

RESPONSIBILITY FOR EXECUTIVE FUNCTIONS – DELEGATION TO INDIVIDUAL CABINET MEMBERS

1. The Cabinet is authorised to carry out all of the functions of the Council which are, by virtue of the Local Government Act 2000 and regulations thereunder, the responsibility of an Executive of the Council. The Leader has the responsibility for determining the delegation of executive functions. The scheme of delegation of functions to officers is set out in Part 3 paragraph 5 of the Constitution.

2. Each Cabinet Member has been allocated particular areas of responsibility (Portfolios) by the Leader. The list of portfolio responsibilities is:-

Communities
Resource, Human Resource and Performance
Children and Young People
Environment and Transport
Health and Well-Being

3. The terms of reference for each of these portfolios are annexed to this scheme of delegation.

4. Subject to any matters which are specifically referred to the Council, reserved to an individual under statutory provision, delegated to Officers or which the Leader from time to time decides should be determined by the Cabinet, a Committee of the Cabinet, another Cabinet Member or himself/herself, each individual Cabinet Member within the Terms of Reference for their portfolio, is authorised to deal with and determine the following matters:

- (a) to take decisions, including key decisions as defined in the Constitution in relation to the discharge of executive functions and expenditure on services, including the payment or repayments of grants.
- (b) to monitor the budget for services within the portfolio and report as necessary to the Leader;
- (c) to agree policies, plans and strategies within their portfolio;
- (d) to monitor service performance;
- (e) to consider any policy review reports prepared by the Overview Management Committee and make recommendations for any subsequent action;
- (f) to respond to requests from the Overview Management Committee and Scrutiny Committees relating to the discharge of executive functions and the performance of the portfolio;

- (g) to approve virement between budget heads in accordance with virement rules approved by Council.
 - (h) to represent the Council's views on matters of corporate or strategic policy and other matters within their respective portfolios.
5. The exercise of the delegated authority in paragraph 3 is subject to the following conditions:
- (a) in making decisions, Cabinet Members must comply with the principles of decision making in Article 13 of the Constitution, corporate policies and such decisions must be made in accordance with the Council's Policy and Budgetary Framework;
 - (b) Cabinet Members must seek the advice of the Director of Finance and E-Government and the Director of Legal and Democratic Services (or their nominees) and such other officers as the Cabinet Members shall consider necessary to fully inform the decision making process;
 - (c) such decisions must be recorded in a decision notice which shall be open to public inspection in accordance with the provisions of the Local Government 2000;
 - (d) where a Cabinet Member has been authorised by the Leader to make a key decision, the procedure on key decision making set out in the constitution must be followed;
 - (e) to consult with other Cabinet Members as appropriate before taking decisions on matters which are cross cutting and affect other portfolio areas;
 - (f) where a Cabinet Member has a prejudicial interest in the matter or otherwise believes that they should not make a particular decision due to a conflict of interest, the matter should be referred to the Leader who will either make the decision himself/herself or refer the matter to the Cabinet collectively.
6. If there is any doubt as to which portfolio would cover any proposed decision by a Cabinet Member, the matter will be referred to the Leader to determine the appropriate portfolio. The Leader may also determine that any proposed decision (of any description) shall be referred to the Cabinet collectively for decision.
7. An individual Cabinet Member may refer any matter within that Members portfolio to the Leader for decision.