

MEETING**CONSTITUTION, ETHICS AND PROBITY COMMITTEE****DATE AND TIME****TUESDAY 14TH JANUARY, 2014****AT 7.00 PM****VENUE****HENDON TOWN HALL, THE BURROUGHS, NW4 4BG**

Dear Councillors,

Please find enclosed additional papers relating to the following items for the above mentioned meeting which were not available at the time of collation of the agenda.

Item No	Title of Report	Pages
7.	CHANGE OF GOVERNANCE SYSTEM PROJECT – APPENDIX P	1 - 28

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APPENDIX P

ANNEXE A TO RESPONSIBILITY FOR FUNCTIONS- Membership and Terms of Reference of Committees

AGENDA ITEM 7

3. RESPONSIBILITY FOR COUNCIL FUNCTIONS

~~Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 sets out the Council functions that are not allocated to the Executive. The following table sets out the body responsible for these.~~

~~Many decisions are taken by Officers or Sub-Committees under delegated powers. Delegation to Officers is set out in section 7 below. The division of responsibility between Planning and Environment Committee and the Area Committees is also set out below.~~

Body responsible	Functions	Membership				
Council	Council can discharge all non-executive functions but most are delegated to committees or officers.	All Members of the Council.				
Policy and Resources	<p>(1) To be the principal means by which advice on strategic policy and plans is given and co-ordinated and to recommend to Full Council, as necessary, on strategic issues. This is to include:</p> <ul style="list-style-type: none"> • Approval of the Corporate Plan • Council’s Capital and Revenue Budget setting (subject to Full Council) and Medium Term Financial Strategy • Ensuring effective Use of Resources and Value for Money <p>(2) To be responsible for the overall strategic direction of the Council including the following specific functions/activities:</p> <table border="1" data-bbox="419 1585 1050 2020"> <tbody> <tr> <td data-bbox="419 1585 738 1753"> <ul style="list-style-type: none"> • Customer Care, Communications and Resident Engagement </td> <td data-bbox="743 1585 1050 1753"> <ul style="list-style-type: none"> • Strategic Partnerships </td> </tr> <tr> <td data-bbox="419 1760 738 2020"> <ul style="list-style-type: none"> • Equalities, Diversity and Community Cohesion </td> <td data-bbox="743 1760 1050 2020"> <ul style="list-style-type: none"> • Local Development Framework and associated documents (for adoption by Full Council) </td> </tr> </tbody> </table>	<ul style="list-style-type: none"> • Customer Care, Communications and Resident Engagement 	<ul style="list-style-type: none"> • Strategic Partnerships 	<ul style="list-style-type: none"> • Equalities, Diversity and Community Cohesion 	<ul style="list-style-type: none"> • Local Development Framework and associated documents (for adoption by Full Council) 	<p><u>12.</u> <u>Chairman and Vice Chairman to be appointed by Council.</u> <u>Committee</u> -to be made up in accordance with proportionality.</p>
<ul style="list-style-type: none"> • Customer Care, Communications and Resident Engagement 	<ul style="list-style-type: none"> • Strategic Partnerships 					
<ul style="list-style-type: none"> • Equalities, Diversity and Community Cohesion 	<ul style="list-style-type: none"> • Local Development Framework and associated documents (for adoption by Full Council) 					

<ul style="list-style-type: none"> • Internal Transformation programmes 	<ul style="list-style-type: none"> • Local Taxation-Billing, Collection and Recovery
<ul style="list-style-type: none"> • Write off of debt 	<ul style="list-style-type: none"> • Insurance
<ul style="list-style-type: none"> • Treasury Management Strategy and Activity 	<ul style="list-style-type: none"> • Information Technology provision
<ul style="list-style-type: none"> • Housing Benefit, Council Tax Support and Welfare programmes 	<ul style="list-style-type: none"> • Health and Safety

(3) To submit recommendations to the Council in the event of a difference of opinion arising between committees upon a matter which falls within the terms of reference of more than one committee.

(4) To be responsible for those matters not specifically allocated to any other committee affecting the affairs of the Council.

(5) To consider and take any necessary action upon proposals for new legislation, Bills before Parliament, Acts of Parliament and other proceedings before Parliament affecting or likely to affect the interests of the Borough or its inhabitants generally where not the specific concern of any other committee(s). The promotion of Bills and Provisional and Statutory Orders in Parliament shall be dealt with by the Council.

(6) Approve the budget, business plan and Annual Report of the Barnet Group Ltd

[\(7\) To allocate a budget, as appropriate, for Area Sub-Committees and agree a framework for governing how that budget may be spent.](#)

If any report comes within the remit of more than one committee, to avoid the report being discussed at several committees, the report will be presented and determined at the most appropriate committee. If this is not clear, then the report will be discussed and

	determined by the Policy and Resources Committee.			
Performance and Contract Management	<p>(1) Overall responsibility for quarterly budget monitoring, including monitoring trading position and financial strategy of Council Delivery Units</p> <p>(2) Monitoring of Performance against agreed financial and performance targets by External providers- including CSG; Re; the Barnet Group; HB Public Law; and NSL.</p> <p>(3) Receive and scrutinise contract variations and change requests in respect of the above contracts</p> <p><u>(4)</u> To make recommendations to Policy and Resources and Theme Committees on relevant policy and commissioning implications arising from the scrutiny of performance of Delivery Units and External Providers</p> <p>(4)<u>(5)</u> Agreeing exceptions to Contract Procedure Rules and decisions in relation to approved lists and agreed national registers, authorise post tender negotiations and accept tenders that are not the lowest</p> <p>(5)<u>(6)</u> Specific responsibility for the following functions within the Council:</p> <table border="1" data-bbox="419 1171 1050 1523"> <tr> <td> <ul style="list-style-type: none"> Corporate Procurement (including agreement of the Procurement Forward Plan and agreeing exceptions to CPRs) </td> <td> <ul style="list-style-type: none"> Risk Management </td> </tr> </table> <p>If any report comes within the remit of more than one committee, to avoid the report being discussed at several committees, the report will be presented and determined at the most appropriate committee. If this is not clear, then the report will be discussed and determined by the Policy and Resources Committee.</p>	<ul style="list-style-type: none"> Corporate Procurement (including agreement of the Procurement Forward Plan and agreeing exceptions to CPRs) 	<ul style="list-style-type: none"> Risk Management 	<p><u>10</u></p> <p>Chairman and Vice Chairman to be appointed by Council. Remainder to be made up in accordance with proportionality</p>
<ul style="list-style-type: none"> Corporate Procurement (including agreement of the Procurement Forward Plan and agreeing exceptions to CPRs) 	<ul style="list-style-type: none"> Risk Management 			
Children, Education, Libraries and Safeguarding	<p>1) Specific responsibilities include:</p> <ul style="list-style-type: none"> Planning the adequate provision of school places in the Borough Investment in educational infrastructure to 	<p><u>10</u></p> <p>Chairman and Vice chairman to be appointed by Council. Requirement</p>		

	<p>meet the needs of the Borough's learners</p> <ul style="list-style-type: none"> • Development and enhancement of the Library Service • Development of cultural activities • To be responsible for those powers, duties and functions of the Council in relation Children's Services (including schools): <p>(2) Lead the Council's responsibilities under the Children Act 2004 and Education and inspection Act 2007</p> <ul style="list-style-type: none"> • Oversee effective support for young people in care; and enhance the Council's corporate parenting role • Oversee the multi-agency Youth Offending Team • Oversee the effective provision of support across partners for the well-being of vulnerable families - including the Troubled Families programme <p>(3) Approve the Children and Young People Plan and associated sub strategies promoting the following areas:</p> <ul style="list-style-type: none"> • Education • Inclusion • Child Poverty • Early Intervention and Prevention <p>(4) Grants to Voluntary Sector within the remit of the Committee</p> <p>(5) To approve any non-statutory plan or strategy within the remit of the Committee that is not reserved to Full Council or Policy and Resources.</p> <p>(6) To ensure that the Council's safeguarding responsibilities are taken into account.</p> <p>(7) To receive and consider reports as appropriate from the Children's Trust Board</p> <p>If any report comes within the remit of more than one committee, to avoid the report being discussed at several committees, the report will be presented and determined at the most appropriate committee. If this is not clear, then the report will be discussed and determined by the Policy and Resources Committee</p>	<p>to have a Lead Member for Children's Services. Remainder to be made up in accordance with proportionality</p>
<p>Adults and Safeguarding</p>	<p>(1) Specific responsibilities include: To be responsible for those powers, duties and functions of the Council in relation to Adults and Communities including the following specific functions:</p>	<p>10 Chairman and Vice Chairman appointed by Council. Remainder to</p>

	<ul style="list-style-type: none"> • Promoting the best possible Adult Social Care services <p>(2) Work with partners on the Health and Well Being Board to ensure that social care, interventions are effectively and seamlessly joined up with public health and healthcare and promote the Health and Well Being Strategy and its associated sub strategies.</p> <p>(3) Develop fees and charges for those areas under the remit of the Committee for consideration by Policy and Resources Committee</p> <p>(4) Specific responsibilities to include:</p> <table border="1" data-bbox="395 707 1051 875"> <tr> <td data-bbox="395 707 722 875"> <ul style="list-style-type: none"> • Leisure Services. </td> <td data-bbox="722 707 1051 875"> <ul style="list-style-type: none"> • Grants to Voluntary Sector within the remit of the Committee </td> </tr> </table> <p>(5) To ensure that the Council's safeguarding responsibilities are taken into account.</p> <p>(6) To approve any non-statutory plan or strategy within the remit of the Committee that is not reserved to Full Council or Policy and Resources.</p> <p>If any report comes within the remit of more than one committee, to avoid the report being discussed at several committees, the report will be presented and determined at the most appropriate committee. If this is not clear, then the report will be discussed and determined by the Policy and Resources Committee</p>	<ul style="list-style-type: none"> • Leisure Services. 	<ul style="list-style-type: none"> • Grants to Voluntary Sector within the remit of the Committee 	<p>be made up in accordance with proportionality</p>				
<ul style="list-style-type: none"> • Leisure Services. 	<ul style="list-style-type: none"> • Grants to Voluntary Sector within the remit of the Committee 							
<p>Environment</p>	<p>(1) To include specific responsibilities for commissioning the following:</p> <table border="1" data-bbox="437 1662 1051 2047"> <tr> <td data-bbox="437 1662 740 1865"> <ul style="list-style-type: none"> • Street Scene including pavements and all classes of roads </td> <td data-bbox="740 1662 1051 1865"> <ul style="list-style-type: none"> • Parking provision and enforcement </td> </tr> <tr> <td data-bbox="437 1865 740 1926"> <ul style="list-style-type: none"> • Road Safety </td> <td data-bbox="740 1865 1051 1926"> <ul style="list-style-type: none"> • Street Lighting </td> </tr> <tr> <td data-bbox="437 1926 740 2047"> <ul style="list-style-type: none"> • Transport and traffic management- </td> <td data-bbox="740 1926 1051 2047"> <ul style="list-style-type: none"> • Refuse and recycling </td> </tr> </table>	<ul style="list-style-type: none"> • Street Scene including pavements and all classes of roads 	<ul style="list-style-type: none"> • Parking provision and enforcement 	<ul style="list-style-type: none"> • Road Safety 	<ul style="list-style-type: none"> • Street Lighting 	<ul style="list-style-type: none"> • Transport and traffic management- 	<ul style="list-style-type: none"> • Refuse and recycling 	<p>Chairman and Vice Chairman appointed by Council. Remainder to be made up in accordance with proportionality</p>
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<ul style="list-style-type: none"> • Transport and traffic management- 	<ul style="list-style-type: none"> • Refuse and recycling 							

including agreement of London Transport Strategy-Local Implementation Plan	
• Street Cleaning	• Waste Minimisation
• Waterways	• Allotments
• Parks and Open Spaces	• Fleet Management
• Trees	• Cemetery and crematorium and Mortuary
• Trading Standards	• Contaminated land and all statutory nuisances.
• Flood Risk Management (scrutiny aspect)	

(2) Council highways functions (including highways use and regulation, access to the countryside, arrangements and extinguishment of public rights of way) which are limited to

- creating, stopping up and diverting footpaths and bridleways
- asserting and protecting public rights to use highways
- removing things deposited on highways which cause nuisance

(3) Gaming, entertainment, food and miscellaneous licensing in so far as not otherwise the responsibility of the Licensing Committee or the Licensing Sub-Committee *alth and Safety regulation (otherwise than as an employer).*

(4) Develop fees and charges for those areas under the remit of the Committee for consideration by Policy and Resources

	<p>Committee</p> <p>(5) Specific responsibilities to include:</p> <ul style="list-style-type: none"> Grants to Voluntary Sector within the remit of the Committee <p>(6) To approve any non-statutory plan or strategy within the remit of the Committee that is not reserved to Full Council or Policy and Resources.</p> <p>If any report comes within the remit of more than one committee, to avoid the report being discussed at several committees, the report will be presented and determined at the most appropriate committee. If this is not clear, then the report will be discussed and determined by the Policy and Resources Committee.</p>	
<p>Assets, Regeneration and Growth</p>	<p>1) Specific responsibilities include:</p> <ul style="list-style-type: none"> Develop and oversee a Regeneration Strategy Develop strategies which maximise the financial opportunities of growth- e.g. New Homes Bonus, localisation of business rates Promote skills and enterprise and approve a Skills Enterprise and Employment Strategy (having regard to the views of the Lead member for Childrens Services on relevant matters) Engagement with the business community and measures to support local business Oversee major regeneration schemes- including those of key social housing estates Town Centre regeneration programmes Asset Management – all matters relating to land and buildings owned, rented or proposed to be acquired or disposed of by the Council Neighbourhood Plans (for adoption by Full Council) <p>(2) Develop fees and charges for those areas under the remit of the Committee for consideration by Policy and Resources Committee</p> <p>(3) Specific responsibilities to include:</p> <ul style="list-style-type: none"> Grants to Voluntary Sector within the remit of the Committee 	<p>Chairman and Vice Chairman appointed by Council. Remainder to be made up in accordance with proportionality</p>

	<p>(4) To approve any non-statutory plan or strategy within the remit of the Committee that is not reserved to Full Council or Policy and Resources.</p> <p>If any report comes within the remit of more than one committee, to avoid the report being discussed at several committees, the report will be presented and determined at the most appropriate committee. If this is not clear, then the report will be discussed and determined by the Policy and Resources Committee</p>	
<p>Housing</p>	<p>(1) Specific responsibilities include:</p> <ul style="list-style-type: none"> • Housing Strategy (incorporating Homelessness Strategy) • Work with Barnet Homes, RSLs and social housing providers to ensure the optimum provision of housing and associated facilities for those who require social housing • <u>Commissioning of Environmental Health</u> • <u>Promote the better integration of privately rented properties into the Borough's framework;</u> • <u>All matters related to Private sector Housing including Disabled Facility Grants</u> • <u>Housing licensing and housing enforcement</u> <p>(2) Develop fees and charges for those areas under the remit of the Committee for consideration by Policy and Resources Committee</p> <p>(3) Specific responsibilities to include:</p> <ul style="list-style-type: none"> • Grants to Voluntary Sector within the remit of the Committee <p>(4) To approve any non-statutory plan or strategy within the remit of the Committee that is not reserved to Full Council or Policy and Resources.</p> <p>If any report comes within the remit of more than one committee, to avoid the report being discussed at several committees, the report will be presented and determined at the most</p>	<p>Chairman and Vice Chairman appointed by Council. Remainder to be made up in accordance with proportionality</p>

	appropriate committee. If this is not clear, then the report will be discussed and determined by the Policy and Resources Committee	
Community Leadership	<p>Specific responsibilities include:</p> <ul style="list-style-type: none"> • Grants to Voluntary Sector within the remit of the Committee • Responsibilities for the Registration and Nationality Service • Emergency Planning • Civic events <p>(1) To oversee arrangements for cross partner co-operation including any pooling of budgets (other than those within the remit of the Health and Well Being Board) e.g. Community Budgets</p> <p>(2) To maintain good community relations with Barnet's diverse communities ensuring that all communities have the opportunity to participate fully in the Borough's affairs</p> <p>(3) To represent Barnet's strategic interests in dealings with sub-regional, regional and national Government and influence relevant tiers of Government</p> <p>(4) To contribute to achieving better outcomes in the Safer Communities Strategy through CCTV, fighting crime and anti-social behaviour, combating graffiti flytipping and other environmental crime, action against Domestic Violence and any other relevant Council activity.</p> <p>(5) To work together with partners on the Barnet Safer Communities Partnership including Police, Fire and Criminal Justice Agencies to help make Barnet a safer place.</p> <p>(6) Provide scrutiny aspect of Community Safety</p> <p>(7) To approve any non-statutory plan or strategy within the remit of the Committee that is not reserved to Full Council or Policy and Resources.</p> <p>If any report comes within the remit of more</p>	<p>10</p> <p>Chairman and Vice Chairman appointed by Council. Remainder to be made up in accordance with proportionality</p>

	<p>than one committee, to avoid the report being discussed at several committees, the report will be presented and determined at the most appropriate committee. If this is not clear, then the report will be discussed and determined by the Policy and Resources Committee.</p>	
<p>Area Sub Committees</p>	<ol style="list-style-type: none"> 1. Consider matters raised at Residents Forums and determine how they are to be taken forward, including whether to request a report for a future meeting, refer to an Officer and/or ward councillors 2. Discharge any functions, within the budget and policy framework agreed by P and R, of the theme committees that they agree are more properly delegated to a more local level. These include but are not limited to: <ul style="list-style-type: none"> • <i>Town Centre Regeneration and Management</i> • <i>Sewers, drainage, public conveniences, water courses</i> • <i>Refuse collection, litter, cleansing, waste and recycling</i> • <i>Parks, open spaces, nature reserves, allotments, recreation and leisure facilities</i> • <i>Libraries and Culture</i> • <i>Cemeteries and Crematoria</i> • <i>Recommending the creation of Conservation Areas to Environment Committee</i> • <i>Day to day environmental issues and management of land on Council Housing estates</i> • <i>Local highways and safety schemes</i> 3. Considering any proposals for Neighbourhood Planning under the 2011 Localism Act and proposing plans to the Assets, Regeneration and Growth Committee. 4. Administer any local budget delegated from Policy and Resources Committee for these sub-committees in accordance with the framework set by the Policy and Resources Committee. 5. Powers to deal with small public works <p>Area Sub-Committees should not deal with issues that are specifically within the remit of other committees (e.g. Licensing), that should</p>	<p>Chairman and Vice Chairman appointed by Council. Remainder to be made up in accordance with proportionality</p>

	be exercised at a Borough wide level or that are outside the budget and policy framework.	
Council acting as the Licensing Authority	Agreeing and reviewing the Statement of Licensing Policy.	All Members of the Council
Licensing Committee	<p>All functions under the Licensing Act 2003 and the Gambling Act 2005 associated Regulations, not otherwise delegated to the Licensing Sub-Committee.</p> <p>Agreeing increases to fees and charges for licence applications under the Gambling Act 2005.</p> <p>Applications and appeals and revocations relating to Sex Shops, Sex Cinemas and Sex Encounter Establishments</p> <p>Applications, appeals and revocations relating to Special Treatment Licenses.</p> <p>Application for film classification for films shown within the Borough</p> <p>Gaming, entertainment, food and miscellaneous licensing including functions relating to: street trading including the designation of permanent pitches for street trading</p> <p>Safety at sports ground certification.</p>	10 Non-executive Councillors
Licensing Sub-Committee	<p>All functions under the Licensing Act 2003 and the Gambling Act 2005 and associated Regulations, as delegated to it by the Licensing Committee.</p> <p>All functions in relation to other licensing as delegated by the Licensing Committee.</p>	10 Non-executive Councillors

<p>Audit Committee</p>	<p>Statement of Purpose</p> <p>The purpose of an audit committee is to provide independent assurance of the adequacy of the risk management framework and the associated control environment, independent scrutiny of the authority's financial and non-financial performance to the extent that it affects the authority's exposure to risk and weakens the control environment, and to oversee the financial reporting process.</p>	<p>The proportionality rules apply to the membership of this Committee, which should comprise between 5 and 7 members.</p> <p>The membership should also include two independent, non-voting Members with a period of appointment of four years, co-terminus with Council.</p> <p>The Chairman should not be a member of the Executive, and should preferably be a member of an opposition party. Additionally, the Chairman should not be permitted to serve in that role for more than 4 consecutive years.</p>
	<p>Terms of Reference</p> <p><u>Audit Activity</u></p> <ol style="list-style-type: none"> 1. To consider the audit annual report, plan and opinion. 2. To consider summaries of specific internal audit reports as requested. 3. To consider reports dealing with the management and performance of the providers of internal audit services. 4. To consider a report from internal audit on agreed recommendations not implemented within a reasonable timescale. 5. To consider the external auditor's annual letter, relevant reports, and the report to those charged with governance. 6. To consider specific reports as agreed with the external auditor. 7. To comment on the scope and depth of external audit work and to ensure it gives value for money. 8. To liaise with the body responsible over the appointment of the Council's external auditors. 9. To commission work from the internal and 	

	<p>external audit, proportionate to risk identified and with agreement from Chief Executive.</p> <p><u>Regulatory Framework.</u></p> <p>10. To review any issue referred to it by the chief executive or a director, or any Council body.</p> <p>11. To monitor the effective development and operation of risk management and corporate governance in the Council.</p> <p>12. To monitor Council policies on 'Raising Concerns at Work' and the anti-fraud and anti-corruption strategy and the Council's complaints process.</p> <p>13. To oversee the production of the authority's Annual Governance <u>Statement</u>.</p>	
	<p><u>Statement</u> and to recommend its adoption.</p> <p><u>Accounts</u></p> <p>14. To review and approve 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.</p> <p>15. To consider the external auditor's report to those charged with governance on issues arising from the audit of the accounts.</p> <p><u>Annual Report</u></p> <p>16. The Audit Committee shall prepare a report to Full Council on annual basis on its activity and effectiveness</p>	

<p>Appeals Committees</p>	<p>Determining an appeal or application where there is a right of appeal to a Council committee. This does not include matters, which are the responsibility of the Licensing Committee or the Licensing Sub-Committee, nor does it include special statutory appeal or review bodies. It does include:</p> <ul style="list-style-type: none"> • Appeals relating to renovation, disabled facilities, home repair assistance and common parts facilities grants • Statutory complaints against school governing bodies • Appeals under the housing right to compensation scheme. 	<p>10 councillors Plus 2 substitutes from each political group.</p>
<p>Planning and Environment Committee</p>	<p>1. Take action under Town and Country Planning, and associated legislation including Part 8 of the Anti Social Behaviour Act 2003 relating to high hedges</p> <p>The following functions are reserved to the Committee and cannot be discharged by an Area <u>Sub-Committee</u> or officer.</p> <ul style="list-style-type: none"> • planning applications which involve a significant departure from the statutory development plan; • planning applications on behalf of the Council or where the Council has a significant interest in the development; • planning applications within the categories of development which must be referred to the Mayor of London; and • matters of significance to the entire borough or where major issues extend across boundaries of sub-committees or across local government boundaries. <p>(Reports on all the matters reserved to the Committee shall be made direct to the Committee and not through an area sub-committee.)</p>	<p>10 Non-Executive Councillors</p>

~~2.—~~

~~Contaminated land and all statutory nuisances.~~

~~3.—~~ Commons registration and town and village greens including powers of protection and enforcement although in practice these specific functions will be discharged by officers.

(Which may include considering the recommendations of a non-statutory inquiry chaired by an independent person).

Designating neighbourhood areas and neighbourhood forums for the purposes of neighbourhood planning.

~~4.—~~ Council highways functions (including highways use and regulation, access to the countryside, arrangements and extinguishment of public rights of way) which are limited to:

~~creating, stopping up and diverting footpaths and bridleways~~

~~asserting and protecting public rights to use highways~~

~~removing things deposited on highways which cause nuisance~~

~~All other highway functions are Executive functions.~~

~~5.—~~ Gaming, entertainment, food and miscellaneous licensing in so far as not otherwise the responsibility of the Licensing Committee or the Licensing Sub-Committee.

~~6.—~~ Health and Safety regulation (otherwise than as an employer).

<p>Area Planning Sub-Committees (2)</p>	<p>Determine planning applications within the boundaries of their areas, in accordance with Council policy and within budget, that relate to town and country planning and development control, including tree and hedgerow protection.</p> <p>[For the purposes of this section a planning application is defined as an application for planning permission as defined by the Town and Country Planning Act 1990, as amended, but also includes applications for approval of reserved matters, Listed Building and Conservation Area Consents and consent under Tree Preservation Orders and Hedgerow legislation.]</p> <p>This excludes the functions reserved to the Planning and Environment Committee</p> <p>If in cases where the Council has a minor interest in developments where a decision is required by a Committee, the Director for</p>	<p>East Area Planning sub-Committee</p> <p>10 Councillors each representing one of the following Wards:</p> <p>Underhill High Barnet East Barnet Oakleigh Brunswick Park Coppetts Totteridge East Finchley West Finchley Woodhouse</p>
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	<p>Place will refer the matter to the appropriate Area Planning Committee.</p> <p><i>Relevant Considerations for Area Planning sub-Committees</i></p> <p>A. consideration of planning applications by Area Planning Sub-Committees:</p> <p>The work of the Area Planning Sub-Committees consists mostly of determining applications for planning applications. Delays in determining applications will jeopardise the Council's ability to meet national performance criteria and impact adversely on the interests of residents and affected applicants.</p>	<p>West Area Planning sub-Committee</p> <p>11 Councillors each representing of the following Wards</p> <p>Hale Edgware Burnt Oak West Hendon Colindale Hendon Mill Hill Childs Hill Finchley Church End, Garden Suburb Golders Green</p>
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One potential cause of such delays is the deferral by sub-committees of planning applications for further information or for members to undertake site visits. To minimise this there is a general presumption that:

- Chairmen of Area Planning Sub-Committees should arrange for site visits to be made in advance of the Sub-Committee meeting, particularly where the proposals appear to be contentious or they are of major importance to the area;
- Sub-Committee members who have queries on applications will raise them either at the site visit, or, in any event, as soon as possible before the meeting at which they will be considered.

B. In so far as developments where the Council has minor interests in the development, these matters will normally be dealt with by the Assistant Director of Planning and Development Management under delegated powers, unless it proves necessary to refer them to Committee , and are:

- Minor developments on the public highway or Council owned land – including crossovers, hard standings/ramps, bus shelters, advertisements, satellite dishes, etc.
- Minor extensions or ancillary building proposals less than 1000 sq m to buildings or property, including minor school extensions, housing estate, ancillary buildings, community services, etc.

	<ul style="list-style-type: none"> Any 'other' or 'minor' developments as defined by the DCLG in PS1/PS2 Planning statistical categories of developments, for example 9 or less dwellings, advertisements, Listed Building and Conservation Area consents.) 	
<p>Area Environment Sub-Committees (3)</p>	<p>These sub-committees discharge functions delegated to them by both the Council and the Executive.</p> <p>Their Executive functions are set out in Part 3 of the Constitution, section 3.10 Responsibility for Executive Functions.</p> <p>Their Council functions are set out below.</p> <p>Relevant matters raised at the Residents' Forum may be included in the agenda for the Area Environment sub-Committee together with any statutory Area Environment business.</p> <p>The Area Environment Sub-Committee will decide on the course of action for each item;</p> <ul style="list-style-type: none"> - whether to do nothing - to note it - ask officers to present a report to a future meeting of the Area Environment sub-Committee - formally refer to the Cabinet Member - formally instruct an officer (within their powers) to take action - to bring the matter to the attention of the Ward Councillors 	<p>Composed of one councillor (plus a substitute member) for each ward as follows:</p> <p><u>Chipping Barnet:</u></p> <p>7 Councillors</p> <p>Underhill, High Barnet, East Barnet, Oakleigh, Brunswick Park, Coppetts and Totteridge Wards.</p> <p>1 substitute Member per Ward</p> <p>The Chairman to be appointed by Council</p> <p><u>Finchley & Golders Green</u></p> <p>7 Councillors</p> <p>Woodhouse, West Finchley, Finchley Church End, Garden Suburb, Golders Green, Childs Hill and East Finchley Wards.</p> <p>1 substitute Member per ward.</p> <p>The Chairman to be appointed by Council.</p> <p><u>Hendon</u></p> <p>7 Councillors</p> <p>Hale, Edgware, Burnt</p>

		<p>Oak, West Hendon, Colindale, Hendon and Mill Hill Wards.</p> <p>1 substitute Member per Ward.</p> <p>The Chairman to be appointed by Council.</p>
<p>General Functions Committee</p> <p>Meets as and when required but in practice functions discharged by officers.</p>	<p>All other Council functions that are not reserved to Council including</p> <ul style="list-style-type: none"> • Appointing representatives on outside bodies • Appointing representatives to School Governing Bodies • Staff matters (i.e. salaries and conditions of service) • Polling Stations • Ward Boundaries • Elections in general <p>Where decisions have a significant impact on the Pension Fund and/or Council budget, decisions will be subject to agreement also by the Pension Fund Committee and/or <u>Cabinet Resources Policy and Resources</u> Committee.</p> <p>Collective Disputes - In accordance with the Council's Trade Union and Employee Engagement Framework, certain disputes may be referred to the General Functions Committee.</p> <p>a) Only where there has been a failure to agree at People Management Group about the implementation (or proposed implementation) of change affecting working arrangements can the matter be referred to the General Functions Committee at its next scheduled meeting.</p> <p>(b) Issues concerning working arrangements which are submitted to the General Functions Committee will be supported by the minutes of the Area Joint Consultation Committee and People Management Group which considered the matter.</p> <p>(c) Where the matter is not resolved at this point, the Collective Disputes Procedure is regarded as exhausted and the Council will advise trade unions and employees of its</p>	<p>7 Councillors</p>

	<p>intentions.</p> <p>(d) When considering the report, a representative of the trade unions may be requested to speak with the consent of the Chairman or be questioned by the Committee before a decision is made.</p> <p>(e) Consider reports on restructure in line with the HR regulations.</p>	
Constitution, Ethics and Probity Committee	<p><u>To have responsibility for overseeing the Council's governance arrangements</u></p> <p>Proactively to review and keep under review all aspects of the Council's Constitution so as to ensure that it remains current and fit for purpose, and to make recommendations thereon to the Council.</p> <p>To consider and make recommendations to the Council on: (i) how it can satisfy the continuing duty to promote and maintain high standards of conduct for Members; (ii) on the Code of Conduct for Members; and (iii) on ethical standards in general across the authority.</p>	8 Councillors
Group Leaders Panel	To investigate and determine allegations of a breach of the Code of Conduct for Members in the context of satisfying the Council's continuing duty to promote and maintain high standards of conduct for Members.	<p>5 Councillors. To include the Leaders of the political groups.</p> <p>The Panel will take account of the views of an Independent Person.</p>
Pension Fund Committee	As set out in the Pension Fund Governance Compliance Statement appended.	6 Councillors
Remuneration Committee	<p>In accordance with supplementary guidance issued by the Department for Communities & Local Government in 2012 and February 2013 Council be given the opportunity to vote on Chief Officer salary packages, of salary packages of £100,000 or more and any severance packages at or above £100,000 and in instances where Council has delegated these functions to the Remuneration Committee, then the Remuneration Committee will :</p> <p>Decide on and report back to Council on</p> <p>a. Chief Officer salary packages</p>	<p>5 Councillors</p> <p>Chairman – Leader of the Council</p> <p>Deputy Leader of the Council.</p> <p>Chairman of General Functions Committee.</p> <p>Leader of the Opposition</p> <p>Leader of the Minority opposition group.</p> <p><i>One substitute from each political group</i></p>

	<p>b. Salary packages to be offered of £100,000 or more</p> <p>c. Severance packages per individual of £100,000 or more. (severance package will consist of redundancy pay, pay in lieu of notice, any holiday pay the employee is contractually entitled to and any pension lump sum the employee is entitled to in accordance with the Local Government Pension Scheme).</p> <p>Responsibilities</p> <p>The Committee will take account of the Reward & Employment strategies of the Council and ensure that it is fully briefed on the prevailing organisational approach. The following list of responsibilities is not intended to be exhaustive:</p> <p>a. To develop and approve the Pay Policy and be responsible for the publication of the annual statement, which will include:</p> <ul style="list-style-type: none"> • The level and elements of remuneration for each Chief Officer • Relationship of the remuneration of Chief Officers and other officers • A description of the relationship between decisions made on the lowest paid and top paid employees in the organisation • Remuneration of the lowest paid (with the definition of the lowest paid and the reasons for adopting that definition) • Remuneration on recruitment, increases and additions to remuneration, use of performance-related pay and bonuses, termination payments • Transparency arrangements • Reasons for chosen approach to remuneration levels and how this is to be implemented • Differences of approach to groups of employees and the reasons for them • Pay dispersion • Incremental progression factors • Use of honoraria and ex-gratia payments 	<p>When carrying out the function of appointment of Chief Officers, a relevant Cabinet Member may be invited and entitled to sit and vote as a substitute Member for one of the substantive Members of their Group on the Committee</p>
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	<ul style="list-style-type: none"> • Determine remuneration parameters for officers who have returned to work for a local authority • Appointment and remuneration terms <p>b. To review annually remuneration, as defined above, for the Council's Chief Officers except those elements determined nationally or pensions.</p> <p>c. To keep under review the terms & conditions as they relate to pay for all Council employees and where changes have a significant impact on the Pension Fund and/or Council budget, decisions will be subject to agreement also by the Pension Fund Committee and/or Cabinet Resources Committee and/or General Functions Committee. .</p> <p>d. To receive information in the context of reward from organisations that have a relationship with the Council or arrangements that may influence decisions when determining pay</p> <ul style="list-style-type: none"> • The employees of Barnet Group • Contractors • Shared management schemes • Outplacements • Agency and other staff <p>e. To have oversight to ensure that remuneration terms of appointments are appropriate.</p> <p>f. To take advice from the Pensions Committee with regard to decisions on pay that would impact upon pension arrangements or contributions.</p> <p>g. To set parameters for the remuneration of Chief Officers on recruitment.</p> <p>h. To ensure that sufficient flexibility exists within the pay policy to allow responses to unforeseen circumstances without having recourse to revising the pay policy statement between annual reviews.</p> <p>i. To have oversight of the national pay agenda and consider the implications in the local context</p>	
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	<p>j. To commission relevant research and/or comparative information on salaries in the public and private sectors e.g. from:</p> <ul style="list-style-type: none"> • The Council's own HR function • National and/or Regional employers' organisations • Independent consultancy organisations with relevant experience in pay market analysis • Submissions made by the Associations on behalf of their members and make recommendations thereon <p>k. To ensure that the Public Sector Equality Duty, as set out by the Equality Act 2010, is applied throughout the pay and reward structure.</p> <p>l. To take cognisance of the CLG Code of Recommended Practice for Local Authorities on Data Transparency.</p> <p>m. To reference back to previous year's actual remuneration for Chief Officers and senior employees (definition of senior employee is consistent with CLG Code of Recommended Practice for Local Authorities on Data Transparency).</p> <p>n. To obtain assurance that adequate internal and external moderation and benchmarking takes place when senior posts are subject to job evaluation.</p> <p>o. To take account of forward plans and the impact of remuneration on workforce planning, talent management and succession planning.</p> <p>p. To review remuneration arising from performance management and ensure that any performance-related pay mechanisms are fair and transparent.</p> <p>q. To refer such items as necessary to the Council</p> <p>r. To refer to guidance from the Secretary of State.</p> <p>s. To deal with Chief Officer Appointments, Discipline and Capability matters</p>	
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	<p>Protocols</p> <p>u. To declare any conflicts of interest.</p>	
<p>Health and Well-Being Board</p>	<ol style="list-style-type: none"> 1. To jointly assess the health and social care needs of the population with NHS commissioners, and apply the findings of a Barnet joint strategic needs assessment (JSNA) to all relevant strategies and policies. 2. To agree a Health and Well-Being Strategy for Barnet taking into account the findings of the JSNA and performance manage its implementation to ensure that improved outcomes are being delivered. On behalf of the Barnet Partnership Board, to be the lead partnership body for health and social care matters in the borough as identified in the Sustainable Community Strategy and other Barnet policies and programmes. 3. To work together to ensure the best fit between available resources to meet the health and social care needs of the population of Barnet (including children), by both improving services for health and social care and helping people to move as close as possible to a state of complete physical, mental and social well-being. Specific resources to be overseen include money for social care being allocated through the NHS; dedicated public health budgets; and Section 75 partnership agreements between the NHS and the Council. 4. To consider all relevant commissioning strategies from the CCG and the NHS Commissioning Board and its regional structures to ensure that they are in accordance with the JSNA and the HWBS and refer them back for reconsideration 5. To receive assurance from all relevant commissioners and providers on matters relating to the quality and safety of services for users and patients 6. To directly address health inequalities through its strategies and have a specific responsibility for regeneration and development as they relate to health and care. To champion the commissioning of services and activities across the range of 	<p>Cabinet Member for Public Health</p> <p>Cabinet Member for Adults</p> <p>Cabinet Member for Education, Children and Families</p> <p>Three Members of the Council;</p> <p>Director of Public Health, Barnet and Harrow</p> <p>Director for People (Interim Director for Children's Service)</p> <p>Director of Adults and Communities</p> <p>Barnet Clinical Commissioning Group-Board members x 3</p> <p>Barnet Clinical Commissioning Group-Chief Officer</p> <p>Barnet Healthwatch representative</p> <p><u>NHS England</u></p> <p>NOTE 1: Each member will be able to nominate a substitute member if they are unable to attend.</p> <p>NOTE 2: The flexibilities</p>

	<p>responsibilities of all partners in order to achieve this.</p> <p>7. To promote partnership and, as appropriate, integration, across all necessary areas, including the use of joined-up commissioning plans across the NHS, social care and public health.</p> <p>8. To support joint commissioning of services and the use of pooled budgets, where appropriate, to enable the more efficient use of resources. As and when they are introduced, to manage and allocate a 'community budget' for health and care.</p> <p>9. To oversee and give direction to the work of the Financial Planning Group</p> <p>10. To receive reports and recommendations from the Summit meetings between the HWBB and all the Partnership Boards that report to it</p> <p>11.8. To receive the Annual Report of the Director of Public Health and commission and oversee further work that will improve public health outcomes.</p> <p><u>9. Specific responsibilities for:</u></p> <ul style="list-style-type: none"> • <u>Overseeing public health</u> • <u>Developing further health and social care integration.</u> 	<p>given in the Local Authority (Public Health, Health and Well-Being Board and Health Scrutiny) Regulations 2013(SI 218) to disapply elements of the 1972 Local Government Act have been used to:</p> <p>Waive requirement for proportionality</p> <p>Allow voting rights to members other than Members of the Council.</p>
<p><u>Health Overview and Scrutiny Committee</u></p>	<p><u>1. To perform the overview and scrutiny role in relation to health issues which impact upon the residents of the London Borough of Barnet and the functions services and activities of the National Health Service (NHS) and NHS bodies located within the London Borough of Barnet and in other areas.</u></p> <p><u>2. To make reports and recommendations to Council, Health and Well Being Board, the Secretary of State for Health and/or other relevant authorities on health issues which affect or may affect the borough and its residents.</u></p> <p><u>3. To receive, consider and respond to reports, matters of concern, and consultations from the NHS Barnet Health and Wellbeing Board, Health</u></p>	<p><u>10 Members</u></p> <p><u>Chairman and Vice-Chairman to be appointed by Council -</u></p>

		<p><u>Watch and/or other health bodies.</u></p> <p>4. <u>To scrutinise and review promotion of effective partnerships between health and social care, and other health partnerships in the public, private and voluntary sectors.</u></p> <p>5. <u>To make recommendations as necessary to the Council for the formation of Joint Overview and Scrutiny Committees in accordance with the provisions of the Section 21 of the Local Government Act 2000 as amended by the Health and Social Care Act 2001 and Health and Social Care Act 2012.</u></p>	
	<u>Urgency Committee</u>	<u>To consider any item of business which needs a decision as a matter of urgency and where a meeting of the relevant Committee is not scheduled to take place within the time period within which the decision is required.</u>	<u>3 members</u> <u>Leader, Deputy Leader,</u> <u>Leader of the Opposition</u>

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