INTRODUCTION

This part of the Constitution sets out the terms of reference for the various committees in which elected members of the Council participate. For ease of reference it has been divided into two parts as follows: -

PART A: internal council committees

PART B: committees which operate jointly with other local authorities, known as "Joint Committees" and committees/boards for Council owned companies

PART A: INTERNAL COUNCIL COMMITTEES

AUDIT, GOVERNANCE AND STANDARDS

Number of members	9 Councillors
Number of Co-opted, non-voting members	1 Independent non-voting Member for the purpose of Audit and Governance. 1 Parish Representative, who may not also be a Borough Councillor, for the purpose of Standards.
Politically Balanced Y/N	Y
Quorum	4 (to include at least one member of the Majority Group)
Procedure Rules applicable	Council Procedure Rules (with the exception of Council Procedure Rules 1-4, 10, 14, 18.2, 20.1 and 22)
Chair	The Chair and Vice-Chair of the Committee and any of its Sub-Committees will be a Borough Councillor.
Special provisions as to the Chair	For the sake of independence, the Chair and Vice-Chair shall not be a member of the controlling political group.
Terms of Reference	Audit and Governance Internal and External Audit a. To review and monitor the annual audit plans of both the internal and external auditors. b. To receive and comment upon the external auditors' reports.

	c. To monitor the adequacy and effectiveness of the Council's system of internal control by ensuring that an adequate and effective system of internal financial controls is maintained, that financial procedures are regularly reviewed. d. To consider, monitor and review the Council's overall corporate governance arrangements. e. To enhance the profile, status and authority of the internal audit function which will demonstrate its independence. f. To focus audit resources by agreeing, and periodically reviewing, audit plans and monitoring delivery of the audit service. g. To receive and consider such internal audit reports that the Chair and/or Deputy Chief Executive considers necessary. <u>Risk</u> h. To consider, monitor and review the effectiveness of the Council's risk strategies, policies and management arrangements and seek assurances that action is being taken to address identified risk related issues. <u>Finance and Value for Money</u> i. To consider and approve the Council's Annual Statements of Accounts. j. To consider any report from the Internal Audit Manager in pursuance of Financial Regulations. k. To ensure good stewardship of the Council's resources and assist the Council to achieve value for money in the provision of its services. l. To keep under review, and make recommendations on, proposed amendments to Financial Regulations. m. To consider and make recommendations if appropriate on, the Annual Governance Statement. n. To review the annual strategy, treasury management policy and procedures and make recommendations to Council.

	<u>Standards</u> o. To promote and maintain high standards of conduct by Councillors and any co-opted members of Council bodies. o. To assist the Councillors and co-opted members to observe the Members' Code of Conduct. p. To advise the Council on the adoption or revision of the Members' Code of Conduct. q. To monitor the operation of the Members' Code of Conduct. r. To advise, train or arrange to train Councillors and co-opted members on matters relating to the Members' Code of Conduct. s. To grant dispensations to Councillors and co-opted members from requirements relating to interests set out in the Members' Code of Conduct. t. To deal with any report from the Monitoring Officer following an investigation into a complaint concerning the Members' Code of Conduct. u. To consider and determine allegations that a Councillor or co-opted Councillor may have failed to follow the Code of Conduct and where a breach of the Code is established making recommendations as to any sanctions to the appropriate person or body. v. The exercise of t – u above in relation to the Parish Councils in the Council's area and the members of those parish Councils. w. To monitor and review the operation of the Member Officer Relations Protocol.
Special provisions as to membership	The Committee to comprise elected Members representing all interests of the Authority, preferably with relevant areas of expertise, where possible (such areas as accountancy, audit, business and commerce.)

	Executive Committee members may not be, or act as substitutes for, members of the Committee. In addition, Party Group Leaders may not be, or act as substitutes for, members of the Committee. The lead Portfolio Holder for finance is required to attend meetings of the Committee though cannot be a member of the Committee.

CRIME & DISORDER SCRUTINY PANEL

Number of Members	5
Politically Balanced Y/N	N
Quorum	3
Procedure Rules applicable	Council Procedure Rules (with the exception of Council Procedure Rules 1-4, 10, 14, 18.2, 20.1 and 22)
Terms of Reference	a. to hold the Redditch Community Safety Partnership to account for its decision making; b. to scrutinise the performance of the Redditch Community Safety Partnership; c. to undertake policy reviews of specific crime and disorder issues; d. to highlight and challenge people's perceptions of crime and disorder in the local area; e. to undertake community engagement and consultation to establish local people's priorities for crime and disorder issues; and f. to promote the positive work of the Redditch Community Safety Partnership.
Provisions relating to appointment of Chair	The Chair of the Panel will be a member of a political group not forming part of the ruling administration. The Chair will also be a member of the parent Overview and Scrutiny Committee.

	Cannot be members of the Executive Committee.
Special provisions as to membership	Training is highly recommended for members who sit on the Crime & Disorder Scrutiny Panel.

ELECTORAL MATTERS COMMITTEE

Number of members	5
Politically Balanced Y/N	Y
Quorum	3
Procedure Rules applicable	Council Procedure Rules (with the exception of Council Procedure rules 1-3, 9 -11, 14, 18.2 and 22.5 – 22.7).
Terms of Reference	To exercise powers and undertake functions relating to electoral matters and elections.
Special provisions as to the Chair	None.
Special provisions as to membership	None

EXECUTIVE COMMITTEE

Number of Members	9, including the Leader and the Deputy Leader
Politically Balanced Y/N	N
Quorum	4
Procedure Rules applicable	Executive Committee Procedure Rules
Terms of Reference	To carry out all the Council's functions which are not the responsibility of any other part of the Council, whether by law or under this Constitution.
Special rules as to the Chair	The Leader to preside; in his/her absence the Deputy Leader to preside
Whipping arrangements	N/A
Special Provisions as to membership	Cannot be members of the Overview and Scrutiny Committee. Named substitutes not permitted.

LICENSING COMMITTEE

Number of Members	11
Politically Balanced Y/N	Y
Quorum	3
Procedure Rules applicable	Council Procedure Rules (with the exception of Council Procedure Rules 1-4, 10, 14, 19.1, 19.2 and 21)
Terms of Reference	Functions relating to the Licensing Act 2003 (Premises and Personal Licences), the Gambling Act 2005, and miscellaneous other licensing and enforcement matters.
Special provisions as to the Chair	None
Whipping arrangements	N/A
Special provisions as to membership	None

LICENSING SUB-COMMITTEE A

LICENSING SUB-COMMITTEE - Personal/Premises/Gambling Act
Parent Committee – Licensing Committee

Number of Members	3 members of the Licensing Committee *Membership to be agreed by Officers, in consultation with the Chair, as required per application and to include a 4th reserve member.*
Politically Balanced Y/N	N
Quorum	3
Procedure Rules applicable	Council Procedure Rules (with the exception of Council Procedure Rules 1-4, 10, 14, 18.2, 20.1 and 22). Quasi-judicial meetings rules apply.
Terms of Reference	To determine applications referred to it arising from the Licensing Act 2003, the Gambling Act 2005 and the Scrap Metal Dealers Act 2013.
Special provisions as to the Chair	None – the Chair to be elected for each meeting of the Sub-Committee.
Special provisions as to membership	Only those Councillors who have undertaken *appropriate training may sit on the Licensing Sub-Committee. **Quasi-Judicial meetings training / Licensing and Gambling Act requirements training.*

LICENSING SUB-COMMITTEE B

Taxis/sex establishments/other

Parent Committee – Licensing Committee

Number of Members	3 members of the Licensing Committee *Membership to be agreed by Officers, in consultation with the Chair, as required per application and to include a 4th reserve member.*
Politically Balanced Y/N	N
Quorum	3
Procedure Rules applicable	Council Procedure Rules (with the exception of Council Procedure Rules 1-4, 10, 14, 18.2, 20.1 and 22). Quasi-judicial meetings rules apply.
Terms of Reference	To determine all matters referred to it including (but not limited to):- (1) private hire and hackney carriage driver, operator and vehicle licensing; (2) street trading consents; (3) sex shop applications; (4) pet shop licences; (5) animal boarding licences; (6) riding establishment licences.
Special provisions as to the Chair	The Chair must be a member of the Licensing Committee and must have received relevant quasi-judicial meetings training. The Chair to be elected for each meeting of the Sub-Committee.
Special provisions as to membership	Only those Councillors who have undertaken *appropriate training may sit on the Licensing Sub-Committee. **Quasi-Judicial meetings training.*

OVERVIEW AND SCRUTINY COMMITTEE

Number of Members	9 Members of the Overview and Scrutiny Committee, or of any of its Task and Finish Groups, shall not be members of the Executive Committee.
Politically Balanced Y/N	Currently N (by annual Council resolution to vary)
Quorum	3
Procedure Rules applicable	Overview and Scrutiny Procedure Rules and Council Procedure Rules (with the exception of Council Procedure Rules 1-4, 10, 14, 18.2, 20.1 and 22).
Terms of Reference	a. agree the scrutiny programme and the terms of reference for each scrutiny; b. establish time limited Task and Finish Groups to investigate issues in depth; or itself undertake selected reviews; c. agree reports prepared by the Task and Finish Groups; d. act as an interface with the Executive Committee; e. receive, comment and advise on the Council's policy framework such as the Corporate Plan and on other major policies; f. have responsibility for budget scrutiny and performance management scrutiny issues (with Task and Finish Groups established as necessary to take up any detailed work over the year); g. review and /or scrutinise decisions made or actions taken in connection with the discharge of any of the Council's functions whether or not the responsibility of the Executive Committee;

	h. exercise the right to call in, for reconsideration of decisions made but not yet implemented by the Executive Committee; i. decide how to deal with call ins (with Task and Finish Groups established as necessary to take up any detailed work); j. Undertake the role of a Crime and Disorder Overview and Scrutiny Committee under the Police and Justice Act 2006 through the Crime and Disorder Scrutiny Panel, a Sub Committee of the main Committee; k. Establish arrangements for any review of the performance of relevant external organisations which impact on the Council's functions and services and submit reports after comment, as appropriate, by the Executive and external organisations, to the Council; l. Monitor the quality of scrutinies; m. Monitor the implementation of any scrutiny recommendations accepted by the Executive Committee; and n. Oversee the development of Member skills and competencies in scrutiny.
Special provisions as to the Chair	The Chair and Vice-Chair will be a Member of a political group not forming part of the ruling administration.
Whipping arrangements	When considering any matter in respect of which a member of the Overview Committee is subject to a party whip, the Councillor must declare the existence of the whip, and the nature of it before the commencement of the Overview Committee's deliberations on the matter. The declaration, and the detail of the whipping arrangements, shall be recorded in the minutes of the meeting.
Special provisions as to membership	All Councillors except members of the Executive Committee may be Overview and Scrutiny members. However, no Member may be involved in scrutinising a decision in which he / she has been directly involved.

PLANNING COMMITTEE

Number of Members	9
Politically Balanced Y/N	Y
Quorum	3
Procedure Rules applicable	Planning Procedure Rules and Council Procedure Rules (with the exception of Council Procedure Rules 1-4, 10, 14, 18.2, 20.1 and 22).
Terms of Reference	1. To exercise all powers and duties of the Council on all matters relating to development control, including but not limited to:- a. considering and determining applications for planning permission b. enforcement of planning control c. building preservation, Listed Buildings and Conservation areas d. Tree preservation orders e. Control of advertisements f. Footpath diversion orders under the Town and Country Planning legislation g. Certificates of Lawfulness 2. To comment on proposals for development submitted by Worcestershire County Council and other public authorities 3. To determine High Hedges applications in accordance with Part 8 of the Anti-Social Behaviour Act 2003

Special provisions as to the Chair	The Chair and the Vice-Chair, if members of the controlling Party Group, shall not be members of the Executive Committee.
Special provisions as to membership	Only those Councillors who have undertaken appropriate training as agreed by the Member Support Steering Group may sit on the Planning Committee.

SHAREHOLDERS COMMITTEE

Number of members	5 (must all be members of the Executive Committee)
Politically Balanced Y/N	N
Quorum	3
Procedure Rules applicable	Executive Committee Procedure Rules
Terms of Reference	1) To approve Rubicon Leisure's annual business plan. This should be determined in the financial year prior to the application of the plan. 2) To approve the appointment of the Managing Director of Rubicon Leisure. 3) To approve the dismissal / departure of the Managing Director of Rubicon Leisure. 4) To monitor the performance of Rubicon Leisure. 5) To monitor Rubicon Leisure's budget position. 6) Monitor Rubicon Leisure's business affairs, finances and accounts. 7) To oversee the strategic direction of Rubicon Leisure or proposed and adopted business plans and budgets for future years to be presented in draft as they are developed or the review of future service developments and opportunities. 8) To consider the risks and opportunities faced by Rubicon Leisure and impact on the Council.

	9) Reporting and making recommendations to Executive on areas outside of the Shareholder Committee's delegated authority. 10) Reporting to Full Council annually on the performance of the trading activities of Rubicon Leisure. 11) To undertake all other functions divested in the Committee as shareholder of Rubicon Leisure on behalf of the Council. 12) Reviewing the Terms of reference annually and make any necessary recommendations to Executive. 13) The Shareholder Committee will not have operational control over Rubicon Leisure. All decisions regarding the day to day operation and management of Rubicon Leisure rests with the Rubicon Leisure Board of Directors, which must ensure that Rubicon Leisure's business is conducted in accordance with the Shareholders' Agreement entered into between the Council and Rubicon Leisure and in accordance with the Rubicon Leisure Articles of Association.
Special provisions as to the Chair	The Chair must be a member of the Executive Committee.
Special provisions as to membership	Only Members of the Executive can sit as substitutes. The Leaders of each opposition group or their nominated substitute will be invited to attend meetings and be given full rights to participate in meetings although they will not be entitled to vote.

STANDARDS HEARINGS SUB-COMMITTEES
(Parent Committee – Audit, Governance and Standards Committee)

Number of Members	3 The Audit, Governance and Standards Committee may from time to time determine procedures for membership of its sub-committees.
Politically Balanced Y/N	N
Quorum	3
Procedure Rules applicable	Council Procedure Rules (with the exception of Council Procedure Rules 1-4, 10, 14, 18.2, 20.1 and 22)
Terms of Reference	To carry out assessment of allegations that a Borough Councillor or co-opted Parish Councillor with voting rights may have failed to follow the Code of Conduct.
Chair	A member of the Audit, Governance and Standards Committee. When assessing a complaint, the Chair will not be from the same political group as the Councillor who is the subject of the complaint.
Whipping arrangements	N/A
Substitutes	The Audit, Governance and Standards Committee may from time to time determine procedures for substitution at meetings of the Standards Hearings Sub-Committees.
Special provisions as to membership	Only those Councillors who have undertaken *appropriate training may sit on the Standards Hearings Sub-Committees. ** Specific Standards Hearing-related training.*

PART 3 COMMITTEE TERMS OF REFERENCE

PART B: JOINT COMMITTEES/ COMMITTEES FOR COUNCIL OWNED COMPANIES

JOINT APPOINTMENTS COMMITTEE FOR BROMSGROVE DISTRICT COUNCIL AND REDDITCH BOROUGH COUNCIL

Local Authority Membership	Redditch Borough Council and Bromsgrove District Council
Functions	• Appointment of Chief Executive/Head of Paid Service • Appointment of Joint Statutory Officer Posts
Number of Members	10 made up of the Leaders of Redditch Borough Council and Bromsgrove District Council plus 4 members appointed by Redditch Borough Council and 4 members appointed by Bromsgrove District Council.
Politically Balanced	Yes
Quorum	6 subject to each Council being represented at a meeting by at least 1 member.
Procedure Rules applicable	The Joint Appointments Committee Composition and Terms of Reference in Part 17, together with all other applicable rules set out under the Constitution and all applicable law.

Terms of Reference	**1. Appointment of Chief Executive/ Head of Paid Service** a. Subject to (b) below, to undertake and determine on behalf of the Councils the recruitment and selection of the Joint Chief Executive/Head of Paid Service including the final approval of terms and conditions of employment for that post. b. The final decision as to the appointment of the Joint Chief Executive/ Head of Paid Service shall be reserved to full meetings of both Councils. c. To confirm into post or otherwise, the successful candidate following any probationary or trial period. **2. Appointment of Joint Statutory Officers Post** a. Subject to (b) below, to undertake and determine on behalf of the Councils the recruitment and selection of any Joint Statutory Officer Posts. (including the final approval of terms and conditions of employment for that post.) b. The final decision as to the appointment of the Joint Statutory Officer Posts shall be reserved to full meetings of both Councils. **3. General** a. To be responsible for ad-hoc employment matters affecting any Joint Statutory Officer Posts, except for any disciplinary matters which would be determined by the Statutory Officers Disciplinary Panel.
Special provisions as to Chairmanship	To be chaired alternately between the respective Leaders.

Special provisions as to membership	All members of the Committee must have undertaken appropriate training on recruitment and selection with the respective Council, prior to participating in the recruitment process. No substitutes shall be permitted.
Additional information	There will be one standing Sub-Committee of the Joint Appointment Committee known as the Statutory Officer's Disciplinary Panel

STATUTORY OFFICERS' DISCIPLINRY PANEL
(Parent Committee – Joint Appointments Committee)

Functions	To undertake the powers and functions as the "Investigating and Disciplinary Committee (IDC) in accordance with the provisions of the Joint Negotiating Committee (JNC) Handbook Model Disciplinary Procedure in relation to Statutory Officers pursuant to the Local Authorities (Standing Orders) (England) Regulations 2001 as amended by the Local Authorities (Standing Orders) (England)(Amendments) Regulations 2015.
Number of Members	5 members consisting of one of the Leaders plus 2 members appointed by the Joint Appointments Committee by Bromsgrove District Council and 2 by Redditch Borough Council. In the event of an Appeal hearing being required, then the other Leader and the 4 respective members from Bromsgrove District Council and Redditch Borough Council who have not already participated in the process will form the Panel.
Politically Balanced	Not applicable
Quorum	3 consisting of Leader and 1 member for each council.
Procedure Rules applicable	The Joint Appointments Committee Composition and Terms of Reference in Part 17, together with all other applicable rules set out under the Constitution and all applicable law.

Terms of Reference	**1. <u>Disciplinary Action and Dismissal</u>** a. To hear disciplinary cases involving charges of misconduct or incapability concerning any Joint Statutory Officer holder. b. To make recommendations to Council regarding the dismissal against the Chief Executive, S151 officer or Monitoring Officer following a disciplinary or capability hearing in accordance with the terms and conditions of employment for Chief Officers of Local Authorities. c. To convene an Independent Panel as defined in the Local Authority (Standing Orders) (England) (Amendment) Regulations 2015. **2. Independent Panel** a. To offer the Council advice, views or recommendations on any proposal for the dismissal of a Statutory Chief Officer. In doing so the Independent Panel will consider:_ (i) The recommendation of the Panel and the reasons in support of that recommendation; (ii) The report of any independent investigator; (iii) Any oral and/or written representations from the officer. b. A minimum of 2 independent Persons must be invited to be appointed to the Panel in the following priority order:- (i) The relevant Independent Person who has been appointed by the Council and who is a local government elector; (ii) Any other relevant independent Person who has been appointed by the Council; and (iii) A relevant Independent Person who has been appointed by another local authority or local authorities.

Special provisions as to Chairmanship	To be chaired by the Leaders.
Special provisions as to membership	All members of the Committee must have undertaken appropriate training prior to participating in meetings. No substitutes shall be permitted.
Additional information	In order to comply with 1 (c) above, the membership of the Panel may also include Independent Persons as defined by the Local Authority (Standing Orders) (England) (Amendment) Regulations 2015.