

Part 3

**Responsibility
for functions**

Part 3 Responsibility for functions

1.0 Introduction

Responsibilities for undertaking the functions of the Council as a local authority are either reserved to the full Council (that is, the whole group of 57 members of the authority as a decision making body), or allocated to the Executive or to other Committees of the Council.

- 1.1 Determination of the Council's policy framework and budget, and other constitutional and quasi-legislative functions will remain the responsibility of the full Council.
- 1.2 Where functions exercised involve determining an application from a person for a licence, an approval, a consent, etc., or enforcement actions associated with such functions, they will not be the responsibility of the Executive but will be carried out by Regulatory Committees. Some functions are allocated to the statutory Committees of the Council, that is, those that are required by law to fulfil particular functions, for example, the Licensing and Regulatory Committee and its Sub-Committees.
- 1.3 All other functions not specified as the responsibility of the Council or of particular Committees are the responsibility of the Executive.
- 1.4 Delegation of responsibilities to the Chief Executive, Strategic Directors, and other officers of the Council will remain as before except that where there is a need for officer consultation with members (for reasons of urgency or any other reason) on any matters the responsibility of the Area Planning or Licensing Committees, consultation will be with the Chairman and Vice-Chairman of the listed Committee and not with the Leader of the Council. In the event that urgent consultation is required and the relevant Committee Chairman or Vice-Chairman is unavailable or barred from consultation by a personal interest, consultation will be with the Mayor or Deputy Mayor.

2.0 Responsibility for local choice functions

[N.B. There are policy formulation and regulatory aspects to all functions set out in the table below which would involve consideration by the Executive or Regulatory Committees where appropriate].

Function	Decision making body	Membership	Delegation of functions
Determination of an appeal against any decision made by or on behalf of the authority	Appeals Panel	4 members of the Appeals Panel other than any such member who has taken part in the decision the subject of the appeal	No delegation

Advising on matters relating to the dismissal of a statutory officer (Head of Paid Service, Chief Finance Officer or Monitoring Officer)	Independent Panel	5 elected members of the Appeals Panel and two of the Council's Independent Persons	No delegation
Contaminated Land functions	<i>Only those elements which are regulatory in nature to be identified later. Matters relating to expenditure stay with the Executive</i>	12 Members of the "extended" Licensing and Regulatory Committee	Delegation to officers in accordance with the existing scheme
Control of pollution or the management of air quality			Delegation to officers in accordance with the existing scheme
Service of abatement notices			Delegation to officers in accordance with the existing scheme
Inspection, investigation of complaints, and prevention of statutory nuisances			Delegation to officers in accordance with the existing scheme
Requisitions for Information S.16 Local Government (Miscellaneous Provisions) Act 1976			Delegation to officers in accordance with the existing scheme
Requisitions for Information S.330 Town and Country Planning Act	Planning Committees		Delegation to officers in accordance with the existing scheme
Appointments to outside bodies for members and officers	The Executive	Council Members	

2.1 Responsibility for Council functions

Only the Council shall exercise the following functions:

- (a) The election of the Mayor and Deputy Mayor
- (b) The appointment or removal of the Leader
- (c) Determination of the allocation of seats on committees and their composition and appointment, and agreeing and/or amending their terms of reference
- (d) Adopting or amending the Constitution and Code of Conduct
- (e) Decisions relating to Procedure Rules and to Contract Procedure Rules, and to protocols
- (f) Setting the council tax
- (g) Approval of the budget and final accounts
- (h) 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 an executive 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
- (i) Decisions relating to applications to the Secretary of State to join the annual disposals programmes or to transfer housing land
- (j) Confirming the appointment of the Head of Paid Service and Strategic Directors
- (k) Adding and deleting posts from the agreed permanent staffing levels where the costs of doing so do not fall within existing controllable expenditure budgets and where the changes have financial implications in excess of the Executive's threshold of up to £100,000
- (l) Appointing representatives to outside bodies unless the appointment is an executive function or has been delegated by the Council
- (m) Appointing to joint bodies
- (n) Decisions to make payments or provide other benefits in cases of maladministration
- (o) Functions relating to elections, including (for example) the duty to appoint an electoral registration officer, returning officer, or division of the Borough into polling districts

- (p) Decisions in relation to parishes and parish councils (with the exception of functions referred to the Standards Panel in respect of town and parish councils)
- (q) Decisions relating to the name and status of areas and individuals (e.g. the nomination of honorary freemen)
- (r) Decisions to make, amend, revoke, or re-enact byelaws and relating to diversions of rights of way
- (s) Decisions to promote or oppose personal bills or local legislation
- (t) Functions relating to local government pensions
- (u) Adopting a scheme or schemes for payment of member allowances, travel and subsistence allowances or expenses under Article 2.5
- (v) Recommendations for delegation to Committees or officers
- (w) All local choice functions set out in Part 3 of this Constitution which the Council decides should be undertaken by itself rather than the Executive
- (x) Decisions relating to major new developments which involve the Council in a broader role than solely Development Control
- (y) The Council will retain responsibility for the adoption and/or amendment of plans and strategies incorporated in the policy framework including the following:
 - Corporate Plan
 - Corporate Governance Code
 - Civil Emergency Plan
 - Capital Strategy
 - Financial Strategy
 - Treasury Management Strategy
 - Corporate Property and Asset Management Strategy
 - ICT Strategy
 - Waverley Economic Strategy
 - Tenancy Strategy
 - Housing Revenue Account Asset Management Strategy
 - Housing Delivery Plan
 - Housing Allocations Scheme
 - Homelessness Strategy
 - Safeguarding Children Policy
 - Community Safety Strategy
 - Local Plan 2002
 - Equal Opportunities in Employment Policy
 - Contaminated Land Inspection Strategy
 - Surrey Joint Municipal Waste Management Strategy
 - Energy Efficiency Plan
 - Corporate Communications Strategy.

EASTERN and WESTERN Planning Committees - Terms of Reference

Where these Terms of Reference are silent on a matter of procedure, the current Procedure Rules as set out in the Waverley Borough Constitution take precedence.

Purpose of the Planning Committees

1. The key purpose of planning is to manage development in the public interest.
2. The purpose of the Planning Committees is to exercise the Council's functions relating to town and country planning and development control as specified in Schedule 1 to the Local Authorities (Functions and Responsibilities) (Amendment No 2) (England) Regulations 2004 (the Functions Regulations) [see Appendix 1], in so far as these are not delegated to the Head of Planning & Economic Development.
3. The EASTERN and WESTERN Planning Committees will assume the decision-making powers of the Joint Planning Committee and the four Area Planning Committees as they relate to planning applications within the Eastern and Central borough wards, and the Southern and Western borough wards, respectively.

Membership [PR4]

4. The EASTERN and WESTERN Planning Committees will each comprise 15 Members, appointed on a politically proportional basis as follows:

EASTERN = 15 Members out of 28 ward seats plus 9 substitute members

(Alford, Cranleigh Rural & Ellens Green; Blackheath & Wonersh; Bramley, Busbridge & Hascombe; Dunsfold*; Cranleigh East; Cranleigh West; Elstead & Thursley; Ewhurst; Godalming Binscombe; Godalming Central & Ockford; Godalming Charterhouse; Godalming Farncombe & Catteshall; Godalming Holloway; Milford' Shamley Green & Cranleigh North; Witley & Hambledon)

WESTERN = 15 Members out of 29 ward seats plus 8 substitute members

(Chiddingfold*; Farnham Bourne; Farnham Castle; Farnham Firgrove; Farnham Hale & Heath End; Farnham Moor Park; Farnham Shortheath & Boundstone; Farnham Upper Hale; Farnham Weybourne & Badshot Lea; Farnham Wrecclesham & Rowledge; Frensham, Dockenfield & Tilford; Haslemere Critchmere & Shottermill; Haslemere East & Grayswood; Hindhead)

*NB Dunsfold & Chiddingfold ward is split between the two areas.

5. Members and substitutes will be appointed by Council, with regard to the nominations of the political Group Leaders.
6. The Chairman and the Vice-Chairman of the Committees will be appointed by Council or elected by the committee as a vacancy arises.

7. Any Member of the Council may be a member or substitute member of a Planning Committee.

Substitute members

- 7.1 Substitute members will have all the powers and duties of any ordinary member of the committee but will not be able to exercise any special powers or duties exercisable by the person for whom they are substituting.
- 7.2 The following procedure will apply to the appointment of substitutes when members are not able to attend a meeting of a Committee, including in the case of a vacancy:
 - (a) The member unable to attend a Committee meeting will submit their apologies to the Head of Policy and Governance at least four clear working days in advance of the meeting to enable a substitute to be arranged, if applicable [eg. by the end of Wednesday for a meeting the next Wednesday].
 - (b) The Head of Policy and Governance will then approach substitutes from the appropriate political group in the order agreed by the Council or the parent Committee.
 - (c) Substitute members must be from the same political group as the member giving the apology, and in the event that no substitute is available, no substitute will be made for that member.
 - (d) The Head of Policy and Governance will notify the Committee of any substitutions at the start of the meeting.
 - (e) Substitutes shall exercise the full voting rights of a member of a Committee when attending a Committee meeting.
 - (f) Substitute members shall be eligible for payment of travelling and subsistence allowances.
 - (g) Members on substitute lists will be sent the full agenda for meetings.
8. All Members of the Committee and Councillors attending as Substitutes must have undertaken mandatory training in the relevant law and procedures which relate to the Committee's work; and, must undertake further mandatory training on an ad hoc basis and at least annually.

Time and Place of Meetings [PR 5, PR6]

9. The time and place of meetings will be determined by the Head of Policy & Governance and notified in the summons.

10. Planning committee meetings will take place in accordance with an agreed schedule. Extra meetings may be scheduled as required.
11. The Head of Policy & Governance will give notice to the public of the time and place of any meeting. At least five clear working days before a meeting, the Head of Policy & Governance will publish the agenda on the Council's website and send an electronic summons to every member of the Planning Committee. The summons will give the date, time and place of each meeting and specify the business to be transacted, and will be accompanied by such reports as are necessary. The agenda will also be published on the Modern.Gov app.
Public participation

Chairman of Meeting [PR7]

12. The Chairman presiding at the meeting may exercise any power or duty of the Mayor.

Quorum [PR8]

13. The quorum of a meeting will be one quarter of the whole number of members (ie four Members). During any meeting, if the Chairman counts the number of members present, whether in person or attending remotely, and declares there is not a quorum present, then the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the Chairman. If he/she does not fix a date, the remaining business will be considered at the next ordinary meeting.

Members speaking [PR23]

14. Any Member of the Council who is not a Member of a Planning Committee shall be entitled to attend any meeting of that Committee, but not to vote, but shall be entitled to speak on any specific item for up to four minutes.
15. Any Member wishing to do this shall have to give notice specifying the item to the Head of Policy and Governance by noon on the day of the meeting if the meeting begins after 2pm or by 5pm on the previous working day if the meeting commences before 2pm. The Chairman may waive this rule.
16. Members may seek the consent of the Chairman to present documents or photographs in support of when they speak, but should give the Head of Policy and Governance forty-eight hours' notice, but where this has not been possible the Head of Policy and Governance and Chairman may waive the rule.

17. In the case of Planning Committee meetings, where a Member addresses the Committee on a matter affecting their ward, they shall have a right to speak again towards the end of the debate to clarify any matters.

Public Speaking Scheme for Planning Meetings

18. Waverley runs a public speaking scheme for the Planning Committees. It applies to planning applications scheduled to be determined by one of the planning committees and which have received five or more letters of support (from separate addresses) or five or more letters of objection (from separate addresses).
19. If a planning application is subject to public speaking at a planning committee, there will be three slots, each of four minutes, in which a representative of the objectors, the Town or Parish Council, and a supporter (usually the applicant or agent) may make a statement. Speakers may not present documents or photographs in support of their statement.

Planning Committees Responsibility for Functions:

Council functions relating to town and country planning and development control as specified in Schedule 1 to the Local Authorities (Functions and Responsibilities) (Amendment No 2) (England) Regulations 2004 (the Functions Regulations)

Power

To make decisions on the administrative and procedural issues affecting the determination of applications.

Power to determine planning applications

Power to determine applications to develop land without compliance with conditions previously attached

Power to grant planning permission for development already carried out

Power to decline to determine planning applications for planning permission

Duties relating to the making of determinations of planning applications

Power to determine applications for planning permission made by the Council

Power to make determinations, give approvals and agree other matters relating to the exercise of permitted development rights, including Article 4 Directions removing such rights

Power to enter into or vary or discharge agreements relating to development or use of land, including the enforcement of a restriction or requirement imposed by an agreement.

Power to issue certificates of lawfulness of existing or proposed use or development

Power to serve a completion notice

Power to grant consent for the display of advertisements

Power to authorise entry onto land

Power to authorise applications for warrants to enter land

Power to require the discontinuance of a use of land

Power to require proper maintenance of land

Power to serve a Planning Contravention Notice, Breach of Condition Notice or Stop Notice (including temporary stop notice)

Power to issue an enforcement notice

Power to apply for an injunction restraining breach of planning control, or in relation to a listed building

Power to determine applications for hazardous substances consent and related powers

Power to determine applications for listed building consent and related powers and duties relating to applications for listed building consent

Power to determine applications for Conservation Area Consents and to issue an enforcement notice in relation to demolition of an unlisted building in a Conservation Area

Power to serve a Building Preservation Notice and related powers including the power to execute urgent works

Powers relating to the preservation of trees and protection of important hedgerows

Committee	Membership	Functions	Delegation of functions
Licensing and Regulatory Committee	12 members of the authority	Taxi, private hire car, gaming, entertainment, food premises and miscellaneous licensing functions, relating to licensing and registration as set out in Schedule 1 to the Functions	Delegation to officers in accordance with the existing scheme
Licensing (General Purposes) Sub-Committee	5 members	Regulations as amended in so far as those functions are the responsibility of a district local authority. (For fuller list, see below)	
Licensing Act 2003 Sub-Committees A, B and C	3 members on each		
		Functions relating to health and safety under any “relevant statutory provision” within the meaning of Part 1 of the Health and Safety at Work Act 1974, to the extent that those functions are discharged otherwise than in the council’s capacity as employer. (Health and Safety responsibilities of the Council as employer are to be discharged by the Executive, and are within the portfolio for Asset Management and Human Resources)	Delegation to officers in accordance with the existing scheme
Licensing and Regulatory Committee Responsibility for functions			
<ol style="list-style-type: none"> 1. Power to issue caravan site licences 2. Power to license the use of moveable dwellings and camping sites 3. Power to license hackney carriages and private hire vehicles, their drivers and operators 4. Power to register pool promoters 5. Power to register societies wishing to promote lotteries under the Gambling Act 2005 6. Power to issue Temporary Event Notices 7. Power to license premises for acupuncture, tattooing, ear-piercing and electrolysis 			

8. Power to register and license premises for the preparation of food, and other regulatory powers to deal with the hygienic production and retail of meat and other food items
9. Power to license premises for the breeding of dogs, pet shops and breeding establishments, horse breeding and animal boarding establishments
10. Power to license dangerous wild animals
11. Power to license persons to collect for charitable and other causes
12. Power to grant consent for the operation of a loud speaker
13. Power to grant premises and personal licences under the Licensing Act 2003
14. Power to determine applications for new and variations of premises licences which are subject to representations (Licensing Sub-Committees only)
15. Power to license sex establishments
16. Power to grant premises licences, temporary use notices and occasional use notices under the Gambling Act 2005
17. Power to grant various permits for amusement machines in licensed premises and licensed clubs under the Gambling Act 2005.
18. Power to consider and determine street trading applications
19. Power to license scrap metal dealers.

Standards and General Purposes Committee	<p>9 Members of Waverley Borough Council and more than 1 Town and Parish Council representatives</p> <p>Independent Persons (for consultation purposes)</p>	<p>The promotion and maintenance of high standards of conduct within the Council</p> <p>To advise the council on the adoption or revision of its Code of Conduct</p> <p>To monitor and advise the council about the operation of its Code of Conduct in the light of best practice, and changes in the law</p> <p>To monitor and review the Council's constitution</p>	See Article 9
Audit Committee	8 members of the authority	<p>Risk management arrangements, the control, environment and associated anti-fraud and anti-corruption arrangements, Statement on Internal Control</p> <p>Action taken on risk-related issues</p> <p>Assurance Statements</p> <p>Internal audit strategy, plan and performance</p>	See Article 8

		<p>External audit plan</p> <p>Internal audit reports</p> <p>Audit Manager's annual report</p> <p>Reports of external audit and other inspection agencies</p> <p>Relationships between internal and external audit, inspection agencies and other relevant bodies</p> <p>Financial statements, external auditor opinion and management response</p>	
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Conditions of Delegation

Where the Licensing and Regulatory Committee or Audit Committee has reached a decision under delegated powers, three members of that Committee, present at the meeting, may immediately require that the decision shall operate as a recommendation to the Council. The recommendation will then be submitted to the next following ordinary meeting of the Council.

3.0 Responsibility for Executive functions

Policy Issues

- (a) Overall co-ordination of policy in respect of the whole of the Council's activities, including the corporate strategy, and the financial effectiveness of the organisation.
- (b) To consider and report to the Council on major issues affecting the Council, whether local or national, provided that, in the event of any such matter falling within the terms of reference of any standing committee, it is a matter which there is a need to expedite or is a policy matter of major importance to the Council. In such a case the Leader of the Council shall obtain the agreement of the Chairman of the relevant standing Committee concerned before the matter is considered by the Executive.
- (c) To consider and advise the Council annually on the council tax base, the estimates of expenditure and the capital programme when formulated for all service issue areas, on the resources available and to determine variations to the capital programme within the overall sum approved by the Council.
- (d) To advise the Council on the overall level of council tax to be levied (including Parish expenditure), including the precept of the Surrey County Council and level of rents to be set to meet the Council's needs.
- (e) To monitor both capital and revenue spending against approved budgets.
- (f) To advise the Council on all policy matters relating to the Council's property holdings and to determine all sales, acquisitions and other property transactions and, in the case of acquisitions, where there is provision within the approved capital programmes or revenue budget.
- (g) To advise the Council on the corporate strategy and community plan.
- (h) To advise the Council on all matters of policy relating to the following duties and functions:
 - i. matters concerning the Local Government and Housing Ombudsman;
 - ii. local government boundaries, elections and electoral registration;
 - iii. calendar of meetings;
 - iv. procedure rules;
 - v. the financial and manpower resources of the Council;
 - vi. members' training;
 - vii. review of the Council's decision-making structure;
 - viii. management developments and practices;

- ix. public relations, marketing and market research;
 - x. reports submitted by the External Auditor;
 - xi. emergency planning; and
 - xii. community safety.
- (i) To consider and make recommendations on any other matters not the specific responsibility of any other standing Committee of the Council.
 - (j) To liaise with organisations and make representations on all areas not within the terms of reference of other standing Committees.
 - (k) To carry out within the Council's policy, subject to any statutory requirements and the conditions of delegation, all matters relating to the management of the matters referred to in (a) (i) to (xii) above.
 - (l) To make grants within the approved budgets to voluntary organisations and other outside bodies operating within the committee's responsibility including the Matched-Funding Scheme.
 - (m) To advise the Council on the members' allowance scheme and other policy issues on allowances.
 - (n) To be responsible, within the Council's policy and subject to the conditions of delegation for:
 - (i) the approval of requests for virements over £100,000, and supplementary estimates not exceeding £100,000
 - (ii) the management of the Council's total loan debt and investment or utilisation of all capital receipts, sinking fund, reserve funds or other accumulations
 - (iii) major maintenance, improvement and development of all Council properties including energy conservation matters.
 - (o) To bring together and maintain information on the authority's property holdings other than housing revenue account dwellings, shops and garages.
 - (p) To initiate property reviews and to analyse regularly the appropriateness and occupancy of the authority's holdings.
 - (q) To monitor and account for the performance of the investment and tenanted service portfolios.
 - (r) To determine overall strategic maintenance priorities.
 - (s) To control and manage all land or property and to manage the disposal process to ensure maximum benefit for the authority as a whole.

- (t) To consider the general employment policy of the Council and to promote the effective use of the Council's staffing both in the short and long term.
- (u) To be responsible within the Council's policy, subject to the conditions of delegation, for all matters relating to:
 - i. the recruitment, selection, appointment, deployment, training, promotion, welfare, working conditions, terms and conditions and retirement of all employees
 - ii. the fixing and review of establishments within the approved staffing budget
 - iii. all powers and duties of the Council under employment related legislation
 - iv. employee relations including local employee consultation and negotiation processes and grievance, disciplinary, dismissal and appeal procedures
 - v. employment and training initiatives including those promoted by central government.
- (v) To appoint the Employers' Negotiating Team whose role is to conduct negotiations with the staff through the Waverley Joint Negotiating Committee for Pay and Conditions on all matters concerning local pay and conditions of service.
- (w) to act in a consultative and sounding board capacity for the Employers' Negotiating Team for all matters concerning local pay and conditions of service.
- (x) To determine, on the advice of the Employers' Negotiating Team, matters relating to local pay and conditions of service.
- (y) To consider policy relating to procurement of services.
- (z) To deal with policy issues relating to specifications, standards of service and monitoring of contracts.
 - a. To overview complaints handling and Ombudsman investigations.
 - b. To ensure that effective actions are taken to manage Waverley's key business risks.

Performance Review Issues

- (a) To review the Council's performance management systems to ensure that they are sufficiently systematic and rigorous and adequately resourced.
- (b) To receive performance management reports, including benchmarking and the monitoring of performance against national and local performance indicators.

Operations Issues

- (a) To advise the Council on major policy issues relating to the following functions:
 - (i) engineering services
 - (ii) markets
 - (iii) cemeteries
 - (iv) burial of the dead
 - (v) information technology and office systems
 - (vi) data protection
 - (vii) the civic complex (excluding the Borough Hall)
 - (viii) the appointment of the Council's bankers, insurers and other financial agents
 - (ix) matters relating to council tax and rate collection and recovery.
- (b) To carry out, within the Council's policy and approved capital programmes and revenue budgets, subject to the conditions of delegation, the management of the above mentioned functions.
- (c) Subject to the conditions of delegation, to be responsible for all matters concerning information technology and office systems within the approved Capital Programme and revenue budgets.
- (d) Subject to the conditions of delegation, to:
 - (i) determine matters concerning rate relief and representations from council tax payers including any residual matters relating to the Community Charge and General Rates;
 - (ii) act as a Review Board for statutory transitional relief appeals, any appeals made against the determination, under delegated powers, of new applications for discretionary rate relief from charities, non-profit making organisations and rural businesses, any exceptional cases that do not conform with the current policy guidelines, and all hardship relief cases.

Leisure Issues

- (a) To advise the Council on major policy issues relating to the following functions:
 - (ii) countryside, including commons, bridleways and footpaths on borough land
 - (iii) parks, open spaces and community areas
 - (iv) allotments
 - (v) sport and recreation (including all matters relating to sports and leisure centres) and children's play
 - (vi) arts, museums, cultural and community activities and facilities
 - (vii) tourism
 - (viii) village halls matters
 - (ix) youth matters
 - (x) grants relating to all these areas.

- (b) To carry out, within the Council's policy and approved capital programmes and revenue budgets, subject to the conditions of delegation, the management of the above mentioned functions.

- (c) To make grants within the approved budgets to voluntary organisations and other outside bodies.

Strategic Planning Issues

To advise the Council on all matters of policy relating to the following functions:

- (i) strategic planning
- (ii) preparation of the local plan
- (iii) control of development
- (iv) designation of conservation areas
- (v) town and country planning matters generally, including co-operation with Surrey County Council
- (vi) town schemes and listed buildings
- (vii) highway planning and traffic management
- (viii) dangerous trees

- (ix) the administration of grants towards the preservation of listed buildings and buildings in conservation areas, or within the Farnham town scheme
- (x) public transport services
- (xi) street naming and numbering

Other environmental Issues

To advise the Council on all matters of policy relating to the following functions:

- (a) ecological issues
- (b) environmental health
- (c) environmental services (including environmental cleaning, public conveniences, animal control and waste recycling)
- (d) domestic and commercial refuse collection and liaison with the Waste Disposal Authority
- (e) home safety
- (f) car parking
- (g) energy conservation including council property.

Housing and Community Welfare Issues

- (a) To advise the Council on all matters of policy relating to the following functions:
 - (i) the housing needs of the Borough and the securing of affordable accommodation to meet those needs
 - (ii) managing and improving the Council's housing stock
 - (iii) elderly people's welfare
 - (iv) mortgages
 - (v) the housing advisory service
 - (vi) housing standards
 - (vii) house renovation grants
 - (viii) housing benefits
 - (ix) providing for welfare needs generally, where those needs are not within the specific responsibility of other statutory bodies

- (x) formulating the annual Housing Strategy Statement and the Housing Revenue Account Business Plan.
- (b) To carry out, within the Council's policy and approved capital programmes and revenue budgets, subject to the conditions of delegation, the management of the above mentioned functions.
- (c) To recommend to the Council the level of rents of properties managed by the Borough.
- (d) To work with statutory and voluntary bodies and other organisations to improve housing and welfare conditions for people in the Borough.

3.1 Portfolio Holders

Each individual member of the Executive will oversee a portfolio of corporate functions, responsibilities and interests in the business of the Executive meetings. Except in cases of urgency, in determining any matter the Executive will consult the relevant Portfolio Holder, and such other bodies or individuals (including members of the Council) proposed by the Portfolio Holder and agreed by the Executive.

The Leader will appoint the Deputy Leader and other Members of the Executive and allocate to them the scope of their portfolios.

The Executive may be required by the Council to reconsider or amend any draft plan or strategy.

The responsibilities for functions and delegations set out in the Constitution are subject to

- The rights of an Overview and Scrutiny Committee to consider a proposal within the policy framework
- The exercise by an Overview and Scrutiny Committee of the power to call in or review Executive functions

3.2 Restrictions

The Executive may not take responsibility for imposing conditions, limitations or other restrictions on any approval, consent, licence, permission or registration granted by the Area Planning or Licensing and Regulatory Committees.

Where a decision is to be made which would normally relate to an Executive function relating to the budget, or borrowing or capital expenditure, and it is proposed to determine the matter contrary to the budget, or financial management plans, or where the proposed decision is contrary to policy in an adopted plan or strategy, the Executive decision-making process will not apply. The proposal must stand as a recommendation to Council, after consultation with the relevant Overview and Scrutiny Committee.

The responsibilities for functions and delegations set out in this Constitution, in Procedure Rules and in the Scheme of Delegation may only be exercised in accordance with:

- Any statutory restrictions
- The Council's constitution
- The Council's policy framework and any other plans and strategies approved by the Executive
- The in-year budget
- The Waverley Code of Local Government Conduct and the Member/Officer Protocol
- The Code of Practice on Local Authority Publicity

Adoption of the Constitution

The Council, in adopting this Constitution, delegates the functions referred to in this constitution to be discharged by the bodies or persons and subject to the limitations referred to above at Sections 1 and 2. Any amendment to this Constitution, to the associated Procedure Rules or to the Scheme of Delegation may only be approved by Council.