

Constitution of West Lindsey District Council

Part IV

Responsibility for Functions



Responsibility for Functions

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Council

The following functions will only be exercised by the full Council:

1. To approve and adopt the following plans and strategies which together make up the Council's budgetary and policy framework:
 - Budget¹ and Council Tax including council tax base
 - Corporate Plan
 - Local Plan
 - Local Council Tax Support Scheme
 - Housing Strategy Statement
 - Statements of Licensing Policy and Gambling Policy
 - Pay Policy Statement
2. To consider and determine whether any additional plans or strategies, both statutory and non-statutory, should be adopted or approved;
3. To adopt and change the Constitution when necessary after consideration by the Governance and Audit Committee;
4. At the annual meeting to appoint the Leader and Deputy Leader of the Council;
5. To consider a resolution to remove the Leader and/or Deputy Leader and appoint a replacement Leader and/or Deputy Leader;
6. At the annual meeting to appoint the Chairman and Vice-Chairman of the Council;
7. To agree and/or amend the terms of reference for committees, deciding on their composition and making appointments to them;
8. To appoint representatives to outside bodies;
9. To adopt an allowances scheme under Part VI of the Constitution;
10. To determine any changes to the name of the district;
11. To confirm the appointment and the dismissal of the Head of the Paid Service;
12. To consider advice, views and recommendations from the Independent Panel (Section 27a of the Localism Act) and agree action to be taken in relation to Chief Executive/statutory officer disciplinary matters.

¹ The budget includes the allocation of financial resources, including the setting of fees and charges, for different services and projects, proposed contingency funds, the council tax base, setting the Council Tax, controlling the Council's borrowing requirement and capital expenditure in line with CIPFA's "Prudential Code for Capital Finance in Local Authorities", and the setting of virement limits.

13. To designate the Head of Paid Service, Monitoring Officer, Chief Finance Officer (Section 151 Officer) and Electoral Registration Officer / Returning Officer.
 14. To receive and consider reports from the Council's three statutory officers;
 15. To make, amend, revoke, re-enact or adopt bye laws and to promote or oppose the making of local legislation or personal bills;
 16. To consider those matters referred to it from time to time by the policy committees, the overview and scrutiny committee and by other council committees;
 17. To confer the title of Honorary Alderman and Freeman;
 18. To adopt the Council's Codes of Conduct.
 19. To exercise all local choice functions which the Council decides should be undertaken by itself rather than the policy committees;
 20. To consider and debate motions raised by Councillors;
 21. To debate issues that are the subject of petitions signed by a specified number of people (as set out in the Petitions Scheme in the appendix to the Constitution);
 22. To approve the appointment of external auditors for five financial years commencing 1 April 2018 and the approval of the Terms of Reference.
 23. To consider all other matters which, by law, must be reserved to Council.
 24. To adopt neighbourhood plans following a successful referendum.
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Policy Committees

The Council has established 3 Policy committees -

- **Thriving Council Committee**
- **Thriving Places Committee**
- **Thriving People Committee**

Roles and Functions

The following roles and functions apply to all policy committees -

1. *All Policy Committees shall have delegated authority to exercise the Council's functions relating to the delivery of services by, or on behalf of the Council and through any partnership arrangements that fall within the Committee's remit as set out below, subject to any restrictions set out elsewhere in the Council's Constitution including those matters reserved for determination by Full Council and as set out in the Financial Regulations and Contract Procedure Rules.*
2. *The Chair and Vice Chair of each Policy Committee shall assume the role as 'Lead Member' for issues within their committees remit and accordingly be designated as the Member representatives of the corresponding internal Strategic Delivery Panel, with invitations to the Strategic Delivery Panels also being extended to the Leader and Deputy Leader of the Council.*
3. *The development, approval and review of any plans, policies and strategies within the Committee's remit, subject to the requirement to make recommendations to the Thriving Council Committee and Full Council as set in the budget and policy procedure rules.*
4. *To approve programmes of work, monitor performance and take decisions in respect of those matters within its remit.*

- 5. To maintain an oversight of performance within the committee's remit including work performed by an external provider appointed to deliver services which fall under the remit of the Committee*
- 6. To consider and determine issues about any policy document from other organisations which affect the District and are related to the Committee's area of responsibility.*
- 7. To contribute to the budget setting process as set in the financial procedure rules and as set out within this Constitution.*
- 8. To review and recommend all fees and charges for services within the Committee's remit as part of the budget setting process.*
- 9. To manage any budget assigned to the individual Committee*
- 10. Approval of contracts in accordance with the Contract Procedure Rules.*

Remits

- 1. Detailed below are the areas and services that fall within each policy committees' remit.*
- 2. Where a function does not clearly fall within the remit of one particular committee, the Monitoring Officer in consultation with the Leader of the Council and relevant Committee Chairman will determine the most appropriate committee to deal with the matter, and in the event of any conflicting views, the matter in question will be referred to the Thriving Council Committee.*
- 3. The policy committees may sit concurrently if required.*

Thriving Council Committee

1. *Responsibility for delivering against the ‘Thriving Council’ theme of the Council’s Corporate Plan - “Our West Lindsey, Our future 2026 – 2030” and the following priorities related to the theme –*
 - *Deliver good quality service for residents and businesses*
 - *Be a well managed council*
 - *Be a forward looking council*
2. *Develop, formulate and recommend the annual budget to Full Council in accordance with the Budget Policy Framework and financial procedure rules*
3. *The control and management of resources, including land, property, finance and staff to further the Council’s objectives including the delegation of specific budgets to the Thriving Places Committee and the Thriving People Committee, such budget to be allocated in accordance with their terms of reference.*
4. *The approval of the Committee timetable for each municipal year.*
5. *The exercise of any function, duty or power of the Council which is not delegated to another Committee, Sub-Committee or an officer, or reserved for decision by full Council under this Constitution or by law.*
6. *To recommend fees and charges to Full Council, and to change an individual fee and/or charge where the Authority needs to respond to market changes or changes to the cost base.*
7. *Approving the creation of any new legal entity and appointments of Directors or other officers onto the Board of the legal entity and the nomination of the shareholder representative. This includes changing the directorship if required and this function cannot be sub delegated to an officer.*
8. *Service Areas – the following services area shall fall within the remit of this committee -*

- *Finance and Accountancy*
- *Treasury Management*
- *Revenues and Benefits*
- *Equality and Diversity*
- *Land charges*
- *Property and Assets*
- *Bereavement Services*
- *Car Parking Policy and Strategy*
- *Human Resources*
- *Democratic and Elections*
- *Communications*
- *ICT and digital*
- *Customer Services*
- *Any other functions under the Thriving Council Theme*

Thriving Places Committee

1. *Responsibility for delivering against the ‘Thriving Places’ theme of the Council’s Corporate Plan – “Our West Lindsey, Our future 2026-2030” and the following priorities related to the theme –*
 - *Enabling inclusive local growth and regeneration*
 - *Deliver homes that meet local need*
 - *Support clean green and safe communities*

2. *Service areas - the following services area shall fall within the remit of this committee –*
 - *Strategic Housing*
 - *Spatial Policy and Local Plan*
 - *Enabling affordable homes*
 - *Economic development*
 - *Markets*
 - *Tourism*
 - *Support to businesses*
 - *Antisocial behaviour*
 - *Public protection and environmental issues*
 - *Litter, recycling, waste and street cleansing*
 - *Planning and Development*
 - *Housing Strategies*
 - *And any other functions under the Thriving Places Theme*

Thriving People Committee

1. *Responsibility for delivering against the ‘Thriving People’ theme of the Council’s Corporate Plan – “Our West Lindsey, Our Future 2026-2030” and the following priorities related to the theme -*
 - *Champion health, wellbeing, culture and active lifestyles*
 - *Supporting communities to thrive*
 - *Enable independent living, improve housing conditions and support vulnerable residents*
 - *Boost skills and pathways into employment*

2. *Service areas - the following services area shall fall within the remit of this committee –*
 - *Community wellbeing including health, crime and disorder*
 - *Community interaction and engagement*
 - *Home options*
 - *Private sector housing*
 - *Health and wellbeing*
 - *Public health*
 - *Leisure and culture*
 - *Any other functions under the Thriving People Theme*

Corporate Policy and Resources Committee

As the principal committee of the Council to be responsible for:

1. ~~The formulation (but not the adoption or approval) of:~~
 - ~~(a) the Policy Framework,~~
 - ~~(b) the budget; and~~
 - ~~(c) the Council’s objectives and priorities.~~

2. ~~The control and management of resources, including land, property, finance and staff to further the Council’s objectives, including the delegation of specific budgets to the Prosperous Communities~~

~~Committee for a specific purpose, for the services quoted in their Terms of Reference.~~

- ~~3. Ensuring compliance with the Council's budget including its revenue and capital budgets and the management of the Council's assets.~~
- ~~4. The performance framework of the council.~~
- ~~5. The approval of the Committee timetable for each municipal year.~~
- ~~6. The exercise of the Council's functions relating to:
 - ~~• Equality and Diversity~~
 - ~~• Health and Safety (as an employer)~~
 - ~~• Voluntary Sector~~
 - ~~• Climate change~~
 - ~~• Information Assurance~~~~
- ~~7. The adoption and approval of strategies and policies not forming part of the Policy Framework apart from those policies for which delegated power is given to the Head of Paid Service to approve under Part IV of this Constitution.~~
- ~~8. The exercise of any function, duty or power of the council which is not delegated to another Committee, Sub-Committee or an officer, or reserved for decision by full Council under this Constitution or by law.~~
- ~~9. To recommend fees and charges for service areas within its remit or following a recommendation from the Prosperous Communities Committee, to full Council.~~
- ~~10. In addition to recommending fees and charges to Council on an annual basis, CP&R has the delegation to change individual fees and charges where the Authority needs to respond to market changes or changes to the cost base.~~
- ~~11. Approving the creation of any new legal entity and appointments of directors or other statutory officers onto the Board of the legal entity and the nomination of the shareholder representative. This includes changing the directorship if required and this function cannot be sub-delegated to an officer.~~
- ~~12. Approval of the business plans of any wholly owned, companies, joint ventures or other legal entity in which the Council has an interest.~~
- ~~13. To make appointments to be Member Champions deemed to be relevant to the remit of the Committee.~~

~~This Committee can meet concurrently with the Prosperous Communities Committee.~~

~~Prosperous Communities Committee~~

To be responsible for the following areas:

1. ~~The regeneration, housing and planning strategies which together form the council's approach to place shaping.~~
2. ~~The Council's role in the community around health and crime and disorder including the wellbeing of the community and the development of partnerships.~~
3. ~~The Council's approach to community interaction and engagement.~~
4. ~~To manage any budget assigned to the Committee by the Corporate Policy and Resources in relation to the service areas listed under paragraph 5.~~
5. ~~All services under these strategic areas :~~
 - a. ~~Strategic Housing~~
 - b. ~~Home Options~~
 - c. ~~Private Sector Housing~~
 - d. ~~Enabling Affordable Homes~~
 - e. ~~Supporting People~~
 - f. ~~Economic Development~~
 - g. ~~Markets and Car Park Policy~~
 - h. ~~Tourism~~
 - i. ~~Countryside Management and Open Space~~
 - j. ~~Support to Business~~
 - k. ~~Growth~~
 - l. ~~Litter, Recycling, Waste and Street Cleansing~~
 - m. ~~Anti-Social Behaviour~~
 - n. ~~Family Intervention~~
 - o. ~~Public Protection and Environmental Issues~~
 - p. ~~Public Health~~
 - q. ~~Transport~~
 - r. ~~Leisure and Culture~~
 - s. ~~Planning and Development~~
 - t. ~~Land Charges~~
 - u. ~~Cemeteries and Bereavement services~~
6. ~~The Prosperous Communities Committee is responsible for overseeing an effective partnership approach throughout the Council. The Prosperous Communities Committee is responsible for approving protocols, delegations, including frameworks to inform decisions around partnership engagement. The Prosperous Communities Committee is the focus for forming partnerships with other local public, private, voluntary and community sector organisations **to address local needs** (where there is a financial implication this will need to be considered by the Corporate Policy and Resources Committee).~~

- ~~7. — Exercising the Council's statutory functions in these areas.~~
- ~~8. — Authorising the institution, prosecution or defence of any legal proceedings in connection with the functions of the committee.~~
- ~~9. — Adopting any relevant plans, strategies and policies other than those identified for adoption by the Council or the Corporate Policy and Resources Committee.~~
- ~~10. — To recommend fees and charges for service areas within its remit to Corporate Policy and Resources / full Council.~~
- ~~11. — To make appointments to be Member Champions deemed to be relevant to the remit of the Committee.~~

~~This Committee can meet concurrently with the Corporate Policy and Resources Committee.~~

