

Section 3

1. Responsibility for Functions

- 1.1 In accordance with the law, any function of the Council which is not otherwise specified in legislation is an executive function and is the responsibility of the Leader and the Cabinet. The Cabinet is responsible for all of the District Council's functions, except those which are required by law or this Council's constitution to be the responsibility of the Council itself or any other non-executive part of the Council. Executive functions are not regarded as exercisable by the Cabinet on behalf of the Council and may not be exercised by the Council.
- 1.2 Such executive functions may be discharged in accordance with provisions made by or under this Constitution or the law, in particular the Local Government Act 2000, Public Involvement in Health Act 2007, Localism Act 2011 and associated regulations.
- 1.3 Legislation specifies particular non-executive functions which cannot be the responsibility of the Cabinet, and also Local Choice functions which may be allocated to be the responsibility of the Cabinet but do not need to be.
- 1.4 The Leader may personally discharge functions that are the responsibility of the executive or arrange for their discharge by the Cabinet, another Member of the Cabinet, a Committee of Cabinet, or by an officer. Unless the Leader otherwise directs, the Cabinet may itself arrange for the discharge of any of its functions by a Committee of itself, a joint Committee or an officer. The Leader may change these arrangements from time to time. Unless the Leader otherwise directs, the Cabinet itself may arrange for the discharge of any of its functions by a Committee of itself, a joint committee or by an officer.
- 1.5 This scheme reflects the assignment of functions either by the Council (in respect of matters that are not executive functions) or by the Leader of the Council or Cabinet (in respect of matters which are responsibility of the executive) as appropriate to the particular function. In relation to the delegation the scheme does not distinguish between the two sources of delegation.
- 1.6 Responsibility for the functions of the Council and Cabinet is delegated or assigned as set out in the following provisions of the scheme, and such delegation or assignment includes the power to do anything that is calculated to facilitate or is conducive to the discharge of those functions.
- 1.7 The provisions of this scheme take into account the requirements of the Local Government Act 2000, the Local Government and Public Involvement in Health Act 2007, Localism Act 2011 and relevant legislation including Regulations in the assignment of functions to the Council itself, to the Leader/Cabinet, to other Committees or Panels.
- 1.8 The Council, the Leader, Committees or Panels to which functions are assigned, shall act in accordance with the law and the provisions of the



Council's Constitution including any Standing Orders, Procedure Rules, Financial Regulations and protocols approved from time to time (except those Joint Committees or any other member bodies regulated by separate constitutions).

- 1.9 Those functions reserved to the full Council itself are not to be delegated or assigned except as permitted under the law or this Constitution.
- 1.10 Each body having decision making powers (a Delegate) shall implement and act within the policies of the Council, have regard to the advice of the Solicitor to the Council.
- 1.11 Each Delegate shall have the power to delegate further to an officer all or any of the functions delegated to it.
- 1.12 Each Delegate shall have power to institute or defend or authorise appearance in legal proceedings, having regard to the advice of the Solicitor to the Council.
- 1.13 A Delegate may decide not to exercise any function in relation to a particular matter and invite the Council, Leader or Cabinet (depending upon whether the function is the responsibility of the executive) or any appropriate body as the case may be to do so instead.
- 1.14 The functions, powers and duties are delegated to officers in accordance with scheme of delegation to officers.
- 1.15 Meanings
 - **Executive Functions** shall mean those functions that by law must be the responsibility of the Executive.
 - **Non-executive functions** shall mean those functions that by law must not be the responsibility of the Executive.

2. Leader of the Council

The Leader of the Council has overall responsibility for appointing Cabinet Members and assigning their respective political responsibilities for matters which are the responsibility of the executive.

The Leader of the Council has overall responsibility for executive functions and political leadership.

Role

- 2.1 The role of the Leader is vital to the success of the Council in meeting its aims and objectives and shall;
 - Be responsible for providing political leadership for the Cabinet and Council.



- Chair the Cabinet.
- Allocate areas of responsibility to individual Cabinet Members.
- Work closely with and monitor the performance of the Cabinet Members.
- Be responsible for the publication of the Forward Plan.
- Be the principle 'spokesperson' of the Council with overall responsibility for taking forward and presenting the Council's Vision and Mission, representing the Council's views to the people and businesses in the District, County and Regional forums and to Government and National Agencies.
- Co-ordinate Council strategies and cross cutting issues.
- Secure effective and productive working relationships with other political Group Leaders.
- Develop and sustain excellent and effective working relationships with Corporate Leadership Team officers responsible for resource management issues.
- Command and sustain the confidence of the Council and be a persuasive and effective public speaker.
- Demonstrate a strategic understanding of the Council and its strategic and service objectives, its functions, priorities and resource pressures.
- Be involved in the strategic development of, and retain the strategic responsibility for a new headquarters for the Council.

3. Limitation in the absence of the Leader of the Council

- 3.1 In the absence of the Leader of the Council, functions delegated to him/her will be the responsibility of the Deputy Leader or another Cabinet Member nominated by the Leader.

4. Deputy Leader of the Council

- 4.1 The Deputy Leader will support the Leader of the Council in discharging the responsibilities set out in the Leader's Role Specification and to act as a portfolio holding Member of the Executive.

5. Cabinet Members

- 5.1 Cabinet Members shall:

- Agree policy matters internal to their individual service and areas of responsibility, and are required to provide guidance to officers and ensure policy decisions are implemented.



- In line with the scheme of delegation detailed in the constitution agree details of policy matters delegated by the Cabinet after principles have been agreed by the Cabinet.
- Develop and sustain excellent and effective working relationships with Corporate Leadership Team officers.
- Demonstrate a strategic understanding of the Council and its service objectives, functions, priorities and resource pressures.
- Develop partnership working and forge effective external relationships.
- Be cognisant of the interrelationships between portfolio areas.
- Consult effectively and deliver well thought through policy proposals.
- Be responsible for resource management issues.

6. Individual Cabinet Member Responsibilities

6.1 Each Cabinet Member will hold a portfolio of responsibilities as detailed below.

Leader of the Council and Cabinet Member for Strategy
<ul style="list-style-type: none"> • Strategic policy co-ordination • National & Regional Influence • Oversight of strategic projects including Wyre Forest House and depot investment project • Localism agenda including asset transfers; relations with parish councils • Emergency planning • Partnerships, policy and performance • Communication & branding
Deputy Leader and Cabinet Member for Housing, Health and Well-being
<ul style="list-style-type: none"> • Strategic Housing, Private Sector Housing & Homelessness • Spatial Planning including Local Plan • Land charges • Health and well-being • Sustainability • Water Management



Cabinet Member for Resources
<ul style="list-style-type: none"> • Finance & Audit • Legal services • Democratic services • Human resources • Revenues & benefits • Customer Services • Information and Communication Technology • Capital portfolio fund, development loan fund • Building maintenance and facilities management • Wyre Forest Forward • Equality & diversity
Cabinet Member for Culture, Leisure and Community Protection
<ul style="list-style-type: none"> • Cultural and leisure services • Countryside service • Community Safety • Regulatory services • Income generation, safeguarding, relations with voluntary sector
Cabinet Member for Operational Services
<ul style="list-style-type: none"> • Parks and open spaces • Grounds Maintenance • Waste Reduction • Parking Services • Refuse Collection & Recycling • Fleet Management • Street Cleansing • Public Conveniences • Cemeteries • Health and safety
Cabinet Member for Economic Regeneration and Planning
<ul style="list-style-type: none"> • Economic Development & Regeneration • Town Centres • Tourism • Implementation of major regeneration projects • Development Management • Building Control

In the event of changes to any Cabinet Members portfolio of responsibilities, delegated authority will automatically transfer to the relevant new Cabinet Member

