

Part 3

Responsibility for Functions

Who makes the decisions

CONTENTS

1. Responsibility for council functions
2. Responsibility for Joint Functions
3. Scheme of Delegation of responsibility for functions.

1. Responsibility for Council Functions

Responsibility for certain functions is reserved to (full) Council as described in Article 4.01. Other functions and decisions are the responsibility of the Council's committees, as set out in the following Table. In addition Policy and Resources Committee and Planning Policy Committee (but not any Sub-Committee) can refer by a decision that would otherwise be delegated to (full) Council for determination.

Committee (type)	Membership	Functions	Delegation of Functions
<p>Policy and Resources (Principal policy committee)</p>	<p>15 councillors</p>	<p>The formulation, development and implementation of the council's overall budget and policy framework.</p> <p>The coordination of the implementation of policy and strategic objectives across the council.</p> <p>The implementation of strategy in respect to the social, economic and environmental well-being of citizens in respect of functions and services not otherwise the responsibility of the full council.</p> <p>The promotion and maintenance of excellent customer services in line with the Council's corporate priorities.</p> <p>Functions relating to personnel and health and safety to the extent that those functions are discharged in the council's capacity as an employer.</p>	<p>Functions which are delegated on, for example to an officer, and the limits of that delegation are defined in Part 3.3 of the Constitution</p> <p>A standing Finance and Performance Sub Committee manages revenue and capital expenditure and progress of the capital programme.</p> <p>A standing Personnel Sub Committee determines matters in relation to personnel and the health and safety of council employees.</p>
<p>Planning Policy (Policy)</p>	<p>15 councillors</p>	<p>The formulation and development of the Council's Local Plan and the formation, development and making (adoption) of Neighbourhood Plans. The implementation of spatial planning policy and determination of strategic planning objectives</p>	<p>Functions which are delegated on to an officer, and the limits of that delegation, are defined in Part 3.3 of the Constitution</p>

Planning Management (Regulatory)	18 councillors	The functions relating to town and country planning and development control as specified in Schedule 1 of the Local Authorities (Functions and Res-ponsibilities) (England) Regulations 2000 (the Functions Regulations)	Functions which are delegated on, for example to an officer, and the limits of that delegation, are defined in Part 3.3 of the Constitution
Licensing (Regulatory)	15 councillors	Licensing functions as set out in the Licensing Act 2003 and The Gambling Act 2005	Functions which are delegated on, for example to a Licensing (Liquor and Gambling) Panel, or an Officer, and the limits of that delegation are defined in Part 3.3 of the Constitution
Licensing (Taxi and Miscellaneous) Panels	3 councillors	The determination of Hackney carriage and Private Hire Drivers' Licenses' where a DBS check has revealed serious issues and determination of any other licensing applications (apart from Liquor and Gambling) where the Head of Environmental Services is minded to refuse	
Governance and Audit Committee	10 councillors	Council's audit and internal control arrangements other than where decisions are reserved to council as per Article 4 of the Constitution	
Grievance Committee	3 councillors	The determination of grievances against the Chief Executive	<ul style="list-style-type: none"> • To uphold or dismiss the grievance. • To refer an upheld grievance to an Investigation and Disciplinary Committee (to be created and approved by Council)

2: **Responsibility for Joint Functions**

- 2.1 In accordance with Article 10, Paragraph 10.02 of this constitution, the council has agreed to establish joint arrangements with Northamptonshire County Council, and the Borough Councils of Corby, Kettering and Wellingborough to form a North Northamptonshire Joint Planning Committee to agree a common set of strategic planning policies for the North Northamptonshire Area.
- 2.2 In accordance with Article 10, Paragraph 10.02 of this constitution, the council has agreed to establish joint arrangements with other local authorities in Northamptonshire to deliver the following specific functions:-
- (a) licensing administration (with several District and Borough Councils)
 - (b) ICT (with the Borough Council of Wellingborough)
 - (c) Financial Services (with the Borough Council of Corby)
 - (d) Payroll Services (with the Borough Council of Corby)
 - (e) Legal Services (with Local Government Shared Services – LGSS)
 - (f) Health and Safety and Business Continuity (with the Borough Councils of Kettering and Corby).
 - (g) Procurement (with several other District and Borough Councils and hosted by Melton Borough Council)
 - (h) Internal Audit (with several other Councils and hosted by Local Government Shared Services).

and to explore the scope for further joint working.

- 2.3 In accordance with Article 10, Paragraph 10.02, of this constitution, the council has agreed to establish joint arrangements with the Town and Parish Councils in the district to deliver the specific function of the assessment, investigation, hearing and appeal of complaints that any councillors of the said councils may have breached the Code of Conduct for councillors and for the determination of certain requests for dispensation, in accordance with the provisions of Part 9 of this constitution.

3 Delegation to Officers

- 3.1 The council has to make numerous decisions on a daily basis. As it would be impossible for all of those decisions to be made by (full) Council or a committee it is necessary for the responsibility for making many of those decisions to be delegated to officers as outlined below.
- 3.2 The exercise of such delegated powers by officers:
- a) shall comply with the council's budget and policy framework and this constitution
 - b) shall not authorise expenditure except:
 - i) where it is in accordance with approved provision within the budget;
 - ii) is to such an extent as may be permitted by rules of procedure and other codes of practice;
 - iii) or where other further approval is required, such approval has been given
 - c) shall not authorise the making, creation or revocation of proposals, schemes or plans for the development or administration of the services which, by law, require the approval of a Minister of the Crown
 - d) shall be the subject of prior consultation with an appropriate professional or technical advisor to the council in any case involving professional or technical considerations not within the province of the officer concerned
- 3.3 The delegation of functions, powers and duties to officers shall be deemed to include in a reference to any Act of Parliament a reference to any statutory extension, amendments, modification or re-enactment thereof for the time being in force and to any Regulation, Order or Direction made under any such Act, amendment, modification or re-enactment
- 3.4 In the absence of a delegated officer all delegated powers in Part 3.2 or other policies may be exercised by the Chief Executive or Chief Officers unless a specific qualification is required or the delegation is to a specific named officer or statutory officer role.

Amended: by Council 1 November 2010 Minute 245(b), Council 18 July 2011 Minute 102(b), Council 16 July 2012 Minute 108, Council 13 January 2014 Minute 319, Council 14 July 2014 Minute 84(b); 17 October 2016 Minute 228; Council 17 July 2017; Council 08 November 2017; Annual Council 16 May 2018 Minute 14; Council 22 July 2019 Minute 111; Annual Council 13 May minute ??