

RESPONSIBILITY FOR NON-EXECUTIVE COUNCIL FUNCTIONS

WHO IS RESPONSIBLE	MEMBERSHIP	NON-EXECUTIVE FUNCTIONS	DELEGATION OF FUNCTIONS
			Functions are delegated to Officers to the extent listed in the Responsibility for Functions in Part 3 of the Council's Constitution.
Council	48 Members of the Council	<p>Unless otherwise specified, only the Council will exercise the following functions:-</p> <ol style="list-style-type: none"> 1. Adopting and changing the Constitution. 2. Approving or adopting the policy framework, the budget and any application to the Secretary of State in respect of any Housing Land Transfer as proposed by the Cabinet or Overview and Scrutiny Committee. 3. Making decisions about any matter in the discharge of an executive function which is not within the budget or policy framework, unless the decision is urgent within the meaning set out in the Budget and Policy Framework Procedure Rules in Part 4 of the Council's Constitution. 4. Appointing the Leader, Mayor and Deputy Mayor of the Council. 5. Receiving an annual report from the Overview and Scrutiny Committee in relation to its work. 6. Agreeing and/or amending the terms of reference for Committees, exercising non-executive functions, deciding on their composition and making appointments to them. 	

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		<ol style="list-style-type: none"> <li data-bbox="696 240 1693 312">7. Selecting and appointing external auditors or auditor panels under the provision of the Local Audit and Accountability Act 2014. <li data-bbox="696 352 1693 456">8. Appointing representatives to outside bodies unless the appointment is an executive function or has been delegated by the Council. <li data-bbox="696 496 1693 568">9. Adopting an allowance scheme set out in Part 6 of the Council's Constitution. <li data-bbox="696 608 1693 679">10. Changing the name of the area, conferring the title of Honorary Alderman or Freedom of the Borough. <li data-bbox="696 719 1693 791">11. Confirming the appointment of the Head of Paid Service, Monitoring Officer and Chief Finance Officer. <li data-bbox="696 831 1693 935">12. Making, amending, revoking, re-enacting or adopting bylaws and promoting or opposing the making of local legislation or personal Bills. <li data-bbox="696 975 1693 1126">13. Exercising all Local Choice Functions set out in Part 3 of the Council's Constitution which the Council decides should be undertaken by itself or delegated to non-executive Committees rather than the Cabinet. <li data-bbox="696 1166 1693 1238">14. Debating and deciding the response to petitions containing more than 1,500 signatures, for Council functions. <li data-bbox="696 1278 1693 1310">15. All other matters which, by law, must be reserved to the Council. 	

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Standards Committee and Sub-Committees	6 Members comprising 5 Council Members (to include one Executive Member) and 1 non-voting Co-opted Local Councils Association Representative (plus Independent Persons)	<p>Reporting direct to Council</p> <p>Its responsibilities are:</p> <ol style="list-style-type: none"> 1. Promoting and maintaining high standards of conduct by Members and Co-Opted Members of the authority. 2. Advising and assisting Town and Parish Councils and Councillors to maintain high standards of conduct and to make recommendation to Town and Parish Councils on improving standards or actions following a finding of a failure to comply with the Code of Conduct by a Town or Parish Councillor. 3. To progress complaints on behalf of Town and Parish Councils. 4. Advising the Council on the adoption or revision of the Members' Code of Conduct. 5. To receive referrals from the Monitoring Officer into allegations of misconduct in accordance with the authority assessment criteria. 6. Receiving reports from the Monitoring Officer and assessing the operation and effectiveness of the Members' Code of Conduct. 7. Arranging to train Members and Co-Opted Members on matters relating to the Members' Code of Conduct. 8. Assisting Councillors and Co-Opted Members to observe the Members' Code of Conduct. 	<p>The Head of law and Administration is the Council's Monitoring Officer in accordance with the Local Government and Housing Act 1989 (Section 5) and has statutory functions under the Localism Act 2011 in relation to keeping of a Register of Members' Interests, and in relation to conduct matters which have been brought to the Council's Standards Committee. These functions apply to Members and voting co-opted Members of the Council and all Parish/Town Councils within its area.</p>

Part 3: RESPONSIBILITY FOR FUNCTIONS

Section1: COUNCIL/CABINET/COMMITTEES/PANELS/BOARDS/GROUPS

WHO IS RESPONSIBLE	MEMBERSHIP	NON-EXECUTIVE FUNCTIONS	DELEGATION OF FUNCTIONS
		<ol style="list-style-type: none"> 9. Hearing and determining complaints about Members and Co-Opted Members referred to it by the Monitoring Officer. 10. Advising the Council upon the contents of and requirements for codes/protocols/other procedures relating to standards of conduct throughout the Council. 11. Maintaining oversight of the Council's arrangements for dealing with complaints. 12. Informing Council and the Chief Executive of relevant issues arising from the determination of Code of Conduct complaints. 13. To establish a sub-committee/hearings panel for hearing and determining complaints about Members and Co-Opted Members referred to it by the Monitoring Officer including the imposition of any actions where considered appropriate. 14. Reviewing Council use of the Regulation of Investigatory Powers Act. 15. Considering the Annual Governance Statement. 	
Overview and Scrutiny Committee	13 Members of the Council, who are not to include Members of the Cabinet	The Council has appointed an Overview and Scrutiny Committee to discharge certain of its functions relating to call-in, policy and budget review and development and the scrutiny of decision making.	

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		<p>The Overview and Scrutiny Committee will:-</p> <ol style="list-style-type: none"> (1) exercise call-in of Cabinet decisions; (2) assist Council and Cabinet with the development of its strategic budget and policy framework; (3) carry out or commission full and comprehensive reviews of any of the Council's policies, strategies or operations relating to the Council's functions ; (4) make reports and/or recommendations to the Cabinet in connection with the discharge of any its functions; (5) consider any matter affecting the borough or its inhabitants. (6) access through an information hub, key performance data and other service information, in order to fulfil its functions. ; (7) make reports and/or recommendations to the Council and/or the Cabinet in connection with the discharge of any functions; (8) set its own work programme and agenda (9) provide an annual report to Council on its work programme and outcomes achieved. 	

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Audit Committee	7 Members of the Council	<p>The Audit Committee will have the following key purposes:</p> <ol style="list-style-type: none"> 1. To provide independent assurance of the adequacy and effectiveness of the Council's control environment - the systems of governance, internal control and risk management, 2. To independently scrutinise the Council's financial and non-financial performance to the extent that it impacts on the Council's control environment, 3. To oversee the Council's financial reporting process. 4. To review and make recommendations to the Council on the selection/appointment of external auditors. <p>In order to effectively discharge these responsibilities, the Audit Committee may require any officer to attend meetings of the Committee so it may receive explanations regarding any matter that it is considering.</p> <p>Further, the Chairman and Members of the Audit Committee may have contact with the Council's External Auditor, Internal Auditor or Head of Resources at any time and all of these may also request access to the Committee or its Chairman, if appropriate.</p> <p><u>Role and Functions</u></p>	

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		<ol style="list-style-type: none"> 1. To consider the adequacy and effectiveness of the Council's control environment - the systems of governance, internal control and risk management. 2. To consider and be satisfied that the Council's Annual Governance Statement, together with any other assurance statements, properly reflect the Council's control environment and to monitor management action in response to any significant Governance Issues identified. 3. To consider and approve (but not direct) the Internal Audit Team's Strategy and the Annual Plan and to monitor their performance. 4. To consider the Internal Audit Team's reports and to monitor management action to implement agreed recommendations. 5. To consider the Annual Internal Audit Report. 6. To consider and approve the External Auditors' Audit and Inspection Plan and associated fees. 7. As the body designated as "those charged with governance" under the International Standards of Auditing (ISA 260), to:- <ol style="list-style-type: none"> (a) consider the External Auditor's Annual Governance Report. (b) accept or reject Officers' recommendations to amend the Council's Statement of Accounts in respect of any non-material matters identified. 	

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		<ol style="list-style-type: none"> 8. To consider the External Auditors' reports and monitor management action in response to any issues raised and/or recommendations made by the External Auditors. 9. To consider the reports of Inspection Agencies and any other relevant bodies, where they relate to governance issues. 10. To ensure that there are effective relationships between External and Internal Audit, Inspection Agencies and other relevant bodies, and that the value of the audit process is actively promoted. 11. To consider and approve the Council's Statement of Accounts. 12. To consider reports in relation to Emergency Planning, Risk Management and Business Continuity and monitor management action in response to any issues raised and/or recommendations made. 13. To consider reports in relation to Performance Management - both financial and non-financial - and to monitor management action in response to any issues raised and/or recommendations made, 14. To consider the review of any issue referred to it by the Chief Executive, Directors, the Head of Resources, Head of Governance, or the Council's Internal Auditors which falls within the remit of the Committee - these reviews could include reports on fraud, corruption and irregularities. 	

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		<p>15. Annual Report - the Audit Committee must report annually to the Council on its working and make recommendations for future work programmes and amended working methods if appropriate.</p> <p><u>General</u></p> <p>The Committee may review periodically and, if necessary, propose changes to the Committee's role and responsibility for functions to the Council.</p>	
Development Management Committee	13 Members of the Council (may include one Cabinet Member, but not as the Chairman or Vice-Chairman)	To be responsible for all matters relating to Development Management, Enforcement and all Town Planning matters under the Town and Country Planning legislation, Public Health, Clean Air and Environmental Protection and Highways Acts.	Functions are delegated to the Corporate Director (Public Protection, Planning and Governance) to the extent as detailed in Part 3.
Licensing Committee	7 Members of the Council	<ol style="list-style-type: none"> 1. To consider applications for local licences (excluding licences dealt with by the Licensing and Regulated Entertainment Committee), registrations and consents where either representations have been received or the Corporate Director (Public Protection, Planning and Governance) or Head of Public Health and Protection considers a decision by members is more appropriate having regard to the circumstances of the application. 2. To consider whether hackney carriage/private hire vehicle, driver or operator licences should be suspended or revoked. 3. To agree the procedures for licensing hearings on behalf of the council. 	Functions 1-10 are delegated to the Corporate Director (Public Protection, Planning and Governance) to the extent as detailed in Part 3.

		<ol style="list-style-type: none"> 4. To approve the council's statements of licensing policy and principles 5. To determine conditions to be placed on licences (excluding licences dealt with by the Licensing and Regulated Entertainment Committee) 6. To agree standard terms and conditions for licences 7. To determine hackney carriage fares 8. To make early morning alcohol restriction orders 9. As part of the annual budget process to make recommendations to full council as regards the setting of licensing fees 10. To deal with all other licensing matters on behalf of the Full Council except where statute demands they are dealt with by other means 	
Alcohol and Regulated Entertainment Licensing Committee	10 to 15 Members of the Council. The political proportionality rules do not apply.	1. To consider applications in connection with personal licences, premises licences, club premises, certificates and notifications of temporary event notices and all other applications/ notifications made under the Licensing Act 2003.	Functions are delegated in accordance with the Council's Statement of Licensing Policy made pursuant to Section 5 of the Licensing Act 2003 and the

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		<ol style="list-style-type: none"> 2. To consider applications in connection with premises licences, club gaming permits, club machine permits, licensed premises gaming machine permits, prize giving permits and all other applications/notifications/registrations made under the Gambling Act 2005. 3. To conduct hearings in respect of any of the applications referred to in 1 and 2 above in accordance with the Council's Statement of Licensing Policy and the Council's Gambling Act statement of principles. 4. To conduct hearings following requests to review premises licences and the type referred to in 1 and 2 above. 5. To deal with such hearings in accordance with the procedure laid down by the Council and regulations. 6. To deal with such hearings in accordance with the relevant legislation and with established Council policy and licensing conditions. 7. To determine whether to object when the Council is a consultee and not the relevant authority considering an application made under the Licensing Act 2003 or the Gambling Act 2005. 8. To cancel club gaming or club machine permits. 9. To determine whether to give a counter notice to a temporary use notice. 	<p>Gambling Act Statement of Principles made pursuant to Section 349 of the Gambling Act 2005.</p>

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		<ol style="list-style-type: none"> 10. To withdraw Club Premises Registration Certificates under the Licensing Act 2003. 11. To delegate appropriate matters to a Sub Committee set up in accordance with the Council's statement of licensing policy. 12. To determine whether to give a counter notice to a temporary event notice. 13. To consider applications under the Scrap Metal Dealers Act 2013. 	
Grants Board	7 Members of the Council	Acting in accordance with the Council's budget provision for grants and in accordance with the Community Grants Policy to be responsible for the allocation of small community grants and the Golden Jubilee Awards for young people and to make recommendations to the Cabinet on the allocation of larger annual grants.	
Member Development Steering Group	4 Members of the Council	<ol style="list-style-type: none"> 1. To be responsible for the Members' Skills Audit. 2. To agree the annual Member Induction Programme. 3. To agree the annual Member Development Programme in response to Members' needs and corporate requirements. 4. To lead on and work with the Hertfordshire Member Development Network. 	

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		<ol style="list-style-type: none"> 5. To receive and monitor the effectiveness of the development and induction programmes to ensure that Members' needs are met. 6. To encourage Members from all political groups to attend Member Development sessions and to monitor non-attendance and the reasons for this. 7. To consider all methods of learning and, where possible, make these available to Members. 8. To support Members' Community Leadership role. 	
Statutory Officers Disciplinary Panel	<p>5 Members of the Council (3:1:1)</p> <p>2 Independent Persons</p>	<p>Under the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015:</p> <ul style="list-style-type: none"> • to advise and make recommendations to the Council on any proposal to dismiss a Statutory Officer. • to agree and commission an independent investigator and consider any submitted report arising from the investigation into any allegations of misconduct by a Statutory Officer. • to determine, following an investigation, any sanctions to be applied to a Statutory Officer, short of dismissed. • to suspend a Statutory Officer pending investigation • to act proportionately, rationally and legally and in accordance with the advice of the Independent Person(s) 	