

CHAPTER 2 – 5 - CABINET SCHEME OF DELEGATION

Under Section 9E of the Local Government Act 2000, The Leader of the Council has the power to delegate some Cabinet functions to individual members of the Cabinet and Officers.

This document shows what delegations are in place. It can be changed by the Leader at any time but he/she shall notify the Monitoring Officer within 5 days of amending it.

Decisions taken by Cabinet Members/Officers carry the same weight as any decision taken by the decision-making body and they must therefore consider all implications and the Decision Making Principles prior to taking delegated decisions and must ensure constitutional requirements are adhered to.

Delegated authority to make Decisions

- 1.0 The Leader is personally responsible for the discharge of all Cabinet Functions and may take any decision in relation to any such function, whilst recognising the specific and/or statutory responsibilities placed on individual portfolio holders.

Any delegation is without prejudice to the Leader's ability to exercise these powers notwithstanding the delegation. The Leader may exercise any function which is designated as a Cabinet function under the law and under the Cabinet Functions and Procedure Rules. It should be noted that Section 9E of the Local Government Act 2000 allows the Leader to discharge all executive functions or arrange for their discharge by the Cabinet, a Committee of the Cabinet, individual Cabinet Members, Officers, or Area Committees (the Council does not currently have Area Committees). Section 9EA of the 2000 Act allows the Leader, the Cabinet, individual Cabinet Members, or a Committee of the Cabinet to arrange for the discharge of executive functions by another local authority or a joint authority, unless the Leader otherwise directs.

2.0 How to use delegated authority

- 2.1 In discharging any function, Members and Officers shall comply with

- The Budget and Policy Framework set by Council.
- The decision-making principles set out in the Access to Information Procedure Rules
- Statutory Requirements
- Contract Procedure Rules
- Financial Procedure Rules
- Consideration of relevant policies
- The Employee Code of Conduct if relevant
- The Member Code of Conduct if relevant
- The reservations contained with this Scheme of Delegation
- The Leader's wishes
- Budgetary provisions

- Advice from the Chief Executive, the Monitoring Officer and/or the Chief Finance Officer
- Any provision contained within the Constitution.

2.2 Where an Officer or Portfolio Holder has delegated powers, the Leader or Cabinet or Committee of the Cabinet can still exercise that power in a particular case if they consider it appropriate to do so.

Matters delegated to Cabinet Members

2.3 The Leader delegates all Cabinet Functions which fall within the portfolio of each Cabinet Member to that Cabinet Member who may take any decision in relation to those functions subject to the reservations in the lists below and to the Leader's directions in respect of controversial, high profile and/or financially significant decisions.

Portfolios are attached at Appendix A.

Matters delegated to Officers

2.4 The Leader delegates all Cabinet Functions to Chief Officers. Those Officers must exercise their delegations in accordance with the Officer Scheme of Delegation in its entirety subject to the reservations in the list below and the Leader's directions in respect of controversial, high profile and/or financially significant decisions. Chief Officers' areas of responsibility are attached at Appendix B.

3.0 Functions reserved to the Leader

3.1 The following functions have been reserved to the Leader and delegations cannot be exercised

Functions Reserved to the Leader	
1	To lead on implementing the Council's policy and budget decisions
2	To provide leadership of the Council by setting the strategic direction and key priorities and overseeing the development of the financial strategies.
3	To represent the Council in the community and in negotiations with regional and national public service organisations.
4	To be the lead spokesperson for the Council and deal with external relations with partners and other stakeholders.
5	Overall responsibility for the performance framework, including the monitoring of targets.
6	To lead and co-ordinate the Council's work on key cross-cutting policy areas such as equalities, sustainability, and communications.
7	To appoint a Deputy Leader.
8	To appoint up to 9 Councillors to be members of the Cabinet.
9	To allocate to each member of the Cabinet areas of responsibility to be known as Portfolios.
10	To provide leadership to the Cabinet and chair Cabinet meetings and major partnerships as necessary and ensure the efficient despatch of business consistent with the Council's policies and strategies.
11	To notify the Monitoring Officer of the allocation of responsibility so that the information can be published in the Constitution.

12	In the absence of a Cabinet member the taking of responsibility for all relevant matters within the remit of the Cabinet.
13	Where the Leader judges it to be the most suitable course of action, the Leader may require any decision proposed by one or more Portfolio holder to be taken by the Cabinet.
14	To exercise discretion to personally discharge any Cabinet functions or make arrangements for their discharge by the Cabinet, another member of the Cabinet, a committee of the Cabinet or to an officer - without prejudice to the Leader's continued power to discharge that function.

Matters reserved to Cabinet

- 3.2 The following matters shall be considered by Cabinet as a whole and Cabinet Members or Officers should not use delegated authority.

Functions Reserved to Cabinet	
1	Any decisions which in the opinion of the Leader should be determined by Cabinet
2	Proposing the Budget and Policy Framework and Capital Programme to the Council.
3	Approval to the carry forward of underspends in excess of £500,000
4	Approval of in year budget reallocations up to a limit of £50,000.
5	Reallocation of capital budgets which do not exceed the overall capital programme.
6	Authorising the Chief Finance Officer to write-off bad or doubtful debts of £5,000 or over.
7	Authorising transfers from earmarked reserves without limit provided the basis of the use of the reserve is consistent with its original purpose. With regard to general reserves, authorising one-off expenditure up to an overall limit of £200k in any one year, in accordance with the requirements of the 'Access to Information Procedure Rules' and Financial Procedure Rule 11.3

Signed: Pip Allnatt
Leader of the Council

Date: April 2024

The following are the Council’s Cabinet Portfolios (which may be varied from time to time by the Leader):

Portfolio Holder	Areas of responsibility
<p>Leader</p> <p>Housing, Leisure and Landlord Services</p>	<p>Corporate Leadership</p> <ul style="list-style-type: none"> • Providing overall Leadership and direction for the Council • Corporate Strategy and Policy Development • Corporate Strategy delivery • Corporate Communications – spokesperson for the Council <p>Key Project Delivery</p> <ul style="list-style-type: none"> • MMDR Delivery • Future Leisure Provision Development • Second GP Surgery • UKSPF Investment Plan Delivery • Levelling Up Fund Delivery <p>Housing</p> <ul style="list-style-type: none"> • Housing Strategy • HRA Business Plan Delivery • Regulatory compliance • Council housing assets, maintenance, and repairs • Landlord Health and Safety • Tenancy management inc. lettings, income recovery, engagement • New Council homes (acquisitions and development) • Use of Right To Buy receipts. • Corporate Health and Safety • Homelessness and Housing Options • Physical Activity • Leisure centre contract management

<p>Deputy Leader</p> <p>Governance, Environment and Regulatory Services</p>	<p>Corporate Governance</p> <ul style="list-style-type: none"> • Performance and Risk Management • Governance, Decision Making & Member Engagement • Constitutional and Member Development • Chair of the Constitutional Review Working Group • Legal Services, Data Management, GDPR and FOIs • Democracy and Elections • Parish Council liaison • Customer journey, access, and accessibility (telephone and digital) • Lead Member for complaints response (regarding executive functions including housing) <p>Environment</p> <ul style="list-style-type: none"> • Waste and Recycling Services • Environmental Services (cleansing, maintenance, parks & open spaces) • Cemetery & Burial Services • Armed Forces Covenant lead <p>Climate & Regulatory Services</p> <ul style="list-style-type: none"> • Planning Policy & Development Management • Representative on the Members Advisory Groups • Environmental Health & Private Sector housing • Resourcing of place-based enforcement • Licensing • Building Control • Land Charges • Council representative on the BID Board
<p>Communities, Health and Well-being</p>	<ul style="list-style-type: none"> • Youth engagement • Safeguarding • Support to vulnerable people and Community Support hub. • Equalities, Diversity, and Inclusion • Cost of living response • Community Cohesion • Refugee/Asylum dispersal. • Community Health and Well-being Plan • Lightbulb Service & Ageing Well • Lifeline & Disabled Facilities Grants • Community grants and community lottery

Town Centre, Growth and Prosperity	<ul style="list-style-type: none">• Town Centre Regeneration• Other strategic infrastructure & regeneration projects• Infrastructure Investment (inc. digital e.g. superfast broadband etc)• Tourism• Events and Place Promotion (Discover Melton)• Economic Growth• Inward Investment• Culture and Heritage• Operational Community Safety & CCTV• Vice Chair of the Safer Melton Partnership• Council representative on the BID Board
Corporate Finance, Property and Resources	<ul style="list-style-type: none">• Finance• Human Resources• Learning and Development• ICT Operations• Procurement• Commercialisation• Corporate Security, Counter Terrorism and Cyber Crime• Debt Management• Revenues and Benefits• Strategic Community Safety• Chair of the Safer Melton Partnership and Council's representative on the Police and Crime Panel• Corporate Property & Asset Management• Asset Development Programme

APPENDIX B Chief Officers

Chief Officers are delegated authority to take any decision in relation to the functions within their area of service responsibility as detailed in this Constitution. This includes but is not limited to the ability to exercise within approved budgets all matters of day to day administration and operational management of the services and functions for which they are responsible, take all necessary action to achieve and implement the objectives and actions set out in approved policies, strategies, plans and decisions of the Council, sign licences and notices and place orders for goods and services relevant to their service areas and increase fees and charges in line with the Financial Procedure Rules. For clarity this includes all operational Human Resources matters relevant to their area of responsibility.

Post	Area(s) of Responsibility
<p>(a) Chief Executive</p> <p><u>Statutory Officer:</u> Head of Paid Service</p>	<p>Overall responsibility for the delivery of all Council services and functions.</p> <p>Returning Officer for local elections.</p> <p>Acting Returning Officer for parliamentary elections.</p> <p>All staffing matters except for restrictions contained within the Employment Procedure Rules.</p>
<p>(b) Director for Housing and Communities (Deputy Chief Executive)</p>	<p>Landlord Services: including housing management, tenancy and estate management, health and safety compliance, repairs and maintenance and right to buy.</p> <p>Community Focussed Services: delivery of the integrated supported people offer.</p> <p>Healthy and Active Communities: including management of the Council's leisure contract and initiatives and partnerships to promote healthy and active lifestyles.</p> <p>Enabling and Connecting Communities: including customers services and support to residents via the community support hub. Corporate Complaint management.</p> <p>Supporting Communities: Responsibility for statutory homelessness function, homelessness prevention, housing options and corporate lead on Council's domestic abuse responsibilities.</p> <p>Empowering Communities: including Community Grants, refugee support, community engagement, Melton Community Lottery, Assets of Community Value.</p> <p>Safer Communities: Partnerships and initiatives relating to community safety, crime reduction and antisocial behaviour including CCTV and the Safer Melton Partnership.</p>

	<p>Waste and Environmental Maintenance Services: including contract management of the waste Services Contract, parks, cemeteries and open spaces including grass cutting and maintenance of Melton Country Park.</p> <p>Corporate Lead on corporate health and safety, safeguarding, equalities and the armed forces covenant.</p>
<p>(c) Director for Corporate Services</p> <p><u>Statutory Officer:</u> Chief Finance Officer</p>	<p>Finance services including accounting, budgeting, treasury management and banking services as well as payroll, debtors, and creditors.</p> <p>Insurance arrangements and claims.</p> <p>Revenues and Income Collection including collection and recovery of Council Tax and Non-Domestic Rates.</p> <p>Housing Benefit and Council Tax Support</p> <p>ICT including telephony (service provided by Hinckley and Bosworth Borough Council through a 3-way partnership between Melton, Hinckley and Bosworth Borough Council and Blaby District Council).</p> <p>Internal Audit, internal controls and corporate fraud (service provided by North Northamptonshire LGSS under delegation along with former Welland Councils.)</p> <p>Procurement (service provided via Welland Procurement Unit, a shared service with other local authorities with Melton acting as the host).</p> <p>Human Resources and employee wellbeing</p> <p>Corporate Planning and Performance: Oversight of the Council's Project Management, Change, Performance Management and Corporate planning process.</p> <p>Communications and Public Relations including the Council's Website</p> <p>Legal and Democratic Services including the Scrutiny function and the Mayor's Service and civic functions.</p> <p>Elections and Electoral Register</p> <p>Information Governance</p>
<p>(d) Director for Growth & Regeneration</p>	<p>Corporate Property & Asset Management: Management of Council's property assets (general fund), including office buildings, leisure centres, community centres, Country Park, car parks and allotments.</p>

	<p>Regeneration: Improving the vitality of town centre and supporting the growth of tourism and local businesses in the borough. Delivering inward investment activities and key strategic regeneration projects to increase economic growth and support the delivery of Growth & Prosperity Plan.</p> <p>Environmental Health: including food and health and safety related issues, nuisance, dog warden and animal licensing, private rented housing and air quality monitoring.</p> <p>Licensing and enforcement</p> <p>Planning Policy and Land Charges: including preparation of the Local Plan and related documents.</p> <p>Development Management and Planning Enforcement: including all aspects of the planning application process, management of planning committee and planning enforcement.</p> <p>Climate Change: including all actions required to meet Council's ambition to be carbon neutral by 2030.</p> <p>Building Control: (service delivered under a shared service arrangement with four neighbouring authorities hosted by Blaby District Council.)</p> <p>Strategy Housing: preparation of Housing Strategy to meet housing needs of the Borough.</p> <p>Emergency Planning and business continuity: working with Leicestershire Local Resilience Forum (LRF).</p> <p>Voting in the BID ballot reflecting members wishes as expressed by Cabinet.</p>
<p>(e) Assistant Director for Governance & Democracy</p> <p><u>Statutory Officer:</u> Monitoring Officer</p>	<p>Legal and Democratic Services including the Scrutiny function and the Mayor's Service and civic functions.</p> <p>Elections and Electoral Register</p> <p>Information Governance</p> <p>Standards: to ensure that the Council, its officers and its Elected Councillors, maintain the highest standards of conduct in all they do.</p> <p>Constitution: To maintain and review the Council's constitution.</p> <p>Lawful decision-making: To ensure all decisions are taken lawfully and in accordance with the Council's Constitution and decision-making process.</p>