

## ANNEX C

# Functions of the Executive

## The Executive and Executive Functions

- 12 The Executive is responsible for the exercise of all functions which by law must be the functions of the Executive and for the exercise of those functions which are delegated to it as a “local choice” functions as set out in Para 10 above.

## Executive Relationship to Full Council

- 13 The Executive may exercise any Executive function delegated to an Executive Member, an Officer or Ward Committee where requested by such persons or bodies to do so.
- 14 All plans, strategies and policies falling within the Policy Framework as defined in paragraph 11 above shall be considered by the Executive who shall make recommendations thereon to Full Council. It should be noted that in respect of plans, strategies and policies falling within the Policy Framework it is for Full Council to:
- i. instruct the Executive to reconsider any draft plan, strategy or policy;
  - ii. amend any draft plan, strategy or policy submitted by the Executive;
  - iii. approve for formal public consultation proposals for alterations to, or the replacement of, the Local Development Framework following submission to government.
  - iv. approve any plan, strategy or policy for submission to government (where required);
  - v. adopt any plan, strategy or policy with or without modifications.
- 15 The function of amending, modifying, varying or revoking any plan, strategy or policy falling within the policy framework shall be performed by the Executive only if it is:
- required for giving effect to governmental requirement; or
  - was authorised by Full Council when approving or adopting the plan, strategy or policy.
- 16 The Executive is responsible for proposing the Revenue and Capital Budgets to Council including the initial allocation of financial resources to different services and projects, proposed contingency funds, proposed precepts, the amount of Council tax and decisions relating the Councils borrowing requirement and the control of capital expenditure.

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### Specific Functions

- 17 Without limiting the scope of paragraph 12 above and subject to the provisions of paragraph 12-14 above the Executive (either itself or through an Executive Member of any other body or person exercising an Executive function in accordance with this Constitution) has the following functions as set out in below.
- 18 In exercising their functions the Executive, Executive Member and any other body or person exercising Executive functions shall at all times act:
- i. In accordance with the Councils budgetary and policy framework;
  - ii. Subject to any statutory or other legal conditions, restrictions or limitations and any relevant provision in this Constitution.
  - iii. Within and subject to any provision made in the Council's capital or revenue budgets and subject to the provisions of the Council's Procedure Rules set out in Parts 4 &5 of this Constitution .

<b>Delegated authorities</b>	<b>Conditions</b>
<b>Corporate:</b>	
To implement and deliver the agreed budget and policy framework.	
To take all decisions in connection with the exercise of Executive functions.	
To exercise responsibility for local choice functions delegated to the Executive.	The provision set out in Paragraph 10 above.
To approve the arrangements in respect of any body or other external source established or commissioned to advise the Executive.	
To establish Committees of the Executive and the Executive advisory groups and panels.	
To make appointments to outside bodies in connection with functions which by law are the responsibility of the Executive.	
To take such other decisions as may be brought to the Executive in accordance with this Constitution.	
To recommend to Full Council conferring the title of Honorary Alderman or to admit to be an Honorary Freeman or to give the freedom of the City.	
To consider and review financial and performance	

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monitoring information.

### ***To take decisions on recommendations from the Strategic Policy Panel***

<b>Delegated authorities</b>	<b>Conditions</b>
<b>Finance</b>	
To transfer sums of more than £250,000 from one estimate head to another for both revenue and capital purposes	Subject to no net increase in expenditure
To approve supplementary estimates within the contingency ceiling agreed by the Council	
To agree increases in the net cost of individual schemes within the Councils approved capital programme, where these exceed £250,000 but cannot be met from within the existing resources allocated to the capital programme	Subject to budget provision being identified.
To approve all new capital programme schemes	Subject to CRAM (Capital Resources Allocation Model) assessments being carried out
To approve grants and loans to voluntary bodies, organisations and individuals in excess of £50,000	Subject to budget provision being identified.
To approve the fund allocation of the IT Development Plan.	
To approve any use of or contribution to Council reserves over and above the level set in the Council's budget.	
<b>Human Resources</b>	
To recommend to Full Council on the HR Strategy	
To recommend to Council a Code of Conduct for Officers	In consultation with the Standards Committee
To recommend to Full Council Personnel Policies and Procedures in line with legal requirements, good employment practice and national, provincial and local agreements.	
To recommend to Council equal opportunities policies and procedures.	
<b>Property</b>	
To authorise the acquisition of all land and buildings	Subject to

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where the value of the property is £100,000 or over	budgetary provisions.
To allocate and re-allocate all Council owned land and buildings between service areas.	
To authorise a change in the use of Council owned land and buildings (subject to other relevant legislative requirements).	Where such a change would affect the value of the property by more than 10%
To authorise the disposal of assets, land and buildings with an aggregate value of £100,000 and above	

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### Delegated authorities

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### Conditions

To accept the acquisition of a lease or tenancy agreement where the annual cost is £100,000 per annum or over.	Subject to budgetary provision.
<b>Service</b>	
To issue statutory proposals in relation to the closure, change of character or creation of schools.	In light of the results of public consultation
To approve housing rent increases	