

**PART 3**

**RESPONSIBILITY**

**FOR**

**FUNCTIONS**

### **3.1 INTRODUCTION**

- (i) This part of the Constitution sets out which bodies and individuals are responsible for particular functions of the Authority. These fall into two categories:
- Council functions (sometimes referred to as non-executive functions); and
  - executive functions.

#### **Council functions**

- (ii) These are functions that cannot legally be the responsibility of the executive. In some instances, for example adopting the annual budget, the decision can only be taken at a meeting of the full Council. In other cases, the responsibility for undertaking the function may be delegated by the Council to a committee or an officer – where this is the case it is identified in this part of the Constitution.
- (iii) There are a number of functions for which Councils are able to determine responsibility locally. These are known as “local choice functions”. Paragraph 3.3 of this part of the Constitution lists who the Council has determined will be responsible for those functions.

#### **Executive functions**

- (iv) All other functions are executive functions. Decisions about these functions will be taken by the Cabinet, Cabinet committees, joint arrangements with other authorities and officers. Further information about the executive delegation scheme and its operation is set out in paragraph 3.5 of this part of the Constitution.

### 3.2 COUNCIL FUNCTIONS

These are local authority functions which cannot be the responsibility of the executive. References to the Regulations are to The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 and to any amending legislation. The functions in Column 1 are reserved or delegated to the body or officer specified in Column 2. Matters delegated to a specific committee or sub-committee are specified in part 3.4. The extent of delegation to officers is shown in part 3.8, Scheme of Delegation to Officers.

| Function   | Responsibility for Function   |
|--|---|
| All those functions relating to town and country planning and development control set out in Regulation 2 and Schedule 1 of the Regulations  | Plans Committee/Head of Planning and Regeneration/Head of Strategic Support |
| All those functions relating to the protection and treatment of hedgerows and the preservation of trees set out in Regulation 2 and Schedule 1 of the Regulations  | Plans Committee/ Head of Planning and Regeneration                          |
| All those functions relating to public rights of way set out in Regulation 2 and Schedule 1 of the Regulations   | Plans Committee/ Head of Planning and Regeneration                          |
| All those functions relating to licensing and registration and the grant of consents and refusals set out in Regulation 2 and Schedule 1 of the Regulations  | Licensing Committee/ Head of Regulatory Services                            |
| Power to make a closing order on a take-away food shop under section 4 of the Local Government (Miscellaneous Provisions) Act 1982   | Head of Regulatory Services   |
| Adopting or amending the Council's statement of licensing policy under section 5 of the Licensing Act 2003 and gambling policy under section 349 of the Gambling Act 2005 on the recommendation of the Licensing Committee | Council   |
| Resolutions not to issue Casino licences under section 166 of the Gambling Act 2005  | Council   |

| <b>Function</b>   | <b>Responsibility for Function</b> |
|---|------------------------------------|
| Acquiring a listed building under sections 47 and 48 of the Planning (Listed Buildings and Conservation Areas) Act 1990 on the recommendation of the Plans Committee                  | Council                            |
| All those functions governing health and safety at work (other than in the Authority's capacity as an employer) set out in Regulation 2 and Schedule 1 of the Regulations             | Head of Regulatory Services        |
| All those functions relating to elections set out in Regulation 2 and Schedule 1 of the Regulations   | Council/Chief Executive            |
| Functions relating to the name and status of areas and individuals set out in Regulation 2 and Schedule 1 of the Regulations  | Council                            |
| Power to make, amend, revoke re-enact or enforce byelaws set out in Regulation 2 and Schedule 1 of the Regulations  | Council                            |
| Functions relating to local government pensions (to the extent relevant) set out in Regulation 2 and Schedule 1 of the Regulations  | Council                            |
| Power to adopt and amend the Constitution under section 37 of the Local Government Act 2000   | Council/ Head of Strategic Support |
| Adopting and amending the Authority's Code of Conduct for members under section 51 of the Local Government Act 2000 and other codes and protocols comprising the ethical framework    | Council                            |
| Approving or adopting the policy framework and the budget under Regulation 4 and Schedule 3 of the Regulations and the Local Authorities (Standing Orders) (England) Regulations 2001 | Council                            |

| <b>Function</b>   | <b>Responsibility for Function</b>          |
|---|---|
| Approving any application to the Secretary of State for a Housing Land Transfer under the Leasehold Reform, Housing and Urban Development Act 1993 or the Housing Act 1985  | Council                                     |
| Subject to the urgency procedure contained in the Access to Information Procedure Rules in Part 4 of this Constitution, making decisions about any matter in the discharge of an executive function which is covered by the policy framework or the budget where the decision maker is minded to make it in a manner which would be contrary to the policy framework or contrary to or not wholly in accordance with the budget | Council                                     |
| Power to appoint staff, and to determine the terms and conditions on which they hold office (including procedures for their dismissal) under section 112 of the Local Government Act 1972   | Council/Personnel Committee/Chief Executive |
| Determining senior management structures of the organisation under section 4 of the Local Government and Housing Act 1989   | Council                                     |
| Electing the Mayor and appointing the Deputy Mayor under sections 3 and 5 of the Local Government Act 1972  | Council                                     |
| Appointing the Leader and other members of the Cabinet under section 11 of the Local Government Act 2000 and appointing Cabinet Support Members   | Council                                     |
| Agreeing and/or amending the terms of reference of any committees or other bodies appointed by the full Council deciding on their composition and making appointments to them under sections 101 and 102 of the Local Government Act 1972   | Council                                     |

| <b>Function</b>   | <b>Responsibility for Function</b> |
|---|------------------------------------|
| Appointing representatives to outside bodies unless the appointment is an executive function or has been delegated by the Council   | Council                            |
| Agreeing an annual schedule of Council meetings under Schedule 12 of the Local Government Act 1972  | Council                            |
| Adopting an allowances scheme or amending, revoking or replacing any such scheme under the Local Authorities (Members' Allowances) (England) Regulations 2003   | Council                            |
| Duty to make arrangements for the proper administration of financial affairs under section 151 of the Local Government Act 1972   | Council                            |
| Duty to approve the Authority's statement of accounts, income and expenditure and balance sheet, or record of payments and receipts under the Accounts and Audit Regulations as amended                                 | Council                            |
| Power to make payments or provide other benefits in cases of maladministration under section 92 of the Local Government Act 2000  | Council/Chief Executive            |
| Power to appoint officers for particular purposes (appointment of proper officers) under section 270 of the Local Government Act 1972   | Council/ Head of Strategic Support |
| Confirming the appointment or dismissal of the head of paid service under section 4 of the Local Government and Housing Act 1989  | Council                            |
| Duty to designate officers as the monitoring officer and chief financial officer and to provide resources under section 5 of the Local Government and Housing Act 1989 and section 151 of the Local Government Act 1972 | Council                            |

| <b>Function</b>  | <b>Responsibility for Function</b> |
|--|------------------------------------|
| Arranging for the discharge of any other functions of the Authority which are not executive functions under section 101 of the Local Government Act 1972   | Council                            |
| Accepting the delegation of a power or function from another local authority under section 101 of the Local Government Act 1972  | Council                            |
| Deciding whether to make proposals for a change in governance arrangements under sections 33A and 33B of the Local Government Act 2000 and passing a resolution to make a change in governance arrangements under section 33F of the Local Government Act 2000 | Council                            |
| Functions relating to Community Governance Reviews under the Local Government and Public Involvement in Health Act 2007  | Council                            |
| All other matters which by law must be reserved to the Council   | Council                            |

### 3.3 RESPONSIBILITY FOR LOCAL CHOICE FUNCTIONS

| Function |   | Responsible Body              |
|----------|---|-------------------------------|
| (i)      | Any function under the Leicestershire Act 1985 other than a function specified or referred to in regulation 2 or Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000. | Cabinet                       |
| (ii)     | The determination of all employment related appeals where an appeal to councillors is provided for in the Council's procedures.   | Personnel Committee           |
| (iii)    | The determination of appeals against a decision in respect of the waiving of the repayment of right to buy discounts  | Cabinet                       |
| (iv)     | The determination of all appeals against a decision made by or on behalf of the Council except those referred to in (ii) and (iii) above.   | Appeals and Reviews Committee |
| (v)      | Conducting Best Value Reviews.  | Cabinet                       |
| (vi)     | Any function relating to contaminated land.   | Cabinet                       |
| (vii)    | The formulation of plans and policies relating to the control of pollution, management of air quality and statutory nuisances.  | Cabinet                       |
| (viii)   | Compliance with the Council's plans and policies relating to the control of pollution, management of air quality and statutory nuisances, including consideration of the annual air quality progress report.      | Cabinet                       |
| (ix)     | Obtaining information under Section 330 of the Town & Country Planning Act 1990 as to interests in land.  | Plans Committee               |
| (x)      | Obtaining information under Section 16 of the Local Government (Miscellaneous Provisions) Act 1976 as to interests in land.   | Cabinet                       |
| (xi)     | The making of agreements for the execution of highways works.   | Plans Committee               |

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|--------|---|---------|
| (xii)  | Appointments to outside organisations and the revocation of such appointments except where the appointment is a Council function. | Cabinet |
| (xiii) | Making of agreements with other local authorities for the placing of staff at the disposal of those authorities.                  | Council |

Note: These functions may be delegated by the Responsible Body as set out in Parts 3.4, 3.5 and 3.8 of the Constitution

### 3.4 BODIES EXERCISING COUNCIL FUNCTIONS

#### (i) Full Council

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| <b>Membership :</b> All members of the Council (52)            |
| <b>Quorum:</b> One quarter of the whole number of members (13) |

Article 4 of the Constitution sets out those Council functions which are reserved to Council and cannot be delegated. The remainder of this part of the Constitution sets out those Council functions and local choice functions allocated to the Council which are delegated to committees and sub-committees and part 3.8 sets out those Council and local choice functions allocated to the Council which have been delegated to officers.

#### (ii) Committees

##### (a) Plans Committee

|  |   |
|--|---|
| <b>Membership:</b> Thirteen members  |   |
| <b>Quorum:</b> Nine members  |   |
| <b>Functions</b>   | <b>Delegation of functions</b>  |
| <ol style="list-style-type: none"> <li>1. To determine applications not delegated to the Head of Planning and Regeneration.</li> <li>2. To determine applications for certificates of lawfulness where the Head of Strategic Support or the Head of Planning and Regeneration consider the exercise of delegated powers to be inappropriate.</li> <li>3. To determine applications for modifications or revocation of planning agreements.</li> <li>4. To determine applications submitted by the Council which are not delegated to the Head of Planning and Regeneration.</li> <li>5. To respond to consultation on applications not delegated to the Head of Planning and Regeneration in respect of county matters, proposals by the County Council, neighbouring authorities, government departments and statutory undertakers.</li> <li>6. To issue and serve enforcement notices and stop notices except where delegated to the Head of Planning and Regeneration or the Head of Strategic</li> </ol> | <p>Items I to II - The Head of Planning and Regeneration and the Head of Strategic Support are authorised to exercise the powers set out in paragraph 3.8 of this part of the Constitution.</p> |

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| <p>Support.</p> <ol style="list-style-type: none"> <li>7. To authorise other forms of enforcement action under both planning and listed buildings legislation not delegated to the Head of Planning and Regeneration or the Head of Strategic Support.</li> <li>8. To carry out functions relating to the formal preservation of trees and protection of important hedgerows where the Head of Planning and Regeneration considers the exercise of delegated powers to be inappropriate.</li> <li>9. To authorise completion notices under Section 94 of the Town and Country Planning Act 1990.</li> <li>10. To carry out all other functions relating to town and country planning set out in Regulation 2 and Schedule 1 of the Regulations not delegated to the Head of Planning and Regeneration or the Head of Strategic Support.</li> <li>11. To determine high hedges complaints under the High Hedges Regulations 2005 where the high hedge complaint relates to: <ol style="list-style-type: none"> <li>(i) the Council's own land;</li> <li>(ii) land is occupied by a councillor or Council employee; or</li> <li>(iii) where the complainant is a councillor or Council employee.</li> </ol> </li> <li>12. To recommend the Council acquire a listed building in need of repair</li> <li>13. To carry out those functions for which the Council is responsible relating to public rights of way set out in Regulation 2 and Schedule 1 of the Regulations.</li> </ol> | <p>No delegation</p> <p>The Head of Planning and Regeneration is authorised to exercise the powers set out in paragraph 3.8 of this part of the Constitution.</p> |
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**Members cannot participate in Plans Committee meetings unless they have attended the appropriate training on relevant planning matters prescribed by the Head of Strategic Support.**

**(b) Appeals and Reviews Committee**

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| <b>Membership:</b> Five members   |  |
| <b>Quorum:</b> Three  |  |
| <b>Functions</b>  | <b>Delegation</b>  |
| <p>1. To consider and determine appeals against:</p> <ul style="list-style-type: none"><li>(i) decisions taken by the Council on the grant of National Non-domestic Rates relief;</li><li>(ii) any other Council decision, except those relating to employment matters, where an appeal to members is provided for in law or the Council's procedures.</li></ul> <p>2. To determine objections to tree preservation orders.</p> | <p>No delegation</p> <p>The Appeals and Reviews Committee will follow the Procedure Rules for tree preservation order appeals when exercising this function.</p> |

**Members are recommended to attend any appropriate training prescribed by the Head of Strategic Support before attending any Appeals and Review Committee meetings.**

**(c) Standards Committee**

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| <b>Membership:</b>   | Eleven members (five elected members, three independent members and three parish members)  |
| <b>Quorum:</b>   | Six members (one of whom will be an independent member and one of whom will be a parish member of the Committee if the matter relates to the town/parish councils in the Borough)  |
| <b>Functions</b>   | <b>Delegation</b>  |
| <ol style="list-style-type: none"><li>1. To promote and maintain high standards of conduct by councillors and co-opted members;</li><li>2. To assist councillors and co-opted members to observe the Members' Code Conduct;</li><li>3. To advise the Council on the adoption or revision of the Members' Code of Conduct;</li><li>4. To monitor the operation of the Members' Code of Conduct;</li><li>5. To advise, train or arrange to train councillors and co-opted members on matters relating to the Members' Code of Conduct;</li><li>6. To grant dispensations to councillors and co-opted members from requirements relating to interests set out in the Members' Code of Conduct;</li><li>7. To deal with any reports from the Adjudication Panel and any reports from the monitoring officer on matters other than the local determination of complaints;</li><li>8. To determine any reports from the monitoring officer on the local determination of complaints;</li><li>9. To receive allegations that a member has breached the Members' Code of Conduct and determine whether such allegations require further action or not;</li><li>10. To consider requests for reviews of decisions that allegations that a member has breached the Members' Code of Conduct require no further action or not;</li><li>11. To exercise 1 to 10 above in relation to the</li></ol> | <p>Items 8, 9, 10, 11 (to the extent that it refers to reports from the monitoring officer on the local determination of complaints against members of parish/town councils) and 12 have been delegated by the Standards Committee to the Standards Panel.</p> <p>The Standards Panel will comprise three members selected by the Monitoring Officer on the basis of availability from the members and reserve members of the Committee so that it includes at least one Independent Member and, if the complaint is about a member of a parish/town council, at least one Parish Member. The Standards Panel will follow the Procedure Rules in Part 4 of the Constitution when exercising these functions.</p> |

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| <p>parish/town councils wholly or mainly in the Council's area and the members of those parish/town councils;</p> <p>12. To determine any reports from the monitoring officer into complaints that members of the Borough Council have breached one of the Council's codes or protocols, other than the Members' Code of Conduct;</p> <p>13. To monitor the operation of and advise the Council on the adoption or revision of codes and protocols relating to standards issues other than the Members' Code of Conduct;</p> <p>14. To advise, train or arrange to train councillors and co-opted members on matters relating to codes and protocols relating to standards issues other than the Members' Code of Conduct;</p> <p>15. To make recommendations to the Cabinet or Council on major amendments to the Council's Constitution which involve standards issues;</p> <p>16. To consider applications for exemptions from the political restrictions which apply to the applicant's post;</p> <p>17. To give directions to the Council requiring it to include a post in the list of politically restricted posts.</p> |  |
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**Members are recommended to attend any appropriate training prescribed by the Monitoring Officer before attending any Standards Panel meetings.**

**(d) Personnel Committee**

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| <b>Membership:</b> Seven members   |  |
| <b>Quorum:</b> Four members  |  |
| <b>Functions</b>   | <b>Delegation</b>  |
| <ol style="list-style-type: none"><li>1. To determine the terms and conditions on which staff hold office and policies relating to those terms and conditions including procedures for dismissal</li><li>2. To determine appeals from job evaluation.</li><li>3. To determine appeals by a Chief Officer or Deputy Chief Officer against dismissal.</li><li>4. To determine all other employment related appeals which are provided for in the Council's procedures.</li><li>5. To make recommendations to Council on the appointment or dismissal of the Head of Paid Service.</li><li>6. To make appointments to Chief Officer and Statutory Officer posts excluding the Head of Paid Service.</li><li>7. To make councillor appointments to the Joint Consultative Committee.</li><li>8. To agree JNC salary progression awards for chief officers.</li><li>9. To undertake the Chief Executive's Performance and Development Review.</li></ol> | <p>Officers are authorised to exercise the powers set out in paragraph 3.8 of this part of the Constitution</p> <p>Items 2 to 6 and 8 have been delegated to Personnel Panels.</p> <p>The Personnel Committee will appoint panels which will consist of five members (with a quorum of three) for functions 3, 5, 6, 8 and 9.</p> <p>The Head of Strategic Support will, in consultation with the Chair, make appointments to panels which will consist of three members (with a quorum of three) for functions 2 and 4.</p> |

**Members cannot participate in Personnel Committee and Panel meetings:**

- unless they have attended the appropriate training on relevant personnel matters prescribed by the Head of Strategic Support; or
- they have had previous substantial involvement in the matter under consideration.

**(e) Licensing Committee**

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| <b>Membership:</b> Fifteen members   |  |
| <b>Quorum:</b> Eight members   |  |
| <b>Functions</b>   | <b>Delegation</b>  |
| <p>1. All those functions for which the Council is responsible relating to licensing and registration set out in Regulation 2 and Schedule 1 of the Regulations</p> <p>2. To recommend the Council to approve or revise the Statement of Licensing Policy</p> <p>3. In those cases where a relevant representation has been received, to discharge the Council's responsibility under the Licensing Act 2003 for determining the following:</p> <ul style="list-style-type: none"> <li>(i) application for a personal licence;</li> <li>(ii) application for a premises licence or club premises certificate;</li> <li>(iii) application for a provisional statement;</li> <li>(iv) application for variation to a premises licence or club premises certificate;</li> <li>(v) application to grant or vary the licence so as to specify the designated premises supervisor;</li> <li>(vi) application for transfer of a premises licence;</li> <li>(vii) application for interim authority;</li> <li>(viii) application for a temporary event notice.</li> </ul> <p>4. To determine the following matters concerning the discharge by the Council of its licensing functions under the Licensing Act 2003:</p> <ul style="list-style-type: none"> <li>(i) application for a personal licence where there are relevant unspent convictions;</li> <li>(ii) the review of a premises licence or club premises certificate;</li> <li>(iii) decision to object where the local authority is the consultee and not the relevant authority considering the application;</li> <li>(iv) a police objection to a temporary event notice.</li> </ul> <p>5. To make recommendations to Council in respect of the Council's licensing policy in respect of its powers under the Gambling Act 2005</p> <p>6. In those cases where a relevant representation has been received and not withdrawn, to discharge the Council's responsibility under the Gambling Act</p> | <p>The Head of Regulatory Services is authorised to exercise the powers set out in paragraph 3.8 of this part of the Constitution.</p> <p>No delegation</p> <p>Items 3, 4, 6, 7 and 9 have been delegated to the Licensing Sub-committee.</p> <p>The Licensing Sub-committee will comprise three members chosen by the Head of Strategic Support on the basis of availability from the members of the Committee so that it includes at least one of the Chair and Vice-chairs of the Committee. The Licensing Sub-committee will follow the Procedure Rules for licensing hearings in Part 4 of the Constitution when exercising these functions.</p> <p>No delegation</p> |

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| <p>2005 for determining the following:</p> <ul style="list-style-type: none"> <li>(i) application for a premises licence;</li> <li>(ii) application for the variation of a premises licence;</li> <li>(iii) application for a provisional statement under section 204 of the Act;</li> <li>(iv) application for a club gaming permit or club machine permit under sections 271 and 273 of the Act</li> </ul> <p>7. To determine the following matters concerning the discharge by the Council of its licensing functions under the Gambling Act 2005:</p> <ul style="list-style-type: none"> <li>(i) an application for transfer of a premises following representations by the Gambling Commission;</li> <li>(ii) a review of a premises licence under section 201 of the Gambling Act 2005;</li> <li>(iii) whether to issue a counter notice to a temporary use notice under section 224 of the Gambling Act 2005;</li> <li>(iv) whether to cancel a gaming permit or club machine permit.</li> </ul> <p>8. To determine new applications for sex establishment licences.</p> <p>9. To carry out functions relating to health and safety at work (other than in the Council's capacity as an employer) set out in Regulation 2 and Schedule 1 of the Regulations.</p> | <p>No delegation</p> <p>The Head of Regulatory Services authorised to exercise the powers set out in paragraph 3.8 of this part of the Constitution.</p> |
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**Members cannot participate in Licensing Committee or Sub-committee meetings unless they have attended the appropriate training on relevant licensing matters prescribed by the Head of Strategic Support.**

**(f) Audit Committee**

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|---|-------------------|
| <b>Membership:</b> Seven members – No members of the Cabinet and no Cabinet Support Members can be members of the Audit Committee and the Chair of the Audit Committee will be a person who is not a councillor but is appointed by the Council   |                   |
| <b>Quorum:</b> Four members   |                   |
| <b>Functions</b>  | <b>Delegation</b> |
| <p><u>General</u></p> <p>1. To refer matters of concern to the Council, Cabinet, or appropriate committee. The Chair or Vice-chair of the Committee may address the Cabinet or a committee and the Vice-chair of the Committee may address the Council before the report is considered.</p> <p>2. To report annually to Council on the operation of the Committee.</p> <p><u>Audit activity</u></p> <p>3. To consider the head of internal audit's annual report and opinion, and a summary of internal audit activity (actual and proposed) and the level of assurance it can give over the council's corporate governance arrangements.</p> <p>4. To consider summaries of specific internal audit reports as requested.</p> <p>5. To consider reports dealing with the management and performance of the providers of internal audit services.</p> <p>6. To consider a report from internal audit on agreed recommendations not implemented within a reasonable timescale.</p> <p>7. To consider the external auditor's annual letter, relevant reports, and the report to those charged with governance.</p> <p>8. To consider specific reports as agreed with the external auditor.</p> <p>9. To comment on the scope and depth of external audit work and to ensure it gives value for money.</p> <p>10. To liaise with the Audit Commission over the</p> | No delegation     |

appointment of the council's external auditor.

11. To commission work from internal and external audit.

#### Regulatory framework

12. To maintain an overview of the council's constitution in respect of contract procedure rules, financial regulations and codes of conduct and behaviour.

13. To review any issue referred to it by the chief executive, a director or a head of service, or any council body.

14. To monitor the effective development and operation of risk management and corporate governance in the council.

15. To monitor council policies on 'Raising Concerns at Work' and the anti-corruption strategy and the council's complaints process.

16. To oversee the production of the authority's Governance Statement and to recommend its adoption.

17. To consider the council's arrangements for corporate governance and agreeing necessary actions to ensure compliance with best practice.

18. To consider the council's compliance with its own and other published standards and controls.

19. To consider the Council's treasury management control and investment control arrangements.

#### Accounts

19. To review the annual statement of accounts. Specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the council.

20. To consider the external auditor's report to those charged with governance on issues arising from the audit of the accounts.

Regulation of Investigatory Powers Act (RIPA)

21. To consider the use of RIPA and report to Cabinet any concerns that may indicate that this is not consistent with the Council's Policy for the use of RIPA or that the Policy may not be fit for purpose. The Chair or Vice-chair of the Committee may address the Cabinet before any report to Cabinet is considered

**Members are recommended to attend any appropriate training prescribed by the Head of Strategic Support before attending any Audit Committee meetings.**

References above to panels should be interpreted as referring to the sub-committees described in relevant legislation.

### 3.5 EXECUTIVE FUNCTIONS

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| <b>Membership:</b> The Leader and at least two and not more than nine executive members appointed by the Leader                            |  |
| <b>Quorum:</b> The quorum of the Cabinet will be the smallest number of members required to form a majority of the members appointed to it |  |
| <b>Functions</b>   | <b>Delegation</b>  |
| All functions not specified as the responsibility of the full Council or one of its committees   | Officers have the delegated authority set out in paragraph 3.8 of this part of the Constitution. |

Note: The Leader may establish committees or sub-committees to undertake executive functions but any committee or sub-committee may only include Cabinet members.

In accordance with the Council's policy on the repayment of right to buy discounts, a sub-committee of the Cabinet consisting of three members of the Cabinet, to be selected by the Head of Strategic Support, sits as the appeals panel to determine any appeals against decisions on the waiver of the repayment of discounts on the basis of written representations.

### **3.6 ADVISORY BODIES AND WORKING PARTIES**

The Council and the Cabinet may from time to time establish, member reference groups, working parties or advisory bodies which include in their membership councillors and/or officers and/or representatives from partner organisations or the local community. These are not constituted as committees or sub-committees and are not authorised to make decisions on behalf of the Council. A list of such bodies is maintained by the Head of Strategic Support.

### **3.7 DELEGATIONS TO AND FROM OTHER LOCAL AUTHORITIES**

The Council has made the following delegations to other local authorities in accordance with Article 11.04.

The Council's off-street parking notice processing function has been delegated to the Executive of Leicestershire County Council.

The Council's parking enforcement adjudication function has been delegated to the Parking and Traffic Regulations Outside London Adjudication Joint Committee.

The Council has accepted the following delegations from other local authorities in accordance with Article 11.04.

Functions for Decriminalised Parking Enforcement in respect of on-street parking have been accepted from Leicestershire County Council. This is an executive function.

The Council has also transferred its housing landlord functions to Charnwood Neighbourhood Housing, an arms-length management organisation.