

- (a) scrutinise decisions made or actions taken by the Executive and/or committees and/or Council officers in connection with the discharge of any of the Council's functions, including matters referred to it under the Councillor Call for Action procedure;
- (b) scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;
- (c) subject to all applicable codes of conduct on Officer/Member protocols, to question members of the Executive; Chair of Committees; and appropriate officers about their decisions;
- (d) make recommendations to the Executive and/or appropriate committees and/or Council arising from the outcome of the scrutiny process;
- (e) With their consent, and subject to all applicable rules of conduct, scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the overview and scrutiny committee about their activities and performance to make recommendations to the Executive and/or the Council on matters which affect the Council's area and its inhabitants;
- (f) Scrutinise the activities of bodies funded by the Council.

Finance

To work within the approved budgets of the Council.

Annual Report

To report annually to the Council on its activities and make recommendations for future work programmes and amended working methods if appropriate.

7.04 Proceedings of overview and scrutiny committees

The Overview and Scrutiny Committee and its task and finish groups will conduct their proceedings in accordance with the Overview and Scrutiny Procedure Rules as set out in Part 4 of this Constitution.

ARTICLE 8 – REGULATORY COMMITTEES

8.01 Taxi Licensing Committee

The Council will appoint a Taxi Licensing Committee to discharge the regulatory functions relating to taxi licensing whose terms of reference shall be as set out in Part 3 of this Constitution.

Members of the Taxi Licensing Committee must undertake appropriate training in relation to making decisions prior to making any decisions in their role

8.02 Licensing Committee

The Council will appoint a Licensing Committee to discharge functions under the Licensing Act 2003, the Gambling Act 2005 and the Local Government (Miscellaneous Provisions) Act 1982 whose terms of reference shall be as set out in Part 3 of this Constitution.

Members of the Licensing Committee must undertake appropriate training in relation to making decisions prior to making any decisions in their role

8.03 ~~Area Committees~~

~~The area committees appointed by the Council will discharge the following regulatory functions~~

- ~~• Development management.~~
- ~~• Members of Area Committees must undertake appropriate training in relation to making decisions in respect of planning applications prior to making any decisions in their role~~

8.04 Development Management Committee

The Council will appoint a Development Management Committee to discharge the regulatory functions associated with Development Management and Enforcement.

determine planning applications:

The Chair of the Development Management Committee shall be the Nominated Member for the purposes of Regulations 5 and 6 of the Town and Country Planning (Discharge of Local Planning Authority Functions (England) Regulations 2026.

Members of the Development Management Committee must undertake appropriate training in relation to making decisions in respect of planning applications prior to making any decisions in their role

- ~~a) where the application straddles Area Committee boundaries;~~
- ~~b) where the application is for 60 or more housing units.~~

~~They will also determine planning applications which have been referred from Area Committees because the Planning Officer has advised, before the vote is taken, that the decision the Area Committee is minded taking would represent:~~

- ~~a) a significant departure from policy; or~~
- ~~b) a significant risk of costs.~~

~~and the Head of Legal and Democratic Services or in their absence the Legal Services Manager (having also contacted the Chair (or in their absence the Vice Chair) of the relevant Committee) has confirmed in writing that they agree with that view no later than 2 working days after the day of the relevant Committee.~~

8.05 Accounts and Audit Committee

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Performance

- To maintain an overview of the Council's Performance Management Framework and make recommendations in this respect to the Executive.

Contracts

- To scrutinise any exemptions to Contract Procedure Rules agreed under the Scheme of Delegation.

OVERVIEW AND SCRUTINY COMMITTEE

- To carry out overview and scrutiny functions on behalf of the Council.
- To appoint as required such task and finish groups as it considers appropriate to assist with fulfilling those overview and scrutiny functions.
- To prepare the annual overview and scrutiny work programme within its area of responsibility, adjust/update as necessary and report details as appropriate to the Council.
- To serve as the Council's designated Crime and Disorder Committee.
- To assist the Executive and the Council with the development of the policy framework.
- To assist the Executive and the Council with the development of the Council plan.
- To assist the Executive with the development of the Council's annual budget and to scrutinise the Council's performance in relation to budgetary management.
- To assist the Executive and the Council in the development of a 3-year budget strategy.
- To assist the Executive in the development of a Council wide property and asset strategy.
- To receive reports from the district auditor, and the Council's internal auditor making suggestions for improvement in practice to the Council and/or the Executive as required as a result of those reports.
- To review and report to the Executive on the Local Authority's performance against performance measures.
- To review all matters pertaining to the governance of the Council including review of the Constitution, its Executive arrangements, standing orders and other rules.
- To manage the operation of the procedure for the call-in of Executive decisions.
- To consider matters raised under the Councillor Call for Action procedures (CCfA) in terms of local government matters (as contained in S119 of the Local Government and Public Involvement in Health Act 2007 and S21A of the Local Government Act 2000).
- To consider matters raised under Councillor Call for Action in terms of local crime and disorder issues (as contained in S19 of the Police and Justice Act 2006).

AREA COMMITTEES

The Council will appoint the following Area Committees being satisfied that to do so will lead to improved service delivery in the context of best value and more efficient, transparent and accountable decision making. The Committees will comprise the Councillors representing the wards in the area and such non-voting Co-optees as the Committee will appoint:-

Barrowford and Western Parishes
Nelson, Brierfield and Reedley
Colne and District
West Craven

a. Non-Executive Functions

Within the overall policy set, and resources allocated by the Council, and subject to the notes below, to deal with the following non-Executive matters within the area covered by the Area Committee –

Planning

- ~~1. To deal with applications for planning permission, advertisement consent, listed building consent etc., under the Town and Country Planning Acts and to approve Section 106 Agreements.~~
- ~~2. To consider all enforcement and other action, including legal proceedings, under the Town and Country Planning Acts.~~
- ~~3. To take action, including the institution of legal proceedings, for non-compliance with the Building Regulations.~~
- ~~4. To take action, including the institution of legal proceedings, to secure compliance with notices served in respect of dangerous buildings under the Building Act 1989.~~
- ~~5. To deal with all matters relating to tree preservation and protection of hedgerows, including the making of orders and the institution of legal proceedings.~~
- ~~6. To make revocation, modification, completion and discontinuance orders in cases where no compensation is payable.~~
- ~~7. To deal with all matters relating to designated conservation areas.~~

N.B.

~~On a planning matter where the Assistant Director Planning, Building Control and Regulatory Services has advised before the vote is taken that the decision that the Area Committee is minded to take would represent:~~

- ~~(a) a significant departure from policy;~~
- ~~(b) a significant risk of costs; or~~
- ~~(c) straddles Area Committee boundaries~~

~~and the Head of Legal and Democratic Services or in their absence the Legal Services Manager (having also contacted the Chair (or in their absence the Vice Chair) of the relevant Committee) has confirmed in writing that they agree with that view no later than 2 working days after the day of the relevant Committee, whether it is a decision relating to enforcement action or the determination of a planning application, then the matter will be determined by the Development Management Committee.~~

Public Rights of Way

8. To approve the making of orders for the creation, diversion and extinguishment of footpaths and bridleways.
9. To take action to protect public footpaths including the removal and licensing of obstructions and the institution of legal proceedings.

Public Spaces Protection Orders

The Committee will have the authority to appoint such sub-committees as it considers appropriate.

TAXI LICENSING COMMITTEE

The Taxi Licensing Committee will:

- (a) Determine applications for hackney carriage drivers and private hire drivers and operators licenses, which the Assistant Director Planning, Building Control and Regulatory Services refers to the Committee, including interviewing applicants where appropriate.
- (b) Interview applicants and determine applications for hackney carriage and private hire, vehicle, driver and operator licences which the Assistant Director Planning, Building Control and Regulatory Services considers might be refused;
- (c) Make recommendations on licence conditions and requirements;
- (d) Meet with representatives of the licensed taxi trades to discuss matters of concern.

DEVELOPMENT MANAGEMENT COMMITTEE

The Chair of the Development Management Committee shall be appointed as the Nominated Member for the purposes of the Town and Country Planning Act 1990 and all associated legislation and regulations made thereunder. In the absence of the Chair, the Vice Chair shall exercise the functions of the Nominated Member.

The Committee will determine planning applications referred to it by the Nominated Member and Nominated Officer having agreed that the application should be referred to Development Management Committee for determination because it meets at least one of the following criteria in regulation 5(3) of the Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026: -

- a. One or more issues of economic, social or environmental significance to the local area, or
- b. One or more significant planning matters having regard to the development plan and any other material considerations.

The Committee will also determine 'own interest' planning applications referred to it by the Nominated Officer and Nominated Member, being an application of a kind specified in Schedule 1 or Schedule 2 to the Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026 where—

- a. the application is made (whether or not jointly with any other person) by or on behalf of—
 - (i) that authority.

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~~(ii) a member of that authority, or
(iii) an officer of that authority, or
b. in the view of the Nominated Member and the Nominated Officer, the authority or
any of its members or officers otherwise has an interest in the application~~

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~~(a) where the application straddles Area Committee boundaries;
(b) where the application is for 60 or more housing units.~~

~~The Committee will also make decisions on planning enforcement matters and tree preservation orders.~~

~~determine planning applications which have been referred from Area Committees because the Planning Officer has advised, before the vote is taken, that the decision the Area Committee is minded to take would represent:~~

~~(a) a significant departure from policy; or
(b) a significant risk of costs.~~

~~Subject to agreement by the Head of Legal and Democratic Services or in their absence the Legal Services Manager.~~

EMPLOYMENT APPEALS PANEL

To hear and determine appeals against dismissal arising out of the Council's employment procedures.

RESTRUCTURING COMMITTEE

To review and revise the Council's officer structure.

STANDARDS HEARING COMMITTEE

To hear any cases of alleged breaches of the Member Code of Conduct referred to it by the Monitoring Officer; and to make recommendations to Council in respect of a finding of a breach.

SENIOR MANAGEMENT APPOINTMENTS COMMITTEE

- To make recommendations to the Council on the appointment of the officer designated as the Head of Paid Service.
- To make appointments to the posts designated as Monitoring Officer and S151 Officer.
- To make appointments to the posts of Directors.

WORKING GROUPS

The Council, Executive or Overview and Scrutiny Committee may establish task-and-finish groups or working groups for the purpose of research, consultation, or policy development. Such groups