

APPENDIX 2

Committee, Sub-Committee, Panel or other Body	Membership	Functions	Delegation of Functions
Appeals Panel	Chairperson and/or Vice Chairperson together with one or two County Borough Councillors drawn on a rota basis from a panel of ten County Borough Councillors.	<ol style="list-style-type: none"> 1. To hear and determine appeals under the following policies and procedures of the Council: <ul style="list-style-type: none"> • Disciplinary; • Grievance; • Management of Absence; • Dignity at Work; • Capability; • Redundancy and Redeployment 2. To determine whether or not proposed orders in pursuance of any provision contained in the enactments listed below (or any statutory modification, re-enactment or amendment thereof) in respect of which objections and/or representations have been received should be made as proposed; to refer (where necessary) any proposed order to a local public inquiry; to amend or modify any proposed order; or to uphold the objections and withdraw any proposed order: <ul style="list-style-type: none"> • Road Traffic Regulation Act 1984; • Traffic Management Act 2004; • Road Traffic Regulation (Special Events) Act 1994; • Town Police Clauses Act 1847; 3. To determine whether or not any proposed traffic provision to be implemented in pursuance the Highways Act 1980 / Road Traffic Regulation Act 1984 Section 23 (or any statutory modifications, re-enactment or amendment thereof) in respect of which objections and/or representations have been received should be implemented as proposed; to refer (where necessary) any proposed traffic provision to a local public inquiry; to amend or modify any proposed 	None.

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		traffic provision; or to uphold the objections and withdraw any proposed traffic provision.	
Appointments Committee	<p>The Appointments Committee is comprised of 6 Elected Member representatives:</p> <ul style="list-style-type: none"> • Leader (Chairperson) • Deputy Leader • Cabinet Member (of relevant portfolio to the post) • 1 x Conservative Group Member • 1 x Independent Alliance Group Member • 1 x Plaid Cymru Group Member 	<ol style="list-style-type: none"> 1. To undertake the appointment process of JNC officers (other than the Chief Executive). Substitution of Appointments Committee Members is permissible but only for the whole of an appointments process. 2. To facilitate the JNC Determination and JNC Appeals panels. These will comprise of 3 members with the Leader or Deputy Leader chairing the panel supported by, 1 of the Labour group representatives and one of the group representatives from the Independent/Alliance or Independent/ Annibynwr groups. The JNC Panels cannot be substituted and must be comprised from the original membership of the Appointments Committee. 	None
Audit Committee	12 County Borough Councillors and Lay Members (as set out in Article 8)	<ul style="list-style-type: none"> • Review, scrutinise and issues reports and recommendations in relation the Authority's financial affairs, • Review, scrutinise and issues reports and recommendations on the appropriateness of the Authority's risk management, internal control and corporate governance arrangements. • Oversee the Authority's internal and external audit arrangements (including the performance of external providers of Internal Audit) and review its financial statements. • To approve the Internal Audit Charter. 	None.

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		<ul style="list-style-type: none"> • To approve the risk-based internal audit plan and to approve significant interim changes to the risk-based internal audit plan. • To contribute to the Quality Assurance and Improvement Programme and in particular, to the external quality assessment of internal audit that takes place at least once every five years. • To consider the Head of Internal Audit's annual report and opinion, a summary of internal audit activity (actual and proposed) and the level of assurance it can give over the Council's corporate governance arrangements. • To consider reports from Internal Audit on the adequacy of internal control. • To consider reports dealing with the management and performance of the providers of internal audit services. • To consider reports from Internal Audit on agreed recommendations not implemented within a reasonable timescale. • To identify issues from the annual Improvement Report by the Wales Audit Office. • To receive the Regulatory Programme. • To identify areas for examination by Internal and External Audit. • To be responsible for ensuring effective scrutiny of the Treasury Management Strategy and policies, in accordance with the Treasury Policy Statement and Treasury Management Prudential Indicators. • To maintain an overview of the Council's Constitution in respect of Contract and Finance Procedure Rules. • To review any issue referred to it by the Chief Executive Officer, the Monitoring Officer and the Section 151 Officer. 	

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		<ul style="list-style-type: none"> • To monitor Council policies on anti-fraud and anti-corruption arrangements. • To consider the Council's Annual Governance Statement. • To assess the Council's compliance with its own and other published standards and controls. • To review and approve the Annual Statement of Accounts. Specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the Council. • To consider the External Auditor's report in relation to those charged with governance on issues arising from the audit of the accounts. • To receive reports from the External Regulators as appropriate. 	
Democratic Services Committee	11 County Borough Councillors (as set out in Article 9 of Part 2)	<ol style="list-style-type: none"> 1. To designate an officer as the Head of Democratic Services, 2. To review the adequacy of provision of staff, accommodation and other resources to discharge democratic services functions, and 3. To make reports and recommendations to Council, at least annually, in relation to such provision. 4. At the request of the Council, review any matter relevant to the support and advice available to members of the Council, and the terms and conditions of office of those members. 5. To make reports and recommendations to the Council following a review. 6. 	
Democratic	3 County	A Panel constituted under The	

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Services Sub-Committee	Borough Councillors that are members of the Democratic Services Committee	<p>Family Absence for Members of Local Authorities (Wales) Regulations 2013</p> <ul style="list-style-type: none"> a) Determine a complaint made by a Member regarding cancellation of family absence by the authority b) The Sub-Committee may confirm a decision made or substitute its own decision as to the Member's entitlement to a period of family absence in accordance with the 2013 Regulations. c) Determine a complaint made by a Member on maternity absence or parental absence regarding a decision made by the chair of the authority as to the Member attending any meeting or performing any duty; d) The Sub-Committee may confirm the decision of the chair of the authority or substitute its own decision as to the Member attending any meeting or performing any duty; e) The decision of the Sub-Committee is final. 	
Development Control Committee	Eighteen County Borough Councillors.	<ol style="list-style-type: none"> 1. To make recommendations to the Council in respect of Departure Applications which the Committee are minded to approve and Applications which accord with Council policy which the Committee are minded to refuse; 2. To determine applications for planning permission including applications by the Council for deemed planning permission other than Departure Applications which the Committee are minded to 	Details of the planning and other functions of the Development Control Committee which are delegated to the Corporate Director - Communities

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		<p>approve and Applications which accord with Council policy which the Committee are minded to refuse;</p> <p>3. To deal with all matters relating to or arising under the regulations for the time being in force governing the control of advertisements;</p> <p>4. To authorise the service of notices and the making of orders in accordance with the powers conferred upon the Council as local planning authority by Parts III, IV, VI, VII, VIII and XIII of the Planning (Listed Buildings and Conservation Areas) Act 1990;</p> <p>5. To discharge the Council's functions pursuant to Part I, Chapters II, III, IV and VI, Part II, Sections 72-75, Part III and Part IV of the Planning (Listed Buildings and Conservation Areas) Act 1990;</p> <p>6. To discharge the Council's functions pursuant to the Planning (Hazardous Substances) Act 1990;</p> <p>7. To deal with all matters relating to or arising under the regulations for the time being in force governing European Nature Conservation Sites;</p> <p>8. To discharge the Council's functions under the Building Regulations;</p> <p>9. To be responsible for:</p> <ul style="list-style-type: none"> a) The making of Tree Preservation Orders; b) The confirmation of Tree Preservation Orders in respect of which there are no subsisting objections or representations; c) The determination of all applications for consent under confirmed Tree Preservation Orders; 	<p>and other officers in their Directorate are contained in the Council's Schemes of Delegation of Functions.</p>

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		<p>d) The making of observations on tree felling licences proposed to be granted by National Resources Wales;</p> <p>e) The determination of applications under the Woodland Grant Scheme;</p> <p>10. To approve design briefs and advice notes relating to the control of development;</p> <p>11. To accept tenders for the execution of work, the performance of services or the supply of goods or materials in connection with the exercise of the functions of the Committee;</p> <p>12. To exercise those functions relating to town and country planning and development control specified:</p> <p>(a) In column (1) of Schedule 1 to the Local Authorities Executive Arrangements (Functions and Responsibilities) (Wales) Regulations 2001; and</p> <p>(b) In Regulations 2(2), 2(3) or 2(4) of those Regulations; which are not specified in paragraphs 1 to 11 above, unless the responsibility for exercising any of those functions has been delegated by the Council to any other committee, sub-committee, panel or other body.</p>	
Rights of Way Sub-Committee	Six County Borough Councillors (plus one observer from each: Ramblers' Association; the British Horse Society; and a Footpath Secretary.	<p>1. To approve the making of applications for and the making, modification or variation of orders relating to rights of way in pursuance of any provision contained in the following enactment (or any statutory modification, re-enactment or amendment thereof): Town and Country Planning Act 1990;</p> <p>2. To confirm, where the Council has power to do so, any proposed</p>	None.

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		<p>Order made in accordance with paragraph 1 above to which there are no objections or in respect of which any objections made are withdrawn;</p> <p>3. Where the Council does not have power to determine any proposed Order to refer the proposed Order to such determining body (i.e. the National Assembly for Wales, the Magistrates' Court or the County Court) as is appropriate in the circumstances.</p>	
The Licensing Committee	Fourteen County Borough Councillors.	<p>1. To determine from time to time any standard conditions applicable to and detailed policies governing the issue of the following licences, permits and consents; to determine the amount of the fees to be charged from time to time in respect of those licenses, permits and consents; and to determine objections in relation to proposed fee revisions:</p> <ul style="list-style-type: none"> a) Hackney Carriage and Private Hire Vehicle Licences, Drivers' Licences and Operators' Licences; b) Licences for Pleasure Boats and Vessels; c) Street Trading Licences and Consents; d) Sex Establishments; e) Street Collections; f) House to House Collections; g) Safety of Sports Grounds Act 1975 and the Fire Safety and Safety of Places of Sports Act 1987. h) Section 26(1)(bb) of the Marriage Act 1949, (as 	Details of the licensing functions within the purview of the Licensing Committee and the Licensing Sub-Committee which are delegated to the Corporate Director – Operational and Partnership Services and other officers in the Corporate Director – Operational and Partnership Services Directorate are contained in the Council's Schemes of Delegation of Functions.

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		<p>amended)</p> <ol style="list-style-type: none"> 2. To prescribe guidelines, conditions, limitations or restrictions governing the grant of applications for Hackney Carriage and Private Hire Vehicle Drivers' Licences by Council officers under the power delegated to them; 3. To resolve to designate any street within the County Borough under the street trading provisions contained in Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 and to deal with any matter arising there from, including licence and consent issues. 	
The Licensing Sub-Committee	Two Panels sitting on a rota basis each consisting of seven county borough councillors, and chaired by the Chairperson and Vice Chairperson of the Licensing Committee	<ol style="list-style-type: none"> 1. To hear and determine applications and to deal with all detailed matters (including the suspension and revocation of licences) relating to: <ol style="list-style-type: none"> a. Hackney Carriage and Private Hire Vehicle Licences, Drivers' Licences and Operators' Licences; b. Licences for Pleasure Boats and Vessels; c. Street Trading Licences and Consents; d. Sex Establishments; e. Street Collections; f. House to House collections; 2. To determine any matters in relation to the Drivers Awareness Course for Hackney Carriage and Private Hire Vehicle Drivers, including the making of any charges deemed appropriate. 3. To determine all applications in 	

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		<p>respect of both designated grounds and regulated stands and grounds under the Safety of Sports Grounds Act 1975 and the Fire Safety and Safety of Places of Sports Act 1987.</p> <p>4. To hear and determine applications for the grant or renewal of approvals of premises for the solemnisation of marriages in pursuance of Section 26(1)(bb) of the Marriage Act 1949, (as amended) or to revoke such approvals, in circumstances in which the Council Officer to whom the power to determine such applications, or to revoke such approvals, has been delegated has declined to exercise the delegated power.</p>	
The Licensing Act 2003 Committee	Fourteen County Borough Councillors	<p>1. All matters relating to the discharge by the licensing authority of its licensing functions under the Licensing Act 2003 other than any function conferred by section 5 in respect of its statement of licensing policy;</p> <p>2. All matters relating to the discharge by the Licensing Authority of its licensing functions under the Gambling Act 2005 other than any function conferred by section 349 in respect of its statement of Licensing Policy and section 166 in respect of a resolution not to issue a casino license.</p>	Details of the licensing functions within the purview of the Licensing Act 2003 Committee and the Licensing Act 2003 Sub-Committee which are delegated to the Corporate Director –
The Licensing Act 2003 Sub-Committee(s)	Ad-hoc panels of 3 Licensing Act 2003 Committee members sitting on a rota basis chaired by the Chairperson or Vice-Chairperson of the Licensing Act 2003 Committee or in their absence a member of the	<p>1. To hear and determine or make decisions (as appropriate) under the Licensing Act 2003 regarding the following matters:</p> <ul style="list-style-type: none"> (a) Applications for personal licences (if police objection): (b) Applications for personal licences with unspent convictions: (c) Applications for premises licences/club premises 	Operational and Partnership Services and other officers in the Corporate Director – Operational and Partnership Services Directorate

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	<p>panel to be elected as chairperson for that meeting</p>	<p>certificates (if relevant representation made);</p> <p>(d) Applications for provisional statements (if relevant representation made);</p> <p>(e) Applications to vary premises licences/club premises certificates (if relevant representation made);</p> <p>(f) Applications to vary designated premises supervisor (if police objection);</p> <p>(g) Applications for transfer of premises licence (if police objection);</p> <p>(h) Applications for interim authorities (if police objection);</p> <p>(i) Applications to review premises licences/club premises certificate;</p> <p>(j) Whether to object when the authority is a consultee and not the relevant authority considering an application;</p> <p>(k) Determination of police objections (counter notices) to temporary event notices;</p> <p>(l) Revocations of licences where convictions come to light.</p> <p>2. To determine applications received in respect of the Legislative Reform (Minor variations to Premises Licences and Club Premises Certificates) Order 2009.</p> <p>3. To determine applications received in respect of the Legislative Reform</p>	<p>are contained in the Council's Schemes of Delegation of Functions.</p>

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		<p>(Supervision of Alcohol Sales in Church and Village Halls &c.) Order 2009.</p> <p>4. To hear and determine or make decisions (as appropriate) under the Gambling Act 2005 regarding the following matters:</p> <ul style="list-style-type: none"> (a) Applications for Premises Licence; (b) Application for variation of Premises License; (c) Application for transfer of Premises Licence; (d) Application for Provisional Statement; (e) Review of Premises License; (f) Application for Club Gaming / Club Machine permit; (g) Cancellation of Club Gaming / Club Machine permit; (h) Cancellation of Licensed Premises Gaming Machine permit; (i) Consideration of temporary use notice; (j) Decision to give counter notice to a temporary use notice; (k) Decision to refuse application for small lottery registration; (l) Decision to disapply s282 - automatic entitlement to gaming machines in licensed premises. (m) Other matters where the Council Officer to whom the power to determine or revoke has been delegated 	

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		declines to exercise the delegated power.	
Standards Committee	Four Independent Members; Two County Borough Councillors; Two Town / Community Councillors.	<ol style="list-style-type: none"> 1. To promote and maintain high standards of conduct by Town and Community Councillors and County Borough Councillors, co-opted members and Church and Parent Governor representatives; 2. To assist Town and Community Councillors and County Borough Councillors, co-opted members and Church and Parent Governor representatives to observe the Code of Conduct adopted by their Council; 3. To advise Town and Community Councils and the County Borough Council on the adoption or revisions of a Code of Conduct. 4. To monitor the operation of the Town and Community Councils' and County Borough Council's Code of Conduct and to report to the County Borough Council on any matters of concern; 5. To advise Town and Community Councillors and the County Borough Council on the effective implementation of the Code of Conduct, including appropriate training measures for Councillors, co-opted members and Church and Parent Governor representatives; 6. To consider: <ol style="list-style-type: none"> a) reports submitted by the Public Services Ombudsman for Wales; b) reports submitted by and any recommendation made to it by the Council's Monitoring Officer; c) any representations received; relating to alleged breaches of 	None.

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		<p>the Code of Conduct by Town and Community Councillors and County Borough Councillors or co-opted members and to make appropriate determinations;</p> <p>7. To monitor the operation of the County Borough Council's Whistleblowing Policy;</p> <p>8. To grant dispensations from the prohibitions contained in the Code of Conduct from Town and Community Councillors and County Borough Councillors or co-opted members participating in that Council's business, in accordance with the Regulations from time to time made by the National Assembly for Wales.</p>	
Town and Community Council Forum	Nineteen County Borough Councillors and one Town / Community Councillor representing each Town / Community Council.	To consult with representatives of Town and Community Councils within the County Borough on matters of mutual interest.	None.

NOTE:

Should the changes proposed to Annual Council in respect of Overview and Scrutiny Committees as detailed in the covering report to this Appendix be agreed the Constitution in respect of the Overview and Scrutiny structure will be amended and updated at the next meeting of Council on 31 May 2017.