

Taunton Deane Borough Council

At a meeting of Taunton Deane Borough Council held in the John Meikle Room, The Deane House, Belvedere Road, Taunton on 1 October 2013 at 6.30 pm.

Present The Mayor (Councillor Ms Lisgo)
The Deputy Mayor (Councillor D Durdan)
Councillors Mrs Adkins, Mrs Allgrove, Mrs Baker, Bishop, Bowrah, Cavill, Coles, Denington, Miss Durdan, Edwards, Farbahi, Mrs Floyd, Gaines, A Govier, Mrs Govier, Hall, Hayward, Mrs Herbert, C Hill, Mrs Hill, Horsley, Hunt, Miss James, Meikle, Morrell, Nottrodt, Mrs Reed, Ross, Gill Slattery, T Slattery, Mrs Smith, P Smith, Mrs Stock-Williams, Stone, Tooze, Mrs Warmington, Watson, Mrs Waymouth, Ms Webber, A Wedderkopp, D Wedderkopp, Williams and Wren

1. Minutes

The minutes of the meeting of Taunton Deane Borough Council held on 23 July 2013, copies having been sent to each Member, were signed by the Mayor.

2. Apologies

Councillors Beaven, Mrs Gaden, Henley, R Lees, S Lees, Ms Palmer, Prior-Sankey and D Reed.

3. Declaration of Interests

Councillors Mrs Baker, Coles, A Govier, Hunt, A Wedderkopp and D Wedderkopp declared personal interests as Members of Somerset County Council. Councillors Mrs Hill and Stone declared personal interests as employees of Somerset County Council. Councillor T Slattery declared a personal interest as an employee of Sedgemoor District Council. Councillor Tooze declared a personal interest as an employee of the UK Hydrographic Office. Councillor Wren declared personal interests as an employee of Natural England and as Clerk to Milverton Parish Council. Councillors Hayward and Ross declared personal interests as the Council's representatives on the Somerset Waste Board. Councillor Ross also declared a personal interest as the alternate Director of Southwest One. Councillor Nottrodt declared a personal interest as a Director of Southwest One. Councillors D Durdan and Stone declared prejudicial interests as Tone Leisure Board representatives. Councillor Gill Slattery declared personal interests as a member of the Board of Governors at Somerset College and as a Patron of the Supporters of Taunton Women's Aid. Councillor Farbahi declared a personal interest as a local owner of land in Taunton Deane. Councillor D Reed declared a personal interest as a Director of the Taunton Town Centre Company.

4. Public Question Time

Mr David Orr congratulated both local Councils in securing the investment for the new road across Firepool. Hopefully, this would end the blight of that derelict site and also take traffic away from the town centre.

Taunton Deane had invested heavily in the Core Strategy Development Plan – a “blueprint” for zoning areas for housing, whilst zoning other areas for protection from development.

Councillor Edwards had recognised that the number of speculative developments in villages and on urban green wedges was causing widespread cynicism and anger.

Last week, there had been a meeting with MP Jeremy Browne. He noted complaints that Government promises to respect local plans, were seen as hollow here in Taunton Deane. He also noted that an expert analysis, using the latest Government figures, showed this Council’s 2008 estimate for the building of 17,000 new houses, to be out of date and significantly over-stated.

We needed our Council to ensure that our local plan had precedence over speculative developments and was based upon the latest information.

Mr Orr went on to welcome the Leader’s announcement for a “Town Centre Re-think” in response to the banking crisis and subsequent recession. Our local businesses needed a strong voice, but hoped that the consultation would be open to everyone.

He stated that he was less sanguine about this Council’s finances than the Leader. The Finance Director had recently reported that there was likely to be a budget gap totalling nearly £4,500,000 over the next three budget years.

He remained sceptical of the West Somerset sharing proposal. It lacked ambition and scale and would be dependent on repatriating IT systems from Southwest One, with added risk and at a reported cost of £1,200,000.

The County Council sensibly shared offices with other District Councils. Why then, was there no significant office sharing by the two Councils based here in Taunton when there were two spare blocks available at County Hall?

With a £4,500,000 budget shortfall and a new £5,400,000 swimming pool to finance, how could this cash-strapped Council afford to buy Quantock House?

This Council’s financial position was not helped by the continuing shortfalls in savings from the controversial Southwest One joint venture with IBM. After six years in contract with IBM, only £1,800,000 had been saved and, as reported to Corporate Scrutiny recently, “it was not yet clear how the lower [savings] target of £5,700,000 would be achieved”.

Lastly, IBM was reported to be selling a large part of its global services business to a little-known company called “SYNNEX”. Whilst Taunton Deane was now following Somerset County Council’s lead in reducing services in Southwest One, the SYNNEX disposal added another period of uncertainty

and risk.

The Leader of the Council, Councillor Williams, thanked Mr Orr for his statement and questions. He would arrange a written response to Mr Orr

5. **Change to Delegations – Part 3 of the Constitution**

Reference Minute No.8/2013, considered report previously circulated, concerning changes to the Constitution which were required following the Council's decision to proceed with a Joint Chief Executive.

By virtue of decisions taken by West Somerset Council and Taunton Deane Borough Council on 22 July and 23 July 2013, respectively, it had been agreed that the current Chief Executive of Taunton Deane Borough Council would become a Joint Chief Executive of the two Councils by way of a Section 113 Agreement under the Local Government Act 1972, with effect from 24 October 2013.

The role of Joint Chief Executive would include being the Head of Paid Service for both Councils. It was therefore essential that the Constitutions of both Councils were checked to ensure that the smooth operation of the two authorities would not be affected or hindered by the agreement to have a Joint Chief Executive.

In the event of the two Councils approving a Business Case for joint management and sharing of services, the management of staff would be a vital component in securing the smooth transformation towards the sharing of management and services.

To ensure that matters were not unduly delayed, appropriate terms of delegation needed to be applied and it was preferable if such powers of delegation were similar at both Councils to ensure consistency and an even pace of delivery.

In terms of the Taunton Deane Borough Council Constitution, although the Head of Paid Service already had delegated powers to deal with staffing issues the proposed amendments clearly set out those delegations required in connection with staffing matters to make the position transparent and clear.

It was important to note that under the proposed delegated powers there was the proviso that such action must be "within the approved budgetary provision". When this was not the case a report would need to be made to Members to approve or otherwise any required additional expenditure.

Both the Constitutional Sub-Committee and the Corporate Governance Committee had considered and approved the proposed changes to the Constitution.

Resolved that the proposed changes to the Delegations included in the Council's Constitution, as set out in Appendix 1 to these Minutes, be approved.

6. **The Story of Taunton Street Pastors**

A short DVD which showed the work undertaken by the Taunton Street Pastors late at night in the town centre at weekends was shown to Councillors.

The Mayor commented that it was very inspiring to see the work which was undertaken by the Street Pastors in an effort to ensure young people remained safe in the town late at night.

7. **The Halcon One Team**

Police Sergeant Andy Murphy QPM, the Halcon One Team Co-ordinator made a presentation to Members on work being undertaken in the Ward.

Over the last six months a 'One Team' approach had been adopted (part of a twelve month pilot) led by the Police, with officers from Taunton Deane Housing (Estates, Anti-Social Behaviour, Supported and Knightstone), Family Support Workers (FSWs) from the Acorns Children's Centre and Family Focus, Somerset College Work Academy and staff from the Taunton Association for the Homeless. The Team continued to grow with health visitors and local GPs also taking an interest.

These frontline workers understood more fully partner roles across the Ward, looked at problems together and worked out the various best ways to tackle and ultimately solve them. They addressed underlying problems, not previously apparent to all, which persisted, often behind closed doors which had resulted in the Halcon Ward being in the top 5% most deprived in the country.

Ten key issues had been identified:-

- Domestic Abuse;
- Drugs;
- Safeguarding Old and Young;
- Unemployment;
- Training and Education;
- Youth Diversion;
- Money Management;
- Environment;
- Tenant Management; and
- Information What's On.

These issues were the basis of a detailed Ten Point Plan the Team were working towards.

By regularly meeting up, sharing information, charting this (community mapping, family action plans, street by street residents' surveys) and using the different threads of expertise across the team, the Team is able to think differently and work differently, together. This concerted team effort is more responsive, efficient and pro-active and is already changing the lives of some

people living in Halcon for the better and for good, by addressing the root causes of deprivation in the list above.

The project was being written up by the Police who were interested in applying this model in other areas. It had recently received a visit from the Chief Constable of Avon and Somerset Constabulary Nick Gargan and the Police and Crime Commissioner Sue Mountstevens.

Following a question and answer session, the Mayor thanked Sergeant Murphy QPM for his very interesting presentation. She added that it had been important for this item to be brought to the attention of Councillors.

(Councillor Mrs Waymouth declared a personal interest as a Governor of Taunton School during the item covered by Minute No. 7 above.)

8. Written Questions to Members of the Executive

(1) From Councillor Horsley to Councillor Williams – Medium Term Financial Plan Update

Does the Leader not realise that the stark report of the Section 151 Officer the he refers to is as much about his mismanagement of the affairs of the Council during his past 3.5 years as it is about Government cuts and the reduction to zero of the Rate Support Grant?

How can he claim that it is not a "crisis" when it is so clearly one? He had his chance to "plan" over the past few years - from the time the Coalition was formed but he has prevaricated time and time again.

He was not even wide awake enough to think of the shared services concept until a panic stricken, failing, bankrupt Council approached him to consider the prospect of such measures. He then allows us promptly to be frog marched off under Central Government supervision to a programme which is still going to leave us short by some £2,419,000 for the next three years as he illustrates in the table under paragraph 1.3 of his report. If he had been awake, why did he not devote time earlier to looking around for partners who would have brought in far more than the £1,799,000 shown in the table?

Has he calculated what he might have saved if he had not continued headlong with the Blackbrook Swimming Pool Project and devoted the same amount of energy and capacity to finding new income streams for the Council?

Whilst he claims he is fulfilling an election manifesto pledge, did he not at any point consider that the prospects of Taunton Deane reaching a financial cliff could have horrendous consequences for other services and jobs within Taunton Deane?

Why did he not devote time to considering taking on many much more commercial type projects and inculcate a sense of enterprise into the Council which would have generated decent income streams as well as greatly enhancing our chances of growth and a larger pot for the New Homes Bonus?

Does he accept that his complacency has led to the stultification of enterprise within The Deane House and a climate which resists change instead of embracing it?

He shows that we can save £89,000 on our Asset Strategy Project in the table. Does he not understand that we should be investing heavily in Asset Projects rather than cutting costs if we are to have any chance of creating the income streams needed to stop us falling over the fiscal cliff? He should be approaching developers with projects so that private/public sector co-operation would lead to improved prospects for tax payers in the district.

It is all very well to speak about High Level Principles but he seems to think they apply to everyone else but himself and the Conservative Group so we get Blackbrook and then change our corporate priorities to become suddenly concerned about the fiscal cliff and the deficit. Why has he not got the courage to admit his mistakes?

Reply – I thank Councillor Horsley for the advance notice of his questions. The messages in the report to Corporate Scrutiny were loud and clear and should not be a surprise to any of us in this room.

Equally loud and clear was the message from our Section 151 Officer that – and I quote – “I do not believe we are in crisis mode but I do believe we need to accept that radical changes will be unavoidable”.

We have been in a position to set a balanced budget over the last few years, despite the cuts to our funding. This has been done at the same time as progressing some of our key ambitions – a replacement swimming pool (the St James Street facility is no longer viable), progression of our Growth ambitions (Castle Green, Goodlands Gardens, Somerset Square, Viridor at Firepool), the Transformation of our DLO and so on and so on. We are proud to be in a position where we have protected services to our public during this period of austerity.

With regard to Blackbrook and the replacement swimming pool. This was in response to the cross party belief that we should protect the level of public swimming available to our residents as it was accepted the closure of St James Street Pools was inevitable. We demonstrated the leadership to make that difficult decision.

The point you raise regarding assets will be taken care of through the development of the Asset Strategy. This project was agreed as part of our Business Plan and is well underway already and there are many continuing initiatives which you have been fully briefed on.

The scenario around asking officers to prepare the basic statutory services budget was as you say discussed at Corporate Scrutiny but did not get support.

Things are going to get tougher, of that I have no doubt. You are well aware of the dire national and international economic situation. I believe, despite

this, Taunton is faring much better than a lot of others.

We, those elected by the community, are charged with making sure we use our resources in a way that delivers a budget plan that closes the gap. As always we will do this in the most cost effective manner possible and suggest that we should all be working together on this to ensure the impact to our community is managed.

(2) From Councillor Farbahi to Councillor Cavill - Regeneration and Asset Management

In light of the successful start of Taunton Forward – an organisation brought together representing some 20 top business men and women from all sectors including the private schools, EDF, manufacturers, commercial property owners and international retailers as well as the Chairman of the Town Centre Company – would Councillor Cavill and the Leader of the Council be prepared to join in helping shape the direction of travel for the future of Taunton and bring together the initiatives such as the Taunton Town Centre Rethink and the Economic Growth Prospectus for Taunton.

The aim of Taunton Forward is to see Taunton established as a Regional Hub for inward investment and for all visitors to experience a vibrant shopping experience. There is a widespread feeling that we need to set our sights much higher than currently envisaged and establish a “wow” factor by getting Taunton to aspire to having a large performing cultural site which can surpass anything currently on offer.

Reply - I welcome the establishment of ‘Taunton Forward’ and I am sure that its members will make a positive contribution to the considerations of the Town Centre Rethink and Growth Prospectus and I look forward to their input.

There are already two major pieces of work underway. The first one, a review of Project Taunton’s plans. You were on the interviewing panel for the Town Centre ‘Rethink’, which is already under way. It will no doubt produce some challenging proposals as to the plans for Taunton’s future and how it can become an even more successful town in the years to come.

The second, the Growth Prospectus already has a consultation event planned for later this month, and is looking at the larger picture at what is required for Taunton Deane’s economic success over the coming decades and in particular the infrastructure requirements to make this happen. On this we are working in conjunction with Somerset County Council.

Both these initiatives are being led by this Council, and are being overseen by the Taunton Economic Advisory Board, which itself has representation from key business interests. Both initiatives will come through the Council’s scrutiny process over the autumn/winter period.

I would like to assure Councillor Farbahi that our plans for Taunton and its growth remain ambitious. The proposal I have outlined will provide, I believe, a broad but realistic framework to deliver these ambitions.

9. **Reports of the Leader of the Council and Executive Councillors**

(i) **Leader of the Council (Councillor Williams)**

Councillor Williams's report covered the following topics:-

- Medium Term Financial Plan Update and approach to Budget Setting 2014/2015;Northern Inner Distributor Road;
- Shared Management and Services with West Somerset Council;
- The Brewhouse Theatre and Arts Centre;
- Taunton Town Centre 'Re-think';
- Economic Growth Prospectus for Taunton;
- Castle Green, Taunton;
- Quantock House, Taunton;
- Car Park Usage and Income;
- Former Taunton Youth and Community Centre Site, Taunton;
and
- Thales Site, Taunton.

(ii) **Sport, Parks and Leisure (Councillor Mrs Herbert)**

The report from Councillor Mrs Herbert dealt with activities taking place in the following areas:-

- Parks;
- Community Leisure and Play; and
- Tone Leisure (Taunton Deane) Limited Activities.

(iii) **Housing Services (Councillor Mrs Adkins)**

Councillor Mrs Adkins submitted her report which drew attention to the following:-

- Housing Enabling - Regeneration;
- Affordable Housing Target;
- Right to Buy Sales;
- Council House Building;
- Estates Management – Anti-social behaviour;
- Estates Management – Welfare Reforms; and
- Estates Management – Rent Arrears.

(iv) **Corporate Resources (Councillor Mrs Stock-Williams)**

The report from Councillor Mrs Stock-Williams provided information on the following areas within her portfolio:-

- Customer Contact Centre;
- Corporate and Client Services;
- Corporate Performance;
- Legal and Democratic Services;

- Revenues and Benefits;
- Council Accommodation and Customer Access Project; and
- Joint Management and Shared Services Project.

(v) **Planning, Transportation and Communications (Councillor Edwards)**

The report from Councillor Edwards provided information on the following areas within his portfolio:-

- Planning;
- Site Allocations and Development Management Plan;
- Community Infrastructure Levy (CIL);
- Somerset Design Review Panel;
- Neighbourhood Planning;
- Communications; and
- Car Parking.

(vi) **Community Leadership (Councillor Mrs Jane Warmington)**

Councillor Mrs Warmington presented the Community Leadership report which focused on the following areas within that portfolio:-

- Priority Areas;
- Halcon One Team;
- National Citizenship Scheme;
- Employability;
- Staff;
- Summer Activities;
- Further Community Development in Halcon;
- Health and Wellbeing;
- Financial Inclusion Strategy;
- Somerset Care Leavers Review; and
- Family Focus.

(vii) **Economic Development, Asset Management, Arts and Tourism (Councillor Cavill)**

The report from Councillor Cavill covered:-

- Businesses Supported;
- Business Grants;
- Taunton Town Centre Company and BID (Business Improvement District);
- The Brewhouse Theatre;
- Business Rates Events;
- Rural Funding;
- Shakespeare Festival;
- Job Clubs;

- Regeneration and Asset Management; and
- Taunton Tourist Information, Ticket and Travel Centre Update.

(viii) **Environmental Services and Climate Change (Councillor Hayward)**

The report from Councillor Hayward drew attention to developments in the following areas:-

- Carbon Management;
- Environmental Health; and
- Waste Management and Recycling.

(Councillor Tooze left the meeting at 7.30 p.m. Councillor Mrs Baker left the meeting at 7.52 p.m. Councillors Gill Slattery and T Slattery left the meeting at 8.10 p.m. Councillor Ms Webber left the meeting at 8.15 p.m. Councillor Hall left the meeting at 8.19 p.m. Councillor Morrell left the meeting at 8.41 p.m. Councillors A Govier, Mrs Govier and Wren all left the meeting at 8.45 p.m. Councillors Miss Durdan and C Hill both left the meeting at 8.51 p.m. Councillor Meikle left the meeting at 8.55 p.m. Councillors Gaines, Ross and Stone all left the meeting at 9.11 p.m. Councillor D Wedderkopp left the meeting at 9.16 p.m.)

(The meeting ended at 9.27 p.m.)

Appendix 1

Taunton Deane Borough Council Constitution

Part 3 Responsibility for Functions

1.0 Scheme of Delegations

- 1.1 Legally a local authority depends upon a series of statutes which in some cases give it a power (that is, a discretion) to do something, or, in others, a duty to carry out that function or service. Each power or duty is often made subject to various limits as to just how it is to be exercised.
- 1.2 Because of this statutory foundation for the work of local councils, it is important that we are always specific as to which statute we are using to achieve our purposes. Unless we make that clear, then it is difficult if not impossible for the community to hold us to account.
- 1.3 Apart from this “what and how”, we also need to say - for transparency and accountability purposes - “who” it is within the Council - that has the power to do something. This means that we must produce a “Delegation Scheme” describing these formal responsibilities.

2.0 Who?

- 2.1 To help understand what follows, there are a number of levels of decision-making under our Constitution. Each of these is reflected by the tables which follow later in this section.
- 2.2 First is **Full Council** itself. Full Council retains a range of higher level decisions - many relating to our overall strategies - or to the setting of our annual budget and of Council Tax. Some of these functions can legally **only** be undertaken at this highest level. With others, it has been this Council's own choice to do so.
- 2.3 Next is the **Executive**. The law requires that the great majority of the Council's decision-making **must only** be carried out by or through the Executive - either meeting together – or, in some cases, on an individual basis. The Act prevents other Councillors making such decisions.
- 2.4 **Individual Executive Councillors** also have decision-making powers delegated to them.
- 2.5 Next comes a group of “**regulatory**” functions. Broadly, these are roles where the Council has the task of controlling the activities of individuals - often on an application-by-application basis. To deal with these detailed controls, Parliament decided that special committees should be retained - **outside** the Executive. In our case this means we have, for instance, a Planning Committee and a Licensing Committee made up of elected Members and which meet in public so as to hear the various opinions expressed about individual cases before them.
- 2.6 The Corporate Governance Committee has certain limited decision-making powers delegated to it by the Council. These powers are described later in Section 4 Appendix 1 Part J
- 2.7 The **Joint Head of Paid Service** will undertake the day-to-day management and operation of all staff in accordance with the policies and procedures laid down by the Council, including incurring expenditure within the approved budgetary provision.
- 2.8 Finally are **the officers**. The great bulk of day-to-day operational decision-making is delegated by the Council, or the Executive, or the Planning and Licensing

Committees to our professional staff. They need these powers so as to enable them to provide the services of the Council in the most economic, efficient and effective way.

3.0 What?

- 3.1 Attached are a number of tables setting out the broad areas of our statutory powers and the activities and functions we are involved in.
- 3.2 **Section 1** is a list of those matters which remain either with the Full Council itself for decision or which are within its control - because the law either requires or permits it. The section also shows to whom these powers have been delegated (if at all) - whether to a committee or to an officer.
- 3.3 **Section 2** sets out those powers and duties which the law **excludes** from Executive decision-making - such as Planning, Licensing and staffing issues. These are listed as delegated to a committee or to an officer with any limits on those delegations also included.
- 3.4 **Section 3** lists those powers and duties which are ones which **only** the Executive can deal with - itself - or through the officers or area or joint committees. This covers the great majority of our powers and duties - with most operational decision-making continuing to be delegated to the officers.
- 3.5 This part also lists these functions across a series of Portfolios. These reflect the current responsibilities of each of the current members of the Executive for the setting of the overall direction for these services. The extent of these Portfolios can be varied at the discretion of the Leader. The electronic version of this Constitution will describe the current positions.
- 3.6 **Section 4** describes the delegation arrangements to the officers and the individual Executive Councillors. As with our current Delegation Scheme, most of the operational decision-making under these powers and duties is delegated on to the officers.
- 3.7 **Section 4 Appendix 1 Part A** sets out the current decisions delegated by the Planning Committee to the Growth and Development Manager or in his/her absence the Development Management Lead or the Building Control Manager.
- 3.8 **Section 4 Appendix 1 Part B** describes the similar delegations made by the Licensing Committee to the Community Services Manager or in his absence the Licensing Manager.
- 3.9 **Section 4 Appendix 1 Parts C and D** set out similar delegations made by the Committee to the Community Services Manager and in his/her absence the Environmental Health Lead.
- 3.10 **Section 4 Appendix 1 Part E** sets out similar delegations made by the Council.
- 3.11 **Section 4 Appendix 1 Parts F G H and I** describe powers that are only exercisable by Full Council.
- 3.12 **Section 4 Appendix 1 Part J** sets out the powers and duties of the Corporate Governance Committee.
- 3.13 **Section 4 Appendix 1 Part K** sets out the Proper Officers in respect of various Public Health Acts and Regulations.
- 3.14 **Section 4 Appendix 1 Part L** sets out the details of the staffing matters and the relevant delegations.

Section 1 The Powers of Full Council

- 4.1 The functions statutorily reserved to the Council are set out below in Column 1. Column 2 shows who else is involved - either as having full statutory powers delegated to them or as being the source of a recommendation to Full Council.
- 4.2 Where a power is shown as delegated to an officer then that officer shall also have the power to re-delegate that power to another officer of the authority or to refer or remit it to another regulatory body of the Council for it to decide.
- 4.3 Where a regulatory power is shown as delegated to an officer, that power shall include the authority to enforce those regulatory powers using all the formal powers available to the Council under the relevant legislation.
- 4.4 Where a reference to a statutory power is made, then that reference shall include any secondary legislation and to any subsequent consolidating, amending or substituting legislation.

Function		If delegated - then to whom?
1	To set the " <i>Policy Framework</i> " and the " <i>Budget</i> " within which the Executive must operate. [Both these terms are defined below.]	Council - on the recommendation of the Executive or of the Scrutiny Committees.
2	<p>In a limited range of cases - to make decisions about the discharge of an "executive function". This applies only to those cases where the decision-maker is considering an issue - which is not only:-</p> <p>(a) covered by the Policy Framework or the Budget, but also –</p> <p>(b) where the decision-maker is inclined to make it in a manner which:-</p> <ul style="list-style-type: none"> • would be contrary to that Framework, or • would be contrary to/or not wholly in accordance with the Budget. 	Council - on the recommendation of the Executive, an Executive Councillor or of the Scrutiny Committees.
3	<p>To exercise - through delegated powers - those "regulatory functions" (these are listed in detail at Appendix 1) which must not be within the remit of the Executive:-</p> <p>(a) Development Control; Building Control. Appendix 1 – Part A</p> <p>(b) Licensing and Registration Appendix 1- Part B</p> <p>(c) Food Safety Appendix 1 - Part C</p>	<p>Planning Committee; Growth and Development Manager, Development Management Lead, Building Control Manager, Solicitor to the Council.</p> <p>The Licensing Committee; Community Services Manager, the Licensing Manager and the Environmental Health Lead Officer</p> <p>Community Services Manager or Environmental Health Lead</p>
	Function	If delegated - then to whom?

	<p>(d) Health and Safety at Work (this relates only to those functions which the Council exercises other than as employer) Appendix 1 - Part D</p> <p>(e) Electoral services Appendix 1 - Part E</p> <p>(f) Corporate Governance Appendix 1 – Part J</p> <p>(g) Staffing matters (other than those dealt with in Part 4H of the Constitution - the Standing Orders as to Employment of Officers). Appendix 1 – Part L</p> <p>(h) Ceremonial and Miscellaneous matters Appendix 1 – Part G</p>	<p>Community Services Manager.</p> <p>Electoral Registration Officer and Returning Officer.</p> <p>Monitoring Officer and S151 Officer</p> <p>Joint Head of Paid Service; Member of the Corporate Management Team, Strategic HR Manager and the Appointments Panel.</p> <p>Council on the recommendation of the Corporate Governance Committee</p>
4	To agree and/or to make significant changes to the terms of reference of the Planning Committee, the Overview and Scrutiny Committees	Council - on the recommendation of the Overview and Scrutiny Committees or the Planning Committee.
5	To decide on the number of seats to be allocated to each Party Group (or to independent councillors) in accordance with the “proportionality” rules in the Local Government and Housing Act 1989.	Council - on the recommendation of the Monitoring Officer.
6	To agree the arrangements for the appointment of the Joint Head of Paid Service and to note the Appointment Panel’s decision	Council - on the recommendation of the relevant Appointments Panel set up for that purpose.
7	To agree the arrangements for the appointment of the Monitoring Officer and the Section 151 Officer and to note the Appointment Panels’ decisions.	Council - on the recommendation of the Joint Head of Paid Service.
8	To confirm the dismissal of the Head of Paid Service, the Monitoring Officer or the Section 151 Officer.	Council - at the recommendation of the relevant Disciplinary Panel set up for that purpose and the recommendation of an appointed Independent Person (as referred to in paragraph 6 of the Officer Employment Procedure (Rule 8 - Part 4-H4).
9	To appoint the Leader of the Executive.	Council - on the recommendation of the controlling political group or groups of the Council.
10	To decide on the number of Executive Portfolios which the Leader may allocate.	Council - on the recommendation of the Leader.
11	To remove the Leader or other members of the Executive.	Council - in accordance with the procedure in Article 7.
12	To adopt the Constitution and to agree any major changes to it.	Council - on the recommendation of the Corporate Governance Committee
13	To approve any application to the Secretary of State in respect of a Housing Land Transfer.	Council - on the recommendation of the Executive.
14	To appoint and dismiss representatives to those outside bodies whose role is not closely linked to an Executive function.	The Legal and Democratic Services Manager - acting on the advice of the relevant Scrutiny Committee.

	Function	If delegated - then to whom?
15	To adopt/modify a Members' Allowances Scheme.	Council - on the recommendation of a Panel of external members.
16	To change the name of the area, to confer the title of Honorary Alderman or the Freedom of the Borough.	Council - on the recommendation of the Leader of the Council
17	To make, amend, revoke, re-enact or adopt bylaws and to promote or oppose the making of local legislation.	Council - on the recommendation of one of the Overview and Scrutiny Committees whose role covers the services affected.
18	To adopt any plan or strategy (whether statutory or non-statutory) which the Council has decided should be undertaken by itself rather than by the Executive.	Council - on the recommendation one of the Scrutiny Committees using the "call-in" mechanism in Part 4E of the Constitution.
19	To deal with any other matters which, by law, must be reserved to Council.	Council on the recommendation of the Monitoring Officer

Part L: Staffing matters

Function	Delegated to whom
To determine the council's establishment, numbers of staff, grading, remuneration and deployment and agree terms and conditions for the employment of staff subject to fundamental changes to the organisational structure being agreed by the Executive	Joint Head of Paid Service
To exercise all functions relating to health and safety in the Council workplace	Joint Head of Paid Service
To make changes to the allocation and composition of individual Corporate Management Team (CMT) member's responsibilities	Joint Head of Paid Service
In consultation with the Leader, to determine the annual salary increase to locally determined salary scales (positions with a salary above Grade L other than the Monitoring Officer and Section 151 Officer), provided that the cost of such is within the relevant overall budgetary provision	Joint Head of Paid Service
To determine all employment matters relating to members of CMT, excluding those dealt with in Part 4H of the Constitution – the Standing Orders as to the Employment of Officers.	Joint Head of Paid Service
To determine requests for flexible retirement by Members of CMT	Joint Head of Paid Service
To suspend a Member of CMT, if necessary, in connection with any disciplinary action	Joint Head of Paid Service
To appoint proper officers where such appointments are required as a matter of urgency	Joint Head of Paid Service
To appoint authorising officers for the purposes of covert surveillance operations	Joint Head of Paid Service
In relation to all posts below CMT level, to determine any increases in pension benefits and the waiving of actuarial reductions applied to employees who retire before the normal retirement age in accordance with the Council's approved policies	Member of CMT

<p>Within approved budgets and in consultation with the Strategic HR Manager:</p> <p>(a) to determine all employment matters relating to staff on Grade A to L, including all market provision issues and the payment of honoraria, unless otherwise provided in the Council's policies;</p> <p>(b) to create additional posts graded below Grade L as may be required to achieve the Council's agreed level of service;</p> <p>(c) to approve variations to the Council's establishment;</p> <p>(d) to approve appropriate revised salary levels for posts where the existing salary grade is not sufficient to recruit an officer of the required calibre</p>	Member of CMT
In consultation with the Leader, to approve any redundancies, retirements, secondments for all posts below CMT level in accordance with the Council's agreed policy and within approved budgets.	Member of CMT
In consultation with the Leader, to authorise covert surveillance (directed surveillance and covert human intelligence sources) in accordance with the Council's policies and the provisions of relevant legislation	Member of CMT
To grant leave of absence without pay for periods exceeding three months and special leave with pay on compassionate grounds	Member of CMT
To enter into agreements under section of 113 of the Local Government Act 1972 to place staff at the disposal of other councils or to receive the services of staff of other councils	Member of CMT
To determine applications from officers graded senior officer and above for permission to take up secondary employment	Member of CMT
To take disciplinary action against staff, including dismissal, in accordance with the Council's policies	Member of CMT
To determine requests for flexible retirement by staff below CMT level	Member of CMT
To authorise the attendance of officers at conferences, courses and seminars on behalf of the authority	Member of CMT
To consider complaints from members of staff in accordance with the Council's policies and take appropriate action	Member of CMT in consultation with HR Manager
To authorise the carrying forward of annual leave of staff from one year to the next	Member of CMT
To approve or remove designated casual or essential user car allowances	Member of CMT
To give approval to staff to attend training courses and day release courses in pursuit of relevant professional or other qualifications	Member of CMT
To authorise the acceleration of increments to staff within their salary scale until the top of the scale is reached	Member of CMT
To appoint Officers below CMT level within the approved establishment and amend the establishment, in consultation with the Service Managers, in accordance with the Council's existing policies and procedures	Member of CMT
Through each Service Manager, where appropriate, to authorise payments for exceptional overtime by officers on Scale Column point 29 and above	Member of CMT
Through each Service Manager to appoint staff on a temporary basis for a period not exceeding six months	Member of CMT

Through each Service Manager to deal with applications under the assisted car purchase scheme	Member of CMT
Through Service Managers take on staff under appropriate government-sponsored employment initiatives	Member of CMT
To approve applications for payment of staff removal expenses	Member of CMT
In consultation with the relevant lead Councillor responsible for equality and diversity to make such minor amendments to the Equality and Diversity Policy Statement as may be deemed necessary	Member of CMT with responsibility for Equality and Diversity