

<b>Item No.</b> 3.1	<b>Classification:</b> Open	<b>Date:</b> 23 May 2012	<b>Meeting Name:</b> Council Assembly (Annual Meeting)
<b>Report title:</b>		Executive Functions – 2012/13	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		Strategic Director of Communities, Law & Governance	

## RECOMMENDATIONS

1. That council assembly consider the following executive issues for the coming municipal year 2012-13:
  - Notes the appointment by the leader of cabinet portfolio members
  - Notes the appointment of any deputy cabinet members
  - Notes the establishment and appointment of any cabinet committees
  - Notes the leader's report on changes to the delegation of executive functions to the full cabinet, cabinet committees, individual cabinet members, chief officers and community councils
  - Notes that as a consequence the monitoring officer will update Part 3 of the constitution in accordance with the leader's report on the delegation of executive functions.
2. That council assembly notes that on 19 May 2010 Councillor Peter John was appointed as leader of the council for a term of four years.

### Appointment of the cabinet

3. That the leader reports to council assembly on the appointment of members of the cabinet and determination of their executive functions.

- Note:*
1. *The leader will report on any changes to the cabinet and on individual portfolios.*
  2. *The leader can appoint between two and nine members to form a cabinet.*
  3. *The leader must appoint a deputy leader.*

### Appointment of deputy cabinet members

4. That the leader reports to council assembly on the appointment of deputy cabinet members and determination of their duties and responsibilities.

- Note:* *The leader will report on any changes to deputy cabinet members and on individual responsibility for specific tasks designated by the leader, following consultation with the monitoring officer.*

### Establishment and appointment of cabinet committees

5. That the leader reports on the establishment of any cabinet committees.

*Note: The leader to establish any cabinet committees, set terms of reference and nominate cabinet members to serve on the committees, including appointing a chair and vice-chair.*

### **Delegation of executive functions**

6. That council assembly notes the leader's report on any further changes to the delegation of executive functions to the full cabinet, cabinet committees, individual cabinet members, chief officers and community councils.
7. That council assembly notes that as a consequence of recommendation 6 the monitoring officer will update Part 3 of the constitution in accordance with the leader's report on the delegation of executive functions.

### **BACKGROUND INFORMATION**

8. The constitution is updated annually and the recommendations in this report are based on the current constitution.

### **KEY ISSUES FOR CONSIDERATION**

#### **Leader and cabinet**

9. The Local Government and Public Involvement in Health Act 2007 required the council to make changes to its governance and decision making arrangements. At an extraordinary meeting of council assembly on 4 November 2009 the council agreed that the executive leader and cabinet model be adopted. The new arrangements commenced immediately after the elections in May 2010.
10. In accordance with the agreed executive arrangements the leader was elected by the whole council for a period of four years at the first meeting of the council after the 2010 elections. The term of office of the leader starts on the day of their election as leader and ends on the day of the next post-election annual meeting, unless they are removed from office or resign, cease to be a member, or are disqualified from being a councillor before that day
11. Under the executive "leader and cabinet" model there is a leader of the council and a cabinet of at least two but no more than nine other councillors. However, much more power is placed in the hands of the leader of the council than in the past. The leader is responsible for all executive functions, and decides which of these functions are going to be delegated to other cabinet members, local committees or council officers. The cabinet is appointed by the leader.

#### **Report of the leader of the council and delegation of executive functions**

12. Each year the elected leader must appoint their cabinet. In accordance with the constitution this can consist of a minimum of two and up to a maximum of nine nominated members, whose portfolios are determined and allocated by the leader. The leader must appoint a deputy leader.
13. The leader will be invited to report on the delegation of executive functions, appoint a deputy leader and appoint other cabinet members and determine their portfolios.

14. The leader will report on any further delegations including:
- The extent of any authority delegated to cabinet members individually, including details of the limitation on their authority
  - The terms of reference and membership of any cabinet committees
  - The nature and extent of any delegation of executive functions to community councils, any other authority or joint arrangement
  - The nature and extent of any delegation to officers with details of any limitation on that delegation.
15. The leader will also report on the appointment of any deputy cabinet members and determine their roles. Deputy cabinet members may hold responsibility for specific tasks designated by the leader, in consultation with the monitoring officer. Deputy cabinet members cannot take part in any formal decision making.
16. Following receipt of the leader's report, council assembly will note as a consequence that the monitoring officer will update Part 3 of the constitution in accordance with the leader's report on the delegation of executive functions.

**Appointments to panels, boards and forums**

17. The cabinet will consider appointments to panels, boards and forums where the function falls within the responsibility of the executive (e.g. housing, education, social services, regeneration, etc).

**BACKGROUND DOCUMENTS**

Background Papers	Held At	Contact
Appointment of Leader and Executive, Establishment of Committees and Other Constitutional Issues 2010/11 Council Assembly May 2011 report	160 Tooley Street, London, SE1 2TZ	Ian Millichap 020 7525 7225

**APPENDICES**

Appendix	Title
None	

## AUDIT TRAIL

<b>Lead Officer</b>	Deborah Collins, Strategic Director of Communities, Law & Governance	
<b>Report Author</b>	Ian Millichap, Constitutional Manager Lesley John, Constitutional Officer	
<b>Version</b>	Final	
<b>Dated</b>	8 May 2012	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments Included</b>
Strategic Director of Communities, Law & Governance	Yes	Yes (included in body of report)
Finance Director	No	No
<b>Cabinet Member</b>	No	No
<b>Date final report sent to Constitutional Team</b>		8 May 2012