

PART 3 - RESPONSIBILITY FOR FUNCTIONS

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1.0 GENERAL PRINCIPLES

- 1.1 The Council is required by the Local Government Act 2000 and regulations made under it to confirm how it has arranged for its functions to be carried out. This is explained in this part of the Constitution and also in Part 4, which sets out the Officer Scheme of Delegation.
- 1.2 Functions which are not the responsibility of Full Council, a Committee or Sub-Committee, a Joint Area Committee or officers will be exercised by the Cabinet.
- 1.3 The following sections explain the hierarchy of the Council's decision making process which is based on:
- **Full Council** - exercising the functions set out in Article 4 of this Constitution
 - **Cabinet and Individual Cabinet Members** – exercising the executive functions as set out in sections 2 and 3 of this part of the Constitution
 - **Committees and Sub-Committees** – responsible for non-executive functions as set out in their terms of reference at sections 4 and 5 of this part of the Constitution
 - **Working Groups and Working Parties** – working to terms of reference set out in sections 6 and 7 of this part of the Constitution
 - **Panels** – working to terms of reference set out in section 8, 9 and 10 of this part of the Constitution
 - **Joint Arun Committees** – working to terms of reference set out in section 11 of this part of the Constitution
 - **Partnerships** – confirming the key partner organisations and who they will report into, as set out in section 12 of this part of the Constitution
 - **Officers** – working to the Officer Scheme of Delegation at Part 4 of this Constitution.
- 1.4 Full Council, the Cabinet, a Committee or Sub-Committee may delegate further functions or specific responsibilities to officers and when this occurs, it will be recorded in the minutes of the meeting; and the Officer Scheme of Delegation at Part 4 of this Constitution will be amended where required.

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2.0 THE CABINET

Committee/Panel and Membership	Functions	Delegations of Functions
<p>Cabinet</p> <p>7 Members of the Council as confirmed in Article 7</p>	<p>2.1. The Cabinet will exercise those functions which are not the responsibility of:</p> <ol style="list-style-type: none"> a. Full Council; b. Committees, Sub-Committees and Panels of the Council; c. Joint Area Committees; or d. Officers <p><u>Allocation of Functions to the Cabinet</u></p> <p>2.2. The Cabinet collectively will exercise the following functions:</p> <ul style="list-style-type: none"> • To determine key decisions as defined in Article 13 of this Constitution. • To consider and implement matters relating to the major plans, strategies and policies of the Council. • To recommend budgetary frameworks and processes that support the Council's priorities, plans, strategies and policies. • To review key areas of the Council's performance through the Corporate Plan and Service Delivery Plan. • To consider reports from the Overview Select Committee and the Environment & Leisure and Housing & Customer Services Working Groups. • To determine matters relating to the acquisition and disposal of land and assets where the value exceeds £250,000 (other than commercial properties which will be dealt with through the Property Investment Strategy). • To review and scrutinise the operation of any Council owned companies. • To approve expenditure of monies received through the terms of any agreement made under Section 106 Town and Country Planning Act 1990 which exceed the financial limit delegated to the relevant individual Cabinet Member as listed in Part 6, Financial Procedure Rules • To consider requests for supplementary estimates outside of the budget and make recommendations to Full Council based on the financial limits listed as listed in Part 6, Financial Procedure Rules. • To approve the drawing down of funds as listed in Part 6, Financial Procedure Rules. • To award contracts in accordance with Part 6, Purchasing, Procurement, Contracts and Disposals Rules. 	<p>See Part 4 – Officer Scheme of Delegation</p>

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	<ul style="list-style-type: none"> • To consider all other matters requiring an executive decision pursuant to Section 13 of the Local Government Act 2000 and the Local Authorities (Functions and Responsibilities) Regulations 2000 as amended from time to time, where the responsibility in question is not allocated to any other body within the Council or Cabinet. • To approve the repayment of money paid to the Council under Planning Obligations in these circumstances: <ul style="list-style-type: none"> • where the money is unallocated for any project • where the money cannot be spent on the previously identified project because the project folds or fails • where the money is paid subject to a condition that it be spent on a specified project within a specified time. Such clauses are usually avoided by the Council but some developers insist that they be included in Planning Obligations. • To provide leadership in the promotion and improvement of the District's economic, social and environmental well-being. • To encourage fair and appropriate levels of community engagement in the Council's business. • To identify issues to which the Council should attach priority and ensure that those priorities are given proper effect. • To provide the Council's representation on major partnership bodies. • To provide a focus for national, regional and sub-regional networking. • To clarify the Council's position on issues of importance through appropriate internal and external communications. • To respond to issues raised by the Council's Chief Executive in terms of the structure, culture and general well-being of the organisation. • To receive annual reports from the Arun Improvement Programme. <p><u>Urgent Decisions by Cabinet</u></p> <p>2.3. Where the requirements of the Access to Information Rules, as set out in Part 6 of this Constitution requiring access to reports five clear days before the meeting cannot be applied, the Cabinet may consider items of an urgent nature on functions falling within their responsibilities where special circumstances apply, providing that the reasons for accepting the urgency are announced in public session and</p>	<p>See Part 3, Section 3 – Cabinet Member Responsibilities</p>
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	<p>recorded in the minutes. In addition, where the item relates to a key decision, the agreement of the Chairman of the Overview Select Committee must be sought on both the subject of the decision and the reasons for the urgency. Such decisions shall not be subject to the call-in procedure as set out in the Scrutiny Procedure Rules at Part 6 of this Constitution.</p> <p><u>Allocation of Functions to Cabinet Members</u></p> <p>2.4. The Leader will allocate responsibilities for executive functions or re-allocate such responsibilities in accordance with Article 7.</p> <p>2.5. Where a function is allocated to a Cabinet Member, the Leader may determine that it is to be carried out by the Cabinet instead.</p> <p>2.6. A Cabinet Member may refer a function allocated to him/her to the Cabinet for a decision.</p> <p>2.7. Where a Cabinet Member is not able to make a decision in respect of an item which is delegated to him/her, the Leader or in his/her absence the Deputy Leader, may exercise the delegation.</p> <p><u>Deputies to Cabinet Members</u></p> <p>2.8. Deputies to Cabinet Members are to deputise for the Cabinet Member in his/her absence for any function <u>except Decision Making</u>.</p>	
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3.0 CABINET MEMBER RESPONSIBILITIES:

Cabinet Portfolio	Functions
Leader of the Council and Economy	<p>General Responsibilities All functions of the Council which are not the responsibility of any other part of the Council as defined in the Constitution relating to:</p> <ul style="list-style-type: none"> • Economic policy & research • Town centre management • Business development • Economic partnerships • Tourism • Corporate policy • Corporate performance • Communications/web management/ marketing • National partnerships • Local partner liaison • Committees (until March 2018) • Transformation (from 2018)

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Specific Responsibilities

1. To chair meetings of the Cabinet and to present recommendations to the Council.
2. To represent the Council at county, regional and national level.
3. To liaise with Town and Parish Councils and Parish Meetings where not on specific issues covered by another portfolio.
4. To review the performance of the responsibilities within the portfolio through approval and monitoring of the Corporate Plan and Service Delivery Plans.
5. To monitor and consider Ombudsman investigation reports and other complaints made within the responsibilities of the portfolio.
6. In accordance with the terms of any agreement made under Section 106 Town Country Planning Act 1990 the approval of expenditure of monies received for purposes within the responsibilities of the portfolio up to the financial limit listed in Part 6, Financial Procedure Rules.
7. To approve virements of expenditure within the budgets and responsibilities of the portfolio in accordance with the financial limits listed in Part 6, Financial Procedure Rules.
8. To approve the drawing down of funds within the responsibilities of the portfolio in accordance with the financial limits listed in Part 6, Financial Procedure Rules.
9. To approve the award of grants to organisations, including discretionary rate relief, within the responsibilities of the portfolio in accordance with the financial limits listed in Part 6, Financial Procedure Rules.
10. To consider reports from the Council's representatives on outside bodies and report any issues to the Cabinet as relevant.
11. To represent the Council's views where relevant to outside bodies and at other relevant meetings; and
12. To consider and award compensation in excess of £5000 in the event that a complaint investigation within his/her portfolio finds in a complainant's favour.

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Deputy Leader of the Council and Corporate Support	<p>General Responsibilities All functions of the Council which are not the responsibility of any other part of the Council as defined in the Constitution relating to:</p> <ul style="list-style-type: none">• Scrutiny Support• Postal Services• Design• Print• Information Management and support including FOI, Data Protection, Customers of Concern & official complaints• Legal advice to the Council• Monitoring Officer• Standards Committee• Finance• Audit• Procurement• S151 Officer• Payroll• Human Resources• Legal Services• ICT and the digital agenda (from 2018)• Elections• Committees (from April 2018)• Transformation (until 2018)• Accommodation strategy• The digital agenda• ICT• Revenues & Benefits (until 2018)• Customer Services including Arun Direct (until 2018)
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Specific Responsibilities

1. To make decisions on enforcement of legislation relating to Housing Benefits and Council Tax Benefit by all lawful means, including prosecution (until 2018).
2. To make decisions on the enforcement of legislation within the powers of the Council where this is not specifically delegated to another Cabinet Member, the Licensing Committee or the Development Control Committee.
3. Amendment to the Treasury Management Strategy between its annual review, in consultation with the Head of Corporate Support.
4. To act as lead member on the Staff Consultation Panel.
5. To review the performance of the responsibilities within the portfolio through approval and monitoring of the Corporate Plan and Service Delivery Plans.
6. To monitor and consider Ombudsman investigation reports and other complaints made within the responsibilities of the portfolio.
7. In accordance with the terms of any agreement made under Section 106 Town Country Planning Act 1990 the approval of expenditure of monies received for purposes within the responsibilities of the portfolio up to the financial limit listed in Part 6, Financial Procedure Rules.
8. To approve virements of expenditure within the budgets and responsibilities of the portfolio in accordance with the financial limits listed in Part 6, Financial Procedure Rules.
9. To approve the drawing down of funds within the responsibilities of the portfolio in accordance with the financial limits listed in Part 6, Financial Procedure Rules.
10. To approve the award of grants to organisations, including discretionary rate relief, within the responsibilities of the portfolio in accordance with the financial limits listed in Part 6, Financial Procedure Rules.
11. To consider reports from the Council's representatives on outside bodies and report any issues to the Cabinet as relevant.
12. To represent the Council's views where relevant to outside bodies and at other relevant meetings; and
13. To consider and award compensation in excess of £5000 in the event that a complaint investigation within his/her portfolio finds in a complainant's favour.

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Community Wellbeing	<p>General Responsibilities All functions of the Council which are not the responsibility of any other part of the Council as defined in the Constitution relating to:</p> <ul style="list-style-type: none"> • Leisure & Culture • Foreshores • Wellbeing • Voluntary and community sector and Citizens Advice • Safeguarding • Activities for the elderly • Think Family • Telecare (Lifeline) • Community Safety including Anti-social Behaviour Team • Youth Council (from April 2018)
	<p>Specific Responsibilities</p> <ol style="list-style-type: none"> 1. Policy decisions relating to the provision and management of sporting, recreational, arts, entertainment and cultural events; and the use of buildings or land (whether or not owned by the Council) for such purposes. 2. To approve variations to the terms and conditions of the Dual Use Agreement relating to the Arun Leisure Centre between the Council and West Sussex County Council to reflect the asset responsibility matrix submitted as part of the leisure operating contract. 3. Policy decisions relating to the management and operation of the Council's foreshores. 4. All policy matters and liaison with West Sussex County Council Health, Adult, Children and Young People Services. 5. To establish and maintain partnerships and initiatives with a focus on improving health and wellbeing. 6. Policy decisions relating to the Council's Lifeline Service and policies, expenditure, liaison and partnerships with Telecare and Telehealth Services. 7. Policy decisions relating to the Council's Community Safety policies, expenditure and liaison. 8. To make decisions on all matters arising from the Council's statutory responsibilities under the Crime & Disorder Act 1988 and the Anti-Social Behaviour, Crime and Policing Act 2014. 9. To act as lead member on the Assets of Community Value Appeal Panel. 10. To review the performance of the responsibilities within the portfolio through approval and monitoring of the Corporate Plan and Service Delivery Plans. 11. To monitor and consider Ombudsman investigation reports and other complaints made within the responsibilities of the portfolio. 12. In accordance with the terms of any agreement made under Section 106 Town Country Planning Act 1990

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	<p>the approval of expenditure of monies received for purposes within the responsibilities of the portfolio up to the financial limit listed in Part 6, Financial Procedure Rules.</p> <ol style="list-style-type: none">13. To approve virements of expenditure within the budgets and responsibilities of the portfolio in accordance with the financial limits listed in Part 6, Financial Procedure Rules.14. To approve the drawing down of funds within the responsibilities of the portfolio in accordance with the financial limits listed in Part 6, Financial Procedure Rules.15. To approve the award of grants to organisations, including discretionary rate relief, within the responsibilities of the portfolio in accordance with the financial limits listed in Part 6, Financial Procedure Rules.16. To consider reports from the Council's representatives on outside bodies and report any issues to the Cabinet as relevant.17. To represent the Council's views where relevant to outside bodies and at other relevant meetings; and18. To consider and award compensation in excess of £5000 in the event that a complaint investigation within his/her portfolio finds in a complainant's favour.
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Residential Services	<p>General Responsibilities All functions of the Council which are not the responsibility of any other part of the Council as defined in the Constitution relating to:</p> <ul style="list-style-type: none"> • Strategy & Enabling • Registered providers and social landlords • Homelessness • Housing and HRA • Revenues and Benefits (from 2018)
	<p>Specific Responsibilities</p> <ol style="list-style-type: none"> 1. To exercise nomination right agreements for letting of Registered Social Landlord dwellings. 2. Policy decisions relating to homelessness in accordance with relevant legislation. 3. To make decisions on enforcement of legislation relating to Housing Benefits and Council Tax Benefit by all lawful means, including prosecution (from 2018). 4. In agreement with the Director of Services, to acquire 250 houses over the 10 year period of the Housing Revenue Account (HRA) Business Plan 2017-2027 based on the three year capital funding programme in consultation with the S151 Officer with updates on spend to be reported to Cabinet via the Budget Variation Report. 5. Where appropriate, and in agreement with the Director of Services, to approve the use of specialist legal advisors in connection with property acquisitions under the HRA Business Plan 2017-2027 in consultation with the S151 Officer. 6. In agreement with the Director of Services, to authorise the disposal of all HRA assets (land and property), outside of Right to Buy, in consultation with the Group Head of Technical Services and Group Head of Corporate Support, and that the sale proceeds be reinvested back into the HRA account on all occasions. 7. To review the performance of the responsibilities within the portfolio through approval and monitoring of the Corporate Plan and Service Delivery Plans. 8. To monitor and consider Ombudsman investigation reports and other complaints made within the responsibilities of the portfolio. 9. In accordance with the terms of any agreement made under Section 106 Town Country Planning Act 1990 the approval of expenditure of monies received for purposes within the responsibilities of the portfolio up to the financial limit listed in Part 6, Financial Procedure Rules. 10. To approve virements of expenditure within the budgets and responsibilities of the portfolio in accordance with the financial limits listed in Part 6, Financial Procedure Rules. 11. To approve the drawing down of funds within the responsibilities of the portfolio in accordance with the financial limits listed in Part 6, Financial Procedure Rules. 12. To approve the award of grants to organisations, including discretionary rate relief, within the responsibilities

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	<p>of the portfolio in accordance with the financial limits listed in Part 6, Financial Procedure Rules.</p> <ol style="list-style-type: none">13. To consider reports from the Council's representatives on outside bodies and report any issues to the Cabinet as relevant.14. To represent the Council's views where relevant to outside bodies and at other relevant meetings; and15. To consider and award compensation in excess of £5000 in the event that a complaint investigation within his/her portfolio finds in a complainant's favour.
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Neighbourhood Services	<p>General Responsibilities All functions of the Council which are not the responsibility of any other part of the Council as defined in the Constitution relating to:</p> <ul style="list-style-type: none"> • Car Parking • Parks • Cleansing • Cemeteries • Emergency Planning • Youth Council (until March 2018) • Customer Services including Arun Direct (from 2018)
	<p>Specific Responsibilities</p> <ol style="list-style-type: none"> 1. Policy decisions relating to the management and operation of the Council’s car parks, including setting the annual fees and charges. 2. Policy decisions relating to the provision and management of parks, playing fields, recreation grounds, woodland and open spaces, together with the encouragement of community action in these areas with the exception of play areas. 3. Policy decisions relating to the provision of public seats. 4. Policy decisions relating to nature conservation and the encouragement of access to the countryside. 5. Policy decisions relating to the provision and management of children’s play areas. 6. Policy decisions relating to the collection of domestic, commercial, industrial and clinical wastes under relevant legislation. 7. Policy decisions relating to street sweeping and litter collection under the relevant legislation, including the provision and maintenance of litter bins. 8. Policy decisions relating to investigation and implementation of waste minimisation and recycling schemes/policies, including bottle banks and recycling of domestic waste. 9. Policy decisions relating to the provision and maintenance of public conveniences. 10. Liaison with West Sussex Council on refuse disposal, recycling, fire prevention and consumer protection, and similar issues. 11. Policy decisions relating to the removal of abandoned vehicles both on public and private land. 12. Policy decisions relating to the provision and management of cemeteries and enforcement under relevant legislation, 13. All policies arising from the exercise by the Council of its functions and powers relating to Emergency Response and Standby. 14. To review the performance of the responsibilities within the portfolio through approval and monitoring of the Corporate Plan and Service Delivery Plans.

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	<ol style="list-style-type: none">15. To monitor and consider Ombudsman investigation reports and other complaints made within the responsibilities of the portfolio.16. In accordance with the terms of any agreement made under Section 106 Town Country Planning Act 1990 the approval of expenditure of monies received for purposes within the responsibilities of the portfolio up to the financial limit listed in Part 6, Financial Procedure Rules.17. To approve virements of expenditure within the budgets and responsibilities of the portfolio in accordance with the financial limits listed in Part 6, Financial Procedure Rules.18. To approve the drawing down of funds within the responsibilities of the portfolio in accordance with the financial limits listed in Part 6, Financial Procedure Rules.19. To approve the award of grants to organisations, including discretionary rate relief, within the responsibilities of the portfolio in accordance with the financial limits listed in Part 6, Financial Procedure Rules.20. To consider reports from the Council's representatives on outside bodies and report any issues to the Cabinet as relevant.21. To represent the Council's views where relevant to outside bodies and at other relevant meetings; and22. To consider and award compensation in excess of £5000 in the event that a complaint investigation within his/her portfolio finds in a complainant's favour.
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Planning	<p>General Responsibilities All functions of the Council which are not the responsibility of any other part of the Council as defined in the Constitution relating to:</p> <ul style="list-style-type: none"> • Development control • Local Plan & policy • Strategic Development Team • Technical administration support
	<p>Specific Responsibilities</p> <ol style="list-style-type: none"> 1. To consider and monitor the effectiveness of the Council’s land use policies in respect of the District’s towns, villages and countryside as expressed through the Local Plan and related Land Use Policy documents. 2. Liaison with all outside bodies, agencies and organisations responsible for matters relating to land use, planning, highways and public footpaths. 3. To take action under relevant legislation in respect of the protection, enhancement and preservation of the physical and natural environment, save where powers have been delegated to the Development Control Committee in respect of: <ol style="list-style-type: none"> a. Building preservation (particularly those designated as being of special architectural or historic interest) b. Designation and enhancement of Conservation Areas c. Preservation of trees and woodlands 4. To review the performance of the responsibilities within the portfolio through approval and monitoring of the Corporate Plan and Service Delivery Plans. 5. To monitor and consider Ombudsman investigation reports and other complaints made within the responsibilities of the portfolio. 6. In accordance with the terms of any agreement made under Section 106 Town Country Planning Act 1990 the approval of expenditure of monies received for purposes within the responsibilities of the portfolio up to the financial limit listed in Part 6, Financial Procedure Rules. 7. To approve virements of expenditure within the budgets and responsibilities of the portfolio in accordance with the financial limits listed in Part 6, Financial Procedure Rules. 8. To approve the drawing down of funds within the responsibilities of the portfolio in accordance with the financial limits listed in Part 6, Financial Procedure Rules. 9. To approve the award of grants to organisations, including discretionary rate relief, within the responsibilities of the portfolio in accordance with the financial limits listed in Part 6, Financial Procedure Rules. 10. To consider reports from the Council’s representatives on outside bodies and report any issues to the Cabinet as relevant. 11. To represent the Council’s views where relevant to outside bodies and at other relevant meetings; and

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	12. To consider and award compensation in excess of £5000 in the event that a complaint investigation within his/her portfolio finds in a complainant's favour.
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<p>Technical Services</p>	<p>General Responsibilities All functions of the Council which are not the responsibility of any other part of the Council as defined in the Constitution relating to:</p> <ul style="list-style-type: none"> • Street name and numbering • Local land charges • Engineering • Property & Estates • Facilities management • Environmental Health including private sector housing • Building Control
	<p>Specific Responsibilities</p> <ol style="list-style-type: none"> 1. To act as lead member on the Staff Safety Panel 2. To act as lead member on the Assets of Community Value Compensation Panel. 3. Policy decisions relating to Building Control. 4. Policy decisions on Land Charges and street naming and numbering. 5. Policy decisions relating to land drainage. 6. Policy decisions on coastal defence and management functions and powers. 7. All matters relating to the acquisition and disposal of land, including any buildings or structures thereon or any interest therein, up to a value of £250,000 in each case, subject to prior consultation with the relevant Cabinet Member with responsibility for the intended use of the property. 8. To act as the Members’ Health and Safety representative at Cabinet. 9. Policy decisions relating to Food Safety and infectious disease control. 10. Policy decisions relating to regulation of Health and Safety legislation in workplaces. 11. Policy decisions relating to environmental protection matters. 12. Policy decisions relating to port health and the control of imported food. 13. Policy decisions relating to private sector housing and pest control. 14. To review the performance of the responsibilities within the portfolio through approval and monitoring of the Corporate Plan and Service Delivery Plans. 15. To monitor and consider Ombudsman investigation reports and other complaints made within the responsibilities of the portfolio. 16. In accordance with the terms of any agreement made under Section 106 Town Country Planning Act 1990 the approval of expenditure of monies received for purposes within the responsibilities of the portfolio up to the financial limit listed in Part 6, Financial Procedure Rules. 17. To approve virements of expenditure within the budgets and responsibilities of the portfolio in accordance with the financial limits listed in Part 6, Financial Procedure Rules.

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| | <ol style="list-style-type: none">18. To approve the drawing down of funds within the responsibilities of the portfolio in accordance with the financial limits listed in Part 6, Financial Procedure Rules.19. To approve the award of grants to organisations, including discretionary rate relief, within the responsibilities of the portfolio in accordance with the financial limits listed in Part 6, Financial Procedure Rules.20. To consider reports from the Council's representatives on outside bodies and report any issues to the Cabinet as relevant.21. To represent the Council's views where relevant to outside bodies and at other relevant meetings; and22. To consider and award compensation in excess of £5000 in the event that a complaint investigation within his/her portfolio finds in a complainant's favour. |
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4.0 COMMITTEES OF FULL COUNCIL

Committee/Panel and Membership	Functions	Delegations of Functions
<p>4.1 Audit & Governance Committee</p> <p>10 Members of the Council (Cabinet Members are not eligible for appointment)</p> <p>No Member can serve on this Committee in any capacity unless all of the required training determined to be necessary by the Group Head of Corporate Support, in consultation with the Cabinet Member for Corporate Support, has been undertaken.</p>	<p><u>Key Responsibilities:</u></p> <ol style="list-style-type: none"> 1. Provide an independent assurance of the adequacy of the governance and risk management frameworks and the associated control environment so as to best protect the Council's reputation. 2. Provide 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. 3. Oversee the financial reporting process. 4. Oversee the work of internal and external audit and receive periodic reports on the work of the authority's Governance and Risk Group. 5. Review and consider Member Allowances based on reports from the Independent Remuneration Panel and to make recommendations to Full Council. <p><u>Specific Functions:</u></p> <ol style="list-style-type: none"> 1. To advise the Council on:- <ul style="list-style-type: none"> • Appropriate arrangements for internal audit activity, in line with published standards • The arrangements for the provision of external audit services • The effectiveness of anti-fraud measures • The arrangements for an appropriate Regulatory framework • Corporate Governance including approval of the Annual Governance Statement • Compliance with contract and financial procedure rules of the Constitution • Matters arising from the review and approval of the Annual Statement of Accounts by the Committee • The Authority's Treasury Management Strategy and results • The policy regarding provisions of the Regulation of Investigatory Powers Act 2010 (RIPA) and the use of such powers by the Council 2. To oversee the work of the Independent Remuneration Panel in its periodic consideration of Member Allowances. 3. To review and scrutinise the operation of any Council owned companies and Cabinet's role in overseeing this activity through monitoring reports submitted on at least an annual basis or as reported by the S.151 officer 	<p>Part 4 – Officer Scheme of Delegation and Part 6 – Financial Procedure Rules</p>
<p>4.2 Development Control Committee</p> <p>15 Members of the Council</p>	<ol style="list-style-type: none"> 1. Functions relating to Town and Country Planning and Development Control as specified in Schedule 1 of the Town & Country Planning Act 1990 (as amended) and the 	<p>See Part 4 – Officer Scheme of Delegation</p>

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<p>(no more than two of who may also be Cabinet Members)</p> <p>No Member can serve on this Committee in any capacity unless all of the required training determined to be necessary by the Director of Place in consultation with the Cabinet Member for Planning has been undertaken.</p>	<p>Planning (Listed Building & Buildings in Conservation Areas) Act 1990 (as amended).</p> <ol style="list-style-type: none"> 2. To determine all applications/notifications and related planning enforcement matters. 3. To determine matters relating to the control of advertisements, the preservation of trees, buildings and important hedgerows, the creation extinguishment or diversion of public highways affected by development and decisions on high hedges. 4. To make amendments to the Officer Scheme of Delegation insofar as they relate to the Director of Place as confirmed in Article 15 in this Constitution. 5. To receive reports from the Site Inspection Panel. 6. To appoint Briefing Panels and Site Inspection Panels and determine their membership, Terms of Reference and procedures. 	
<p>4.3 Licensing Committee</p> <p>At least 10 but no more than 15 Members of the Council</p> <p>No Member can serve on this Committee in any capacity unless all of the required training determined to be necessary by the Director of Place in consultation with the Cabinet Member for Technical Services has been undertaken.</p>	<ol style="list-style-type: none"> 1. All functions of the licensing authority for the Council under the Licensing Act 2003 and Gambling Act 2005 and those relating to Licensing Authorisation and Registration as set out in Schedule 1 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, including the power to delegate such functions as permitted by law or the Council's Licensing Scheme of Delegations to Sub-Committees and officers of the Council. 2. Power to consider reports from Council officers upon proposed enforcement action where the circumstances of a particular case are considered, in the discretion of the Enforcement Review Panel, to make it desirable for the Licensing Committee to do so. 3. To make amendments to the Officer Scheme of Delegation insofar as they relate to the functions falling within the remit of the Committee. 	<p>See Part 4 – Licensing Scheme of Delegation</p>
<p>4.4 Overview Select Committee</p> <p>15 Members of the Council (Cabinet Members are not eligible for appointment)</p>	<p><u>Key Responsibilities:</u></p> <ol style="list-style-type: none"> a) Policy development and review b) Publicly holding the Cabinet to account c) Reviewing the deliverability of local services [whether provided by the Council or external organisations] d) Examining matters of wider local concern e) Supporting the development of the Forward Plan <p><u>General Role:</u></p> <ol style="list-style-type: none"> 1. Making reports and/or recommendations to Full Council and/or the Cabinet in connection with the discharge of its functions. 2. Reviewing and/or scrutinising decisions made or actions taken in connection with the 	<p>None</p>

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	<p>discharge of any of the Council’s functions.</p> <ol style="list-style-type: none"> 3. Exercising the right to call-in, for reconsideration, decisions made but not yet implemented by the Cabinet or an Individual Cabinet Member as set out in the Scrutiny Procedure Rules in Part 6 of this Constitution. 4. Considering reports and recommendations received from the West Sussex Joint Scrutiny Steering Group and/or any group set up to carry out a joint scrutiny review. 5. Considering Petitions in accordance with the Petitions Scheme set out in Part 8 of this Constitution. <p><u>Specific Functions:</u></p> <ol style="list-style-type: none"> 1. Budget Development and Review – assisting the Council and the Cabinet in the annual preparation of the Budget against the Council’s priorities 2. Scrutiny <ol style="list-style-type: none"> a) Reviewing, scrutinising and questioning the decisions made or actions taken by: <ul style="list-style-type: none"> ▪ Full Council and Cabinet (policy objectives, performance targets, service areas] ▪ Individual Cabinet Members ▪ Committees ▪ Council Officers (Directors/Group Heads) ▪ The Council’s main contractors (performance and outcomes to be scrutinised at least once every two years) ▪ Other public bodies (inviting reports and requesting them to address the Committee if appropriate) b) Questioning and gathering evidence from any person (with their consent) 3. Work Programme – report annually to Full Council on its future work programme and amended working methods if appropriate 	
<p>4.5 Standards Committee</p> <p>9 Members of the Council (to include no more than one Cabinet member and shall not include the Leader or Deputy Leader)</p> <p>3 Independent Persons</p> <p>Quorum - 3 members</p> <p>No Member can serve on this Committee in any</p>	<ol style="list-style-type: none"> 1. To promote and maintain high standards of conduct by District Councillors, Town and Parish Councillors and co-opted Members. 2. To advise the Council and Town and Parish Councils on the adoption or revision of the Members Code of Conduct. 3. To monitor the operation of the Local Assessment Procedure and recommend any revisions to the Council. 4. Where not covered by the Local Assessment Procedure, to determine the action to be taken on any failure of a District Councillor, Town or Parish Councillor or co-opted Member to comply with the relevant authority’s Code of Conduct following a report from the Group Head of Council Advice & Monitoring Officer. 5. To determine any review made under the Local Assessment Procedure following a report from the Group Head of Council Advice & Monitoring Officer. 6. To advise and support the Group Head of Council Advice & Monitoring Officer in the 	<p>See Part 3 – Assessment Panel and Dispensation Panel</p>

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<p>capacity unless all of the required training determined to be necessary by the Group Head of Council Advice & Monitoring Officer, in consultation with the Cabinet Member for Corporate Support, has been undertaken.</p>	<p>delivery of training on the Members Code of Conduct to District Councillors, Town and Parish Councillors and co-opted Members.</p> <p>7. To consider membership and recruitment of Independent Persons to the Committee and make recommendations for appointments to Full Council.</p> <p>8. All other functions relating to standards of conduct of District Councillors, Town and Parish Councillors and co-opted Members under the Localism Act 2011 or Regulations made under it.</p> <p>Role of Independent Persons</p> <p>a) They will have a consultative role when the Standards Committee or Assessment Panel makes decisions on complaints made against councillors.</p> <p>b) They will be invited to meetings of the Standards Committee and may remain in meetings for all items to be considered unless they have a conflict of interest. Where they do, the Chairman and Vice-Chairman will have authority to decide if they may take part in the debate or request that they leave the meeting.</p> <p>c) They will not be entitled to vote at meetings or chair meetings.</p>	
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5.0 SUB-COMMITTEES

Committee/Panel and Membership	Functions	Delegations of Functions
<p>5.1 Bognor Regis Sub-Committee</p> <p>9 Members of the Council</p>	<p>1. To make recommendations to Full Council in relation to all major regeneration projects affecting the environs of the town.</p> <p>2. To make recommendations to Full Council on matters relating to land and property in the Council's ownership and on the matter of allocating resources so that projects can be completed to agreed timescales.</p> <p>3. To have delegated authority for decisions in terms of:</p> <ul style="list-style-type: none"> i. recruitment and engagement of consultants ii. agreement to consult on certain stages of plans/proposals iii. monitoring of progress against agreed action plans and any necessary actions to address problems etc. iv. approving the drawing down of funds within the responsibilities of the Sub-Committee as listed in Part 6, Financial Procedure Rules. 	<p>See Part 4 – Officer of Delegation</p>

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	<p>Note The Sub-Committee will not encroach on any of the responsibilities of the Development Control Committee, Licensing Committee or the Local Plan Sub-Committee.</p>	
<p>5.2 Littlehampton Regeneration Sub-Committee</p> <p>9 Members of the Council</p>	<ol style="list-style-type: none"> 1. To make recommendations to Full Council in relation to all major regeneration projects affecting the environs of the town. 2. To make recommendations to Full Council on matters relating to land and property in the Council's ownership and on the matter of allocating resources so that projects can be completed to agreed timescales. 3. To have delegated authority for decisions in terms of: <ol style="list-style-type: none"> i. recruitment and engagement of consultants ii. agreement to consult on certain stages of plans/proposals iii. monitoring of progress against agreed action plans and any necessary actions to address problems etc. iv. approving the drawing down of funds within the responsibilities of the Sub-Committee as listed in Part 6, Section 5 of the Constitution. <p>Note The Sub-Committee will not encroach on any of the responsibilities of the Development Control Committee, Licensing Committee or the Local Plan Sub-Committee.</p>	<p>See Part 4 – Officer of Delegation</p>
<p>5.3 Planning Policy Sub-Committee</p> <p>14 Members of the Council</p> <p>No Member can serve on this Committee in any capacity unless all of the required training determined to be necessary by the Director of Place in consultation with the Cabinet Member for Planning has been undertaken.</p>	<ol style="list-style-type: none"> 1. To consider draft Planning Policy and CIL documents and review them. 2. To authorise public consultation on draft Planning Policy and CIL documents and material produced for public consultation reports 3. To consider responses from public consultation and amend reports accordingly 4. To make recommendations to Full Council for approval of Planning Policy, CIL documents and Infrastructure Funding Statements. 5. The Sub-Committee has delegated authority for decisions in terms of: <ol style="list-style-type: none"> i. Approving any expenditure within agreed budgets or public consultation ii. Agreement to consult on certain stages of plans/proposals/the CIL Charging Schedule 	<p>See Part 4 – Officer of Delegation</p>

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	<ul style="list-style-type: none"> iii. Agreement on Supplementary Planning Documents and background evidence base documents iv. Approving consultation responses v. Monitoring of progress against agreed action plans and any necessary actions to address problems pursuant to paragraph 1 above <p>6. The Sub-Committee can invite such other bodies as it requires in order to consider specific issues (e.g. a representative from the Environment Agency to talk about flooding issues) to attend and make presentations on planning policy and CIL matters.</p> <p>7. To make recommendations to Full Council for approval of the implementation and governance of the CIL charging schedule.</p> <p>Note The Sub-Committee will meet on an ad hoc basis</p>	
<p>5.4 Electoral Review Sub- Committee</p> <p>8 Members of the Council</p>	<ul style="list-style-type: none"> 1. To review and consider electoral matters and make recommendations to the Returning Officer/Electoral Registration Officer and/or the Council as appropriate. 2. To consider and recommend to the Council proposals by the Chief Executive/Returning Officer for polling districts and polling places within the Arun District as required by the Review of Polling Districts and Polling Places [Parliamentary Elections] Regulations 2006. 3. To consider reports from the Chief Executive/Returning Officer on the ongoing review of polling stations, as required. 4. To consider reports from the Returning Officer on reviews of elections held and registration matters. 5. To consider and recommend to the Council any proposals for an electoral review of Arun District Council. 6. To review and recommend to the Council any proposals from the Local Government Boundary Commission for England on electoral reviews of Arun District Council, West Sussex County Council and the Town/Parish Councils within the Arun District. 7. To review and submit comments on behalf of the Council on any proposals from the Boundary 	<p>See Part 4 – Officer of Delegation</p>

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	<p>Commission for England on a review of Parliamentary constituency boundaries affecting the Arun District.</p> <p>8. To undertake community governance reviews in accordance with the Local Government and Public Involvement in Health Act 2007 and recommend any proposals for change to the Council.</p> <p>9. To consider and agree a response to consultation documents on electoral matters.</p>	
<p>5.5 Licensing Sub-Committee</p> <p>3 Members of the Council drawn from the Licensing Committee (it is not required to be politically balanced)</p>	<p>1. Subject to all the provisions applying to delegations, the Licensing Sub-Committee shall have all the Council’s powers and duties for:</p> <p>a. Deciding applications for all licenses, permissions and associated matters, under the Licensing Act 2003, Gambling Act 2005 and all functions of the licensing authority relating to Licensing Authorisation and Registration as set out in Schedule 1 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, where representations or objections have been received but which cannot be resolved by mediation or any other way permitted by law and where any decision has not been delegated to an officer by the Licensing Scheme of Delegations, statute or otherwise.</p> <p>b. Deciding applications for the variation, suspension or revocation of all such licenses, permissions and associated matters, under the legislation mentioned in the paragraph above save those which can be resolved by mediation or any other way permitted by law or by delegation to an officer by the Licensing Scheme of Delegations, statute or otherwise.</p> <p>Note The Sub-Committee reports to the Licensing Committee. It will meet as and when convened by the Licensing Team Manager or other officer acting on his or her behalf.</p>	<p>See Part 4 – Officer Scheme of Delegation</p>

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6.0 WORKING GROUPS

Working Groups in operation at December 2017 are:

Name of the Working Group	Reporting to
Housing and Customer Services	Full Council
Environment and Leisure	Full Council

Committee/Panel and Membership	Functions	Delegations of Functions
<p>Working Groups</p> <p>Not less than 6 Members of the Council made up of volunteers (Cabinet Members shall not sit on a Working Group)</p> <p>Quorum - one third of the whole number of Members on the Working Group</p>	<p>1. Full Council has established Working Groups who will:</p> <ul style="list-style-type: none"> i. Review their individual terms of reference annually and recommend any changes for approval to Full Council. ii. Undertake work as and when requested by Full Council, Cabinet and the Overview Select Committee and any work decided upon by the majority of the members on the Working Group. iii. Draw up a work programme on an annual basis and recommend this for approval to Full Council. iv. Make recommendations on the outcomes of their work to Cabinet, the Overview Select Committee and Full Council. v. Meet in public unless the majority of the members present at the meeting vote for the matter under consideration to be dealt with in exempt business in accordance with the Access to Information Rules at Part 6 of the Constitution. vi. Work to the Meeting Procedure Rules set out in Part 5, Section 2 of this Constitution. <p>Note Working Groups are not required to be politically balanced and will not have a maximum number of Members</p>	<p>See Part 4 – Officer Scheme of Delegation</p>

PART 3 – RESPONSIBILITY FOR FUNCTIONS

7.0 WORKING PARTIES

Working Parties in operation at December 2017 are:

Name of the Working Party	Reporting to
Arun Leisure Centre Dual Use Officer Group	Overview Select Committee
Constitution Working Party	Full Council
Members IT Working Party	Full Council
Arun Improvement Programme	Cabinet

Committee/Panel and Membership	Functions	Delegations of Functions
<p>Working Parties</p> <p>Membership will vary dependent on the terms of reference of the Working Party</p> <p>Quorum – one third of the of the whole number of Members on the Working Party</p>	<ol style="list-style-type: none"> 1. The Council, Cabinet, Overview Select Committee and Audit and Governance Committee may establish Working Parties with responsibility for specific functions or tasks based on the following terms: <ol style="list-style-type: none"> a. An agreed terms of reference, or if that is not practical the scope of the function/task to be undertaken b. The size of the membership of the Working Party c. How membership will be agreed, either nominated at the time the Working Party is established or through nomination by the Group Leaders d. Proposals for the allocation of seats if vacancies occur, or whether to leave seats vacant e. The timescale for the work to be undertaken 2. Working Parties will then: <ol style="list-style-type: none"> a. Review their terms of reference and recommend any changes for approval to their parent body (Full Council, Cabinet, Overview Select Committee or Audit and Governance Committee). b. Make recommendations and report back to their parent body on the outcomes of their work. c. Meet in private, unless the Working Party agrees that a future meeting should be held in public and proper notice is given in accordance with the requirements of the Meeting Procedure Rules at Part 5, Section 2 of this Constitution. <p>Note Once established, the Chairman and Vice-Chairman of the Working Party will be appointed at the Annual Council meeting each year in accordance with Article 2.0 of this Constitution</p>	<p>See Part 4 – Officer Scheme of Delegation</p>

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8.0 PANELS

Committee/Panel and Membership	Functions	Delegations of Functions
<p>8.1 Assessment Panel</p> <p>3 Members of the Standards Committee</p> <p>1 Independent Person</p> <p>Quorum - 3 members</p>	<ol style="list-style-type: none"> 1. To meet as and when convened by the Group Head of Council Advice & Monitoring Officer to assess written complaints made against a Councillor or co-opted Member of Arun District Council or a Town and Parish Council within the Arun District in respect of an alleged breach of the relevant authority's Code of Conduct. 2. To conduct hearings, take decisions and determine sanctions in accordance with the Local Assessment Procedure. 3. To report the outcome of their assessments to the Standards Committee. 	<p>See Part 4 – Officer Scheme of Delegation</p>
<p>8.2 Dispensation Panel</p> <p>3 Members of the Standards Committee</p> <p>Quorum - 3 members</p>	<ol style="list-style-type: none"> 1. To meet as and when convened by the Group Head of Council Advice & Monitoring Officer to consider applications from members of the Council for a dispensation to allow them to participate in the consideration, discussion or voting upon business before the Council where they have a pecuniary interest under the Members Code of Conduct. 2. To grant a dispensation on the following criteria: <ol style="list-style-type: none"> a. without the dispensation, the proportion of the Council who would be prohibited from participating would impede the Council's transaction of that business; or b. without the dispensation, the representation of different political groups dealing with that business would be so upset as to alter the likely outcome of any vote; or c. the granting of the dispensation is in the interests of people living in the Arun District; or d. without the dispensation, each individual Cabinet Member would be prohibited from participating in the business; or e. it is otherwise appropriate to grant a dispensation. 3. To determine the period for the dispensation to be granted. 4. To report the outcome of any dispensations granted to the Standards Committee. 	<p>See Part 4 – Officer Scheme of Delegation</p>
<p>8.3 Enforcement Review Panel</p> <p>Membership of the Enforcement Review Panel shall be in accordance with the Council's Enforcement Policy for Environmental Health (including</p>	<ol style="list-style-type: none"> 1. To receive and consider reports of cases where formal legal action is considered to be an appropriate course of action in accordance with the Council's Enforcement Policy for Environmental Health (including Private Sector Housing) and Cleansing, as may be amended. To consider what, if any, action is appropriate and to provide authority for any such action 2. To refer such decisions to the Licensing Committee for approval where the Enforcement Review Panel considers such 	<p>See Part 4 – Licensing Scheme of Delegation</p>

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<p>Private Sector Housing) and Cleansing, as may be amended from time to time.</p>	<p>referral to be appropriate in the circumstances of the case.</p>	
<p>8.4 Housing Appeals Panel</p> <p>9 Members of the Council</p> <p>The Group Head of Residential Services or the Housing Services Manager has authority to call hearings of the Panel as and when required and shall select, in rotation, 3 Members to sit at a hearing of the Panel</p>	<ol style="list-style-type: none"> 1. Housing Register Applications - to act as the Council’s final level of appeal to determine appeals against delegated decisions made by officers of the Council on Housing Register Application matters in accordance with the Council’s existing policies and procedures. 2. Housing and Transfer Applications and Allocations – to approve immediate re-housing in special or urgent cases where an appeal in respect of an officer decision is made. 3. Shared Ownership Properties – in consultation with the Cabinet Member for Residential Services to review and determine: <ol style="list-style-type: none"> a. Revaluations b. Cases of hardship c. Whether the properties should be sold based on current market value 4. Introductory Tenancies and Demoted Tenancies – acting as a Review Panel in consultation with the Cabinet Member for Residential Services to undertake reviews of decisions to end or extend Introductory Tenancies and Demoted Tenancies. 5. Introductory Tenancies – the Chairman of the Panel in consultation with the Cabinet Member for Residential Services and Director of Services to grant additional rights over and above those laid down in statute to introductory tenants. 6. No Member shall take any part in the proceedings of a Housing Appeals Panel where he/she has taken any part in the decision, which is under appeal. 	<p>See Part 4 – Officer Scheme of Delegation</p>
<p>8.5 Staff Consultation Panel</p> <p><i>Council representatives</i> Cabinet Member for Corporate Support and one other Member nominated by the Leader of the Council</p> <p><i>Staff representatives</i> Two members of the Unison Branch Executive</p> <p><i>Management representatives</i> Chief Executive and</p>	<p>Objectives</p> <ol style="list-style-type: none"> 1. To facilitate consultation between the Council and its employees and to maintain and improve relations between both sides. It is not an executive body but may make recommendations, where appropriate, to Full Council. <p>Role</p> <ol style="list-style-type: none"> 2. To establish a regular method of negotiation and consultation between the Council and its staff in order to provide for the health, safety and welfare of staff and ensure an effective working environment. 3. To introduce changes to Human Resources Policy into the decision making system for formal adoption by the Council. 4. To examine problems arising from the operation of agreed procedures and conditions and assisting in the prevention of 	<p>See Part 4 – Officer Scheme of Delegation</p>

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Human Resources Manager	<p>misunderstanding.</p> <ol style="list-style-type: none"> 5. To ensure that employee representatives are well informed about the current and proposed strategy and activities of the Council and their proposals for the future and to address any issues relating to staff that arise from this. 6. To address any other staff related issues which it is agreed by all Panel members fit within the objectives of the Panel 7. To receive Reports/Minutes from the Staff Safety Panel to be noted or action agreed. 8. No matter about an individual shall be within the scope of the Panel. <p>Attendance at meetings and quorum</p> <ol style="list-style-type: none"> 9. For a meeting to be quorate all of the members must be present, however, any of the Members are able to be substituted if necessary by an appropriate Elected Member, Unison Member or Manager. Substitutes will have the same powers as appointees. 10. A full quorum is only required if a decision is to be referred to Full Council, otherwise a meeting may proceed if only one Elected Member, one Unison representative and one Manager are present. In these circumstances a decision may be deferred to a future meeting. 11. Some decisions may be agreed outside of the formal meeting if e-mail consultation has taken place. Decisions made in this way will be recorded at the next formal meeting. 12. The Safety Coordinator and his/or her representative will attend meetings of the Panel to provide advice and guidance if required, as well as present reports for discussion. 13. It may be appropriate for parties other than those set out in the Constitution to attend formal meetings for specific agenda items. This to be agreed in advance by all Panel members. <p>Regulations</p> <ol style="list-style-type: none"> 14. A Chairman will be appointed by the Panel at its first meeting in each Council year. 15. If a vote is required, members of the Panel who are entitled to vote will be the Council's elected representatives and the Unison representatives. 16. Meetings of the Panel will be held approximately every quarter, but with additional meetings arranged if necessary to discuss significant issues and ensure good communication. Meetings will be held in closed session in view of the confidential nature of the business to be discussed. 17. The agenda shall be agreed in advance of the meeting and sent to each member of the Panel at least five working days before any meeting. This is a minimum timescale and in 	
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	<p>the interests of encouraging clarity and constructive debate at the meeting, members of the Panel are encouraged to provide items for consideration in writing and with more notice than five days if items are complicated or controversial.</p> <p>18. As a general rule, matters brought before the Panel will have been formally raised with the appropriate Director previously.</p> <p>19. No business other than that appearing on the agenda shall be transacted at any meeting unless both sides agree to its introduction.</p> <p>20. Minutes will be agreed by members of the Panel in attendance, prior to being published on the staff Intranet.</p> <p>21. It is anticipated that from time to time there will be a need to make recommendations to Full Council where significant and/or wide ranging policy changes or new policies are proposed, or where there is a failure to reach agreement between the Employer and Unison. This will normally be by way of an officer report</p>	
<p>8.6 Staff Appeals Panel</p> <p>8 Members of the Council</p> <p>The Group Head of Corporate Support or his/her nominated representative has authority to call hearings of the Panel as and when required and shall select, in rotation, 3 Members to sit at a hearing of the Panel</p>	<p>1. To act as the final level of appeal to determine appeals against decisions of the Council on employment matters, including those under the Disciplinary Procedure and the Grievance Procedure and to authorise the terms to settle any employment related dispute with the Council including:</p> <ul style="list-style-type: none"> • any final financial settlement up to a limit of £10,000 for an individual claim to a compensatory payment. All financial claims relating to a regrading claim require a decision of Full Council where a supplementary estimate is needed • the non-financial terms for a confidentiality agreement or compromise agreement to settle a matter • making a recommendation to Full Council in all other cases • authorising the serving of relevant legal and other Notices by the Council arising out of any matter referred to an Employment Tribunal. <p>2. To operate within the Council's existing policies and procedures for hearing and determining Disciplinary and Grievance matters. In respect of all other matters coming before the Staff Appeals Panel, the procedure shall be determined by the Group Head of Corporate Support or his/her nominated representative.</p> <p>3. No Member shall take any part in the proceedings of a Staff Appeals Panel where he/she has taken any part in the decision, which is under appeal.</p>	<p>See Part 4 – Officer Scheme of Delegation</p>

9.0 CHIEF EXECUTIVE COMMITTEES AND PANELS

Committee/Panel and Membership	Functions	Delegations of Functions
<p>9.1 Chief Executive's Appraisal Panel</p> <p>The Leader of the Council, Deputy Leader of the Council and Leader of the Opposition (or majority opposition group)</p> <p><i>The appointed Members of the Appraisal Panel shall not also be appointed to the Chief Executive's Remuneration Committee</i></p> <p>Quorum – two Members</p>	<p>Purpose</p> <ol style="list-style-type: none"> 1. To annually review the performance of the Chief Executive against previously agreed objectives and timescales as agreed as part of his/her contract of employment. 2. To have as its Proper Officer the Group Head of Corporate Support. 3. To meet in private. No one other than the Chief Executive, Members of the Panel or relevant third party will attend the meeting without the agreement of all members of the Panel, the Chief Executive or alternatively, without the agreement of Full Council. 4. To refer any appeal about any action or outcome arising out of the work of the Appraisal Panel to the Staff Appeals Panel. 5. To work to the Terms of Reference set out below and where not expressly listed to follow the JNC Model Conditions. <p>Terms of Reference</p> <ol style="list-style-type: none"> 6. To measure the performance of the Chief Executive against what is expected of him/her in the post from previously identified targets. 7. To measure achievement and identify any continuing development needs which if met would maintain a high level of performance. 8. To report to the Chief Executive's Remuneration Committee on the outcome of the appraisal. <p>Role</p> <ol style="list-style-type: none"> 9. To set clear objectives, which are relevant and challenging but achievable for the Chief Executive. These objectives to be agreed with the post holder. 10. To review the Chief Executive's performance against agreed objectives and timescales that were set for the preceding year or period. 11. To discuss any continuing development needs for the Chief Executive which if met would maintain a high level of performance and/or meet anticipated future requirements in the context of the Council's changing priorities. 12. To ensure that the process for the Appraisal follows the JNC Model Conditions or other best practice as agreed from time to time. 13. To openly discuss the working relationship between leading Members and the Chief Executive and to adjust working approaches if necessary. 14. To report to the other Chief Executive's 	<p>None</p>

	<p>Committees and Panels as appropriate and/or necessary concerned with the role of Chief Executive on any positive or negative matters.</p> <p>Casting Vote</p> <p>15. The Leader of the Council shall have a second and casting vote. In the absence of the Leader of the Council, the Deputy Leader of the Council shall have a second and casting vote.</p>	
<p>9.2 Chief Executive's Remuneration Committee</p> <p>5 Members of the Council</p> <p><i>The appointed Members of the Remuneration Committee shall not also be appointed to the Appraisal Panel</i></p> <p>Quorum – three Members</p>	<p>Purpose</p> <ol style="list-style-type: none"> To consider the remuneration to be paid for the post of Chief Executive that takes into account the report of the Chief Executive's Recruitment and Selection Panel or the Chief Executive's Appraisal Panel and make recommendations to Full Council. To have as its Proper Officer the Group Head of Corporate Support or his/her representative. To refer any appeal about any action or outcome arising out of the work of the Remuneration Committee to the Staff Appeals Panel. To work to the Terms of Reference set out below and where not expressly listed to follow the JNC Model Conditions. <p>Terms of Reference</p> <ol style="list-style-type: none"> To look at all elements of the remuneration package, which are not set nationally (e.g. pensions) or by overall Council Policy, including fixed salary, variable pay elements and any additional benefits. To ensure that such decisions are taken in a transparent manner and made available publicly in a suitable format. <p>Role</p> <ol style="list-style-type: none"> To undertake periodic reviews of the pay and remuneration of the Chief Executive. To meet at least annually. To receive from time to time, a report relating to relevant pay data from the Group Head of Corporate Support or his/her representative in relation to pay and remuneration schemes for Chief Executives. 	None
<p>9.3 Chief Executive's Recruitment and Selection Panel</p> <p>5 Members of the Council comprising the Leader of the Council, Cabinet Member for Corporate Support and 3 other Members appointed</p>	<p>Purpose</p> <ol style="list-style-type: none"> To undertake all processes leading to the recruitment and selection of a new Chief Executive. To have as its Proper Officer the Group Head of Corporate Support or his/her representative. To work to the Terms of Reference set out below and where not expressly listed to follow the JNC Model Conditions. 	None

<p>by the Leader of the Council, in consultation with the other Group Leaders</p> <p>Quorum – three Members</p>	<p>Terms of Reference</p> <ol style="list-style-type: none"> 4. To be familiar with current views as to the important elements of the job of Chief Executive and to come to a view as to the essential elements of the job description, job skills and key attributes. It is likely that the Committee would seek internal and external advice throughout the process. 5. To report to the Chief Executive's Remuneration Committee on the outcome of the review of the remuneration package to be paid to a new Chief Executive. 6. To undertake all work necessary to recruit and select a Chief Executive and make recommendations to Full Council to confirm the appointment as required by Article 4 in this Constitution. 	
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10.0 STATUTORY OFFICERS' COMMITTEES AND PANELS

Committee/Panel and Membership	Functions	Delegations of Functions
<p>10.1 Statutory Officers' Investigatory and Disciplinary Committee</p> <p>5 Members of the Council with the Chairman of the Committee to be a Cabinet Member nominated by the Leader of the Council</p> <p><i>The appointed Members of the Committee shall not also be appointed to the Chief Executive's Appraisal Panel</i></p> <p>Quorum – three Members</p>	<p>Purpose</p> <ol style="list-style-type: none"> 1. To deal with matters relating to the conduct and/or capability of the following statutory officers: <ul style="list-style-type: none"> • Chief Executive; • Director of Place; • Director of Services; • Section 151 Officer; and • the Monitoring Officer. 2. To have as its Proper Officer the Human Resources Manager. 3. To work to the Terms of Reference set out below <p>Terms of Reference</p> <ol style="list-style-type: none"> 4. To consider allegations and take disciplinary action, as appropriate, relating to the conduct and/or capability of the statutory officers including: <ul style="list-style-type: none"> • To screen potential disciplinary/dismissal issues to consider whether they require investigation and whether the relevant officer should be suspended. This includes informing the statutory officer concerned of the allegations, allowing him/her to respond and to consider whether further investigation is needed. • To organise the investigation, including if appropriate instructing the Human Resources Manager to appoint a Designated Independent Person (who should make recommendations on whether and what disciplinary action might be 	<p>See Part 4 – Officer Scheme of Delegation</p>

	<p>appropriate) and consider what disciplinary action it wishes to recommend, after hearing the views of the statutory officer concerned.</p> <ul style="list-style-type: none"> • Where the recommendation of the Committee is for dismissal, to refer the matter to the Investigatory and Disciplinary Panel for its views. • If, after taking the views of the Investigatory and Disciplinary Panel into account, the Committee's recommendation is for dismissal, the requirements of the Officer Employment Rules as set out in Part 6, Section 7 of this Constitution will be followed. • If, following this, dismissal is still considered appropriate, to recommend to Full Council that the statutory officer be dismissed as required by Article 4 in this Constitution. • Where the Committee decides that action short of dismissal, or no disciplinary action at all is appropriate, to inform the statutory officer concerned of that decision and any associated actions, without reference to the Investigatory and Disciplinary Panel or the Council. 	
<p>10.2 Statutory Officers' Investigatory and Disciplinary Panel</p> <p>3 Independent Persons from the Standards Committee or any other local authority</p> <p>Quorum – three Members</p>	<p>Purpose</p> <ol style="list-style-type: none"> 1. To meet as and when convened by the Human Resources Manager in order to carry out an independent review of the investigation and recommendations of the Statutory Officers' Investigatory and Disciplinary Committee where dismissal of one of the statutory officers is recommended. 2. To report the results of its independent review to the Statutory Officers' Investigatory and Disciplinary Committee. 	<p>None</p>

11.0 JOINT AREA COMMITTEES

Joint Area Committees in operation at December 2017 are:

Name of the Committee	Reporting to
Joint Eastern Arun Area Committee	Cabinet
Joint Western Arun Area Committee	Cabinet

Committee/Panel and Membership	Functions	Delegations of Functions
<p>11.1 Joint Arun Area Committee</p> <p>Membership is confirmed at Article 10 of this Constitution</p>	<p>Delegation of functions to Joint Area Committees</p> <ol style="list-style-type: none"> 1. The functions delegated to the Joint Eastern Arun Area Committee and the Joint Western Arun Area Committee are set below and these include reference to those functions which are the responsibility of the Cabinet and which are not: <ul style="list-style-type: none"> • relevant budgets and • limitations upon delegation. 2. The County Council's delegation to the Joint Arun Area Committees can be viewed from http://www2.westsussex.gov.uk/ds/constitution/part3.pdf 3. The District Council has agreed to delegate the following functions to the Joint Area Committees: <ol style="list-style-type: none"> i. The promotion of the environmental, social & economic well-being of the rural area. ii. To advise on matters relating to farming and other rural activities, including the impact of Council services on such activities. iii. To develop and maintain partnerships within the two areas. iv. The implementation and management of new facilities in the form of play areas, public seats, concessions, kick-about areas, car parks, toilets, bus shelters, litter and recycling facilities, street nameplates, drains and sewers. v. The disposal of facilities of the kind referred to in the Paragraph above in accordance with Council policies. vi. Recommend to the Cabinet/Council the provision of new facilities vii. The granting of the temporary use of Council facilities. <p>Voting Rights of members of the Joint Area Committees</p> <ol style="list-style-type: none"> 4. The District Council has agreed to extend indefinitely, or until the Council determines otherwise three tier voting on the Joint Western Arun Area Committee and the Joint Eastern Arun Area Committee, with respect to items relating to Arun District Council functions as 	<p>See Part 4 – Officer Scheme of Delegation</p>

	<p>listed in paragraph 9.4 above.</p> <p>5. Voting rights on those matters are given to members of the District Council, County Council, and Parish and Town Councils appointed by their respective Councils onto the Committee.</p> <p>6. All Members may vote on items/matters where a recommendation is being made by the Area Committee to the District Council and on resolutions where:</p> <ul style="list-style-type: none">• the item is for information purposes only;• the item relates to the election of key members of the Committee or confirmation of the Minutes of the Area Committee; or• when the Committee is acting in a purely advisory capacity. This applies to all three Joint Area Committees.	
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12.0 PARTNERSHIPS

13.1 The Council is involved in a number of multi-agency partnerships where the nominated representative will be required to report back on the outcome of meetings attended and any recommended actions for consideration.

13.2 The nominated representative will generally be appointed by the Leader of the Council or the relevant Committee, unless the terms of reference of the partnership require otherwise.

13.3 The Council cannot impose the requirements of its own Constitution on partnerships. However, where the Council is acting as the accountable body, handling funds on behalf of a partnership, then compliance with the Financial Procedure Rules at Part 6 of this Constitution will be expected.

13.4 Partnerships in operation at December 2017 are:

Partnership	Representative	Reporting to	Terms of Reference can be found:
Sussex Police & Crime Panel	Cabinet Member for Neighbourhood Services	Overview Select Committee	Sussex Police & Crime Panel
Health and Adult Social Care Select Committee	One Councillor nominated by the Overview Select Committee	Overview Select Committee	Health & Adult Social Care Select Committee
West Sussex Joint Scrutiny Steering Group	Chairman of the Overview Select Committee	Overview Select Committee	Joint Scrutiny Steering Group
Arun Wellbeing and Health Partnership	Two Councillors appointed by the Leader of the Council	Cabinet	Arun Wellbeing & Health Partnership (AWHP)
Safer Arun Partnership	Cabinet Member for Community Wellbeing plus one other Councillor appointed by the Leader of the Council	Cabinet via the Environment & Leisure Working Group who monitor the partnership on behalf of the Overview Select Committee	Safer Arun Partnership
Coast to Capital Local Enterprise Partnership Joint Committee	Leader of the Council	Full Council	Coast to Capital
West Sussex & Greater Brighton Strategic Planning Board	Cabinet Member for Planning	Group Head of Planning	Coastal West Sussex & Greater Brighton Strategic Planning Board