

## RESPONSIBILITY FOR CABINET FUNCTIONS

**Membership:** (Leader of the Council)  
(Deputy Leader of the Council) – this role is allocated to one of the Cabinet Members below  
(Cabinet Member for Environmental Services and Sustainability)  
(Cabinet Member for Housing)  
(Cabinet Member for Planning and Economic Development)  
(Cabinet Member for Public Protection and Community Engagement)  
(Cabinet Member for Wellbeing)

All the powers and duties of the Council are allocated to the Leader **EXCEPT:**

- (i) approval or adoption of the Policy Framework, which means the plans and strategies set out in the Policy Framework Procedure Rules within this Constitution.
- (ii) approval of the budget including the Council's financial strategy, annual budget and rules for variations to the approved spending plans - approval to include the allocation of financial resources (revenue and capital) to services or projects, proposed contingency funds, setting the Council tax and determining overall limits in relation to borrowing requirements in connection with the discharge of the function of formulating a plan or strategy for the control of the Council's borrowing, capital expenditure or investments, the giving of instructions requiring the Cabinet to reconsider any draft plan or strategy submitted by the Cabinet for the Council's consideration, the amendment of any draft plan or strategy submitted by the Cabinet for the Council's consideration; and the adoption (with or without modification) of the plan or strategy.

(The Cabinet will be responsible for putting draft proposals to the Council on the above issues.)

- (iii) approval or adoption of any applications (whether in draft form or not) to the Secretary of State for approval of the inclusion of a disposal in a programme of disposal of 500 or more properties to a person under the Leasehold Reform, Housing and Urban Development Act 1993 or for consent to dispose of land used for residential purposes where approval is required under Sections 32 or 43 of the Housing Act 1985
- (iv) subject to the urgency procedure contained in the Access to Information Procedure Rules in Part 4 of the Constitution (when adopted), making decisions about any matter in the discharge of a Cabinet function which is covered by the policy framework or the budget where the Cabinet is minded to make it in a manner which would be contrary (a) to the policy framework or (b) contrary to/ or not wholly in accordance with the budget (including any part of the budget as varied from time to time within the limits set in the Procurement

Code//Financial Procedure Rules or otherwise) or (c) contrary to/not wholly in accordance with the virement limits determined by the Council whether by means of the Procurement Code/Council Procedure Rules/Financial Procedure Rules or otherwise.

In such cases the Cabinet shall not determine the matter itself but shall refer it to Council for determination

- (v) appointing the Leader (Note: the appointment of Members of the Cabinet is the responsibility of the Leader)
- (vi) agreeing and/or amending the terms of reference for Committees, deciding on their composition and making appointments to them
- (vii) appointing representatives to outside bodies unless the appointment is a Cabinet function and has been delegated by the Leader
- (viii) adopting a Members Allowances Scheme
- (ix) changing the name of the area, conferring the title of honorary alderman or freedom of the Borough
- (x) approving the appointment or dismissal of the Head of Paid Service, and approving the dismissal of the Monitoring Officer and the Chief Finance Officer
- (xi) making, amending, revoking, re-enacting or adopting bylaws and promoting or opposing the making of local legislation or personal Bills
- (xii) all local choice functions set out in Part 3 of the Constitution which the Council decides should be undertaken by itself rather than the Cabinet
- (xiii) adoption and changes to the Constitution
- (xiv) issues which fall within the terms of reference of other Committees appointed by the Council
- (xv) all matters which, by law, must be reserved to Council
- (xvi) payments or benefits in cases of maladministration\*
- (xvii) functions relating to local government pensions\*
- (xviii) if it is proposed that no action is to be taken on, or not the action recommended in, a final report of the Ombudsman, consideration of that report

- (xix) approval of an annual treasury management strategy
- (xx) agreeing to establish a joint Committee to be, for the purposes of Part 2 of the Planning and Compulsory Purchase Act 2004, a local planning authority
- (xxi) agreeing to confer additional functions on a joint Committee
- (xxii) power to request the dissolution of a joint Committee
- (xxiii) power to resolve not to issue any casino premises licenses within the Borough under Section 166 of the Gambling Act 2005.
- (xxiv) passing a resolution to make a change in alternative governance arrangements under Section 33F of the Local Government and Public Involvement in Health Act 2007
- (xxv) Approval of an allowance for the Mayor and Deputy Mayor other than where the allowance is updated for inflation in accordance with the Budget Strategy

\* The matters marked with an asterisk shall be considered by the Cabinet but must be referred to the Council for determination