

SOUTH DERBYSHIRE DISTRICT COUNCIL COMMITTEES RESPONSIBILITIES FOR FUNCTIONS

ALL COMMITTEES – GENERAL FUNCTIONS

G	To constitute time limited Sub-Committees and appoint elected and (where appropriate) Co-opted Members to small Sub-Committees (with delegated or advisory powers or both) or small Working Panels (with advisory powers) to deal with specific issues as and when the need arises in accordance with the Council Procedure Rules set out in Part 4 of this Constitution.
	The terms of reference of any such Sub-Committee shall be determined by the Committee unless already laid down in the Constitution.
	To receive reports from any Sub-Committees so constituted.
	To oversee the best value reviews of its services and monitor performance.
	To make any in-year amendments to the plans and strategies which are the responsibility of the Committee subject to the Council Procedure Rules and Financial Procedure Rules set out in Part 4 of this Constitution.
	Within the terms of reference to work with outside organisations in partnership to further the Council's primary purposes / aims and objectives.
	To supervise, monitor and enforce Partnering contracts within the Committee's terms of reference.
	To delegate to the Officer or Officers named the functions or parts of functions which are listed as Officer delegations set out in Part 3 of this Constitution.

SOUTH DERBYSHIRE DISTRICT COUNCIL COMMITTEES RESPONSIBILITIES FOR FUNCTIONS

LICENSING & APPEALS COMMITTEE

LA01	To exercise licensing and registration requirements under the Licensing Act 2003 and Gambling Act 2005 and to appoint Sub-Committees of three Members (two Members of majority Group and one Member of opposition) to consider the following matters.
	To consider applications and appeals relating to licensing matters in accordance with Government guidance and Regulations under the Licensing Act 2003 and Gambling Act 2005 which are not delegated to Officers.
LA02	To consider applications for and, where appropriate, renewals of miscellaneous licences (including house-to-house and street collections, gaming machines and lotteries & amusements permits).
	To consider applications for sundry licences (including street trading, scrap metal dealers).
LA03	To operate the Discretionary Rate Relief, Discretionary Rural Rate Relief and Hardship Relief Schemes and Discretionary Housing payments in respect of Housing and Council Tax Benefits.
	To determine all housing-related appeals (including those in respect of Introductory Tenancies, homelessness and the housing register).
	To consider all appeals in respect of applications for, renewals and the suspension or revocation of Hackney Carriage and Private Hire Licences.
	To determine all personnel-related appeals (including job evaluation and other grading appeals, disciplinary and dismissal hearings).

SOUTH DERBYSHIRE DISTRICT COUNCIL COMMITTEES RESPONSIBILITIES FOR FUNCTIONS

HOUSING & COMMUNITY SERVICES COMMITTEE

HCS	To make proposals for the provision of its services for consideration of the Finance & Management Committee when it is drafting the Community Strategy and Corporate Plan for consideration by Full Council.
	To consider and determine issues about any policy document from other organisations, which affect the District and are related to this Committee's areas of responsibility.
HCS01	To make proposals for approval or adoption by Full Council of the strategy and plans which comprise the Housing Investment Programme.
	To maintain and manage Council dwellings and incidental amenities including the modernisation of Council dwellings, planned maintenance and adaptations for disabled persons.
	To maintain and manage Council housing, garages and permanent gypsy sites.
	To develop good tenant relations and participation.
	To review housing and garage rents, District heating and other charges.
	To liaise with other appropriate agencies and organisations to ensure that the Council's housing management functions provide best value in accordance with the Council's primary purposes / aims and objectives.
	To exercise the Council's functions in respect of homelessness.
	To exercise the Council's functions in respect of meals on wheels and concurrent functions.
	To consider and recommend Housing Revenue Account Budgets and associated rents and charges.
	To provide housing advice.
	To make proposals for ensuring that an adequate supply of housing of a proper standard is available in the District to meet existing and future needs in the public and private sectors.
HCS02	To make advances for house purchase and improvement.
	To exercise the Council's functions in respect of slum clearance and disrepair of houses in the private sector, including compulsory purchase.
	To exercise the Council's functions in respect of Housing grants.
	To exercise the Council's functions in respect of the licensing of mobile homes.
HCS03	To maintain and manage the Council's sheltered housing stock.
HCS04	The exercise of the Council's functions in respect of community and social regeneration.
HCS05	Health Improvement Activities.
HCS06	The exercise of the Council's functions in respect of public health and infectious and communicable diseases.

SOUTH DERBYSHIRE DISTRICT COUNCIL COMMITTEES RESPONSIBILITIES FOR FUNCTIONS

HOUSING & COMMUNITY SERVICES COMMITTEE contd.

HCS07	To make proposals for approval or adoption by the Council of the the Crime and Disorder Reduction Strategy.
	The exercise of the Council's functions in respect of crime and disorder.
	The exercise of the Council's functions in respect of home and water safety matters and crime prevention initiatives.
	The provision, management, promotion, publicity and co-ordination of all matters dealing with arts, heritage, community, sport & leisure activities for the District in accordance with the relevant plans and strategies.
	The provision of grant aid support to voluntary organisations.
	The provision of environmental education.
	Participation in and management of / assistance to externally funded projects.
HCS08	The provision and management of leisure facilities including monitoring the Green Bank Leisure Centre Contract and the performance of the Etwall Leisure Centre (including to receive the Minutes of the Etwall Leisure Centre Joint Management Committee).
HCS09	The provision and management of cemeteries, crematoria and mortuaries including the receipt of the Minutes of the Bretby Crematorium Joint Management Committee.
HCS10	The provision and management of public parks and open space.
HCS11	The provision of welfare funerals and exhumations.
HCS12	The provision and management of short-stay gypsy sites.
	The control of unauthorised camping by travellers.
HCS13	To accept or reject tenders in cases where the lowest tender (or the highest where payment is made to the Council) is not recommended for acceptance, provided it can be contained within existing budgets.
HCS14	To determine responses on behalf of the Council to consultation documents related to the Committee's service areas.

SOUTH DERBYSHIRE DISTRICT COUNCIL COMMITTEES RESPONSIBILITIES FOR FUNCTIONS

PLANNING COMMITTEE

PL01	To exercise powers and duties under the Town and Country Planning Acts and related legislation in respect of Development Control, Article 4 Directions, Tree Preservation Orders and Advertisement Control.
	To respond to any consultation in the revision of the Development Plan policy.
	To determine proposals for the revocation or modification of planning consents or any other proposals which may give rise to claims for compensation.
	To exercise all enforcement powers and duties in respect of the functions EDS04 and EDS05.

SOUTH DERBYSHIRE DISTRICT COUNCIL COMMITTEES RESPONSIBILITIES FOR FUNCTIONS

ENVIRONMENTAL & DEVELOPMENT SERVICES COMMITTEE

EDS	To make proposals for the provision of its services for consideration of the Finance & Management Committee when it is drafting the Community Strategy and the Corporate Plan for consideration by Full Council.
	To consider and determine issues about any policy document from other organisations, which affect the District and are related to this Committee's areas of responsibility.
EDS01	The exercise of the Council's Land drainage functions and its functions relating to the clearance and maintenance of private drains and sewers.
	Amenity maintenance (as agents of the local Highways Authority).
	To oversee and co-ordinate the Council's approach to the environment and environmental management.
EDS02	Proposals to make Compulsory Purchase Orders under the Town and Country Planning Acts.
	Proposals for discontinuance of use or revocation / modification of planning consents.
	Purchase Notices under the Town and Country Planning Acts.
EDS03	The management and promotion of activities within Swadlincote Town Centre.
	To monitor and review the housing, industrial and commercial needs of the District
	To make proposals for approval or adoption by the Council of the plans and alterations which together comprise the Development Plan.
	To make proposals for inclusion in the County Structure Plan.
EDS04	To exercise powers and duties under the Town and Country Planning Acts and related legislation in respect of conservation and heritage, namely Listed Building Control and Building Preservation Notices.
	To determine applications for Historic Buildings and Conservation Area Grants.
	To liaise with Derbyshire County Council over records and archives.
EDS05	To carry out, on behalf of the Council, all its powers and duties in relation to Building Regulations and related legislation.
	The exercise of the Council's functions in respect of dangerous trees, buildings and structures.
EDS06	To exercise the Public Rights of Way Agency and to create, extinguish and divert public rights of way.
EDS07	The exercise of the Council's functions in respect of waste disposal, recycling, street cleansing and litter.
EDS08	The exercise of the Council's functions in respect of refuse collection.
EDS09	The exercise of the Council's functions in respect of street cleansing and litter.
EDS10	The provision, management, promotion, publicity and co-ordination of all matters dealing with economic development for the District.
	The provision of business advice and support as part of the Derbyshire Business Link.
	Schemes for the reclamation of areas of derelict land.

SOUTH DERBYSHIRE DISTRICT COUNCIL COMMITTEES RESPONSIBILITIES FOR FUNCTIONS

ENVIRONMENTAL & DEVELOPMENT SERVICES COMMITTEE contd.

EDS11	The provision, management, promotion, publicity and co-ordination of all matters dealing with tourism for the District.
EDS12	The exercise of the Council's functions in respect of the Land Charges service.
EDS13	The exercise of the Council's functions in respect of health and safety enforcement and corporate health and safety.
	The exercise of the Council's functions in respect of food safety.
	Welfare duties including committals to hospital and control of filthy and verminous persons, premises and articles.
	The control of offensive trades.
	Subject to Terms of Reference for the Licensing & Appeals Committee, the provision, management and enforcement of the Council's licensing and registration functions.
	The exercise of the Council's functions in respect of the Sunday trading laws and hours of trading.
	The exercise of the Council's functions in respect of abandoned vehicles.
EDS14	The exercise of the Council's functions in respect of pollution control.
	The provision and management of the service governing nuisances and matters prejudicial to health, including noise and vibration control.
	The declaration of noise abatement zones.
	The provision and management of the pest control service.
	The exercise of the Council's functions in respect of animal welfare, dog wardens and disease.
	Water guarantee schemes.
	The exercise of the Council's functions in respect of the control of water quality.
	The exercise of the Council's functions in respect of contaminated land.
EDS15	The provision and management of public conveniences, bus shelters, Swadlincote bus station, public car parks and the Swadlincote Market Contract
EDS16	To accept or reject tenders in cases where the lowest tender (or the highest where payment is to be made to the Council) is not recommended for acceptance, provided it can be contained within existing budgets.
EDS17	To determine responses on behalf of the Council to consultation documents related to the Committee's service areas.

SOUTH DERBYSHIRE DISTRICT COUNCIL COMMITTEES RESPONSIBILITIES FOR FUNCTIONS

FINANCE & MANAGEMENT COMMITTEE

FM	To determine all matters coming within the purview of any other Committee on the grounds of urgency or expediency in between meetings.
FM01	To oversee the management of the Council's assets.
	The provision, including the power to sell, lease and / or purchase, the management, promotion, publicity and co-ordination of all matters dealing with operation of the Council's land and property holdings except Council owned houses, garages and permanent gypsy sites.
	To manage the Council offices and other corporate assets.
FM02	The oversight of the management of the Council.
FM03	To nominate or appoint Council representatives to outside bodies, receive reports from them, and to approve, or otherwise, the Council's corporate membership of outside organisations.
	To prescribe 'approved duties' for the purpose of Section 173 –176 of the 1972 Act and the Local Authorities (Members' Allowances) England Regs. 2003.
	To make proposals for approval or adoption by Full Council of the Council's Constitution and any changes made to it.
	To make proposals for approval or adoption by Full Council of the Members' Code of Conduct and any changes to it.
FM04	To authorise the Chief Executive to prosecute or take any legal proceedings (as defined in this scheme) subject to powers to take legal proceedings or prosecutions delegated elsewhere in this Constitution.
	To reconsider any decision to which the Call-In procedure has been properly invoked, and to determine the validity of any application to Call-In a decision where the Chief Executive's decision is disputed.
	To receive reports on complaints made to the Council and the Local Government Ombudsman, and, where appropriate, to decide whether to reach local settlements or to take any other action following the Ombudsman referral (including obtaining authority to make ex gratia payments).
FM05	The appointment and dismissal of the following Officers – (See Officer Employment Procedure Rules set out in Part 5 of this Constitution):- <ul style="list-style-type: none"> • Deputy Chief Executive • Director of Corporate Services • Director of Community Services • Monitoring Officer • Heads of Service
	The oversight and management of all personnel issues including all dealings with recognised Unions, issues relating to pensions and gratuities, the monitoring and review of manpower requirements, including decisions on redundancy procedures and the disciplinary and grievance procedures of the Council.
	To appoint 5 representatives to the Council's Joint Consultative Committee.
FM06	All elections matters including electoral registration, the revision of electoral areas and elections at District, Parish, County, General and European level, except reports relating to the conduct of elections which must be considered and responded to by Full Council.
FM07	The oversight and management of the Council's public relations functions.

SOUTH DERBYSHIRE DISTRICT COUNCIL COMMITTEES RESPONSIBILITIES FOR FUNCTIONS

FINANCE & MANAGEMENT COMMITTEE contd.

FM08	To recommend the general fund revenue estimates, the block capital programme, the calculation of the council tax base and the level of council tax to be set by Full Council from time to time (including the determinations as to discounts or liability in prescribed cases), the Council's overall borrowing limit and any measures needed to keep the Council's spending within its income for the year.
	To be responsible for the organisation, management and the performance of the Council, including in year financial monitoring of all Committees and departments to ensure they remain within budget and act in accordance with financial regulations.
	To monitor and keep under review the Council's Capital Strategy.
	To approve the Statement of Accounts as required by Regulation 10 of the Accounts and Audit Regulations 2003.
	To co-ordinate bids for Single Regeneration Budget funding, and any other funding from an external source.
	To determine which contracts or classes of contracts may be exempted from the application of the Council Procedure Rules (in whole or part) in relation to the supply of goods or services to the DSO's.
	To accept or reject tenders in cases where the lowest tender (or the highest where payment is to be made to the Council) is not recommended for acceptance.
	To write off bad debts, arrears of rent, NNDR, council tax, mortgage repayments, losses of property and obsolescent stores and equipment.
	The determination of applications for grant or contributions from various organisations and individuals not coming within the purview of other Standing Committees or Sub-Committees.
FM09	To consider any report from External Auditors (including the Management Letter) and make any recommendations as may be considered necessary to Full Council.
	To oversee the Council's Internal Audit function including consideration of any reports received.
FM10	To oversee the Council's information and communication technology functions.
FM11	To oversee and co-ordinate the Council's Customer Relationship Management system and to monitor on a half yearly basis the level of customer complaints, comments and suggestions.
FM12	The exercise of the Council's powers and duties as Billing Authority including the receipt of the Minutes of the Revenues and Benefits Joint Committee.
	Subject to Terms of Reference for the Licensing & Appeals Committee, to operate the Housing Benefits, Fraud and Appeals Schemes in respect of rent rebate, rent allowance and council tax benefits.
	To operate the concessionary fares schemes as may from time to time be determined within the transportation policies programme.

SOUTH DERBYSHIRE DISTRICT COUNCIL COMMITTEES RESPONSIBILITIES FOR FUNCTIONS

FINANCE & MANAGEMENT COMMITTEE contd.

FM13	To oversee the best value reviews of the Council's services.
	To make proposals for the approval and adoption of the Best Value Performance Plan.
FM14	To make proposals for approval or adoption by Full Council of the Community Strategy and Corporate Plan
	To make proposals for approval or adoption of the Council's Policy Framework and all other plans not otherwise referred to in these Terms of Reference which must be sent to a Minister of the Crown for approval.
	To make concurrent reports to Full Council about any plans and strategies submitted to the Council for approval or adoption, particularly in relation to the strategic management of the Council and particularly the impact on the objectives, priorities and resources of the Council.
	To consider and determine issues about any policy document from other organisations, which affect the District.
	To decide issues in relation to uses for any land as between Committees.
	To acquire (by agreement or compulsory purchase or appropriation) or dispose of any land which has a major or strategic significance in accordance with Council policy.
FM15	The exercise of the Council's functions in respect of Emergency Planning.
FM16	To supervise, monitor and enforce CCT contracts within the Committee's Terms of Reference
	To operate the contractor function, on behalf of the Council, in respect of those services subjected to CCT in accordance with the business plan and agreed contract specifications and budgets.
	To grant or withhold optional extensions under the terms of CCT contracts.
FM17	To oversee and co-ordinate the Council's approach to Equalities and Diversities and Social Inclusions issues.
FM18	To oversee and co-ordinate the Council's approach to Risk Management.
FM19	To consider any recommendation from the Audit Sub-Committee.
FM20	To determine responses on behalf of the Council to consultation documents related to the Committee's service areas.

SOUTH DERBYSHIRE DISTRICT COUNCIL COMMITTEES RESPONSIBILITIES FOR FUNCTIONS

AUDIT SUB-COMMITTEE

AS01	To consider any matters arising from the External Auditor's annual letter (after presentation to Full Council), relevant reports and the report to those charged with governance. In certain instances, these reports may also be reported to the appropriate policy committee or Full Council.
	To consider specific reports as agreed with the External Auditor.
	To comment on the scope and depth of external audit work and to ensure it gives value for money.
	To liaise with the Audit Commission on the appointment of the Council's External Auditor.
AS02	To consider (but not direct) Internal Audit's strategy, operational plan and performance.
	To consider the Audit Manager's Annual Report and opinion, and a summary of internal audit activity.
	To consider summaries of specific internal audit reports, as requested.
	To consider a report from Internal Audit on agreed recommendations not implemented within a reasonable timescale.
AS03	To ensure that there are effective relationships between External and Internal Audit, inspection agencies and other relevant bodies, and that the value of the audit process is actively promoted.
	To confirm the joint working arrangements between Internal and External Audit.
	To commission work from Internal and External Audit subject to approval by the Responsible Finance Officer.
AS04	To maintain an overview of the Council's Constitution in respect of Financial Regulations and Procedure Rules, Contract Procedure Rules and Codes of Conduct and behaviour.
	To review any issue referred to it by the Chief Executive or Director, or any Council body.
	To monitor the effective development and operation of risk management and corporate governance in relation to financial matters.
	To monitor Council policies on 'Raising Concerns at Work' and the anti-fraud and corruption strategy.
	To oversee the production of the Authority's Statement on Internal Control and to recommend its adoption.
	To consider the Council's arrangements for corporate governance and to agree necessary actions to ensure compliance with best practice.
	To consider the Council's compliance with its own and other published standards and controls.
AS05	To review the Annual Statement of Accounts and specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the annual audit that need to be brought to the attention of the Council.
	To consider the External Auditor's report to those charged with governance on issues arising from the audit of the accounts.