

Public Document Pack



TRAFFORD COUNCIL

Tuesday, 22 May 2018

Trafford Town Hall
Talbot Road
Stretford
M32 0TH

Dear Councillor,

Please find enclosed reports and updates in respect of the following items of business listed on the Summons for the **ANNUAL MEETING** of the Council on **WEDNESDAY, 23 MAY 2018**, at **6.00 P.M.** in the **COUNCIL CHAMBER, TRAFFORD TOWN HALL, TALBOT ROAD, STRETFORD**:

	Pages
6. Leader of the Council	
To consider a report of the Chief Executive.	1 - 4
7. Membership of the Executive	
To note the membership of the Executive Cabinet, including the Deputy Leader, as appointed by the Leader of the Council.	5 - 8
8. Shadow Executive	
To note the membership of the Shadow Executive.	To Follow
9. Council Committees	
To receive a report on the Committees of the Council, their composition, membership and terms of reference for the 2018/19 Municipal Year.	9 - 46
10. Appointments to Outside and Independent Bodies	
To receive a report on Council appointments to outside and independent bodies.	47 - 52
11. Timetable of Council and Committee Meetings	
To approve a timetable of meetings for 2018/19.	53 - 54

13. **Delegation of Functions and Amendments to the Constitution**

To receive a report of the Director of Legal and Democratic Services and Monitoring Officer. 55 - 144

Yours sincerely,

THERESA GRANT
Chief Executive

Membership of the Council

Councillors J. Coupe (Mayor), T. Ross (Deputy Mayor), D. Acton, S. Adshead, S.B. Anstee, S.K. Anstee, Dr. K. Barclay, J. Baugh, J. Bennett, Miss L. Blackburn, R. Bowker, C. Boyes, Mrs. A. Bruer-Morris, Mrs. J.E. Brophy, B. Brotherton, D. Bunting, D. Butt, T. Carey, M. Cawdrey, R. Chilton, G. Coggins, M. Cordingley, J. Dillon, A. Duffield, Mrs. L. Evans, N. Evans, M. Freeman, Mrs. D.L. Haddad, J. Harding, J. Holden, D. Hopps, M. Hyman, C. Hynes, D. Jarman, D. Jerrome, P. Lally, J. Lamb, J. Lloyd, S. Longden, E. Malik, A. Mitchell, P. Myers, A. New, E. Patel, K. Procter, J.R. Reilly, B. Rigby, B. Sharp, B. Shaw, J. Slater, E.W. Stennett, S. Taylor, S. Thomas, L. Walsh, A. Western, D. Western, M. Whetton, G. Whitham, A.M. Whyte, A.J. Williams, J.A. Wright, M. Young and Mrs. P. Young.

Further Information

For help, advice and information about this meeting please contact:

Ian Cockill, Democratic Services Officer
Tel: 0161 912 1387
Email: ian.cockill@trafford.gov.uk

This Supplementary Agenda was issued on **Tuesday, 22 May 2018** by the Legal and Democratic Services Section, Trafford Council, Trafford Town Hall, Talbot Road, Stretford M32 0TH

Any person wishing to photograph, film or audio-record a public meeting is requested to inform Democratic Services in order that necessary arrangements can be made for the meeting.

Please contact the Democratic Services Officer 48 hours in advance of the meeting if you intend to do this or have any queries.

TRAFFORD COUNCIL

Report to: Annual Meeting of the Council
Date: 23 May 2018
Report for: Decision
Report of: Chief Executive

Report Title

LEADER OF THE COUNCIL

Summary

To elect the Leader of the Council and note that the Leader will appoint the Deputy Leader, decide the composition of the Executive and appoint the Membership of the Executive.

Recommendation(s)

Council is requested to:

1. note the intended resignation of Councillor Sean Anstee as Leader of the Council with effect from 23 May 2018
2. elect a Leader of the Council.

Contact person for access to background papers and further information:

Name: Peter Forrester
Extension: 1815

Background Papers: None

1.0 Background

- 1.1 At its meeting on 2 December 2009, the Council approved a new style 'strong' Leader and Cabinet model of executive leadership, in accordance with the Local Government and Health Act 2007. The Act required changes to the leadership of Councils giving only two options, both of which place all executive powers in the hands of one individual, who, in the normal course of events, will serve an uninterrupted 4 year term. The Council's new Executive Arrangements came into operation on 6 May 2010.

2.0 Leader and Cabinet (Executive)

- 2.1 Under this model the Council generally appoints the Leader for a fixed term of office of 4 years. The Leader then appoints an Executive but also determines the size of the Executive (within the statutory minimum and maximum of 3 and 10 (including the Leader)). Under these Executive arrangements provision must be made for the appointment of a Deputy Leader with power to act in the Leader's absence. Again the Deputy Leader is appointed (and may also be removed) by the Leader.
- 2.2 The term of office of the Leader is from the date of election as Leader to the first annual meeting after their normal day of retirement as a councillor i.e. up to 4 years. Thus, a Leader needing to seek re-election as a councillor before the end of the maximum 4 year term will be elected for a shorter term.
- 2.3 The Council includes provisions in its Constitution whereby the Council may remove the Leader from office at any time. The Council's Constitution states that the Leader shall hold office until:
- (a) (s)he resigns from the office; or
 - (b) (s)he is disqualified from being a councillor; or
 - (c) (s)he is no longer a councillor; or
 - (d) the first Annual Meeting after their normal day of retirement as a councillor save that the Council may by resolution remove the Leader from office at an earlier date.

3.0 Resignation of Leader

- 3.1 Councillor Sean Anstee was appointed as Leader of the Council on 25 May 2016 for a period of four years (until May 2020). Councillor Anstee has indicated that he wishes to resign from the office on the 23 May 2018 and therefore the Annual Meeting needs to appoint a replacement as Leader.
- 3.2 I have received one nomination for the position of Leader of Councillor Andrew Western. Councillor Western was last elected onto the Council in May 2015 and if elected to the position would serve until 2019, subject to the provisions of the constitution outlined above.

4.0 Deputy Leader and Executive

- 4.1 The Leader is vested with all the authority's executive functions, initially holding all the Council's executive functions under their personal control. It is then for him/her to choose whether to exercise some or all of these functions personally or to make arrangements for their discharge by the executive, a committee of the executive, by an individual member of the executive, or by officers and these arrangements are generally notified at the Annual Meeting of the Council.

- 4.2 The constitution states that the Leader of the Council shall appoint an Executive Member as Deputy Leader with power to act in the Leader's absence.
- 4.3 Executive members are appointed by the Leader of the Council (including the executive member appointed as Deputy Leader) and they hold office until:
- (a) they resign from office; or
 - (b) (s)he is disqualified from being a councillor; or
 - (c) they are no longer councillors; or
 - (d) the Annual General Meeting following the meeting at which they are appointed to the Executive save that the Leader of the Council may remove them from office either individually or collectively at an earlier date.
- 4.4 If elected as Leader. Councillor Western has indicated that he would intend to appoint a further 9 Members to sit on the Executive. Details of his proposals for the Deputy Leader position and the composition of the Executive are set out in a separate report. The Executive Scheme of Delegation is also set out in a separate report.

5.0 Recommendations

- 5.1 Council is requested to:
- 1. note the intended resignation of Councillor Sean Anstee as Leader of the Council with effect from 23 May 2018
 - 2. elect a Leader of the Council.

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TRAFFORD COUNCIL

Report to: Annual Meeting of the Council
Date: 24 May 2017
Report for: Decision
Report of: Director of Legal and Democratic Services

Report Title

MEMBERSHIP OF THE EXECUTIVE

Summary

Each year the Leader will appoint the Deputy Leader, decide the composition of the Executive Cabinet and appoint the Membership of the Cabinet.

Recommendation(s)

The Council is requested to note:

1. that the Leader of the Council has determined that the Executive shall comprise himself plus 9 councillors;
2. the appointment of the Deputy Leader and Membership of the Executive for 2018/19, as agreed by the Leader of the Council and set out in the Appendix to the report.

Contact person for access to background papers and further information:

Name: Ian Cockill
Extension: 1387

Background Papers: Local Government and Health Act 2007
Constitution of the Council

1.0 Background

- 1.1 Under the Leader and Cabinet Model operated by the Council, the Leader of the Council determines the size of the Cabinet (within the statutory minimum and maximum of 3 and 10). Under these executive arrangements provision must be made for the appointment of a Deputy Leader with power to act in the Leader's absence. The Deputy Leader is appointed (and may also be removed) by the Leader.
- 2.2 The Leader is vested with all the authority's executive functions, initially holding all the Council's executive functions under their personal control. It is then for him/her to choose whether to exercise some or all of these functions personally or to make arrangements for their discharge by the executive, a committee of the executive, by an individual member of the executive, or by officers and these will be notified at the Annual Meeting of the Council (in a separate report on the agenda).
- 2.3 Executive members appointed by the Leader of the Council (including the Executive Member appointed as Deputy Leader) shall hold office until:
 - (a) they resign from office; or
 - (b) (s)he is disqualified from being a councillor; or
 - (c) they are no longer councillors; or
 - (d) the Annual General Meeting following the meeting at which they are appointed to the Executive save that the Leader of the Council may remove them from office either individually or collectively at an earlier date.

MEMBERSHIP OF THE EXECUTIVE 2018/19

<u>Councillor</u>	<u>PORTFOLIO</u>
Andrew Western	Leader of the Council
Catherine Hynes (Deputy Leader)	Equalities and Partnerships
Joanne Harding	Adult Social Care
Jane Baugh	Children's Services
Kevin Procter	Communities and Housing
Mike Freeman	Constitutional Reform and Resident Engagement
Steven Adshead	Environmental, Air Quality and Climate Change
Mike Cordingley	Finance
Judith Lloyd	Health and Wellbeing
James Wright	Investment, Regeneration and Strategic Planning

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TRAFFORD COUNCIL

Report to: Annual Meeting of the Council
Date: 23 May 2018
Report for: Decision
Report of: Director of Legal and Democratic Services

Report Title

COUNCIL COMMITTEES

Summary

To agree the Committees of the Council, their size, political composition, membership and terms of reference for the 2018/19 municipal year.

Recommendation(s)

- 1) That the Standing Committees and their composition, as set out in Appendix 1 to the report, including the establishment of a Children and Young People's Scrutiny Committee, be approved.
- 2) That the Terms of Reference for each Committee, as set out in Appendix 2 to the report, be approved.
- 3) That the membership of Committees for the 2018/19 municipal year, as set out in Appendix 3* to the report, be approved.
- 4) That the appointment of Committee Chairs and Vice-Chairs, as set out in Appendix 3*, be approved and the nomination of Opposition Spokespersons (where appropriate), be noted.
- 5) That the Licensing Committee be recommended to appoint the membership of the Safety at Sports Grounds Sub-Committee and as set out in Appendix 4.
- 6) That the Appointments and Appeals Panel be formally appointed, the membership for which will be drawn from all members of the Council.

[When sitting, the Panel shall comprise a smaller number of members selected for specific purposes and shall be politically balanced. When acting as an Appeals Panel, the membership shall be restricted to a pool of Members who have undertaken the necessary Members Appeals Training. Please refer to the Terms of Reference (Appendix 2) for details on the role of this Panel.]

- 7) That the Council appoints to the Health and Wellbeing Board, as set out in Appendix 5, and the Board be recommended to endorse the Council's membership.
- 8) That the membership of the Joint Health Scrutiny Committee, as set out in Appendix 6, be approved.

- 9) That the Council delegate to the Chief Executive, in accordance with the written request of the relevant Group Leader, the power and authority to change the membership of committees and sub-committees as may be needed from time to time.

Contact person for access to background papers and further information:

Name: Ian Cockill
Extension: 1387

Background Papers: None.

1. COMPOSITION OF COUNCIL COMMITTEES

1.1 In accordance with the provisions of the Local Government and Housing Act 1989, the Chief Executive has been informed of the following political groups on the Council:-

- Labour Group - 30 members
- Conservative Group - 29 members
- Liberal Democrat Group - 2 members
- Green Party Group - 2 members

1.2 The regulations require that the composition of committees is in accordance with the political balance of the 63 members of the Council and that this is reviewed as a result of any changes to that balance.

1.3 Subject to the need to allocate each political group a total allocation of seats in proportion to its strength on the Council, the Membership of each Ordinary Committee should be made up of the following proportions: -

- Labour (30/63) - 47.6%
- Conservative (29/63) - 46.0%
- Liberal Democrat (2/63) - 3.2%
- Green Party (2/63) - 3.2%

1.4 The proposed Committee structure is set out in Appendix 1.

PROPOSED COMMITTEE ENTITLEMENTS FOR THE MUNICIPAL YEAR 2018/19

Committee	No. of Members	Ex-officio Members	Co-opted Members	Proposed Places			
				LAB	CON	L/D	GP
<u>Ordinary Committees</u>							
Accounts and Audit	7	-	-	4	3	0	0
Employment	7	-	-	4	3	0	0
Planning and Development Management	13	-	-	6	6	0	1
Licensing *	15	-	-	7	7	0	1
Standards	11	-	5^^	5	5	1	0
Scrutiny	11	2#	-	5	5	1	1
Health Scrutiny	11	2#	-	5	5	1	0
Children and Young Peoples Scrutiny	11	2#	5^	5	5	0	1
POLITICALLY BALANCED PLACINGS (excluding other Committees)	86	6	10	41	39	3	3
<u>Other Committee(s)</u>							
Health and Wellbeing Board**	5	-	17^^^	3	1	1	0
OVERALL PLACINGS	91	6	27	44	40	4	3

* Committees for which political balance rules may be disapplied

** Committee for which political balance rules do not apply

The Chairmen of the three Scrutiny Committees shall be appointed as ex-officio non-voting members on each of the other Committees.

^ 2 Church and 3 Parent-Governor representatives

^^ 2 Parish representatives and 3 Independent members

^^^ Corporate Director of Children, Families and Wellbeing plus 16 External Partners

ACCOUNTS AND AUDIT COMMITTEE

Statement of Purpose

The purpose of the committee is to provide independent assurance of the adequacy of the risk management framework and the associated control environment, independent scrutiny of the Authority's financial and non financial performance to the extent that it affects the Authority's exposure to risk and weakens the control environment, and to oversee the financial reporting process.

Composition

Membership of the Audit and Accounts Committee shall comprise 7 Members, be politically balanced and shall not include any Members of the Executive. A non voting member, with appropriate skills and experience, may be co-opted on to the Committee with the approval of the Council.

Terms of Reference

Internal and External Audit

- a) Review and approve (but not direct) the terms of reference for Internal Audit, an Internal Audit strategy and internal audit resourcing.
- b) Review and approve (but not direct) the annual Internal Audit work programme. Consider the proposed and actual Internal Audit coverage and whether this provides adequate assurance on organisations main business risks, review the performance of Internal Audit.
- c) Receive summary internal audit reports and seek assurance on the adequacy of management response to internal audit advice, recommendations and action plans.
- d) Review arrangements made for cooperation between Internal Audit, External Audit and other review bodies and ensure that there are effective relationships which actively promote the value of the audit process.
- e) Receive the Annual Internal Audit report and opinion.
- f) Review and consider proposed and actual External Audit coverage and its adequacy and consider the reports of external audit and inspection agencies.
- g) Receive updates from External Audit on External Audit findings and opinions (including the audit of the annual financial statements and the value for money conclusion) and seek assurance on the adequacy of management response to External Audit advice, recommendations and action plans.

Risk Management

- a) Review the adequacy of arrangements for identifying and managing the organisation's business risks, including partnerships with other organisations. This includes review of the Council's risk management policy and strategy and their implementation.

- b) Review the robustness of the strategic risk register and the adequacy of associated risk management arrangements.
- c) Receive and consider regular reports on the risk environment and associated management action.

Internal Control Arrangements, Corporate Governance and the Annual Governance Statement

- a) Review the effectiveness of corporate governance arrangements and internal control across the organisation and the adequacy of action taken to address any weaknesses or control failures.
- b) Conduct a review of the draft Annual Governance Statement (AGS), which is a key assurance statement required to be completed each year in accordance with the Accounts and Audit Regulations 2015.
- c) Approve the final version of the Annual Governance Statement.

Anti - Fraud and Corruption Arrangements

- a) Review and ensure the adequacy of the organisation's Anti – Fraud & Corruption policy and strategy and the effectiveness of their application throughout the Authority.
- b) Review and ensure that adequate arrangements are established and operating to deal with situations of suspected or actual fraud and corruption.

Accounts

- a) Approve the annual Statement of Accounts, including subsequent amendments.
- b) Consider the External Auditor's report on the audit of the annual financial statements.
- c) Be responsible for any matters arising from the audit of the Council's accounts, including the auditor's opinion on the accounts, identification of any misstatements, comments on the accounting and internal control systems and qualitative aspects of accounting practices and financial reporting.

Access and Reporting

- a) To have the right of access to senior officers and all committees of the Council.
- b) To report directly to the Executive or Council, as appropriate, on matters within these terms of reference.

Delegation

In exercising the power and duties assigned to the Committee in its terms of reference, the Audit and Accounts Committee shall have delegated power to resolve and to act on behalf of and in the name of the Council.

EMPLOYMENT COMMITTEE

Terms of Reference

1. To determine collective and corporate terms and conditions of employment.
2. To consider any matter referred to the Committee by the Head of Paid Service or Corporate Director Transformation and Resources.
3. To consider, approve and adopt any new or significant revision to existing corporate human resources strategies and policies in so far as they relate to the appointment, terms and conditions of employment and dismissal of staff.
4. To determine any other matters relating to the appointment, terms and conditions of employment and dismissal of staff which are neither covered by policies of the Council nor delegated to Officers under the Scheme of Delegation.

Delegation

The Executive Member with responsibility for Strategic HR and the Corporate Director Transformation and Resources will notify/keep the Committee informed of all other relevant HR related issues, as required.

In exercising the above powers and responsibilities, the Committee shall have delegated power (subject to Council Procedure Rule 9 - Call-in of Decisions taken under Delegated Powers) to make decisions on behalf of the Council, except for any matter where:

- the Head of the Paid Service determines the matter should be considered by full Council, or
- the Council has resolved to determine the matter

[Note: The Committee may itself determine not to exercise its delegated powers and instead make recommendations to Council]

LICENSING COMMITTEE

Terms of Reference

1. To exercise the Council's licensing functions under the Licensing Act 2003 with the exception of any function conferred on the Council under Section 5 of the Act (statement of licensing policy).
2. In respect of each 5 year period, in consultation with the Executive, to formulate or prepare for approval by the Council its policy with respect to the exercise of its licensing functions under the Licensing Act 2003.
3. To keep the policy with respect to the exercise of its licensing functions under the Licensing Act 2003 under review and recommend any revisions to the policy to the Council.
4. To exercise the Council's licensing functions under the Gambling Act 2005 with the exception of any function conferred on the Council under Section 349 of the Act (statement of licensing policy).
5. To exercise powers in relation to the following functions as specified in Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000:
 - (i) all licensing and registration functions except those relating to town and country planning and the regulation of the use of the highway;
 - (ii) functions under any 'relevant statutory provision' within the meaning of Part I of the Health and Safety at Work Act 1974, to the extent that those functions are discharged otherwise than in the Council's capacity as employer; and
 - (iii) associated functions under any local Act.
6. To establish one or more Sub-Committees under Section 10(1) of the Licensing Act 2003 and Section 154 of the Gambling Act 2005 consisting of three members of the Licensing Committee for the discharge of functions exercisable by the Committee under the Licensing Act 2003 and the Gambling Act 2005. The functions to be exercised by the Sub-Committees include the functions set out at Appendix 1 and Appendix 2. Licensing Act and Gambling Act Sub-Committees shall be chaired in accordance with the protocol set out at Appendix 3.
7. To establish a Safety at Sports' Grounds Sub-Committee consisting of three Members of Council to oversee the exercise of the Council's functions in relation to safety at sports' grounds.
8. To establish a Public Protection Sub-Committee for the discharge of all other licensing, registration and regulatory functions within the terms of reference of the Licensing Committee not covered by the sub-committees in paragraphs 6 and 7 above. That in establishing a Public Protection Sub-Committee this is to be a Sub-Committee of 9 Members (5:3:1) with up to 5 substitute Members for the Sub-Committee Members being allowed (3:2:0). The substitute Members for the Sub-Committee can only be nominated from the membership of the Licensing Committee.

Delegation

In exercising the power and duties assigned to them in their terms of reference, the Licensing Committee shall have delegated power to resolve and to act on behalf of and in the name of the Council.

Appendix 1 to the Licensing Committee's Terms of Reference

Delegated Functions

Licensing Act

TABLE OF DELEGATED FUNCTIONS

Matter to be dealt with	Full Committee	Sub Committee	Officers
Application for personal licence		If a police objection is made	If no objection is made
Application for personal licence with unspent convictions		All Cases	
Application for premises licence/club premises certificate		If a relevant representation is made	If no relevant representation is made
Application for provisional statement		If a relevant representation is made	If no relevant representation is made
Application to vary premises licence/club premises certificate		If a relevant representation is made	If no relevant representation is made
Application to vary designated premises supervisor		If a police objection is made	All other cases
Request to be removed as designated premises supervisor			All cases
Application for transfer of premises licence		If a police objection is made	All other cases
Application for interim authorities		If a police objection is made	All other cases
Application to review premises licence/club premises certificate		All cases	
Decision to Serve Counter Notice to Temporary Event Notice		All cases	

Appendix 2 to the Licensing Committee's Terms of Reference

Delegated Functions

Gambling Act

TABLE OF DELEGATED FUNCTIONS

Matter to be dealt with	Full Council	Sub-Committee of Licensing Committee	Officers
Final approval of three year licensing policy	X		
Policy not to permit casinos	X		
Fee setting (when appropriate)			X
Application for premises licences		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Application for a transfer of a licence		Where representations have been received from the Commission	Where no representations received from the Commission
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Review of a premises licence		X	
Application for club gaming/club machine permits		Where objections have been made (and not withdrawn)	Where no objections made/objections have been withdrawn
Cancellation of club gaming/club machine permits		X	
Application for other permits			X
Cancellation of licensed premises gaming machine permits			X
Consideration of temporary use notice			X
Decision to give a counter notice to a temporary use notice		X	

Appendix 3 to the Licensing Committee's Terms of Reference

List of proposed Chairs

Name	Order of Priority
Chair of Licensing Committee	1
Vice-Chair of Licensing Committee	2
Opposition Spokesperson for Licensing Committee	3
Member of Licensing Committee	4
Member of Licensing Committee	5

Note: the order of priority is applicable when more than one chair is a member of the same Sub-Committee.

PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE

Terms of Reference

1. To exercise powers in relation to planning and development management over development proposals in the Borough in the context of Government and Council policies and guidance in order to maintain and improve the quality of life and the natural and built environment of the Borough.
2. To exercise powers in relation to the following functions as specified in schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, as amended:
 - (i) town and country planning;
 - (ii) the protection and registration of common land or town and village greens and to register the variation of rights of common; and
 - (iii) the exercise of powers relating to the regulation of the use of highways.
3. To exercise powers under Section 101 of the Local Government Act 1972 in respect of the discharge of functions under the Planning Acts to any other local authority.

Delegation

In exercising the power and duties assigned to them in their terms of reference, the Planning and Development Management Committee shall have delegated power to resolve and to act on behalf of and in the name of the Council.

STANDARDS COMMITTEE

Terms of Reference

1. To promote and maintain high standards of conduct.
2. To make recommendations to Council on the council's code of conduct and its register of interests.
3. To determine by way of its Hearing Panel whether a breach of the code has occurred; if so, whether to take any action and, if so, what action to take.
4. To determine appeals from the Monitoring Officer's decision on dispensations.

Delegation

In exercising the power and duties assigned to the Committee in its terms of reference, the Standards Committee shall have delegated power to resolve and to act on behalf of and in the name of the Council.

SCRUTINY COMMITTEE

Terms of Reference

1. To act as the Council's Overview and Scrutiny Committee and Crime and Disorder Committee for the purposes of all relevant legislation including, but not limited to, the Local Government Act 2000 (as amended), and Police and Justice Act 2006.
2. The Committee will also be responsible for the review and scrutiny of decisions made or actions taken in connection with the provision, planning and management of education in the borough of Trafford and, in particular, all of the functions of the Council as an education authority under the Education Acts, School Standards and Framework Act 1998 and all other relevant legislation in force from time to time. Co-opted Members will be appointed to discuss education matters and will attend the Scrutiny Committee when they consider education matters.

General Role

3. Subject to statutory provision, to review and scrutinise decisions made or actions taken in connection with the discharge by the Council of its functions and by relevant partner authorities.
4. In relation to the above functions:
 - a) to make reports and/or recommendations to the full Council, Executive of the Council, any joint committee or any relevant partner authority as appropriate
 - b) to consider any matter affecting the area or its inhabitants
5. In relation to any function within the remit of this Committee:-
 - a) as set out in (b) below to exercise the power to call in, for reconsideration, executive decisions made but not yet implemented set out in Section 21(3) of the Local Government Act 2000.
 - b) The call-in of an executive decision is to be exercised as follows:-
 - i) the decision must not have been designated as urgent by the decision taker
 - ii) the request to call in a decision must be made within 5 working days of the decision being published
 - iii) any 3 members of an overview and scrutiny committee or select committee can ask the Chairman of this Committee or, in his/her absence, the Vice-Chairman to call in an executive decision
 - iv) in deciding whether or not to approve the request to call in a decision, the Chairman or Vice-chairman may consult the Vice-Chairman and the chairmen of the Select Committees as appropriate
 - v) if the Chairman, or Vice-Chairman as appropriate, approve the call in of a decision the request to call in the decision must be made to the Chief Executive within the timescale set out in (ii) above

- vi) the Chairman may decide, after consulting as appropriate, to call in a decision whether or not a request under (iii) has been received.
- 6. To put in place and maintain a system to ensure that referrals from overview and scrutiny to the Executive, either by way of report or for reconsideration, are managed efficiently and do not exceed the limits set out in the Constitution.
- 7. At the request of the Executive, to make decisions about the priority of referrals made in the event of reports to the Executive exceeding limits in the Constitution, or if the volume of such reports creates difficulty for the management of executive business or jeopardises the efficient running of Council business.
- 8. To report annually to full Council on its workings, set out their plans for future work programmes and amended working methods if appropriate.

Specific functions

- 9. Maintain a strategic overview of progress towards the achievement of the ambitions and priorities within Trafford's Sustainable Community Strategy.
- 10. Identify the Committee's strategic priorities and determine the Overview and Scrutiny work programme to facilitate constructive evidence based critical-friend challenge to policy makers and service providers within the resources available.
- 11. Assist and advise the Council in the continued development of the Overview and Scrutiny function within Trafford.
- 12. Receive, consider and action as appropriate requests:
 - a) from the Executive in relation to particular issues; and
 - b) on any matters properly referred to the Committee
- 13. Identify areas requiring in-depth review and allocate these to an appropriate Topic Group. The Committee in consultation with the leader of the relevant Topic Group will set the terms of reference, scope and time frame for the review by the Topic Group.
- 14. In relation to the terms of reference of the Committee it may:
 - a) assist the Council and the Executive in the development of its budget and policy framework by in-depth analysis of policy issues;
 - b) review and scrutinise the decisions made by and performance of the Executive and/or committees and Council officers both in relation to individual decisions and over time;
 - c) review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;
 - d) review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the overview and scrutiny committee and local people about their activities and performance;

- e) conduct research, community and other consultation as it deems appropriate in the analysis of policy issues and possible options;
- f) question and gather evidence from any other person with their consent.
- g) consider and implement mechanisms to encourage and enhance community participation in the development of policy options;
- h) question members of the Executive and/or committees, senior officers of the Council and representatives of relevant partner authorities on relevant issues and proposals affecting the area and about decisions and performance;
- i) liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working; and
- j) undertake any other activity that assists the Committee in carrying out its functions.

Delegation

15. The Scrutiny Committee shall have all delegated power to exercise the power and duties assigned to them in their terms of reference.

HEALTH SCRUTINY COMMITTEE

Terms of Reference

1. To act as the Council's Overview and Scrutiny Committee for the purposes of all relevant legislation including, but not limited to the Health and Social Care Act 2001 and the National Health Service Act 2006.
2. All health scrutiny powers provided under the Health and Social Care Act 2001 are delegated to the Health Scrutiny Committee.
3. The Health Scrutiny Committee will have the power to refer a proposed substantial variation in service delivery to the Secretary of State. If the Committee wish to exercise this power, then this must also be agreed by the Chairman of the Scrutiny Committee who will be an ex-officio member of the Health Committee and will hold the power of veto in respect of any proposed referral of a substantial variation to the Secretary of State.

General Role

4. Subject to statutory provision, to review and scrutinise decisions made or actions taken in connection with the discharge by the Council of its functions and by relevant partner authorities in relation to health and well-being issues.
5. In relation to the above functions:
 - a) to make reports and/or recommendations to the full Council, Executive of the Council, any joint committee or any relevant partner authority as appropriate
 - b) to consider any matter affecting the area or its inhabitants
6. To put in place and maintain a system to ensure that referrals from the Health Scrutiny Committee to the Executive, either by way of report or for reconsideration, are managed efficiently and do not exceed the limits set out in the Constitution.
7. At the request of the Executive, to make decisions about the priority of referrals made in the event of reports to the Executive exceeding limits in the Constitution, or if the volume of such reports creates difficulty for the management of executive business or jeopardises the efficient running of Council business.
8. To report annually to full Council on its workings, set out their plans for future work programmes and amended working methods if appropriate.

Specific functions

9. Maintain a strategic overview of progress towards the achievement of the ambitions and priorities within Trafford's Sustainable Community Strategy in relation to health and well-being matters.
10. Identify the Committee's strategic priorities and determine the Overview and Scrutiny work programme to facilitate constructive evidence based critical-friend challenge to policy makers and service providers within the resources available.
11. Assist and advise the Council in the continued development of the Overview and Scrutiny function within Trafford.

12. Receive, consider and action as appropriate requests:
 - a) from the Executive in relation to particular issues; and
 - b) on any matters properly referred to the Committee
13. Identify areas requiring in-depth review and allocate these to an appropriate Topic Group. The Committee in consultation with the leader of the relevant Topic Group will set the terms of reference, scope and time frame for the review by the Topic Group.
14. In relation to the terms of reference of the Committee it may:
 - a) assist the Council, Executive and shadow Health and Well-being Board in the development of its budget and policy framework by in-depth analysis of policy issues;
 - b) review and scrutinise the decisions made by and performance of the Executive and/or committees and Council officers both in relation to individual decisions and over time;
 - c) review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;
 - d) review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the overview and scrutiny committee and local people about their activities and performance;
 - e) conduct research, community and other consultation as it deems appropriate in the analysis of policy issues and possible options;
 - f) question and gather evidence from any other person with their consent.
 - g) consider and implement mechanisms to encourage and enhance community participation in the development of policy options;
 - h) question members of the Executive and/or committees, senior officers of the Council and representatives of relevant partner authorities on relevant issues and proposals affecting the area and about decisions and performance;
 - i) liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working; and
 - j) undertake any other activity that assists the Committee in carrying out its functions.

Delegation

15. The Health Scrutiny Committee shall have all delegated power to exercise the power and duties assigned to them in their terms of reference.

CHILDREN AND YOUNG PEOPLE'S SCRUTINY COMMITTEE

Terms of Reference

1. The Committee will be responsible for the review and scrutiny of decisions made or actions taken in connection with the provision, planning and management of education in the borough of Trafford and, in particular, all of the functions of the Council as an education authority under the Education Acts, School Standards and Framework Act 1998 and all other relevant legislation in force from time to time. Co-opted Members will be appointed to discuss education matters and will attend the Scrutiny Committee when they consider education matters.
2. To review and scrutinise decisions made or actions taken in connection with:
 - (a) the provision, planning and management of children's and young people's services and community lifelong learning in the borough of Trafford;
 - (b) all functions of the council insofar as they relate to the provision of opportunities for education, training and learning outside the school environment, including pre-school, adult and community learning.
3. The development of the council's LEA Strategic Plan (incorporating the Education Development Plan) and the Early Years Development Plan.

General Role

4. Subject to statutory provision, to review and scrutinise decisions made or actions taken in connection with the discharge by the Council of its functions and by relevant partner authorities.
5. In relation to the above functions:
 - (a) to make reports and/or recommendations to the full Council, Executive of the Council, any joint committee or any relevant partner authority as appropriate.
 - (b) to consider any matter affecting the area or its inhabitants.
6. To put in place and maintain a system to ensure that referrals from the Children and Young People's Scrutiny Committee to the Executive, either by way of report or for reconsideration, are managed efficiently and do not exceed the limits set out in the Constitution.
7. At the request of the Executive, to make decisions about the priority of referrals made in the event of reports to the Executive exceeding limits in the Constitution, or if the volume of such reports creates difficulty for the management of executive business or jeopardises the efficient running of Council business.
8. To report annually to full Council on its workings, set out their plans for future work programmes and amended working methods if appropriate.

Specific functions

9. Identify the Committee's strategic priorities and determine the Overview and Scrutiny work programme to facilitate constructive evidence based critical-friend challenge to policy makers and service providers within the resources available.
10. Assist and advise the Council in the continued development of the Overview and Scrutiny function within Trafford.
11. Receive, consider and action as appropriate requests:
 - (a) from the Executive in relation to particular issues; and
 - (b) on any matters properly referred to the Committee.
12. Identify areas requiring in-depth review and allocate these to an appropriate Topic Group. The Committee in consultation with the leader of the relevant Topic Group will set the terms of reference, scope and time frame for the review by the Topic Group.
13. In relation to the terms of reference of the Committee it may:
 - (a) assist the Council and the Executive in the development of its budget and policy framework by in-depth analysis of policy issues;
 - (b) review and scrutinise the decisions made by and performance of the Executive and/or committees and Council officers both in relation to individual decisions and over time;
 - (c) review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;
 - (d) review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the overview and scrutiny committee and local people about their activities and performance;
 - (e) conduct research, community and other consultation as it deems appropriate in the analysis of policy issues and possible options;
 - (f) question and gather evidence from any other person with their consent.
 - (g) consider and implement mechanisms to encourage and enhance community participation in the development of policy options;
 - (h) question members of the Executive and/or committees, senior officers of the Council and representatives of relevant partner authorities on relevant issues and proposals affecting the area and about decisions and performance;
 - (i) liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working; and
 - (j) undertake any other activity that assists the Committee in carrying out its functions.

Delegation

14. The Children and Young People's Scrutiny Committee shall have all delegated power to exercise the power and duties assigned to them in their terms of reference.

APPOINTMENTS AND APPEALS PANEL

To act as the Council's appeals body regarding appeals other than those for which specific arrangements have been established.

To be responsible for staff appointment and related matters regarding:

- short-listing applicants and appointments of Corporate Directors and Directors;
- short-listing applicants and appointments of Joint Council / Trafford Clinical Commissioning Group Director level posts. Appointment panels to consist of one member from each political party and 2 from the Governing Body;
- appeals in accordance with the disciplinary and grievance procedures;
- appeals by employees against grading.

HEALTH AND WELLBEING BOARD

Terms of Reference

1. To provide strong leadership and direction of the health and wellbeing agenda by agreeing priority outcomes for health and wellbeing.
2. To develop a shared understanding of the needs of the local population and lead the statutory Joint Strategic Needs Assessment (JSNA).
3. To seek to meet those needs by producing a Joint Health and Wellbeing Strategy for Trafford and ensure that it drives commissioning of relevant services.
4. To drive a genuine collaborative approach to commissioning of improved health and care services which improve the health and wellbeing of local people and reduces health inequalities.
5. To promote joined-up commissioning plans across the NHS, social care and public health.
6. To have oversight of local Clinical Commissioning Group (CCG) and local authority commissioning plans.
7. To operate as a thematic partnership within the context of the Sustainable Community Strategy Trafford 2021 and align its work to the Trafford Partnership in that capacity.
8. To improve local democratic accountability and engage with the Health and Wellbeing Forum which includes Trafford residents, service providers and other key stakeholders to understand health and wellbeing needs in Trafford.
9. To monitor and review the delivery of health and wellbeing improvements and outcomes through robust performance monitoring.

Item 9: APPENDIX 3

TRAFFORD COUNCIL

MEMBERSHIP OF COMMITTEES 2018/19

Note on Membership: In accordance with Chartered Institute of Public Finance and Accountancy (CIPFA) recommended practice the Chair and Vice-Chair of the Accounts and Audit Committee should not also be a Chair or Vice-Chair of an Overview and Scrutiny Committee / Select Committee.

COMMITTEE		NO. OF MEMBERS	
ACCOUNTS AND AUDIT		7	
LABOUR GROUP	CONSERVATIVE GROUP	LIBERAL DEMOCRAT GROUP	GREEN PARTY GROUP
Councillors:	Councillors:	Councillors:	Councillors:
Barry Brotherton CH Jayne Dillon Liz Patel V-CH Jane Slater	<i>Nominations to follow</i>		
TOTAL	4	3	0
		0	0

TRAFFORD COUNCIL

MEMBERSHIP OF COMMITTEES 2018/19

Note on Membership: Members of the Employment Committee will also be appointed as representatives of the Council (Employer's Side) on the Joint Consultative Panel.

COMMITTEE		NO. OF MEMBERS	
EMPLOYMENT		7	
LABOUR GROUP	CONSERVATIVE GROUP	LIBERAL DEMOCRAT GROUP	GREEN PARTY GROUP
Councillors:	Councillors:	Councillors:	Councillors:
David Acton Joanne Bennett CH Jane Slater V-CH Graham Whitham	<i>Nominations to follow</i>		
TOTAL	4	3	0
		0	0

TRAFFORD COUNCIL

MEMBERSHIP OF COMMITTEES 2018/19

Notes on Membership:

(1) It is advisable that the number of members serving on both the Licensing and Planning and Development Management Committees in each political group is kept to a minimum to ensure that the potential for conflicts of interest is kept to a minimum.

(2) All Licensing Committee Members may be called upon as Members of the Licensing Sub-Committee, the meetings for which are held during the working day. Therefore, it would be preferable if Members serving on this Committee could also be available during the day time.

COMMITTEE		NO. OF MEMBERS	
LICENSING		15	
LABOUR GROUP	CONSERVATIVE GROUP	LIBERAL DEMOCRAT GROUP	GREEN PARTY GROUP
Councillors:	Councillors:	Councillors:	Councillors:
Barry Brotherton Anne Duffield CH David Jarman V-CH Steven Longden Ejaz Malik Whit Stennett Simon Thomas	<i>Nominations to follow</i>	-	Daniel Jerrome
TOTAL	7	0	1

TRAFFORD COUNCIL

MEMBERSHIP OF COMMITTEES 2018/19

Note on Membership: It is advisable that the number of members serving on both the Planning & Development Management and Licensing Committees in each political group is kept to a minimum to ensure that the potential for conflicts of interest is kept to a minimum.

COMMITTEE		NO. OF MEMBERS		
PLANNING AND DEVELOPMENT MANAGEMENT		13 (plus 7 Substitutes)		
LABOUR GROUP	CONSERVATIVE GROUP	LIBERAL DEMOCRAT GROUP	GREEN PARTY GROUP	
Councillors:	Councillors:	Councillors:	Councillors:	
Steven Longden Ejaz Malik Liz Patel Whit Stennett Laurence Walsh CH Aidan Williams V-CH	<i>Nominations to follow</i>	-	Geraldine Coggins	
TOTAL	6	6	0	1

**Substitute
Members:**

Jayne Dillon Denise Western Graham Whitham	<i>Nominations to follow</i>	Daniel Jerrome	
(3)	(3)	(0)	(1)

TRAFFORD COUNCIL

MEMBERSHIP OF COMMITTEES 2018/19

COMMITTEE		NO. OF MEMBERS	
STANDARDS		11	
		+ 2 PARISH REPRESENTATIVES + 3 INDEPENDENT MEMBERS	
		+ 2 INDEPENDENT PERSONS (of the Hearing Panel)	
LABOUR GROUP	CONSERVATIVE GROUP	LIBERAL DEMOCRAT GROUP	GREEN PARTY GROUP
Councillors:	Councillors:	Councillors:	Councillors:
Mike Freeman David Jarman Laurence Walsh Denise Western Amy Whyte CH	<i>Nominations to follow</i>	Ray Bowker	-
TOTAL	5	5	1
			0

NON-VOTING CO-OPTees (5)

2 Parish Representatives: **Mr. A. Rudden** and **Mr. S. Neild**

3 Independent Members: **Mr. D. Goodman**, **Mr. C. Griffiths** and **Mr. R. Brown**

INDEPENDENT PERSONS OF THE HEARING PANEL (2)

(under Section 28 of the Localism Act 2011): **Ms. N. Jackson** and **Mr. M. Whiting**

TRAFFORD COUNCIL

MEMBERSHIP OF COMMITTEES 2018/19

Notes on Membership:

(1) The Scrutiny Committee shall have a membership of 11, or, where this does not achieve the political balance required under the Local Government and Housing Act 1989, whatever figure is necessary to reflect the proportional representation of political groups.

(2) The Scrutiny Committee shall be chaired by a Councillor who is a member of the largest political group on the Council. The person appointed as Vice-Chair shall not be a member of the same political group as the person appointed as Chair.

(3) The Chairs of both the Health Scrutiny Committee and the Children and Young People's Scrutiny Committee shall be appointed as ex-officio Members of the Scrutiny Committee.

COMMITTEE		NO. OF MEMBERS	
SCRUTINY COMMITTEE		11	
(plus the Chair of the Health Scrutiny Committee as an ex-officio Non-Voting Member)			
LABOUR GROUP	CONSERVATIVE GROUP	LIBERAL DEMOCRAT GROUP	GREEN PARTY GROUP
Councillors:	Councillors:	Councillors:	Councillors:
David Acton CH Adele New Sophie Taylor Simon Thomas Aidan Williams	<i>Nominations to follow</i>	Ray Bowker	-
TOTAL	5	1	0

TRAFFORD COUNCIL

MEMBERSHIP OF COMMITTEES 2018/19

Notes on Membership:

(1) The Health Scrutiny Committee shall have a membership of 11, or, where this does not achieve the political balance required under the Local Government and Housing Act 1989, whatever figure is necessary to reflect the proportional representation of political groups.

(2) The Health Scrutiny Committee shall be chaired by a Councillor who is not a member of the largest political group on the Council, unless there is no such person serving on the Committee. The person appointed as Vice-Chair shall be a member of the largest political group on the Council.

(3) The Chairs of both the Scrutiny Committee and the Children and Young People's Scrutiny Committee shall be appointed as ex-officio Members of the Health Scrutiny Committee.

COMMITTEE		NO. OF MEMBERS		
HEALTH SCRUTINY COMMITTEE		11		
(plus the Chair of the Scrutiny Committee as an ex-officio Non-Voting Member)				
LABOUR GROUP	CONSERVATIVE GROUP	LIBERAL DEMOCRAT GROUP	GREEN PARTY GROUP	
Councillors:	Councillors:	Councillors:	Councillors:	
Joanne Bennett Anne Duffield Steven Longden Jane Slater Sophie Taylor V-CH	<i>Nominations to follow</i>	Mrs. Jane Brophy	-	
TOTAL	5	5	1	0

TRAFFORD COUNCIL

MEMBERSHIP OF COMMITTEES 2018/19

Notes on Membership:

(1) The Children and Young Peoples Scrutiny Committee shall have a membership of 11, or, where this does not achieve the political balance required under the Local Government and Housing Act 1989, whatever figure is necessary to reflect the proportional representation of political groups.

(2) The Scrutiny Committee shall be chaired by a Councillor who is a member of the largest political group on the Council. The person appointed as Vice-Chair shall not be a member of the same political group as the person appointed as Chair.

(3) The Children and Young Peoples Scrutiny Committee shall appoint co-opted Members when that committee considers education matters.

(4) The Chairs of both the Scrutiny Committee and the Health Scrutiny Committee shall be appointed as ex-officio Members of the Children and Young People's Scrutiny Committee.

COMMITTEE		NO. OF MEMBERS		
CHILDREN AND YOUNG PEOPLE'S SCRUTINY COMMITTEE		11		
		+ 5 CO-OPTED MEMBERS + 3 NON-VOTING MEMBERS (when considering Education matters)		
LABOUR GROUP	CONSERVATIVE GROUP	LIBERAL DEMOCRAT GROUP	GREEN PARTY GROUP	
Councillors:	Councillors:	Councillors:	Councillors:	
Jayne Dillon Adele New Denise Western CH Graham Whitham Amy Whyte	<i>Nominations to follow</i>	-	Daniel Jerrome	
TOTAL	5	5	0	1

CHILDREN AND YOUNG PEOPLES SCRUNTINY COMMITTEE CO-OPTED MEMBERS FOR EDUCATION MATTERS

Church of England (*VOTING MEMBER*): ***Vacancy***

Roman Catholic (*VOTING MEMBER*): **Sister P. Goodstadt**

Parent-Governor Representatives

Primary (*VOTING MEMBER*): **Ms Saadia Shearaz Khan**

Secondary (*VOTING MEMBER*): ***Vacancy***

Special (*VOTING MEMBER*): ***Vacancy***

Teacher Representatives

(*NON-VOTING MEMBER*): Vacancy

(*NON-VOTING MEMBER*): Vacancy

(*NON-VOTING MEMBER*): Vacancy

TRAFFORD COUNCIL

MEMBERSHIP OF COMMITTEES 2018/19

Note on Membership: Membership of the Sub-Committee should not include ward Members for the wards where the relevant stadia are situated, currently Gorse Hill, Hale Central and Longford, to minimise potential conflicts of interest.

COMMITTEE		NO. OF MEMBERS	
SAFETY AT SPORTS GROUNDS SUB-COMMITTEE (to be appointed by Licensing Committee)		3	
LABOUR GROUP	CONSERVATIVE GROUP	LIBERAL DEMOCRAT GROUP	GREEN PARTY GROUP
Councillors:	Councillors:	Councillors:	Councillors:
Simon Thomas CH Amy Whyte V-CH	<i>Nomination to follow</i>	-	-
TOTAL	2	1	0

TRAFFORD COUNCIL**MEMBERSHIP OF COMMITTEES 2018/19****Notes on Membership:**

(1) The Council Membership is nominated by the Leader of the Council.

(2) The Chair for the Health and Wellbeing Board will rotate on an annual basis between Trafford Council and NHS Trafford Clinical Commissioning Group.

(3) * Denotes that this position must be represented on the HWB as per the Health and Social Care Act 2012 (Note: at least one Councillor, one member of each relevant CCG, a representative of the local Healthwatch organisation plus any other members considered appropriate by the Council, must be appointed.)

COMMITTEE		NO. OF MEMBERS	
HEALTH AND WELLBEING BOARD		5	
		(plus the *Corporate Director of Children, Families and Wellbeing and 16 External Partners)	
LABOUR GROUP	CONSERVATIVE GROUP	LIBERAL DEMOCRAT GROUP	GREEN PARTY GROUP
Councillors:	Councillors:	Councillors:	Councillors:
Executive Member for Health and Wellbeing	Shadow Executive Member for Health and Wellbeing	Mrs. Jane Brophy	-
Executive Member for Adult Social Care			
Executive Member for Children's Services			
TOTAL	3	1	0

Membership of the Health and Wellbeing Board shall also comprise of:

- *Director of Public Health
- NHS Trafford Clinical Commissioning Group (3 representatives: Chair, Chief Operating Officer and Clinical Director/Representative)
- Chair of Health Watch
- Third Sector representative
- Independent Chair Children's Local Safeguarding Board
- Independent Chair Adult Safeguarding Board
- Chair of the Safer Trafford Partnership - GMP
- Chair of the Trafford Sports and Physical Activity Partnership
- Chief Executive Officers of health care providers (4): (Central Manchester University Hospital NHS Foundation Trust; University Hospital South Manchester NHS Foundation Trust; Pennine Care NHS Foundation Trust; Greater Manchester West Mental Health NHS Foundation Trust)
- Greater Manchester Fire and Rescue Service Representative
- Greater Manchester Health and Social Care Partner Representative (to be confirmed)

TRAFFORD COUNCILMEMBERSHIP OF COMMITTEES 2018/19

COMMITTEE		NO. OF MEMBERS	
JOINT HEALTH SCRUTINY COMMITTEE		5	
		(plus 2 Substitutes)	
LABOUR GROUP	CONSERVATIVE GROUP	LIBERAL DEMOCRAT GROUP	GREEN PARTY GROUP
Councillors:	Councillors:	Councillors:	Councillors:
Joanne Bennett Jane Slater Sophie Taylor	<i>Nominations to follow</i>	-	-
TOTAL	3	2	0
Substitute Members:			
Steven Longden	<i>Nomination to follow</i>	-	-
(1)	(1)	(0)	(0)

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TRAFFORD COUNCIL

Report to: Annual Meeting of the Council
Date: 23 May 2018
Report for: Decision
Report of: Chief Executive

Report Title

APPOINTMENTS TO OUTSIDE AND INDEPENDENT BODIES

Summary

To agree the appointment of representatives to outside and independent bodies relating to the service areas and functions of the Council.

Additionally, there is a more extensive list of outside and independent bodies whose activities relate to Executive functions. The appointments for these bodies will be made by the Leader of the Council/Executive, independently of the Council.

Recommendation(s)

1. That approval be given to the appointment of representatives to those outside and independent bodies set out in Appendix 1 to this report.
2. That the Chief Executive, in consultation with the relevant Group Leader(s), be delegated authority to appoint members to any outside body vacancy that remains or arises after this Annual Meeting and to any other bodies to which the Council is required to make appointments (and to report back to Council on any changes or new appointments so made).
3. That the Council approves the persons named in Appendix 2 to sit on the Statutory School Appeals Committee for the 2018/19 Municipal Year and that the Director of Legal and Democratic Services be delegated authority to make changes to this list and to set up School Appeals Committees, including the appointment of Chairmen.

Contact person for access to background papers and further information:

Name: Ian Cockill
Extension: 1387

Background Papers: None.

TRAFFORD BOROUGH COUNCIL
REPRESENTATIVES ON OUTSIDE BODIES AND ORGANISATIONS
PERSONS NOMINATED – 2018/19
APPOINTMENTS MADE BY THE COUNCIL

Organisation	Number of Representatives Required	LAB:CON:LD:GRN	2018/19 Nominations Councillor(s)
1. Greater Manchester Combined Authority (GMCA) / Association of Greater Manchester Authorities (AGMA)			
(a) AGMA Executive Board	1	1:0:0:0	Andrew Western Substitutes: Mike Freeman Catherine Hynes
	(Leader of the Council plus 2 named substitutes from the Executive)		
(b) GMCA	1	1:0:0:0	Andrew Western Substitute: Catherine Hynes
	(Leader plus substitute)		
(c) GMCA Audit Committee	1	1:0:0:0	GMCA Executive to determine (Chris Boyes)
	(Cannot be the Leader)		
	(Appointed by GMCA not a Council nomination)		
(d) <u>GMCA Scrutiny Committees</u>	6	4:2:0:0	
	(having regard to equality and diversity and the conurbation's population)		
(i) Corporate Issues and Reform			Anne Duffield (1 st preference)

Organisation	Number of Representatives Required		2018/19 Nominations Councillor(s)
	LAB	CON:LD:GRN	
(ii) Economy, Business Growth and Skills			Barry Brotherton (1 st preference)
(iii) Housing, Planning and Environment			Graham Whitham (1 st preference)
(iv) 2 nd Preference Pool (3 Members)			Amy Whyte (No preference)
			2 Conservative Nominees
(e) Greater Manchester Health Scrutiny Committee	1 Non-Executive Member (plus Non-Executive substitute)	1:0:0:0	Sophie Taylor Substitute: Anne Duffield
(f) Greater Manchester Pensions Fund Management Panel	1 (Member drawn from Lead Executive Members and appointed by AGMA not a Council nomination)	1:0:0:0	AGMA Executive to determine (Alan Mitchell)
(g) Greater Manchester Police and Crime Panel	1 (Cannot be the Leader)	1:0:0:0	Mike Freeman
(h) Greater Manchester Reform Executive	1 (Executive Member with responsibility for Public Service Reform)	1:0:0:0	Catherine Hynes
(i) Health and Social Care Partnership Board	1 (Leader plus substitute)	1:0:0:0	Andrew Western Substitute: Judith Lloyd
(j) Planning and Housing Commission	1 (Member to be drawn from Planning and Housing Portfolio holders)	1:0:0:0	AGMA Executive to agree final membership James Wright
(k) Statutory Functions Committee	1 (Member drawn from Lead Executive Members)	1:0:0:0	Laurence Walsh Substitute: Mike Freeman

Organisation		Number of Representatives Required		2018/19 Nominations
		LAB:CON:LD:GRN		Councillor(s)
(l)	Transport for Greater Manchester Committee	3	2:1:0:0	Steve Adshead Mike Cordingley David Hopps
		To include transport portfolio holder		
(m)	Waste Disposal Committee	2	1:1:0:0	Judith Lloyd Sean Anstee
3.	Local Government Association - General Assembly	4	2:2:0:0	Andrew Western Catherine Hynes 2 Conservative Nominees
4.	Manchester Port Health Authority	1	1:0:0:0	Graham Whitham
		(plus Deputy)		Deputy: Jayne Dillon
5.	North West Employers	1	1:0:0:0	Joanne Bennett
		(plus Deputy)		Deputy: Jane Slater
9.	Statutory School Admissions Appeals Committee	(See appendix 2 attached – not Council members)		

**STATUTORY SCHOOL ADMISSION APPEALS COMMITTEE –
PANEL MEMBERS FOR 2018/19**

Lay People:

Mrs. Bracegirdle
Mrs Broadstock
Mr. Christie
Mrs. Finn (Chair)
Ms. Hall (Chair)
Mrs. Hargreaves
Mrs. A. Jones

Mr. P. Lea
Mr. Munday (Chair)
Mr. Padden
Mrs. Reed
Mrs. Smith (Chair)
Mr. Turner
Mr. Whitehead (Chair)

People with an Interest in Education:

Mrs. Book
Mrs. Coulburn
Mrs. Dee
Mr. C. Flannery
Mrs. Foan (Chair)
Mrs. Groves
Mr. Hall (Chair)
Mrs. Hassan

Mrs. Javaid
Mrs. D. Jones
Mrs. Keavney
Mrs. Kelly
Mrs. Peters
Mrs. Quest
Mrs. Sher (Chair)

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CALENDAR OF MEETINGS 2018/2019

	2018							2019					
	June	July	August	September	October	November	December	January	February	March	April	May	
Saturday				1			1						Saturday
Sunday		1		2			2						Sunday
Monday		2 JCP/Employ		3	1		3				1		Monday
Tuesday		3		4	2		4 Budget Scrutiny (Session 1)	1 New Year's Day			2		Tuesday
Wednesday		4 Scrutiny	1	5	3 Scrutiny		5	2			3	1	Wednesday
Thursday		5 JCB (TTH)	2 JCB (CCG)	6	4	1	6 Budget Scrutiny (Session 2)	3			4	2 Elections	Thursday
Friday	1	6	3	7	5	2	7	4	1	1	5	3	Friday
Saturday	2	7	4	8	6	3	8	5	2	2	6	4	Saturday
Sunday	3	8	5	9	7	4	9	6	3	3	7	5	Sunday
Monday	4	9	6	10 JCP/Employ	8	5	10 JCP/Employ	7	4	4 JCP/Employ	8	6 Bank Holiday	Monday
Tuesday	5	10 CYPS	7	11	9 CYPS	6 STaR (Rochdale)	11 Health	8	5	5	9	7	Tuesday
Wednesday	6	11	8	12 Standards (IR)	10	7	12	9 Scrutiny	6 A&A	6 Standards (IR)	10	8	Wednesday
Thursday	7 JCB (CCG) PP Sub	12 Planning	9 Planning STaR (Stockport)	13 Planning	11 Planning	8 Planning	13 Planning	10 Planning	7	7	11 Planning JCB (TTH)	9 Planning JCB (CCG)	Thursday
Friday	8	13 Partnership (inc HWB)	10	14	12	9	14	11	8	8	12	10	Friday
Saturday	9	14	11	15	13	10	15	12	9	9	13	11	Saturday
Sunday	10	15	12	16	14	11	16	13	10	10	14	12	Sunday
Monday	11	16	13	17 Executive	15 Spec.Exec (Budget Proposals)	12	17 Executive	14	11	11	15	13	Monday
Tuesday	12	17	14	18	16	13	18	15 CYPS	12	12 Health	16	14	Tuesday
Wednesday	13	18	15	19	17	14	19	16	13 STaR (Trafford)	13 Scrutiny	17	15	Wednesday
Thursday	14 Planning	19 PP Sub	16	20 PP Sub	18 PP Sub	15 PP Sub	20 PP Sub JCB (TTH)	17 PP Sub JCB (CCG)	14 Planning JCB (TTH)	14 Planning JCB (CCG)	18 PP Sub	16	Thursday
Friday	15	20	17	21	19 Partnership (inc HWB)	16	21	18	15	15	19 Bank Holiday	17	Friday
Saturday	16	21	18	22	20	17	22	19	16	16	20	18	Saturday
Sunday	17	22	19	23	21	18	23	20	17	17	21	19	Sunday
Monday	18	23 Executive	20	24	22	19	24	21	18	18 Executive	22 Bank Holiday	20	Monday
Tuesday	19	24	21	25 Health	23	20	25 Christmas Day	22	19	19 CYPS	23	21	Tuesday
Wednesday	20 A&A	25 Council	22	26 Council	24	21	26 Boxing Day	23	20 Budget Exec / Council	20 Council	24	22 Annual Meeting (6 pm) Licensing	Wednesday
Thursday	21 PP Sub	26	23 PP Sub	27 JCB (CCG)	25 JCB (TTH)	22 JCB (CCG)	27	24	21 PP Sub	21 PP Sub	25	23	Thursday
Friday	22	27	24	28	26	23	28	25	22	22	26	24	Friday
Saturday	23	28	25	29	27	24	29	26	23	23	27	25	Saturday
Sunday	24	29	26	30	28	25	30	27	24	24	28	26	Sunday
Monday	25 Executive	30 A&A	27 Bank Holiday		29 Executive	26 Executive	31	28 Executive	25 Executive	25	29	27 Bank Holiday	Monday
Tuesday	26 Health	31	28		30	27		29 Health	26	26 A&A	30	28	Tuesday
Wednesday	27		29		31 A&A	28 Council		30 Council	27	27		29	Wednesday
Thursday	28		30 JCB (TTH)			29		31	28	28		30	Thursday
Friday	29		31			30				29		31	Friday
Saturday	30									30			Saturday
Sunday										31			Sunday

Key:	Full Name & Additional Information	
A&A	= Accounts and Audit Committee (6.30 p.m.)	<u>Approximate monthly cycle – Executive, Planning and Development Management Committee, Public Protection Sub-Committee, Trafford Partnership</u>
CYPS	= Children and Young Peoples Scrutiny Committee	<u>Approximate two / three monthly cycle - Accounts and Audit Committee, Council, Health and Wellbeing Board, Scrutiny Committees.</u>
Council	= Council (7.00 p.m.)	<u>Four times per year – Joint Consultative Panel/Employment Committee, Locality Partnership, STaR</u>
Executive	= Executive (6.30 p.m.)	<u>Two times per year – Standards Committee</u>
Health	= Health Scrutiny Committee (6.30 p.m.)	
JCB	= Joint Commissioning Board, Trafford Council / Trafford CCG (4.00 p.m. -5.30 p.m.). Meetings alternating between Trafford Town	
	Hall (TTH) and Crossgate House, Clinical Commissioning Group (CCG).	
JCP/Employ	= Joint Consultative Panel / Employment Committee (following on from JCP at 10.00 a.m.)	
Licensing	= Licensing Committee (at the rising of Annual Council)	
Partnership (inc.	= Partnership Day including Health & Wellbeing Board (9.30 a.m. - 12.00 p.m.) - 2019 dates to be confirmed	
HWB)		
Planning	= Planning and Development Management Committee (6.30 p.m.)	
PP Sub	= Public Protection Sub-Committee (6.30 p.m.)	
Scrutiny	= Scrutiny Committee (6.30 p.m.)	
Standards	= Standards Committee (6.30 p.m.)	
STaR	= Stockport, Trafford & Rochdale Joint Committee (2.00 p.m.) – meeting May 2019 to be confirmed	
OT&S LP	= Old Trafford & Stretford Locality Partnership (6.00 p.m. - 8.00 p.m.) - dates to be confirmed	
U&P LP	= Urmston & Partington Locality Partnership (6.00 p.m. - 8.00 p.m.) - dates to be confirmed	
S LP	= Sale Locality Partnership (4.30 p.m. - 6.30 p.m.) - dates to be confirmed	
ST LP	= South Trafford Locality Partnership (6.00 p.m. - 8.00 p.m.) - dates to be confirmed	

TRAFFORD COUNCIL

Report to: Annual Meeting of the Council
Date: 23 May 2018
Report for: Decision
Report of: Director of Legal and Democratic Services and Monitoring Officer

Report Title

DELEGATION OF FUNCTIONS

Summary

To confirm arrangements for the delegation of Council (non-Executive) and Executive functions and to obtain Council's agreement to amend the Constitution of the Council to incorporate these arrangements.

Recommendation(s)

- 1) That Council notes that Executive functions not covered by the Officers' Scheme of Delegation are delegated by the Leader of the Council as follows:
 - (a) functions are delegated to all individual Executive Members in accordance with the Executive Members' Scheme of Delegation;
 - (b) all other functions are delegated to the Executive.
- 2) That the Scheme of Delegation to Officers be approved.
- 3) That the Director of Legal and Democratic Services be authorised to amend the Constitution of the Council in accordance with and as a consequence of this report and other decisions made by Council at this Annual Meeting.
- 4) That Council notes that further changes may be made to delegations and that the Director of Legal and Democratic Services be authorised to amend the Constitution following consultation with the Leader and Chief Executive.

Contact person for access to background papers and further information:

Name: Ian Cockill
Extension: 1387

Background Papers:

Constitution of the Council

1. Background

- 1.1 It is the duty of the Council's Monitoring Officer to review the Constitution from time to time and to propose amendments to the Council. Generally amendments are proposed at the Council's Annual Meeting to reflect any changes which are proposed to the schemes of delegation for both Members and Officers, together with any further amendments which may be considered to be necessary for the efficient and effective management of the Council and Council services.

2. Executive Scheme of Delegation

- 2.1 The Leader of the Council determines how, and by whom, executive functions are carried out. The Leader has agreed a scheme of delegation of executive functions to the individual members of the Executive. The Executive Scheme of Delegation is set out in the Responsibility for Functions document at appendix 1. This document forms part 3 of the Council's Constitution. Changes have been made to reflect changes to portfolios as reported to Council under item 7 Membership of the Executive.

3. Officer Scheme of Delegation

- 3.1 Proposed changes to the Officer Scheme of Delegation are recommended to ensure that the Constitution is in line with changed statutory regulations and also current Council policy. The Officers Scheme of Delegation is set out at Appendix 2 and also forms part 3 of the Council's Constitution. Minor changes to wording have been made and are detailed in the document.
- 3.2 There may need to be other changes throughout the year and it is recommended that these be dealt with by the Director of Legal and Democratic Services following consultation with the Leader and Chief Executive.

Item 13: APPENDIX 1

3. RESPONSIBILITY FOR EXECUTIVE FUNCTIONS - DELEGATION TO INDIVIDUAL EXECUTIVE MEMBERS

- 3.1 The Executive is authorised to carry out all of the functions of the Council which are, by virtue of the Local Government Act 2000 and regulations thereunder, the responsibility of an Executive of the Council. The Executive Leader has the responsibility for determining the delegation of executive functions. The scheme of delegation of functions to officers is set out in Section 4 of this Part of the Constitution.
- 3.2 Each Executive Member has been allocated particular areas of responsibility (portfolios) by the Council meeting. The list of portfolio responsibilities and portfolio holders is:-

Portfolio	Portfolio Holder
Leader	Cllr Andrew Western
Equalities and Partnerships (Deputy Leader)	Cllr Cath Hynes
Adult Social Care	Cllr Joanne Harding
Children's Services	Cllr Jane Baugh
Communities and Housing	Cllr Kevin Procter
Constitutional Reform and Resident Engagement	Cllr Mike Freeman
Environment, Air Quality and Climate Change	Cllr Steve Adshead
Finance	Cllr Mike Cordingley
Health and Wellbeing	Cllr Judith Lloyd
Investment, Regeneration and Strategic Planning	Cllr James Wright

- 3.3 Subject to any matters which are specifically reserved to the Council, reserved to an individual under any statutory provision, delegated to Officers, or which the Leader from time to time decides should be determined by the Executive, a committee of the Executive, another Executive Member or themselves, and to paragraphs 4 and 5 each individual Executive Member, within the Terms of Reference for their portfolio, is authorised to deal with and determine the following matters:

- (a) To take decisions, other than key decisions as defined in the Constitution or decisions relating to the disposal of land at an undervalue, in relation to the discharge of executive functions and expenditure on services, including the payment or repayment of grants. Except that the Leader may, in his/her discretion, authorise an individual Executive Member to take key decisions on specific matters.
- (b) To monitor the budget for services within the portfolio, and report as necessary to the Executive.
- (c) To agree policies, plans and strategies for services within their portfolio.
- (d) To monitor service performance.
- (e) To consider any policy review reports prepared by Overview and Scrutiny Committees and make recommendations to the Executive for any consequent action.
- (f) To respond to requests from Overview and Scrutiny Committees for information relating to the discharge of executive functions and the performance of the Executive.
- (h) To approve virement between budget heads in accordance with virement rules approved by Council.
- (i) To represent the Council's views on matters of corporate or strategic policy and other matters within their respective portfolios.

3.6 The exercise of the delegated authority as set out above is subject to the following conditions:

- (a) In making decisions Executive Members must comply with the principles of decision making in Article 13 of the Constitution, corporate policies and such decisions must be made in accordance with the Council's Policy and Budgetary Framework;
- (b) Executive Members must seek the advice of the Director of Legal and Democratic Services and the Chief Finance Officer (or their nominees) and such other officers as the Executive Member shall consider necessary to fully inform the decision making process;
- (c) Such decisions must be recorded in a Decision notice, which shall be open to public inspection in accordance with the provisions of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012;
- (d) Where an Executive Member has been authorised by the Leader to make a key decision, the procedure on key decision making set out in the Constitution must be followed;

- (e) To consult with other Executive Members as appropriate before taking decisions on matters which are cross cutting and affect other portfolio areas.
 - (f) Where an Executive Member has a prejudicial interest in a matter or otherwise believes that they should not make a particular decision due to a conflict of interest, the matter should be referred to the Leader who will either make the decision or refer the matter to the Executive.
- 3.7 If there is any doubt as to which portfolio would cover any proposed decision by an Executive Member, the matter shall be referred to the Leader to determine the appropriate portfolio. The Leader may also determine that any proposed decision (of any description) shall be referred to the Executive for decision.
- 3.8 An individual Executive Member may refer any matter within that Member's portfolio to the Executive for decision.

EXECUTIVE TERMS OF OFFICE

Portfolio - Leader of the Council

GENERAL

To act as Leader of the Council and be the Executive Portfolio holder responsible for all matters relating to the Council's affairs in respect of the Leader's portfolio. As such, the Leader is responsible for:

1. Liaising with other members of the Executive, particularly where matters within the portfolio affect other aspects of Council business or the Borough generally;
2. Providing the Executive's lead in the development and implementation of key policy within the remit of the portfolio
3. Agreeing, in conjunction with the relevant Corporate Director or Director, Annual Service Improvement Plans for the services within the remit of the Portfolio holder;
4. Participating as necessary in the work of the Overview and Scrutiny Committees and promoting the value of Scrutiny within their service area.
5. Ensuring that spending is in line with the approved budget for the Services within the portfolio.
6. Representing and acting as an ambassador for the Council.
7. Promoting a neighbourhood and area focus across the Council and the Borough
8. Representing the Council's views on matters of corporate or strategic policy and any other matters which are within the Portfolio holder's terms of office.
9. Working with other Members of the Executive as required.
10. Ensuring effective partnership working in respect of matters within these terms of office.
11. Overseeing the timely progress of reviews or inspections within the remit of the Portfolio holder.
12. Exercising a monitoring role regarding performance and budgets and ensuring progress toward meeting the Executive's key objectives in these areas.
13. Ensuring appropriate consultation with partners and the community on matters within the portfolio.

Areas of Responsibility

To have overall responsibility for:

- Strategic overview of the Council
- Overall performance of the Council
- Overall performance of the Executive
- Overall governance of the Council
- Chief Executive's functions
- Co-ordination within the Executive
- Developing and implementing Trafford 2031 Vision
- Determination of how and by whom Executive functions are exercised
- Appointments to outside bodies not within the remit of the Council
- All matters not within the remit of any other portfolio

Key Roles and Responsibilities within the Leader's Portfolio

In accordance with section 15(4) of the local Government Act 2000, but subject to legislation, the Scheme of Delegation to officers and other provisions set out in Part 3 of the Council's Constitution, the Leader is responsible for all matters within the Areas of Responsibility set out above to the extent that they comprise Executive functions, including in particular:-

1. To provide leadership in the development and maintenance of an active and participatory local democracy.
2. To chair meetings of the Executive and ensure that the Executive acts as a corporate team working together to achieve common aims.
3. In consultation with the Chief Executive, to draw up a 4 month programme of work by the Executive and to keep it under continuous review.
4. To ensure that the Council's decision-making process functions effectively and that decisions made by the Executive take into account all relevant factors and reflect the Council's commitment to open government and equality of opportunity.
5. To discharge or arrange the discharge of the Executive functions of the Council.
6. To ensure delivery of the Trafford Vision for 2031.
7. To implement, working with the Chief Executive, strategy and policies approved by the Council and reflecting the views of the community as set out in the Community Strategy (delegating work to other Executive Members where necessary).
8. To review and monitor, with the Chief Executive, the management arrangements of the Council.

9. To exercise a monitoring role regarding performance and budgets, to ensure progress towards meeting the Council's key objectives.
10. To ensure that Executive Members and services work together effectively.
11. Representing the Council externally and furthering the Council's interests within Greater Manchester Combined Authority, AGMA, the North West region and nationally.
12. Greater Manchester Police and Crime Panel matters.
13. To be the principal political spokesperson for the Council at internal and external meetings.
14. To ensure liaison with the Council's external auditors and inspectors.

To submit to the Executive:

Recommendations in respect of key decisions concerning matters covered by these terms of reference

EXECUTIVE TERMS OF OFFICE

Deputy Leader of the Council

GENERAL

In the event that the Leader of the Council is unable to act, or the post of Leader is vacant, the Deputy Leader shall:

1. undertake all statutory functions of the Leader of the Council; and
2. undertake the portfolio responsibilities of the Leader's portfolio.

In the absence of the Leader of the Council, the Deputy Leader shall:

1. chair meetings of the Executive; and
2. ensure that the Executive acts as a corporate team working together to achieve common aims.

EXECUTIVE TERMS OF OFFICE

Portfolio – Adult Social Care

GENERAL

The Executive Member for Adult Social Care acts as the authority's statutory Lead Member for Adults Social Services.

The Executive Portfolio holder is responsible for all matters relating to the Council's affairs in respect of Adult Social Services including acting as the Lead Member for Adult Services in accordance with best practice guidance.

As such, the Executive Portfolio holder is responsible for:

1. Liaising with other members of the Executive, particularly where matters within the portfolio affect other aspects of Council business or the Borough generally.
2. Providing the Executive's lead in the development and implementation of key policy within the remit of the portfolio.
3. Agreeing, in conjunction with the relevant Corporate Director or Director, Annual Service Improvement Plans for the services within the remit of the Portfolio holder.
4. Participating as necessary in the work of the Overview and Scrutiny Committees and promoting the value of Scrutiny within their service area.
5. Ensuring that spending is in line with the approved budget for the Services within the portfolio.
6. Representing and acting as an ambassador for the Council.
7. Promoting a neighbourhood and area focus across the Council and the Borough.
8. Representing the Council's views on matters of corporate or strategic policy and on any other matters which are within the Portfolio holder's terms of office.
9. Working with other Members of the Executive on matters, as directed by the Leader.
10. Ensuring effective partnership working in respect of matters within these terms of office.
11. Overseeing the timely progress of reviews or inspections with the remit of the Portfolio holder.
12. Exercising a monitoring role regarding performance and budgets and ensuring progress toward meeting the Executive's key objectives in these areas.

13. Ensuring appropriate consultation with partners and the community on matters within the portfolio.

Areas of Responsibility

To have overall responsibility for Adult Social Services including:

- Joint Commissioning of Services
- Services to Older People
- Mental Health
 - Learning Disabilities
 - Health & Disability Services
 - Sensory Services
 - Other Adult services
 - Liaison with NHS service providers
- Carers services
- Housing issues including:
 - Supporting People
 - Major and minor adaptations services and the Disabled Facilities Grant
- Advice and information services

Key Roles and Responsibilities of the Adult Social Care Portfolio:

In accordance with section 15(4) of the local Government Act 2000, but subject to legislation, the Scheme of Delegation to officers and other provisions set out in Part 3 of the Council's Constitution, the Executive Member for Adult Social Care is responsible for all matters within their Areas of Responsibility as set out above, to the extent that they comprise Executive functions, including in particular:-

1. The powers and duties of the Council as an Adult Social Services Authority.
2. The duty to make provision for services to people in need as defined by the National Assistance Act 1948, the Chronically Sick and Disabled Persons Act and the NHS and Community Care Act 1989 and Care Act 2014.
3. The duty to protect vulnerable adults.
4. Developing working partnerships with NHS bodies, exploiting the flexibility afforded by Health Acts when likely to deliver improved services for Trafford residents. This will involve integrated commissioning and provider arrangements.
5. Ensuring Services are in place that meet the needs of carers in Trafford.

6. Liaison with the NHS and related bodies on matters affecting the social care and the general social welfare of people in Trafford.
7. Development of a positive relationship with voluntary sector organisations who represent service users or carers ensuring they are appropriately involved in determining service priorities, service planning and review.
8. Acting as Older People's Champion.
9. Administration of the Supporting People Programme.
10. Development of the All Age Integrated Health and Social Care Service
11. Ensuring services are in place for the prevention and treatment of substance misuse.

To submit to the Executive:

Recommendations in respect of key decisions concerning matters covered by these terms of reference unless otherwise authorised by the Leader of the Council.

EXECUTIVE TERMS OF OFFICE

Portfolio – Children’s Services

GENERAL

The Executive Portfolio holder is responsible for all matters relating to the Council’s affairs in respect of the Children and Families portfolio, including acting as Lead Member for Children’s Services in accordance with the Children Act 2004 and associated statutory guidance. As such, the Executive Portfolio holder is responsible for:

1. Liaising with other members of the Executive, particularly where matters within the portfolio affect other aspects of Council business or the Borough generally.
2. Providing the Executive’s lead in the development and implementation of key policy within the remit of the portfolio.
3. Agreeing in conjunction with the relevant Corporate Director or Director, Transformation Plans for the services within the remit of the Portfolio holder.
4. Participating as necessary in the work of the Overview and Scrutiny Committees and promoting the value of Scrutiny within their service area.
5. Ensuring that spending is in line with the approved budget for the Services within the portfolio.
6. Representing and acting as an ambassador for the Council.
7. Promoting a neighbourhood and area focus across the Council and the Borough.
8. Representing the Council’s views on matters of corporate or strategic policy and any other matters which are within the Portfolio holder’s terms of office.
9. Working with other Members of the Executive on matters, as directed by the Leader.
10. Ensuring effective partnership working in respect of matters within these terms of office.
11. Overseeing the timely progress of reviews or inspections with the remit of the Portfolio holder.
12. Exercising a monitoring role regarding performance and budgets and ensuring progress toward meeting the Executive’s key objectives in these areas.
13. Ensuring appropriate consultation with partners and the community on matters within the portfolio.

Areas of Responsibility:

- Statutory Lead Member for Children’s Services in accordance with the Children Act 2004 and associated statutory guidance
- Development of the All Age Integrated Health and Social Care Service
- Day to day operation of the All Age Integrated Health and Social Care Service
- the functions of the Council with regard to its responsibilities for the safeguarding of children and young people, including:
 - receiving and responding to referrals where there is concern about the welfare and safety of individual children and young people;
 - investigating referrals for child protection and children-in-need and taking appropriate action to safeguard children and young people’s safety and welfare;
 - maintaining an up-to-date Child Protection Register.

Key Roles and Responsibilities of the Children and Families portfolio:

In accordance with section 15(4) of the local Government Act 2000, but subject to legislation, the Scheme of Delegation to officers, the responsibilities of the Lead Member for Children’s Services and other provisions set out in Part 3 of the Council’s Constitution, the Executive Member for Children’s Services is responsible for all matters within their Areas of Responsibility as set out above, to the extent that they comprise Executive functions, including in particular

1. Political accountability for the effectiveness, availability and value for money of all children’s services;
2. Leadership to engage and encourage local communities in order to improve services and outcomes for children and young people both within the local authority and externally with partner organisations;
3. Safeguarding and promoting welfare of children across all agencies;
4. The commissioning of public health services for children and young people as mandated in the Health and Social Care Act 2012;
5. The functions, powers and duties of the Council as a Children’s Services Authority, including specific areas such as:
 - Child protection
 - Children and families – social care
 - Looked after children
 - Foster care and adoption services
 - Provision of preventative services such as outreach services, family support services
 - Supporting vulnerable and at-risk children and young people, their families, schools and partner agencies;

6. The functions, powers and duties of the Council's social care services for children including:
 - Child protection
 - Provision of a social work service to children, young people, families and carers in the community
 - Provision of specialist fieldwork social services to children with disabilities, their families and carers, and arranging respite facilities;
 - Looked after children
 - Foster care and adoption services
 - Provision of a range of preventative services through family aides, family support workers, outreach services etc.
 - Provision of a field social work service to children looked after on a medium and long-term basis and placed for adoption;
 - a range of preventative services field social work service to children looked after on a medium and long-term basis and placed for adoption;
 - Supporting care leavers
 - Supporting vulnerable and at-risk children and young people, their families, schools and partner agencies;

6. The provision and commissioning of interventions and services for young people aged 11-19/25 (25 for young people with additional needs) including 'one-stop-shops'; street-based work; school-based work and partnerships with the voluntary sector;

7. The functions, powers and duties of the Council with regard to the Youth Offending Service including:
 - working with and reporting to the Crime and Disorder Reduction Partnership;
 - preventing children and young people being involved in offending or anti-social behaviour, and re-offending;
 - supporting those young people who have offended through assessment; court reports; and non-custodial sentences such as final warnings, restorative justice, involvement of victims and referral orders; and education; and
 - supporting young people serving custodial sentences and on release from custody;

8. Oversight and monitoring of all statutory functions related to the delivery and commissioning of services for children and young people, including the continued integration of children and adults social care and health services as embodied in the current section 75 agreement, as detailed in The Children Act 2004, Working Together to Safeguard Children 2013, The Children and Families Act 2014 and other relevant and appropriate policy, guidance and legislation.

9. The functions, powers and duties of the Council as a local education authority, including specific areas within the Councils core duties such as:

- Special educational needs provision
- Education welfare service
- Educational Psychology Service
- Early years sufficiency
- School admissions
- School attendance and provision for pupils not in school
- Asset management planning
- Funding of schools
- Sufficiency of school places
- To receive schools OFSTED reports and subsequent Action Plans
- To ensure an effective response to the OFSTED inspection of the LEA on SEND

10. The functions, powers and duties of the Council with regard to the availability of advice and information for 13 to 19 year olds.

To submit to the Executive:

Recommendations in respect of key decisions concerning matters covered by these terms of reference unless otherwise authorised by the Leader of the Council.

EXECUTIVE TERMS OF OFFICE

Portfolio – Communities and Housing

GENERAL

The Executive Portfolio holder is responsible for all matters relating to the Council's affairs in respect of the Communities and Housing portfolio. As such, the Executive Portfolio holder is responsible for:

1. Liaising with other members of the Executive, particularly where matters within the portfolio affect other aspects of Council business or the Borough generally.
2. Providing the Executive's lead in the development and implementation of key policy within the remit of the portfolio.
3. Agreeing, in conjunction with the relevant Corporate Director or Director, Annual Service Improvement Plans for the services within the remit of the Portfolio holder.
4. Participating as necessary in the work of the Overview and Scrutiny Committees and promoting the value of Scrutiny within their service area.
5. Ensuring that spending is in line with the approved budget for the Services within the portfolio.
6. Representing and acting as an ambassador for the Council.
7. Promoting a neighbourhood and area focus across the Council and the Borough
8. Representing the Council's views on matters of corporate or strategic policy and any other matters which are within the Portfolio holder's terms of office.
9. Working with other Members of the Executive on matters, as directed by the Leader.
10. Ensuring effective partnership working in respect of matters within these terms of office.
11. Overseeing the timely progress of reviews or inspections with the remit of the Portfolio holder.
12. Exercising a monitoring role regarding performance and budgets and ensuring progress toward meeting the Executive's key objectives in these areas.
13. Ensuring appropriate consultation with partners and the community on matters within the portfolio.

Areas of Responsibility

- Community Safety
- Community Cohesion
- Strategic Housing
- Homelessness and housing advice
- Housing Register
- Empty properties
- Asylum Seekers
- Housing standards
- Youth Trust and youth services
- Strategic Sport Development
- Culture
- Arts
- The library service
- Voluntary Sector Grants

Key Roles and Responsibilities of the Communities and Housing portfolio:

In accordance with section 15(4) of the Local Government Act 2000, but subject to legislation, the Scheme of Delegation to Officers and other provisions set out in Part 3 of the Council's Constitution, the Executive Member for Communities and Housing is responsible for all matters within their Areas of Responsibility set out above to the extent that they comprise Executive functions, including in particular:-

1. Community safety including:
 - (a) Development of policy guidelines for the management of Council policies regarding crime and community safety and monitoring the implementation of such guidelines.
 - (b) Links to Police Service, Probation Service etc through membership of the Safer Trafford Partnership Board.
 - (e) Crime reduction initiatives (both social and physical) across the Executive portfolios.
 - (f) Prevention of offending and re-offending in partnership with key Criminal Justice services.
 - (g) Tackling Anti-social behaviour and environmental crime including appropriate consultations, interventions and enforcement.
 - (h) 24hour Control Room and CCTV network.
2. Matters concerning Youth Services and the Youth Trust
3. Matters concerning the provision, development, monitoring and promotion of leisure, recreation, tourism, events, arts and culture and entertainment in the Borough.

4. The strategic management and development of sports and leisure facilities and sports development.
5. Liaison with Trafford Leisure CIC and other sporting and leisure organisations.
6. All matters concerning the provision and management of public libraries.
7. The consideration and approval of any Voluntary Sector Grants made by the Council.
8. The implementation of the Housing Strategy, and compliance with statutory housing duties in relation to homelessness and housing allocations.

To submit to the Executive:

Recommendations in respect of key decisions concerning matters covered by these terms of reference unless otherwise authorised by the Leader of the Council.

EXECUTIVE TERMS OF OFFICE

Portfolio – Constitutional Reform and Resident Engagement

GENERAL

The Executive Portfolio holder is responsible for all matters relating to the Council's affairs in respect of the Constitutional Reform and Resident Engagement portfolio. As such, the Executive Portfolio holder is responsible for:

1. Liaising with other members of the Executive, particularly where matters within the portfolio affect other aspects of Council business or the Borough generally.
2. Providing the Executive's lead in the development and implementation of key policy within the remit of the portfolio.
3. Approving in conjunction with the relevant Corporate Director or Director, Annual Service Improvement Plans for the services within the remit of the Portfolio holder.
4. Participating as necessary in the work of the Overview and Scrutiny Committees and promoting the value of Scrutiny within their service area.
5. Ensuring that spending is in line with the approved budget for the Services within the portfolio.
6. Representing and acting as an ambassador for the Council.
7. Promoting a neighbourhood and area focus across the Council and the Borough.
8. Representing the Council's views on matters of corporate or strategic policy and any other matters which are within the Portfolio holder's terms of office.
9. Working with other Members of the Executive on matters, as directed by the Leader.
10. Ensuring effective partnership working in respect of matters within these terms of office.
11. Overseeing the timely progress of reviews or inspections within the remit of the Portfolio holder.
12. Exercise a monitoring role regarding performance and budgets and ensuring progress toward meeting the Executive's key objectives in these areas.
13. Ensuring appropriate consultation with partners and the community on matters within the portfolio.

Areas of Responsibility

To have overall responsibility for:

- Resident Engagement
- Customer Services/Relations
- Digital and Website engagement
- Policy and Performance Improvement
- Corporate Governance and Constitution
- Legal and Democratic Services – including Registration Services and liaison with the Coroner's Service
- Information Governance
- Corporate Communications including events and tourism
- Civil Contingencies and Business Continuity
- Environmental Health
- Trading standards
- Executive Licensing functions
- Greater Manchester Police and Crime Panel

Key Roles and Responsibilities of the Constitutional Reform and Resident Engagement portfolio

In accordance with section 15(4) of the Local Government Act 2000, but subject to legislation, the Scheme of Delegation to Officers and other provisions set out in Part 3 of the Council's Constitution, the Executive Member for Corporate Resources is responsible for all matters within their Areas of Responsibility set out above to the extent that they comprise Executive functions, including in particular:-

1. Ensuring the delivery of effective and efficient corporate and support services including:
 - Legal Services
 - Democratic Services
 - ICT
 - Performance
2. Ensuring the delivery of performance improvements and efficiencies set out in the Sustainability Programme.
3. Ensuring that the highest standards of customer care are delivered
4. All aspects of the Council's customer relations including:
 - Performance and development of Access Trafford
 - Development and implementation of Customer Standards and the Customer Pledge
 - Corporate Compliments and Complaints
5. Development and implementation of the Council's Digital Strategy.

6. Ensuring that the Council has effective corporate governance, including:
 - Internal audit assurance
 - Risk management
 - Information governance
 - Systems and processes for business planning and performance improvement
7. All aspects of the Council's corporate communications including:
 - Publicity
 - Consultation and engagement
8. The functions of the Council under the Civil Contingencies Act 2004 and responsibility for ensuring appropriate business continuity planning across the Council.

Environmental health, protection and standards including:

- a) food safety and control
 - b) control and monitoring of pollution and statutory nuisances
 - c) animal health and welfare
 - d) pest control
 - e) private sector housing standards (in liaison with the Communities and Housing portfolio holder)
9. Trading Standards including:
 - a) consumer advice
 - b) weights and measures
 - c) fair trading
 - d) consumer credit and safety
 - e) consumer complaints
 10. Any functions under any licensing legislation including safety at sports grounds which are Executive functions and which do not fall within the remit of any other Executive Member.

To submit to the Executive:

1. Recommendations in respect of key decisions concerning matters covered by these terms of reference unless otherwise authorised by the Leader of the Council.

EXECUTIVE TERMS OF OFFICE

Portfolio – Finance

GENERAL

The Executive Portfolio holder is responsible for all matters relating to the Council's affairs in respect of the Finance portfolio. As such, the Executive Portfolio holder is responsible for:

6. Liaising with other members of the Executive, particularly where matters within the portfolio affect other aspects of Council business or the Borough generally.
7. Providing the Executive's lead in the development and implementation of key policy within the remit of the portfolio.
8. Approving in conjunction with the relevant Corporate Director or Director, Annual Service Improvement Plans for the services within the remit of the Portfolio holder.
9. Participating as necessary in the work of the Overview and Scrutiny Committees and promoting the value of Scrutiny within their service area.
10. Ensuring that spending is in line with the approved budget for the Services within the portfolio.
6. Representing and acting as an ambassador for the Council.
7. Promoting a neighbourhood and area focus across the Council and the Borough.
8. Representing the Council's views on matters of corporate or strategic policy and any other matters which are within the Portfolio holder's terms of office.
9. Working with other Members of the Executive on matters, as directed by the Leader.
10. Ensuring effective partnership working in respect of matters within these terms of office.
11. Overseeing the timely progress of reviews or inspections within the remit of the Portfolio holder.
12. Exercise a monitoring role regarding performance and budgets and ensuring progress toward meeting the Executive's key objectives in these areas.
13. Ensuring appropriate consultation with partners and the community on matters within the portfolio.

Working with the Executive Member for Investment, Regeneration and Strategic Planning

In carrying out the responsibilities of their portfolio, the Executive Member for Finance will support the Executive Member for Investment, Regeneration and Strategic Planning

Areas of Responsibility

To have overall responsibility for:

- Corporate Finance
- Accountancy
- Benefits and Local Taxation
- Procurement
- Delivery of value for money services

Key Roles and Responsibilities of the Finance portfolio

In accordance with section 15(4) of the Local Government Act 2000, but subject to legislation, the Scheme of Delegation to Officers and other provisions set out in Part 3 of the Council's Constitution, the Executive Member for Finance is responsible for all matters within their Areas of Responsibility set out above to the extent that they comprise Executive functions, including in particular:-

1. The Council's budget planning framework, including the medium term financial plan and strategy.
2. The effective and efficient use of the Council's financial resources.
3. Financial (including investment and insurance) management.
4. Powers and duties of the Council in relation to national non domestic rates, local taxes and the administration of the benefits' schemes.
5. The functions of the Council as accountable body in respect of any schemes supported by EU and SRB funding.
6. Effective corporate procurement arrangements.

To submit to the Executive:

1. Recommendations concerning the formulation of the Council's Budget Framework
2. Recommendations in respect of key decisions concerning matters covered by these terms of reference unless otherwise authorised by the Leader of the Council.

EXECUTIVE TERMS OF OFFICE

Portfolio – Health and Wellbeing

GENERAL

The Executive Portfolio holder is responsible for all matters relating to Community Health and Wellbeing, including acting as the Lead Member for Community Health and Wellbeing Services in accordance with best practice guidance.

As such, the Executive Portfolio holder is responsible for:

1. Liaising with other members of the Executive, particularly where matters within the portfolio affect other aspects of Council business or the Borough generally.
2. Providing the Executive's lead in the development and implementation of key policy within the remit of the portfolio.
3. Agreeing, in conjunction with the relevant Corporate Director or Director, Annual Service Improvement Plans for the services within the remit of the Portfolio holder.
4. Participating as necessary in the work of the Overview and Scrutiny Committees and promoting the value of Scrutiny within their service area.
5. Ensuring that spending is in line with the approved budget for the Services within the portfolio.
6. Representing and acting as an ambassador for the Council.
7. Promoting a neighbourhood and area focus across the Council and the Borough.
8. Representing the Council's views on matters of corporate or strategic policy and on any other matters which are within the Portfolio holder's terms of office.
9. Working with other Members of the Executive on matters, as directed by the Leader.
10. Ensuring effective partnership working in respect of matters within these terms of office.
11. Overseeing the timely progress of reviews or inspections with the remit of the Portfolio holder.
12. Exercising a monitoring role regarding performance and budgets and ensuring progress toward meeting the Executive's key objectives in these areas.
13. Ensuring appropriate consultation with partners and the community on matters within the portfolio.

Areas of Responsibility

1. Community Health and Wellbeing Services including:

- The Health and Wellbeing Board
- Public health functions
- Delivery of the Health and Wellbeing Strategy
- Liaison with NHS commissioning bodies and NHS strategic partners
- Liaison with voluntary and community sector organisations in relation to health and wellbeing
- Championing health and wellbeing issues on behalf of the Council and Trafford Partnership

2. Mental Health Services – to act as the Council’s champion for all matters relating to mental health.

Key Roles and Responsibilities of the Health and Wellbeing Portfolio:

In accordance with section 15(4) of the local Government Act 2000, but subject to legislation, the Scheme of Delegation to officers and other provisions set out in Part 3 of the Council’s Constitution, the Executive Member for Health and Wellbeing is responsible for all matters within their Areas of Responsibility as set out above, to the extent that they comprise Executive functions, including in particular:-

1. The powers and duties of the Council with regard to the public health functions.
2. Meeting the Council’s responsibilities in relation to prevention, health improvement and the reduction of health inequalities.
3. Liaison with the Clinical Commissioning Group to ensure that they are provided with appropriate support to deliver public health objectives and priorities in Trafford.
4. To ensure that a Joint Strategic Needs Assessment is in place and that it informs commissioning strategies.
5. To act as the Council’s Mental Health Champion.

To submit to the Executive:

Recommendations in respect of key decisions concerning matters covered by these terms of reference unless otherwise authorised by the Leader of the Council.

EXECUTIVE TERMS OF OFFICE

Portfolio –Environment, Air Quality and Climate Change

GENERAL

The Executive Portfolio holder is responsible for all matters relating to the Council's affairs in respect of Environment, Air Quality and Climate Change

As such, the Executive Portfolio holder is responsible for:

1. Liaising with other members of the Executive, particularly where matters within the portfolio affect other aspects of Council business or the Borough generally.
2. Providing the Executive's lead in the development and implementation of key policy within the remit of the portfolio.
3. Agreeing, in conjunction with the relevant Corporate Director or Director, Annual Service Improvement Plans for the services within the remit of the Portfolio holder.
4. Participating as necessary in the work of the Overview and Scrutiny Committees and promoting the value of Scrutiny within their service area.
5. Ensuring that spending is in line with the approved budget for the Services within the portfolio.
6. Representing and acting as an ambassador for the Council.
7. Promoting a neighbourhood and area focus across the Council and the Borough
8. Representing the Council's views on matters of corporate or strategic policy and any other matters which are within the Portfolio holder's terms of office.
9. Working with other Members of the Executive on matters, as directed by the Leader.
10. Ensuring effective partnership working in respect of matters within these terms of office.
11. Overseeing the timely progress of reviews or inspections with the remit of the Portfolio holder.
12. Exercising a monitoring role regarding performance and budgets and ensuring progress toward meeting the Executive's key objectives in these areas.
13. Ensuring appropriate consultation with partners and the community on matters within the portfolio.

Areas of Responsibility

To have overall responsibility for:

- Sustainability and Climate Change
- The Clean Air Plan (and Air Quality Commission)
- Engineering and construction services
- Highways, Traffic and transportation
- Passenger transport
- Road safety
- Bridges and structures
- Environmental enforcement
- Environmental services
- Environmental partnerships
- Green Spaces
- Waste Management
- Pollution
- Parking services

Key Roles and Responsibilities of the Environment, Air Quality and Climate Change Portfolio

In accordance with section 15(4) of the local Government Act 2000, but subject to legislation, the Scheme of Delegation to officers and other provisions set out in Part 3 of the Council's Constitution, the Executive Member for Environment, Air Quality and Climate Change is responsible for all matters within their Areas of Responsibility as set out above, to the extent that they comprise Executive functions, including in particular:-

1. The functions, powers and duties of the Council as highway authority including:
 - a) detailed highways and transportation schemes and proposals
 - b) traffic calming, street lighting, road safety, new bus routes and priorities, station improvements, traffic regulation and network management
 - c) management of decriminalised parking enforcement and car parking facilities
2. Highways inspections and maintenance.
3. Highways and engineering planning and development.
4. Transport for Greater Manchester matters.
5. Integration of public/private transport.
6. Parking Services

7. Sewers and drainage including flood and water management
8. The protection of public health and measures to promote the health of Trafford residents.
9. Waste collection, management, disposal and recycling.
10. Health and Safety (excluding Council employee health and safety)
11. Parks and countryside including:
 - a) grounds' maintenance
 - b) allotments
12. Clean neighbourhoods including street cleansing and collection of litter.
13. Tackling environmental crime including appropriate consultations, interventions and enforcement.
14. Local environment policy and action via the environmental sustainability agenda.
15. Ecological protection and environmental improvements.
16. Local environment policy and action via sustainable development.

To submit to the Executive:

Recommendations in respect of key decisions concerning matters covered by these terms of reference unless otherwise authorised by the Leader of the Council.

EXECUTIVE TERMS OF OFFICE

Portfolio – Investment, Regeneration and Strategic Planning

GENERAL

The Executive Portfolio holder is responsible for all matters relating to the Council's affairs in respect of Investment, Regeneration and Strategic Planning

As such, the Executive Portfolio holder is responsible for:

1. Liaising with other members of the Executive, particularly where matters within the portfolio affect other aspects of Council business or the Borough generally.
2. Providing the Executive's lead in the development and implementation of key policy within the remit of the portfolio.
3. Agreeing, in conjunction with the relevant Corporate Director or Director, Annual Service Improvement Plans for the services within the remit of the Portfolio holder.
4. Participating as necessary in the work of the Overview and Scrutiny Committees and promoting the value of Scrutiny within their service area.
5. Ensuring that spending is in line with the approved budget for the Services within the portfolio.
6. Representing and acting as an ambassador for the Council.
7. Promoting a neighbourhood and area focus across the Council and the Borough
8. Representing the Council's views on matters of corporate or strategic policy and any other matters which are within the Portfolio holder's terms of office.
9. Working with other Members of the Executive on matters, as directed by the Leader.
10. Ensuring effective partnership working in respect of matters within these terms of office.
11. Overseeing the timely progress of reviews or inspections with the remit of the Portfolio holder.
12. Exercising a monitoring role regarding performance and budgets and ensuring progress toward meeting the Executive's key objectives in these areas.
13. Ensuring appropriate consultation with partners and the community on matters within the portfolio.

Working with the Executive Member for Finance

In carrying out the responsibilities in relation to investment, the Executive Member for Investment, Regeneration and Strategic Planning will be supported by the Executive Member for Finance. The Executive Member for Finance Resources will, in undertaking the responsibilities of the Finance portfolio, liaise with the Executive Member for Investment.

Areas of Responsibility relating to investment

To have overall responsibility for:

- Property acquisition
- Resource procurement
- Investment strategy
- Strategic asset management

Areas of Responsibility for Regeneration and Strategic Planning

To have overall responsibility for:

- Planning policy and strategic and / or sub-regional planning
- Land use and development in the Borough
- Sustainable Development
- Heritage
- Building Control
- Planning Enforcement
- Economic growth, development and regeneration
- Transport strategy
- Town centres
- Economic strategy
- Resource Procurement
- Conservation and building preservation
- Property disposal
- Community Buildings
- Architectural services
- Buildings Services and Surveyors

Key Roles and Responsibilities of the Investment, Regeneration and Strategic Planning Portfolio

In accordance with section 15(4) of the local Government Act 2000, but subject to legislation, the Scheme of Delegation to officers and other provisions set out in Part 3 of the Council's Constitution, the Executive Member for Investment, Regeneration and Strategic Planning is responsible for all matters within their Areas of Responsibility as set out above, to the extent that they comprise Executive functions, including in particular:-

1. The strategic management of the Council's property assets including:
 - The acquisition, management and development of land and property acquired for the general purposes of the Council until required for the specific functions of another service or until disposal of the land or property
 - The control and management or disposal of land and property surplus to service requirements by receiving (if necessary) a transfer or an appropriation of such land or property
 - The management and control of the municipal estates, the municipal buildings forming the Waterside Centre, Sale and buildings used as offices by the Council
2. The furtherance of trade, commerce and general industrial and physical development within the Borough, including assisting with the relocation and development of industry, commerce and business, the making of grants in respect of business security, environmental improvement, commercial improvement and related matters.
3. To promote economic growth within the Borough through effective working with AGMA and other North West regional partners and agencies.
4. Identification of and support for employment initiatives.
5. Development of economic strategies.
6. The initiation, development and monitoring of industrial and commercial development projects and the encouragement of development of land in furtherance of the Council's policies and objectives.
7. Development and implementation of the Transport Strategy.
8. Obtaining external funding through e.g. AGMA funding streams including regional, national, European and lottery funding.
9. Monitoring regeneration programme performance.
10. Liaison with the Chairman of the Planning and Development Management Committee on the relationship between strategic planning issues and emerging policies and development management.
11. The development and management of the town centres.
12. Planning Enforcement.
13. The encouragement and support of community economic development initiatives.
14. The management of the Council's market functions.

15. The repair and maintenance of buildings (except insofar as this is within the responsibility of individual services) in accordance with the Council's strategic policies.

To submit to the Executive:

Recommendations in respect of key decisions concerning matters covered by these terms of reference unless otherwise authorised by the Leader of the Council.

EXECUTIVE TERMS OF OFFICE

Portfolio – Equalities and Partnerships

GENERAL

The Executive Portfolio holder is responsible for all matters relating to the Council's affairs in respect of the Equalities and Partnerships portfolio including acting as Lead Member for all corporate resource and support services. As such, the Executive Portfolio holder is responsible for:

1. Liaising with other members of the Executive, particularly where matters within the portfolio affect other aspects of Council business or the Borough generally.
2. Providing the Executive's lead in the development and implementation of key policy within the remit of the portfolio.
3. Agreeing, in conjunction with the relevant Corporate Director or Director, Annual Service Improvement Plans for the services within the remit of the Portfolio holder.
4. Participating as necessary in the work of the Overview and Scrutiny Committees and promoting the value of Scrutiny within their service area.
5. Ensuring that spending is in line with the approved budget for the Services within the portfolio.
6. Representing and acting as an ambassador for the Council.
7. Promoting a neighbourhood and area focus across the Council and the Borough.
8. Representing the Council's views on matters of corporate or strategic policy and any other matters which are within the Portfolio holder's terms of office.
9. Working with other Members of the Executive on matters, as directed by the Leader.
10. Ensuring effective partnership working in respect of matters within these terms of office.
11. Overseeing the timely progress of reviews or inspections with the remit of the Portfolio holder.
12. Exercising a monitoring role regarding performance and budgets and ensuring progress toward meeting the Executive's key objectives in these areas.
13. Ensuring appropriate consultation with partners and the community on matters within the portfolio.

Areas of Responsibility

- Community Strategy and the Local Strategic Partnership
- Partnership and neighbourhood working
- Locality Services
- Equality and Diversity
- Strategic Human Resources
- Pension Fund
- Occupational Health and Safety
- Community Partnerships
- Operational Services for Education
- Traded Services

Key Roles and Responsibilities of the Equalities and Partnerships portfolio:

In accordance with section 15(4) of the local Government Act 2000, but subject to legislation, the Scheme of Delegation to Officers and other provisions set out in Part 3 of the Council's Constitution, the Executive Member for Equalities and Partnerships is responsible for all matters within their Areas of Responsibility as set out above, to the extent that they comprise Executive functions, including in particular:-

1. Leading and overseeing the promotion of a neighbourhood and area focus across the Council and the Borough.
2. Promotion of equality and diversity and ensuring compliance with the Council's equalities duties.
3. Development of Safer and Stronger Communities (including tackling Domestic Violence, Race and Hate crime).
4. Ensuring the delivery of effective and efficient Strategic HR Service
5. Ensuring the delivery of the aims and objectives of the Local Strategic Partnership through the agreed delivery arrangements.
6. Operational services for Education (TSE) including
 - a) Support services
 - b) School catering services
 - c) Cleaning and caretaking Services
 - d) School crossing patrols
 - c) Out-Door media advertising
7. Bereavement Services
8. Traded Services

To submit to the Executive:

Recommendations in respect of key decisions concerning matters covered by these terms of reference.

4. SCHEME OF DELEGATION TO OFFICERS

INTRODUCTION

1. The purpose of this scheme is to provide arrangements for delegations to officers of the Council's Executive and Non-Executive functions.
2. The Scheme of delegation set out below has been compiled in accordance with Section 101 Local Government Act 1972 and the requirements of the Local Government Act 2000. The designated officers, or those authorised to act in their place, are authorised to discharge the functions delegated to them in this Scheme.
3. The following powers and duties are delegated to the officers named. Subject to any restriction imposed by the Council or Executive, those officers can delegate further as appropriate to any officer in his/her Service any power or duty which the Council or Executive has already delegated to them.
4. Notwithstanding any decision of the Council or Executive in relation to the delegation of any item to any officers of the Council, that item shall cease to be delegated if that officer has declared a personal or financial interest in that item.

GENERAL PROVISIONS

1. All officer delegations are to be exercised in accordance with the Constitution, and consistently with the approved Policy and Budgetary Framework.
2. Any delegation to an officer to take action under a particular statutory provision shall be deemed to authorise action under any statutory re-enactment or amendment of that provision, and any statutory regulations, order, or direction made under that provision both before and after the date of this Constitution. References to statutory requirements in this scheme include relevant European legislation and directives as applicable.
3. In deciding whether or not to exercise delegated powers, officers should have regard to the desirability of consulting with the appropriate Executive Portfolio Holder or Committee Chairman. Officers will always be entitled to refer matters for decision to the Council, the Executive or relevant Committee, as appropriate, where they consider it expedient to do so.
4. Significant decisions taken by Officers should be published in accordance with the provisions of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 and guidance issued by the Director of Legal and Democratic Services.
5. With regard to situations which arise between Committee or Executive meetings and require emergency action which cannot reasonably await the next meeting, the Chief Executive, relevant Corporate Director or Director of Legal and Democratic Services has authority to take such action in consultation with the Chairman, Vice-Chairman and Opposition Spokesperson of the Committee concerned (or with such of the latter as are available for consultation) or with the relevant Executive Portfolio Holder and subject to a subsequent report to the next meeting of the Committee or the Executive.

WHO IS RESPONSIBLE	FUNCTION
CHIEF EXECUTIVE	<p data-bbox="363 286 715 320">A. <u>GENERAL MATTERS</u></p> <p data-bbox="363 342 1412 409">In accordance with Council policies, statutory requirements, guidance, Codes of Practice and subject to overall budget provision:</p> <ol data-bbox="363 432 1412 1429" style="list-style-type: none"> <li data-bbox="363 432 1412 499">1. To undertake all matters associated with the professional management of the Council. <li data-bbox="363 544 1412 611">2. To exercise any power delegated to any officer at any time when that officer is unable or unwilling to act. <li data-bbox="363 656 1412 723">3. To give a decision on the applicability of any delegated power in any specific case. <li data-bbox="363 768 1412 857">4. To require any officer of the Council to refer a matter to a Committee or the Executive for decision notwithstanding the fact that the officer may have delegated authority to deal with that matter. <li data-bbox="363 902 1412 992">5. The taking of any necessary action, including the incurring of expenditure, in connection with an emergency or disaster in the Borough. (Note: This delegation is also exercisable by all Corporate Directors.) <li data-bbox="363 1037 1412 1193">6. To determine, in conjunction with the Chief Finance Officer, whether representation to the relevant Government Department should be made for activation of the “Bellwin” Scheme of Emergency Financial Assistance to Local Authorities for any expenditure relating to major incidents which occur in Trafford. <li data-bbox="363 1238 1412 1305">7. To deal with matters relating to the development of the Community Strategy and Corporate Plan. <li data-bbox="363 1350 1412 1429">8. To appoint replacement members to the Independent Remuneration Panel whenever necessary and agree their terms of reference, in consultation with the Political Group Leaders. <p data-bbox="363 1462 579 1496">B. <u>ELECTIONS</u></p> <p data-bbox="363 1529 1412 1597">In accordance with Council policies, statutory requirements, guidance, Codes of Practice and subject to overall budget provision:</p> <ol data-bbox="363 1619 1412 2000" style="list-style-type: none"> <li data-bbox="363 1619 1412 1832">9. In consultation with the relevant ward councillors and Group Leaders to discharge the function of dividing electoral divisions into polling districts at local government elections and altering such districts and to be responsible for the ongoing review of polling districts, polling places and polling stations between the 4 yearly reviews for parliamentary elections (Sections 18A, 18B and 31 of the Representation of the People Act 1983). <li data-bbox="363 1865 1412 2000">10. To determine fees and conditions for the supply of copies of extracts of elections documents. (Rule 48(3) Local Elections (Principal Areas) Rules 1986 and Rule 48(3) Local Elections (Parishes and Communities) Rules 1986.)

CHIEF EXECUTIVE	<p>C. <u>HUMAN RESOURCES</u></p> <p>In accordance with Council policies, statutory requirements, guidance, Codes of Practice and subject to overall budget provision:</p> <p>11. The overall direction of all human resource matters.</p> <p>12. The administration and implementation of the Council's organisational, employee development and human resource plans.</p>
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<p>CHIEF EXECUTIVE AND CORPORATE DIRECTORS</p>	<ol style="list-style-type: none"> 1. The management and administration of the services for which they are responsible and the incurring of expenditure for such purposes within the approved budget. 2. In relation to any matters delegated to them, to take any action which is calculated to facilitate or is conducive or incidental to the discharge of the Council's functions within their service area.
<p>CORPORATE DIRECTORS AND DIRECTOR OF HUMAN RESOURCES (5,6,7,9) CHIEF EXECUTIVE(7,9)</p>	<p>A. <u>HUMAN RESOURCES</u></p> <p>The following delegations are subject to:</p> <ol style="list-style-type: none"> (a) the corporate human resources policies adopted by the Council. (b) any statutory provisions or requirements. (c) any other instructions given from time to time by the Chief Executive or Director of Human Resources where overriding corporate, financial or recruitment controls are to be strictly observed.
<p>COUNCIL (8)</p>	<ol style="list-style-type: none"> 3. To implement all the Council's policies relating to the employment of staff. 4. The creation of a maximum of 3 new posts up to and including Band 12 and deletion of posts up to and including band 12 i.e. where the job description has previously been agreed and evaluated by HR. 5. The creation/change of up to 3 new posts up to and including Band 12 for which there is no approved job description and the duties are substantially new. 6. Responsibility for all Service Reviews – including the creation/re-grading and deletion of posts above Band 12. 7. Responsibility for directorate wide reviews and the development of corporate and cross cutting proposals. 8. Decisions on proposals affecting Director level posts are subject to the prior approval of the Chief Executive. The Council will approve all salary packages for Chief Officer posts in excess of £100,000. 9. Before referring any matters deemed by the Chief Executive to be of strategic significance to the Employment Committee for consideration and/or determination, the Chief Executive shall consult with, and obtain the views of the Executive. 10. To act in accordance with the provisions of the Council's locally-agreed arrangements, including the appointment to posts below Head of Service level. 11. To act in accordance with the provisions of the Council's locally-agreed arrangements, including:- <ol style="list-style-type: none"> (a) To determine those groups of employees who can participate in the flexible working hours schemes.

**DIRECTOR OF
HUMAN
RESOURCES
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- (b) To determine the arrangements that should apply in respect to the carry forward of up to five days from one leave year to the next and to approve any carry forward of leave in excess of five days.
- (c) To determine the arrangements in respect to the attendance of employees at courses and professional meetings for periods not exceeding five days, at the expense of the authority.
- (d) To determine the arrangements in respect to the payment of subsistence allowances in appropriate cases in accordance with the provisions of the National Scheme of Conditions of Service and the Supplemental Conditions of Service.
- (e) To determine the arrangements for the granting of payment at the standard mileage rate in respect of the use of cars for specific approved journeys.
- (f) To take disciplinary action against an employee, including suspension and dismissal, in consultation with appropriate Human Resources officers, in accordance with the agreed disciplinary procedure.
- (g) To determine payments to officers temporarily undertaking additional duties.
- (h) To approve or disapprove temporary appointments of 12 months or less. Temporary appointments for periods in excess of 12 months to be agreed by the Chief Executive.
- (i) To approve the discretionary application of the Council's relocation Scheme for Newly Appointed Officers.
- (j) To determine the arrangements for the approval of job sharing arrangements, reduced hours, term time working or other flexible working arrangements in appropriate circumstances, subject to there being no detrimental effect on the service.
- (k) To determine the arrangements for the approval of applications for facilities for courses leading to a qualification, including time off (day release etc.) subject to being satisfied that the courses are appropriate to the work of the officers.
- (l) To determine the arrangements for the granting of leave with pay to officers for attendance at meetings of approved outside bodies.
- (m) To determine the arrangements for the granting of leave in accordance with the Special Leave for Public Duties Policy.
- (n) To determine the arrangements for the granting of leave in accordance with the Special Leave for Dependents and Bereavement Policy.
- (o) To grant leave with pay to not more than three officers appointed as delegates to attend annual conferences of their Trade Unions, together with any member of staff who is a member of the National Executive.
- (p) To grant leave with or without pay for trade union purposes including

CHIEF EXECUTIVE AND CORPORATE DIRECTORS	<p>training in accordance with the ACAS Code of Practice on Time Off for Trade Union Duties and Activities.</p> <p>(q) To grant leave with pay to staff serving on Staff Councils or other Joint Negotiating Bodies.</p> <p>(r) To approve a long service award in those cases where the exact length of an employee's service contract cannot be verified.</p> <p>12. To consider and make payments, not exceeding £500, in respect of claims by employees for loss of, or damage to, personal property arising from their official duties.</p> <p>13. To enter into settlement agreements with employees.</p>
	<p>B. <u>FINANCIAL, COUNCIL AND CONTRACT PROCEDURES</u></p> <p>14. To act as indicated in the Council's:- Financial Procedure Rules Council Procedure Rules Contract Procedure Rules Internal Code of Practice on Financial Management</p> <p>15. To incur revenue expenditure.</p> <p>16. To incur expenditure on individual capital schemes.</p> <p>17. To approve price variations under contracts.</p> <p>18. Disposing of a surplus or obsolete capital asset, other than land and property at the best price obtainable in accordance with the procedures agreed with the Chief Finance Officer.</p> <p>19. To write-off stocks and stores up to a book value of £50,000 in consultation with the Chief Finance Officer and in accordance with the Finance Procedure Rules.</p> <p>(Note: Each designated officer must ensure that the Financial and Contract Procedure Rules set out in the Constitution are observed throughout his/her Directorate. He/she shall also ensure that all relevant staff are fully aware of and accept the content of such aspects of financial management. Designated officers must maintain a record of those officers to whom this Scheme has been issued, thus providing a framework of financial administration and control that facilitates compliance with Section 151 Local Government Act 1972).</p> <p>C. <u>PLANNING PERMISSION AND PROPERTY</u></p> <p>20. Under the Town and Country Planning General Regulations 1992 to seek planning permission for development by the Council or in respect of land vested in the Council.</p> <p>21. The management of buildings and facilities under their control, subject to advice and guidance from the Corporate Director of Economic Growth, Environment and Infrastructure in relation to the strategic and corporate use of assets.</p>

**CHIEF
EXECUTIVE
AND
CORPORATE
DIRECTORS**

22. To permit the casual use of property by outside organisations, in accordance with the policy of the Council.

D. GENERAL MATTERS

23. To deal with lost or uncollected property.

24. To authorise, in writing, officers of the Council *and non-officers, acting on behalf of the Council, to exercise statutory rights of entry on to property in pursuance of their duties.

25. To take necessary measures to ensure that high standards of health, safety and welfare are achieved in the activities of the Council and its service areas, in compliance with the Health and Safety at Work etc. Act 1974 and the Council's Health and Safety Policies.

26. To nominate appropriate officers who can authorise surveillance under the Regulation of Investigatory Powers Act 2000 in pursuance of the Council's statutory duties and in accordance with the Scheme of Authorisation made in accordance with the Act. Surveillance shall be authorised in advance of any such activity being undertaken by the relevant Officer.

27. To authorise staff possessing such qualifications as may be required by law or in accordance with the Council's policy to take samples, carry out inspections, enter premises, form opinions, issues notices and fixed penalties and generally perform the functions of a duly authorised Officer of the Council (however described) under the statutory codes relating to:

public health, mental health, children and young persons, social services, housing, education, town planning, rating, licensing, trading standards and consumer services, highways, building control, shops, food safety, environmental health, animal health and welfare, health and safety at work,

under the provisions of the Greater Manchester Act 1981 or relating to any other statutory function or duty of the Council and to issue any necessary Certificates of Authority. In relation to any powers delegated to the Chief Executive which require to be dealt with by a Solicitor of the Supreme Court, his/her power shall in turn be delegated to the Director of Legal and Democratic services if necessary.

28. To deal with requests for access to personal files and data in accordance with the relevant legislation and regulations.

29. In consultation with the appropriate Executive Portfolio Holder, to authorise attendance by councillors/co-opted members at conferences/seminars.

30. To sign and serve documents and notices on behalf of the Council.

31. The taking of any necessary action, including the incurring of expenditure, in connection with an emergency or disaster in the Borough.

<p>CORPORATE DIRECTOR ECONOMIC GROWTH, ENVIRONMENT AND INFRASTRUCTURE</p>	<p>In accordance with Council policies, statutory requirements, guidance, Codes of Practice and subject to overall budget provision, to take necessary and appropriate action in respect of the following:</p> <ol style="list-style-type: none"> 1.
<p>CORPORATE DIRECTOR ECONOMIC GROWTH, ENVIRONMENT AND INFRASTRUCTURE; OR DIRECTOR OF GROWTH AND REGULATORY SERVICES; OR HEAD OF STRATEGIC GROWTH</p>	<p>A <u>Economic Growth</u></p> <ol style="list-style-type: none"> 1. To prepare and submit applications for regeneration funding to any providers of external funding for which the Council may become eligible, and with regard to European Funding, the power to sign off public authority certificates. 2. In consultation with the Executive Portfolio Holder to deal with all business grant or loan applications which comply with the agreed criteria. Any other grant or loan applications to be referred to the Executive. 3. In consultation with the Executive Portfolio Holder to generate revenue from economic growth services, activities, initiatives and programmes in accordance with Council policies, statutory requirements, guidance and Codes of Practice’.
<p>CORPORATE DIRECTOR ECONOMIC GROWTH, ENVIRONMENT AND INFRASTRUCTURE; OR DIRECTOR OF GROWTH AND REGULATORY SERVICES; OR HEAD OF STRATEGIC GROWTH</p>	<p>B <u>Strategic Housing</u></p> <p>In accordance with Council policies, statutory requirements, guidance, Codes of Practice and subject to overall budget provision:</p> <ol style="list-style-type: none"> 1. All matters concerning the relationship between the Council and Trafford Housing Trust limited and other Registered Providers. 2. To discharge the Council’s statutory functions relating to homeless persons. 3. To deal with special circumstances not adequately provided for within the Council’s allocations policy 4. In consultation with the Executive Portfolio Holder to: <ul style="list-style-type: none"> i) add further Section 106 planning agreement commuted sums and CIL payments to the Capital Programme, and: ii) approve future Registered Providers schemes for grant funding.
<p>CORPORATE DIRECTOR ECONOMIC GROWTH, ENVIRONMENT AND INFRASTRUCTURE; OR DIRECTOR OF GROWTH AND</p>	<p>C <u>Strategic Planning</u></p> <ol style="list-style-type: none"> 1 In consultation with the Executive Portfolio Holder to: <ul style="list-style-type: none"> i) develop plans and policies to meet the Council’s statutory obligations under relevant legislation and government guidance including, but not restricted to, Planning and Compulsory Purchase Act 2004, Localism Act 2011, National Planning Policy Framework 2012.

<p>REGULATORY SERVICES; HEAD STRATEGIC GROWTH OR OF</p>	<p>ii) meet Neighbourhood Plan obligations under the Localism Act 2011.</p> <p>iii) contribute to the development of sub-regional plans and policies, including the statutory Greater Manchester Strategic Framework.</p> <p>2 In accordance with Council policies, statutory requirements, guidance, Codes of Practice to manage and monitor the implementation of Section 106 and CIL.</p>
<p>CORPORATE DIRECTOR ECONOMIC GROWTH, ENVIRONMENT AND INFRASTRUCTURE; OR DIRECTOR OF GROWTH AND REGULATORY SERVICES</p>	<p>D <u>Housing Renewal</u></p> <p>1. To determine applications for grants to improve properties and to take all necessary steps to ensure that any action relating to the implementation of renewal areas, grants and necessary repairs of properties is carried out.</p>
<p>CORPORATE DIRECTOR ECONOMIC GROWTH, ENVIRONMENT AND INFRASTRUCTURE; OR DIRECTOR OF GROWTH AND REGULATORY SERVICES</p>	<p>E <u>Asset Management</u></p> <p>In accordance with Council policies, statutory requirements, guidance, Codes of Practice and subject to overall budget provision:</p> <p><u>Land and Property</u></p> <p>1. To undertake estates management functions, including dealing with applications to develop, alter or assign property, where the Council's consent as landlord is required, and to determine whether action should be taken under relevant property related legislation.</p> <p>2. To be responsible for progressing all land and property transactions.</p> <p>3. To take action to protect the Council's legal or financial position in relation to the management of property.</p> <p>4. Land Sales Programme:</p> <p>i) In respect of the Land Sales Programme, as approved from time to time, authority to:</p> <p>a) Engage external resources where this will assist in implementation of the programme.</p> <p>b) Submit for planning consent on any of the properties included in the programme where this will assist in marketing.</p> <p>c) Negotiate and accept bids.</p> <p>d) Advertise the intention to dispose of a site in the event that it comprises open space as defined by the Town and Country Planning Act 1990, in accordance with relevant statutory procedure and if any objections are received to refer them to the Executive for consideration.</p> <p>e) Offset eligible disposal costs against the capital receipts.in accordance with capital regulations up to a maximum of 4% of the value of the receipt</p> <p>ii) In respect of the Land Sales Programme, in consultation with the Executive Portfolio Holder, authority to</p> <p>a) Approve the substitution or addition of sites to the Land Sales</p>

	<p>Programme.</p> <p>b) Approve the hiring of security services or the demolition of any property should this become necessary.</p> <p>c) Authorise an alternative method of sale where appropriate.</p> <p>5. Subject to compliance with the Council's agreed arrangements, appropriate budgetary provision and to securing the best consideration that can be obtained:</p> <p style="padding-left: 40px;">a) to approve the taking of, or the grant, renewal, assignment, transfer, surrender, taking of surrenders, review, variation and terminations of any leases, licences, easements and wayleaves, consents and rights in land, for a consideration that does not exceed £25,000 per annum or a premium of £499,000</p> <p style="padding-left: 40px;">b) to approve the acquisition and disposal of land, buildings or other property interests for a consideration not exceeding £499,000</p> <p>6. To approve the purchase price and all compensation payable in respect of land and buildings included in Compulsory Purchase Orders, including home loss and disturbance payments, and to authorise acquisitions by agreement as an alternative to the making of a Compulsory Purchase Order.</p> <p>7. All rent reviews and lease renewals.</p> <p>8. Sale of freeholds in accordance with the Leasehold reform Act 1967, in accordance with the prevailing rate of capitalisation.</p> <p>9. The installation of wireless apparatus, Telecom installations, Water Authority installations, electricity sub-stations, gas governors and other minor works in or on properties under the management of the Asset Management Service.</p> <p>10. Where the sale of that property has been authorised, to place for auction any miscellaneous properties where such a course of action is expedient to effect a sale of the land/property.</p> <p>11. To appoint consultants for small works in line with agreed policy.</p> <p>12. To authorise the repair and maintenance of Council property in accordance with the approved budget or the use of virement.</p> <p>13. To settle claims under Part 1 of the Land Compensation Act 1973 and Claims resulting from the laying of sewers and other apparatus under the Public Health Act 1936, Water Acts and Land Drainage Acts.</p> <p>14. To agree terms and conditions of re-purchase of defective former Council or public authority dwellings under Part XVI, Housing Act 1985.</p> <p>15. The acquisition and disposal of Chief Rents on Council property.</p> <p>16. The Authority to make proposals, objections and agreements in respect of rating assessments on corporate land and property including, where necessary, attendance at Valuation tribunals and Lands Tribunals.</p> <p>17. To prioritise works in respect of access for the disabled and fire precaution work.</p>
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	<p>18. To approve the appointment of estate agents for residential disposals on the basis agreed by the Council.</p> <p>19. To manage all building services for the Council's administrative buildings.</p> <p>20. To act in the best interests of the Council in relation to energy management.</p> <p>21. To repair and maintain buildings and grounds within approved revenue estimates for these purposes.</p> <p>22. To authorise statutory authorities to carry out essential works.</p> <p>23. To determine requests for inscriptions to be added to Cenotaphs throughout the Borough.</p>
<p>CORPORATE DIRECTOR ECONOMIC GROWTH, ENVIRONMENT AND INFRASTRUCTURE</p>	<p><u>Markets</u></p> <p>24. To be responsible for the management of any markets that the Council may operate in the Borough, including the letting, transfer and surrender of stalls, applications for change of trade, collection of charges and any matters under the market regulations.</p> <p>25. To licence or refuse temporary markets in accordance with the policy approved by the Council</p>
<p>CORPORATE DIRECTOR ECONOMIC GROWTH, ENVIRONMENT AND INFRASTRUCTURE</p>	<p><u>Lettings and Public Halls</u></p> <p>26. To control the range and frequency of events in public halls, subject to obtaining planning permission when necessary.</p> <p>27. To approve lettings and concessions of Council accommodation for hire, in accordance with the Council's approved scheme.</p>
<p>CORPORATE DIRECTOR ECONOMIC GROWTH, ENVIRONMENT AND INFRASTRUCTURE; DIRECTOR OF GROWTH AND REGULATORY SERVICES; OR HEAD OF PLANNING AND DEVELOPMENT</p>	<p><u>F PLANNING AND DEVELOPMENT MANAGEMENT</u></p> <p>In accordance with Council policies, statutory requirements, guidance, Codes of Practice and subject to overall budget provision, to take necessary and appropriate action in respect of the following:</p> <p>1. Definitions</p> <p>For the purposes of this scheme and for the avoidance of doubt: -</p> <p>a) 'planning application' means:</p> <ul style="list-style-type: none"> ❖ Applications for Outline Planning Permission, Full Planning Permission and Approval of Reserved Matters ❖ Applications for development within the curtilage of a dwellinghouse ❖ Applications for minerals and waste development (including Review of Minerals Permissions) ❖ Applications under Section 73 of the Town and Country Planning Act 1990 to vary, modify or remove a planning condition, including minor material amendments and applications to extend the time limit on a permission. <p>Applications under the Town and Country Planning (Environmental Impact</p>

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- Assessment) Regulations 2011
- ❖ Applications requiring the completion of a legal agreement / planning obligation under S106 of the Town and Country Planning Act or any other enabling power.
 - ❖ Applications for 'relevant demolition' in a conservation area.
 - ❖ Applications for Listed Building Consent and other heritage consents under the Planning (Listed Buildings and Conservation Areas) Act 1990 and the Planning (Listed Buildings and Conservation Areas) Regulations 1990
 - ❖ Applications for consent to display Advertisements (under the Town and Country Planning (Control of Advertisement) Regulations 2007
 - ❖ Applications for non-material amendments under S96A of the Town and Country Planning Act 1990
 - ❖ Applications for permission under the Town and Country Planning General Regulations 1992
 - ❖ Application for Hazardous Substances Consent under the Planning (Hazardous Substances) Act 1990.
 - ❖ Applications for prior approval under the Town and Country Planning (General Permitted Development) (England) Order 2015.
 - ❖ Applications for permission in principle and technical details consent under the Town and Country Planning (Permission in Principle) Order 2017 as amended.
 - ❖ Inclusion of a site on Part 2 of the Council's brownfield land register under the Town and Country Planning (Brownfield Land Register) Regulations 2017.
 - ❖ Applications for Nationally Significant Infrastructure Projects under the Planning Act 2008 (as amended) where the Local Planning Authority is a consultee and a Local Impact Report is required.
 - ❖ Applications for approval of details under the High Speed 2 Act(s) (or howsoever those provisions are enacted).

b) "application to be determined by committee' means (other than applications fully delegated to officers and excluded by Part 3):-

i) Applications where six or more representations* contrary to the Officers' recommendation have been received from separate addresses within the prescribed period.

* For the purposes of this section a representation shall be taken to mean a letter, a signature on a petition or e-mail.

ii) Where an application has been "called in" for determination by the Committee by either (i) a Member who represents a ward within the same Locality Partnership area in which the application site lies, or (ii) by the Chairman of the Committee. For the avoidance of doubt there is no geographical limit to the call in powers of the Chairman. Such call-ins are to be made in writing with planning reasons provided within the period of 28 days of the date of issue of the relevant Weekly List of Applications submitted to the Council and the Member to attend the meeting of the Committee when the application is considered. Proposals considered to be a material departure from the provisions of the Development Plan or of other Development Plan Documents which officers are minded to approve and where the officer recommendation is for approval, save where (i) Development Plan policies are 'out of date' (in National Planning Policy Framework terms)

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and the proposal is in accordance with national policy and / or (ii) the proposals comprise a minor departure from the standards set out in adopted SPGs and SPDs or their successor documents.

- iii) Applications in which a Member or Officer has declared a personal or pecuniary interest.
- iv) Applications for development by or on behalf of the Council (including a Local Authority controlled school) to which an objection has been made which is material to the development proposed.
- c) 'planning permission' includes approvals and consents issued in respect of a 'planning application' as defined in section 1(a)
- d) 'the prescribed period' means the period within which consultees and residents are required to submit representations following consultation/notification and/or publicity of applications in accordance with statute and the Council's approved arrangements.
- e) 'the Act' means the Town and Country Planning Act 1990
- f) 'the Order' means the Town and Country Planning (General Permitted Development) (England) Order 2015
- g) 'the Committee' means the Planning and Development Management Committee
- h) Any reference to an Act, Order or Regulation in this Part D shall be interpreted to mean any amendment or replacement to the said Act, Order or Regulation

2. Arrangements For Exercising Delegated Powers

The powers delegated to officers in this scheme shall be exercisable by the Corporate Director of Economic Growth, Environment and Infrastructure, Director of Growth and Regulatory Services or Head of Planning and Development except where on his/her written instruction, or in the event of his/her absence for a period exceeding 24 hours, they shall be exercisable by other senior managers within the Economic Growth, Environment and Infrastructure Directorate.

3. Planning Applications

3.1 Processing Planning Applications

- a) To discharge the Local Planning Authority's duties under the Town and Country Planning (Development Management Procedure) (England) Order 2015.
- b) To discharge the Local Planning Authority's duties under the Town and Country Planning (Permission in Principle) Order 2017 as amended, or the Town and Country Planning (Brownfield Land

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Register) Regulations 2017.

- c) To determine the validity of any planning or other application made to the Local Planning Authority.
- d) To determine whether an applicant has carried out necessary pre-application consultation under S61W of the Act.
- e) To determine what consultation, notification and publicity is appropriate and to carry this out in accordance with statute and the Council's approved arrangements.
- f) To maintain for inspection registers of applications and associated matters, brownfield land, works to protected trees and decision notices as required by statute.
- g) To determine whether or not an application appears to be a departure from the Development Plan and to take appropriate procedural action.
- h) To determine whether or not an Environmental Impact Assessment is required, stipulate the minimum information needed and, if necessary, require additional information on receipt of a statement under the Act and the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.
- i) To determine on the receipt of Outline Applications whether further information is required under the Town and Country Planning (Development Management Procedure) (England) Order 2015 .
- j) Jointly with the Chief Finance Officer to operate the system of charging fees for planning applications, pre-application advice, site visits, Planning Performance Agreements, High Hedge complaints under Part 8 of the Anti-social Behaviour Act 2003 and the High Hedges (Appeals) (England) Regulations 2005 and any other charging fees within the remit of the Planning Service including the assessment and receipt of fees under the charging scheme.
- k) To issue all decision notices when exercising powers under the Act and other relevant legislation.
- l) To take all steps necessary to implement the Community Infrastructure Levy Regulations 2010 (as amended) ("CIL") including (without limitation) all necessary enforcement action under CIL.

3.2 Determination of Planning Applications

To determine all planning applications except those falling under the provisions in 1(b) 'Applications to be determined by Committee'.

For the avoidance of doubt the following planning applications are fully delegated to officers and the provisions in 1(b) do not apply:-

- a) Applications for prior approval under the Town and Country Planning

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(General Permitted Development) (England) Order 2015.

- b) Applications for permission in principle and technical details consent under the the Town and Country Planning (Permission in Principle) Order 2017 as amended.
- c) Inclusion of sites on Part 2 of the Council's brownfield land register under the Town and Country Planning (Brownfield Land Register) Regulations 2017.
- d) Applications for advertisement consent under the Town and Country Planning (Control of Advertisements) Regulations 2007.
- e) Non-material amendments under Section 96A of the Town and Country Planning Act 1990.
- f) Repeat applications for proposals which have previously been subject to a determination by the Local Planning Authority / Planning Inspectorate, are of fundamentally the same nature and description, there has been no material change in planning circumstances and the officer recommendation remains in accordance with the previous decision (where there is any doubt, the Chairman of the Committee should be consulted) For the avoidance of doubt this provision does not include S73 applications.

In addition the following functions are delegated to officers:-

- g) Screening and scoping opinions under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.
- h) To decline to determine planning applications under the provisions of Section 70(A) of the Act and Section 81A of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- i) To attach conditions (and associated reasons) to planning permissions determined under this delegation and to make modifications to the standard planning conditions as necessary.
- j)
- k) To approve or refuse details and plans submitted to discharge conditions attached to planning permissions, including deemed planning permissions and those imposed by an Order, Direction or statute.
- l) To finally dispose of applications.

3.3 Minerals Applications

- m) To make Orders in respect of the control of minerals development under the Town and Country Planning Act 1990.

3.4 Response To Consultations

	<p>n) To respond to consultations from the Secretary of State in respect of Crown Development under S293 of the Town and Country Planning Act 1990.</p> <p>o) To respond to consultations from neighbouring Councils on applications received by those Councils for development where the response would accord with the provisions of the Development Plan, or where development plan policies are out of date, national planning policy.</p> <p>p) To respond to consultations under Section 36 of the Electricity Act 1989 and the Electricity Generating Stations (Variation of Consents) (England and Wales) Regulations 2013 where the response would accord with the provisions of the Development Plan, or where development plan policies are out of date, national planning policy.</p> <p>q) To respond to consultations under Section 37 of the Electricity Act 1989 (overhead electricity lines of less than 132kV or less than 2km in length) where the response would accord with the provisions of the Development Plan, or where development plan policies are out of date, national planning policy.</p> <p>r) To respond to consultations under the Planning Act 2008 in respect of Nationally Significant Infrastructure Projects where the response would accord with the provisions of the Development Plan, or where development plan policies are out of date, national planning policy, save where a Local Impact Report is required where such consultations will be subject to the provisions in 1(b).</p>
<p>HEAD OF PLANNING AND DEVELOPMENT IN CONSULTATION WITH DIRECTOR OF LEGAL AND DEMOCRATIC SERVICES</p>	<p>s) To determine applications for Certificates of Lawfulness in relation to existing and proposed uses or development under the Act.</p> <p>t) To determine applications for Certificates of Lawfulness of Proposed Works to a Listed Building under the Planning (Listed Buildings and Conservation Areas) Act 1990</p> <p>u) To determine applications for Certificates of Appropriate Alternative Development.</p> <p>v) To agree variations and/or modifications to planning agreements/ obligations by agreement or application under section 106A or 106BA of the Act or through formal or informal dispute resolution provisions..</p>
<p>HEAD OF PLANNING AND DEVELOPMENT IN CONSULTATION WITH DIRECTOR OF LEGAL AND DEMOCRATIC</p>	<p>4. Planning Appeals / Secretary of State call in</p> <p>4.1 To defend the decisions of the Council at appeal (including applications ‘called in’ for determination by the Secretary of State’) through engagement with all necessary steps of the process.</p> <p>4.2 To decide whether the Council requests that a particular appeal be dealt</p>

<p>SERVICES</p>	<p>with by the local inquiry, informal hearing or the written representations procedure.</p> <p>4.3 To agree matters arising during the process which do not conflict with the provisions of the Development Plan / national policy or the resolution of the Committee in order to best present the Council's case.</p> <p>4.4 To appoint consultants to assist the Council where necessary, with the agreement of the Chairman of the Planning and Development Management Committee if the decision has been made by that Committee.</p> <p>.</p>
<p>CORPORATE DIRECTOR ECONOMIC GROWTH, ENVIRONMENT AND INFRASTRUCTURE; DIRECTOR OF GROWTH AND REGULATORY SERVICES; OR HEAD OF PLANNING AND DEVELOPMENT JOINTLY WITH DIRECTOR OF LEGAL AND DEMOCRATIC SERVICES</p> <p>CORPORATE DIRECTOR ECONOMIC GROWTH, ENVIRONMENT AND</p>	<p>5. Enforcement Of Planning Control</p> <p>5.1 Generally:-</p> <ul style="list-style-type: none"> a) To take initial action to deal with breaches of planning control including the service of Planning Contravention Notices / notices under Section 330 of the Town and Country Planning Act 1990 to obtain relevant information in order to assess whether or not a breach of planning control has occurred. b) To serve notice regarding powers of entry onto land and to issue authorisation to officers of the Council to enter land for enforcement purposes. c) To serve Breach of Condition Notices. d) To serve Enforcement Notices and Listed Building Enforcement Notices. e) To withdraw, modify and reissue any Enforcement Notice including following a decision by the Committee to grant permission for development / work which affect that Enforcement Notice or Listed Building Enforcement Notice. f) To serve Stop Notices and Temporary Stop Notices. g) To make applications for Planning Enforcement Orders in respect of deliberately concealed unauthorised development. h) To bring prosecutions in respect of breaches of planning and listed building control. i) To make applications for an injunction to restrain breaches of planning and listed building control. j) To take all necessary enforcement action under the Planning (Hazardous Substances) Act 1990 and any amendment thereto. k) To serve Building Preservation Notices where there is an imminent threat of demolition of a building. l) To maintain for inspection registers of enforcement notices as required by statute.

<p>INFRASTRUCTURE; DIRECTOR OF GROWTH AND REGULATORY SERVICES; OR HEAD OF PLANNING AND DEVELOPMENT JOINTLY WITH DIRECTOR OF LEGAL AND DEMOCRATIC SERVICES</p>	<p>m) To determine the expediency of planning enforcement action.</p> <p>n) To serve completion notices.</p> <p>5.2 Advertisements:-</p> <p>a) To serve Discontinuance Notices and removal notices under the Act and the Town and Country Planning (Control of Advertisements) Regulations 2007.</p> <p>b) To enforce the control of fly-posting through the obliteration and/or removal of any unauthorised placard or poster on private land.</p> <p>c) To bring prosecutions in respect of breaches of the Advertisement Regulations.</p> <p>5.3 Neglected/ Untidy Land:-</p> <p>a) To take action, including the service of Notices under Section 215 of the Act, requiring owners/ occupiers to carry out proper maintenance of land where its condition detracts from the amenity of the area, and to carry out such works in the event that the owners/ occupiers fail to do so.</p> <p>b) To authorise entry onto land to carry out works required by a Section 215 Notice and to recover expenses reasonably incurred in doing so.</p> <p>c) To bring prosecutions in respect of breaches of Section 215 Notices..</p>
<p>HEAD OF PLANNING AND DEVELOPMENT JOINTLY WITH DIRECTOR OF LEGAL AND DEMOCRATIC SERVICES</p>	<p>6. Heritage</p> <p>6.1 To approve or refuse requests for grant aid for works to Listed Buildings or buildings within Conservation Areas within the approved budget.</p> <p>6.2 To issue Listed Building Repair Notices.</p> <p>6.3 To issue Notices for Urgent Works to Listed Buildings and buildings in Conservation Areas and to retrieve the Council's reasonable costs for works carried out.</p> <p>6.4 To enter into Listed Building Heritage Partnership Agreements.</p> <p>6.5 To make Local Listed Building Consent Orders.</p> <p>6.6 To bring prosecutions in respect of breaches of Listed Building Repair Notices and Urgent Works Notices.</p>
<p>CORPORATE DIRECTOR ECONOMIC GROWTH, ENVIRONMENT AND INFRASTRUCTURE;</p>	<p>7 Trees And Hedgerows</p> <p>7.1 Applications for works</p> <p>a) To determine applications for works to, including felling of, trees</p>

<p>DIRECTOR OF GROWTH AND REGULATORY SERVICES; OR HEAD OF PLANNING AND DEVELOPMENT JOINTLY WITH DIRECTOR OF LEGAL AND DEMOCRATIC SERVICES</p>	<p>protected by Tree Preservation Orders including the imposition of any conditions.</p> <p>b) To process notices under S211 of the Town and Country Planning Act 1990 (notices for works to trees in a conservation area).</p> <p>c) To determine applications under the Hedgerow Regulations 2007.</p> <p>d) To approve or refuse requests for grant aid for works to protected trees and new planting within the approved budget.</p> <p>e) To maintain for inspection a register of Tree Preservation Orders as required by statute.</p> <p>7.2 Orders and Notices</p> <p>a) To make, confirm and amend Tree Preservation Orders subject to confirmation (or otherwise) by the Chairman, Vice Chairman and Opposition Spokesperson in those cases where the Order is opposed.</p> <p>b) To serve Tree Replacement Notices under S207 of the Town and Country Planning Act 1990.</p> <p>c) To make and confirm Hedgerow Retention and Replacement Notices.</p> <p>d) To bring prosecution proceedings for breach of tree preservation or hedgerow control..</p> <p>7.3 High Hedges</p> <p>To carry out all necessary procedures under Part 8 of the Anti-social Behaviour Act 2003 and High Hedges (Appeals) (England) Regulations 2005 in respect of high hedge complaints, including the bringing of legal and prosecution proceedings and the carrying out of works in default..</p>
<p>CORPORATE DIRECTOR ECONOMIC GROWTH, ENVIRONMENT AND INFRASTRUCTURE; DIRECTOR OF GROWTH AND REGULATORY SERVICES; OR HEAD OF REGULATORY</p>	<p>E <u>BUILDING CONTROL</u></p> <p>In accordance with Council policies, statutory requirements, guidance, Codes of Practice and subject to overall budget provision, to take necessary and appropriate action in respect of the following:</p> <p>1. Building Regulation Applications</p> <p>1.1 Processing Building Regulation Applications.</p> <p>1.2 Jointly with the Chief Finance Officer to operate the system of charging fees for applications, including ensuring that the correct fee has been paid under the approved charging scheme.</p>

<p>SERVICES</p>	<p>1.3 To issue all decision notices relating to the determination of building regulation applications.</p> <p>1.4 Determination of Building Regulation Applications.</p> <p>1.5 To determine applications under the Building Regulations.</p> <p>1.6 To determine applications for relaxation of the Building Regulations.</p> <p>1.7 To issue conditional notices of approval.</p> <p>1.8 To determine amendments to approved schemes and to determine whether the variation requires a further application and fee.</p> <p>1.9 To issue Certificates of Completion of Work.</p> <p>1.10 To deal with the submission of Building Notices under the Building Act.</p> <p>1.11 To deal with the submission of Initial Notices under the Building Act.</p> <p>1.12 To deal with applications under the LANTAC scheme.</p> <p>2. Other Building Control Matters</p> <p>2.1 To approve or refuse minor amendments to Building Regulation applications not requiring a new application.</p> <p>2.2 To exercise all other functions under the Building Act.</p> <p>2.3 To enter into Partnership schemes.</p> <p>3. Contraventions</p> <p>3.1 To authorise action, including legal proceedings to ensure compliance with building control requirements.</p> <p>3.2 In respect of building control and general powers, to serve notices or to approve or reject plans under the Highways Act 1980, Section 180 for pavement lights and ventilators.</p> <p>4. Miscellaneous Planning And Building Control Matters</p> <p>4.1 To sell service publications in accordance with the Council's scheme of charging.</p> <p>4.2 Authority to sell departmental publications to the general public at printing or copying cost, plus postal charges where applicable, but that no charge be made for the issue of copies to Members and other Council departments and first copies of guidelines, etc. to architects, estate agents, civic societies and similar persons or voluntary organisations.</p>
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<p>CORPORATE DIRECTOR ECONOMIC GROWTH, ENVIRONMENT AND INFRASTRUCTURE; DIRECTOR OF GROWTH AND REGULATORY SERVICES; OR HEAD OF REGULATORY SERVICES</p>	<p>In accordance with Council policies, statutory requirements, guidance, Codes of Practice and subject to overall budget provision, to take necessary and appropriate action in respect of the following:</p>
	<p>A. ENVIRONMENT</p> <p><u>Regulatory Services</u></p> <p>In accordance with Council policies, statutory requirements, guidance, Codes of Practice and subject to overall budget provision:</p> <ol style="list-style-type: none"> 1. To carry out the functions, duties and powers of the Council in relation to statutory nuisances, offensive trades, pest control, infectious diseases, food and drugs, poisons, animal health, welfare and safety, environmental protection, pollution control, air quality, smoke-free legislation, health and safety at work, shops, consumer protection, trading standards, housing standards, houses in multiple occupation, the management of on and off street parking, abandoned vehicles and environmental enforcement. 2. To carry out all licensing, registration and enforcement functions, including determining applications and imposing conditions in connection with scrap yards, hairdressers and barbers, street traders, acupuncturists, tattooists, ear piercers and electrolysis, pet shops, animal boarding establishments, animal trainers and exhibitors, zoos, caravan sites, slaughter houses, riding establishments, dog breeders and dangerous wild animals. 3. Authority to carry out the all duties of the Council's Chief Inspector of Weights & Measures is delegated to the Regulatory Services Manager (Trading Standards and Licensing). 4. To take direct action to remove unlawful itinerants' encampments from Council-owned and other land in certain circumstances. 5. To authorise all action required to repair and/or improve conditions in private sector housing, to protect the health, safety and welfare of the occupants and persons visiting the premises, to bring long term empty domestic properties back into use and to investigate harassment and illegal eviction of private sector tenants. 6. Except where otherwise specified, authority to exercise all functions, powers and duties includes the authority take appropriate enforcement action, including issuing notices and cautions and, in consultation with

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the Director of Legal and Democratic Services, bringing proceedings under any appropriate legislation, statutory provisions and by-laws.

Licensing

7. To grant, renew, transfer, suspend and vary, where no objections have been received, and to make conditions in relation to annual licences, occasional licences, registrations, certificates, permits, permissions and consents relating to:

Amusement with prizes
Betting and Gaming
Certificates of Suitability
Cinema and Cinema Clubs
Dealers in Game
Door Staff
Entertainment Clubs (Part IX)
Hackney Carriage Drivers and Proprietors
House-to-House Collections
Late Night Refreshment Houses
Lotteries
Motor Salvage Operators
Nurses Agencies
Performances of Hypnotism
Pools Promoters
Premises for the solemnisation of marriage
Private Hire Drivers, Proprietors and Operators
Prize Bingo
Scrap Metal Dealers
Street Collections
Theatre Licences
Track Betting

8. In accordance with the Licensing Act 2003, authority to determine:
- (a) Applications for personal licences provided no objection is made;
 - (b) Applications for premises licences/club premises certificates, provisional statements and to vary premises licences/club premises certificates provided no relevant representation is made;
 - (c) Applications to vary designated premises' supervisor, for transfer of premises licences and for interim authorities provided that no police objection is made, and
 - (d) Requests to be removed as designated premises supervisor
9. To award penalty points (up to a maximum of 150 points) to hackney carriage/private hire drivers, proprietors and operators in accordance with the current penalty point system.
10. To suspend the licence of a vehicle for reasonable cause where the vehicle owner has failed to renew the certificate of compliance.
11. To suspend vehicle licences under Section 68 of the Local Government (Miscellaneous Provisions) Act 1976 where he/she is not satisfied as to the fitness of the vehicle to be used as a hackney carriage or private

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<p>CORPORATE DIRECTOR ECONOMIC GROWTH, ENVIRONMENT AND INFRASTRUCTURE; DIRECTOR OF GROWTH AND REGULATORY SERVICES; OR HEAD OF REGULATORY SERVICES</p>	<p><u>Public Health</u></p> <p>14. To appoint suitably qualified persons as proper officers under the following legislation:</p> <p style="padding-left: 40px;">Public Health (Control of Disease) Act 1984 and regulations made thereunder National Assistance Act 1948 National Assistance (Amendment) Act 1951</p> <p>15. To appoint suitably qualified persons to act as Public Analyst under Section 27 of the Food Safety Act 1990.</p> <p>16. To appoint suitably qualified persons to act as Agricultural Analyst under Section 67 of the Agriculture Act 1970.</p> <p>17. Authority to act on behalf of the Council in respect of the following legislation:-</p> <p style="padding-left: 40px;">Public Health (Control of Disease) Act 1984 and all Regulations made thereunder. National Assistance Act 1948. National Assistance (Amendment) Act 1951</p> <p>is delegated to the Consultant for Communicable disease Control (Also to include Director of Public Health and Consultants in Public Health Medicine).</p>
<p>CORPORATE DIRECTOR ECONOMIC GROWTH, ENVIRONMENT, AND INFRASTRUCTURE</p>	<p>B. <u>Highways, Engineering And Traffic Management</u></p> <p>In accordance with Council policies, statutory requirements, guidance, Codes of Practice and subject to overall budget provision:</p> <p>1. To exercise the Council's functions, powers and duties in respect of:</p> <p style="padding-left: 40px;">(a) regulation of the use of the highway (b) protection of highways and highway users (c) the adoption of highways</p>

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- (d) the maintenance and improvement of public highways
- (e) dangerous or dilapidated buildings or structures, dangerous excavations and dangerous trees on land accessible to the public
- (f) abandoned vehicles
- (g) private streets and unadopted highways
- (h) interference with highways and streets
- (i) footpaths, cycleways and bridleways
- (j) sewers and land drainage
- (k) the management of on and off street parking
- (l) transport
- (m) fleet management and maintenance
- (n) Traffic Management Statutory Duty

including the authority to grant or refuse privileges, licences, permits, approvals and consents relating to matters in, on, over or under the highway, serve, receive and advertise notices, execute works, recover costs and authorise any appropriate enforcement and legal action.

2. In relation to road traffic orders:

- (a) To make and implement temporary road traffic orders under the provisions of any relevant legislation.
- (b) Subject to there being no unresolved objection, to make and implement traffic regulation orders.

3. To arrange for the temporary prohibition or restriction of traffic on roads by temporary traffic regulation order or notice and the temporary diversion of rights of way.

4. To deal with all matters relating to the private street works code and to inspect and adopt sewers following private street works.

5. To exercise the Council's powers to name streets and require the renumbering of buildings in streets, subject to consultation with Ward Councillors.

6. To exercise the Council's powers and duties in relation to the safety of reservoirs.

7. To be the lead Local Flood Authority, responsible for the powers transferred from the Environment Agency, including ordinary watercourse regulation under the Flood Risk Regulation 2009 and Flood and Water Management Act 2010.

8. To be responsible for operation of the Council's policy with respect to sewer ownership and water resources (non-mains water) and oversee the Council's obligations as a riparian owner.

9. To serve notices of approval or rejection of plans under Sections 263 and 264 of the Public Health Act 1936.

10. To recover the cost of maintaining certain lengths of public sewers under Section 24 of the Public Health Act 1936.

11. The power to make arrangements with the appropriate statutory

<p>CORPORATE DIRECTOR ECONOMIC GROWTH, ENVIRONMENT, AND INFRASTRUCTURE</p>	<p>undertakers to ensure the provision of utilities to service developments promoted by the Council or to localities within the area of the Council where the Council deems such provision to be necessary.</p> <p>12. To deal with applications for easements and wayleaves affecting highways.</p> <p>13. To negotiate with prospective sponsors with regard to charges which may be made for advertisements on sponsored litter bins, together with locations and other pertinent commercial matters.</p> <p>14. To exercise functions required by the Road Traffic Act 1974 to promote road safety:-</p> <ul style="list-style-type: none"> (a) to carry out studies into accidents arising out of the use of vehicles on roads or parts of roads other than trunk roads within the Borough, and (b) following consultation with the Executive Portfolio Holder, authorisation to disseminate information and advice relating to the use of roads and to give practical training to road users or any class or description of road users in the light of such studies (other measures to be reported to the Executive). <p>15. In consultation with the Police, to approve the siting of temporary school crossing patrol points in such circumstances, for example, as road works and royal visits.</p> <p>16. To determine all applications for signs within the Borough.</p> <p>17. Authority in consultation with local Ward Members, the Chairman, the Vice-Chairman and the Opposition Spokesperson of the Planning Development Control Committee and the Police to consider applications for the placing of tables, chairs and certain associated furniture on the highway. If the application is considered suitable to serve notices, obtain necessary consents from owners and occupiers and, if no objections are received, to grant permission subject to such conditions as he/she considers appropriate.</p>
<p>CORPORATE DIRECTOR ECONOMIC GROWTH, ENVIRONMENT AND INFRASTRUCTURE IN CONSULTATION WITH DIRECTOR OF LEGAL AND DEMOCRATIC SERVICES</p>	<p>1. To determine applications for Definitive Map Modification Orders.</p>

<p>CORPORATE DIRECTOR ECONOMIC GROWTH, ENVIRONMENT AND INFRASTRUCTURE</p>	<p>C. <u>Environmental Services</u></p> <p>In accordance with Council policies, statutory requirements, guidance, Codes of Practice and subject to overall budget provision:</p> <ol style="list-style-type: none"> 1. To manage and maintain the Council's parks, play areas and open spaces. 2. To give authorisation for events in the Borough's Parks, [in consultation with the Executive Portfolio Holder.] 3. Authority to let facilities in parks and recreation grounds. 4. To arrange exhibits for horticultural shows as required. 5. To exercise the Council's functions, powers and duties in relation to cemeteries, crematoria, burial grounds and memorials. 6. To exercise the Council's functions, powers and duties in relation to: <ol style="list-style-type: none"> (a) Refuse collection and recycling (b) Waste management (c) Street cleaning, including litter, refuse and controlled waste 7. To fix charges for refuse collection and recycling. 8. To exercise the Council's functions, powers and duties in relation to: <ol style="list-style-type: none"> (a) Nuisance vehicles (b) Graffiti and fly posting (c) Abandoned vehicles
<p>CORPORATE DIRECTOR ECONOMIC GROWTH, ENVIRONMENT AND INFRASTRUCTURE</p>	<p>D. OPERATIONAL SERVICES FOR EDUCATION</p> <ol style="list-style-type: none"> 1. All matters relating to the supply of school milk and school meals. 2. To negotiate with prospective suppliers with regard to charges which may be made for out-door media advertisements
<p>CORPORATE DIRECTOR ECONOMIC GROWTH, ENVIRONMENT AND INFRASTRUCTURE; DIRECTOR OF GROWTH AND REGULATORY SERVICES; OR HEAD OF REGULATORY SERVICES</p>	<p>E HOUSING RENEWAL</p> <ol style="list-style-type: none"> 1. To issue licences and certificates as appropriate for licensing and accreditation schemes for privately rented properties. 2. To authorise all action required to address public health concerns within private sector housing including statutory nuisances, filthy and verminous premises, pest control, local drainage concerns and accumulations.

<p>CORPORATE DIRECTOR CHILDREN, FAMILIES AND WELLBEING</p>	<p>The Corporate Director Children, Families and Wellbeing is appointed as the Council's statutory Director of Children's Services under Section 18 of the Children Act 2004. Accordingly, he/she has the responsibility for all the functions of the statutory Director under that Act and all other relevant legislation.</p>
<p>Except item 12 which is the responsibility of the Director of Human Resources and item 14 which is the responsibility of Access Trafford in T&R Directorate)</p>	<p>A. <u>EDUCATION SERVICES</u></p> <p>In accordance with Council policy, statutory requirements and guidance and relevant Codes of Practice, to take necessary and appropriate action in respect of the following:</p> <p><u>General</u></p> <ol style="list-style-type: none"> 1. To discharge the functions conferred on or exercisable by the Council in its capacity as local education authority. 2. To discharge the functions of the Council in relation to early years' development and provision. 3. To deal with administrative matters arising from the management of the Education Service which includes all matters relating to admission to maintained and controlled schools in the Borough. 4. To take necessary action to ensure measures are in place to promote good attendance. 5. To approve or disapprove applications for grants, awards, fees, concessions or allowances by or for pupils or students. 6. In consultation with the Director of Legal and Democratic Services, to authorise proceedings in respect of irregular or non-attendance at school. 7. To administer the regulations regarding the employment of children. 8. In exceptional circumstances and in consultation with the School, to take decisions to ensure the appropriate provision of education for pupils which may involve, where risks of disruption are unacceptable, the closure of school buildings for a temporary period. 9. To maintain and revise the Scheme for the Local Management of Schools in accordance with the resourcing and other relevant policies of the Council. 10. To maintain the mechanisms by which a continuing positive dialogue may take place with non-Local Education Authority institutions. 11. The provision of home/school transport for pupils. <p><u>School Support Services</u></p> <ol style="list-style-type: none"> 12. All the Council's functions in relation to the employment of teachers and other school based staff including appointment, termination of appointment and reimbursement of expenses properly incurred. 13. To arrange the secondment and transfer of staff with the approval of the Governors concerned.

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**(Except item
12 which is
the
responsibility
of the Director
of Human
Resources
and item 14
which is the
responsibility
of Access
Trafford in
T&R
Directorate)**

14. To implement a scheme for assessing the eligibility of applicants for free school meals.

Special Education – Education Health and Care Plans

15. Arrangements for determining whether a child is in need of an Education, Health and Care Plan
16. Preparation of Education, Health and Care Plans and provision.
17. Arrangements to implement special education provisions specified in Education, Health and Care Plans.
18. To approve grant aid for parental visits at appropriate times to children with special needs in residential schools and colleges.
19. The provision of education to individual pupils “otherwise than in school”.

School Improvement

20. Arrangements for the monitoring of school performance.
21. Arrangements for intervening in schools under Special Measures or otherwise causing concern in accordance with the School Standards Framework Act 1998.
22. To exercise the Council’s reserve power under the School Standards and Framework Act 1998 to prevent a breakdown of discipline
23. Arrangements for receiving OFSTED reports.

Young People's Services

24. To discharge the duty of the Council in relation to young people’s services
25. To ensure voluntary youth organisations and youth welfare services have access to facilities in Trafford to enable them to deliver services.
26. To approve remission of fees for youth service courses in cases not already covered, where payment of the fee would cause unnecessary hardship.

Miscellaneous

27. To fix charges for any occasional activity, sale of goods over the counter or by machine, hire of equipment and other permitted use not contained in the approved list of charges.

B. CHILDREN'S SERVICES

In accordance with Council policies, statutory requirements, guidance, relevant Codes of Practice, National Care Standards and subject to overall budget provision to exercise all relevant children social services functions as conferred by; the Children Act 1989, the Adoption and Children Act 2002, the Local Authority Social Services Act 1970, the Children (Leaving Care) Act 2000 and the Protection of Children Act 1999 in the interests of safeguarding and promoting the welfare of children and young people:

General

1. To exercise the Council's Children's Services' functions, powers and duties under the Children Act 1989, Children Act 2004 and all other legislation relevant to the safety and welfare of children and their families.
2. To discharge any function exercisable by the Authority under Section 75 of the National Health Service Act 2006 on behalf of an NHS body, so far as those functions relate to children and young people and any functions exercised pursuant to an arrangement made under S10 of the Children Act 2004 to include making arrangements for the management of services provided.
3. To manage the Council's Children's Services' establishments
4. To give all necessary consents in relation to the education, emigration, medical treatment (including operations), absence abroad on holiday, adoption of careers, marriage and all other similar matters relating to children looked after by or on behalf of the Council.
5. In consultation with the Director of Legal and Democratic Services, the commencement of proceedings, appearances at court as appropriate, making of applications and representations, and the imposition of any requirements in relation to any matters relating to the protection, safety and welfare of children.
6. To make arrangements for the hearing and determination of any complaint relating to the discharge of children's services' functions, whether from a client or a member of the public.
7. Administering grants, loans, charges and other forms of assistance.
8. The determination of individual applications for provision under community care legislation and the implementation of such provision.
9. The administration of services for the welfare of children and young people with disabilities or mental health needs and their carers.
10. The receipt into the guardianship of the Council of such people with mental health problems for whom this may be appropriate.
11. To be consulted and offer objection or no objection to an application for hospital admission or guardianship under the Mental Health Act 1983 as nearest relative of a child in the care of the Council.

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Adoption Services

12. To establish and maintain an Adoption Agency and engage fully in the development of the Regional Adoption Agency.
13. To exercise all the Council's functions as an adoption agency subject to future legislative changes related to Regional Adoption Agencies.
14. To establish and maintain an adoption service to meet the needs of children who have been or may be adopted, parents and guardians of such children and persons who have adopted or may adopt such a child up until the Regional Adoption Agency is fully operational.
15. After taking note of the recommendations of the Adoption Panel, and subject to the leave of the Court where necessary, to apply for Orders to place children for adoption.

Fostering Services

16. To establish and maintain a Fostering Agency.
17. To exercise all the Council's functions as a fostering agency.
18. To establish and maintain a fostering service to meet the needs of children who have been or may be fostered, parents and guardians of such children and persons who have fostered or may foster such a child.
19. After taking note of the recommendations of the Family Placement Panel, and subject to the leave of the Court where necessary, to place children for fostering.

Secure Accommodation

20. The function of placing and reviewing the placement of children and young persons in secure accommodation.
21. To provide or arrange with another local authority the provision of sufficient secure accommodation.
22. Arrangements for the provision of accommodation, where necessary, with other authorities or organisations.

Day Care

23. To provide day care to children in need who have not reached compulsory school age, and to provide school children in need with care outside school hours or during school holidays.

Private Fostering

24. All matters relating to the supervision of privately fostered children including being satisfied as to the welfare of privately fostered children and to visit them as laid down in regulations.
25. To approve foster parents' payments in respect of the community fostering programme pursuant to Regulation 3 of the Foster Placement (Children)

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Regulations 1991 and Section 23(2)(a)(l) Children Act 1989.

26. To apply the provisions of Schedule 7 to the Children Act 1989, with regard to the permitted number of foster children for whom a foster parent may care.
27. Approving, where required, applications by foster parents for residence orders and to pay appropriate allowances to foster parents.

Investigation and Social Reports

28. To investigate a child's circumstances at the request of a court and to report to that court.
29. To make enquiries into the circumstances of any child the subject of an emergency protection order.
30. To investigate where the local authority may have reasonable grounds to believe that a child may be suffering significant harm, to allow the authority to decide what action to take to promote the welfare of the child.

Review of Children's Cases

31. To review the cases of children looked after within the appropriate timescales.

Charging for Services

32. Decisions regarding charging for services to children.

Miscellaneous

33. To act on behalf of the Executive in statutory consultation with the Local Education Authority for the purposes of Section 36(8) of the Children Act 1989.
34. To safeguard and promote the welfare of children in need in accordance with Section 17 Children Act 1989:-
 - a) By providing services or undertaking functions consistent with the duties identified in Part 3 of the Act and Schedule 2 within budgetary provision with the exception of:-

Schedule 2, paragraph 18(1), relating to the power to guarantee apprenticeship and articles of clerkship for children in need.
 - b) By undertaking the duties of the Local Authority mentioned in Parts 4 and 5 of the Children Act 1989.
35. To express an opinion, when asked by the Education, Health and Care (EHC) Assessment Service, as to whether a child with an EHC plan has disabilities.
36. To make arrangements for the assessment, within specified time limits, of children who are regarded as disabled and who are about to leave full-time education in regard to needs for which provision of services is required by

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one or more of: Part III of The National Assistance Act 1948; Section 2 of the Chronically Sick Disabled Persons Act 1970; Schedule 8 to the National Health Services Act 1977.

37. To be consulted by the Court in regard to remands of individual children in criminal proceedings.
38. To make application to a Court for a declaration that a child should be remanded in a remand centre or a prison for the protection of the public.
39. When in force to make applications in relation to the remand of individual children under the Children and Young Persons Act 1969, Section 23.

Matters Relating to Income and Expenditure

40. To deal with matters relating to the collection of income as follows:-
 - (a) To determine the contribution to be made by a young person accommodated by the department.
 - (b) Parental Contribution – To decide on the issue, withdrawal or reissue of contribution notices in respect of maintenance charges for persons liable to contribute in respect of children looked after and the enforcement of those charges through the Court.
41. Authority to incur expenditure in relation to children looked after in residential and family settings and young people provided with aftercare, within budgetary provision subject to the following.
 - (a) To dispense in any year to any family under Section 17 The Children Act 1989 the equivalent of 10 weeks payment of the boarding out scales at the highest rate and rounded to the nearest £5.
 - (b) To make payments and allowances for children in residential or fostering placements in accordance with the regional schedules and Council policy as below:
 - (i) Boarding Out Allowances

To increase future boarded out rates annually, in line with Northwest Association of Social Services Authorities recommendations, subject to adequate budgetary provision.
 - (ii) Discretionary Grants
 - (c) To make payments to non-parents looking after a child under residence orders.
 - (d) Authority to incur expenditure as appropriate following burial and cremation under the Children Act 1989, Schedule 2, paragraph 20.
42. To authorise:-
 - (a) the placing of contracts for the residential care of children with such establishments as he/she considers will meet the assessed needs of the child, for an appropriate fee and within the approved budgetary

<p>CORPORATE DIRECTOR CHILDREN, FAMILIES AND WELLBEING</p> <p>CHIEF EXECUTIVE</p>	<p>provision.</p> <p>(b) the placing of contracts for the domiciliary and day care of children with such organisations or individual as he/she considers will meet the assessed needs of the child, for an appropriate fee and within the approved budgetary provision.</p> <p>43. In respect of day nurseries, in accordance with Financial Procedure Rules, and in consultation with the Chief Finance Officer and the Executive Portfolio Holder, to deal with requests for abatement from assessed minimum charges to nil assessment, each case being judged on its individual circumstances.</p> <p>44. To agree to disregard up to the full amount of the attendance allowance or disabled living allowance received in appropriate cases.</p> <p><u>Local Safeguarding Children Board</u></p> <p>45. Responsibility for ensuring that the Local Safeguarding Children Board is an effective vehicle for the promotion of child protection and the safeguarding of children in Trafford.</p> <p>46. To appoint or remove the chair of the Trafford Safeguarding Children Board in partnership with TSCB members and hold the chair to account for the effective work of the board, drawing on TSCB information as appropriate</p> <p><u>Reporting Arrangements</u></p> <p>47. Mandatory reporting to the relevant Government departments, agencies and inspectorates.</p>
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The Corporate Director Children, Families and Wellbeing is appointed as the Council's statutory Director of Adult Social Services under the Local Authority Social Services Act 1970 with responsibility for local authority Social Services functions in respect of adults. Accordingly, he/she has the responsibility for all the functions of the statutory Director under that Act and all other relevant legislation.

MATTERS RELATING TO ADULT SOCIAL SERVICES

In accordance with Council policies, statutory requirements, guidance, Codes of Practice, National Care Standards and subject to overall budget provision to provide the following directly or through delegated authority (other than integration and co-operation, Safeguarding and power to charge):

General

1. To manage the Council's Adult Social Services' functions and establishments.
2. To discharge the Council's functions and duties and exercise the Council's powers under relevant legislation relating to the care of older people, people with physical disabilities, people with learning difficulties and persons who are mentally ill, instituting legal proceedings where appropriate in consultation with the Director of Legal and Democratic Services. To take into account the needs of carers in so doing.
3. To discharge the Council's functions and duties and exercise the Council's powers under the Care Act 2014 including, instituting legal proceedings, where appropriate, in consultation with the Director of Legal and Democratic Services.
4. To ensure the provision of community and home based services.
5. The provision of equipment and adaptations to property.
6. The determination of individual applications for provision under the Care Act and the implementation of such provision.
7. The hearing and determination of any complaint or representation relating to the discharge of Adult Services' functions, whether from a client or a member of the public.
8. Arrangements for the provision of accommodation, where necessary with other authorities or organisations.
9. Administering grants, loans, charges and other forms of assistance, in accordance with Council policy and legislation.
10. The exercise of the Council's functions under Mental Health legislation, including guardianship, the appointment of approved social workers, the exercise of the function of nearest relative and the authorisation of individual social workers to act in that capacity and the authorisation of deprivation of liberty.
11. Arrangements for the burial or cremation of persons in the care of the Council, or where no other person takes responsibility.

<p>CORPORATE DIRECTOR CHILDREN, FAMILIES AND WELLBEING</p>	<p>12. The development of support and health improvement initiatives throughout the Borough, either independently or in partnership with local health bodies.</p> <p><u>Safeguarding</u></p> <p>13. To be responsible for ensuring appropriate practices and procedures are in place for safeguarding vulnerable adults.</p> <p>14. To carry out a safeguarding enquiry, or cause others to do so, where a person is experiencing or is at risk of abuse and neglect to decide what action, if any, is necessary and by whom.</p> <p>15. To arrange an independent advocate for adults who are subject to a safeguarding enquiry or Safeguarding Adults Review (SAR).</p> <p>16. To set up a Safeguarding Adults Board or similar partnership vehicle to develop strategic safeguarding policy and practice.</p> <p>17. To cooperate with relevant partners to protect adults.</p> <p><u>Miscellaneous Matters</u></p> <p>18. To establish a complaints procedure and to give publicity to this procedure, pursuant to Section 7B of the Local Authority Social Services Act 1970 and the Complaints Directions 1990, as reformed by The Local Authority Social Services and NHS Complaints (England) Regulations 2009.</p> <p>19. Dealing with requests for access to personal files in accordance with the relevant legislation and regulations.</p>
<p>DIRECTOR OF PUBLIC HEALTH</p>	<p>PUBLIC HEALTH</p> <p>Without prejudice to the specific delegations to the Director of Public Health the Corporate Director of Children, Families and Wellbeing will maintain a strategic overview of the discharge of the Council's functions in relation to public health.</p> <p>The holder of the post of Director of Public Health shall be responsible for the management of the public health consultant function within the Children, Families and Well-being Directorate and the discharge of the statutory responsibilities of the Director of Public Health. This includes:</p> <p>20. Preparing the annual report on the health of the local population</p> <p>21. Responsibility for all of the Council's duties to take steps to improve public health</p> <p>22. Responsibility for the delivery of any of the Secretary of State's public health protection or health improvement functions that s/he delegates to local authorities, either by arrangement or under regulations – these include services mandated by regulations made under section 6C of the 2006 Act, inserted by section 18 of the 2012 Act.</p> <p>23. Exercising the Council's functions in planning for, and responding to, emergencies that present a risk to public health, their local authority's role in co-operating with the police, the probation service and the prison service to assess the risks posed by violent or sexual offenders.</p> <p>24. Carrying out of such other public health functions as the Secretary of State specifies in regulations</p> <p>25. Being responsible for the Council's public health response as a responsible</p>

<p>DIRECTOR OF PUBLIC HEALTH</p>	<p>authority under the Licensing Act 2003, such as making representations about licensing applications.</p> <p>26. If the local authority provides or commissions a maternity or child health clinic, then regulations made under section 73A(1) will also give the Director of Public Health responsibility for providing Healthy Start vitamins (a function conferred on local authorities by the Healthy Start and Welfare Food Regulations 2005 as amended).</p> <p>27. Being a member of the Health and Well Being Board.</p> <p>The following mandatory (prescribed functions) and other (non prescribed) public health services will be commissioned by the Integrated Structure with clinical oversight and advice provided by the Public Health Consultant function under the guidance of the Director of Public Health:</p> <p>Mandatory (Prescribed Functions)</p> <p>28. Appropriate access to sexual health services (i.e., comprehensive sexual health services (including testing and treatment for sexually transmitted infections, contraception outside of the GP contract and sexual health promotion and disease prevention)</p> <p>29. Steps to be taken to protect the health of the population, in particular, giving the local authority a duty to ensure there are plans in place to protect the health of the population.</p> <p>30. Ensuring NHS commissioners receive the public health advice they need</p> <p>31. The National Child Measurement Programme</p> <p>32. NHS Health Check assessment.</p> <p>Other (Non Prescribed Functions)</p> <p>33. Tobacco control and smoking cessation services</p> <p>34. Alcohol and drug misuse services</p> <p>35. Public health services for children and young people aged 5-19 (including Healthy Child Programme 5-19) (and in the longer term all public health services for children and young people)</p> <p>36. Interventions to tackle obesity such as community lifestyle and weight management services</p> <p>37. Locally-led nutrition initiatives</p> <p>38. Increasing levels of physical activity in the local population</p> <p>39. Public mental health services</p> <p>40. Dental public health services</p> <p>41. Accidental injury prevention</p> <p>42. Population level interventions to reduce and prevent birth defects</p> <p>43. Behavioural and lifestyle campaigns to prevent cancer and long-term conditions</p> <p>44. Local initiatives on workplace health</p> <p>45. Supporting, reviewing and challenging delivery of key public health funded and NHS delivered services such as immunisation and screening programmes</p> <p>46. Local initiatives to reduce excess deaths as a result of seasonal mortality</p> <p>47. The local authority role in dealing with health protection incidents, outbreaks and emergencies</p> <p>48. Public health aspects of promotion of community safety, violence prevention and response</p> <p>49. Public health aspects of local initiatives to tackle social exclusion</p> <p>50. Local initiatives that reduce public health impacts of environmental risks.</p>
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**CORPORATE
DIRECTOR
TRANSFORMATION
AND RESOURCES**

In accordance with Council policies, statutory requirements, guidance, Codes of Practice, National Care Standards and subject to overall budget provision:

A. HUMAN RESOURCES

1. Authority, after consultation where appropriate with the Portfolio Holder, chairman of the Employment Committee, Trade Unions and staff representatives, to approve revisions and amendments which are not significant to corporate human resources strategies and policies in so far as they relate to the appointment, terms and conditions of employment and dismissal of staff.
2. Authority to approve all other corporate human resources strategies, policies and procedures.
3. To determine discretionary termination compensation payments up to 66 weeks of pay.

B LIBRARIES

1. The management and control of all the Council's library facilities. This includes:
 - (a) in consultation with the Executive Portfolio Holder, determining admission charges, fees and concessions for the use of such facilities, and to agree variations from standard charges;
 - (b) authorising the emergency closure of premises and facilities, without notice, in the interests of public safety;
 - (c) to agree seasonal and other variations in the hours of opening of facilities, and the closure of facilities at bank holidays;
 - (d) selecting of books, periodicals and newspapers for the libraries;
 - (e) permitting and organising exhibitions.
2. The development of library services throughout the Borough.
3. To fix charges for any occasional activity, sale of goods over the counter or by machine, hire of equipment and other permitted use not contained in the approved list of charges.

C. SPORTS, LEISURE AND ARTS

In accordance with Council policies, statutory requirements, guidance, Codes of Practice and subject to overall budget provision:

General

1. All matters concerning the relationship between the Council, Trafford Community Leisure Trust and other sports and leisure providers with

**CORPORATE
DIRECTOR
TRANSFORMATION
AND RESOURCES**

whom we have a contractual arrangement.

2. With the exception of facilities operated by Trafford Community Leisure Trust and facilities within parks, the management and control of all the Council's sports, leisure and arts facilities. This includes:
 - (a) in consultation with the Executive Portfolio Holder, determining admission charges, fees and concessions for the use of such facilities, and to agree variations from standard charges;
 - (b) authorising the emergency closure of premises and facilities, without notice, in the interests of public safety;
 - (c) to agree seasonal and other variations in the hours of opening of facilities, and the closure of facilities at bank holidays;
 - (d) permitting and organising exhibitions.
3. The development of sport and arts services throughout the Borough.
4. To fix charges for any occasional activity, sale of goods over the counter or by machine, hire of equipment and other permitted use not contained in the approved list of charges.
5. To set ticket prices for arts events.

D ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

1. The exercise of all functions, powers and duties relating to Community Safety, including the taking of any appropriate enforcement action.
2. The issuing of notices and cautions and, in consultation with the Director of Legal and Democratic Services, bringing proceedings under any appropriate legislation, statutory provisions and by-laws.

E GENERAL

1. To grant or refuse applications for use of the Borough Badge.
2. To take necessary action to implement the Equality Standard for Local Government.

**CHIEF
FINANCE
OFFICER**

In accordance with Council policies, statutory requirements, guidance and Codes of practice, and subject to overall budget provision:

General

1. To be the Council's Chief Finance Officer as required and described in s151 of the Local Government Act 1972, responsible for the effective financial administration of the Council.
2. To administer the General Fund and the Collection Fund and to collect and disburse monies from these funds as appropriate, and/or determine procedures and controls for the proper financial administration of any parts of these funds administered by other officers, and in all cases to ensure that there is an effective internal audit function to review and monitor compliance with rules, procedures, policies, directives and controls.
3. To prepare the annual Statement of Accounts and to ensure that the Council, its appropriate Committees, the Executive and the Corporate Management Team receives appropriate and regular monitoring reports on the Councils' financial performance.
4. To make such entries as are required, in the Council's accounts to comply with relevant regulations and codes of best practice that have the weight of law.
5. To create reserves, execute accounting transactions and make adjustments:-
 - a. Up to £500,000 per transaction;
 - b. Between £500,001 - £1,500,000 per transaction – delegation to be exercised in consultation with the Executive portfolio holder;
 - c. Over £1,500,000 per transaction – delegation to be exercised in consultation with the Leader of the Council, Deputy Leader of the Council and Executive portfolio holder.
6. To determine and arrange all insurance cover for Council requirements and in consultation with the Director of Legal & Democratic Services as appropriate to determine all claims made on the self-insured fund.
7. To consider and determine applications for virement between revenue or capital budgets, and to otherwise maintain budget plans on the Councils' ledger system consistent with the approved plans and management information needs of the Council.
8. To be the Council's authorised signatory for all grant claims, requests and lease arrangements (except for property related leases under a value to be determined in consultation with the Corporate Director for Economic Growth and Prosperity) made by the Council.
9. To prosecute, initiate and appear on behalf of the Council in any legal proceedings relating to national non-domestic rates and Council Tax and any other similar matters.

**CHIEF
FINANCE
OFFICER**

Borrowing and Investment

10. To raise money by any means permitted by statute and intra vires as is most appropriate at the relevant time.
11. To proactively manage the Council investment and debt portfolio, including the early repayment of debt, in accordance with the Council's Treasury Management Strategy and within the approved prudential indicators.
12. To act as Registrar for the Council's Mortgage, Bonds and similar schemes.

Debt Recovery

13. To administer the Council's procedures to deal with debt recovery.
14. Following consultation with appropriate Directors, to request the Director of Legal and Democratic Services to take any action necessary for the recovery of arrears of claims and other appropriate debts due to the Council, including appearance in the Magistrates' Court in person or by his duly authorised officer and including actions for the recovery of possession of mortgaged property.
15. To write-off individual items of irrecoverable income of up to £25,000 (excluding VAT) as specified in the Finance Procedure Rules.
16. To write off any income that is irrecoverable due to liquidation, bankruptcy or insolvency.
17. In consultation with the and the Executive Member for Finance, to write off any other income due to the Council (e.g., any individual item in excess of £25,000)

National Non-Domestic Rates

18. To charge, collect and recover any non-domestic rates payable.
19. To consider and determine applications for relief under Section 43 of the Local Government Finance Act 1988 (mandatory charitable relief).
20. To consider and determine applications made under Section 44A of the Local Government Finance Act 1988 (as amended by the Local Government and Housing Act 1989) (granting relief for unoccupied parts of hereditaments).
21. To consider and determine applications for relief under Section 47 of the Local Government Finance Act 1988 as amended by Clause 69 of the Localism Act 2011 having regard to the guidelines previously laid down (discretionary rate relief).
22. To consider and determine applications made under Section 49 of the Local Government Finance Act 1988 (reduction or remission of liability on the grounds of hardship).
23. To prosecute and appear on behalf of the Council at any legal proceedings.

**CHIEF
FINANCE
OFFICER**

24. To exercise reasonable discretion in making suitable arrangements for the collection of rates by instalments within the context of statutory provisions and the Council's resolutions.

25. To annually estimate and set the Non-Domestic Rate Tax Base for local and national requirements pursuant to the relevant legislation and Council policy.

Council Tax

26. To charge, collect and recover any Council Tax payable.

27. To establish and maintain a list of liable persons and to request certain information in order to achieve this objective in accordance with legislation.

28. To consider, determine, grant (as appropriate) and review any application for statutory and discretionary discounts, relief, reductions and exemptions.

29. To impose penalties in certain instances.

30. To attend Valuation Tribunals.

31. To prosecute and appear on behalf of the Council at any legal proceedings.

32. To exercise reasonable discretion in making suitable arrangements for the collection of rates by instalments within the context of statutory provisions and the Council's resolutions.

33. The determination of the Council Tax base in accordance with Section 33(1) of the Local Government Finance Act 1992.

34. To annually estimate and set the Council Tax Base for local and national requirements pursuant to the relevant legislation and Council policy.

35. To annually determine the level of available Collection Fund Surplus.

Council Tax Support and Housing Benefit Rent Allowances and Rent Rebates)

36. To administer the Council Tax support and housing benefits scheme and make all determinations necessary for its proper administration including:

- a. determining the period benefit is awarded for, subject to any statutory maximum.
- b. determining applications for benefit to be backdated
- c. consider and determine the granting of additional relief in exceptional circumstances
- d. determining overpayments and pursuing recovery where appropriate
- e. considering appeals and attending Appeal Tribunals if required
- f. considering awards of extra Housing Benefit under discretionary powers
- g. where otherwise "exceptional hardship" would be caused.

37. To cancel applications where insufficient information has been received at any time after a minimum of 4 weeks has elapsed, from the further written

**CHIEF
FINANCE
OFFICER**

request for the necessary information being made.

38. To withhold benefit in circumstances to be defined in consultation with the Director of Legal and Democratic Services.

39. In respect of Housing Benefit to determine the appropriate level of rent to be met by the scheme having regard to rents which are unreasonable.

**DIRECTOR OF
LEGAL AND
DEMOCRATIC
SERVICES**

Appeals

40. To consider and determine all appeals relating to NNDR, Council Tax and Council Tax support.

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FINANCE
OFFICER**

Adult Social Care - Matters Relating to Income and Expenditure

41. To assess for and collect charges under the Care and Support (Charging and Assessment of Resources) Regulations 2014 and the Care and Support and Aftercare (Choice of Accommodation) Regulations 2014.

42. To offer deferred payments in line with the Care and Support (Deferred Payments Agreements) Regulations 2014.

43. To ensure debt recovery is pursued in line with the Care Act and the Council's Care & Residential Services Debt Management & Recovery Policy.

44. To protect the property of adults being cared for away from home in accordance with Section 47 of the Care Act.

Discretionary Welfare Assistance

45. To administer the Discretionary Housing Payments Scheme including the setting of criteria, making payments and establishing a review procedure.

46. To administer and determine the award of discretionary Council Tax Support in accordance with Council policy.

47. To administer the Trafford Assist fund, including the setting of criteria, issuing awards and establishing review procedures.

<p>DIRECTOR OF HUMAN RESOURCES IN CONSULTATION WITH CHIEF FINANCE OFFICER</p>	<p><u>Human Resources</u></p> <p>48.To act in accordance with the Council’s locally-agreed arrangements, including:-</p> <ul style="list-style-type: none"> a. To administer the payment of all remuneration, compensation and other emoluments to employees of the Council. b. To make deductions from employees’ salaries in respect of sums or debts lawfully due to the Council, in accordance with statute, the relevant contract of employment, by agreement and/or in accordance with Council policy determined by Members. c. In consultation with the Chief Executive, to implement national and provincial pay awards within approved estimated. d. To approve or refuse applications for staff car leases in accordance with the Council’s Salary Sacrifice Car Lease Scheme and applications for other salary sacrifice schemes. <p>49.To determine requests received from employees under the terms of the council’s Voluntary Redundancy and Early Retirement Scheme where total costs associated with the request do not exceed £100,000 and the payback period does not exceed 5 years.</p>
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<p>CHIEF FINANCE OFFICER</p>	<p><u>Miscellaneous Matters</u></p> <p>50. To revise the financial limits in the scheme to assist schools to purchase items of school equipment if the need arises in the light of experience.</p> <p>51. In consultation with the Director of Children, Families and Wellbeing to deal with all classes of improvement grants.</p> <p>52. In consultation with the Corporate Director of Children's, Families and Wellbeing Services, determine, administer and action the Council's Scheme for Financing Schools.</p> <p>53. To be the Council's authorised signatory for all grant claims and bids made by the Council.</p> <p>54. To determine and issue any protocols, rules, procedures, guidance and best practice for the effective discharge of proper financial administration in a devolved environment, including determining all relevant accounting practices and instructions.</p> <p>55. To be and to select other officers under the Chief Finance Officer's direct managerial control to be bank signatories.</p> <p>56. To approve holders of Credit and Purchase cards in the Council's name.</p> <p>57. To approve all leases or similar credit arrangements (excluding property related).</p> <p>58. To exercise the following privileges, and to extend these privileges to other officers who are under the Chief Finance Officers' direct managerial control:</p> <ol style="list-style-type: none"> a. Enter any Council premise at any time pursuant to investigations of financial irregularity and/or to secure any asset or documentation b. To request any Council officer or Member to produce and release any Council monies, instruments, stocks, financial record or other asset immediately c. To give instruction to any Council officer or Member pursuant to investigations of financial irregularity and/or to prevent financial loss or liability being incurred d. To remove and/or instruct on the security of any document and/or asset in furtherance of any investigation of financial irregularity and/or to prevent loss or liability being incurred e. To determine whether any matter of financial irregularity and/or corruption will be brought to the attention of the Police f. To require any officer of the Council to fully cooperate with any investigation of financial irregularity
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**DIRECTOR
OF LEGAL
AND
DEMOCRATIC
SERVICES**

In accordance with Council policies, statutory requirements, guidance, Codes of Practice and subject to overall budget provision:

General

1. To institute, conduct, prosecute and defend any legal proceedings on behalf of the Council and make applications to court as required.
2. To make any order or direction, give or serve any notice, or sign on behalf of the Council, or witness the sealing of any document necessary to give effect to any decision lawfully taken by or on behalf of the Council.
3. To grant authority for someone (other than an admitted solicitor) to appear in the Magistrates' Court, on behalf of the Council, under Section 223 of the Local Government Act 1972.
4. To institute criminal proceedings in respect of offences against any legislation (including by-laws) that the Council is authorised to enforce and to institute and respond to any appeals arising out of such proceedings.
5. In consultation with the relevant Director, to serve any notices required in pursuance of the Council's functions or powers.
6. To approve, in consultation with the relevant Director, the payment of financial compensation not exceeding £1,000, in order to resolve a complaint submitted in accordance with the Council's Complaints' Procedure.
7. On the instructions of a Director, to take all necessary steps to secure the removal of any person or persons from land.
8. To grant authority to officers to enter premises in exercise of statutory powers and duties.
9. To establish and administer appeal committees to determine statutory education and exclusion appeals; to appoint additional members to the Panel as necessary and to appoint panel members to act as chairmen of the committees.
10. To execute documents under Seal and to authorise other officers, as necessary, to do the same.
11. To settle claims against the Council in consultation with the relevant Director.
12. To certify and settle claims under the Land Compensation Act 1973.
13. To serve requisitions as to ownership of property under various statutory provisions.
14. To attach the Council's Seal to Tree Preservation Orders made under delegated powers.
15. To administer the Council's responsibilities under the Data Protection and Freedom of Information legislation.

**DIRECTOR
OF LEGAL
AND
DEMOCRATIC
SERVICES**

16. To maintain the Local Land Charges' register, respond to local searches and deal with the registration of Common Land etc.
17. To apply for injunctions in appropriate cases in pursuance of the Council's statutory functions and duties or to protect people or property.
18. Authority to act jointly with the Chief Finance Officer in respect of paragraph 6 of the Accounts and Audit Regulations 2011.
19. To administer the Members' Scheme of Allowances.
20. To set a reasonable fee for supplying a copy of the Independent Remuneration Panel's report to interested parties.

Planning and Highways

21. In consultation with the Corporate Director of Economic Growth, Environment and Infrastructure to enter into agreements and bonds with developers or others in accordance with planning and highway legislation
22. Jointly with the Head of Planning and Development authority to determine applications for Certificates of Lawful Use or Development.
23. Jointly with the Head of Planning and Development authority to issue Stop Notices and take further enforcement action and, in other cases, serve Enforcement Notices, Stop Notices or Breach of Condition Notices.
24. To accept blight notices where all statutory requirements are met and to serve counter notices in response to purchase notices and blight notices served on the Council.
25. Authority to lodge objections to vehicle operators' licences, in consultation with the Corporate Director of Economic Growth, Environment and infrastructure, where it appears that the operating centre is not suitable and if necessary, to appear at any hearing into the grant of an Operators' Licence.

Mortgages

26. At the request of the Chief Finance Officer to take action (including the institution and prosecution of Court proceedings), against mortgagors who are persistently in default.
27. Approval of occasional variations of first mortgages given by a building society for the purchase of Council houses by tenants to enable the society to charge a higher rate of interest for further advances on the same properties.
28. In consultation with the Chief Finance Officer, to consider and determine applications from owners of former Council dwellings for the Council's approval to Building Society further advances taking priority over the Council's claim for repayment of discount, subject to both officers being satisfied that the Council's financial interests are safeguarded in each case.

**DIRECTOR
OF LEGAL
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Asset Management

29. At the request of the Chief Officer responsible for the property concerned, to serve notice to quit on tenants, to recover possession of property, and to terminate the leases of business premises required for demolition or redevelopment.
30. To confirm Compulsory Purchase Orders in accordance with section 14A of the Acquisition of Land Act 1981, where empowered to do so by the relevant Secretary of State.

Local Government Standards

31. To maintain a register of member's interests consistent with the adopted Code of Conduct.
32. To decide on whether to investigate or reject or informally resolve a complaint and to arrange an investigation (having consulted with the Independent Person).
33. To refer an investigation finding of breach to the Standards Committee for hearing (having consulted with the Independent Person).
34. To determine requests for dispensation on grounds 1-3 below, subject to a member's right to appeal to the Standards Committee:

The grounds are:

- (1) So many members have disclosable personal interests (dpi's) that it would impede the transaction of the business;
- (2) Without the dispensation the strengths of political groups on the body would be so upset as to alter the likely outcome of any vote on the matter;
- (3) Without the dispensation, every member of the Executive would have a (dpi) prohibition from participating.

Appointment of Officers

1. As set out in Article 12 of the Constitution, the following designations have been made:
 - a) The Chief Executive is designated Head of Paid Service in accordance with section 4 of the Local Government and Housing Act 1989
 - b) The Director of Legal and Democratic Services is designated Monitoring Officer in accordance with section 5 of the Local Government and Housing Act 1989. The Principal Solicitor (Corporate and Commercial) is designated as the Deputy Monitoring Officer.
 - c) The Chief Finance Officer is designated as the Statutory Chief Finance Officer in accordance with section 151 of the Local Government Act 1972. The Head of Financial Management is designated as the Deputy Statutory Chief Finance Officer.
2. The Chief Executive is appointed Returning Officer for any constituency or part of a constituency coterminous with or contained in the Borough of Trafford
3. The Chief Executive is appointed Returning Officer for the elections of Councillors for the Borough of Trafford and of Councillors for parishes within the Borough.
4. The Chief Executive is appointed Registration Officer for any constituency or part of a constituency coterminous with or contained in the Borough of Trafford.
5. The Chief Executive following consultation with the Leader of the Council may appoint a Corporate Director to the role of Deputy Chief Executive on such terms and conditions including remuneration, as the Chief Executive sees fit. The Deputy Chief Executive shall:
 1. undertake any duties delegated to him/her by the Chief Executive
 2. perform duties of the Chief Executive set out in this Constitution either;
 - (i) upon the instruction of the Chief Executive; or
 - (ii) upon the instruction of the Leader of the Council when the Chief Executive is absent from his/her duties for whatever reasons for a period of five consecutive working days or more. During such times, the Deputy Chief Executive shall undertake any of the powers of the Chief Executive set out in this Constitution, except where the Constitution already provides for deputising arrangements (for example, Proper Officer functions)
6. The Director of Legal and Democratic Services is appointed as the officer who may do acts in respect of Registration in the event of the Chief Executive's absence or incapacity
7. The Corporate Director Children, Families and Wellbeing is appointed as the Statutory Director of Children' Services under section 18 of the Children Act 2004

8. The Corporate Director Children, Families and Wellbeing is appointed as the Statutory Director of Social Service (Adults) under section 6 of the Local Authority Social Services Act 1970
9. The Head of Governance is appointed as the Statutory Scrutiny Officer under the Local Democracy, Economic Development and Construction Act 2009
10. The Director of Public Health is appointed as the Statutory Director of Public Health as required under the Health and Social Care Act 2012.
11. The officers specified in the following table are appointed Proper Officer for the purpose of the respective functions specified in relation to them:

Registration Service Act 1953		
Reference	Description	Proper Officer
S3, 9,13 & 20	Registration of Births, Deaths and Marriages	Director of Legal and Democratic Services (Head of Legal Services)
Local Government Act 1972		
Reference	Description	Proper Officer
S 83	Witness and receipt of declaration and acceptance of office	Chief Executive (Director of Legal and Democratic Services)
S 84	Receipt of written notice of resignation of office	Chief Executive (Director of Legal and Democratic Services)
S 88(2)	Convening of meeting of the Council to fill a casual vacancy in the office of Chairman	Chief Executive (Director of Legal and Democratic Services)
S 89(1)(b)	Receipt of notice of casual vacancy in the office of Councillor from two local government electors	Chief Executive (Director of Legal and Democratic Services)
S 100B	Exclusion of parts from reports open to inspection	Director of Legal and Democratic Services
S 100C(2)	Responsibility to prepare a written summary of those parts of the committee proceedings which disclose exempt information	Director of Legal and Democratic Services
S 100D	Responsibility for identifying background papers and compiling list of such documents	For each report, the officer named in it as the responsible officer
S 100F(2)	Decision to exclude from production to Members documents disclosing exempt information	Chief Executive (Director of Legal and Democratic Services)
S 115	Responsibility for receipt of money due from officers	Chief Finance Officer

S 146(1)	Authorisation to produce a declarations and certificates with regard to securities	Chief Finance Officer
S 191	Functions with regard to Ordnance Survey	Corporate Director Economic Growth, Environment and Infrastructure.
S 210	Officer in whom power in respect of a charity will vest as at 1 April 1974	Director of Legal and Democratic Services
S 225(1)	Deposit of documents and giving of acknowledgements or receipts.	Director of Legal and Democratic Services
S 229	Certification of photographic copies of	Director of Legal and Democratic Services
S 234(1)	Authentication of documents	Director of Legal and Democratic Services
S 238	Certification of byelaws	Director of Legal and Democratic Services
Para 4(2)(b) of Part 1 of Schedule 12	Officer who may sign a summons to council meetings	Chief Executive (Any Corporate Director/Director of Legal and Democratic Services)
Para 4(3) of Part 1 of Schedule 12	Receipt of notices from Members regarding address to which a summons to a meeting is to be sent	Chief Executive (Director of Legal and Democratic Services)
Local Government Act 1974		
Reference	Description	Proper Officer
S 30 (5)	Publication of notice of Local Commissioner's report on investigation of a complaint	Director of Legal and Democratic Services
Local Government (Miscellaneous Provisions) Act 1976		
Reference	Description	Proper Officer
S 41	Certification of copies of resolutions, minutes and other documents	Director of Legal and Democratic Services
Rates Act 1984		
Reference	Description	Proper Officer
S 7	Certification of rate	Chief Finance Officer
Local Government and Housing Act 1989		

Reference	Description	Proper Officer
S 2	Preparation of list of politically restricted posts	Corporate Director Transformation and Resources
S 15, 16, 17	Receipt of notices relating to political groups	Chief Executive (Director of Legal and Democratic Services)
Local Government (Committees and Political Groups) Regulations 1990		
Reference	Description	Proper Officer
S 8 (1) and (5)	Receipt of notice of constitution of a political group, or the change of name of a political group	Chief Executive (Director of Legal and Democratic Services)
S 9 and 10	Receipt of notice of Councillor's membership of, or cessation of membership of, a political group	Chief Executive (Director of Legal and Democratic Services)
S 13	Officer to whom the wishes of a political group are expressed	Chief Executive (Director of Legal and Democratic Services)
S 14	Responsibility for notifying a political group about allocations and vacancies of seats	Chief Executive (Director of Legal and Democratic Services)
The Local Authorities (Executive Arrangements) (Meetings and Access to Information) Regulations 2012		
Reference	Description	Proper Officer
Reg 5 (2)(3)and (4)	Responsibility to produce a notice giving 28 days' notice of its intention to hold a meeting in private.	Director of Legal and Democratic Services
Reg 5 (6)and (7)	Responsibility to gain approval from the Chairman of Scrutiny Committee to the consideration of an item in private where notice in accordance with Regulation 5 (2) was not practical and the publication of the notice thereafter.	Director of Legal and Democratic Service
Reg 6	Responsibility for giving notice of the time and place of a public meeting.	Director of Legal and Democratic Service
Reg 7	Responsibility to ensure that certain copy documents are available for public inspection	Director of Legal and Democratic Services
Reg 9 (1), (2) and (3)	Responsibility to produce a notice giving 28 days' notice of its intention to take a key decision.	Director of Legal and Democratic Services

<i>Reg 10</i>	Responsibility to inform the Chairman of Scrutiny Committee of the intention to take a key decision where notice in accordance with Regulation 9 was not practical and the publication of the notice thereafter.	Director of Legal and Democratic Services
<i>Reg 11</i>	Responsibility for dealing with cases of special urgency.	Director of Legal and Democratic Services
<i>Reg 12</i>	Responsibility for the recording of executive decisions taken at meetings	Director of Legal and Democratic Services
<i>Reg 13(1), (2) and (3) and Reg 14</i>	Responsibility for the recording of executive decisions taken by individual members	Director of Legal and Democratic Services
<i>Reg 13 (4) and Reg 14</i>	Responsibility for the recording of executive decisions taken by Officers	Relevant Corporate Director
<i>Regs 15 and 21</i>	Responsibility for ensuring that background papers are available for inspection	Director of Legal and Democratic Services
<i>Reg 20</i>	Officer who may form an opinion as to whether a document contains or is likely to contain information confidential information, exempt information or the advice of a political advisor or assistant	Director of Legal and Democratic Services
The Local Authorities (Referendums) (Petitions and Directions) (England) Regulations 2000		
Reference	Description	Proper Officer
<i>Reg 4</i>	Publication of the number that is equal to 5 per cent of the number of local government electors for the authority's area	Head of Governance
<i>The Local Authorities (Standing Orders) (England) Regulations 2001</i>		
Section	Description	Proper Officer
<i>Reg 3 & 4 and Schedule 1</i>	Officer for receiving notification of proposed appointment of certain officers, notifying executive members of that proposed appointment and for receiving and notifying of objections to the proposed appointment. This officer is the proper officer referred to in the Officer Employment Procedure Rules set out in Part 3 of the Constitution	Chief Executive

12. The officer of the Council named in the second column below is appointed the Proper Officer of the Council in relation to references to the officer named in the first column in:

- (i) any enactment passed before or during the 1971/72 session of Parliament other than the Local Government Act 1972 or in any instrument made before the 26 October 1972 which reference is to be construed as a reference to the proper officer of the Council;
- (ii) any reference in any local statutory provision which, by virtue of any Order made under the Local Government Act 1972, is to be construed as a reference to the proper officer of the Council.

**1.
Reference**

Town Clerk or Clerk of the Council

Treasurer

Surveyor

**2.
Proper Officer**

Chief Executive

Chief Finance Officer

Corporate Director of Economic Growth,
Environment and Infrastructure

13. This schedule of appointments is to be read in conjunction with the Scheme of Delegation to Officers (Part 3 Section 4 of the Council's Constitution) which contains information about other functions delegated to, and exercisable, by officers.
14. The deputy Proper Officer, if any, is given in brackets after the Proper Officer. The deputy Proper Officer is appointed to act where the Proper Officer is absent and/or unable to act for any reason. An officer appointed as a Proper Officer may also make arrangements for the carrying out of the relevant duties and functions by another officer. In the event of an officer being for any reason unable to act or the post being vacant the Chief Executive or in their absence, the Director of Legal and Democratic Services, and in the absence of both, the Chief Finance Officer, shall nominate an officer to act in their stead.
15. Until the Council decides otherwise the Chief Executive is appointed the Proper Officer for the purpose of all statutory provisions, whether existing or future, in respect of which no Proper Officer appointment has, for the time being, been made either in accordance with this schedule of Proper Officer functions or the Scheme of Delegation to Officers.

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