

## **PART 3 - DELEGATION SCHEME FOR COMMITTEES AND SUB-COMMITTEES**

### **1. GENERAL**

- 1.1 The contents of this scheme are additional to all other delegated powers contained in the Council's Constitution and in particular Articles 6, 7, 8, 9 and 10, in other places in Part 3 of the Constitution, and also any relevant rules of procedure in Part 4 of the Constitution.
- 1.2 In this scheme any reference to an enactment in the functions and powers of committees and sub-committees includes acts, subordinate legislation, regulations, rules, orders, directions and bye-laws and every re-enactment, amendment or extension thereof which may be in force from time to time.
- 1.3 Unless the context otherwise requires, the singular includes the plural and the plural includes the singular.

### **2. COMMITTEES AND SUB-COMMITTEES (INCLUDING THE BOARD OF THE COUNCIL)**

- 2.1 The Board of the Council will have authority to delegate to a sub-committee all power to act on behalf of the Board and the Council in respect of any powers and functions delegated to it, but subject to any additional restrictions as specified by the Board or the Council.
- 2.2 A committee performing the functions of the Council or the Board may do anything intended to facilitate and promote the performance of those functions, or intended to that end, or being part of the process.
- 2.3 In addition, the Council, Board of the Council, the Principal Scrutiny Committee or a scrutiny committee may establish working groups of *members* or *members* and officers jointly to consider any matter within the Council's functions in order to undertake any research into that subject and submit a report and recommendations to the body which established it by a specific date.
- 2.4 The following committees are established to act on behalf of the Council in respect of those functions described in part 3 of this scheme.
  - 2.4.1 The Board (see Article 7)
  - 2.4.2 The Scrutiny Committees (see Article 6).
  - 2.4.3 The Area Committees (see Article 10).
  - 2.4.4 The Regulatory Committees (see Article 8).0
  - 2.4.5 The Standards Committee (see Article 9).
  - 2.4.6 Complaints Committee 7 members of the Council on the basis of political balance none of whom may be members of the Board.
  - 2.4.7 Human Resources Committee  
11 members of the Council on the basis of political balance. The majority of them shall be members of the Council who are not Board Members.

- 2.4.8 Employment Appeal Committee  
7 members of the Council on the basis of political balance none of whom may be members of the Human Resources. Committee. The majority of them shall be members of the Council who are not Board members.
- 2.4.9 Pensions Committee  
7 members of the Council on the basis of political balance together with one co-opted member (*with voting rights*) from each of Conwy County Borough Council and Isle of Anglesey County Council. The majority of the members of the Council on the committee shall not be Board members.
- 2.4.10 Charities Sub-Committee (a Sub-Committee of the Board)  
9 members on the basis of political balance, of whom at least 4 must be members of the Board.
- 2.4.11 Language Sub-Committee (a Sub-Committee of the Board)  
7 members on the basis of political balance, of whom at least 3 must be members of the Board.
- 2.4.12 Non-Domestic Rating Sub-Committee (a Sub-Committee of the Board)  
5 members of the Board on the basis of political balance.
- 2.4.13 Introductory Tenancies Review Panel (a Sub-Committee of the Board)  
3 members of the Board on the basis of political balance.

### **3. REMIT OF THE STANDING COMMITTEES AND SUB-COMMITTEES.**

#### **(A) THE COUNCIL BOARD**

To perform all the functions of the Council that are not the responsibility of any other part of the Council whether under the law or under this Constitution. (The Board will not be responsible for functions denoted as ones which are not the responsibility of the Board in Part 3 of this Constitution.

#### **(B) THE SCRUTINY COMMITTEES**

Within their area of responsibility, the scrutiny committees will:-

- (i) review and/or scrutinise decisions made or action taken in connection with the discharge of any of the Council's functions;
- (ii) make reports and/or recommendations to the Council and/or the Board and/or any joint committee or area committee in connection with the discharge of any functions;
- (iii) consider any matter which affects the area or its inhabitants; and
- (iv) recommend in the case of decision made but not yet implemented that the decision be re-considered by the committee, sub-committee, or person who made the decision,
- (v) in the case of the *Principal Scrutiny Committee* exercise the power to call-in decisions of the Board, and/or the portfolio leaders and refer them back to the decision-maker for reconsideration or refer them up to the full Council

### **(C) THE AREA COMMITTEES**

ARFON AREA COMMITTEE  
DWYFOR AREA COMMITTEE  
MEIRIONNYDD AREA COMMITTEE

The three Area Committees named above will undertake the following functions within their own geographical areas:-

- (i) To make representations and recommendations to the Council of the Board or any other appropriate committee in connection with any matter which falls within the Council's functions and which is relevant to the area of the Area Committee;
- (ii) To make representations on matters which affect the interests of the area of the Area Committee;
- (iii) To appoint members to serve on outside bodies relevant to the Council's functions within the area of the Area Committee;
- (iv) To decide on development control matters in accordance with the Planning Service's detailed delegation scheme;
- (v) Subject to receiving a report from the Council's Property Unit and to the views of the Statutory Officers and local member, to decide on the acquisition (whether by purchase or otherwise) and disposal of individual properties except decisions in respect of which strategic considerations or considerations relating to the Council's corporate interests arise and which have been referred by the Senior Leader (Resources) (in consultation with the Chairman of the Area Committee and the local member(s)) to the Board to decide.
- (vi) Implement traffic management orders where objections to the proposal have been received after advertising;
- (vii) To decide on applications to let smallholdings and farms;
- (viii) To make recommendations to the Board or Council (as appropriate) on any by-law relevant solely to the area of the Area Committee, and any order prohibiting the drinking of alcohol in public;
- (ix) To make recommendations to the Council regarding the names of communities;
- (x) To decide on applications for the re-sale of property subject to a local person condition;
- (xi) To monitor the service delivery arrangements within the area, making recommendations to the Council, the Board or other committee as appropriate;
- (xii) To decide on matters relating to markets and fairs affecting the interests of the area of the Area Committee;
- (xiii) To decide on prioritising expenditure on minor works where expenditure has been allocated to the Area Committee;
- (xiv) To decide upon applications to register, create, close or divert any public right of way;
- (xv) To decide on any licensing matters which are not the responsibility of the Licensing Committee.

### **AREA LICENSING SUB-COMMITTEE.**

To fulfil the following functions on behalf of the relevant Area Committee :-

- (i) To decide on applications for taxi and private hire vehicle licences where an objection has been received.
- (ii) To decide on appeals by taxi and private hire vehicle operators.
- (iii) To decide on appeals relating to markets and fairs.
- (iv) To decide on appeals relating to the licensing of on-street furniture.
- (v) Any other functions that are delegated to the sub-committee by the Area Committee.

## **SMALLHOLDINGS PANEL.**

To fulfil the following functions on behalf of the relevant Area Committee:-

- (i) To decide on applications to let smallholdings and farms.
- (ii) Any other function that is delegated to the panel by the Area Committee.

## **(CH) THE REGULATORY COMMITTEES**

### **THE AUDIT COMMITTEE**

To fulfil the following functions:-

- (i) To promote internal audit, establishing a timetable to conduct review control, develop an anti-fraud culture and review financial operations;
- (ii) To focus the council's audit resources by agreeing on audit plans and monitoring the provision of audit;
- (iii) To monitor audit performance by ensuring that officers' work is on schedule, that audit reports are produced promptly and that they are responded to in the same manner, monitoring the completion of the accounts and ensuring action on audit recommendations;
- (iv) To consider observations and concerns on individual services at a county level, on the basis of reports by council officers, the Audit or District Auditor.
- (v) To approve the Council's statement of accounts under the Accounts and Audit (Wales) Regulations 2005, along with any accompanying documents.

### **THE CENTRAL PLANNING COMMITTEE**

To fulfil the following functions:-

- (i) to decide, on the Council's behalf, any planning applications that are considered county matters because their effect extends beyond the boundaries of one of the Councils' areas;
- (ii) to decide on any decisions by area planning committees which cannot be the responsibility of the Board, called in by an officer under Council Procedure Rule 17 or referred up by the appropriate number of members under Council Procedure Rule 21;

### **THE LICENSING COMMITTEE**

To fulfil the following functions:-

- (i) to decide on applications for licences under the Licensing Act 2003 in accordance with the licensing delegation scheme.
- (ii) To deal with general matters (rather than matters relating to specific premises) in relation to the Council's enforcement powers under the Health and Safety at Work Act, etc. 1974.
- (iii) To deal with general matters (rather than matters relating to specific premises) arising from the Council's duty to register food business premises and to enforce the Food Safety Act 1990.
- (iv) To decide on county policies for licensing and gambling.

## **(D) OTHER COMMITTEES**

### **STANDARDS COMMITTEE**

To safeguard standards of conduct and propriety in all the council's transactions, by:-

- (i) promoting and maintaining high standards of conduct by councillors, co-opted members and church and parent governor representatives;
- (ii) advising councillors, co-opted members and church and parent governor representatives of the Members' Code of Conduct;
- (iii) advising the Council on the adoption or revision of the Members' Code of Conduct;
- (iv) monitoring the operation of the Members' Code of Conduct;
- (v) advising, training or arranging to train councillors, co-opted members and church and parent governor representatives on matters relating to the Members' Code of Conduct;
- (vi) granting dispensations to councillors, co-opted members and church and parent governor representatives from requirements relating to interests set out in the Members' Code of Conduct;
- (vii) dealing with any reports from a case tribunal or interim case tribunal, and any report from the Monitoring Officer on any complaint made to him/her or on any matter referred to that officer by the *Public Services Ombudsman for Wales*.
- (viii) authorising payments by the Monitoring Officer of allowances and expenses to persons who have assisted in an investigation by the Monitoring Officer;
- (ix) the exercise of (i) to (viii) above in relation to the community councils wholly or mainly in its area and the members of those community council.

### **COMPLAINTS COMMITTEE**

- (i) Prepare a corporate plan to deal with complaints on behalf of the council and review the plan periodically.
- (ii) Consider specific complaints and the monitoring officer's reports and decide how to act.
- (iii) Consider the reports of the Commissioner for Local Government Administration in Wales and decide how to act.

### **HUMAN RESOURCES COMMITTEE**

- (i) To give preliminary interviews to candidates for the post of Chief Executive and present recommendations to the Council;
- (ii) To appoint Strategic Directors;
- (iii) To appoint Heads of Service
- (iv) To draw up shortlists for the purposes of (i) to (iii) above.
- (v) To decide on disciplinary action against members of staff in the posts listed in (i) to (iii) above.

### **EMPLOYMENT APPEALS PANEL**

- (i) To decide on appeals by staff against disciplinary action taken against them as a result of gross misconduct, except teachers, lecturers and youth leaders.
- (ii) To decide on appeals by members of staff against decisions on regrading applications and applications for early retirement.

- (iii) To decide on appeals with regard to complaint(s) by individuals or groups of staff relating to any matter concerning their employment except those matters which are the responsibility of another committee.

## **PENSIONS COMMITTEE**

- (i) Decide on the strategy regarding the investing of surplus money in the superannuation fund and other trust funds.
- (ii) Appoint and terminate the appointment of managers and consultants of the specialist funds; review their performance with regard to investment;
- (iii) Ensure that safe and efficient arrangements are in hand for purchasing, selling and monitoring the council's investments;
- (iv) Making decisions in the context of pension administration.

## **(DD) SUB-COMMITTEES OF THE BOARD**

### **CHARITIES SUB-COMMITTEE**

To decide on applications for financial assistance from the Welsh Church Fund and other charitable trusts under the Council's control as trustee.

### **LANGUAGE SUB-COMMITTEE**

Decisions on any matters relating to the implementation of the Council's language policy or plan.

### **NON-DOMESTIC RATING SUB-COMMITTEE**

Decisions on applications for non-domestic rate relief.

### **INTRODUCTORY TENANCIES REVIEW PANEL**

To decide on appeals under the introductory tenancies scheme.

## **(E) JOINT COMMITTEES**

### **JOINT SPECIAL EDUCATIONAL NEEDS JOINT COMMITTEE**

To act in accordance with the constitution of the joint-committee.

### ~~**MÔN/ARFON WASTE JOINT COMMITTEE**~~

~~To act in accordance with the constitution of the joint-committee.~~

### **TRAETH LAFAN MANAGEMENT COMMITTEE**

Management of the Traeth Lafan Local Nature Reserve.

### **TAITH**

To act in accordance with the constitution of the joint-committee.

### **TRaCC**

To act in accordance with the constitution of the joint-committee