

## **B The General Responsibilities of the Cabinet**

### **Preamble**

The Cabinet has overall responsibility for the preparation of the budget, and the policy and financial frameworks, which are to be adopted by the full Council. In discharging these overall functions and responsibilities, the Cabinet is responsible for the following:

#### **(a) Leadership** in these areas:

- i. proposing policy development, changes and new policy;
- ii. articulating existing Council policy to other organisations;
- iii. commenting on proposals from others on behalf of the Council, including through the media;
- iv. influencing others, including the media, in order to promote existing Council policy or matters reasonably collateral to it;
- v. ensuring the Council has a programme for continuous improvement of its services, including reviews of Best Value as required by law.

#### **(b) Partnership working** with:

- i. any or all other organisations who can assist the Council to achieve its stated objectives or where collaboration benefits those who live in, work or visit Hillingdon;
- ii. others involved in community planning and the formation of partnerships with other local public, private, voluntary and community organisations to address local needs.

#### **(c) Decision Making**

- i. As indicated in Article 7.01 above the Cabinet will be responsible for undertaking all of the Council's functions, and making decisions accordingly, except for those listed in ii. below.
- ii. It will not have responsibility for those functions which have been reserved to full Council as set out in Article 4. Neither will it have responsibility for the functions to be exercised by those Committees or other bodies outlined in Articles 8 and 9.

- iii. The Cabinet will also exercise those 'local choice' functions which are set out in Appendix A to this Article.

## **C Responsibilities of all Cabinet Members**

### **Preamble**

There are occasions when matters affect more than one portfolio; on such occasions the Cabinet members concerned act in conjunction with one another.

In discharging any functions that have been delegated, a Cabinet member must act lawfully. This means that the Cabinet member must act within the scope of the authority that is delegated to him or her in accordance with any limits within the delegation, this constitution, Council policies, procedure rules and the Members Code of Conduct.

**All Cabinet members** have responsibilities under the following headings:

### **(a) Budget**

1. To approve write-offs of income for their portfolio area of a value of £5,000 or over.
2. To receive monthly/regular reports on income written off by officers under delegated powers (i.e. sums under £5,000) for their portfolio area.
3. To recommend to Cabinet an appropriate level of fees and charges for services appropriate for their portfolio area.
4. To agree virements between service budget heads in their portfolio area of sums between £10,000 and £100,000 and the other virements set out in the Budget and Policy Framework Procedure Rules which can be found in Part 4 of the Constitution.
5. To receive regular reports on the budgets for their portfolio area
6. To recommend to Cabinet the submission of bids from their portfolio area for additional resources from Government and other agencies.
7. To recommend to Cabinet capital and revenue bids for their portfolio area.

8. To agree for their portfolio area and on the recommendation of the appropriate corporate director compensation payments above £1,000 under the Council's complaints procedure or the request of the Ombudsman. (below that level will be delegated to officers).

**(b) Service Planning and Delivery**

9. To determine which proposals for alterations to service provision within their portfolio area should be reported to Cabinet for a decision.
10. To agree proposals for enhancements and alterations to service provision within their portfolio area subject to costs being contained within agreed budgets.
11. Jointly with the Cabinet Member for Planning, Performance Improvement and Best Value, to monitor on a regular basis the service plans approved by Cabinet for their portfolio area and to report to Cabinet annually on performance.
12. To determine priorities and where appropriate agree the reallocation of resources for the delivery of services in their portfolio area, in conjunction with the appropriate Corporate Director or Head of Service.
13. To make suggestions for future policy initiatives and for amendments for the policy framework in their portfolio area, for consideration by the Cabinet and Council.
14. To receive internal audit reports for their portfolio area and to make recommendations to Cabinet for changes to the service as appropriate.
15. In consultation with the Cabinet Member for Planning, Performance Improvement and Best Value, to consider the implications of Best Value reviews, determine and manage the Best Value programme and make recommendations to Cabinet where appropriate.
16. To consider any inspection report by an external agency and make recommendations to the Cabinet where appropriate.

**(c) Land and Property**

17. To determine whether land and properties in their portfolio area are to be declared surplus to requirements of the service and to report to the Cabinet .
18. To make recommendations to Cabinet for use within their

portfolio area of properties declared surplus to requirements by other services.

19. Authority to submit planning applications for projects and proposals within their Portfolio area subject to the projects and proposals being in line with the policies of the Council.

**(d) Tenders and Contracts**

20. To accept tenders for contracts (other than contracts for the services of consultants and contracts relating to land) in their portfolio area with a value of between £100,000 and £250,000 except in those circumstances set out in the Procurement and Contract Standing Orders (which can be found in Part 4 of the Constitution) where tenders are not required. If such circumstances apply, officers shall obtain agreement from the appropriate Cabinet member that tenders should not be sought.
21. To accept tenders for contracts for the services of consultants in their portfolio area with a value of between £5,000 and £50,000 except where the Appropriate Delegated Officer does not consider that it is practical or prudent to obtain competitive tenders.
22. To accept tenders for works or services in their portfolio area in the following circumstances:
  - when the works or services are to be provided in accordance with any of the Best Value procurement options;
  - where there are workforce matters involved concerning the transfer of employees, and their terms and conditions under the TUPE Regulations 1981 as amended, and pensions;
  - where there is sensitivity surrounding the award of the contract;
  - where an extension to a term contract is proposed.
23. To approve, in conjunction with the Head of Property Services, major disposals of land and acquisitions of land.
24. To receive monthly reports in the following circumstances:
  - where tenders are accepted by officers within their portfolio areas;
  - where the minimum number of tenders required

under the Procurement and Contract Standing Orders cannot be achieved by officers;

- where the aggregated value of variations exceeds 15% of the contract price or £100,000, whichever is the lower;
- where officers do not consider it practical or prudent to obtain competitive tenders in respect of the services of consultants.
- where property transactions (apart from acquisitions), as defined in the Property Contract Standing Orders, take place.

**(e) Partnerships and Consultation**

25. To review customer satisfaction, consultation with stakeholders and the efficiency of service provision generally and agree arrangements for continuous improvements to be made in their portfolio area.
26. In consultation/liaison with the lead member for Regeneration, Community Partnerships, Community Safety and External Partnerships, to promote effective partnerships between the Council and all other bodies and agencies affecting the community for their portfolio area.

**(f) General**

27. To deal with petitions in their portfolio area in accordance with Council procedure.
28. To approve the holding of seminars for councillors on matters within their portfolio area and within the budget.
29. To recommend to the Cabinet , where there are implications for the policies of the Council, responses to be made to consultation documents from Government, GLA, LGA, ALG and other bodies affecting their portfolio area.
30. To make recommendations to Cabinet and Council for revisions to officer delegations within their portfolio area.
31. To make recommendations to Cabinet on Overview and Scrutiny reports that are being presented in their portfolio area.
32. To represent Cabinet at meetings of Overview and Scrutiny Committees.

33. To attend Overview and Scrutiny committee meetings when so required by these committees.
34. To notify Overview and Scrutiny committees of their proposed decisions to enable overview and scrutiny committee members to comment if they so wish.
35. To meet all reasonable requests for information made by those Overview and Scrutiny committee members.

## **D Delegations To Individual Cabinet Members Within Their Portfolios**

### **(a) Leader**

1. To be responsible for the principal policy direction of the Council within its statutory functions.
2. To be responsible for overseeing the development of the short, medium and long term financial strategies to be recommended for adoption by the Council.
3. To represent the Council in the community and in negotiations with regional, national and international organisations and others and reporting to Cabinet as necessary.
4. To be responsible for the overall management structure of the Council, in consultation with the Chief Executive.
5. To identify the need for new strategies and policies for the better discharge of the Council's functions insofar as specific policies and strategies fall within the remit of other Cabinet Members or the Cabinet.
6. To be responsible for the resolution of differences of opinion between portfolio holders acting within their delegated powers and reporting to Cabinet as necessary.
7. To take responsibility for or to assign responsibility to one or more Cabinet portfolio holders for issues not specifically allocated in these delegations or involving one or more portfolio holder.
8. To monitor the operation of the modernised decision making structure and make recommendations to the Cabinet and Council as appropriate.
9. To authorise another Cabinet member to deputise for any other Cabinet member in that person's absence.

### **(b) Deputy Leader**

To assist the Leader in the exercise of his or her functions, and to

deputise in his or her absence.