

THE CONSTITUTION OF THE COUNCIL

PART 3

SECTION 1

RESPONSIBILITY FOR FUNCTIONS

INTRODUCTION

The County Council is required by the Local Government Act 2000 and Regulations made under it to indicate how it has arranged for its functions to be carried out. The Scheme of Delegation (“the Scheme”) sets out details of who is responsible for which functions in the Authority and the extent to which any functions have been delegated.

7 LOCAL COMMITTEES¹

7.1 Membership

Between 5 and 10 county councillors depending upon the number of electoral divisions within each district/borough area and an equal number of co-opted district/borough councillors with voting rights in relation to all matters, with the exception of Education, Youth and Members’ Allocations.

7.2 Executive Functions of Local Committees

Local committees will be responsible for the following:

a) Decisions relating to general power of competence

The County Council members of local committees may take decisions in response to local needs, within the County Council’s general power of competence and in accordance with the financial framework and policies of the County Council.

b) Decisions on local services and budgets

In relation to the District or Borough they serve each local committee will take decisions delegated to them by the Leader and/or Cabinet on the following local services and budgets, to be taken in accordance with the financial framework and policies of the

¹ Apart from Woking, Spelthorne, Guildford and Woking Joint Committees the arrangements for which are set out at section 7A, 7B, 7C and 7D

County Council, within a framework of agreed performance and resources:

- (i) Changes which amount to more than 15% in the hours of opening for local libraries (whether managed directly by Surrey County Council or under a community partnership agreement.)
- (ii) Community safety funding that is delegated to the Local Committee.
- (iii) ~~Decisions in relation to highways & infrastructure:~~
 - ~~a. The allocation of the highway capital budget and highway revenue budget which are devolved to the Local Committee for minor highway improvements, and highway maintenance, within the committee's area including the scope to use a proportion of either budget to facilitate local initiatives.~~
 - ~~b. To allocate funds to review on-street parking management, including local parking charges where appropriate and to approve the statutory advertisement of Traffic Regulation Orders relating to on-street parking controls.~~
 - ~~c. To agree local speed limits on County Council roads, within their area and to approve the statutory advertisement of speed limit orders, taking into account the advice of the Surrey Police road safety and traffic management team and with regard to the County Council Speed Limit Policy.~~
 - ~~d. To approve the statutory advertisement of all legal orders or appropriate notifications relating to highway schemes within the delegated powers of the Local Committee.~~
 - ~~e. Where, under delegated powers, the Parking Strategy and Implementation Team Manager or Area Team Manager has chosen to refer the decision on whether a Traffic Regulation Order should be made to the Local Committee, the committee will make that decision.~~
 - ~~f. To consider applications for stopping up a highway under section 116 of the Highways Act 1980 when, following consent of any relevant borough/district/parish council, unresolved objections have been received during the period of statutory public advertisement, and to decide whether~~

~~the application should proceed to the Magistrates' Court.~~

- (iii) In relation to youth services:
 - a. The approval of prevention priorities for Young People for the relevant borough or district area after consideration of any local needs assessment.
 - b. To apportion the delegated funding for young people between the Local Prevention Grants and Individual Prevention Grants categories of funding, in accordance with the allocated budget.
- c) Approve the award of the Local Prevention funding agreements for the provision of local prevention services for the relevant borough or district in accordance with the allocated budget.

This power to be exercised by the Portfolio Holder in the event that the relevant local committee is unable to award a funding agreement(s) (due to the presence of conflicts of interest which result in the body being inquorate).

- d) To approve Youth Task Group advice on the allocation of Community Youth Work and Surrey Outdoor Learning and Development Local Offer resources to meet local priorities for young people in the area.

7.3 **Service Monitoring, Scrutiny & Issues of Local Concern**

The Local Committees may:

- i) In relation to the exercise of executive functions relating to Members allocations, the Local Committee will receive a report on all projects approved under delegated authority of the Community Partnership Manager or Team Leader.
- ~~ii) In relation to Community Highway Enhancement allocations, receive a report on all projects approved by Individual Members of the authority under delegated authority, or by the Area Team Manager where Members have requested that their allocations be combined to be spent in one or more divisions.~~
- iii) Monitor the formal decisions taken by officers under delegated powers and provide feedback to improve service standards.
- iv) Engage in issues of concern to local people and seek to influence the County Council, the Leader and Cabinet in relation to countywide services and plans in the light of local needs.

- v) Consider priorities for collaborative work undertaken within the committee's area by county services and partners.
- vi) Monitor the quality of services provided locally, and recommend action as appropriate.
- vii) Be informed of the Borough/District based community strategies and related local plans within their area.
- viii) Be informed in relation to the prioritisation of proposed and planned infrastructure schemes, or developer funded highway improvements within their area.
- ~~ix) Be informed of and receive appropriate reports on highway initiatives and/or improvements either wholly or partly in their area.~~
- ~~x) Monitor local initiatives agreed and funded by Local Committees.~~
- ~~xi) Oversee and monitor on street parking enforcement including financials in its area subject to terms of reference, agreed by the committee, which best suit its particular local circumstances.~~
- xii) Scrutinise the impact of the Local Prevention, Community Youth Work and Surrey Outdoor Learning and Development Local Offer in accordance with prevention priorities for Young People in the local area.
- ~~xiii) Guildford Local Committee may be consulted by the borough council in relation to proposed borough plans and make recommendations to the borough council on those proposals which will include parking and infrastructure matters.~~

7.4 Non-Executive Functions

Local Committees will deal with all those non-executive functions relating to public rights of way set out in the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, as amended, except for those separately referred to in the Scheme of Delegation (or within the terms of reference of other Committees).

(Note: A local committee may not make any decision which will have an adverse effect on a part of the county for which it does not have functions).

7A WOKING JOINT COMMITTEE

7.5 Membership

All County Councillors with an electoral division in Woking, one Surrey County Council Cabinet Member (who can also be a County Councillor with an electoral division in Woking), and an equivalent number of Borough Councillors who should be politically proportionate to the Borough Council. At least one Borough Councillor should be a member of that Council's executive. All Borough and County Councillors on the Joint Committee will have equal voting rights on all issues being considered.

7.6 Executive Functions of Woking Joint Committee (delegated by Surrey County Council (SCC) and Woking Borough Council (WBC))

The Joint Committee will be responsible for the following decisions on local services and budgets:

- a) In relation to the Borough of Woking the Joint Committee will take decisions delegated to it by the SCC Leader and/or Cabinet and/or the WBC Leader and/or Executive on the following local services and budgets, to be taken in accordance with the financial framework and policies of the respective Councils within a framework of agreed performance and resources:
 - (i) Changes which amount to more than 15% in the hours of opening for local libraries (whether managed directly by Surrey County Council or under a community partnership agreement.) (SCC)
 - (ii) Community safety funding that is delegated to the Joint Committee. The Joint Committee will act as the Community Safety Partnership (Note: Domestic Homicide Reviews will be chaired by such person as the Chairman of the Joint Committee shall nominate) (SCC/WBC).
 - (iii) Decisions in relation to highways and infrastructure:
 - a. ~~The allocation of the Surrey County Council highway capital budget and highway revenue budget which are devolved to the Joint Committee for minor highway improvements and highway maintenance within the committee's area, including the scope to use a proportion of either budget to facilitate local highways initiatives (SCC).~~
 - b. ~~To allocate funds to review on-street parking management, including local parking charges where appropriate, and to approve the statutory~~

~~advertisement of Traffic Regulation Orders (TROs) relating to on-street parking controls (SCC).~~

~~c. To agree local speed limits on County Council roads within its area, and to approve the statutory advertisement of speed limit orders, taking into account the advice of the Surrey Police Road Safety and Traffic Management Team and with regard to the County Council Speed Limit Policy (SCC).~~

~~d. To approve the statutory advertisement of all legal orders or appropriate notifications relating to highway schemes within the delegated powers of the Joint Committee (SCC).~~

~~e. Where, under delegated powers, the Parking Strategy and Implementation Team Manager or Area Team Manager has chosen to refer the decision on whether a TRO should be made to the Joint Committee, the Committee will make that decision (SCC).~~

f. Oversee and determine priorities for the Woking Town Centre Management Agreement. (WBC)

~~g. To consider applications for stopping up a highway under section 116 of the Highways Act 1980 when, following consent of any relevant borough/district/parish council, unresolved objections have been received during the period of statutory public advertisement, and to decide whether the application should proceed to the Magistrates' Court (SCC).~~

(iv) Consider how Community Infrastructure Levy (CIL) receipts will be expended in Woking, taking into account the approved Infrastructure Capacity Study and Delivery Plan (IDP) for Woking. (WBC)

(v) In relation to services for young people, with the aim of achieving an integrated approach from Surrey County Council and Woking Borough Council (SCC/WBC):

a) To agree joint priorities for commissioning by the County Council and the Borough Council in Woking for provision of:

i) youth work and

- ii) other preventative work with young people who are at risk of becoming not in education, training or employment (NEET).
 - b) To apportion delegated funding for young people, specifically the distribution between Local Prevention and Individual Prevention categories of funding, in accordance with the allocated budget and small grants (youth) as allocated by the Borough Council.
 - c) To approve the award of the Local Prevention for the provision of local prevention services for Woking Borough in accordance with the allocated budget and to qualified providers. This power to be exercised by the County Council Portfolio Holder in the event that the Joint Committee is unable to award funding agreement(s) (due to the presence of conflicts of interest which result in the body being inquorate).
 - d) To approve the award of youth service related commission(s) as delegated to the Joint Committee by Woking Borough Council.
 - e) To oversee and determine priorities for the Full Participation Programme and make appropriate linkages into the work of Services for Young People and Woking Borough Council.
 - f) To approve Youth Task Group advice on the allocation of Community Youth Work and Surrey Outdoor Learning and Development Local Offer resources to meet local priorities for young people in the local area.
- (vi) Oversee and influence priorities for the Family Support Programme in Woking and monitor its performance. (SCC/WBC)
 - (vii) Determine priorities for collaborative work undertaken within the committee's area by the Councils and other partners. (SCC/WBC).
 - (viii) Decisions on any funding when a budget is allocated to the Joint Committee by either of the Councils (SCC/WBC).

7.7 Non-Executive Functions

The Joint Committee will deal with all those non-executive functions relating to public rights of way set out in the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, as amended, except for those separately referred to in the County

Council's Scheme of Delegation (or within the terms of reference of other Committees).

7.8 Service Monitoring, Scrutiny and Issues of Local Concern

The Joint Committee may:

- (i) In relation to the exercise of County Council Executive functions relating to Members allocations, receive a report on all projects approved under delegated authority of the Community Partnership Manager or Team Leader. (SCC)
- ~~(ii) In relation to Community Highway Enhancement allocations, receive a report on all projects approved by Individual Members of the County Council under delegated authority, or by the Area Team Manager where Members have requested that their allocations be combined to be spent in one or more divisions. (SCC)~~
- (iii) Monitor formal decisions taken by officers under delegated powers and provide feedback to improve service standards. (SCC/WBC)
- (iv) Engage in issues of concern to local people and seek to influence the respective Councils in the light of local needs. (SCC/WBC)
- (v) Monitor the quality of services provided locally, and recommend action as appropriate. (SCC)
- (vi) Support Surrey Schools, strengthening links with Headteachers and Governing Bodies to promote the outcomes of increased investment for safer, better schools focused on raising the standards of education for all children in Woking.
- (vii) Be informed in relation to the prioritisation of proposed and planned infrastructure schemes, or developer funded highway improvements within Woking. (SCC)
- ~~(viii) Be informed of and receive appropriate reports on highway initiatives and/or improvements either wholly or partly in Woking. (SCC)~~
- ~~(ix) Oversee local initiatives agreed and funded by the Joint Committee. (SCC/WBC)~~
- ~~(x) Oversee on-street parking enforcement including financials in its area subject to terms of reference agreed by the Committee, which best suit its particular local circumstances. (SCC)~~
- (xi) Oversee and scrutinise the impact of the Local Prevention, Community Youth Work and Surrey Outdoor Learning and Development Local Offer in accordance with prevention priorities for young people in the local area. (SCC)
- (xii) Be advised of the Joint Youth Estates Strategy for Woking Borough. (SCC/WBC)
- (xiii) Provide political oversight and advice on the Community Safety functions of the Borough. (SCC/WBC)

(xiv) Act as the local Health and Wellbeing Board for Woking and oversee and set priorities for general health and wellbeing matters within the framework of Surrey's Joint Health and Wellbeing Strategy. (SCC/WBC)

(xv) Be consulted on any issues referred to it by either Council and produce responses as appropriate. (SCC/WBC)

(Note: A joint committee may not make any decision which will have an adverse effect on a part of the county for which it does not have functions).

7B SPELTHORNE JOINT COMMITTEE

7.9 Membership

Membership of the Spelthorne Joint Committee shall be all county councillors with electoral divisions in Spelthorne, one Surrey County Council Cabinet Member (who may also be a county councillor with an electoral division in Spelthorne), and an equivalent number of borough councillors who should be politically proportionate to the Borough Council. At least one borough councillor shall be a member of that Council's Cabinet. If there is no Surrey County Council Cabinet Member with an electoral division in Spelthorne for the Leader of the County Council to appoint a specific Cabinet member to the Spelthorne Joint Committee at the Council AGM. No substitutes will be permitted for the members on the Joint Committee. Members will be appointed to the committee at the first business meeting of the respective Council, at the start of each municipal year. All borough and county councillors on the Joint Committee will have equal voting rights on all issues being considered.

7.10 Executive Functions (delegated by Surrey County Council and Spelthorne Borough Council)

The Joint Committee will be responsible for the following decisions on local services and budgets:

- a) In relation to the Borough of Spelthorne the Joint Committee will take decisions delegated to it by the SCC Leader and/or Cabinet and/or the SBC Leader and/or Cabinet on the following local services and budgets, to be taken in accordance with the financial framework and policies of the respective Councils within a framework of agreed performance and resources:
 - (i) Changes which amount to more than 15% in the hours of opening for local libraries (whether managed directly by Surrey County Council or under a community partnership agreement.) (SCC)
 - (ii) Community safety funding that is delegated to the Joint Committee (SCC/SBC).

- ~~(iii) Decisions in relation to highways and infrastructure:~~
- ~~a. The allocation of the Surrey County Council highway capital budget and highway revenue budget which are devolved to the Joint Committee for minor highway improvements and highway maintenance within the Committee's area including the scope to use a proportion of either budget to facilitate local highways initiatives (SCC).~~
 - ~~b. To allocate funds to review on-street parking management, including local parking charges where appropriate and to approve the statutory advertisement of Traffic Regulation Orders (TROs) relating to on-street parking controls (SCC).~~
 - ~~c. To agree local speed limits on County Council roads within its area, and to approve the statutory advertisement of speed limit orders, taking into account the advice of the Surrey Police Road Safety and Traffic Management Team and with regard to the County Council Speed Limit Policy (SCC).~~
 - ~~d. To approve the statutory advertisement of all legal orders or appropriate notifications relating to highway schemes within the delegated powers of the Joint Committee (SCC).~~
 - ~~e. Where, under delegated powers, the Parking Strategy and Implementation Team Manager or Highways Area Team Manager has chosen to refer the decision on whether a TRO should be made to the Joint Committee, the Committee will make that decision (SCC).~~
 - ~~f. To consider applications for stopping up a highway under section 116 of the Highways Act 1980 when, following the consent of SBC and any relevant Parish Council, unresolved objections have been received during the period of statutory public advertisement, and to decide whether the application should proceed to the Magistrates' Court~~
- (iii) Determine priorities and agree how Community Infrastructure Levy (CIL) receipts will be expended (SBC).
- (iv) In relation to services for young people, with the aim of achieving an integrated approach from Surrey County Council and Spelthorne Borough Council (SCC/SBC):
- a) To agree joint priorities for commissioning by the County Council and the Borough Council in Spelthorne for provision

of preventative work with young people who are at risk of becoming not in education, training or employment (NEET).

- b) To apportion delegated funding for young people, specifically the distribution between Local Prevention and Individual Prevention categories of funding, in accordance with the allocated budget and any youth grants as allocated by the Borough Council.
- c) Approve the awards for the provision of Local Prevention services for Spelthorne Borough in accordance with the allocated budget and to qualified providers. This power to be exercised by the County Council Portfolio Holder in the event that the Joint Committee is unable to award grant(s) (due to the presence of conflicts of interest which result in the body being inquorate).
- d) To approve youth task group advice on the allocation of Community Youth Work and Surrey Outdoor Learning & Development (S.O.L.D) Local Offer resources to meet local priorities for young people in the local area.
- (v) Decisions on any funding when a budget is allocated to the Joint Committee by either of the Councils (SCC/SBC).

7.11 Non-Executive Functions (delegated by Surrey County Council)

The Joint Committee will deal with all those non-executive functions relating to public rights of way set out in the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, as amended, except for those separately referred to in the County Council's Scheme of Delegation (or within the terms of reference of other Committees).

7.12 Service Monitoring and Community Leadership- advisory functions

The Joint Committee may:

- (i) In relation to the exercise of County Council Executive functions relating to members' allocations, receive a report on all projects approved under the delegated authority of the Community Partnership Manager or Team Leader. (SCC)
- ~~(ii) In relation to Community Highway Enhancement allocations, receive a report on all projects approved by Individual Members of the County Council under delegated authority, or by the Area Team Manager where Members have requested that their allocations be combined to be spent in one or more divisions. (SCC)~~
- (iii) Determine priorities for collaborative work undertaken within the committee's area by the Councils and other partners (SCC/SBC)
- (iv) To champion the better use of public sector assets in the Borough to promote the One Public estate approach amongst Surrey County

- Council , Spelthorne Borough Council and other public sector partners (SCC/SBC)
- (v) Monitor formal decisions taken by officers under delegated powers and provide feedback to improve service standards. (SCC/SBC)
 - (vi) Engage in issues of concern to local people and seek to influence the respective Councils in the light of local needs. (SCC/SBC)
 - (vii) Monitor the quality of services provided locally, and recommend action as appropriate. (SCC/SBC)
 - (viii) To oversee and agree joint priorities to inform the improvement of educational attainment in Spelthorne with the aim of working closely between Surrey County Council, Spelthorne Borough Council and Spelthorne Schools Federation (SCC/SBC)
 - (ix) Oversee and influence priorities for the Family Support Programme in Spelthorne (noting the shared nature of this service with other boroughs) and monitor its performance. (SCC/SBC)
 - (x) To oversee and agree joint priorities to inform commissioning and delivery of Independent Living, Older People's Services and Day Centres in Spelthorne, with the aim of achieving an integrated approach from Surrey Council and Spelthorne Borough Council (SCC/SBC)
 - (xi) Be informed in relation to the prioritisation of proposed and planned infrastructure schemes or developer funded highway improvements within Spelthorne. (SCC)
 - ~~(xii) **Be informed of and receive appropriate reports on highway initiatives and/or improvements either wholly or partly in Spelthorne. (SCC)**~~
 - (xiii) Oversee local initiatives agreed and funded by the Joint Committee. **(SCC/SBC)**
 - (xiv) Oversee **off-street** parking provision and enforcement in its area including budget monitoring subject to any particular terms of reference, agreed by the committee, **(SCC/SBC)**
 - (xv) Oversee and monitor the impact of the Local Prevention Commissions and the Community Youth Work Service in accordance with prevention priorities for young people not in education, employment or training (NEET) in the local area.
 - (xvi) To receive reports from and provide political oversight and advice to the Spelthorne Safer Stronger Community Partnership on the Community Safety functions of the Borough. (SCC/SBC)
 - (xvii) To receive reports from and provide political oversight and advice to the Spelthorne Together Health and Wellbeing Group within the framework of Surrey's Joint Health and Wellbeing Strategy. (SCC/SBC)
 - (xviii) Be consulted on any issues referred to it by either Council and produce responses as appropriate. (SCC/SBC)

(Note: A joint committee may not make any decision which will have an adverse effect on a part of the county for which it does not have functions).

7C RUNNYMEDE JOINT COMMITTEE

7.13 MEMBERSHIP

Membership of the Runnymede Joint Committee shall be all county councillors with electoral divisions in Runnymede, one Surrey County Council Cabinet Member (who may also be a county councillor with an electoral division in Runnymede), and an equivalent number of borough councillors who should be politically proportionate to the Borough Council. At least one borough councillor shall be a member of the Council's Corporate Management Committee. If there is no Surrey County Council Cabinet Member with an electoral division in Runnymede the County Council shall appoint a specific Cabinet member to the Runnymede Joint Committee and the Borough Council would be entitled to appoint an additional borough councillor representative on the Joint Committee to ensure equity.

7.14 Executive Functions delegated by Surrey County Council

In relation to the Borough of Runnymede the Joint Committee will take decisions delegated to it by the SCC Cabinet on the following local services and budgets, to be taken in accordance with the financial framework and policies of the respective Councils and within agreed performance and resources:

- (i) Changes which amount to more than 15% in the hours of opening for local libraries (whether managed directly by Surrey County Council or under a community partnership agreement.) (SCC)
- (ii) Community safety funding that is delegated to the Joint Committee from Surrey County Council (SCC).

~~(iii) Decisions in relation to highways and infrastructure:~~

- ~~a. The allocation of the Surrey County Council highway capital budget and highway revenue budget which are devolved to the Joint Committee for minor highway improvements and highway maintenance within the Committee's area including the scope to use a proportion of either budget to facilitate local highways initiatives (SCC).~~
- ~~b. To allocate funds to review on-street parking management, including local on-street parking charges where appropriate and to approve the statutory advertisement of Traffic Regulation Orders (TROs) relating to on-street parking controls (SCC).~~
- ~~c. To agree local speed limits on County Council roads within its area, and to approve the statutory advertisement of speed~~

~~limit orders, taking into account the advice of the Surrey Police Road Safety and Traffic Management Team and with regard to the County Council Speed Limit Policy (SCC).~~

~~d. To approve the statutory advertisement of all legal orders or appropriate notifications relating to highway schemes within the delegated powers of the Joint Committee (SCC).~~

~~e. Where, under delegated powers, the Parking Strategy and Implementation Team Manager or Highways Area Team Manager has chosen to refer the decision on whether a TRO should be made to the Joint Committee, the Committee will make that decision (SCC).~~

~~f. To consider applications for stopping up a highway under section 116 of the Highways Act 1980 when, following the consent of RBC, unresolved objections have been received during the period of statutory public advertisement, and to decide whether the application should proceed to the Magistrates' Court (SCC).~~

- (iv) Decisions on funding when a budget is allocated to the Joint Committee by Surrey County Council's Cabinet. (SCC)

7.15 Non-Executive Functions delegated by Surrey County Council

The Joint Committee will deal with all those non-executive functions relating to public rights of way set out in the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, as amended, except for those separately referred to in the County Council's Scheme of Delegation (or within the terms of reference of other Committees).

7.16 Decisions delegated by Surrey County Council and Runnymede Borough Council

Apportion any resources for Early Help services in accordance with the approved local Early Help priorities that may be delegated to the Joint Committee by Surrey County Council and / or Runnymede Borough Council, in relation to services for young people, with the aim of achieving an integrated approach from Surrey County Council and Runnymede Borough Council (SCC/RBC).

7.17 Service Monitoring and Issues of Local Concern - advisory functions

The Joint Committee will play an important advisory role in shaping the development and delivery of services locally across both authorities. It will:

- (xvi) Act as a one stop shop for residents to engage with both authorities, debate cross cutting issues, raise issues of concern and seek to influence the respective Councils in the light of local need.

- (xvii) Monitor formal decisions taken by officers under delegated powers and provide feedback to improve service standards.
- (xviii) Be consulted on any issues referred to it by either Council or produce responses as appropriate.

The Joint Committee may:

- (i) Consider the use of developer infrastructure funding in regard to proposed and planned strategic infrastructure schemes, identifying common objectives and supporting the pursuit of joint funding bids whether wholly or partly in Runnymede.
- (ii) Influence the development of a joint vision for the place shaping agenda including regeneration and town centre management.
- (iii) Influence the development of the Family Support Programme in Runnymede and monitor its performance. Provide political oversight and advice to the Early Help Advisory Board and advise on priorities for the Early Help offer locally.
- (iv) Consider the more effective use of existing public sector property assets in the borough and the potential opportunities that may exist for development where this could be in the mutual interest of both authorities where expediency allows.
- (v) Review and influence any new proposals for ~~on and~~ off street parking and enforcement locally including the use of budgets.
- (vi) Influence priorities for the provision of integrated Health and Social Care and Older People's Services locally.
- (vii) Influence action plans for the deprivation task groups established within the borough.
- (viii) Facilitate partnership work with schools, Multi Academy Trusts, governors and other partners to promote high educational standards and the fulfilment of potential for all children locally.

7D GUILDFORD JOINT COMMITTEE

7.18 MEMBERSHIP

Membership of the Guildford Joint Committee shall be all county councillors with electoral divisions in Guildford, one SCC Cabinet Member (who may also be a county councillor with an electoral division in Guildford), and an equivalent number of borough councillors who should be politically proportionate to the Borough Council. At least one borough councillor shall be a member of that Council's Executive. If there is no SCC Cabinet Member with an electoral division in Guildford the County Council shall appoint a specific Cabinet member to the Guildford Joint Committee at the Council AGM ("the relevant Cabinet Member"), and GBC would be entitled to appoint an additional borough councillor representative on the Joint Committee to ensure equity. No substitutes will be permitted for the members on the Joint Committee. Members will be appointed to the committee at the first business meeting of the respective Councils, at the start of each municipal year. All

borough and county councillors (including the relevant Cabinet Member) on the Joint Committee will have equal voting rights on all issues being considered.

7.19 Executive Functions (delegated by SCC and GBC)

In relation to the Borough of Guildford the Joint Committee will take decisions delegated to it by the SCC Leader and/or Cabinet and/or the GBC Leader and/or Executive on the following local services and budgets, to be taken in accordance with the financial framework and policies of the respective councils within a framework of agreed performance and resources:

The Joint Committee will be responsible for the following decisions on local services and budgets:

- (i) Changes which amount to more than 15% in the hours of opening for local libraries (whether managed directly by SCC or under a community partnership agreement.) (SCC)
- (ii) Community safety funding that is delegated to the Joint Committee. (SCC/GBC)

~~(iii) Decisions in relation to highways and infrastructure:~~

- ~~(a) The allocation of the SCC highway capital budget and highway revenue budget which are devolved to the Joint Committee for minor highway improvements and highway maintenance within the Committee's area including the scope to use a proportion of either budget to facilitate local highways initiatives. (SCC)~~
- ~~(b) To allocate funds to review on-street parking management, including local parking charges where appropriate and to approve the statutory advertisement of Traffic Regulation Orders (TROs) relating to on-street parking controls. (SCC)~~
- ~~(c) To agree local speed limits on County Council roads within its area, and to approve the statutory advertisement of speed limit orders, taking into account the advice of the Surrey Police Road Safety and Traffic Management Team and with regard to the County Council Speed Limit Policy. (SCC)~~
- ~~(d) To approve the statutory advertisement of all legal orders or appropriate notifications relating to highway schemes within the delegated powers of the Joint Committee (SCC).~~
- ~~(e) Where, under delegated powers, the Parking Strategy and Implementation Team Manager or Area Highways Manager has~~

~~chosen to refer the decision on whether a TRO should be made to the Joint Committee, the Committee will make that decision (SCC).~~

~~(f) To consider applications for stopping up a highway under section 116 of the Highways Act 1980 when, following the consent of GBC and any relevant Parish Council, unresolved objections have been received during the period of statutory public advertisement, and to decide whether the application should proceed to the Magistrates' Court (SCC).~~

- (iv) Jointly agreeing a statement of priority for the delivery of infrastructure described in the GBC Infrastructure Delivery Plan and informed by the GBC Regulation 123 list, to meet the need and mitigate the effect of development in the GBC local authority area and to discuss and propose strategies for securing any additional funding necessary for that delivery. (GBC)
- (v) Approval of an overarching Air Quality Policy/Strategy and individual Air Quality Management/Action Plans relating to the borough of Guildford (GBC)
- (vi) Apportion any resources for Early Help services in accordance with the approved local Early Help priorities that may be delegated to the Joint Committee from SCC/GBC, in relation to services for young people with the aim of achieving an integrated approach from both authorities (SCC/GBC)
- (vii) Decisions on any funding when a budget is allocated to the Joint Committee by either of the Councils (SCC/GBC).

7.20 Non-Executive Functions (delegated by SCC)

The Joint Committee will deal with all those non-executive functions relating to public rights of way set out in the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, as amended, except for those expressly reserved by SCC.

7.21 Non-Executive Functions (delegated by GBC)

The Joint Committee will deal with all those non-executive functions relating to public rights of way set out in the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, as amended, except for those separately referred to in the Borough Council's Scheme of Delegation (or within the terms of reference of other Committees) which shall be exercised concurrently.

In addition, the Joint Committee will deal with those relevant non-executive functions, relating to joint working that may be delegated to it by GBC or SCC from time to time.

7.22 Service Monitoring and Community Leadership - advisory functions

The Joint Committee may:

- (i) Determine priorities for collaborative work undertaken within the committee's area by the Councils and other partners, and oversee local initiatives agreed and funded by the Joint Committee. *(SCC/GBC)*
- (ii) Engage in issues of concern to local people and seek to influence the respective councils in the light of local needs. Monitoring the quality of services provided locally, and recommending action as appropriate. *(SCC/GBC)*
- (iii) Consider the most effective use of existing public sector property assets in the borough and the potential opportunities that may exist for development where this could be in the mutual interest of both authorities where expediency allows. *(SCC/GBC)*
- (iv) –Be informed in relation to the prioritisation of proposed and planned infrastructure schemes or developer funded highway improvements within Guildford. *(SCC/GBC)*
- ~~(v) **Be informed of and receive appropriate reports on highway initiatives and/or improvements either wholly or partly in Guildford.** *(SCC)*~~
- ~~(vi)– Review and influence the parking strategy (via the Parking Business Plan) and any new proposals for **on and off**-street parking and enforcement. *(SCC/GBC)*~~
- (vii) Receive reports from and provide political oversight and advice to the Safer Guildford Partnership on the Community Safety functions of the Borough. *(SCC/GBC)*
- (viii) Provide political oversight and influence emergency planning and event management and/or event safety oversight that relate to the borough of Guildford. *(SCC/GBC)*
- (ix) Oversee and provide feedback on priorities relating to gypsy and traveller site provision and site management within the borough of Guildford. *(SCC/GBC)*
- (x) Receive reports from and provide political oversight and advice to the Health and Wellbeing Board for Guildford on its functions. *(SCC/GBC)*
- (xi) Influence priorities for the provision of integrated Health and Social Care and Older People's Services locally. *(SCC/GBC)*

- (xii) Oversee and influence priorities for the Family Support Programme in Guildford (noting the shared nature of this service with other boroughs) and monitor its performance. (SCC/GBC)
- (xiii) Facilitate partnership work with schools, Multi-Academy Trusts, governors and other partners to promote high educational standards and the fulfilment of potential for all children locally. (SCC)
- (xiv) Be consulted on any issues referred to it by either council and produce responses as appropriate. (SCC/GBC)
- (xv) Monitor formal decisions taken by officers under delegated powers in respect of functions delegated to the Joint Committee and provide feedback to improve service standards. (SCC/GBC)

(Note: A joint committee may not make any decision which will have an adverse effect on a part of the county for which it does not have functions).

~~7E DELEGATIONS TO LOCAL MEMBERS~~

~~Members of the authority have the following delegated powers:~~

- ~~a. To approve projects within their division to be funded by the Community Highways Enhancements Fund in accordance with the relevant financial framework and policies of the County Council.~~

8. RESPONSIBILITY FOR EXECUTIVE FUNCTIONS

THE CABINET

8.1 Membership

The Leader, Deputy Leader and up to eight other County Councillors

8.2 Terms of reference

The Cabinet will be collectively responsible for executive functions within the Authority which are not otherwise delegated by the Leader. Table 2 below sets out the responsibility for executive functions exercised by Cabinet Members.

The plans and strategies listed in Article 4 of this Constitution and which together comprise the policy framework must be determined by the Council on recommendation by the Cabinet after consultation with the appropriate select committee and the Planning & Regulatory Committee in relation to the Local Development Documents or any other plan and policy of the Council which relates to its functions.

The Cabinet (or Cabinet Members where the function is delegated) will:

- (a) Lead the preparation of the Council's policies and budget and make recommendations to the County Council on the statutory and strategic plans which form the policy framework, and the revenue and capital budgets and Council Tax precept.
- (b) Submit annually or otherwise as required to the Council for approval the corporate plan and budget, and the other statutory and strategic plans which make up the policy framework.
- (c) Take decisions within this framework of plans, Standing Orders and procedure rules approved by the Council, including key decisions unless these have been delegated to committees.
- (d) Refer to the Council for decision any proposal involving a material departure from any of the approved statutory and strategic plans or the approved revenue and capital budgets.
- (e) Approve Directorate Plans and monitor and review performance against such plans including outturn of expenditure and income.

- (f) Subject to paragraph (d) above, take in-year decisions on resources and priorities, service delivery and operations to deliver the corporate plan and other approved policy plans and the revenue and capital budgets.
- (g) Lead the community planning process and provide a focus for partnership working with other public, private and voluntary and community sector agencies.
- (h) Consult the appropriate select committee at an early stage in the development of the budget and the plans and strategies within the policy framework.
- (i) Consult select committees and other committees on the plans and strategies listed in Article 4 of this Constitution, as appropriate, especially the Planning & Regulatory Committee in relation to the development and review of the Local Development Documents or any other plan and policy of the Council which relates to its functions.
- (j) Exercise other strategic planning functions including preparation of supplementary planning guidance and planning briefs, responding to consultations on planning applications, the designation of conservation areas, areas of archaeological interest and nature reserves, the making of compulsory purchase orders and Article 4 Directions, etc.
- (k) Make appointments to those outside bodies which carry out or relate to executive functions.
- (l) Provide formal responses to any Government White Paper or Green Paper or other consultation likely to lead to policy changes or have significant impact upon services not otherwise delegated to officers.
- (m) Declare land or property surplus to requirements.
- (n) Consider, determine and report to the Council on matters on which there has been a finding of maladministration by the Local Government Ombudsman.

Table 2 – Scheme of Delegation

Responsibility for executive functions exercised by Cabinet Members, as listed by the Leader (outlined in Article 5.02 of the Constitution)

Who is responsible (1)	Function (2)	Limitation (3)
<p>Individual member of the Cabinet in relation to the functions set out in column (2), subject to the limitations in column (3).</p> <p>The Cabinet Member making the decision will be the Member allocated the appropriate responsibilities by the Leader, except that (1) where that Member is unable to act (whether through a conflict of interest, illness or absence) another Member of the Cabinet may exercise the function on their behalf.</p> <p>Any decisions relating to the statutory portfolio for Children's Services under the Children Act 2004 must be taken by or in consultation with</p>	<p>(a) transfers between budget heads within portfolio (virements above £250,000, virements from revenue to capital budgets above £100,000) and budget monitoring</p> <p>(b) the write-off of irrecoverable debts</p> <p>(c) performance management</p> <p>(d) approval of individual business cases of more than £100,000 prior to capital/ invest to save projects proceeding</p> <p>(e) reprofiling capital budget within portfolio and within capital scheme's duration</p>	<p>(a) In consultation with the Leader</p> <p>(b) Between £10,000 and £100,000 not otherwise delegated to the Director of Finance, in consultation with the Leader</p> <p>(c) Significant performance risk must be reported to the Cabinet as agreed in consultation with the Deputy Leader</p> <p>(d) In consultation with the Leader</p> <p>(e) In consultation with the Leader</p>
	<p>(f) bids for funding from external bodies</p>	

Who is responsible (1)	Function (2)	Limitation (3)
<p>the Cabinet Member for Children and Families Wellbeing</p> <p>The Leader may determine that any decisions in respect of the functions set out in column (2) are taken collectively by the Cabinet.</p>	(g) responses to consultation papers not otherwise delegated to officers	
	(h) responses to petitions and committee reports	
	(i) agreement of concordats or other similar agreements or statements of intent with other parties	
	(j) compulsory purchase orders for land or property	
	(k) approval of schools' licensed deficits	(k) To a maximum of £1m
	(l) approval of loans to schools	(l) To a maximum of £1m in consultation with the Leader
	(m) consultation on proposals and publication and determination of statutory notices in respect of changes to school size and structure	
	(n) authorisation of consultation on the admission arrangements for voluntary controlled and community schools	
	(o) responses to any consultation by a maintained school's governing body under Section 5 of the Academies Act 2010	

Who is responsible (1)	Function (2)	Limitation (3)
	<p>(p) To approve the award of contracts for the provision of local preventative services for a borough or district area to providers included in the Council's framework agreement for these services and in accordance with the allocated budget.</p> <p>(q) approval of the Fostering and Adoption Services annual Statements of Purpose</p>	<p>This power to be exercised, in consultation with the portfolio holders with responsibility for procurement and local committees, when the relevant local committee is unable to award a contract due to the presence of conflicts of interest which result in that body being inquorate.</p>
	<p>(r) authorisation of the Transport Development Control Manager to enter into legal agreements with developers providing for the adoption of new housing estate roads, forecourts and other made-up areas as highways maintainable at the public expense when the work of making up has been satisfactorily completed</p> <p>(s) declaration of highways or highways land surplus to requirements where it is unnecessary for highway purposes</p>	

Who is responsible (1)	Function (2)	Limitation (3)
	<p>(t) <u>Approval of any highways decision delegated to officers where there is disagreement between the officer and the local member.</u> endorsement of any new speed limit when the Local Committee is in disagreement with the police and local officers</p> <p>(u) endorsement of the annual programme for investment of the centrally managed road safety scheme budget</p> <p><u>endorsement of the annual programme of centrally funded Integrated Transport Schemes (ITS) and approval of any assessment criteria</u></p> <p>(v) to agree changes which amount to more than 15% in the hours of opening for Surrey Performing Arts Library</p>	
	<p>(a1) agree the Surrey Fire and Rescue Service Statement of Assurance for publication</p>	

Who is responsible (1)	Function (2)	Limitation (3)
	<p>(a2) on behalf of the Fire and Rescue Authority, to respond to requests from neighbouring Fire and Rescue Authorities for the deployment of Surrey Fire and Rescue Service's resources during periods of industrial (strike) action</p> <p>(a3) appointment of lawyers within Legal & Democratic Services to act as Nominee to apply on the Council's behalf as a creditor to administer the Estate of deceased debtors</p> <p>(a4) approval of revisions to the Council's partnership governance policy</p> <p>(a5) agreement of In Year Fair Access Protocol</p>	

Who is responsible (1)	Function (2)	Limitation (3)
	<p>(a6) expenditure against the agreed Surrey Growth Strategy budgets</p> <p>(a7) to agree amendments to the Memorandum of Understanding for the Basingstoke Canal Joint Management Committee</p> <p>(a8) take decisions on behalf of the Council for Trust Funds where the Council is a corporate trustee, in accordance with any requirements in the Trust governing body</p> <p>(a9) to determine the establishment of Suitable Alternative Natural Green Spaces (SANGS).</p> <p>(a10) To agree changes to School Transport Policies</p>	<p>In consultation with the Leader of the Council and the Strategic Director for Environment and Infrastructure</p> <p>In consultation with the Assistant Director for Schools and Learning</p>
Leader	<p>(a) the final decision to open or close a school</p> <p>(b) the establishment of and recruitment to posts evaluated with a pay band in excess of £100k and consultants on contracts over £100k per annum</p>	
	<p>(c) expenditure against the agreed Community Improvement Fund</p>	

Who is responsible (1)	Function (2)	Limitation (3)
	(d) approval of virements above £250,000 between portfolios or services	(d) in consultation with the relevant portfolio holders