

# Responsibility for Functions

## 1. RESPONSIBILITY FOR LOCAL CHOICE FUNCTIONS

References to consultation with Human Resources means the officer or officers so designated by the Director Corporate Services.

<b>Function</b>	<b>Who is Responsible</b>	<b>Membership</b>	<b>Agreed Standing Delegation</b>
1.1 Any matter relating to contaminated land.	The Executive Committee	City Council Members	Service Lead - Environmental Health and Community Safety
1.2 The discharge of any function relating to control of pollution or management of air policy.	The Executive Committee	City Council Members	Service Lead - Environmental Health and Community Safety
1.3 Inspection of the authority's area to detect any statutory nuisance and the investigation of any complaint of nuisance and services of abatement notice thereafter.	The Executive Committee	City Council Members	Service Lead - Environmental Health and Community Safety
1.4 Determination of appeals in respect of:-  (a) Homelessness Reviews  (b) Any decision affecting an applicant's right or eligibility for housing assistance and entry onto the Council's statutory Housing Register.	The Executive Committee  The Executive Committee	City Council Members  City Council Members	System Lead – Housing Needs and Homelessness  System Lead – Housing Needs and Homelessness in consultation with the Executive member with portfolio.

1.5 Any function under a local Act other than that set out in Schedule 1 to the Functions Regulations 2000.	The Executive Committee	City Council Members	Please refer to the Council's scheme of delegation
1.6 The passing of a resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply in the Authority's area.	The Executive Committee	City Council Members	None
1.7 Power to require information as to interest in land pursuant to Section 330 of the Town & Country Planning Act 1990.	The Executive Committee	City Council Members	Service Lead - City Development

## 2. RESPONSIBILITY FOR COUNCIL FUNCTIONS

<b>The Function</b>	<b>Committee</b>	<b>Membership of Committee</b>	<b>Delegation of functions</b>
2.1 Those functions relating to town and country planning as specified in Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000.	Planning Committee	City Council Members	Service Lead - City Development See the Council's scheme of delegation.
2.2 Those functions relating to licensing and registrations as set out in Schedule 1 to the Function Regulations.	Licensing Committee	City Council Members	Service Lead - Environmental Health and Community Safety See Council's scheme of delegation.

(Amended June 2020)

<p>2.3 Functions under any of the relevant statutory provisions within the meaning of Part 1 (health, safety and welfare connections with work and control of dangerous substances) of the Health &amp; Safety at work etc. Act 1974, as set out in Schedule 1 to the Functions Regulations 2000.</p>	<p>None</p>		<p>Service Lead - Environmental Health and Community Safety See Council's scheme of delegation.</p>
<p>2.4 Those functions relating to elections as set out Schedule 1 of the Function Regulations 2000.</p>	<p>None</p>	<p>None</p>	<p>The Chief Executive</p>
<p>2.5 Those functions relating to the name and status of areas and individuals as set out in Schedule 1 of the Functions Regulations 2000.</p>	<p>Full Council</p>	<p>Exeter City Council Members</p>	<p>None</p>
<p>2.6 Power to make, amend, revoke or re enact bylaws as set out in Schedule 1 of the Functions Regulations 2000.</p>	<p>Full Council</p>	<p>City council Members</p>	<p>None</p>
<p>2.7 Power to promote or oppose local or personal Bills as set out in Schedule 1 of the Functions Regulations 2000.</p>	<p>Full Council</p>	<p>City Council Members</p>	<p>None</p>

<p>2.8 Those functions relating to pensions as set out in Schedule 1 of the Functions Regulations 2000.</p>	<p>Full Council</p>	<p>City Council Members</p>	<p>None</p>
<p>2.9 To approve the Council's policy framework, annual general fund budget, capital programme, housing revenue account budget and the setting of the council tax and agreeing the local scheme for council tax support.</p> <p>In the case of Development Plan Documents, this includes:-</p> <p>(a) the approval of documents for submission to the Secretary of State for approval;</p> <p>(b) the adoption of documents."</p>	<p>Full Council</p>	<p>City Council Members</p>	<p>None</p>
<p>2.10 To approve the Council's corporate objectives, policies and recommendations</p>	<p>Full Council</p>	<p>City Council Members</p>	<p>None</p>
<p>2.11 To determine the arrangement for discharge of Council functions.</p>	<p>Full Council</p>	<p>City Council Members</p>	<p>None</p>

<p>2.12 Miscellaneous functions as set out in Schedule 1 of the Functions Regulations:-</p> <p>a) Duty to approve and adopt the Council's Statement of Accounts, income, expenditure and balance sheet or record of receipts and payments</p> <p>b) Powers relating to the preservation of trees.</p> <p>c) Powers relating to the preservation of important hedgerows.</p> <p>d) Power to appoint and dismiss non statutory Chief officers and Directors and Corporate Managers under JNC conditions of service.</p> <p>e) Power to make standing orders in relation to contracts</p> <p>f) To consider any report made by the Head of Paid Service, the Monitoring Officer and section 151 officer and to decide what payment (if any) should</p>	<p>Audit and Governance Committee</p> <p>Planning Committee</p> <p>Planning Committee</p> <p>Full Council</p> <p>Full Council</p> <p>Full Council</p>	<p>City Council Members</p> <p>City Council Members</p> <p>City Council Members</p> <p>City Council Members</p> <p>City Council Members</p> <p>City Council Members</p>	<p>None</p> <p>Service Lead - City Development in accordance with the Scheme of Delegation.</p> <p>Service Lead - City Development in accordance with the Scheme of Delegation.</p> <p>Head of Paid Service</p> <p>None</p> <p>None</p>
---	---	---	---

be made cases of maladministration.			
2.13 To approve, but not direct, the Internal Audit Strategy and annual audit plan ensuring that appropriate risk assessments have been carried out when formulating the internal audit plan and to monitor performance against the plan.	Audit and Governance Committee	City Council Members excluding Executive Members	None
2.14 To review any revisions to the plan as advised by the Audit Manager and agreed by the Director Finance.	Audit and Governance Committee	//	None
2.15 To review half yearly internal audit reports and the main issues arising and seek assurance from management that action has been taken, where necessary.	Audit and Governance Committee	//	None
2.16 To consider a report from Internal Audit on agreed recommendations not implemented within a reasonable timescale.	Audit and Governance Committee	//	None
2.17 To consider the Audit Manager'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	Audit and Governance Committee	//	None

governance arrangements.			
2.18 To consider the external auditor's annual letter, relevant reports and the report to those charged with governance.	Audit and Governance Committee	//	None
2.19 To consider specific reports as agreed with the external auditor.	Audit and Governance Committee	//	None
2.20 To comment on the scope and depth of external audit work and to ensure it gives value for money	Audit and Governance Committee	//	None
2.21 To commission work from internal and external audit.	Audit and Governance Committee	//	None
2.22 To review any issue referred to by the Chief Executive, senior management or any council body	Audit and Governance Committee	//	None
2.23 To monitor the effective development and operation of risk management and corporate governance in the Council and agree necessary actions to ensure compliance with best practice.	Audit and Governance Committee	//	None
2.24 To review the Annual Governance Statement (AGS) and	Audit and Governance Committee	//	None

(Amended June 2020)

to recommend its adoption			
2.25 To consider the Council's compliance with its own and other published standards and controls	Audit and Governance Committee	//	None
2.26 To advise the City Council on the adoption of Codes of Conduct with the aim of promoting and maintaining high standards of conduct by members and officers and the subsequent monitoring and updating of the Codes	Audit and Governance Committee	//	None
2.27 To develop and adopt a Code of Practice on relations between members and officers	Audit and Governance Committee	//	None
2.28 To develop and monitor a Local Planning Code	Audit and Governance Committee	//	None
2.29 To ensure the provision of advice and training to members and officers on the above Codes of Conduct/Practice	Audit and Governance Committee	//	None
2.30 To hear and determine allegations of misconduct	Audit and Governance Committee	//	None
2.31 To be responsible for the Council's procedure for investigating and responding to complaints	Audit and Governance Committee	//	None
2.32 To give advice to members on the declarations of interest	Audit and Governance Committee	//	None

(Amended June 2020)



2.33 To monitor the “Whistle blowing policy” which meets the requirements of the Public Interest Disclosure Act 1988, to encourage employees to report suspected malpractice, fraud or crime by other staff, the public or organisations having dealings with the council	Audit and Governance Committee	//	None
2.34 To monitor and review the Council’s Anti-fraud, Anti-bribery and Anti-corruption Strategy	Audit and Governance Committee	//	None
2.35 To monitor the Council’s constitution and, having regard to any report of the Monitoring Officer, to make appropriate recommendations where necessary	Audit and Governance Committee	//	None
2.36 To approve and adopt the Council’s Statement of Accounts, income, expenditure and balance sheet or record of receipts and payments	Audit and Governance Committee	//	None
2.37 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	Audit and Governance Committee	//	None

(Amended June 2020)

2.38 To consider the external auditor's report to those charged with governance on issues arising from the audit of the accounts	Audit and Governance Committee	//	None
2.39 To make any scheme authorised or required by Regulations under section 18 of the Local Government and Housing Act 1989 (Members Allowances)	Full Council	City Council Members	None
2.40 To approve the Corporate Plan in accordance with Section 6(1) of the Local Government Act 2000.	Full Council	City Council Members	None
2.41 To approve the Council's Community Strategy pursuant to Section 4 of the Local Government Act 2000.	Full Council	City Council Members	None
2.42 To approve the Council's Crime and Disorder Reduction Strategy pursuant to Sections 5 and 6 of the Crime and Disorder Act 1998	Full Council	City Council Members	None
2.43 Applications to the Secretary of State to join the annual disposal programme and to transfer the Council's housing stock to a registered social landlord	Full Council	City Council Members	None

(Amended June 2020)

2.44 Power to create, stop up and divert footpaths and bridleways.	Full Council	City Council Members	Service Manager Community Safety and Enforcement
2.45 Power relating to the removal of things so deposited on highways as to become a nuisance.	Full Council	City Council Members	Service Manager Community Safety and Enforcement

### 3. RESPONSIBILITY FOR EXECUTIVE FUNCTIONS

Function	Who is Responsible	Delegation
<p>3.1 To exercise overall control and allocation of the following Council resources within the policies and budget agreed by Council to ensure they make the most effective contribution to the achievement of the Council's objectives:-</p> <p>a) Finances</p> <p>b) Property</p> <p>c) Staffing</p>	Executive Committee	<p>None</p> <p>Chief Executive in accordance with the limits set out in the Scheme of Delegations and where appropriate in consultation with the Executive member with portfolio.</p> <p>Director/Director Finance/Director Corporate Services/Corporate Managers in consultation with the Executive member with portfolio and Chief Executive. (please see the Council's scheme of delegation)</p>

3.2 To consider and report to the Council on the draft annual revenue and capital budgets of all committees and to recommend the level of Council Tax for the ensuing year.	Executive Committee	None
3.3 To ensure arrangements are in place to monitor all income and expenditure against budgetary allocation.	Executive Committee	None
3.4 To consider setting new corporate objectives, policies and strategies to achieve the stated aims of the Council.	Executive Committee	None
3.5 To develop partnerships with businesses, voluntary and other appropriate sectors to further the Council's objectives.	Executive Committee	None
3.6 To keep under review the various strategies of the Council	Executive Committee	None
3.7 To consider the overall requirements of both private and public sectors relating to the provisions of adequate housing accommodation to meet the social needs of the City.	Executive Committee	Relevant Director
3.8 To refer matters to the appropriate Scrutiny	Executive Committee	None

(Amended June 2020)

Committee for investigation/review.		
3.9 To consider any matters specifically referred by any Scrutiny Committee.	Executive Committee	None
3.10 To submit to full Council the Corporate Plan for approval.	Executive Committee	None
3.11 To ensure the staffing resources of the Council, through its personnel policies, procedure and practices contribute effectively to meeting the Council's objectives.	Executive Committee	None
3.12 To ensure appropriate arrangements for the appointment/dismissal of the Chief Executive, Directors, Director Finance, Director Corporate Services, and Corporate Managers agree arrangements for the appointment of employees on JNC conditions of service.	Executive Committee	Head of Paid Service in consultation with Human Resources.
3.13 To establish Management and quantitative targets and standards for all Committees against which performance and results can be monitored and reviewed by appropriate Scrutiny Committee.	Executive Committee	None
3.14 To consider policies and implement proposals for the creation and enforcement of Conservation areas, in accordance with the Council's Strategy for conservation areas and historic buildings.	Executive Committee	None

(Amended June 2020)

3.15 To appoint representatives to outside bodies.	Executive Committee	None
3.16 To report/recommend to full Council on all matters affecting the revision of electoral boundaries.	Executive Committee	None
3.17 To make recommendations to full Council on filling of casual vacancies on Committees.	Executive Committee	None
3.18 To make recommendations to full Council on the making, revising and amending the Council's Constitution.	Executive Committee	None
3.19 (a) To approve those parts of the Council's Local Development Framework which are not the responsibility of Council, and other development briefs, including:- (i) the approval of draft proposals for public consultation; (ii) the adoption of documents.	Executive Committee	None
3.19 (b) To consider the impact upon the City of elements of the Development Plan which are prepared by the Regional Assembly, Devon County Council, or other local authorities, and liaise with those bodies as appropriate.	Executive Committee	None

(Amended June 2020)

<p>3.20 To determine through a consultation procedure, Health and Safety policies for the Council.</p>	<p>Executive Committee</p>	<p>None</p>
<p>3.21 To establish an appropriate mechanism for consultation between members and staff representatives on personnel and health and safety issues.</p>	<p>Executive Committee</p>	<p>The Chief Executive in consultation with the Leader and Executive member with portfolio.</p>
<p>3.22 Within agreed budgetary limits, to consider applications and recommend to the Executive payment of appropriate Major Grants and to recommend appropriate conditions to which grants should be subject. Grants must be consistent with the key actions in the corporate plan which relate to applications from community, housing, environmental, arts and cultural and sporting organisations.</p>	<p>Exeter Grants Panel</p>	<p>None</p>
<p>3.23 To monitor the grants given, ensure that conditions of funding are met, oversee service level agreements and evaluate the outcome in accordance with the agreed criteria for those purposes.</p>	<p>Exeter Grants Panel</p>	<p>None</p>
<p>3.24 To keep under review the procedures and criteria by which the Major Grants and Local Infrastructure Fund grants are awarded and monitored, and to make recommendations to Executive in that regard.</p>	<p>Exeter Grants Panel</p>	<p>None</p>