

1. SECTION 4 – TERMS OF REFERENCE OF SUB-COMMITTEES APPOINTED OUTSIDE THE SCHEME OF DELEGATION

- 1.1** In the absence of any express statutory prohibition, all Committees appointed by the Council may appoint one or more Sub-Committees to undertake a specific function(s) and for duration to be specified by the Committee.
- 1.2** Prior to the establishment of a Sub-Committee, Terms of Reference will be drawn up by the Head of Law and Democracy in consultation with the relevant Chair which will detail:
- 1.2.1 The function/s that the Sub-Committee will consider;
 - 1.2.2 The size and composition of the Sub-Committee having regard to political proportionality;
 - 1.2.3 The duration of the Sub-Committee (whether time or function limited); and
 - 1.2.4 The extent of the delegation of authority by the parent Committee to the Sub-Committee.
- 1.3** All Sub-Committees of the Council must operate within their Terms of Reference and delegated powers and in accordance with Part 3 of the Constitution as appropriate.
- 1.4** The delegated powers of a Sub-Committee shall be exercised in conformity with any directive of the Council on any matters relating to the policy framework.
- 1.5** No Sub-Committee shall have the power to incur expenditure which has not been sanctioned by the Council or its parent Committee.
- 1.6** Sub-Committees shall be authorised to take any steps, including delegation to officers, which may be necessary to carry out the functions delegated to that sub-committee.
- 1.7** Sub-Committees shall be authorised to carry into effect any of the duties, powers or functions delegated to that Sub-Committee.
- 1.8** Each Committee is responsible for monitoring the performance of the services and functions delegated to its Sub-Committees.
- 1.9** Any reference to a statute within the Terms of Reference of a Committee includes reference to any re-enactments thereof and subordinate legislation made thereunder.
- 1.10** The Sub-Committee may resolve to seek Council or Committee authority rather than to exercise delegated authority in any matter.