

# **PART 5**

## **TERMS OF REFERENCE FOR COUNCIL COMMITTEES AND SUB- COMMITTEES**

**Introduction**

**Standards Committee**

**Overview Committee**

***Health Overview Panel***

**Scrutiny Committee**

- ***Forward Plan Select Committee***
- ***Performance and Finance Select Committee***
- ***Children and Families Scrutiny Panel***
- ***Quality of Life Scrutiny Panel***
- ***Adult and Social Care Scrutiny Panel***

**General Purposes Committee**

- ***Pension Fund Sub-Committee***
- ***Senior Staff Appointments Sub-Committee***
- ***Staff Appeals Sub-Committees A and B***
- ***Schools Disciplinary Sub-Committee***
- ***General Purposes Licensing Sub-Committee***

**Planning Committee**

**Alcohol & Entertainment Licensing Committee**

- ***Alcohol & Entertainment Licensing Sub-Committees A, B & C***

**Joint Committees**

## **MEMBERSHIP AND TERMS OF REFERENCE OF COUNCIL COMMITTEES AND SUB-COMMITTEES**

### **Introduction**

1. The Council has determined that functions of the Council may be discharged by the committees and sub-committees set out below.

### **Council Committees**

2. The Council has appointed the following committees:
  - Standards Committee
  - Overview Committee
  - Scrutiny Committee
  - General Purposes Committee
  - Planning Committee
  - Alcohol and Entertainment Licensing Committee

### **Council Sub-Committees**

3. The General Purposes Committee has appointed the following sub-committees:
  - Senior Staff Appointments Sub-Committee
  - Schools Disciplinary Sub-Committee
  - Staff Appeals Sub-Committee A and B
  - General Purposes Licensing Sub Committee
  - Pension Fund Sub-Committee

### **Alcohol and Entertainment Licensing Committee**

- 3A. The Alcohol and Entertainment Licensing Committee has appointed 3 Sub-Committees known as the Alcohol and Entertainment Licensing Committee A, B and C.

### **Overview and Scrutiny Sub-Committees**

4. The Overview Committee has appointed a sub-committee called the Health Overview Panel. The Scrutiny Committee has appointed five sub-committees called:
  - Forward Plan Select Committee
  - Performance and Finance Select Committee
  - Children and Families Scrutiny Panel
  - Quality of Life Scrutiny Panel
  - Adult and Social Care Scrutiny Panel
5. The Scrutiny Panels will scrutinise the decisions or actions of the Executive or the Council or any part of them in relation to the functions or services specified in their terms of reference and will carry out the Scrutiny Panel functions in respect

## TERMS OF REFERENCE OF COUNCIL COMMITTEES AND SUB-COMMITTEES

of the functions or services specified in those Terms of Reference. The Scrutiny Panel Functions are:

- to contribute to the development of an annual work programme for approval by the Scrutiny Committee;
  - to implement their annual work programmes once approved including the carrying out of any time limited, in-depth reviews of a function or service as set out in the annual work programme;
  - to undertake in depth monitoring of a function or service;
  - to call before the panel a member of the Executive or any Service Area or Corporate Director to respond to specific issues of concern on any matter it is considering;
  - to consider any representation, petition or deputation referred to it;
  - to consider any report or outcome of any review or inspection relating to function or service;
  - to monitor the implementation of any action plans arising from any such review or inspection;
  - to request reports on specific issues of concern;
  - to consider any issues arising from a consultative forum or other consultation exercises;
  - to establish Task Groups.
6. Any dispute as to whether a matter does or does not fall within the remit of a particular sub-committee shall be resolved by the Chair of the Management Board on advice from the Borough Solicitor.

### **Task Groups**

7. The Overview and Scrutiny Panels and the Performance and Finance Select Committee may, having taken account of any recommendations from the Management Board, establish task groups.

### **Call in**

8. The Forward Plan Select Committee or, in the case of call ins relating to education matters, the Children and Families Scrutiny Panel will consider any decisions called in for scrutiny under Standing Order 21.

### **Political Balance**

9. The rules on political balance will apply to all committees and sub-committees except the Standards Committee.

### **Quorum**

10. The quorum for all committees and sub-committees is one quarter of the number of the members on that committee or sub-committee (including voting co-opted members) or 3, whichever is the greater. In the case of the Standards Committee, the quorum must include an Independent Member and in the case of the Senior Staff Appointments Sub-Committee it must include a member of the Executive. In the case of the Alcohol and Entertainment Licensing Sub-Committees, the quorum must be at least two members.

### **Chair**

11. In the case of the Overview Committee and the Scrutiny Committee, the Chair and Vice Chair will be elected by the members of the committee at the first meeting of the committee following the Annual Meeting (if a political balance review takes place at that meeting) or the meeting of Full Council under Standing Order 35 and again whenever there is a vacancy or (in the case of the Chair) if the Chair or Vice Chair are not present. Unless Standing Order 19(d)(i) or 19(d)(ii) applies, the Chair of the Scrutiny Committee shall not be a member of the majority group and in the case of the Scrutiny Committee and any of its sub-committees the vice chair shall not be from the same political group as the chair of the committee or sub-committee as the case may be.
12. In the case of all other committees the Chair and Vice Chair shall be appointed by Full Council.
13. In the case of sub-committees the Chair and Vice Chair shall be appointed by the parent committee.
14. In the case of the Standards Committee, the Chair shall be one of the Independent Members and shall be appointed by Full Council.

### **Terms of Reference and Membership**

15. The terms of reference and membership of the committees and any special rules relating to membership or chairing the meeting are set out below.

### **Joint Committees**

16. A number of joint committees have been established with other London Boroughs under the umbrella of the Association of London Government ("ALG"). The Housing Joint Committee exercises Executive functions as does its sub-committee. The ALG and the Transport and Environment Committee exercise executive and non-executive functions. A joint Overview and Scrutiny Committee has been established with the London Borough of Harrow and other Councils who will be consulted on the proposals to rebuild Northwick Park Hospital. The terms of reference and make up of these committees and sub-committee are described below (even though some of the functions are executive functions).

## **STANDARDS COMMITTEE**

### **Membership**

- The committee is comprised of 5 members.
- 3 members are elected councillors (one from each of the three largest political groups) and 2 are Independent Members, as defined in Section 53 of the Local Government Act 2000 and the Relevant Authorities (Standards Committee) Regulations 2001.
- The Leader shall not be a member of the committee.
- No more than 1 member of the Executive may be a member of the committee.
- The Chair shall be one of the Independent Members (but a non-executive member may chair a meeting in the absence of the Chair and Vice Chair if necessary).
- The quorum shall be 3 and must include an Independent Member, unless the Independent Members are required to withdraw from the meeting because of a prejudicial interest.

### **Terms of reference**

The committee is responsible for the following functions:-

1. To promote and maintain high standards of conduct by members including any co-opted members.
2. To assist members and co-opted members to observe the Brent Members' Code of Conduct, the Planning Code of Practice, the Licensing Code of Practice and any other code of conduct or practice which is adopted ("the Codes").
3. To advise the Council on the adoption or revision of the Codes.
4. To monitor the operation and effectiveness of, and compliance with, the Codes and to recommend changes.
5. To advise members and co-opted members on matters relating to the Codes and on any other matters related to their conduct and treatment of their personal interests.
6. To provide or arrange training for members and co-opted members on matters relating to the Codes.
7. To determine and keep under review procedures to facilitate confidential reporting by employees of suspected fraud, corruption or any other wrongdoing.
8. To consider and make reports to Council regarding the operation and effectiveness of, and compliance with, the Constitution and to recommend changes to it.
9. To keep under review the handling of complaints administration and any reports from the Local Government Commissioner.
10. To receive reports from the Monitoring Officer.

## TERMS OF REFERENCE OF COUNCIL COMMITTEES AND SUB-COMMITTEES

11. In accordance with the Relevant Authorities (Standards Committee) (Dispensation) Regulations 2002, to grant dispensations to councillors and co-opted members, in respect of participation in any business which they would otherwise be prohibited from participating in by virtue of any provision in the Brent Members Code of Conduct.
12. To be responsible for any reports from a case tribunal or interim case tribunal, and any report from the Monitoring Officer or any matter which is referred by an Ethical Standards Officer to the Monitoring Officer.

## OVERVIEW COMMITTEE

### Membership

- The committee is comprised of 17 councillors, 4 voting education co-opted members and 2 non-voting education co-opted members.
- None of the members shall be members of the Executive.
- The Chair (and Vice Chair) shall be elected by the Committee in accordance with Standing Orders.

### Terms of reference

1. To assist the Council and the Executive in the development of the Authority's Policy Framework and Budget by in-depth analysis of policy issues.
2. To conduct research and community and other consultation, in the analysis of policy issues and possible options.
3. To consider and recommend mechanisms to encourage and enhance community participation in the development of policy options.
4. To consult with external organisations operating in the area, whether national, regional or local, to ensure that the interest of local people are enhanced by partnership and collaborative working.
5. To review the performance of health providers and other public bodies in the area and invite reports from them by requesting them to address the Overview Committee about their activities and performance.
6. To carry out Best Value reviews if requested to do so by the Executive.
7. To review the decisions and performance of the Executive and other parts of the Council and to make reports and/or recommendations to the Council in connection with the discharge of Council functions and to the Executive in connection with the discharge of Executive functions, or to their respective committees or sub-committees as the case may be.
8. To make reports and/or recommendations to the Council and/or the Executive or their committees or sub-committees on matters which affect the Council's area or the inhabitants of that area.
9. To agree its annual work programme to recommend to Full Council.
10. To exercise overall responsibility for any finances and resources made available to it.
11. To report annually to Full Council on its workings and make recommendations for future work programmes and amended working methods if appropriate.
12. To establish Task Groups.



## **HEALTH OVERVIEW PANEL**

### **Membership**

- The sub-committee is comprised of 7 councillors.
- None of the members shall be members of the Executive.
- The Chair (and Vice Chair) shall be elected by the Overview Committee in accordance with Standing Orders.

### **Terms of reference**

To carry out all or any of the functions of the Overview Committee in relation to health matters and to review the performance or general activities of health providers in the area.

## **SCRUTINY COMMITTEE**

### **Membership**

- The committee is comprised of 17 councillors, 4 voting education co-opted members and 2 non-voting education co-opted members.
- None of the members shall be members of the Executive.
- The Chair and Vice Chair shall be elected by the Committee in accordance with Standing Orders, the Chair not being a member of the majority group unless Standing Orders 19(d)(i) or 19(d)(ii) applies.

### **Terms of Reference**

1. To scrutinise the decisions made or other action taken in connection with the discharge of any of the Authority's Executive functions.
2. To scrutinise the performance of the Executive, both in relation to individual decisions and over a period of time.
3. To review and scrutinise the decisions and performance of the Council.
4. To carry out Best Value reviews if requested to do so by the Council.
5. To make reports and/or recommendations to the Council in connection with the discharge of Council functions and to the Executive in connection with the discharge of Executive functions, or to their respective committees or sub-committees as the case may be.
6. To make reports and/or recommendations to the Council and/or the Executive or their committees or sub-committees on matters which affect the Council's area or the inhabitants of that area.
7. To agree its annual work programme to recommend to Full Council.
8. To exercise overall responsibility for any finances and resources made available to it.
9. To report annually to Full Council on its workings and make recommendations for future work programmes and amended working methods if appropriate.
10. To appoint to sub-committees including select committees and scrutiny panels.
11. If necessary, to carry out any of the Scrutiny Panel Functions or any other function of any of its sub-committees.
12. To establish Task Groups.

### **Limitations**

- (a) The Scrutiny Committee and its sub-committees will not normally, and not without special reason, scrutinise decisions made in respect of matters concerning individuals applications for consents, permission, approval or grants, particularly individual decisions on planning, licensing, registration, etc.

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- (b) The voting co-opted members may only vote on matters relating to school education and the non-voting co-opted members may not vote on any matter.

## **FORWARD PLAN SELECT COMMITTEE**

### **Membership**

- The sub-committee is comprised of 7 councillors.
- None of the members shall be members of the Executive.
- The Chair and Vice Chair shall be appointed by the Scrutiny Committee in accordance with Standing Orders.

### **Terms of Reference**

1. To keep under review the Forward Plan.
2. To consider any matter appearing in the Forward Plan or on any current or forthcoming agenda of the Executive.
3. To consider matters relating to the operation of the scrutiny function and matters relating to the role of members generally.
4. To call before the sub-committee a member of the Executive or any Service Area or Corporate Director to provide a briefing on any matter appearing in the Forward Plan or on any current or forthcoming agenda of the Executive.
5. To call before the sub-committee a member of the Executive or any Service Area or Corporate Director to account for the recommendations they have made in any report submitted or to be submitted to the Executive.
6. To make recommendations to the Management Board on whether an in-depth review of an issue, matter or function considered by the sub-committee should be undertaken by a Scrutiny Panel or Task Group.
7. To consider any matter called-in in accordance with Standing Orders and to make recommendations thereon.

### **Limitations**

- (a) Where officers or members are called before the sub-committee, additional technical support may be provided from other officers where appropriate.
- (b) The sub-committee may only consider matters relating to school education in so far as is necessary to enable the sub-committee to properly consider an issue or matter relating to some other function or functions of the Council.

*NB: Having appointed the Chair and Vice Chair of the sub-committee the Scrutiny Committee will appoint the remaining members and it is anticipated that these will be drawn from the other scrutiny sub-committees but subject to the sub-committee being politically balanced.*

## PERFORMANCE AND FINANCE SELECT COMMITTEE

### Membership

- The sub-committee is comprised of 7 councillors.
- None of the members shall be members of the Executive.
- The Chair and Vice Chair shall be appointed by the Scrutiny Committee in accordance with Standing Orders.

### Terms of Reference

#### *Performance*

1. To scrutinise the performance of the Executive or any other part of the Council and any person or body carrying out any function on behalf of or in partnership with the Council.
2. To consider reports or outcomes of service reviews such as best value reviews and to monitor progress in implementing any subsequent action plans.
3. To consider reports or outcomes of inspections by internal or external inspectors or auditors including those conducted as part of the Comprehensive Performance Assessment and Best Value.

#### *Finance and Audit*

4. To monitor:
  - spend compared with budget.
  - management of financial and other resources made available to the Council.
  - property and asset acquisition and disposal and the capital programme.
  - procurement and letting of contracts and the procedures and practice for doing so.
5. To review and monitor the operation and effectiveness of risk management, internal control and internal and external audit.
6. To monitor the Council's progress in implementing its Annual Audit Plan.
7. To consider reports or outcomes of audits and reviews conducted by internal and external auditors and to monitor implementation of any recommendations.

#### *General*

8. To make recommendations to any other council body or to an officer on any matter this committee has considered including making recommendations to the Management Board on whether an in-depth review of an issue, matter or function considered by the sub-committee should be undertaken by a Scrutiny Panel or Task Group.
9. To consider any corporate or cross cutting issues relating to Human Resources and staffing issues.

10. To establish Task Groups.

**Limitation**

The sub-committee may only consider matters relating to school education in so far as is necessary to enable the sub-committee to properly consider an issue or matter relating to some other function or functions of the Council.

## **CHILDREN AND FAMILIES SCRUTINY PANEL**

### **Membership**

- The sub-committee is comprised of 19 members in total comprising 13 councillors, 4 voting education co-opted members and 2 non-voting education co-opted members.
- None of the members shall be members of the Executive.
- The Chair and Vice Chair shall be appointed by the Scrutiny Committee in accordance with Standing Orders.

### **Terms of Reference**

To scrutinise the decisions or actions of the Executive or the Council or any part of them in relation to children and families services and to carry out the Scrutiny Panel functions in respect thereof.

#### *The Scrutiny Panel Functions*

1. to develop an annual work programme for approval by the Scrutiny Committee.
2. to implement its annual work programme once approved including the carrying out of any time limited, in-depth reviews of a function or service as set out in the annual work programme.
3. to undertake in depth monitoring of a function or service.
4. to call before the panel a member of the Executive or any Service Area or Corporate Director to respond to specific issues of concern on any matter it is considering.
5. to consider any representation, petition or deputation referred to the sub-committee.
6. to consider any report or outcome of any review or inspection relating to any function or service.
7. to monitor the implementation of any action plans arising from any such review or inspection.
8. to request reports on specific issues of concern.
9. to consider any issues arising from a consultative forum or other consultation exercises.
10. to establish Task Groups.
11. To consider any education matter called-in in accordance with Standing Orders and to make recommendations thereon.

### **Limitation**

The voting co-opted members may only vote on matters relating to school education and the non-voting co-opted members may not vote on any matter.

## **QUALITY OF LIFE SCRUTINY PANEL**

### **Membership**

- The sub-committee is comprised of 7 councillors.
- None of the members shall be members of the Executive.
- The Chair and Vice Chair shall be appointed by the Scrutiny Committee in accordance with Standing Orders.

### **Terms of Reference**

To scrutinise the decisions or actions of the Executive or the Council or any part of them in relation to housing and customer services, the environment, library services, arts and culture, adult and community education, regeneration, sport and leisure, community centres, crime reduction and any other Council function not otherwise falling within the remit of one of the other scrutiny panels and to carry out the Scrutiny Panel Functions in respect thereof.

#### *The Scrutiny Panel Functions*

1. to develop an annual work programme for approval by the Scrutiny Committee.
2. to implement its annual work programme once approved including the carrying out of any time limited, in-depth reviews of a function or service as set out in the annual work programme.
3. to undertake in depth monitoring of a function or service.
4. to call before the panel a member of the Executive or any Service Area or Corporate Director to respond to specific issues of concern on any matter it is considering.
5. to consider any representation, petition or deputation referred to the sub-committee.
6. to consider any report or outcome of any review or inspection relating to any function or service.
7. to monitor the implementation of any action plans arising from any such review or inspection.
8. to request reports on specific issues of concern.
9. to consider any issues arising from a consultative forum or other consultation exercises.
10. to establish Task Groups.

### **Limitation**

The sub-committee may only consider matters relating to school education in so far as is necessary to enable the sub-committee to properly consider an issue or matter relating to some other function or functions of the Council.



## **ADULT AND SOCIAL CARE SCRUTINY PANEL**

### **Membership**

- The sub-committee is comprised of 7 councillors.
- None of the members shall be members of the Executive.
- The Chair and Vice Chair shall be appointed by the Scrutiny Committee in accordance with Standing Orders.

### **Terms of Reference**

To scrutinise the decisions or actions of the Executive or the Council or any part of them in relation to health and adult and social care functions and to carry out the Scrutiny Panel Functions in respect thereof.

#### *The Scrutiny Panel Functions*

1. to develop an annual work programme for approval by the Scrutiny Committee.
2. to implement its annual work programme once approved including the carrying out of any time limited, in-depth reviews of a function or service as set out in the annual work programme.
3. to undertake in depth monitoring of a function or service.
4. to call before the panel a member of the Executive or any Service Area or Corporate Director to respond to specific issues of concern on any matter it is considering.
5. to consider any representation, petition or deputation referred to the sub-committee.
6. to consider any report or outcome of any review or inspection relating to any function or service.
7. to monitor the implementation of any action plans arising from any such review or inspection.
8. to request reports on specific issues of concern.
9. to consider any issues arising from a consultative forum or other consultation exercises.
10. to establish Task Groups.

### **Limitation**

The sub-committee may only consider matters relating to school education in so far as is necessary to enable the sub-committee to properly consider an issue or matter relating to some other function or functions of the Council.

## GENERAL PURPOSES COMMITTEE

### Membership

- The committee is comprised of 11 councillors.

### Terms of Reference

- Subject to paragraph 12 below, to carry out those functions specified in this Constitution as being the responsibility of the General Purposes Committee, except to the extent that those functions have been delegated to officers or sub-committees of the General Purposes Committee, including but not limited to: -
  - diverting, closing and creating footpaths, public rights of way and bridleways;
  - public path and railway extinguishments orders; and
  - agreeing changes to appointments to outside bodies.
- To appoint its sub-committees as set out in the Constitution.
- <sup>2</sup> To conduct the ~~annual review of the effectiveness of internal control~~.
- To agree the internal audit plan and to note the external audit plan.
- To set the Council Tax Base<sup>3</sup>.
- To approve the Authority's statement of accounts, income and expenditure and balance sheet, or record of payments and receipts, as the case may be.
- To determine the terms and conditions on which staff appointed by the Senior Staff Appointments Sub-Committee shall hold office, including procedures for their dismissal, and to determine the grading structure to be applied to posts appointed by the Senior Staff Appointments Sub-Committee.
- To determine other matters involving the Council as an employer (excluding those matters relating to health and safety at work where the Council is acting in its capacity as an employer) including the overall framework of terms and conditions of service for employee.
- To consider matters relating to union membership, negotiations and agreements and to develop relations with all staff unions.

<sup>2</sup> The review of audit appears in the terms of reference of the Performance and Finance Select Committee and does not need to be duplicated here. The General Purposes Committee still has power to carry out certain audit functions and respond to audit findings where it can, including those audit functions specified in these terms of reference since the PFSC does not have power to take any action in respect of audit other than to review and make recommendations.

<sup>3</sup> It is no longer a requirement for the Council Tax Base to be set by Full Council and so can be set by General Purposes Committee.

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10. To determine matters referred to it by the Director of Finance and Corporate Resources or the Pension Fund Sub-Committee concerning the Council's functions under the Local Government Pension Scheme.
11. To carry out any non-executive functions which are not the responsibility of any other person or Council committee or sub-committee, except where prevented by law from doing so or by any other provision in this Constitution.
12. To carry out any other functions which are non-executive functions and which have been delegated to its sub-committees or officers but which the relevant sub-committee or officer is for whatever reason unable or unwilling to so exercise.
13. To carry out the Council's regulatory functions under the health and safety legislation.

## **PENSION FUND SUB-COMMITTEE**

### **Membership**

- The sub-committee is comprised of 7 councillors and 2 non-voting co-opted members from the College of North West London and Brent Care at Home.

### **Terms of Reference**

1. To determine the overall investment strategy and strategic asset allocation for the Brent Pension Fund, on the basis of advice from the Director of Finance and Corporate Resources, the Independent Auditor and the investment managers.
2. To appoint the investment managers for the Brent Pension Fund.
3. To keep under review the investment managers performance and processes.
4. To oversee the management and administration of the Brent Pension Fund.
5. To determine matters referred to it by the Director of Finance and Corporate Resources or the General Purposes Committee concerning the Council's functions under the Local Government Pension Scheme.

## **SENIOR STAFF APPOINTMENTS SUB-COMMITTEE**

### **Membership**

- The sub-committee is comprised of 5 councillors, at least one of whom shall be a member of the Executive.

### **Terms of Reference**

To make appointments to the senior posts set out in the Standing Orders relating to Staff, subject to first complying with the procedures for such appointments set out in those Standing Orders and on the terms and conditions agreed by the General Purposes Committee.

**STAFF APPEALS SUB-COMMITTEE A AND B**

NB: There are two sub-committees which will meet on an ad hoc basis in rotation or as determined by the Democratic Services Manager.

**Membership**

The sub-committee is comprised of 5 councillors.

**Terms of Reference**

To consider and determine, in accordance with the relevant terms and conditions of service, any appeal by any person employed or purportedly employed by the Council against any dismissal arising out of disciplinary action.

## **SCHOOLS DISCIPLINARY SUB-COMMITTEE**

### **Membership**

The sub-committee is comprised of 5 members.

### **Terms of Reference**

To consider and take appropriate action upon the recommendations of Governing Bodies of Institutes without delegated management in respect of Head Teachers, Deputy Head Teachers and teachers in accordance with the teachers' disciplinary procedure.

## **GENERAL PURPOSES LICENSING SUB-COMMITTEE**

### **Membership**

The sub-committee is comprised of 5 councillors.

### **Terms of Reference**

1. To hear and determine applications under licensing legislation other than the Licensing Act 2003 once the Act or the relevant parts of it are in force which are considered significantly contentious by the Director of Environment and Culture or in respect of which an applicant is entitled to be heard by a committee or sub-committee of members.



## PLANNING COMMITTEE

### Membership

- The committee is comprised of 10 councillors.

### Terms of Reference

1. To determine applications for planning permission, consent or approval (including listed building and conservation area consent) in respect of the following types of development:-
  - (i) construction of 10 or more dwellings;
  - (ii) outline residential development with a site larger than 0.1 hectare (approximately  $\frac{1}{4}$  acre);
  - (iii) construction of non-residential building exceeding 500 sq. metres in floorspace outside a designated employment area; and
  - (iv) outline non-residential development with a site larger than 0.1 hectare (approximately  $\frac{1}{4}$  acre), outside a designated primary employment area.
2. To determine applications for planning permission, consent or approval (including listed building and conservation area consent) which the Planning Committee has specifically indicated it wishes to consider itself.
3. To determine any application for planning permission, consent or approval (including listed building and conservation area consent) which at least two members of the Council have requested, in accordance with the Planning Code of Practice, be considered by the Planning Committee.
4. To determine any other application for planning permission, consent or approval (including listed building and conservation area consent) in respect of which written objections have been received from 2 or more households or businesses except where those objections relate to:-
  - (i) walls, crossovers or porches
  - (ii) satellite television dishes or aerials
  - (iii) other domestic aerials
  - (iv) certificates of lawful use or development (except applications which relate to the lawfulness of the use of a dwelling house by more than one family unit)

AND except where the officers are in any event minded to refuse the permission, consent or approval.
5. To determine any application for planning permission, consent or approval (including listed building and conservation area consent) which would, in the reasonable opinion of the Director of Environment and Culture or the Head of Planning, significantly conflict with Council policies.
6. To determine any application for, or revocation of, planning permission or consent or approval (including listed building and conservation area consent) in

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case where the approval or revocation would, in the reasonable opinion of the Director of Environment and Culture or the Head of Planning, give rise to the payment of compensation.

7. To authorise the service of an enforcement or stop notice in respect of breaches of planning, listed building, advertisement and hazardous substances control where such action would involve the payment of compensation.

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8. To agree to enter into agreements pursuant to section 106 of the Town and Country Planning Act 1990, section 38 of the Highways Act 1980 or any other agreements required in connection with any permission, consent or approval granted by the committee and to authorise officers to make such agreements subject to such restrictions as it considers appropriate.

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9. To determine any matter relating to planning or hazardous substances which are delegated to officers, other than Executive functions, but which the Director of Environment and Culture or Head of Planning considers appropriate for the committee to consider.

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10. To authorise the making of Tree Preservation Orders in cases where the relevant officer has declined to make an order.

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11. In relation to other planning and/or development control matters:

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(a) where requested by officers or the Executive to do so, to provide comments back to them on any applications for development in neighbouring boroughs and any changes to planning policy in other boroughs.

(b) to consider and recommend to the Executive or officers amendments to adopted or draft development plan documents, supplementary planning documents, planning briefs or other similar documents.

### Limitations

(a) None of the above will apply to any application for permission or consent which the Council is required to refuse in accordance with a direction to do so from the Mayor of London or any Minister of the Crown issued pursuant to any legislative provision in which case the refusal shall be issued by the Director of Environment and Culture or the Head of Planning but reported to the Planning Committee for information.

(b) Nothing in paragraphs 1-12 above shall apply to applications for permission for telecommunication masts submitted by telecom operators under Part 24 of Town and Country Planning (General Permitted Development) Order if the meeting at which the matter would be considered would take place after the deadline specified in that order for responding to the application in which case the application may, for the avoidance of doubt, be determined by officers under delegated powers.

## **ALCOHOL AND ENTERTAINMENT LICENSING COMMITTEE**

### **Membership**

- The Committee is comprised of 15 members.

### **Terms of Reference**

1. To oversee the discharge of all licensing functions of the Council as the licensing authority under the Licensing Act 2003, except the determination of the Council's Statement of Licensing Policy and the publication of that Statement.
2. To establish and appoint to sub-committees to determine matters regarding personal licences, premises licences, club premises certificates, provisional statements, variation of the designated premises supervisor, interim authorities, police objections to temporary event notices and any applications requiring a hearing under the Licensing Act 2003.
3. To arrange for the discharge of the functions governed by the Licensing Act 2003 by its sub-committees or by officers except where prohibited by the Licensing Act 2003.
4. To receive and consider annual reports, where appropriate, on the needs of the local tourist economy, employment and investment in the area and any other matter directly related to the licensing functions in the borough.
5. To direct officers to report to the Planning Committee, where appropriate, on the situation regarding licensed premises in the area, including the general impact of alcohol related crime and disorder.

## **Alcohol and Entertainment Licensing Sub-Committee 'A' / 'B' / 'C'**

### **Membership**

- Each sub-committee is comprised of 3 members drawn from the Alcohol and Entertainment Licensing Committee.
- Alternate members shall also be drawn from the Alcohol and Entertainment Licensing Committee.

### **Terms of Reference**

1. To determine applications for personal licences where the police have served an objection notice.
2. To determine applications for premises licences, club premises certificates and provisional statements where a relevant representation is made.
3. To determine applications to vary premises licences and club premises certificates where a relevant representation is made.
4. To determine applications to vary a designated premises supervisor where a police objection is received.
5. To determine applications for transfer of a premises licences where a police objection is received.
6. To determine applications to review premises licences and club premises certificates.
7. To determine applications for interim authorities where a police objection is received.
8. To determine a police objection to a temporary event notice.
9. To determine any application or variation which is capable of being determined by officers but which the Director of Environment and Culture considers appropriate for the Sub-Committee to consider.

## **JOINT COMMITTEES**

### **1. INTRODUCTION**

The Council is a member of a number of joint committees under the umbrella of the Association of London Government ("ALG"). The ALG Agreement dated 1 April 2000 (as varied by an agreement dated 13 December 2001) established the Leaders' Committee, the Grants Committee and the London Housing Unit Committee as joint committees. There is a further agreement dated 15 January 1998 (as varied by the Agreement dated 13 December 2001), which established another joint committee known as the Transport and Environment Committee. The Council has also established a joint Overview and Scrutiny Committee with the London Borough of Harrow and other Councils being consulted on the proposals to rebuild Northwick Park Hospital.

### **2. ASSOCIATION OF LONDON GOVERNMENT COMMITTEE (KNOWN AS THE LEADERS' COMMITTEE)**

#### **Membership**

- The Leaders' Committee is comprised of the Leader of each of the 33 London Local Authorities including the Leader of Brent Council.

#### **Terms of Reference**

The terms of reference of the Committee are set out in full in the Agreement dated 1 April 2000 and are summarised below:

1. To consult on the common interests of the London Local Authorities and to discuss matters relating to Local Government.
2. To represent the interests of the London Local Authorities to national and Local Government, to Parliament, to the European Union and other international organisations and to other bodies and individuals, and to negotiate as appropriate on behalf of member authorities.
3. To formulate policies for the development of democratic and effectively management Local Government.
4. To provide forums for the discussion of matters of common concern to the London Local Authorities and a means by which their views may be formulated and expressed.
5. To appoint representatives or staff to serve on any other body.
6. To represent the interests of the London Local Authorities as employers.
7. To provide services to the London Local Authorities including the dissemination of information on Local Government and on other relevant issues.
8. To provide information to the public, individuals and other organisations on the policies of the ALG and Local Government issues relevant to London.
9. To act as the regional body of the Local Government Association.

## TERMS OF REFERENCE OF COUNCIL COMMITTEES AND SUB-COMMITTEES

10. To act for, and on behalf of London Local Authorities in their role as employers, through the provision and development of a range of services.

### Rules of Procedure

The rules of debate and procedure for the conduct of meetings of the Leaders' Committee are set out in Standing Orders contained in the 1 April 2000 Agreement and which are also published on the ALG's website. The ALG is also required to comply with Financial Regulations contained in the ALG Agreement. These Standing Orders and Financial Regulations also apply to the other ALG joint committees detailed below.

### 3. LONDON HOUSING UNIT COMMITTEE

#### Membership

- The London Boroughs of Barking and Dagenham, Barnet, Harrow, Brent, Camden, City of Westminster, Croydon, Ealing, Enfield, Greenwich, Hackney, Hammersmith & Fulham, Haringey, Havering, Hillingdon, Hounslow, Islington, Kensington & Chelsea, Lambeth, Lewisham, Merton, Newham, Redbridge, Richmond Upon Thames, Southwark, Tower Hamlets, Waltham Forest and Wandsworth<sup>4</sup> have each appointed one councillor as a member of the London Housing Unit Committee.

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#### Terms of Reference

The terms of reference of the Committee are set out in full in the Agreement dated 13 December 2001 and are summarised below:

1. To assist Constituent Councils to discharge their statutory housing functions.
2. To assist with the housing functions of councils generally.
3. The activities of the Committee shall include:
  - (a) provision, organisation and co-ordination of housing publicity and information on issues relevant to member authorities;
  - (b) research and analysis on housing matters;
  - (c) evaluation and analysis on housing policy and service issues; and
  - (d) other appropriate activities consistent with or contributing to the housing duties and functions of the Constituent Councils.
4. To carry out investigations into and the collection of information relating to the housing functions of the Constituent Councils and the housing activities of other appropriate bodies.

<sup>4</sup> The membership of the London Housing Unit Committee needs to be updated as several boroughs who have appointed a councillor as a member of the Committee have not been listed. Barking and Dagenham, Barnet, Wandsworth, City of Westminster, Kensington & Chelsea and Richmond Upon Thames all need to be added

## TERMS OF REFERENCE OF COUNCIL COMMITTEES AND SUB-COMMITTEES

5. To make arrangements for such information and the results of such investigations to be made available to Constituent Councils.
6. To assist the Constituent Councils in giving publicity to their functions and the amenities and/or advantages of and entitlements affecting their area.
7. To provide professional administrative and technical assistance to the Constituent Councils.

### **4. TRANSPORT AND ENVIRONMENT COMMITTEE**

#### **Membership**

- This Committee was established under an Agreement dated 15 January 1998, which was varied by Agreements dated 13 December 2001 and 1 May 2003. The Committee is comprised of one councillor from each of the London Local Authorities including a councillor from Brent Council and Transport for London.

#### **Terms of Reference**

The terms of reference of the Committee are set out in full in the Agreement of 13 December 2001 and are summarised below:

1. Appoint and provide accommodation and administrative support for parking adjudicators and determine the places at which parking adjudicators are to sit.
2. Determine the penalty charge levels and fees for de-clamping, vehicle recovery, storage and disposal subject to the approval of the Secretary of State.
3. Determine the rate of discount for early payment of penalty charge notices.
4. Determine the form for aggrieved motorists to make representations to London Local Authorities under Section 71 of the Road Traffic Act 1991.
5. The publication and updating as necessary of the Code of Practice for Parking in London.
6. The co-ordination and maintenance of vehicle removal and clamping operations.
7. The establishment of links with the Metropolitan and City Police and County Courts and the DVLA.
8. Ticket processing, general data collection and service monitoring.
9. The establishment of common training standards in connection with parking standards, the accreditation of training centres and award qualifications.
10. The establishment of London-wide parking schemes.
11. Implementation and enforcement of the London Lorry Ban.
12. Managing the Concessionary Fares Scheme.

13. Managing the London Taxicard Scheme.

## **5. GRANTS COMMITTEE**

### **Membership**

- This Committee was established to take decisions in relation to the ALG Grants Scheme which was established under section 48 of the Local Government Act 1985. The members of the Grants Committee are the 33 London Boroughs.

### **Terms of Reference**

The Terms of Reference of the Committee are:

1. to ensure the proper operation of the London Borough Grants Scheme;
2. to make recommendations to the Leaders' Committee on overall policies, strategy and priorities;
3. to make recommendations to the Leaders' Committee on the annual budget for the London Borough Grants Scheme;
4. to consider grant applications and make grants to eligible voluntary organisations; and
5. to make all decisions relating to the making of grants and the operation of the scheme save those which are specifically reserved to constituent councils.

## **6. NORTHWICK PARK HOSPITAL JOINT OVERVIEW AND SCRUTINY COMMITTEE**

### **Membership**

This is a joint committee with the London Borough of Harrow and any other authorities who are consulted on the proposals to rebuild Northwick Park Hospital. Brent may appoint two members to the joint committee.

### **Terms of Reference**

1. To consider the adequacy of the consultation being carried out by the health bodies involved and to contribute to that process.
2. To consider the implications of the rebuilding proposals and proposed new model of service provision on service users and residents within the catchment of the hospital.