

Constitution



Part 3: Responsibility for Functions

Appendix 2: Scheme of Delegation to Cabinet Members

The Leader is responsible for the discharge of Executive Functions and has delegated responsibility for the discharge of some Executive Functions to the Cabinet as a whole and to individual Cabinet Members, in accordance with the scheme of delegation in the Council's Constitution.

The following Executive Functions have been delegated to individual Cabinet Members in relation to the portfolios allocated to them by the Leader, as set out in the tables below.

If there is any uncertainty as to whether a matter falls within a particular portfolio, the Leader will make a determination as to which Cabinet Member should take that executive decision.

General for all Cabinet Members:

1.1.1 Policies and Policy Documents

NB. All Cabinet Members have responsibility to determine and amend any policy or policy documents relating to the portfolio, in line with the Council's policy framework and budget, and not including those documents and matters reserved for determination by Council, or delegated to the Cabinet collectively, other individual Cabinet Members or officers. All operational matters are to be determined by the relevant Head of Service in accordance with the Officer Scheme of Delegation.

Policy documents will include:

- Strategies
- Schemes
- Plans
- Guidance documents or supplementary guidance documents
- Eligibility criteria and patterns of provision
- Objectives for service delivery within the portfolio

1.1.2 Service Planning and Performance

To determine the service plans for service areas within the portfolio, to monitor performance against service plans and to determine any actions arising.

1.1.3 Consultation Documents

To determine the response to any major consultation document or formal inspection document specific to the portfolio or service area.

1.1.4 Statutory Notices

To determine whether to advertise, consult upon or publish any statutory notices or Orders (insofar as they are not delegated to officers) and to take action upon advertised proposals in the light of any representations received.

1.1.5 Variations to Budgets

To determine any variations to budgets in accordance with Financial Regulations and the Constitution, including virement up to an aggregate total of £100,000 per annum or 10% of the Objective Analysis as set out in the Budget Book (whichever is the lower).

1.1.6 Tenders

To determine an approved or select list of prospective tenderers for supply of goods, materials or services within the portfolio and to determine whether to exclude contractors from approved or select lists.

1.1.7 Grants

In consultation with the Leader, to determine whether to [apply for (?) and] accept available external grants which require match funding, subject to confirmation of available funding to meet any commitment by the Council, which must include any residual termination costs to the Council when grant funding ceases.

To agree criteria, limits, eligibilities and distribution within schemes for grant aid in relation to services within the portfolio and to determine whether to waive conditions relating to grant aid.

To make grants or provide support to organisations or individuals, other than those subject to specific delegations elsewhere within the scheme, where the grant amount is £20,000 or above. Decisions on grant applications of less than £20,000 will be determined by Heads of Service acting within agreed criteria.

To determine circumstances in which repayment of a grant may be waived.

1.1.8 Fees and Charges

To set fees and charges for services or the use of premises within the portfolio and to determine any revisions.

To determine subsidies or concessions within any charging or other schemes.

To determine circumstances in which payments may be waived.

1.1.9 Buildings

To declare buildings or land surplus to service requirements.

To determine, subject to Planning Permission whether to grant consent for the installation of telecommunications equipment on property or land held within the portfolio.

To determine any programme of modernisation or improvement of property held within the portfolio, subject to budget provision.

1.1.10 Research and Studies

To determine whether to appoint external assistance for research, studies or investigation, subject to budgetary availability.

1.1.11 Vehicles

To determine any programme of replacement of vehicles within the portfolio, subject to available finance.

1.1.12 Partnership and Consultation Arrangements

To determine whether to enter into any non - statutory partnership or compact arrangements or to take part in any non - statutory forum arrangements, subject to accordance with the Council's policy framework and budget.

To determine arrangements for arrangements for regular consultation and Liaison with partners, stakeholders or other interested parties

1.1.13 Suspension of Standing Orders

To determine circumstances in which to suspend Standing Orders or waive Contract Standing Orders and Financial Regulations and to ensure the Audit Committee are informed of action taken and the reasons.

1.1.14 Pecuniary or Personal Interest / Absence

Where a Cabinet Member has a pecuniary or personal interest, he or she should declare the interest and submit the matter for determination by the Leader of the Cabinet or, in the absence of the Leader, the Deputy Leader or such other Cabinet Member as the Leader may appoint.

Where a Cabinet Member is absent or there is some other reason he or she cannot determine an issue the matter will be determined by the Leader of the Cabinet or, in the absence of the Leader, by the Deputy Leader or such other Cabinet Member as the Leader may appoint.

Specific Delegations to Cabinet Members

1.1.15	Leader of the Council Cabinet member for Economic Growth and Investment
<p>To determine and amend any policy or policy documents in relation to:</p> <ul style="list-style-type: none">• All financial matters• Procurement policies• Performance• Fairness• Strategic planning• Corporate planning• Public relations and all contact with the press• Publicity, marketing and communication services• Mayoral and corporate events• Improvement planning• Organisational development• Cabinet Member Development• Major projects• Constitutional issues• Relationships with national bodies• City regions• Newport Economic Network• Western Gateway• Key Cities• Regeneration• Economic development• Housing	

1.1.16 Deputy Leader and Cabinet Member for City Services and Member Development

General:

- To deputise for the Leader as Chair of Cabinet and to exercise delegated powers in relation to the Leader's portfolio in the absence of the Leader or otherwise as determined by the Leader

To determine and amend any policy or policy documents in relation to:

- Member development
- Waste disposal
- Refuse
- Recycling and sustainability
- Green services
- Crematorium
- Civil contingencies
- Traffic matters
- Regional transport
- Transport and access to the city, not including Newport Transport Bus Company or any other providers
- Integrated transport
- Road safety
- Highways
- Drainage
- Grounds maintenance
- Street cleansing

For clarity – the Cabinet Member will determine traffic orders which receive objections or are contested. Uncontested orders or those that receive full support are to be determined by the relevant Head of Service.

1.1.17 Cabinet Member for Education and Skills

To determine and amend any policy or policy documents in relation to:

- Education services including EAS
- Schools
- Early years
- School catering
- Music services
- Education inclusion
- Looked After Children in school settings
- Parental rights
- Strategies for reducing the number of young people not in employment, education or training (NEETs)
- Strategies to overcome worklessness
- To develop strategies to develop prospects and training to help young people into jobs or to start and develop a business

1.1.18 Cabinet Member for Licensing and Regulation

To determine and amend any policy or policy documents in relation to:

- Licensing, other than those reserved to Council or the Licensing Committee
- Public Protection
- Community Safety
- Environmental Health
- Trading Standards
- Taxis
- Legal Services
- Registration Services
- Electoral Registration

1.1.19 Cabinet Member for Sustainable Development

To determine and amend any policy or policy documents in relation to:

- Planning and Development Services
- Local Development Plan – not reserved to Council
- Regional planning
- Carbon Reduction Strategy
- Sustainable Travel Plan
- Future Generations
- The anti-poverty agenda
- Socio economic duty
- Communities First
- Flying Start
- Families First
- Housing benefits
- Council tax benefits

1.1.20 Cabinet Member for Culture and Leisure

To determine and amend any policy or policy documents in relation to:

- Residual matters with the Sports and Leisure Trust, Newport LIVE, including the Riverfront Theatre and Arts Centre
- Culture and heritage
- Museum and Art Gallery
- Newport Ship
- Transporter Bridge
- Tourism
- Parks
- Adult education
- Library services
- Youth services
- Play development

1.1.21 Cabinet Member for Social Services

To determine and amend any policy or policy documents in relation to:

- Adult Social Services
- Care in the community for older people
- Third sector strategic issues
- Substance misuse
- Occupational therapy
- Frailty strategies
- Mental health
- Learning disability
- Residential services to older people
- Homecare
- Disabled Facilities Grants
- Supported living
- Supporting People
- Children and Family Services including Looked After Children
- Safeguarding
- Domestic Abuse
- Child protection
- Youth offending
- Integrated family support
- Crisis support
- Fostering
- Services for disabled children

The Cabinet Member will also determine the following:

- Any action to be taken to meet minimum standards for local authority adoption services or any other minimum standards relating to Children and Family Services
- Any action to be taken arising from any serious case review from the Child Protection Committee
- The requirements of any contracted foster carer scheme or similar, and to determine any matters relating to the recruitment and retention of foster carers
- Any action arising from reports received resulting from visits to residential homes for children and young people
- Foster parent carers payments and allowances

1.1.22 Cabinet Member for Assets and Resources

To determine and amend any policy or policy documents in relation to:

- All assets
- Any policy issues relating to property or the Council's relationship with NORSE as it relates to any property matters
- Any land and property acquisitions and disposals not delegated to the Head of Law and Regulation
- All matters relating to Community Centres
- Any policies relating to Equalities not reserved to Cabinet or Council
- Communication within the organisation
- The Council's face-to-face centre and the Contact Centre
- Information risk and governance
- Customer insight
- Information management
- Improving access to services
- ICT strategies
- Digital innovation in the Council
- Strategies for public engagement
- Any corporate HR policies including Health and Safety
- Welsh Church Fund
- To undertake any collective bargaining activity and to determine and implement any consultative or negotiation machinery