

Part Three, Section C
Terms of Reference:
Full Council & Non-Executive Bodies

SECTION 1 - THE COUNCIL

THE COUNCIL

Only the Council will exercise the following functions:

- (a) Adopting and changing the Constitution;
- (b) Approving or adopting the policy framework as set out in Article 4, above;
- (c) Approving the budget and levying Council Tax;
- (d) Determining the borrowing limits for the authority for each financial year and the proportions of borrowing that are to be set at variable rates;
- (e) Approving any application to the Secretary of State in respect of any Housing Land Transfer as set out in Article 4;
- (f) Subject to the urgency procedure contained in the Access to Information Procedure Rules in Part 4 of this Constitution, making decisions about any matter in the discharge of a Cabinet function which is covered by the policy framework or the budget where the decision maker is minded to make it in a manner which would be contrary to the policy framework or contrary to/or not wholly in accordance with the budget;
- (g) Appointing the Leader and Members of the Cabinet;
- (h) Agreeing and/or amending the terms of reference for committees, deciding on their composition and making appointments to them and delegating functions to them from time to time as may be appropriate;
- (i) Agreeing recommendations arising from Scrutiny Reviews of non-executive functions;
- (j) Deciding on recommendations arising from Scrutiny Reviews not accepted by the Cabinet and referred by the Chair of Overview and Scrutiny Committee;
- (k) Agreeing and/or amending the Scheme of Delegations to Officers;
- (l) Appointing representatives to outside bodies unless the appointment is a Cabinet function or has been delegated by the Council;

PART THREE – RESPONSIBILITY FOR FUNCTIONS

Section C – Terms of Reference: Full Council & Non Executive Bodies

- (m) Adopting and amending an allowances scheme under Article 4;
- (n) Changing the name of the area, conferring the title of honorary alderman or freedom of the borough and establishing any new Civic Link;
- (o) Confirming the appointment or dismissal of the head of paid service;
- (p) Making, amending, revoking, re-enacting or adopting bylaws and promoting or opposing the making of local legislation or personal Bills including the adoption of any legislation where the Council has a discretion;
- (q) All local choice functions set out in Part 3 to this Constitution which the Council decides should be undertaken by itself rather than the Cabinet, or any Committee, Sub-Committee or officer;
- (r) Entering into, or confirming existing, joint arrangements with other local authorities
- (s) Adopting the Members' Code of Conduct;
- (t) Approving Pilot Schemes for Local Elections;
- (u) Resolving not to issue any casino premises licences in the next three years;
- (v) Adopting Standing Orders for the Council and Standing Orders as to Contracts;
- (w) Making any decisions in respect of non-Executive functions which have not been expressly delegated elsewhere;
- (x) All matters that must be reserved to Council under the Finance Procedure Rules; and
- (y) All other matters that, by law, must be reserved to Council.

PART THREE – RESPONSIBILITY FOR FUNCTIONS

Section C – Terms of Reference: Full Council & Non Executive Bodies

SECTION 2 – COMMITTEES

The following shall be committees of the Council and they shall have the membership as described in the Appointments of Committees, Sub-Committees, Panels, etc (as approved by the Annual Meeting):

1. **The General Purposes Committee**
2. **Overview and Scrutiny Committee**
3. **Standards Committee**
4. **Alexandra Palace and Park Board**
5. **Remuneration Committee**
6. **Licensing Committee**
7. **Audit Committee**
8. **Planning Committee**
9. **Pensions Committee**

The Terms of Reference of each Committee shall be as set out on the following pages:

1. **General Purposes Committee**

The General Purposes Committee has: -

- (a) all the functions listed below in (b) and stated not to be the responsibility of the Council's Executive/Cabinet in Reg. 2 and Schedule 1 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 S.I. 2853 (as amended or further amended in any statute or subordinate legislation). References to paragraphs below are to those in the appropriate Schedule of the Regulations.
- (b) the following Schedule 1 functions:
 - (i) Paragraph B – Licensing and Registration ; determining all policy issues, procedures and standard terms and conditions relating to the non-executive licensing functions but excluding decisions in individual cases which are delegated to the Miscellaneous Functions Sub-Committee. The General Purposes Committee's functions include making recommendations on the Statement of

PART THREE – RESPONSIBILITY FOR FUNCTIONS

Section C – Terms of Reference: Full Council & Non Executive Bodies

Licensing Policy to full Council but do not include those functions under the Licensing Act 2003 which are within the jurisdiction of the Licensing Committee and Licensing Sub-Committees;

- (ii) Paragraph C - Health and Safety at Work; all functions discharged otherwise than in the Council's capacity as employer.
- (iii) Paragraph D – Elections; all functions relating to Elections except the approval of pilot schemes for local elections which is reserved to full Council.
- (iv) Paragraph H – Pensions; determining the Council's policies as Employing Authority and determining the terms of release of Chief and Deputy Chief Officers aged 50 or over and made redundant or retired early with a claim on the pension scheme;
- (v) Paragraph I – Miscellaneous; all functions except those retained by full Council in Article 4. The Committee's functions include:
 - (A) all functions relating to public rights of way in Part 1 except the creation, stopping up and diversion of highways, footpaths and bridleways in connection with development control decisions which are delegated to the Planning Committee;
 - (B) making arrangements for proper administration of financial affairs under section 151 Local Government Act 1972 but the appointment or dismissal of the Chief Finance Officer is to be in accordance with the Officer Employment Procedure Rules in Part 4 and the Committee's financial functions do not include those delegated to the Audit Committee;
 - (C) approving statements under The Accounts and Audit Regulations 2003 and any amendment or re-enactment of the Regulations;
 - (D) making arrangements for appointing and dismissing senior officers (Deputy Chief Officers and above) by establishing Appointment/Dismissal Panels in accordance with the Officer Employment Procedure Rules in Part 4 and determining the terms and conditions of service of those staff below Senior Management grades, including procedures for dismissal (determining terms and

PART THREE – RESPONSIBILITY FOR FUNCTIONS

Section C – Terms of Reference: Full Council & Non Executive Bodies

conditions of service of staff at and above Senior Management level is dealt with by Remuneration Committee);

- (E) authorising the making of payments or the provision of other benefits in cases of maladministration.
- (c) the following “Local Choice” functions set out in Schedule 2 of the above Regulations: -
- (i) any function under a local Act other than a function specified or referred to in Reg. 2 or Schedule 1 or expressly delegated elsewhere in this Constitution;
 - (ii) the determination of an appeal against any decision made by or on behalf of the authority;
 - (iii) passing a resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply to the Council's area (consent to the operation of loudspeakers).
- (d) the power to make recommendations to the Council on any of its functions set out in Article 4, and the power to establish Sub-Committees to consider and report on any such functions but this does not include recommendations to amend the Council's Constitution nor does it prevent the Council from making decisions on any matter when necessary without a prior recommendation from the Committee.

2. Overview and Scrutiny Committee

The Overview and Scrutiny Committee may:

- (a) exercise an overview of the forward plan;
- (b) review or scrutinise decisions made or actions taken in connection with the discharge of any of the Cabinet's or Council's functions;
- (c) make reports and recommendations to the full Council, the Cabinet or relevant non-Executive Committee in connection with the discharge of any functions;
- (d) make reports or recommendations on matters affecting the area or its inhabitants;
- (e) exercise the right to call-in, for reconsideration, decisions made but not yet implemented by the Cabinet;

PART THREE – RESPONSIBILITY FOR FUNCTIONS

Section C – Terms of Reference: Full Council & Non Executive Bodies

- (f) receive the reports and recommendations of its Panels; and
- (g) in accordance with statutory regulations to review and scrutinise matters relating to the health service within the Authority's area and to make reports and recommendations thereon to local NHS bodies.

3. Standards Committee

The Standards Committee will have the following roles and functions:

- (a) Promoting and maintaining high standards of conduct by Councillors, co-opted members and representatives of religious organisations and parent governor representatives;
- (b) Assisting the Leader, Councillors, co-opted members and representatives of religious organisations and parent governor representatives to observe the Members' Code of Conduct;
- (c) Advising the Council on the adoption or revision of the Members' Code of Conduct;
- (d) Monitoring the operation of the Members' Code of Conduct;
- (e) Advising, training or arranging to train Councillors, co-opted members and non-voting co-opted members on matters relating to the Members' Code of Conduct and the ethical framework;
- (f) Granting dispensations to Councillors, co-opted members and non-voting co-opted members from requirements relating to interests set out in the Members' Code of Conduct;
- (g) Advising the Council on codes and protocols forming the Council's ethical framework and its governance arrangements, monitoring the effectiveness of those arrangements and making reports and recommendations accordingly;
- (h) Dealing with any reports from a case tribunal or interim case tribunal and any report from the Monitoring Officer on any matter which is referred by the Ethical Standards Officer to the Monitoring Officer;
- (i) Hearing complaints against Councillors and voting co-optees made to the Council or referred back from the Standard Board for England;

PART THREE – RESPONSIBILITY FOR FUNCTIONS

Section C – Terms of Reference: Full Council & Non Executive Bodies

- (j) Hearing complaints against co-optees arising from alleged breaches of Codes and Protocols falling outside the jurisdiction of the Standards Board for England;
- (k) Responding to national reviews and consultations on standards related issues.

4. Alexandra Palace and Park Board

To fulfil the functions, powers and duties of the Council as Trustee of Alexandra Palace and Park under the Alexandra Park and Palace Acts and Order 1900 to 1985 and, without prejudice to the generality of this, these functions include:

- (a) The duty to uphold, maintain and repair the Palace and to maintain the Park and Palace as a place of public resort and recreation and for other public purposes.
- (b) Acting as the employing body for employees engaged in the working of the Trust at Alexandra Palace, and to be responsible for the setting of staffing policies, conditions of service and terms of employment of those employees.
- (c) In relation to the Trust, being responsible for developing and monitoring the implementation of effective policies and practices to achieve equality of opportunity both for employment and service delivery.

5. Remuneration Committee

- (a) To monitor the application of a scheme for the performance appraisal and remuneration of the Council's senior managers/chief officers.
- (b) To audit the outcomes of the scheme and scrutinise both appraisal and pay outputs.
- (c) To decide on the remuneration of posts covered by the Senior Management Performance Appraisal Scheme.
- (d) To agree senior management, chief officer and chief executive terms and conditions of employment and pay grades.
- (e) To evaluate the scheme's effectiveness, review the operation of the scheme and recommend changes as required to improve the system.

PART THREE – RESPONSIBILITY FOR FUNCTIONS

Section C – Terms of Reference: Full Council & Non Executive Bodies

- (f) To monitor pay trends and receive advice about the Council's senior management pay and retention strategy.

The Remuneration Committee has a membership of six which shall include:

- The Leader of the Council
- The Leader of the Opposition
- The Chair of General Purposes Committee (Chair)
- The Chair of Overview and Scrutiny

(The General Purposes Committee is responsible for the establishment, when specifically required, of Appointment/Dismissal Panels for the appointment or dismissal of senior officers subject to the Officer Employment Procedure Rules in Part 4).

6. Licensing Committee

- (1) The Licensing Committee has all the functions referred to it by law under the Licensing Act 2003 and the Gambling Act 2005. These include:
 - (a) To be responsible for monitoring the operation of the Acts licensable activities and gambling in the Borough;
 - (b) To receive reports on these matters and on the functions delegated to the Licensing Sub-Committees and to officers. To call for a report on any individual case;
 - (c) To be consulted on the review and determination of the Licensing Policy Statement and the Statement of Gambling Policy including procedures for Council consultation with external stakeholders;
 - (d) To determine the procedures to be followed in handling applications, notices, representations and all hearings, subject to the relevant Regulations;
 - (e) Subject to Regulations, to determine the fees payable for applications for premises licences and related matters under the Gambling Act 2005;
 - (f) To exercise the functions of the Licensing Sub-Committees in relation to any premises, site or event where 500 or more persons are to be present;
 - (g) To exercise the functions of the Licensing Sub-Committees in any case referred to the Committee by its Chair, or by the Chair of a Licensing Sub-Committee on the grounds of its special significance or difficulty;

PART THREE – RESPONSIBILITY FOR FUNCTIONS

Section C – Terms of Reference: Full Council & Non Executive Bodies

- (h) In a Council Election Year when there is a need to hold a hearing in the period between Election day and the Annual Meeting of the Council, those Members of the Licensing Committee who are re-elected as Councillors shall meet as the Licensing Committee to exercise any of the functions of the Licensing Sub-Committees, or under (f) above, and shall elect a Chair for the meeting.
- (2) Excluded from the Licensing Committee's terms of reference are:
 - (a) The functions statutorily referred to the General Purposes Committee, the Cabinet and the full Council including the formal review and determination of the Licensing Policy Statement and the Statement of Gambling Policy;
 - (b) The functions delegated to the Licensing Sub-Committees, as set out below, except where referred back to the Committee under sub-paragraph 6(1)(g) above.

7. Audit Committee

The purpose of the Audit Committee is:

- (i) to provide independent assurance of the adequacy of the risk management framework and the associated control environment,
- (ii) independent scrutiny of the Council's financial and non-financial performance to the extent that it affects the Council's exposure to risk and weakens the control environment, and
- (iii) to oversee the financial reporting process.

The Audit Committee has the following non-executive functions arising under section 151 of the Local Government Act 1972 and The Accounts and Audit Regulations (S.I. 2003/533) and any amendment or re-enactment of these provisions: -

Corporate Governance and Regulatory Framework

- (a) To maintain an overview of the Council's Constitution in respect of the financial regulations and the contract procedure rules.
- (b) To maintain an overview of the Council's arrangements for Corporate Governance and agreeing necessary actions to enable the Council to implement best practice as set out in statutory and other guidance

PART THREE – RESPONSIBILITY FOR FUNCTIONS

Section C – Terms of Reference: Full Council & Non Executive Bodies

- (c) To receive and recommend for adoption the Council's Statement on Internal Control
- (d) To monitor Council policies on "Whistleblowing" and Anti-Fraud and Corruption.
- (e) To review any issue referred to the Committee by another Council body, the Chief Executive or a Director.
- (f) To consider the Council's compliance with its own and other published standards and controls

Risk Management

- (g) To approve the Council's Risk Management Policy and receive regular reports on compliance with the policy across the Council
- (h) To review the effectiveness of systems for the assessment and management of material areas of risk within the Council and to monitor their maintenance and development in accordance with the Risk Management Policy

Audit Activity

- (i) To consider the Head of Audit and Risk Management's annual report and a summary of Internal Audit activity (actual and proposed) and the level of assurance it can provide about the Council's corporate governance arrangements
- (j) To consider and approve the Council's Annual Internal Audit Plan and the Annual Internal Audit Plan and ensure that it is consistent with the scope of the audit engagement or service delivery arrangements
- (k) To consider reports dealing with the management and performance of providers of internal audit services to the Council
- (l) To consider quarterly reports in respect of internal audit activity including ethical oversight issues and any major findings arising from internal audit reviews and to ensure that appropriate corrective action has been taken
- (m) To consider a report from Internal Audit on agreed recommendations not implemented within a reasonable timescale.
- (n) To approve any significant changes to the Strategic or Annual Audit Plans as requested by officers

PART THREE – RESPONSIBILITY FOR FUNCTIONS

Section C – Terms of Reference: Full Council & Non Executive Bodies

- (o) To receive reports from the Head of Audit and Risk Management on appropriate matters
- (p) To receive and note the Annual Audit Plan from the external auditor
- (q) To receive the Annual Audit Letter from the External Auditor and make any appropriate recommendations to full Council or The Cabinet in respect of these matters
- (r) To receive quarterly and annual reports in respect of external audit activity including ethical oversight issues.
- (s) To question officers and Cabinet Members on the above matters
- (t) To make any appropriate recommendations to full Council or the Cabinet in respect of these matters
- (u) To commission work from Internal and External Audit
- (v) To liaise with the Audit Commission over the appointment of the Council's external auditor

Accounts

- (w) To review the annual statement of accounts and, 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 or the Cabinet
- (x) To consider the External Auditor's report on issues arising from the audit of the accounts.

8. Planning Committee

The Committee may:

- (a) exercise all the functions which are set out in (b) below and which are stated not to be the responsibility of the Executive in Regulation 2 and Schedule 1 of The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) and in any statute or subordinate legislation further amending those Regulations (references to paragraphs are to those in Schedule 1);
- (b) exercise the following functions:

PART THREE – RESPONSIBILITY FOR FUNCTIONS

Section C – Terms of Reference: Full Council & Non Executive Bodies

- (i) paragraph A - Town Planning (all functions), including determination of applications for planning permission, conservation area consent, listed building consent and advertisements consent, entering into planning agreements and enforcement of planning and listed building controls
- (ii) paragraph I - Miscellaneous Functions
 - (A) the creation, stopping up and diversion of highways, footpaths and bridleways in connection with development control decisions, and
 - (B) the preservation of trees;
- (c) enter into highway works agreements under section 278 of the Highways Act 1980;
- (d) approve for the purposes of public consultation draft proposals associated with the preparation of alterations to, or the replacement of, the Unitary Development Plan (and subsequently the Local Development Framework);
- (e) make recommendations to the Cabinet on the terms of the Unitary Development Plan (and subsequently the Local Development Framework) to be recommended by the Cabinet to the Council for amendment or adoption;
- (f) make recommendations to the Cabinet on the following where consistent with the Unitary Development Plan (and subsequently the Local Development Framework);
 - (i) planning and land use policy including supplementary planning guidance;
 - (ii) local guidelines and planning and development briefs;
 - (iii) the preparation of guidance on the following functions where they relate to the built environment: -
 - quality of design
 - heritage and conservation
 - coherence of street furniture
 - street trading
 - (iv) grant support, scheme design, feasibility studies, tender acceptance and implementation, in relation to development projects (falling within the responsibilities of the Urban Environment Directorate) involving the following: -
 - building or refurbishment works
 - conservation and restoration

PART THREE – RESPONSIBILITY FOR FUNCTIONS

Section C – Terms of Reference: Full Council & Non Executive Bodies

- landscaping and environmental enhancement
- street works and other works in conservation areas
- community safety
- economic development and community enterprise
- area promotion
- arts development

9. Pensions Committee

- (a) To exercise the functions which are stated not to be the responsibility of The Executive in Regulation 2 and Schedule 1 paragraph H of The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) and in any Statute or subordinate legislation further amending these Regulations. The Committee's functions are those of the "Administering Authority" under the Pensions legislation.
- (b) To be responsible for the management and monitoring of the Council's Pension Fund through:
 - (i) Selection and appointment of Investment Managers, master custodian, provider of performance monitoring against benchmarks services, providers for the Council's Additional Voluntary Contributions (AVC) scheme and specialist external advisors as necessary.
 - (ii) Reviewing Investment Managers' performance.
 - (iii) Formulation of investment, socially responsible investments (SRI) and governance policies.
 - (iv) Maintaining a Statement of Investment Principles.
 - (v) Publicising statements and policy documents as required by legislation, government directives and best practice.
- (c) To monitor and as appropriate to decide upon Pensions Administration issues.
- (d) To receive the Pension Fund Budget annually and monitor spend against this.
- (e) To agree to the admission of bodies into the Council's Pension scheme.
- (f) To receive actuarial valuations.

SECTION 3 - SUB-COMMITTEES AND PANELS

The following bodies shall be created as Sub-Committees of the relevant Committee of the Council under which they are listed. Bodies described as "Panels" are Sub-Committees unless otherwise stated. Sub-Committees shall report to their parent bodies and they shall have the membership as described in the Appointments of Non-Executive Committees, Sub-Committees, Panels, etc as approved by the Annual Meeting

1. Under the General Purposes Committee

1.1 Miscellaneous Functions Sub-Committee

- (a) The Committee has all the functions which are stated not to be the responsibility of the Council's Executive in Regulation 2 and paragraph B (Licensing and Registration) of Schedule 1 of The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 S. I. 2853, as amended, or further amended, in any statute or subordinate legislation. The Committee's functions do not include those within the remit of the General Purposes Committee or those under the Licensing Act 2003 which are within the remit of the Licensing Committee and Licensing Sub-Committees.
- (b) The Sub-Committee's functions include making decisions in all individual licensing or registration cases where a hearing is required.
- (c) The Committee has power to make final decisions on behalf of the Council in relation to its functions in (b).
- (d) Excluded from the Sub-Committee's terms of reference under (a) are decisions on all policy issues, procedures and standard terms and conditions which are within the jurisdiction of the General Purposes Committee.

1.2 Disciplinary Appeals Panel

To confirm, reduce or increase the penalty imposed by previous internal disciplinary hearings.

1.3 Grievance Panel

To determine grievances lodged by employees of the Council in relation to their terms and conditions of service, in accordance with the approved procedures.

PART THREE – RESPONSIBILITY FOR FUNCTIONS

Section C – Terms of Reference: Full Council & Non Executive Bodies

1.4 Job Evaluation Appeals Panel

To determine job evaluation appeals lodged by employees of the Council in accordance with the approved procedures.

1.5 Haringey Council and Employees Joint Consultative Sub-Committee

- (a) To negotiate on matters relating to the service between the Council and the officers or between officers with a view to the prevention of differences and to their better adjustment when they appear, and to make appropriate recommendations to the General Purposes Committee.
- (b) To secure the largest possible measure of joint action between the Council and the officers for the development and improvement of local government administration, and for the consideration of the conditions of all engaged therein.
- (c) To make provision for members of the Cabinet to meet with Employees' Side representatives for the purpose of negotiation and consultation on matters affecting Soulbury paid officers.

2. Under Overview and Scrutiny Committee

2.1 Scrutiny Review Panels

- (a) To carry out scrutiny processes relevant to particular services/topics as determined by Overview and Scrutiny Committee and within the parameters, protocols and procedures agreed by Overview and Scrutiny Committee for all Scrutiny Review Panels.
- (b) Within these scrutiny processes to request and receive submissions, information and answers to questions from Cabinet Members, officers and other senior employees of the Council, service users, external experts and relevant members of the public.
- (c) To refer the findings/recommendations in the form of a written report, within the agreed time-scale and with the approval of the Overview and Scrutiny Committee, to The Cabinet and/or the Council as appropriate.

PART THREE – RESPONSIBILITY FOR FUNCTIONS

Section C – Terms of Reference: Full Council & Non Executive Bodies

3. Under Licensing Committee

3.1 Licensing Sub-Committees

General Provisions

- (a) To exercise all the functions listed in these terms of reference in relation to any premises, site or event where less than 500 persons are to be present;
- (b) The Chair of a Licensing Sub-Committee may, before hearing it, refer any case falling within these terms of reference to the Licensing Committee on the grounds of its special significance or difficulty. This power may also be exercised by the Chair of the Licensing Committee;
- (c) Licensing Sub-Committees have the power to make final decisions on behalf of the Council on matters within their terms of reference and there is no right of appeal to the Licensing Committee.

Functions under both the Licensing Act 2003 and the Gambling Act 2005

- (d) To determine applications for premises licences where relevant representations have been made;
- (e) To determine applications for provisional statements where relevant representations have been made;
- (f) To determine applications for variations of premises licences where relevant representations have been made;
- (g) To determine valid applications for review of premises licences;
- (h) To decide on any other matter where it is necessary or desirable for Members to make that decision;

Functions under the Licensing Act 2003 alone

- (i) To determine applications to vary designated premises supervisors following police objections;
- (j) To determine applications for transfer of premises licences following police objections;
- (k) To consider police objections made to interim authority notices;

PART THREE – RESPONSIBILITY FOR FUNCTIONS

Section C – Terms of Reference: Full Council & Non Executive Bodies

- (l) To determine applications for club premises certificates where relevant representations have been made;
- (m) To determine applications to vary club premises certificates where relevant representations have been made;
- (n) To determine valid applications for review of club premises certificates;
- (o) To decide whether to give counter notices following police objections to temporary event notices;
- (p) To determine applications for grants of personal licences following police objections;
- (q) To determine applications for renewals of personal licences following police objections;
- (r) To decide on revocation of personal licences where convictions come to light after grant;

Functions under the Gambling Act 2005 alone

- (s) To determine applications for transfers of premises licences following representations by the Gambling Commission or others;
- (t) To determine applications for the re-instatement of premises licences where relevant representations have been made;
- (u) To decide whether to give counter notices following objections to temporary use notices;
- (v) To determine applications for the grant of club gaming permits and club machine permits where objections have been received;
- (w) To determine proposals to cancel club gaming permits and club machine permits where the holder requests a hearing;
- (x) When the licence holder requests a hearing, to determine officer proposals: (i) to make an order removing the entitlement of an on-premises alcohol licence holder to have one or two gaming machines, or (ii) to cancel or vary a licensed premises gaming machine permit;
- (y) To determine licensed premises gaming machine permit

PART THREE – RESPONSIBILITY FOR FUNCTIONS

Section C – Terms of Reference: Full Council & Non Executive Bodies

applications for 5 or more machines and all applications for any number of machines where there is cause for concern about the proper management of the premises;

SECTION 4 - ALEXANDRA PALACE AND PARK

Arising from the Council's role as trustee of Alexandra Palace and Park the following additional bodies shall be established. Membership of the additional bodies is as described in the Appointments of Non Executive Committees, Sub-Committees, as approved by the Annual Meeting. The Terms of Reference of the additional bodies shall be as follows:

1. Alexandra Palace and Park Panel

To consider and take decisions upon urgent matters arising between ordinary meetings of the Alexandra Palace and Park Board. The Panel is composed of four Members, selected with reference to political balance.

2. Alexandra Palace and Park Consultative Committee

Alexandra Palace and Park Consultative Committee 9 Members, 3 non-voting and up to 30 community representatives.

- (a) To give representatives of appropriate local and national organisations the opportunity of full discussion with Members of the Alexandra Palace and Park Board on general matters affecting Alexandra Palace and Park.
- (b) To give Members of the Alexandra Palace and Park Board the opportunity of discussing and explaining to the organisations matters affecting the overall policy and efficient management of Alexandra Palace and Park.
- (c) To promote better understanding between Members of the Alexandra Palace and Park Board, the Palace Management and local organisations.
- (d) To enable appropriate local (and national) organisations to be fully consulted on decisions of direct concern to them.
- (e) To promote the best interests of the Alexandra Palace and Park as a conservation area.

PART THREE – RESPONSIBILITY FOR FUNCTIONS

Section C – Terms of Reference: Full Council & Non Executive Bodies

3. **Alexandra Palace and Park Consultative Forum**

Alexandra Palace and Park Consultative Forum 4 Members plus 4 Trade Union representatives

- (a) To be a forum for consultation and negotiation between the Alexandra Palace and Park Board and its employees, on issues in relation to Conditions of Employment.
- (b) To consider issues referred directly by Management or by the Trade Unions in consultation with the Employer's Side Secretary.
- (c) To provide a means whereby the Alexandra Palace and Park Board can consult Union representatives on policies and strategies and provide an arena for discussion of matters of mutual interest.
- (d) To provide a means of effective communication, in order to prevent or eliminate friction and misunderstanding.

The Consultative Forum may not consider any matter concerning an individual employee, nor any issues that fall within the scope of other existing procedures, e.g. dismissal appeals, individual grievances and individual salary issues; such matters may only be raised as a matter of principle/policy.

Note:

The Alexandra Palace and Park Board also receives advice from the Alexandra Park and Palace Statutory Advisory Committee, an external body established under the terms of the Alexandra Park and Palace Act 1985. Its functions, as laid down by the Act are as follows: -

'The powers and duties of the Advisory Committee shall be to promote the objects of the charity and assist the Trustees in fulfilling the trusts by considering and advising the Trustees on the following matters.-

- (a) the general policy relating to the activities and events arranged or permitted in the Park and Palace;
- (b) the effects of such activities and events upon the local inhabitants and local environment;
- (c) the frequency of activities and events attracting more than 10,000 people at any one time and maximum number to be permitted on such occasions;

PART THREE – RESPONSIBILITY FOR FUNCTIONS

Section C – Terms of Reference: Full Council & Non Executive Bodies

- (d) the adequacy of car parking arrangements within the Park and Palace so as to avoid overflow into adjoining residential streets;
- (e) any proposals which require planning permission;
- (f) the establishment and maintenance of the Park as a Metropolitan Park;
- (g) the furtherance of recreation and leisure in the Alexandra Park and Palace.

SECTION 5 - AREA ASSEMBLIES

AREA ASSEMBLIES

- (a) To work with Council directorates, partner organisations and local communities in an advisory and consultative capacity to enhance the quality, co-ordination and accountability of services provided within neighbourhoods.
- (b) To monitor and make proposals for improvements to the physical environment and street scene of neighbourhoods and to consider the impact at a neighbourhood level of strategic policies to develop services.
- (c) To be fully consulted on the management and delivery of regeneration and partnership schemes that are operating within neighbourhoods, ensuring that local people are able to communicate effectively with the Council and regeneration partnerships.
- (d) To be fully consulted on the long-term development of neighbourhood plans to feed into the community planning process.
- (e) To operate as a sounding board for local consultation on Council strategies and plans put forward by the Council or its partners.
- (f) To refer recommendations to the Cabinet and to the Overview and Scrutiny Committee and to partner organisations in accordance with the above, and to monitor implementation of those service improvements arising from previous Assembly meetings.

PART THREE – RESPONSIBILITY FOR FUNCTIONS

Section C – Terms of Reference: Full Council & Non Executive Bodies

SECTION 6 - EMERGENCY PROCEDURES IN ELECTION YEAR

In the year of the ordinary election of Borough Councillors, between the day after the election and the day of the Annual Meeting, the Chief Executive may, so far as is lawful, exercise any of the functions of the Council or its non-executive bodies in cases of urgency in consultation with the Mayor. Decisions made by the Chief Executive in accordance with this paragraph shall be reported to the next meeting of the appropriate body.

SECTION 7- GROUP MEETINGS

In recognition of the role of Group Meetings in the consideration of Council business and of the fact that the supply of advice, reports, information and other material to Group Meetings is generally conducive to the due process of Council business, the following facilities shall be made available for the conduct of Group Meetings and for any Group Committees which may be established for the consideration of Council business:

- (a) suitable accommodation for meetings;
- (b) assistance with the production and distribution of agenda and minutes;
- (c) where the Majority Group makes arrangements for the discussion of items prior to their submission to a committee or sub-committee or Panel, arrangements shall be made through the Leader of the Council or the appropriate Executive Member to ensure that official information, advice and reports are available to the Group Meetings;
- (d) where a Minority Group makes similar arrangements for the consideration of Council business, arrangements shall be made through the Leader of the Minority Group, or the appropriate spokesperson, to make available information from published sources and advice on Council procedures but not official advice as to the policies which that Minority Group should pursue. The Majority Group Leader or the appropriate Cabinet Member shall be made aware of information provided to a Minority Group unless it is of routine or trivial nature.

SECTION 8 – CREATION OF NEW BODIES

Creation of New Non-Executive Bodies

Proposals for the creation of new bodies exercising non-Executive functions to exist for more than three months shall be submitted to the

PART THREE – RESPONSIBILITY FOR FUNCTIONS

Section C – Terms of Reference: Full Council & Non Executive Bodies

General Purposes Committee with details of the proposed membership, terms of reference and comments by the Head of Local Democracy & Member Services on the staffing implications.