



Crawley Borough Council

Report to the Annual Meeting of Crawley Borough Council 13 June 2014

Election of the Leader of the Council and the Leader's Delegation Scheme

Report of the Head of Legal and Democratic Services – **LDS/082**

1. Purpose

- 1.1 Following the recent Borough election, there has been a change in Administration of the Council and with this in mind, the Council is required to elect a new leader. Crawley Borough Council has adopted the Leader and Cabinet Executive (England) Model and the Leader must be a Councillor elected by the Council.
- 1.2 Following the election of the Leader, the Council will receive details of those appointed as Deputy Leader and Cabinet Members by the Leader, the written record of delegations made by the Leader of Cabinet functions to Cabinet Members and officers, and the Terms of Reference and memberships of Committees of the Cabinet.

2. Recommendations

- 2.1 **That the Council is asked to elect a new Leader of the Council.**
- 2.2 **That the Council receive:**
 - (i) **the details of those appointed by the Leader to serve as Deputy Leader and Members of the Cabinet as set out in Appendix A to this report;**
 - (ii) **the Cabinet portfolio responsibilities and the delegation of specific Cabinet functions to Cabinet Members as set out in the Appendix B to this report and as approved by the Council at its meeting on 23 April 2014;**
 - (iii) **the delegation of Cabinet functions to officers as set out in pages 135-138 of the Constitution as approved by the Council at its meeting on 23 April 2014 and circulated separately to all Members of the Council;**
 - (iv) **the Terms of Reference and membership of the Town Centre Committee (being the one committee of the Cabinet) as set out in Appendix C to this report.**

3. Reasons for the Recommendations

- 3.1. To accord with Article 7 of the Crawley Borough Council Constitution.

4. Background

- 4.1. Following the recent Borough election, there has been a change in Administration of the Council, and with this in mind, the Council is requested to elect a new Leader. The term of office of the Leader commences on the day of his/her election as Leader and the Leader's term of office ends on the day when the Council holds its first annual meeting after the Leader's normal day of retirement as Councillor, unless he or she:
 - resigns from office; or
 - is no longer a Councillor; or
 - is otherwise disqualified from being a Councillor; or
 - is removed from office by resolution of the Council
- 4.2. The Leader may make arrangements to delegate executive responsibilities him/herself to the Cabinet as a whole, a Committee of the Cabinet, an individual member of the Cabinet, an employee, an Area Committee, via Joint Arrangements, or another local authority.
- 4.3. The Cabinet will consist of the Leader appointed by the Council, the Deputy Leader appointed by the Leader, together with a maximum of eight other Councillors appointed by the Leader.

5. Deputy Leader, Cabinet Members and Delegation of Cabinet Functions

- 5.1. The Leader will appoint a Deputy Leader and a Cabinet with a statutory number of between two and ten Members of the Council, including the Leader and Deputy.
- 5.2. At the Annual Meeting of the Council the Leader, once elected, is required to present to the Council a written record of delegations made by him/her for inclusion in the Council's Scheme of Delegation as Part 3 of the Constitution.
- 5.3. Once elected, the Leader of the Council will determine the membership of the Cabinet and the allocations of the portfolios (including Deputy Leader) to each of the recommended Cabinet Members for inclusion in Part 3 of the Constitution. The Council's Scheme of Delegation of Cabinet functions from the Leader and Cabinet will also be determined by the Leader. The Council must agree the delegation of any non-Cabinet functions, and this matter will be considered separately to this report.

6. Background Papers

- Crawley Borough Council's Constitution (as approved by the Council at its meeting on 23 April 2014).
- Local Government Act 2000 (as amended).

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The Cabinet (June 2014)

Portfolio	Cabinet Member / Portfolio Holder	Ward	Address
Leader	Councillor P K Lamb	Northgate	3 Evans Close Maidenbower RH10 7WN
Planning and Economic Development	Councillor P Smith	Ifield	7 Parker Close Maidenbower RH10 7WT
Community Engagement	Councillor C Oxlade	Ifield	24 Beverley Mews Three Bridges RH10 1UE
Deputy Leader and Housing	Councillor S Joyce	Langley Green	36 Turnpike Place Langley Green RH11 7UA
Customer and Corporate Services	Councillor D J Shreeves	Langley Green	21 Ivanhoe Close Langley Green RH11 7UF
Environmental Services	Councillor C C Lloyd	Tilgate	118 Malthouse Road Southgate RH10 6BH
Leisure and Cultural Services	Councillor C J Mullins	Gossops Green	9 Firtree Close Langley Green RH11 7LS

CABINET MEMBER PORTFOLIO RESPONSIBILITIES

Leader of the Council

Chair of the Cabinet

General Direction of Policy and its expression in the Corporate Plan (in liaison with the appropriate Cabinet Member)
including co-ordination of the Council's objectives, policies and priorities and overall supervision of the organisation of the Council and its management processes

Community Leadership and, in conjunction with the Cabinet Member for Community Engagement, the preparation of a Community Strategy and the development of Community Planning

Internal and External Communications including dissemination of public information and the conduct of public relations

Overview of Human Resources

Civil Contingencies (including emergency planning)

Plans and preparations for fulfilling the Council's duties and responsibilities in relation to peacetime and wartime emergencies and the gathering of information relevant to the Council's civil defence obligations

The constant review of those emergency plans and preparations to ensure that they are at all times ready for effective implementation

Democratic renewal of the Council's own structures and procedures

Arrangements for official and courtesy visits to and from the Borough

Internal and External Audit and Audit Commission Report

Finance

including functions of the Council relating to rating, Business Rates and Council Tax. Funds and investment management.

Insurance matters.

Formulation of the Budget.

Regulation of the exercise of the borrowing powers of the Council.

Prevention and detection of fraud.

Risk Management.

Welfare Reform agenda with the Cabinet Member for Housing

Strategic neighbourhood regeneration

Regional Governance / Development

Specific Delegations:

- (1) Approval of the Council's Risk Management Strategy
- (2) Approval of the Council's Debt Management Strategy
- (3) Approval of the Council Tax Base
- (4) Approval of the NNDR1 (National Non-Domestic Rates Return)

Leader of the Council

- (5) Authority to make appointments to Outside Bodies relating to Cabinet functions
- (6) Approval of the utilisation of the planning delivery grant and the housing and planning delivery grant
- (7) Authority to approve the transfer of residual land on terms proposed by the Asset Manager
- (8) Authority to approve the use of any underspend on a capital scheme, up to a total value of £500,000, on further work associated with the scheme during the same financial year, subject to the Council not being committed to expenditure in future years above the existing budgetary provision
- (9) Approval of feasibility scheme and final implementation proposals for neighbourhood centre improvements which are in accordance with the Capital Programme

Membership to Outside Bodies:

- Bus Company Meetings
- Local Economy Action group (observer)
- Gatwick Diamond
- Local Government Association (General Assembly)
- District Councils Network
- West Sussex Co-operative

Cabinet Member for Community Engagement

Community Engagement and Development

Preparation of a Community Strategy and the development of Community Planning (including a Public Consultation Strategy and the investigation of Area / Neighbourhood Forums)

Community and Neighbourhood Development

Community Safety

Community Safety Improvement Schemes

Grants to Voluntary Bodies

Equal Opportunities

Promotion of equality of opportunity

Social Inclusion Strategy

Application of the Big Society and Localism

Lead Cabinet Member for Health

Children and Young People (including joint working with Youth Services and Youth Development Initiatives and the Council's responsibilities defined under Section 11 (Safeguarding) of the Children's Act 2004)

Cabinet Member for Community Engagement

Town Twinning

Specific Delegations:

- (1) To determine applications for main grants (i.e. currently above £5,000) by voluntary organisations in accordance with the criteria previously agreed by Cabinet
- (2) The approval of criteria for the prioritisation of community safety improvement schemes
- (3) The approval of an annual programme of community safety schemes subject to the proposals being achievable within the limits of the approved financial budget

Membership to Outside Bodies:

- Safer Crawley Partnership Executive
- Sussex Police and Crime Panel

Cabinet Member for Customer and Corporate Services

Political Liaison

Democratic Services (excluding elections)

including the Committee service and liaising with the Local Government Ombudsman

Legal Services

including advice to the Council across the range of Council functions and provision of the statutory land charges service to members of the public

Fostering Interest in Local Government

Promoting interest in and understanding of Local Government

Member Services

- Member Training and Development

Provision of resources for enforcement of decisions taken by the Licensing Committee

Licensing Policy

Gambling Policy

Performance Management

Service Review Programme (except individual reviews)

Systems Thinking and other improvement methodologies

Service channel shifts

Human Resource Strategy

including recruitment and retention policy,

Cabinet Member for Customer and Corporate Services

conditions of service
employees health, safety and welfare

Overview of Customer Service and Complaints

E Government and IT Strategies

Improvement Planning Champion

Service Responsibilities:

Information Technology
Web team

Human Resources including staffing budget
Equal Opportunities Policy relating to employment

Town Hall building management/office accommodation
Reprographics and Stationery
Civic Hall

Procurement

Policy for developing service plans

Customer Contact Centre

Data Protection and Freedom of Information

Partnership working with other Councils and shared service provision

Specific Delegations:

(1) To approve the Corporate Equality Statement

Cabinet Member for Environmental Services

Public and environmental health (including burials and cremations)
Mortuaries, post-mortem rooms, burial grounds and cemeteries
Waste management, refuse and recycling

- car park management
- dog control
- street naming and numbering
- street furniture
- cycle paths
- public conveniences

Food Safety

Pollution Control (including noise)

Health and Safety (other than employees)

EMAS

Climate change

Land Drainage

Regulation of activities on highways, undertaking works on the highway and environmental/street improvement schemes

Cabinet Member for Environmental Services

Christmas illuminations
Flood Prevention
Streetscene
- verge cutting/amenity areas
- cleansing
- litter control
- abandoned vehicles
Community Wardens
Civil Parking Enforcement

Specific Delegations:

- (1) The approval of feasibility schemes and final implementation proposals for residential environmental improvements which are in accordance with the Capital Programme
- (2) Naming and numbering of streets
- (3) The approval of criteria for the prioritisation of flood alleviation schemes including project allocation, programme and final implementation proposals for flood alleviation schemes subject to the projects being achievable within the limits of the approved financial budget of Capital Programme

Membership to Outside Bodies:

- Gatwick Airport Joint Authorities Meeting
- Inter Authority Waste Group
- Patrol Adjudication Joint Committee

Cabinet Member for Housing

Deputy Leader of the Council

Crawley Homes - Landlord Role

The provision, management and control of Council dwellings including rents
Management and development of Council land held for housing purposes
Housing administration
Control of empty housing properties

Housing Strategic Role (including statutory functions)

Provision of housing advice, homelessness service and maintenance of housing register
Assessment of housing need and management of Housing Strategy
Release of funds to Housing Associations under the LAHAG programme in respect of schemes included in the approved capital programme

Unfit properties and houses in need of repair and improvement, houses in multiple occupation, the abatement of overcrowding and improvement grants

Liaison and Joint Working with Social Services and Health (in relation to housing issues)

Council Tax Reductions and Housing Benefit

Welfare Reform agenda with the Leader of the Council

Cabinet Member for Housing

Specific Delegations:

- (1) Power to vary the rent of dwellings and garages held on the Housing Revenue Account
- (2) The approval of variations to the affordable housing requirements specified in Core Strategy Policy H5 for any housing scheme where it has been evidenced that scheme viability cannot support meeting these requirements in full, or where changes in housing needs of housing policy may justify any variation to the percentage and/or tenure mix being sought
- (3) To discharge the functions of the Council in relation to the appropriation of surplus land (excluding residential dwellings) from the Housing Revenue Account for a different use/purpose

Cabinet Member for Leisure and Cultural Services

Arts (including The Hawth, community arts, promotions and entertainments, public art and bandstand)

Museums and art galleries

Sport and fitness (including sports development, playing fields, Broadfield Stadium and Leisure Centres) with the primary health and well-being role being held by the Cabinet Member for Community Engagement

Amenity Services

Parks, gardens and open spaces

Land held for recreational and open space purposes

Liaison and Joint Working with Education

Libraries liaison

Community Centres

Allotments

Lead Cabinet Member on issues relating to travellers

Nature conservation/arboriculture

Play service and playgrounds

Implementation of Green Space Strategy (The formulation of the Green Space Strategy remains with the Cabinet Member for Planning and Economic Development)

Membership to Outside Bodies:

- Gatwick Greenspace Partnership

Cabinet Member for Planning and Economic Development

Town and Country Planning

Local Plan

Building regulation and building control

Issues relating to access to the countryside

Closure/diversion of footpaths, bridleways and highways

Provision of resources for enforcement of decisions taken by the Development Control Committee

Transport Planning

including public transport and liaison with public transport operators

Transportation policies, including liaison with the highway authority on their development, traffic management and car parking

Responding to consultations on proposed traffic regulation orders

Concessionary Travel

Economic Development

Town Centre Management

Issues of business and employment development within the Borough including training

Marketing and promotion of the Borough and tourism

Gatwick Strategy

Liaison with County Council and Neighbouring District Councils on Planning and Highways

Formulation of Green Space Strategy (The implementation of the Green Space Strategy remains with the Cabinet Member for Leisure and Cultural Services)

Heritage Strategy (the Strategy will fall within the responsibilities of several Cabinet Members, however the Cabinet Member for Planning and Economic Development will provide a co-ordinating role)

Property and Construction

Asset Management Strategy

All non-operational assets included in the Assets Register

Corporate Strategy for the maintenance, management and development of the Council's corporate estate

Terms for the acquisition, disposal and appropriation of land (excluding right to buy / rent to mortgage and shared ownership schemes for Housing Revenue Account dwellings)

Property Strategy

Specific Delegations:

- (1) The adoption of new Conservation Area Statements and amendments to existing Conservation Area Statements
- (2) The adoption of new Conservation Area Statements and amendments to existing Conservation Area Statements
- (3) The adoption of new Heritage Statements and amendments to existing Heritage

Cabinet Member for Planning and Economic Development

Statements

- (4) Approval of the annual programme of building maintenance works for operational properties (excluding housing assets) including variations during the year to meet changing needs. Delegation to cover all types of maintenance work and small-scale improvements above £100,000 per job

Membership to Outside Bodies:

- Local Economy Action Group (voting member)
- Gatwick Airport Joint Authorities Meeting
- Gatwick Diamond Local Authorities Members' Group
- Manor Royal Business Group
- Manor Royal Board
- Sussex Building Control
- Town Centre Partnership
- West Sussex Joint Planning Board

**RESPONSIBILITY FOR CABINET FUNCTION
TOWN CENTRE COMMITTEE**

The powers and duties of the Council relating to the functions set out below are delegated to the Town Centre Committee

Membership:- Councillors: Peter Smith (Chair), Peter Lamb, Stephen Joyce and Colin Lloyd

Functions of the Town Centre Committee

Delegation of Functions (concurrently with the Town Centre Committee)

- (1) To consider recommendations from the Town Centre Working Group on any urgent matter related to the Town Centre Development where a formal decision by the Cabinet would otherwise be required and to take decisions on those recommendations on behalf of the Cabinet.