



# Havering

LONDON BOROUGH

## GOVERNANCE COMMITTEE AGENDA

7.30 pm

Thursday  
21 March 2024

Apointments Centre,  
Rooms 10 and 11,  
Town Hall, Main Road,  
Romford,

Members 12: Quorum 5

### COUNCILLORS:

#### Conservative Group (4)

Nisha Patel  
Keith Prince  
Michael White  
Timothy Ryan

#### Labour Group (2)

Mandy Anderson  
Keith Darvill

#### Havering Residents' Group (5)

Ray Morgon (Chairman)  
Gillian Ford (Vice-Chair)  
Christopher Wilkins  
Graham Williamson  
Gerry O'Sullivan

#### East Havering Residents Group (1)

Martin Goode

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For information about the meeting please contact:  
Anthony Clements tel: 01708 433065  
e-mail: [anthony.clements@onesource.co.uk](mailto:anthony.clements@onesource.co.uk)

***Under the Committee Procedure Rules within the Council's Constitution the Chairman of the meeting may exercise the powers conferred upon the Mayor in relation to the conduct of full Council meetings. As such, should any member of the public interrupt proceedings, the Chairman will warn the person concerned. If they continue to interrupt, the Chairman will order their removal from the meeting room and may adjourn the meeting while this takes place.***

***Excessive noise and talking should also be kept to a minimum whilst the meeting is in progress in order that the scheduled business may proceed as planned.***

### **Protocol for members of the public wishing to report on meetings of the London Borough of Havering**

Members of the public are entitled to report on meetings of Council, Committees and Cabinet, except in circumstances where the public have been excluded as permitted by law.

Reporting means:-

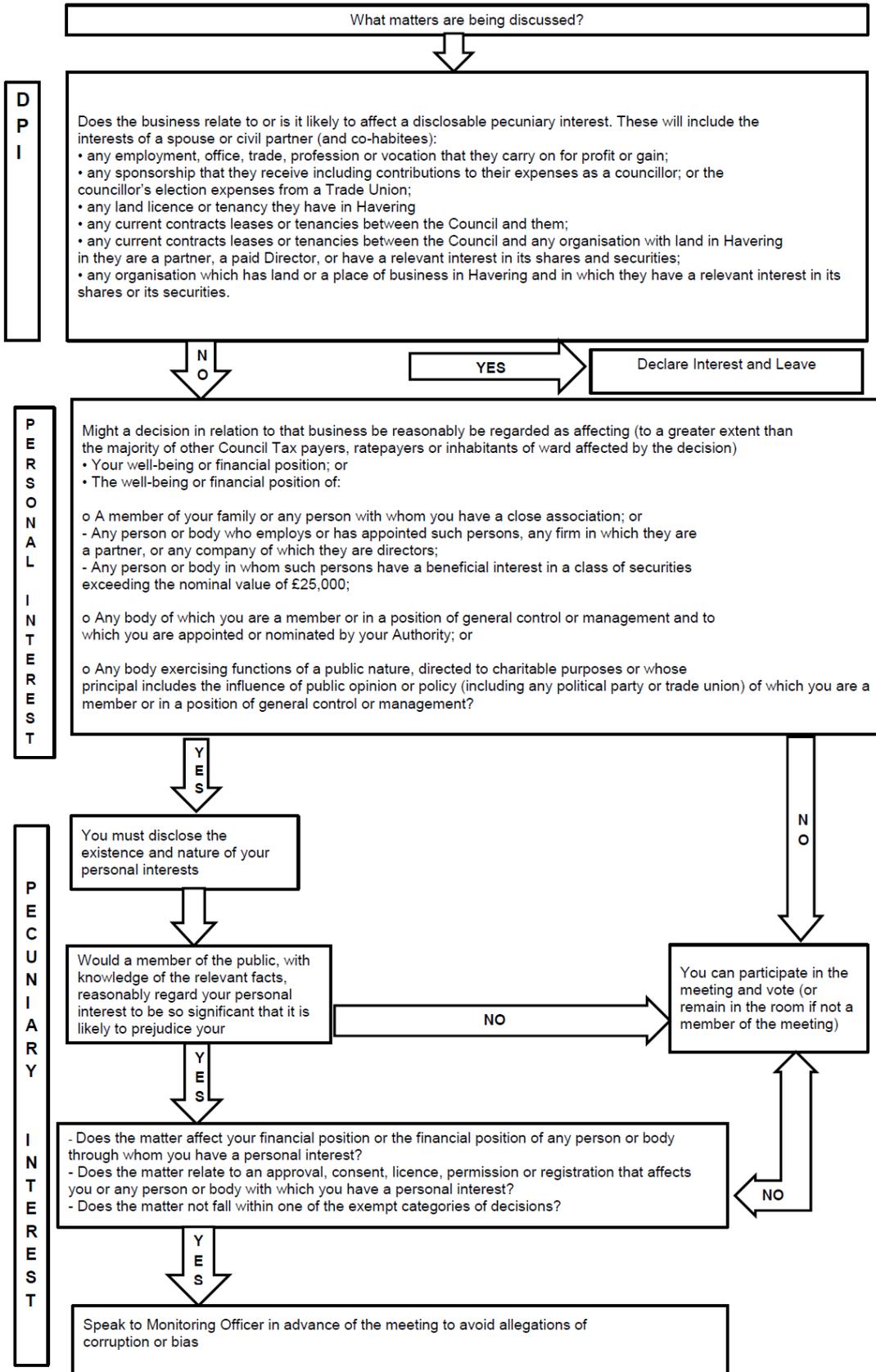
- filming, photographing or making an audio recording of the proceedings of the meeting;
- using any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later; or
- reporting or providing commentary on proceedings at a meeting, orally or in writing, so that the report or commentary is available as the meeting takes place or later if the person is not present.

Anyone present at a meeting as it takes place is not permitted to carry out an oral commentary or report. This is to prevent the business of the meeting being disrupted.

Anyone attending a meeting is asked to advise Democratic Services staff on 01708 433076 that they wish to report on the meeting and how they wish to do so. This is to enable employees to guide anyone choosing to report on proceedings to an appropriate place from which to be able to report effectively.

Members of the public are asked to remain seated throughout the meeting as standing up and walking around could distract from the business in hand.

**DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF**



## AGENDA ITEMS

### 1 CHAIRMAN'S ANNOUNCEMENTS

The Chairman will announce details of the arrangements in case of fire or other events that might require the meeting room or building's evacuation.

### 2 APOLOGIES FOR ABSENCE & SUBSTITUTE MEMBERS

(if any) – receive.

### 3 DISCLOSURE OF INTERESTS

Members are invited to disclose any interest in any of the items on the agenda at this point of the meeting.

*Members may still disclose any interest in any item at any time prior to the consideration of the matter.*

### 4 MINUTES (Pages 5 - 8)

To approve as a correct record the minutes of the Committee held on 26 September 2023 (attached) and to authorise the Chairman to sign them.

### 5 APPOINTMENTS TO OTHER ORGANISATIONS 2023/24 (Pages 9 - 12)

Report attached.

### 6 CONSTITUTIONAL REVIEW - SCHEME OF DELEGATIONS (Pages 13 - 46)

Report and appendices attached.

**Zena Smith**  
**Head of Committee and**  
**Election Services**

**MINUTES OF A MEETING OF THE  
GOVERNANCE COMMITTEE  
Appointments Centre, Town Hall, Main Road, Romford  
26 September 2023 (7.30 - 8.51 pm)**

**Present:**

**COUNCILLORS**

<b>Conservative Group</b>	Nisha Patel, Keith Prince, Michael White and Timothy Ryan
<b>Havering Residents' Group</b>	Ray Morgon (Chairman), Gillian Ford (Vice-Chair), Christopher Wilkins, Graham Williamson and Gerry O'Sullivan
<b>Labour Group</b>	Mandy Anderson and Keith Darvill
<b>East Havering Residents Group</b>	Martin Goode

The Chairman reminded Members of the action to be taken in an emergency.

**1 APOLOGIES FOR ABSENCE & SUBSTITUTE MEMBERS**

There were no apologies for absence.

**2 DISCLOSURE OF INTERESTS**

There were no disclosures of interest.

**3 MINUTES**

The minutes of the meeting of the Committee held on 7 June 2023 were agreed as a correct record.

**4 CONSTITUTIONAL REVIEW - UPDATE**

A report of the Monitoring Officer proposed a number of changes to the Constitution that had been suggested by the Constitution Working Party. It was noted that it was not anticipated that the changes referred to in the report would be brought to Full Council for final approval until the revised Scheme of Delegation was also ready to be approved. This would allow all the changes to be introduced together in a coherent fashion.

The changes agreed by Governance Committee, together with any relevant comments made by Members, are shown below:

Licensing Committee

Members felt that the proposed changes in the report were too wordy. It was **AGREED** that relevant sections of the Constitution should be amended to read as follows:

**Part 2, Annex 2**

**2: Licensing Committee**

**2.2 Licensing Sub-Committees should be politically balanced where possible.**

**9. (iv) Sub-Committees or Hearings Panels should be politically balanced where possible.**

Access to Information

It was **AGREED** that the revised Part 4.1 of the Constitution covering Access to Information Procedure Rules, as appended to the report, should be approved.

OneSource

Officers confirmed that the OneSource Joint Committee still existed for Legal, Exchequer and Transactional which remained part of OneSource. The role of the Joint Committee itself was also under review. It was **NOTED** that it was proposed to delete the OneSource delegations from the Constitution with the exception of those relating to Exchequer & Transactional. Further details would be included in the Scheme of Delegations report which would be presented to Governance Committee at a future point.

Member Code of Conduct

Members felt that the proposed timescale for dealing with correspondence was not realistic and could not be introduced, at least until a casework management system had been introduced. It was therefore **AGREED** that the relevant section of part 5.1 of the Constitution should read as follows:

As a Member of the Council, each Member will in particular address the statutory principles of the code of conduct by:

Dealing with representations or enquiries from residents, members of local communities and visitors promptly, fairly, appropriately and impartially.

It was further **AGREED** that the revised version of the Social Media Protocol as appended to the report be approved and that the relevant section of part 5.1 of the Constitution be amended to read:

Members will be expected to comply with the Council's policies on Equality in Employment, Equality in Service Provision, Harassment and Bullying at Work as well as the Council's Social Media Protocol.

#### Flags and Lighting Up Policy

It was **AGREED** that Armed Forces Day should be included as an example of a day when flags should be flown. Enquiries would also be made as to the current name of the Royal Anglian Regiment.

Other than the amendment shown above, it was **AGREED** that the revised Flag Flying and Special Lighting Policy, as appended to the report, be approved.

#### Recording Executive Decisions

Members felt that the Council's current process for recording Executive Decisions was very effective. The Executive Decision guidance note as appended, to the report was therefore **NOTED**.

#### Portfolios

It was confirmed that the portfolio for Councillor Gillian Ford should read Adults and Wellbeing rather than as stated and that the portfolio for Councillor Oscar Ford should read Children and Young People rather than as stated. The reallocated Cabinet portfolios as shown in the report were otherwise **NOTED**.

It was also **AGREED** that the revised Constitution should be submitted to full Council for approval in due course.

## 5 **APPOINTMENTS TO OTHER ORGANISATIONS 2023/24**

The Committee was asked to note two Executive Appointments – that of Councillor Gillian Ford to the North East London Foundation Trust Board of Governors and that of Councillor Ray Morgon to the Thames Freeport Governance Board.

The Committee was also asked to note the position re the Poyntz Charity which was currently dormant.

Members asked for information on how some representatives are elected onto the North East London Foundation Trust Board of Governors.

The Committee **NOTED** the addition of Executive Appointments to the North East London Foundation Trust Board of Governors and the Thames Freeport Governance Board as well as the current situation with the Poyntz Charity.

6 **PENSIONS COMMITTEE - TRADE UNION VOTING RIGHTS**

A report of the Monitoring Officer discussed options should the Committee agree that Trade Unions be allowed voting rights on the Pensions Committee.

It was **AGREED** that the Monitoring Officer should bring a revised report to a future meeting of Governance Committee proposing one elected staff member with voting rights to have a place on the Pensions Committee.

Members also discussed the establishment of a pension scheme for Members and would look to take this forward.

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**Chairman**



## GOVERNANCE COMMITTEE 21 March 2024

**Subject Heading:**

**APPOINTMENTS TO OTHER  
ORGANISATIONS, 2023/24**

**SLT Lead:**

**Gavin Milnthorpe  
Deputy Director of Legal & Governance**

01708 432838

**Report Author and contact details:**

Jacqui Barr  
Governance Officer  
jacqui.barr@onesource.co.uk  
01708 432439

**Policy context:**

The Council appoints Members and others to serve on a variety of other bodies

**Financial summary:**

There are no significant financial implications.

### **The subject matter of this report deals with the following Council Objectives**

[x] People - Things that matter for residents

[x] Place - A great place to live, work and enjoy

[x] Resources - A well run Council that delivers for People and Place.

**SUMMARY**

The Council makes appointments to a large number of other organisations, some statutory, others voluntary.

Since the executive governance arrangements were revised, responsibility for making Executive appointments has passed from this Committee to the Leader of the Council, but the Constitution provides that in the case of Non-Executive appointments, it is for this Committee to make decisions

**RECOMMENDATIONS**

That the Committee **AGREE to APPOINT:**

1. A representative to the NELFT NHS Council of Governors
2. Councillor Sarah Edwards to the vacancy on Wennington Quarry Community Liaison Committee until May 2026.

**REPORT DETAIL**

**1. NORTH EAST LONDON FOUNDATION TRUST BOARD OF GOVERNORS**

- 1.1 It is a statutory requirement that all Foundation Trusts have a Council of Governors to ensure that decisions are made in the best interest of the local population.
- 1.2 The Constitution of the Foundation Trust makes provision for a seat on the Council of Governors for Havering Local Authority and in September 2023, Councillor Gillian Ford, the Cabinet Member for Adults and Wellbeing, was nominated to the Council of Governors for a period of three years until July 2026.
- 1.3 On account of competing workload commitments, Councillor Ford resigned from this position in January 2024 and a vacancy has now arisen.
- 1.4 The Committee is asked to note that this appointment was formerly on the list of Executive Appointments which can be made by the Leader. However, with the agreement of the Leader and the Chief Executive, and in order to maximise opportunity for all Members, the position has been moved to the list of Non executive appointments which are for this Committee to determine.

**2. WENNINGTON QUARRY COMMUNITY LIAISON COMMITTEE**

- 2.1** The liaison committee provides a forum for the local community to discuss developments at Wennington Quarry and affords the opportunity to disseminate information on the environment and impact of operations on local people.
  
- 2.2** The Liaison Committee's Terms of Reference allow for Rainham & Wennington Ward Councillors to attend the committee, and in May 2023, Councillor Jacqueline McArdle was appointed as the Council's representative.
  
- 2.3** Councillor McArdle subsequently resigned and Councillor Sarah Edwards has indicated that she would be willing to fill the vacancy until May 2026.

**IMPLICATIONS AND RISKS**

**Financial implications and risks:**

In some cases, membership of an organisation is dependent upon the Council paying a subscription: where relevant, the subscription will be met from within an appropriate budget provision and cost is minimal.

**Legal implications and risks:**

These appointments are administrative and have no direct legal implications or risks. However, Members who sit on outside bodies will need to consider whether (a) they are required to register their interests with the Council and, where appropriate, declare the interests at meetings and (b) seek advice when they are potentially involved in Council decisions that may affect the outside body. As there is no remuneration for the appointments, they are very unlikely to be discloseable pecuniary interests. Trustee status means that the trustee must always act in the best interests of the trust. The Monitoring Officer is available to provide advice as and when necessary.

**Human Resources implications and risks:**

There are none directly associated with this report.

**Equalities implications and risks:**

There are no specific implications or risks. Appointments should be made with the Council's equalities policies in mind.

**Environmental implications and risks:**

There are none directly associated with this report.



## **GOVERNANCE COMMITTEE** **21 March 2024**

**Subject Heading:**

**CONSTITUTIONAL REVIEW – SCHEME  
OF DELEGATIONS**

**SLT Lead:**

Gavin Milnthorpe  
Deputy Director, Legal Services  
01708 432838

**Report Author and contact details:**

Gavin Milnthorpe  
Gavin.milnthorpe@havering.gov.uk

**Policy context:**

A well run Council that delivers for People and Place.

**Financial summary:**

There are no financial implications arising from this report.

### **The subject matter of this report deals with the following Council Objectives**

People - Things that matter for residents

Place - A great place to live, work and enjoy

Resources - A well run Council that delivers for People and Place. X

### **SUMMARY**

1. The Council's Constitution is out of date and / or inaccurate in many areas. Good practice is to review a constitution every five years.
2. The Council has created a Constitutional Working Group (comprising members and officers) ("CWG") with a view to reviewing and updating the Constitution (the "Review").

3. A number of constitutional changes were approved by Governance Committee in September 2023. These changes have not yet been presented to Full Council. It has always been the intention to present the changes at the same time as the amended scheme of officer delegations (the “Scheme”). The existing Scheme is one of the most problematic areas of the Constitution.
4. This paper therefore introduces the proposed changes to the Scheme. The changes are to both improve the form and function of the delegations and to align the delegations as against the new target operating model (TOM) structure. The revised Scheme is attached to this report.

## RECOMMENDATIONS

5. Governance Committee is asked to recommend to Full Council that the revised Scheme be adopted in substitution of the existing Scheme, subject to consideration by the Constitutional Working Group of any changes or other suggestions made by Governance Committee on the Scheme.

## REPORT DETAIL

6. Part 3 of the Constitution details the responsibility for functions. Parts 3.1 (Full Council) and 3.2 (Cabinet) will be reviewed in due course although they are not deemed to be problematic at present. The Scheme is where most issues are raised on a day to day basis.
7. The existing Scheme is found at part 3.3. A link the Scheme can be found here: <https://democracy.havering.gov.uk/documents/s68462/Part%203.3%20-%20Functions%20delegated%20to%20staff%20amended.pdf>
8. The Scheme been significantly redrafted on the following basis:
  - a. Firstly, the Scheme has been redrafted to account for the new TOM structure, referencing the three pillars of People, Places and Resources.
  - b. Secondly, the Scheme has concentrated delegations within the TOM Strategic Director Posts and other statutory officers being the Head of Paid Services, the Monitoring Officer, the Director of Children’s Services and the Director of Adult Social Services. These posts thereafter have the ability to sub-delegate their powers and responsibilities to Directors, Assistant Director and others.
  - c. Thirdly, the Scheme has been significantly rationalised, utilising the approach of a number of other London Boroughs who grant wider powers

rather than itemising individual powers. As a specific example, the current Scheme itemises 47 separate delegations to the Assistant Director of Educational Services. In the proposed revised Scheme this is reduced to one generalised delegation. The present Scheme stretches to 60 pages whilst other London Boroughs have schemes of between 10-15 pages.

9. Governance Committee should be aware of two things:
  - a. The Scheme will continue to be reviewed and updated up to and including submission to Full Council although no changes of substance are anticipated.
  - b. As the CWG is revising the Constitution in a piecemeal fashion it is inevitable that changes to the Scheme will create confusion in other sections of the Constitution. To mitigate against this, CWG intends to:
    - i. Review the Scheme throughout 2024-25 as the Review progresses with a view to bringing a formal update back to Governance Committee and Full Council in March / April 2025.
    - ii. In the meantime, Full Council will be asked to delegate to the Monitoring Officer the ability to make any changes to the Constitution as required to avoid or mitigate against any issues created by the revised Scheme. (The Monitoring Officer already has some powers as detailed in Article 11 of the Constitution.)

## **IMPLICATIONS AND RISKS**

### **Equalities implications and Risks**

10. None.

### **Legal implications and Risks**

11. A key role for the Governance Committee is to be aware of the strengths and weaknesses of the constitution adopted by the Council and to make recommendations for ways in which it could be amended, in order better to achieve the purposes set out in Article 1, including setting the framework within which the Council operates, enabling the Council to provide clear leadership to the community and providing an effective means of holding decision-makers to public account.
12. Changes to the constitution will be approved by the full Council only after consideration of the proposals by the Governance Committee.
13. It is the Monitoring Officer's responsibility to maintain an up-to-date version of the constitution and ensure that it is widely available for consultation by members,

staff and the public. The proposals set in the report are intended to meet these requirements.

**Financial implications and risks:**

14. There are no financial implications arising from the contents of this report.

**Human Resources implications and risks:**

15. The recommendations made in this report do not give rise to any identifiable HR risks or implications that would affect either the Council or its workforce.

**Environmental and climate change implications and risks**

16. None.

**BACKGROUND PAPERS**

Governance Committee reports and decisions from 26 September 2023.

**PART 3.3      SCHEME OF DELEGATIONS**  
**FUNCTIONS DELEGATED TO OFFICERS**

**3.3.1    GENERAL PROVISIONS**

1.      Definitions used in this Part 3.3.

Cabinet	the executive of the Council.
Chair	the designated chair of any committee or sub-committee of the Council.
Chief Executive	the Chief Executive of the Council which shall include any reference to the Head of Paid Service.
Full Council	a meeting of the full membership of the Council.
Leader	the Leader of the Council.
Monitoring Officer	the designated monitoring officer of the council.
Officers	officers / members of staff of the Council
Chief Officers	the Chief Executive, the Strategic Directors for Place, People and Resources and the Monitoring Officer.
Scheme	this scheme of delegations.

2.      Power of delegation

- 2.1      The Council has made the following arrangements for the discharge of executive and non-executive functions by its Officers under the Local Government Act 1972 and the Local Government Act 2000 (or any other legislation as specifically referred to).
- 2.2      The executive powers, duties and functions are exercised on behalf of the Leader.
- 2.3      The absence of any specific delegation from this Part 3.3 shall not be taken as implying an absence of authority. The Chief Officers may exercise all powers within their respective area of responsibility unless specifically reserved to another person or body according to Part 3 of the Constitution.

3.      Limitations

- 3.1      Officers shall exercise powers under this Scheme in compliance with:
  - (a)      the rules of procedure set out in Part 4 of this constitution

- (b) corporate policies and strategies, including governance requirements as specified by the Monitoring Officer and the budget policy framework;
- (c) any additional conditions imposed either by the Council or by statute or any statutory code of practice.

3.2 The exercise by Officers of the powers delegated under this Scheme involving the incurring of any expenditure is subject to there being sufficient approved provision within the budget to cover that expenditure.

*Consultation / non-exercise of delegation*

3.3 An Officer exercising any delegated power under this Scheme may consult with the Leader, with the relevant individual Cabinet member or with the Chair of the relevant committee, as appropriate, when the Officer considers such consultation necessary or appropriate in light of the decision required.

3.4 An Officer may decline to exercise their powers and may refer any matter within a delegation or authorisation to them to the Leader, the Cabinet, the relevant individual Cabinet member or to an appropriate Council committee or sub-committee for decision.

*Transfer of functions*

3.5 Where the name of a post is changed or the functions of a post are transferred to another post the delegated powers which attach to the old post / function shall also transfer to the other post.

*Sub-delegations*

3.6 The Chief Officers may delegate any of the powers listed in this part to another Officer, in so far as is legally permissible. Such delegation will specify whether the Officer is permitted to make further sub-delegations. Any such delegation or sub-delegation must be:

- (a) recorded in writing; and
- (b) lodged with the Monitoring Officer who will keep a public record of all such delegations.

Any such delegation / sub-delegation will become valid only when these conditions are complied with.

*Conflict of interests*

3.7 Every Officer shall comply with the provisions as to the management of conflicts of interest as set out in paragraph 5 of the Contract Procedure Rules and paragraphs 13 and 16 of the Executive Procedure Rules.

3.8 Where a Chief Officer (except for the Monitoring Officer) is unable to act due to a conflict of interest one of the other Chief Officers shall be authorised to exercise the relevant delegation. Where the Monitoring Officer is unable to act due to a conflict of interest Deputy Monitoring Officer shall be authorised to exercise the relevant delegation.

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**Scheme 3.3.2**  
**Powers of the Chief Executive**

**General**

- (a) To act as the Council's Head of Paid Service pursuant to s.4 of the Local Government and Housing Act 1989.
- (b) To exercise overall corporate management and operational responsibility of the Council (including overall management responsibility for all Officers).
- (c) In the absence of the Chief Executive the functions of the Chief Executive (including those of the Head of Paid Service) shall be undertaken by one of the Chief Officers as directed by the Leader.

**Staffing**

- (d) The Chief Executive, as Head of Paid Service may, where appropriate, report to Full Council on the manner in which the discharge of the Council's functions is co-ordinated, the number and grade of staff required for the discharge of functions and the organisation of staff.
- (e) To have authority over all other Officers of the Council so far as is necessary for the efficient management and execution of the Council's business, functions and services except where Officers are exercising specific responsibilities imposed upon them by statute. This shall include the right to allocate, reallocate and direct all Officers as the Chief Executive shall deem necessary.
- (f) To exercise the powers delegated to any Officer pursuant to this Scheme (so far as the law allows).
- (g) To exercise the power to enter into agreement with other local authorities for the placing of the services of officers from one local authority, at the disposal of the other in accordance with Section 113, Local Government Act 1972 as amended.

**Emergency**

- (h) To carry out the functions of the Council for civil aid and emergency planning and to take any action, including incurring expenditure, in connection with an emergency or a disaster in the borough, and to report back to Council at the earliest practical opportunity.
- (i) In cases of urgency or emergency, to take any decision on behalf of the Council after consultation with the Leader.
- (j) To discharge those functions under s.138(1) of the Local Government Act 1972.

**Elections**

- (k) To discharge the functions of the Electoral Registration Officer and be responsible for elections

Other functions

- (l) To undertake those functions assigned to the Chief Executive (if any) under:
  - (i) Part 3, section 4 of this constitution: (functions not to be the responsibility of an authority's Executive).
  - (ii) Part 3, section 5 of this constitution: (local choice functions).
  - (iii) Part 3, section 6, of this constitution: (Proper Officer functions)

Miscellaneous

- (m) To exercise the power on behalf of the Council to consent to a dispersal order under the Anti-Social Behaviour Act 2003 and to be a consultee for the purpose of a closure notice under the Anti-Social Behaviour Act 2003.
- (n) To be responsible for the Council's responsibilities and obligations under Health and Safety legislation.

Note

- (o) The Chief Executive and the Monitoring Officer are designated by the Secretary of State as qualified persons for the purpose of Section 36 of the Freedom of Information Act 2000. The Monitoring Officer is to be the primary qualified person with the Chief Executive carrying out the function in the Monitoring Officer's absence.
- (p) For the avoidance of doubt, the Chief Executive is authorised to determine anything which is not covered by this Scheme.



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### **3.3.3 POWERS COMMON TO ALL STRATEGIC DIRECTORS**

NB. These general delegations / powers should only be used (and quoted in executive decision reports) where no more specific power exists below.

#### General

- (a) To take any steps, and take any decisions, necessary for the proper management and administration of their allocated directorate, in accordance with applicable Council policies and procedures.

#### Expenditure

- (b) To incur expenditure for their allocated directorate within the revenue and capital budgets as approved by the Council, or as otherwise approved, subject to any variation permitted by the Council's contract and financial procedure rules.

#### Statutory consent / notices

- (c) To apply for statutory consent, e.g., planning permission relevant to their directorate and to serve statutory notices except where reserved to the Council, Cabinet or any committee of the Council.

#### Contracts

- (d) To approve commencement of a tendering process for all contracts below a total contract value £1,000,000.
- (e) To award all contracts with a total contract value of below £1,000,000 other than contracts covered by Contract Procedure Rule 16.3.
- (f) To sign contracts on behalf of the Council which do not require sealing under paragraph 4 of Article 10 of this constitution.

#### Grants

- (g) To apply for, accept and thereafter spend / allocate any grant funding connected with their directorate provided that any match funding or residual liabilities can be met from the existing budget of the directorate.
- (h) Where any match funding or residual liabilities cannot be met from the existing budget of the directorate, the consent of the s.151 Officer must be obtained but provided that such match funding or residual liabilities do not exceed £1,000,000 and can be met within the Council's budgetary framework.
- (i) Where any match funding or residual liabilities cannot be met from the existing budget of the directorate, any application / acceptance of grant funding where match funding or

residual liabilities exceeds £1,000,000, and which is within the Council's budgetary framework, must be approved by Cabinet.

#### Consultations

- (j) To respond to consultations in relation to any matter affecting their directorate.

#### Human Resources (general)

- (k) To exercise overall responsibility within their areas for human resource matters including, but not limited to, discipline, suspension, dismissal, retirement, capability, salary adjustments, honoraria, and increments subject to compliance with all applicable Council policies and procedures.
- (l) To restructure their directorates (including the power to create, delete and amend posts) within existing service budgets and/or if budgetary provision is already made in the budget.

#### Legal

- (m) To instruct the Monitoring Officer / Director of Law & Governance to institute legal proceedings or to serve notice in connection with any matter affecting their Directorate but provided that the Monitoring Officer / Director of Law & Governance shall not be obliged to act in the event that they consider the instruction not to be in the best interests of the Council and / or contrary to law.

### **SCHEME 3.3.4 SPECIFIC POWERS OF THE STRATEGIC DIRECTOR OF PEOPLE**

The Strategic Director of People has overall responsibility for the following Services subject to the specific statutory responsibilities set out in Article 2.8 and the delegations set out in this section: Adults Social Care, Children’s Services, Safeguarding, Health, Housing, Culture, and Leisure.

#### 3.3.3.4.1 Ageing Well

- (a) To act as the Council’s Statutory Director of Adult Social Services except where the Council (by way of its Chief Executive or otherwise) has appointed another Officer to act as the Director of Adult Social Services.
- (b) To exercise the powers / functions and to carry out the duties of the Council under all relevant adult social services legislation including (but not limited to) The Local Authority Social Services Act 1970, the National Health Services Act 2006, the Care Act 2014, the Mental Health Act 1983, the Mental Health Act 2007, the Nationality Immigration and Asylum Act 2002 and any other applicable legislation as introduced by central government from time to time.
- (c) The delegation above shall apply to all adult care requirements, including but not limited to, learning disability, physical disability, mental health, community care and deputyship.
- (d) To exercise the Council’s duties pursuant to the Data Protection Act 1998, Data Protection Act 2000 and associated Regulations as far as they apply to the Caldicott Guardian provisions.
- (e) To take charges against interests in property in accordance with the following legislation: section 55 of the Health and Social Care Act 2001 and associated Regulations; section 34 of the Care Act 2014 and associated Regulations. To release charges taken (pursuant to the following legislation: section 22 of the Health and Social Services and Social Security Adjudication Act 1983 and associated Regulations; section 55 of the Health and Social Care Act 2001 and associated Regulations; section 34 of the Care Act 2014 and associated Regulations) against interests in property

#### 3.3.3.4.2 Living Well

##### *Housing*

- (a) To exercise the powers / functions and to carry out the duties of the Council under all relevant housing legislation including (but not limited to) the Housing Act 1996 and any other applicable legislation as introduced by central government from time to time.

- (b) The delegation above shall apply to all housing requirements, including but not limited to, homelessness, adaptations, relocations, temporary accommodation, right to buy, housing allocation and housing strategy.
- (c) To waive assessed contributions for adaptations to homes or provision of equipment in exceptional circumstances, subject to the agreed criteria and the contribution not exceeding £1,000 or such other sum as may from time to time be fixed by the Council.

#### 3.3.3.4.3 Starting Well

##### *Children's Services*

- (a) The Director of Starting Well is appointed to act as the Council's Statutory Director of Children's Services except where the Council (by way of its Chief Executive or otherwise) has appointed another Officer to act as the Director of Children's Services.
- (b) To exercise the powers / functions and to carry out the duties of the Council under all relevant child care and education legislation including (but not limited to) The Children Act 1989, The Children (Leaving Care) Act 2000, The Special Educational Needs and Disability Act 2001, The Adoption and Children Act 2002, The Nationality Immigration and Asylum Act 2002, The Children Act 2004, , the Education Act 2005, The Education and Skills Act 2008, The Children and Young Persons Act 2008, , The Education Act 2011, and The Children and Families Act 2014 and any other applicable legislation as introduced by central government from time to time.
- (c) For the avoidance of doubt the delegation above shall apply to all child care and educational requirements, including but not limited to, children in care, school governors, care packages, fostering and care leavers, pupil welfare, child employment, school organisation, funding & governance, health and safety in schools, student eligibility, collective worship, exclusions, special educational needs, transport and catering.

##### *Music*

- (d) To manage, supervise and control the Havering Music School.



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**Scheme 3.3.5**  
**Powers of the Strategic Director of Place**

The Strategic Director of Place is responsible for the following services: Highways and Traffic Management, Waste Management, Housing Operations, Regeneration, Property, Planning and Building Control, Public Protection, Asset Management, Nuisance and Enforcement, Trading Standards, Parks and Environmental Services and Licensing.

Environment

*Highways and traffic management*

- (a) To exercise the Council's powers and duties arising under the Road Traffic Regulation Act 1984, New Roads and Streetworks Act 1991 and Traffic Management Act 2004.
- (b) Other than in those matters delegated to the Leader or Cabinet Member to exercise all powers and duties in respect of maintaining and improving highways, providing facilities, and interference with highways arising under Parts IV, V, VII, IX and XIV of the Highways Act 1980.
- (c) To determine requests from individuals and voluntary, national and commercial organisations to use the public highway.
- (d) To exercise all powers related to the creation and dedication of public highways and adoption of highways as maintainable at public expense.
- (e) To authorise the issue, amendment or suspension of temporary traffic orders, experimental traffic orders, temporary traffic notices and temporary prohibitions of waiting and loading.
- (f) To determine the provision, positioning and layout of road signs and other street furniture.
- (g) To authorise the making of and consultation on Orders under Section 21 of the Town and Police Clauses Act 1847.
- (h) To arrange for the removal and disposal of untaxed, abandoned and other nuisance vehicles and the prosecution of vehicle owners under the Refuse Disposal (Amenity) Act 1978, the Road Traffic Regulation Act 1984, Part 2 of the Clean Neighbourhoods and Environment Act 2005, the Removal and Disposal Regulations 1986, the London Local Authorities Act 1990 (as amended), the Vehicle Excise and Registration Act 1994, the Vehicle Excise Duty (Immobilisation, Removal and Disposal of Vehicles) Regulations 1996 and other relevant legislation arising therefrom.
- (i) To exercise the Council's powers and duties relating to abandoned vehicles, parking, vehicle crossings removal of deposits on the highway, cleansing, refuse and litter in the various London Local Authorities Acts and the London Local Authorities and Transport for London Act 2003.

*Trees and verges*

- (j) To manage all highway trees, grass verges, shrub beds and seasonal plantings and to take appropriate action where necessary.
- (k) To determine the making of Tree Preservation Orders and applications for the topping, lopping and felling of trees where the trees are covered by a Tree Preservation Order; to confirm or revoke Tree Preservation Orders; to waive the requirements to replace trees where appropriate; to serve Tree Replacement Notices where necessary.
- (l) To exercise the Council's functions under the Local Government (Miscellaneous Provisions) Act 1976 in respect of complaints regarding dangerous trees posing an imminent risk to persons or property or causing damage to property. (Informative: powers in (i) & (j) area also held by the Assistant Director Development)

*Nuisance and enforcement*

- (m) To exercise the Council's powers and duties relating to litter and shopping trolleys arising from the Environmental Protection Act 1990 and the Clean Neighbourhoods and Environmental Protection Act 2005.
- (n) To exercise all powers and duties arising under Parts 2, 3, 4, 5 and 6 of the Clean Neighbourhoods and Environmental Act 2005
- (o) To exercise the Council's powers and duties relating to graffiti and flyposting in Part 4 of the Clean Neighbourhoods and Environment Act 1990, Part 6 of the Anti-Social Behaviour Act 2003 and Part 8 of the Town & Country Planning Act 1990; and to serve notices related to these offences and issues. (Informative: the powers under Section 117 of the Town & Country Planning Act are also held by the Assistant Director Planning)
- (p) To exercise power under Section 78 of the Public Health Act 1936 to clean private courtyards and passages and to recover the costs from the occupiers of any building which fronts or abuts the court or yard in relevant proportions.

*Waste*

- (q) To manage arrangements for collecting and enforcement of domestic, non-domestic and special waste including powers under parts 2, 3 and 4 of the Environmental Protection Act 1990 and parts 3 and 5 of the Clean Neighbourhoods and Environment Act 1990.
- (r) To authorise the issue of any notice or prosecution in relation to waste collection and disposal including notices under parts 2, 3 and 4 of the Environmental Protection Act 1990, Part 3 of the Clean Neighbourhoods and Environment Act 2005, Section 6 of the Refuse Disposal (Amenity) Act 1978, section 78 of the Public Health Act 1936, Part 8, Chapter 2 of the Town and Country Planning Act 1990 Section 4 of the Prevention of Damage by Pests Act 1949, section 34 of the Public Health Act 1961, the Environmental Protection (Duty of Care) Regulations 1991, the Environmental Protection (Duty of Care) (England) (Amendment)

Regulations 2003, and the Waste (Household Waste Duty of Care) (England and Wales) Regulations 2005 and other relevant legislation arising therefrom.

#### *Miscellaneous*

- (s) To exercise the Council's powers in relation to providing public conveniences.
- (t) To exercise the Council's powers to require information under
  - (i) Section 16 Local Authorities (Miscellaneous Provisions) Act 1976.
  - (ii) Section 17 GLC (General Powers) Act 1972.
  - (iii) Section 26 London Local Authorities Act 2004 (as amended by London Local Authorities Act 2007)
  - (iv) Section 71 of the Environmental Protection Act 1990.
  - (v) Section 108 of the Environment Act 1995.

NB: the power at (i) to (iii) are also held by a number of other Officers.

- (u) To exercise all of the Council's powers under the Reservoirs Act 1975.
- (v) To undertake those functions assigned under:
  - (i) Part 3, section 4 of this constitution; functions not to be the responsibility of an authority's Executive.
  - (ii) Part 3, section 5 of this constitution: local choice functions.

#### Planning

- (w) To exercise all powers and functions on behalf of the Council and to meet all obligations imposed upon the Council pursuant to any planning legislation, except where such powers, functions and obligations are reserved to the Council or its committees.

#### Building Control

- (x) To exercise the powers and duties of the Council including determining applications and serving and enforcing notices and prosecuting offences under the following enactments:
  - (i) The Building Act 1984 and the Building Regulations 2000 and associated legislation
  - (ii) The Safety at Sports Ground Act 1975
  - (iii) The Fire Safety and Safety of Places of Sports Act 1987

- (iv) The London Building Acts and building control matters in the Local Government Act 2000.
- (y) To exercise all appointing officer functions under section 10 of the Party Wall Act 1996.
- (z) To exercise the powers contained within Section 29 and 32 of the Local Government (Miscellaneous Provisions) Act 1982 (protection of buildings and power of entry)

#### Public Protection

- (aa) To enforce the enactments set out in Appendix A of this part of the Constitution and
- (bb) To undertake those functions assigned under;
  - (i) Part 3, Section 4 of this Constitution; functions not to be the responsibility of an authority's Executive.
  - (ii) Part 3, Section 5 of this Constitution, local choice functions

#### Trading standards

- (cc) To exercise the powers and duties of the Council on matters relating to trading standards, consumer protection and metrology including:
  - (i) making such test purchases of goods and services as may be expedient for effective enforcement.
  - (ii) exercising and enforcing appropriate enactments listed in Appendix A of this Part of the Constitution, including any regulation made under those enactments.

NB This function must be exercised subject to the Monitoring officer authorising the institution and conduct of any legal proceedings except in such circumstances where a potential defendant is being held at a police station and the custody charging the individual. In such exceptional circumstances the power to charge the offender is limited to the [Trading Standards Operations Divisional Manager and Trading Standards Fair Trading Divisional Manager]. This procedure will only be used when dealing with itinerant persons where charging by way of summons would not be effective.

#### Licensing

- (dd) To exercise all functions under the Licensing Act 2003 and Gambling Act 2005 including all administrative functions and determinations of unopposed applications for premises licences, personal licences, club premises certificates, temporary events notices, regulated entertainment and late night refreshments, permits and the setting of fees and charges.
- (ee) To enforce the enactments set out in Appendices A, Part 3, Section 3 of this Constitution, headed licensing and registration of premises or persons.

- (ff) To authenticate on the Council's behalf any notice, certificate or other document required to be issued in relation to the enactments in Appendix A of this Part of the constitution, subject to the matter being referred to the Planning Committee where policy or financial considerations are involved and have not previously been determined by the sub-committee.
- (gg) To license and register those matters/premises and/or persons listed in Appendix A of this Part of the Constitution where applicable.
- (hh) To determine the grant and renewal of street trading licences and to enforce the terms of these licences.
- (ii) To determine applications for consents for the use of loudspeakers in streets under the Noise and Statutory Nuisance Act 1993 and to enforce the terms of these consents.

#### Parks and environment

- (jj) To manage and control parks, open spaces and recreation and pleasure grounds including enforcing relevant byelaws; to organise musical festivals, band contests and sports festivals and to make security arrangements. To include determining applications for circuses with performing dogs and horses to take place on council-owned land in parks or open spaces.

#### Property

- (kk) To be the Council's designated corporate property officer, responsible for the strategic management of the Council's property portfolio, including corporate strategy and asset management, procurement of property and property services, planned and preventative maintenance programmes, property allocation, security and use, reviews, acquisitions and disposals, and commercial estate management.
- (ll) To exercise powers over the general use and hire of public halls and buildings owned by the Council (except the Town Hall) for the purpose of community use, meetings and other authorised events in accordance with approved fee scales and principles but to be able to waive or reduce scales of fees and charges in suitable cases.
- (mm) Subject to the availability of finance to be responsible for any alternation or improvement of facilities to the Council Chamber, Committee Rooms and other accommodation for Members.
- (nn) To conduct preliminary negotiations, negotiate, agree and conclude all property matters including the making and settling of rating appeals on council property and property valuations for all purposes.

- (oo) To agree and incur reasonable pre-sale expenses up to a limit of £100,000 per transaction when disposing of property, such expenses to be offset against the capital receipts arising.
- (pp) The delegation is subject to the following requirements:
  - (i) complying with the Code of Practice on the Disposal of Surplus Property, set out in Appendix B
  - (ii) in cases where the Cabinet has already approved the principle but not the terms of a property disposal without the invitation of competitive bids, the provisionally agreed terms of any disposal exceeding £1,000,000 shall be reported to Cabinet for approval before the transaction is concluded.
  - (iii) In cases that have not been the subject of competitive bids but are below £1,000,000 in value, the provisionally agreed terms of disposal shall be reported to the Strategic Director of Resources, before the transaction is concluded.
  - (iv) complying with relevant Council policy on property transactions
  - (v) referring a matter for Member decision where it is proposed to recommend other than the best financial bid
- (qq) concluding valuation and property disputes forming part of a pending or active court or arbitration proceedings, after consultation with either the Monitoring Officer or the S151 Officer, where there is insufficient time or opportunity to obtain a Member decision
- (rr) Following notification to the relevant ward members, to vary but not extend existing agreements for mobile phones masts at school sites in circumstances where installations are to be upgraded and lower emissions will result to enable Landlord's consent to be granted for the installation.
- (ss) To exercise all powers relating to Romford Market, including granting and revoking licences and enforcing relevant bylaws.
- (tt) To name, rename, number and renumber streets and premises
- (uu) To maintain the register of highways that are maintainable at public expense.

**Scheme 3.3.6**  
**Powers of the Strategic Director of Resources**

The Strategic Director of Resources has within their area of responsibility all functions relating to Finance, Customer Services, Human Resources and Organisational Development, ICT, Library Service, Registrars and Bereavement Service, Public Health and Transactional Services.

**3.3.6.1 Finance**

- (a) To act as the Council's s.151 officer.
- (b) After consulting with the Head of Paid Service and the Monitoring Officer, to report to the full Council or to the Cabinet in relation to an executive function and the Council's external auditor if he or she considers that any proposal, decision or course of action will involve incurring unlawful expenditure, or is unlawful and is likely to cause a loss or deficiency or if the Council is about to enter an item of account unlawfully (this is a statutory function).
- (c) To make such arrangements as are necessary to control and regulate the expenditure and income of the Council including the exercise of borrowing powers and treasury management powers (this is a statutory function).
- (d) To advise whether decisions of the Executive or staff are in accordance with the budget framework in consultation with the Head of Paid Service and the Monitoring Officer, where appropriate.
- (e) To undertake all other financial matters arising within the Council, subject to the following requirements:
  - (i) Authority to incur expenditure being approved or sanctioned by the Council or the Cabinet.
  - (ii) Powers of borrowing being exercised within guidelines agreed by the Council and any current codes of practice.
  - (iii) All matters being within accepted accounting practice and standards and within statutory requirements.
  - (iv) Any necessary reference to the Council's external Auditors.
  - (v) An annual report being presented to the Audit Committee by 30 September in each year on the activities undertaken in respect of treasury management powers in the preceding financial year.
  - (vi) Reports of the external Auditors and other relevant Inspectorates upon the audit of the Council's activities being considered.
- (f) To manage the Council's loan debt, investments, and temporary investments, pension scheme and pension fund, insurance fund, act as registrar of loan instruments, manage all

banking arrangements including numbers and types of accounts and arrange insurance of property and the selecting and accepting of tenders for insurance cover and related services which are considered to offer best value for the Council promoting good risk management practices at all times.

- (g) To set the Council Tax Base and Commercial Rate yield each year unless it involves matters of policy.
- (h) To approve the Financial Procedure Rules and any amendments to them .
- (i) To implement approved fees, charges, rents etc. and to ensure that proper arrangements exist for their collection.
- (j) To advise on and monitor the revenue and capital budgets of the Council, including the Housing Revenue Account, and the determination of Council Tax and housing rent levels.
- (k) To instruct the Council's insurers and, upon their advice, to negotiate and settle insurance claims up to maximum of £145,000 for motor insurance, £147,750 for liability insurance and motor vehicles, and £50,000 for property insurance and to review and, if necessary, amend the limits above on an annual basis, following discussion with the Council's insurers.
- (l) To write off sums which are irrecoverable provided that all write-offs are reported to the Council.
- (m) To make or enter into leasing arrangements for vehicles, plant and equipment.
- (n) In consultation with the relevant SLT Member, to authorise virements.
- (o) To set future inter-authority and standard charges for residential and day-care accommodation, in accordance with the formula recommended by the Local Government Association.
- (p) To advise on, co-ordinate and manage all payroll functions on behalf of the Council.
- (q) To administer the Council's pension fund.
- (r) To exercise the Council's discretionary powers in relation to writing off amounts due for national non-domestic rate or surcharge on grounds of hardship or general rate on grounds of poverty, up to a maximum level of £10,000.
- (s) To exercise the Council's discretionary powers in relation to relief for Council Tax and commercial rates.
- (t) To act as statutory officer pursuant to the collection of council tax and commercial rates.

Pensions

(u) To make direct investments in local infrastructure assets as part of the Pension Fund local infrastructure portfolio in consultation with the Chairman of Pensions.

#### 3.3.7.2 Miscellaneous

- (a) To undertake the role of appointed person for the Council in all matters relating to the Criminal Records Bureau.
- (b) To administer the issuing of concessionary travel permits for elderly people to eligible persons.

#### 3.3.7.2 Director of Public Health

- (a) To take responsibility for all the Council's public health functions.
- (b) To oversee all services relating to the public health function.
- (c) To provide information and advice on public health matters.
- (d) To provide services and facilities designed to promote healthy living.
- (e) To provide services and facilities for the prevention of illnesses.
- (f) The exercise of the local authority function in the National Health Service Act 2006 as amended.
- (g) To authorise Patient Group Directions on behalf of the Council

#### 3.3.7.3 Director of Human Resources and Organisational Development

- (a) To develop and implement the Council's human resources, organisation development, remuneration and occupational health strategies.
- (b) To implement any decisions and recommendations of recognised national negotiating bodies in respect of pay. Where a supplementary estimate is required, the cost must be reported to the Cabinet.
- (c) To implement decisions and recommendations of recognised national negotiating bodies on all employment matters including terms and conditions of employment. Where there is a cost implication, a report must be made to the Cabinet.
- (d) Subject to appointments, dismissals, assimilation and redundancies for Directors and above being authorised by Appointments Committee, or decided in accordance with any delegations made by that committee, to implement the procedure for any senior management realignment or restructuring in accordance with the Council's [Managing Change policies and procedures]

- (e) In consultation with the Monitoring Officer to amend HR policies where necessary in consequence of legislation, organisational or other changes that have no adverse effect.
- (f) To act on and make decisions as a pensions panel consisting of the Director of Finance, Monitoring Officer and Director of Human Resources & Organisational Development (or their nominated deputies) for the purposes of:
  - (i) Stage 2 appeals within the Internal Dispute Resolution Procedure regulations and exercising other discretions within the Local Government Pension Scheme
  - (ii) To grant discretionary payments to retiring employees in accordance with the Council's approved policy.
- (g) To implement the Council's early retirement, retirement and redundancy policies in consultation with the Monitoring Officer.
- (h) The exercise of the client monitoring function in respect of occupational health and the Council's recruitment advertising contracts, and the power to select and accept tenders for external consultants or contracts in accordance with the Council's standing orders.
- (i) To authorise the making of ex gratia payments to individuals where the Ombudsman has recommended that such payment be made in local settlement of a complaint.
- (j) To grant gifts for long service up to the limit specified from time to time by the Head of Finance.
- (k) To approve the arrangements for members' training and development.
- (l) To approve proposals for the payment of allowances in accordance with the Council's Injury Allowances Scheme..
- (m) To grant car and season loans to eligible staff.



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### **3.3.7 Monitoring Officer (and Deputy Director of Legal Services)**

#### **STATUTORY**

- (a) To act as the Monitoring Officer for the Council in accordance with the duties set out in Section 5 of the Local Government Act 1989.

#### **GOVERNANCE**

- (b) To prepare, approve and issue or serve all legal documentation (including statutory notices and licences) on behalf of the Council.
- (c) To commence, progress and defend (as appropriate) all legal proceedings on behalf of the Council in any court or tribunal.
- (d) To sign, serve, advertise and receive notices and documents (including requisitions) on behalf of the Council in relation to any formal or legal procedures.
- (e) To certify as a true and correct record any documents in accordance with section 229 of the Local Government Act 1972.
- (f) To sign or endorse any documents on behalf of the borough as required from time to time.
- (g) To instruct and/or seek the opinion of legal counsel and/or external solicitors in consultation with the Chief Executive or any Strategic Director and to instruct legal counsel or experts to advise or appear on any matter and to agree fees arising.
- (h) In consultation with the Strategic Director of Resources to settle claims in proceedings commenced or about to be commenced against the Council in a court or tribunal up to a limit of £100,000. Settlement of claims that exceed £100,000 require the approval of the relevant individual Cabinet Member or of the Cabinet, unless the decision is required to be made immediately before, at, or during a hearing.
- (i) To arrange for the administration of all statutory appeals.
- (j) To authorise appropriately qualified Council staff to represent the Council and to conduct legal proceedings in any Court or Tribunal.
- (k) To undertake those functions assigned to the Monitoring officer under:
  - (i) Part 3, Section 4 of the Constitution: functions not to be the responsibility of an Authority's Executive
  - (ii) Part 3, Section 5 of this Constitution: local choice functions
  - (iii) Part 3, Section 6 of this constitution: Proper Officer function
- (l) To authorise activities under the Regulation of Investigatory Powers Act 2000 and to monitor proper use of activities under that Act
- (m) To develop and implement the Council's information governance policies and protocols.

- (n) To approve arrangements for members' training.
- (o) The Chief Executive and the Monitoring Officer are designated by the Secretary of State as qualified persons for the purpose of Section 36 of the Freedom of Information Act 2000. The Monitoring Officer is to be the primary qualified person with the Chief Executive carrying out the function in the Monitoring Officer's absence.
- (p) To maintain an up-to-date version of the constitution and ensure that it is widely available for consultation by members, staff and the public.
- (q) To make changes to the Constitution pursuant to Article 11 of the Constitution.
- (r) After consulting with the Chief Executive and the Strategic Director of Resources, to report to the full Council or to the Cabinet in relation to any function if:
  - (i) he or she considers that any proposal, decision or omission would give rise to unlawfulness, or
  - (ii) where a Local Commissioner has conducted an investigation to the proposal, decision or omission concerned, any proposal, decision or omission has given rise to maladministration.

Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.
- (s) To consider any complaint made against a Councillor in accordance with the Code of Conduct for Members and the procedure for dealing with complaints against Members as contained within this Constitution at Section 5.1 and 5.2.
- (t) To ensure that executive decisions, together with the reasons for those decisions and relevant staff reports and background papers are made publicly available as soon as possible.
- (u) To advise whether decisions of the Executive or officers are in accordance with the policy framework in consultation with the Chief Executive and the Strategic Director of Resources, where appropriate.
- (v) To give undertakings on behalf of the Council.
- (w) To authorise and attest to the Seal of the Council in accordance with Article 10 in Part 2 of Constitution.

Head of Committee and Election Services

[To be immediately sub-delegated.](#)

- (x) To undertake all the administrative procedures for Hearings Panels and any other panels or Sub-Committees required under the terms of reference of the Licensing Committee: including but not limited to the appointment and re-appointment of independent persons for hearings, the selection of members or independent persons to consider specific cases, the arrangement of panels and dates and the appointment of Chairs of panels.

- (y) In consultation with the Leader of the Group of which the previous appointee is a Member, to appoint a Member of the Council to fill a casual vacancy in any appointment to another organisation arising during the course of a municipal year.
- (z) In consultation with Cabinet Members, Group Leaders and the Chairs of Committees, to determine the schedule of meetings for each municipal year (including dates, times and places of meeting)
- (aa) To exercise general use and hire of the Council Chamber for the purpose of meetings and other authorised events in accordance with approved fee scales and principles and guidelines agreed by the Governance Committee, but to be able to waive or reduce scales of fees and charges in suitable cases. To exercise general management of the Council Chamber, Committee Rooms and other accommodation for Members, including any audio-visual or other information technology equipment installed therein
- (bb) Undertake those functions assigned under: (i) Part 3, Section 6 of this constitution: Proper Officer functions

#### Election Services Manager

(ccc) To undertake those functions assigned under Part 3, section 6 of this constitution (Proper Officer function)

#### **3.3.8 Functions of Scrutiny Officer**

The Assistant Director, Insight, Policy and Strategy is appointed as the Council's Statutory Officer.

- (a) To promote the role of the authority's Overview and Scrutiny Board or Sub-Committees;
- (b) To provide support to the authority's Overview and Scrutiny Board or SubCommittees and the members of that committee or those committees;
- (c) To provide support and guidance to –
  - (i) members of the authority,
  - (ii) members of the executive of the authority, and
  - (iii) officers of the authority, in relation to the functions of the authority's Overview and Scrutiny Board or Sub-Committees

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