

# PART 3

## B Delegation to Individual Cabinet Members

# **PART B . EXECUTIVE FUNCTIONS**

## **Responsibility for Functions and Delegation Arrangements**

All functions other than those listed in Part A (Council Functions) will be the responsibility of the Executive including those set out in the following table. It should be noted that all “Local Choice” functions (i.e. those specified in regulations under S13(3)(b) of the Local Government Act 2000) are Executive functions.

The Executive may at its discretion delegate decision-making powers for these functions, but they remain accountable to the Council for the decisions taken. The Council can not choose to exercise such functions itself.

No executive functions have been delegated to Committees of the Executive.

A number of executive functions have been delegated to individual Cabinet Members under S.15 of the Local Government Act 2000.

A number of executive functions have been delegated to officers of the Council. These further delegations are set out in the Officer Delegation Rules in Part 4 of this Constitution.

Functions	Delegation of functions within Executive (Cabinet)	Delegation of functions outside Executive
<p>The formulation, review and monitoring of the policy and budget framework, including-consultation with relevant Overview and Scrutiny Committees, members of the public and interested parties; and the submission of recommendations for amending the policy and budget framework to the Council.</p>		<p>Functions delegated to the Chief Executive and other officers in accordance with the Officer Scheme of Delegation</p>
<p>The implementation of the Approved Policy and Budget Framework, except in relation to those functions set out in A above (Council functions), including the management, control and supervision of :</p> <ul style="list-style-type: none"> <li>• the Council's own financial and property resources</li> <li>• housing and Council tax benefit</li> </ul>		<p>Functions delegated to the Chief Executive and Directors in accordance with Officer Scheme of Delegation</p>

<ul style="list-style-type: none"> <li>• leisure, sports, arts and tourism services</li> <li>• housing provision, homelessness and the maintenance of the common waiting list</li> <li>• the preparation and review of the Development Plan and other planning policies and procedures</li> <li>• environmental health and protection</li> <li>• grounds maintenance</li> <li>• refuse collection, recycling and amenity cleansing</li> <li>• measures to promote the economic, environmental and social well-being of the district</li> <li>• measures to promote community safety and reduce drug abuse</li> <li>• measures to promote skills training and development</li> <li>• measures in pursuit of the Council's rural issues, anti-poverty, and environment/sustainability strategies</li> <li>• measures to promote high quality, Best Value services to the communities of the district</li> </ul>		
<p>Representing the Council and the district to the public, other organisations and agencies, both within the district and at national level.</p>		

To authorise capital expenditure of up to £50,000 on schemes that are in accordance with the Capital Programme.	All cabinet members in respect of matters within their terms of reference	
To authorise an acquisition or disposal of any interest in land where such interest is valued at less than £25,000.	All cabinet members in respect of matters within their terms of reference	
To respond to consultations by the Government, Government agencies and other local authorities on draft guidance, policies, regulations, or similar documents	All cabinet members in respect of matters within their terms of reference	
To take action to deal with urgent business that arises between meetings of the Cabinet when it is not expedient to call a special meeting of the Cabinet. Decisions taken under this power shall be reported to the next meeting of the Cabinet for information and record.	All cabinet members in respect of matters within their terms of reference	
To authorise the attendance of Members and attend conferences as an official duty.	All cabinet members in respect of matters within their terms of reference	
To write off debts and costs as irrecoverable of a value of between £5,000 and £20,000.	Cabinet Member with responsibility for Finance	

To agree fees and charges for Car Parking after consultation with the Cabinet Member for Fleet and Church Crookham. (Non-Statutory)	Cabinet Member with responsibility for Car Parking	
To prepare and approve development briefs in accordance with Development Plan policies (Statutory)	Cabinet Member with responsibility for Planning	
To publish for consultation draft Supplementary Planning Guidance (Statutory)	Cabinet Member with responsibility for Planning	
To respond to proposals from Natural England Nature to designate Sites of Special Scientific Interest (Statutory)	Cabinet Member with responsibility for Planning	
To make Directions under Article 4 of the Town and Country Planning General Development Order 1995 (Statutory)	Cabinet Member with responsibility for Planning	

Notes:

- (i) If a Cabinet Member shall not be available to exercise powers designated to him or her, then those powers may be exercised by the Leader
- (ii) Any decision which has a disproportionately greater effect in Fleet and Church Crookham than the District as a whole should only be exercised after the Cabinet Member has consulted with the Cabinet Member for Fleet and Church Crookham
- (iii) No decision shall be taken without it first being subject to consultation with the relevant Chief Officer.

(iv) The Head of Finance or the Monitoring Officer may if they regard a decision as unlawful direct that it not be implemented and referred to the Cabinet.

(v) Matters for which more than half the budget is charged to Special Expenditure are within the terms of reference of the Cabinet Member *for Fleet and Church Crookham*

(vi) Notwithstanding that a function may be the responsibility of the Executive except in the circumstances referred to in clause (vii) below the Executive is not permitted to determine any matter in the discharge of such a Function if that determination is contrary to the Council's Budget or Policy Framework

(vii) The circumstances referred to in (vi) above are that it can reasonably be considered that there is an urgent need for the determination, and the consent of the Chairman of the Council or the Chairman of the Overview and Scrutiny or the Vice Chairman of the Council.