

Part 2 - Responsibility for functions

d. the Executive

CONTENTS

Paragraph

- 1 Functions of the Executive
- 2 Members of the Executive

The Executive will consist of the Leader plus at least two but no more than nine other councillors and has responsibility for carrying out any function that is not the responsibility of any other part of the authority, whether by law or under this constitution. It cannot make decisions that are outside of the budget and policy framework, except when the matter is urgent. Many functions of the Executive are delegated to individual members of the Executive or to officers.

All members of the Executive will have an area of responsibility and will also carry responsibility for individual decision making. These decision making powers are listed in this section of the constitution.

1. The functions of the Executive include, but are not limited to:
 - Implementing policies and spending in accordance with the budget and policy framework
 - Making recommendations on major policy and resource matters to Council for decision, and ensuring full and proper consultation occurs on all such proposals
 - Giving political direction and guidance to and monitoring the performance of the council
 - Providing political accountability for the council's performance to Council and the Scrutiny Commission
 - Fostering and improving the council's performance as a partner with other stakeholders
 - Supporting, promoting and monitoring the application of the council's objectives
 - Approving expenditure, variations, write-offs and virements of between £25,000 and £50,000 in accordance with the financial procedure rules
 - Receiving reports from the Monitoring Officer and internal auditor in relation to Executive functions
 - Recommending to Council the making of bylaws in relation to Executive functions
 - Recommending the capital and revenue budget to Council
 - Making compulsory purchase orders, other than in respect of listed buildings
 - Setting fees & charges for Executive functions within the budget set by Council
 - Determining borrowing policy and investment treasury management on advice of the Head of Finance
 - Approving the Private Sector Housing Renewal policy

- Commenting upon plans, strategies, policies and consultation documents produced by the EU, government, regional bodies, other public bodies or local authorities which are likely to have a major impact on council policy
- Making urgent decisions outside of the budget and policy framework in consultation with the chairman of the Scrutiny Commission and reporting on the decision to Council
- Approving disposals in accordance with the financial procedure rules.

2. Members of the Executive

Members of the Executive may make individual decisions. Each Executive member has their own 'portfolio' which can be found on the council's website, and a list of decisions that they are permitted to take. In addition to this, a decision making body may delegate a specific decision to a member of the Executive.

Members of the Executive have strategic overview of their area, including monitoring service objectives targets, programmes and strategies, but should not involve themselves in operational matters. They may comment upon plans, strategies, policies and consultation documents produced by the EU, government, regional bodies, other public bodies or local authorities which may affect the borough.

Members of the Executive may meet with senior members of opposition groups to discuss policy matters before taking recommendations to Council or other body.

In the event of a decision being required on a matter that is delegated to the relevant member of the Executive, the Leader may take that decision (or the Deputy Leader in the Leader's absence). The Deputy Leader is authorised to take any decisions delegated to the Leader in the Leader's absence.

2.1 Leader of Council

The Leader is responsible for providing overall leadership and direction for the Council.

The Leader has the following responsibilities and decision making powers in their role as Leader:

- Chairing meetings of the Executive
- Appointing an Executive or non-Executive member to an outside body in respect of an Executive function
- Approving the emergency plan
- Co-ordinating multi agency implementation of civil contingency media and public relations policy

2.2 Decisions delegated to the relevant Executive member

A member of the Executive may take certain decisions which relate to their area of responsibility. The relevant Executive member may take the following decisions:

Asset management

- Chairing meetings of the Asset & Regeneration Strategy Group
- Acting as consultee on issues of acquisition and disposal of land (including interests in land) for the purposes of providing social housing in partnership with registered social landlords or direct built
- Acquisitions in accordance with the financial procedure rules.

Audit

- Receiving and monitoring internal and external audit plans.

Car parks

- Recommending policy in relation to off-street parking

Economic development

- Determining grant applications received from the borough's small and medium sized businesses (SMES) in accordance with conditions and criteria established and amended from time to time

Environmental health

- Monitoring the council's impact on the environment, maintaining an environmental action plan and overseeing the development of an environmental management system
- Authorising enforcement under section 7 of the Sunday Trading regulations

Finance

- Making recommendations to Council on council tax requirements
- Monitoring the performance of funds invested
- Determining applications from occupiers of non-domestic properties for reduction of rate liability on grounds of hardship (section 49 of the Local Government Act 1988); part occupation relief (section 44A of the Local Government Finance Act 1988); charitable relief (sections 43 – 47 of the Local Government Act 1988); village shops relief (Local Government Rating Act 1997) on advice of the Head of Finance and Head of Revenues & Benefits
- Acquisition and disposal of land or property in accordance with the financial procedure rules

Housing

- Determining applications for housing financial assistance in accordance with the Housing Renewal Policy where total assistance requested exceeds £20k

ICT

- Acting as the council's ICT champion

Parks & open spaces

- Approving design briefs for parks & open spaces
- Promoting cultural, social and commercial use of parks.

Partnerships

- Receiving recommendations from the Local Strategic Partnership and determining how they should be dealt with

- Making recommendations to the Local Strategic Partnership

Planning policy

- Making recommendations to Council in relation to supplementary planning guidance
- Making recommendations to the Highways Forum in relation to the borough council's information and objectives in the Leicestershire Transport Plan

Rural areas and parish councils

- Ensuring all policies and strategies of the council address the needs of the borough's rural areas
- Ensuring rural concerns are properly represented within community safety
- Promote rural economy and interests of rural businesses
- Advising other bodies, such as the Local Strategic Partnership, on addressing rural needs in their policies and activities
- Ensuring the long term transport policies of the borough help to reduce rural isolation and exclusion
- Promoting liaison and joint working with town and parish councils, including development of charters and devolving of functions

Sustainability

- Advising on the council's approach to achieving sustainable development in the borough.