

## SECTION 4 - RESPONSIBILITY FOR EXECUTIVE ARRANGEMENTS

### 1. EXECUTIVE ARRANGEMENTS

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“Executive arrangements” are arrangements by the Authority for the creation and operation of an executive of the Authority under which certain functions of the Authority are the responsibility of the executive. The law vests all Executive responsibilities in the Leader of the Council who may choose to delegate them in any manner allowed by law. The Leader can decide that decisions of the Executive may be taken by:

the Executive (known as the Cabinet)

a member of the Cabinet (subject to the provisions set out in paragraph 4 below)

a committee of the Cabinet (subject to the provisions set out in paragraph 4 below)

an officer

by another authority

by joint arrangements, such as a joint committee

At each annual Council meeting the Leader will inform Council of how he/she intends Executive powers to be exercised over the ensuing municipal year. He/she may alter these at any time during his/her period of office. Such changes may be reported to Council by the Leader.

### 2. CABINET

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**Membership:** The Leader together with five members appointed by the Leader.

**Quorum:** Three councillors

**Functions:**

1. To be responsible for strategic and policy co-ordination.
2. To recommend major new policies (and amendments or revisions of existing policies) to the Council for approval as a part of the Authority’s Budget and Policy Framework (Article 4 of this Constitution).
3. To prepare and agree other policies and strategies (including the Medium Term Financial Strategy) for implementation and to respond to consultation documents.

4. To recommend to the Council the annual budget, including the Capital and Revenue Budgets and the level of Council Tax and The Council Tax base.
5. To consider, at least annually, the level of reserves, provisions, and balances held by the Authority and recommend any changes to the Council.
6. To ensure that the annual budget is implemented and the underlying principles adhered to in any changes required from time to time. This will include recommending to Council any changes to policy that will materially reduce or increase the services of the Authority or create significant financial commitments in future years.
7. To take in-year decisions on resources and priorities, together with other stakeholders and partners in the local community, to deliver and implement the budget and policies decided by the full Council.
8. To exercise the Authority's duty in Section 17 of the Crime and Disorder Act 1998 to reduce crime and disorder.
9. To oversee the implementation of Best Value.
10. To consider and respond to recommendations and reports from the Scrutiny Committees and other Council Committees and Bodies.
11. To monitor expenditure on the capital programme.
12. To approve those major service developments or reductions which also constitute Key Decisions.
13. To receive and consider reports from the External Auditor (including the Management Letter) and agree any appropriate action.
14. To consider the reports of external review bodies on key aspects of overall service delivery.
15. To ensure that the promotion of the rights, welfare and interests among all groups in society is given equal and primary consideration in all aspects of the Council's work and services.
16. To carry out the Authority's responsibilities for improving the economic, social and environmental well-being of the District and increasing the availability and equality of access to employment.
17. To review and monitor the Authority's strategy and overall implementation on e-Government, telecommunications, information systems and information technology, making recommendations to the Council as required.

18. To oversee the provision of all the Council's services other than those functions reserved to the Council.
19. To manage and maintain the Authority's housing stock.
20. To manage and maintain the Authority's other property portfolio.
21. To collect the Council Tax, National Non-Domestic Rates, periodic income and sundry debts.
22. To provide, manage and keep under review the concessionary bus fares scheme.
23. To exercise the Authority's powers for planning and responding to civil emergencies.
24. To exercise the Authority's functions as Local Planning Authority (except to the extent that those functions are by law the responsibility of the Council), including supplementary planning guidance, and designating conservation areas.
25. To oversee the Authority's overall policy on the voluntary and community sector.
26. To approve:
  - 26.1 the purchase or appropriation of land and buildings where the market value of the transaction exceeds £100,000 and to approve leasing (or otherwise) property where throughout the term the annual rental will exceed £20,000; and
  - 26.2 the disposal of land and buildings where the market value of the transaction exceeds £30,000 and to approve the grant and renewal of leases of land and buildings where the annual rental exceeds £40,000.
27. To authorise the making of compulsory purchase and control orders.
28. To write off debts of more than £10,000.
29. To write off stocks, stores and other assets and to write off any losses of money or stores or to settle claims.
30. To write off as non-refundable credits on accounts of more than £10,000.
31. To accept tenders and award contracts, including those which exceed budgetary provision and are within the Council's agreed budget (see paragraph 4, Budget and Policy Framework Procedure Rules for Urgent Decisions outside the Council's Budget and Policy Framework).

32. To receive reports on contract overspends in accordance with limits set out in the Financial Procedure Rules and agree the action to be taken.
33. To give grants or loans to charitable, voluntary bodies or other bodies where permitted by law.
34. To promote and develop international exchanges and links with towns and cities in other countries.
35. To exercise the powers and duties of the Authority under Sections 13 and 14 of the Public Order Act 1986.
36. To be the focus for forming partnerships with other local, public, private, voluntary and community sector organisations to address local needs.
37. To confer with other local authorities, government departments, statutory bodies, voluntary bodies, the police or other external agencies in order to discharge the responsibilities vested in the Cabinet.
38. To resolve any matters in dispute between Cabinet members.
39. To determine and deal with all local choice functions set out in Part 3 of this Constitution which the Council decides should be undertaken by the Cabinet.
40. To make decisions where no other tier of government has responsibility or where a policy or strategy does not exist.
41. To approve any waiver of Contract Procedure Rules, in accordance with a written report which has been approved by the Monitoring Officer and a report for information to the next convenient meeting of Cabinet.
42. Dealing with any petitions referred to Cabinet in accordance with the Council's adopted petition scheme.
43. To oversee the Authority's Food Law and Enforcement Service Plan.
44. To make decisions on behalf of the Council as member or shareholder in any companies that the Council is, or may become, a member or shareholder.

### **3. PORTFOLIOS**

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The Leader has notified the Chief Executive that the portfolios of individual Cabinet members shall be as follows:

#### **Leader**

- Strategic Partnerships, District and County, regional and national engagement
- Specific focus on Coalville Regeneration

## **Deputy Leader and Infrastructure Portfolio**

- Human Resources/ Organisational Development
- Democratic Services
- Elections
- Performance
- Infrastructure Including HS2
- Development Corporation
- Freeport

## **Planning Portfolio**

- Planning Policy
- Development management
- Building control
- Strategic growth plan

## **Community Services Portfolio**

- Waste services
- Environmental protection
- Leisure services
- Health and well being
- Stronger and safer communities
- Environmental health
- Licensing

## **Corporate Portfolio**

- Financial planning
- Financial services
- Payroll
- Procurement
- Treasury management
- Journey to self-sufficiency programme
- Legal services
- Audit
- Risk management
- Health and safety

## **Housing, Property and Customer Services Portfolio**

- Housing management
- Housing repairs
- Strategic housing
- Resident involvement

- Asset management and property services
- Customer services and digital transformation
- Revenues and benefits
- ICT and reprographics

## **Business and Regeneration Portfolio**

- Business focus
- Cultural services
- Tourism
- Regeneration (excluding Coalville)
- Commercial Strategy

**Delegation of Functions:** All the functions listed are reserved to the Cabinet unless delegated to officers in the Scheme of Delegation to Staff in Section 7 of Part 3 of the Constitution.