

Section 3 - Responsibility for Executive Functions

A. General Delegations to all Portfolio Holders

In addition to acting collectively in the Cabinet, each Cabinet Member will have the general role of providing leadership and guidance in respect of all executive functions within the portfolio area for which he or she is accountable and the promoting and improving of the Council's profile and public perception.

In accordance with the Secretary of State's guidance, Cabinet Members should amongst other things:

- (i) ensure that they have sufficient time to focus on broad strategic issues (para 4.21 of the Guidance); and
- (ii) seek advice from relevant officers before taking a decision within his or her own delegated authority; where appropriate this should include taking legal advice, financial advice and professional officer advice (particularly about contractual matters) as well as consulting the Monitoring Officer where there is a doubt about legal powers (para 4.44 of the Guidance).

Any matter within a Cabinet Member's delegated powers may be referred by him or her to Cabinet for decision.

To regularly review the effectiveness of policies and the performance of services and make recommendations for continuous improvement to the Cabinet.

To oversee the capital and revenue budgets in areas of responsibility to ensure expenditure and income is consistent with the Council's agreed budget.

To liaise and work with other portfolio holders on cross cutting areas of responsibility and make recommendations to Cabinet as appropriate. [Note: Any matter relating to more than one portfolio area must be referred by the portfolio holders to Cabinet for decision.]

To oversee the review of fees and charges and recommend changes in line with the Council's agreed budget strategy.

To make or agree recommendations to Cabinet in relation to new policy areas.

To consider and endorse service plans to ensure compliance with the Corporate Plan.

To be accountable to the Cabinet for the implementation of agreed priorities and final recommendations from the Corporate Plan, Service Plans and reviews and to consider and act on reports received from officers monitoring progress.

To authorise the making of applications for planning permission for proposed development relating to the Member's portfolio area.

To make recommendations to Cabinet on bids for additional funding; expenditure; variations to expenditure and the letting of contracts for works; goods and services, in accordance with the Council's Contract Standing Orders. To support individual projects within the Cabinet Member's portfolio area, provided such expenditure is within the overall project budget and above the prevailing virement threshold.

In any case where a matter is urgent and a decision cannot reasonably await the next meeting of the Cabinet and the relevant portfolio holder does not have a general or specific delegated power, the relevant portfolio holder may nevertheless make a decision on behalf of the Cabinet subject (except in the case of the Leader) to prior consultation with the Leader and subject to the decision being reported to Cabinet as soon as practicable. [Note: in the case of a key decision the Access to Information Procedure Rules must still be complied with.]

B. Portfolio - Leader of the Council

1. As Cabinet Leader

Scope of Portfolio:

To lead and co-ordinate the Cabinet on all major

- Policy developments;
- Projects;
- Community Leadership initiatives.

Specific Delegated Powers:

1. To deal with matters relating to official, courtesy, foreign or general hospitality and related activities of Members within an approved budget;
2. To approve and lead arrangements for external partnerships;
3. To approve the appointment of Council Members to sit on external Partnership Boards related to regeneration and to monitor their performance in accordance with approved guidance;
4. To take any necessary executive decisions in respect of major regeneration projects
5. To nominate a Cabinet Member to act on his or her behalf on a specific project;
6. To recommend to Council and Cabinet (as the case may be) the appointment or nomination of Members to fill vacancies on the Approved Table of Outside Bodies;
7. To exercise any specific delegated power of any Cabinet Member.
8. To represent TDC on the Thanet Health and Wellbeing Board.

B. 2. Strategic Economic Development Services

Scope of Portfolio:

To lead policy development and advise the Cabinet on:

- Regeneration and economic development;
- East Kent Opportunities Ltd;
- Thanet Regeneration Board;
- Strategic Conservation Policy
- Media Centre
- Kent Innovation Centre
- Town Teams

Specific Delegated Powers:

1. To agree such actions as necessary to take full advantage of Assisted Area Status;
2. To foster and develop relationships with inward investors, representatives of the business community;
3. To support initiatives for the promotion of all forms of business and commercial investment in the district;
4. To represent Council on the Thanet Regeneration Board, EKO and EKSDC.

C. Deputy Leader of the Council

To act on behalf of the Leader when he or she is absent or unable to act. To work under the Leader's direction on Cabinet Co-ordination and ensure resolution of any inter portfolio issues.

D. Portfolio – Business and Corporate Resources

Scope of Portfolio:

To lead policy development and advise the Cabinet on:

1. Service improvement and transformation;
2. Communications (including PR, Marketing, Internal Communications and film locations);
3. Customer Access;
4. Information, records and data management and strategy;
5. Procurement and Contracts;
6. Business Support and Compliance (including Corporate Governance);
7. Policy and Business Planning (including Performance Management);
8. IT, Customer Services and HR;
9. Democratic Services;
10. Legal Services;
11. Risk Management

Specific Delegated Powers:

1. EK Services and EKHRP – management and monitoring of performance of shared services within the portfolio;
2. Input into and endorse as appropriate Press and PR initiatives;
3. Oversee the Council's approach to electoral registration;
4. To agree and table to Cabinet a quarterly performance overview.

E. Portfolio - Community Services

Scope of Portfolio

To lead policy development and advise the Cabinet on:

1. Community Safety;
2. Events;
3. Cultural and Community Development;
4. Indoor and Outdoor Leisure and recreation, including theatres;
5. Safeguarding Children;
6. ~~Play Areas~~, Sport and Youth;
7. Tourism;
8. Partnership with Your Leisure Kent Ltd;
9. Land Charges;
10. Licensing;
11. Environmental Health;
12. East Kent Regeneration Board;
13. Thanet Regeneration Board;-
14. Business Engagement
15. Kent and Medway Economic Partnership
- 14.16. Health and Wellbeing Board

Specific Delegated Powers

1. To represent Council on the Community Safety Partnership Executive Board;
2. To be the Council lead Member regarding the delivery of the Community Safety Partnership Action Plan and regular review of the Plan;
3. To represent Council on the Margate Task Force Board at appropriate meetings;
4. To foster and develop relationships with the tourist industry;
5. To be the Lead Member on initiatives that enhance Thanet District as a tourist destination;
6. To provide Member lead on the quarterly and bi-annual progress reviews of the Tourism Destination Management Plan;
7. To represent Council on the Local Government Association (Rural Commission);
8. To represent Council on the Kent Police & Crime Panel;
9. To represent Council on the British Destinations (AGM, Annual Conference and Executive Meetings);
10. To represent Council on the Margate Town Partnership;
11. To represent Council on the Thanet Sports Network;
12. To represent the Council on Your Leisure, Kent Ltd;
13. To represent the Council on Thanet Health and Wellbeing Board.

F. Portfolio - Financial Services and Estates

Scope of Portfolio:

To lead policy development and advise the Cabinet on:

1. Finance including revenue and capital for general fund and HRA budgets preparation and monitoring;
2. Treasury Management;
3. Insurance;
4. Budget Setting Monitoring and Final Accounts;
5. Income, Payments and Systems Control and Improvement
7. East Kent Audit Partnership;
9. Housing and Council Tax Benefits and Revenues (including Debt Recovery);
10. Property Management (including asset disposal, acquisition and asset management);
11. Commercial Property;
12. ~~Estate management;~~
13. ~~Media Centre.~~

Specific Delegated Powers:

1. To approve the write off of debts over £10,000;
2. To receive and to agree a quarterly financial overview on the use of external and Council funding in respect of Council Services;
3. To authorise detailed terms for the acquisition, sale, letting and granting of licences and leases in connection with Council land and property;
4. To authorise the granting of easements, release of covenants, surrenders of leases, assignments or amendments of any terms of approved leases;
5. To oversee the valuation, maintenance, repair and operation of all Council property in accordance with the Asset Management Strategy;
6. To keep under review the Council's land and property requirements through chairing the Asset Management Strategy Group;
7. To approve detailed terms for the acquisition, disposal or management of property and interests therein within the context of the Council's Asset Management Strategy and the current Asset Management Plan;
8. To oversee the valuation, maintenance, repair, operation of all Council Property in accordance with the Asset Management Strategy.

G. Portfolio – Housing and Planning Services

To lead policy development and advise the Cabinet on:

1. Housing Intervention;
2. Private Sector Housing;
3. Housing Needs/Homelessness;
4. Housing Strategy;
5. Client-side East Kent Housing;
6. Building Control;
7. Strategic Planning;
8. Planning Applications;
9. Planning Enforcement;

10. Conservation.

Specific Delegated Powers

- 1 To approve financial contributions to the development of new affordable housing from the Section 106 reserves;
2. To oversee proposals for new social housing developments delivered through the planning system;
3. To make decisions in respect to waivers in Right to Buy cases;
4. To approve the purchase or sale of additional shares or equity in shared ownership properties;
5. To oversee the arrangements for the management and supervision of all Council owned housing stocks, including repairs, maintenance, improvements, transfers and arrangements for tenant involvement, following appropriate consultation with residents as required by the Housing Acts;
6. To approve the making of demolition and probation orders;
7. To approve the making of CPOs and other measures to deal with empty properties in private ownership;
8. To approve the arrangements regarding appeals in respect of applications for re-housing, the allocation of housing or matters arising from the enforcement of the Council's conditions of tenancy including the termination of probationary tenancies;
9. To oversee and monitor the performance of EK Housing;
10. To represent the Council in sub-regional and regional areas in respect of the development of planning policy;
11. To oversee the development of Planning Policy including the Local Plan.

H. Portfolio – Operational Services

Scope of Portfolio:

To lead policy development and advise the Cabinet on:

1. Street cleaning;
2. Recycling and Waste collection;
3. Grounds Maintenance;
4. Cemeteries and crematoria, parks and open spaces, Playgrounds, grounds and public toilets;
5. Foreshore and coastal management including Harbours;
6. Parking and residual highway matters;
7. Allotments;
8. Emergency Planning;
- ~~9. Kent Innovation Centre;~~
- ~~10. Media Centre;~~
- ~~11. CCTV;~~
- ~~12. Engineering Services;~~
- ~~13. Street Scene Enforcement.~~

Specific Delegated Powers:

1. To approve following public consultation, all parking orders, taxi rank locations, street management schemes and resident parking schemes;
2. To oversee the implementation of any action in respect of temporary road closures authorised by the Town Police Clauses Act 1847;

3. To consider recommendations from Scrutiny and the Joint Transportation Board on traffic management and transportation matters and make recommendations thereon;
4. To oversee annually a business strategy for harbours which at any time come within the Council's control, to ensure the efficient and effective operation and marketing of those harbours.