
Scheme of Delegation to Cabinet and Portfolio Holders

The Leader has determined that all executive decisions will be made collectively by Cabinet unless covered in this Scheme of Delegation or the Scheme of Delegation to Chief Officers.

1.0 TO THE LEADER OF THE COUNCIL & PORTFOLIO HOLDER FOR LEGAL AND DEMOCRATIC SERVICES

- 1.1 To set the details of each Cabinet Portfolio.
- 1.2 To agree responses to external consultation documents within their area of responsibility which do not have significant implications for Council strategies or services, after prior notification by e-mail to all Councillors.
- 1.3 Where details of schemes, within their portfolio, vary significantly from that described in the capital or revenue budgets or when external funding was agreed, to agree those variations, where budget provision is not exceeded.
- 1.4 To issue public consultation documents prior to consideration by Cabinet unless they include proposals which would have significant implications for existing Council strategies or services.
- 1.5 To take any decision in respect of any Cabinet function which by reason of urgency cannot wait until the next meeting of the Cabinet.
- 1.6 To appoint Cabinet Working Groups/Panels, subject to reporting back the same for noting.
- 1.7 To determine in each individual case, in consultation with the relevant Portfolio Holder, whether images should be released in accordance with the Policy for Publication of CCTV (and other) Images of Convicted Persons.
- 1.8* To consider, together with the Portfolio Holder for Finance, in consultation with the Chief Operating Officer, the Head of Finance, Procurement and Commercial Services and the Corporate Director of Place and Community, cases referred to them, where there has been evidence of a breach of a condition in relation to the disposal of all or part of a grant assisted asset, under the Pilot Land and Property and Inspire Projects, and in consideration of the need for clawback use the criteria as outlined at paragraphs 5.3 and 5.4 of the report to Cabinet on 18 September 2007.
*See also paragraph 8.6 and also delegation at Section 4.2 of the Constitution, paragraph 4.28.

N.B. All decisions made to be reported back in the “Members Updates” unless reported elsewhere.

2.0 TO THE DEPUTY LEADER OF THE COUNCIL & THE PORTFOLIO HOLDER FOR PLANNING AND COMMUNITY SAFETY

- 2.1 To agree responses to external consultation documents affecting the portfolio which do not have significant implications for Council strategies or services, after prior notification by e-mail to all Councillors.
- 2.2 Where details of schemes, within the portfolio, vary significantly from that described in the capital or revenue budgets or when external funding was agreed, to agree those variations, where budget provision is not exceeded.
- 2.3 To issue public consultation documents within the portfolio prior to consideration by Cabinet unless they include proposals which would have significant implications for existing Council strategies or services.
- 2.4 To take any decisions within the portfolio which by reason of urgency cannot wait until the next meeting of the Cabinet.
- 2.5 To determine in each individual case, in consultation with the relevant Portfolio Holder, whether images should be released in accordance with the Policy for Publication of CCTV (and other) images of Convicted Persons.
- 2.6 To amend the Scheme of Charges for Building Regulation Work.

3.0 DEPUTY LEADER & PORTFOLIO HOLDER FOR GREEN GROWTH

- 3.1 To agree responses to external consultation documents affecting the portfolio which do not have significant implications for Council strategies or services, after prior notification by e-mail to all Councillors.
- 3.2 Where details of schemes, within the portfolio, vary significantly from that described in the capital or revenue budgets or when external funding was agreed, to agree those variations, and where budget provision is not exceeded.
- 3.3 To issue public consultation documents within the portfolio prior to consideration by Cabinet unless they include proposals which would have significant implications for existing Council strategies or services.
- 3.4 To remit charges or to write off debts above £5,000 not falling within the four categories referred to in C(i) 1 (a) to (d) of the delegated authority to the Borough Treasurer.
- 3.5 To take any decisions within the portfolio which by reason of urgency cannot wait until the next meeting of the Cabinet.

N.B. All decisions made to be reported back in the “Members Updates” unless reported elsewhere.

4.0 PORTFOLIO HOLDER FOR LEISURE

- 4.1 To agree responses to external consultation documents affecting the portfolio which do not have significant implications for Council strategies or services, after prior notification by e-mail to all Councillors.
- 4.2 Where details of schemes, within the portfolio, vary significantly from that described in the capital or revenue budgets or when external funding was agreed, to agree those variations, where budget provision is not exceeded.
- 4.3 To issue public consultation documents within the portfolio prior to consideration by Cabinet unless they include proposals which would have significant implications for existing Council strategies or services.
- 4.4 To take any decisions within the portfolio which by reason of urgency cannot wait until the next meeting of the Cabinet.

N.B. All decisions made to be reported back in the “Members Updates” unless reported elsewhere.

5.0 TO THE PORTFOLIO HOLDER FOR HEALTH AND WELLBEING

- 5.1 To agree responses to external consultation documents affecting the portfolio which do not have significant implications for Council strategies or services, after prior notification by e-mail to all Councillors.
- 5.2 Where details of schemes, within the portfolio, vary significantly from that described in the capital or revenue budgets or when external funding was agreed, to agree those variations, where budget provision is not exceeded.
- 5.3 To issue public consultation documents within the portfolio prior to consideration by Cabinet unless they include proposals which would have significant implications for existing Council strategies or services.
- 5.4 To take any decisions within the portfolio which by reason of urgency cannot wait until the next meeting of the Cabinet.

N.B. All decisions made to be reported back in the “Members Updates” unless reported elsewhere.

6.0 TO THE PORTFOLIO HOLDER FOR COMMUNITIES

- 6.1 To agree responses to external consultation documents affecting the portfolio which do not have significant implications for Council strategies or services, after prior notification by e-mail to all Councillors.
- 6.2 Where details of schemes, within the portfolio, vary significantly from that described in the capital or revenue budgets or when external funding was agreed, to agree those variations, where budget provision is not exceeded.

- 6.3 To issue public consultation documents within the portfolio prior to consideration by Cabinet unless they include proposals which would have significant implications for existing Council strategies or services.
- 6.4 To take any decisions within the portfolio which by reason of urgency cannot wait until the next meeting of the Cabinet.
- 6.5 To determine applications from the Community Chest.

N.B. All decisions made to be reported back in the “Members Updates” unless reported elsewhere.

7.0 TO THE PORTFOLIO HOLDER FOR HOUSING

- 7.1 To agree responses to external consultation documents affecting the portfolio which do not have significant implications for Council strategies or services, after prior notification by e-mail to all Councillors.
- 7.2 Where details of schemes, within the portfolio, vary significantly from that described in the capital or revenue budgets or when external funding was agreed, to agree those variations, where budget provision is not exceeded.
- 7.3 To issue public consultation documents within the portfolio prior to consideration by Cabinet unless they include proposals which would have significant implications for existing Council strategies or services.
- 7.4 To take any decisions within the portfolio which by reason of urgency cannot wait until the next meeting of the Cabinet.

N.B. All decisions made to be reported back in the “Members Updates” unless reported elsewhere.

8.0 TO THE PORTFOLIO HOLDER FOR STREET SCENE

- 8.1 To agree responses to external consultation documents affecting the portfolio which do not have significant implications for Council strategies or services, after prior notification by e-mail to all Councillors.
- 8.2 Where details of schemes, within the portfolio, vary significantly from that described in the capital or revenue budgets or when external funding was agreed, to agree those variations, where budget provision is not exceeded.
- 8.3 To issue public consultation documents within the portfolio prior to consideration by Cabinet unless they include proposals which would have significant implications for existing Council strategies or services.
- 8.4 To take any decisions within the portfolio which by reason of urgency cannot wait until the next meeting of the Cabinet.

N.B. All decisions made to be reported back in the “Members Updates” unless reported elsewhere.

9.0 TO THE PORTFOLIO HOLDER FOR FINANCE(*including Economic Regeneration*)

- 9.1 To agree responses to external consultation documents affecting the portfolio which do not have significant implications for Council strategies or services, after prior notification by e-mail to all Councillors.
- 9.2 Where details of schemes, within the portfolio, vary significantly from that described in the capital or revenue budgets or when external funding was agreed, to agree those variations, and where budget provision is not exceeded.
- 9.3 To issue public consultation documents within the portfolio prior to consideration by Cabinet unless they include proposals which would have significant implications for existing Council strategies or services.
- 9.4 To remit charges or to write off debts above £5,000 not falling within the four categories referred to in C(i) 1 (a) to (d) of the delegated authority to the Borough Treasurer.
- 9.5 To take any decisions within the portfolio which by reason of urgency cannot wait until the next meeting of the Cabinet.
- 9.6* To consider, together with the Portfolio Holder for Economic Regeneration, in consultation with the Chief Operating Officer, Head of Finance, Procurement and Commercial Services and the Corporate Director of Place and Community, cases referred to them, where there has been evidence of a breach of a condition in relation to the disposal of all or part of a grant assisted asset, under the Pilot Land and Property and Inspire Projects, and in consideration of the need for clawback use the criteria as outlined at paragraphs 5.3 and 5.4 of the report to Cabinet on 18 September 2007.

*See also paragraph 1.8 and also delegation at Section 4.2 of the Constitution, paragraph 4.28.

N.B. All decisions made to be reported back in the “Members Updates” unless reported elsewhere.

Notes

In exercising these delegations Cabinet Members must comply with the following:

- (a) All decisions must be in accordance with the approved policy framework and budget.
- (b) All decisions must be taken in accordance with the requirements of law and the constitution.

- (c) Before taking a key decision all the requirements relating to key decisions must be met.
- (d) Cabinet Members will always have the option of referring matters for collective decision by the Cabinet.
- (e) Where a Cabinet Member has a personal and prejudicial interest in a matter coming before him/her for a decision, the Leader of the Council may take the decision delegated to that Portfolio Holder in their stead.
- (f) Where the Leader has a personal and prejudicial interest in a matter coming before him or her for a decision the Deputy Leader in the first instance or another Portfolio Holder may take the decision delegated to the Leader in his/her stead.
- (g) In the absence of the Leader/Deputy Leader or relevant Portfolio Holder another Portfolio Holder may take the decision delegated to the Leader, Deputy Leader or the relevant Portfolio Holder in their stead.