

## **Schedule 2:**

### **INDIVIDUAL CABINET MEMBER DELEGATION SCHEME**

- 1.1 The Leader delegates to Individual Cabinet Members the power to take the following actions or decisions within the functional areas set out in paragraph 1.4 as follows.
- (i) All operational matters within the Council's overall policy framework and budget, excluding actions or decisions delegated to Officers under the Scheme of Delegation to Officers;
  - (ii) Minor changes in policy or in the detail or pattern of the provision of services which do not affect the Council's overall policy framework or budget;
  - (iii) Changes to scales of fees and charges which do not affect the Council's overall policy framework or budget;
  - (iv) Approval of proposals for road traffic, parking and other orders for the purpose of public advertisements and/or consultations and/or submission for confirmation, and the confirmation of any such unopposed orders.
  - (v) Approval of the principle, content and design of capital or revenue schemes or procuring of goods and services with an estimated value between £50,000 and £140,000 save in relation to Whitby Harbour.
  - (vi) Responses to formal petitions, public consultations or other formal representations which do not involve a significant policy issue; and
  - (vii) All matters reserved for the decision of the Cabinet Member under The Articles or the Financial and Contract Procedure Rules
  - (viii) Approval of the early retirement of an individual where the financial consequences of that retirement:
    - (a) do not exceed £140,000 and
    - (b) are within the budgetary framework
- 1.2 Individual Cabinet Members may consult with the Leader, Cabinet or other Cabinet Members or the Chairman of the relevant Committee or Sub-Committee on the exercise of any delegated powers or determine not to exercise a delegated power in any particular case.
- 1.3 Where an individual Cabinet member has a prejudicial interest (as defined in the Members' Code of Conduct) in relation to any decision, the Member will not take that decision but will refer the matter to the Leader to consider how it should be determined.
- 1.4 Subject to retaining at all times the power to make any decision personally, the Leader delegates to each Individual Cabinet Member the power to take any action or make any decision within the Individual Cabinet Member's portfolio which would otherwise fall within the functions of Cabinet described under Article 16 where either Special Urgency under Part 2, rule 15, or Urgency under Part 3, rule 4 applies.

1.5 Where the Leader is either uncontactable or unable to make a decision by virtue of a prejudicial interest or otherwise, the Deputy Leader or such other Cabinet Member as the Leader may identify to the Monitoring Officer through a revision to the scheme of Delegation, may make any decision which would otherwise fall to the Leader.

#### **1.6 Individual Cabinet Members – Functional Areas**

Such powers as the Leader may from time to time delegate pursuant to a revised Scheme of Delegation subject to such changes being made by notification in writing (including by electronic written communication) to the Monitoring Officer.

The changes will be treated as implemented from midnight on the date that the revised Scheme of Delegation is published on the Council website.

#### **1.7 Officer Delegation Scheme**

Subject to any decisions falling within the Council Budget and Policy framework, the Leader may from time to time amend the scheme of delegation to officers subject to such changes being made by notification in writing (including by electronic written communication) to the Monitoring Officer.

The changes will be treated as implemented from midnight on the date that the revised Scheme of Delegation is published on the Council website.

1.9 **Cabinet Members – Functional Areas established by the Leader**

The following portfolios were established by the Leader with effect from 11 May 2011:

Cabinet Member	Functional Areas
1. The Leader	Overall responsibility for <ul style="list-style-type: none"> <li>• Leadership and management of the Council</li> <li>• Co-ordination and implementation of strategic policy</li> <li>• Community Leadership</li> <li>• Implementation of the power to promote the economic, social and environmental well being of the Borough</li> <li>• The Community Strategy</li> <li>• Service Transformation</li> </ul>
2. Cabinet Member  (Finance, Procurement and Legal)	<ul style="list-style-type: none"> <li>• Corporate financial matters including management of the financial function but excluding financial services provided in support of a service falling within another functional area.</li> <li>• Administration of benefits</li> <li>• Fraud prevention and control</li> <li>• Local taxation</li> <li>• Audit plans</li> <li>• Corporate Risk Management Matters</li> <li>• Corporate legal matters including management of the legal function</li> <li>• Local land charges</li> <li>• Corporate Procurement Matters</li> </ul>

Cabinet Member	Functional Areas
<p><b>3. Cabinet Member</b></p> <p>(Housing, Maintenance, Health, Licensing and Sustainability) Property, Public Strategic and</p>	<ul style="list-style-type: none"> <li>• Housing research</li> <li>• Strategic housing enabling issues</li> <li>• Council housing management</li> <li>• Housing welfare and homelessness</li> <li>• Care services for the elderly and other vulnerable groups</li> <li>• Private sector housing enforcement</li> <li>• Housing related grants</li> <li>• Harassment, unlawful eviction and reinstatement of services</li> <li>• Home energy conservation and affordable warmth</li> <li>• Energy Management</li> <li>• Development of Sustainable Energy resources</li> <li>• Property maintenance and management</li> <li>• Management of the Council's administrative buildings</li> <li>• Neglected and derelict sites and buildings</li> <li>• Allotments</li> <li>• Markets</li> <li>• Environmental and public health protection and control</li> <li>• Strategic Licensing</li> <li>• Development of Licensing Strategies</li> <li>• Health and safety at work enforcement</li> <li>• Food safety and hygiene</li> <li>• Home safety and health education</li> <li>• Animal care and dog control</li> <li>• Cemeteries and crematorium administration and funeral arrangements for destitute persons</li> <li>• Health liaison</li> <li>• Pest control</li> </ul>
<p><b>4. Cabinet Member</b></p> <p>(Technical Services, Highways and Transport, Environment, and Coastal and Flood Defences)</p>	<ul style="list-style-type: none"> <li>• Waste collection, management and recycling</li> <li>• Environmental improvements</li> <li>• Coastal protection delivered from within the Council's capital and revenue budgets</li> <li>• The administration of Council car parks</li> <li>• On-street parking</li> <li>• Lighting schemes</li> <li>• Public conveniences</li> <li>• Works and improvements to private roads owned by the council</li> <li>• Transportation, Transport services, including bus shelters and taxi stands</li> </ul>

<b>Cabinet Member</b>	<b>Functional Areas</b>
<p><b>5.5 5.</b> Cabinet Member  (Strategic Planning and Regeneration)</p>	<ul style="list-style-type: none"> <li>• Strategic planning</li> <li>• Development of regeneration strategies</li> <li>• All matters relating to economic development including infrastructure development and business support</li> <li>• Town centre management</li> <li>• Skills development</li> <li>• External funding and grants for small businesses</li> </ul>
<p><b>6.</b> Cabinet Member (Neighbourhood Renewal, Community Involvement and Partnerships, Democratic and Customer Services and Safer Communities)</p>	<ul style="list-style-type: none"> <li>• Development of local strategic partnerships</li> <li>• Community Safety</li> <li>• Democratic Services</li> <li>• Customer Services</li> <li>• Local democracy issues (including Area Committees)</li> <li>• Management of Central support services</li> </ul>
<p><b>7.</b> Cabinet Member  (Tourism and Culture)</p>	<ul style="list-style-type: none"> <li>• The development, operation, marketing and management of tourism and leisure facilities and services.</li> <li>• Conferences, exhibitions, entertainments and events</li> <li>• Museums and gallery, sports centres, swimming pools, bowls centre, bowling greens, sports areas and open spaces</li> <li>• Civic and other catering</li> <li>• Visitor information, amenities and attractions</li> <li>• Parks and Gardens</li> <li>• Community and recreation centres, playcentres, play areas, community sports and arts</li> <li>• Countryside Services</li> </ul>
<p><b>8.8 8.</b> Cabinet Member  (Human Resources, Performance and ICT)</p>	<ul style="list-style-type: none"> <li>• Human Resources</li> <li>• Information Technology</li> <li>• Performance Management</li> </ul>
<p><b>9.</b> Cabinet Member (Harbours, Land and Strategic Project Management)</p>	<ul style="list-style-type: none"> <li>• Harbours, except where the Leader agrees to the delegation of this function to a Committee of the Council (this function has been delegated in relation to Whitby Harbour to the Whitby Harbour Board)</li> <li>• Asset realisation</li> <li>• Purchase, sale, lease or tenancy of all land and properties belonging to the Council</li> <li>• The granting of property concessions and licences</li> <li>• The Strategic approach of the Council to Project Management (delivered through a Corporate Programme Board)</li> </ul>