

2. **RESPONSIBILITY FOR COUNCIL FUNCTIONS**

2.01 The Council reserves to itself:-

1. Approving the strategic financing of the Council, upon recommendations from the Cabinet, including:
 - determination of the Financial Strategy
 - approval of the Revenue Budget
 - approval of the Capital Programme
 - setting the Council Tax base
 - setting the Council Tax
 - determination of borrowing limits
 - utilisation of reserves
2. Approval of all strategic policies or plans including such plans that the Council must formulate by statute (defined in Schedule 3 of the Local Authorities [Functions and Responsibilities][England] Regulations 2000).
3. Approval of matters which require a decision that represents a significant departure from any existing strategy policy or budget previously agreed by the Council.
4. Receiving reports from the Cabinet and the Scrutiny Committee.
5. Adoption of the Council's Constitution and any changes to it including Standing Orders, Delegations, Financial Regulations and Members' Allowances Schemes (other than minor or consequential amendments).
6. Appointments required under Procedure Rules.
7. Appointments to Committees.
8. Appointments to outside bodies which are not within the remit of the Cabinet or Leader.
9. Conferring the title of Honorary Alderman of the District of Hambleton.
10. Electoral, boundary and parish issues.
11. Making, amending or revoking byelaws.
12. Appointment of Chief Officers
13. Other matters which by law fall to be considered by the Council.

2.02 Other functions of the Council are delegated in accordance with the following table:-

Committee	Membership	Functions	Delegation of functions
Planning	12 Members of the Authority	<p>Planning and conservation</p> <p>Functions relating to development control and miscellaneous functions relating to public rights of way, hedgerows, high hedges and preservation of trees as specified in Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (the Functions Regulations) except where the grant of planning permission would be contrary to the recommendation of the Deputy Chief Executive and in the opinion of that officer would be contrary to the provisions of the Development Plan or in any other way inconsistent with the effective operation of the Development Control process</p>	All those matters referred to in Section 4 are delegated to the officers specified, subject to the limitations specified.
Licensing	10 Members of the Authority	All functions relating to licensing and registration and miscellaneous appeals.	<p>All those matters referred to in Section 4 are delegated to the officers specified, subject to the limitations specified.</p> <p>Functions delegated to Licensing and Appeals Hearings Panel (see below).</p>
Licensing and Appeals Hearings Panel	3 Members of the Licensing Committee	<p>To determine all hearings under licensing and registration functions.</p> <p>To determine miscellaneous appeals in accordance with any Council powers and duties in accordance with Council procedures.</p>	
Audit, Governance and Standards Committee	7 Members of the Authority	<p><u>Matters which may be determined by the Committee:</u></p> <p><u>Audit & Governance</u></p> <ul style="list-style-type: none"> • Reviewing and approval of the annual statement of accounts. Specifically 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. • All aspects of internal audit including:- <ul style="list-style-type: none"> - consideration of the Veritau 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; - consideration of summaries of specific internal audit reports as requested; 	All the matters referred to in Section 4 are delegated to the officer specified, subject to the limitations specified.

Committee	Membership	Functions	Delegation of functions
		<ul style="list-style-type: none"> - approval and monitoring of the annual Audit Plan; - consideration of reports dealing with the management and performance of the providers of internal audit services; - consideration of reports from Veritau on agreed recommendations not implemented within a reasonable timescale; - the commissioning of work from Veritau; • all aspects of external audit, including:- <ul style="list-style-type: none"> - consideration of the external auditor's annual letter, relevant reports and the report to those charged with governance; - consideration of specific reports as agreed with the external auditor; - commenting on the scope and depth of external audit work and to ensure that it gives value for money; - shall be consulted upon and make recommendations concerning the appointment of the Council's external auditors; - the commissioning of work from external audit; - consideration of the external auditor's report to those charged with governance on issues arising from the audit of accounts; • Support effective relationships between external audit and internal audit, inspection agencies and other relevant bodies, and encourage the active promotion of the value of the audit process. • The review of any issue referred to it by the Chief Executive or the Deputy Chief Executive, or any Council body. • Consider the effectiveness of the authority's risk management arrangements and the control environment. Review the risk profile of the organisation and assurances that action is being taken on risk-related issues, including 	

Committee	Membership	Functions	Delegation of functions
-----------	------------	-----------	-------------------------

partnerships with other organisations.

- Monitor the effectiveness of the control environment, including arrangements for ensuring value for money and for managing the authority's exposure to the risks of fraud and corruption.
- All aspects of counter fraud and anti-corruption, including:-
 - monitoring of Council policies on "Raising Concerns at Work" and the anti-fraud and anti-corruption strategy and the Council's complaints process.
 - Overseeing the production of the Authority's Annual Governance Statement to recommend its adoption.
 - Consideration of the Council's arrangements for corporate governance and agreeing necessary actions to ensure compliance with best practice.
- All matters related to the Regulation of Investigatory Powers Act 2000.

Standards:

- To promote and maintain high standards of conduct by Members of the Council.
- To assist Members and co-opted Members of the Council to observe the Council's Code of Conduct.
- To monitor the operation of the Council's Member Code of Conduct and Planning Code.
- To advise, train or arrange training for Members and co-opted Members of the Council on matters relating to the Council's Member Code of Conduct and Planning Code.
- To formulate advice to Members and Officers on declarations of gifts and hospitality. To monitor and keep under review the arrangements for recording interests, gifts and hospitality.
- To review arrangements for designating politically restricted posts.

Committee	Membership	Functions	Delegation of functions
		<ul style="list-style-type: none"> • To review the operation of the Council's complaints procedures. • To carry out all of the Council's functions under the Local Government Act 2000 in connection with Parish and Town Councils. 	
		<p><u>Matters for determination by Cabinet:</u></p>	
		<p><u>Audit and Governance:</u></p>	
		<ul style="list-style-type: none"> • Report to Cabinet as it deems necessary on matters of concern. 	
		<p><u>Matters for determination by Council:</u></p>	
		<p><u>Audit and Governance:</u></p>	
		<ul style="list-style-type: none"> • All aspects of Corporate Governance, including:- <ul style="list-style-type: none"> - reviewing and making recommendations on changes to the Code of Corporate Governance; - monitoring compliance with the Code of Corporate Governance; - maintaining an overview of the Council's Constitution including those in respect of procurement procedure rules and financial regulations. • The review and scrutiny of recommendations made by Cabinet to Council in respect of the Council's Annual Treasury Management Policy including the Annual Investment Strategy. 	
		<p><u>Standards:</u></p>	
		<ul style="list-style-type: none"> • To advise the Council on the adoption or revision of a Code of Member Conduct and Planning Code. • To formulate and recommend Codes of Conduct for Officers and keep them under review. • To recommend protocols on Member/employee relations and to review its operation. 	

Committee	Membership	Functions	Delegation of functions
<u>Standards Hearings Panel</u>	3 Members of the Authority (with at least 2 party groups represented) 1 Independent Person 1 Parish Council Representative	<p><u>Matters which may be determined by the Panel:</u></p> <ul style="list-style-type: none"> Investigation and determination in respect of allegations under Codes of Member Conduct for the District Council and (where relevant) Parish/Town Councils. <p><u>Matters which may be determined by Cabinet:</u></p> <ul style="list-style-type: none"> To make recommendations to Cabinet in respect of any matters relating to Council practice and procedures arising out of Panel determinations and which cannot appropriately be dealt with by Officers. 	
<u>Investigations and Disciplinary Committee</u>	7 Members of the Authority	<p><u>Matters which may be determined by the Investigations and Disciplinary Committee:</u></p> <ul style="list-style-type: none"> To receive complaints relating to the conduct or capability of the Statutory Officers; where appropriate to conduct investigations into these complaints including, where appropriate or necessary, to appoint an Independent Investigator; to take any actions short of dismissal against a Statutory Officer; as and when necessary to appoint an Independent Panel comprising a minimum of two Independent Persons to consider and report the Panel's findings and recommendations to the Committee in the event that the Committee decides to propose a sanction of dismissal against a Statutory Officer; to seek the views of Cabinet in the event that the Committee proposes a sanction of dismissal against a Statutory Officer; to advise and make recommendations to Full Council concerning the proposed dismissal of Statutory Officers. 	
<u>Appeals Committee</u>	7 Members of the Authority	<p><u>Matters which may be determined by the Appeals Committee:</u></p> <p>To hear and determine appeals by Statutory Officers against sanctions less than dismissal imposed by the Investigations and Disciplinary Committee.</p>	