

Responsibility for Executive Functions (Tables 2A-2B)

(1) Arrangements for carrying out Executive functions

The functions of the Executive consist of all the functions of the Council which are not reserved to the Council in the Articles, or by law, or set out in the preceding section or specifically reserved to it at any time.

The Leader of the Council shall make arrangements for the discharge of Executive functions. In doing so, he / she shall:

- Assign a Portfolio to each member of his / her Cabinet as set out in **Table 2A**;
- Determine those functions he / she wishes to reserve for his / her own decision and those he/she wishes to delegate for decision by:
 - The Executive (Cabinet) as a whole
 - A committee of the Cabinet
 - An individual member of the Cabinet
 - Non-Executive Local Ward Members, in accordance with Section 236 of the Local Government and Public Involvement in Health Act 2007
 - An area committee
 - Joint arrangements
 - Another local authority.

Details of these arrangements will be set out in **Table 2B**.

(2) Arrangements for the Leader to change the allocation of functions and responsibilities set out in Tables 2A-2B

The Leader's scheme of delegation of executive functions shall have effect from the date new executive arrangements, required under Section 14 of the Local Government Act 2000, amended in accordance with Section 63 of the Local Government and Public Involvement in Health Act 2007, were implemented by the Council.

The Leader may refine the allocation of functions and responsibilities set out in Tables 2A-2B as he / she wishes. To effect changes, the Leader shall provide details of the changes he / she wishes to make in writing to the Chief Executive, such changes to have effect immediately upon subsequent notification to all Members.

In delegating functions under Section 236 of the Local Government and Public Involvement in Health Act 2007, the Leader shall have regard to the provisions of regulations, which may be issued by the Secretary of State from time to time.

The Council may agree amendments to its definitions of the budget and policy framework, which have the effect of limiting or extending the extent of executive functions delegated to the Leader, consequently Table 2B may be altered accordingly.

(3) Delegation to Chief Officers

Matters which the Leader has not specifically reserved for exercise within section (1) above shall be delegated to Chief Officers as operational management. The Delegation Rules at Part 4 of this Constitution set out the extent of chief officers' delegated authority, which the Leader may limit or withdraw as he / she sees fit.

Table 2A

Portfolio Title	Portfolio Holder	Additional Responsibility
Leader of the Council	Councillor Bridget Smith	Combined Authority.
Deputy Leader of Council	Councillor Aidan Van de Weyer	Greater Cambridge Partnership
Customer Services and Business Improvement	Councillor Philippa Hart	
Environmental Services and Licensing	Councillor Neil Gough	
Finance	Councillor John Williams	
Housing	Councillor Hazel Smith	
Planning	Councillor Tumi Hawkins	

Table 2B: Executive Functions

Given below are executive functions reserved for decision by the Leader of the Council, whole Cabinet, individual portfolio holders or Local Ward Members.

Notes:

- (a) In all cases decisions shall be referred to Council if there are or are likely to be financial implications which cannot be met from within the financial discretion allowed to the Leader of the Council. Council has delegated authority to the Leader of the Council to approve, after opportunities for virement have been exhausted, in-year supplementary revenue and capital estimates up to Level 3 (£50,000 per item), subject to this expenditure being within approved policy.
- (b) Specific executive functions not referred to in the table are delegated to Chief Officers as operational management. In exercising delegated powers, Chief Officers shall have regard to the provisions of the Delegation Rules set out at Part 4 of this Constitution.

General Matters

The following delegations would apply to all portfolios. Where matters are delegated to portfolio holders, the delegation would be to the portfolio holder for the relevant service area.

	For decision by the whole Cabinet	For decision by Portfolio Holders	Matters reserved for the Leader
General			
1	The exercise of functions, ordinarily within Portfolio Holders' delegated powers, in respect of matters which the Portfolio Holder has referred upwards in accordance with the Delegation Rules at Part 4 of this Constitution.	The exercise of functions, ordinarily within chief officers' delegated powers, in respect of matters which the chief officer has referred upwards in accordance with the Delegation Rules at Part 4 of this Constitution.	

	For decision by the whole Cabinet	For decision by Portfolio Holders	Matters reserved for the Leader
Staffing Matters			
2	To recommend to Council approval or rejection of pay awards or allowance adjustments beyond provision made in the budget and outside the financial discretion allowed in delegation (7) below.	To approve or reject pay awards or allowance adjustments within budget provision. The Chief Executive may approve the implementation of national allowance adjustments provided they are within budget.	
3	To approve new policies relating to employment; health and safety; and recruitment and retention of staff which have significant financial implications or are not in accordance with national agreements.		

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	For decision by the whole Cabinet	For decision by Portfolio Holders	Matters reserved for the Leader
4	To determine proposals to carry out substantial changes to the organisational structure.		

	For decision by the whole Cabinet	For decision by Portfolio Holders	Matters reserved for the Leader
Financial Matters			
5	To approve capital and revenue estimates (for recommendation to Council).	To approve capital and revenue estimates for Staffing and Central Overhead accounts as the basis for the preparation of service budgets.	
6		To approve the Council's response to the annual provisional financial settlement issued by Government.	
7	To approve, after opportunities for virement have been exhausted, in-year supplementary revenue and capital estimates up to Level 3 (£50,000 per item), subject to this expenditure being within approved policy, and to make recommendations to Council where the revenue or capital requirement exceeds this amount.		
8		Relevant portfolio holders to approve virement across 2 or more portfolios (with the Chief Finance Officer). See Rule 5, Budget and Policy Framework.	To approve virement where the affected portfolio holders have not agreed.
9		To approve project appraisals (i.e., approval of a report on the proposals) for non-housing new general fund revenue schemes greater than £50,000 or capital schemes greater than £200,000 included in the budget or capital estimates.	

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	For decision by the whole Cabinet	For decision by Portfolio Holders	Matters reserved for the Leader
10	To approve new policies for fees and charges, and revisions to existing policies, where income, or variation of income is estimated to be over £50,000 per annum.	To approve new policies for fees and charges, and revisions to existing policies, where income, or net variation of income is estimated to be up to £50,000 per annum. To approve all changes to fees and charges within policy (except charges for one-off publications and events – delegated to officers).	
11		To accept tenders above 10% and up to 15% greater than the budget provision for the proposal in question, provided that the cost can be met from resources within the portfolio. [All Chief Officers are authorised to accept tenders up to 10% above estimate (provided that the cost can be met from within the same budget).]	
12	To receive year-end integrated business monitoring reports combining financial and performance information.	To receive in-year integrated business monitoring reports combining financial and performance information.	
13		To approve carry forward of uncommitted balances on reserve account for grants.	
14		To consider and make recommendations to Council in respect of the annual Treasury Management Performance report.	
Grants			
15	To approve policies and criteria for the approval of grant schemes under which awards above Level 1 (£5,000) may be made.	To approve policies and criteria for the approval of grant schemes under which no award exceeds level one (£5,000). (See note (d) below)	
16	To approve statutory or non-statutory grants, guarantees or loans above Level 4.		To approve non-statutory grants or guarantees or loans up to and including Level 4 (in consultation with Finance Portfolio Holder).
17		To approve Disabled Facilities or Renovation Grant to cover unforeseen works above Level 2.	

Notes:

- (a) Chief Officers have delegated powers to approve non-statutory grants and further Disabled Facilities or Renovation Grant to cover unforeseen urgent works, above Level 1 up to and including Level 2, such awards to be consistent with policy and in consultation with local members, and to approve statutory grants up to and including Level 3. (See Rule 7 of Delegation Rules).
- (b) The limits above for the approval of further Disabled Facilities or Renovation Grant to cover unforeseen urgent works are to be observed regardless of the amount of the original grant approved and whether it is statutory or mandatory.
- (c) For the purposes of construing levels or amounts of grant, all procedural rules relate to net grant expenditure being the ultimate grant sum expended or to be expended by the Council after all relevant associated credits (re)paid or (re)payable have been taken into account in respect of any particular matter.
- (d) Decisions of the Portfolio Holder responsible for grants or the Cabinet, as appropriate, will be taken will be taken after consultation with the Grants Advisory Committee.

	For decision by the whole Cabinet	For decision by Portfolio Holders	Matters reserved for the Leader
Policy and Performance			
18	Review of the Council's corporate objectives, making recommendations to Council where appropriate.		
19	To consider, for recommendation to Council, policies, strategies or plans which would have the effect of amending or adding to the Council's finance and policy framework.	To consider and make a recommendation to Council in respect of the adoption and amendment of the Investment Strategy.	
20	To approve policies, strategies or plans which would not impact upon the Council's finance and policy framework but would nevertheless have implications across portfolios and a substantial impact within an operational service, directly affecting the service received by the public.	To approve operational guidelines which relate only to the service within the portfolio holders' responsibilities. To approve policies, strategies or plans which would not impact upon the Council's finance and policy framework but would nevertheless have implications across portfolios and a substantial impact within a back office service.	

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	For decision by the whole Cabinet	For decision by Portfolio Holders	Matters reserved for the Leader
21		To release a draft policy, strategy or plan for consultation or refer the matter to the Leader if likely to be sensitive or controversial or affect other portfolios. (Note – this delegation does not apply to Development Plan Documents brought forward as part of the Council’s Local Development Framework – see delegations 74 and 76 below.)	To release a draft policy, strategy or plan for consultation, if referred to the Leader by a portfolio holder.
22		To approve annual Service Plans for services.	
23		To monitor the implementation of service plans and to decide whether to refer matters of concern to the Leader.	To consider concerns referred by a portfolio holder in relation to the achievement of service plans.
24	To approve responses to consultation papers from the Government or other statutory agencies, containing proposals which would conflict with or substantially add to or amend the Council’s policy and budget framework. (excluding the response to the annual provisional financial settlement – see delegation 6 above).	To approve responses to consultation papers from the Government or other statutory agencies, other than those containing proposals which would conflict with or substantially add to or amend the Council’s policy and budget framework.	
Service Levels / Efficiency			
25	To approve, reject or amend substantial changes (planned or unplanned) to services (or new services).	To approve, reject or amend significant variations to existing levels of service.	
26	To consider the external auditors’ annual Management Letter.	To receive external audit reports and decide whether to refer to the Leader any matters of concern.	To receive external audit reports referred by Portfolio Holders.
27		To receive update reports relating to ongoing efficiencies work.	
Personal Applications			
28		Payment of ex-gratia payments or compensation above Level 2, in relation to matters which are executive matters.	

Notes:

- (e) Council on 18 October 2007 delegated authority to Chief Officers to approve any requests for financial assistance, grants or services from the Council falling outside the normal rules or policies. Examples would include (but not exclusively):
- Rate relief
 - Rents or charges
 - Ex-gratia payments or compensation up to and including Level 2.

	For decision by the whole Cabinet	For decision by Portfolio Holders	Matters reserved for the Leader
Contracts			
29	In the case of new contracts for the provision of services, works or goods, to approve the principle of contracting out and the key elements of the service specification. (To Council if there are or are likely to be implications for the policy / budget framework – in particular if the contract binds the Council to future additional financial commitments).		
30		To terminate a contract before expiry of the term (relevant Portfolio Holder in consultation with Finance Portfolio Holder).	

Notes:

- (f) Council on 18 October 2007 delegated authority to Chief Officers for all other matters relating to contracts, after consulting the Finance Portfolio Holder and any other relevant Portfolio Holder(s). This will include consortium framework contract considerations, tender listing, acceptance, adjustments of any kind, extensions and emergency or urgent provision.

	For decision by the whole Cabinet	For decision by Portfolio Holders	Matters reserved for the Leader
Conferences / Appointments			
31			To appoint member representatives on outside bodies where delegated to the Executive.
32			To approve submission of motions to the LGA or other conferences on behalf of the Council.
33			To appoint Member Champions.

	For decision by the whole Cabinet	For decision by Portfolio Holders	Matters reserved for the Leader
Partnerships			
34	To approve policies, objectives, targets, or substantial commitments entered into with partner organisations (to Council if the policy framework would be affected or if the commitment would bind the Council in future years).	To approve commitments entered into with partner organisations, which are within existing budgets and policies and would not involve other portfolios.	
Economic Development			
35			To receive and consider reports and recommendations in respect of economic development initiatives.
Land and Property			
36	<p>Disposal of Council interest in land or property where the value exceeds Level 4 or where other conditions in Para 3.6.2 of the Delegation Rules are not met.</p> <p>Does not apply to disposals under right to buy legislation or the Council's equity share scheme which are delegated to officers.</p> <p>Additional delegations relating to disposal of housing land are given under the Housing delegations</p>	Disposal of Council interest in land or property where the value exceeds Level 2 up to and including Level 4 or where other conditions in Para 3.6.2 of the Delegation Rules are not met.	
37		Acquisition of leases or other ongoing commitment where the value exceeds Level 2 (to Council if budget provision not available).	
Appointment of Proper Officers			
38		Appointment of Proper Officers not employed by the Council.	

Executive Matters Reserved to the Executive and Portfolio Holders – by Portfolio

Given below are proposals for matters within individual portfolios to be reserved to the Executive and portfolio holders.

	For decision by the whole Cabinet	For decision by Portfolio Holders	Matters reserved for the Leader
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	For decision by the whole Cabinet	For decision by Portfolio Holders	Matters reserved for the Leader
Customer Services and Business Improvement			
39		To approve street names, where there is an objection from the local member(s) or any statutory consultees.	
40		To review areas of special control of advertisements.	
41		To approve arrangements for member training and support (including IT support), together with approval of attendance of members at conferences or external training events where funded from the Democratic Representation budget.	

	For decision by the whole Cabinet	For decision by Portfolio Holders	Matters reserved for the Leader
Environmental Services and Licensing			
42			To approve the Council's contribution and commitments under the Joint Municipal Waste Strategy (making recommendations to Council where the budget and policy framework would be affected).
43		To approve the Air Quality Strategy and declaration of Air Quality Management Areas.	
44		To approve the Council's Contaminated Land Strategy.	
45		To approve the Land Drainage Maintenance Plan.	
46		To approve operating practices and representation on the Swavesey Byways Advisory Committee.	
47		To approve Licensing Committee policies and procedures, subject to consultation with the Licensing Committee, with the exception of the Licensing Act 2003 policy and the Gambling Act 2005 policy, which need the approval of Full Council.	
48			To approve the Council's emergency planning arrangements, subject to the Council's policy and budget framework.

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	For decision by the whole Cabinet	For decision by Portfolio Holders	Matters reserved for the Leader
49		To approve the Council's flood defence statement.	

	For decision by the whole Cabinet	For decision by Portfolio Holders	Matters reserved for the Leader
Finance			
50	To approve relevant strategies, plans and policies, including: Financial Strategy, budget, Council Tax levels, Investment Strategy, and Corporate Plan for recommendation to Council where in the budget / policy framework.	To approve the Capital Strategy and Asset Management Plan.	
51		Agreement and ownership of the strategic risks facing the Council.	
52		To approve policies and criteria for rate relief.	
53		To determine applications for discretionary rate relief outside the approved policy and criteria.	
54		To approve discretionary rate relief appeals.	
55		To approve the list of rural settlements / rural settlement boundaries.	
56		To write off debts above Level 2.	
57	To give approvals to matters which do not comply with Financial and Contract Regulations.		

Notes:

- (g) The Chief Finance Officer shall be authorised to write off any individual debt up to and including Level 2, provided that he is satisfied that all action for recovery of the debt appropriate to the amount has been taken (see Financial Regulations 13.8).
- (h) Council on 18 October 2007 delegated authority to the Chief Finance Officer to determine applications for discretionary rate relief within the approved policy and criteria, and to determine discretionary housing payments.

	For decision by the whole Cabinet	For decision by Portfolio Holders	Matters reserved for the Leader
Housing			
58	To make recommendations to Council on the HRA, rents and charges.		
59	To approve changes to Housing Allocations policy.		

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	For decision by the whole Cabinet	For decision by Portfolio Holders	Matters reserved for the Leader
60		To approve changes to and variations of Conditions of Tenancy.	
61		To approve programmes of parking, lighting and estate roads improvement schemes, subject to consultation with local members.	
62		To approve decisions by the Director of Housing to approve change of use subject to any planning requirements.	
63		To approve decisions of the Director of Housing to make land/property available for redevelopment by the Council.	
64	To approve land / property being made available at less than market value for affordable housing schemes where the annual limit of £1 million will be exceeded. See also note (j) below)	To approve decisions by the Director of Housing to make land / property available at less than market value for affordable housing schemes, subject to an annual limit of £1 million and compliance with current planning policies and General Consent under Section 28 of the Local Government Act 1988.	
65	To approve individual properties for sale on the open market where the annual limit of £2m is exceeded.	To approve decisions by the Director of Housing to agree individual properties for sale on the open market, subject to an annual limit of £2m.	
66	To approve the sale of land where the annual limit of £1m is exceeded.	To approve decisions of the Director of Housing to agree the sale of land subject to an annual limit of £1m.	
67		To approve decisions of the Director of Housing to approve purchase of land not exceeding £250,000 and of the Executive Director for land purchase exceeding £250,000, subject to planning approval.	
68		To approve decisions of the Director of Housing to approve the purchase of individual properties within the set budget, subject to contract.	
69		To approve decisions of the	

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	For decision by the whole Cabinet	For decision by Portfolio Holders	Matters reserved for the Leader
		Director of Housing to purchase "off the shelf" properties within the set budget (with the agreement of the Executive Director, acting as Section 151 Officer, for package deals that exceed £1m), subject to contract.	
70		To approve decisions of the Director of Housing, with the consent of the Executive Director, acting as Section 151 Officer, (approval of both Housing and Finance Portfolio Holders required) for the sale of properties to South Cambs Ltd and subject to Secretary of State consent in accordance with Section 32 of the Housing Act 1985 (General Housing Consents 2013).	
71	To approve any proposals which would have the effect of adding to or reducing the housing stock (other than through Right to Buy legislation or the Council's equity share scheme and subject to the Council's policy and budget framework).		
72		To allocate the s106 money received by SCDC in lieu of an affordable housing contribution on site.	
73	To determine proposals for substantial changes in the Council's service provision relating to Traveller sites managed on behalf of the County Council (subject to any necessary planning consents from the Planning Committee).		

Notes:

- (i) Council on 18 October 2007 delegated authority to Chief Officers to approve allowances or expenses to Council Tenants.
- (j) The HRA Asset Sustainability Policy (Disposals and Acquisitions) approved in September 2013 sets out delegations to the Director of Housing to take decisions on various matters relating to disposals and acquisitions, subject to the consultations and conditions specified in those delegations (including obtaining the approval of Portfolio holders as set out in

delegations 62 – 70 above and consultations with Local Members and Parish Councils as specified in Section 6 of that Policy).

	For decision by the whole Cabinet	For decision by Portfolio Holders	Matters reserved for the Leader
Deputy Leader			
74	To approve draft Northstowe Development Plan Documents for statutory consultation and recommend to Council approval of Northstowe Development Plan Documents for submission to the Secretary of State.	To determine all relevant stages of the Northstowe plan-making process up to the approval of draft Development Plan Documents for statutory consultation.	
75		To approve draft and final Supplementary Planning Guidance relating to Northstowe.	

	For decision by the whole Cabinet	For decision by Portfolio Holders	Matters reserved for the Leader
Planning			
76	To approve draft Development Plan Documents for statutory consultation and recommend to Council approval of Development Plan Documents for submission to the Secretary of State.	To determine all relevant stages of the plan-making process up to the approval of draft Development Plan Documents for statutory consultation.	
77		To approve draft and final Supplementary Planning Guidance.	
78		To consider and approve the Local Development Framework Annual Monitoring Report for submission to central government.	
79		To approve dual use agreements.	
80		To respond as consultee to traffic-related issues from Cambridgeshire County Council.	
81		To approve the programme of Conservation Area Appraisals.	
82		To designate Conservation Areas, agree amendments to their boundaries and agree supplementary planning guidance (e.g., Village Appraisal) where 1 parish only affected.	