

# **PART 3**

## **RESPONSIBILITY FOR FUNCTIONS**

## Responsibility for Council Functions

Committee	Functions	Delegation of Functions
Council	<p>In addition to the functions set out elsewhere in the Constitution</p> <ul style="list-style-type: none"> <li>• Exercise of the Council's functions in relating to parishes and parish councils under Part II of the Local Government &amp; Rating Act 1997</li> <li>• Exercise of powers on the following electoral matters:-               <ul style="list-style-type: none"> <li>○ Division of parliamentary constituencies and local government wards or electoral divisions into polling districts</li> <li>○ Approval of pilot schemes for local elections</li> <li>○ Making recommendations to the Electoral Commission in ward boundary reviews, electoral division reviews and parliamentary constituency reviews</li> </ul> </li> </ul>	<p>None</p> <p>None</p> <p>None</p> <p>None</p>
	<ul style="list-style-type: none"> <li>• Any other matters relating to the administration of elections and electoral registration</li> </ul>	Returning Officer
	<ul style="list-style-type: none"> <li>• Making and amending Standing Orders, Standing Orders Relating to Contracts and Financial Regulations.</li> </ul>	None
	<ul style="list-style-type: none"> <li>• Appointment of Staff</li> </ul>	<p>Appointment of Head of Paid Service, the Monitoring Officer and the Section 151 Officer are reserved to full Council on the recommendation of the Personnel and General Purposes Committee.</p> <p>Appointment of Corporate Directors is delegated to the Personnel and General Purposes Committee unless the post includes the duties of either the Monitoring Officer or the Section 151 Officer in which case it is reserved to Council.</p> <p>Appointment of Deputy Directors/Heads of Service is delegated to the Head of Paid Service, however any appointment panel must include at least one member</p>

		of the Policy and Resources Committee Appointment of other staff delegated to Head of Paid Service as set out in Part 18 and the Employment Procedures Rules in Part 4.
	<ul style="list-style-type: none"> <li>• Designation of officers as the Monitoring Officer and Section 151 Officer</li> </ul>	None
	<ul style="list-style-type: none"> <li>• Appointment of officers for particular purposes (“proper officers”)</li> <li>• Appointment of Electoral Registration Officer and Returning Officer for Local Government Elections</li> <li>• Determining the scheme for the Mayor’s and Deputy Mayor’s Allowance</li> <li>• Determining the scheme for travelling and subsistence allowances, conference attendance allowances and members scheme of expenses</li> <li>•</li> </ul>	Managing Director None None None None
	<ul style="list-style-type: none"> <li>• Appointments to the Hopmarket Charity and non-voting co-optees to the Conservation Areas Advisory Committee</li> </ul>	None

Policy and Resources Committee	To determine all matters falling within the remit of the Committee which are within the Council's Policy Framework and Budget other than those reserved by this Constitution to the Council	Delegation to officers set out at Part 18.
	<p>The following functions:</p> <ul style="list-style-type: none"> <li>• Macro-level policy making and resource allocation (i.e. ICT, property, HR, media/comms)</li> <li>• Preparation of a draft budget and recommendation to Full Council</li> <li>• Strategic level budget monitoring</li> <li>• Strategic level performance monitoring</li> <li>• Oversight of relevant shared services/outsourced contracts, i.e. Civica (Revs and Bens/HUB contracts)</li> <li>• Oversight of City Plan</li> <li>• Oversight of Transformation Programme</li> </ul>	Delegation to officers set out at Part 18.
	Discharge of any function under the Worcester City Council Act 1985 other than matters delegated to the Licensing Committee (see later in Part 3 of this Constitution)	None
	Appointments to Outside Bodies and revocation of such appointments (other than to the Hopmarket Charity and non-voting co-optees to the Conservation Areas Advisory Committee)	None
	The making of agreements with other local authorities for the placing of staff at the disposal of those authorities.	None
	<ul style="list-style-type: none"> <li>• An externally focussed scrutiny function on matters relevant to the functions of the committee, provided that the areas of scrutiny shall be City Plan priorities and the committee shall not undertake more than two scrutiny reviews per annum</li> <li>• The ability to establish member-led task and finish groups on matters relevant to the functions of the committee</li> </ul>	None

Place and Economic Development Committee	To determine all matters falling within the remit of the Committee which are within the Council's Policy Framework and Budget other than those reserved by this Constitution to the Council	Delegation to officers set out at Part 18.
	The following functions: <ul style="list-style-type: none"> <li>• Place shaping</li> <li>• Economic Development</li> <li>• Planning Policy (i.e. approval of SPDs)</li> <li>• Tourism</li> <li>• Service level financial and performance monitoring</li> <li>• Oversight of relevant shared services/outsourced contracts, i.e. Tourist Information Centre Contract</li> </ul>	Delegation to officers set out at Part 18.
	<ul style="list-style-type: none"> <li>• An externally focussed scrutiny function on matters relevant to the functions of the committee, provided that the areas of scrutiny shall be City Plan priorities and the committee shall not undertake more than two scrutiny reviews per annum</li> <li>• The ability to establish member-led task and finish groups on matters relevant to the functions of the committee</li> </ul>	None

Income Generation Sub-Committee	To determine all matters falling within the remit of the Committee which are within the Council's Policy Framework and Budget other than those reserved by this Constitution to the Council	Delegation to officers set out at Part 18.
	The following functions: <ul style="list-style-type: none"> <li>• Oversight of asset reviews (i.e. One Town Review)</li> <li>• Development of income generation proposals</li> <li>• Feasibility work for income generation</li> <li>• Approval and oversight of projects under the Small Development Fund</li> <li>• Reviewing Fees and Charges</li> </ul>	Delegation to officers set out at Part 18.
	<ul style="list-style-type: none"> <li>• An externally focussed scrutiny function on matters relevant to the functions of the committee, provided that the areas of scrutiny shall be City Plan priorities and the committee shall not undertake more than two scrutiny reviews per annum</li> <li>• The ability to establish member-led task and finish groups on matters relevant to the functions of the committee</li> </ul>	None

Personnel and General Purposes Sub-Committee	Responsible for all matters relating to the appointment of a Managing Director including making recommendations to the Council on the person to be appointed and salary and terms and conditions of employment.	None
	Responsible to Council for making any recommendations regarding the termination of employment of the Managing Director or in relation to disciplinary action in respect of the Managing Director.	None
	Responsible for making appointments to all Corporate Director and Service Manager posts, including deciding the salary and the terms and conditions of employment of such posts and in relation to disciplinary action in respect of such posts in accordance with the Employment Procedure Rules.	None
	Determining the terms and conditions of employment of employees including procedures for dismissal and approving revised structures within a department for which budget provision has been made but which fall outside officer delegations, provided that any restructuring across departments shall be referred to Council for approval.	Delegations to officers in accordance with the delegations set out in Part 8.
	Functions relating to Local Government Pensions etc., for all employees under Regulations made under Sections 7, 12 or 24 of the Superannuation Act 1972.	None
	Making recommendations to Council on the various electoral matters reserved to full Council.	None
	Designating polling places (including changing the description of polling places) for the polling districts approved by the Council.	None
	Exercising the Council's powers relating to Parish Council elections.	None

Environment Committee	To determine all matters falling within the remit of the Committee which are within the Council's Policy Framework and Budget other than those reserved by this Constitution to the Council	Delegation to officers set out at Part 18.
	<p>The following functions:</p> <ul style="list-style-type: none"> <li>• Parks and open spaces</li> <li>• Play areas</li> <li>• Cemeteries and Crematorium</li> <li>• Allotments</li> <li>• Domestic refuse collection</li> <li>• Trade Waste</li> <li>• Garden Waste</li> <li>• Street Cleansing</li> <li>• Car parking</li> <li>• Service level financial and performance management</li> <li>• An externally focussed scrutiny function on matters relevant to the functions of the committee</li> <li>• Oversight of relevant shared services/outsourced contracts, i.e. Regulatory Services</li> </ul>	Delegation to officers set out at Part 18.
	<ul style="list-style-type: none"> <li>• An externally focussed scrutiny function on matters relevant to the functions of the committee, provided that the areas of scrutiny shall be City Plan priorities and the committee shall not undertake more than two scrutiny reviews per annum</li> <li>• The ability to establish member-led task and finish groups on matters relevant to the functions of the committee</li> </ul>	None

Communities Committee	To determine all matters falling within the remit of the Committee which are within the Council's Policy Framework and Budget other than those reserved by this Constitution to the Council	Delegation to officers set out at Part 18.
	<p>The following functions:</p> <ul style="list-style-type: none"> <li>• Housing and homelessness</li> <li>• Sport and Leisure</li> <li>• Museums, Heritage and Culture</li> <li>• Community safety</li> <li>• CCTV</li> <li>• Service level financial and performance management</li> <li>• Oversight of relevant shared services/outsourced contracts, i.e. Museums and Freedom Leisure contract</li> </ul>	
	<ul style="list-style-type: none"> <li>• An externally focussed scrutiny function on matters relevant to the functions of the committee, provided that the areas of scrutiny shall be City Plan priorities and the committee shall not undertake more than two scrutiny reviews per annum</li> <li>• The ability to establish member-led task and finish groups on matters relevant to the functions of the committee</li> </ul>	None

Health and Wellbeing Committee	To determine all matters falling within the remit of the Committee which are within the Council's Policy Framework and Budget other than those reserved by this Constitution to the Council	Delegation to officers set out at Part 18.
	<p>The following functions:</p> <ul style="list-style-type: none"> <li>• Mental and physical health and wellbeing outcomes for residents and customers of the Council</li> <li>• Disability access</li> <li>• Health inequalities</li> <li>• Worcestershire Integrated Care System</li> <li>• Health partnership working</li> <li>• Issues relating to the implementation of the child poverty working group recommendations and budget</li> <li>• Issues including but not limited to, outreach services, drug and alcohol counselling and mental health well-being, relating to the health and well-being of the homeless</li> </ul>	
	<ul style="list-style-type: none"> <li>• An externally focussed scrutiny function on matters relevant to the functions of the committee, provided that the areas of scrutiny shall be City Plan priorities and the committee shall not undertake more than two scrutiny</li> </ul>	None



	<p>reviews per annum</p> <ul style="list-style-type: none"><li>• The ability to establish member-led task and finish groups on matters relevant to the functions of the committee</li></ul>	
--	---	--



Licensing and Environmental Health Committee	Functions relating to the licensing and registration of taxis, gaming, entertainment, food, licensing activities under the Licensing Act 2003	Delegations to officers set out in Part 18
	Functions relating to the control of pollution or the management of air quality	Delegations to officers set out in Part 18
Licensing Sub-Committee (Taxis)	Functions relating to statutory nuisance	Delegations to officers set out in Part 18
		Delegations to officers set out in Part 18
Licensing Sub-Committee (Licensing Act 2003)	Functions relating to health and safety under any "relevant statutory provisions" within the meaning of Part I of the Health and Safety at Work etc., Act 1974, to the extent that these functions are discharged otherwise than in the Council's capacity as employer.	Delegations to officers set out in Part 18
Licensing Sub-Committee (Sexual Entertainment Venues)	Functions relating to the licensing of various activities under the Worcester City Council Act 1985 – Moorings (Section 15), Dealers in Second-hand Goods (Section 20), Hairdressers and Barbers (Section 33), eating houses (Section 35), establishments for massage, chiropody etc., (Section 37)	Delegations to officers set out in Part 18
Licensing Sub-Committee (Street Trading)	Determining the amount of any charge to be made for any approval, consent, licence, permit or registration within the terms of reference of the Committee.	None
	In relation to the functions set out above, determining whether and in what manner to enforce any failure to comply with any approval, licence, permission or registration granted by the Committee (or an officer acting under delegated powers) or any failure to comply with a condition, limitation or term to which any such approval, consent, licence, permission or registration is subject.	Delegations to officers set out in Part 18.

Standards Committee	As set out in Article 9 of the Constitution.	Delegations to the Monitoring Officer set out in Part 18.
Audit and Governance Committee	Sampling a proportion of all invoices paid in the previous quarter.	None
	Seeking an explanation from the relevant Head of Service of expenditure incurred and where appropriate referring the matter for further investigation.	None
	Approval of the Annual Accounts	None
Joint Consultative and Safety Committee	See Appendix A attached	None

**APPENDIX A**  
**JOINT CONSULTATIVE AND SAFETY COMMITTEE**

**1.1 Representation**

The Committee shall consist of five members of the Council at least two of whom shall be Members of the Personnel and General Purposes Committee, the Managing Director, the Directors and the Head of Service with responsibility for human resources and 3 employees of the Council to be appointed by trade unions as follows:-

UNISON - 2 Members  
GMB - 1 Members

**1.2 Chair**

The meeting will be chaired by the Managing Director. A vice-chair shall be appointed from among the Councillors appointed to the Committee.

**1.3 Officers**

Full time Trade Union Officials may attend meetings in an advisory capacity. Other persons may attend meetings of the Committee by invitation of the Committee.

**2. Functions**

The functions of the Committee shall be:-

- 2.1 to establish regular methods of negotiation and consultation between the Council and its employees;
- 2.2 to consider any relevant matter referred to it by the Council, or by any of the employee organisations;
- 2.3 to make recommendations to the Council on the terms and conditions of service and the education and training of employees;
- 2.4 to consider problems and developments of mutual concern to the Council and its employees;
- 2.5 to act as the Council's Safety Committee as required by the Health and Safety at Work Etc. Act 1974 and in particular:-
  - (i) to keep under review the measures taken to ensure the health, safety and welfare at work of employees;
  - (ii) the study of accidents and notifiable diseases, statistics and trends to identify unsafe and unhealthy conditions and practices and recommend corrective action;
  - (iii) to consider any matters referred to the Committee by Departmental Safety Representatives.

3. The Committee shall meet four times per year but the Chair may call further meetings as required. A meeting shall be called within seven days of the receipt of a requisition signed by not less than any two members of either side. The matters to be discussed at any meeting of the Committee shall be stated in the notice summoning the meeting, provided that any other business may be considered if agreed by a majority vote of those present and voting at such meeting. The notice summoning the meeting shall identify a part of the meeting as specifically reserved for the discussion of health and safety matters.
4. The quorum of the Committee shall be three Council representatives and two union representatives.
5. No resolution shall be regarded as carried unless it has been approved by a majority of the members present and voting on each side of the Committee.
6. Any recommendations shall be reported to the Personnel and General Purposes Committee.
7. The employee organisations may appoint substitute members to attend any meeting in place of members who find that they will be unable for any reason to attend any particular meeting of the Committee.

## **Member Champions**

### **1. Introduction**

“Member Champions” are elected members of the Council appointed to act as advocates or spokespeople for particular themes or particular communities which should be of interest to the Council in delivering its functions.

A topic for which a Member Champion is appointed should be:

- An agreed sustainable and corporate priority;
- An issue that can be defined in terms of its remit, ie not open-ended;
- An issue that cuts across the remit of two or more Committees, ie an issue which is not a specific responsibility of one of the Committees alone.

Section 2 below sets out the purpose of the role on a generic basis, applicable to all Member Champions regardless of topic. In addition, topic-specific “role specifications” may supplement the generic requirements, where these have been recommended by an external stakeholder organisation.

### **2. Purpose and remit of the role**

- To raise the profile of the issue with elected members, officers and local communities
- To provide positive support to officers in driving forward the Council’s agenda on the issue
- To promote effective communication and positive working relationships both within the Council and with community groups and other stakeholders
- To foster cross-party co-operation on the issue

The Member Champion acts in an advocacy and advisory capacity and has no decision-making powers. The Member Champion will ensure that any recommendations for actions arising from the role are referred to the Chair and Vice Chair of the relevant Committee(s) and supporting officers.

The Member Champion will be supported by a lead officer as well as the Corporate Leadership Team and will be provided with sufficient access to information, briefings and meetings to enable them to make a meaningful contribution in their Champion role.

### **3. Process for identifying and appointing Member Champions**

A proposal for a new Member Champion role may be made by a Motion to Council. It is recommended that Group Leaders should be consulted and advice from the Monitoring Officer and Managing Director sought.

The Policy and Resources Committee has the authority to approve the appointment of individual Members to roles of Member Champions which have been approved by Council.

#### **4. Eligibility**

A Member Champion can be any elected member of Council. There is no requirement to be, or not be, a Chair or Vice Chair of a Committee or member of a particular Committee. A member may be a Member Champion for more than one topic.

Once appointed, a Member Champion shall undertake the role for the duration of their Council term of office, unless decided otherwise by Policy and Resources Committee or where they wish to step down sooner. A Member Champion, may by exception, serve consecutive terms of office by agreement of the Policy and Resources Committee.

The Monitoring Officer will review the appointments in consultation with Group Leaders and report to the Policy and Resources Committee as appropriate.

#### **5. Reporting**

Member Champions shall be asked to provide the Council with a summary report of their activities annually, which officers will support in preparing, and may be questioned when presenting the report.