

Appendix 2

PART A – TERMS OF REFERENCE

THE FULL COUNCIL

1. The functions listed below are reserved to the Full Council and can only be discharged by the Full Council:
 - a. Determining all policies and plans statutorily reserved to the Full Council including:
 - Annual library plan/strategy
 - Crime and disorder reduction strategy (Community Safety Agreement)
 - Local transport plan
 - Plans and alterations which together comprise the Development Plan
 - Youth justice plan (Youth Crime Strategy)
 - b. The approval or adoption of a plan or strategy for the control of the Council's borrowing, investments or capital expenditure, or for determining the Council's minimum revenue provision; the Budget
 - c. The approval of any of the above documents in the event they, or part of them, need to be submitted to the Secretary of State or any Government Minister for final approval, including where they are to be submitted in draft form
 - d. The approval of changes to any plan or strategy referred to above, unless: -
 - that change is required by the Secretary of State or any Government Minister where the plan or strategy has been submitted to them for approval, or
 - Full Council specifically delegated authority in relation to these functions when it approved or adopted the plan or strategy
 - e. Adopting and changing the Constitution
 - f. Establishing committees and deciding their terms of reference and size
 - g. Appointing and removing chairmen and vice-chairmen
 - h. Authorising appointments to any joint committees
 - i. Authorising appointments to the Nottinghamshire and City of Nottingham Fire Authority
 - j. Approving a Members' Allowances Scheme including any provision for Chairman's and Vice Chairman's expenses
 - k. Approving the annual Senior Officer Pay Policy Statement

- l. Confirming the appointment of, and dismissing, the Head of Paid Service, the Monitoring Officer and the Chief Finance Officer
- m. Making any request to the Local Government Boundary Commission for England for single-member electoral areas
- n. The passing of a resolution to change the County's electoral scheme
- o. Making an order to give effect to recommendations made in a community governance review
- p. In relation to any overview and scrutiny committees, permitting a co-opted member to vote at meetings of that committee
- q. Changing the name of the County
- r. Conferring the title of honorary alderman
- s. Making, amending, revoking, re-enacting and adopting bye-laws and promoting and opposing the making of local legislation and personal bills in Parliament
- t. Any other function which, by law, must be reserved to the Full Council

POLICY COMMITTEE – TERMS OF REFERENCE

- 2. The powers and functions set out below are delegated to Policy Committee by the Full Council:
 - a. All decisions within the control of the Council including but not limited to those listed in the Table below
 - b. Policy development and approval except on matters reserved for the Full Council
 - c. Review of performance on a regular basis
 - d. Review of day to day operational decisions taken by Officers
 - e. Approval of consultation responses relating to the Committee's areas of responsibility except for responses to day-to-day technical consultations which will be agreed with the Chairman and reported to the next available Committee following their submission.
 - f. Approval of relevant staffing structures as required
 - g. Approving all Councillor attendance at conferences, seminars and training events within the UK mainland for which a fee is payable including any expenditure incurred, within the remit of this Committee and to receive quarterly reports from Corporate Directors on departmental officer travel outside the UK within the remit of this Committee.

3. If any report comes within the remit of more than one committee, to avoid the report being discussed at several committees, the report will be presented and determined at the most appropriate committee. If this is not clear, then the report will be discussed and determined by the Policy Committee.
4. As part of the detailed work programme the Committee will receive reports on the exercise of powers delegated to Officers.
5. The Committee will be responsible for its own projects but, where it considers it appropriate, projects will be co-ordinated by a cross-committee project steering group that will report back to the relevant Committee.

Table
Responsibility for ensuring that committees operate under the policy direction of the County Council and for determining policies not reserved to the Full Council
Responsibility for the discharge of all functions and exercise of all powers of the County Council not expressly reserved to the Full Council or to any other part of the County Council by statute or by this Constitution
Responsibility for monitoring and reviewing the overall performance of the Council
Responding to any consultations within the remit of more than one committee as and when required
Responsibility for those functions relating to elections and local democracy which are not reserved to the Full Council
Responsibility for promoting economic development, regeneration and associated activities
Responsibility for all property related functions including acquisitions and disposals, property design and construction and related consultancy services, and the asset management plan
Responsibility for the Council's internal and external communications policy and its implementation
Responsibility for ensuring the Council meets its equalities duties
Responsibility for all remaining statutory overview and scrutiny powers except those delegated to a health scrutiny committee and Communities and Place Committee
Responsibility for reviewing annual reports and inspection reports not within the remit of another committee
Responsibility for authorising hospitality to be offered by the County Council except where the cost is to be covered by the Chairman of the County Council's individual budget
Responsibility for making changes to the organisations on the list of Outside Bodies

IMPROVEMENT AND CHANGE SUB-COMMITTEE – TERMS OF REFERENCE

6. This is a sub-committee of the Policy Committee.
7. The exercise of the powers and functions set out below are delegated by the Full Council to the Improvement and Change Sub-Committee:-
 - a. Responsibility for monitoring the Council Plan
 - b. Responsibility for monitoring and driving the Council's Improvement and Change Programme
 - c. Responsibility for considering performance reports in relation to the Council's ICT strategy.

ADULT SOCIAL CARE AND PUBLIC HEALTH COMMITTEE – TERMS OF REFERENCE

8. The exercise of the powers and functions set out below are delegated by the Full Council to the Committee in relation to adult social care and public health:
 - a. All decisions within the control of the Council including but not limited to those listed in the Table below
 - b. Policy development in relation to adult social care and public health, subject to approval by the Policy Committee or the Full Council
 - c. Review of performance in relation to the services provided on a regular basis
 - d. Review of day to day operational decisions taken by Officers
 - e. Approval of relevant consultation responses except for responses to day-to-day technical consultations which will be agreed with the Chairman and reported to the next available Committee following their submission.
 - f. Approval of relevant staffing structures as required
 - g. Approving all Councillor attendance at conferences, seminars and training events within the UK mainland for which a fee is payable including any expenditure incurred, within the remit of this Committee and to receive quarterly reports from Corporate Directors on departmental officer travel outside the UK within the remit of this Committee.
9. If any report comes within the remit of more than one committee, to avoid the report being discussed at several committees, the report will be presented and determined at the most appropriate committee. If this is not clear, then the report will be discussed and determined by the Policy Committee.

10. As part of the detailed work programme the Committee will receive reports on the exercise of powers delegated to Officers.
11. The Committee will be responsible for its own projects but, where it considers it appropriate, projects will be considered by a cross-committee project steering group that will report back to the most appropriate Committee.

Table
Responsibility for adult social care matters (eg. people aged 18 or over with eligible social care needs and their carers)
Responsibility for promoting choice and independence in the provision of all adult social care
Responsibility for all Public Health functions with the exception of functions reserved to the Health and Wellbeing Board

CHILDREN AND YOUNG PEOPLE'S COMMITTEE – TERMS OF REFERENCE

12. The exercise of the powers and functions set out below are delegated by the Full Council to the Committee in relation to children and young people .
 - a. All decisions within the control of the Council including but not limited to those listed in the Table below
 - b. Policy development in relation to children and young people, subject to approval by the Policy Committee or the Full Council
 - c. Review of performance in relation to the services provided on a regular basis
 - d. Review of day to day operational decisions taken by Officers
 - e. Approval of consultation responses except for responses to day-to-day technical consultations which will be agreed with the Chairman and reported to the next available Committee following their submission.
 - f. Approval of departmental staffing structures as required
 - g. Approving all Councillor attendance at conferences, seminars and training events within the UK mainland for which a fee is payable including any expenditure incurred, within the remit of this Committee and to receive quarterly reports from Corporate Directors on departmental officer travel outside the UK within the remit of this Committee.
13. If any report comes within the remit of more than one committee, to avoid the report being discussed at several committees, the report will be presented and determined at the most appropriate committee. If this is not clear, then the report will be discussed and determined by the Policy Committee.
14. As part of the detailed work programme the Committee will receive reports on the exercise of powers delegated to Officers.

15. The Committee will be responsible for its own projects but, where it considers it appropriate, projects will be considered by a cross-committee project steering group that will report back to the most appropriate Committee.

Table
Responsibility for the strategic and operational effectiveness of the County Council's children's services
Responsibility for ensuring that the County Council's children's services meet the needs of all children and young people, including the most disadvantaged and vulnerable
Responsibility for the functions and powers conferred on or exercisable by the County Council in relation to educational matters
Responsibility for overseeing the County Council's responsibilities as the corporate parent of children and young people in care and for championing their interests

16. The Chairman of the Children and Young People's Committee will be designated the lead Councillor for Children and Young People's Services in accordance with Section 19 of the Children Act 2004.

COMMUNITIES AND PLACE COMMITTEE – TERMS OF REFERENCE

17. The exercise of the powers and functions set out below are delegated by the Full Council to the Committee in relation to community and place activity :
- a. All decisions within the control of the Council including but not limited to those listed in the Table below
 - b. Policy development in relation to community and place activity, subject to approval by the Policy Committee or the Full Council
 - c. Review of performance in relation to the services provided on a regular basis
 - d. Review of day to day operational decisions taken by officers
 - e. Approval of consultation responses except for responses to day-to-day technical consultations which will be agreed with the Chairman and reported to the next available Committee following their submission.
 - f. Approval of departmental staffing structures as required
 - g. Approving all Councillor attendance at conferences, seminars and training events within the UK mainland for which a fee is payable including any expenditure incurred, within the remit of this Committee and to receive quarterly reports from Corporate Directors on departmental officer travel outside the UK within the remit of this Committee.
18. If any report comes within the remit of more than one committee, to avoid the report being discussed at several committees, the report will be presented and

determined at the most appropriate committee. If this is not clear, then the report will be discussed and determined by the Policy Committee.

19. As part of the detailed work programme the Committee will receive reports on the exercise of powers delegated to Officers.
20. The Committee will be responsible for its own projects but, where it considers it appropriate, projects will be considered by a cross-committee project steering group that will report back to the most appropriate Committee.

Table
Responsibility for transport and highways including: <ul style="list-style-type: none"> the planning, management and maintenance of highways including traffic management and residents' parking schemes the development of integrated transport systems road safety the provision of passenger transport services
Responsibility for Community Safety
Responsibility for all Trading Standards functions and statutory duties
Responsibility for all matters relating to minerals and waste planning not falling within the delegation of any other committee.
Responsibility for all matters relating to Council's role as Waste Disposal Authority.
Responsibility for making observations on planning matters on which the County Council is consulted, in accordance with the agreed protocol
Responsibility for all functions undertaken in relation to emergency planning including the safety of sports grounds
Responsibility for all duties arising in relation to the Coroner's Service
Responsibility for the registration services for births, deaths and marriages
Responsibility for statutory crime and disorder and flood risk management scrutiny
Responsibility for libraries and archives, adult learning, development of the arts, cultural and heritage activities
Responsibility for support for sports development and sports facilities
Responsibility for country parks, open spaces, promoting public access to land except by highways means and other countryside services
Responsibility for conservation and archaeology
Responsibility for the Local Improvement Scheme
Responsibility for all matters relating to environmental awareness and sustainability, the control of pollution or the management of air quality
Responsibility for Grant Aid as defined in the Grant Aid Strategy and for strategic engagement with the voluntary sector

FINANCE AND MAJOR CONTRACTS MANAGEMENT COMMITTEE – TERMS OF REFERENCE

21. The exercise of the powers and functions set out below are delegated by the Full Council to the Committee in relation to finance and major contracts management:
- a. All decisions within the control of the Council including but not limited to those listed in the Table below
 - b. Policy development in relation to finance and major contracts management, subject to approval by the Policy Committee or the Full Council
 - c. Review of performance in relation to the services provided on a regular basis
 - d. Review of day to day operational decisions taken by officers
 - e. Approval of consultation responses except for responses to day-to-day technical consultations which will be agreed with the Chairman and reported to the next available Committee following their submission.
 - f. Approval of departmental staffing structures as required
 - g. Approving all Councillor attendance at conferences, seminars and training events within the UK mainland for which a fee is payable including any expenditure incurred, within the remit of this Committee and to receive quarterly reports from Corporate Directors on departmental officer travel outside the UK within the remit of this Committee.
22. If any report comes within the remit of more than one committee, to avoid the report being discussed at several committees, the report will be presented and determined at the most appropriate committee. If this is not clear, then the report will be discussed and determined by the Policy Committee.
23. As part of the detailed work programme the Committee will receive reports on the exercise of powers delegated to officers.
24. The Committee will be responsible for its own projects but, where it considers it appropriate, projects will be considered by a cross-committee project steering group that will report back to the most appropriate Committee.

Table
Responsibility for the financial management of the Authority including recommending to Council the financial strategy, annual revenue budget, annual capital budget, and precept on billing authorities
Responsibility for corporate procurement
Responsibility for the Council's internal trading organisations
Responsibility for the strategic overview and management of all Council contracts in excess of £10 million or otherwise of major significance
Responsibility for developing and implementing a Commercial Strategy for the Council subject to Policy Committee approval

GOVERNANCE AND ETHICS COMMITTEE – TERMS OF REFERENCE

25. The exercise of the powers and functions set out below are delegated by the Full Council to the Committee in relation to governance and ethics:
- a. All decisions within the control of the Council including but not limited to those listed in the Table below
 - b. Policy development in relation to governance and ethics, subject to approval by the Policy Committee or the Full Council
 - c. Review of performance in relation to the services provided on a regular basis
 - d. Review of day to day operational decisions taken by officers
 - e. Approval of consultation responses except for responses to day-to-day technical consultations which will be agreed with the Chairman and reported to the next available Committee following their submission.
 - f. Approval of departmental staffing structures as required
 - g. Approving all Councillor attendance at conferences, seminars and training events within the UK mainland for which a fee is payable including any expenditure incurred, within the remit of this Committee and to receive quarterly reports from Corporate Directors on departmental officer travel outside the UK within the remit of this Committee.
26. If any report comes within the remit of more than one committee, to avoid the report being discussed at several committees, the report will be presented and determined at the most appropriate committee. If this is not clear, then the report will be discussed and determined by the Policy Committee.
27. As part of the detailed work programme the Committee will receive reports on the exercise of powers delegated to Officers.
28. The Committee will be responsible for its own projects but, where it considers it appropriate, projects will be considered by a cross-committee project steering group that will report back to the most appropriate Committee.

Table
Responsibility for advising Full Council on the adequacy of the Council's systems of internal control and overseeing the external auditor's annual audit of the accounts
Responsibility for approving the Annual Statement of Accounts
Responsibility for recommending the Annual Governance Statement to Full Council for approval and keeping it under review on a regular basis
Responsibility for maintaining an overview of the Council's Financial Regulations and anti-fraud and anti-corruption strategies, and for recommending the Financial Regulations to Full Council for adoption
Responsibility for ensuring high standards of conduct by the County Council, its Councillors, co-opted members and Officers
Responsibility for dealing with all matters relating to alleged breaches of the Code of Conduct for Councillors and Co-opted Members
Responsibility for the implementation of and revision to all codes of conduct and practice of the County Council
Responsibility for Information Governance including but not limited to Data Protection and Freedom of Information
Responsibility for resolving any issues arising from the Members' Allowances Scheme
Responsibility for monitoring the Councillors' Divisional Fund
Responsibility for approving the recruitment process for any independent members of committees and panels required by statute
Responsibility for the Council's risk management strategy
Responsibility for Legal, Democratic and Complaints Services

HEALTH AND WELLBEING BOARD – TERMS OF REFERENCE

29. To prepare and publish a joint strategic needs assessment.
30. To prepare and publish a joint health and wellbeing strategy based on the needs identified in the joint strategic needs assessment and to oversee the implementation of the strategy.
31. Discretion to give Nottinghamshire County Council an opinion on whether the Council is discharging its statutory duty to have due regard to the joint strategic needs assessment and the health and wellbeing strategy.
32. To promote and encourage integrated working including joint commissioning in order to deliver cost effective services and appropriate choice. This includes providing assistance and advice and other support as appropriate, and joint working with services that impact on wider health determinants.
33. To discuss all issues considered to be relevant to the overall responsibilities of the Health and Wellbeing Board, and to perform any specific duties allocated by the Department of Health.

HEALTH SCRUTINY COMMITTEE – TERMS OF REFERENCE

34. Responsibility for scrutinising health matters in relation to service provision for residents living in the County Council's area.

LOCAL JOINT RESOLUTIONS COMMITTEE – TERMS OF REFERENCE

35. The exercise of the powers and functions set out below are delegated by the Full Council to the Committee:

- a. Responsibility for considering any issues where agreement cannot be reached between management and the trade unions.

NOTE: The Committee will have no delegated authority; any recommendations will be referred either to the Personnel Committee, Policy Committee or to the Full Council for approval. This Committee will meet only as and when required.

LOCAL PENSION BOARD – TERMS OF REFERENCE

36. The exercise of the powers and functions set out below are delegated by the Full Council to the Local Pension Board: -

- a. Responsibility for assisting the Nottinghamshire Pension Fund Committee and its sub-committees:
 - To secure compliance with all legislation relating to the governance and administration of the Local Government Pension Scheme in Nottinghamshire and the requirements imposed by the Pensions Regulator, and
 - To ensure the effective and efficient governance and administration of the Local Government Pension Scheme in Nottinghamshire
- b. Authority to request information with regard to any aspect of the Council's function as Administering Authority of the Local Government Pension Scheme in Nottinghamshire, any such request to be reasonably complied with.
- c. Authority to make recommendations to County Council or the relevant committee, any such recommendations being considered and a response made within a reasonable period of time.
- d. Authority to escalate serious concerns relating to potential fundamental breach of legislation or governance failure to the relevant body.

NOTTINGHAMSHIRE PENSION FUND COMMITTEE – TERMS OF REFERENCE

37. The exercise of the powers and functions set out below are delegated by the Full Council to the Committee in relation to pensions:

- a. All decisions within the control of the Council including but not limited to those listed in the Table below
- b. Policy development in relation to pensions, subject to approval by the Policy Committee or the Full Council
- c. Review of performance in relation to the services provided on a regular basis
- d. Review of day to day operational decisions taken by officers
- e. Approval of consultation responses except for responses to day-to-day technical consultations which will be agreed with the Chairman and reported to the next available Committee following their submission.
- f. Approving all Councillor attendance at conferences, seminars and training events within the UK mainland for which a fee is payable including any expenditure incurred, within the remit of this Committee and to receive quarterly reports from Corporate Directors on departmental officer travel outside the UK within the remit of this Committee.

38. If any report comes within the remit of more than one committee, to avoid the report being discussed at several committees, the report will be presented and determined at the most appropriate committee. If this is not clear, then the report will be discussed and determined by the Policy Committee.

39. As part of the detailed work programme the Committee will receive reports on the exercise of powers delegated to officers.

40. The Committee will be responsible for its own projects but, where it considers it appropriate, projects will be considered by a cross-committee project steering group that will report back to the most appropriate Committee.

Table
Administering the Nottinghamshire Pension Fund, including investments by and management of pension funds and the administration of the Pension Fund

NOTE: The County Council administers this Pension Fund on behalf of Nottinghamshire County Council, Nottingham City Council, the District and Borough Councils and other admitted bodies in Nottinghamshire.

PLANNING AND LICENSING COMMITTEE – TERMS OF REFERENCE

41. The exercise of the powers and functions set out below are delegated by the Full Council to the Committee in relation to planning and licensing:
- a. Responsibility for the regulatory functions of the Council in relation to planning, monitoring, enforcement and licensing.
 - b. Responsibility for the regulatory functions of the Council in relation to public rights of way and cycle paths, town and village greens and common land.
 - c. Responsibility for all licensing functions given to the Authority by law, except safety of sports grounds.
 - d. Receiving reports on the exercise of powers delegated to officers in relation to functions for which this Committee is responsible.
 - e. Approval for consultation responses relating to the Committee's functions except for responses to day-to-day technical consultations which will be agreed with the Chairman and reported to the next available Committee following their submission.
 - f. Approving all Councillor attendance at conferences, seminars and training events within the UK mainland for which a fee is payable including any expenditure incurred, within the remit of this Committee and to receive quarterly reports from Corporate Directors on departmental officer travel outside the UK within the remit of this Committee.

PERSONNEL COMMITTEE – TERMS OF REFERENCE

42. The exercise of the powers and functions set out below are delegated by the Full Council to the Committee in relation to personnel
- a. All decisions within the control of the Council including but not limited to those listed in the Table below
 - b. Policy development in relation to personnel, subject to approval by the Policy Committee or the Full Council
 - c. Review of performance in relation to the services provided on a regular basis
 - d. Review of day to day operational decisions taken by officers
 - e. Approval of consultation responses except for responses to day-to-day technical consultations which will be agreed with the Chairman and reported to the next available Committee following their submission.
 - f. Approval of departmental staffing structures as required

- g. Approving all Councillor attendance at conferences, seminars and training events within the UK mainland for which a fee is payable including any expenditure incurred, within the remit of this Committee and to receive quarterly reports from Corporate Directors on departmental officer travel outside the UK within the remit of this Committee.
43. If any report comes within the remit of more than one committee, to avoid the report being discussed at several committees, the report will be presented and determined at the most appropriate committee. If this is not clear, then the report will be discussed and determined by the Policy Committee.
44. As part of the detailed work programme the Committee will receive reports on the exercise of powers delegated to officers.
45. The Committee will be responsible for its own projects but, where it considers it appropriate, projects will be considered by a cross-committee project steering group that will report back to the most appropriate Committee.

Table
Responsibility for the pay, terms and conditions of service and training of employees except for approving the annual Pay Policy Statement which is reserved to the Full Council
Responsibility for employee relations including arrangements for consultation/ negotiation with Trades Unions and any matters relating to Trade Union recognition
Responsibility for health and safety related matters
Reviewing and recommending Employment Procedure Rules to the Council for adoption
Reviewing annually the overall staffing structure of the Council
Responsibility for Human Resources, Business Support and the Business Services Centre

SENIOR STAFFING SUB-COMMITTEE – TERMS OF REFERENCE

46. This is a sub-committee of the Personnel Committee.

47. The exercise of the powers and functions set out below are delegated by the Full Council to the Senior Staffing Sub-Committee:-

- a. Responsibility for the appointment and dismissal of, and taking disciplinary action against, senior employees as set out in the Employment Procedure Rules

NOTE:-

- The appropriate committee chairman for the post being considered will always be appointed as a member of the Sub-Committee. Where the issue being considered relates to the Council's Chief Executive or a Corporate Director the Sub-Committee will have a membership of nine; otherwise the Sub-Committee will have a membership of five.
- The Sub-Committee will be required to follow the Council's Recruitment and Selection Code of Practice.
- The procedures the Sub-Committee is required to follow are set out in the Employment Procedure Rules.

OTHER BODIES

BUS LANE ADJUDICATION SERVICE JOINT COMMITTEE

48. A joint committee with a number of other local authorities for the purpose of adjudicating services for bus lane enforcement.

GREATER NOTTINGHAM LIGHT RAPID TRANSPORT ADVISORY COMMITTEE

49. A joint committee established to advise on issues relating to the tram system.

JOINT COMMITTEE FOR STRATEGIC PLANNING AND TRANSPORTATION – TERMS OF REFERENCE

50. A joint committee established to advise the County and City Councils on strategic planning and transport matters for the whole of Greater Nottingham.

JOINT ECONOMIC PROSPERITY COMMITTEE

51. A joint committee established to bring together local authority partners in Nottingham and Nottinghamshire in a robust, formally constituted arrangement which will drive future investment in growth and jobs in the City and County.

JOINT HEALTH SCRUTINY COMMITTEE (COMMISSIONERS WORKING TOGETHER)

52. A joint health scrutiny committee with the councils of Sheffield, Rotherham, Wakefield, Barnsley, Doncaster and Derbyshire to oversee the implementation of the CCG's working together programme to facilitate the efficient joint-provision of services.

MENTAL HEALTH GUARDIANSHIP PANEL

53. A panel of five County Councillors established to make decisions on renewal and discharge of guardianship under the Mental Health Act 1983.

NOTTINGHAMSHIRE AND CITY OF NOTTINGHAM FIRE AUTHORITY

54. A body of Nottinghamshire County and Nottingham City Councillors responsible for ensuring Nottinghamshire Fire and Rescue Service has the resources needed to carry out its duties. Responsible for making decisions on key matters such as strategy, policy and budget.

NOTTINGHAMSHIRE POLICE AND CRIME PANEL

55. A Panel to scrutinise the actions and decisions of the Police and Crime Commissioner for Nottinghamshire.

PARKING ADJUDICATION JOINT COMMITTEE

56. A joint committee with a number of other local authorities for the purpose of adjudicating services for parking enforcement.