

### **7. Roles of decision taking committees**

- 7.1 Area planning committees
- 7.2 Planning Review Committee
- 7.3 Licensing and Gambling Acts Committee
- 7.4 General Purposes Licensing Committee
- 7.5 Audit and Governance Committee
- 7.6 Investigation and Disciplinary Committee
- 7.7 Independent Persons Panel
- 7.8 Appointments Committee
- 7.9 Standards Committee

#### **7.1 Area planning committees**

The area planning committees carry out the responsibilities delegated to them in Part 5.3

#### **7.2 Planning Review Committee**

The Planning Review Committee carries out the responsibilities for called in planning applications delegated to it in Part 5.3.

#### **7.3 Licensing and Gambling Acts Committee**

The Licensing and Gambling Acts Committee carries out the responsibilities delegated to it in Part 5.4 and Part 5.5. It delegates some responsibilities to the Licensing and Gambling Acts Casework Sub-Committee.

#### **7.4 General Purposes Licensing Committee**

The General Purposes Licensing Committee carries out the responsibilities delegated to it in Part 5.6 and Part 5.7. It delegates some responsibilities to the General Purposes Licensing Casework Sub-Committee.

#### **7.5 Audit and Governance Committee**

The Audit and Governance Committee is responsible for setting the Council Tax base and for:

(a) Internal control and risk management

Reviewing internal control and risk management, particularly:

- the way the Council identifies and deals with key risks
- policies for making sure the Council follows regulatory guidance
- the way the Council's strategies, policies, processes and procedures are working in respect of anti-fraud and corruption and money- laundering

- the Annual Governance Statement
  - the statement on internal control to be included in the internal auditor's annual report and all risk and control related disclosure statements before they go to Council.
- (b) Audit and risk
- reviewing the internal audit programme
  - considering the main findings of internal audit investigations and the management's response
  - ensuring co-ordination between internal and external auditors
  - ensuring the Council allocates enough resources to audit and risk and takes audit and risk sufficiently seriously
- (c) External audit
- considering the choice of auditor and the auditor's fees
  - discussing the terms of reference of audits before they happen
  - making sure that all external audits and inspections are co-ordinated
  - reviewing external audit reports, including value for money reports and annual audit letters, along with the management response.
- (d) Statement of accounts
- Considering and approving the annual statement of accounts, focusing on:
- whether the Council's accounting policies and practices are up-to-date
  - areas where serious criticisms and important adjustments resulted from the audit.

### **7.6 Investigation and Disciplinary Committee**

- (a) Considering disciplinary issues/allegations involving the Head of Paid Service (Chief Executive), Assistant Chief Executives, Executive Directors, section 151 officer (Head of Financial Services) and Monitoring Officer (Head of Law and Governance) and to authorise initial investigation.
- (b) Dealing with disciplinary issues where the Chief Executive reasonably believes that they are conflicted from dealing with the matter.
- (c) Members will be appointed to the Committee under the normal process for making appointments to committees and convened as required. The Committee will be politically balanced and consist of four Members of Council and at least one member of the committee shall be a member of the Cabinet. Members of the Committee must have completed mandatory training.
- (d) Meetings will be convened by the Committee and Member Services Manager in accordance with the Model Disciplinary Procedure contained in the JNC Handbook for Chief Executives. In consultation with chair of the Committee allegations which are clearly unfounded, trivial or can best be dealt with under some other procedure will be filtered out

Unless they are unavoidably indisposed or conflicted the same members shall comprise the Committee over the course of the full consideration of a matter (or any related matter) for which it was convened, until it is fully disposed of.

- (e) Whenever a Statutory Officer (Head of Paid Service, Monitoring Officer or Chief Finance Officer) is the subject of a disciplinary issue the Committee must consider whether it is necessary for an Independent Persons Panel to be established, to follow the procedure set out in Part 20.8 and Part 20.9 and:
- To appoint an Independent Investigator (“II”) to investigate allegations of misconduct against any Statutory Officer and to commission reports from an II.
  - To determine appropriate action upon receipt of any preliminary investigation.
  - To decide whether to suspend a Statutory Officer and to review decisions taken to suspend a Statutory Officer.
  - To determine what action should be taken against a Statutory Officer following an investigation. This could include action short of dismissal or dismissal.
  - In the event that the Committee recommends dismissal then that recommendation shall be referred to the Independent Persons Panel prior to being referred to Council for a determination in accordance with the Employment Rules.

### **7.7 Independent Persons Panel**

To advise the Council on matters relating to the dismissal of a Statutory Officer.

The advice of the Independent Persons Panel (“the Panel”) must be sought in accordance with the Employment Rules where the Investigation and Disciplinary Committee proposes to recommend the dismissal of a Statutory Officer.

The advice of the Independent Persons Panel may (but need not) be sought by the Investigation and Disciplinary Committee at any other point in an investigation of disciplinary process.

For the avoidance of doubt, the Panel may commission and have access to external legal and professional advice.

The Independent Persons Panel is an advisory committee appointed by the authority under section 102(4) of the Local Government Act 1972 for the purposes of advising the authority on matters relating to the dismissal of the Statutory Officers in accordance with Schedule 3 to The Local Authorities (Standing Orders) (England) Regulations 2001.

The Panel must be convened having invited at least two of the Independent Persons appointed under section 28(7) of the Localism Act 2011 (to advise on Member conduct allegations) by the Council or, where there are fewer than two such persons, such independent persons as have been appointed by another authority or authorities as the Council considers appropriate.

It shall be for the Monitoring Officer to invite the Council’s current Independent Persons (being those persons appointed to advise on Member conduct

complaints under the Localism Act 2011) and if necessary one or more of the Independent Persons of neighbouring authorities (following consultation with the Monitoring Officers of those authorities), to be considered for appointment to the Independent Persons Panel. It shall be for the Investigation and Disciplinary Committee to confirm appointments to the Independent Persons Panel.

The Panel will be appointed from those Independent Persons who have accepted an invitation to be considered for appointment, in accordance with the following priority order:

- (a) an Independent Person who has been appointed by the authority and who is a local government elector in the Council's area
- (b) any other Independent Person who has been appointed by the authority
- (c) an Independent Person who has been appointed by another authority or authorities.

### **7.8 Appointments Committee**

- (a) To undertake the recruitment and selection process with regard to the designated Head of Paid Service, Monitoring Officer (Head of Law and Governance) and Head of Financial Services (section 151 officer)
- (b) Recommending to Council who to appoint to the position of Chief Executive
- (c) Recommending Council to approve the proposed appointment before an offer of appointment is made to the Head of Paid Service and who to designate as the Chief Finance Officer or Monitoring Officer
- (d) Appointing Assistant Chief Executives and Executive Directors
- (e) Deciding upon the salaries of the Chief Executive, Assistant Chief Executives and Executive Directors
- (f) To receive a report from the Head of Paid Service on senior management arrangements, to include any change, every six months

### **7.9 Standards Committee**

- (a) Considering complaints of breaches of the Members' Code of Conduct (Part 22 Annex 1)
- (b) Making recommendations to Council on the adoption or revision of the Members' Code of Conduct
- (c) Making recommendations to Council on complaints handling arrangements in respect of breaches of the Members' Code of Conduct
- (d) Considering requests from councillors for and granting dispensation under section 33 of the Localism Act 2011 from being precluded from participation in a meeting. The Monitoring Officer can grant individual dispensations to councillors.
- (e) To receive reports from and advise the Monitoring Officer on training for members.