

## Appendix 2

	Membership	Terms of Reference
<b>Environment and Sustainability Panel</b>	8 Councillors	<ol style="list-style-type: none"> <li>(1) To acknowledge our “Climate Emergency” and translate aspirations into actions.</li> <li>(2) To explore methods of conservation of natural habitats and bio-diversity, whether through adapting existing practices and places or creating new ecologically diverse environments with sustainable practices built in.</li> <li>(3) To encourage renewable energy generation and carbon footprint reduction in both the public and private sectors across the borough.</li> <li>(4) To encourage environmental stewardship focusing on carbon footprint reduction by examining air quality, water quality, plastic and waste reduction and renewable energy generation in both public and private spheres across the Borough</li> <li>(5) To monitor and regularly report to Cabinet and Full Council upon progress and implementation of the Council’s Climate Emergency Action Plan and its goal to be net carbon neutral by 2030.</li> </ol>

	Membership	Terms of Reference
<b>Policy Panel</b>	7 Councillors	<ol style="list-style-type: none"> <li>(1) To proactively identify issues and legislative changes that may require review and improvement and to seek Cabinet’s agreement as to whether and how they should be examined.</li> <li>(2) To review strategies and policies (with the exception of matters within the remit of the Environment and Sustainability Panel) at the request of the Cabinet and to make recommendations back to Cabinet for decision.</li> <li>(3) To review issues at the request of a Portfolio Holder and to make recommendations back to the Portfolio Holder for decision.</li> <li>(4) To consider initiatives for review from members of the public and to recommend to Cabinet only those initiatives that are within the Council’s control and likely to be deliverable are included in the Panel’s work programme.</li> <li>(5) To investigate the potential use of different methods of service delivery including mutuals and co-operatives, specifically with regard to the provision of the grounds maintenance service.</li> </ol>

	Membership	Terms of Reference
<b>Governance and Audit Committee</b>	7 Councillors	<b>Accounts and Audit</b>
		(1) To consider and approve the Council's Statement of Accounts in accordance with the Accounts and Audit Regulations.
		(2) As part of the Council's governance arrangements, to consider the findings of the annual review of governance (which includes a review of the effectiveness of the system of internal audit) and approve the signing of the Annual Governance Statement by the Leader of the Council and the Chief Executive in accordance with the Accounts and Audit Regulations.
		(3) To have an overview of the Council's control arrangements including risk management and in particular with regard to the annual audit plan, the audit work programme and progress reports and to make recommendations to Cabinet as appropriate.
		(4) To review the Council's external auditor's annual audit letter.
		<b>Miscellaneous regulatory matters</b>
		(5) To make recommendations to Council on the Council's functions contained in Parts D (elections), E (name and status of areas and individuals), F (making, amending, revoking , re-enacting or enforcing byelaws) G (promotion or opposing local or personal bills), of Schedule 1 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended).
		(6) To determine Community Governance Reviews.
		(7) An overview of the Council's complaint handling procedure and Local Government and Social Care Ombudsman investigations
		<b>Shareholder Committee for Colchester Commercial (Holdings) Limited</b>
		(8) Consider and review the activities and financial performance of: Colchester Commercial (Holdings) Limited and its subsidiary companies i.e. Colchester Amphora Housing Limited, Colchester Amphora Energy Limited and Colchester Amphora Trading Limited
		(9) Receive, review and recommend to Cabinet Colchester Commercial (Holdings) Limited's business plans (including its subsidiary companies) annually and to review performance including delivery of the dividend
		(10) Monitor, challenge and make recommendations to Cabinet regarding Colchester Commercial (Holdings) Limited and its subsidiary companies.
		(11) Make recommendations to Cabinet on how it should exercise the functions flowing from its ownership of shares in Colchester Commercial (Holdings) Limited and its subsidiary companies.

		<p>(12) Recommend the constitution and appointment of the Board of Directors of Colchester Commercial (Holdings) Limited to Cabinet</p> <p style="text-align: center;"><b>Standards</b></p> <p>(13) Promoting and maintaining high standards of conduct by Members and Co-opted Members of the Council.</p> <p>(14) Advising the Council on the adoption or revision of the Members' Code of Conduct.</p> <p>(15) Advising and assisting Parish Council(s) and Councillors to maintain high standards of conduct.</p> <p>(16) To receive referrals from the Monitoring Officer into allegations of misconduct in accordance with the Council's assessment criteria.</p> <p>(17) Receiving reports from the Monitoring Officer and assessing the operation and effectiveness of the Members' Code of Conduct.</p> <p>(18) Advising, training or arranging to train Members and Co-opted Members on matters relating to the Members' Code of Conduct.</p> <p>(19) Assisting Councillors and co-opted Members to observe the Members' Code of Conduct.</p> <p>(20) To create a Hearings Sub-Committee to hear and determine complaints about Members and Co-opted Members referred to it by the Monitoring Officer.</p> <p>(21) To conduct hearings on behalf of the Parish and Town Councils and to make recommendation to Parish and Town Councils on improving standards or actions following a finding of a failure by a Parish or Town Councillor to comply with the Code of Conduct.</p> <p>(22) To inform Council and the Chief Executive of relevant issues arising from the determination of Code of Conduct complaints.</p> <p>(23) Advising the Council upon the contents of and requirements for codes/ protocols/ other procedures relating to standards of conduct throughout the Council.</p> <p>(24) To grant dispensations after consultation with the Independent Person pursuant to Sections 33(2) (b), (c) and (e) of the Localism Act 2011.</p> <p>(25) To hear and determine appeals against refusal to grant dispensations by the Monitoring Officer pursuant to Sections 33(2)(a) and (d) of the Localism Act 2011.</p> <p>(26) To make recommendations to Council regarding the appointment of Independent Persons in accordance with section 28 (7) and (8) of the Localism Act 2011.</p> <p style="text-align: center;"><b>General</b></p> <p>(27) Review of the Constitution including governance issues around formal meetings, processes and member training and to make recommendations to Council.</p>
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<b>Scrutiny Panel</b>	8 Councillors	<p>(1) To fulfil all the functions of an overview and scrutiny committee under section 9F of the Local Government Act 2000 (as amended by the Localism Act 2011) and in particular (but not limited to):</p> <ul style="list-style-type: none"> <li>(a) To review corporate strategies;</li> <li>(b) To ensure that actions of the Cabinet accord with the policies and budget of the Council;</li> <li>(c) To monitor and scrutinise the financial performance of the Council, performance reporting and to make recommendations to the Cabinet particularly in relation to annual revenue and capital guidelines, bids and submissions;</li> <li>(d) To review the business plans of Council owned companies in the context of the Council's strategic plan and scrutinise their performance at year end and to make appropriate recommendations to Cabinet;</li> <li>(d) To review the Council's spending proposals to the policy priorities and review progress towards achieving those priorities against the Strategic and Implementation Plans;</li> <li>(e) To review the financial performance of the Council and to make recommendations to the Cabinet in relation to financial outturns, revenue and capital expenditure monitors;</li> <li>(f) To review or scrutinise executive decisions made by Cabinet, the North Essex Parking Partnership Joint Committee (in relation to decisions relating to off-street matters only) and the Colchester and Ipswich Joint Museums Committee which have been made but not implemented referred to the Panel pursuant to the Call-In Procedure;</li> <li>(g) To review or scrutinise executive decisions made by Portfolio Holders and officers taking key decisions which have been made but not implemented referred to the Panel pursuant to the Call-In Procedure;</li> <li>(h) To monitor the effectiveness and application of the Call-In Procedure, to report on the number and reasons for Call-In and to make recommendations to the Council on any changes required to ensure the efficient and effective operation of the process;</li> <li>(i) To review or scrutinise decisions made, or other action taken, in connection with the discharge of functions which are not the responsibility of the Cabinet;</li> <li>(j) At the request of the Cabinet, to make decisions about the priority of referrals made in the event of the volume of reports to the Cabinet or creating difficulty for the management of Cabinet business or jeopardising the efficient running of Council business;</li> </ul>

		<p>(2) To fulfil all the functions of the Council's designated Crime and Disorder Committee ("the Committee") under the Police and Justice Act 2006 and in particular (but not limited to):</p> <p>(a) To review and scrutinise decisions made, or other action taken, in connection with the discharge by the responsible authorities of their crime and disorder functions;</p> <p>(b) To make reports and recommendations to the Council or the Cabinet with respect to the discharge of those functions.</p>
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