

Public Document Pack

Annual Council Monday, 22 May 2023 Additional Information Pack

Agenda Item No.	Additional Information	Page Number
6	Appendix 1 - Composition of Political Groups	3
6	Appendix 2 - Group Officers	5
7	Appendix 1 – Peterborough City Council Constitution, Part 3, Delegations Section 3 - Executive Functions	7
7	Appendix 2 – Peterborough City Council Constitution, Part 3, Delegations Section 3 – Officer Delegations	17
7	Appendix 3 – Shareholder Cabinet Committee Membership	53
8	Appendix 1 – Peterborough City Council Constitution Part 3, Section 2 – Delegations – Regulatory Committee Functions	55
8	Appendix 2 – Peterborough City Constitution Part 3, Section 4 – Overview and Scrutiny Functions	119
9	Appendix 1 – Allocations of seats on committees subject to political balance	127
9	Appendix 2 – Allocation of seats on committees not subject to political balance	129

Agenda Item No.	Additional Information	Page Number
10	Appendix 1 – Committee Membership, Chairs and Vice-Chairs	131
10	Revised Appendix 3 – Cambridgeshire and Peterborough Combined Authority Audit and Governance Committee political balance calculations	137
10	Appendix 4 – Appointments and Nominations to Other Authorities	139

Agenda Annex

POLITICAL MAKE-UP – May 2023

CONSERVATIVE			
AHMED Raja	ASIF Muhammad	ALLEN Jackie	ALLEN Steve
AYRES Lynne	CASEY Graham	CERESTE Marco	COLES Andy
WARREN Scott	FAROOQ Mohammed	FAROOQ Saqib	FENNER Charles
FITZGERALD Wayne	HOWARD John	HUSSAIN Ishfaq	KHAN Arfan
MOYO Nicolle	NAWAZ Gul	OVER David	PERKINS Michael
RANGZEB Mohammed	RAY Rylan	SAINSBURY Oliver	SHARP Lindsay
SIMONS Nigel	TYLER Brian		
GREEN			
DAY Nicola	KNIGHT Kirsty	SKIBSTED Heather	
LABOUR			
BI Noreen	COLE Katy	DOWSON Alan	HASEEB Mohammed
HEMRAJ Samantha	IQBAL Amjad	JAMIL Mohammed	JONES Alison
JONES Dennis	MAHMOOD Asim	Qayyum Shabina	SABIR Mohammed
STRANGWARD Richard	THULBOURN Nick		
LIBERAL DEMOCRAT			
BARKHAM Simon	BOND Andrew	BOND Sandra	HOGG Christian
SANDFORD Nick	SEAGER Jade	SHAHEED Asif	WIGGIN Chris
PETERBOUGH FIRST			
FOX John	FOX Judy	Harper Chris	HILLER Peter
LANE Stephen	RUSH Brian	BISBY Ray	ELSEY Gavin
INDEPENDENT			
STEVENSON Julie			

CONSERVATIVE = 26 LABOUR = 14 LIBERAL DEMOCRATS = 8 PETERBOROUGH FIRST = 8

GREEN = 3 INDEPENDENT = 1 **TOTAL = 60**

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PETERBOROUGH CITY COUNCIL
GROUP OFFICERS 2023/2024

CONSERVATIVE GROUP

Group Leader/Chairman	Councillor Wayne Fitzgerald
Deputy Group Leader	Councillor Steve Allen
Group Secretary	Councillor Lynne Ayres
Treasurer	Vacant
Policy Chair	Councillor Andy Coles
Chief Whip	Councillor Rylan Ray
Press Officer	Councillors Andy Coles & Steve Allen

LIBERAL DEMOCRAT GROUP

Group Leader	Councillor Christian Hogg
Deputy Group Leader	Councillor Andrew Bond
Group Secretary	Councillor Sandra Bond
Chief Whip	Councillor Jade Seager
Press Officer	Councillor Chris Wiggins

LABOUR GROUP

Group Leader	Councillor Dennis Jones
Deputy Group Leader	Councillor Amjad Iqbal
Chair	Councillor Mohammed Jamil
Group Secretary	Councillor Noreen Bi
Treasurer	Councillor Alison Jones
Chief Whip	Councillor Shabina Qayyum

PETERBOROUGH FIRST

Group Leader	Councillor Chris Harper
Deputy Group Leader	Councillor John Fox
Group Secretary	Councillor Judy Fox

GREEN GROUP

Group Leader	Councillor Nicola Day
Deputy Group Leader	Councillor Kirsty Knight

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Scheme of Cabinet Delegations

Section 3 – Executive Functions

Introduction

Executive Functions consist of:-

- (a) Functions which the executive must in law exercise;
- (b) Functions which are not listed in Schedule 1 of the Local Authorities (Functions & Responsibilities) (England) Regulations 2000 as amended; and
- (c) 'local choice' functions listed at Schedule 2 of those Regulations, where the Council has decided that they shall be exercised by the Executive.

All Executive functions are delegated to the Leader who may then delegate further to the Cabinet, Committees of the Cabinet, Cabinet Members and officers. The Leader retains responsibility for the functions so delegated and may exercise those functions in person regardless of the further delegation.

Cabinet Members are not authorised to further delegate their functions (unless provided within this Delegation Document) on to officers without the Leader's consent.

Where any delegation under this part of the Constitution refers to specific legislation or regulations, it includes a reference to that legislation or those regulations as re-enacted, consolidated, modified or amended.

3.1 General provisions, including requirements to record decisions

- 3.1.1 The recording and publishing of decisions will be carried out by the Solicitor to the Council or a member of his/her staff acting on behalf of the Chief Executive "the Proper Officer". The Council's procedural rules require all Cabinet and Cabinet Member Decisions and officers' key decisions to be published within 2 working days. They will all be available for scrutiny, and also for potential call-in unless the decision has been ruled urgent in accordance with Part 4 of this Constitution.
- 3.1.2 A Cabinet Member will usually exercise delegated authority through an appropriate officer. It is then the officer's responsibility to notify the Proper Officer promptly of the options considered and the reason for the decision. This notice will include mention of the nature of any disagreement between the officer and the Cabinet Member.
- 3.1.3 However, in exceptional cases when a Cabinet Member exercises delegated authority otherwise than through an officer, or overrides specific officer advice, then it is the Cabinet Member's responsibility to submit prompt written notice of his/her decision, together with any options considered and the reason for the decision, to the Proper Officer. He/she must also notify the relevant lead officer.
- 3.1.4 When any officer, excluding the Chief Executive, exercises delegated authority then he/she must refer all Key Decisions to Cabinet Members. The lead officer is responsible for notifying the Proper Officer of the Cabinet Member's decision. Other (non-key) officer decisions taken in accordance with the following Executive delegations should be recorded by the officer on file. The Cabinet Member should be briefed as soon as possible about decisions made. In the event of a Cabinet

Member over-ruling an Officer's preferred decision, this becomes the Member's decision and must be recorded by him/her in accordance with the paragraph above.

The Chief Executive may take key decisions on behalf of the Authority. When exercising this authority, the Chief Executive is responsible for notifying the Proper Officer of the decision proposed for inclusion on the Forward Plan and publication in accordance with the Council's procedure rules. The relevant Cabinet Member should be briefed before any key decision is made.

3.1.5 Officers shall exercise their delegations subject to the following constraints:

- (a) They shall give notice to the Leader, via the Proper Officer, of all forthcoming Key Decisions, so that they can be logged on the Notice of Intention to Take Key Decisions;
- (b) With the exception of the Chief Executive, they shall refer such key decisions to the relevant Cabinet Member for determination;
- (c) They shall consult the appropriate Cabinet Member about all decisions likely to give rise to media attention or complaints from the public, and all decisions favouring any political party or area of Peterborough;
- (d) They shall exercise sensitivity in ensuring that, prior to making a non-key decision, they consult the relevant Cabinet Member where the decision may give rise to political or other concerns. The subsequent decision will be the officer's in consultation with the Member, and shall be recorded by the officer except where the Cabinet member overrules, when this will be recorded and published as the Cabinet Member's decision;
- (e) Officers shall notify the Proper Officer of decisions made;
- (f) The Leader or any Cabinet Member may set financial thresholds for decisions by officers, above which they must consult or seek agreement of the Cabinet Member.

3.2 Functions of the Cabinet

- 3.2.1 To take collective responsibility for the delivery of all strategic Executive functions within the Council's Major Policy and Budget Framework and lead the Council's overall improvement programmes to deliver excellent services.
- 3.2.2 To take collective responsibility for any Executive decision that has significant implications across two or more portfolios.
- 3.2.3 To determine any key decision (as defined in Article 11 – Decision Making), with the exception of any time-critical, operational, or routine decision, which may be determined by the relevant portfolio holder.
- 3.2.4 To be responsible for budget planning, monitoring and expenditure/savings over £500,000, including Discretionary Rate Relief, with the exception of any time-critical, operational, or routine decision, which may be determined by the relevant portfolio holder.
- 3.2.5 To make decisions on actions relating to the awarding, assigning and termination of contracts over £500k, and waiving or granting exemptions to Contract Regulations where contracts are over £500k, with the exception any time-critical, operational, or routine decision, which may be determined by the relevant portfolio holder.

- 3.2.6 To promote the Council's role as community leader, giving a 'voice' to the community in its external relations at local, regional and international level, and fostering good working relationships with the Council's partner organisations, Parish Councils and the relevant authorities for Police, Fire, Probation and Magistrates' Courts Services.
- 3.2.7 To take a leading role in promoting the economic, environmental and social well-being of the area.
- 3.2.8 To determine policies or strategies that will have a significant impact on two or more wards.
- 3.2.9 To promote the Council's corporate and key strategies and Peterborough's Community Strategy and approve strategies and cross-cutting programmes not included within the Council's major policy and budget framework.
- 3.2.10 To review and recommend to Council changes to the Council's Constitution, protocols and procedure rules.
- 3.2.11 To lead the delivery of Business Transformation within the Council.
- 3.2.12 To be responsible for the Council's overall budget and determine action required to ensure that the overall budget remains within the total cash limit.
- 3.2.13 To determine any conflicts of opinion or decision which may arise between two or more Cabinet Members exercising delegated executive functions.
- 3.2.14 To commission reviews by and determine any changes of policy proposed by the Scrutiny Committees and Commissions making recommendations to Council about proposed changes to the Council's major policy and budget framework.
- 3.2.15 To determine responses to (and/or make recommendation to the Council, as appropriate) reports from the Monitoring Officer, external inspections and the Local Ombudsman.
- 3.2.16 To scrutinise auditors' reports and letters, to consider reports from the Council's external auditor and internal auditor, where appropriate, and determine appropriate responses.
- 3.2.17 Cabinet will be responsible for the following functions in relation to the Council's companies, partnership and charities.
- (a) The establishment of any new company, partnership or charity;
 - (b) The decommissioning/winding up of existing companies, partnerships and charities;
 - (c) The determination of Articles of Association;
 - (d) The determination of the percentage share of ownership;
 - (e) The determination of the investment of funds and assets;
 - (f) The determination of any lending facilities to the Council's companies, partnerships and charities;
 - (g) The determination of decisions reserved to the Council as shareholder or member of a company, partnership or charity;
 - (h) Scheme of delegations to the Shareholder Cabinet Committee;

- (i) Approval of Business Plans;
- (i) Approval of changes to service agreements in respect of KPIs, service levels and service standards;
- (k) The setting of Policy Strategy and objectives for the operation of the Council's companies, partnerships and charities.

3.3 Cabinet Committees

3.3.1 Eastern Shires Purchasing Organisation Joint Cabinet Committee (ESPO)

The Eastern Shires Purchasing Organisation Joint Cabinet Committee (ESPO) currently consists of Cambridgeshire County Council, Leicester City Council, Leicestershire County Council, Lincolnshire County Council, Norfolk County Council and Warwickshire County Council alongside Peterborough City Council (the Member Authorities).

The Member Authorities have agreed to operate ESPO on the terms and conditions set out in the Consortium Agreement and ESPO shall undertake the following functions jointly with the other Member Authorities:

- (a) to provide a comprehensive cost effective professional purchasing service to the Member Authorities (and available to Customers on a subscription basis);
 - (i) negotiating terms for the supply of goods and/or services;
 - (ii) purchasing, storing and distributing items in common use where it is practical and economical to do so;
 - (iii) advising on standards and specifications;
 - (iv) providing professional and technical expertise;
 - (v) providing specialist goods and/or services, and
 - (vi) investigating areas of joint purchasing;

Based on the overall requirements of the Member Authorities (and Customers where applicable);

- (b) to maintain effective efficient and economical arrangements for the supply of goods and/or services by:
- (c) to achieve overall cost savings and efficiencies for the Member Authorities by providing them with a simple effective system for the supply of goods and/or services;
- (d) to provide timely and relevant information to the Member Authorities based on their requirements; and
- (e) to provide the ESPO Services to the Member Authorities (and Customers where applicable) based on their requirements.

3.3.2 Shareholder Cabinet Committee

Purpose

The Shareholder Cabinet Committee will have functions relating to all the Council's companies, partnerships and charities.

The Shareholder Cabinet Committee will act as a decision-making body in relation to the functions delegated to it as well as an advisory body to Cabinet. Support and advice will be provided to the Shareholder Cabinet Committee by the Monitoring Officer, the Section 151 Officer and other client officers as appropriate [expect company leads officers].

Membership and Operation of the Shareholder Cabinet Committee

The Shareholder Cabinet Committee will comprise a maximum of five Cabinet Members to be determined by the Leader annually. The Chairman and Vice-Chairman of the Committee will also be appointed by the Leader on an annual basis.

The Executive Director of Corporate Services and s151 Officer and the Director of Law and Governance and Monitoring Officer will be advisors to the Shareholder Cabinet Committee.

The quorum of the Shareholder Cabinet Committee shall be 3 Cabinet Members and meetings shall take place quarterly/bi-monthly or as determined by the Chairman.

An invitation to attend a meeting must also be provided to the Chair of the Growth, Resources and Communities Scrutiny Committee (or their nominated deputy) at least three clear days in advance of the meeting taking place.

Functions of the Shareholder Cabinet Committee

- a) To monitor performance of the companies, partnerships, and charities in line with Cabinet approved business plans and particular the company's performance:
 - (a) in financial matters
 - (b) against the social goals of the company as set out in the company's Objects. Business Case or Business Plan; and against the values of the Council by means of monthly performance monitoring and scrutiny.
- b) To provide the necessary oversight from the shareholder's perspective and ensure that those companies, partnerships, and charities comply with relevant Council policies, strategies, and objectives.
- c) To exercise decisions, where delegated by Cabinet, in relation to a company, partnership or charity's reserved matters.
- d) To make recommendations to Cabinet in relation to investments, loans, and assets.
- e) To evaluate and monitor the financial and social returns on investment and risks and opportunities including those arising from joint ventures or new opportunities.
- f) To oversee the relationships between the Council and the Council's companies, partnerships, and charities, and any such relationships between the Council's companies, partnerships, and charities in accordance with the Council's objectives.

- g) To review any reports in relation to the Council's companies, partnerships, or charities prior to their submission to the Audit Committee to ensure compliance with Council policies, strategies, and objectives.
- h) To determine for each individual company, partnership, or charity whether the Shareholder Cabinet Committee recommends to Cabinet the delegation of any functions to the officers of the Council.

3.4 Individual Cabinet Members

- 3.4.1 The Leader has allocated a "portfolio" to each Cabinet Member and delegated to each "Portfolio Holder" responsibility for the discharge of functions set out below.
- 3.4.2 All Cabinet Members have the following delegations in relation to their portfolios and the service areas for which they are responsible, as set out in the table below.
- 3.4.3 To exercise the Executive powers and duties of the Council for strategic development, policy direction, partnership working, time-critical, operational, or routine key decisions, and programme and performance management, in accordance with the council's procedure rules, for their portfolio areas.
- 3.4.4 To be responsible for ensuring the successful delivery of business transformation in relation to their portfolio areas.
- 3.4.5 To request the relevant Scrutiny Committee and/or Commission to review changes to policy and strategy within these services area.
- 3.4.6 To be responsible for budget planning, monitoring and expenditure/savings over £500,000, where time-critical, operational or routine decisions, in these service areas with Corporate Directors and the Corporate Director for Resources, ensuring that it remains within the cash limit, reporting any issues which cannot be resolved within the service budget to the Leader of the Council.
- 3.4.7 To act as the Council's lead spokesperson, representative on strategic bodies and Member Champion for these service areas and to respond to relevant consultations by Central Government and other agencies.
- 3.4.8 To make time-critical, operational, or routine decisions on actions relating to contracts including:
 - (a) Awarding, assigning and terminating contracts over £500k;
 - (b) Waiving or granting exemptions to Contract Regulations where contracts are over £500k.
- 3.4.9 To support the Leader of the Council as a Member of the Combined Authority in matters relating to their portfolio responsibilities.

Lead Cabinet Member	Area
Leader of the Council	<ul style="list-style-type: none"> • All functions of the Leader of the Council • Political leadership and strategic direction for the Council • Communications
Deputy Leader and Cabinet Member for Housing and Communities	<ul style="list-style-type: none"> • Deputising for the Leader in their absence, or at their instruction, in relation to all of the functions of the Leader • Rural communities and Parish Councils • Strengthening Communities and Think Communities • Community Relations, Cohesion and Integration, • Community safety and enforcement • Culture and Recreation • Homelessness and Rough Sleeping • Business Improvement District (BID)
Cabinet Member for Legal, Finance and Corporate Services	<p>Responsibility for the Corporate functions of the Council including but not limited to:</p> <ul style="list-style-type: none"> • Legal • Finance • Business Transformation • Governance • Commercial Strategy • Capital Programme • Treasury Management • Procurement • Registration/Bereavement Services • Commercial Partnerships, Property and Assets • HR • IT • Equality and Diversity
Cabinet Member for Adults Services and Public Health	<p>Responsibility for the Adult Social Care and Public Health functions of the Council, including but not limited to:</p> <ul style="list-style-type: none"> • Care Act 2014 and Related Legislation • Safeguarding Adults and Deprivation of Liberty Safeguards. • Early Intervention and Prevention including Reablement, Therapy Services and Technology Enabled Care, Disabled Facility Grants • Care Act Assessments • Mental Capacity Act assessments • Mental Health, Learning Disabilities and Autism and Physical Disabilities. • Integrated Community Equipment • Commissioning and Market Sustainability • Better Care Fund • Integrated Care System (partnership and Integration)

	<ul style="list-style-type: none"> • Health and Social Care Act 2012 (as amended) and Related Legislation • Emergencies that present a risk to public health • Responsible for working in partnership with integrated care system. • Working in partnership with the Police, Probation Service and Prison Service regarding prison health and risks presented by offenders. • Oral Health and Water Fluoridation • Medical inspection and the treatment of pupils. • Sexual Health Services • Independent Mental Health and Mental Capacity Advocates • Health in Everything We Do • Children’s Public Health
Cabinet Member for Children’s Services	<p>Responsibility for the Children’s Services functions of the Council, including but not limited to:</p> <ul style="list-style-type: none"> • Children’s Social Care, including all matters specifically provided for by the Local Authorities (Social Services) Act 1970, personal social services and care in the community, together with the responsibilities under associated and ancillary legislation. • Safeguarding Children • Services for Looked After Children and Corporate Parenting • Early Help Services • Specialist Young People Services • Responsibility for Councils health related functions under Health Act 1975 in so far as they relate to children. • Targeted Youth Services
Cabinet Member for Education and Skills	<p>Responsibility for the Education functions of the Council, including but not limited to:</p> <ul style="list-style-type: none"> • Education services (excluding certain functions relating to higher education and adult education) • School property maintenance and asset management (excluding disposal) • Learning and Skills for post 16 and for 16-25 year old learners with learning difficulties or disabilities • Educational Attainment of Looked After Children • SEND • Early Years • Skills Strategy • Higher Education and university provision • Adult Learning and Skills Service • City College

Cabinet Member for Growth and Regeneration	<ul style="list-style-type: none"> • Planning • Building Control, including the Building Act 1984 (as amended) • Economic Growth and Development • Housing Strategy • Tourism • City Centre Management and the operation of the City Market and events. • International affairs and relations, including twinning, liaison with countries on relevant matters, and promoting Peterborough as a positive place for investment.
Cabinet Member for Infrastructure, Environment and Climate Change	<ul style="list-style-type: none"> • Regulatory Services • Highways and Transport • Car parking strategy for the use of Council car parks and a charging policy. • Climate Change and Net Zero Ambition • Environment Strategy • Energy Strategy • Strategic Waste Management • Green and Open Spaces • Flood Risk Management and Planning

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3.5 Delegations to Officers: General Provisions

3.5.1 Officers shall exercise the following delegations subject to the constraints listed at paragraph 3.1 above. It shall be noted that all delegations to Directors (meaning, for the purpose of this document, Directors that report directly to the Chief Executive) may also be exercised by the Director of Law and Governance and the Chief Executive.

3.6 Delegations to Officers: Corporate Matters

3.6.1 The Chief Executive shall, in pursuance of his or her duty to present to the Cabinet and Scrutiny Committees advice on matters of major policy, ensure that regular meetings are called of all Directors, and that matters of major policy are considered at those meetings before reference to members through the Council's formal governance structures.

3.6.2 The Chief Executive is authorised:

- (a) to require any matter delegated to a Director, but not requiring an urgent decision, to be referred to Corporate Management Team or the equivalent body and to be subject of a report to the Executive or an appropriate Committee;
- (b) to authorise a Director to act in his/her absence on any matter within his/her authority;
- (c) in the absence of any Director, to take decisions delegated to him/her or a Head of Service in his/her department (excluding the statutory functions of the Monitoring Officer and the Section 151 financial officer);
- (d) to take any action, including the incurring of expenditure, where emergency action is required;
- (e) to exercise the functions of the Head of Paid Service under the provisions of the Local Government and Housing Act 1989;
- (f) to exercise personal responsibility for delegations to officers in relation to executive human resource matters, including the creation and disestablishment of posts, changes to job descriptions and matters related to the recruitment, reward and disciplining of staff;
- (g) to determine changes within the management structure, where these involve substantial change to the responsibilities of first and second tier posts, having regard to the proposals of the relevant Cabinet Members for the services affected and also of the Leader of the Council.
- (h) to loan officers to another authority for the purposes of discharging their functions.

3.6.3 The Chief Executive, or an officer authorised by him/her, shall deal with press enquiries on matters of general policy. In addition, the Chief Executive is authorised:-

- (a) to issue news releases about matters which have been the subject of consideration by the Executive or Committees;
- (b) having consulted where appropriate with the relevant Member to issue news releases about other matters and to call press conferences.

3.6.4 Directors shall be authorised to deal with press enquiries and issue press releases on matters arising from the work of their Department.

3.6.5 The Chief Executive and every Director shall be authorised to exercise the following functions in so far as they fall within his/her remit, subject to the ability of the Leader (or Cabinet Members acting under authority delegated to them by the Leader or a regulatory

committee of the Council to exercise the functions):

- (a) to take any steps necessary for the day to day management and routine administration of his/her Department without reference to the Executive or a Committee, but subject to any necessary reference to the Chief Executive or other Director;
- (b) to act on behalf of and in the name of the Executive or a Committee on those matters shown in this delegations document as matters for decision at Officer level, where necessary in consultation with the Cabinet Member, Chief Executive and/or other appropriate Officers;
- (c) to authorise the exercise, on his/her behalf, of the powers delegated to him/her within this delegations document by such other Officers within his/her Department as he/she deems appropriate for the proper performance of the work. A statement of the officers who exercise such functions on the Director's behalf must be maintained by each Director and made available to the Cabinet and to other Members upon request;
- (d) in pursuit of their service delivery to give notice under Regulation 3 of the Town and Country Planning General Regulations 1992 that it is proposed to seek permission for development, together with authority to submit such applications under Regulation 4 or 5 thereof, or to authorise any officer acting as agent to do so. This delegation shall also include authority to submit Building Regulations applications. This delegation shall also apply to Heads of Service or other designated senior officers;
- (e) in pursuit of their service delivery to serve notices on persons requiring information as to their interests in land under Section 16 of the Local Government (Miscellaneous Provisions) Act 1976 or, where appropriate, Section 330 of the Town and Country Planning Act 1990 as amended, together with authority to instruct the Director of Law and Governance to prosecute for failure to comply with any such notice;
- (f) to take any emergency action necessary for the safety of the public or the preservation of the property of the Council;
- (g) to make ex-gratia payments up to a limit of £1,000, in respect of complaints where quantifiable damage or loss can be identified;
- (h) to approve Members' attendance at conferences and seminars, following consultation with the Leader as to the benefit to be obtained by member attendance and the appropriate level of such attendance, provided any fees and associated costs can be met from within existing budget provision for conferences/seminars;
- (i) to submit the Council's response to Government, Local Government Association and other similar consultation papers following discussion with the relevant Cabinet Member, Scrutiny Chairman and Group Representatives. If agreement is not reached the response will be referred to the Cabinet for approval;
- (j) to authorise the allocation of external funding awarded to the Council where such funding does not exceed £500,000, subject to prior consultation with the Director

of Law and Governance (or his/her representatives). For funding between £300,000 and £500,000 this delegation is subject to a further consultation with the Leader of the Council, relevant Cabinet Member and the Chief Executive. To determine allocation of external funding over £500,000 a key Cabinet Member decision is required.

- (k) to monitor the performance of organisations receiving grant aid from the Council, whether through a standard rate or a Service Level Agreement.
- 3.6.6 The Chief Executive and Directors are authorised to deal with contractual matters in accordance with Contract Regulations.
- 3.6.7 Directors are authorised to investigate contraventions of legislation applicable to the functions under their control, and also in respect of these functions to exercise the powers and conferred by the Regulation of Investigatory Powers Act 2000, the European Communities Act 1974 (and associated regulations) and the Police and Criminal Evidence Act 1984.
- 3.6.8 The relevant Director, in consultation with the Director of Law and Governance and Executive Director for Corporate Services, is authorised to negotiate and settle claims by or against the Council where this is considered to be in the best interests of the Council.

Human Resource Matters

- 3.6.9 The Chief Executive and every Director has authority to take decisions relating to the engagement of staff, including establishment control and matters of staff recruitment, reward and discipline that are necessary for the effective delivery of services and to stay within allocated budgets, in consultation with the relevant Cabinet Member in relation to Executive functions.
- 3.6.10 The relevant Director may vary their Department's establishment subject to compliance with agreed procedures and any such variations being within the Department's cash limited budget; also subject to substantial change in the first or second tier being referred to the Chief Executive, and substantial change between more than one Department requiring the agreement of all relevant Cabinet Members or reference to the Cabinet for determination.
- 3.6.11 Directors may:
- (a) authorise overtime working by employees in their Department/Division, where there is provision in their contract for overtime to be paid;
 - (b) appoint the requisite members of existing staff who have already received the necessary first aid training as first aid personnel.

Finance Matters

- 3.6.12 Each Director has responsibility for, and will be judged accountable for, managing their Department's budget within its overall cash limits. In consultation with the relevant

Cabinet Member, each Director is authorised to vire between budget heads where the cost centres are within his or her sole control, and where the cost centre is under the control of more than one Director, provided that they manage their budgets within cash limits.

- 3.6.13 All Directors are budget holders are accountable for maintaining expenditure, including staff costs within their allocated cash limit and budget and must not exceed this level of spending without written authority from the Leader of the Council. No virement to or from staffing budgets shall be made without prior approval from the Leader of the Council/relevant Cabinet Member. Although Directors and all budget holders will delegate responsibility for spending and services to their senior managers, they are accountable for the decisions and actions of their staff. Failure on the part of a budget holder to comply with this prime accountability will be viewed by the Executive as gross misconduct and will be reported to the appropriate officer to deal with in accordance with the Council's disciplinary procedures and rules, such officer reporting back to the Executive on the outcome.

3.7 Delegations to Officers: Director of Law and Governance

Legal Matters

- 3.7.1 The Director of Law and Governance is authorised:
- (a) to exercise the required discretion whether or not to prosecute or defend legal proceedings on behalf of the Council in accordance with Section 222 of the Local Government Act 1972;
 - (b) to take all necessary steps in legal proceedings against any person or body authorised by the Council;
 - (c) to take all necessary steps to defend the Council in legal proceedings against the Council brought by any person or body, including in Employment Tribunals;
 - (d) to certify resolutions and documents as being correct;
 - (e) to obtain Counsel's Opinion or instruct Counsel to appear on behalf of the Council whenever he/she considers such action advisable;
 - (f) to insert and cancel entries in the Local Land Charges Register and otherwise to take all steps in respect of searches;
 - (g) in consultation with appropriate officers, to grant wayleaves to statutory undertakers;
 - (h) to withdraw legal proceedings in his/her discretion;
 - (i) to fix charges for legal work carried out by the Council;
 - (j) to institute legal proceedings in respect of any contravention of any licences, permits or consents and/or any breach of any condition attached thereto;
 - (k) to authorise officers of the City Council to prosecute or defend or appear in any legal proceedings by virtue of the provisions of Section 223 of the Local Government Act 1972.
 - (l) to sign on behalf of the Council any deed or other document, which, in his/her professional judgement, is necessary or desirable to sign;
 - (m) to act as Deputy Electoral Registration Officer;
- 3.7.2 The Director of Law and Governance is authorised to make changes to the Local Land Charge fees, including making changes to existing charges and the introduction of new charges and fee arrangements for new land charge services.
- 3.7.3 The Director of Law and Governance is authorised to enter into agreements under Section 38 & 278 of the Highways Act 1980, subject to consultation with the Director Growth & Regeneration.

Legal: Children, Families and Adult Social Care

- 3.7.4 The Director of Law and Governance is authorised to institute legal proceedings in respect of:
- (a) Prosecutions relating to the relevant functions assigned to the Authority under the Local Authority Social Services Act 1970;
 - (b) Recovery of any charge made in respect of a service provided by the Social Services Department;
 - (c) The care, supervision or protection of any child or young person under the Children Act 1989, the High Court's inherent jurisdiction or any other enactment relating to children or young persons;
 - (d) The safeguarding of vulnerable adults under the Care Act 2014 and the Mental

Capacity Act 2005.

- 3.7.5 The Director of Law and Governance is authorised to determine and arrange the novation of, or as the case may be otherwise transfer, all contracts or agreements which relate to the provision or commissioning by the Council of Health related adult social care functions to its partners the Cambridgeshire and Peterborough Mental Health Partnership NHS Trust or, as the case may be the Peterborough Primary Care Trust.
- 3.7.6 The Director of Law and Governance is authorised to apply for letters of administration of the estate of residents who die while living in a Residential Home owned or managed by the Council or its agent, where it is likely that the sole beneficiary of the estate is the Council or funds managed by the Council or its agent for the benefit of residents living in such a home.
- 3.7.7 The Director of Law and Governance is authorised to wind up estates of deceased persons where the Council has arranged the funeral under Section 46 of the Public Health (Control of Diseases) Act 1984.

Legal: Housing Service

- 3.7.8 The Director of Law and Governance is authorised:
- (a) to institute legal proceedings for the recovery of mortgage arrears;
 - (b) to approve the release of land subject to a Housing Act advance from the charge to the Council, subject to the Council's security not being affected;
 - (c) in consultation with the Executive Director for Corporate Services, to grant loans under the Housing (Service Charge Loans) Regulations 1992 on suitable conditions;
 - (d) to approve licences of areas of land to tenants and owner-occupiers on suitable terms and conditions;
 - (e) in consultation with appropriate Officers, to grant wayleaves to statutory undertakers;
 - (f) to determine claims for adverse possession in respect of Council land;
 - (g) to authorise the completion of Deeds of Variation/Release in respect of land formerly owned by the Commission for the New Towns where necessary to allow a Council scheme to proceed, subject to no payment being involved (other than costs).

Legal - Community Safety

- 3.7.9 The Director of Law and Governance is authorised:
- (a) to take appropriate action under Sections 70 and 167 of the Criminal Justice and Public Order Act 1994;
 - (b) to exercise the powers and duties of Section 36 of the Local Government (Miscellaneous Provisions) Act 1982 - Control of Fly Posting, and section 132 Highways Act 1980, where attached to buildings or structures
 - (c) to agree with Cambridgeshire Constabulary the necessary parking and traffic arrangements for the annual Remembrance Sunday Parade
 - (d) in relation to private sector housing, to authorise the application for and institute proceedings orders and notices in pursuance of the Anti-Social Behaviour, Crime and Policing Act 2014 and other relevant interventions to promote Community Safety.

Room Hire

3.7.10 The Director of Law and Governance is authorised:

- (a) to make future updates of the room hire pricing structure, together with the annual room hire price increases up to and including the annual inflation figure applied by the Council during the annual budget setting process;
- (b) to allow subsidised or free use of the Council's meeting rooms contrary to the usual conditions on occasions where this is in the Council's best interests, in accordance with the Council's room hire policy.

Other Matters

3.7.11 The Director of Law and Governance is authorised

- (a) to act as Proper Officer for the Coroner's Service;
- (b) to make appointments to partnerships and other outside organisations following consultation with all political Group Secretaries in accordance with the Council's agreed procedure. Any disputed/unresolved appointments to be referred to the Leader of the Council for determination.

3.8 Delegations to Officers: Executive Director for Corporate Services

Finance

3.8.1 The Executive Director for Corporate Services is authorised:

- (a) to write off as being irrecoverable, debts of any type up to a value of £10,000;
- (b) to write off stock surpluses and deficiencies and dispose of obsolete stock, in conjunction with the relevant Director, to a level agreed by the Council;
- (c) to open subsidiary banking accounts and, for all bank accounts, to negotiate new and amended facilities, changes in terms and operations as required;
- (d) to act as the Council's Registrar of Stocks, Bonds and Mortgages;
- (e) to raise and repay loans, and pay interest thereon, in accordance with the Council's borrowing strategy for the time being;
- (f) to make investments of the Council's monies with institutions approved by the Council;
- (g) to manage internal arrangements, including insurance provisions and approve payments to be made in relation to claims;
- (h) to obtain insurance cover, appointing insurers, insurance brokers and loss adjusters as necessary and negotiate and agree the settlement of claims with the Council's insurers;
- (i) to approve requests by Directors for additions/amendments to the authorised signatory schedule;
- (j) to certify cheques, girocheques, standing order/BACs payment mandates;
- (k) to receive and process housing benefit and council tax benefit applications not delegated to any other Director including initial reviews of decisions relating thereto and to approve the backdating of housing benefit payments and council tax benefit payments;
- (l) to administer Discretionary Housing Payments;
- (m) to attend, as necessary, valuation and council tax tribunal hearings; and
- (n) to enter into agreements for deferred payment of NNDR, subject to registration of a charge on the Land Register, and in accordance with Council policy;

- (o) to administer operating leases and other financing agreements (following initial approval of such schemes) including the making of relevant payments;
- (p) to implement pay awards to employees;
- (q) to act as Deputy Electoral Registration Officer;
- (r) to authorise Discretionary Rate Relief under £500,000.

3.8.2 The Executive Director for Corporate Services and the Director of Law and Governance are authorised to recover by action or otherwise debts, rates and council tax owed to the Council.

Housing benefit

3.8.3 The Executive Director for Corporate Services is authorised:

- (a) to determine claims for additional rent rebate, and make use of the Housing Benefit Regulations allowing direct deductions from all state benefits in the recovery of overpaid housing benefit;
- (b) to determine the Council's local average rate under the Housing Act 1985 and to approve changes in mortgage interest rates;
- (c) to offer administrative penalties under section 15 of the Social Security Administration (Fraud) Act 1997 where the circumstances of an overpayment are appropriate, as an alternative to prosecution, in respect of housing and council tax benefit;
- (d) to receive and process housing benefit applications not delegated to any other Director including initial reviews of decisions relating thereto and to approve the backdating of the housing benefit payments;
- (e) to use an external debt collection agency for the recovery of overpaid housing benefits where other recovery procedures are inappropriate.

Information and Communications Technology

3.8.4 The Executive Director for Corporate Services is authorised in the event of any emergency preventing normal operations to make alternative arrangements for the continuation of information technology and communication services.

Emergency Planning

3.8.5 The Executive Director Corporate and Customer Services is authorised to ensure adequate arrangements are made for Emergency Planning under the Council's Statutory obligations, in consultation with the Chief Executive and the Leader of the Council.

Registration Service, Cemeteries and Crematoria

3.8.6 The Executive Director for Corporate Services is authorised to act as Proper Officer for the Registration Services.

3.8.7 The Executive Director for Corporate Services is authorised to manage cemeteries and crematoria

Regulatory Services

3.8.8 To authorise the Executive Director of Place and Economy:

Part 3 Section 3 - Delegations – Officer Delegations

- (a) to exercise the powers and duties conferred on officers of a Weights and Measures Authority by the Commissioners of Customs and Excise under Section 8(2) of the Customs and Excise Management Act 1979 or any Act, Order or Regulation which extends or amends the Act; or any Order, Instrument, Regulation or Byelaw made under the Act;
- (b) to exercise the powers and duties conferred on a Weights and Measures Authority by Section 169i of The Licensing Act 1964, or any Act, Order or Regulation which extends or amends the Act; or any Order, Instrument, Regulation or Byelaw made under the Act;
- (c) to exercise all powers and duties and to issue all notices (including notices of entry) conferred by the following Acts and any Act, Order or Regulation made under them:
 - (i) Food Safety Act 1990;
 - (ii) take action under the Sunday Trading Act 1994 and to institute legal proceedings in respect thereof;
 - (iii) Anti-Social Behaviour, Crime and Policing Act 2014, Part 4 Community Protection;
 - (iv) Clean Neighbourhoods and Environment Act 2005, Part 7 Section 77 and Sections 82 - 86;
 - (v) Environmental Protection Act 1990, Part 1 Prescribed Processes, Part 2A Contaminated Land, Part 3 Statutory Nuisances, Schedule 1 Processes, Schedule 3 Powers for Warrants;
 - (vi) Public Health Acts 1936 & 1961;
 - (vii) Public Health (Control of Diseases) Act 1984;
 - (viii) Refuse Disposal (Amenity) Act 1978 (note that the Executive Director for Place and Economy also has delegation under this Act to deal with abandoned vehicles) and Environment Act 1995;
 - (ix) Prevention of Damage by Pests Act 1949;
 - (x) Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018
 - (xi) Anti Social Behaviour Act 2003, Part 8 High Hedges, Part 6 Section 42 Noise at Night;
 - (xii) Avian Influenza and Influenza of Avian Origin in Mammals (England) Order 2006;
 - (xiii) Clean Air Act 1993;
 - (xiv) Environment Act 1995;
 - (xv) Water Industry Act 1991;
 - (xvi) National Assistance Act 1948 and 1951;
 - (xvii) Noise and Statutory Nuisance Act 1993;
 - (xviii) Control of Pollution Act 1974;
 - (xix) Licensing Act 2003;
 - (xx) Local Government (Miscellaneous Provisions) Act 1976 and 1982;
 - (xxi) Pollution Prevention and Control Act 1999;
 - (xxii) Health Act 2006;
 - (xxiii) Regulation of Investigatory Powers Act 2000;
 - (xxiv) European Communities Act 1972; and
 - (xxv) Noise Act 1996.

Environmental Protection and control functions

Part 3 Section 3 - Delegations – Officer Delegations

Any functions relating to contaminated land	Part IIA of the Environmental Protection Act 1990 (c.43) and subordinate legislation under that Part
Service of an abatement notice in respect of statutory nuisance	Section 80 of the Environmental Protection Act 1990
Discharge of any function relating to the control of pollution or the management of air quality	Pollution Prevention & Control Act 1999 (c.24), Part IV of the Environment Act 1995 (c.25), Part I of the Environmental Protection Act 1990 (c.43), Clean Air Act 1993 (c.11)
Investigation of any complaint as to the existence of a statutory nuisance	Section 79 Environmental Protection Act 1990
The passing of a resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply in the authority's area.	Section 8 Noise and Statutory Nuisance Act 1993 (c.40)
Inspection of the authority's area to detect any statutory nuisance	Section 79 Environmental Protection Act 1990
Consenting to the operation of a loudspeaker	Schedule 2 Noise and Statutory Nuisance Act 1993

- (d) to take action in relation to private water supplies under the Water Industry Act 1991;
- (e) to enter and carry out inspections on any premises and to take samples and make such tests as appear to be necessary for the purpose of the Acts and Regulations listed in the delegation to this officer, or any statutory re-enactments or modification thereof, or any Orders made thereunder, so far as the same or any of them may permit or require;
- (f) to carry out duties in connection with a Consumer Complaint and Advisory Service, to test tyre pressure gauges and to inspect and test weighting and measuring equipment at school canteens, clinics and other Council establishments;
- (g) undertake executive functions set out in the Environmental Protection Act 1990 (for non-executive functions (see para 2.5.4));
- (h) exercise the powers and duties conferred by the Petroleum (Regulation) Acts 1928 and 1936 in relation to construction requirements and criteria for storage conditions on premises where petroleum spirit and/or mixtures are stored and licensing of such premises.

3.8.9 In association with the functions delegated in the table below and elsewhere in the officer scheme, the Executive Director Place and Economy is authorised:

- (a) to grant, vary or refuse a consent, an approval, a licence or registration in

connection with any of the Acts, Orders or Regulations listed in the delegation to this officer;

- (b) to sign documents, notices or certificates arising from the use of any of these delegated powers;
- (c) to fix, waive or vary charges in appropriate circumstances where no statutory fee is prescribed, in consultation with the relevant executive portfolio holder;
- (d) to authorise, subject to no complaints being received, exemption orders under the Sporting Events (Control of Alcohol) Act 1985.

3.8.10 That the Executive Director Place and Economy is authorised to deliver the following functions and compliance with associated legislation on behalf of Peterborough City Council and Cambridgeshire County Council:

- (a) Delegated authority for exercising all functions of the Council relating to Trading Standards;
- (b) Taking all operational decisions necessary to secure the provision of services and/or discharge of statutory functions, including the power to enter into contracts in accordance with approved policies and financial procedure rules in relation to Trading Standards.

To authorise officers for the purpose of trading standards functions:

(i) to exercise all the powers and duties conferred by and in the implementation of the Acts, Order or Regulations listed below or any Act, Order or Regulation extending or amending the same or any Order, Regulation or By-law made there under;

(ii) to exercise all the powers and duties conferred by and in the implementation of any other legislation having a broadly similar purpose to those referred to in the Schedule below relating to fair trading, consumer protection or related issues;

(iii) to exercise further powers and duties relating to the Trading Standards function as may be enacted from time to time in Acts, Orders and Regulations and to update the list to reflect these changes (and so far as this relates to Cambridgeshire County Council, following consultation with the Chair of the Highways and Community Infrastructure Committee);

(iv) to prosecute before a Magistrates' Court any information, complaint or proceedings arising under any of the said Acts, Orders or Regulations in accordance with Section 223 of the Local Government Act 1972;

(v) to initiate legal proceedings arising from any of the above legislation or from any related subordinate legislation;

(vi) to appear in the Magistrates' Court and to conduct relevant proceedings;

(vii) to prosecute cases brought under any of the relevant statutory provisions set out in Schemes 1 to the Health and Safety at Work Act 1974 and which are already enforced by the Department, in accordance with Section 39 of the Act;

(viii) to enter and carry out inspections on any premises and to take samples and make such tests as appear to be necessary for the purpose of the above mentioned Acts and Regulations, or any statutory re-enactments or modification thereof, or any Orders made there under, so far as the same

or any of them may permit or require;

(ix) to grant, vary or refuse a consent, an approval, a licence or registration in connection with any of the above Acts, Orders or Regulations;

(x) to sign documents, notices or certificates arising from the use of any of these delegated powers.

Schedule of Acts, Regulations and Orders exercised:

- Accommodation Agencies Act 1953
- Administration of Justice Act 1970 and 1985
- Agriculture Act 1970
- Agriculture (Miscellaneous Provisions) Act 1968
- Air Quality (Domestic Solids Fuels Standards) (England) Regulations 2020
- Ammonium Nitrate Materials (High Nitrogen Content) Safety Regulations 2003
- Animal Feed (Composition, Marketing and Use) (England) Regulations 2015
- Animal Feed (Hygiene, Sampling etc. and Enforcement)(England) Regulations 2015
- Animal Health Acts 1981 & 2002
- Animal Welfare Act 2006
- Animals Act 1971
- Anti-Social Behaviour Act 2003
- Biocidal Products and Chemicals (Appointment of Authorities and Enforcement) Regulations 2013
- Brucellosis (England) Order 2015
- Cancer Act 1939
- Chemicals (Hazard Information and Packaging for Supply) Regulations 2009
- Children and Families Act 2014
- Children and Young Persons (Protection from Tobacco) Act 1991
- Children and Young Persons Act 1933 as amended by the Protection of Children (Tobacco) Act 1986 and the Children and Young Persons (Protection from Tobacco) Act 1991
- Clean Air Act 1993 - – Motor Fuel (Composition and Content) Regs.
- Companies Act 1985; 2006
- Consumer Credit Act 1974
- Consumer Protection Act 1987
- Consumer Rights Act 2015
- Copyright, Designs and Patents Act 1988
- Criminal Justice Act 1988
- Criminal Justice; Police Act 2001
- Criminal Justice Act 1996 as amended by the Offensive Weapons Act 1997
- Customs; Excise Management Act 1979
- Dangerous Substances and Explosives Atmospheres Regulations 2002
- Education Reform Act 1988
- Enterprise Act 2002
- Environmental Protection (Microbeads)(England) Regulations 2017
- Environmental Protection (Plastic Straws, Cotton Buds and Stirrers) (England) Regulations 2020
- Estate Agents Act 1979
- European Union (Withdrawal) Act 2018 as it continues to give effect to the following Regulations or Orders under which this local authority has an enforcement duty:
 - Advanced Television Services Regulations 2003

- African Horse Sickness (England) Regulations 2012
- Animal By Products (Enforcement)(England) Regulations 2013
- Animal Feed (Basic Safety Standards) (England) Regulations 2019
- Animal Welfare (Licensing of Activities involving Animals) (England) Regulations 2018
- Animals and Animal Products (Examination for Residues and Maximum Residue Limits)(England and Scotland) Regulations 2015
- Avian Influenza (Preventive Measures) (England) Regulations 2006
- Avian Influenza (Vaccination) (England) Regulations 2006
- Beef and Veal Labelling Regulations 2010
- Biofuel (Labelling) Regulations 2004
- Bluetongue Regulations 2008
- Botulinum Toxin and Cosmetic Fillers (Children) Act 2021
- Business Protection from Misleading Marketing Regulations 2008
- Cat and Dog Fur (Control of Import, Export and Placing on the Market) Regulations 2008 (as amended 2009)
- Cattle Identification Regulations 2007
- Construction Products Regulations 2013
- Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013
- Consumer Protection from Unfair Trading Regulations 2008
- Consumer Rights (Payment Surcharges) 2012
- Cosmetic Products Enforcement Regulations 2013 and EU Cosmetic Products Regulation 1223/2009
- Country of Origin of Certain Meats (England) Regulations 2015
- Crystal Glass (Description) Regulation 2016
- Detergents Regulations 2010
- Diseases of Swine Regulations 2014
- EC Fertilisers (England and Wales) Regulations 2006
- Eggs and Chicks (England) Regulations 2009
- Electrical Equipment (Safety) Regulations 2016
- Electromagnetic Compatibility Regulations 2016
- Energy Efficiency (Private Rented Property)(England and Wales) Regulations 2015
- Energy Efficiency (Private Rented Property)(England and Wales) (Amendment) Regulations 2019
- Energy Information Regulations 2011
- Energy Performance of Buildings (England & Wales) Regulations 2012 in so far as they relate to DEC Certificates and Air Conditioning Units
- Equine Identification (England) Regulations 2018
- Financial Services (Distance Marketing) Regulations 2004
- Fluorinated Greenhouse Gases Regulations 2015
- Food or Specific Groups (Food for Special Medical Purposes for Infants, Infant Formula and Follow-on Formula) (Information and Compositional Requirements) (Amendment etc.) (England) Regulations 2020
- Food for Specific Groups (Information and Compositional Requirements)(England) Regulations 2016
- Food Information Regulations 2014
- Food Safety and Hygiene Regulations 2013
- Foot and Mouth Disease (Control of Vaccination) (England) Regulations 2006
- Footwear (Indication of Composition) Labelling Regulations 1995
- Gas Appliances (Enforcement) and Miscellaneous Amendments Regulations 2018
- General Product (Safety) Regulations 2005

- Genetically Modified Organisms (Traceability and Labelling)(England) Regulations 2004
 - Materials and Articles in Contact with Food (England) Regulations 2012
 - Measuring Container Bottles (EEC Requirements) Regulations 1977
 - Measuring Instruments Regulations 2016
 - Non-Automatic Weighing Instruments Regulations 2016
 - Novel Foods (England) Regulations 2018
 - Official Controls (Animals, Feed and Food) (England) Regulations 2006
 - Official Feed and Food Controls (England) Order 2009
 - Olive Oil (Marketing Standards) Regulations 2014
 - Organic Products Regulations 2009
 - Ozone Depleting Substances Regulations 2015
 - Package Travel and Linked Travel Arrangements Regulations 2018
 - Packaging (Essential Requirements) Regs 2015
 - Passenger Car (Fuel Consumption and CO2 Emissions Information) Regulations 2001
 - Personal Protective Equipment (Enforcement) Regulations 2018
 - Poultry Meat (England) Regulations 2011
 - Pressure Equipment (Safety) Regulations 2016
 - Products of Animal Origin (Disease Control) (England) Regulations 2008
 - Pyrotechnic Articles (Safety) Regulations 2015
 - Quality Schemes (Agricultural Products and Foodstuffs) Regulations 2018
 - Quick Frozen Foodstuffs (England) Regulations 2007
 - Radio Equipment Regulations 2017
 - REACH Enforcement Regulations 2008
 - Recreational Craft Regulations 2017
 - Registration of Establishments (Laying Hens) (England) Regulations 2003
 - Rights of Passengers in Bus and Coach Transport (Exemptions and Enforcement) Regulations 2013
 - Scotch Whisky Regulations 2009
 - Simple Pressure Vessels (Safety) Regulations 2016
 - Specified Products from China (Restrictions on First Placing on Market) (England and Wales) Regulations 2008
 - Spirit Drinks Regulations 2008
 - Supply of Machinery (Safety) Regulations 2008
 - Textile Products (Labelling and Fibre Composition) Regulations 2012
 - Timeshare, Holiday Products, Resale and Exchange Contracts Regulations 2010
 - Tobacco and Related Products Regulations 2016
 - Toys (Safety) Regulations 2011
 - Trade in Animals and Related Products Regulations 2011
 - Transmissible Spongiform Encephalopathies (England) Regulations 2018
 - Veterinary Medicines Regulations 2013
 - Volatile Organic Compounds in Paints, Varnishes and Vehicle Refinishing Products Regulations 2012
 - Weights and Measures (Packaged Goods) Regulations 2006
 - Welfare of Animals and Time of Killing (England) Regulations 2015
 - Wine Regulations 2011
 - Zoonoses (Monitoring) (England) Regulations 2007
- Explosives Acts 1875 and 1923
 - Explosives Regulations 2014
 - Fire Safety and Safety of Places of Sport Act 1987
 - Fireworks Act 2003

- Food Act 1984
- Food and Environment Protection Act 1985
- Food (Promotion and Placement) (England) Regulations 2021
- Food Safety Act 1990
- Forgery and Counterfeiting Act 1981
- Fraud Act 2006
- Hallmarking Act 1973 (As Amended)
- Health Act 2006
- Health and Safety at Work etc., Act 1974 S.19,20 ,21,22, 25, 38 and 39
- Knives Act 1997
- Leasehold Reform (Ground Rent) Act 2022
- Legal Services Act 2007
- Licensing Act 2003
- Malicious Communications Act 1988
- Mandatory Use of Closed Circuit Television in Slaughterhouses (England) Regulations 2018
- Medicines and Medical Devices Act 2021
- Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017
- Motorcycle Noise Act 1987
- Offensive Weapons Act 2019
- Olympic Symbol etc (Protection) Act 1995
- Package Travel, Package Holidays etc Regulations 1992
- Petroleum (Consolidation) Regulations 2014
- Prices Acts 1974 and 1975
- Proceeds of Crime Act 2002
- Protection of Animals Act 1911
- Protection from Harassment Act 1997
- Planning Act 2016 as it relates to Client Money Protection Schemes
- Psychoactive Substances Act 2016
- Public Health Act 1936 and 1961
- Quality Schemes (Agriculture Products and Foodstuffs) Regulation 2018
- Redress Schemes for Letting Agencies Work and Property Management Work (Requirement to Belong to a Scheme etc)(England) Order 2014
- Registered Designs Act 1949
- Regulatory Reform (Fire Safety) Order 2005
- Road Traffic (Foreign Vehicles) Act 1972
- Road Traffic Acts 1988 and 1991
- Road Traffic Offenders Act 1988
- Road Traffic Regulation Act 1984
- Safety of Sports Grounds Act 1975
- Single Use Carrier Bags Charges (England) Order 2015
- Tenant Fees Act 2019 and the Housing and Planning Act 2016 as it relates to Client Money Protection Schemes
- Thefts Acts 1968
- Tobacco Advertising; Promotion Act 2002
- Trade Descriptions Act 1968
- Trade Marks Act 1994
- Unsolicited Goods and Services Acts 1971 and 1975
- Vehicles (Crime) Act 2001

- Video Recordings Acts 1984, 1993 and 2010
- Weights and Measures Acts 1976 and 1985

to incur expenditure under Section 137 of the Local Government Act 1972 for the purpose of test purchases, testing fees, production of information and other necessary expenses in affording the provision of advice, information and assistance;

To authorise, subject to no complaints or objections being received, exemption orders under the Sporting Events (Control of Alcohol) Act 1985

3.8.10.1 Officers of Regulatory Services are hereby authorised to act under and carry out the functions conferred on the Local Authority (Peterborough City Council) by the Public Health (Control of Disease) Act 1984 (the "Act") as amended, and any subordinate legislation made under the Act, in particular, but not limited to the Health Protection (Coronavirus Restrictions) (England) Regulations 2020, as amended.

School Finance

3.8.11 The Executive Director for Corporate Services is authorised:

- (a) to monitor schools' financial arrangements to ensure accountability and value for money;
- (b) to implement revised arrangements for bank accounts in schools;

Markets

3.8.12 The Executive Director Place and Economy is authorised:

- (a) to operate the Council's market and determine the licences to hold markets, to manage the Council's market on a weekly basis, to negotiate, grant and terminate licences for stalls including change of use in accordance with the agreed policies and also to supervise markets licensed by the Council;
- (b) to open the market for additional days during the Christmas period.

Highways, Street Furniture and Parking

3.8.13 The Executive Director for Place and Economy is authorised to review parking charges and parking management, to change or adjust fees and parking charges during any financial year where necessary to meet budgetary targets.

3.8.14 The Executive Director for Place and Economy is authorised to be responsible for the issue of concessionary parking badges ('Blue Badges') to motor vehicles used by disabled persons and to deal with the refusal to issue and withdrawal of concessionary parking badges within the terms of the Disabled Persons (Badges for Motor Vehicles) Regulations 1982.

3.8.15 The Executive Director for Place and Economy is authorised:

- (a) to determine the charges payable by hirers of electricity in Bridge Street;
- (b) following consultation with the Ward Member(s), to approve suitable sites for the erection of bus shelters, seats etc
- (c) to approve the erection of banners and signs over streets;
- (d) to appoint debt collection agencies to pursue unpaid Excess Charge Notices in

accordance approved criteria;

Town Twinning and Tourism

3.8.16 The Executive Director for Place and Economy is authorised:

- (a) to promote the Council's twinning partnership and friendship links and to allocate grants in accordance with approved policy;
- (b) to manage the Tourist Information Centre and exercise the Council's powers under Section 144 of the Local Government Act 1972 (Tourism etc.).

City centre management

3.8.17 The Executive Director for Place and Economy is authorised to manage Queensgate Bus Station.

3.8.18 The Executive Director for Place and Economy is authorised:

- (b) to issue or refuse vehicle parking permits within the city centre pedestrian area.
- (c) to maintain the Council's car parks and on-street parking facilities, including residents parking zones;
- (d) to oversee the provision and management of on and off street car parking, including, setting charges for future financial years, entering into agreements for the use of parking spaces at special negotiated rates; and approving a three year rolling investment programme of works for future financial years.

Hackney Carriage and Private Hire vehicles

3.8.19 The Executive Director of Place and Economy is authorised:

- (a) to consider representations and determine increases in Hackney Carriage fares, to enable requests for fare increases from the Hackney Carriage trade to be dealt with promptly;
- (b) to carry out all necessary consultation and formal advertisement relating to the appointment of stands for Hackney Carriage vehicles under the Local Government (Miscellaneous Provisions) Act 1976 including the consideration of any objections or representations received and the subsequent appointment or revocation of appointment of such stands;
- (c) to ensure appropriate arrangements are in place for the testing of Hackney Carriage and Private Hire vehicles.

Vivacity Culture and Leisure

3.8.20 The Executive Director of Place and Economy is authorised to manage arrangements with Vivacity Culture and Leisure to procure a range of community based opportunities to the broadest possible cross-section of the community, in accordance with approved policy, including:

- (a) opening and closing seasonal facilities;

- (b) administering bookings of facilities;
- (c) varying the fees and charges for community facilities;
- (d) authorising free, one-off or reduced charges for the use of facilities;
- (e) approving requests from non-residents for concessionary swimming passes to be used in association with the GP referral scheme at Bushfield Sports Centre;
- (f) closing part or all of a facility for maintenance, including in cases of emergency, or if insufficient staff are available to meet policy, safety or legislative standards;
- (g) arranging shows and productions, and setting ticket prices, at the Key Theatre to obtain the best possible financial arrangements and a balanced usage;
- (h) arranging and/or enabling musical or other artistic promotions; managing the Museum and Art Gallery including:
 - management of its facilities, possessions and exhibitions;
 - acquiring, by donation and purchase, items, having regard to the collection policy and within available budgets; and
 - disposing of surplus and/or unwanted items according to the agreed disposal policy;
- (i) managing the library service including:
 - changing the number of hours in which each library is open;
 - stock purchase;
 - changing library charges;
 - changing mobile library routes and stopping times;
 - authorising exhibitions in libraries;
 - removing, or requiring removal of, any material in an exhibition or which does not accord with Council policy.

Other Services

3.8.21 The Executive Director for Place and Economy is authorised to manage operational services which includes in its scope the broad service elements of:

- (i) refuse and recycling (and related) collections;
- (ii) street cleansing;
- (iii) parks, trees and open spaces (including some limited ground maintenance functions at cemeteries and the crematorium);
- (iv) property design and maintenance;
- (v) building cleaning;
- (vi) corporate and schools catering;
- (vii) courier service;
- (viii) passenger and home to school

Waste

3.8.22 The Executive Director for Place and Economy is authorised to:

- (a) To carry out the functions of the Council in its capacity as the Waste Collection Authority in line with the Refuse Disposal (Amenity) Act 1978, Environmental Protection Act 1990, Household Waste Recycling Act 2003, Clean Neighbourhoods and Environment Act 2005 and Waste Framework Directive 2008 and Regulations made thereunder and to make arrangements for the following collections:
 - (i) household waste and recycling;

- (ii) bulky household goods;
 - (iii) clinical waste collections;
 - (iv) commercial waste; and
 - (v) bring banks.
- (b) To carry out the functions of the Council in its capacity as the Waste Disposal Authority in line with the Refuse Disposal (Amenity) Act 1978, Environmental Protection Act 1990, Household Waste Recycling Act 2003, Clean Neighbourhoods and Environment Act 2005 and Waste Framework Directive 2008 and Regulations made thereunder and to arrange for the disposal and/or treatment of waste whether through the Council's facilities or by other means.
- (c) To manage arrangements for operating the Council's facilities as follows:
- (i) materials recycling facility;
 - (ii) household recycling facility in line with the Refuse Disposal (Amenity) Act 1978; and
 - (iii) WEEE facility in line with the Waste Electrical and Electronic (WEEE) Regulations 2006.

Street Cleansing

3.8.23 The Executive Director for Place and Economy is authorised:

- (a) To ensure that relevant land (eg. highways, streets, city centre, the Council's car parks) are kept clean and clear of litter, refuse and fly tipping and that such waste is disposed of or treated in line with Section 89 of the Environmental Protection Act 1990 and Code of Practice on Litter and Refuse;
- (b) To ensure the emptying, cleaning, replacing and providing additional litter bins in streets and to take enforcement action in conjunction with the Director of Operations;
- (c) To ensure illegally erected signs, fly posting and graffiti on highway or Council owned land are removed and to take enforcement action in conjunction with the Executive Director for Place and Economy;
- (d) To ensure attendance for cleaning services at road traffic incidents, flooding and other such emergencies;
- (e) To remove, retain and return abandoned shopping trolleys in line with Part 4 of the Environmental Protection Act 1999 and Section 99 of the Clean Neighbourhoods and Environment Act 2005;
- (f) To serve notices, take appropriate action and make arrangements for inspecting, removing, retaining and disposing of abandoned vehicles in line with the Refuse Disposal (Amenity) Act 1978 and to act with other statutory organisations to remove untaxed vehicles from highways and public open spaces.

3.8.24 Parks, Trees and Open Spaces:

To manage, maintain and develop the strategy for the Council's parks, trees and open

spaces and to make arrangements for maintenance and cleaning operations to be carried out in such areas in line with the Environmental Protection Act 1990, Code of Practice on Litter and Refuse and legislation relating to wildlife and protected species, biodiversity and the Council's aspirations to be recognised as the Environment Capital.

3.8.25 Passenger and Home to School Transport

3.8.26 To make arrangements for the provision of passenger transport and home to school transport services in conjunction with the Executive Director of Place and Economy on behalf of the Council.

3.8.27 The Executive Director for Place and Economy is authorised:

- (a) to exercise discretion in the implementation of the Council's policy for home to school and college transport, ensuring that the LEA's statutory duties and discretionary powers relating to free or assisted home to school transport are met

(This discretion to be exercised for pupils eligible for mainstream or special educational needs transport);

- (b) to approve and vary an appropriate charge or parental contribution to the cost of assisted transport where the Council has no statutory duty to provide free transport.

Catering

3.8.28 To ensure appropriate provision of corporate catering where necessary in Children's schools.

Building cleaning

3.8.29 To ensure that building cleaning and associated services to the Council's premises (including attendance and facilities management of public conveniences).

Courier service

3.8.30 To ensure appropriate provision of courier services on behalf of the Council and its customers in conjunction with other Directors as appropriate.

3.9 Delegations to Officers: Executive Director for Children and Young People's Services (Education Provision)

Special Educational Needs and Disabilities (SEND)

3.9.1 The Executive Director for Children and Young People's Services is authorised:

- (a) to take all steps necessary to identify whether a child has special educational needs, including the making, maintaining and reviewing of Education, Health and Care Plans for such children and to secure appropriate provision to meet those needs;
- (b) to arrange, monitor and review school placement and support for children with special educational needs and prepare transition plans;
- (c) secure arrangements to improve the educational attainment of looked-after children;
- (d) to develop close inter-agency partnerships with health organisations to ensure that children with complex medical, emotional and behavioural needs and their families enjoy a co-ordinated service focused on their needs;

- (e) to undertake functions of planning and commissioning in relation to the statutory responsibilities for Learning and Skills for 16-19 year olds and for 16-25 year old learners with learning difficulties or disabilities.

School Organisation

- 3.9.2 The Executive Director for Children and Young People's Services is authorised:
- (a) to submit representations, as appropriate, on statutory proposals affecting educational provision in the City;
 - (b) to agree specifications and design of new school buildings and extensions, subject to their meeting national and local specifications and following consultation with all relevant partners, the Executive Member with education responsibilities, and also the Chairman and Group Representatives on the relevant Scrutiny Committee.
 - (c) to make appointments (other than Councillor appointments) to the School Organisation Committee in accordance with the Committee's terms of reference.
- 3.9.3 The Executive Director for Children and Young People's Services and the Director of Law and Governance are jointly authorised, following resolution by the Cabinet or relevant Executive Member, to publish Statutory Notices of LEA proposals to establish, alter or discontinue a school, including changes in a school's standard number for admissions, under Part II of the School Standards and Framework Act 1998 and subsequent legislation.

Admissions

- 3.9.4 The Executive Director for Children and Young People's Services is authorised:
- (a) to review admissions arrangements for maintained schools and publish information for parents;
 - (b) to select lay members and persons experienced for appointment to the Independent Education Appeals panels in accordance with the School Standards and Framework Act 1998 and any subsequent legislation.
 - (c) to establish policies and practices for ensuring Traveller children are able to access schools.

Education Welfare/Support to Pupils

- 3.9.5 The Executive Director for Children and Young People's Services is authorised:
- (a) to promote and enforce regular school attendance and to take all steps which are necessary for this purpose;
 - (b) to exercise discretion in the management of financial assistance to pupils in the light of changes in national regulations issued by the Benefits Agency;
 - (c) to determine, in accordance with LEA policy, applications for discretionary student awards subject to student rights of appeal.

School Standards, Quality and Effectiveness

- 3.9.6 The Executive Director for Children and Young People's Services is authorised:
- (a) to monitor the performance of all schools, ensuring they have the necessary information to set and meet demanding targets for all groups of pupils, including those from ethnic and cultural minorities;

- (b) to facilitate and monitor an action plan for raising the attainment of all groups of vulnerable learners;
- (c) to identify and monitor improvements in schools causing concern or likely to do so, in liaison with the Office of the Regional Schools Commissioner where such schools are not maintained by the local authority;
- (d) to provide advice to school governing bodies on the appropriateness of the exclusion of pupils, including an LEA statement to the Discipline Committee, for example, on how other schools in the City have responded to similar incidents;
- (e) to ensure that suitable education is provided for excluded pupils;
- (f) to ensure the provision of information and advice to schools on school management, curriculum and the teaching profession;
- (g) to exercise, on behalf of the Council, the approved arrangements for the consideration of complaints on school curriculum, religious worship and related matters;
- (h) to make appointments (other than councillor appointments) to the Standing Advisory Committee for Religious Education in accordance with agreed arrangements;
- (i) to arrange for the establishment and operation of the Schools Forum;
- (j) to make non-Councillor appointments to the School Organisation Committee.

Education Strategic Management: Co-opted Members and School Governors

3.9.7 The Executive Director for Children and Young People's Services is authorised:

- (a) to approve arrangements for the election and appointment of co-opted members (Church of England, Roman Catholic, and parent governor representatives) and (Teacher) Advisers to sit on overview and scrutiny committees dealing with education matters;
- (b) to make by order Instruments of Government for schools in accordance with model forms prescribed by statute;
- (c) to agree with promoters the composition of temporary governing bodies for new schools in accordance with the requirements of the Education Act 1996 and subsequent legislation;
- (d) to provide advice to school governing bodies, only in exceptional circumstances, where the governing body are unable to appoint a Clerk.

Personnel

3.9.8 The Executive Director for Children and Young People's Services is authorised:

- (a) to refer to the police, following consultation with the Director of Law and Governance, cases of assaults on staff where a prosecution is considered to be warranted either for assault, or malicious damage, or incidents under the provisions of Section 40 of the Local Government (Miscellaneous Provisions) Act 1982 and Section 547 of the Education Act 1996, if the member of staff involved agrees;
- (b) to decide, in consultation with the Director of Law and Governance and if action is appropriate, to assist a member of staff with legal representation in taking action in such cases of assault, where the police have decided not to bring proceedings;
- (c) to approve voluntary early retirement by school staff in the interests of efficiency, in line with the Authority's agreed policy;
- (d) to issue guidance to governing bodies on the criteria to be used in applying the

local discretion available to them under the School Teachers Pay and Conditions documents;

- (e) to exercise discretion under the School Teachers Pay and Conditions documents in relation to the number of incentive allowances, the starting salary of new appointments, additional increments to new appointments employed centrally;
- (f) to secure that appraisal is carried out and headteacher appraisers appointed in accordance with the current Regulations and any subsequent changes, including adjustments to their role following the Green Paper and Technical Document.

Partnership working and relations with Statutory and Voluntary Organisations

3.9.9 The Executive Director for Children and Young People's Services is authorised:

- (a) to work with local partners, including social services, health, police, probation services and voluntary organisations to contribute to cross-cutting approaches to tackle deprivation, raise the level of education and training among young people and adults and contribute to the social and economic development of the City. In this context, formal partnerships will include Health and Wellbeing Board and Safer Peterborough Partnership, Adult and Children Safeguarding Board.
- (b) to authorise the participation in Community Safety Schemes and the delegation of powers to Council staff and contractors as permitted by Schedule 56 of the Police Reform Act 2002.
- (c) to implement, monitor and review service level agreements with, and small grants to voluntary organisations in relation to education, consistent with the Council's agreed policy, criteria and conditions.

3.10 Delegations to Officers: Executive Director for Children and Young People's Service

Children and families (social care) functions

3.10.1 The Executive Director for Children and Young People's Services is authorised to carry out the following functions under the Children Act 1989 and associated legislation with the exception of Section 57 closures of controlled or assisted community homes:

- (a) Provision of welfare reports to the Court
- (b) Consent applications for residence orders in respect of children in care
- (c) Family assistance orders
- (d) Functions under Part III of the Act (Local Authority support for children and families)
- (e) Care and supervision
- (f) Protection of children
- (g) Functions in relation to community homes, voluntary homes and voluntary organisations, private arrangements for fostering children.
- (h) Inspection of children's homes on behalf of the Secretary of State
- (i) Research and information returns
- (j) Functions in relation to children accommodated by Health Authorities and Local Education Authorities or in residential care, nursing or mental nursing homes or in independent schools
- (k) Functions in relation to the Carers and Disabled Children Act 2000
- (l) functions in relation to the Apprenticeships, Skills, Children and Learning Act 2009

- 3.10.2 The Executive Director for Children and Young People's Services is authorised to carry out the necessary functions and actions in relation to the following matters:
- (a) loans to Foster Carers to purchase motor vehicles
 - (b) Adoption Allowances
 - (c) Residence Order Allowances
 - (d) to determine foster care allowances and special and incidental expenses in special cases in connection with holiday grants
 - (e) to approve, in consultation with the Executive Director for Corporate Services, all loans to foster parents not exceeding £25,000
 - (f) to determine the amount of a loan to foster carers to be repaid where the foster carers ceases to foster because they have adopted the child (or children)
 - (g) to waive payment of parental contributions to the cost of children in care in cases of hardship.
- 3.10.3 The Executive Director for Children and Young People's Services is authorised to act as consultee where the Local Education Authority proposes to apply for an Education Supervision Order under Section 36 of the Children Act 1989.
- 3.10.4 The Executive Director for Children and Young People's Services is authorised to make applications for the grant of Letters of Administration for the use and benefit of children in the care of the Council.
- 3.10.5 The Executive Director for Children and Young People's Services is authorised to exercise the powers of the Council in connection with legislation relating to adoption, including determining the size of, and members to be appointed to, the Adoption Panel.
- 3.10.6 The Executive Director for Children and Young People's Services is authorised to carry out the necessary functions in relation to:
- (a) Part III of the Children and Young Persons Act 1933 in relation to the protection of the young in relation to criminal and summary proceedings etc;
 - (b) Part I of the Children and Young Persons Act 1963 in relation to young persons in need of care, protection or control and for the protection of the young in relation to criminal proceedings;
 - (c) Part I of the Children and Young Persons Act 1969 and Criminal Justice Act 1991 in relation to the case and other treatment of children and young persons through court proceedings;
 - (d) The Access to Information Act 1987, in relation to access by individuals to personal information kept by the Social Services Department in connection with its social services functions;
 - (e) Section 26 of the Children Act 1989 in relation to the conduct of complaints procedures required to be provided by the Social Services Department.

3.11 Delegations to Officers: Executive Director for Adult Services (Adult Social care functions)

Community Care and Disability

- 3.11.1 The Executive Director Executive Director for Adult Services is authorised to carry out the necessary functions under:
- (a) Part I of the Care Act 2014 and all related legislation in relation to:
 - (i) assessments of needs and the provision of care and support services to eligible adult persons and services for disabled persons;
 - (ii) assessment of carers needs and the provision support;
 - (ii) the making of payments to persons in respect of securing the provision of care and support services;
 - (b) Public Health (Control of Disease) Act 1984 Section 46(2) and (5) in relation to the burial and cremation of persons dying in accommodation provided under Part I of the Care Act 2014 and recovery of expenses from the deceased person's estate;
 - (c) functions in relation to the Apprenticeships, Skills, Children and Learning Act 2009.
 - (d) to approve, in consultation with the Executive Director for Corporate Services, loans up to £25,000 in respect of Disabled Facilities Grants, to assist clients in exceptional circumstances;
 - (e) to approve the disposal of assets belonging to deceased residents to relatives or other persons entitled to them after payment or proper claims on account of funeral expenses or sums due to the Council.

Mental Health Functions

- 3.11.2 The Cambridgeshire and Peterborough Mental Health Partnership NHS Trust is authorised by Peterborough City Council under section 79 of the Care Act 2014 to:
- (i) provide or commission residential care and welfare services for people who have mental health problems and whose level of need meets the Council's eligibility criteria for the provision of a service;
 - (ii) carry out the assessment of needs for community care services for people who have mental health problems;
 - (iii) make provision for the welfare and accommodation of mentally disordered people
- 3.11.3 The Executive Director Executive Director for Adult Services is authorised to carry out the necessary functions under the Mental Health Act 1983 as follows:
- (a) Parts II, III and IV relating to the welfare of the mentally disordered, guardianship or persons suffering from a mental disorder including such persons removed to England and Wales from Scotland or Northern Ireland; exercise of functions of nearest relative or person so suffering;
 - (b) Sections 66, 67 and 69(1) in relation to the exercise of functions of nearest relative in relation to applications and references to Mental Health Review Tribunals;
 - (c) Sections 116 and 117 in relation to the welfare of certain hospital patients and after care of detained patients.

Health Related Functions

- 3.11.4 The Cambridgeshire and Peterborough CCG is authorised (through its Governance Group) to commission or provide all Health-related functions specified in Schedule 1 to the Local Authorities Social Services Act 1970 so far as they relate to adults for the duration of the Partnership Agreement set up under section 75 NHS Act 2006 except where prevented by statute, namely:
- (a) Provision of residential care, welfare services for people with disabilities, visual and hearing impairment, or who have mental health problems and whose level of need

meets the Council's eligibility criteria for the provision of a service.

- (b) Temporary protection of property belonging to people in hospital or accommodation provided under Part I of the Care Act 2014; paying the expenses of the officer acting as deputy for Property and Finance for a patient; prosecution for failure to maintain a person, giving false statements, and obstructing a person with power of entry and inspect;
- (c) Assessment of needs for community care services;
- (d) Direct Payments - Making of assessments and payments for purchasing care and support services to individuals whose level of need meets the Council's eligibility criteria for the provision of a service;
- (e) Assessment of ability of carers to provide care;
- (f) The provision of facilities for disabled people, including those with sensory disabilities to be employed or work under special conditions;
- (g) Identifying the need for, and publishing information about welfare services, provision of certain services, and providing certain information to the Secretary of State;
- (h) Representation and assessment of disabled persons;
- (i) The promotion of welfare of old people;
- (j) Financial and other assistance to voluntary organisations;
- (k) Co-operation in relation to homeless people and people threatened with homelessness.

Adult social care functions

- 3.11.5 The Executive Director for Adult Services is authorised to exercise functions under Section 26 of the Children Act 1989 and Section 7B of the Local Authority Social Services Act 1970 in relation to the conduct of complaints procedures required to be provided by the Social Services Department.

/ Data Protection

- 3.11.6 The Executive Director for Adult Services is authorised to exercise functions under the Data Protection Act 1998, in relation to access by individuals to personal information kept by the Social Services Department in connection with its social services functions;

Registration

- 3.11.7 The Executive Director for Adult Services is authorised to determine applications for registration and, in appropriate circumstances, to vary the registration criteria in respect of:
- (a) All residential care homes across all sectors,
 - (b) Day care within the provisions of Part X of the Children Act 1989,

The Executive Director for Adult Services is authorised to inspect premises as permitted and required under the Registered Homes Act 1984 and the Children Act 1989.

Closer Integration with the CCG

- 3.11.8 The Executive Director for Adult Services, with the joint agreement of the Chief Executive of the CCG and the Chief Executive of the Council, will retain on behalf of the CCG, a range of specific responsibilities that until this agreement were either the sole responsibility of the CCG or a common responsibility as follows:

- (a) Older People's Services including older people's mental health
- (b) Learning Disability Services
- (c) People with Long Term Conditions
- (d) Adult Mental Health and Substance Misuse, Social Care Services
 - (i) Adult Mental Health Services from Mental Health Trust and voluntary and private sector providers
 - (ii) Substance Misuse services from Mental Health Trust and voluntary and private sector providers
 - (iii) Specialist services (as part of a countrywide process)
 - (iv) Specialist out of area services.

3.12 Delegations to Officers: Executive Director for Place and Economy (Housing and Community Safety Functions)

Environmental Well-Being, and Community Safety and Prevention and Enforcement Service

3.12.1 The Executive Director for Place and Economy is authorised:

- (a) to manage Travellers' sites and implement the annual rent increase;
- (b) to deal with unauthorised encampments for Travellers in accordance with Council policy, good practice and statute, where necessary in liaison with the Director of Law and Governance, and to make applications to courts for the removal of unauthorised encampments.

3.12.2 The Executive Director for Place and Economy is authorised to:

- (a) manage partnerships and programmes in pursuance of the Community Safety Strategy agreed as part of the Council's responsibilities under the Crime and Disorder Act 1998 and the Police and Justice Act 2000 and the Police Reform Act 2002;
- (b) to meet the Council's duties under the Asylum Support (Interim Provisions) Regulations 1999;
- (c) to ensure that the Council's duties under section 17 of the Crime and Disorder Act are fully exercised, and oversee management of the Youth Offending Team;

3.12.3 The Executive Director for Place and Economy is authorised to:

- (a) nominate Officer representation on the Danger Zone Trust, such Officer to be authorised to co-ordinate and manage the Council support and input for Danger Zone;
- (b) institute legal proceedings in respect of prosecutions relating to the duty of care and litter under the Environmental Protection Act 1990.

3.12.4 The Executive Director for Place and Economy is authorised:

- (a) to approve sites for graffiti trials on property falling under the control of the Operations department;
- (b) to appoint the Proper Officer, or a substitute designated by the Health Authority under the Public Health (Control of Diseases) Act 1984, National Assistance Act 1948 as amended by the National Assistance (Amendment) Act 1951 and Regulations made under the said Act;
- (c) to take all necessary action under the Dangerous Dogs Act 1991;
- (d) to instigate proceedings in the Magistrates' Court for offences under the Control of Dogs Order 1992;
- (e) to waive payment of the statutory fee for collection of stray dogs from the pound under the Environmental Protection (Stray Dogs) Regulations 1992, in cases of proven hardship;
- (f) to exercise all powers and duties and to issue all notices (including notices of entry) conferred by the following Acts and any Act, Order or Regulation made under them:

Part 3 Section 3 - Delegations – Officer Delegations

- (i) Anti Social Behaviour, Crime and Policing Act 2014, Part 1 Injunctions, Part 2 Criminal Behaviour Orders, Part 3 Dispersal Powers, Part 4 Community Protection, Part 5 Recovery of Possession of Dwelling House, Part 6 Local Involvement and Accountability;
 - (ii) Clean Neighbourhoods and Environment Act 2005, Part 1 Crime and Disorder, Part 2 Vehicles, Part 3 Litter and Refuse, Part 4 Graffiti and Other Defacement;
 - (ii) Antisocial Behaviour Act 2003, Part 1 Premises Where Drugs are Used Unlawfully, Part 2 Housing, Part 3 Parental Responsibilities, Part 4 Dispersals of Group, Part 6 the Environment (except Section 42);
 - (iii) Prevention of Damage by Pests Act 1949, Section 4.
 - (iv) Housing and Planning Act 2016
- (g) exercise all powers and duties and to issue all notices (including notices of entry) conferred by the following Acts and any Act, Order or Regulation made under them:
- (i) Abandonment of Animals Act 1960
 - (ii) Animals Act 1971
 - (iii) Anti Social Behaviour Act 2003
 - (iv) Control of Horses Act 2015
 - (v) Dangerous Dogs Act 1989
 - (vi) Dangerous Dogs Act 1991;
 - (vii) Dangerous Dogs (Amendment) Act 1997
 - (viii) Dogs Act 1871
 - (ix) Guard Dogs Act 1975
- (h) make and rescind appointments of Proper Officer for the purposes of the Public Health (Control of Disease) Act 1984 and the National Assistance Act 1948, as amended by the National Assistance Act (Amendment) Act 1951, and Regulations made thereunder or any subsequent amending legislation;
- (i) provide written authority for Officers of Cambridgeshire Constabulary to issue fixed penalty notices in respect of littering offences in pursuance with arrangements made under Section 88(10) of the Environmental Protection Act 1990 and Section 47(1) of the Anti-Social Behaviour Act 2003.

3.13 Delegations to Officers: Service Director Adult Services and Communities

3.13.1 The Service Director Adult Services and Communities is authorised to issue, refuse to issue or withdraw concessionary parking badges ('blue badges') to motor vehicles for disabled persons.

3.14 Delegations to Officers: Executive Director for Place and Economy

3.14.1 The Executive Director for Place and Economy is authorised to approve requests from Ward Councillors for the use of the Community Leadership Fund which meet the criteria for use of money under the fund.

Private Sector Housing

3.14.2 The Executive Director for Place and Economy is authorised:

Part 3 Section 3 - Delegations – Officer Delegations

- (a) to waive repayment of grants made under the Housing Act 1985/Local Government and Housing Act 1989, Housing Grants, Construction and Regeneration Act 1996 (as amended) subject to being satisfied that the owner is elderly or infirm and is disposing of the property with the intention of moving into sheltered housing or residential care, or to be cared for by a relative;
- (b) to disallow fees and charges in connection with applications for renovation grants:
 - (i) in relation to the cost of the works being unreasonable;
 - (ii) the professional adviser or agent failing, in the opinion of the Officer, to do a satisfactory job;
- (c) to take appropriate action and issue all licences and notices (including notices of entry) under the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 and the Mobile Homes Act 1983 and the Mobile Homes Act 2013.
- (d) to determine all landlord's grant applications;
- (e) to take appropriate action under Sections 77 to 80 of the Criminal Justice and Public Order Act 1994 including all issue of directions;
- (f) in consultation with the Director of Law and Governance to seek and execute orders for removal and/or the prosecution of offences under Sections 77 to 80 of the Criminal Justice and Public Order Act 1994;
- (g) to issue all notices and take appropriate action under Parts VI and X of the Housing Act 1985 (as amended);
- (h) to issue all notices and take appropriate action under Parts VII, VIII and IX of the Local Government and Housing Act 1989 (as amended);
- (i) to take appropriate action in relation to health and wellbeing of occupants under the Housing Act 1988 and 1996;
- (k) to issue all licences, notices and orders and take appropriate actions under Parts I, II, III, IV, VI and VII of the Housing Act 2004;
- (l) to take appropriate action in relation to health under the Building Act 1984;
- (m) to deal with vacant property, in compliance with the Council's Empty Home Strategy, and including decision-making in respect of the most appropriate method of disposal of empty homes subjected to Compulsory Purchase Order.
- (n) to take appropriate action under Sections 33 and 35 of the Local Government (Miscellaneous Provisions) Act 1976;
- (o) in consultation with the Executive Director for Corporate Services to receive and investigate future applications for the approved list of Builders for Renovation Grants as are received and to determine whether or not each application should be included in the list;
- (p) to take appropriate action under Section 27 and 29 of the Local Government (Miscellaneous Provisions) Act 1982;
- (q) to serve deferred action notices under the Housing Grants Construction and Regeneration Act 1996;
- (r) to take all necessary action required in relation to the approval or refusal of grants as described under Part I, Housing Grants, Construction and Regeneration Act 1996 (as amended) and in compliance with the Council's Housing Renewal Policy;;
- (s) to serve notices on persons requiring information as to their interests in land under Section 16 of the Local Government (Miscellaneous Provisions) Act 1976 and to instruct the Director of Law and Governance to prosecute for failure to comply with any such notices;
- (t) to use powers contained in the Public Health Act 1936
- (u) to use powers contained in the Environmental Protection Act 1990 relating to statutory nuisances;
- (v) to use powers contained in the Prevention of Damage by Pests Act 1949;

Part 3 Section 3 - Delegations – Officer Delegations

- (w) to use appropriate powers of entry contained in the Public Health Act 1936, Building Act 1984, Housing Act 1985, Local Government and Housing Act 1989 and Environmental Protection Act 1990;
- (x) to conduct appropriate inspections and produce necessary reports for the immigration service and make appropriate financial charge;
- (y) to exercise the Council's powers in connection with the investigation of complaints relating to the Protection from Eviction Act 1977, to be passed where appropriate to the Director of Law and Governance for court action if he/she is satisfied with the evidence;
- (z) to exercise the Council's powers contained in Chapter 24, Part 6, sections 83 – 88 of the Enterprise and Regulatory Reform Act 2013 and regulations made thereunder and any subsequent amending legislation.
- (z)(i) to exercise the Council's powers contained in Part 3, Chapter 3, of the Consumer Rights Act 2013 and regulations made thereunder and any subsequent amending legislation.
- (z)(ii) to take appropriate action under the Smoke and Carbon Monoxide Alarm (England) Regulations 2015.
- (z)(iii) to use powers contained within the Energy Act 2013.

Open spaces and landscape management

3.14.3 The Executive Director for Place and Economy is authorised, in consultation with the Director of Law and Governance:

- (a) to enter into agreements with developers for the construction and maintenance of open spaces on new developments at the developer's expense;
- (b) subject to the Executive Director for Corporate Services being satisfied with the construction thereof, to take a transfer of the land for a nominal consideration under Section 120 of the Local Government Act 1972.

3.14.4 The Executive Director for Place and Economy is authorised:-

- (a) to authorise the use of non-designated areas of open space for firework displays, subject to consultation with the Leader of the Council and approval by all the relevant ward councillors.
- (b) to let allotments, serve notices to cultivate and terminate allotment tenancies where there is a breach of the tenancy conditions;
- (c) to pursue discussions with entrepreneurs and developers up to outline stage of proposals for leisure-related developments;
- (d) to pursue discussions with voluntary groups, private clubs and other similar interests in pursuance of transferring direct managed services to management by such community groups;

Maps and rights of way

3.14.5 The Executive Director for Place and Economy is authorised:

- (a) to enter into contracts for the supply of Ordnance Survey Maps and data and to act as the Council's Ordnance Survey Liaison Officer;
- (b) to exercise all executive functions relating to public unmetalled footpaths,

bridleways and byways open to all traffic.

- 3.14.6 The Executive Director for Place and Economy is authorised to carry out all necessary consultations and formal advertisement relating to Orders under the Road Traffic Regulation Act 1984, including consideration of objections and the subsequent making, modification or abandonment of the Order.

Buildings Act

- 3.14.7 The Executive Director for Place and Economy is authorised to determine applications for Building Regulation approval and associated matters and deal with all executive functions relating to:

- (a) building regulations approval and associated matters;
- (b) the issue and acceptance of any notice under the Building Act 1984 and associated legislation;
- (c) the taking of all appropriate action in relation to demolitions, defective premises and dangerous and dilapidated buildings under the Building Act 1984;
- (d) any appropriate action in relation to health under the Building Act 1984.

Highways

- 3.14.8 The Executive Director for Place and Economy is authorised:

- (a) to exercise the executive powers and duties of the Council, acting on its behalf as the local highway authority, traffic authority, transport authority, parking authority and technical approval authority;
- (b) to initiate representations to or respond to consultations from the various regulatory bodies concerned with the operation of road and rail passenger transport;
- (c) to exercise the powers and duties of the Council in respect of the Highways Act 1980 relating to
 - (i) highways maintainable at public expense (s 37-40),
 - (ii) recovery of expense incurred (s59 and 305),
 - (iii) improving highways (s59),
 - (iv) providing HGV parking (s 115),
 - (v) stopping up/diverting highways (s116-129),
 - (vi) removing marks and repairing damage to highways/footways (s132-133),
 - (vii) controlling builders' skips (s 39-40),
 - (viii) preventing projections and overhangs onto the street (s 152-154, 286),
 - (ix) danger/annoyance to highway users (s161-167),
 - (x) cement mixing (s170),
 - (xi) construction of crossings (s176-184),
 - (xii) refuse bins (s185),
 - (xiii) transfer of land (238-262), emergency street barriers (s287),
 - (xiv) entry onto land (s 289-294),
 - (xv) material disposal (s 295) and doing work on others' behalf (s296),
 - (xvi) granting licence to cultivate the highway pursuant (s142);
- (d) to make Traffic Regulation Orders (under the Road Traffic Regulation Act 1984) in connection with highway and sewer works, statutory undertakers' works and private events which require the temporary closure/diversion of any highway;
- (e) to act on behalf of the Council in accordance with the powers contained in the Highways Act 1980 (especially section 132) and Town and Country Planning Act

- 1990 to deal with unauthorised signs and advertisements attached to street furniture or erected within the highway;
- (f) to approve applications under the New Roads and Street Works Act 1991 (in relation to agreeing to carry out works in the highway at private expense);
 - (g) to exercise the duties conferred by the Road Traffic Act 1984 in respect of weight limits for particular stretches of highway or bridges
 - (h) to oversee the administration of the Concessionary Fares Scheme for rail and bus users;
 - (i) undertake all necessary consultations required under part VIIA of the Highways Act 1980 (as amended) in relation to applications made under that part to provide amenities on highways, to consult the Ward Councillors, the Disabled Persons Forum and other relevant parties, and to grant permission subject to conditions where appropriate.

The Executive Director for Place and Economy is responsible for the Council's Carbon Management Programme and is authorised to carry out the powers and duties conferred by any relevant legislation and regulations, including, but not limited to, the Climate Change Act 2008 and the CRC Energy Efficiency Scheme Order 2010.

Street naming and numbering

- 3.14.9 The Executive Director for Place and Economy is authorised to carry out the functions of the Council in relation to the naming of streets and numbering of houses.

Housing Need and Allocations

- 3.14.10 The Executive Director for Place and Economy is authorised:

- (a) to determine nomination agreements with Housing Associations to meet housing need;
- (b) to agree financial assistance to homeless households in accordance with the provisions of the Housing Act 1985 (as amended) within agreed budgetary provision;
- (c) to negotiate and enter into agreements within established budgetary provision, with private owners and developers in respect of properties suitable for the private leasing scheme or other temporary accommodation in conjunction with the Director of Law and Governance, Executive Director for Corporate Services and Executive Director for Place and Economy;
- (d) to research, develop and enter into agreements with private landlords and social housing organisations relating to the Council's enabling role and maximising provision of accommodation resources for housing applicants;
- (e) to prepare for and, in conjunction with Director of Law and Governance, attend as necessary judicial review or appeals against decisions taken in respect of homeless applicants;
- (f) to hear and deal with review and appeals on decisions under Part VI (allocations) of the Housing Act 1996;
- (g) to decide upon the acceptance of submissions by housing associations for acquisition of existing satisfactory properties taking into account the location, number, type and size of dwellings and the relevance of these factors in meeting housing need;
- (h) to give advice and assistance to homeless families on homelessness and prevention of homelessness including helping them to secure accommodation if that is available within the Council's district.

Property Matters

- 3.14.11 The Executive Director for Corporate Services, in consultation with the Director of Law and Governance is authorised:
- (a) to peaceably re-enter and take possession of Council-owned land and buildings;
 - (b) to take all necessary steps, including service of Notices to Quit, for obtaining possession of land required for development;
 - (c) to serve Notices under Section 25 of the Landlord and Tenant Act 1954 in respect of commercial premises;
 - (d) to take all necessary steps to repossess Council property from persons in illegal occupation;
 - (e) to take appropriate steps in respect of forfeiture of Council premises;
 - (f) to determine claims for adverse possession in respect of Council land.
- 3.14.12 Subject to any conflict of interest through any Joint Vehicle Companies, the Executive Director for Corporate Resources is authorised:
- (a) in consultation with appropriate officers, to keep all land and property under review and to take such emergency action as may be necessary for the protection of the public or the Council's property;
 - (b) with the agreement of the Executive Director for Place and Economy, and unless otherwise authorised, to negotiate and complete land and property transactions in accordance with Council policy up to a financial limit of £250,000;
 - (c) to undertake day to day management and maintenance of Council land and buildings;
 - (d) to act as the Council's Corporate Property Officer, as required in Government guidance about asset management, responsible, in consultation with the Executive Director for Place and Economy, for dealing with strategic property issues at corporate level;
 - (e) to be responsible for all matters concerning the Register of Public Bodies' Land and Vacant and Underused Land;
 - (f) to fix charges for negotiations undertaken on behalf of the Council;
 - (g) in consultation with the Director of Law and Governance, to take surrenders of leases and to agree and implement the termination of tenancies, agreements and licences of Council premises in appropriate circumstances;
 - (h) to undertake and complete rent reviews not requiring any further amendment to the lease (other than user);
 - (i) to grant or refuse consent to underlettings and assignments not requiring any further amendment to the lease (other than user);
 - (j) to negotiate and settle terms for new, and variations to, leases, tenancies, wayleaves and easements of Council property in consultation with the Director of Law and Governance as appropriate, taking into account the sale, complexity and significance of the matter in hand;
 - (k) to grant or refuse consent on behalf of the Council as landlord to a change of use;
 - (l) to negotiate and settle terms for covenants for the acquisition and sale of all property previously authorised by the Council;
 - (m) to grant or refuse consent on behalf of the Council as landlord to internal alterations to Council properties and to minor alterations to the exterior of such properties;
 - (n) to appoint the District Valuer to negotiate and/or provide valuations of land or property as and when necessary or desirable
 - (o) to appoint agents to undertake rent reviews, to negotiate and/or provide valuations of

land or property, and to market land and property available to let or for previously authorised sale.

- (p) in consultation with Officers, to grant consent or approval, and to relax or release covenants contained in conveyances of Council land and former Council land in cases where the Council is unable to charge and in cases where the Council can charge.
- (q) to grant or refuse consent on behalf of the Council as landlord to amend existing lease clauses;
- (r) to enter into contracts for goods and services up to £500,000;
- (s) to demolish buildings which are in a dangerous or life-threatening state;
- (t) in consultation with appropriate officers approve the assignment of property between services;
- (u) to approve all licences for works by the Council on non-Council owned property;
- (v) to negotiate and settle all construction-related claims against the Council;

Where there is a conflict of interest the Executive Director for Place and Economy will undertake the above delegations.

School Property

3.14.13 Subject to any conflict of interest through any Joint Venture Companies, the Executive Director for Place and Economy is authorised:

- (a) to secure the release of identified surplus education land, following a decision in principle by the Executive;
- (b) to take decisions on the retention and improvements of specific teachers' and caretakers' accommodation.

Where there is a conflict of interest, the Executive Director for Corporate Resources will undertake the above delegations.

Economic development

3.14.14 The Executive Director for Place and Economy is authorised:

- (a) to prepare and give effect to an economic development strategy,
- (b) to negotiate and implement partnership frameworks to deliver growth funding programme management in accordance with policy agreed by the Council and its partners;
- (c) to prepare and deliver strategies to maximise European Funding opportunities for the benefit of the Council and its partners;
- (d) to exercise powers granted under the Ancient Monuments and Archaeological Areas Act 1979 relating to the management of archaeological monuments;
- (e) to negotiate and administer partnership project agreements which facilitate archaeological research.

Safety of Sports Grounds Act 1975

3.14.15 The Executive Director for Place and Economy is authorised:

- (a) to exercise all the powers and duties conferred by and in the implementation of the Safety of Sports Grounds Act 1975.

3.15 Delegations to officer – Public Health Functions

3.15.1 The Executive Director of Public Health (DPH) shall have the responsibility and delegation to carry out all of the local authorities functions under the NHS Act 2006 and the Health & Social Care Act 2012, and related Regulations, including, but not limited to:

- (a) writing the Annual report on the health of the local population (which the Council then has a duty to publish);
- (b) any actions necessary to improve public health;
- (c) any actions necessary to fulfil the Secretary of State's public health protection or health improvement functions;
- (d) exercising the local authority's functions in planning for, and responding to, emergencies that present a risk to public health;
- (e) co-operating with the police, the probation service and the prison service to assess the risks posed by violent or sexual offenders;
- (f) such other public health functions as the Secretary of State specifies in regulations;
- (g) responsibility for the local authority's public health response as a responsible authority under the Licensing Act 2003, such as making representations about licensing applications;
- (h) ensuring plans are in place to protect the population including through screening and immunisation, and where such programmes are delivered by other organisations, ensuring that the combined plans deliver effective programmes to the local population;
- (i) community infection prevention and control;
- (j) appropriate access to sexual health services (including testing and treatment for sexually transmitted infections, contraception outside of the GP contract and sexual health promotion and disease prevention);
- (k) ensuring NHS Commissioners receive the public health advice they need;
- (l) the National Child Measurement Programme;
- (m) the NHS Health Check Assessment;
- (n) if the local authority provides or commissions a maternity or child health clinic, the DPH has responsibility for providing Healthy Start vitamins;
- (o) any other functions which, in the professional opinion of the DPH, are necessary to fulfil the local authority's public health responsibilities.

3.15.2 The Executive Director for Children and Young People's Services, the Executive Director for Adult Services and the Executive Director of Public Health shall be lead officers of the Health & Wellbeing Board, and may delegate attendance at this Board to a member of their management teams in the event of his/her unavailability.

SHAREHOLDER CABINET COMMITTEE MEMBERSHIP

CABINET MEMBERS (5)

Deputy Leader and Cabinet Member for Housing and Communities (Chair)
Cabinet Member for Legal, Finance and Corporate Services (Vice-Chair)
Cabinet Member for Education and Skills
Cabinet Member for Growth and Regeneration
Cabinet Member for Adults Services and Public Health

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Section 2 – Regulatory Committee Functions

Introduction

These regulatory functions consist of:

functions which the Executive may not in law exercise, and

'local choice' functions where Council has decided that they shall not be exercised by the Executive.

The Council has delegated to every Committee full powers to act in all matters covered by the Committee's terms of reference subject to:

- (a) the provisions of any financial or procedural rules for the time being in force as set out in this constitution, except where such rule has been specifically waived by resolution of the Council;
- (b) prior Council approval to recommendations for the allocation of duties or powers;
- (c) the right of Council to call for a report on any committee decision;
- (d) the right of Council to exercise the powers which have been delegated, when necessary.

Each Committee may appoint, and delegate any of its powers to, sub-committees and officers and may also authorise an officer, after consultation with the chairman of the Committee, to take other decisions on specific urgent matters falling within its own terms of reference. Each Committee may, from time to time, amend or vary the delegation of its powers to sub-committees and officers.

Every Committee shall have the power to undertake its functions for other local authorities.

Any sub-committee established by a Committee must refer back to the Committee for decision any matters which the committee reserves to itself, and must submit to it the minutes of all the sub-committee's meetings.

Where any delegation under this part of the Constitution refers to specific legislation or regulations, it includes a reference to that legislation or those regulations as re-enacted, consolidated, modified or amended.

2.1 APPEALS AND PLANNING REVIEW COMMITTEE

- 2.1.1 It is advised that Members undertake relevant training within the past three years in order to hold a seat on this committee.

Terms of Reference

- 2.1.2 To review appeals procedures for the Council's various services (excluding appeals procedures which are determined by statute) and, where change is recommended, formulate proposals to the Executive or Council.
- 2.1.3 To hear and determine appeals about all the Council's services, other than employee appeals and those for which there are separate, statutory appeals procedures, and to set up panels for this purpose.

Planning Reviews

- 2.1.4 To determine any planning matter that has been referred to the Committee following the implementation of the planning call-in procedure.
- 2.1.5 The Committee shall adopt the Planning Speaking Scheme at its meetings and shall follow the same procedure as the Planning and Environmental Protection Committee.
- 2.1.6 All Members of the Committee (and substitutes) shall have received appropriate training before being involved in the determination of a planning matter.

Appeals Panel

- 2.1.7 The Committee has set up a panel to hear appeals about Council Services. The panel will consist of three members drawn from the Committee. For this purpose, officers may draw upon members with training relevant to the subject matter of the appeal in order to ensure sufficient members are available to conduct the hearing, and to avoid involving any member who was involved in the original decision which is the subject of the appeal. Panel members should not be a representative of the Ward of the appellant. The quorum shall be three members. Political balance applies to the panel.

2.2. Audit Committee

2.2.1 It is advised that Members undertake relevant training within the past three years in order to hold a seat on this committee.

2.2.2 Terms of Reference

2.2.2.1 To consider the annual report and opinion of the Corporate Director Resources and a summary of internal audit activity (actual and proposed) and the level of assurance it can give over the Council's corporate governance arrangements.

2.2.2.2 To consider summaries of specific internal audit reports as requested.

2.2.2.3 To consider reports dealing with the management and performance of the providers of internal audit services.

2.2.2.4 To consider a report from internal audit on agreed recommendations not implemented within a reasonable timescale.

2.2.2.5 To consider the external auditor's annual letter, relevant reports, and the report to those charged with governance.

2.2.2.6 To consider specific reports as agreed with the external auditor.

2.2.2.7 To comment on the scope and depth of external audit work and to ensure it gives value for money.

2.2.2.8 To liaise with the Public Sector Audit Appointments Ltd (PSAA) over the appointment of the council's external auditor.

2.2.2.9 To commission work from internal and external audit.

2.2.2.10 To have oversight of the Regulation of Investigatory Powers policy and processes.

Part 3, Delegations Section 2 – Regulatory Committee Functions

2.2.2.11 Authority to approve any changes regarding the Council's Whistle-Blowing policy and arrangements.

2.2.2.12 To consider reports in relation to the performance of the Council's companies, alongside comments from the Shareholder Cabinet Committee.

2.2.2.13 To produce an annual report for consideration by Full Council.

Regulatory Framework

2.2.2.14 To review any issue referred to it by the Chief Executive or a Director, or any Council body.

2.2.2.15 To monitor the effective development and operation of risk management and corporate governance in the council.

2.2.2.16 To monitor Council policies on "raising concerns at work" and the anti-fraud and anti-corruption strategy and the Council's complaints process.

2.2.2.17 To oversee the production of the authority's Annual Governance Statement and to recommend its adoption.

2.2.2.18 To consider the Council's arrangements for corporate governance and agreeing necessary actions to ensure compliance with best practice.

Accounts

2.2.1.19 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.

2.2.1.20 To consider the external auditors report to those charged with governance on issues arising from the audit of the accounts.

Independent Members of Audit Committee

- 2.2.1.21 The Audit Committee will include up to 3 independent co-opted non-voting members sitting alongside 7 elected members. Independent members will be appointed by the Council to serve an initial 4 year term, which may be extended with the agreement of Council.
- 2.2.1.22 The Committee will be chaired by an Independent Member. In the absence of the appointed chair one of the remaining two Independent Members will be appointed as Chair by the Committee.
- 2.2.1.23 The Vice-Chair will be an elected member whose purpose will be to support the Chair and in the event of an equality of votes, to exercise a second or casting vote.
- 2.2.1.24 The role of an Independent Member is to support the Council's Audit Committee in its role to provide independent assurance to the members of Peterborough City Council, and its wider citizens and stakeholders.
- 2.2.1.25 Independent members will be expected to actively participate in meetings of the Audit Committee and demonstrate independence, integrity, objectivity and impartiality in their decision-making. They will support reporting as required to Full Council, including the Annual Audit Committee report.
- 2.2.1.26 Independent members will contribute to the work of the Audit Committee in its role in reviewing the Council's financial affairs, including making reports and recommendations, overseeing internal and external audit arrangements, reviewing and scrutinising financial statements, seeking assurances of compliance with the Treasury Management Strategy and practices and reviewing and assessing the governance, risk management and control of the authority.

2.3 Employment Committee

2.3.1 It is advised that Members undertake relevant training within the past three years in order to hold a seat on this committee.

2.3.2 Terms of Reference

2.3.2.1 To appoint Directors and Heads of Service, and determine terms and conditions of employment.

2.3.2.2 To determine employee procedures, including dismissal procedures.

2.3.2.3 To act as the Employer's Side of the Joint Consultative Panel (the Council's consultative body with recognised trade union representatives), for discussion and negotiation. When meeting in this context, the Cabinet member with human resource responsibilities may attend and speak, if not already a member of this committee.

2.3.2.4 To determine local terms and conditions of employment for employees.

2.3.2.5 To consider, and recommend appropriate actions where necessary in response to, executive proposals relating to:

- (a) changes within a Department's/Division's structure which involve substantial changes in the responsibilities of first and second tier posts;
- (b) requests for Trade Union facilities, including budget and establishment;
- (c) other executive human resources matters.

2.3.2.6 To promote and pursue a policy of equal opportunities in employment.

2.3.2.7 To determine pension issues which relate to auto enrolment.

2.3.3 Delegation to Officers

Part 3, Delegations Section 2 – Regulatory Committee Functions

2.3.3.1 The appropriate Director is authorised to make appointments to vacancies on the establishment at levels below Head of Service, within approved policy and budgets, subject to:

- (a) appointments of Directors and Heads of Service (unless on an interim or acting up basis in which case such appointments may be made by the Chief Executive) being made by the Employment Committee (the Chief Executive's appointment is subject to a separate procedure reserved to Council);
- (b) any limitations or other conditions in relation to filling vacancies which are currently required by the Executive.

2.3.3.2 The Chief Executive shall advertise vacancies subject to the authorisation of a recruitment requisition, to any overriding Council policy, to there being adequate budget provision, and to compliance with national or local agreements.

2.3.3.3 In respect of all employees, Directors may:

- (a) suspend employees in accordance with the agreed procedure, subject to consultation with the Director of Governance;
- (b) subject to the approved appeals procedure and consultation with the Director of Governance, take any disciplinary action (including dismissal) and any action relating to incapability (including dismissal);
- (c) approve the transfer of probationary staff to the permanent establishment at the end of their probationary period;
- (d) terminate the employment of staff whose performance has not been satisfactory during their probationary period;
- (e) in consultation with the Director of Governance, determine whether a post is unsuitable for job-share and appoint in accordance with that determination and Council policy;
- (f) award an additional payment/honorarium to any member of staff within the guide-lines determined by Director of Governance;
- (g) authorise Essential and Casual Car Allowances in accordance with Council policy and having regard to the circumstances of each case;
- (h) authorise reimbursement for the installation and rental charges in respect of telephones at private residences where staff are subject to contact in cases of emergency or where private telephones are used for business reasons;
- (i) vary job titles and job descriptions;

Part 3, Delegations Section 2 – Regulatory Committee Functions

- (j) authorise pay in lieu of holidays (in exceptional circumstances);
- (k) terminate the employment of staff for any lawful reason, in consultation with the Director of Governance.
- (l) take decisions relating to the employment of staff, including establishment control and matters of staff recruitment, reward and discipline that are necessary for the effective delivery of service and to stay within allocated budgets, in consultation with the relevant Cabinet Member in relation to executive functions

2.3.3.4 Senior Officers from departments other than where the employee was employed should hear the appeal.

2.3.3.5 The Chief Executive is authorised to grade all posts other than Chief Executive, Directors, Heads of Service, Teachers, Crafts employees and posts covered by Soulbury Scales, in accordance with the Council's agreed Job Evaluation Scheme with the aim of recruiting and retaining high quality employees.

2.3.3.6 The Chief Executive to exercise personal responsibility for delegations to officers in relation to non-executive human resource matters, including the creation and disestablishment of posts, changes to job descriptions and matters related to the recruitment, reward and disciplining of staff.

2.3.3.7 Directors may determine matters relating to training and development, leave, temporary (including agency) and overlapping appointments and minor variations to the relocation scheme for new employees, within agreed cash limits and in accordance with approved Council policies, consulting the Director of Governance where appropriate.

2.3.3.8 The relevant Director, in consultation with the Corporate Director Resources, is authorised to consider and determine:-

- (a) any redundancy within the Council's redundancy policy;
- (b) premature retirement on the grounds of ill-health;
- (c) premature retirement in the interests of the service.

Part 3, Delegations Section 2 – Regulatory Committee Functions

- 2.3.3.9 Directors, in consultation with the Director of Governance and the Chairman of the Committee, may authorise the extension of an employee's contract beyond retirement age for a maximum period of 6 months.
- 2.3.3.10 The Corporate Director Resources and Director of Governance are authorised following agreement by the relevant Director to approve, complete and transfer agreements relating to car loans including those which do not fall within Council policy, subject in these cases to consultation with the Director of Governance.
- 2.3.3.11 The Director of Governance is authorised to implement agreed employee policies.
- 2.3.3.12 The Chief Executive and Directors respectively in consultation with the relevant portfolio holder and the Director of Governance are authorised to update and amend the job descriptions and person specifications of Directors and Heads of Service/Assistant Directors.

2.4 Peterborough Corporate Parenting Committee

2.4.1 It is advised that Members undertake relevant training within the past three years in order to hold a seat on this committee.

2.4.2 TERMS OF REFERENCE

2.4.2.1 OUR COMMITMENT TO CHILDREN AND YOUNG PEOPLE IN CARE:

2.4.2.1 Peterborough City Council is committed to raising the quality of life of everyone living within the city. For children in particular, the city council aims to provide high quality opportunities for learning and ensure children are healthy and safe. It is important that the Corporate Parenting Committee members ensure that the Council provides such care, education and opportunities that the Committee would be afforded to their own children.

2.4.3 PURPOSE:

2.4.3.1 To ensure that the Council effectively discharges its role as Corporate Parent for all children and young people in care and care leavers and holds partners to account for the discharge of their responsibilities.

2.4.3.2 On behalf of the Council and partners of the Local Authority to ensure that all services directly provided for children and young people in care and care leavers are scrutinised to deliver to a high standard and to all statutory requirements.

2.4.3.3 To raise the aspiration, ambitions and life chances of children and young people in care, narrowing the gap of achievement between children in care and their peers.

2.4.3.4 To ensure that the Council effectively discharges its role as Corporate Parent for all children and young people in care and care leavers and holds partners to account for the discharge of their responsibilities.

2.4.3.5 To ensure that all elected members are aware of their corporate parenting responsibilities and that all Council services are mindful of the needs of children in care and respond accordingly within their particular remit.

2.4.4 FUNCTIONS OF THE COMMITTEE:

2.4.4.1 To act as advocates for looked after children and care leavers.

2.4.4.2 To receive statutory reports in relation to the adoption, fostering, commissioning, looked after children services and children's homes with a view to recommending any changes.

2.4.4.3 Ensure that the needs of looked after children and care leavers are addressed through key plans, policies and strategies throughout the Council overseeing interagency working arrangements.

2.4.4.4 Review complaints from looked after children to ensure officers have dealt with these appropriately and made any recommendations for change.

2.4.4.5 Raise awareness in Peterborough City Council and the wider community by promoting the role of members as corporate parents and the Council as a large corporate family with key responsibilities.

2.4.4.6 To monitor the quality of care delivered by the City Council and review the performance of outcomes for children and young people in care.

- (a) Raise the profile of the needs of looked after children and care leavers through a range of actions including through the organising of celebratory events for the recognition of achievement.
- (b) Ensure that leisure, cultural, further education and employment opportunities are offered and taken up by our looked after children and care leavers.
- (c) Promote the development of participation and ensure that the view of children and young people are regularly heard through the Corporate Parenting Committee to improve educational, health and social outcomes to raise aspiration and attainments.
- (d) Hold meetings with children and young people in care, frontline staff and foster carers to inform the committee of the standards of care and improvement outcomes for looked after children.
- (e) Monitor the ongoing commitment to providing support, training and clarity of expectations to foster carers to achieve excellent and high quality care.
- (f) To appoint elected members as Champions for Children in Care, with the roles being decided and approved by the Committee at the first formal meeting of the municipal year.

2.4.5 WORK PROGRAMME

2.4.5.1 The corporate parenting committee will formally agree a skeleton work programme annually which will be reviewed at each formal meeting. In reviewing the work programme, the committee may agree to request reports on particular matters of their own preference or as advised by the lead officer.

2.4.6.2 PERFORMANCE MONITORING

2.4.6.3. The Corporate Parenting Committee will scrutinise and monitor outcomes for children in care and care leavers. To this end, the Committee will develop and agree a core data set which it wishes to receive at each Committee meeting. Additional detailed monitoring reports will be presented in accordance with the agreed work programme on the following key aspects of care:

- (a) Placement stability
- (b) Independent child care reviews
- (c) The performance of all care standards regulated services
- (d) Adoption and adoption support
- (e) Fostering
- (f) Children's homes
- (g) Service to care leavers, including accommodation, education, employment and training
- (h) The health needs of children in care
- (i) Educational attainment of children in care

2.4.6.4 The Corporate Parenting Committee will report to the Cabinet Member for Children's Services and to the Scrutiny Committee on an annual basis or more frequently if required.

2.4.7 Membership of the Committee

2.4.7.1 There will be a standing membership of the Corporate Parenting Committee to provide continuity and consistency. Councillors outside the standing membership will be invited to discuss issues and raise questions within a standing agenda item.

2.4.7.2 The membership of the Corporate Parenting Committee must include the Cabinet Member with the responsibility for Children's Services.

Part 3, Delegations Section 2 – Regulatory Committee Functions

2.4.7.3 All Councillors are invited to attend the informal meetings. The Committee may also co-opt non-voting members. Membership may include up to four foster carers and representatives from the Children in Care Council. The Committee may invite participation from non-members where this is relevant to their work.

2.4.8 Children in Care Council

2.4.8.1 Representatives from the Children in Care Council may attend the Corporate Parenting Committee up until and no later than 8pm.

Licensing Committee

2.5.1 It is advised that Members undertake relevant training within the past year in order to hold a seat on this committee.

2.5.2 Terms of reference

2.5.2.1 To undertake and perform all of the Licensing Authority's statutory functions and duties under the Licensing Act 2003 and to delegate functions in accordance with Guidance issued under Section 182 of that Act.

2.5.2.2 To delegate to sub-committees consisting of three members of the Licensing Committee the functions listed at 2.5.3.

2.5.2.3 To exercise the functions of the authority as listed in Schedule 2.5.5, where these are not delegated to officers as listed at section 2.5.4, namely:-

- (a) hackney carriage and private hire vehicle licensing
- (b) licensing marriage and entertainment
- (c) licensing shops and food premises
- (d) safety issues (sports grounds, and Health and Safety at Work Act)
- (e) licensing premises associated with live animals in accordance with regulations under the Animal Welfare Act 2006 or other applicable legislation
- (f) approval and enforcement duties relating to premises associated with dead animals and food production
- (g) employment related licensing functions
- (h) Betting, gaming, lotteries and charity collections
- (i) Licences for alcohol and entertainment etc
- (j) issue, grant, refuse, revoke, transfer, renew, vary, add conditions and set fees in relation to the licensing of sex establishments
- (k) Licences for scrap metal dealers

2.5.2.4 To consider and determine all applications in relation to the functions in Schedule 2.5.5, where:

Part 3, Delegations Section 2 – Regulatory Committee Functions

- (a) they are not delegated to Officers;
- (b) the Officer with delegated authority refers the application to the Committee.

2.5.2.5 To consider whether or not to:

- (a) suspend, and/or
- (b) revoke, and/or
- (c) refuse to renew, and/or
- (d) amend any conditions of any existing licence/permit/consent in any case which is referred to the Licensing Committee by the relevant Officer where the holder has been:
 - (i) convicted of an offence involving dishonesty, indecency or violence, and/or
 - (ii) convicted of an offence or has failed to comply with the statutory provisions relating to the issue of any licence/permit/consent, or
 - (iii) in breach of any conditions attached to the issue of any licence/permit/consent, and/or
 - (iv) any other reasonable cause.

2.5.2.6 To approve (and periodically review) the standard conditions to be attached to any licence/permit/consent issued by the Council.

2.5.2.7 On recommendation by the Licensing Committee all statutory policies within the Licensing Committee's remit must go to Full Council for formal adoption. This includes any modifications, amendments to those policies.

2.5.2.8 On recommendation by the Licensing Committee all non-statutory policies must be submitted either to Full Council or Cabinet for formal adoption. Thereafter, any minor amendments or modifications, can be adopted by the Licensing Committee.

2.5.2.9 There is no power to suspend and call in any Licensing Committee decisions to Council for determination.

2.5.3 Delegations to Sub-Committees

Part 3, Delegations Section 2 – Regulatory Committee Functions

2.5.3.1 To undertake and perform all of the statutory duties and functions required of local authorities under the Licensing Act 2003 as follows:

- (a) application for a Personal License if there is a Police objection
- (b) application for a Personal License with unspent convictions in all cases
- (c) application for Premises Licence/Club Premises Certificate if a relevant representation is made
- (d) application for a provisional statement, if a relevant representation is made
- (e) application to vary Premises Licence/Club Premises Certificate if a relevant representation is made
- (f) application to vary the Designated Premises Supervisor if there is a Police objection
- (g) application for transfer of a Premises Licence if there is a Police objection
- (h) application for interim authorities if there is a Police objection
- (i) application to review a Premises Licence/Club Premises Certificate in all cases
- (j) decision to object when the Local Authority is a consultee and not the relevant authority considering the application
- (k) determination of a Temporary Event Notice where objections have been received from relevant persons
- (l) in the event of all relevant representations concerning an application being withdrawn, the application is delegated to officers as per 2.5.4 below
- (m) decision to revoke or suspend (up to 6 months) personal licenses where a personal licence holder (licensed by this authority) has been convicted of a relevant or foreign offence or an immigration offence or penalty

2.5.3.2 To undertake and perform all of the statutory duties and functions proposed for local authorities under the Gambling Act 2005 as follows:

- (a) application for a premises license where representations have been received and not withdrawn;
- (b) application for a variation to a licence where representations have been received and not withdrawn;
- (c) application for a transfer of a licence where representations have been received from the Commission;

Part 3, Delegations Section 2 – Regulatory Committee Functions

- (d) application for a provisional statement where representations have been received and not withdrawn;
- (e) review of a premise licence;
- (f) application for a club gaming/club machine permit where objections have been made and not withdrawn;
- (g) cancellation of a club gaming/club machine permit;
- (h) decision to give counter notice to temporary use notice.

2.5.4 Delegations to officers

2.5.4.1 The Executive Director: Place and Economy is authorised:

- (a) to set fees, issue/renew/suspend/revoke hackney carriage drivers' and vehicle licences and private hire drivers' and vehicle licences, except where the Officer is of the opinion that the application/matter should be considered by the Licensing Committee;
- (b) to approve advertising in or on purpose-built Hackney Carriage and Private Hire vehicles subject to there being no advertising of alcohol or tobacco related products and the advertisements complying with the code of acceptance except where the Officer is of the opinion that an application should be considered by Licensing Committee;
- (c) to set fees, issue/renew/suspend/revoke Private Hire Operator's licences except where the Officer is of the opinion that an application should be considered by the Licensing Committee.
- (d) to set the fees under the Gambling Act 2005 in consultation with the Chairman of the Licensing Committee
- (e) to determine Street Collection Permits; including those for special Christmas collections;
- (f) to determine house-to-house collection licences;
- (g) to determine house-to-house Christmas Carol Float permits;
- (h) to deal with the following registrations:
 - (i) Ear piercing, acupuncture, electrolysis and tattooing;
 - (ii) Food premises;
- (i) to issue/renew/amend/suspend/revoke the following licences:
 - (i) Hiring out horses;

Part 3, Delegations Section 2 – Regulatory Committee Functions

- (ii) Keeping of dangerous wild animals;
 - (iii) Selling animals as pets;
 - (iv) Breeding dogs;
 - (v) Providing or arranging for the provision of boarding for cats or dogs;
 - (vi) Zoos.
- (j) to issue, amend, revoke or refuse street trading consents boroughwide and including the use of the city centre pedestrian area, including those for:-
- (i) annual food/commercial concessions; and
 - (ii) the Christmas street festival;
- (k) to prepare, amend, vary, attach and adopt as necessary, standard and other conditions to all licences, registrations and consents. The Corporate Director Resources will incorporate any special conditions requested or determined by Licensing Committee;
- (l) to consider and determine applications for certificates under the Safety of Sports Grounds Act 1975 and the Fire Safety and Safety of Places of Sports Act 1987.
- (m) to serve notices requiring information in relation to ownership of land and property under Section 16 of the Local Government (Miscellaneous Provisions) Act 1976;
- (n) to take appropriate action and issue all notices (including notices of entry) under the Health and Safety at Work, etc Act 1974;
- (o) to take all necessary action under the Scrap Metal Dealers Act 2013 except where the Officer is of the opinion that the application/matter should be considered by the Licensing Committee.
- (p) to exercise all the functions conferred by the Acts, Orders and Regulations set out below or any Act, Order or Regulation which extends or amends them or any Order, Instrument, Regulation or Byelaw made under them:
- (i) Celluloid and Cinematograph Films Act 1922 – fire safety and storage provisions relating to celluloid film kept on premises;
 - (ii) Explosives Acts 1875 and 1923 – storage conditions and licensing for explosives;
 - (iii) Nurses Agencies Act 1957 – licensing and regulation of Nurses Agencies;
 - (iv) Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 – keeping or training for exhibition;
 - (v) Poisons Act 1972 – registration of sellers of some categories of poisons;
 - (vi) Criminal Justice and Police Act 2001.

Part 3, Delegations Section 2 – Regulatory Committee Functions

- (q) to issue game dealers' licences;
- (r) under the Licensing Act 2003:
 - (i) to consider Applications for a Personal License if no objection is made
 - (ii) to consider Applications for a Premises Licence/Club Premises Certificate if no relevant representation is made
 - (iii) to consider Applications for a provisional statement if no relevant representation is made
 - (iv) to consider Applications to vary Premises Licence/Club Premises Certificate if no relevant representation is made
 - (v) to consider Applications to vary the designated premises supervisor if there is no Police objection
 - (vi) to request to be removed as Designated Premises Supervisor in all cases
 - (vii) to consider Applications for transfer of Premises Licence if there is no Police objection
 - (viii) to consider Applications for interim authorities if there is no Police objection
 - (ix) to decide on whether a complaint is irrelevant, frivolous or vexatious in all cases
 - (x) to determine the suitability of films to be shown to particular age groups and licensing of premises showing films;
 - (xii) to license theatre premises in accordance with the Licensing Act 2003
 - (xiii) to issue, amend, suspend or refuse licenses under the Licensing Act 2003
 - (xiv) to take decisions in respect of applications for a minor variation to a premises/club premises certificate in all cases; and to take decisions relating to applications for the mandatory alcohol condition requiring a Designated Premises Supervisor in respect of a premises licence to be disapplied if there is no police objection
 - (xv) issue Closure Notices to premises operating in breach of their licensing conditions and apply for an Order to close the premises should the illegal behaviour continue.
- (s) under the Gambling Act 2005
 - (i) to set the fees when appropriate following consultation with the Chair of the Committee

Part 3, Delegations Section 2 – Regulatory Committee Functions

- (ii) to consider applications for premises licenses where no representations have been received or representations have been withdrawn;
 - (iii) to consider applications for a variation of a license where no representations have been received or representations have been withdrawn;
 - (iv) to consider applications for a transfer of a licence where no representations have been received
 - (v) to consider applications for a provisional statement where no representations have been received or representations have been withdrawn
 - (vi) to consider applications for a club gaming/club machine permit where no objections have been made or objections have been withdrawn;
 - (vii) to consider applications for other permits under the Act;
 - (viii) to cancel licensed premises gaming machine permits as appropriate;
 - (ix) to consider temporary use notices as appropriate
 - (x) to designate an officer of a licensing authority as an authorised person for a purpose relating to premises under Section 304 of the Gambling Act 2005
 - (xi) to institute criminal proceedings for offences under section 342 of the Gambling Act 2005 – Section 346 of the Act
 - (xii) to exchange information under Section 350 of the Act
 - (xiii) to have a statement of principles for Unlicensed Family Entertainment Centres.
 - (xiv) to have a statement of principles for Prize Gaming.
- (t) To issue/renew/transfer and add conditions in relation to sex establishment licences where no representations have been received or representations have been withdrawn.
 - (u) Determine variation applications in relation to sex establishments, in consultation with the Chairman of the Licensing Committee.
 - (v) To grant or refuse and attach conditions to permit an exhibition, demonstration or performance of hypnotism on any person and to vary and/or attach conditions.

2.5.4.2 The Executive Director: Place and Economy in consultation with the Chair of the Licensing Committee, is authorised to:

Part 3, Delegations Section 2 – Regulatory Committee Functions

Determine the fees for premises licences (The Gambling (Premises License Fees) (England and Wales) Regulations 2007 (S.I. 2007/479)).

2.5.4.3 The Executive Director: Place and Economy is authorised:

- (a) to monitor and regulate the employment of young people below school leaving age, including issuing of work permits, investigation of breaches to bye-laws and meeting all LEA statutory responsibilities with regard to prosecution of employers who contravene employment legislation;
- (b) to grant or refuse licences for children to take part in public entertainment or performances and to grant or refuse chaperone licences, in accordance with bye-laws.

2.5.4.4 The Executive Director: Place and Economy is authorised to determine applications for licenses to use premises for holding a marriage or civil ceremony

2.5.5 Schedule of relevant functions – Licensing Committee

2.5.5.1 Hackney carriage and private hire licensing

Function	Relevant legislation
Licensing hackney carriages and private hire vehicles	<p>HACKNEY CARRIAGES</p> <p>Town Police Clauses Act 1847 (10 & 11 Vict. C.89), as extended by Public Health Act 1875 (38 & 39 Vict. C.55), Section 171 and Transport Act 1985 (c.67) Section 15; and</p> <p>Local Government (Miscellaneous Provisions) Act 1976 (c.57) Sections 47, 57-58, 60, 70 and 79.</p> <p>PRIVATE HIRE VEHICLES</p> <p>Local Government (Miscellaneous Provisions) Act 1976 Sections 48, 57-58, 60 and 79.</p>
Licensing drivers of hackney carriages and private hire vehicles	Local Government (Miscellaneous Provisions) Act 1976, Sections 51, 53-54, 59, 61, 70 and 79

Part 3, Delegations Section 2 – Regulatory Committee Functions

Licensing operators of hackney carriages and private hire vehicles	Local Government (Miscellaneous Provisions) Act 1976, Sections 55-58, 62, 70 and 79
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2.5.5.2 Licences for Marriage and Entertainment

Approving premises for the solemnisation of marriage and civil partnerships	Marriage Act 1949 (c.76) s46A (as inserted by Marriage Act 1994 (c.34), Section 1); and The Marriages and Civil Partnerships (Approved Premises) Regulations 2005 (SI 2005, No.: 3168)
Licensing sex shops and sex cinemas	Local Government (Miscellaneous Provisions) Act 1982 (c.30), Section 2 and Schedule 3 (as amended by Licensing Act 2003 (c.17), Schedule 6, paragraph 85.
Licensing performances of hypnotism	The Hypnotism Act 1952 (c.46), Section 1 as amended by Licensing Act 2003 (c.17) paragraph 198 and Schedule 6, paragraphs 25 – 27
Licensing pleasure boats and pleasure vessels	Public Health Acts Amendment Act 1907 (c.53), s.94 as amended by Local Government Act 1974 (c.7) Schedule 6 Para 1 and Local Government (Miscellaneous Provisions) Act 1976 (c.57), Section 18 and Local Government, Planning and Land Act 1980 (c.65), s186 as substituted by ; Deregulation (Public Health Acts Amendment Act) Order 1997 (SI 1997/1187), Section 94(8)

2.5.5.3 Licensing of shops and food premises

Licensing premises for acupuncture, tattooing, ear-piercing and electrolysis	Local Government (Miscellaneous Provisions) Act 1982, Sections 13 – 17
Licensing market and street trading	Local Government (Miscellaneous Provisions) Act 1982, Part III of, and Schedule 4

Part 3, Delegations Section 2 – Regulatory Committee Functions

Duty to keep a list of persons entitled to sell non-medicinal poisons	Poisons Act 1972 (c.66), Sections 3(1)(b)(ii), 5, 6 and 11 as amended by Local Government, Planning and Land Act 1980, Schedule 6 Para 13(1)
Licensing dealers in game and the killing and selling of game	Game Act 1831 (c.32), Sections 5-6, 17-18, 21-23 and Game Licensing Act 1860 (c.90), Sections 2-16; and Customs and Inland Revenue Act 1883 (c.10), Section 4; Sections 12(3) and 27 Local Government Act 1874 (c.73); Section 213 Local Government Act 1972 (c.70)
Registering and licensing premises for the preparation of food	Section 19 Food Safety Act 1990 (c.16)

2.5.5.4 Safety functions (sports grounds and Health and Safety at Work)

Issuing, amending or replacing safety certificates (general or special) for sports grounds	The Safety of Sports Grounds Act 1975 (c.52), as amended by Fire Safety and Safety of Places of Sport Act 1987 (c.27), Part II and Schedule 2
Issuing, cancelling, amending or replacing safety certificates for regulated stands at sports grounds	Fire Safety and Safety of Places of Sport Act 1987 (c.27), Part III
Sanctioning use of parts of buildings for storage of celluloid	Celluloid and Cinematographic Film Act 1922 (c.1935), Section 1 – 4
Health and Safety at Work Act functions under any of the “relevant statutory provisions” within the meaning of Part I (health, safety and welfare in connection with work, and control of dangerous substances) of the 1974 Act [not including the authority’s discharge of these functions in relation to its own employees, which is an executive responsibility]	Health and Safety at Work, etc Act 1974 (c.37), Part I [For “relevant statutory provisions” see the various definitions in Sections 53(1) and 15(1) of the Act, the latter section having been substituted by Employment Protection Act 1975 (c.71), Schedule 15 Para 5]

Part 3, Delegations Section 2 – Regulatory Committee Functions

2.5.5.5 Licensing associated with live animals

Licensing premises for the breeding of dogs	Animal Welfare (Licensing of Activities) (England) 2008
Licensing pet shops and other establishments where animals are bred or kept for the purposes of carrying on a business	<p>Pet Animals Act 1951 (c.35), Section 1 as amended by Local Government Act 1974 Schedules 6 and 8</p> <p>Animal Boarding Establishments Act 1963 (c.43), Section 1 as amended by Local Government Act 1974, Schedule 6 Para 17 and Protection of Animals (Amendment) Act 1988 (c.29) Sections 3(2) and (3) and Schedule</p> <p>Riding Establishments Act 1964 (c.70) and 1970 (c.70) as amended by Local Government Act 1974, Section 35(1) and (2) and Schedule 6 Para 18 and Schedule Protection of Animals (Amendment) Act 1988, Sections 3(2) and (3)</p> <p>Breeding of Dogs Act 1973 (c.60), Section 1 as amended by Local Government Planning and Land Act 1980, Section 1(6), Schedule 6, Schedule 34 Para 15 and Protection of Animals (Amendment) Act 1988 Sections 3(2) and (3) and Schedule and Breeding and Sale of Dogs (Welfare) Act 1999, Sections 1 and 8</p> <p>Animal Welfare (Licensing of Activities) (England) 2008</p>

Registering animal training and exhibitors	Performing Animals (Regulation) Act 1925 (c.38), Section 1 as amended by Local Government Act 1974, Sections 35(1) and (2), Schedule 6 Para 2(1) and Schedule 8

Part 3, Delegations Section 2 – Regulatory Committee Functions

Licensing zoos	Zoo Licensing Act 1981 (c.37), Section 1 as amended by Zoo Licensing Act 1981 (Amendment) (England and Wales) Regulations 2002 (SI 2002, No. 3080), Regulations 3 and 4 and Local Government (Wales) Act 1994, s.66(6) and (8) and Schedule 16, and Schedule 18, paragraph 62(2)
Licensing dangerous wild animals	Dangerous Wild Animals Act 1976 (c.38), Section 1
Enforcing provisions for Record Keeping, Identification Marking and Movement relating to pigs	The Pigs (Records, Identification and Movement) Order 2003 (SI 2003, No. 2632), Section 27.
Enforcing provisions for Record Keeping, Identification and Movement of Cattle	The Cattle Identification Regulations 2007 (SI 2007, No.: 529) as amended by The Cattle Identification (Amendment) Regulations 2007 (SI2007, No. 1046)
Enforcing provisions for Record Keeping, Identification and Movement of Sheep and Goats	The Sheep and Goats (Records, Identification and Movement) (England) Order 2005 (SI 2005 No.: 3100) and The Sheep and Goats (Records, Identification and Movement) (England) (Amendment) Order 2006 (SI 2006, No.: 2987)

2.5.5.6 Approval and Enforcement of duties relating to premises associated with dead animals and food production

Licensing knackers' yards	Section 4 Slaughterhouses Act 1974 (and see also Animal By-Products Order 1999, SI 1999/646)
Enforcing requirements in relation to any food business premises as to e.g. hygiene, HACPP principles and registration as well as approving the food business premises.	Food Hygiene (England) Regulations 2006 (SI 2006, No 14) as amended by the Food Hygiene (England) (Amendment) Regulations 2007 (SI 2007, No. 56) both to be read in conjunction with 2004/852/EC

Part 3, Delegations Section 2 – Regulatory Committee Functions

Enforcing requirements in relation to any relevant food business operators (dealing with e.g. meat, minced meat, eggs, dairy and fish products) as to e.g. hygiene, HACCP principles, identification marking, slaughtering and preparation, transport and storage etc as well as approving the premises.	Food Hygiene (England) Regulations 2006 (SI 2006, No.14) as amended by the Food Hygiene (England) (Amendment) Regulations 2007 (SI 2007, No. 56) both to be read in conjunctions with 2004/852/EC and 2004/853/EC
Duty to keep a register of food premises	Food Hygiene (England) Regulations 2006 (SI 2006, No. 14) and Food Hygiene (England) (Amendment) Regulations 2007 (SI 2007, No.: 56)
Registering food business premises	Food Hygiene (England) Regulations 2006 (SI 2006, No. 14) and Food Hygiene (England) (Amendment) Regulations 2007 (SI 2007, No.: 56)

2.5.5.7 Employment related licensing functions

Licensing the employment of children	Part II Children and Young Persons Act 1933 (c.33); Byelaws made under that Part; Part II Children and Young Persons Act 1963 (c.37)
Licensing agencies to supply nurses	Section 2 Nurses Agencies Act 1957 (c.16)

2.5.5.8 Licences for Alcohol and Entertainment etc

Issuing cinema and cinema club licences	Licensing Act 2003 (c.17), s.200 and Schedule 8, Part 1(h) <i>(as to transitional provisions from old Licence granted under s.1 of the Cinema Act 1985 to a Premise Licence under the Licensing Act 2003)</i> Licensing Act 2003 (c.17), Part 3 (Premise Licence) and 4 (Club License – if applicable) <i>(as to the grant, variation, transfer and review of Premise Licenses under the Licensing Act 2003)</i> N.B.: Licensing Act 2003 (c.17), Section 20 <i>(as to mandatory conditions to be attached to Premise Licence for the Exhibition of Films)</i>
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Part 3, Delegations Section 2 – Regulatory Committee Functions

Issuing theatre licences	<p>Licensing Act 2003 (c.17), s.200 and Schedule 8, Part 1(e) <i>(as to transitional provisions from old Licence granted under the Theatres Act 1968 to a Premise License under the Licensing Act 2003)</i></p> <p>Licensing Act 2003 (c.17), Part 3 <i>(as to grant, variation, transfer and review of Premise Licenses under the Licensing Act 2003)</i></p>
Issuing and Enforcing Licenses for Alcohol and Entertainment etc	<p>Licensing Act 2003 (c.17), as amended by the Business and Planning Act 2020, Part 3 (Premise Licence), Part 4 (Club Licence), Part 5 (Permitted Temporary Activities) and Part 6 (Personal Licences)</p> <p>N.B. Mandatory and prohibitory conditions to be applied to any Licence granted under Parts 3, 4 and 6.</p>
Approving premises for the solemnisation of marriage and civil partnerships	<p>Marriage Act 1949 (c.76) s46A (as inserted by Marriage Act 1994 (c.34), Section 1); and The Marriages and Civil Partnerships (Approved Premises) Regulations 2005 (SI 2005, No.: 3168)</p>
Issuing and Enforcing Licences for sex shops, sex cinemas and sexual entertainment venues	<p>Local Government (Miscellaneous Provisions) Act 1982 (c.30), Section 2 and Schedule 3 (as amended by Licensing Act 2003 (c.17), Schedule 6, paragraph 85 and by Section 27 of the Policing and Crime Act 2009 (c.26).</p>

2.5.5.9 Licensing of Food Premises

Licensing night cafes and take-away food shops	<p>Licensing Act 2003 (c.17), s.200 and Schedule 8, Part 1(e) <i>(as to transitional provisions from old Licence granted under s.1 of the Cinema Act 1985 to a Premise License under the Licensing Act 2003)</i></p> <p>Licensing Act 2003 (c.17), Part 3 (Premise Licence) <i>(as to the grant, variation, transfer and review of Premise Licenses under the Licensing Act 2003)</i></p>
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2.5.5.10 Gambling

Part 3, Delegations Section 2 – Regulatory Committee Functions

Issuing, registering and enforcing Premise Licenses	Gambling Act 2005 (c.19), Part 8 and Part 18, Section 346
Acknowledging or determining, registering and enforcing Temporary Use Notices	Gambling Act 2005 (c.19), Part 9 and Part 18, Section 346
Issuing and enforcing Family Entertainment Centre Gaming Machine Permits	Gambling Act 2005 (c.19), Part 10, Section 247, Part 18, Section 346 and Schedule 10
Issuing and cancelling/forfeiting Club Machine Permits and Club Gaming Permits	Gambling Act 2005 (c.19), Part 12, Sections 271 – 274 and Schedule 12
Issuing and cancelling/forfeiting Licensed Premises Gaming Machine Permits	Gambling Act 2005 (c.19), Part 18, Section 346 and Schedule 13
Issuing, enforcing and registering Prize Gaming Permits	Gambling Act 2005 (c.19), Part 13, Part 18, Section 346 and Schedule 14
Registration revocation and enforcement of Small Society Lotteries	Gambling Act 2005 (c.19), Part 11, Part 18, Section 346 and Schedule 11, Part 5
Assessment of Compliance through inspection and enforcement of breaches	Gambling Act 2005 (c.19), Part 15 and Part 18, Section 346
Power to designate officer of a licensing authority as an authorised person for a purpose relating to premises	Section 304 of the Gambling Act 2005
Power to institute criminal proceedings for offences under section 342 of the Gambling Act 2005	Section 346 of the Gambling Act 2005
Power to exchange information	Section 350 of the Gambling Act 2005
Functions relating to the determination of fees for premises licences.	The Gambling (Premises Licence Fees) (England and Wales) Regulations 2007 (S.I. 2007/479)."

2.5.5.11 Scrap Metal Dealers

Licensing of Scrap Metal Dealers	Section 2 and Section 4 and Section 9 of the Scrap Metal Dealers Act 2013 (c10)
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2.6 Planning and Environmental Protection Committee

2.6.1 It is advised that Members undertake relevant training within the past year in order to hold a seat on this committee.

2.6.2 Terms of reference

2.6.2.1 To exercise the functions of the Council as listed in Schedule 2.6.7, where these are not delegated to officers as listed at section 2.6.6.

2.6.2.2 In respect of functions listed in Schedule 2.6.7, to determine an application, or to decide upon or vary appropriate conditions, limitations, terms or other restrictions upon any approval, consent, licence, permission or registration granted, or discontinuance or revocation order in cases where:

- (a) the officer with delegated authority to deal with the matter refers it to the Committee for determination;
- (b) an application has been referred to the Committee by a Member or a Parish Council from the weekly press list on proper planning grounds, or by a consultee on the delegation confirmation list and the referrers views are contradictory to the officer recommendation (this does not apply to any prior notification type application). All referrals by a Member or a Parish Council must also provide a reason for the referral based on relevant material planning grounds. Referrals made without an accompanying reason will not be valid. Members who have made a referral to the Committee are expected to attend the Committee meeting at which the matter is discussed, where possible, or submit a written supporting statement.”
- (c) the officer’s proposed course of action falls outside the Council’s agreed policies and criteria;
- (d) any planning application recommended for approval does not accord in a material way with the Development Plan;
- (e) a planning application relates to an exceptionally large scale development, or a major development which does not accord with the Development Plan;
- (f) a proposed Tree Preservation Order has unresolved objections to it.

None of (a) – (f) above shall prevent an officer determining one of these matters in cases of urgency, provided that the action taken is reported to the next Committee meeting.

Part 3, Delegations Section 2 – Regulatory Committee Functions

2.6.2.3 In respect of issues governed by the list of functions at Schedule 2.6.6, to determine whether, and in what manner, to enforce any failure to comply with an approval, consent, licence, permission or registration granted by the Council in cases where:

- (a) the officer with delegated authority to deal with the matter refers it to the Committee for determination;
- (b) a member refers it to the Committee on proper planning grounds;
- (c) the issue falls outside the Council's agreed policies and criteria;

None of (a) – (c) above shall prevent an officer taking enforcement action in cases of urgency which warrant the service of a Stop Notice and/or injunction, subject to the consent of the Director of Governance provided that the action taken is reported to the next Committee meeting.

2.6.2.4 To receive regular progress reports on all current planning enforcement matters, and lists of planning decisions taken by officers under delegated powers.

2.6.2.5 To be consulted by, and comment on, the Executive's draft proposals for Development Plan Documents (DPDs), Supplementary Planning Documents (SPDs), and the Statement of Community Involvement (SCI) at each formal stage in preparation.

2.6.2.6 To assess and review the performance of the services which fall within the terms of reference of the Committee.

2.6.2.7 To transfer enforcement functions to another enforcement authority under Smoke-free (Premises and Enforcement) Regulations 2006.

2.6.3 Call in of Decisions Made by the Committee

2.6.3.1 Applications determined by the Planning and Environmental Protection Committee can be called in to the Appeals and Planning Review Committee (*see Appeals and Planning Review Committee Terms of Reference for procedure para. 2.1*).

2.6.4 Planning Call-In Procedure

Part 3, Delegations Section 2 – Regulatory Committee Functions

- 2.6.4.1 This paragraph only applies to a determination of planning application decisions made by the Planning and Environmental Protection Committee.
- 2.6.4.2 If the Planning and Environmental Protection Committee makes a determination as set out in paragraph 2.6.3.1 above, 30% of the Members present at the meeting where the resolution was passed can ask the Chief Executive that it be reported to a special meeting of the Appeals and Planning Review Committee.
- 2.6.4.3 The right under the paragraph above must be carried out within two working days of the end of the meeting by the submission of a planning call-in notice.
- 2.6.4.4 Signatories of a planning call-in notice or their group representatives can withdraw a planning call-in notice by notifying the Chief Executive in writing. If the planning call-in notice has been withdrawn, the original Committee decision takes effect.
- 2.6.4.5 The request to call-in a decision must be made in writing or electronically, using the agreed form. The form must:
- (a) set out the planning application decision that the Members wish to call in;
 - (b) give the reasons why the Appeals and Planning Review Committee reconsider the decision. These must include either the incorrect application of procedure during the application process, or the relevant material planning considerations not being taken into account;
 - (c) be signed and dated by 30% of the Members present at the meeting where the resolution was passed.
- 2.6.4.6 Determination of whether a request to call-in a decision is valid or not, in accordance with the above criteria, will be determined by the Executive Director Place and Economy, in conjunction with the Monitoring Officer.
- 2.6.4.7 The procedure of an Appeals and Planning Review Committee will follow the same format as a Planning and Environmental Protection Committee, including the Speaking Scheme. An application that is called-in will be reconsidered by the Appeals and Planning Review Committee in its entirety.
- 2.6.5 Planning Speaking Scheme as Agreed by the Committee**

Part 3, Delegations Section 2 – Regulatory Committee Functions

2.6.5.1 Members of the public can speak at meetings of the Planning and Environmental Protection Committee which is considering any planning application (including those referred to the Appeals and Planning Review Committee).

(a) Any Ward Councillor, Parish Council (or other groups defined in local planning policy as operating in a manner similar to a Parish Council) representative or member of the public who wish to address the Committee on any planning application or any consultation item referred from another local authority, must register with the Chief Executive by 12 noon Friday before the meeting.

(b) The following procedure will apply for each item.

- (i) Officers will introduce the item;
- (ii) Representations by Ward Councillors and the Parish Council representative;
- (iii) Members questions to the Ward Councillors and Parish Council representative;
- (iv) Objectors' representations;
- (v) Members' questions to objectors;
- (vi) Representations by the applicant, agent and any supporters;
- (vii) Members' questions to the applicant, agent and any supporters;
- (viii) Officers' comments;
- (ix) Members will debate the application and get advice from officers where appropriate;
- (x) Members will reach a decision.

2.6.5.2 The total time allowed for speeches from each of the following groups of speakers will not be more than five minutes unless the Committee decide on the day of the meeting to extend the time allowed due to unusual or exceptional circumstances:-

- (a) Objectors;
- (b) Applicant or agent and their supporters.

2.6.5.3 If more than one objector or supporter wants to speak, the Chairman may ask the supporters and objectors to appoint a spokesperson to represent their views.

The total time allowed for speeches from Ward Councillors and Parish Council representatives will not be more than ten minutes in total unless the Committee decide on the day of the meeting to extend the time allowed due to unusual or exceptional circumstances.

Part 3, Delegations Section 2 – Regulatory Committee Functions

MPs will be permitted to address the Committee when they have been asked to represent their constituents. Proof of this fact should be submitted to the Committee. The total time allowed for speeches for MPs will not be more than five minutes unless the Committee decide on the day of the meeting to extend the time allowed due to unusual or exceptional circumstances.

2.6.5.4 The Chairman may:

- (a) Suspend the public's right to speak if he or she considers it necessary to maintain order at the meeting: or
- (b) Vary the order of representations if he or she feels that it is convenient and will assist the Committee in dealing with the matter provided it will not cause any prejudice to the parties concerned.

In lieu of speaking, Ward Councillors, Parish Council representatives and members of the public may submit representations in writing for consideration by the Committee. Written representations will be reported to the Committee in an update report and circulated on the day of the meeting.

If a Ward Councillor is unable to attend the Committee and submits representations in writing such representations may be read out at the Committee provided that the written representations are no more than 300 words and provided that there is sufficient time following speeches from Ward Councillors present at the Committee (i.e. within the 10 minute time allowed for speeches from Ward Councillors and Parish Council Representatives).

2.6.6 Delegations to officers

2.6.6.1 The Executive Director Place and Economy is authorised to deal with the following matters after consultation with the Chairman of the Committee and notification to (i) the Vice-Chairman, (ii) the representatives of the other political groups on the Committee of which the Chairman and Vice-Chairman are not members, (iii) relevant ward councillors, and no relevant planning objection being raised by them within 48 hours:

- (a) All planning applications not delegated to Officers and not reserved to the Committee;
- (b) the designation, revocation, variation and modification of a Tree Preservation Order which has been opposed;

Part 3, Delegations Section 2 – Regulatory Committee Functions

- (c) Hazardous Substances Consents;
- (d) Applications made by the Council under Regulation 3 of the Town and Country Planning General Regulations 1992 in cases which the Executive Director Place and Economy –would be authorised to determine if they were private applications;
- (e) All enforcement matters, where a breach reported by a member of the public is recommended for “no further action” and where consideration is not referred to the Committee.

If an objection is received the application will be determined by the Committee.

2.6.6.2 The Executive Director Place and Economy is authorised to determine all planning applications, applications to carry out work on Protected Trees, and applications for advertisement consent, listed building consent and conservation area consent, except an application:

- (a) contrary to the provisions of an approved or draft Development Plan and which is recommended for approval;
- (b) contrary to approved Council policies, standards or guidance, and which is recommended for approval;
- (c) which raises an issue of significance which is not covered by specific Council policies, standards or guidance
- (d) which has been referred to the Committee by a Member or a Parish Council from the weekly press list within 28 days, or by a consultee on the delegation confirmation list and the referrers views are contradictory to the officer recommendation;
- (e) which, in the opinion of the Head of Planning, Transport and Engineering Services is potentially controversial, likely to be of significant public interest or would have a significant impact on the environment;
- (f) known to be submitted by or on behalf of a Councillor, Director or Head of Service of the authority (or their spouse/partner);
- (g) which the Executive Director Place and Economy considers should be presented to the Planning and Environmental Protection Committee for determination.

2.6.6.3 The Executive Director Place and Economy is authorised to deal with the following matters subject to there being no prior referral by a Member or a Parish Council to the Planning and Environmental Protection Committee as set out in its terms of reference;

Part 3, Delegations Section 2 – Regulatory Committee Functions

Note: From time to time the Executive Director Place and Economy may authorise in writing other competent officers of the authority to exercise specific delegated functions. The Executive Director Place and Economy may also refer any of the matters listed below to the Planning and Environmental Protection Committee for determination.

- (a) the details of all Planning Obligations,
- (b) all prior notification applications relating to agricultural, telecommunication, changes of use and householder extensions;
- (c) all planning and enforcement matters relating to Conservation (including emergency* Article 4 Directions) Hedgerows and Tree Preservation Orders and proposed Emergency* Tree Preservation Orders which includes designation, revocation, variation, modification, and confirmation, except;
 - (i) the designation or modification of a Conservation Area (Cabinet Member for Growth, Planning, Housing and Economic Development)
 - (ii) any which the Executive Director Place and Economy considers should be determined by the Planning and Environmental Protection Committee.

NB *Emergency – when there is an immediate threat that a building or tree is going to be felled/demolished or pruned/modified in ways that would have a significant impact on the character or amenity of an area.

- (d) all enforcement matters including instructing the Director of Governance to consider the initiations of prosecutions in accordance with the Council's enforcement procedures except where;
 - (i) a significant breach reported by a member of the public or where there is significant public interest in the matter, is recommended for no further action;
 - (ii) the Executive Director Place and Economy considers a breach should be reported to the Planning and Environmental Protection Committee for decision;
- (e) Applications for the discharge or modification of covenants in agreements under Section 106 of the Town and Country Planning Act 1990;

NB **The agreement of the Director of Governance shall be required to authorise the issue of an Enforcement Notice, Breach of Condition Notice, Section 215 Notice, Notices under Section 3 of the Planning (Listed Buildings and Conservation Area) 1990. The Director of Governance shall be responsible for the initiation of any criminal or civil proceedings he considers necessary including the seeking of an injunction. He shall be responsible for arranging the discharge of**

all legal work and advice arising from all enforcement action including ensuring that the Council is properly represented in Court.

- (f) to respond to consultations from:
 - (i) government bodies, other authorities or from other agencies on planning, footpath or similar matters;
 - (ii) Area Traffic Commissioners with observations on applications for goods vehicle licences except where the Head of Development and Construction is of the opinion that the matter should be considered by the Committee.
- (g) matters relating to overhead power lines and applications under prior approval of telecommunications procedures;
- (h) Other powers:
 - (i) determination and issue of Certificates of Alternative Development;
 - (ii) determination and issue of certificates of Lawful Use or Development following consultation with the Director of Governance as to the adequacy of the evidence in all cases where the evidence is either doubtful or complex;
 - (iii) to exercise all the relevant functions listed in schedule 2.6.5 in respect of public unmetalled footpaths, bridleways and byways open to all traffic;
 - (iv) authority to proceed with the stopping up of a public right of way required in connection with development where planning permission has been granted and appropriate publicity has been undertaken including instructing the Director of Governance to make the appropriate Order under the Town and Country Planning Act 1990;
 - (v) authority to instruct the Director of Governance to make orders under Sections 257 or 258 of the Town and Country Planning Act 1990 in respect of the creation, diversion and/or extinguishment of public rights of way with any orders being confirmed where there are no unresolved objections;
 - (vi) to determine, subject to no outstanding objections, applications for Definitive Map Modification Orders under the Wildlife and Countryside Act 1981. To publish Modification Orders to the Definitive Map and Statement, and to authorise the creation, extinguishment and diversion orders for public footpaths, bridleways and byways open to all traffic under the Highways Act 1980 and Town and Country Planning Act 1990 and to instruct the Director of Governance to make such Orders. (NB - the Executive Director Place and Economy is also authorised to modify rights of way, at paragraph 2.6.4.6 (f) below);

Part 3, Delegations Section 2 – Regulatory Committee Functions

- (vii) the service of notices under Section 54 of the Planning (Listed Building and Conservation Areas) Act 1990 requiring urgent work to preserve unoccupied listed buildings;
- (viii) the giving of screening and scoping opinions under the Town & Country Planning (Environmental Impact Assessment)(England & Wales) Regulations 1999.
- (ix) the making of Listed Building and conservation grants within approved budget;
- (x) identifying applications representing departures from the Development Plan;
- (xi) to maintain Public Registers under the legislation for which s/he is responsible, including registers of rights of way;
- (xii) to act as Appointing Officer under Section 10(8) of the Party Wall etc. Act 1996.
- (xiii) the right to enter land under the legislation governing the functions for which s/he is responsible;
- (xiv) applications made under the Licensing Act 2003 and the making of any representations to the courts;
- (xv) the discharge of conditions imposed on planning and related permissions, where those conditions have been complied with;
- (xvi) to determine applications to develop land without compliance with conditions previously attached;
- (xvii) to make determinations, give approvals and agree certain other matters relating to the exercise of permitted development rights;
- (xviii) to grant permission for provision, etc of services, amenities, recreation and refreshment facilities on highway, and related powers;
- (xix) to publish notice in respect of proposal to grant permission under section 115E of the Highways Act 1980;
- (xx) to authorise stopping up or diversion of highway;
- (xxi) relating to complaints about high hedges;
- (xxii) to enforce offences relating to the display of no-smoking signs;
- (xxiii) to enforce offences relating to smoking in smoke-free places;
- (xxiv) to enforce offence of failing to prevent smoking in smoke-free places.

2.6.6.4 The Executive Director Place and Economy is authorised to determine:

Part 3, Delegations Section 2 – Regulatory Committee Functions

- (a) applications under Prior Approval of Telecommunications Procedures; and
- (b) those under delegation 2.6.6.3 (b) and 2.6.6.3 (f);

in consultation with the Chairman or, if not available or inappropriate, the Vice Chairman of the Committee, where a Member or a Parish Council has exercised their power to refer an application to the Committee but there is no scheduled meeting of the Committee within the time period for response.

2.6.6.5 Authorised Signatories

- (a) Planning Decision or Building Control Notices determined by Committee - the Executive Director Place and Economy
- (b) Notices and directions following determination by Committee, under Article 4 of the Town and Country Planning (General Permitted Development) Order 1995 or any Order revoking or re-enacting that Order with or without modification - the Executive Director Place and Economy

2.6.6.6 The Executive Director Place and Economy is authorised:

- (a) to issue licences for hoardings and scaffolding within the highway;
- (b) to issue licences for the placing of skips within the highway;
- (c) to exercise the non-executive powers and duties of the Council, acting on its behalf as the local highway authority, traffic authority, transport authority, parking authority and technical approval authority, including the serving of Notices as contained in the Highways Act 1980
- (d) to create, extinguish and divert footpaths under the Highways Act 1980;
- (e) to enter land under the legislation governing the functions for which s/he is responsible;
- (f) to modify rights of way, in line with para 2.6.4.6 (d) above.

2.6.6.7 The Executive Director Place and Economy is authorised:

- (a) To undertake non-executive actions under the Environmental Protection Act 1990 in relation to pollution and statutory nuisance (these are set out in Schedule 2.6.6;

Part 3, Delegations Section 2 – Regulatory Committee Functions

- (b) To take appropriate action and issue all notices (including notices of entry) under the following legislation: Control of Pollution Act 1974; Noise and Statutory Nuisance Act 1993.

- 2.6.6.8 The **Executive Director Place and Economy** is authorised to serve notices requiring information in relation to ownership of land and property under Section 16 of the Local government (Miscellaneous Provisions) Act 1976.
- 2.6.6.9 The Executive Director: Place and Economy Cambridgeshire and Peterborough Councils is authorised to issue licences and ensure compliance with statutes relating to residential caravan sites, touring caravans and campsites, as listed in Schedule 2.6.5 (Section 3 Caravan Sites Control and Development Act 1960 and Section 269 Public Health Act 1936).
- 2.6.6.10 The Executive Director Place and Economy is authorised to set up and establish any Joint Planning and Environmental Protection Committee and to negotiate and determine the Terms of Reference of such Joint Planning and Environmental Protection Committees with neighbouring councils and local planning authorities, following consultation with the Director of Governance and Chairman of the Planning and Environmental Protection Committee.
- 2.6.6.11 The Executive Director Place and Economy is authorised to prepare and publish a Brownfield Land Register under The Town and Country Planning (Brownfield Land Register) Regulations 2017, except in those instances where a newly published Register would add or delete land from Part 2 of that Register.
- 2.6.6.12 The Executive Director Place and Economy is authorised to undertake all matters relating to Neighbourhood Planning, Neighbourhood Development Orders and Neighbourhood Plans, except for the 'making' (adoption) of such Orders and Plans. This authorisation extends to, but is not necessary limited by, the following:
- (a) The designation of neighbourhood areas and neighbourhood forums
 - (b) Providing comments on behalf of the Council to consultations on draft plans or orders
 - (c) The appointment of an independent examiner for neighbourhood plans or orders
 - (d) Making decisions on behalf of the Council on whether a plan meets the basic conditions and should proceed to referendum, following the receipt of a report from the independent examiner, and publishing this decision
 - (e) Making decisions on the revocation, de-designation, or amendment to any neighbourhood area, forum, plan or order.

Part 3, Delegations Section 2 – Regulatory Committee Functions

2.6.7 Schedule of relevant functions

2.6.7.1 Town and country planning and development control functions

Determination of applications for planning permission	Sections 70(1)(a) and (b) and 72 Town and Country Planning Act 1990 (c.8)
Granting planning permission for development already carried out	Section 73A Town and Country Planning Act 1990 (ref. Schedule 7 para 8 Planning and Compensation Act 1991 (c.34).
Power to determine applications to develop land without compliance with conditions previously attached	Section 73 of the Town and Country Planning Act 1990
Declining to determine applications for planning permission	Section 70A Town and Country Planning Act 1990 (ref. Section 17 Planning and Compensation Act 1991)
Duties associated with determining planning applications	Sections 69, 76 and 92 Town and Country Planning Act 1990, Articles 8, 10 – 13, 15 – 22 and 25 – 26 Town and Country Planning (General Development Procedure) Order 1995 (SI 1995/419) and directions made thereunder
Determination of applications for planning permission by the local authority or jointly with another person	Section 316 Town and Country Planning Act 1990, Town and Country Planning General regulations 1992 (SI 1992/1492) (ref. Section 20 Planning and Compensation Act 1991 and SIs 1992/1982 and 1998/2800)
Entering into agreements regulating development or use of land	Section 106 Town and Country Planning Act 1990
Issuing certificates of existing or proposed lawful use or development	Sections 191(4) and 192(2) Town and Country Planning Act 1990 (ref. Section 10 Planning and Compensation Act 1991)
Serving completion notices	Section 94(2) Town and Country Planning Act 1990
Granting consent for the display of advertisements	Section 220 Town and Country Planning Act 1990,

Part 3, Delegations Section 2 – Regulatory Committee Functions

	Town and Country Planning (Control of Adverts) Regulations 1992 (SI 1992/666)
Authorising entry onto land	Section 196A Town and Country Planning Act 1990 (ref. Section 11 Planning and Compensation Act 1991, and Sections 196A to C Town and Country Planning Act 1990)
Requiring a use of land to discontinue	Section 102 Town and Country Planning Act 1990
Revocation/amendment of Planning Permission	Section 97 Town and Country Planning Act 1990
Power to make determinations, give approvals and agree certain other matters relating to the exercise of permitted development rights	Parts 6, 7, 11, 17, 19,20, 21 to 24, 26,30 and 31 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995
Power to issue a temporary stop notice	Section 171E of the Town and Country Planning Act 1990
Duties relating to applications for listed building consent and conservation area consent	Paragraph 2(6)(a) of Schedule 2 to the Planning and Compensation Act 1991, Paragraph 9(6) of Schedule 13 to the Environment Act 1995 and paragraph 6(5) of Schedule 14 to that Act.
Serving planning contravention, breach of condition or stop notices	Sections 171C, 187A and 183(1) Town and Country Planning Act 1990 (ref. Sections 1,2 and 9 Planning and Compensation Act 1991)
Issuing enforcement notices	Section 172 Town and Country Planning Act 1990 (ref. Section 5 Planning and Compensation Act 1991)
Applying for injunctions restraining a breach of planning control	Section 187B Town and Country Planning Act 1990 (ref. Section 3 Planning and Compensation Act 1991)
Determining applications for hazardous substances consent, and related powers	Sections 9(1) and 10 Planning (Hazardous Substances) Act 1990 (c.10)
Duty to determine conditions which may apply to old mining permissions, relevant planning	Schedule 2 Para 2(6)(a) Planning and Compensation Act 1991,

Part 3, Delegations Section 2 – Regulatory Committee Functions

permissions relating to dormant sites or active phase I or II sites, or mineral permissions relating to mining sites	Schedule 13 Para 9(6) and Schedule 14 Para 6(5) Environment Act 1995 (c.25)
Requiring proper maintenance of land	Section 215(1) Town and Country Planning Act 1990
Determining applications for listed building consent, and related powers	Sections 16(1) and (2), 17, 27(2) and 33(1) Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990 (c.9)
Determining applications for conservation area consent	Sections 16(1) and 74(3) Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990 (c.9) (ref. Town and Country Planning (Listed Buildings and Buildings in Conservation Areas) Regs 1990, SI 1990/1519)
Duties relating to applications for listed building and conservation area consent	Sections 13(1), 14(1) and 14(4) Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990, Regs 3 – 6 and 13 Town and Country Planning (Listed Buildings and Buildings in Conservation Areas) Regulations 1990, Paras 8, 15 and 22 DoE Circular 14/97
Serving building preservation notices, and related powers	Sections 3(1) and 4(1) Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990
Issuing enforcement notices in relation to demolition of unlisted buildings in conservation areas	Section 38 Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990
Acquiring listed buildings in need of repair, and serving repairs notices	Sections 47 – 48 Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990
Applying for injunctions in relation to listed buildings	Section 44A Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990 (ref. Schedule 3 Para 7 Planning and Compensation Act 1991, c.34)
Executing urgent works	Section 54 Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990
Determination of applications to designate a neighbourhood area (including whether the designated area should be a business area)	Sections 61G, 61H and 61I of the Town and Country Planning Act 1990 (as amended by section 116 and Schedule 9 of the Localism Act 2011)

Part 3, Delegations Section 2 – Regulatory Committee Functions

Designation of an organisation or body as a neighbourhood forum and withdrawal of an organisation or body's designation as a neighbourhood forum	Section 61F of the Town and Country Planning Act 1990 (as amended by section 116 and Schedule 9 of the Localism Act 2011)
Duties associated with 'Registers of Land', including a Brownfield Land Register	Part 2 of the Planning and Compulsory Purchase Act 2004 (local development), section 14A ('Register of Land'), and associated The Town and Country Planning (Brownfield Land Register) Regulations 2017.
Duties associated with Neighbourhood Planning, Neighbourhood Development Orders and Neighbourhood Plans, except for 'making' (or adoption) of such Plans and Orders	The Town and Country Planning Act 1990; and the Planning and Compulsory Purchase Act 2004

Part 3, Delegations Section 2 – Regulatory Committee Functions

2.6.7.2 Miscellaneous functions

Obtaining information as to interests in land	Section 330 Town & Country Planning Act 1990 (c.8)
Obtaining particulars of persons interested in land	Section 16 Local Government (Miscellaneous Provisions) Act 1976 (c.57)

2.6.7.3 Tree and hedgerow related functions

Powers relating to the protection of important hedgerows	The Hedgerows Regulations 1997 (SI 1997/1160)
Powers relating to the preservation of trees	Sections 197 – 214D Town and Country Planning Act 1990, Trees Regulations 1999 (SI 1999/1892)
Powers relating to complaints about high hedges	Part 8 of the Anti-Social Behaviour Act 2003

2.6.7.4 Highway and rights of way related functions

Power to authorise stopping up or diversion of highway	Section 247 of the Town and Country Planning Act 1990
Creating footpaths bridleways or restricted byways by agreement	Section 25 Highways Act 1980 (c.66)
Creating footpaths bridleways and restricted byways	Section 26 Highways Act 1980
Duty to keep a register of information with respect to maps, statements and declarations	Section 31A Highways Act 1980
Power to grant permission for provision, etc of services, amenities, recreation and refreshment facilities on highway, and related powers	Section 115E, 115F and 115K of the Highways Act 1980 and the Business and Planning Act 2020
Duty to publish notice in respect of proposal to grant permission under section 115E of the Highways Act 1980	Section 155G of the Highways Act 1980
Stopping up footpaths bridleways and restricted byways	Section 118 Highways Act 1980

Part 3, Delegations Section 2 – Regulatory Committee Functions

Determining applications for public path extinguishments orders	Sections 118ZA and 118C(2) Highways Act 1980
Making rail crossing extinguishments orders	Section 118A Highways Act 1980
Making special extinguishments orders	Section 118B Highways Act 1980
Diverting footpaths bridleways and restricted byways	Section 119 Highways Act 1980
Making public path diversion orders	Sections 119ZA and 119C(4) Highways Act 1980
Making rail crossing diversion orders	Section 119A Highways Act 1980
Making special diversion orders	Section 119B Highways Act 1980
Requiring applicants for an order to enter into an agreement	119C(3) Highways Act 1980
Making an SSSI diversion order	Section 119D Highways Act 1980
Duty to keep a register with respect to applications under sections 118ZA, 118C, 119ZA and 119C Highways Act 1990	Section 121B Highways Act 1980
Declining to determine certain applications	Section 121C Highways Act 1980
Duty to assert and protect the rights of the public to use and enjoyment of public highways	Section 130 Highways Act 1980
Duty to serve notice of proposed action in relation to obstruction	Section 130A Highways Act 1980
Applying for variation of order under section 130B Highways Act 1990	Section 130B(7) Highways Act 1980
Authorising temporary disturbance of the surface of a footpath bridleway or restricted byway	Section 135 Highways Act 1980
Temporarily diverting a footpath bridleway or restricted byway	Section 135A Highways Act 1980
Functions relating to the making good of damage and removal of obstructions	Section 135B Highways Act 1980

Part 3, Delegations Section 2 – Regulatory Committee Functions

Removal of obstructions from the Highway	Section 143 Highways Act 1980
Powers related to the removal of things so deposited on the highway as to be a nuisance	Section 149 Highways Act 1980
Extinguishing certain rights of way	Section 32 Acquisition of Land Act 1981 (c.67)
Duty to keep definitive map and statement under review	Section 53 Wildlife and Countryside Act 1981 (c.69)
Including modifications in other orders	Section 53A Wildlife and Countryside Act 1981
Duty to keep register of prescribed information with respect to applications under section 53(5) Wildlife and Countryside Act 1981	Section 53B Wildlife and Countryside Act 1981
Preparing map and statement by way of consolidation of definitive map and statement	Section 57A Wildlife and Countryside Act 1981
Designating a footpath as a cycle track	Section 3 Cycle Tracks Act 1984 (c.38)
Extinguishing a public right of way over land acquired for clearance	Section 294 Housing Act 1981 (c.68)
Authorising stopping-up or diversion of a footpath or bridleway	Section 257 Town and Country Planning Act 1990
Extinguishing public rights of way over land held for planning purposes	Section 258 Town and Country Planning Act 1990
Entering into agreements with respect to means of access	Section 35 Countryside and Rights of Way Act 2000 (c.37)
Providing access in the absence of agreement	Section 37 Countryside and Rights of Way Act 2000
Allowing the deposit of a builder's skip on the highway	Section 139 Highways Act 1980 (c.66)
Licensing planting, retention and maintenance of trees, etc in part of the highway	Section 142 Highways Act 1980
Authorising erection of stiles etc on footpaths or bridleways	Section 147 Highways Act 1980

Part 3, Delegations Section 2 – Regulatory Committee Functions

Licensing works in relation to buildings, etc which obstruct the highway	Section 169 Highways Act 1980
Consenting to temporary deposits or excavations in streets	Section 171 Highways Act 1980
Consenting to temporary deposits or excavations in streets	Section 171 Highways Act 1980
Dispensing with obligations to erect a hoarding or fence	Section 172 Highways Act 1980
Restricting the placing of rails, beams, etc over highways	Section 178 Highways Act 1980
Consenting to construction of cellars, etc under streets	Section 179 Highways Act 1980
Consenting to making of openings into cellars, etc under streets, and pavement lights and ventilators	Section 180 Highways Act 1980
Granting a street works license	Section 50 New Roads and Street Works Act 1991 (c.22)
Power to enforce offences and issue proceedings relating to unauthorised street works	Sections 54, 55, 57, 70, 74, 74A New Roads and Street Works Act 1991
Registering common land or town and village greens, except where this power is exercised solely to give effect to: - exchange of land effected by order under Section 19(3), or Para 6(4) Schedule 3, Acquisition of Land Act 1981 (c.67), or - order under Section 147 Enclosure Act 1845 (c.8 & 9 Vict. c. 118)	Regulation 6 Commons Registration (New Land) Regulations 1969 (SI 1969/1843)
Registering variation in rights of common	Regulation 29 Commons Registration (General) Regulations 1966 (SI 1966/1471, amended by SI 1968/658)

2.6.7.5 Environmental protection and control functions

Part 3, Delegations Section 2 – Regulatory Committee Functions

Any functions relating to contaminated land	Part IIA of the Environmental Protection Act 1990 (c.43) and subordinate legislation under that Part
Service of an abatement notice in respect of statutory nuisance	Section 80(1) of the Environmental Protection Act 1990
Discharge of any function relating to the control of pollution or the management of air quality	Pollution Prevention & Control Act 1999 (c.24), Part IV of the Environment Act 1995 (c.25),
	Part I of the Environmental Protection Act 1990 (c.43), Clean Air Act 1993 (c.11)
The passing of a resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply in the authority's area	Section 8 Noise and Statutory Nuisance Act 1993 (c.40)
Inspection of the authority's area to detect any statutory nuisance	Section 79 Environmental Protection Act 1990
Investigation of any complaint as to the existence of a statutory nuisance	Section 79 Environmental Protection Act 1990
Consenting to the operation of a loudspeaker	Schedule 2 Noise and Statutory Nuisance Act 1993 (c.40)
Issuing 'site licences' authorising the use of land as a caravan site	Section 3(3) Caravan Sites Control and Development Act 1960 (c.62)
Issuing licences for use of moveable dwellings as camping sites	Section 269(1) Public Health Act 1936 (c.49)
Making closing orders with respect to take-away food shops	Section 4 Local Government (Miscellaneous Provisions) Act 1982 (c.30)
Any function regarding complaints of noise at night	Noise Act 1996

2.6.7.6 Health

Power to enforce offences relating to the display of no-smoking signs	Section 6(5) of the Health Act 2006
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Part 3, Delegations Section 2 – Regulatory Committee Functions

Power to enforce offences relating to smoking in smoke-free places	Section 7(4) of the Health Act 2006
Power to enforce offence of failing to prevent smoking in smoke-free places	Section 8(4) of the Health Act 2006
Power to transfer enforcement functions to another enforcement authority	Smoke-free (Premises and Enforcement) Regulations 2006

2.7 Constitution and Ethics Committee

2.7.1 It is advised that Members undertake relevant training in order to hold a seat on the Hearings Panel Sub-committee.

2.7.2 Terms of Reference

2.7.2.1 Authority to oversee the operation of the Council's Constitution and authority to make recommendations to Full Council as to amendments and improvements to the Council's Constitution (including the codes and protocols) subject to the receipt and consideration of a report prepared by the Monitoring Officer, with the exception of those matters under the remit of the Executive.

2.7.2.2 Authority to oversee and approve the operation of the Council's functions relating to the promotion and maintenance of high standards of conduct amongst members and co-opted members of the Council including:

- Promoting and maintaining high standards of conduct by Members and co-opted members;
- Assisting the Members and co-opted members to observe the Code of Conduct;
- Advising the Council on the adoption or revision of the Members Code of Conduct and Officer Code of Conduct;
- Monitoring the operation of the both Codes of Conduct;
- Advising, training or arranging to train Members and co-opted members on matters relating to the Code of Conduct.

2.7.2.3 Authority to approve the granting, to any Council employee, of a dispensation in relation to disqualification from political activities.

2.7.2.4 The Monitoring Officer, in consultation with the Chair of the Constitution and Ethics Committee and the Independent Person, may issue dispensations to any member in respect of statutory and non-statutory disclosable interests. The Constitution and Ethics Committee will receive a report on such cases at the next available meeting.

Part 3, Delegations Section 2 – Regulatory Committee Functions

- 2.7.2.5 To make recommendations to Council on the appointment of the Council's Independent Person(s).
- 2.7.2.6 To have oversight of parish councils' codes of conduct and registers of interests, and authority to consider complaints regarding parish councillors.
- 2.7.2.7 To make recommendations to Council in relation the Council's Honour's process and appointment of Honours. Administration of this process is delegated to Executive and Members' Services.

2.7.3 Terms of Reference of the Hearing Panel (Sub-committee to the Constitution and Ethics Committee)

- 2.7.3.1 The Monitoring Officer, in consultation with the Chair of the Constitution and Ethics Committee shall appoint, as and when necessary, Hearing Panel Sub-Committees to consider and determine complaints against Members alleging that they have breached the Members' Code of Conduct.
- 2.7.3.2 Hearing Panel Sub-Committees shall comprise three members of the Constitution and Ethics Committee, including either the Chair or Vice-Chair. The membership of the committee shall, as far as practicable, be politically proportionate. The Council's designated Independent Person shall sit alongside the Hearing Panel to offer advice in a non-voting capacity.
- 2.7.3.3 The Hearings Panel is a sub-committee of the Constitution and Ethics Committee. The Panel has the following functions:
- On matters being referred by the Monitoring Officer deciding whether complaints concerning members should be investigated;
 - Hearing and determining complaints that have been referred to them by the Monitoring Officer pursuant to the Complaints procedure;
 - Issuing sanctions where considered appropriate against a member found to be in breach of the Code of Conduct;
 - The agreement of relevant procedures for the undertaking of its functions, when appropriate to be included within the Constitution.
 - To remove a member of the Independent Remuneration Panel in accordance with the provisions set out in in its Terms of Reference.

*Part 3, Delegations Section 2 – Regulatory Committee Functions***2.8 Cambridgeshire & Peterborough Health and Wellbeing Board****2.8.1 Introduction**

The Cambridgeshire & Peterborough Health and Wellbeing Board (HWB) is established as a committee of the County Council under section 102 of the Local Government Act 1972. Its remit is to work to promote the health and wellbeing of Cambridgeshire's communities and its focus is on securing the best possible health outcomes for all residents. This will involve a system level partnership with NHS and Local Government as equal partners and the alignment of partners' strategies across the system.

2.8.2 In consideration of the developments around the Integrated Care Partnerships (ICPs), Cambridgeshire & Peterborough HWB aims to ensure that integration is closely linked to prevention and tackling the wider determinants of health. A joint Cambridgeshire & Peterborough HWB will have collective accountability and responsibility for population health care outcomes. This board will maintain its separate statutory identity from the ICP but will where possible meet as a committee in common where agenda items will be split between the ICP in one section and HWB in the other. It is the intention to have one shared Cambridgeshire & Peterborough Health & Wellbeing Strategy that is owned across the local system.

2.8.3 Membership

* denotes statutory members of the Health and Wellbeing Board as required by Section 194 of the Health and Social Care Act 2012.

2.8.3.1 There is also a statutory requirement for at least one Local Authority Councillor, and at least one representative of the ICS NHS Board, to be a member of the HWB.

2.8.4 Local Authority Members

- Cambridgeshire County Council (CCC) Lead member for HWB*
- CCC Chair of Adults & Health Committee
- Peterborough City Council (PCC) Cabinet / Lead member for Public Health/ HWB*
- PCC Cabinet Member for Children's Services and Education, Skills and University
- PCC/CCC Director of Public Health*
- Executive Director of People & Communities* (representing CCC/PCC Director Adults Services)
- PCC/CCC Director Children Services
- PCC Service Director Adults & Communities
- District Council representative (one officer on behalf of all districts to be appointed by the Cambridgeshire Public Service Board)

2.8.5 Other Members

- Local Healthwatch Chair*
- Voluntary & Community Sector Representative (same representative as ICP)

Part 3, Delegations Section 2 – Regulatory Committee Functions

- Cambridgeshire Constabulary (Chief Constable or officer to be determined)
- Cambridgeshire and Peterborough Combined Authority (Chief Executive Officer (CEO) or officer to be determined)

2.8.6 NHS Members

- CEO Integrated Care Board (ICB*)
- Chair ICB
- NHS Commissioning Board*
- Representative of Cambridge University Hospitals NHS Foundation Trust (CUHFT)
- Representative of North West Anglia NHS Foundation Trust (NWAFT)
- Representative of Papworth Hospital NHS Foundation Trust
- Representative of Cambridgeshire and Peterborough NHS Foundation Trust (CPFT)
- Representative of Cambridgeshire Community Services NHS Trust (CCS)

2.8.7 Summary of Functions

	Delegated Authority	Delegated Condition
2.8.7.1	Authority to prepare the Joint Strategic Needs Assessment (JSNA) for Cambridgeshire and Peterborough: To develop a shared understanding of the needs of the community through developing and keeping under review the JSNA and to use this intelligence to refresh the Health & Wellbeing Strategy.	Section 116, Local Government and Public Involvement in Health Act 2007 Section 196, Health and Social Care Act 2012
2.8.7.2	Authority to prepare the Joint Health and Wellbeing Strategy for Cambridgeshire and Peterborough based on the need identified in the Joint Strategic Needs Assessment and overseeing the implementation of the Strategy, which informs and influences the commissioning plans of partner agencies.	Section 116A, Local Government and Public Involvement in Health Act 2007. Section 196, Health and Social Care Act 2012
2.8.7.3	Authority to respond to consultations about commissioning plans issued by the ICB in connection with Section 26 of the Health and Social Care Act 2012.	Section 26, Health and Social Care Act 2012
2.8.7.4	Authority to encourage persons who arrange for the provision of any health or social care services in the Council's area to work in an integrated manner.	Section 195, Health and Social Care Act 2012

Part 3, Delegations Section 2 – Regulatory Committee Functions

2.8.7.5	Authority to provide any advice, assistance and support it thinks appropriate for the purpose of encouraging the making of arrangements under Section 75 of the National Health Service Act 2006.	Section 195, Health and Social Care Act 2012 Section 75, NHS Act 2006
2.8.7.6	Authority to produce the Pharmaceutical Needs Assessment (PNA) and liaise with NHS England and Improvement (NHSE&I) to ensure recommendations and gaps in services are addressed.	NHS (Pharmaceutical and Local Pharmaceutical Services) Regulations 2013 (SI 2013/349)
2.8.7.7	To consider options and opportunities for the joint commissioning of health and social care services for children, families and adults in Cambridgeshire to meet identified needs (based on the findings of the Joint Strategic Needs Assessment) and to consider any relevant plans and strategies regarding joint commissioning of health and social care services for children and adults.	
2.8.7.8	To identify areas where joined up or integrated commissioning, including the establishment of pooled budget arrangements, would benefit improving health and wellbeing and reducing health inequalities.	
2.8.7.9	By establishing subgroups as appropriate give consideration to areas of joint health and social care commissioning, including but not restricted to services for people with learning disabilities.	
2.8.7.10	To keep under consideration, the financial and organisational implications and impact on people's experience of joint and integrated working across health and social care services, and to make recommendations for ensuring that performance and quality standards for health and social care services to children, families and adults are met and represent value for money across the whole system.	

Part 3, Delegations Section 2 – Regulatory Committee Functions

2.8.7.11	Authority to prepare and provide Health and Wellbeing Board sign off for the Better Care Fund Plan.	
2.8.7.12	Authority to approve non-statutory joint strategies on health and wellbeing issues (e.g. Cambridgeshire and Peterborough suicide prevention strategy).	
2.8.7.13	Authority to discharge any other functions specifically reserved to be undertaken by the Health and Wellbeing Boards as set out in legislation, guidance, circulars and directives received from national Government.	
2.8.7.14	Authority to consider whether ICS Board draft forward plans take proper account of the joint local health and wellbeing strategy which relates to the period (or any part of the period) to which the plan relates.	Section 14Z54 White paper
2.8.7.15	To provide oversight to the work undertaken by the member partners to take forward the Cambridgeshire and Peterborough ICB to deliver the “triple aim” duty for all NHS organisations of better health for the whole population, better quality of care for all patients and financially sustainable services for the taxpayer.	
2.8.7.16	To provide a system wide governance forum, including NHS, Local Government and wider partners, to enable collective focus and direction to the responsibilities and decision making of the individual partners.	

2.8.8 **Cambridgeshire & Peterborough Health and Wellbeing Board (Standing Orders)**

*Part 3, Delegations Section 2 – Regulatory Committee Functions***2.8.8.1 Co-optees**

The Board will be entitled to appoint non-voting and voting co-opted members of the Board. It shall determine whether the co-options shall be for a specified period, for specific meetings or for specific items. Co-options may only be made if the person co-opted has particular knowledge or elected expertise in the functions for which the Board is responsible, or knowledge/responsibility for a geographic or academic agenda issue.

2.8.8.2 Notice of Meetings

Meetings of the Board will be convened by the Integrated Care Board on behalf of Cambridgeshire County Council and Peterborough City Council. The County Council and the City Council will arrange the clerking of the HWB part of the agenda and recording of the whole meeting (a member of Cambridgeshire County Council's or Peterborough City Council's Democratic Services Team will act as clerk or business support lead).

2.8.8.3 Chair

The appointment of the Chair will be determined by the Board at each meeting. It will be based on a rotating arrangement between CCC, PCC and the ICP.

2.8.8.4 Quorum

The quorum for all meetings of the Board will be nine members and must include at least one elected representative from CCC and PCC and a representative of the ICB.

2.8.8.5 Appointment of Substitute Members

Nominating groups may appoint a substitute member for each position. These members will receive electronic versions of agendas and minutes for all meetings. Notification of a named substitute member must be made in writing or by email to the clerk. Substitute members may attend meetings after notifying the clerk of the intended substitution before the start of the meeting either verbally or in writing. Substitute members will have full voting rights when taking the place of the ordinary member for whom they are designated substitute.

2.8.8.6 Decision Making

It is expected that decisions will be reached by consensus, however, if a vote is required it will be determined by a simple majority of those members and voting co-opted members present and voting. If there are equal numbers of votes for and against, the Chair will have a second or casting vote. There will be no restriction on how the Chair chooses to exercise a casting vote.

2.8.8.7 Meeting Frequency

The Board will meet at least four times a year. In addition, extraordinary meetings may be called from time to time as and when appropriate. A Board meeting may be called by the

Part 3, Delegations Section 2 – Regulatory Committee Functions

Chair, by any three members of the Board or by the Director of Public Health if they consider it necessary or appropriate.

2.8.8.8 **Supply of information**

The Cambridgeshire and Peterborough Health and Wellbeing Board may, for the purpose of enabling or assisting it to perform its functions, request any of the following persons to supply it with such information as may be specified in the request—

- (a) the local authority that established the Health and Wellbeing Board;
- (b) any person who is represented on the Health and Wellbeing Board by virtue of section 194(2)(e) to (g) or (8) of the Health and Social Care Act 2012 (“the 2012 Act”);
- (c) any person who is a member of a Health and Wellbeing Board by virtue of section 194(2)(g) or (8) but is not acting as a representative.

A person who is requested to supply information under (a), (b) and (c) must comply with the request. Information supplied to a Health and Wellbeing Board under this section may be used by the Board only for the purpose of enabling or assisting it to perform its functions.

2.8.8.9 **Status of Reports**

Meetings of the Board shall be open to the press and public and the agenda, reports and minutes will be available for inspection on the CCC and PCC’s website at least five working days in advance of each meeting. [This excludes items of business containing confidential information or information that is exempt from publication in accordance with Part 5A and Schedule 12A to the Local Government Act 1972 as amended.] Other participating organisations may make links from their website to the Board’s papers on CCC or PCC’s website.

2.8.8.10 **Press Strategy**

An electronic link to agendas for all meetings will be sent to the local media. CCC and/or PCC will be responsible for issuing press releases on behalf of the Board and dealing with any press enquiries. Press releases issued on behalf of the Board will be agreed with the Chair or Vice-Chair and circulated to all Board members.

2.8.8.11 **Members’ Conduct**

Part 5 - Codes and Protocols of the Cambridgeshire County Council’s Constitution applies to all elected and ‘co-opted’ members of the Board.

2.8.8.12 **Amendment of the Terms of Reference**

The Board may recommend variations to its Terms of Reference by a simple majority vote by the members provided that prior notice of the nature of the proposed variation is made and included on the agenda for the meeting.

2.8.8.13 Governance and Accountability

The Board will be accountable for its actions to its individual member organisations. There will be sovereignty around decision making processes. Representatives will be accountable through their own organisations for the decisions they take. It is expected that Members of the Board will have delegated authority from their organisations to take decisions within the terms of reference. Decisions within the terms of reference will be taken at meetings and will not normally be subject to ratification or a formal decision process by partner organisations. However, where decisions are not within the delegated authority of the Board members, these will be subject to ratification by constituent bodies.

It is expected that decisions will be reached by consensus. Board members bring the responsibility, accountability and duties of their individual roles to the Board to provide information, data and consultation material appropriate to inform the discussions and decisions.

2.8.8.14 Reporting

The Board will take an annual report to Full Council in CCC and PCC and will report to NHS England and Improvement (NHSEI) via the regional Team reports as required.

2.9 Peterborough City Council Independent Improvement and Assurance Panel - Terms of Reference

Following the publication of two independent reports that make up the External Assurance Review of Peterborough City Council, the Minister of State for Equalities and Levelling Up Communities has requested the Council establish an Improvement and Assurance Panel of non-executive advisers, to remain in place for two years to advise on and provide a regular six-monthly commentary for the Council on the progress with its improvement plan.

2.9.1 Purpose

2.9.1.1 The purpose of the Panel is:

- To provide external advice, challenge, and expertise to Peterborough City Council in driving forward the development and delivery of their improvement plan.
- To provide assurance to the Council and Secretary of State of the Council's progress on delivering their improvement plan.
- To provide six monthly reports to the Council on the progress of the delivery of the Improvement Plan.

2.9.1.2 This will involve:

- Providing regular advice, challenge, and support to the Council on the full range of their improvement activities, and in particular on delivery of the recommendations in the CIPFA and Andrew Flockhart reports published on 3rd November 2021 to ensure financial sustainability of the Council in two years (financial year 2023/24).
- Working together across specialisms and acknowledging as well as challenging key dependencies with collegiate approach to managing and resolving risk.
- Exploring key issues in detail through deep dives and specially commissioned pieces of work and through workshops.
- Ensuring key decisions are made cognisant of the financial implications and impact on in-year budgets and the long term MTFS.
- Providing written commentaries on the Council's progress to the Secretary of State for Levelling Up, Housing and Communities on the Council's progress, including whether there needs to be any reconsideration of the locally led approach set out in the letter to the Leader of the Council from the Minister dated, 2nd November 2021.

2.9.1.3 The Panel will convene for the first time in December 2021 and is expected to conclude in December 2023. Panel meetings will be held in private, and any minutes produced will not be published. The Panel's first initial response to the Council's Improvement Plan work will be end of January 2022, and thereafter the six monthly reporting regime will commence as set out in paragraph 1 above.

2.9.1.4 The Panel will meet monthly in the first instance and will keep under review the frequency of these meetings.

2.9.2 The Improvement and Assurance Panel will comprise:

Independent Chair	Eleanor Kelly
Independent External Member (Finance)	Chris Buss
Independent External Member (Governance)	Andrew Flockhart
Independent External Member (Service)	Chris Naylor
Independent External Member (Assets, Contracts and Companies)	Clive Heaphy
Independent External Member (LGA)	Rachel Litherland

In attendance:

Leader of the Council

Chief Executive

2.9.2.1 Additional independent external members may be appointed to the Panel in the future if required.

2.9.3 Wider Local and Political Engagement

2.9.3.1 The Improvement and Assurance Panel will work closely with the other improvement boards/support mechanisms across the Council.

2.9.4 Costs

2.9.4.1 Any costs associated with the Improvement and Assurance Panel will be met by Peterborough City Council.

2.9.4.2 Panel members will be paid a fee for their work. The fee will be paid on a personal basis.

2.9.4.3 Panel members will need to work flexibly as the demand of the role requires. However, Peterborough City Council may wish to agree in advance the number of days advice to be provided by each Panel member over each 12-month period.

2.9.4.4 The Panel will be supported by an effective programme office to ensure that the overall programme plan is proactively tracked, kept up to date and that issues and risks are managed on a day-to-day basis through officers.

Section 4 – Overview and Scrutiny Functions & Terms of Reference

1. OVERVIEW AND SCRUTINY COMMITTEES

- 1.1 The Council has appointed the following Overview and Scrutiny Committees to carry out those functions under Sections 9F to 9FI of the Local Government Act 2000, as amended by:
- (a) Section 19 of the Police and Justice Act 2006 in relation to the scrutiny of crime and disorder matters;
 - (b) Section 244 of the Health & Social Care Act 2012 in relation to health matters; and
 - (c) Section 22 of the Flood Risk Management Act 2010 in relation to flood risk management.

2. TERMS OF REFERENCE

- 2.1 Council has established the following Scrutiny Committees and they shall have responsibility for overview and scrutiny in relation to the matters set out below:

1.	Children and Education Scrutiny Committee	
	No of Elected Members appointed by Council: Eleven, none of whom may be a Cabinet Member.	Chairman and Vice-Chairman Appointed by Council.
	Quorum: At least half the Members of the Committee (including voting co-opted members).	Co-opted Members to be appointed by the Committee/Council <u>Four representatives as follows with full voting and call-in rights on education matters only:</u> (a) 1 Church of England Diocese representative; (b) 1 Roman Catholic Diocese representative; and (c) 2 parent governor representatives. No more than four non-voting members.
	Functions determined by Council 1. Children’s Services including <ul style="list-style-type: none"> a) Social Care of Children; b) Safeguarding; and c) Children’s Health. d) Targeted Youth Support (including youth offending). 2. Education, including <ul style="list-style-type: none"> a) University and Higher Education; b) Careers; and c) Special Needs and Inclusion; 	
	Functions determined by Statute	

	All powers of an Overview and Scrutiny Committee as set out in Sections 9F to 9FI Local Government Act 2000, Local Government and Public Involvement in Health Act 2007, and any subsequent regulations.
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2.	Growth, Resources and Communities Scrutiny Committee	
	No of Elected Members appointed by Council:	Chairman and Vice-Chairman
	Eleven, none of whom may be a Cabinet Member.	Appointed by Council.
	Quorum:	Co-opted Members to be appointed by the Committee/Council
	At least half the Members of the Committee.	No more than four non-voting members.
	Functions determined by the Council	
	<ol style="list-style-type: none"> 1. Housing need (including homelessness, housing options and selective licensing); 2. Neighbourhood and Community Support (including cohesion and community safety); 3. Equalities; 4. Libraries, Arts and Museums; 5. Tourism, Culture & Recreation; 6. Adult Learning and Skills; 7. City Centre Management; 8. Economic Development and Regeneration including Strategic Housing and Strategic Planning; 9. Transport, Highways and Road Traffic; 10. Strategic Financial Planning; 11. Partnerships and Shared Services; and 12. Digital Services and Information Management; and 13. To scrutinise the operation of the authority's companies as part of the work programme and to provide constructive challenge. 	
	Functions determined by Statute	
	To review and scrutinise crime and disorder matters, including acting as the Council's crime and disorder committee in accordance with Sections 19 of the Police and Justice Act 2006;.	

3.	Adults and Health Scrutiny Committee	
	No of Elected Members appointed by Council: Eleven, none of whom may be a Cabinet Member or the Health and Wellbeing Board.	Chairman and Vice-Chairman Appointed by Council.
	Quorum: At least half the Members of the Committee.	Co-opted Members to be appointed by the Committee/Council No more than four non-voting members.
	Functions determined by the Council 1. Public Health; 2. The Health and Wellbeing including the Health and Wellbeing Board; and 3. Scrutiny of the NHS and NHS providers; 4. Adult Social Care; and 5. Safeguarding Adults.	
	Functions determined by Statute To review and scrutinise local authority services under Sections 9F to 9FI Local Government Act 2000, Local Government and Public Involvement in Health Act 2007, and any subsequent regulations To review and scrutinise matters relating to the Health Service and to make reports and recommendations to local NHS bodies in accordance with section 244 of the National Health Service Act 2006. This will include establishing joint health committees in relation to health issues that cross local authority boundaries and appointing members from within the membership of the Committee to any joint health overview and scrutiny committees with other local authorities. (Also see The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013)	

4. Climate Change and Environment Scrutiny Committee		
	No of Elected Members appointed by Council: Eleven, none of whom may be a Cabinet Member.	Chairman and Vice-Chairman Appointed by Council.
	Quorum: At least half the Members of the committee.	Co-opted Members to be appointed by the Committee/Council No more than four non-voting members.
	Functions determined by the Council 1. Environmental Capital; 2. Flood Risk Management;	

3. Waste Strategy & Management;
4. Climate Change;
5. Reducing Carbon Emissions and achieving Net Zero Carbon Emissions;
6. Biodiversity;
7. Green Space;
8. Trees and Woodland
9. Active Travel; and
10. Energy Generation and Consumption.

Functions determined by Statute

To review and scrutinise flood risk management in accordance with Section 21F of the Local Government Act 2000 (as amended by the Flood and Water Management Act 2010 and under the Flood Management Overview & Scrutiny (England) Regulations 2011 No. 697).

3. SPECIFIC ROLE OF OVERVIEW AND SCRUTINY

- 3.1 To review and scrutinise the planning, decisions, policy development, service provision and performance within their terms of reference as follows:

POLICY DEVELOPMENT AND REVIEW

- 3.2 Within their terms of reference the scrutiny functions will:

- (a) Help the Council and the Executive to develop its budget and policy framework and service Budgets;
- (b) Carry out research into and consultation about policy issues and possible options;
- (c) Consider and promote ways of encouraging the public to take part in developing the Council's policies;
- (d) Question Members of the Cabinet, Committees and senior officers about their views on policy proposals;
- (e) Work with outside organisations in the area to make sure the interests of local people are taken into account;
- (f) Question, and gather evidence from, any person who gives their permission; and
- (g) Monitor and scrutinise the implementation of Council policy.

SCRUTINY

- 3.3 The Scrutiny Committees will:

- (a) Review and scrutinise the Executive, Committee and officer decisions and performance in connection with the discharge of any of the Council's functions;
- (b) Review and scrutinise the Council's performance in meeting the aims of its policies and performance targets and/or particular service areas;
- (c) Question Members of the Executive, Committees and senior officers about their decisions and performance of the Council, both generally and in relation to particular decisions or projects;
- (d) Make recommendations to the Executive and the Council as a result of the scrutiny process;
- (e) Question, and gather evidence from any person with their consent;
- (f) Hold the Executive to account for the discharge of functions in the following ways:
 - i. By exercising the right to call-in, for reconsideration, decisions made but not yet implemented by the Executive or decisions which have been delegated to an officer;
 - ii. By scrutinising Key Decisions which the Executive is planning to take, as set out in the Forward Plan of executive decisions;
 - iii. By scrutinising decisions the Executive are planning to make; and

- iv. By scrutinising Executive decisions after they have been implemented, as part of a wider policy review.
- (g) To consider petitions submitted to it;
- (h) Establish ad-hoc Task and Finish Groups to investigate specific topics on a time-limited basis in accordance with the Scrutiny Committee Procedure Rules; and

CRIME AND DISORDER

- 3.4 The Scrutiny Committee responsible for crime and disorder shall, and any sub committees may:
- (a) Act as the crime and disorder committee within the meaning of Section 19 of the Police and Justice Act 2006;
 - (b) Review or scrutinise decisions made, or other actions taken by bodies or persons responsible for crime and disorder strategies in the Peterborough area;
 - (c) Make reports or recommendations to the local authority on any local crime and disorder matter in relation to a member of the authority; and
 - (d) Consider any crime and disorder matters referred by any Member of the Council.

HEALTH ISSUES

- 3.5 The Scrutiny Committee responsible for health and any sub committees shall undertake their responsibilities under section 244 of the National Health Service Act 2006 as follows:
- (a) May review and scrutinise any matter relating to the planning, provision and operation of the health service in the Peterborough area (including NHS Bodies and other NHS providers);
 - (b) Must invite interested parties to comment on the matter and provide reasonable notice;
 - (c) Take account of relevant information available to it and, in particular, from a Local Healthwatch organisation or representative;
 - (d) Acknowledge any referral within 20 working days and keep the referrer informed of any action taken;
 - (e) Request information about the planning, provision and operation of health services in the area to enable it to carry out its functions;
 - (f) Make reports or recommendations on a matter it has reviewed or scrutinised including;
 - i) An explanation of the matter reviewed or scrutinised;
 - ii) A summary of the evidence considered;
 - iii) A list of the participants involved in the reviews; and
 - iv) An explanation of any recommendations made.
 - (g) Where the Committee asks for a response, the person must respond in writing within 28 days of the request.
- 3.6 The Committee will consider any proposals received from a National Health Service body, Clinical Commissioning Groups or other provider about;

- (a) Any substantial development of the health service in Peterborough; or
 - (b) Any substantial variation to the provision of NHS Services as set out the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013.
- 3.7 In considering the proposals, the Committee must take account of the effect or potential effect of the proposals on the sustainability of the Health Service in its areas and may refer proposals to the Secretary of State in certain circumstances.

FLOOD RISK MANAGEMENT

- 3.8 The Scrutiny Committee responsible for flood risk management, and any sub committees shall undertake their responsibilities under the Flood and Water Management Act 2010 as follows:
- (a) May review and scrutinise any matter relating to the planning, provision and operation of the flood risk management in the Peterborough area;
 - (b) May invite those authorities responsible for flood risk management to comment on the matter;
 - (c) Request information from them to enable it to carry out its responsibilities; and
 - (d) Make reports or recommendations and request a response from flood risk management authorities.

4. MEMBERSHIP

- 4.1 All Members, except Members of the Executive, may be a member of a Scrutiny Committee. However, no Member may be involved in scrutinising a decision with which he or she has been directly involved. Members of the Health and Wellbeing Board should not be a member of the Health Scrutiny Committee.
- 4.2 It is advised that Members undertake relevant training within the past three years in order to hold a seat on a Scrutiny Committee.

CO-OPTEES

- 4.3 The Scrutiny Committees shall be entitled to co-opt, as non-voting members, up to four external representatives or otherwise invite participation from non-members where this is relevant to their work.
- 4.4 There must be at least one non-voting position reserved for a Parish Councillor from a rural area with one substitute member. The Parish Council Liaison Committee will decide these.
- 4.5 A Scrutiny Committee can co-opt a further three members at its discretion. One of these can be a second parish council member identified by the Parish Council Liaison Committee.
- 4.6 The Children and Education Scrutiny Committee shall include in its membership the following representatives. These representatives will have full voting and call-in rights on education matters only, and when other matters are dealt with they may stay in the meeting and speak:
- (a) 1 Church of England Diocese representative;
 - (b) 1 Roman Catholic Diocese representative; and

- (c) 2 parent governor representatives.

109 Seat Committees

May-23		Number of committee seats = 109							
Group	Conservative	Labour	Liberal Democrat	Peterborough First	Green	Non-Aligned	Total		
Elected	26	14	8	8	3	1	60.00		
Proportionality %	43.33	23.33	13.33	13.33	5.00	1.67	99.99		
Entitlement to seats	47.23	25.43	14.53	14.53	5.45	1.82	109.0		
(Rounded)	47	25	15	15	5	2	109		

no. of Cllrs for each group
group no. / 60 x 100
total seats / 100 x proportion

There is no majority party, therefore proportionality for 109 seats will be allocated to Conservative/Labour/Liberal Democrat/Peterborough First/Green/Non-Aligned

CALCULATION FOR PROPORTIONALITY

Calculation	Result %
Conservative = 26/60*100	43.3333
Labour = 14/60*100	23.3333
Liberal Democrats = 8/60*100	13.3333
Peterborough First = 8/60*100	13.3333
Green = 3/60*100	5.0000
Non-Aligned = 1/60*100	1.6667
	99.9999

CALCULATION FOR REMAINING SEATS

Group	total seats remaining (109) / 100 x proportion%	Rounded
Conservative	47.23	47
Labour	25.43	25
Liberal Democrat	14.53	15
Peterborough First	14.53	15
Green	5.45	5
Non-Aligned	1.82	2
	Total	109

Committee	Seats	Conservative	Labour	Liberal Democrats	Peterborough First	Green	Non-Aligned	Total
Children and Education Scrutiny Committee	11	5	2	1	2	1	0	11
Growth, Resources, and Communities Scrutiny Committee	11	5	3	1	1	1	0	11
Adults and Health Scrutiny Committee	11	4	3	1	1	1	1	11
Climate Change and Environment Scrutiny Committee	11	5	2	1	2	1	0	11
Corporate Parenting Committee	11	5	3	2	1	0	0	11
Employment Committee	7	3	2	1	1	0	0	7
Audit Committee	7	3	2	1	1	0	0	7
Regulatory Committee (Non Licensing Act 2003 Committee)	11	5	2	2	2	0	0	11
Planning and Environmental Protection Committee	11	4	3	2	2	0	0	11
Appeals and Planning Review Committee	11	5	2	2	1	1	0	11
Constitution and Ethics Committee	7	3	2	1	1	0	0	7
Entitlement to Seats		47	25	15	15	5	2	109
Seats Pre-allocated		47	26	15	15	5	1	109
Adjustment to make		0	-1	0	0	0	1	

Committee Size	Group Conservative	Group Labour	Group Liberal Democrats	Group Peterborough First	Group Green	Group Non-Aligned	
16	43.33	23.33	13.33	13.33	5.00	1.67	15.9984
15	6.9328	3.7328	2.1328	2.1328	0.8	0.2672	14.9985
14	6.4995	3.4995	1.9995	1.9995	0.75	0.2505	13.9986
13	6.0662	3.2662	1.8662	1.8662	0.7	0.2338	12.9987
12	5.6329	3.0329	1.7329	1.7329	0.65	0.2171	11.9988
11	5.1996	2.7996	1.5996	1.5996	0.6	0.2004	10.9989
10	4.7663	2.5663	1.4663	1.4663	0.55	0.1837	9.999
9	4.333	2.333	1.333	1.333	0.5	0.167	8.9991
8	3.8997	2.0997	1.1997	1.1997	0.45	0.1503	7.9992
7	3.4664	1.8664	1.0664	1.0664	0.4	0.1336	6.9993
6	3.0331	1.6331	0.9331	0.9331	0.35	0.1169	5.9994
5	2.5998	1.3998	0.7998	0.7998	0.3	0.1002	4.9995
4	2.1665	1.1665	0.6665	0.6665	0.25	0.0835	3.9996
3	1.7332	0.9332	0.5332	0.5332	0.2	0.0668	2.9997

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Committees and Bodies Not Subject to Political Balance

Committee	Seats
Health and Wellbeing Board	As per the Terms of Reference: Lead Cabinet Member for Public Health Lead Cabinet Member for Children's Services
Licensing Act 2003 Committee	To reflect Regulatory Committee (Non-Licensing Act 2003 Committee)

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COMMITTEE MEMBERSHIP, CHAIRS AND VICE-CHAIRS
2023 – 2024

SCRUTINY COMMITTEES

ADULTS AND HEALTH SCRUTINY COMMITTEE (11) (4:3:1:1:1:0)

Conservative	Labour	Lib Dem	PF	Green	Non-Aligned
TBC x4	Qayyum (Chair) Mahmood Bi	Shaheed (Vice-Chair)	Rush	Skibsted	Stevenson
SUBS:					
	Sabir A Jones	Barkham	TBC	TBC	N/A
GROUP REPS:					
	Qayyum	Shaheed	Rush	Skibsted	Stevenson

GROWTH, RESOURCES, AND COMMUNITIES SCRUTINY COMMITTEE (11) (5:3:1:1:1:0)

Conservative	Labour	Lib Dem	PF	Green	Non-Aligned
TBC x5	Iqbal (Chair) Jamil (Vice-Chair) Thulbourn	Wiggin	John Fox	Knight	N/A
SUBS:					
	Qayyum Sabir	Sandford	TBC	TBC	N/A
GROUP REPS:					
	Iqbal	Wiggin	John Fox	Knight	N/A

CHILDREN AND EDUCATION SCRUTINY COMMITTEE (11) (5:2:1:2:1:0)

Conservative	Labour	Lib Dem	PF	Green	Non-Aligned
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TBC x5	Hemraj (Vice-Chair) Cole	Shaheed (Chair)	Lane Bisby	Skibsted	N/A
SUBS:					
	Sabir	A Bond			N/A
GROUP REPS:					
	Hemraj	Shaheed	Lane	Skibsted	N/A

CLIMATE CHANGE AND ENVIRONMENT SCRUTINY COMMITTEE (11) (5:2:1:2:1)

Conservative	Labour	Lib Dem	PF	Green	Non-Aligned
TBC x5	A Jones Stangward	Sandford (Vice-Chair)	Judy Fox Elsy	Day (Chair)	N/A
SUBS:					
	Mahmood	Wiggin	TBC	TBC	N/A
GROUP REPS:					
	A Jones	Sandford	Judy Fox	Day	N/A

REGULATORY COMMITTEES

EMPLOYMENT COMMITTEE (7) (3:2:1:1:0:0)

Conservative	Labour	Lib Dem	PF	Green	Non-Aligned
TBC x3	A Jones (Chair) Jamil (Vice-Chair)	Wiggin	Rush	N/A	N/A
SUBS:					
	Thulbourn	Seager	TBC	N/A	N/A
GROUP REPS:					
	A Jones	Wiggin	Rush	N/A	N/A

LICENSING COMMITTEE (REGULATORY) (11) (5:2:2:2:0:0)

Conservative	Labour	Lib Dem	PF	Green	Non-Aligned
TBC x5	Thulbourn Qayyum	Wiggin (Chair) S Bond (Vice-Chair)	John Fox Hiller	N/A	N/A
SUBS:					
	Iqbal	Hogg	TBC	N/A	N/A
GROUP REPS:					
	Thulbourn	Wiggin	John Fox	N/A	N/A

PLANNING & ENVIRONMENTAL PROTECTION COMMITTEE (11) (2:3:2:1:0)

Conservative	Labour	Lib Dem	PF	Green	Non-Aligned
TBC x4	Iqbal (Vice-Chair) Jamil D Jones	Hogg A Bond	Harper (Chair) Hiller	N/A	N/A
SUBS:					
	Mahmood	Seager	TBC	N/A	N/A
GROUP REPS:					
	Iqbal	Hogg	Harper	N/A	N/A

APPEALS AND PLANNING REVIEW COMMITTEE (11) (5:2:2:1:1:0)

Conservative	Labour	Lib Dem	PF	Green	Non-Aligned
TBC x5	Thulbourn (Chair) Qayyum (Vice-Chair)	Sandford Seager	Lane	Day	N/A
SUBS:					
	Mahmood	S Bond	TBC	TBC	N/A
GROUP REPS:					
	Qayyum	Sandford	Lane	Day	N/A

CORPORATE PARENTING COMMITTEE (11) (5:3:2:1:0:0)

Conservative	Labour	Lib Dem	PF	Green	Non-Aligned
TBC x5	D Jones (Chair) Bi (Vice-Chair) Cole	S Bond Seager	Lane	N/A	N/A
SUBS:					
	Hemraj	Barkham	TBC	N/A	N/A
GROUP REPS:					
	D Jones	S Bond	Lane	N/A	N/A

AUDIT COMMITTEE (7) (3:2:1:1:0:0)

Conservative	Labour	Lib Dem	PF	Green	Non-Aligned
TBC x3	Haseeb (Vice-Chair) D Jones	Barkham	Elsy	N/A	N/A
SUBS:					
	Strangward	Sandford	TBC	N/A	N/A
GROUP REPS:					
	Haseeb	Barkham	Elsy	N/A	N/A

CONSTITUTION AND ETHICS COMMITTEE (7) (3:2:1:1:0:0)

Conservative	Labour	Lib Dem	PF	Green	Non-Aligned
Sainsbury (Vice-Chair) TBC TBC	Jamil A Jones	Sandford	Hiller (Chair)	N/A	N/A
SUBS:					
	Thulbourn	Shaheed	TBC	N/A	N/A

GROUP REPS:					
	Jamil	Sandford	Hiller	N/A	N/A

COMMITTEES APPOINTMENTS TO WHICH POLITICAL BALANCE DOES NOT APPLY

LICENSING COMMITTEE (LICENSING ACT 2003) (11)

Same membership as Licensing Committee (Regulatory)

JOINT HEALTH AND WELLBEING BOARD (2 as per the Terms of Reference)

Members
Lead Cabinet Member for Public Health Lead Cabinet Member for Children’s Services
Sub: TBC

SUB-COMMITTEES/PANELS

JOINT CONSULTATIVE PANEL

Same membership as Employment Committee.

EMPLOYEE APPEALS SUB-COMMITTEE

Same membership as Employment Committee.

OTHER

PARISH COUNCIL LIAISON MEETINGS (2 Members)

TBC	TBC
TBC (Chair)	TBC
SUBS:	
TBC	TBC

APPENDIX 3 - REVISED

**Audit and Governance Committee of Seven
POLITICAL BALANCE ACROSS THE COUNTY as at 5 May 2023**

	Total	Vacancy	Conservative	Labour	Liberal Democrats	Independent	Green	St. Neots Independent		Total (exc. Ind)	Entitlement
CAMBRIDGESHIRE	1		26	9	22	3		1		58	1 Liberal Democrat
CAMBRIDGE CITY	1	1		26	10	1	4			40	1 Labour
EAST CAMBS.	1		15		13					28	1 Liberal Democrat
FENLAND	1		35		2	6				37	1 Conservative
HUNTINGDONSHIRE	1		21	4	11	15	1			37	1 Conservative
PETERBOROUGH	1		30	14	8	5	3			55	1 Conservative
SOUTH CAMBS.	1		9		35	1				44	1 Liberal Democrat
TOTAL	7	1	136	53	101	31	8	1		299	
POLITICAL BALANCE %			45.48	17.73	33.78		2.68	0.33			
Seat allocation			3	1	3	0	0	0	0	7	
Committee seat allocation	7		3.171	1.2453	2.3723	0	0.1876	0.0238	0		

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OTHER AUTHORITY MEMBERSHIP**2023 - 2024****CAMBRIDGESHIRE POLICE AND CRIME PANEL (3) (1:1:1:0:0)**

Conservative	Labour	Lib Dem	PF	Green
TBC	D Jones	Barkham	N/A	N/A
SUBS:				
TBC	Jamil	Hogg	N/A	N/A

CAMBRIDGESHIRE AND PETERBOROUGH FIRE AUTHORITY (4) (2:1:1:0:0)

Conservative	Labour	Lib Dem	PF	Green
TBC TBC	Jamil	A Bond	N/A	N/A
NO SUBS				

CAMBRIDGESHIRE AND PETERBOROUGH COMBINED AUTHORITY (1) (1:0:0:0:0)

Conservative	Labour	Lib Dem	PF	Green
TBC	N/A	N/A	N/A	N/A
SUBS:				
TBC	N/A	N/A	N/A	N/A

CAMBRIDGESHIRE AND PETERBOROUGH COMBINED AUTHORITY AUDIT & GOVERNANCE (1) (0:1:0:0:0)

Conservative	Labour	Lib Dem	PF	Green
TBC	N/A	N/A	N/A	N/A
SUBS:				
TBC	N/A	N/A	N/A	N/A

CAMBRIDGESHIRE AND PETERBOROUGH COMBINED AUTHORITY OVERVIEW AND SCRUTINY (2) (1:1:0:0:0)

Conservative	Labour	Lib Dem	PF	Green
TBC	Haseeb	N/A	N/A	N/A
SUBS:				
TBC	TBC	N/A	N/A	N/A

ARMED FORCES CHAMPION (1)

Ray
