

## Part 3: Responsibility for Functions, Key Decisions and Cabinet Work Plan

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### 3A Principles of Decision Making

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3A.1 All decisions will be made in line with the Budget and Policy Framework and in accordance with the following principles:

- consideration of all relevant information
- compliance with finance, contract, and all other procedure rules
- ensure proper advice is taken and considered before decisions are reached
- where appropriate, consult with stakeholders and consider their responses before decisions are reached
- impartiality and an absence of bias or pre-determination
- any interests are properly declared
- decisions are properly recorded and published
- decisions are proportionate to the desired outcome
- respect for human rights
- equality impacts assessments are undertaken and considered
- climate change impacts are fully assessed and understood before decisions are made
- approach decision making on a transparent and open basis and decisions will be taken in a public forum wherever possible.
- consideration of alternative options
- reasons are given for decisions
- consideration is given to all financial implications

3A.2 The Council has arranged for some of its functions to be carried out by officers employed by Publica Group (Support) Limited, which is a company operated by the Council in partnership with Forest of Dean District Council, Cheltenham Borough Council and Cotswold District Council. Where it is necessary for delegated functions to be carried out by the Council, these will be delegated to officers who have a joint contract of employment with the Council. A “joint contract” is a contract of employment for Officers employed to undertake functions by both Publica and West Oxfordshire District Council.

The Council has also arranged for some of its functions to be carried out by the South West Audit Partnership and Counter Fraud Unit employed by Cotswold District Council. In cases where any of those functions need to be carried out by the Council a similar process in relation to the use of a joint employment contract will be utilised.

### 3A.3 Introduction

The Council consists of several distinct elements which are allocated certain functions by law. The most important elements are:

- Council (all councillors)
- Committees (undertaking specific functions delegated by Council / specified in law)
- The Executive (Leader and Cabinet)

These are the primary decision-making bodies within the Council, and they exercise different powers and functions. To assist the efficient working of the Council these bodies have delegated some of their functions to other parts of the Council including Sub-Committees and Officers.

3A.4 This part of the Constitution describes the way in which the Council's powers and functions are distributed amongst the various parts of the Council and who may lawfully exercise those powers within any limits or in accordance with any conditions.

3A.5 The law provides a framework under which functions:

- must not be the responsibility of the Executive – Non-Executive or Council Functions (see part 3B)
- may or may not be the responsibility of the Executive – Local Choice Functions
- must be the responsibility of the Executive – Executive functions (see part 3D)

3A.6 Functions which are not the responsibility of the Executive (called 'non-Executive Functions') are the responsibility of Council, Committees (and Sub-Committees) or Officers (exercising non-Executive Functions). Delegation of non-Executive Functions is set out in:

- [Part 3B 'Council Functions'](#),
- [Part 3C 'Committee Functions'](#) and
- [Part 4 'Officer Non-Executive Functions'](#).

3A.7 Functions which are the responsibility of the Executive (called "Executive Functions") may be delegated by the Leader of the Council to a Committee of the Executive, an individual Executive Member or an Officer. Executive Functions may also be delegated to another local authority or exercised jointly through a joint committee or Officer of another authority. The delegation of Executive Functions is set out in Part 3D 'Executive Functions' below.

3A.8 Any reference in this Part 3 of the Constitution to any Function, and any delegation of power includes all action associated with that Function or power and all related enforcement actions.

### **Key Decisions and Executive Work Programme**

#### 3A.9 Key Decisions

A Key Decision is an Executive decision that is likely to:

1. result in the local authority incurring expenditure which is, or the making of savings which are, significant having regard to the budget for the service or function to which the decision relates; or
  2. be significant in terms of its effects on communities living or working in an area comprising two or more wards in the area of the authority.
- 3A.10 The Council has decided that something is financially significant for these purposes if it is an Executive decision which requires a budget expenditure of £150,000 or more or generates savings of £150,000 or more.
- 3A.11 Key Decisions shall only be taken by Executive, unless such a decision has been specifically delegated by the Leader to a Executive Member or an Officer or unless the Leader, Chief Executive (or, in their absence or where they are unable to act, the Deputy Chief Executive) is making an urgent decision (as set out in the Council Procedure Rules).
- 3A.12 The Chief Executive will decide whether a decision will have a significant impact on two or more wards.
- 3A.13 A decision-taker may only make a Key Decision in accordance with the requirements of the [Access to Information rules](#).
- 3A.14 It is for the Chief Executive to decide which decisions are Key, subject to guidance from the Monitoring Officer who may require that a decision be treated as a Key Decision.
- 3A.15 In considering whether a decision is likely to be 'significant', the decision-maker should consider the strategic nature of the decision and whether the outcome will have an impact, for better or worse, on the amenity of a community or quality of service provided by the council to a significant number of people living or working in the locality affected. The following should be considered:
- the effect on businesses and communities
  - the expectation of the public and councillors as to whether the decision should be taken by the Executive
  - the anticipated interest of the public and of councillors
  - the effect on other council services and functions

### 3A.16 Executive Work Plan

The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 say that the Council must publish a notice containing information about any key executive decision which will be taken. This must be published 28 calendar days before the date of the decision and must contain information about any executive decision which will be taken by the Executive or an individual member of Executive in private session. The Executive Work Plan enables elected members, members of the public and the Scrutiny committees to consider which items they wish to examine and consider in good time before they are determined.

3A.17 The plan includes details of:

- items to be debated by the Executive which relate to policy or budget formulation
- items which will be subject to a recommendation to Council
- other matters to be considered by the Executive (when known)
- the names and responsibilities of current members of the Executive

3A.18 The Executive Work Plan is updated and published as a minimum monthly and covers all decisions proposed to be made by the Council, Executive, individual Executive members and Key Decisions made by officers within the following four months. In order to promote transparency of decision making it will also include details of any decisions that may be made within the next 12 months. Not all decisions will be known four months in advance and so advance notice of decisions will be included as soon as they become known

3A.19 There is also a requirement to publish details at least 28 calendar days in advance of any meeting if there is an intention to consider in private a Key Decision or any other executive decision - even if not a Key Decision. Both these requirements are achieved through the Executive Work Plan

3A.20 There may be occasions where it has not been possible to give notice of a Key Decision. When this occurs the following process must be followed:

- At least five clear working days before the decision is to be made the Monitoring Officer must inform (by written notice) the Chair of the Finance and Management Overview & Scrutiny Committee, the Chair of the Economic and Social Overview and Scrutiny Committee and the Chair of the Climate and Environment Overview and Scrutiny Committee.
- A copy of the notice must be placed on the website and made available for public inspection.
- The Monitoring Officer will prepare and publish a notice on the website setting out the reasons why the item did not appear on the Executive Work Plan.

3A.21 In accordance with Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, if less than five clear working days' notice of a Key Decision has to be given, or if an item has not appeared on the Executive Work Plan and a decision needs to be taken before the next edition of the Executive Work Plan is published, then the agreement of the Chair of the Finance and Management Overview & Scrutiny Committee (or, in their absence, the Vice-Chair of Finance and Management Overview & Scrutiny) that the making of the decision is urgent and cannot reasonably be deferred must be obtained in writing before the decision can be made. Their views must be included in the report alongside the explanation as to why the matter is urgent, why it cannot await the next edition of the Executive Work Plan and why it missed the last edition of the Executive Work Plan.

3A.22 In either case, the Chair of the Finance and Management Overview & Scrutiny Committee must report on such consultations/agreements at the next meeting of Finance and Management Overview & Scrutiny committee.

## Call-in

3A.23 Call-in is the process which enables scrutiny to call-in a Key Decision to revisit it and delay its implementation. The process is intended to be used in exceptional circumstances for decisions which are believed to be contrary to the Council's decision making principles. More information regarding call-in can be found in Part 5 of the Constitution; Overview and Scrutiny Procedure Rules.

3A.24 As call-in delays the implementation of a decision there may be occasions, for example where it is necessary to protect the interest of the Council or public, where it is necessary to state in advance that call-in will not apply. In such circumstances the following process will apply:

- the Monitoring Officer will discuss the reasons for not applying the call-in rules with the Chair of the Finance and Management Overview and Scrutiny Committee;
- the decision making report will include details of the fact that the decision will not be subject to the rules of call-in and the views of the Chair of the Finance and Management Overview and Scrutiny Committee.

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## 3B Council Functions

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3B.1 The functions which may only be exercised by the Council are set out in the table below:

Council Functions	
1.	Determine which plans, strategies and policies shall comprise the Council's Policy Framework and from time to time approve, adopt and amend those plans, strategies and policies.
2.	Determine and amend the Council's Budget.
3.	Approve a departure from the approved Policy Framework and / or the approved Budget.
4.	Appoint and remove the Leader.
5.	Change the executive arrangements of the Council.
6.	Establish, abolish, and decide the terms of reference and the composition of Council and non-Executive Committees, and make appointments including co-opted members to them and other non-Executive bodies.
7.	Make and amend Procedural Rules, Financial Rules and Contract Rules.
8.	Change the name of the District or a Parish.
9.	Elect a Council Chair and appoint a Council Deputy Chair
10.	Promote or oppose parliamentary or private members bills
11.	Where it is the function of the Council, divide Parliamentary Constituencies and local government electoral divisions into polling districts.
12.	Appoint an Electoral Registration Officer and Returning Officer for local government elections.
13.	Make, amend, revoke, or re-enact by-laws.

14.	Fill Council or Parish Council vacancies in the event of insufficient nominations.
15.	Change ordinary year of election of parish councillors.
16.	Confirm the appointment of the Head of Paid Service (Chief Executive) and designate officers as the Monitoring Officer and the S151 Officer.
17.	Make a scheme for the payment of allowances to Members and determine the amount of all allowances payable to Members of the Council.
18.	Establish and abolish Joint Committees (in respect of non-Executive functions).
19.	Approve the Pay Policy Statement.
20.	To appoint or nominate individuals to outside bodies in respect of non-Executive Functions and revoke or withdraw such appointment or nomination where there is no Group Leader consensus on the decision to be taken. To note the Leader's appointments to outside bodies in respect of Executive Functions, as advised.
21.	Adopt or amend the Code of Conduct for Members
22.	Receive and consider statutory reports from the Head of Paid Service, the Section 151 Officer, and the Monitoring Officer.
23.	Authorise virements from the Council's approved Annual Revenue and Capital Budgets in excess of £150,000.
24.	Certain functions of local authorities are classified as "Local Choice" functions under the Local Government Act 2000 and the Local Authorities (Functions and Responsibilities) Regulations 2000, Schedule 2. The Council can decide which of these decisions should be taken by the Full Council and which should be taken by the Executive.
25.	Approval and allocation of the Council's annual borrowing limit
26.	The power to submit proposals to the Secretary of State for an Order under Section 10 (pilot schemes for local elections in England and Wales) of the Representation of the People Act 2000
27.	Any resolution for whole Council elections
28.	Any change in the name of electoral areas
29.	Any decision as to whether a casino should be in the District

30.	To undertake the function of Trustee in respect of all Trusts held by the Council (where applicable)
31.	Make changes to the Constitution (other than those which are delegated to the Monitoring Officer or any protocol which falls within the Terms of Reference of any Committee)
32.	Delegating functions to other local authorities and deciding whether to accept such a delegation from another authority
33.	Set the Council Tax
34.	Approving the acquisition or disposal of land or property outside of the Council's Recovery Investment Strategy over £1,000,000.
35.	Approving the acquisition or disposal of land and property made under the Council's Recovery Investment Strategy over £3,000,000
36.	Conferring Honorary Titles upon Aldermen and Alderwomen.
37.	All other matters which by law must be reserved to the Council

### 3B.2 Policy Framework

The policy framework comprises the following plans and strategies:

- [Council Plan](#)
- [Community Safety Plan](#)
- Plans and strategies which together comprise the Development Plan (the [West Oxfordshire District Local Plan](#) and the Council's input into all relevant Oxfordshire planning documents
- [Pay Policy](#)
- Licensing Policy Statements (Licensing Act 2003 and [Gambling Act 2005](#))
- [Budget](#), which includes:
  - [The Medium-Term Financial Strategy](#)
  - Capital Programme
  - Setting the Council Tax
  - Decisions relating to the control of the Council's borrowing requirements, the control of its capital expenditure and the setting of virement limits
  - The Capital, Treasury Management and Investment Strategies



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## 3C Committee Functions

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- 3C.1 Council has established the Committees set out in the table below to discharge certain functions but retains the right to a concurrent and overriding exercise of all functions in the table below. Unless otherwise required by law, a Committee or Sub-Committee may determine not to exercise a function delegated to it and refer that function upwards for determination by Council or the ‘parent’ Committee
- 3C.2 The Council must have at least one Overview and Scrutiny Committee, however the Council currently operates a model of three Overview and Scrutiny Committees which cover the following areas:
- Finance and Management
  - Climate and Environment
  - Economic and Social
- 3C.3 A Committee may establish such Sub-Committee(s) as it sees fit to undertake certain of its functions and the Table below include such Sub-Committees. (If applicable)

<b>Scrutiny Committees: Finance and Management Overview and Scrutiny Committee, Climate and Environment Overview and Scrutiny Committee and Economic and Social Overview and Scrutiny Committee</b>	
To perform a broad-based overview and scrutiny role across all areas of the Council, while discharging the functions conferred by the Local Government Act 2000 as amended and any associated regulations, including:	
1	Co-ordinate, champion, and lead on the scrutiny of Council and Executive decisions. Ensure consistency and compatibility between the policies and strategies of the Council contributing to the Continuous Improvement of Public Services
2	Have all of the functions, powers and duties conferred by Section 21 of the Local Government Act 2000 (as amended) including: <ul style="list-style-type: none"> <li>- To review and scrutinise decisions</li> <li>- To make reports and recommendations to Council or Executive in relation to the discharge of any functions</li> <li>- To make reports and recommendations to Council or Executive on matters which effect the Council’s area or its residents</li> </ul>
3	Determine the allocation of work in the event that the scope of the subject matter of a scrutiny study or investigation overlaps the role of more than one Sub-Committee or Working Group

4	Review the operation of the scrutiny process and work programmes of the Overview & Scrutiny Sub Committees and Working Groups and inform and advise Council in relation to priorities and the allocation of resources
5	Oversee and review the resources, support, training, and development of Overview & Scrutiny Members
6	Develop a positive “critical friend” approach to the role of scrutiny of the Council and Community issues and Review and scrutinise decisions made, or other action taken, by the Executive collectively or by individual Executive Members
7	Provide and co-ordinate the input to an annual report to Full Council on such issues or topics as the Committee sees fit and Produce special interest reports following topic reviews
8	Consider the management of matters called in for review under the Overview and Scrutiny Rules
9	Consider matters referred to it by the Councillors’ Call for Action
10	Finance & Management Overview & Scrutiny Committee only: Review and scrutinise the work of the Executive and consider, and comment, on the Corporate Plan, Community Strategy; and the draft Medium Term Financial Strategy, and annual Budget.
11	Review and scrutinise the content of the Executive Work Plan and monitor that actions required arising out of decisions made are implemented and evaluate the impact of decisions made
12	Review and scrutinise the decisions and policies of the Council (N.B. This does not apply to decisions made on quasi-judicial matters but can apply to the process by which such decisions are made)
13	Consider any matters which affect the authority, the District, or its residents. Liaise with other external organisations operating in the District, whether national, regional or local, to ensure that the interests of local people are protected or enhanced by collaborative working.
14	Overview the development of policies and strategies within the Council and scrutinise the effectiveness of the Council’s policies and strategies, in particular in achieving defined outcomes or objectives. Assist in the development of new policies and strategies, or the review of existing ones.
15	Review and assess the Council’s overall performance in relation to its policy objectives, performance targets and budgets and/or particular service areas, and make recommendations thereon to the Executive and/or the Council.

16	Review and assess the quality of service delivery, performance and efficiency across the Council, identify and promote best practice and make recommendations thereon to the Executive and/or the Council.
17	Consider and comment on service reviews/transformation.
18	Participate in county-wide joint scrutiny arrangements. Liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working.
19	Review and scrutinise the performance of other public bodies in the area (inviting reports from them by requesting them to address the Committee and local people about their activities and performance).
20	Economic & Social Overview & Scrutiny Committee only: Act as the Council's Crime and Disorder Committee, having all the powers and functions, powers and duties conferred by Section 19 of the Crime and Justice Act 2006.
21	Finance & Management Overview & Scrutiny Committee only: To consider reports on the Council's Treasury Management function including: <ul style="list-style-type: none"> <li>• Recommending the Treasury Management Strategy to Council</li> <li>• Recommending the half-year and outturn Treasury Management performance reports to Council</li> </ul> Receiving updates from the Council's Treasury Management advisor and providing guidance to the S.151 Officer in exercising delegations under the Treasury Management Strategy
	<b>Powers</b>
22	The Committee has the power to: <p>Require the attendance of any Council Officer and/or Elected or Co-opted Members in order to respond directly to any issue under consideration;</p> <p>Report and make recommendations to Council and/or to the Executive;</p> <p>To review any issues referred to it by the Chief Executive, other Statutory Officer, or any other Council body,;</p> <p>To call expert witnesses from outside the Council to give advice on matters under review or discussion; and</p> <p>To establish Sub-Committees and Working Groups</p>

	<p>Where a matter falls within the remit of more than one Overview &amp; Scrutiny Committee, the Chairs of the three Committees, will decide whether it shall be considered by one Committee, and which one, or by more than one, either consecutively or concurrently. If such agreement cannot be reached, the Chief Executive, in consultation with the Leader, will determine arrangements.</p>
	<p><b>Membership</b></p>
23	<p>There are 15 seats on the Finance and Management Overview and Scrutiny Committee. Appointment to such seats shall be by full Council in accordance with the regulations regarding political balance, unless a Group Leader confirms that a political group does not wish to take up their allocation of seats.</p> <p>There are 15 seats on the Economic and Social Overview and Scrutiny Committee. Appointment to such seats shall be by full Council in accordance with the regulations regarding political balance, unless a Group Leader confirms that a political group does not wish to take up their allocation of seats.</p> <p>There are 15 seats on the Climate and Environment Overview and Scrutiny Committee. Appointment to such seats shall be made by full Council in accordance with the regulations regarding political balance, unless a Group Leader confirms that a political group does not wish to take up their allocation of seats.</p> <p>The quorum for a meeting of any of the Overview and Scrutiny Committees is 4 members.</p> <p>No member of the Executive may be allocated a seat on any of the Overview and Scrutiny Committees. Any other Member is permitted to be allocated a seat on one or more Overview and Scrutiny Committee.</p> <p>Subject to Part 5A paragraph 2.3.8, substitute Members are permitted from all Members of the Council, other than Executive Members who may not act as a substitute Member on an Overview and Scrutiny Committee.</p> <p>Each of the Overview and Scrutiny Committees shall elect their own Chair.</p> <p>Each of the Overview and Scrutiny Committees has the power to establish a Sub-Committee, from the membership of the Committee, to appoint members to that Sub-Committee, and to establish its terms of reference. Any such Sub-Committee shall elect its own Chair and shall report back to its 'parent' Committee. The powers of any Sub-Committee are also exercisable by its 'parent' Committee.</p>

**Development Control Committee**

The Council separates its Planning decision making into four areas;

- decisions which are delegated to officers
- decisions in relation to the wards in the Uplands area of the District
- decisions in relation to wards in the Lowlands area of the District; and
- decisions of the Development Control Committee (such decisions relate to applications which in the opinion of the Senior Officer with Responsibility for Planning, are of significant local importance e.g. major housing development, or where either the Uplands or Lowlands Committee propose to make a decision which would be unlawful, seriously undermine policy, set adverse precedent or result in substantial costs being awarded against the Council

The responsibilities detailed below relate to the Development Control Committee:

1	To determine planning applications, including those of strategic significance that affect the District as a whole, the terms of planning agreements and such other matters as are considered appropriate from time to time, excluding matters relating to policy.
2	To determine matters relating to planning as a Local Planning Authority excluding strategic planning matters such as the preparation, adoption and review of the Council's statutory Local Development Plan and representation of the Local Planning Authority's view to other bodies as appropriate on strategic planning matters.
3	Without prejudice to the above roles and the Council's Scheme of Delegation, the Development Control Committee shall be responsible for those matters set out in Part A (Functions relating to Town and Country Planning and Development Control) of Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000
4	<p>To determine:</p> <ul style="list-style-type: none"> <li>• Applications submitted by or on behalf of the District Council, or for development on Council owned land or where the Council has a direct interest, except where no objections are received or any application required in connection with flood prevention/alleviation schemes. For purposes of clarity, once the principle of development has been established by Committee, subsequent applications to discharge conditions or for minor variations may be determined in accordance with the Non-Executive Officer Scheme of Delegation</li> <li>• Applications submitted by a serving Member or Officer of the Council or a consultant employed by the Council, or in which they have a beneficial interest (i.e. they own the land or are a prospective purchaser), or submitted by an immediate relative to the above; with the exception of applications made by non-Planning staff (excluding those in politically restricted posts) for householder development.</li> </ul>

5	<ul style="list-style-type: none"> <li>● Applications, which constitute a significant departure from the most up to date Local Plan that is formally approved or adopted by the Council for Development Management purposes.</li> <li>● Applications which involve an agreement under S.106 of the Town &amp; Country Planning Act 1990, or the proposed variation or discharge of a Section 106 deed, that materially differs from the Council's standard models or departs from the reasons for the original imposition of the obligation</li> <li>● Applications which are accompanied by an Environmental Statement.</li> <li>● Applications for the felling of a tree(s) protected by a Tree Preservation Order (except where exempted by the Act) and not associated with an application for planning permission, where there are objections received</li> </ul>
	<b>Powers</b>
6	<p>The Development Control Committee has the power to:</p> <p>Make recommendations to the Executive on the budget for the Committee;</p> <p>To report and make recommendations to Council;</p> <p>Make recommendations to Full Council in terms of the level of delegation to Officers; and</p> <p>To establish Sub-Committees and Working Groups.</p>
	<b>Membership</b>
7	<p>There are 24 seats on the Development Control Committee. Appointments to those seats shall be made by full Council in accordance with the regulations regarding political balance, unless a Group Leader confirms to Council that the political group does not wish to take up their allocation of seats.</p> <p>The quorum for a meeting of the Development Control Committee shall be 6 Members.</p> <p>The Development Control Committee shall elect its own Chair from its membership. No Member of the Executive may be elected to the position of Chair of the Development Control Committee, but they may be allocated a seat on the Committee.</p> <p>No Member may have a seat on the Development Control Committee, whether as a Member of the Committee or a substitute Member, when they meet to determine a planning application, unless they have undertaken mandatory training.</p> <p>Subject to Part 5A paragraph 2.3.8, substitute members are permitted from amongst any Elected Members of the Council, subject to compliance with the training provisions.</p> <p>The Development Control Committee has the power to establish Sub-Committees, and to appoint members to those Sub-Committees from the membership of the Committee, and to</p>

	<p>establish the terms of reference for any such Sub-Committee. Any such Sub-Committee shall elect its own Chair and shall report back to its 'parent' Committee. The powers of any Sub-Committee are also exercisable by its 'parent' Committee.</p> <p>The Development Control Committee has established 2 Sub-Committees:</p> <ul style="list-style-type: none"> <li>• The Uplands Sub-Committee, and</li> <li>• The Lowlands Sub-Committee</li> </ul>
<b>The Uplands Sub-Committee</b>	
	<p><b>Powers</b></p>
<p>I</p>	<p>The responsibilities detailed below relate to the Uplands Sub-Committee who shall have the following power in respect of decisions in relation to wards in the Uplands area of the District, which includes the Wards of:</p> <ul style="list-style-type: none"> <li>• Kingham, Rollright &amp; Enstone</li> <li>• Chipping Norton</li> <li>• The Bartons</li> <li>• Stonesfield &amp; Tackley</li> <li>• Chadlington &amp; Churchill</li> <li>• Ascott &amp; Shipton</li> <li>• Charlbury &amp; Finstock</li> <li>• Woodstock &amp; Bladen</li> <li>• Milton-under-Wychwood</li> <li>• Burford</li> <li>• Freeland &amp; Hanborough</li> </ul> <p>To determine planning applications, other than those of strategic significance that affect the District as a whole, the terms of planning agreements and such other matters as are considered appropriate from time to time, excluding matters relating to policy.</p> <p>To refer planning applications to the Development Control Committee where appropriate.</p> <p>To determine matters relating to planning as a Local Planning Authority excluding strategic planning matters such as the preparation, adoption and review of the Council's statutory Local Development Plan and representation of the Local Planning Authority's view to other bodies as appropriate on strategic planning matters.</p> <p>Without prejudice to the Council's Scheme of Delegation, the Uplands Sub-Committee shall be responsible for those matters set out in Part A (Functions relating to Town and Country Planning and Development Control) of schedule 1 to the Local Authorities (Functions and Responsibilities)(England) Regulations 2000.</p> <p>To determine:</p> <ul style="list-style-type: none"> <li>• Applications submitted by or on behalf of the District Council, or for development on</li> </ul>

	<p>Council owned land or where the Council has a direct interest, except where no objections are received or any application required in connection with flood prevention/alleviation schemes. For purposes of clarity, once the principle of development has been established by Committee, subsequent applications to discharge conditions or for minor variations may be determined in accordance with the Officer Scheme of Delegation.</p> <ul style="list-style-type: none"> <li>• Applications submitted by a serving Member or Officer of the Council or a consultant employed by the Council, or in which they have a beneficial interest (ie they own the land or are a prospective purchaser) or submitted by an immediate relative to the above; with the exception of applications made by non-Planning staff (excluding those in politically restricted posts) for householder development.</li> <li>• Applications, which constitute a significant departure from the most up to date Local Plan that is formally approved or adopted by the Council for Development Management purposes.</li> <li>• Applications which involve an agreement under s106 of the Town and Country Planning Act 1990, or the proposed variation or discharge of a section 106 deed, that materially differs from the Council’s standard models or departs from the reasons for the original imposition of the obligation.</li> <li>• Applications which are accompanied by an Environmental Statement.</li> <li>• Applications for the felling of a tree or trees protected by a Tree Preservation Order (except where exempted by the Act) and not associated with an application for planning permission, where there are objections received.</li> </ul>
	<p><b>Membership</b></p>
<p>2</p>	<p>There are 12 seats on the Uplands Sub-Committee.</p> <p>Quorum for meetings of the Uplands Sub-Committee shall be 3 Members.</p> <p>Membership of the Uplands Sub-Committee must be from the membership of the Development Control Committee. Members are allocated to the Sub Committee by the Development Control Committee. Allocation of seats on the Uplands Sub Committee shall be in accordance with the regulations relating to political balance of Committees and Sub-Committees, unless political groups confirm that they do not wish to take up their allocation of seats on the Sub-Committee. If so, that would allow the Development Control Committee to appoint to the Uplands Sub-Committee without regard to political balance, but only from within its own membership. Usual custom and practice has resulted in appointments being made on the basis of Ward Member’s of the Uplands area of the District.</p> <p>Subject to Part 5A paragraph 2.3.8, substitutes on the Uplands Committee are permitted from any Member of the Council. No Member may sit on the Uplands Sub Committee, either as a Member or a substitute Member, unless they have undertaken the mandatory training.</p> <p>The Uplands Sub-Committee shall elect their own Chair from their membership. An Executive member may not be the Chair of the Uplands Sub-Committee, but may be a member of that Sub-Committee.</p>



Lowlands Sub-Committee	
Powers	
I	<p>The responsibilities detailed below relate to the Lowlands Sub-Committee who shall have the following powers in respect of decisions in relation to Wards in the Lowlands area of the District, which includes the Wards of:</p> <ul style="list-style-type: none"> <li>• Hailey, Minster Lovell &amp; Leafield</li> <li>• Witney Central</li> <li>• Witney North</li> <li>• North Leigh</li> <li>• Brize Norton &amp; Shilton</li> <li>• Witney West</li> <li>• Witney East</li> <li>• Eynsham &amp; Cassington</li> <li>• Witney South</li> <li>• Carterton North West</li> <li>• Carterton North East</li> <li>• Carterton South</li> <li>• Ducklington</li> <li>• Alvescot &amp; Filkins</li> <li>• Bampton &amp; Clanfield</li> <li>• Standlake, Aston &amp; Stanton Harcourt</li> </ul> <p>To determine planning applications, other than those of strategic significance that affect the District as a whole, the terms of planning agreements and such other matters as are considered appropriate from time to time, excluding matters relating to policy.</p> <p>To refer planning applications to the Development Control Committee where appropriate.</p> <p>To determine matters relating to planning as a Local Planning Authority excluding strategic planning matters such as the preparation, adoption and review of the Council's statutory Local Development Plan and representation of the Local Planning Authority's view to other bodies as appropriate on strategic planning matters.</p> <p>Without prejudice to the Council's Scheme of Delegation, the Lowlands Sub-Committee shall be responsible for those matters set out in Part A (Functions relating to Town and Country Planning and Development Control) of schedule 1 to the Local Authorities (Functions and Responsibilities)(England) Regulations 2000.</p> <p>To determine:</p> <ul style="list-style-type: none"> <li>• Applications submitted by or on behalf of the District Council, or for development on Council owned land or where the Council has a direct interest, except where no objections are received or any application required in connection with flood</li> </ul>

	<p>prevention/alleviation schemes. For purposes of clarity, once the principle of development has been established by Committee, subsequent applications to discharge conditions or for minor variations may be determined in accordance with the Officer Scheme of Delegation.</p> <ul style="list-style-type: none"> <li>• Applications submitted by a serving Member or Officer of the Council or a consultant employed by the Council, or in which they have a beneficial interest (ie they own the land or are a prospective purchaser) or submitted by an immediate relative to the above; with the exception of applications made by non-Planning staff (excluding those in politically restricted posts) for householder development.</li> <li>• Applications, which constitute a significant departure from the most up to date Local Plan that is formally approved or adopted by the Council for Development Management purposes.</li> <li>• Applications which involve an agreement under s106 of the Town and Country Planning Act 1990, or the proposed variation or discharge of a section 106 deed, that materially differs from the Council's standard models or departs from the reasons for the original imposition of the obligation.</li> <li>• Applications which are accompanied by an Environmental Statement.</li> <li>• Applications for the felling of a tree or trees protected by a Tree Preservation Order (except where exempted by the Act) and not associated with an application for planning permission, where there are objections received.</li> </ul>
	<p><b>Membership</b></p>
<p>2</p>	<p>There are 13 seats on the Lowlands Sub-Committee.</p> <p>Quorum for meetings of the Lowlands Sub-Committee shall be 4 Members.</p> <p>Membership of the Lowlands Sub-Committee must be from the membership of the Development Control Committee. Members are allocated to the Sub Committee by the Development Control Committee. Allocation of seats on the Lowlands Sub Committee shall be in accordance with the regulations relating to political balance of Committees and Sub-Committees, unless political groups confirm that they do not wish to take up their allocation of seats on the Sub-Committee. If so, that would allow the Development Control Committee to appoint to the Lowlands Sub-Committee without regard to political balance, but still from within its own membership. Usual custom and practice has resulted in appointments being made on the basis of Ward Member's of the Lowlands area of the District.</p> <p>Subject to Part 5A paragraph 2.3.8, substitutes on the Lowlands Committee are permitted from any Member of the Council. No Member may sit on the Lowlands Sub Committee, either as a Member or a substitute Member, unless they have undertaken the mandatory training.</p> <p>The Lowlands Sub-Committee shall elect their own Chair from within their membership. An Executive Member may not be the Chair of the Lowlands Sub-Committee, but may be a member of the Sub-Committee.</p>

## Licensing Committee

1	<p>To undertake all matters in relation to the statutory licensing and registration functions of the Council (save to the extent that such responsibility has been delegated to another sub-committee of this Committee or Officer by the Council) such duties to include liquor, entertainment and late night refreshment licensing and the Gambling Act 2005. The Committee's role includes the formulation and approval of policy guidelines with the exception of the following which are dealt with by the Council:</p> <ul style="list-style-type: none"> <li>● Licensing Policy Statement - Licensing Act 2003</li> <li>● Gambling Policy - Statement of Principles - Gambling Act 2005.</li> </ul>
2	<p>To hear and determine licence applications that are contentious and/or where objections have been lodged by statutory consultees, residents, other third parties or where officers have reservations about the appropriateness of an application or the suitability of an applicant.</p>
3	<p>Without prejudice to the above roles and the Council's Scheme of Delegation the Licensing Committee shall be responsible for those matters set out in Parts B and C (Licensing and Registration functions) of Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, the Licensing Act 2003 and the Gambling Act 2005.</p>
4	<p>The Licensing Committee shall be empowered to set up a sub-committee or sub-committees to discharge functions and act in accordance with powers delegated by the Committee. In the context of the Committee's powers under the Gambling Act 2005, sub delegation may extend to the permitted discharge of functions by an officer.</p>
5	<p>To receive reports and determine policy in relation to street trading.</p>
6	<p>To approve policy and to determine fees in relation to scrap metal dealer licensing.</p>
	<p><b>Powers</b></p>
7	<p>The Licensing Committee has the power to:</p> <p>Report and make recommendations to Council; and</p> <p>Establish and appoint to Sub-Committees and Working Groups</p>
	<p><b>Membership</b></p>
8	<p>There are 11 seats on the Licensing Committee. Appointments to those seats shall be made by full Council in accordance with the regulations regarding political balance, unless a Group Leader confirms to Council that the political group does not wish to take up their allocation of seats.</p>

	<p>The quorum for a meeting of the Licensing Committee shall be 3 Members.</p> <p>The Licensing Committee shall elect its own Chair from its membership.</p> <p>No Member may have a seat on the Licensing Committee, whether as a Member of the Committee or a substitute Member, when they meet to determine a licensing application, unless they have undertaken mandatory training.</p> <p>Subject to Part 5A paragraph 2.3.8, substitute members are permitted from amongst any Elected Members of the Council, subject to compliance with the training provisions.</p> <p>The Licensing Committee has the power to establish Sub-Committees, and to appoint members to those Sub-Committees from the membership of the Committee, and to establish the terms of reference for any such Sub-Committee. Any such Sub-Committee shall elect its own Chair and shall report back to its 'parent' Committee. The powers of any Sub-Committee are also exercisable by its 'parent' Committee.</p> <p>The Licensing Committee has established 2 Sub-Committees:</p> <ul style="list-style-type: none"> <li>• The Miscellaneous Licensing Sub-Committee, and</li> <li>• The Licensing Panel Sub-Committee</li> </ul>
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<b>Miscellaneous Licensing Sub-Committee</b>	
Responsible for determining taxi, private hire and street trading applications in certain circumstances including when the applicant has previous convictions.	

	<b>Powers</b>
1	To determine applications where relevant offences feature on the Disclosure Barring Service (DBS) check.
2	To consider representations as made or to review a licence
	<b>Membership</b>
3	<p>There are 5 seats on the Miscellaneous Licensing Sub-Committee.</p> <p>Quorum for meetings of the Miscellaneous Sub-Committee shall be 3 Members.</p> <p>Membership of the Miscellaneous Licensing Sub-Committee must be from the membership of the Licensing Committee. Members are allocated to the Sub-Committee by the Licensing Committee. Allocation of seats on the Miscellaneous Licensing Sub-Committee shall be in accordance with the regulations relating to political balance of Committees and Sub-Committees, unless political groups confirm that they do not wish to take up their allocation of seats on the Sub-Committee. If so, that</p>

	<p>would allow the Licensing Committee to appoint to the Miscellaneous Licensing Sub-Committee without regard to political balance, but still from within its own membership.</p> <p>Subject to Part 5A paragraph 2.3.8, substitutes on the Miscellaneous Licensing Sub-Committee are permitted from any Member of the Licensing Committee. However, no Member may sit on the Miscellaneous Licensing Sub Committee, either as a Member or a substitute Member, unless they have undertaken the mandatory training.</p> <p>The Miscellaneous Licensing Sub-Committee shall elect their own Chair from within their membership.</p>
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**Licensing Panel Sub Committee**

Responsible for determining Personal Licenses and Premises Licenses where representations are received, and for considering whether to grant Temporary Event Notices where objections are received from the Police or Environmental Health

**Powers**

1 To determine applications where representations are made, or to determine a review application.

2 To review a personal licence.

**Membership**

3 There are 3 seats on the Licensing Panel Sub-Committee. Quorum for meetings of the Licensing Panel Sub-Committee shall be 3 Members.

Membership of the Licensing Panel Sub-Committee must be from the membership of the Licensing Committee. Members are allocated to the Sub-Committee by the Licensing Committee. Allocation of seats on the Licensing Panel Sub-Committee does not need to be in accordance with the regulations around political proportionality, nor fixed for a specified period of time.

Usual practice is for the Chair or Deputy-Chair of the Licensing Committee to sit on the Licensing Panel Sub-Committee, together with two other Members from the Licensing Committee. Such two other members to be drawn on an alphabetical rota basis from the remaining members of the Licensing Committee. In the event of a Member being unable to sit for a particular meeting, the next Member on the rota would be appointed, with the former eligible to sit at the next meeting instead. In the event of neither the Chair nor the Deputy Chair being able to sit, the third member of the Licensing Panel Sub-Committee would be drawn from the membership of the Licensing Committee under the usual rota system.

Subject to Part 5A paragraph 2.3.8, substitutes on the Licensing Panel Sub-Committee are permitted from any Member of the Licensing Committee. However, no Member may sit on the Licensing Panel

Sub-Committee, either as a Member or a substitute Member, unless they have undertaken the mandatory training.

The Chair or Deputy Chair of the Licensing Committee will act as Chair of the Licensing Panel Sub-Committee. However, in their absence, the Licensing Panel Sub-Committee shall elect the Chair for that particular meeting from their membership.

## Audit and Governance Committee

### Governance, risk and control

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| I | <p>Monitor the adequacy and effectiveness of the Council's governance arrangements including:</p> <ul style="list-style-type: none"><li>• Monitoring the effectiveness of the Chief Finance Officer's responsibility for ensuring an adequate internal control environment;</li><li>• To approve the Risk Management Policy Statement and monitor its operation;</li><li>• Monitoring the arrangements for the identification, monitoring and control of strategic and operational risk within the Council;</li><li>• Monitoring the adequacy and effectiveness of the arrangements in place for combating fraud and corruption;</li><li>• Providing an annual report to Council that its systems of governance are operating effectively, which includes the Committee's performance in relation to the terms of reference;</li><li>• Reviewing and approving the annual Statement of Accounts, Annual Governance Statement and its associated assurance framework;</li><li>• Considering the Council's arrangements to secure value for money and review assurances and assessments on the effectiveness of these arrangements;</li><li>• Ensuring that Internal Audit has the right of independent access to the Committee and its Chair;</li><li>• Reviewing and monitoring treasury management arrangements in accordance with the CIPFA Treasury Management Code of Practice;</li><li>• Considering and advising changes to the Council's Constitution in respect of Contract Standing Orders and Financial Regulations;</li><li>• Formulating and keeping under review a Code of Conduct to promote high ethical standards amongst Officers and doing anything that is considered to promote and maintain high standards of conduct by Officers;</li><li>• Formulating and keeping under review the Council's 'whistle-blowing' policy;</li><li>• Formulating and keeping under review the Council's arrangements for handling complaints and investigations by the Local Government Ombudsman, and</li><li>• Monitor the adequacy and effectiveness of cyber security arrangements (the protection of information systems, hardware, software and associated infrastructure, the data on them, and the services they provide, from unauthorised access, harm or</li></ul> |
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	misuse). This includes harm caused intentionally by the operator of the system, or accidentally, as a result of failing to follow security procedures
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**Ethics and Behaviours**

2	<p>To promote, maintain and assist the achievement of high standards of conduct by Councillors and co-opted members in accordance with the Council’s Code of Conduct for Members.</p> <ul style="list-style-type: none"> <li>● To monitor the operation of the Code of Conduct for Members;</li> <li>● To advise the Council on any amendment or revision of the Code;</li> <li>● To secure adequate and appropriate training of Councillors and co-opted Members on the Code of Conduct for Members;</li> <li>● To give general guidance and advice to Councillors on Members’ interests and keep under review the Register of Members’ Interests maintained by the Monitoring Officer; and</li> <li>● To give general guidance and advice to Councillors and employees on gifts and hospitality</li> <li>● To receive a report, at least annually, from the Council’s Monitoring Officer with a summary of conduct complaints received, trends and key issues arising.</li> </ul>
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**External Audit**

3	<p>Monitor the adequacy and effectiveness of the Council’s external audit service and respond to its findings. Specifically:</p> <ul style="list-style-type: none"> <li>● Considering the appointment, nature and scope of the external audit of the Council’s services and functions;</li> <li>● Receiving and considering all external audit reports including the annual plan, annual audit letter and governance report; and</li> <li>● Monitoring management’s response to the external auditor’s findings and the implementation of external audit recommendations.</li> </ul>
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**Internal Audit**

4	<p>Monitor the adequacy and effectiveness of the Internal Audit service. Specifically:</p> <ul style="list-style-type: none"> <li>● Approving the Internal Audit Charter;</li> <li>● Approving the annual risk based Internal Audit Plan;</li> <li>● Receiving communications from the Chief Internal Auditor on the internal audit activity’s performance relative to its plan and other matters, including the annual report and opinion;</li> <li>● Receiving and considering major Internal Audit findings and recommendations;</li> <li>● Monitoring management’s response to Internal Audit findings and the implementation of the recommendations;</li> </ul>
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	<ul style="list-style-type: none"> <li>• Making appropriate enquiries of management and the Chief Internal Auditor to determine whether there are inappropriate scope and resource limitations;</li> <li>• Agreeing the scope and form of the external assessment as part of the quality assurance and improvement plan;</li> <li>• Receiving the results of internal and external assessments of the quality assurance and improvement programme, including areas of non-conformance with professional standards; and</li> <li>• Approving significant consulting services not already included in the audit plan, prior to acceptance of the engagement, if this materially impacts on core assurance activity.</li> </ul>
	<b>Powers</b>
5	<ul style="list-style-type: none"> <li>• The Committee has the right to require the attendance of any Council officers and/or members in order to respond directly to any issue under consideration;</li> <li>• To review any issues referred to it by the Chief Executive, other statutory officer or any Council body;</li> <li>• The power to report and make recommendations to Council;</li> <li>• The power to call expert witnesses from outside the Council to give advice on matters under review or discussion;</li> <li>• The ability to raise issues at a meeting of the Executive; And</li> <li>• The power to establish Sub-Committees.</li> </ul>
	<b>Membership</b>
6	<p>There are 17 seats on the Audit and Governance Committee. Appointments to those seats shall be made by full Council in accordance with the regulations regarding political proportionality, unless a Group Leader confirms to Council that the political group does not wish to take up their allocation of seats.</p> <p>The quorum for a meeting of the Audit and Governance Committee shall be 5 Members.</p> <p>The Audit and Governance Committee shall elect its own Chair from its membership.</p> <p>Subject to Part 5A paragraph 2.3.8, substitute members are permitted from amongst any Elected Members of the Council.</p> <p>The Audit and Governance Committee has the power to establish Sub-Committees, and to appoint members to those Sub-Committees from the membership of the Committee, and to establish the terms of reference for any such Sub-Committee. Any such Sub-Committee shall elect its own Chair and shall report back to its 'parent' Committee. The powers of any Sub-Committee are also exercisable by its 'parent' Committee, subject to when exercising the function of determination of a code of conduct complaint, the mandatory training must have been completed by all Members.</p> <p>The Audit and Governance Committee has established 1 Sub-Committee:</p> <ul style="list-style-type: none"> <li>• The Standards Sub-Committee</li> </ul>



## Standards Sub-Committee

	<b>Powers</b>
1	<p>The Standards Sub-Committee is responsible for determining, in conjunction with the Independent Person, allegations that Members of the Council, and Members of Town and Parish Councils where West Oxfordshire District Council is the Principal Authority, have failed to comply with their Member's Code of Conduct. Specifically to determine allegations of breach of the code of conduct referred to it by the Monitoring Officer, and to, where appropriate, impose sanctions upon Members of West Oxfordshire District Council, and, where appropriate, recommend sanctions to the relevant Town or Parish Council in respect of their Members. Any such determination by the Standards Sub-Committee should be made in accordance with the Standards Sub-Committee Procedure Rules as set out in Part 5E of the Constitution.</p>
	<b>Membership</b>
2	<p>There are 5 seats on the Standards Sub-Committee. Quorum for meetings of the Standards Sub-Committee shall be 3 Members.</p> <p>Membership of the Standards Sub-Committee must be from the membership of the Audit and Governance Committee. Members are allocated to the Sub-Committee by the Audit and Governance Committee. Allocation of seats on the Standards Sub-Committee shall be in accordance with the regulations relating to political proportionality of Committees and Sub-Committees, unless political groups confirm that they do not wish to take up their allocation of seats on the Sub-Committee. If so, that would allow the Audit and Governance Committee to appoint to the Standards Sub-Committee without regard to political balance, but still from within its own membership.</p> <p>Subject to Part 5A paragraph 2.3.8, substitutes on the Standards Sub-Committee are permitted from any Member of the Audit and Governance Committee. However, no Member may sit on the Standards Sub-Committee, either as a Member or a substitute Member, when determining a code of conduct complaint, unless they have undertaken the mandatory training.</p> <p>The Standards Sub-Committee shall elect their own Chair from within their membership.</p>

## Performance & Appointments Committee

1	To recommend the appointment of the Chief Executive, Chief Financial Officer and Monitoring Officer to Council.
2	To consider all relevant matters relating to the salaries and contractual terms of the Chief Executive/Head of Paid Service and Statutory Officers.
3	To approve terms for the retirement of the Chief Executive/Head of Paid Service.
4	To conduct grievance and disciplinary matters in respect of the Statutory Officers in accordance with the statutory procedures and the Officer Employment Procedure Rules as set out at Part 5K of the Constitution.
5	To suspend the Chief Executive and/or Statutory Officers whilst an investigation takes place into alleged misconduct.
6	To conduct appraisals of the Chief Executive
7	To manage and consider any disciplinary and/or capability and/or any grievance matters arising in relation to the conduct or performance of the Statutory Officers
8	<p>To carry out the function of an Investigating &amp; Disciplinary Committee as set out in the JNC Conditions of Service for Chief Executives and the JNC Conditions of Service for Chief Officers.</p> <p>In respect of Statutory Officers to:</p> <ul style="list-style-type: none"> <li>(a) decide whether the issues require any formal action; and if so,</li> <li>(b) whether the issue should be referred to an Independent Person;</li> <li>(c) be responsible for the appointment and terms of reference of the Independent Person;</li> <li>(d) receive and consider the report of the Independent Person; and</li> <li>(e) hold a capability or disciplinary hearing.</li> </ul> <p>Following receipt of any Independent Person's report, to determine a course of action (up to and including dismissal) within the Council's powers under law and in accordance with the Council's procedures including the procedures set out in the Officer Employment Procedure Rules. To make recommendations to Council in respect of the proposed dismissal of a Statutory Officer.</p>
	<b>Powers</b>

9	<p>The Performance and Appointments Committee has the power to:</p> <p>Make recommendations to Council on the appointment or dismissal of Statutory Officers;</p> <p>To report to and make recommendations to Council;</p> <p>To suspend statutory officers whilst an investigation is pending; and</p> <p>To appoint an independent person, or panel of independent persons to report to them</p> <p>The Performance and Appointments Committee also has the power to establish Sub-Committees.</p> <p>In undertaking their duties the Performance and Appointments Committee must comply with the Officer Employment Procedure Rules set out at Part 5K of the Constitution.</p> <p>In undertaking their role in respect of recruitment, dismissal, conduct or performance, the Committee will be advised by an appropriate Officer with specialist knowledge of such matters, acting as advisor to the Committee.</p>
	<p><b>Membership</b></p>
10	<p>There are 5 seats on the Performance and Appointments Committee. Appointments to those seats shall be made by full Council in accordance with the regulations regarding political proportionality, unless a Group Leader confirms to Council that the political group does not wish to take up their allocation of seats. By practice and protocol, political groups usually appoint their most senior Members to the Performance and Appointments Committee, including the Group Leader.</p> <p>The quorum for a meeting of the Performance and Appointments Committee shall be 3 Members.</p> <p>The Performance and Appointments Committee shall elect its own Chair from its membership.</p> <p>Subject to Part 5A paragraph 2.3.8, substitute members are permitted from amongst any Elected Members of the Council.</p> <p>The Performance and Appointments Committee has the power to establish Sub-Committees, and to appoint members to those Sub-Committees from the membership of the Committee, and to establish the terms of reference for any such Sub-Committee. Any such Sub-Committee shall elect its own Chair and shall report back to its 'parent' Committee. The powers of any Sub-Committee are also exercisable by its 'parent' Committee.</p>

## Urgency and Emergency Decisions

1	<p>The Chief Executive, or in their absence the Deputy Chief Executive, in consultation with the Chief Finance Officer and the Monitoring Officer, may take any necessary decision in cases of emergency.</p> <p>Emergency shall mean any situation in which the officer believes that immediate action is necessary and any failure to act would seriously prejudice the Council's or the public's interests. Such interests are to be interpreted widely and include (but are not limited to) the risk of loss of life, serious injury to any person, significant damage to or loss of property, or serious threat to the health or wellbeing of an individual. A decision to take action includes the power to commence or defend legal proceedings in any court or tribunal</p> <p>Any decision under the above provisions shall be recorded on an Officer Decision Notice, regardless of value, and published, unless confidential or exempt. The decision shall be reported to Council, the Executive or the appropriate Committee or Sub-Committee, at the next reasonable opportunity, and such report shall include the reasons that the powers needed to be used.</p>
2	<p>The Chief Executive, or in their absence the Deputy Chief Executive, in consultation with the Chief Finance Officer and the Monitoring Officer, may take a decision in relation to any function of the Council, Executive or of a Committee or Sub-Committee where the matter is urgent and cannot reasonably await the next meeting of that body. In doing so, the Officer shall also consult with the Leader of the Council, or in their absence, the Deputy Leader of the Council and the Chair, or in their absence the Deputy Chair, of any relevant Committee or Sub-Committee, as the case may be.</p> <p>Any decision under the above provisions shall be recorded on an Officer Decision Notice, and published, unless exempt or confidential. The decision shall be reported to Council, the Executive or the appropriate Committee or Sub-Committee, such report to include the reasons that the powers needed to be used.</p>

## Working Groups

1	<p>Working Groups may be formed by the Council, Executive, Executive Members, or by Committees, for ad hoc, project-specific tasks. Their work should be scoped upon formation, and time-limited and business to be discussed at any meeting will be prescribed in advance by terms of reference</p>
2	<p>Whilst Members of the Council will be invited to participate, other persons may be invited to attend at the discretion of the 'body' that formed the working group.</p>
3	<p>Working Groups are designed to facilitate discussion and the exchange of ideas on specific topics, which could include policy development but are not decision-making bodies.</p>

4	Working Groups will be serviced by subject matter expert officers and a record will be kept of the issues considered and the outcome of the Group's discussions will be circulated to body that formed the working group.
5	Working Groups may be formed to consider a cross-cutting issue, or to assist a scrutiny inquiry.

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## 3D Executive Functions

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3D.1 The Council operates a Leader and Cabinet form of Executive and the Leader of the Council specifies how the functions of the Executive (known as ‘Executive Functions’) will be carried out. All functions of the Council that are not reserved by law as Non-Executive (see Part 3C above), are Executive functions. Except where the law otherwise provides, it is at the Leader’s discretion to determine how decision-making in relation to Executive functions will be exercised. All “Local Choice” functions (ie those specified in regulations under section 13(3)(b)) of the Local Government Act 2000) are Executive functions.

3D.2 The Leader may discharge any Executive functions directly or may arrange for the discharge of those functions by:

- the Executive
- an Executive Committee
- an individual member of the Executive (Executive Member)
- an officer of the Council
- another local authority
- jointly with another local authority through a joint committee or Officer

3D.3 The Executive undertakes all Executive functions including:

- (a) proposing plans and strategies, including the overall Budget, the Policy Framework, and arrangements for the good governance of the authority, to Council to approve and adopt,
- (b) publishing in the Executive Work Plan all decisions by the Executive, individual Executive members and Key Decisions made by officers,
- (c) establishing Committees to discharge specific Executive functions, or establishing working groups or panels to review or advise on specific issues,
- (d) representing the Council locally, nationally, and international,
- (e) attending meetings of the Overview & Scrutiny Committees and any Working Groups when required to do so,
- (f) agreeing the acquisition and disposal of property (within limits set out in the Financial Rules and the Acquisition and Disposal Policy) and the management of the Council's land holdings,
- (g) proposing acquisition or disposal of land and property to Council where the financial implications exceed the threshold delegated to the Executive,
- (h) exercising the powers and duties of the Council in respect of leisure, museums, consumer protection and environmental health,
- (i) acting as waste collection authority, and
- (j) agreeing protocols for consultation and relations with outside bodies

3D.4 Delegations

The Leader has exercised the power of delegation in the manner set out below. A reference to ‘Executive Member’ means an Executive Member acting in portfolio and reference to ‘Officer’ means Chief Executive, Chief Finance Officer, Monitoring

Officer, or designated senior Publica employee, when acting as an employee of West Oxfordshire District Council.

- 3D.5 The Leader has directed that the Executive Functions delegated to Executive Members shall not be sub-delegated to Officers without prior consent.
- 3D.6 Each person or body to whom an Executive Function is delegated shall be empowered to take any step for the purposes of or in connection with the discharge of the Function and may do anything incidental or conducive to discharge of the Function or do anything expedient in connection with the discharge of the Function.
- 3D.7 The Leader may amend these delegations at any time by giving notice in writing to any person who currently holds the power and any person to whom the power is now to be delegated and to the Proper Officer (in this case the Monitoring Officer) setting out the change to be made; such amendment to take effect immediately on confirmation of receipt by the Proper Officer. The Proper Officer will ensure that this Part 3 of the Constitution is updated forthwith.
- 3D.8 Where an Executive Function has been delegated by the Leader this does not prevent the Leader from exercising that Function.
- 3D.9 In the absence of the Leader of the Council the person or persons designated by the Leader and notified by the Leader to the Proper Officer as having responsibility for the Leader's area(s) of responsibility is or are authorised to exercise the functions of the Leader pursuant to the Constitution.
- 3D.10 The following delegations are currently in place

Functions	Delegation
<p>The implementation of the approved policy and budget framework, except in relation to those functions identified as Council functions above, including the management, control and supervision of:</p> <ul style="list-style-type: none"> <li>● the Council's own financial and property resources</li> <li>● housing and Council tax benefit</li> <li>● leisure, sports, arts and tourism services</li> <li>● housing provision, homelessness and the maintenance of the common waiting list</li> <li>● the preparation and review of the Development Plan and other planning policies and procedures</li> <li>● environmental health and protection</li> <li>● grounds maintenance</li> <li>● refuse collection, recycling and amenity cleansing</li> <li>● measures to promote the economic, environmental and social well-being of the district</li> <li>● measures to promote community safety and reduce drug abuse</li> <li>● measures to promote skills training and development</li> <li>● measures in pursuit of the Council's rural issues,</li> </ul>	<p>Functions delegated to the Chief Executive and Officers in accordance with <a href="#">Officer Scheme of Delegation (Part 4)</a></p>

<p>anti-poverty, and climate change/environment/sustainability strategies</p> <ul style="list-style-type: none"> <li>measures to promote high quality services to the communities of the district</li> </ul>	
<p><b>Subscriptions and Donations to Voluntary Bodies</b> - to approve the award of grants subject to any grant award not exceeding £1,000</p>	<p>Executive Member for Customer Delivery (in consultation with Chief Financial Officer)</p>
<p><b>Discretionary Rate Relief</b> – to grant discretionary rate relief in accordance with the Council’s Discretionary Rate Relief policy, except for those decisions already delegated to officers under the Officer Scheme of Delegation (Part 4)</p>	<p>Executive Member for Finance (in consultation with the Chief Financial Officer).</p>
<p><b>Debt Write-Offs</b> – to approve the writing off of debts, except for those already delegated to officers under the Officer Scheme of Delegation (Part 4)</p>	<p>Executive Member for Finance (in consultation with Chief Financial Officer)</p>
<p><b>Sport and Recreation Grants</b> – to determine applications for Sport and Recreation grants which accord with the Council’s approved criteria up to a maximum of £3,000 per grant</p>	<p>Executive Member for Stronger Healthier Communities (in consultation with Chief Financial Officer)</p>
<p><b>Village Hall Grants</b> – to determine applications for Village Halls (Minor Scheme) grants which accord with the Council’s approved criteria up to a maximum of £5,000 per grant</p>	<p>Executive Member for Stronger Healthier Communities (in consultation with Chief Financial Officer)</p>
<p><b>Arts and Sports Achievement / High Achievers Awards</b> - To determine applications for Arts and Sports Achievement Awards and High Achievers Awards which accord with the Council’s approved criteria up to a maximum of £300 per grant for the Arts and Sports Achievement Awards and £1,000 per grant for the High Achievers Award</p>	<p>Leader of the Council (in consultation with Chief Financial Officer)</p>
<p><b>Playground Grants</b> - To determine applications for Playground (Revenue) grants which accord with the Council’s approved criteria up to a maximum of £2,000 per grant and Playground (Capital) grants up to a maximum of £5,000 per grant</p>	<p>Executive Member for Stronger Healthier Communities (in consultation with Chief Financial Officer)</p>



