

# PART 5

## TERMS OF REFERENCE

### EXECUTIVE AND COMMITTEES OF THE EXECUTIVE

### SCRUTINY COMMITTEES

### OTHER COUNCIL COMMITTEES AND SUB-COMMITTEES

### JOINT COMMITTEES

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## **INTRODUCTION**

- The Council and the Executive have determined that their functions may be discharged by committees, sub-committees and joint committees as set out below.

### **Council Committees**

- The Council has appointed the following committees:
  - Standards Committee
  - Audit Committee and Audit Advisory Committee
  - Planning Committee
  - Policy and Performance Review Committee
  - Health and Care Scrutiny Committee
  - Housing Scrutiny Committee
  - Children's Services Scrutiny Committee
  - Environment and Regeneration Scrutiny Committee (which is designated as the Council's crime and disorder committee)
  - Health and Wellbeing Board
  - Licensing Committee
  - Licensing Regulatory Committee

### **Sub-Committees**

- The Audit Committee has appointed the following sub-committees:
  - Personnel Sub-Committee
  - Pensions Sub-Committee
  - Standards Committee
- The Licensing Committee has appointed four sub-committees
- The Planning Committee has appointed two sub-committees

### **Committee of the Executive**

- The Executive has established a Voluntary and Community Sector Committee

### **Political Balance**

The rules on political balance will apply to all committees and sub-committees except the Licensing Committee and its sub-committees, the Health and

Wellbeing Board and the Voluntary and Community Sector Committee, the political membership of which shall be as set out in their terms of reference.<sup>1</sup>

### **Joint Committees**

A number of joint committees have been established with other London Boroughs under the umbrella of London Councils. The London Councils' Leaders Committee and the Transport and Environment Committee exercise executive and non-executive functions. The Grants Committee exercises Executive functions. The terms of reference and make up of these committees and sub-committees are described below.

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<sup>1</sup> These rules do not currently apply as the council is not divided into 2 or more political groups

## **EXECUTIVE**

### **Composition**

The Executive will consist of the Leader together with such other number of councillors (being not fewer than two or more than nine) as the Leader may determine. The number is currently eight.

### **Quorum**

The quorum for a meeting of the Executive shall be four.

### **Executive Functions**

The Executive is responsible for the discharge of all the functions of the authority which are not included in Appendix 2(i) or designated as non-Executive functions in Appendix 2(ii). Where these functions are delegated to another decision-maker in this Constitution, that decision-maker may nonetheless refer the matter to the Executive itself for decision.

## **VOLUNTARY AND COMMUNITY SECTOR COMMITTEE**

### **Composition**

- The Leader
- The Executive member for Community Development
- The Executive member for Housing and Development

Substitute members:

Executive members for Children, Young People and Families; Health and Care; Economic Development; Environment and Transport; and Finance, Performance and Community Safety

The following members will be invited to attend as observers:

3 majority party backbenchers

1 opposition party members

### **Quorum**

The quorum for a meeting of the Committee shall be two.

### **Terms of Reference**

1. To oversee the Council's engagement with the Islington community and voluntary sector and to ensure value for money and fairness in the allocation of council resources to the sector.
2. To be responsible for the allocation off the Islington Community Fund including:
  - a. allocating the VCS Partnership Grants Programme;
  - b. allocating the Advice Fund;
  - c. allocating the Local Initiatives Fund having regard to the recommendations of the relevant ward members/relevant ward partnership or neighbourhood group and on the basis that the funding will be allocated equally among the 16 wards making up the Council's area.
3. To receive updates on the allocation of funding by the Islington Community Chest Panel
4. To review and, if necessary, withdraw funding to organisations where there is a potential breach of conditions of grant aid and/or service level agreement.

5. To consider the management, use and disposal of council owned buildings occupied by voluntary and community sector organisations and to agree the disposal or leasing of council owned properties to voluntary sector and community bodies including, where relevant, the rent to be set save that decisions referred to in Part 3 4.4(j) may be taken by officers with the relevant delegated authority.
6. To approve the annual budget proposed for the London Councils Grants Committee.
7. To make an annual report to the Policy and Performance Scrutiny Committee on its activities.

# HEALTH AND WELLBEING BOARD

## Composition

- Leader of the Council
- Lead Member for Health and Social Care
- Lead Member for Children, Young People and Families
- GP and Chair of the Islington Clinical Commissioning Group
- GP and Vice Chair of the Islington Clinical Commissioning Group
- Lay Vice-Chair, Islington Clinical Commissioning Group
- CCG Chief Operating Officer
- Corporate Director of Housing and Adult Social Services
- Corporate Director of Children, Employment and Skills
- Director of Public Health
- Health Watch representative (one member)
- CCG Director of Nursing and Quality (non-voting)
- Local NHS Commissioning Board representative (non-voting)
- The Camden and Islington NHS Trust (non-voting)
- The Whittington NHS Trust (non-voting)
- Voluntary Sector representative (non-voting)

The Board will be chaired by the Leader of the Council.

A deputy may be appointed in respect of each member who may attend the meeting subject to the agreement of the Chair.

The Council may appoint additional persons to the Board provided it has first consulted with the Board.

The Board shall be entitled to appoint additional persons as non-voting co-opted members of the Board.

The Board may arrange for any of its functions to be delegated to a sub-committee of the Board, or exercised jointly with other Health and Wellbeing Boards in accordance Section 198 of the Health and Social Care Act 2012. The Board may enter into joint committee arrangement with other London Borough's Health and Wellbeing Boards in respect of any or all of its functions.

## Quorum

The quorum for a meeting of the committee shall be 4 members including one CCG representative and one councillor.

## Terms of Reference

1. To improve the health and wellbeing of the population of Islington by undertaking all duties imposed by the Health and Social Care Act 2012 on a Health and Wellbeing Board including to:



- Oversee development of and agree a Joint Strategic Needs Assessment (JSNA) and to ensure that commissioning plans that relate to health and wellbeing pay due regard to local needs and priorities identified in the JSNA.
  - Oversee development of and agree a Joint Health and Wellbeing Strategy (JHWS)
  - Provide steer and oversight of commissioning plans that relate to health and wellbeing including in some instances devolved responsibility from the NHS Commissioning Board for specialised services
  - Ensure an integrated approach to commissioning across NHS, public health and other Council services to increase efficiency and secure best use of resources, deliver better services and ultimately improve health and well-being outcomes
  - Provide advice assistance and support for the purpose of encouraging the making of arrangements under section 75 of the National Health Service Act 2006 in connection with the provision of such services.
  - Ensure best use of resources through collaborative working, pooled budgets and joint commissioning of services
  - Maintain an overview of and account for improvement in and attainment of key public health outcomes in the NHS, Public Health, and Adult Social Care Outcome Frameworks.
  - Consider the wider determinants of health, including housing, education and the environment and the existing public health functions within the local authority to ensure an integrated response to tackling health and wellbeing priorities and inequalities.
  - Have a formal role in authorising Clinical Commissioning Groups and in their annual assessment.
2. To agree operational protocols and an annual work programme for the Board.
  3. To ensure that the JSNA and JHWS inform and underpin the Corporate Plan in Islington, and wider Council strategies.
  4. To link the work of the Board to the Islington Fairness Commission and successor arrangements.
  5. To have oversight of emergency preparedness for health matters in the borough

## **STANDARDS COMMITTEE**

### **Composition**

The Standards Committee shall comprise four members.

(Independent Persons have been appointed by the council under the Localism Act 2011. Although not members of the Committee the Independent Persons are invited to attend meetings of the committee as observers.)

### **Quorum**

The quorum of the committee shall be three members.

### **Terms of Reference**

- To advise the Council on a local Code of Conduct for members.
- To grant dispensations to councillors and co-opted members allowing them to vote in circumstances when they would not otherwise be entitled to do so following referral of a request by the Monitoring Officer.
- 3 To decide, if requested to do so by the Monitoring Officer, whether complaints that a member of the Council has failed, or may have failed, to comply with the Council's Members' Code of Conduct should be investigated.
- 4 To hear complaints that a member of the Council has failed, or may have failed, to comply with the Council's Members' Code of Conduct that have been referred to them by the Monitoring Officer pursuant to the Code of Conduct Complaints Procedure.
- 5 To agree relevant procedures for hearing complaints that a member of the Council has failed, or may have failed, to comply with the Council's Members' Code of Conduct;

## **AUDIT COMMITTEE**

### **Composition**

The membership of the committee shall not include any members of the Executive.

The membership of the Audit Committee (Advisory) shall include two independent members.

### **Quorum**

The quorum shall be three members not including Independent members

### **Terms of Reference**

#### **Audit Committee (Advisory) Functions**

To consider the following matters and to make recommendations concerning them to the relevant Council bodies or to officers:

1. The Head of Internal Audit's annual report and opinion and the level of assurance internal audit activity can give over the Council's corporate governance arrangements;
2. The external auditor's annual letter, relevant reports and the report to those charged with governance on issues arising from the audit of the accounts;
3. Reports dealing with the management, performance and value for money of the providers of internal and external audit services;
4. A report from internal audit on agreed recommendations not implemented within a reasonable timescale;
5. The appointment of the Council's external auditor;
6. Work to be commissioned from internal and external audit;
7. Specific internal and external audit reports as requested;
8. The contract procedure rules and financial regulations in the Council's constitution and the Council's compliance with its own and other published standards and controls;
9. Any issue referred to it by the Council, Executive, Policy and Performance Scrutiny Committee or the Chief Executive;

10. The Council's arrangements for corporate governance and risk management and recommend necessary actions to ensure compliance with best practice;
- 11 The production and content of the authority's Annual Governance Statement;
- 12 The annual report from the Monitoring Officer concerning standards of member conduct, which shall include a summary of complaints received under the Code of Conduct Complaints Procedure and their outcome.
- 13 Any report on any matter relevant to the advisory functions of the Committee which the Committee may request from the Corporate Director of Resources or other proper officer.

### **Audit Committee Decision-Making Functions**

#### **Audit related matters**

To review and agree the annual statement of accounts, including considering whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or the audit that need to be brought to the attention of the council.

1. To adopt the authority's Annual Governance Statement.
2. To agree annually the amount calculated by the Council as its tax base for the whole area of the borough, any tax base applying as special levies, and other matters associated with the tax base.

#### **General Matters**

3. To appoint a Personnel Sub-Committee, including approval of its terms of reference and membership. Members of the committee will include the Chair of Audit Committee, the Leader of the Council, the Executive Member with responsibility for Human Resources, and two ordinary member positions. All other Executive Members will be appointed to act as substitutes for the Committee, with the relevant Executive Member joining the Committee depending on the appointment being made.
4. To appoint a Pensions Sub-Committee.
5. To appoint such other sub-committees or other bodies, including their membership and terms of reference, as the Committee deems from time to time appropriate.
6. To grant exemptions under section 3 of the Local Government and Housing Act 1989 from political restriction to holders of posts under the

Council and to give directions as to inclusion of specified posts in the list maintained by the Council under section 2(2) of that Act.

7. To make appointments between council meetings to those outside bodies and panels appointed to by the Council under Part 3 paragraph 7.2.
8. To determine matters relating to the organisation and conduct of elections, including the following:
  - i. provision of assistance at European Parliamentary elections;
  - ii. division of the constituency into polling districts;
  - iii. division of the borough into polling districts.
9. To regulate matters affecting members, including remuneration, expenditure and training and to promote high standards of conduct amongst members.
10. To recommend to Council the introduction, amendment or revocation of byelaws.
11. To take decisions on any matter within the terms of reference of any of its sub-committees where the proper officer considers that it is necessary and reasonable to do so.
12. All other non-Executive matters specified under the relevant legislation save for those which are delegated to officers (unless the relevant Corporate Director refers the matter to the committee) or are reserved to the Council under paragraph 1 of Part 3 of this Constitution or to the Licensing Committee or Licensing Regulatory Committee and Planning committees.

## **PERSONNEL SUB-COMMITTEE**

### **Composition**

The Audit Committee will appoint members to the Personnel Sub-Committee following appointments made at the Annual Council Meeting. Members of the committee will include the Chair of Audit Committee, the Leader of the Council, the Executive Member with responsibility for Human Resources, and two ordinary member positions. All other Executive Members will be appointed to act as substitutes for the Committee, with the relevant Executive Member joining the Committee depending on the appointment being made.

When an appointment is to a post employed jointly by the Council and another organisation, such as the National Health Service, membership of the committee may be increased to include a relevant representative of that organisation as a co-opted non-voting member subject to the agreement of the Personnel Sub-Committee Chair.

### **Quorum**

The quorum shall be three members.

### **Terms of Reference**

1. The making of the Council's personnel policies and procedures and the setting of terms and conditions of employment.
2. Responsibility for and monitoring of, the Council's health and safety policies as employer, including reports on health and safety within Council departments.
3. To approve the early retirement of the Chief Executive and to agree the award of any discretionary payments in connection with such retirement or redundancy.
4. To approve any payment to an officer on termination of employment in respect of redundancy entitlement, any payment under the Local Government (Early Termination of Employment) Discretionary Compensation Regulations and notice pay in respect of termination in the interests of the efficient exercise of the Authority's functions, which exceeds £100,000 in total.
5. To be responsible for the recruitment and appointment of Corporate Directors and Service Directors in accordance with Part 4, Rule 101.
6. To agree the starting salary for any post where the overall remuneration package on new appointment (excluding pension contributions in accordance with the Local Government Pension Scheme regulations) is to exceed £100k

7. To hear representations in respect of the termination of a Corporate Director's employment in accordance with the JNC terms and conditions of employment.
8. To appoint an independent person (within the meaning of the Local Authorities (Standing Orders) (England) Regulations 2001) to carry out the functions in Regulation 7 of those regulations.
9. To take decisions on disciplinary matters relating to the Chief Executive including termination of the Chief Executive's contract of employment following consideration of a report prepared by a designated person.
10. To receive submissions from trades unions' representatives on agenda items concerning staff terms and conditions.
11. To make recommendations to Council on the appointment of the Chief Executive.
12. To make recommendations to Council on the appointment of independent persons to serve on the Standards Committee and Audit Committee.

## **PENSIONS SUB-COMMITTEE**

### **Composition**

No special requirements apply to the composition of the Pensions Sub-Committee.

### **Quorum**

The quorum of the sub-committee shall be two members.

### **Terms of Reference**

1. To consider policy matters in relation to the pension scheme, including the policy in relation to early retirements.
2. To administer all matters concerning the Council's pension investments in accordance with the law and Council policy.
3. To establish a strategy for disposition of the pension investment portfolio.
4. To determine the delegation of powers of management of the fund and to set boundaries for the managers' discretion.
5. To review the investments made by the investment managers and from time to time consider the desirability of continuing or terminating the appointment of the investment managers. (Note: The allocation of resources to the Pension Fund is a function of the Executive).
6. To consider the overall solvency of the Pension Fund, including assets and liabilities and to make appropriate recommendations to the Executive regarding the allocation of resources to the Pension Fund.
7. The Chair of the Pensions Sub-Committee will represent Islington Council at shareholder meetings of the London Collective Investment Vehicle (London LGPS CIV Limited). In the absence of the Chair a deputy may attend.



## **PLANNING COMMITTEE**

### **Quorum**

The quorum shall be three members.

### **Terms of Reference**

1. To determine any application for planning permission, consent or approval recommended for approval in respect of all major\* developments other than an application under section 73 of the Town and Country Planning Act 1990 covered by paragraph 6.
2. To determine any other applications for planning permission, consent or approval falling within the terms of reference of the Planning Sub-Committees which the Planning Committee has specifically indicated it wishes to consider itself.
3. To determine any other application for planning permission, consent or approval referred to it by a planning sub-committee or the Service Director, Planning and Development/Head of Service, Development Management.
4. To determine any other application for planning permission, consent or approval recommended for approval (including any falling within the terms of reference of the Planning Sub-Committees), which the Chair of Planning Committee or at least two members of the Council have requested by notice to the Service Director, Planning and Development/Head of Service, Development Management (setting out reasonable planning grounds for the request) be considered by a Planning Committee.
5. To make traffic management and stopping-up orders which are consequent upon the grant of planning permission by the committee.
6. A Section 73 application need not be referred to the committee where the Service Director Planning and Development/Head of Service Development Management, following consultation with the Chair of Planning Committee (or in the Chair's absence, the Vice-Chair) considers:
  - i) a condition can be imposed, varied or removed in respect of the permission as a result of which it would not be fundamentally different from or a substantial alteration to the permission which has been previously approved by the Council in relation to the same site;
  - ii) the application relates to minor material amendment(s) and the amended permission will not be substantially different from the permission which has been previously approved by the Council in relation to the same site.

\*As defined in the Town and Country Planning (Development Management Procedure) (England) Order 2010 namely development involving any one or more of the following—

- (a) the winning and working of minerals or the use of land for mineral-working deposits;
- (b) waste development;
- (c) the provision of dwelling houses where:
  - (i) the number of dwelling houses to be provided is 10 or more; or
  - (ii) the development is to be carried out on a site having an area of 0.5 hectare or more and it is not known whether the development falls within paragraph (c)(i);
- (d) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or
- (e) development carried out on a site having an area of 1 hectare or more

## **PLANNING SUB-COMMITTEES**

### **Quorum**

The quorum shall be three members.

### **Terms of Reference**

To determine the following matters, unless they are made under section 73 of the Town and Country Planning Act 1990 (and paragraph 14 applies) or are in respect of major developments as defined in the terms of reference of the Planning Committee and are not covered by paragraph 12:

1. Applications recommended for approval which involve the creation of 5 - 9 residential units or 250 - 999sq.m of new office floor space, where relevant planning objections have been received by the proper officer;
2. Applications which are recommended for approval but which do not conform to the Local Development Framework;
3. Applications which involve a legal agreement unless:
  - (i) The heads of terms relate only to securing affordable housing and/or affordable workspace and/or CO2 off-setting in line with planning policy and/or securing highway works in relation to the application site; or
  - (ii) The terms of the agreement are not materially different from any previous agreement approved by the sub-committee in relation to the same site;
4. Alterations: to Grade I or Grade II\* listed buildings, (except matters which in the opinion of the Service Director, Planning and Development /Head of Service, Development Management are minor); which involve substantial demolition of a Grade II listed building; where the Council has a difference of opinion with English Heritage;
5. Applications where the Council has an interest (except for matters which in the opinion of the Service Director, Planning and Development /Head of Service, Development Management are minor);
6. Applications submitted by or on behalf of a Member of the Council (or their spouse or partner), or any Council employee (or their spouse or partner);
7. Decisions which are likely to result in a claim for compensation or the service of a purchase notice;

8. Applications which, in the opinion of the Service Director, Planning and Development /Head of Service, Development Management, should be considered by the appropriate sub-committee;
9. Applications which are recommended for approval where an objection to the current proposal has been received which is based on planning grounds (other than those applications where, in the opinion of the Service Director, Planning and Development/Head of Service, Development Management (in consultation with the Chair of the Planning Committee), the objection can be overcome by imposition of an appropriate condition, or where the application clearly complies with the relevant planning policies in which case the decision may be taken by officers) unless the objection relates to an application made under the procedure for prior approval under part 24 of the General Permitted Development Order;
10. Traffic management and stopping-up orders which are consequent upon the grant of planning permission by the sub-committee;
12. To determine any applications for planning permission, consent or approval falling within the terms of reference of the Planning Committee which the Planning Committee has specifically indicated it wishes a sub-committee to consider;
13. To determine any other application for planning permission, consent or approval, other than in respect of a major development, which the Chair or at least two members of the Council have requested by notice to the Service Director, Planning and Development/Head of Service, Development Management (setting out reasonable planning grounds for the request) be considered by a Planning Sub-Committee;
14. A Section 73 application need not be referred to the committee where:
  - (a) the Service Director Planning and Development/Head of Service Development Management would not recommend it for approval; or
  - (b) the Service Director Planning and Development/Head of Service Development Management, following consultation with the Chair (or in the Chair's absence, the vice-Chair) considers:
    - i) a condition can be imposed, varied or removed in respect of the permission as a result of which it would not be fundamentally different from or a substantial alteration to the permission which has been previously approved by the Council in relation to the same site;
    - ii) the application relates to minor material amendment(s) and the amended permission will not be substantially different from the permission which has been previously approved by the Council in relation to the same site.

# LICENSING COMMITTEE

## Composition

The Licensing Committee shall comprise at least ten, but no more than fifteen members of the Council.

## Quorum

The quorum of the committee shall be four members.

## Terms of Reference

1. To discharge all of the licensing functions of the Council as the licensing authority under the Licensing Act 2003 and the Gambling Act 2005, except the determination of the Council's Statement of Licensing Policy and the publication of that Statement under either Act, the making of a resolution not to issue a casino premises licence under section 166 of the Gambling Act 2005.
2. To discharge the functions of the Council under schedule 3 Local Government Miscellaneous Provisions) Act 1982, as amended.
3. To establish and appoint to sub-committees to :
  - a. determine matters under the Licensing Act 2003 regarding personal licences, premises licences, club premises certificates, provisional statements, variation of the designated premises supervisor, interim authorities, police objections to temporary event notices and any applications requiring a hearing under the Act; and
  - b. determine matters under the Gambling Act 2005 regarding premises licences, provisional statements, variations of premises licences, transfers of premises licences, reviews of premises licences, the fixing of fees and any applications requiring a hearing under the Act.
4. To arrange for the discharge of the functions governed by the Licensing Act 2003 and the Gambling Act 2005 by its sub-committees or by officers in accordance with section 10 of the Licensing Act and section 232 of the Gambling Act.
5. To arrange for the discharge of any other of the Committee's functions by its sub-committees.
6. To receive and consider annual reports, where appropriate, on any matter directly related to the licensing functions in the borough.

7. To exercise the functions of the Licensing Sub-Committees during the period between the election and the Annual Meeting of the Council, if necessary.
8. To determine the amount of any fees and charges to be made for any approval, consent, licence, permit or registration within the terms of reference of the Committee.

## **LICENSING SUB COMMITTEES**

### **Composition**

The sub-committees shall comprise three members.

### **Quorum**

The quorum of the sub-committee shall be three members.

### **Terms of Reference**

#### **Licensing Act 2003**

1. To determine applications for personal licences where the police have served an objection notice or the applicant has an unspent conviction.
2. To determine applications for premises licences, club premises certificates and provisional statements where a relevant representation is made.
3. To determine applications to vary premises licences and club premises certificates where a relevant representation is made.
4. To determine applications to vary a designated premises supervisor where a police objection is received.
5. To determine applications for transfer of a premises licences where a police objection is received.
6. To determine applications to review premises licences and club premises certificates.
7. To determine applications for interim authorities where a police objection is received.
8. To determine an objection to a temporary event notice.
9. Decision to object when the Council is a consultee and not the relevant authority considering the application
10. Determination of applications to vary premises licences at community premises to include an alternative licence condition if there is a police objection

### **Gambling Act 2005**

10. To determine applications for premises licences and provisional statements where representations have been made and not withdrawn.
11. To determine applications for variation of premises licences where representations have been made and not withdrawn.
12. To determine applications for transfer of premises licences where representations from the Gambling Commission or responsibility authority are received.
13. To review a premises licence.
14. Application for club gaming/club machine permits where objections have been made and not withdrawn.
15. Cancellation of club gaming/club machine permits.
16. Decision to give a counter notice to a temporary use notice.

### **Schedule 3 Local Government (Miscellaneous Provisions) Act 1982 as amended**

17. To determine applications for first grant of a sex establishment licence.
18. To determine renewal applications for a sex establishment licence if objections are received and not withdrawn.
19. To determine transfer applications for a sex establishment licence if objections are received and not withdrawn.

### **General**

20. To determine any application or variation which is capable of being determined by officers but which the Corporate Director of Environment and Regeneration considers appropriate for the Sub-Committee to consider.

### **Delegation to Officers**

21. All functions under the Licensing Act 2003, the Gambling Act 2005 and schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 as amended not within the terms of reference of the Licensing Sub-Committees or reserved to the Council at Part 3 Section 7 of the Constitution, other than the fixing of fees under the Gambling Act 2005, are delegated to officers as detailed in Part 3 and Appendix 2 of the Constitution.



## **LICENSING REGULATORY COMMITTEE**

### **Composition**

No special requirements apply to the composition of the Licensing Regulatory Committee.

The membership of the committee shall be four.

### **Quorum**

The quorum of the committee shall be three members.

### **Terms of Reference**

1. To determine applications for street trading, track betting and special treatment licences where there are unresolved objections to those applications.
2. To designate streets as licensed streets.
3. To revoke licences (except on the ground of non payment of fees).
4. To set and review policy in relation to the matters coming within the remit of the committee.
5. To take decisions on any other licensing matter referred to it by the Corporate Director of Environment and Regeneration, except those which may lawfully be taken by the Licensing Committee established for the purpose of the Licensing Act 2003 and the Gambling Act 2005.
6. The hearing of representations and the determination of applications for a licence of a Scrap Metal Dealer, under the Scrap Metal Dealers Act 2013, where the Service Director of Public Protection proposes to refuse or to cancel a licence or to vary a licence under section 4 of the Act and the applicant has given notice to the authority, within the prescribed time, that they require the opportunity to make representations about the proposal.
7. To determine the amount of any fees and charges to be made for any approval, consent, licence, permit or registration within the terms of reference of the Committee.

### **Delegation to Officers**

All functions under the Scrap Metal Act 2013 not within the terms of reference of the Licensing Regulatory Committee are delegated to officers as detailed in Part 3 and Appendix 2 of the Constitution.

## SCRUTINY COMMITTEES

1. Overview and scrutiny functions are:
  - Reviewing or scrutinising decision or actions taken in connection with the discharge of executive functions
  - Making recommendations about executive functions
  - Reviewing or scrutinising decision or actions taken by the council in connection with the discharge of non-executive functions
  - Making recommendations about these functions
  - Making recommendations about matters which affect the authority's area or its inhabitants.
  - Carrying out the specific roles of health scrutiny and crime and disorder scrutiny.
  - To consider matters relating to the performance of the council.
2. Overview and scrutiny functions in respect of the Council's education functions are allocated to the Children's Services Scrutiny Committee the membership of which includes education representatives as set out in its terms of reference below.
3. Where one of the other Scrutiny Committees is carrying out a review or dealing with other business which will involve a consideration of the Council's education functions, the education representatives on the Children's Services Scrutiny Committee shall be entitled to join the Scrutiny Committee as voting members for the meeting concerned to participate in that review.
4. All Scrutiny Committee are responsible for considering equalities issues arising in respect of matters falling within their terms of reference.

## **POLICY AND PERFORMANCE SCRUTINY COMMITTEE**

(This Scrutiny Committee is the Council's statutory crime and disorder scrutiny committee)

### **Composition**

Members of the Executive may not be members of the Policy and Performance Scrutiny Committee.

The membership of the committee shall include the Chairs of the Scrutiny Committees (subject to political balance rules)

No member may be involved in scrutinising a decision in which he/she has been directly involved.

Policy and Performance Scrutiny Committee shall be entitled to appoint a number of people as non-voting co-optees

### **Quorum**

The quorum for the Policy and Performance Scrutiny Committee shall be four members not including co-optees.

### **Terms of Reference**

1. The co-ordination of all overview and scrutiny functions on behalf of the Council.
2. To receive reports from the Leader on the Executive's priorities for the coming year and its performance in the previous year.
3. To consider matters relating to the financial position and performance of the Council other than detailed performance matters in the remit of another scrutiny committee.
4. To consider matters relating to the performance of the Council and its partners other than detailed performance matters falling within the remit of any other Scrutiny Committee.
5. To carry out the functions of an overview and scrutiny committee in respect of matters relating to the Chief Executive's Department and the Resources Directorate.
6. To be the Council's crime and disorder committee and to review or scrutinise matters relating to the discharge of crime and disorder functions by the Council and its partners and make reports or recommendations to the Executive or other appropriate part of the council.

7. To receive requests from the Executive or the Leader of the Executive for scrutiny involvement in policy development and review and key decisions before they are made and decide how to respond.
8. To monitor the Executive's Forward Plan.
9. To consider all matters which have been referred to it in accordance with the provisions contained in the call in procedure contained within Overview and Scrutiny Procedure Rules or the Budget and Policy Framework Procedure Rules set out in Part 4 of this Constitution and to decide whether such matters should be referred to Council or to the Executive for reconsideration.
10. To consider all matters that have been referred to it in accordance with the provisions contained in the councillor call for action procedure contained within the Overview and Scrutiny Procedure Rules.
11. To set at the beginning of each municipal year a work programme for itself and the four Scrutiny Committees following consultation with the Chairs of those committees.
12. To receive the annual report of the Voluntary and Community Sector Committee.
13. To set aside one or more meeting(s) each year to receive an annual report from each of the 4 Scrutiny Committees.

# **CHILDREN'S SERVICES SCRUTINY COMMITTEE**

## **Composition**

Members of the Executive may not be members of the Children's Services Scrutiny Committee.

No member may be involved in scrutinising a decision in which he/she has been directly involved.

The Children's Services Scrutiny Committee shall be entitled to appoint a number of people as non-voting co-optees and shall include in its membership the following voting co-optees:

- (a) At least one Church of England diocese representative;
- (b) At least one Roman Catholic diocese representative;
- (c) Between two and five parent governor representatives; and
- (d) A representative from other faiths or denominations as appropriate.

These representatives will be entitled to vote on education functions related to the Council's education functions, in respect of which the Council has responsibility under the Education Acts.

## **Quorum**

The quorum for the Children's Services Scrutiny Committee shall be three members, not including co-opted members.

## **Terms of Reference**

1. To carry out the functions of an overview and scrutiny committee in respect of matters relating to the Children's Services Directorate
2. To consider matters relating to the performance of the Council's partners in respect of the functions of the Children's Services department as appropriate.
3. To receive requests from the Executive or the Leader of the Executive for scrutiny involvement in education related matters.

4. To consider educational issues referred to it in accordance with the provisions contained in the call in procedure contained within Policy and Scrutiny Procedure Rules or the Budget and Policy Framework Procedure Rules set out in Part 4 of this Constitution and to decide whether such matters should be referred to Council or to the Executive for reconsideration.
5. To undertake a scrutiny review of its own choosing relating to a Children's Services Directorate function and any further reviews as directed by the Policy and Performance Scrutiny Committee and to make recommendations to the Executive thereon.
6. To consider all matters that have been referred to it in accordance with the provisions contained in the councillor call for action procedure contained within the Overview and Scrutiny Procedure Rules.

## **HEALTH AND CARE SCRUTINY COMMITTEE**

(This Scrutiny Committee is responsible in accordance with regulation 28 of the Local Authority (Public Health, Health and Wellbeing and Health Scrutiny) Regulations 2013) for the Council's health scrutiny functions other than the power under regulation 23(9) to make referrals to the secretary of state

### **Composition**

Members of the Executive may not be members of the Scrutiny Committee.

Members of the Health and Wellbeing Board should not be appointed to this committee.

No member may be involved in scrutinising a decision which he/she has been directly involved.

The Scrutiny Committee shall be entitled to appoint a number of people as non-voting co-optees.

### **Quorum**

The quorum for a meeting of the committee shall be four members.

### **Terms of Reference**

1. To review the planning, provision and operation of health and care services in Islington area, invite reports from local health and care providers and request them to address the committee about their activities and performance
2. To respond to consultations by local health trusts and the Department of Health.
3. To consider whether changes proposed by local health trusts amount to a substantial variation or development.
4. To make reports and/or recommendations to a relevant NHS body or a relevant health service provider.
5. To recommend to the Council that a referral be made to the secretary of state under regulation 23(9) of the Local Authority (Public Health, Health and Wellbeing and Health Scrutiny) Regulations 2013.
6. To make reports and/or recommendations to the Council and/or the Executive on matters which affect the health and wellbeing of inhabitants of the area.

7. To carry out the functions of an overview and scrutiny committee in respect of matters relating to the Public Health Directorate or to Adult Social Services.
8. To undertake a scrutiny review, of its own choosing and any further reviews as directed by the Policy and Performance Scrutiny Committee and, consulting all relevant sections of the community, to make recommendations to the Executive thereon.
9. To carry out any review referred to it by the Policy and Performance Scrutiny Committee following consideration of a Councillor Call for Action referral.



# **ENVIRONMENT AND REGENERATION SCRUTINY COMMITTEE**

## **Composition**

Members of the Executive may not be members of the Scrutiny Committee.

No member may be involved in scrutinising a decision which he/she has been directly involved.

The Scrutiny Committee shall be entitled to appoint a number of people as non-voting co-optees.

## **Quorum**

The quorum for a meeting of the committee shall be four members.

## **Terms of Reference**

1. To carry out the functions of an overview and scrutiny committee in respect of matters relating to the Environment and Regeneration Directorate.
2. To scrutinise other sustainability and transport issues affecting the borough
3. To undertake, a scrutiny review of its own choosing and any further reviews as directed by the Policy and Performance Scrutiny Committee and, consulting all relevant sections of the community, to make recommendations to the Executive thereon.
4. To carry out any review referred to it by the Policy and Performance Scrutiny Committee following consideration of a Councillor Call for Action referral.

# HOUSING SCRUTINY COMMITTEE

## Composition

Members of the Executive may not be members of the Scrutiny Committee.

No member may be involved in scrutinising a decision in which he/she has been directly involved.

The Council may appoint up to three resident observers to the Committee to represent the views and experiences of local people.

## Quorum

The quorum for a meeting of the committee shall be four members not including co-opted members.

## Terms of Reference

1. To carry out the functions of an overview and scrutiny committee in respect of matters relating to Housing Services.
2. To consider and make recommendations to the Executive, the Executive member for Housing and to Corporate Directors or other council officers with relevant delegated authority in relation to any aspect of the council's housing landlord functions and services.
3. To consider and make recommendations to the Executive, the Executive member for Housing and to Corporate Directors or other council officers with relevant delegated authority in relation to other functions and services directly affecting any aspect of the council's housing landlord functions and services.
4. To review the operation and effectiveness of the council's resident engagement arrangements from time to time.
5. To consider matters relating to the performance of the Council's partners, including RSLs, in respect of housing and housing related matters as appropriate.
6. To consider residents' experience of the borough's privately rented housing
7. To seek and receive the views of residents concerning housing matters through the council's resident engagement arrangements.

8. To undertake a scrutiny review of its own choosing and any further reviews as directed by the Policy and Performance Scrutiny Committee and, consulting all relevant sections of the community, to make recommendations to the Executive thereon.
9. To carry out any review referred to it by the Policy and Performance Scrutiny Committee following consideration of a Councillor Call for Action referral.

## **JOINT COMMITTEES**

### **FUNCTIONS DISCHARGED BY THE LONDON COUNCILS JOINT COMMITTEES**

The Council is a member of a number of joint committees under the umbrella of London Councils. An Agreement dated 1 April 2000 (as varied by an agreement dated 13 December 2001) established the London Councils Leaders' Committee and the Associated Joint Committee (London Councils Grants Committee) as joint committees. There is a further agreement dated 15 January 1998 (as varied by the Agreement dated 13 December 2001), which established the Associated Joint Committee (London Councils Transport and Environment Committee).

The rules of debate and procedure for the conduct of meetings of the Leaders' Committee are set out in Standing Orders contained in the 1 April 2000 Agreement and which are also published on the London Councils website. The Leaders' Committee is also required to comply with Financial Regulations contained in the London Councils Agreement. These Standing Orders and Financial Regulations also apply to the other London Councils joint committees detailed below.

#### **LONDON COUNCILS LEADERS' COMMITTEE:**

##### **Membership**

This committee comprises one member of each of the London local authorities who is designated the authority's "Leader" for the purposes of carrying out the committee's functions.

##### **Terms of Reference**

(This joint committee discharges executive and non-executive functions)

The terms of reference of the Committee are set out in full in the Agreement dated 1 April 2000 and are summarised below:

1. To consult on the common interests of the London local authorities and to discuss matters relating to local government.
2. To represent the interests of the London local authorities to national and local government, Parliament, the European Union and other bodies.
3. To formulate policies for the development of democratic and effectively managed local government.
4. To provide services to the London local authorities including the provision of information.

5. To provide information to the public, individuals and other organisations on the policies of the London Councils and other issues relevant to London.
6. To act for and on behalf of the London local authorities in their role as employers, through the provision of a range of services.
7. To appoint members to serve on the Greater London Provincial Council and to represent the views of the London local authorities on pay and terms and conditions of service to the national negotiating body.
8. To review the needs of Greater London under the London Boroughs Grants Scheme, in accordance with which the London local authorities make grants to voluntary organisations within Greater London and to approve the budget proposed for the Scheme each year.
9. To consult with the Associated Joint Committee (London Councils Transport and Environment Committee) (see below) regarding strategic policies and annual budget.
10. To establish an independent remuneration panel to make recommendations to the London local authorities regarding the payment of allowances to the members of those authorities.

## **ASSOCIATED JOINT COMMITTEE (LONDON COUNCILS TRANSPORT AND ENVIRONMENT COMMITTEE)**

### **Membership**

This committee comprises one member from each London local authority and a member from Transport for London (which is part of the Greater London Authority).

### **Terms of Reference**

(This committee discharges executive and non-executive functions.)

The terms of reference of the Committee are set out in full in the Agreement of 13 December 2001 and are summarised below:

1. To appoint and provide accommodation and support for parking adjudicators and to administer the parking appeals service, which is an independent service for those wanting to appeal against a Council's decision on a parking ticket;
2. To set the level of penalties and other enforcement charges and the level of discount for early payment of penalties;

3. To set the level of penalties for decriminalised contraventions in bus lanes, and the level of discount for early payment of penalties;
4. To operate other parking services including the TRACE line, which provides 24-hour information on cars which have been towed away;
5. The publication of a code of practice on parking enforcement and the dissemination of parking enforcement information to drivers and the general public;
6. To co-ordinate and maintain vehicle clamping and removal operations;
7. To provide IT services to the London local authorities for DVLA enquiries, County Court debt registrations and warrants, borough payment information exchange and a persistent offenders database;
8. The production and maintenance of the parking attendants' handbook of contravention codes;
9. To administer the Health Emergency Badge Scheme for doctors, nurses and health visitors;
10. To act as the National Joint awarding body for National Vocational Qualifications for Parking Attendants;
11. To run and pay for the Freedom Pass free ticket initiative for London's senior citizens, blind and disabled people;
12. To administer the London Lorry Ban, which prevents lorries travelling down residential streets at night and at weekends;
13. To run and pay for the Taxicard Scheme, which provides free transport for London's disabled community;
14. To take a borough-wide strategic overview on London's transport policy and policy issues in planning, the environment, consumer protection, trading standards and waste.
15. To make and enforce pan-London traffic orders for the purposes of the implementation across Greater London of the London Safer Lorry Scheme under section 6 of the Road Traffic Regulation Act 1984 and all other enabling powers.

## **ASSOCIATED JOINT COMMITTEE (LONDON COUNCILS GRANTS COMMITTEE)**

### **Membership**

This committee comprises one member from each London local authority who must be a member of their Executive.

### **Terms of Reference**

(This Committee discharges Executive functions.)

1. To make grants to voluntary organisations benefitting more than one London borough.
2. To consider and review the needs of London in relation to the grants scheme.
3. To recommend an annual budget to the London Councils Leaders' Committee, which, once approved, has to be agreed by a two-thirds majority of the London local authorities in order to make it binding on all 33 – (which includes the Corporation of London).

## **PARTNERS IN PARKING**

### **Membership**

This committee comprises one elected Member from each partner authority's Executive.

### **Terms of Reference**

1. To consider proposals from the Management Committee for Procurements, and, subject to any formal notifications or approvals that may be required by individual partner authorities in accordance with Clauses 10.5.1 or 10.8 of the Agreement, to agree the entering into of new procurements and the award of framework contracts or other appropriate contractual arrangements.
2. To provide programme and strategic direction to the Management Committee and Central Team.
3. To monitor progress and the implementation of procurements and framework contracts entered into under them.
4. To monitor and keep under review the fundamental purpose of PiP.
5. To assist and direct the Management Committee in the promotion of PiP.
6. To consider the introduction of a New Partner Authority and make decisions in that regard.
7. To consider and/or approve the removal of any Partner Authority.
8. To agree the amount of contributions.
9. To make decisions in relation to the dissolution of PiP.
10. To appoint the Chair of the Management Committee.
11. To approve budgets.



## **LHC (LONDON HOUSING CONSORTIUM)**

### **Membership**

The London Housing Consortium is a building procurement consortium for housing, schools and corporate buildings. There are 12 Full Members of the LHC which comprises ten London Boroughs, Buckingham County Council and one registered social landlord.

This committee comprises two elected Members from each partner authority.

### **Terms of Reference**

- 1 To provide specialist technical and procurement services related to building programmes undertaken by LHC constituent authorities and other public sector bodies.
- 2 To establish, develop and manage framework agreements for the procurement of building components and services for the use and benefit of all constituent authorities and other public sector bodies.

## **NORTH CENTRAL LONDON JOINT HEALTH AND OVERVIEW SCRUTINY (JHOSC) COMMITTEE**

### **TERMS OF REFERENCE**

#### **Membership**

This is a joint health scrutiny committee with the London Boroughs of Barnet, Camden, Enfield and Haringey established under the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013.

Each authority makes two appointments to the joint committee

#### **Terms of Reference**

1. To engage with relevant NHS bodies on strategic area wide issues in respect of the coordination, commissioning and provision of NHS health services across the whole of the area of Barnet, Camden, Enfield, Haringey and Islington; and
2. To respond, where appropriate, to any proposals for change to specialised NHS services that are commissioned on a cross borough basis and where there are comparatively small numbers of patients in each of the participating boroughs.
3. To respond to any formal consultations on proposals for substantial developments or variations in health services across affecting the areas of Barnet, Camden, Enfield, Haringey and Islington and to decide whether to use the power of referral to the Secretary of State for Health on behalf of Councils who have formally agreed to delegate this power to it when responding to formal consultations involving all the five boroughs participating in the JHOSC;
4. The joint committee will work independently of both the Executive and health scrutiny committees of its parent authorities, although evidence collected by individual health scrutiny committees may be submitted as evidence to the joint committee and considered at its discretion.
5. The joint committee will seek to promote joint working where it may provide more effective use of health scrutiny and NHS resources and will endeavour to avoid duplicating the work of individual health scrutiny committees. As part of this, the joint committee may establish sub and working groups as appropriate to consider issues of mutual concern provided that this does not duplicate work by individual health scrutiny committees; and
6. The joint committee will aim work together in a spirit of co-operation, striving to work to a consensual view to the benefit of local people.

# Haringey and Islington Joint Health and Wellbeing Board

## Terms of Reference

### 1. Establishment of a Joint Sub-Committee

- 1.1 In exercise of their powers under Section 198 of the Health and Social Care Act 2012 which permits two or more Health and Wellbeing Boards to make arrangements for any of their functions to be exercised by a joint sub-committee of the boards, the London Boroughs of Haringey and Islington have agreed to establish a Joint Sub-Committee of their Health and Wellbeing Boards to be known as the 'Haringey and Islington Health and Wellbeing Boards Joint Sub-Committee'.
- 1.2 The Haringey and Islington Health and Wellbeing Boards Joint sub-committee (the Sub-Committee) shall operate as a sub-committee of the Health and Wellbeing Boards of each borough, which will continue to meet and consider matters within their terms of reference.

### 2. Purpose and function

- 2.1 The 'Haringey and Islington Health and Wellbeing Boards' have established the (Sub Committee) to discharge on behalf of the two wellbeing boards the functions of preparing and producing Joint Strategic Needs Assessment (JSNA) and Joint Health and Wellbeing Strategy (JHWS); and encouraging integrated workings between commissioners and providers of health and care in the two boroughs in so far as it relates to areas of common interest and for the purpose of advancing the health and wellbeing of their populations.
- 2.2 The Islington and Haringey Wellbeing Partnership is intended to support the populations of both boroughs to live healthier, happier and longer lives; improve health and care services so that people experience more joined up, better quality services at the right time in the right place; and make sure the local health and care system delivers high value care, and is financially sustainable. Islington and Haringey have similar populations, with similar health and care needs, and a shared ambition and vision to provide high-quality, integrated, people-centred services.
- 2.3 The Sub-Committee will oversee at a strategic level the programme of activities by the Wellbeing Partnership aimed at more integrated and joined up approach in service planning and delivery in health and care within and across both boroughs and to maximise use of resources and deliver better outcomes for service users. Both Islington and Haringey Health and Wellbeing Boards have expressed their support for the

Wellbeing Partnership.

2.4 The Sub-Committee will also consider and where necessary contribute to the development of the North Central London (NCL) Sustainability and Transformation Plan.

2.5 The Sub-Committee will:

- a) encourage and promote partnership working in health and social care within and across the two boroughs;
- b) encourage joint consideration and co-ordination of health and care issues that are of common interest or concern to the population of the two boroughs;
- c) encourage and promote integrated working between health and care commissioners and providers within and across the two boroughs;
- d) prepare and produce the Joint Strategic Needs Assessment and Joint Health and Wellbeing Strategy for the two boroughs;
- e) provide strategic oversight for the Wellbeing Partnership and any future partnership models for joined up and integrated approach in health and care across the two boroughs;
- f) provide a mechanism to enable joint decision-making in relation to future joint initiatives, service transformation and co-commissioning arrangements in health and care in the two boroughs;
- g) give effect to the boroughs stated intentions to foster collaboration in health and social care between commissioners and providers within and across the two boroughs;
- h) consider and where necessary contribute to the development of the North Central London (NCL) Sustainability and Transformation Plan; and
- i) where appropriate, and in so far as it relates to integrated working, represent the collective interests of the two boroughs to national and local government and other bodies.

2.6 The Sub-Committee shall operate and discharge its responsibilities in accordance with these Terms of Reference.

### **3. Public Meetings**

- 3.1 The Sub-Committee will meet at least four times a year. The meetings will be rotated between the offices of each of the Councils.
- 3.2 The meetings of the Sub-Committee will be open to the public except to the extent that they are excluded under the following paragraph. The public may be excluded from a meeting of the Sub-Committee during an item of business whenever it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that, if members of the public were present during that item, confidential information as defined in section 100A(3) of the Local Government Act 1972 or exempt information as defined in section 100I and Schedule 12A to the Local Government act 1972 would be disclosed to them.

#### **4. Business to be transacted**

- 4.1 The standing items for each meeting of the Sub-Committee will include the following:
  - a) Filming at meetings
  - b) Welcome and introductions
  - c) Apologies for absence
  - d) Notification of urgent business
  - e) Declaration of Interest
  - f) Questions and deputations
  - g) New items of urgent business
  - h) Exclusion of the press and public
  - i) New items of exempt urgent business
- 4.2 The Chair may vary the order of business and take urgent items as specified in the Access to Information Requirements at his/her discretion. The Chair should inform the Members of the Sub-Committee prior to allowing the consideration of urgent items.
- 4.3 An item of business may not be considered at a meeting unless:
  - a) A copy of the agenda included the item (or a copy of the item) is open to inspection by the public for at least five clear days before the meeting; or
  - b) By reason of special circumstances which shall be specified in the minutes the Chair of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency.

“Special Circumstances” justifying an item being considered as a matter of urgency will relate to both why the decision could not be made at the meeting allowing the proper time for inspection by the public as well as why the item or report could not have been available for inspection for five clear days before the meeting.

## **Public Questions**

- 4.4 Members of the public may ask the Chair any question on anything for which the Sub-Committee is responsible at any ordinary meeting.
- 4.5 Notice of questions must be given in writing to the Committee Clerk of either or both boroughs by 10 a.m. on such day as shall leave five clear days before the meeting (e.g. Friday for a meeting on the Monday 10 days later). The notice must give the name and address of the sender. Should a question be rejected, the questioner will receive a written response advising of this, including the reasons for the rejection.
- 4.6 The Monitoring Officer of either borough may reject a question if it:
- a) Is not about a matter for which the two boroughs has a responsibility or which affects them;
  - b) Is defamatory, frivolous or offensive;
  - c) Is substantially the same as a question which has been put at a meeting of both boroughs in the past six months;
  - d) Requires the disclosure of confidential or exempt information; or
  - e) Names, or clearly identifies, a member of staff or any other individual.
- 4.7 The Committee Clerk of either borough may put questions into an appropriate form without affecting their substance and redirect them if necessary.
- 4.8 The questions to be asked shall be supplied to all Members of the Sub-Committee no later than at the meeting. The minutes of the meeting will include the name of the questioner, a summary of the question and the response.
- 4.9 The Chair may allow one supplementary question for elucidation only.
- 4.10 A total time of 20 minutes (excluding any adjournment) shall be allowed for public questions and answers, but a question being answered at the time limit shall be completed.
- 4.11 Any questions remaining unanswered after the time limit, and any questions for which the questioner is neither present shall be answered in writing.

## **Deputations**

- 4.12 A deputation may only be received by the Sub-Committee if a requisition signed by not less than ten residents of either or both boroughs, stating the object of the deputation, is received by the Committee Clerk of either borough not later than 10am five clear days

prior to the Committee meeting.

- 4.13 Requisitions for deputations shall not be accepted from, nor on behalf of, political parties, nor if submitted on paper bearing the name, insignia or other device of a political party.
- 4.14 Subject to the foregoing the Committee Clerk of either borough shall bring the requisition before the Chair, who shall decide whether notice shall be given of the deputation on the agenda paper for a meeting of the Sub-Committee. The Chair must have regard to other business on the agenda in reaching such a decision; however a deputation will normally be accepted where there is an item on the agenda of the same subject matter. Where there is not an item on the agenda of the same subject, the Chair may refer the deputation to another relevant body of either or both boroughs.
- 4.15 The Deputation leader must be notified in writing as soon as possible if the deputation is not to be taken at that Committee meeting, advising of the reasons for the deputation not being taken at the Committee.
- 4.16 The Monitoring Officer of either borough may reject a deputation if it
- a) Is not about a matter for which the Sub-Committee has responsibility;
  - b) Is defamatory, frivolous or offensive;
  - c) Is substantially the same as a deputation, question or motion which has been put at a meeting of the Sub-Committee in the past six months;
  - d) Requires the disclosure of confidential or exempt information; or
  - e) Names, or clearly identifies, a member of staff or any other individual.
- 4.17 Taking the deputation at the meeting
- a) A total of 15 minutes shall be allocated to deputations on the Sub-Committee agenda.
  - b) The deputation spokesperson will be given three minutes to introduce the deputation, following which they may answer any questions from the Committee. The Chair will allocate a maximum amount of time for each deputation, and will have regard to other items of business on the agenda when doing so.

## **Reports**

- 4.19 The reports to the Sub-Committee will be in the following order:

Report for:  
Title:  
Report authorised by:

Lead Officer:

1. Describe the issue under consideration
2. Recommendations
3. Background Information
4. Contribution to strategic outcomes
5. Statutory Officer Comments (Legal and Finance)
6. Environmental Implications
7. Resident and Equalities Implications
8. Use of Appendices
9. Background papers

- 4.20 Reports should be authorised for inclusion on the agenda by the Chairs of both the Islington and Haringey Health and Wellbeing Boards. Such authorisation should be confirmed in writing.

## **5. Extraordinary meetings**

- 5.1 Arrangements may be made following consultation with Chairs of the boroughs HWB to call an extraordinary meeting of the Sub-Committee. The Chair of the Sub-Committee should inform the appointed Members prior to taking a decision to convene an extraordinary meeting.
- 5.2 The business of an extraordinary meeting shall be only that specified on the agenda.

## **6. Cancellation of meetings**

- 6.1 Meetings of the Sub-Committee may, after consultation with the Chair of the Sub-Committee and the Chairs of the constituent boroughs Health and Wellbeing Boards, be cancelled if there is insufficient business to transact or some other appropriate reason warranting cancellation. The date of meeting may be varied after consultation with the Chair and appointed members of the Sub-Committee in the event that it is necessary for the efficient transaction of business.

## **7. Urgency Procedure**

- 7.1 Where the Chair (following consultation with the appointed Members of the Sub-Committee) is of the view that an urgent decision is required in respect of any matter within the Sub-Committee functions and that decision would not reasonably require the call of an Extraordinary Meeting of the Sub-Committee to consider it and it cannot wait until the next Ordinary Meeting of the Sub-Committee, then they may request in writing the Chief Executive of each constituent borough (in line with pre-existing delegations in each borough's Constitution) to take urgent action as is required within each of the constituent boroughs.

## **8. Membership**



- 8.1 The membership of the Sub-Committee shall comprise the members of the London Borough of Haringey and the London Borough of Islington Health and Wellbeing Boards set out in the table below. “V” denotes the members with voting rights and “NV” members with non-voting rights. The constituent boroughs rules on attendance by substitute in the event that any one member is absent shall apply.

<b>LB of Islington HWB</b>		<b>LB of Haringey HWB</b>	
	<u>Local Authority Members</u>		<u>Local Authority Members</u>
1	Leader of the Council <b>(V)</b>	1	Leader of the Council <b>(V)</b>
2	Lead Member for Health and Social Care <b>(V)</b>	2	Lead Member for Children and Families <b>(V)</b>
3	Lead Member for Children, Young People and Families <b>(V)</b>	3	Lead Member for Finance and Health <b>(V)</b>
	<u>Local Clinical Commissioning Group</u>	4	<u>Local Clinical Commissioning Group</u>
4	GP and Chair of the Islington Clinical Commissioning Group (CCG) <b>(V)</b>	5	Chair, Haringey Clinical Commissioning Group (CCG) <b>(V)</b>
5	GP/Vice Chair of the Islington CCG <b>(NV)</b>	6	GP Board Member, Haringey CCG <b>(NV)</b>
6	Lay Vice-Chair, Islington CCG <b>(V)</b>	7	Lay Board Member, Haringey CCG <b>(V)</b>
7	Islington CCG Chief Operating Officer <b>(NV)</b>	8	Chief Officer, Haringey CCG <b>(NV)</b>
8	Islington CCG Director of Nursing and Quality <b>(NV)</b>	9	<u>Local Healthwatch</u>
	<u>Local Healthwatch</u>	10	Chair of Haringey Healthwatch <b>(V)</b>
9	Islington Healthwatch <b>(V)</b>	11	<u>Local Authority Officers</u>
	<u>Local Authority Officers</u>	12	Director of Adult and Housing Services <b>(NV)</b>
10	Corporate Director of Housing and Adult Social Services <b>(NV)</b>	13	Director of Children and Young People's Services <b>(NV)</b>
11	Corporate Director of Children, Employment and Skills <b>(NV)</b>		Director of Public Health <b>(NV)</b>
12	Director of Public Health <b>(NV)</b>		Deputy Chief Executive <b>(NV)</b>
	<u>Health Providers</u>		<u>Voluntary Sector</u>
13	The Camden and Islington NHS Trust <b>(NV)</b>		The Bridge Renewal Trust <b>(NV)</b>
14	The Whittington NHS Trust <b>(NV)</b>		
15	Voluntary Sector Voluntary Sector Representative <b>(NV)</b>		

- 8.2 Each member of the Sub-Committee shall serve for as long as he or she is member of the constituent borough HWB. A member shall cease to be a member of the Sub-Committee if he or she ceases to be a member of the constituent borough HWB.

- 8.3 The NHS Commissioning Board (NHS CB) shall serve as a non-voting member of the Sub-Committee to participate in the exercise of the function in respect of the JSNA and JHWS. With the agreement of the Sub-Committee, NHS CB may be represented by someone who is not from the NHS CB.

## 9. Chair

9.1 The Chair of the Sub-Committee shall be rotated between Chair of the constituent boroughs' Health and Wellbeing Board for each meeting of the Sub-Committee.

9.2 The Vice-Chair of the Sub-Committee shall be the Chair of the borough's Health and Wellbeing Board who is not the Chair of the meeting.

## **10. Quorum**

10.1 A meeting of the Sub-Committee will be considered quorate when at least three voting members from each constituent borough HWB are in attendance, including one local authority elected representative of each borough and one of either the Chair, Clinical Commissioning Group or the Chair, Healthwatch (or their substitutes).

## **11. Voting**

11.1 The Sub-Committee decision making will operate on the basis of mutual cooperation and consent. It is expected that decisions will be taken on a consensual basis wherever reasonably possible.

11.2 Where a vote is required it will be on the basis of one vote per voting member and unless a recorded vote is requested, the Chair will take the vote by show of hands. Any matter shall be decided by a simple majority of those voting members present. Where there is an equality of votes, the Chair of the meeting shall have a second and casting vote.

## **12. Overview and scrutiny**

12.1 Overview and scrutiny (within the meaning of the Local Government Act 2000 and The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013) will be the responsibility of each constituent borough and the appropriate scrutiny arrangements of each borough will apply.

## **13. Administration**

13.1 Administrative support for the meetings of the Sub-Committee will be rotated between the committee officers of the constituent boroughs.

# **CAMDEN AND ISLINGTON JOINT HEALTH SCRUTINY COMMITTEE**

## **TERMS OF REFERENCE**

### **1. Establishment and purpose of the Joint Committee**

If a relevant NHS body or a relevant health service provider proposes to consult more than one local authority on any proposal for a substantial development of the health service in the area, or a substantial variation in the provision of health services in the area, Regulation 30 of the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013, requires the local authorities whose area will be affected by the proposed changes, to establish a joint overview and scrutiny committee to consider a consultation response.

In accordance with the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013, the Camden and Islington Joint Health Scrutiny Committee may not discharge any functions other than described above and will only meet when required to do so to consider a consultation by a relevant NHS body or a relevant health service provider on any proposal for a substantial development of the health service in the area, or a substantial variation in the provision of health services in the area.

The committee has been convened to consider the proposals being made by Islington and Camden Clinical Commissioning Group (CCG) and Camden and Islington Foundation Trust: 'Transforming Mental Health Services in Camden and Islington: Proposals for change to the Camden and Islington NHS Foundation Trust Estate'.

### **2. Membership**

Membership of the Joint Committee will comprise of the members of both the Camden Health and Adult Social Care Scrutiny Committee and the Islington Health and Care Scrutiny Committee.

### **3. Chair**

The Chair of the Camden and Islington Joint Health Scrutiny Committee will be either the Chair of the Camden Health and Adult Social Care Scrutiny Committee or the Islington Health and Care Scrutiny Committee, and will be determined by the Joint Committee, at the commencement of each meeting. The remaining Chair will act as Vice Chair.

#### **4. Quorum**

A meeting of the Camden and Islington Joint Health Scrutiny Committee will be considered quorate when at least three members from each constituent borough's Health Scrutiny Committee are in attendance.

#### **5. Meetings**

(a) Meetings of the Camden and Islington Joint Health Scrutiny Committee will be held in public, although the public may be excluded from part of a meeting during an item of business if it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that, if members of the public were present during that item, confidential information as defined in section 100A(3) of the Local Government Act 1972 or exempt information as defined in section 100I and Schedule 12A to the Local Government act 1972 would be disclosed to them.

(b) Meetings will be convened and publicised at least 5 clear working days prior to the meeting date in accordance with the Local Government Act 1972, as amended by the Local Government Act 2000.

(c) Meetings will be governed and abide by the Committee procedure rules and standing orders applying to committees of the Council which is hosting the meeting.

(d) The first meeting of the committee will take place at the offices of Camden Council and meetings will then alternate between Camden and Islington offices.

#### **6. Access to information**

Such meeting papers as the relevant NHS body or a relevant health service provider propose to consider at the meeting, that are not confidential information as defined in section 100A(3) of the Local Government Act 1972 or exempt information as defined in section 100I and Schedule 12A to the Local Government act 1972, will be made available to the public for 5 clear working days prior to the meeting in accordance with the Local Government Act 1972, as amended by the Local Government Act 2000.

## **7. Deputations**

Deputations wishing to attend the Joint Committee shall require the approval of the Chairs of both Council's Health Scrutiny Committees.

Requests for deputations should normally be in writing and be received by the clerk named on the agenda, at least two clear working days before the meeting.

Deputations shall only be received where the subject of the deputation is on the agenda of the meeting concerned.

One representative of the deputation will be entitled to address the meeting and shall speak for no more than three minutes unless the Chair decides otherwise.

## **8. Terms of Reference**

(a) To make comments on proposals consulted on pursuant to regulation [23 of the](#) Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013, namely any proposal made by a relevant NHS body or a relevant health service provider for a substantial development of the health service or for a substantial variation in the provision of a service affecting residents in both local authority areas.

(b) The Camden and Islington Joint Health Scrutiny Committee may require the relevant NHS body or a relevant health service provider to provide such information about the planning, provision and operation of health services in the area as the authority may reasonably require in order to discharge its functions, in accordance with regulation [26 of the](#) Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013.

(c) The Camden and Islington Joint Health Scrutiny Committee may require a member or employee of the relevant NHS body or a relevant health service provider to attend before it under regulation [27 of the](#) Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 to answer questions in connection with the consultation.

(d) The Camden and Islington Joint Health Scrutiny Committee may not discharge any functions other than relevant functions above, in accordance with the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013.

## **9. Administrative Support**

Administrative support for the meetings of the Joint Committee will be provided by the Committee Services staff at the location where the meeting is being held.