

COUNCIL

Executive Arrangements 17 May 2021 Report of the Head of Democratic Services (on behalf of the Leader)

PURPOSE OF REPORT

To report to Council on the delegation of executive functions, in accordance with Rule 2 of Part 3, Section 2 of the Constitution, the Cabinet Procedure Rules

This report is public

RECOMMENDATION

(1) That the report be noted

1.0 Introduction

1.1 Rule 2 of the Cabinet Procedure Rules provides as follows:

“Delegation by the Leader

- (a) At the annual meeting of the Council, the Leader will present to the Council the names of the people appointed to the Cabinet by the Leader (including the name of the Deputy Leader), and their portfolios.
- (b) At the annual meeting of the Council or as soon as practicable thereafter, the Leader will present to the Council a written record of :
 - (i) The detailed remits of the portfolios of the Cabinet Members.
 - (ii) Any delegations made by the Leader in respect of the discharge of the Council’s executive functions.
- (c) The document presented by the Leader will contain the following information about Executive functions in relation to the coming year, and these shall then be included in the Council’s Constitution:
 - (i) The extent of authority of the Cabinet as a whole
 - (ii) The extent of any authority delegated to Cabinet Members individually, including details of the limitation on their authority;
 - (iii) The terms of reference and constitution of such Cabinet committees as the Leader or Cabinet appoints and the names of Cabinet Members appointed to them;
 - (iv) The nature and extent of any delegation of Executive functions to area committees, any other authority or any joint arrangements and the names of those Cabinet Members appointed to any joint committee or outside body for the coming year; and

- (v) The nature and extent of any delegation to officers with details of any limitation on that delegation, and the title of the officer to whom the delegation is made.”

1.2 This report fulfils the requirement of Rule 2.

2.0 Proposal Details

2.1 The names of the members appointed to Cabinet and their respective portfolios as well as the name of the Deputy Leader will be reported by the Leader of the Council. As the Leader is to be appointed at item 9 of this meeting the Leader may be in a position to report at this meeting, or may need to report as soon as practicable after the meeting.

2.2 In accordance with the Council’s current Constitution (Part 2, Section 4, Para. 8), Cabinet Members will have the responsibilities as determined by the Leader from time to time. Individual Cabinet members shall have delegated authority to take Key Decisions within their portfolio, in accordance with the Cabinet Procedure Rules set out in Part 3 - Section 2 of the Constitution, which states that any decision by an individual Cabinet member over £150,000 requires consultation with the relevant Director of Chief Executive.

2.3 Currently the Leader has delegated a financial limit of £200,000 to the Chief Executive and £150,000 to Directors. Any decision over £50,000 should be taken in consultation with the relevant Cabinet member.

2.4 It should be noted that there is a temporary COVID delegation in place (**Appendix A**) for spending during the pandemic, after which the normal executive delegations will apply.

2.5 No Cabinet Committees or Area Committees have been appointed.

2.6 The revenues and benefits functions of the Council will continue to be carried out by a Joint Committee with Preston City Council. The two Cabinet members appointed to serve on that Joint Committee will be the Leader and the portfolio holder for Finance. All other Cabinet Members are substitute Members of the Joint Committee. Cabinet members will be appointed to outside bodies by Cabinet at its first meeting in the municipal year.

2.7 The Leader and one member of Cabinet (to be selected by the Leader) will also serve on the Lancaster and South Cumbria Joint Committee.

2.8 The current Scheme of Delegation to officers as set out in the Constitution (**Appendix B**) includes the delegation of both executive and non-executive functions. The executive delegations are the subject of this report and are just for noting; the non-executive functions are for Council to consider in the following agenda item.

3.0 Conclusion

3.1 The report is submitted in accordance with Rule 2 of the Cabinet Procedure Rules and is for noting. It has been drafted by the Head of Democratic Services on behalf of the Leader, due to appointment of the Leader being an item on the agenda for this meeting.