PART 3

RESPONSIBILITY FOR FUNCTIONS

1 COUNCIL COMMITTEES AND OTHER MEMBER BODIES OBJECTIVES, TERMS OF REFERENCE AND DELEGATION TO OFFICERS

A COUNCIL

1.0 CONSTITUTION

1.1 Full Council comprises the 39 members of Council. Its quorum is one quarter of the total members (10) – unless more than a 1/3 of the total membership is disqualified, in which case the quorum is ¼ of those remaining qualified.

2.0 OBJECTIVES

2.1 To run an efficient and effective Council to deliver best value for our residents.

2.2 To build the foundations for the growth of East Cambridgeshire's economy by supporting job and wealth creation whilst improving the quality of life and the environment.

3.0 TERMS OF REFERENCE

All the matters requiring Council approval will be reported directly to Council (including consultation documents), therefore only the Council will exercise the following functions:

3.1 Governance

(i) Adopting and changing the Constitution, including the Committee structure;
(ii) Making appointments to the Council's Committees;
(iii) Adopting, amending or revoking a Members' Allowance Scheme and determining the schedule of allowances;
(iv) Revise and approve any Petitions Scheme or policy;
(v) Changing the name of the area or conferring the title of Honorary Alderman;
(vi) Making requests to the Local Government Boundary Commission for England or functions relating to passing a resolution to change schemes of Elections;
(vii) Making an order following a Community Governance Review.

3.2 Policy

To approve or adopt key policies and procedures as defined below:

- Council's Corporate Plan including corporate objectives and corporate priorities;
- Development Plan Documents (Local Plan);
- Supplementary Planning Documents;
- Approval of the Council's Corporate Risk Register on an annual basis;
- Annual programme of Service Reviews;
- Making, amending, revoking, retracting or adopting by-laws and promoting or opposing the making of local legislation or personal bills;

- Other key policy documents which the law requires are adopted by full Council that includes :

  Community Infrastructure Levy,
  Local Transport Plan,
  Housing Strategy,
  Environmental Enhancement Schemes,
  Statutory strategies related to Crime and Disorder, Children and Young People and Health Improvement.

3.3 **Budget (Subject to recommendation from Corporate Governance and Finance Committee)**

(i) Council Tax, Revenue and Capital Budgets;

(ii) Statement of the robustness of the Budget and the adequacy of Reserves;

(iii) Annual Treasury Management Strategy and Annual Investment Strategy;

(iv) Plans or strategy for the control of the local authority's borrowing, investments or capital expenditure or for determining the authority's minimum revenue provisions (to the extent not covered by the Policy Framework).

3.4 **Other Matters**

(i) Confirming the appointment of the Chief Executive/Head of Paid Service (Council may delegate the selection process for this matter to a panel reporting to it);
(ii) Senior Officer Pay Policy;
(iii) Appointing representatives to outside bodies unless the appointment has been delegated by the Council;
(iv) Approving the Statement of Principles under the Licensing Act 2003 and Gambling Act 2005 and any revision, and considering a policy to not permit any further casinos in its area;
(v) Approval of Compulsory Purchase action proposed by Committee.
(vi) Adoption of a neighbourhood plan

Any other decisions that falls within the terms of reference of a Policy Committee or Sub-Committee on the basis that:

- the Committee resolves to refer this decision to Full Council ("Referred-up") in accordance with Council Procedure Rule 25);

- the decision has been referred by three Members of Council ("Council call-in") in accordance with Council Procedure Rule 26

4.0 Delegation to Officers

4.1 The Chief Executive is authorised to act in relation to any matter of immediate urgency, which must be dealt with before the next meeting of the Council provided:

(a) the Leader of the Council (if any), otherwise Group Leaders, are consulted prior to delegated decisions being made;

(b) Leaders of Groups and the Chairman of the Council are notified immediately of any action taken under this delegated power; and

(c) action taken shall as soon as practicable be reported to Council.

4.2 There shall be delegated to the Chief Executive, and in his absence to the Directors the exercise of any power or function of the Council in routine matters related to the implementation of agreed strategies and programmes and falling within established policies and procedures and within existing budgets after appropriate consultation with the Leader of the Council (if any) or otherwise with all Group Leaders.
For the avoidance of doubt this delegation shall include the power to authorise others to exercise such powers.
This delegation shall not be taken to include any matter reserved by law to the Full Council.

4.3 There are further delegated to the officers indicated below the exercise of any power or function of the Council relating to the matters set out below.

Appointment of Members to Committees To make minor in-year changes in committee memberships within the agreed proportionality at the request of Group Leaders	Democratic Services Manager
Civil Emergencies **Enforcement and Other Proceedings** **Civic Defence Act 1948** The function of District Controller	Chief Executive
Local Government (Miscellaneous Provisions) Act 1976 Power to make decisions, spend money and take all actions necessary for the immediate alleviation of hardship or suffering in the event of peacetime emergencies in the District	Chief Executive
Court Proceedings **Local Government Act 1972 s.223** To represent the Council in the Magistrates and County Court, at inquiries etc.	Legal Services Manager to delegate to appropriate local authority officers (including Legal Executives/Trainee Solicitors - & other officers as appropriate (Solicitors and Barristers have automatic authority)
Council Meetings To determine the annual calendar of meetings.	Democratic Services Manager
Legal Proceedings To commence legal proceedings (including prosecutions, injunctions and other proceedings) in relation to the Council's functions as set out in statute (subject to being satisfied as to evidence).	Legal Services Manager or Chief Executive
Sealing of Documents Authorisation to affix the Council's seal to all deeds and agreements under seal made in respect of any functions of the Council, its committees, proper officer, etc	Legal Services Manager or Chief Executive