finance Officer and Monitoring Officer.

d) To make recommendations to Council on the dismissal of the Head of the Paid Service; and the dismissal of the Chief Finance Officer and Monitoring Officer, in accordance with the Local Authorities (Standing Orders) (England) Regulations 2001.

e) To consider and approve any severance payments to Officers of £100,000 or more, in accordance with guidance issued under section 40 of the Localism Act 2011 and with the Local Authorities (Standing Orders) (England) Regulations 2001.

f) To approve the early/flexible retirement of the Head of Paid Service, Section 151 Officer and Monitoring Officer and Directors (save where the Officer is simply resigning) and to agree the award of any discretionary payments in connection with such retirement or redundancy.

To exercise functions in respect of the following:

h) Grievance decisions related to Director level direct reports of the Head of Paid Service , if (and only if) referred to the Committee by the Head of Paid Service due to a conflict-of-interest issue.

To note:

i) That only members of this Panel participating in the hearings and subsequent Panel meeting will have access to decision making reports and have a right to attend the hearing/meeting.

j) Cabinet Members with a conflict will not participate in any of the decisions above.

k) To note that Independent persons would be involved in involved in the investigation of a case against a statutory officer and dismissal hearing.

l) The substantive membership would be Leader of the Council (Chair) Cabinet Member responsible for Human Resources, Chair of General Purposes,(Vice Chair) Member of General Purposes Committee and Member of the Opposition. The substitution rules will still apply to this Panel and Cabinet Members will be able to substitute unless there is a conflict. The quorum of the Committee shall be a minimum of three members.

m) The minutes of the Panel would be received by the General Purposes Committee, in keeping with their responsibility and oversight for staffing functions of the Council.

SECTION 3 - SUB-COMMITTEES AND PANELS

The following bodies shall be created as Sub-Committees of the relevant Committee of the Council under which they are listed. Bodies described as "Panels" are Sub-Committees unless otherwise stated. Sub-Committees shall report to their parent bodies and they shall have the membership as described in the Appointments of Non-Executive Committees, Sub-Committees, Panels, etc as approved by the Annual Meeting.

1. Under the General Purposes Committee

1.1 Dismissal Appeals Sub Committee

Unrestricted Document

To hear and determine appeals against dismissal from employment in respect of all staff employed by the Council, save where the continued employment of the employee would contravene the law and subject to the limitation that the Sub-Committee will hear and determine appeals resulting from posts becoming redundant only where these affect Directors. Members who sit on this Committee must not have had any prior involvement in any decision upon which the appeal is made. Different arrangements apply for the Head of Paid Service, Chief Officer, and Monitoring Officer.

2. Under the Overview and Scrutiny Committee

2.1 Scrutiny Review Panels

(a) To carry out scrutiny processes relevant to particular services as determined by Overview and Scrutiny Committee and within the parameters, protocols and procedures agreed by Overview and Scrutiny Committee for all Scrutiny Review Panels.

(b) Within these scrutiny processes to request and receive submissions, information and answers to questions from Cabinet members, officers and other senior employees of the Council, service users, external experts and relevant members of the public.

(c) To refer the findings/recommendations in the form of a written report, with the approval of the Overview and Scrutiny Committee, to The Cabinet and/or the Council as appropriate.

3. Under the Standards Committee

3.1 Assessment Sub-Committee

To consider all allegations referred to the Sub-Committee by the Monitoring Officer that a member or co-opted member has failed to comply with the Member's Code of Conduct and to determine whether the allegation:

(a) Merits no further action and is dismissed; or

(b) Merits further investigation.

The quorum of the Assessment Sub-Committee is three.

3.2 Hearing Sub-Committees

(a) To conduct hearings into allegations referred for investigation by the Assessment Sub-Committee that a member or co-opted member has failed to comply with the Members' Code of Conduct.

(b) To determine whether or not the member of co-opted member did / did not

Unrestricted Document

fail to comply with the Members' Code of Conduct.

(c) Where the Sub-Committee has determined that a member has failed to comply with the Members' Code of Conduct to take such action as it may lawfully take.

(d) In consequence of the hearing and determination of any allegation to make recommendations to the Council with a view to promoting high standards of conduct amongst members.

The quorum of the Hearing Sub-Committee is three.

4. Under The Licensing Committee

4.1 Licensing Sub-Committee

Introduction

The Licensing Sub-Committee has functions either (1) as Sub-Committee of the Licensing Committee in its capacity as the statutory Licensing Committee of the Council under the Licensing Act 2003, which also exercises functions under the Gambling Act 2005, or (2) as Sub-Committee of the Licensing Committee in its capacity as a non-statutory Committee exercising non-executive licensing and regulatory functions. At the beginning, and at other appropriate stage(s) in each meeting, the Chair will make a short announcement indicating whether the Sub-Committee is operating in its capacity as "statutory Licensing Sub-Committee" or as a "non-statutory Sub-Committee".

Membership

The membership of the Sub-Committee shall be drawn from the Licensing Committee. When operating in its capacity as "statutory Licensing Sub-Committee" there must be a membership and quorum of 3 present at all times.

(1) General Provisions Relating to the Statutory Licensing Sub-Committee

(a) The Licensing Sub-Committee has the power to make final decisions on behalf of the Council on matters within their terms of reference and there is no right of appeal to the Licensing Committee;

Functions under both the Licensing Act 2003 and the Gambling Act 2005

(b) To determine applications for premises licences where relevant representations have been made;

(c) To determine applications for provisional statements where relevant

representations have been made;

(d) To determine valid applications for review of premises licences where relevant representations have been made;

(e) To decide on any other matter where it is necessary or desirable for members to make that decision;

Functions under the Licensing Act 2003 alone

(f) To determine applications for variations of premises licences where relevant representations have been made except in the case of minor variations;

(g) To determine applications to vary designated premises supervisors following police objections;

(h) To determine applications for transfer of premises licences following police objections;

(i) To consider police objections made to interim authority notices;

(j) To determine applications for club premises certificates where relevant representations have been made;

(k) To determine applications to vary club premises certificates where relevant representations have been made except in the case of minor variations;

(l) To determine valid applications for review of club premises certificates where relevant representations have been made;

(m) To decide whether to give counter notices following police objections to temporary event notices;

(n) To determine applications for grants of personal licences following police objections;

(o) To determine applications for renewals of personal licences following police objections;

(p) To decide on revocation of personal licences where convictions come to light after grant;

(pa) To determine the review of a premises license following a closure order where relevant representations have been made

Functions under the Gambling Act 2005 alone

Unrestricted Document

(q) To determine applications for variations of premises licences where relevant representations have been made;

(r) To determine applications for transfers of premises licences following representations by the Gambling Commission or others;

(s) To determine applications for the re-instatement of premises licences where relevant representations have been made;

(t) To decide whether to give counter notices following objections to temporary use notices;

(u) To determine applications for the grant or renewal of club gaming permits and club machine permits where valid objections have been received;

(v) To determine proposals to cancel club gaming permits and club machine permits where the licence holder requests a hearing;

(w) When the licence holder requests a hearing, to determine officer proposals: (i) to make an order removing the entitlement of an on-premises alcohol licence holder to have one or two gaming machines, or (ii) to cancel or vary a licensed premises gaming machine permit;

(x) To determine applications for the grant or variation of licensed premises gaming machine permits for 5 or more machines or in any case where the Chair of the Licensing Committee considers that there is cause for concern about the proper management of the premises;

(2) General Provisions Relating to the Non-Statutory Licensing Sub-Committee

a) The Sub-Committee has all the functions which are stated not to be the responsibility of the Council's Executive/Cabinet in Regulation 2 and paragraph B (Licensing and Registration) of Schedule 1 of The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 S. I. 2853, as amended, or further amended, in any statute or subordinate legislation. The Sub-Committee's remit includes the licensing of street trading, scrap metal dealing, special treatment premises, sex establishments and dog breeding establishments.

(b) The Sub-Committee makes decisions in all individual licensing or registration cases where a hearing is required because of an objection to an application or to a proposed revocation or because of an officer recommendation for refusal.

(c) The Sub-Committee has the power to make final decisions on behalf of the Council in relation to its functions in (b).

(d) Excluded from the Sub-Committee's' terms of reference are decisions on

Unrestricted Document

all policy issues, procedures and standard terms and conditions which are within the remit of The Licensing Committee.

4.2 Planning Sub-Committee

There is a Protocol setting out how members of the Planning Sub-Committee will exercise those functions, including behaviour in relation to applicants, residents and other third parties, to ensure the probity of planning transactions and the highest standards expected in public office. This protocol is supplementary to the Members" Code of Conduct at Part 5 of the Constitution.

The Sub-Committee has all the functions which are set out below and which are stated not to be the responsibility of the Executive in Regulation 2 and Schedule 1 of The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) and in any statute or subordinate legislation further amending those Regulations (references to paragraphs are to those in Schedule 1):
(a) paragraph A - Town Planning Functions

(A) planning applications for the erection of 10 or more dwellings and where the officer recommendation is for approval;
(B) planning applications for changes of use of 1000 sq. metres or more of gross internal floor space and where the officer recommendation is for approval;

(C) planning applications for the erection, or extension of non-residential buildings where the new build is 1000 sq metres or more of gross internal floor space and where the officer recommendation is for approval;

(D) unless otherwise agreed with the Chair of the Planning Sub-Committee, planning applications either:
(i) for major development as defined by the Town and Country Planning (Development) Management Procedure (England) Order 2015 (or any replacement legislation) and where the officer recommendation is for approval; or
(ii) where a legal agreement relating to that development is required; or
(iii) where the recommended decision would be contrary to the development plan;

(E) unless otherwise agreed with the Chair of the Planning Sub-Committee, applications submitted by, or on behalf of the Council;

(F) planning applications on Council owned land, where the Council is not the applicant, where significant material planning objections are received during the consultation process and which the Assistant Director or Head of Development Management, in consultation with the Chair of the Planning Sub-Committee, determines should be subject to members' consideration;

Unrestricted Document

(G) planning applications submitted by or on behalf of members; or employees within the Planning Service or senior employees elsewhere in the Council; or their spouses, parents or children;

(H) any planning application to amend an application or vary conditions or a legal agreement previously decided/imposed by Planning Sub-Committee and which the Assistant Director or Head of Development Management, in consultation with the Chair of the Planning Sub-Committee, considers to constitute a major or significant change;

(I) any planning application where there have been objections from a single councillor of the Ward within which the application site is situated and/or a local community body and/or a local residents' association, and a written request setting out the planning reasons for the matter to be referred to the Planning Sub-Committee has been made before the expiry of the consultation period, and which the Assistant Director or Head of Development Management in consultation with the Chair of the Planning Sub-Committee considers should be referred to the Planning Sub-Committee for determination;

(b) paragraph B - Power to amend;

For the avoidance of doubt, the Assistant Director or Head of Development Management is authorised after a Planning Sub-Committee determination to make any alterations, additions or deletions to the recommended heads of terms and/or recommended conditions (and to authorise any such changes requested by the GLA or government body) (and to further sub-delegate this power) provided this authority shall be exercised after consultation with the Chair (or in their absence the vice-Chair) of the Sub-Committee.

SECTION 4 - UNDER ALEXANDRA PALACE AND PARK

Arising from the Council's role as trustee of Alexandra Palace and Park the following additional bodies shall be established. Membership of the additional bodies is as described in the Appointments of Non Executive Committees, Sub-Committees, as approved by the Annual Meeting**.** The Terms of Reference of the additional bodies shall be as follows:

1. Alexandra Palace and Park Panel

To consider and take decisions upon urgent matters arising between ordinary meetings of the Alexandra Palace and Park Board. The Panel is composed of four members, selected with reference to political balance.

2. Alexandra Palace and Park Consultative Committee

Alexandra Palace and Park Consultative Committee 7 members and up to 30

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community representatives.

(a) To give representatives of appropriate local and national organisations the opportunity of full discussion with members of the Alexandra Palace and Park Board on general matters affecting Alexandra Palace and Park.

(b) To give members of the Alexandra Palace and Park Board the opportunity of discussing and explaining to the organisations matters affecting the overall policy and efficient management of Alexandra Palace and Park.

(c) To promote better understanding between members of the Alexandra Palace and Park Board, the Palace Management and local organisations.

(d) To enable appropriate local (and national) organisations to be fully consulted on decisions of direct concern to them.

(e) To promote the best interests of the Alexandra Palace and Park as a conservation area.

3. Alexandra Palace and Park Consultative Forum

Alexandra Palace and Park Consultative Forum 4 members plus 4 Trade Union representatives

(a) To be a forum for consultation and negotiation between the Alexandra Palace and Park Board and its employees, on issues in relation to Conditions of Employment.

(b) To consider issues referred directly by Management or by the Trade Unions in consultation with the Employer's Side Secretary.

(c) To provide a means whereby the Alexandra Palace and Park Board can consult Union representatives on policies and strategies and provide an arena for discussion of matters of mutual interest.

(d) To provide a means of effective communication, in order to prevent or eliminate friction and misunderstanding.

The Consultative Forum may not consider any matter concerning an individual employee, nor any issues that fall within the scope of other existing procedures, e.g. dismissal appeals, individual grievances and individual salary issues; such matters may only be raised as a matter of principle/policy.

Note:

The Alexandra Palace and Park Board also receives advice from the Alexandra Park and Palace Statutory Advisory Committee, an external body established under the terms of the Alexandra Park and Palace Act 1985. Its functions, as laid down by the Act are as follows:

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'The powers and duties of the Advisory Committee shall be to promote the objects of the charity and assist the Trustees In fulfilling the trusts by considering and advising the Trustees on the following matters:

(a) the general policy relating to the activities and events arranged or permitted in the Park and Palace;
(b) the effects of such activities and events upon the local inhabitants and local environment;
(c) the frequency of activities and events attracting more than 10,000 people at any one time and maximum number to be permitted on such occasions;
(d) the adequacy of car parking arrangements within the Park and Palace so as to avoid overflow into adjoining residential streets;
(e) any proposals which require planning permission;
(f) the establishment and maintenance of the Park as a Metropolitan Park;
(g) the furtherance of recreation and leisure in the Alexandra Park and Palace.

SECTION 5 – UNDER THE HEALTH AND WELLBEING BOARD

Arising from the Council's Health and Wellbeing Board the following additional bodies shall be established. Membership of the additional bodies is to be determined by the Health and Wellbeing Board(s). The Terms of Reference of the additional bodies shall be as follows:

Haringey and Islington Health and Wellbeing Board - Joint sub-committee

The Joint sub-committee will:

a) encourage and promote partnership working in health and social care within and across the two boroughs;

b) encourage joint consideration and co-ordination of health and care issues that are of common interest or concern to the population of the two boroughs;

c) encourage and promote integrated working between health and care commissioners and providers within and across the two boroughs;

d) prepare and produce the Joint Strategic Needs Assessment and Joint Health and Wellbeing Strategy for the two boroughs;

e) provide strategic oversight for the Wellbeing Partnership and any future partnership models for joined up and integrated approach in health and care across the two boroughs;

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f) provide a mechanism to enable joint decision-making in relation to future joint initiatives, service transformation and co-commissioning arrangements in health and care in the two boroughs;

g) give effect to the boroughs stated intentions to foster collaboration in health and social care between commissioners and providers within and across the two boroughs;

h) consider and where necessary contribute to the development of the North Central London (NCL) Sustainability and Transformation Plan; and

i) where appropriate, and in so far as it relates to integrated working, represent the collective interests of the two boroughs to national and local government and other bodies.

SECTION 6 - EMERGENCY PROCEDURES IN ELECTION YEAR

In the year of the ordinary election of Borough councillors, between the day after the election and the day of the Annual Meeting, the Chief Executive may, so far as is lawful, exercise any of the functions of the Council or its non-executive bodies in cases of urgency in consultation with the Mayor. Decisions made by the Chief Executive in accordance with this paragraph shall be reported to the next meeting of the appropriate body.

SECTION 7 – DEFAULT PROVISIONS

If at any time no members are appointed to, or able to act on, any non-executive body of the Council, and a decision has to be taken in a case of urgency, then the decision may be taken by the Chief Executive acting so far as is practicable in consultation with the Mayor, or Deputy Mayor if the Mayor is unable to act.

SECTION 8 - GROUP MEETINGS

In recognition of the role of Group Meetings in the consideration of Council business and of the fact that the supply of advice, reports, information and other material to Group Meetings is generally conducive to the due process of Council business, the following facilities shall be made available for the conduct of Group Meetings and for any Group Committees which may be established for the consideration of Council business:

(a) suitable accommodation for meetings;

(b) assistance with the production and distribution of agenda and minutes;

(c) where the Majority Group makes arrangements for the discussion of items prior to their submission to a committee or sub-committee or Panel, arrangements shall be made through the Leader of the Council or the appropriate Cabinet member to ensure that official information, advice and reports are available to the Group Meetings;

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(d) where a Minority Group makes similar arrangements for the consideration of Council business, arrangements shall be made through the Leader of the Minority Group, or the appropriate spokesperson, to make available information from published sources and advice on Council procedures but not official advice as to the policies which that Minority Group should pursue. The Majority Group Leader or the appropriate Cabinet member shall be made aware of information provided to a Minority Group unless it is of routine or trivial nature.