

## **Terms of Reference (Excluding Scrutiny Committees)**

### **COUNCIL**

1. To approve the policy framework, including the annual general fund budget, capital programme, housing revenue account budget, council tax.  
  
In the case of Development Plan Documents, this includes:-
  - (a) the approval of documents for submission to the Secretary of State for approval;
  - (b) the adoption of documents.
2. To approve corporate objectives, policies and strategies following recommendations from the Executive Committee or other appropriate Committee.
3. To approve the making and altering of the Council's constitution.
4. To determine the arrangements for the discharge of Council's functions by way of committee, sub-committee and delegation to officers, and the power to determine or vary terms of reference of any committee and/or establish additional committees as and when required.
5. To consider and make decisions on any reports prepared by the Head of Paid Service, the statutory Monitoring Officer and the Chief Finance Officer.

### **EXECUTIVE COMMITTEE**

1. To exercise overall control and allocation of the financial, property, information and staffing resources within the policies and budget agreed by the Council and ensure they make the most effective contribution to the achievement of the Council's objectives.
2. To consider and report to the Council on the draft annual revenue and capital estimates of all Committees and to recommend the level of Council Tax for the ensuing year. To ensure that arrangements are in place to monitor all income and expenditure against budgetary allocations.
3. To consider the setting of new corporate objectives, policies and strategies to achieve the stated aims of the Council.
4. To provide overall leadership and guidance to the Council in the promotion of its visions for the City's social, economic and environmental well-being and to enhance the status of the City locally, nationally and internationally.
5. To develop partnerships with the business, voluntary and other appropriate sectors for the furtherance of the Council's objectives.
6. To keep under review the various strategies of the Council.

7. To consider the overall requirements of both private and public sectors relating to the provision of adequate housing accommodation to meet the social needs of the City and to secure and encourage the provision, either directly through the Council or in association with other organisations, of suitable accommodation to meet those requirements, in accordance with the Council's housing strategy. To approve rent levels for Council housing.
8. To refer matters to the appropriate Scrutiny Committee for investigation/review and report back to the Executive Committee.
9. To consider any matters specifically referred by a Scrutiny Committee.
10. To ensure the staffing resources of the Council, through its personnel policies, procedures and practices, contribute effectively to meeting the Council's objectives.
11. To determine, through a consultative procedure, health and safety policies for the Council.
12. To ensure appropriate arrangements for the appointment/dismissal of the Chief Executive, Directors, Director Finance, Director Corporate Services and Corporate Managers on JNC chief officer conditions of service.
13. To establish management and qualitative targets and standards for all Committees against which performance and results can be monitored and reviewed by the appropriate Scrutiny Committee.
14. To consider policies and implement proposals for the creation and enhancement of conservation areas, in accordance with the Council's strategy for conservation areas and historic buildings.
15. (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.(b) To consider the impact upon the City of elements of the Development Plan which are prepared by Devon County Council, or other local authorities, and liaise with those bodies as appropriate.
16. To determine, in accordance with the Local Government Act 1972: General Disposal Consent (England) 2003, the disposal of land and buildings at less than the best consideration that can reasonably be obtained.
17. To recommend to the Council the local scheme for council tax support for the ensuing year.

18. To appoint representatives to outside bodies and to recommend to the Council all matters affecting the revision of electoral boundaries and the filling of casual vacancies on Committees etc.
19. To make recommendations to the Council as to the making, revision and amendment of the Council's constitution.
20. To exercise all and any of the powers and responsibilities of the Council not otherwise within the terms of reference of any other Committee or requiring urgent action (unless excluded from being undertaken by the Executive).

## **EXETER GRANTS PANEL**

### **1 Purpose**

The purpose of the Exeter Grants Panel (The Panel) is to provide strategic direction for the Exeter Grant Programme and to ensure that grant awards are made in line with Council priorities and requirements.

### **2 Panel Membership**

The Panel membership will reflect the political make-up of the Council and will include community representatives and advisors. Advisory members of the panel will be non-voting.

The Chair of the Panel will be the Portfolio Holder for Communities and Culture.

### **3 Composition of the Panel**

The voting members of the panel are:

- Chair of Panel – Relevant Portfolio Holder
- Seven other councillors reflecting the political make-up of the Council
- Two Community Representatives

Non-voting Advisory members invited to support the work of the Panel are:

- Exeter City Council officer with responsibility for Communities and Culture;
- Chief Executive Officer, Devon Community Foundation (or deputy);
- Chief Executive Officer, Exeter Community Initiatives (or deputy).

### **4 Panel Roles and Responsibilities**

The Panel Chair is accountable for ensuring that decisions and recommendations made by the Panel are fair and transparent and that the underpinning system and processes are proportionate to the funding required but that they also recognise the accountability of elected Members.

The Panel Chair is responsible for appointing a Vice-Chair from within the voting Panel membership to deputise in their absence.

Voting Councillor Panel members are responsible for encouraging groups and organisations to submit grant applications and ensuring that grants are awarded in line with Council priorities and procedures.

The role of Voting Community Representatives is to represent the range of community networks in the city taking into account the need to include those that may be disadvantaged or who may not have the confidence to participate in community networks.

Panel members will be encouraged to visit successful applicants to see the benefits and impacts of the projects and events supported by Council grants.

## **PLANNING COMMITTEE**

1. To exercise and perform the powers and duties of the Council under the Town and Country Planning Act 1990 and appropriate regulations, planning and related legislation, except such powers and duties as are:
  - a) delegated to the Service Lead - City Development or other officer in accordance with the constitution;
  - b) a function of Council, Executive or any other Council Committee or Panel.

Responsibilities include the following determinations under the planning and related legislation:

- Member and staff applications
- City Council applications attracting objections
- Applications referred by the Chair or Vice-Chair of Planning Committee
- Any item considered by the Service Lead- City Development, Chair, or Vice Chair of Planning Committee or Portfolio Holder City Development to be significant, controversial or sensitive.

## **PLANNING MEMBER WORKING GROUP**

1. Planning Member Working Group is a sounding board of Members of Planning Committee to:
  1. Discuss issues relating to planning policies or briefs
  2. Consider proposals prior to planning applications
  3. Advise on City Development projects
  4. Receive reports on development monitoring and service management issues

## **DELEGATION BRIEFING**

1. Delegation Briefing is a sounding board of Members of Planning Committee which meets periodically for a briefing on applications where the planning officers are minded to determine them under their delegated powers. The Chair (or Vice Chair) of the Planning Committee reserves the right to refer any applications for determination by the full Planning Committee, having first

sought the views of the relevant ward member who may attend the delegation briefing.

## **AUDIT AND GOVERNANCE COMMITTEE**

1. 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
2. To review any revisions to the plan as advised by the Audit Manager and agreed by the Director Finance
3. To review half yearly internal audit reports and the main issues arising and seek assurance from management that action has been taken, where necessary
4. To consider a report from Internal Audit on agreed recommendations not implemented within a reasonable timescale
5. 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 governance arrangements
6. To consider the external auditor's annual letter, relevant reports and the report to those charged with governance
7. To consider specific reports as agreed with the External Auditor
8. To comment on the scope and depth of external audit work and to ensure it gives value for money
9. To commission work from internal and external audit
10. To review any issue referred to it by the Chief Executive, senior management or any council body
11. 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
12. To review the Annual Governance Statement (AGS) and to recommend its adoption
13. To consider the Council's compliance with its own and other published standards and controls
14. 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.

15. To develop and adopt a Code of Practice on relations between members and officers.
16. To develop and monitor a Local Planning Code.
17. To ensure the provision of advice and training to members and officers on the above Codes of Conduct/Practice.
18. To hear and determine allegations of misconduct.
19. To be responsible for the Council's procedure for investigating and responding to complaints.
20. To give advice to members on the declaration of interests.
21. To monitor the "Whistle blowing Policy" which meets the requirements of the Public Interest Disclosure Act 1998, to encourage employees to report suspected malpractice, fraud or crime by other staff, the public or organisations having dealings with the Council.
22. To monitor and review the Council's Anti-fraud, Anti-bribery and Anti-corruption Strategy
23. To monitor the Council's constitution and, having regard to any report of the Monitoring Officer, to make appropriate recommendations where necessary.
24. To approve and adopt the Council's Statement of Accounts, income, expenditure and balance sheet or record of receipts and payments.
25. 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.
26. To consider the external auditor's report to those charged with governance on issues arising from the audit of the accounts

## **LICENSING COMMITTEE**

To undertake the discharge of the Council's functions under the Licensing Act 2003 as follows:

1. To recommend a Licensing Policy Statement, and any subsequent revisions, to Council for approval.

To undertake the discharge of the Councils' functions in respect of the following:

2. To set or vary the standard conditions and fees applicable to hackney carriage vehicle and private hire vehicle licences, driver licences and operator licences.

3. To approve applications for hackney carriage fare increases.
4. To determine the standard conditions and fees applicable to street trading consents and licences and all aspects of trading on the highway, including advertising, advice and information centres.
5. To determine the standard conditions and fees applicable to sex shop licences under the Local Government (Miscellaneous Provisions) Act 1982.
6. To determine the fees applicable to track betting licences.
7. To determine any other matter of licensing policy referred to it by the Service Lead – Environmental Health and Community Safety.

### **LICENSING SUB-COMMITTEE**

To undertake the discharge of the Council's functions under the Licensing Act 2003 as follows:

1. To determine applications for personal licences where a police objection is made.
2. To consider police objections requesting revocation of a personal licence where convictions come to light after grant or renewal.
3. To determine whether to revoke or suspend a personal licence where convictions come to light after grant or renewal.
4. To determine applications for Premises Licences/ Club Premises Certificates, where a relevant representation is made.
5. To determine whether to grant or refuse a street trading consent
6. To determine applications for provisional statements, where a relevant representation is made.
7. To determine applications to vary Premises Licences/Club Premises Certificates, where relevant representations are made.
8. To determine applications to vary a designated premises supervisor, where a police objection is received.
9. To determine applications for the transfer of Premises Licences where a police objection is received.
10. To determine applications for interim authorities where a police objection is received.

11. To determine applications to review Premises Licences/ Club Premises Certificates.
12. To decide to object when the local authority is a consultee and not the relevant authority considering the application.
13. To determine whether to give a counter notice following a police and/or local authority environmental health objection to a Standard Temporary Event Notice.

To undertake the discharge of the Council's functions in respect of the following:

14. To determine applications for hackney carriage driver licences where the applicant has relevant convictions and any other application which the **Service Lead – Environmental Health and Community Safety** considers should be brought to a sub-committee.
15. To determine applications for private hire vehicle driver licences where the applicant has relevant convictions and any other application which the **Service Lead – Environmental Health and Community Safety** considers should be brought to a sub-committee.
16. To refuse applications for the grant or renewal of gaming machine permits and permits in respect of premises used wholly or mainly for the provision of amusement by means of machines.
17. To determine any licensing application referred to it by the **Service Lead – Environmental Health and Community Safety**, other than policy issues.
18. To determine applications for the grant, transfer, or revocation of a sex shop licence under the Local Government (Miscellaneous Provisions) Act 1982.

## HARBOUR BOARD

The Harbour Board consists of six Exeter City Council Members and also six external representatives who have a broad experience and interest in the workings of a harbour and its operational environment. The Chair is the Portfolio Holder with responsibility for the city's waterways.

Exeter City Council is the Port Authority for the Exe Estuary, some non-tidal sections of the River Exe and the Exeter Ship Canal. This stretches from Blackaller Weir (in Bonhay Road, Exeter) to a safe water mark a mile off the Exmouth beach. The Board is responsible for the management of the Port of Exeter and will meet every quarter. The Board's duties include preparing an annual business plan for the service, monitoring compliance with the Port Marine Safety Code and consulting harbour users and other stakeholders.

1. To maintain strategic oversight and direction of all aspects of the Harbour operation, including marine safety;



2. To be responsible for the development of policies, plans, systems and procedure for safe navigation;
3. To ensure that all assessments and reviews are undertaken as required to maintain and improve marine safety;
4. To ensure that the harbour authority sees and adopts appropriate powers for the effective enforcement of their regulations, and for the setting dues at a level which adequately funds the discharge of all their duties;
5. To appoint a Designated Person to provide independent assurance directly to the Duty Holder that the Marine Safety management system is working effectively;
6. To investigate the potential for applying for a Harbour Revision Order to empower the Council to take enforcement action on issues such as dangerous use of jet skis through Special Directions and to oversee a review of the Bye-Laws covering the Estuary.

## **EXETER STRATEGIC BOARD 2017/2018**

As a joint County and City Council committee, the Exeter Strategic Board will provide a forum for County and City Councillors to work together on common Exeter City issues that could not be dealt with by either body in isolation and are not the focus of other committees.

The core membership of the Exeter Strategic Board will be the nine County Councillors for Exeter and five members of the City Council. Representatives from the voluntary, business, health, police, further and higher education, inter-faith communities, community representative and others will be invited to assist the Board as appropriate. Associate members will be invited to participate in Board events when the themes under debate are of relevance/interest to them.

On an annual basis the Exeter Strategic Board will be provided with a strategic analysis setting out needs and issues facing residents to assist Members in agreeing an annual work programme based around key strategic themes of mutual interest or concern that are not dealt with in other fora. The Board will agree the allocation and mechanism for the deployment of the Exeter Board Grant funding in line with the agreed strategic priorities.

The Annual Work Programme will be shared with Associate Members, Community Groups and Special Interest Associations to enable them to identify areas of work they would wish to contribute to through at the themed workshop.

The Exeter Strategic Board will meet four times a year, once for the strategic needs analysis and then for three themed workshops on the topics set out in the annual work plan. Associate Members, Community Groups and Special Interest Associations will be invited to participate in workshops where it makes sense to do so.

The Chair/Deputy Chair of the Exeter Strategic Board will alternate yearly between the City and County Council.

The Board's terms of reference are:

- To share data and information about strategic issues affecting the city.

(Amended April 2023)

- To identify an annual work programme around key strategic themes of interest to both City and County Councillors that are not the focus of other groups or committees.
- To take an analytical, evidenced based approach to the examination of the key themes/issues with the aim of identifying priorities for joint action.
- To make recommendations to the City and County Councils about policy or practice that could have a positive impact for the city including opportunities for joint action.
- To contribute to effective partnership working across the City.
- To support and engage with communities and neighbourhoods in identifying priorities and finding ways to meet local needs.
- To enable groups and communities to influence and shape local public services and strategies.
- To allocate community funding to projects of community or citywide relevance.