

# **PART 3**

# **RESPONSIBILITY FOR FUNCTIONS**

## **1. COMMENTARY**

1.1 The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 specify that all functions are the responsibility of the Executive except for:

- Those specified in the legislation as not being the responsibility of the Executive;
- Those which are specified in the legislation as being capable of being the responsibility of the Executive (the 'local choice functions'); and
- Those which are specified in the legislation to be, only to some extent, the responsibility of the Executive.

The Executive arrangements contained in the Constitution make clear how these distinctions are given effect.

## **2. THE PRINCIPLES OF DELEGATION**

2.1 One of the primary purposes of the Constitution is to make it clear where responsibility for a particular function lies, and which person or body (Full Council, Committee, Sub-Committee, Executive (whether acting individually or collectively), Joint Committee or Officer) is accountable for making a particular decision or not.

### **2.2 The Hierarchy of Decision-Making**

#### **The Full Council**

The Full Council will exercise the functions reserved by law to Full Council as set out in Article 4 of this Constitution, and those determined locally to be functions of Full Council, as set out in Sections 3 and 4 of this Part 3 of the Constitution.

#### **The Executive**

The Executive will exercise the functions set out in Sections 3 and 5 of this Part 3 of the Constitution.

#### **The Responsibility for Local Choice Functions**

The responsibility for local choice functions will be exercised in accordance with Section 3 of this Part 3 of the Constitution.

#### **Non-Executive Committees**

Non-Executive Committees will exercise the functions set out in Section 4 of Part 3 of the Constitution. Committees are able to appoint Sub-Committees. The Overview and Scrutiny Committee and Joint Overview and Scrutiny Committee may appoint Panels or Working Groups from time to time to carry out reviews.

## Officers

Officers will exercise delegated functions, in accordance with:

- (a) Section 2 of Part 3 of the Constitution (Principles of Delegation);
  - (b) Column 4 of the table in Section 4 of Part 3 of the Constitution (Responsibility for Council functions);
  - (c) Section 5 of Part 3 of the Constitution (Terms of Reference and Delegated Powers of the Executive and non-Executive Committees);
  - (d) The Scheme of Delegations to Officers in Part 4 of the Constitution;
  - (e) Provisions made elsewhere in the Constitution.
- 2.3 If a function is delegated to the appropriate Director, the Chief Executive may nominate a substitute Director or exercise the delegation himself, where this would, in the Chief Executive's opinion, be appropriate, provided that the Chief Executive or Director has the requisite professional qualification, experience and knowledge, where such is required.
- 2.4 If a decision falls within the remit of an Executive Member described in Section 3 of Part 3 of the Constitution, that Member may take the decision. However if responsibility overlaps with the portfolios of other Executive Members, the decision must be referred to the Executive as a whole.
- 2.5 If a decision falls within the remit of an Executive Member and:
- a) that Executive Member is unavailable to make the decision; or
  - b) has not made the decision
- then the Leader may make the decision in their place.
- 2.6 Limitations and parameters of delegations
- (a) The exercise of a delegated power, duty or function shall be subject to:
    - i) The Council's policy framework and budget; and
    - ii) The Council's Constitution (including, but not limited to, the Council Standing Orders, Financial Regulations and Contract Procedure Rules) and any corporate standards;

- (b) All delegated functions shall be deemed to be exercised on behalf of and/or in the name of the Council;
- (c) An Officer to whom a power, duty or function is delegated may, unless prohibited by the delegation, authorise another Officer to exercise that power, duty or function, subject to a requirement that the seniority of the Officer exercising the power should be of an appropriate level having regard to the nature of the power in question. Such authorisation shall be in writing, copied to the Monitoring Officer, and shall include whether or not the receiving Officer can further delegate.
- (d) References to any Act, regulation, Order or byelaw shall be construed as including any re-enactment or remaking of the same, whether or not with amendments.
- (e) Any reference to any Act of Parliament includes reference to regulations, subordinate and EU legislation upon which either UK legislation is based, or from which powers, duties and functions of the Council are derived.
- (f) Where the exercise of powers is subject to prior consultation with an Executive Member or Officer, the consultation shall be in writing, unless due to urgency that is not practicable, in which case there may be verbal consultation which must be confirmed, by the Officer undertaking the consultation to the consultee in writing, as soon as reasonably practicable and, in any event, within five working days.
- (g) Subject to any express instructions to the contrary from the delegating body, any power to approve also includes the power to refuse, and the power to impose appropriate conditions.
- (h) All delegations are subject to:
- The right of the delegating body to decide any matter in a particular case;
  - The right of an individual delegatee, in any case, to refer the matter to the delegating body for a decision, rather than exercising their delegation; and
  - Any restrictions, conditions or directions of the delegating body and of the delegation.
- (i) In exercising delegated powers, the delegatee shall:
- Take account of the requirements of the Constitution and shall address all legal, financial and other professional safeguards as if the matter were not delegated;

- Exercise the delegation so as to promote the efficient, effective and economic running of the Council, and in furtherance of the Council's visions and value;
  - Ensure that, except where otherwise expressly provided, either within this part of the Constitution or by resolution of the delegating body, the exercise of any delegated power, duty or function is subject to having the appropriate and necessary budgetary provision in place.
- (j) Any post specifically referred to shall be deemed to include any successor post, or a post which includes within the job description, elements relevant to any particular delegation, which were also present in the earlier post and shall include anyone acting up or seconded.
  - (k) Any reference to a Committee shall be deemed to include reference to a successor Committee, provided that the subject matter of a particular delegation can be found within the Terms of Reference of both the earlier and the successor Committee or Sub-Committee.
  - (l) Where a power or duty is delegated, the exercise of that power or duty is contingent upon the opinion of the Council that particular conditions or factual circumstances exist, then the delegatee in question has the power to determine whether or not those circumstances do exist, or those conditions have been fulfilled, in the name of, and with the authority of, the Council.
  - (m) If a matter is delegated, but that delegation cannot be implemented, that should be reported to the delegating body.
  - (n) Functions, matters, powers, authorisations, delegations, duties and responsibilities, shall be construed in a broad and inclusive fashion, and shall include the doing of anything which is calculated to facilitate, or is conducive, or incidental, to the discharge of anything specified.

### 3. RESPONSIBILITY FOR LOCAL CHOICE FUNCTIONS

- 3.1 These are functions that could be, but don't have to be, the responsibility of the Executive, and whether a function is Executive or non-Executive, is down to local choice. The Council has determined the decision-maker for local choice functions to be as set out in the table below, but the decision-maker is able to further delegate to Officers in accordance with the Officer Scheme of Delegations in Part 4 of the Constitution.
- 3.2 Where it has been determined locally to be a non-Executive Function, see Article 4 and the table below. Where it has been determined locally to be an Executive function, see Article 7 and the table below.

<b>Function</b>	<b>Local Choice</b>	<b>Decision-Maker</b>
Any function relating to contaminated land  (a) to the extent that the function involves the formulation of a strategic policy	Executive	Executive Member for the Environment
(b) to the extent that the function does not involve the formulation of a strategic policy	Non-Executive	Governance Committee
Performing any function relating to controlling pollution or managing air quality:  (a) to the extent that the function involves the formulation of a strategic policy	Executive	Executive Member for the Environment
(b) to the extent that the function does not involve the formulation of a strategic policy	Non-Executive	Governance Committee
The service of an Abatement Notice in respect of a statutory nuisance under Section	Non-Executive	Governance Committee

80(1) Environmental Protection Act 1990		
The passing of a resolution that Schedule 2 Noise and Statutory Nuisance Act 1993 should apply under Section 8 of the Noise and Statutory Nuisance Act 1993:  (a) to the extent that the function involves the formulation of a strategic policy	Executive	Executive Member for the Environment
(b) to the extent that the function does not involve the formulation of a strategic policy	Non-Executive	Governance Committee
Inspection of the Authority's area to detect any statutory nuisance  (a) to the extent that the function involves the formulation of a strategic policy	Executive	Executive Member for the Environment
(b) to the extent that the function does not involve the formulation of a strategic policy	Non-Executive	Governance Committee
The investigation of any complaints as to the existence of a statutory nuisance	Non-Executive	Governance Committee
Obtaining information from Section 330 of the Town and Country Planning Act 1990 about interests in land:  (a) to the extent that it is necessary to exercise	Executive	Executive Member for the Environment

these powers in respect of actions which are preliminary to the exercise of powers to make compulsory purchase orders		
(b) to the extent that it is necessary to exercise these powers in respect of actions which are not preliminary to the exercise of powers to make compulsory purchase orders	Non-Executive	Planning Committee
Obtaining information about people interested in land under Section 16 of the Local Government (Miscellaneous Provisions) Act 1976:  (a) to the extent that it is necessary to exercise these powers in respect of actions which are preliminary to the exercise of powers to make compulsory purchase orders	Executive	Executive Member for the Environment
(b) to the extent that it is necessary to exercise these powers in respect of actions which are not preliminary to the exercise of powers to make compulsory purchase orders	Non-Executive	Governance Committee
Making agreements for highways works to be carried out	Non-Executive	Governance Committee
The appointment of any individual:	Executive	Leader



<p>(1) to any office other than an office in which she / he is employed by the Authority;</p> <p>(2) to any body other than:</p> <p>(a) the Authority;</p> <p>(b) a Joint Committee of two or more Authorities; or</p> <p>(c) to any Committee or Sub-Committee of such a body;</p> <p>And the revoking of any such appointments</p>		
<p>(a) to the extent that appointments are to outside bodies in connection with the functions which are the responsibility of the Executive</p>	Executive	Leader
<p>(b) to the extent that the appointments are not the responsibility of the Executive</p>	Non-Executive	Council
<p>The making of agreements with other Local Authorities for the placing of staff at the disposal of those other Authorities:</p> <p>(a) to the extent that the staff are being placed at the disposal of the other Authority in relation to the discharge of functions which are</p>	Non-Executive	Governance Committee

the responsibility of the Authority placing the staff		
(b) to the extent that the staff are being placed at the disposal of the other Authority in relation to the discharge of functions which are not the responsibility of the Authority placing the staff	Executive	Executive as a whole

#### 4. RESPONSIBILITY FOR COUNCIL FUNCTIONS

4.1 Regulation 2 and Schedule 1 Local Authorities (Functions and Responsibilities) (England) Regulations 2000, provides that the following responsibilities may not be the responsibility of the Executive. These functions are therefore all non-Executive. See the table below, Article 4 and the Terms of Reference at section 5 Part 3 of the Constitution.

4.2 These functions may be further delegated to Officers, and the table below should be read in conjunction with the Officer Scheme of Delegations at Part 4 of the Constitution.

<b>Body</b>	<b>Functions</b> (in addition to those in Article 4)	<b>Service Area with responsibility for Function</b> (See also the Officer Scheme of delegations)
Full Council	Functions relating to Electoral Registration and the holding of elections	Returning Officer / Electoral Registration Officer
	Power to make, amend, revoke or re-enact byelaws	Solicitor to the Council
	Power to promote or oppose local or personal Bills	Solicitor to the Council
	Power to confer the title of honorary alderman or alderwoman	Director for Communities
	Make rules of procedure	Solicitor to the Council
	Appoint Proper Officers	Solicitor to the Council
	Approve the Authority's Statement of Accounts	Head of Financial Services (Section 151 Officer)
	Operate Members Allowances Scheme	Democratic Services Manager
	Make arrangements for the	Solicitor to the Council

	structure of Committees and discharge of the Council's functions	
	Make arrangements for the appointment of Members to Committees	Director for Communities
	Adoption and revision of the Statement of Licensing Policy (Licensing Act, 2003)	Director for Customer Services
	Adoption and revision of the Statement of Gambling Policy (Gambling Act 2005)	Director for Customer Services
Full Council	Making a request for single-Member electoral areas	Returning Officer / Electoral Registration Officer
	Resolving to change a Scheme for Elections	Returning Officer / Electoral Registration Officer
	Deciding whether to make proposals for a change in governance arrangements or complying with a duty to make a change in governance arrangements, approving the proposals, deciding whether the change should be subject to approval and a referendum to make the change, including provision in Executive arrangements for the Executive Leader to be removed by resolution and passing a resolution for the removal of the Executive Leader	Solicitor to the Council
	Making a reorganisation order implementing recommendations of a community governance review	Solicitor to the Council
Licensing Committee	See section 5 of this part of the Constitution	
Joint Governance Committee	See section 5 of this part of the Constitution	
Joint Overview & Scrutiny Committee	See section 5 of this part of the Constitution	
Joint Staff Committee	See section 5 of this part of the Constitution	
Joint Senior	See section 5 of this part of	

Staff Committee	the Constitution	
Joint Senior Staff (Appeals) Committee	See section 5 of this part of the Constitution	

## **5 TERMS OF REFERENCE AND DELEGATED POWERS OF THE EXECUTIVE AND NON-EXECUTIVE COMMITTEES**

### **5.1 Non- Executive Committees**

#### **Powers Delegated to Non-Executive Committees**

Each Committee is authorised to exercise such powers and duties as are delegated to it by the Council and shall act within the plans, policies, strategies and budgets approved by the Council.

All Committees have power to create such Sub-Committees as are necessary for the efficient conduct of their business.

#### **The following functions may not be delegated to Non-Executive Committees:**

- (a) to approve any matter which the Council is required by statute to approve;
- (b) to decide the major policies or objectives of the Council, and specifically to approve the budget and financial strategies, and the plans and strategies listed in Article 4 under the policy framework;
- (c) the discontinuance of, or major alterations to, existing services;
- (d) amendment to Council Standing Orders, Financial Regulations, Contract Procedure Rules or the Terms of Reference of Committees;
- (e) to make major decisions relating to District, County or other boundaries;
- (f) the right to dissolve a Committee or alter its membership or Terms of Reference; and
- (g) the appointment of Members to other organisations.

## **5.2 The Executive**

### **Powers of the Executive**

Composition: Between three and ten Elected Members of the Council, including the Leader and Deputy Leader.

Meetings: Up to twelve Ordinary Meetings per year.

The Executive will be the Executive arm of the Council with the authority to action policies within the planned strategies and budget approved by the Council.

The composition of between three and ten Members does not, and is not, required to, follow the rules of proportionality relating to political groups.

The Leader of the Council, as elected by Council, shall chair the Executive meetings and may designate a portfolio role to each Member of the Executive.

The Leader will appoint Executive Members and delegate to them a portfolio as set out in the Terms of Reference to follow. The Leader will notify the Solicitor to the Council within two working days of any such appointments, changes to the Executive, or Executive delegations. On at least an annual basis, the Solicitor to the Council will advise Council of the Executive structure for its noting.

The Leader may also appoint Policy Advisers to assist Executive Members.

The Leader shall prepare the 28 Calendar Day Notice of Key and/or Exempt Decisions to be made by the Executive.

For the avoidance of doubt, any reference to partnerships contained below may not include legally binding partnerships.

The Executive has the power to appoint Members to other organisations, in respect of Executive functions.

### **Terms of Reference of the Executive:**

1. To exercise those Executive functions delegated to it by the Leader.
2. To establish joint arrangements with one or more Local Authorities to exercise functions which are Executive functions, including the delegation or acceptance of a delegation to or from another Local Authority or public agency. Such arrangements

may involve the appointment of Joint Committees with these other Local Authorities.

3. To implement policies as determined by Council.
4. To determine Key Decisions.
5. To advise the Council on financial and economic policy, to determine the Council Tax Base and to recommend annually, as determined by statute, proposals for the Council Tax. To exercise overall responsibility for the proper administration of the Council's financial affairs under Section 151 of the Local Government Act 1972.
6. To maintain overall control of the accounts and approved budgets and to consider virement requests in accordance with financial regulations.
7. To determine an itemised asset renewal programme annually as part of the approved capital programme.
8. To recommend to the Licensing Committee fees and charges relating to licences and registration.
9. To determine the rent levels for District Housing.
10. In partnership with other agencies, to review and update as required the Sustainable Community Strategy for the consideration of the Council.
11. To submit annually to the Council a corporate plan and annual report and to monitor its effectiveness.
12. (a) to be responsible for the production and review of the Local Plan under the Town & Country Planning Act 1990, consulting the Planning Committee as appropriate and subject to final approval by the Council of:
  - (i) issues, papers and draft policies and proposals prior to public consultation on them; and
  - (ii) the final version of the Local Plan; and
- (b) to prepare supplementary planning guidance, designate conservation areas, areas of archaeological interest and nature reserves, remove permitted development rights through Article 4 directions and undertake other Executive functions under the Town & Country Planning Act which are not carried out by the Planning Committee or otherwise delegated to Officers.

13. To prepare, or consider (new or amended) policies from the Overview and Scrutiny Committee for the consideration of Council.
14. To exercise the Executive powers and duties of the Council under all statutes, regulations and codes of practice relating to the health and safety of Council staff.
15. To let contracts on behalf of the Council in accordance with Contract Standing Orders.
16. To oversee the Council's corporate accommodation and to ensure the provision of safe, well-maintained premises to staff and public and to recommend the acquisition and disposal of such property.
17. To be responsible for the acquisition, management, maintenance, disposal and letting of all property of the Council and to consider the views of the Council before making a compulsory purchase order.
18. To be responsible for the review and implementation of the Council's Asset Management Plan and Capital Strategy.
19. To advise the Council on proposals for emergency planning and to ensure an adequate response to incidents affecting the District.
20. To exercise general control over the information, public relations and publicity services of the Council.
21. To prepare, approve and implement the Council's ICT Strategy.
22. To respond on behalf of the Council to external reports and consultation papers.
23. To authorise exceptions to approved policies only where the particular merits of individual cases justify the exceptions being made.
24. To authorise the spend of Section 106 monies in accordance with the Financial Regulations, following consultation with the Ward Member.
25. To appoint appropriate panels and forums to assist to advise the Executive in carrying out its functions.
26. To appoint or nominate persons to outside organisations which relate to functions of the Executive.

27. To receive quarterly reports on risk and to approve the Annual Risk Management Strategy.

### **Delegation of Executive functions**

The Executive may delegate any of its functions to:

- a) a Committee of the Executive;
- b) an individual Executive Member;
- c) the Chief Executive, Director or Head of Service;
- d) another Officer; or
- e) another body in accordance with joint working arrangements.

## **5.3 Leader of the Council**

### **Responsibility for the following functions**

- Overall policy and strategy (vision and priorities).
- External relations, including complaints management, marketing and promotion.
- Reputation management, including risk (policy).
- Performance management, including improvement plans.
- Media and communications (internal and external).
- Democratic Services including committee management.
- Electoral Services within the remit of the Executive.
- Member Services.
- Chairman of the Council and civic matters.
- Partnership working (lead).
- Public consultation, including community engagement and citizens panels.
- City Deal (Strategic matters)
- Devolution
- Insurance

### **Onward Limits on Delegations**

The Leader of the Council may delegate to:

1. The Executive as a whole;
2. Joint Strategic Committee;
3. An Individual Executive Member;
4. An Officer.



## **Executive Representation on Outside Bodies & Joint Committees**

The Leader of the Council shall be the Executive Member representative on:-

- (a) Central Sussex (Census) Joint Committee;
- (b) Greater Brighton Economic Joint Committee;
- (c) Local Government General Assembly;

### **5.4 Deputy Leader of the Council**

#### **Responsibility for the following functions**

In the absence of the Leader of the Council, the Deputy Leader of the Council has overall responsibility for the portfolio of the Leader of the Council.

#### **Onwards Limits on Delegations:-**

The Deputy Leader of the Council may delegate to:

1. The Executive as a whole (when acting in the absence of the Leader);
2. Joint Strategic Committee (when acting in the absence of the Leader);
3. An Individual Executive Member (when acting in the absence of the Leader);
4. An Officer.

#### **Executive Representation on Outside Bodies**

None in their capacity as Deputy Leader, other than in the absence of the Leader.

### **5.5 Executive Member for the Environment**

#### **Responsibility for the following delegated functions**

- Waste collection and recycling.
- Street cleaning.
- Street-scene, including abandoned vehicles, bus shelters, enforcement, street names and numbering, road name plates, street furniture.
- Environmental management and strategy.
- Highways liaison.

- Cemeteries and burials.
- Parks and grounds maintenance, including allotments and dog control.
- On and off street car parking.
- Public conveniences.
- Energy management and sustainability.
- Transport (maintenance).
- Cultural Projects and/public entertainment events (not covered by the licensing functions, with a potential attendance of 500) to enhance the District's cultural offer to residents and visitors.
- Client for Adur Community Leisure Ltd and management of Adur Leisure facilities and sites.
- Foreshore management, including beach huts and chalets, beach maintenance.

### **Onward limits on delegations**

The Executive Member for the Environment may delegate to:

1. An Officer.

### **Executive Representation on Outside Bodies**

PATROL Adjudication Joint Committee

## **5.6 Executive Member for Health & Wellbeing**

### **Responsibility for the following delegated functions**

- Community safety anti-social behaviour management, neighbourhood disputes, safer communities.
- Community development, including cohesion and planning, fuel poverty, wellbeing hubs.
- Public health, health protection and enforcement, including Food Safety Enforcement Plan.
- Cross-cutting health issues and NHS liaison.
- Equalities and diversity.
- Children and young people, including family intervention project.
- Partnership working, with voluntary and community organisations (including the Local Strategic Partnership, grants and commissioning).

- Health and safety and civil contingencies (emergency planning), including business continuity.
- Wellbeing and development functions for culture, leisure and sport, including the cultural strategy.
- Police performance and intelligence liaison.
- Environmental protection, including noise, food hygiene, pest control, air quality.

### **Onward Limits on Delegations**

The Executive Member for Health & Wellbeing may delegate to:

1. An Officer.

### **Executive Representation on Outside Bodies**

Adur and Worthing Health & Wellbeing Partnership.

Adur and Worthing Safer Communities Partnership.

Waves Ahead : Adur and Worthing Local Strategic Partnership.

Sussex Police and Crime Panel

## **5.7 Executive Member for Customer Services**

### **Responsibility for the following delegated functions**

- Customer contacts and services, including Help Points.
- CenSus IT partnership.
- Housing and Council Tax benefits (Adur).
- Housing - Housing Revenue Account, ACF Tenants' Services, anti-social behaviour / neighbourhood disputes in relation to tenants, sheltered housing, leasehold administration, Adur Housing Voice, Adur Talkback, Choice Based Lettings, Community Alarm, Grounds Maintenance and Building Cleaning, Adur Home Service, Temporary Accommodation Management.
- Housing strategy and housing enabling role; affordable housing provision; housing register need options and advice.
- Housing - non Housing Revenue Account - including homelessness and advice (prevention and management), private sector housing and other housing services - choice based lettings, grants (disability and housing).

- Adur Homes Board

### **Onward Limits on Delegations**

The Executive Member for Improved Customer Services may delegate to:

1. An Officer.

### **Executive Representation on Outside Bodies**

Adur Homes Management Board

Adur and Worthing Homeless Forum

## **5.8 Executive Member for Regeneration**

### **Responsibility for the following delegated functions**

- Economic strategy and development, including regeneration (visitor economy, tourism, Adur Festival, business partnerships, concessions, events and/or projects to encourage or are likely to generate viable, sustainable economic gain)
- Education liaison.
- Transport planning and infrastructure.
- Minor amendments to Planning policy; Local Development Plans, conservation areas and management plans, development briefs, infrastructure delivery plans.
- Building control.
- Coastal West Sussex.
- Town Centre Management.
- Flood prevention, including Coastal protection , land drainage and flood protection.
- Adur Local Plan

### **Onward Limits on Delegations**

The Executive Member for Regeneration may delegate to:

1. An Officer.

### **Executive Representation on Outside Bodies**

- (a) Greater Brighton Economic Joint Committee.
- (b) Coastal West Sussex Partnership Board.

- (c) Court of the University of Sussex.
- (d) Adur and Worthing Business Partnership.

## **5.9 Executive Member for Resources**

### **Responsibility for the following delegated functions**

- Budgets (including the overall allocation of Revenue and Capital), external funding.
- Capital programme.
- Local taxation (benefit fraud (Adur), and appeals against decisions relating to National Non-Domestic Rate applications).
- Treasury management, investments, loans, leasing and banking matters.
- Property and asset management, facilities management, estates (including Southwick Square shops), property tenancies, corporate property (not in other portfolios) and non-housing property repairs.
- ICT (client side), telephony and Data Protection, Freedom of Information, information security and web team. Includes the CenSus IT Partnership.
- Procurement, including contracts.
- Personnel and staffing (where Executive functions), including organisational development, occupational health and learning and development of staff.
- Other central support services.
- Internal Audit and audit fees.
- Digital transformation programme.

### **Onward Limits on Delegations**

The Executive Member for Resources may delegate to:

1. An Officer.

### **Executive Representation on Outside Bodies**

Member on the CenSus Joint Committee.

## 5.10 Planning Committee

### General:

- (a) The Committee is a Committee of the Council appointed by the Council under Section 101(2) of the Local Government Act 1972;
- (b) The Council has arranged under Section 101(1) of that Act for the discharge by the Committee of the Council's functions as are within the Committee's Terms of Reference (set out below);
- (c) Certain functions are delegated by this Committee to Officers. Full details of which may be found in the Officer Scheme of Delegations which can be found in part 4 of this Constitution;
- (d) Where a function or matter within the Committee's competence has been delegated to an Officer, the Committee may exercise that function / matter concurrently with the Officer to whom it has been delegated;
- (e) The exercise of any function or matter within the Committee's competence is always subject to any relevant requirement of the Council's Constitution;
- (f) The Committee shall consist of 8 Members;
- (g) The Committee shall be quorate with 3 or more Members.

### Terms of reference:

No.	Delegation	Legislation
1	To be consulted on the draft local development framework	Planning & Compulsory Purchase Act 2004
2	Power to determine application for planning permission	Town & Country Planning Act 1990
3	Power to decline to determine an application for planning permission	Town & Country Planning Act 1990
4	Power to determine application to develop land without compliance with conditions previously attached	Town & Country Planning Act 1990
5	Power to grant planning permission for development already carried out	Town & Country Planning Act 1990
6	Duties relating to the making of determinations of planning permissions	Town & Country Planning Act 1990 and Town & Country Planning (Development Management Procedure) Order 2010 and directions thereunder
7	Power to determine application for planning permission made by a Local Authority, alone or jointly with	Town & Country Planning Act 1990 and Town & Country Planning General Regulations 1992

	another person	
8	Power to make determinations, give approvals and agree certain other matters relating to the exercise of permitted development rights	Town and Country Planning (General Permitted Development) Order 1995
9	Power to enter into agreement regulating development or use of land	Town & Country Planning Act 1990
10	Power to issue a certificate of existing or proposed lawful use or development	Town & Country Planning Act 1990
11	Power to serve a completion notice	Town & Country Planning Act 1990
12	Power to authorise entry on to land	Town & Country Planning Act 1990
13	Power to grant consent for the display of advertisements	Town & Country Planning Act 1990 and Town & Country Planning (Control of Advertisement) (England) Regulations 2007
14	To exercise the Council powers and duties relating to advertisement control other than the grant of consent to display advertisements	Town & Country Planning Act 1990
15	Power to require the discontinuance of a use of land	Town & Country Planning Act 1990
16	Power to serve a planning contravention notice, breach of condition notice, stop notice or temporary stop notice	Town & Country Planning Act 1990
17	Power to issue an enforcement notice	Town & Country Planning Act 1990
18	Power to apply for an injunction restraining a breach of planning control	Town & Country Planning Act 1990
19	Power to determine application for hazardous substances consent and related powers	Planning (Hazardous Substances) Act 1990
20	Power to require the proper maintenance of land	Town & Country Planning Act 1990
21	Power to determine application for listed building consent and related powers	Planning (Listed Buildings and Conservation Areas) Act 1990
22	Power to determine application for conservation area consent and related powers	Planning (Listed Buildings and Conservation Areas) Act 1990
23	Duties relating to applications for listed building consent and conservation area consent	Planning (Listed Buildings and Conservation Areas) Act 1990 Arrangements for Handling Heritage Applications
24	Power to serve a building preservation notice, and related powers	Planning (Listed Buildings and Conservation Areas) Act 1990

25	Power to issue a listed building enforcement notice.	Planning (Listed Buildings and Conservation Areas) Act 1990
26	Power to acquire a listed building in need of repair and to serve repairs notice	Planning (Listed Buildings and Conservation Areas) Act 1990
27	Power to apply for an injunction in relation to a listed building	Planning (Listed Buildings and Conservation Areas) Act 1990
28	Power to execute urgent works	Planning (Listed Buildings and Conservation Areas) Act 1990
29	The obtaining of information as to interests in land	Town & Country Planning Act 1990
30	Power to create footpaths bridleways or restricted byways by agreement	Highways Act 1980
31	Power to create footpaths bridleways or restricted byways	Highways Act 1980
32	Power to stop up footpaths bridleways or restricted byways (and highways in respect of s118C)	Highways Act 1980
33	Power to divert footpaths bridleways or restricted byways	Highways Act 1980
34	Power to obtain particulars of persons interested in land, where relevant to the other functions of the committee	Local Government (Miscellaneous Provisions) Act 1976
35	To exercise the Council's powers and duties in relation to Hedgerows	Hedgerows Regulations 1997
36	To exercise the Council's powers and duties in relation to the preservation of trees	Town & Country Planning Act 1990 and Town and Country Planning (Tree Preservation) (England) Regulations 2012
37	To exercise all powers provided under the terms of any delegation arrangements from the South Downs National Park Authority in relation to applications that fall within the South Downs National Park area, within the Borough	
38	To make recommendations to Council, where such is considered desirable	
39	To make recommendations to the Executive in relation to matters of planning policy reserved to the Executive, where such is considered desirable	
40	To advise the Executive on any matters relating to claims and payments or statutory compensation arising from decisions on planning matters	
41	In the event that any or all of the	



	<p>above Acts or Statutory Instruments are amended, repealed and re-enacted by another Act or Statutory Instrument, or any of the general functions referred to in 1-5 above become the subject of additional legislation, then all such functions as contained in the new or amending legislation shall be delegated to the Planning Committee unless otherwise determined by Full Council or the new amending legislation provides that they shall be carried out by the Executive.</p>	
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## 5.11 Licensing Committee

### General:

- (a) The Committee is a Committee of the Council appointed by the Council under Section 101(2) of the Local Government Act 1972 and under Section 6 of the Licensing Act 2003 and the Gambling Act 2005;
- (b) The Council has arranged under Section 101(1) of the Local Government Act 1972 and under Section 9 of the Licensing Act 2003 and under the Gambling Act 2005 for the discharge by the Committee of the Council's functions as are within the Committees Terms of Reference (set out below);
- (c) Certain functions are delegated by this Committee to Officers. Full details of which may be found in the Officer Scheme of Delegations which can be found in Part 4 of this Constitution;
- (d) Where a function or matter within the Committee's competence has been delegated to an Officer, the Committee may exercise that function / matter concurrently with the Officer to whom it has been delegated;
- (e) The exercise of any function or matter within the Committee's competence is always subject to any relevant requirement of the Council's Constitution;
- (f) The Committee may establish one or more Sub-Committees in accordance with the provisions of the Licensing Act 2003; any such Sub-Committees are authorised to discharge all relevant functions under the Licensing Act 2003 and to hear taxi matters.
- (g) The Committee shall consist of 10 Members;

- (h) Substitutes are permissible on the Licensing Committee, except when dealing with an application under the Licensing Act 2003 or the Gambling Act 2005;
- (i) Substitutes are not permitted on Licensing Sub-Committees, other than from the Licensing Committee;
- (j) Executive Members are permitted to sit on the Licensing Committee, subject to the requirement that Executive Members shall not form the majority of the membership of the Committee.
- (k) The quorum for Licensing Committee shall be 4 or more voting Members.
- (l) A Licensing Sub-Committee shall consist of 3 Members and the quorum for any Licensing Sub-Committee shall be 3 Members;
- (m) Procedures adopted at hearings of the Licensing Committee and its Sub-Committees should be adopted in accordance with the guidance at the Licensing Procedure Rules which can be found in Part 4 of this Constitution;
- (n) The Licensing Committee and its Sub-Committees are authorised to make exceptions to any such procedure where appropriate, subject to complying with all relevant regulations;
- (o) Where an individual exercises a right of appeal against a decision of the Licensing Committee, to the Magistrates' Court, the Council will be represented in such proceedings by their Legal Officers, or their nominated representatives, and the Chairman of the Licensing Committee, or Vice Chairman in his absence, is expected to attend such hearing.

**Terms of reference:**

Except for matters of policy, to undertake all licensing and gambling functions, powers and duties conferred on the Council, under the Licensing Act 2003 and the Gambling Act 2005, save for the determination as to whether or not to issue a casino premises licence, including but not limited to the matters set out below:

No	Delegation	Legislation
1	Powers to license hackney carriages and private hire vehicles	a) as to hackney carriages: Town Police Clauses Act 1847 and Local Government (Miscellaneous Provisions) Act 1976 b) as to private hire vehicles: Local Government (Miscellaneous Provisions) Act 1976
2	Powers to license drivers of	Local Government (Miscellaneous

	hackney carriages and private hire vehicles	Provisions) Act 1976
3	Power to license operators of private hire vehicles	Local Government (Miscellaneous Provisions) Act 1976
4.	Power to fix fares for hackney carriages	Local Government (Miscellaneous Provisions) Act 1976
5	Power to license sex establishments	Local Government (Miscellaneous Provisions) Act 1982
6	Power to license street trading	Local Government (Miscellaneous Provisions) Act 1982
7	Power to license and control scrap metal dealers	Scrap Metal Dealers Act 2013
8	Power to license persons to collect for charitable and other causes	Police, Factories etc. Act 1916 and House to House Collections Act 1939
9	Power to make an order to designate a public place under the Criminal Justice and Police Act 2001	Criminal Justice and Police Act 2001
10	Power to license premises for acupuncture, tattooing, semi-permanent skin colouring, cosmetic piercing and electrolysis	Local Government (Miscellaneous Provisions) Act 1982
11	Power to obtain particulars of persons interested in land, where relevant to the other functions of the Committee	Local Government (Miscellaneous Provisions) Act 1976
12	Power to license pleasure boats and pleasure vessels	Public Health Act (as amended) 1907
13	Power to license premises for the breeding of dogs	Breeding of Dogs Act 1973
14	Power to authorise officers to inspect premises for the breeding of dogs	Breeding of Dogs Act 1973
15	Power to register and license premises for the preparation of food	Food Safety Act 1990
16	Power to license land as a caravan site and attach and alter conditions to site licences	Caravan Sites and Control of Development Act 1960
17	Power to license dangerous wild animals, power to inspect premises and power to seize and dispose of animals without compensation	Dangerous Wild Animals Act 1976
18	Power to grant consent for the operation of a loudspeaker in streets or	Noise Nuisance and Statutory Act 1993

	roads	
19	Power to license and inspect thereafter, pet shops	Pet Animals Act 1951
20	Power to license, and inspection of, riding establishments	Riding Establishments Act 1964 and Riding Establishments Act 1970
21	Power to control use of moveable dwellings	Public Health Act 1936
22	Power to license zoos	Zoo Licensing Act 1981
23	Animal welfare powers – entry and search under warrant in connection with offence and inspection of premises and documents	Animal Welfare Act 2006 (all functions insofar as they are non-executive functions)
24	Power to determine applications for personal licences.	Part 6 of the Licensing Act 2003
25	Power to determine applications for premises licences and club premises certificates.	Part 3 and 4 of the Licensing Act 2003
26	Power to determine applications for variation of premises licences and club premises certificates.	Part 3 and 4, Licensing Act 2003
27	Power to remove designated premises supervisors.	Licensing Act 2003
28	Power to determine applications for transfer of premises licences.	Licensing Act 2003
29	Power to review premises licence and club premises certificates.	Licensing Act 2003
30	Power to determine pre-subjections to temporary event notices.	Licensing Act 2003
31	Where representations have been received and not withdrawn, to determine an application for a premises licence.	Gambling Act 2005
32	Where representations have been received and not withdrawn, to determine an application for a variation to a premises licence.	Part 8, Gambling Act 2005
33	Where representations have been received and not withdrawn, to determine an application for a transfer to a premises licence.	Part 8, Gambling Act 2005

34	Where representations have been received and not withdrawn, to determine an application for a provisional statement.	
35	Where representations have been received and not withdrawn, to determine an application for a club gaming or club machine permit.	Gambling Act 2005
36	Power to cancel a club gaming or club machine permit.	Gambling Act 2005
37	Power to determine to give a counter notice to a temporary use notice.	Gambling Act 2005
38	Power to take action after a review has been heard under Section 201	Gambling Act 2005
39	Power to issue premises licences and to receive temporary use notices.	Gambling Act 2005
40	Power to dis-apply Section 279 and 282(1) of the Act.	Gambling Act 2005
41	Power to revoke premises licences for non-payment of fee or dis-apply Section 193 of the Act.	Gambling Act 2005
42	Power to determine prize gaming permits.	Gambling Act 2005
43	Power to determine licensed premises gaming machine permits.	Gambling Act 2005

## 5.12 Joint Governance Committee

### General

- (a) This Committee is a committee of the Council appointed by the Council jointly with Worthing Borough Council under Section 101(5) of the Local Government Act 1972;
- (b) Certain functions are delegated by this Committee to Officers. Full details may be found in the Officer Scheme of Delegations found in Part 4 of the Constitution;
- (c) Where a functional matter within the Committee's competence has been delegated to an Officer, the Committee may exercise that function or matter concurrently with the Officer to whom it has been delegated;

- (d) The exercise of any functional matter within the Committee's competence is always subject to any relevant requirement of the Council's Constitution; and
- (e) The Joint Committee has 16 Elected Members (8 appointed by the Council and 8 by the Borough Council of Worthing) and up to 3 Independent Persons. The Independent Persons will be co-opted non-voting Members of the Committee. The Joint Committee shall also co-opt one Member of Lancing Parish Council and one Member of Sompting Parish Council to advise the Committee on Parish matters, when considering such matters. Parish representatives will not be entitled to vote at meetings.
- (f) The Joint Committee may establish one or more Sub-Committees in accordance with the Localism Act 2011, to determine standards matters, to make appointments of Joint Independent Remuneration Panel members, and to make recommendations to Full Council in respect of appointments of Independent Persons.
- (g) A Sub-Committee will consist of 6 Elected Members (3 appointed by the Council and 3 by the Borough Council of Worthing) and 1 Independent Person. In addition 1 Parish representative may sit on the Sub-Committee when determining a standards matter relating to a Parish Councillor; the Parish Member cannot be from the same Parish as the Subject Member complained of and should be from the other Parish within the District of Adur. The Independent Person and the Parish representative will be co-opted non-voting Members of the Sub-Committee. The quorum of any Sub-Committee shall be 4.
- (h) The Committee and any Sub-Committee should be politically balanced.
- (i) A maximum of one Member of each Council's Executive may sit on the Joint Governance Committee.
- (j) Substitutes on the Joint Governance Committee are permitted. Substitutes on any Sub-Committee are only permitted from the Joint Governance Committee.

## Terms of Reference

### Standards, Ethics and Probity

No.	Function/Matter	Legislation
1.	To lead on the Council's duties to design, implement, monitor, approve and review the standards of ethics and probity of the Council and its Councillors and Co-opted Members. The Committee's powers should include responding to consultation documents and	Chapter 7 of the Localism Act 2011

	the promulgation of Codes of Conduct but the adoption and revision of the local Members' Code of Conduct shall be reserved to the Council.	
2.	To promote a culture of openness, ready accountability and probity in order to ensure the higher standards of conduct of Councillors and Co-opted Members.	
3.	To lead on all aspects of corporate governance by promoting the values of putting people first, valuing public service and creating a norm of the higher standards of personal conduct.	
4.	To oversee and manage a programme of guidance, advice and training on ethics, standards and probity for Councillors and Co-opted Members and on the Members' Code of Conduct.	
5.	To be responsible for the Council's Register of Members' Interests and to receive reports from the Monitoring Officer on the operation of the register from time to time.	Section 29, Localism Act 2011
6.	To be responsible for written guidance and advice on the operation of the system of declarations of Members' interests and to receive reports from the Monitoring Officer on the operation of the system of declarations from time to time.	
7.	To establish, monitor, approve and issue advice and guidance to Councillors and Co-opted Members on a system of dispensations to speak on, or participate in, matters in which they have interests and give dispensation in appropriate cases. Granting dispensations to Councillors and Co-opted Members from requirements relating to interests set out in the Code of Members' Conduct and the Localism Act 2011, in circumstances where the Monitoring Officer does not exercise his or her discretion.	Section 33 of the Localism Act 2011.
8.	To exercise the functions of the Council in relation to the ethical framework, corporate governance and standards of conduct of joint committees and other bodies.	
9.	To establish a Standards Sub-Committee to receive reports following investigation on behalf of the Monitoring Officer into allegations of misconduct by Members and to determine appropriate action in respect of alleged breaches of the Members' Code of Conduct.	

10.	To support the Monitoring Officer and Chief Financial Officer (Section 151 Officer) in their statutory roles and the issuing of guidance on them from time to time.	
11.	To receive regular reports on the performance of the Corporate Complaints Process, Local Government Ombudsman referrals, Annual Governance Statement and Code of Corporate Governance and to recommend revisions to related policies and procedures, as appropriate.	
12.	To ensure adequate training and development for Elected Members.	
13.	To co-opt in an advisory capacity, any person who is an Independent Person at another Local Authority, to advise the Joint Governance Committee or its Sub-Committee, on such terms as the Joint Governance Committee may determine.	
14.	To receive an annual report from the Monitoring Officer on the local resolution and assessment of allegations of breach of the Code of Member Conduct, by Members of the Council, and any Parish Council in the District of Adur.	
15.	Dealing with allegations that a Member of a Parish Council within the District of Adur has failed or may have failed to comply with the relevant Parish Code and conduct, in accordance with the provisions of the Localism Act.	
16.	Any other functions imposed by statute.	

### **Audit and Accounts Activity**

<b>No.</b>	<b>Power/Function</b>	<b>Legislation</b>
1.	To consider the Head of Internal Audit's Annual Report and opinion and a summary of internal audit activity (actual and proposed) and the level of assurance it can give over the Council's corporate governance arrangements.	
2.	To consider reports dealing with the management and performance of the providers of internal audit services.	
3.	To consider reports on the Internal Audit on the recommendations agreed with the Heads of Service which have not been implemented within a reasonable timescale.	



4.	To consider the External Auditor's Annual Letter, relevant reports (both financial and strategic), and the report of those charged with governance.	
5.	To consider specific reports as agreed with the External Auditor.	
6.	To comment on the scope and depth of external audit work and to ensure it gives value for money.	
7.	Power to undertake the Council's responsibilities with regard to External Auditors under Part 3 of the Local Audit and Accountability Act 2014.	
8.	To commission work from Internal and External Audit.	
9.	To review the Annual Statement of Accounts with specific emphasis on whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the Council.	
10.	To receive the Annual Risk Report.	

### **Constitutional Framework**

1.	To monitor and review the operation of the Council's Constitution particularly in respect of financial procedures and protocols, codes of conduct and behaviour (including the Members' Code of Conduct), procurement procedures and guidelines	
2.	To review any issue referred to it by the Chief Executive, a Director, or any Committee of the Council	
3.	To monitor the effective development and operation of risk management and corporate governance in the Council	
4.	To implement, monitor and review the Council's Whistle-Blowing Procedure, Anti-Fraud and corruption Policy and the Council's complaints procedure	
5.	To oversee the production of the Council's Statement on Internal Control and to recommend its adoption	
6.	To consider the Council's arrangements for	

	corporate governance and agreeing necessary actions to ensure compliance with best practice	
7.	To consider the Council's compliance with its own and other published standards and controls	
8.	Considering the annual report regarding complaints about the Council referred to the Local Government Ombudsman	
9.	To appoint persons to the role of members of the Joint Independent Remuneration Panel and to make recommendations to Full Council as to the appointment of Independent Persons for Standards purposes.	

### Other

1.	To determine matters relating to functions which are not executive functions and are not the responsibility solely of Council or any other Committee.	
2.	To receive a report from the Joint Independent Remuneration Panel and make recommendations to Council.	

## 5.13 Overview and Scrutiny Committee

### General

- (a) The Committee is a committee of the Council appointed by the Council under Section 102(1) of the Local Government Act 1972;
- (b) The Council has arranged under Section 101(1) of that Act for the discharge by the Committee of such of the Council's functions as are within the Committee's Terms of Reference (set out below);
- (c) Certain functions are delegated by this Committee to Officers. Full details may be found in the Officer Scheme of Delegations, which can be found in Part 4 of the Constitution;
- (d) The Committee exercises the scrutiny function of Adur District Council, only in relation to matters which have been specifically reserved to be within the remit of Adur District Council or its Executive, rather than

being included under joint working arrangements as set out in the Joint Committee Agreement between Adur District Council and Worthing Borough Council, a copy of which can be found in Part 9 of the Constitution.

- (e) Where a functional matter within the Committee’s competence has been delegated to an Officer, the Committee may exercise that function or matter concurrently with the Officer to whom it has been delegated;
- (f) The exercise of any function or matter within the Committee’s competence is always subject to any relevant requirement of the Council’s Constitution; and
- (g) The membership of the Committee is 8 Elected Members;
- (h) The quorum required for this Committee is 5 or more Members.

**Terms of Reference**

1.	To consider call-ins relating to decisions of the Adur Executive in relation to an Adur District Council only matter; and	
2.	To exercise the functions set out in Article 6.03.	

**5.14 Joint Overview and Scrutiny Committee**

- (a) The Committee is a committee of the Council appointed by the Council under Section 102(1) of the Local Government Act 1972;
- (b) The Council has arranged under Section 101(1) of that Act for the discharge by the Committee of such of the Council’s functions as are within the Committee’s Terms of Reference (set out below);
- (c) The Committee exercises the scrutiny function of both Worthing Borough Council and Adur District Council in relation to all matters other than those specifically reserved to be determined by the individual Councils or their Executives.
- (d) Certain functions are delegated by this Committee to Officers. Full details may be found in the Officer Scheme of Delegations which can be found in Part 4 of the Constitution;
- (e) Where a functional matter within the Committee’s competence has been delegated to an Officer, the Committee may exercise that function or matter concurrently with the Officer to whom it has been delegated;
- (f) The exercise of any function or matter within the Committee’s competence is always subject to any relevant requirement of the Council’s Constitution;

- (g) The membership of the Committee is 16 Elected Members (8 appointed by the Council and 8 by the Borough Council of Worthing); and
- (h) The current Chairperson and Vice Chairperson of the Council's Joint Overview and Scrutiny Committee will automatically represent the Council on the Greater Brighton Economic Scrutiny Committee and be consultees for any call-in of decisions by the Greater Brighton Economic Board.

**Terms of Reference**

1.	As set out in the Joint Committee Agreement	
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**5.15 Joint Staff Committee**

- (a) The Committee is a committee of the Council appointed by the Council under Section 102(1) of the Local Government Act 1972;
- (b) The Council has arranged under Section 101(1) of that Act for the discharge by the Committee of such of the Council's functions as are within the Committee's Terms of Reference (set out below);
- (c) Certain functions are delegated by this Committee to Officers. Full details may be found in the Officer Scheme of Delegations which can be found in Part 4 of the Constitution;
- (d) Where a functional matter within the Committee's competence has been delegated to an Officer, the Committee may exercise that function or matter concurrently with the Officer to whom it has been delegated;
- (e) The exercise of any function or matter within the Committee's competence is always subject to any relevant requirement of the Council's Constitution; and
- (f) The membership of the Committee is 6 Elected Members (3 appointed by the Council and 3 appointed by the Borough Council of Worthing).

**Terms of Reference**

No.	Function/Duty	Legislation
1.	Power to determine the terms and conditions on which all staff other than the Head of Paid Service, the Chief Finance Officer and the Monitoring Officer, hold office (including	Section 112 of the Local Government Act 1972. The Local Authorities

	employment procedures).	(Standing Orders) (England) (Amendment) Regulations 2015.
2.	The making of agreements with other Local Authorities for the placing of staff for the disposal of those other Authorities, to the extent that the staff are being placed at the disposal of the other Authority in relation to the discharge of functions which are not the responsibility of the Executive placing the staff.	Section 113(4) and (5), Local Government Act 1972
3.	Functions relating to Local Government pensions etc.	Regulations under Section 7, 12 and 24 of the Superannuation Act 1972

### 5.16 Joint Senior Staff Committee

- (a) The Committee is a committee of the Council appointed by the Council under Section 102(1) of the Local Government Act 1972;
- (b) The Council has arranged under Section 101(1) of that Act for the discharge by the Committee of such of the Council's functions as are within the Committee's Terms of Reference (set out below);
- (c) Certain functions are delegated by this Committee to Officers. Full details may be found in the Officer Scheme of Delegations which can be found in Part 4 of the Constitution;
- (d) Where a functional matter within the Committee's competence has been delegated to an Officer, the Committee may exercise that function or matter concurrently with the Officer to whom it has been delegated;
- (e) The exercise of any function or matter within the Committee's competence is always subject to any relevant requirement of the Council's Constitution; and
- (f) The membership of the Committee is 6 Elected Members (3 appointed by the Council and 3 appointed by the Borough Council of Worthing);
- (g) The Membership of the Committee shall include at least one Executive Member and at least one non-Executive Member from each Council.

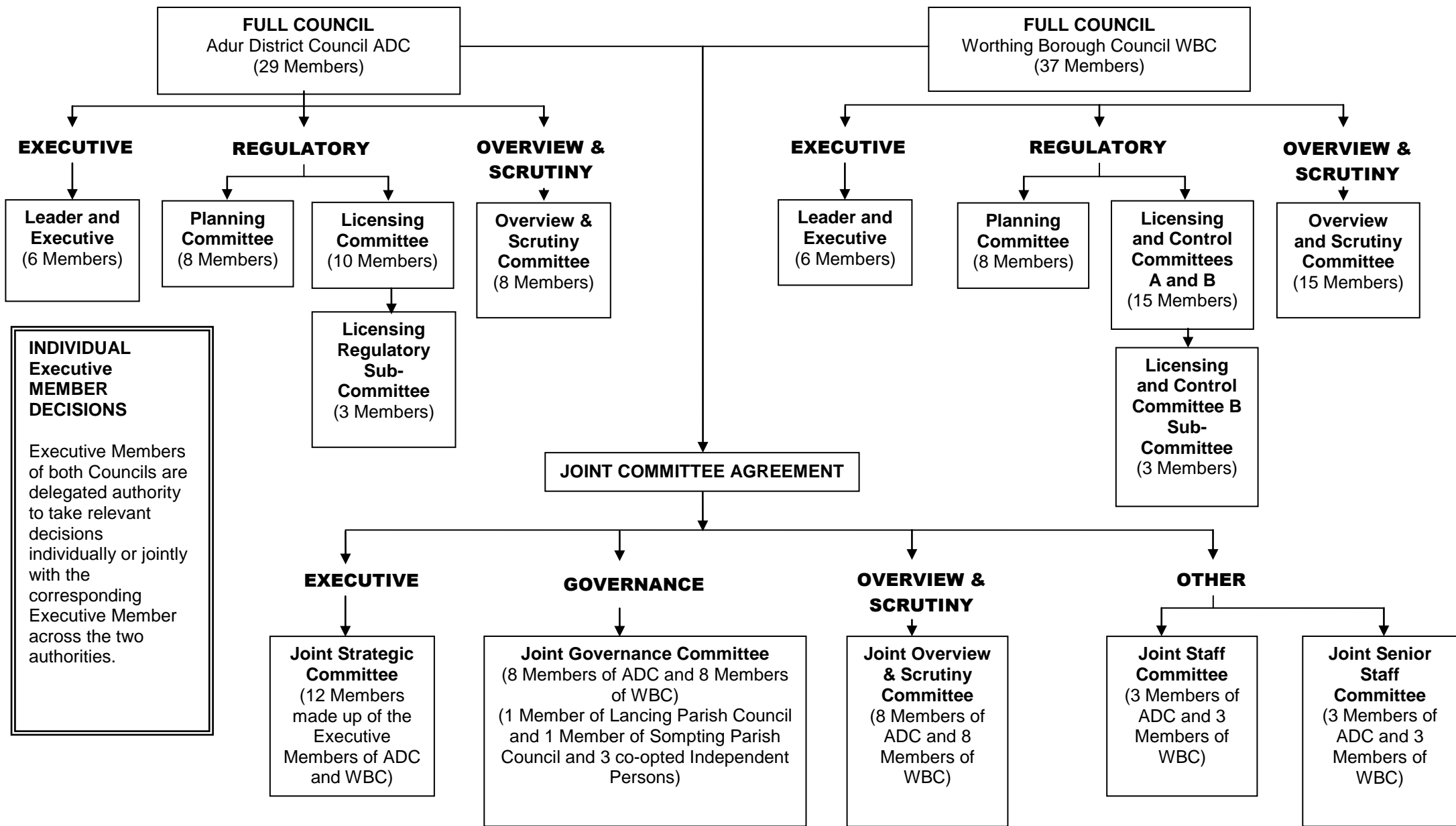
### Terms of Reference

No.	Function/Duty	Legislation
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1.	To be responsible for the recruitment and terms and conditions of the Chief Executive (Head of Paid Service), Chief Finance Officer and Monitoring Officer, and make recommendations on any proposed appointment, and terms and conditions, to the Council and Worthing Borough Council.	The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015.
2.	All matters relating to the investigation, hearing and determination of any grievance against or allegation of misconduct by the Chief Executive, Chief Finance Officer or Monitoring Officer, including the appointment of the Independent Panel, the receipt of their report and the implementation of their recommendations. Where the Panel's recommendation is to dismiss the Chief Executive, the Chief Finance Officer or the Monitoring Officer, or where the Joint Senior Staff Committee propose to dismiss, the power to approve any proposed dismissal is reserved to Full Council.	The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015.

### 5.17 Officers

- (a) Certain Officers of the Council have responsibility for decisions delegated to them in accordance with the Officer Scheme of Delegations, which can be found at Part 4 of the Constitution, and expressly delegated to them from time to time by Members, such delegations to be recorded in writing and notified to the Monitoring Officer.
- (b) The Officer Scheme of Delegations may be reviewed and varied from time to time.



Illustrative A-Z of Service Areas/Executive Portfolios & Committees  
(Approved version)

<b>Service Area / Function</b>	<b>Responsible 'Head of' / Director</b>	<b>Executive Member (ADC)</b>	<b>Executive Member (WBC)</b>	<b>Committee (if not specific to an Executive Member)</b>
Abandoned Vehicles	Environmental Services	Environment	Regeneration	
Accountancy (technical and strategic)	Financial Services	Resources	Resources	
Adur Community Leisure (Impulse Leisure) - client role	Director for Communities	Environment	-	
Adur Consultative Forum (ACF)	Housing	Customer Services	-	
Adur Core strategy (now the Local Plan)	Planning and Development	Regeneration		
Adur Homes (including Management Board)	Housing	Customer Services	-	
Affordable Housing Provision	Housing	Customer Services	Customer Services	
Air Quality	Wellbeing	Health and Wellbeing	Health and Wellbeing	
Allotments	Environmental Services	Environment	Environment	
Annual statement of Accounts	Director for Digital and	-	-	Joint Governance



	Resources/Financial Services			
Anti Social Behaviour	Wellbeing	Health and Wellbeing	Health and Wellbeing	
Anti Social Behaviour in relation to tenants	Housing	Customer Services	Customer Services	
Assembly Hall	Culture	-	Customer Services	
Asset Management	Business and Technical Services	Leader	Leader	
Audit Fees	Chief Financial Services	Resources	Resources	Joint Governance Committee
Audit Management	Chief Financial Services	-	-	Joint Governance Committee
Audit Service	Chief Financial Services	-	-	Joint Governance Committee
Beach Huts and Chalets	Environmental Services	Environment	Regeneration	
Beach Maintenance	Environmental Services	Environment	Regeneration	
Benefit Administration (Worthing)	Revenues and Benefits	-	Customer Services	
Bereavement Services (formerly cemeteries and crematoria)	Environmental Services	Environment	Environment	
Branding	Communications	Leader	Leader	
Budgets (including the overall	Chief Financial Officer	Resources	Resources	Council Tax (revenue budget

allocation of Revenue and Capital)				approved by Full Councils)
Building / Offices Cleaning	Business and Technical Services	Resources	Resources	
Building cleaning (Adur Homes)	Housing	Customer Services	-	
Building Control	Planning and Development	Regeneration	Regeneration	
Bulky Waste	Environmental Services	Environment	Environment	
Burials	Environmental Services	Environment	Environment	
Bus shelters	Business and Technical Services	Environment	Regeneration	
Business Engagement and Partnerships	Place and Investment	Regeneration	Regeneration	
Business Rates	Revenues and Benefits	Resources	Resources	
Business Continuity	Business and Technical Services	Health and Wellbeing	Regeneration	
Business Improvement District Levy	Revenues and Benefits	Resources	Resources	
Building Management (Worthing Town Hall, Portland House,)	Business and Technical services	Resources	Resources	
Capital Programme	Business and Technical services and Chief	Resources	Resources	

	Financial Officer			
Capital Programme (Adur Homes)	Housing and Chief Financial Officer	Customer Services	-	
Chairman of the Council	Wellbeing	Leader	-	
Chief Financial Officer	Finance	-	-	Statutory Role
Choice Based Lettings	Housing	Customer Services	Customer Services	
Cinema (Ritz)	Culture		Customer Services	
City Deal (strategic matters)		Leader	Leader	
Cleansing (Street)	Environmental Services	Environment	Environment	
Clinical waste	Environmental Services	Environment	Environment	
Coastal Protection and monitoring	Business and Technical services	Regeneration	Regeneration	
Coastal West Sussex	Planning and Development	Regeneration	Regeneration	
Commercial Waste	Environmental Services	Environment	Environment	
Committee Management	Wellbeing	Leader	Leader	
Community Alarm and telecare service	Housing	Customer Services	-	
Community Safety and Anti	Wellbeing	Health and	Health and	

Social Behaviour		Wellbeing	Wellbeing	
Concessions	Place and Investment	Regeneration	Regeneration	
Connaught Theatre	Culture	-	Customer Services	
Conservation areas	Planning and Development	Regeneration	Regeneration	
Consultation (public)	Communications	Leader		
Contact Centre Services	Customer Contact and Engagement	Customer Services	Customer Services	
Contracts & Procurement	Financial Services	Resources	Resources	
Corporate Complaints	Customer Contact and Engagement	Leader	Leader	
Corporate Information Management (GIS)	Digital and Design	Resources	Resources	
Corporate Property Terriers	Technical and Business Services	Resources	Resources	
Corporate Property (not included in other portfolios)	Planning and Development	Resources	Resources	
Council sheltered Housing Schemes (Adur)	Housing	Customer Services	-	
Council Tax	Revenues and Benefits	Resources	Resources	
Councillor Code of Conduct	Legal	-	-	Joint Governance

(including Parish)	(Monitoring Officer)			Committee/Standards Sub Committee
Customer Insight, Customer Experience. Process and Service Improvement	Customer Contact and Engagement	Customer Services	Customer Services	
Dangerous Structures	Development and Planning	-	-	Planning Committee
Data Protection	Digital and Design	Resources	Digital and Environmental Services	
Debtors	Chief Financial Officer	Resources	Resources	
Democratic Services	Wellbeing	Leader	Leader	
Devolution, strategic direction		Leader	Leader	
Disability Facilities Grant and other Housing Grants	Housing	Customer Services	Customer Services	
Digital Transformation	Digital and Design	Resources	Digital and Environmental Services	
Dog Control	Environmental Services	Environment	Health and Wellbeing	
Economic Board - representative on and Strategic Direction		Leaders	Leaders	
Economic Development, Inward	Place and Investment	Regeneration	Regeneration	

Investment & Business Retention, Growth Deal, City Region				
Education Liaison, promotion etc.		Regeneration	Regeneration	
Elections	Returning Officer Customer Contact and Engagement	-	-	Returning Officer / some decisions reserved to Council (i.e. frequency of elections)
Emergency Planning	Business and Technical Services	Health and Wellbeing	Regeneration	
Empty Properties		Regeneration	Customer Services	
Employee Relations	Strategic Human Resources	Resources	Resources	
Energy Management	Sustainability		Leader	
Engineering and Surveying	Business and Technical Services	Resources	Resources	
Environmental Health (Protection)	Wellbeing	Health and Wellbeing	Health and Wellbeing	
Events and Cultural Projects	Culture	Regeneration and/or Environment	Regeneration	
Exchequer Services	Chief Financial Officer	Resources	Resources	
External Auditor's Annual Letter	Chief Financial Officer	-	-	Joint Governance Committee

EU and External Funding	Place and Investment	Resources	Resources	
Facilities Management (incl security, reprographics, porters, pool cars)	Business and Technical Services	Resources	Resources	
Fleet and Transport Maintenance	Environmental Services	Environment	Environment	
Flood Protection	Business and Technical Services	Regeneration	Environment	
Food safety incl Enforcement Plan	Wellbeing	Health and Wellbeing	Health and Wellbeing	
Foreshore Management	Environmental Services	Environment	Regeneration	
Fraud Investigation (Adur)	Chief Financial Officer	Resources		
Fraud Investigation (Worthing)	Chief Financial Officer	-	Resources	
Freedom of Information	Digital and Design	Resources	Digital and Environmental Services	
Fuel Poverty	Wellbeing	Health and Wellbeing	Health and Wellbeing	
Garage Management (Adur Homes properties)	Housing	Customer Services	-	
Garden Waste	Environmental Services	Environment	Environment	
Grounds Maintenance	Environmental Services	Environment	Environment	

Grounds Maintenance (Adur Homes Properties)	Housing	Environment	-	
Hackney Carriage Licensing	Wellbeing	-	-	Licensing Committees
Health and Safety (corporate)	Business and Technical Services	Health & Wellbeing	Regeneration	
Help points/Customer services receptions	Customer Services and Engagement	Customer Services	Customer Services	
Housing Systems support and monitoring (Adur Homes)	Housing	Customer Services	-	
Housing Voice (Adur)	Housing	Customer Services	-	
Information Security	Digital and Design	Resources	Digital and Environmental Services	
Infrastructure delivery plans	Planning and Development	Regeneration	Regeneration	
Insurance	Chief Financial Officer	Leader	Resources	
Internal Audit	Chief Financial Officer	Resources	Resources	
Internal Audit Annual Report and Opinion	Chief Financial Officer	-	-	Joint Governance Committee
Investments (treasury Management)	Chief Financial Officer	Resources	Resources	



IT Systems support	Digital and Design	Resources	Digital and Environmental Services	
Land Charges	Planning and Development	Resources	Resources	
Land Drainage	Business and Technical Services	Regeneration	Health and Wellbeing	
Leasehold administration	Housing	Customer Services	-	
Leasehold Sheltered Scheme	Housing	Customer Services	-	
Learning and Development	Strategic Human Resources	-	-	
Legal Services	Legal	Resources	Resources	
Leisure Facilities (management of Adur sites)	Director for Communities (client)	Environment	-	
Leisure Facilities (management of Worthing sites)	Director for Communities (Client)	-	Environment	
Licensing (Premises, personal, alcohol, gambling hackney carriages etc.)	Wellbeing	-	-	Licensing Committee
Listed Buildings	Planning and Development	-	-	Planning Committee
Local Development Plans	Planning and	Regeneration	Regeneration	

	Development			
Local Land and Property Gazetteer	Planning and Development	Resources	Resources	
Local Strategic Partnership	Wellbeing	Health and Wellbeing	Health and Wellbeing	
Major Regeneration Projects	Planning and Development	Regeneration	Regeneration	
Mayoralty	Wellbeing		Leader	
Media	Communications	Leader	Leader	
Member Development & Services for	Wellbeing	Leader	Leader	
Monitoring Officer	Legal	-	-	Statutory Role
Neighbour Disputes (dealing with) Noise etc. via environmental health	Wellbeing	Health and Wellbeing	Health and Wellbeing	
Neighbour Disputes (dealing with) Anti-Social Behaviour Team	Wellbeing	Health and Wellbeing	Health and Wellbeing	
Neighbour Disputes (dealing with) Adur homes	Housing	Customer Services	-	
Non-Domestic Rates (Adur)	Revenues and Benefits	Resources	-	
Non-Domestic Rates (Worthing)	Revenues and Benefits	-	Resources	

Non-Housing property repairs	Business and Technical Services	Resources	Resources	
Ombudsman	Customer Contact and Engagement	-	-	Joint Governance Committee
Open spaces	Environmental Services	Environment	Environment	
Organisational Development	Strategic Human Resources	Resources	Resources	
Parking Services	Customer Contact and engagement	Environment	Regeneration	
Parks Management	Environmental Services	Environment	Environment	
Performance Management	Digital and Design	Leader	Leader	
Pest Control	Environmental Services	Health and Wellbeing	Health and Wellbeing	
Places and Neighbourhoods	Wellbeing	Health and Wellbeing	Health and Wellbeing	
Place Shaping	Place and Investment	Regeneration	Regeneration	
Planning Policy	Planning and Development	Regeneration	Regeneration	
Private Hire Vehicle Licensing	Wellbeing	-	-	Licensing Committee
Procurement and Contracts	Finance	Resources	Resources	
Public conveniences (Including Cleaning) - contract	Environmental Services	Environment	Environment	

management				
Recruitment and Selection of Chief Executive and Directors	Organisational Development	-	-	Joint Senior Staff Committee/Council
Recycling	Environmental Services	Environment	Environment	
Refuse	Environmental Services	Environment	Environment	
Remuneration (Members) - (Members Allowances)	Wellbeing			Joint Independent Remuneration Panel / Joint Governance Committee /Full Council
Rent Accounting (Adur)	Housing	Customer Services	-	
Repairs and Maintenance (Adur Homes)	Housing	Customer Services	-	
Reprographics	Business and Technical Services	Resources	Resources	
Resident's Panels	Communications	Leader	Leader	
Risk Management	Digital and Design	Leader	Leader	
Revenues and Benefits (Adur)	Revenues and Benefits	-	-	CenSus Joint Committee
Revenues and Benefits (Worthing)	Revenues and Benefits	-	Customer Services	
Road Nameplates	Planning and Development	Environment	Regeneration	

Safer Communities	Wellbeing	Health and Wellbeing	Health and Wellbeing	
Safeguarding	Wellbeing	Health and Wellbeing	Health and Wellbeing	
Scrutiny	Digital and Design			Joint Overview and Scrutiny Committee
Section 151 Role	Chief Financial Officer	-	-	Statutory Role
Senior Information Risk Officer	Director for Digital and Resources	-	-	
Sex Establishments	Wellbeing	-	-	Licensing Committees
Shops owned by the Council (Adur)	Business and Technical Services	Resources	-	
Skills and Enterprise/Education liaison		Regeneration	Regeneration	
South Downs Leisure Trust (client role)	Director for Communities	-	Environment	
Strategy, Systems and Clienting (Housing)	Housing	Customer Services	Customer Services	
Strategic Housing and Enabling	Housing	Customer Services	Customer Services	
Street Cleansing	Environmental Services	Environment	Environment	
Street Furniture	Business and technical Services	Environment	Regeneration	

Street and House to House Collections	Wellbeing	-	-	Licensing Committees
Street naming and Numbering	Planning and Development	Environment	Regeneration	
Supported Housing - sheltered housing and community alarm	Housing	Customer Services	Customer Services	
Systems support and Development	Digital and Design	Resources	Digital and Environmental Services	
Taxi and Private Hire	Wellbeing	-	-	Licensing Committee
Telephony	Digital and Design	Resources	Digital and Environmental Services	
Temporary Accommodation Management	Housing	Customer Services	Customer Services	
Tenancy Services	Housing	Customer Services	-	
Tenant Participation	Housing	Customer Services	-	
Theatres	Culture	-	Customer Services	
Think Family and Early Help	Wellbeing	Health and Wellbeing	Health and Wellbeing	
Third Sector and Partnerships	Wellbeing	Health and	Health and	

		Wellbeing	Wellbeing	
Town Centre Management (Lancing, Shoreham, Southwick)	Place and Investment	Regeneration	-	
Trade Waste	Environmental Services	Environment	Environment	
Treasury Management	Chief Financial Officer	Resources	Resources	Joint governance
Tree Management	Planning and Development	-	-	Planning Committee
Tree Preservation Orders (TPOs)	Planning and Development	-	-	Planning Committee
Urban Realm	Place and Investment	Regeneration	Regeneration	
Visitors and Events (cultural - Environment) (business - Regeneration)	Place and Investment	Regeneration / Environment	Regeneration/ Environment	
Waste Education	Environmental Services	Environment	Environment	
Waste Management	Environmental Services	Environment	Environment	
Waste Strategy and compliance	Environmental Services	Environment	Environment	
Waste Transfer Licences	Environmental Services	Environment	Environment	
Website and Online Service Development	Digital and Design	Resources	Digital and Environmental Services	
Wellbeing Hub	Wellbeing	Health and Wellbeing	Health and Wellbeing	

Whistle Blowing Procedure	Legal	-	-	Joint Governance
Worthing Foreshore Service	Environmental Services	-	Regeneration	
Worthing Museum and Art Gallery	Culture	-	Customer Services	
Worthing Pier	Business and Technical Services	-	Regeneration	

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