

Miscellaneous changes

1. Licensing – Setting Fees and Charges

4.5 Decisions that must be agreed by the Board

.....

- setting fees and charges (to the extent that the budget has not set fees and charges) for executive functions

5.4 Licensing of alcohol, entertainment and late night refreshment

(b) Who carries out the responsibilities?

.....

The licensing and gambling acts committee:

- reviews and recommends policies on licensing to Council
- reviews and recommends to Council fees and charges as necessary in line with the relevant legislation

.....

5.5 Licensing of gambling

(b) Who carries out the responsibilities?

.....

The licensing and gambling acts committee:

- reviews and recommends policies on licensing to Council
- reviews and recommends to Council fees and charges as necessary in line with the relevant legislation

.....

5.6 Taxi and private hire and other vehicle licensing

(b) Who carries out the responsibilities?

.....

The general purposes licensing committee:

- reviews and recommends policies on taxi and private hire and other vehicle licensing to Council
- reviews and recommends to Council fees and charges as necessary in line with the relevant legislation

.....

5.7 Other licensing and registration

(b) Who carries out the responsibilities?

.....

The general purposes licensing committee:

- reviews and recommends policies on licensing and registration to Council
- reviews and recommends to Council fees and charges as necessary in line with the relevant legislation

.....

2. Delegated Powers - Planning

5.3 Planning

(b) Who carries out the responsibility?

.....

Whether or not any of the preceding applies, determining applications under development order conditions which provide that the relevant development may proceed in the absence of a determination are not carried out by area planning committees and are to be dealt with by the Head of Planning and Regulatory Services. ~~applications for the prior approval of details for the extension of a dwellinghouse where the development can go ahead unless the council gives notice of the refusal of prior approval within 42 days (under condition A4 of Part 1 Class A permitted development rights) are not carried out by area planning committees and are dealt with by the head of city development.~~

3. Delegated powers – Enforcement Action

5.7 Other licensing and registration

(a) Description of responsibility

All the responsibilities in Paragraph B of Schedule 1 to the Local Authorities (Functions and Responsibilities)(England) Regulations 2000 except taxi and private hire and other vehicle licensing.

Who carries out the responsibility?

Full Council sets policies on licensing and registration.

The general purposes licensing committee:

.....

The Head of Community Services does everything else except those responsibilities relating to street trading. The Head of Planning and Regulatory Services is responsible for all of those Council functions relating to street trading.

5.14 Ban on smoking in public places

(a) Description of responsibility

All the responsibilities in the Health Act 2006

(b) Who carries out the responsibility?

The Head of ~~Community Services~~ Planning and Regulatory Services.

4. Proper Officers

10.1 Appointment of proper officers

Proper officers are ~~appointed~~ designated by full Council for the functions listed below as required by various statutory provisions.

10.2 Responsibilities and proper officers

“Proper Officer” means the Officer designated below by the Council for the purpose of this Scheme or in the absence of such designation, the Chief Executive.

.....

Section 234	Authenticating documents <u>Signing notices, orders and other documents which the Council is required or authorised to issue by or under any enactment</u>	All Heads of Service
-------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------

5. Meeting Procedures - Public speaking

14.8 Speaking on agenda items

Specific rules on public speaking apply to meetings of the Council, the City Executive Board, the Scrutiny Committee and the Planning Committees.

For all other committees where the press and public are not excluded any member of the public and any city Councillor can speak on any agenda item for up to five minutes if the chair agrees. Individuals should register to speak by 4.00 pm on the day of the meeting. Any extra written material should be submitted at least two working days before the meeting.

6. Meeting Procedures – Quorum

14.3 Quorums and substitutes

Committee	Size	Quorum	Substitutes
Appointments committee	5 (including at least one member of the Board)	3 (including at least one member of the Board)	Permitted
Area planning committee	9	5	Permitted, <u>members should not sit or substitute unless they have undertaken the bi-annual or annual training as required by the Code on Councillor-Officer Relations</u>
Audit and governance committee	7	3	Permitted
Disciplinary committee for chief executive, directors and heads of service	4 (including at least one member of the Board)	3 (including at least one member of the Board)	Permitted
General purposes licensing committee	10	4	Not Permitted
Hackney carriages and private hire licensing sub-committee	3	2 (but the meeting can only proceed at quorum if the person appearing before it agrees)	Permitted from members of General Purposes Licensing Committee, <u>members should not sit or substitute unless they have undertaken the bi-annual or annual training as</u>

			<u>required by the Code on Councillor-Officer Relations</u>
Licensing and registration sub-committee	4	2 (but the meeting can only proceed at quorum if the person appearing before it agrees)	Permitted from members of General Purposes Licensing Committee, <u>members should not sit or substitute unless they have undertaken the bi-annual or annual training as required by the Code on Councillor-Officer Relations</u>
Licensing and gambling acts committee	15	5	Not permitted
Licensing and gambling acts case work sub-committees	3	3	Only from the licensing and gambling acts committee, <u>members should not sit or substitute unless they have undertaken the bi-annual or annual training as required by the Code on Councillor-Officer Relations</u>
Planning review committee	9	5	Permitted, <u>members should not sit or substitute unless they have undertaken the bi-annual or annual training as required by the Code on Councillor-Officer Relations</u>
Standards Committee	7 councillors 1 non-voting co-opted member representing the Oxford Parish Councils	3 councillors	Permitted

7. Call-in

17.3 Who can call in decisions and when do they have to be called in by?

Decision	Can be called in by	Deadline
Decisions on planning applications <u>(those seeking determinations within 5.3(a))</u> to be taken by the <u>Head of Planning and Regulatory Services</u>	Any four Councillors	Within the 5pm on the last day of the period of 21-days consultation period – this starts when the planning application notice is posted starting with the day on which notice of the application is sent to Councillors
Planning decisions <u>(those within 5.3(a))</u> taken by area planning committees	Any twelve Councillors or the <u>Head of Planning and Regulatory Services</u>	Within two working days of 5pm on the last day of the period of two working days starting the day after that on which the draft minute of the decision is being published

.....

8. Contract Rules

19.1 When do these rules apply?

These rules apply when the Council expects to give or receive money or payments in kind. They apply to both capital and revenue and cover

- —Contracts for goods, works or services. Different rules apply to the Acquisitions and disposal of land or buildings (See 19.19).

19.19 Acquiring and disposing of land and buildings

(a) This rule applies to acquisitions and disposal of:

- freeholds or leaseholds with a consideration or premium over £500,000
- leases with a rental value over £125,000 per annum

- freeholds and leases for less than best consideration except when the acquisition or disposal is made:
 - under a legal duty
 - under a confirmed compulsory purchase order
 - under a scheme that has already been agreed by the Board for acquiring or disposing of more than one piece of land or more than one building.
- (b) Before any formal commitment is made to dispose of land a report must go to the Board covering:
- the Council's present or most recent use of the land or buildings,
 - other uses the Council could make of the land or buildings
 - other uses a buyer could make of the land or buildings
 - the estimated value of the land or buildings
 - how the land or buildings will be disposed of.
- (c) Tenders for acquisition or disposal of property are not required to be submitted through the Corporate System but must be held securely until after the tender deadline and opened after the deadline by two Officers nominated by the Head of Housing and Property.
- (d) After a provisional agreement has been reached on an acquisition or disposal, another report must go to the Board covering the terms of the disposal or acquisition and how the land or buildings will be used. If a disposal is for less than best consideration, the report must say why and whether consent is needed from the Secretary of State.
- (e) Where the acquisition or disposal of a freehold or leasehold has a consideration or premium up to £500,000 or a lease has a rental value up to £125,000 per annum authorisation must be given by the relevant Head of Service and the Head of Law and Governance.
- (f) The documentation in relation to the acquisition or disposal of land and buildings will be executed by (or on behalf of) the Head of Law and Governance.

19.22 Accepting quotes and tenders

- (a) Total contract value less than £150,000

- ~~¶~~the Service Head may accept the most economically advantageous quote or tender if the Council is the buyer, or the highest if the Council is the seller, as long as:
- ~~¶~~there is budget provision included in the Council's capital or revenue budget
- project approval has been obtained
- any key decisions have been included in the forward plan
- any organisation the Council is acting as agent for agrees.

(b) Total contract value is over £150,000 but less than £500,000

A Director may accept the most economically advantageous tender if the Council is the buyer, or the highest if the Council is the seller, as long as:

- ~~¶~~there is budget provision in the Council's capital or revenue budget
- project approval has been obtained
- any key decisions have been included in the forward plan
- any organisation the Council is acting as agent for agrees
- the Head of Financial Services and the Monitoring Officer ~~and the Chief Executive~~ have been consulted.

(c) Total contract value £500,000 or over where the Council is the seller

Tenders of £500,000 or over must be the subject of a written report to the Board.

(d) Total contract value is over £500,000 but less than £1,000,000 where the Council is the buyer

A Director may accept the most economically advantageous tender, as long as:

- ¶there is budget provision in the Council's capital or revenue budget
- project approval has been obtained
- any key decisions have been included in the forward plan
- any organisation the Council is acting as agent for agrees

- the Head of Financial Services the Monitoring Officer, the Chief Executive and the relevant Board Member have been consulted.

(e) Total contract value £1,000,000 ~~£500,000~~ or over where the Council is the buyer

Tenders of £1,000,000 ~~£500,000~~ or over must be the subject of a written report to the Board.

9. Planning – Training for Members

24.2 Training for Councillors

Councillors are required to attend training and updating sessions in on ~~at least once a year every two years (election years)~~ planning issues and will be told about any changes to the law or the Council's procedures.

10. Planning - Site Visits

24.15 Site visits

A site visit by a planning committee is only likely to be necessary if:

- the impact of the proposed development is difficult to visualise from the plans and any supporting material, including photographs taken by officers; or
- issues relevant to the determination of the application can only be properly understood by seeing the site.

In considering a planning application the planning officers will decide whether a site visit is necessary, based on the above criteria, and if so will arrange the site visit. An individual member of the relevant planning committee can make a request for a site visit but it is the officers who will make the decision. If members of the relevant planning committee ask for a site visit at a committee meeting then the committee will decide.

When a site visit is requested by a ~~councillor~~ member of the relevant planning committee justification for visiting the site should be judged on the criteria above. The reasons why the site visit is requested will be recorded and kept on the file.

.....

This page is intentionally left blank