

## RESPONSIBILITY FOR FUNCTIONS – EXECUTIVE DELEGATIONS

Council	<b>10 May 2018</b>
Report Author	<b>Nick Hughes, Committee Services Manager</b>
Portfolio Holder	<b>Councillor Bayford, Leader of Council</b>
Status	<b>For Decision</b>
Classification:	<b>Unrestricted</b>
Key Decision	<b>No</b>
Ward	<b>Thanet Wide</b>

### Executive Summary:

This report allows the Leader to inform Council of the Executive portfolios and notes the appointments to them, and to the opposition spokespeople.

### Recommendation(s):

1. That Council notes the report.

### CORPORATE IMPLICATIONS

<b>Financial and Value for Money</b>	There are no relevant financial implications arising from this report.				
<b>Legal</b>	The Leader must approve a scheme of Executive delegations. It is for each Group to nominate the holders of Cabinet portfolio and shadow portfolio posts.				
<b>Corporate</b>	Cabinet and shadow portfolios are generally aligned in a way which mirrors themes (or combinations of themes) within the Council's Corporate Plan, to aid in the delivery of that Plan.				
<b>Equalities Act 2010 &amp; Public Sector Equality Duty</b>	<p>Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to the aims of the Duty at the time the decision is taken. The aims of the Duty are: (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people who share a protected characteristic and people who do not share it, and (iii) foster good relations between people who share a protected characteristic and people who do not share it.</p> <p>Protected characteristics: age, gender, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy &amp; maternity. Only aim (i) of the Duty applies to Marriage &amp; civil partnership.</p> <table border="1" style="width: 100%; margin-top: 10px;"> <tr> <td colspan="2">Please indicate which aim is relevant to the report.</td> </tr> <tr> <td style="width: 80%;">Eliminate unlawful discrimination, harassment, victimisation and</td> <td style="width: 20%;"></td> </tr> </table>	Please indicate which aim is relevant to the report.		Eliminate unlawful discrimination, harassment, victimisation and	
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	other conduct prohibited by the Act,	
	Advance equality of opportunity between people who share a protected characteristic and people who do not share it	
	Foster good relations between people who share a protected characteristic and people who do not share it.	
<p>There are no equity and equalities implications arising from this report. However it is important to be aware of the Council's responsibility under the Public Sector Equality Duty (PSED) and show evidence that due consideration had been given to the equalities impact that may be brought upon communities by the decisions made by Council.</p>		

<b>CORPORATE PRIORITIES (tick those relevant)✓</b>	
A clean and welcoming Environment	
Promoting inward investment and job creation	
Supporting neighbourhoods	

<b>CORPORATE VALUES (tick those relevant)✓</b>	
Delivering value for money	
Supporting the Workforce	
Promoting open communications	✓

## 1.0 Introduction and Background

1.1 In accordance with the Council's constitution:

"In each Council Year the Leader will allocate a range of functional responsibilities (called 'a portfolio') to the members of the Cabinet and will at the Annual Meeting also notify Council of such allocation and will cause that to be recorded in the Constitution of the Council."

1.2 The Leader of Council is responsible for any functions which are not specifically required to be carried out by the Council under regulations. All of the functions of the Council are executive functions except for:

- a. Those listed in Schedule 1 of the Local Authority's (Functions and Responsibilities) (England) Regulations 2000 (as amended); and
- b. Those set out in the Council's Constitution as being the responsibility of the Council or a body established by the Council.

1.3 Annex 1 to this report is Section D. This highlights a range of functions that are the responsibility of the executive that the Leader has assigned to the Leader, Cabinet or individual Cabinet Members. Annex 2 contains Section E, this is the part of the Scheme of executive functions which the Leader has delegated to officers.

1.4 It is worth noting that all key decisions must be collectively agreed by Cabinet, unless Cabinet makes a specific decision to delegate that decision to a Cabinet member, committee or officer.

## 2.0 Current Situation

2.1 The Cabinet must consist of the Leader of the Council, the Deputy Leader and at least one but not more than eight other Councillors also appointed by the Leader.

2.2 Details of the Cabinet portfolios and functions covered for the 2018/19 municipal year are attached in Section D of Annex 1 to this report.

2.3 The Leader appoints Cabinet Members to portfolios as detailed at Annex 3 to the report.

2.4 The names of the opposition spokespeople will be circulated at the Meeting. The opposition spokespeople must exactly mirror the Cabinet Portfolios.

### **3.0 Options**

3.1 As this report highlights the executive functions as determined by the Leader, it is for information only.

### **4.0 Decision Making Process**

4.1 The Leader determines the portfolios and scheme of delegations. Council notes the portfolio and opposition spokespeople.

Contact Officer:	Charles Hungwe, Senior Democratic Services Officer
Reporting to:	Nick Hughes, Committee Services Manager

### **Annex List**

Annex 1	Part 3 Scheme of Delegations Section D
Annex 2	Part 3 Scheme of Delegations Section E
Annex 3	Portfolio Holders

### **Background Papers**

<b>Title</b>	<b>Details of where to access copy</b>
None	N/A

### **Corporate Consultation**

<b>Finance</b>	Ramesh Prashar, Head of Financial Services
<b>Legal</b>	Tim Howes, Director of Corporate Governance and Monitoring Officer