

Agenda Item No: 5

## EXAMPLE

### PART 3

#### RESPONSIBILITY FOR FUNCTIONS

##### PREFACE

This part of the Constitution explains who is responsible for the various functions of the Council.

Functions fall into the following categories:

1. **NON-EXECUTIVE FUNCTIONS**

These are functions which, by law, may not be the responsibility of the Executive. In some cases, such as adopting the Council's Budget or the Policy Framework, only the full Council meeting may take the decision. In other cases, the Council may delegate the responsibility for taking the decision to a Committee or an Officer.

2. **"LOCAL CHOICE" FUNCTIONS**

There are some functions which the Council may treat as being the responsibility of the Executive (in part or whole) or as being non-executive, at its discretion.

3. **EXECUTIVE FUNCTIONS**

All other functions are executive functions. Decisions on these functions will be taken by the Leader unless they are delegated in accordance with Article 7 or dealt with under joint arrangements.

Officer Delegations and Joint Arrangements are also contained in this part of the Constitution.

4. **WHO MAY EXERCISE OFFICER DELEGATIONS?**

Where a function has been delegated to an officer(s) ("delegated officers"), the decision may be taken in the name of (but not necessarily personally by) such delegated officer(s) by another officer(s) ("authorised officers") in accordance with arrangements made from time to time by such delegated officer(s) for this purpose.

5. **INTERPRETATION**

In this part of the Constitution:

"the 2000 Act" means the Local Government Act, 2000;

"the 2000 Regulations" means the Local Authorities (Functions and Responsibilities) (England) Regulations, 2000;

"the 2007 Act" means the Local Government and Public Involvement in Health Act, 2007;

"the 1972 Act" means the Local Government Act, 1972.

## ANNEX A

### RESPONSIBILITY FOR NON-EXECUTIVE OR COUNCIL FUNCTIONS

\* Denotes a local choice function

Council Body	Functions
Full Council	
Planning Committee	
Area Planning Committee	
Highways Committee	
General Licensing and Registration Committee	
General Licensing and registration Sub-Committees	
Licensing Committee	
Licensing Sub-Committee	
Audit Committee	
Corporate Parenting Panel	
Appeals and Complaints Committee	
Human Resources Committee	
Chief Officer Appointments Committee	
Pension Fund Committee	

Certain non-executive functions have been delegated to officers. Details of those delegations can be found in the Tables in Section C of this Part. The committees set out above may from time to time add to or alter those delegations, as appropriate, within their functional responsibilities.

## ANNEX B

### RESPONSIBILITY FOR EXECUTIVE FUNCTIONS

Executive functions are all of the Council's functions which are not the responsibility of any other part of the Council, by law or under this Constitution, together with the following local choice executive functions:

1. The appointment of any individual:
  - 1.1 to any office other than an office in which he is employed by the Council;
  - 1.2 to any body other than:
    - 1.2.1 the Council;
    - 1.2.2 a joint committee of two or more authorities; or
    - 1.2.3 to any committee or sub-committee of such a body, and the revocation of any such appointment.
  - 1.3 The making of agreements with local authorities and other bodies for the placing of staff at the disposal of those other authorities or bodies.

The Leader is responsible for the discharge of executive functions and may delegate those functions as set out in Article 7 of this Constitution.

The table below indicates how the Leader has allocated portfolios (lead responsibilities) for particular executive functions among individual Members of the Executive. Portfolio holders do not have delegated powers.

### CABINET PORTFOLIOS

Portfolio	Name	Functions
Leader of the Council		Overall co-ordination of policy, including MTFP Performance framework and monitoring External Partnerships Communications
Deputy Leader		Finance Human Resources ICT Legal and Democratic Services Risk Management
Adult Services		Adult Social Care Services Personalisation Adult safeguarding Carers Welfare rights Adult Social Care Commissioning
Children and Young People's Services		Education 0-19 Specialist and Safeguarding Children's Services Youth Services, including Youth Offending Services Children Centres Health and wellbeing board member
Safer and Healthier Communities		Community Safety Travellers liaison service Emergency planning Health and wellbeing
Leisure, Libraries and lifelong learning		Leisure services Libraries Community & Adult Education
Economic Regeneration		Spatial Planning / LDF, including Strategic Transport & LTP Development Control Economic Development Town Centres Regeneration Assets (land and property) Tourism, Arts and Culture
Housing		Housing strategy Homelessness Links with Housing providers Landlord function where applicable
Strategic Environment & Leisure		Environment Policy, including sustainability & climate change Environment, Health and

		Consumer Protection Local Transport Plan Implementation Highways Waste Management
Neighbourhoods and local partnerships		Area Action Partnerships Relationships with Town and Parish Councils Community Development Community Facilities Assets (buildings) Customer Services Neighbourhood Streetscene