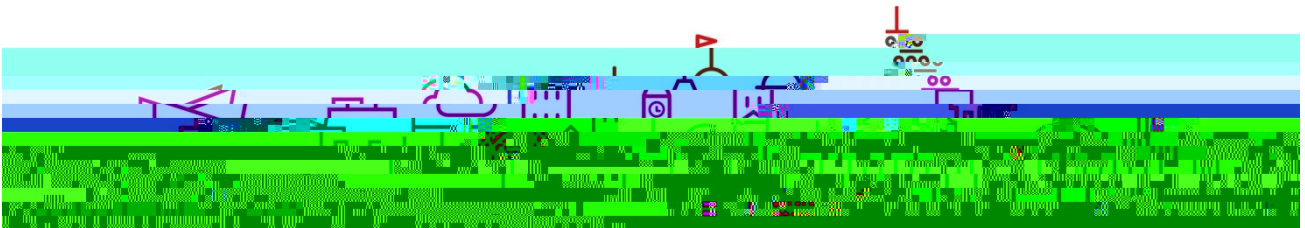




Birmingham City Council Constitution

Part B – Roles, Functions and Rules of Procedure

March 2024



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B1. ROLES

1.1 Citizens and the Council

Citizens' Rights

- i. Citizens have general rights with regard to the business of the Council. Their right to

1.2 Members of the Council (Councillors)

Composition and Eligibility

- i. **Number of Members**: The Council comprises 101 Members (otherwise called Councillors) serving 69 wards – 37 single member wards and 32 two-member wards.
- ii. **Eligibility**: Only eligible persons, as defined by elections law, will be permitted to hold the office of Councillor.

Election and Terms of Councillors

- iii. **Term of Office**: Birmingham will hold all out elections to the Council every fourth year. The term of office of councillors will normally be four years and four days.

Roles and Functions of all Councillors

- iv. **Key roles**:
 - a) Collectively be the ultimate policy-makers and carry out a number of strategic and corporate management functions for the City Council;
 - b) Contribute to the good governance of Birmingham and actively encourage community participation and citizen involvement in decision making;
 - c) Responsibility to represent the interests of all the residents of the City Council area with special responsibility to the residents of their Ward;
 - d) Represent the interests of the residents of their Ward;
 - e) Balance different interests identified within the Ward and represent the Ward;
 - f) Maintain high standards of ethical conduct and behaviour.
- v. **Rights and duties**:
 - a) Councillors will have rights of access to such documents, information, land and buildings of the Council as are necessary for the proper discharge of their functions and in accordance with the law.
 - b) Councillors will not publicise information which is confidential or exempt without the consent of the Council or divulge information given in confidence to anyone other than a councillor or officer entitled to know.
 - c) 7 Councillors will be elected to the Council in accordance with Part C2 of the Constitution: or as advised by the City Solicitor.

Conduct

- vi. **Standards of Conduct**: Councillors shall be bound by the standards of conduct set out in the Council's Code of Conduct and shall be subject to the provisions of the Council's Code of Conduct.

Appointment of the Deputy Lord Mayor

- vi. Should a Member due to take up the Deputy Lord Mayoralty fail to be re-elected to the City Council, or an incumbent is unable to complete his or her term, owing to ill health or similar disposition, the Party Group of the outgoing Deputy Lord Mayor will be asked to make an alternative nomination. This will be the last Member of their Group to hold the position of Deputy Lord Mayor prior to the outgoing Deputy Lord Mayor. Should that Member be unwilling to take up the Office, previous Lord Mayors of that Party will be approached, in reverse chronological order, until a Member willing to take on the role can be found.
- vii. Should the Party Group be unable to put forward an alternative name by this process, the Office shall then be offered to the previous Deputy Lord Mayor, regardless of their Party affiliation. If that individual is unwilling to assume the role, the previous Lord Mayors will be approached, again in reverse chronological order, until a Member, regardless of Party affiliation, willing to take on the role can be found.

Consorts to the Lord Mayor and the Deputy Lord Mayor

- viii. Whilst accompanying the Lord Mayor (or the Deputy Lord Mayor), the consort must support the work of the Lord Mayor (or the Deputy Lord Mayor) during his / her term of Office and uphold and preserve the dignity and honour bestowed upon the Lord y(o)7(r)9()5()-13(o)7(r)

- v. If for any reason the Leader is unable to act, the Deputy Leader will act in his/her place.
- vi. If for any reason:
 - o the Leader is unable to act; and
 - o the Deputy Leader is unable to act or the office of Deputy Leader is vacanthis/her place.

1.5 Cabinet Members

- i. Only Councillors may be appointed to the Cabinet. There may be no co-optees and no deputies or substitutes for Cabinet Members. Neither the Lord Mayor nor the Deputy Lord Mayor may be appointed to the Cabinet. Cabinet Members may not be Members of any Overview and Scrutiny arrangements although they are permitted to serve on the Regulatory Committees and Ward Forums.
- ii. Up to nine Cabinet Members may be appointed by the Leader of the Council and one should be designated as Deputy Leader. If it becomes necessary to appoint replacement(s) the Leader of the Council shall report his/her decision(s) at the next meeting of the Council. Cabinet Members shall hold office until:
 - a) They resign from Office or they are dismissed, either collectively or individually, by the Leader of the Council; or
 - b) They are disqualified from being Councillors (although they may resume office at the end of the period of disqualification); or
 - c) They otherwise leave or are required to leave office.
- iii. The decision-making role of Cabinet Members is set out in [B6 Executive Roles, Functions and Procedures](#).
- iv. The functions of individual Cabinet Members are set out in [B7 Cabinet Portfolios](#).

1.6 Cabinet Advisers

- i. Cabinet Advisers may be appointed by the Leader to support Cabinet Members. The positions will not receive a Special Responsibility Allowance and will not have any delegated decision-making authority. Cabinet Advisers will be invited to attend Cabinet as required.

1.7 Officers

- i. Officers may be employed under short term, agency or other non-employed situations.
- ii. Officers must ensure the day to day delivery of its services. All Officers must ensure that they act within the law.
- iii. The Employee Code of Conduct for Officers can be found in Part C6.
- iv. The Council is empowered to engage Officers to carry out its functions.

Statutory Officers

- v. The Statutory Officers of the Council are as follows:
 - a) Head of Paid Service (Chief Executive) This is the Chief Executive of the Council. The Council must approve the appointment of the Head of Paid Service before a final offer of appointment is made to him/her. The Council must approve the dismissal of the Head of Paid Service before notice of dismissal is given to him/her (see Part C7).
 - b) City Solicitor and Monitoring Officer.² This role promotes the legality of decision making, high standards of conduct by Councillors and officers and supports the Standards Committee.
 - c) Chief Finance Officer This role is responsible for ensuring the sound financial administration of the Council.
 - d) Returning Officer and Electoral Registration Officer This will be the Assistant Director, Governance.
 - e) Scrutiny Officer This role promotes the Overview & Scrutiny functions of the Council. This will be the Head of Scrutiny and Committee Services.

Council Leadership Team (CLT)

- vi. The full Council will engage persons for the following posts, who will be designated Chief Officer and will have the functions and responsibilities set out in Part E of this Constitution. The composition of CLT is a matter for the Chief Executive.
 - o Chief Executive (& Head of Paid Service.³)
 - o Strategic Director, Council Management (& s151 officer.⁴)

² Designated under Section 5 Local Government and Housing Act 1989

³ Designated under Section 4 Local Government and Housing Act 1989

⁴ Appointed in accordance with Section 151 Local Government Act 1972

- o Strategic Director, Adult Social Care (& Director of Adult Social Services.⁵⁾)
- o Strategic Director, Place, Prosperity and Sustainability
- o Strategic Director, Children and Families () # 'o '6)
- o Strategic Director, City Operations
- o Strategic Director, City Housing
- o Director of Strategy, Equality and Partnerships
- o Director, Digital & Customer Services
- o Director, Public Health
- o Director, People Services
- o Director, Transformation
- o City Solicitor (Monitoring Officer)
- o # ' - # ' u
- o Programme Director, Commonwealth Games
- o Assistant Director, Corporate Communications

vii. Further information regarding the Senior Leadership Team can be found [here](#).

Member / Officer Relations Protocol

viii. Birmingham City Council is committed to promoting a culture that demonstrates its core values and behaviours. Members and Officers in conducting their working relationships with each other are expected to promote this culture and do so by acting in a respectful and professional manner. There is a high standard of conduct expected of both Members and Officers at all times.

ix. Failure to follow the expected conduct by either Members or Officers is considered a # # and procedures and/or in accordance with the Member Code of Conduct.

The full Member / Officer Relations Protocol can be found in Part C5

B2. RESPONSIBILITY FOR FUNCTIONS

2.1 Introduction

- i. Functions fall into the following categories:
 1. Local Choice Functions
- ii. Thes

<p>Discharge of Functions</p> <p>To make arrangements for the appointment of # functions #</p>	<p>Full Council</p>	<p>City Solicitor</p>
<p>Appointment to Outside Bodies</p> <p>To appoint representatives to outside bodies unless the appointment is an Executive</p>		

B3. DECISION MAKING

3.1 Who Can Take Decisions in the Council?

- i. One of the primary purposes of the Constitution is to make it clear where responsibility for a particular function lies, and which person or body (Full Council, Committee, Sub-Committee, Executive (whether acting individually or collectively) or Officer) makes the decision that will result in an action being taken or not taken.

A) Council DO G1lso

be considered before the next meeting of the Cabinet/Committee. Decisions made under this provision will be reported to the next meeting of the Cabinet/Committee.

3.2 Principles of decision-making

- i. Good decision making involves the realistic evaluation of alternatives and public consultation, including public access to decision-making. All decisions of the Council will be made in accordance with the following guiding principles:
 - a) Legality/power to make decisions;
 - b) Proportionality (i.e. the action must be proportionate to the desired outcome);
 - c) A proper consideration of available options for action and/or inaction;
 - d) Due consultation and the taking of professional advice from Officers;
 - e) Due regard to the public sector equality duty and respect for human rights;
 - f) A presumption in favour of openness and transparency of decision making;
 - g) Clarity of aims and desired outcomes (including giving reasons for the decision); and
 - h) Avoidance of conflicts of interest.

3.3 General Roles and Responsibilities of Members and Officers

- i. The effect of these arrangements is that Members set policy priorities and strategies to

- o) Receiving statutory officer reports of the Monitoring Officer, Section 151 officer and Head of Paid Service and other external auditor public interest reports;
 - p) Receiving and considering reports referred to it from Cabinet Members, Overview and Scrutiny Committees, the Council Business Management Committee and the Standards Committee; and
 - q) All other non-executive matters which by law must be reserved to Council.
- ii. Other non-executive matters are delegated to Council Business Management Committee or any of its sub-committees or to other committees.
- iii. Recorded vote on the Council's budget and council tax: In accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, a recorded vote

4.3 Appointments Reserved to the Full Council

Committee	No. Appointed
Local Government Association (General Assembly)	4
West Midlands Fire & Rescue Authority	10
West Midlands Police and Crime Panel	3
West Midlands Shareholders Airport Committee	1 plus 2 observers
Departmental Consultative Committees	1 on each
National Association of Councillors	1

Approve a programme of ordinary meetings of the Council for the year;

R

Standard Item	Time Limits	Indicative Timetable
Unopposed Announcements	Unopposed Announcements - no presentations.	2.00 - 2.10 p.m.
Petitions	10 minutes	2.10 - 2.20 p.m.
Holding to Account		
Question time		

- iv. The time allowed for speeches shall be up to 7 minutes for the mover of a Motion or Amendment to the Motion, with up to 4 minutes each for other Members wishing to participate in the debate and a right of reply for the mover of the Motion only of up to 5 minutes.
- v. The Lord Mayor shall have the discretion to

Not be defamatory, frivolous, vexatious or offensive;

Not require the disclosure of confidential or exempt information, or refer to legal proceedings being taken or being anticipated by or against the Council;

Not refer to individual planning or licensing matters, or any matter of a personal nature.

- ii. Written Questions: any Councillor may ask one written question (with no sub-questions) of any Cabinet Member, Committee Chair, Ward Forum Chair³⁹, Lead Councillor for a West Midlands J0 1 3o-9(n)5(d)5(i)6(r)90 1 Au-4(h)5(e)4()9()26(t)-4(t)-4()-33(C)13r ma13rard Foa13rFoa

- ii. The order of motions submitted for each ordinary meeting will be determined by the Council Business Management Committee at the start of each municipal year. This will be

- o To deal with all termination and disciplinary arrangements relating to Chief Officer and Deputy Chief Officer posts (including early retirement and the award of added years)
 - o The appointment, termination and disciplinary arrangements of Officers who are NOT Chief Officers or Deputy Chief Officers (other than assistants to political groups) is the responsibility of the Chief Executive as Head of the Paid Service or his/her nominating authority. The Council is not responsible for the termination policies. Members are not permitted to be involved in these decisions, except insofar as there are arrangements for a member's appeal committee for staff matters.
- iii. The responsibilities of the JNC Panel are set out in the Employment Procedure Rules which can be found in Part C7 of the Constitution.

The [Forward Plan](#) is published

- vi. Once an agenda item has begun with a substitute member attending, the regular Member in respect of whom notification has been received, shall not be entitled to vote on the agenda item as a Member of the Cabinet Committee.
- vii. A substitute member will be able to vote during the meeting only when s/he is acting as a substitute for a regular Member.

Attendance by Members of the Opposition

- viii. One Councillor from each of the two main Opposition Groups may attend meetings of the Group Company Governance Committee.
- ix. Members of the two main Opposition Groups will attend as observers only. They will be entitled to a copy of the agenda (for the sake of clarity this is both the public and private sections) and will be able to participate in the debate but are not allowed to vote on any item.

Rules of Procedure – Cabinet Committee: Group Company Governance

- x. Cabinet Committee decisions shall only be taken based on written report(s) from Chief Officers and after any appropriate advice from the Head of Paid Service, Monitoring Officer and Chief Finance Officer. All reports are to be presented in the template prescribed by the City Solicitor.
- xi. Cabinet Committee decisions are only effective and actionable provided they are taken in accordance with this Constitution, and # Committee Services and following the call-in process.

6.4 Cabinet Committee – Pror69 04 346.66 Tm0 g0 G2 g0 G[Ldq0.00000008869 0 59[L0nBT

iv. At present (January 2024) the portfolio in scope also includes rental incomes aggregating to approximately £6.7 million per annum and approximately 570 properties.

v. The current arrangements for the management of the portfolio will remain in place.

Functions of Cabinet Committee – Property

vi. The Cabinet Committee is authorised to exercise full delegated executive powers to consider and make decisions on:

- a. All land and property transactions including the Investment Property portfolio where the City Council has an interest.
- b. The acquisition and disposal of leasehold interests for rent (including the granting and surrendering of any rights over such land and property).
- c. The acquisition and disposal of freehold and leasehold interests at a premium.
- d. The approval of the terms and conditions of any leasehold interests and payment of discretionary contributions towards trade/loss and/or removal expenses and all payments due under an approved Compulsory Purchase Order.
- e. To report to Cabinet setting out progress on delivery of the receipts target.

Membership

vii. The Cabinet Committee – Property has been established by Cabinet with the following membership: The Leader; Cabinet Member for Finance and Resources; plus another 2 Cabinet Members as deemed appropriate by the Leader.

viii. The quorum of a Cabinet Committee shall be two Cabinet Members.

ix. A substitute member shall be entitled to attend in place of a regular Member provided: That a Cabinet Member may only be substituted by another Cabinet Member; That Committee Services be notified of any substitution before the meeting begins.

x. Once an agenda item has begun with a substitute member attending, the regular Member in respect of whom notification has been received, shall not be entitled to vote on the agenda item as a Member of the Cabinet Committee.

xi. A substitute member will be able to vote during the meeting only when s/he is acting as a substitute for a regular Member.

Attendance by Members of the Opposition

xii. One Councillor from each of the two main Opposition Groups may attend meetings of the

- o The Director of Public Health
 - o Nominated Representative of Healthwatch Birmingham
- iv. Each Local Authority may appoint additional Board Members as agreed by the Leader of the Council or their nominated representative. If additional appointments are made, these will be reported to Cabinet by the Chair of the Board.
- v. For the Board to be quorate at least one third of Board Members and at least one Elected Member must be present.
- vi. Members of the Board will be able to send substitutes with prior agreement of the Chair. Each member is to provide the name of an alternate/substitute member.

6.6 Cabinet Member Decision Making

- i. Except in relation to the financial limits applicable to the general delegation to the Leader and Cabinet Member, Finance and Resources in Part E3.2 of the Constitution, decisions with values at or above the Chief Officer limit of £200,000 and below the key decision threshold of £500,000 (revenue) or £1m (capital) are decisions by Cabinet Members based on written reports by Chief Officers. Such decisions shall only be taken after any appropriate advice from the Head of Paid Service, Monitoring Officer and Chief Finance Officer.
- ii. Prior to any decision being taken by the Executive, the relevant Chief Officer shall ensure that the relevant Cabinet Member, Head of Paid Service, the Monitoring Officer and the Chief Finance Officer are properly consulted, well in advance of any relevant report, for any advice that they may, collectively or individually, wish to give. The Chief Officer shall also ensure such advice is properly reflected in any report to the Executive. In appropriate circumstances, the Chief Officer shall also ensure the Assistant Director, Communications & Marketing is consulted before any Executive decision is taken. All reports are to be presented in the template prescribed by the City Solicitor.
- iii. These # Committee Services and following the call-in process.
- iv. Where a decision is delegated to Cabinet Members, and is, in the opinion of the Leader, a Cabinet Member, a Director or Head of Service, of such significance that a public discussion of the proposed decision would ensure transparency and accountability in relation to decision making within the authority; then such decisions should be referred to Cabinet.

6.7 Emergency or Urgent Decisions (Special Urgency Decisions)

- i. In an emergency an executive decision may be agreed by the Chief Executive following consultation with the Leaders of the Political Groups. See Part E: Scheme of Delegations for

further details. An emergency decision is defined as one which has to be taken immediately. An emergency decision may still be a key decision pursuant to B3.1 vi) above.

- ii. An urgent decision is defined as one which could not reasonably have been foreseen or anticipated prior to the most recent Cabinet meeting, and which needs to be considered before the next meeting of the Cabinet. Decisions made under this provision will be reported to the next meeting of the Cabinet. An urgent decision may still be a key decision pursuant to B3.1 vi) above.

6.8 Officers

- i. Decision making is also delegated to Officers in accordance with their job description and directorate budget.
- ii. The Schedule of Delegations is set out in Part E of this Constitution. A Chief Officer may make arrangements to sub-delegate their authority to another officer of suitable seniority and experience and any such arrangements are recorded in their sub delegation scheme. However, the officer remains responsible for any decisions made under such arrangements.
- iii. The fact that a function stands delegated to an officer under Part E does not preclude the Council or the Executive from exercising the function directly. Similarly, where a committee has resolved to delegate a function to an officer, it shall remain open to the committee to discharge the function itself.
- iv. Where a decision is delegated to officers, and is, in the opinion of the Leader/Cabinet Member, Director or Head of Service, of such significance that a published record of the proposed decision would ensure transparency and accountability in relation to decision making within the authority; then such decisions should be taken as Cabinet Member Decision.
- v. An officer may be required to respond in writing to a query from, or attend a meeting of, an O&S Committee on decisions they have taken or matters within their area of responsibility.

6.9 Record of Executive Decisions

Cabinet, Cabinet Committee and Cabinet Member/Chief Officer Decisions

- i. As soon as reasonably practicable (and no more than three working days) after any meeting of the Cabinet or any of its Committees or Cabinet Member/Chief Officer, whether held in public or private, the Committee Services Officer will publish a record of every executive decision taken at that meeting #
- ii. The relevant notice will bear the date on which it is published and will specify that the Executive decision may be implemented, after the expiry of three working days after the

Human Resources (including
Member Development
Programmes)

An effective organisational development function for shaping the
future workforce of the Council.

Development of effective change/transformational programmes
deployed corporately.

7.3 Cabinet Member for Children, Young People and Families

7.4 Cabinet Member for Digital, Culture, Heritage and Tourism

The Cabinet Member has accountability for:

Area	Further detail
Arts and Culture and Tourism	Sustaining and promoting art, culture and tourism, including management of grants and associated economic opportunities. Delivery of the Birmingham Visitor Destination Plan
The Library of Birmingham and Community Libraries	Oversight of the regional and city-wide role of the Library of Birmingham and the community library service; including the vital part libraries play in communities, learning and skills.
Museums	Oversight of the provision and activity of the Birmingham Museums Trust.

7.7 Cabinet Member for Social Justice, Community Safety and Equalities

The Cabinet Member has accountability for the following:

Area	Further detail
Safer Communities	Strategic citywide leadership to community safety in Birmingham, including anti-social behaviour, fear of crime and public spaces and ensuring effective support for victims of crime. Effective relationships and clear shared priorities with the Police and Crime Commissioner and West Midlands Police. Leadership on youth offending issues. CCTV and liaison with Police. Strategic leadership in relation to Prevent. Res ponsibility for refugees, migration and City of Sanctuary R
Social Cohesion and Inclusion	Approaches to ensure that all Birmingham citizens have opportunity across the social and economic life of the city, within a safe city - including in education, employment, housing, health and social care, civil society and political participation whether these are delivered by the City Council itself, partner agencies, or by private or third sector organisations. Holding to account other relevant Cabinet Members and officers for the delivery of those functions that impact on social cohesion and inclusion.
Tackling Inequality	Strategic approaches to reduce inequalities including around Neighbourhood advice and information services. Holding to account other relevant Cabinet Members and officers for the delivery of those functions that impact on inequalities and inclusion.
Equalities within the Community	Development and promotion of shared values and mutual respect across the diverse communities of Birmingham. Ensuring that community and cultural events promote social cohesion and inclusion
Third Sector Partnership and Engagement	Working with, and coordination of, third sector and partner agencies around equalities, cohesion and inclusivity.
Domestic Violence	All Council activity relating to domestic violence, its impact on families and children and implementing a city-wide domestic violence strategy with partners including advice to the Cabinet Member for Housing and Homelessness on the provision of accommodation and taking advice from the Cabinet Member for Health and Social Care on the health implications of domestic violence.
Bereavement Services and Register Office	Strategic leadership for the development of Cemeteries, Crematoria and Mortuary and Coroners Court Services; and Register Office services.
Oversight of Consultants	Oversight of the use of consultants with particular focus on their duration, renewal and cost
R ternal Challenge	R nsuring that partner agencies, private or third sector organisations are challenged on their contribution to improving social cohesion and inequalities.

7.8 Cabinet Member for Environment

The Cabinet Member has accountability for:

Area	Further detail
Waste Strategy and Services	Development of a financially and environmentally sustainable waste strategy for the city and ensuring delivery. Collection and sustainable disposal of waste from residential and

B8. APPOINTMENTS TO OUTSIDE BODIES

8.1 Appointments to Outside Bodies

- i. Appointments that are reserved to the Full City Council to determine can be found in [B4.3](#) above and the proportionality rules shall apply where three or more members are appointed.
- ii. All other appointments of members and officers to outside bodies shall be within the remit of Cabinet to determine, and the proportionality rules will not automatically apply.

B9. JOINT ARRANGEMENTS

9.1 Joint Arrangements

- i. The Council may establish joint arrangements with one or more local authorities or other public bodies and/or their Executives to exercise functions which are not Executive functions in any of the participating authorities or advise the Council. Such arrangements may involve the appointment of a joint committee or board with these other local authorities or bodies.
- ii. The Cabinet may establish joint arrangements with one or more local authorities or public bodies to exercise functions which are Executive functions. Such arrangements may involve the appointment of joint committees or boards with these other local authorities or bodies.
- iii. The Cabinet may only appoint Cabinet Members to a joint committee or board established under (ii) above and those Members need not reflect the political composition of the local authority as a whole.
- iv. If a joint committee exercises an executive function, then a Cabinet Member must be appointed. If a joint committee exercises executive functions and Cabinet appoints three or more members, the proportionality rules will apply and at least one Cabinet Member must be appointed.

9.2 Joint committees

iv.

Finance and Resources Overview and Scrutiny Committee

- v. To fulfil the functions of an Overview and Scrutiny Committee as they relate to any policies, services and activities concerning:
- Council Business Plan and Medium Term Financial Plan/Budget
 - Oversight of Council-owned land and property facilities, amenities and services including markets
 - Overall financial direction within the Financial Strategy developed by the Leader, including Best Value and appropriate financial, accounting and audit controls and procedures
 - Business Charter for Social Responsibility
 - Commercial opportunities available to the Council
 - Revenues and Benefits service
 - Procurement management
 - Contract management policy
 - Management of all internal trading operations
 - C
 - C

- The needs of all children and young people, families and carers
- O # u
- Early years health and wellbeing
- Looked after children, corporate parenting
- Special Education Needs and Disability
- S

Homes Overview and Scrutiny Committee

- xii. To fulfil the functions of an Overview and Scrutiny Committee as they relate to any policies, services and activities concerning:
- Council Housing management services, repairs and maintenance programmes
 - Best use of housing stock across all housing providers
 - Neighbourhood management initiatives and the housing growth agenda (Birmingham Social Housing Partnership)
 - Private rented sector, licensing and regulation
 - Tenancy engagement in the management and development of social housing and Housing Liaison Boards
 - Exempt accommodation
 - Housing Options for vulnerable adults, children, young people and offenders
 - Temporary accommodation provision
 - Homelessness and rough sleeping
 - Supply of homes to meet housing need.

Sustainability and Transport Overview and Scrutiny Committee

- xiii. To fulfil the functions of an Overview and Scrutiny Committee as they relate to any policies, services and activities relating to:
- Sustainable trans0(,)10(0 1 415.85 3)0.000008869 0 nAM(Ag8ss0 G278P4(en)3(an)4(c2)7(ab)4(l)-9

B12. PLANNING COMMITTEE

12.1 Role

- i. To exercise the powers and duties of the Council with regard to development control and planning matters, and, in particular, to:
 - exercise all the powers and duties of the Council as a local planning authority (apart from any Executive functions);
 - exercise the powers and duties of the Council with respect to building control;
 - be accountable for the Local Land Charges service.
- ii. The full Planning Code of Practice for Councillors and Officers can be found in Part C8 of the Constitution.

12.2 Membership

- i. Members of the Planning Committee, and its Chair, are appointed by Full Council. There are fifteen members of the committee, and the quorum is five.

B13. LICENSING AND PUBLIC PROTECTION COMMITTEE

13.1 Role

- i. To exercise the powers and duties of the Council with regard to regulatory, licensing and registration matters under all relevant legislation relating to the Licensing service, waste enforcement, Trading Standards service and Environmental Health Service;
- ii. - #
monitoring performance of the Councils regulation and enforcement services as well as any hosted regional or national programmes;
- iii. Set fees, as applicable, in respect of trading standards, environmental health, licensing, highways skip permits, street trading, registration of births deaths and marriages (all services); private rented services.
- iv. Set conditions relating to Hackney carriage and private hire matters.
- v. Set conditions for any licensable activity allowed by legislation as appropriate
- vi. To exercise the powers and duties of the Council with regard to public protection matters which are non-executive functions.

13.2 Functions

- i. The Licensing and Public Protection Committee is authorised to discharge the following functions:

- iii. That the Corporate Governance Group supports the Audit Committee in the review of the AGS to help ensure the effectiveness review of the Local Code of Corporate Governance remains a living and continually developing activity.
- iv. That a schedule of works for the Audit Committee includes a clear timeline for the production, consideration and monitoring of the AGS.

Financial reporting:

- i.

- iv. To publish an annual report on the work of the committee, including a conclusion on the compliance with the CIPFA Position Statement 2022 (See below).

14.6 Membership

- i. Members of the Audit Committee, and its Chair, are appointed by Full Council. There are eight members of the committee, and the quorum is three.
- ii. The Chair of Audit Committee should not be appointed to serve as a director on any of

B15. TRUSTS AND CHARITIES COMMITTEE

15.1 Role

- i. The Trusts and Charities Committee will exercise the administrative powers and duties of Full Council as

15.2 Functions

- i. The Trusts and Charities Committee is authorised to discharge the following functions:
 - To advise Council as Trustee in all matters relating to the Trusts and Charities under the control of the Council;
 - To receive and discuss all audit reports on Trusts and Charities and recommend actions to the Council as Trustee where required;
 - To review and approve the City Trusts annual accounts and final accounts; and recommend actions to the Council as Trustee where required;
 - To approve Charity Commission returns and all other regulatory documents;
 - To inquire of and respond to the Charity Commission and any other regulatory bodies;
 - To respond to enquiries from Auditors or Independent Examiners;
 - To be responsible for ensuring that legal responsibilities are met;
 - To ensure the objects and purposes of each individual City Trust are properly promoted in accordance with charity law;
 - To ensure (through the Finance Department and Accounting systems) that there is an

B16. THE STANDARDS COMMITTEE

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B18. SUMMARY OF QUORACY

CABINET / COMMITTEE	No. of Members	Quorum
City Council	101	30
Council Business Management Committee (and Sub-Committees as Determined by the Constitution and the Committee)	9	3
Chief Officer and Deputy Chief Officer Appointments, Dismissals and Service Conditions Sub-Committee	5	3 including member of main opposition party
Cabinet	10	4
Cabinet Committee Group Company Governance	3	2 Cabinet Members
Cabinet Committee Property	4	2 Cabinet Members

[Health & Wellbeing Board](#).