

	
<b>Report to: Cabinet Leader</b>	14 <sup>th</sup> June 2011
Report of the Assistant Director Governance and ICT	

## Executive Decision making

### Summary

- 1.1 This report proposes a new and simplified scheme of delegations for executive functions.

### Background

- 2.1 Under the new executive arrangements which the Council were obliged to adopt from this Municipal year the allocation of decision making responsibilities to Cabinet members is a matter for the Leader. Under the transitional arrangements which Council put in place the previous decision making arrangements could continue. However, as executive portfolios are changing there is a need to revise the scheme of delegations and this also gives an opportunity to simplify the current arrangements.
- 2.2 The proposed new Cabinet Portfolios are as follows:

#### **Leader – Cllr. James Alexander**

Function	Responsible Director
Civic and Democratic Services (inc. Scrutiny and Electoral services)	Customer & Business Support
Communications & Media	Chief Executive
Policy, Strategy and Partnerships	Chief Executive
Council Accommodation	City Strategy
Economic Development & Regeneration	City Strategy
Business and Policy Support	City Strategy
Staff Relations	Customer and Business Support

Tourism	City Strategy
Business & Skills Development	City Strategy

**City Strategy – Cllr. Dave Merrett**

<b>Function</b>	<b>Responsible Director</b>
Planning	City Strategy
City Development & Transport	City Strategy
Emergency Planning	City Strategy
Environment Strategy	Communities & Neighbourhoods
Carbon Reduction	City Strategy
Conservation & Urban Design	City Strategy
Parking Strategy	Communities & Neighbourhoods
Highways Strategy	Communities & Neighbourhoods
Waste Management Strategy (Client)	City Strategy
Any other function delivered through the City Strategy Directorate which is not allocated to another Portfolio holder	City Strategy

**Corporate Services – Cllr. Julie Gunnell**

<b>Function</b>	<b>Responsible Director</b>
Customer Services	Customer & Business Support
Legal Services	Customer & Business Support
Human Resources & Payroll	Customer & Business Support
Financial Services	Customer & Business Support
Financial Procedures & Risk Management	Customer & Business Support
ICT	Customer & Business Support

Performance & Business Assurance	Chief Executive
Procurement Services	Customer & Business Support
Business Change	Chief Executive
Health & Safety	Customer & Business Support
Fraud	Customer & Business Support
Property Services	City Strategy
Any other function delivered through the Customer & Business Support Directorate which is not allocated to another Portfolio holder	Customer & Business Support

### **Communities and Neighbourhoods – Cllr. Janet Looker**

<b>Function</b>	<b>Responsible Director</b>
Environmental Health	Communities & Neighbourhoods
Smarter York	Communities & Neighbourhoods
Cleaning Services	Communities & Neighbourhoods
Waste Management	Communities & Neighbourhoods
Street Environment	Communities & Neighbourhoods
Civil Engineering & Highways	Communities & Neighbourhoods
Licensing & Bereavement	Communities & Neighbourhoods
Parking Services	Communities & Neighbourhoods
Registrar	Communities & Neighbourhoods
Any other function delivered through the Communities & Neighbourhoods Directorate which is not allocated to another Portfolio holder	Communities & Neighbourhoods

## Health, Housing and Adult Social Services – Cllr. Tracey Simpson-Laing

<b>Function</b>	<b>Responsible Director</b>
Assessment & Personalisation	Adults, Children & Education
Older People, Mental Health, Respite	Adults, Children & Education
Commissioning and Partnerships	Adults, Children & Education
Service Delivery and Transformation	Adults, Children & Education
Housing Landlord (HRA)	Communities & Neighbourhoods
Housing General	Communities & Neighbourhoods
Any other function delivered through the Adults, Children & Education Directorate which is not allocated to another Portfolio holder	Adults, Children & Education

## Leisure, Culture and Social Inclusion – Cllr. Sonja Crisp

<b>Function</b>	<b>Responsible Director</b>
Leisure (incorporating Sport, Parks, Arts & Culture, Heritage and Libraries)	Communities & Neighbourhoods
Equalities and Inclusion	Communities & Neighbourhoods
Neighbourhood Management	Communities & Neighbourhoods
Volunteering	Communities & Neighbourhoods

## Education, Children and Young People – Cllr. Ruth Potter

<b>Function</b>	<b>Responsible Director</b>
School Improvement & Staff Development	Adults, Children & Education
Children & Families	Adults, Children & Education
Partnerships & Early Intervention	Adults, Children & Education

<b>Function</b>	<b>Responsible Director</b>
Resource Management	Adults, Children & Education
Lifelong Learning	Communities & Neighbourhoods

### **Crime and Community Safety – Cllr. Sandy Fraser**

<b>Function</b>	<b>Responsible Director</b>
Safer Neighbourhoods	Communities & Neighbourhoods
Anti social behaviour	Communities & Neighbourhoods
Licensing and enforcement	City Strategy
Trading standards	City Strategy
Youth offending	Adults, Children & Education
Alcohol and Drugs Action	Adults, Children & Education

2.3 The suggested allocation of decision making responsibilities is as follows:

The Cabinet may collectively exercise any function of the Executive

Individual Cabinet Members may make any decision relating to the functions within their portfolios with the exception of:

- Key decisions as defined in the Council’s Constitution ;
- Decisions which in the opinion of the Cabinet member significantly cross cut across portfolios
- Other decisions which the Leader determines should be made collectively by the Cabinet;

The Leader may exercise any function delegated to another Cabinet member if that Member is unable or unwilling to act. The Leader may also exercise any function of the Cabinet where a decision cannot reasonably await the next meeting. This is subject to compliance with the urgency procedures laid out in the Constitution for key decisions.

The Deputy leader may exercise any function of the leader if the Leader is unable to act.

The current scheme of delegation to Chief Officers should continue in force

- 2.4 All decisions would of course have to comply with the Financial Regulations and Contract Procedure Rules prescribed by Council. The decision making powers only relate to executive functions and not those functions, largely of a regulatory nature, which remain the responsibility of Council, Committees or Officers under delegated powers from Council.

### **Options**

- 3.1 The allocation of portfolios and decision making responsibilities is a matter for the Leader and greater or lesser levels of delegation could be provided for.

### **Corporate Priorities**

- 4.1 The Council's leadership and governance arrangements are central to achieving the objectives within the corporate strategy.

### **Implications**

- 5.1 The key implications of this report are the legal ones referred to within it.

### **Recommendations**

- 6.1 The Leader is recommended:
- a) To confirm the allocation of the portfolios referred to in this report to the named portfolio holders
  - b) To confirm the scheme of Executive delegations referred to in the report
  - c) To ask the Monitoring Officer to exercise his powers under Article 16 of the Constitution to amend the Constitution accordingly

Reason: In order to allow lawful and effective decision making

### Contact Details

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	<b>Report Approved</b>	✓	<b>Date</b> 26/5/2011
<b>Wards Affected:</b> <i>List wards or tick box to indicate all</i>			<b>All</b>
<b>For further information please contact the author of the report</b>			

### Background Papers

None