

# Responsibility for functions

## RESPONSIBILITY FOR LOCAL CHOICE FUNCTIONS

Function	Decision Making Body	Membership	Delegation of Functions
1. Any function under a local Act other than a function specified or referred to in regulation 2 or schedule 1 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 and any amendments thereto.	Council	All members	
2. The determination of an appeal against any decision made by or on behalf of the authority.	The appeals panel	All members of each panel	
3. The conducting of best value reviews in accordance with the provisions of any order for the time being having effect under section 5 (best value reviews) of the Local Government Act 1999.	Cabinet by way of the Scrutiny Committee	All members	The committee reports will be submitted to the Cabinet
4. Any function relating to contaminated land.	General Licensing Committee	All members of the committee	
5. The discharge of any function relating to the control of pollution or the management of air quality.	General Licensing Committee	All members of the committee	See schedule 1 of the scheme of delegation
6. The service of an abatement notice in respect of a statutory nuisance.	General Licensing Committee	All members of the committee	See schedule 1 of the scheme of delegation
7. The passing of a resolution that schedule 2 to the Noise and Statutory Nuisances Act 1993 should apply in the authority's area.	Council	All members	See schedule 1 of the scheme of delegation
8. The inspection of the authority's area to detect any statutory nuisance.	General Licensing Committee	All members of the committee	See schedule 1 of the scheme of delegation
9. The investigation of any complaint as to the existence of a statutory nuisance.	General Licensing Committee	All members of the committee	See schedule 1 of the scheme of delegation
10. The obtaining of information under section 330 of the Town and Country Planning Act 1990 as to interests in land.	Planning committee	All members of the committee	See schedule 1 of the scheme of delegation

<b>Function</b>	<b>Decision Making Body</b>	<b>Membership</b>	<b>Delegation of Functions</b>
11. The approval of the Statement of Accounts	Joint audit and governance committee or sub-committee	All members of the committee	
12. The obtaining of particulars of persons interested in land under section 16 of the Local Government (Miscellaneous Provisions) Act 1976.	Council	All members	See schedule 1 of the scheme of delegation
13. The appointment, and revocation of appointments, of any individual to any office or body other than the authority.	Cabinet	All members of Cabinet	

## **RESPONSIBILITY FOR COUNCIL FUNCTIONS**

<b>Committee</b>	<b>Functions</b>	<b>Delegation of Functions</b>
PLANNING	<ol style="list-style-type: none"> <li>1. All functions in relation to town and country planning and development control as specified in Regulation 2 of and schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 and any amendments thereto.</li> <li>2. Subject to the costs being met from existing budgets, to take default action and execute works under any of the council's powers as local planning authority.</li> <li>3. All functions in relation to the preservation of trees and the protection of important hedgerows, as specified in Regulation 2 of and schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 and any amendments thereto.</li> <li>4. All functions for which the council is the responsible authority in relation to footpaths and bridleways as specified in Regulation 2 of and schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 and any amendments thereto.</li> </ol>	<p>See schedule 1 of the scheme of delegation.</p> <p>See schedule 1 of the scheme of delegation.</p>
	<ol style="list-style-type: none"> <li>5. The determination of complaints under the Anti-Social Behaviour Act 2003 – High Hedges</li> </ol>	See schedule 1 of the scheme of delegation

Committee	Functions	Delegation of Functions
GENERAL LICENSING	<ol style="list-style-type: none"> <li>1. All functions for which the council is the responsible authority in relation to licensing and registration as specified in Regulation 2 of and schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, and any amendments thereto.</li> <li>2. All functions for which the council is the responsible authority in relation to health and safety at work to the extent that those functions are discharged otherwise than in the council's capacity as an employer.</li> <li>3. All functions for which the council is the responsible authority in relation to control of pollution, management of air quality or contaminated land.</li> <li>4. To consider objections to proposed street name changes.</li> <li>5. Under schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended by Section 27 of the Policing and Crime Act 2009 to: <ul style="list-style-type: none"> <li>• review the policy for sexual entertainment venue licences as necessary and recommend changes to Council</li> <li>• agree changes to the standard guidance and conditions for sexual entertainment venue licences</li> <li>• determine applications for and revoke sexual entertainment venue licences</li> </ul> </li> </ol>	See schedule 1 of the scheme of delegation
LICENSING ACTS	<ol style="list-style-type: none"> <li>1. All matters relating to the discharge by the council as licensing authority of its licensing functions under the Licensing Act 2003.</li> <li>2. All matters relating to the discharge by the council as licensing authority of its licensing functions under the Gambling Act 2005.</li> <li>3. The recommendation to Council of the approval or revision of a statement of licensing policy or gambling statement of principles.</li> </ol>	See schedule 1 of the scheme of delegation
JOINT AUDIT AND GOVERNANCE	<ol style="list-style-type: none"> <li>1. To consider and determine all aspects of the accounts of the authorities including the approval of the statement of accounts.</li> <li>2. To receive the external auditor's annual governance report (or equivalent) and review responses to it.</li> </ol>	

Committee	Functions	Delegation of Functions
	<ol style="list-style-type: none"> <li>3. To consider corporate governance matters (including but not limited to comments and complaints, Ombudsman investigations and risk management issues) and review responses to them.</li> <li>4. To agree a governance framework and a local code of governance for inclusion in the constitution.</li> <li>5. To approve the annual governance statement.</li> <li>6. To receive external and internal audit reports and review responses to them.</li> <li>7. To ensure the effective scrutiny of the treasury management strategy, policies and performance.</li> <li>8. To agree human resources matters relating to the Local Government Pension Scheme. These include changes to the scheme requiring local decisions; responding to consultations for scheme amendments; applying discretionary termination payments to staff, in cases of early retirement on efficiency grounds; and amending or implementing new Council policies on pensions (e.g. discretionary payments policy).</li> <li>9. The overview of the councils' whistleblowing policy.</li> <li>10. Having an overview of the standards of conduct framework for councillors, any co-opted members and parish councillors.</li> <li>11. To determine any other matters delegated to this committee by both councils.</li> </ol>	

Committee	Functions	Delegation of Functions
Appeals Panel (NNDR, benefits and Housing)	<ol style="list-style-type: none"> <li>1. The consideration of appeals against the council's decisions in relation to: <ul style="list-style-type: none"> <li>• whether the applicant is a qualifying person and may join the housing register (except where the applicant is prohibited by law)</li> <li>• a decision to suspend or cancel an application, except where this is at the applicant's request, or when a cancellation is because the applicant has accepted an offer of accommodation</li> <li>• the applicant's points award (this includes points for health and social priority)</li> <li>• whether an offer of accommodation is valid and counts as one of the three to which the applicant is entitled.</li> <li>• the award of housing grants.</li> <li>• the implementation of the rent deposit/rent in advance scheme.</li> </ul> </li> <li>2. The consideration of appeals against the council's decisions on all NNDR rate relief matters.</li> <li>3. The consideration of appeals against the council's determinations in respect of housing, council tax and community charge benefit claims.</li> </ol>	

## Responsibility for Cabinet functions

Who is responsible	Functions	Delegation of functions
The leader	All executive functions	See schedule 1 of the scheme of delegation
The leader	All executive functions	See schedule 2 of the scheme of delegation

## **Executive joint arrangements**

<b>Joint committee</b>	<b>Functions</b>	<b>Delegation of functions</b>
Oxfordshire Growth Board	To oversee the delivery and implementation of the Oxford and Oxfordshire City Deal bid.	

## **Responsibility for health scrutiny functions**

<b>Committee</b>	<b>Functions</b>
Oxfordshire Joint Health Overview and Scrutiny Committee*	All functions within the committee's terms of reference.

\*A statutory committee set up under Section 8(2)(a) of the Health and Social Care Act 2001.

## **Five Councils Partnership**

<b>Committee</b>	<b>Functions</b>
Five Councils Partnership Corporate Services Joint Committee	All functions within the committee's terms of reference.