

## Part 3 –C

### RESPONSIBILITY FOR EXECUTIVE FUNCTIONS

#### 1 RESPONSIBILITY FOR EXECUTIVE FUNCTIONS

Other than those matters reserved to the Council under Article 4 and Part 3A (Responsibility for Local Choice Functions) and those functions which as a matter of law may not be executive functions, all other remaining functions are allocated as executive functions.

##### 1.1 Cabinet

- (a) **Membership:** The Leader will appoint between 1 and 9 councillors to the Cabinet, from among whose number shall be appointed a Deputy Leader(s). The cabinet portfolios are set out in part 3-D.
- (b) In accordance with section 9E of the Local Government Act 2000, the Leader has responsibility for deciding how and by whom executive functions should be discharged.
- (c) The Leader has delegated all executive functions to the Cabinet; and the Cabinet will:
- (i) take all necessary action to ensure that the Council's net revenue and capital expenditure is targeted to be at, or below, approved levels at the end of each financial year;
  - (ii) with respect to each Council service:
    - consider standards of services and service delivery;
    - review and monitor services, using measures of performance and setting targets;
    - make changes in service delivery, in the light of comparative performance data;
    - take account of the recommendations of best value and other reviews, together with other Overview and Scrutiny recommendations.
- (d) The Leader has also delegated some executive functions to officers in accordance with the scheme of delegation set out in part 7. Apart from those functions listed in paragraph (g) below, either the Cabinet or officers may exercise the functions listed in the scheme of delegation to officers.
- (e) Nothing in this part, 3-C shall prevent the Leader exercising any executive function him or herself.

- (f) Subject to paragraph 4 below, the Leader has decided that the following functions shall only be exercised by the Cabinet may not be exercised by officers:

**(g) Functions Reserved to the Cabinet**

- i. Proposing to the Council a strategic policy framework, and the individual strategies making up that framework;
- ii. Identifying priorities, and recommend them to the Council;
- iii. Proposing the Council's budget, and recommend it to the Council, including the level of Council Tax;
- iv. Leading on the political direction of the Council as a whole, and relevant areas of responsibility in particular, within the guidelines and policies approved by the Council;
- v. Considering major policy changes, and make appropriate recommendations to Council;
- vi. approving the acquisition of all land and buildings that have been referred for decision by the Chief Executive;
- vii. agreeing Compulsory Purchase Orders;
- viii. agreeing the award of contracts worth £2million or more.
- ix. taking decisions in relation to CHAS 2013 Ltd on those matters reserved for cabinet in the delegation matrix forming the schedule to the shareholders' agreement between the Council and CHAS 2013 ltd;

## **2. Joint Committees**

The Cabinet has agreed, pursuant to regulation 9 of the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012 to participate in the following joint committees:

### **2.1 South London Partnership**

#### **Role and Purpose of the Joint Committee:**

- (a) To form collaborative South London views on issues affecting economic growth, regeneration and competitiveness

- (b) To undertake activities which promote and improve economic growth and wellbeing in the South London area
- (c) To determine strategic objectives and barriers to growth for the local area and develop solutions
- (d) To take on additional responsibilities and funding delegated from Government where the Committee judges this to be in the area's best interests.
- (e) The aim of the Joint Committee will be collaboration and the Terms of Reference would not prohibit any of the Member Councils from promoting economic wellbeing in their own areas either in addition to, or independently, from the Joint Committee
- (f) The detailed terms of reference are set out in the Joint Committee's constitution

### **Membership**

The Leader is the Council's representative in the South London Partnership.

## **2.2 South London Waste Partnership Joint Committee**

**Membership:** 2 Councillors from the London Boroughs of Croydon, Kingston, Merton and Sutton (the "participating councils")

**Functions:** To make arrangements for the disposal of waste, provide places for the deposit and disposal of waste and to advise Participating Councils on the delivery and separation of waste. The detailed functions are set out in Schedule 1 of the constitution of the joint committee operating under the name of the South London Waste Partnership.

## **3. Delegations to Individual Cabinet Members from the Leader of the Council**

The Cabinet Member for Housing, Regeneration, and the Climate Emergency shall have delegated authority to approve the making of any order relating to traffic management or car parking.

## **4 Urgency**

- 4.1** Notwithstanding that a decision is reserved for decision by the Cabinet in accordance with 1.1(g) above, a decision may be taken by the Chief Executive or appropriate Director where it is urgent. An urgent decision may only be made where, taking into account the Council's public interests, the Monitoring Officer considers that it cannot reasonably be deferred until the next scheduled meeting of the Cabinet.
- 4.2** Urgent decisions may only be taken after consulting the Leader and the relevant cabinet member;
- 4.3** In the case of emergencies, the Chief Executive is authorised to approve all reasonable expenditure and/or undertake all reasonable actions after consultation with the Leader of the Council unless such consultation is not practicable.