
Section 3C - Council Committees and Other Bodies**1 Planning Committee****1.1 Purpose**

To consider and determine applications for planning permission and other related consents, arising under the Town and Country Planning Act and associated legislation as set out in Part A of Schedule 1 of the Local Authorities (Functions and Responsibilities)(England) Regulations 2000 as amended, which have not been delegated to the Planning Area Sub-Committee or to officers.

1.2 Functions

To approve or refuse (other than applications and other related consents that constitute repeat or variations involving minor modifications or non-material amendments applications for planning permission and other related consents under the appropriate legislation in accordance with the following criteria :

(a) Outline planning applications for:

- i. residential development on sites over 1.0 hectare in area and
- ii. non-residential development on sites over 1.5 hectares in area.
- iii. 40 dwellings or more.

(b) Full detailed, or reserved matters applications for :

- i. residential development (including conversions/changes of use) of 40 dwellings or more and.
- ii. non-residential development, including extensions and changes of use, of over 3,000 square metres gross floor space.

(c) Any application or proposal which in the opinion of the Director or Assistant Director of Planning and Public Protection raises significant strategic or policy issues for the city.

- (d) Changes of Use of land of 5.0 hectares or more
- (e) -Any application that the Corporate Director Economy and Place or the Assistant Director (Planning and Public Protection) considers should be presented to the Planning Committee for decision.

To approve any non-residential or domestic application for which there is a policy presumption against development in the Green Belt.

To determine any non-residential or domestic application for which there is a policy presumption against development in the Green Belt if a Ward Councillor for the site of the application requests that it should be the subject of consideration by the Planning Committee (the request to bring an application to the Planning Committee must be made in writing to the Corporate Director Economy and Place or the Assistant Director (Planning and Public Protection) within the consultation or re-consultation period and include the planning reason(s) for the request.

To enter into, renew, modify or revoke Section 106 Agreements in respect of proposed - developments which fall within the scope of the Planning Committee to determine unless in the opinion of the Corporate Director Economy and Place or the Assistant Director (Planning and Public Protection) it is a minor modification.

The modification and revocation of planning permissions and other related consents which fall within the scope of the Planning Committee to determine.

2 Planning Area Sub-Committee

2.1 Purpose

To consider and determine applications for planning permission and other related consents, arising under the Town and Country Planning and associated legislation as set out in Part A of Schedule 1 of the Local Authorities (Functions and Responsibilities)(England) Regulations 2000 as amended, which

have not been delegated to the Planning Committee or to officers.

2.2 Functions

To approve (with or without conditions), or refuse, applications for planning permission and other related consents (other than applications and other related consents that constitute repeat or variations involving minor modifications or non-material amendments) under the appropriate legislation in accordance with the following criteria:

- (a) Outline planning applications for :
 - i. residential development on sites between 0.5ha and 1ha in area.
 - ii. non-residential development on sites between 1ha and 1.5ha in area.
- (b) Full detailed or reserved matters applications for
 - i. residential development (including conversions/changes of use) between 10 to 39 dwellings.
 - ii. non-residential development (including extensions and changes of use) of between 1,000 and 3,000 square metres gross floor space.
- (c) Changes of Use for 1.0 hectares and less than 5.0 hectares of land.
- (d) Any application which would otherwise be “delegated” to officers which the Ward Councillor for the site of the application requests should be the subject of consideration by the Planning Area Sub-Committee (the request to bring an application to the Planning Area Sub-Committee must be made in writing to the Corporate Director Economy and Place or the Assistant Director (Planning and Public Protection) within the consultation period and include the planning reason(s) for the request)

- (e) Any application which would otherwise be “delegated” to officers for determination for which the applicant is:-
- i. a serving Councillor of the City Council or the spouse/partner of a Councillor;
 - ii any Chief Officer or senior manager, or the spouse/partner of such an employee;
 - iii Any staff member within the Development and Regeneration Planning and Environment department/s, or the spouse/partner of such an employee, or employee who has been actively involved planning negotiations or the spouse/partner of such an employee.
- (f) Applications submitted by or on behalf of the Council for its own developments except for the approval of Minor or Other category developments to which no objection has been received.
- (g) Any application that the Corporate Director Economy and Place or the Assistant Director (Planning and Public Protection) considers should be presented to the Planning Area Sub-Committee for decision.

To enter into, renew, modify or revoke Section 106 Agreements in respect of proposed developments which fall within the scope of the Planning Area Sub-Committee to determine unless in the opinion of the Corporate Director Economy and Place or the Assistant Director (Planning and Public Protection) it constitutes a minor modification.

The modification and revocation of planning permissions and other related consents which fall within the scope of the Planning Area Sub Committee to determine.

Delegation to the Corporate Director Economy and Place or the Assistant Director (Planning & Public Protection) following consultation with the Chair and Vice Chair of the Planning Committee

To authorise the serving of: enforcement notices and stop notices (except where urgent and immediate action is required) and to take

any action in connection with non-compliance with any of these notices.

To authorise the consideration of Planning Sub-Committee of an application that would otherwise be “delegated” to officers, which a Councillor requests should be the subject of consideration by the Committee.

3 **Gambling, Licensing and Regulatory Committee**

3.1 The functions of the **Gambling, Licensing and Regulatory Committee** are:

No.	Delegated authority	Conditions
1	<p>Advisory - General</p> <p>To make recommendations to the Council on the exercise of the functions set out below:</p> <ul style="list-style-type: none"> (a) Power to change the name of the City. (b) Power to change the name of a Parish. (c) Power to make, amend, revoke or re-enact byelaws to the extent that this power is not delegated to another Committee or Sub-Committee. (d) Power to promote or oppose local or personal bills. (e) Power to submit proposals to the Secretary of State for an Order under Section 10 of the Representation of the People Act 2000 (pilot schemes for local elections). (f) Power to fill vacancies in the event of insufficient nominations. (g) Power to divide electoral divisions into polling districts at local government elections. (h) Duty to divide constituency into polling districts. (i) Functions in relation to parishes and Parish Councils under Part II of the Local Government and Rating Act 1997 and 	

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No.	Delegated authority	Conditions
	<p>subordinate legislation under that Part.</p> <p>(j) Power to dissolve small Parish Councils.</p> <p>(k) Power to make orders for grouping parishes, dissolving groups and separating parishes from groups.</p> <p>To make recommendations to the Council as to plans, strategies and policies to be adopted or amended in relation to the exercise of any Licensing and Regulatory functions.</p>	
No.	Delegated authority	Conditions
	Advisory – Gambling Act 2005	
2	To make recommendations via the Executive to the Council as a “Licensing Authority” on a Statement of Licensing Policy and any subsequent review thereof.	
3	To refer to the Council any matter where the Gambling Act 2005 Committee is unable to discharge a function delegated to it because of the number of Members unable to take part in the consideration or discussion of any matter or vote on any question in respect of it.	
4	To make recommendations to the Council as a “Licensing Authority” on a policy not to permit casinos.	
	Advisory – Licensing Act 2003	
5	To make recommendations via the Executive to the Council as a “Licensing Authority” on a Statement of Licensing Policy and any subsequent review thereof.	
6	To refer to the Council any matter where the Licensing Act 2003 Committee is unable to discharge a function delegated to it because of the number of Members unable to take part in the consideration or discussion of any matter or vote on any question in respect of it.	
	Delegated Powers – Gambling Act 2005	

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No.	Delegated authority	Conditions
7	<p>To exercise the functions set out below:</p> <ul style="list-style-type: none"> (a) Power to license sex shops and sex cinemas. (b) Power to determine policy, procedures and conditions in relation to any licensing function not covered elsewhere in the Constitution (e.g. taxi licensing). (c) Duty to appoint an electoral registration officer. (d) Duty to appoint returning officer for local government elections. (e) Power to make payments or provide other benefits in cases of maladministration to the extent that such power is not delegated elsewhere in the Council's scheme of delegation. (f) Power to determine applications for the registration of common land and village greens 	
8	To exercise all the functions of the "Licensing Authority" under the Gambling Act 2005 except those specifically reserved to Full Council.	
9	To set the fees in relation to premises licences from within fee bands as prescribed by the Government.	
10	To establish and determine the terms of reference, procedures and delegated powers of the Gambling Act 2005 Sub-Committees as required by the Gambling Act 2005.	
11	To determine which functions under the Gambling Act 2005 should be delegated to officers.	
12	<p>To receive annually reports on decisions made by officers under delegated powers with regard to applications under the Gambling Act 2005 so that the Committee can maintain an overview of the general situation.</p>	

No.	Delegated authority	Conditions
	Delegated Powers – Licensing Act 2003	
13	To exercise all the functions of the “Licensing Authority” under the Licensing Act 2003 except those specifically reserved to Full Council.	
14	To establish and determine the terms of reference, procedures and delegated powers of the Licensing Act 2003 Sub-Committees as required by the Licensing Act 2003.	
15	To determine which functions under the Licensing Act 2003 should be delegated to officers.	
16	To receive annually reports on decisions made by officers under delegated powers with regard to applications under the Licensing Act 2003 so that the Committee can maintain an overview of the general situation.	
17	To receive, when appropriate, reports on the needs of the local tourist economy for the area to ensure that these are reflected in their considerations.	
18	To receive reports on the employment situation in the area and the need for new investment and employment where appropriate.	
19	With regard to transport, to receive an annual joint report from North Yorkshire Police and the Licensing Service regarding the effects of the Act and licensing policy in swiftly and safely dispersing concentrations of people from licensed venues, to avoid disorder and disturbance.	

4 Gambling Act 2005 Sub-Committees

- 4.1 The functions of the Gambling Act 2005 Sub-Committees are to determine applications under the Gambling Act 2005 as set out below:

No.	Delegated authority	Conditions
1	Application for premises licences	If a relevant representation made
2	Application for a variation to a premises licence	If a relevant representation made
3	Application for a transfer of a premises licence	If a representation received from the Gambling Commission
4	Application for a licence to be reinstated	If a relevant representation made
5	Application for a provisional statement	If a relevant representation made
6	Review of a premises licence	All cases
7	Application for club gaming/club machine permits	If a relevant objection made
8	Cancellation of club gaming/club machine permits	All cases
9	Consideration of a temporary use notice	If a relevant objection made
10	Decision to give a counter notice to a temporary use notice	All cases

5 Licensing Act 2003 Sub-Committees

5.1 The functions of the Licensing Act 2003 Sub-Committees are to determine applications under the Licensing Act 2003 as set out below:

No.	Delegated authority	Conditions
1	Application for personal licence	If a police objection
2	Application for personal licence with unspent	All cases

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	conviction	
3	Application for premises licence/club premises certificate	If a relevant representation made
4	Application for provisional statement	If a relevant representation made
5	Application to vary premises licence/club premises certificate	If a relevant representation made
6	Application to vary designated premises supervisor	If a police objection
7	Application for transfer of premises licence	If a police objection
8	Application for interim authorities	If a police objection
9	Application to review premises licence/club premises certificate	All cases
10	Decision to object where the Council is a consultee and not the relevant authority considering the application.	All cases
11	Determination of a police objection to a temporary event notice.	All cases

6 Appeals Committees

(Note: Those functions which are not Executive functions are marked with an asterisk (*))

6.1 Corporate Appeals Committee

6.1.1 The functions of the Corporate Appeals Committee are:

No.	Delegated authority	Conditions
1	*To determine appeals in relation to the	

	following matters: (a) to resolve final appeals on disciplinary and grievance cases <u>in relation to those officers whose appointment is approved by members.</u>	
	(b) to determine appeals against dismissal <u>in relation to those officers whose appointment is approved by members.</u>	Prior to statutory rights of appeal being exercised.
2	*To determine appeals against refusal to grant relief from National Non-Domestic Rates.	
3	To determine appeals against charges in respect of Empty Ratings.	

6.2 Housing Appeals Committee

6.2.1 The functions of the Housing Appeals Committee are:

No.	Delegated authority	Conditions
1	To determine appeals in relation to the following matters: i. To determine appeals against decisions by officers in respect of: a) The City Council housing policies; b) Private sector housing grants. ii. To determine second appeals against decisions by officers in respect of housing benefit determinations, where those appeals are not resolved by officers. iii. To determine appeals against the decisions of officers in respect of individual cases. iv. To make arrangements with tenants for the repayments of rent arrears. v. To authorise the execution of a warrant for repossession of a property in the case of mortgage arrears.	

6.3 Education Appeals Committee

6.3.1 The functions of the Education Appeals Committee are:

No.	Delegated authority	Conditions
1	To determine appeals in relation to the following matters and to agree exceptions to Education policy in exceptional circumstances in relation to: (a) home to school transport (b) discretionary awards (c) early admission to schools (d) nursery admissions (e) early transfers (f) remission of fees for music tuition and charges for instrument hire	

7 Audit & Governance Committee

7.1 The functions of the Audit & Governance Committee are:

No	Delegated authority	Conditions
	Audit	
1	To consider the annual report and opinion of the Head of Internal Audit. The report should include a summary of internal audit activity in the relevant period and the level of assurance that can be given over the framework of governance, risk management and control at the Council.	
2	To consider periodic reports from the Head of Internal Audit detailing the summary findings and the main issues arising from internal audit work.	
3	To consider reports dealing with the management and performance of the Internal and External Audit functions.	
4	To consider whether internal audit work conforms to professional standards and to	

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No	Delegated authority	Conditions
	review the effectiveness of Internal Audit and the Committee itself on an annual basis.	
5	To consider reports of the Head of Internal Audit detailing the progress made by management to address control weaknesses identified by Internal or External Audit.	
6	To consider the action plan arising from the Annual Letter of the External Auditor.	With respect to the Annual Letter being first considered and accepted by the Executive.
7	To consider all other relevant reports received from the External Auditor as scheduled in the forward plan for the Committee or otherwise requested by Members.	
8	To comment on the scope and depth of external audit work and ensure it provides value for money.	
9	To liaise with the Audit Commission (or its successor body) over the appointment of the Council's External Auditor.	
10	To approve the Internal Audit Charter	
11	To approve the Annual Plans of the Internal Audit Service and the External Auditor.	
12	To commission work from the Internal Audit Service and External Audit with regard to the resources available and the existing scope and breadth of their respective work programmes and the forward plan for the Committee.	Subject to budgetary provision.
	Governance & Regulatory	
13	To keep under review the Council's contract procedure rules, financial regulations, working protocols and codes of conduct and behaviour (not otherwise reserved to the Joint Standards Committee).	
14	To review any relevant issue referred to it by the Chief Executive, S151 Officer, the Monitoring Officer, the Head of internal Audit or any other Council body.	

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No	Delegated authority	Conditions
15	To consider the effectiveness of the Council's arrangements for corporate governance (including information governance).	
16	To monitor the effective development and operation of risk management arrangements across the Council.	
17	To assess the effectiveness of the Council's counter fraud arrangements including the Whistleblowing policy and other relevant counter fraud policies and plans.	
18	To consider the Council's compliance with its own and other relevant published regulations, controls, operational standards and codes of practice.	
19	To bring to Full Council all proposals for amendment to this Constitution submitted by Members in accordance with this Constitution.	Subject to the advice of the Assistant Director Legal and Governance
	Annual Governance Statement and Accounts etc	
20	To approve the Statement of Accounts and the Annual Governance Statement.	
21	To consider the External Auditor's report to those charged with governance on issues arising from the audit of the accounts.	
22	To scrutinise the Treasury Management Strategy and Monitoring Reports.	
	General	
23	To meet informally with the External Auditor and the Head of Internal Audit on a periodic basis to discuss audit related matters.	
24	To report on the discharge of the Committee's responsibilities under the Constitution to Full Council on an annual basis.	
25	To maintain and participate in a programme of training relevant to the activities and responsibilities of the Committee.	

8 Joint Standards Committee

- 8.1 The Standards Committee shall be a joint committee established pursuant to section 102 of the Local Government Act 1972 consisting of the City of York Council, Earswick Parish Council Rawcliffe Parish Council and Strensall and Towthorpe Parish Council (“the Councils”).
- 8.2 Functions
- 8.2.1 The Joint Standards Committee may exercise the following functions of the Councils:
- 8.2.2 The promotion and maintenance of high standards of conduct by members and co-opted members of the Councils and other Parish Councils for which the City Council is the principal authority.
- 8.2.3 Establishing arrangements for investigating and making decisions in respect of allegations that the code of conduct of either the City Council or a parish council for which the City Council is the principal authority has been breached.
- 8.2.4 Where the power to do has been delegated to it by a Council, granting dispensations relieving members from the duty to register or declare interests.
- 8.3 Membership of the Joint Standards Committee
- 8.3.1 The Joint Standards Committee shall consist of:
- a) Four voting members of the City Council;
 - b) One voting member of each of the three Parish Councils
 - c) Up to three non-voting community members co-opted by the Committee
- 8.3.2 A person who is disqualified from being a member of a relevant authority shall be disqualified from membership of the Joint Standards Committee.
- 8.4 Term of office and casual vacancies
- 8.4.1 A member of the Joint Standards Committee will hold office until

one of the following occurs:

- a) He or she resigns by giving written notice to the proper officer of the Council that appointed him or her;
- b) He or she is removed or replaced by the Council that appointed him or her;
- c) He or she is disqualified for membership of the Joint Standards Committee;
- d) He or she ceases to be eligible for appointment to the Joint Standards Committee in the capacity in which he or she was appointed;
- e) The Constituent Authority which appointed him or her ceases to participate in the Joint Standards Committee.

8.4.2 A casual vacancy shall be filled as soon as practicable by the relevant Council. A casual vacancy in the case of a Parish Councillor shall be reported to the York Association of Local Councils for information.

8.5 Sub Committees

8.5.1 The Joint Standards Committee may appoint sub committees for purposes in the exercise of its functions.

8.5.2 Each person appointed as a member of a sub committee must be a voting member of the Joint Standards Committee.

8.5.3 The Joint Standards Committee will determine the membership and terms of reference of the sub committee and the quorum for its meetings.

8.5.4 If the Joint Standards Committee appoints more than one sub committee to exercise one or more of its functions then it shall ensure that the Proper Officer allocates particular matters to a sub committee first on the basis of the availability of members required to constitute the sub committee, and thereafter by rotation, and summonses meetings accordingly.

8.6 Meetings and Proceedings

8.6.1 The meetings and proceedings of the Joint Standards Committee shall be conducted in accordance with the standing orders or rules of procedure of the City of York Council.

8.6.2 The Joint Standards Committee may determine procedure rules for its sub committees.

8.7 Withdrawal from the Joint Standards Committee

8.7.1 A constituent authority may cease to participate in the Joint Standards Committee by resolution to that effect communicated in writing to the Monitoring Officer.

8.8 Expenses of the Joint Committee

8.8.1 The expenses of the Joint Committee shall be met by the City Council.

9 Staffing Matters and Urgency Committee

9.1 The Staffing Matters & Urgency Committee is a formally constituted, politically proportionate committee of Council which may undertake all non-executive functions relating to staffing matters and all non-executive functions in case of emergency.

9.2 Delegations to the Staffing Matters & Urgency Committee:

No.	Delegated authority	Conditions
	Staffing Matters	
1	The Committee is empowered to exercise all functions of Full Council concerning Staffing Matters, (other than those which by law are reserved to Full Council), including but not limited to matters under S.112 of the Local Govt. Act 1972.	
2	For the avoidance of doubt this shall include the following:- (a) To arrange for the conduct of or conduct the recruitment and selection process in respect of:- (i) The Head of Paid Service. NB this appointment is subject to Full Council approval	

	<p>(ii) Directors (iii) Assistant Directors</p> <p>(b) In conducting its recruitment functions the Committee may establish Chief Officer appointment sub-committees of no less than three elected Members including at least one Member of the Executive.</p> <p>(c) To arrange for the conduct of or conduct disciplinary proceedings in respect of:</p> <p style="padding-left: 40px;">(i) The Head of Paid Service, Section 151 Officer, Monitoring Officer. NB any decision to dismiss is subject to Full Council approval</p> <p style="padding-left: 40px;">(ii) Directors</p> <p style="padding-left: 40px;">(iii) Assistant Directors</p> <p>(d) In conducting its disciplinary functions the Committee may establish Disciplinary Sub committees of no less than three elected Members including at least one Member of the Executive and may in respect of proposed disciplinary action against the Head of Paid Service, Section 151 Officer or Monitoring Officer establish the Panel required by schedule 3 of the Local Authorities (Standing Orders) (England) Regulations 2001.</p>	
	Urgency	
3	The committee is empowered to authorise all non-executive functions (other than those which must, by law, be exercised by Full Council), in circumstances of urgency, where it is necessary to obtain a decision on any matter without delay.	

4	In relation to any urgent matter, which involves the exercise of Executive functions, the Committee shall act in an advisory capacity to the Executive Leader or his or her substitute Executive Member, who shall have regard to the advice when exercising the relevant function.	Subject to legal requirements for taking an urgent Executive decision.
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9.3 For the purposes of determining whether the Urgency Committee ought to exercise the above delegations a decision is regarded as urgent if it cannot reasonably be deferred to the next available Council, Executive or Committee for determination and any such delay is likely to seriously prejudice the Council's or the public's interests.

10 Customer & Corporate Services Scrutiny Management Committee

10.1 The functions of the Customer & Corporate Services Scrutiny Management Committee are:

No.	Delegated authority	Conditions
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1	<p>To oversee and co-ordinate the work of the Scrutiny Committees.</p> <p>This will include:</p> <ul style="list-style-type: none"> • Allocating responsibility for issues which fall between more than one Overview & Scrutiny Committee; • Allocating, in consultation with the Chair/Vice-Chair, urgent issues to be considered by an appropriate committee (including an ad-hoc scrutiny committee), as may be necessary; • Reviewing progress against the work plans of the Overview & Scrutiny Committees, as may be necessary and receiving bi-annual updates from Chairs of those scrutiny committees, as required; • Receiving periodical progress reports, as appropriate, on specific scrutiny reviews. • Considering and commenting on any final reports arising from completed reviews produced by the Overview & Scrutiny Committees, as required. 	Subject to budget and resource availability
2	To provide an annual report to Full Council on the work of the overview & scrutiny function.	
3	To recommend to the Executive an appropriate budget to support the undertaking of scrutiny reviews as part of the Council's budget setting process, and to manage the overall allocation of any such budget.	
4	To consider all post-decision Call-in for scrutiny	In accordance with the Scrutiny Procedure Rules as set out in Part 4 of the Constitution and to question any Executive Member, as may be required.

5	To periodically review the scrutiny procedures to ensure that the function is operating effectively and recommend to Council any appropriate constitutional changes relating to the scrutiny structure or procedural rules.	
6	To receive details of petitions received by the Council in line with the Council's published arrangements and responses or proposed responses to those petitions. To consider using its powers as a scrutiny committee to support the Council in responding appropriately to issues raised by such petitions and, in so doing, to promote public engagement.	

10.2 In addition, the Customer & Corporate Services Scrutiny Management Committee will exercise the powers of an Overview and Scrutiny Committee under section 21 of the Local Government Act 2000, specifically in relation to the service areas within the Customer & Corporate Services Directorate.

10.3 The Customer & Corporate Services Scrutiny Management Committee is responsible for monitoring the performance of the following service areas:

- Legal Services
- Information Governance and Complaints
- Civic & Democratic Services
- Electoral Services
- Corporate Finance and Procurement
- Human Resources and Organisational Development
-
- Customer, Resident and Exchequer Services
- Digital and ICT

11 Standing Policy & Scrutiny Committees

11.1 Scrutiny Committees (which are Committees of the Council) have the following common functions in relation to any services which fall within their individual remits

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No.	Delegated authority	Conditions
1.	To exercise the powers of an Overview and Scrutiny Committee under section 21 of the Local Government Act 2000 by: <ul style="list-style-type: none"> • Promoting a culture of continuous improvement across specific service plan areas • Challenging and reviewing the performance of those services • Assisting in the development of appropriate council policy in relation to those services 	
2.	Maintain an annual work programme and ensure the efficient use of resources	
3.	Review any issue that it considers appropriate or any matter referred to it by the Executive, Customer & Corporate Services Scrutiny Management Committee or Council and report back to the body which referred the matter.	In accordance with the powers of the Council, the Executive and Customer & Corporate Services Scrutiny Management Committee and subject to the Scrutiny Review Procedural Rules in Part 4G of this Constitution
4.		
5.	Identify aspects of the Council's operation and delivery of services, and/or those of the Council's statutory partners, suitable for efficiency reviews	
6.	Carry out efficiency reviews or set up a Task Group from within their membership to conduct a review on their behalf.	
7.	Scrutinise issues identified from the Executive's Forward Plan, prior to a decision being made.	8.
8.	Receive Executive Member reports relating to their portfolio, associated priorities & service performance.	9.
9.	Scrutinise the services provided to residents of York by other service providers, as appropriate.	

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10.	Comment on the annual budget proposals and elements of the Council Plan.	
11.	To make final or interim recommendations to the Executive and/or Council	
12.	To report any final or interim recommendations to Customer & Corporate Services Scrutiny Management Committee, if so requested	
13.	Monitor the Council's financial performance during the year.	
14.	Monitor progress on the relevant Council Priorities and advise on potential future priorities.	
15.	Initiate, develop and review relevant policies and advise the Executive about the proposed Policy Framework as it relates to their service plan areas	
16.	Support the achievement of the relevant Local Area Agreements priority targets.	

11.2 In carrying out their individual remit each Scrutiny Committee must ensure their work further promotes inclusiveness and sustainability.

11.3 Each Scrutiny Committee is responsible for the following service plan areas:

12 Economy & Place Policy and Scrutiny Committee

- Highways
- Transport & Parking
- Planning & Development
- Regeneration & Asset / Property Management
- Economic Growth
-
- Emergency Planning
- Flood Risk
- Public Realm
- Waste

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- Fleet
- Public Protection (Trading Standards, Environmental Health, Food Safety Licensing)
- Client Management: Make it York
- Client Management: YorWaste

12.1 This committee is responsible for examining long term policy development, strategic objectives and horizon scanning for best and emerging practice across the Economy & Place Directorate and for examining performance, operational outcomes and customer expectation and major project progress across the above service areas.

13 Children, Education & Communities Policy & Scrutiny Committee

- School effectiveness and achievement, including school attendance and school safeguarding
- School services, which include
 - School place planning and capital maintenance
 - School transport
 - Admissions
 - The School governance service and SENDIASS
 - Behaviour and attendance
 - Elective home education
 - Children missing education
- Local Area Teams
- Skills
- Early Years and childcare
- The Virtual School for children in care
- SEN and disability services
- Educational Psychology
- Neighbourhood Working
- Community Centres
- Voluntary Sector, including CVS
- Culture
- Museums
- Libraries & Archives
- Sports Facilities
- York Learning

13.1 This committee is responsible for monitoring the performance of the above service areas through regular performance monitoring reports.

14 Health & Adult Social Care Policy & Scrutiny Committee

- Public Health
- Services for carers
- Adult Safeguarding
- Adult Social Care Provision
- Adult Social Care Community Teams
- Commissioning, Quality Improvement and Partnerships
- Early Intervention and Prevention

14.1 This committee is responsible for monitoring the performance of the above service areas through regular performance monitoring reports.

14.2 In addition to the general powers and delegated authorities of Scrutiny Committees of this Council as set out above, the Health & Adult Social Care Scrutiny Committee is also responsible for:

- (a) the discharge of the health and scrutiny functions conferred on the Council by the Local Government Act 2000
- (b) undertaking all of the Council's statutory functions in accordance with section 7 of the Health and Social Care Act 2001, NHS Reformed & Health Care Professional Act 2002, and section 244 of the National Health Service Act 2006 and associated regulations, including appointing members, from within the membership of the Committee, to any joint overview and scrutiny committees with other local authorities, as directed under the National Health Service Act 2006.
- (c) reviewing and scrutinising the impact of the services and policies of key partners on the health of the City's population
- (d) reviewing arrangements made by the Council and local NHS bodies for public health within the City
- (e) making reports and recommendations to the local NHS body or other local providers of services and to evaluate and review the effectiveness of its reports and recommendations
- (f) delegating functions of overview and scrutiny of health to another Local Authority Committee
- (g) reporting to the Secretary of State of Health when:

- i. concerned that consultation on substantial variation or development of service has been inadequate
- ii. it considers that the proposals are not in the interests of the health service

15 Housing and Community Safety Policy & Scrutiny Committee

- Housing Revenue Account
- Housing general
- Commissioning and contracts
- Older People's Accommodation Programme
- Landlord services
- Homelessness and Housing options, standards and adaptations
- Community Safety
- Early intervention, prevention and community development
- People & Neighbourhoods Strategy & Policy
- Anti-social behaviour
- Building Services
- Repairs and maintenance
- Housing Development

15.1 This committee is responsible for monitoring the performance of the above service areas through regular performance monitoring reports.

16 Climate Change Policy and Scrutiny Committee

16.1 The Climate Change Policy and Scrutiny Committee's remit is to recommend to the Executive, actions that will deliver the ambition approved in the Climate Emergency Motion at Full Council on 29th March 2019.

16.2 The Committee will work with city partners and local stakeholders – including residents, businesses, and academic institutions – to develop a citywide climate change strategy that can deliver a carbon neutral York by 2030. This is to ensure that York plays its part in limiting the impacts of climate change locally, nationally, and globally

16.3 Objectives

- Production of a ten-year Climate Emergency Action Plan and a Sustainable Energy Action Plan that engage and involve all departments within the Council and the wider city;

- Review the Council’s practices, policies, and procedures to develop an understanding of emission impacts on the city;
- Seeking advice from experts to recommend 5-year carbon budgets, across all the Council’s activities;
- Establishment of a carbon emissions baseline for the city that can be maintained to quantify the challenges that York faces and to provide annual reports on citywide progress towards the 2030 target;
- Development of mitigation strategies to enable communities to become more resilient in the face of climate change;-Learning from best practice in other cities;
- Review best practice across major UK institutions and local authorities on moving away from holding investments in fossil fuel companies that have not aligned their businesses with the Paris Climate Accord by 2023;
- Identify external funding streams, locally, nationally and EU-wide, that may help us deliver a carbon neutral York;
- Consider how our recommendations would reduce carbon emissions, to be developed in the context of environmental responsibility, economic prosperity, social equity and cultural vitality;
- Endeavour to ensure that our ten-year Climate Emergency Action Plan obtains cross-party support and commitment to guarantee its delivery.

17 Task Groups

- 17.1 These will formed from within the membership of an individual Scrutiny Committee to undertake a specific scrutiny review in accordance with the powers conferred by section 21 of the Local Government Act 2000.

18 York Health and Wellbeing Board Terms Of Reference

The York Health and Wellbeing Board has a key strategic role in carrying out assessments of the health and wellbeing needs of the

people of York and in developing strategies to meet those needs. It also has a role in encouraging health and social care providers to work together to meet those needs.

18. 1 Name

The Board will be known as the York Health and Wellbeing Board ('the Board')

18.2 Membership

Board members will be required to represent their organisation with sufficient seniority and influence for decision making. The membership of the Board will consist of:

- i. The Leader of City of York Council ("the Council) or his/her nominee. The Leader's nominee is the Elected Member Portfolio Holder for Adult Social Care (Chair)
- ii. Elected Member Portfolio Holder for Education, Children and Young People)
- iii. Elected Member – Opposition Representative
- iv. Elected Member – Opposition Representative
- v. The Chair of NHS Vale of York Clinical Commissioning Group (Vice-Chair)
- vi. The Accountable Officer of NHS Vale of York Clinical Commissioning Group
- vii. A clinical representative of NHS Vale of York Clinical Commissioning Group
- viii. The Director of Healthwatch York
- ix. The Director of Public Health
- x. The Corporate Director of Children, Education & Communities of City of York Council
- xi. The Corporate Director of Health, Housing & Adult Social Care of City of York Council
- xii. The Chief Executive of York CVS
- xiii. The Chief Executive of York Teaching Hospital NHS Foundation Trust
- xiv. The Chief Executive of Tees, Esk and Wear Valleys NHS Foundation Trust
- xv. The Chair of the Independent Care Group
- xvi. A representative of NHS England
- xvii. The Deputy Chief Constable of North Yorkshire Police

- xviii. Other members appointed by the Board or the Leader of the Council after consultation with the Board.

18.3 Legal Status

The Health and Wellbeing Board is a committee of the Council and will adhere to the Constitutional requirements of the Council affecting committees unless alternative provision is made within these terms of reference or the law.

18.4 Disqualification from Membership

The following are disqualified from being a Board Member

- a. Any person who is the subject of a bankruptcy restrictions order or interim order.
- b. Any person who has within five years before the day of being appointed or since his or her appointment been convicted in the United Kingdom, the Channel Islands or the Isle of Man of any offence and has had passed on him a sentence of imprisonment (whether suspended or not) for a period of not less than three months without the option of a fine.

18.5 Quorum

The quorum shall be 7 members including as a minimum a representative of the City of York Council and a representative of NHS Vale of York Clinical Commissioning Group.

18.6 Chair and Vice-Chair

- The Chair of the Board shall be the Leader of the Council or his or her nominated representative. The Vice-Chair of the Board shall be the Chair of NHS Vale of York Clinical Commissioning Group
- The Chair of the Health and Wellbeing Board will be required to hold a named delegate list for board representatives including deputies.

18.7 Frequency of Meetings

The Board shall schedule meetings at least four times a year.

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18.8 Delegation of Powers

- The Board may establish sub-committees to discharge any function of the Board or to advise the Board in respect of its functions.
- If the Council delegates any of its public health functions to the Board in accordance with section 196(2) of the Health and Social Care Act 2012 then the Board may arrange for those functions to be discharged by an officer. Other functions of the Board may not be delegated to officers.

18.9 Functions of the Board

- In order to advance the health and wellbeing of the patients and residents in York, encourage persons who arrange for the provision of any health or social care services to work in an integrated manner.
- To provide such assistance or other support as it thinks appropriate for the purpose of encouraging the making of arrangements under section 75 of the National Health Service Act 2006 between the Council and NHS bodies in relation to the exercise of NHS functions or health related functions of the Council.
- To approve and make recommendations to the Executive and the Clinical Commissioning Group in respect of use of Better Care funding based upon jointly agreed plans
- To exercise the functions of a local authority and its partner clinical commissioning groups under sections 116 and 116A of the Local Government and Public Involvement in Health Act 2007 relating to joint strategic needs assessments, and the joint health and wellbeing strategy.
- To exercise the statutory functions of a Health and Wellbeing Board in relation to the carrying out and publication of pharmaceutical needs assessments.
- To exercise any other functions of the Council which the Council has determined should be exercised by the Board on its behalf in

accordance with section 196(2) of the Health and Social Care Act 2012 including:

- Overseeing the development of local commissioning plans and, where necessary, initiating discussions with the NHS Commissioning Board (NHS England) if an agreed concern exists
 - Leading cultural and behavioural change to support a joint approach to meeting local need
 - Holding all partners to account for their role in the delivery of joint commissioning and overall stewardship of the health and wellbeing outcomes for patients and residents
 - Working alongside local and regional strategic partnership arrangements to ensure the coordination of city wide ambitions, all of which impact on the health and wellbeing of patients and residents.
- Where it considers it appropriate to do so, or when so requested by the Council, to give the Council its opinion on whether the Council is discharging its duty under section 116B of the 2007 Act to have regard to the joint strategic needs assessment and joint health and wellbeing strategy.
 - To periodically review the York Health and Wellbeing Board constitution.
 - Board members will be bound by the same rules as Councillors