

## Kensington & Chelsea – Appendix 8

### B The General Responsibilities of the Cabinet

#### 1. The Cabinet

##### **Preamble**

The Cabinet has overall responsibility for the preparation of the budget, and the policy and financial frameworks, which are to be agreed 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 parties;
- 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 parties who can assist the Council to achieve its stated objectives or where collaboration benefits those who live in, work in or visit the Royal Borough;
- 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** in the following areas:

- i. The introduction of new, or the development or termination of existing, municipal or other services within the Borough.
- ii. The acquisition of any land, which involves the use of a compulsory purchase order.

- iii. The letting of any contract covering the area of more than one portfolio or which is of application across the business directorates in all areas that are not specifically reserved to the full Council or one of its committees as set down elsewhere in the Constitution.
- iv. Any proposal to vire money from one budget head to another, which exceeds £250,000.
- v. All property disposals whether by transfer of freehold or leasehold interest, except:
  - domestic dwellings under Right-to-Buy legislation;
  - disposal or the granting of minor interests below a value of £250,000;
  - disposal specifically agreed within the Council's annual budget plans.
- vi. Proposals for major policy plans to be recommended to Council.
- vii. Proposals for the annual revenue and capital budgets to be recommended to Council, including proposals for local taxation.
- viii. The disposal of assets over £250,000.

## 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, the 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.

#### **(a) Each Cabinet Member is responsible for:**

- i. the proper administration of the Council's services;

- ii. ensuring adequate staffing, premises and other resources to secure agreed standards and target outcomes in the area of each portfolio;
- iii. the efficient use and day-to-day maintenance of Council premises;
- iv. ensuring budget control;
- v. approving applications for specific grants and/or funding from non-governmental sources, and any annual delivery plans and agreements in relation to such funding;
- vi. approving funding exceeding £5,000 per annum to voluntary and other organisations within their portfolio, and approving jointly with other Cabinet Members where the application affects more than one portfolio;
- vii. the continuous improvement of the Council's services through a programme of work;
- viii. liaising with the relevant Council overview and scrutiny committees;
- ix. decisions proposed and made;
- x. the promotion of the Council's policies and communication with the public as appropriate through local and other media;
- xi. proposing and responding to Government and its agents, the Greater London Authority, and to those sharing common cause and others on matters defined by their responsibilities;
- xii. the promotion of the Council's existing policies;
- xiii. speaking up on matters of local concern and acting as the main Council spokesman on issues within their portfolio;
- xiv. approving proposals to vire money from one budget head to another between £60,001 and £100,000;
- xv. approving proposals to vire money from one budget head to another between £100,001 and £250,000, in conjunction with the Cabinet Member for Finance and Property;
- xvi. writing off debts between £10,001 and £100,000, and between £100,001 and £250,000 in conjunction with the Cabinet Member for Finance and Property;

- xvii. the disposal of assets between £5,001 and £100,000 and between £100,001 and £250,000 in conjunction with the Cabinet Member for Finance and Property;
- xviii. approving exemptions from procurement procedure rules;
- xix. giving approval to proceed to advertisement or other method of securing competition authorised by procurement procedure rules, and for inviting and accepting tenders and quotations related to matters within their portfolio in excess of £60,000;
- xx. to open tenders where the estimated value of the contract is £1,000,000 or more;
- xxi. to approve variations to contracts where the variation:
  - would extend the contract period by 50 per cent or more than three months, whichever is the greater;
  - adds more than 20 per cent to the estimated value of the contract for contracts between £60,000 and £250,000, or
  - adds more than 5 per cent to the estimated value of the contract for contracts exceeding £250,000, or
  - increases the estimated value of the contract from below £60,000 to £72,000 or more;
  - would mean that the works, services or goods to be added to or deleted from the contract are substantially different in scope, save that in a case of urgency or unforeseen circumstances any such variation can be approved by a Director, subject to him or her reporting such action to the relevant Cabinet Member.
- xxii. the disposal of property valued under £250,000 in respect of the functions for which they are responsible, in conjunction with the Cabinet Member for Finance and Property.
- xxiii. applying for planning permission for the Council's own development schemes.
- xxiv. applying for conservation area consent, listed building consent or any other permissions or consents necessary to progress the Council's own development schemes.