

## Article 8 - Planning, licensing and other functions

This article describes the following committees which council has established:

- (a) The planning and regulatory committee
- (b) Health and wellbeing board
- (c) Employment panel
- (d) Standards panel
- (e) Independent panel

### **2.8.1 Planning and regulatory committee**

### **2.8.2 Composition**

2.8.3 The committee comprises 15 councillors, one of whom will be appointed by Council to be the standing chairperson of the licensing sub-committee.

### **2.8.4 Role**

2.8.5 The committee:

determines applications for planning and listed building consents which are not decided by an officer; and

its licensing sub-committee fulfils the council's licensing duties not undertaken by an officer.

2.8.6 The committee may establish one or more sub-committees consisting of three members of the planning and regulatory committee to fulfil functions delegated to the licensing sub-committee as set out in the functions scheme at part 3 section 5.

### **2.8.7 Health and wellbeing board**

### **2.8.8 Composition**

2.8.9 The following shall be members of the health and wellbeing board:

The Cabinet member health and wellbeing\*

The Cabinet member children and families\*

The Leader of the Council\*

The chair of Healthwatch Herefordshire\*

The chief fire officer of Hereford & Worcester Fire and Rescue Service

The chair of NHS Herefordshire and Worcestershire Clinical Commissioning Group\*

The managing director of NHS Herefordshire and Worcestershire Clinical Commissioning Group

The chair of Herefordshire Community Safety Partnership

The chair of Herefordshire Safeguarding Adults Board

The director for children and families and superintendent for Herefordshire of West Mercia Police to represent the Safeguarding Children and Young People in Herefordshire Partnership

The managing director of Taurus Healthcare

The superintendent for Herefordshire of West Mercia Police  
The managing director of Wye Valley NHS Trust  
The chair of Worcestershire Health and Care NHS Trust  
Director for adults and communities\*  
Director for children and families\*  
Director for economy and place  
Director of public health \*  
A representative from NHS England, for the purpose of preparing the joint strategic needs assessment or health and wellbeing strategy or where the health and wellbeing board is considering a matter that relates to the exercise or proposed exercise of the NHS Board's commissioning functions. \*

2.8.10 Council has delegated authority to the Leader of the Council to appoint the chairperson of the board annually from the members of the executive appointed to the board; one of the board members representing NHS Herefordshire and Worcestershire Clinical Commissioning Group will be appointed vice chairperson annually by the board.

2.8.11 The members of the board marked with an \* are those specified in the Health and Social care Act 2012, the other board members are additional as deemed appropriate by council after consultation with the board. If Board members are unable to attend they can nominate a substitute.

2.8.12 All board members shall be voting members unless the council otherwise directs.

### **2.8.13 Role**

2.8.14 The board will carry out the statutory functions as required by the Health and Social Care Act 2012, and any other functions delegated to it, as set out in part 3 section 5 of the constitution. To act as a partnership forum in which key leaders from the local health and care system work together to improve the health and wellbeing of Herefordshire residents.

### **2.8.15 Employment panel**

### **2.8.16 Composition**

2.8.17 The employment panel comprises five councillors.

### **2.8.18 Role**

2.8.19 To fulfil specific employment functions in relation to specified senior management roles; to review the annual pay policy statement for recommendation to Council; and to be a consultee on employee terms, conditions and employment policies.

### **2.8.20 Independent panel**

### **New**

Statutory provisions require that the council takes into account any advice, views or recommendations of an independent panel before a chief executive can be dismissed, for any reason other than redundancy, permanent ill-health or the expiry of a fixed term contract unless the authority has undertaken to renew that fixed term

contract

2.8.21 Council has appointed an independent panel as a committee of the Council, comprising only independent persons (at least two) appointed in accordance with procedure rule NEW above to review the decision to dismiss statutory officers (in accordance with JNC agreements) and prepare a report for Council.

New An “*independent person*” means any independent person who has been appointed by the council and who has accepted an invitation issued by the monitoring officer in accordance with the following priority order -

- (a) a relevant independent person who has been appointed by the authority under section 28(7) of the localism act 2011 and who is a local government elector;
- (b) any other relevant independent person who has been appointed by the authority;
- (c) a relevant independent person who has been appointed by another authority or authorities.

#### **2.8.22 Standards panel**

#### **2.8.23 Composition**

2.8.24 The standards panel will consist of an independent person (who will chair the panel); three members of the audit and governance committee and a parish councillor nominated by Herefordshire Association of Local Councils. Where an independent person is not available, one of the members from the audit and governance committee shall chair the panel.

#### **2.8.25 Role**

2.8.26 To consider and determine complaints that cannot be (a) resolved by the monitoring officer or (b) on appeal.

2.8.27 To undertake an annual sample review of decisions by the monitoring officer under the code of conduct complaints process.