

LEADER'S EXECUTIVE SCHEME OF DELEGATION**Responsibility for Leader and Cabinet Functions****Remit**

1. The Leader has established a Cabinet to include six other Members of the Council, including a Deputy Leader. The Leader has allocated a portfolio of executive and leadership responsibilities for each of these Cabinet Members, whose terms of reference are described in the following pages.
2. The Leader and Cabinet are responsible for all of those functions of the Authority that are not expressly reserved to other parts of the Council under these constitutional arrangements. These are known as executive functions.
3. The Leader may discharge any of the functions that are the responsibility of the Leader and Cabinet him or herself or may arrange for the discharge of those functions by the Cabinet as a whole, by another member of the Cabinet, by a committee of the Cabinet or by an officer of the authority. These arrangements are described below.
4. More information is set out in Article 7 of the Council's Constitution

Limitations

5. Those functions that may not be executive functions and do not fall under the responsibility of the Leader or Cabinet, in whole or in some other specified way, are listed in Part 3 of the Council's Constitution.
6. In discharging responsibility for the executive functions of the authority, the decision maker must be aware of the limitations placed upon them. These limitations are that any decision in exercise of an executive function is to comply with:
 - (a) the Budget set by full Council;
 - (b) the Policy Framework set by full Council;
 - (c) the Authority's
 - Access to Information Procedure Rules (including key decision and call-in provisions);
 - Executive Procedure Rules;
 - Budget and Policy Framework Procedure Rules;

- (d) an expectation that the Authority's
 - Financial Regulations;
 - Contract Procedure Rules; and
 - other applicable Articles, procedure rules or standing orders as set out elsewhere in the Council's Constitution;will have been complied with in all but the most exceptional circumstances (and if not then explained fully in the minuted reasons for the decision); and
- (e) any legislative requirements and all applicable rules of law.

Arrangements for Discharge of Functions

7. The following sets out how the Leader has decided to arrange for the discharge of executive functions. The Leader may amend these arrangements, but will [normally] only do so after first informing a public meeting of the Cabinet.
8. Key Decisions (defined at Article 14 of the Council's Constitution) may be taken by a relevant Cabinet Committee, by the Cabinet Member under whose portfolio the function falls or by the Chief Executive, Corporate Director, Service Director or Assistant Director under whose managerial responsibility the executive function falls.
9. Where a Cabinet Committee has been established, its terms and functions are described below.
10. Certain procurement and financial decisions will, according to the value of the transaction concerned, be reserved to the Cabinet, Cabinet Procurement Committee or grade of officer as set out in the Annex to this Scheme.
11. Each Cabinet Member's portfolio of responsibility is described below. That portfolio sets out the range of executive functions for which the Cabinet Member may be called upon to make a key decision about or to lead the debate when related matters come before a meeting of the Cabinet.
12. Under each portfolio, certain decisions that would otherwise fall within the scope of each Cabinet Member's portfolio will be reserved for consideration and decision by a meeting of the Cabinet or Cabinet Committee.
13. Under each portfolio, certain decisions that would otherwise fall within the scope of the managerial responsibility of the Corporate Director, Service Director or Assistant Director concerned may be reserved for consideration and decision of the Cabinet Member under whose portfolio the function falls.
14. Regardless of any other delegation or rule within these arrangements, the Chief Executive may take any key decision which he or she considers necessary on the grounds of urgency, efficiency, or cost.

15. All other matters that do not constitute a key decision are delegated to the Chief Executive, Corporate Director Service Director, or Assistant Director under whose managerial responsibility the executive function falls.
16. Even where the Chief Executive, Corporate Director, Service Director or Assistant Director hold delegated authority, they must consult the relevant Cabinet Member where the circumstances are particularly sensitive or if the decision in question involves changes to policy or strategy and, following consultation, they will normally report the matter to the Cabinet where the Cabinet Member indicates a preference for this.
17. The Chief Executive, Corporate Director, Service Director or Assistant Director may delegate any of their responsibilities or powers in exercise of executive functions to any other officer to whom they consider it appropriate to discharge those functions.
18. There are additional executive and non-executive functions allocated to specific statutory and non-statutory officers as set out in the Constitution.
19. The management structure of the Authority is set out in Part 7 of the Constitution.

LEADER

COUNCILLOR PETER MARLAND

Portfolio Terms of Reference

1. Strategic Council Plan
2. Employee Relations
3. External Relations
4. Communications
5. City Deal
6. All other executive functions not otherwise listed within Cabinet portfolio terms of reference listed below
7. Any executive functions that fall to be discharged by the Leader and Cabinet that the Leader may wish from time to time to have reserved to him or herself or to be discharged in a different manner to the general delegation arrangements described below.

Matters reserved within this portfolio to the Cabinet:-

- (i) All relevant matters reserved for Cabinet level decision as detailed in Rules of Procedure.
- (ii) Policy developments of strategic significance relating to a portfolio's Terms of Reference.
- (iii) Such other matters as the Leader may from time to time reserve to Cabinet for decision

Matters reserved within this portfolio to the Cabinet Member:-

- (i) All relevant matters reserved for Member level decision as detailed in Rules of Procedure.
- (ii) Such other matters as the Leader may from time to time reserve to him or herself for decision.
- (iii) Decisions to accept, reject, or modify expressions of interest submitted under the Council's Community Right to Challenge Policy.

DEPUTY LEADER

CABINET PORTFOLIO: HOUSING AND REGENERATION

COUNCILLOR HANNAH O'NEILL

Portfolio Terms of Reference

1. Strategic Housing Policy
2. Regeneration
3. Milton Keynes Development Partnership
4. Landlord Function
5. Community Safety
6. Major Events
7. Community Asset Transfer

Matters reserved within this portfolio to the Cabinet:-

- (i) All relevant matters reserved for Cabinet level decision as detailed in Rules of Procedure.
- (ii) Policy developments of strategic significance relating to the portfolio's Terms of Reference.
- (iii) Such other matters as the Leader directs or the Cabinet may from time to time reserve to itself for decision

Matters reserved within this portfolio to the Cabinet Member:-

- (i) All relevant matters reserved for Member level decision as detailed in Rules of Procedure.
- (ii) Such other matters as the Leader directs or the Cabinet may from time to time reserve to itself for decision.
- (iii) Decisions to accept, reject, or modify expressions of interest submitted under the Council's Community Right to Challenge Policy.

CABINET PORTFOLIO: RESOURCES, EFFICIENCY AND GROWTH

COUNCILLOR ROBERT MIDDLETON

Portfolio Terms of Reference

1. Finance
2. Capital Investment
3. Infrastructure Funding
4. Value for Money and Efficiency
5. Income Generation
6. Audit and Risk
7. Contracts and Commissioning
8. Economic Development
9. Skills Partnership
10. Milton Keynes Service Partnership

Matters reserved within this portfolio to the Cabinet:-

- (i) All relevant matters reserved for Cabinet level decision as detailed in Rules of Procedure.
- (ii) Policy developments of strategic significance relating to the portfolio's Terms of Reference.
- (iii) Such other matters as the Leader directs or the Cabinet may from time to time reserve to itself for decision.

Matters reserved within this portfolio to the Cabinet Member:-

- (i) All relevant matters reserved for Member level decision as detailed in Rules of Procedure.
- (ii) Such other matters as the Leader directs or the Cabinet may from time to time reserve to itself for decision.
- (iii) Decisions to accept, reject, or modify expressions of interest submitted under the Council's Community Right to Challenge Policy.

CABINET PORTFOLIO: PUBLIC REALM

COUNCILLOR MICK LEGG

Portfolio Terms of Reference

1. Waste and Recycling
2. Highways
3. Planning
4. Regulatory Services
5. Leisure
6. Strategic Transport
7. Parish Liaison

Matters reserved within this portfolio to the Cabinet:-

- (i) All relevant matters reserved for Cabinet level decision as detailed in Rules of Procedure.
- (ii) Policy developments of strategic significance relating to the portfolio's Terms of Reference.
- (iii) Such other matters as the Leader directs or the Cabinet may from time to time reserve to itself for decision

Matters reserved within this portfolio to the Cabinet Member:-

- (i) All relevant matters reserved for Member level decision as detailed in Rules of Procedure.
- (ii) Such other matters as the Leader directs or the Cabinet may from time to time reserve to itself for decision.
- (iii) Decisions to accept, reject, or modify expressions of interest submitted under the Council's Community Right to Challenge Policy.

CABINET PORTFOLIO: COMMUNITY ENGAGEMENT AND EMPOWERMENT

COUNCILLOR SARAH BETTELEY

Portfolio Terms of Reference

1. Cultural Strategy
2. Public Access
3. Libraries
4. Equality
5. Youth Offer
6. Social Inclusion
7. Service Access, including Children's Centres
8. Voluntary Sector Engagement
9. Facilities and Asset Rationalisation

Matters reserved within this portfolio to the Cabinet:-

- (i) All relevant matters reserved for Cabinet level decision as detailed in Rules of Procedure.
- (ii) Policy developments of strategic significance relating to the portfolio's Terms of Reference.
- (iii) Such other matters as the Leader directs or the Cabinet may from time to time reserve to itself for decision

Matters reserved within this portfolio to the Cabinet Member:-

- (i) All relevant matters reserved for Member level decision as detailed in Rules of Procedure.
- (ii) Such other matters as the Leader directs or the Cabinet may from time to time reserve to itself for decision.
- (iii) Decisions to accept, reject, or modify expressions of interest submitted under the Council's Community Right to Challenge Policy.

CABINET PORTFOLIO: HEALTH, WELLBEING AND COMMUNITY SERVICES

COUNCILLOR NIGEL LONG

Portfolio Terms of Reference

1. Adult Social Care Agenda, including Commissioning and Strategy
2. Supporting People
3. Strategic Health
4. Public Health
5. Safeguarding Adults
6. Reducing Health Inequalities
7. Health Partnerships
8. Public and Community Transport

Matters reserved within this portfolio to the Cabinet:-

- (i) All relevant matters reserved for Cabinet level decision as detailed in Rules of Procedure.
- (ii) Policy developments of strategic significance relating to the portfolio's Terms of Reference.
- (iii) To consider proposals for establishing, closing or a school.
- (iv) Such other matters as the Leader directs or the Cabinet may from time to time reserve to itself for decision

Matters reserved within this portfolio to the Cabinet Member:-

- (i) All relevant matters reserved for Member level decision as detailed in Rules of Procedure.
- (ii) Such other matters as the Leader directs or the Cabinet may from time to time reserve to itself for decision.
- (iii) Decisions to accept, reject, or modify expressions of interest submitted under the Council's Community Right to Challenge Policy.

CABINET PORTFOLIO: CHILDREN AND LIFELONG LEARNING

COUNCILLOR NORMAN MILES

Portfolio Terms of Reference

1. Schools
2. School Placements
3. Special Educational Needs
4. Corporate Parenting
5. Children's Social Care
6. Safeguarding
7. Skills Framework
8. Adult Learning and Skills

Matters reserved within this portfolio to the Cabinet:-

- (i) All relevant matters reserved for Cabinet level decision as detailed in Rules of Procedure.
- (ii) Policy developments of strategic significance relating to the portfolio's Terms of Reference.
- (iii) Such other matters as the Leader directs or the Cabinet may from time to time reserve to itself for decision

Matters reserved within this portfolio to the Cabinet Member:-

- (i) All relevant matters reserved for Member level decision as detailed in Rules of Procedure.
- (ii) Such other matters as the Leader directs or the Cabinet may from time to time reserve to itself for decision.
- (iii) Decisions to accept, reject, or modify expressions of interest submitted under the Council's Community Right to Challenge Policy.

CABINET PROCUREMENT COMMITTEE

1 Terms of Reference

To exercise the functions of the Cabinet in respect of all contracts for procurement of works, goods or services.

2 Membership

- (a) **Membership:** The Cabinet Procurement Committee will consist of all members of the Cabinet. There is no power to co-opt.
- (b) **Chair.** The Leader or Deputy Leader, if present, will take the role of Chair and Vice-Chair of the Committee.
- (c) **Quorum.** Except where decisions are to be made by the Leader as advised by the Committee, business shall not be transacted at a meeting of the Committee unless at least three members are present.

3 Functions

The Cabinet Procurement Committee will exercise the following functions and those matters which flow from them, which are executive functions.

- (a) To undertake initial consideration of large procurement related projects, defined as non-property related projects between the value of £100,000 and £20,000,000, including the consideration of initiation documents, full business cases and specification and the consideration of procurement projects where there is a TUPE transfer by the Council.
- (b) To authorise officers to issue specification and invitations to tender and, where within budget, to make an award of contract to the tenderer assessed as providing the highest score against the agreed MEAT (most economically advantageous tender) criteria in respect of large procurement projects
- (c) To promote, oversee and monitor performance improvement regarding the full range of procurement activities, including Capital, Social Care and ICT projects, involving receipt of reports concerning
- (d) To oversee and monitor procurement and contract activity, including:
 - (i) reviewing the S151 Officer's decisions to waive Contract Procedure Rules;
 - (ii) review of tenders and award of contracts on behalf of Cabinet in accordance with the Scheme of Delegation;
 - (iii) approval of contract variations, extensions and novations;
 - (iv) benefit realisation (post implementation) reviews;

- (v) contract performance management; and
- (vi) the commissioning cycle.
- (e) To review, approve or make recommendations to Cabinet concerning the Procurement Strategic Plan and the Procurement Forward Plan
- (f) To review the Contract Procedure Rules from time to time and make recommendations for change to Council;
- (g) To advise the Cabinet on all matters concerned with procurement generally and to make recommendations on any of the above matters to (as appropriate) the Cabinet or Council

In acting under the Committee's terms of reference and in exercising responsibility for those functions listed above, the Authority's Procedure Rules, any limitations on authority and all legislative requirements and applicable rules of law must be complied with.

Procurement and Financial Scheme of Delegation

Procurement Delegations

These delegations should be read in conjunction with Council's Contract Procedure Rules and the Council's procurement guidance.

No	Function	Cabinet	Cabinet Procurement Committee	Chief Executive	Corporate Director	Assistant Director	Head of Service	Budget Manager
Procurement process								
1	To agree specification, invite tenders and approve delegated authority to award contract	Over £20m	£100,000 to £20m	Up to £1m	Up to £500,000	Up to £156,000	Up to £50,000	Up to £10,000
2	Award of contract	Over £20m	£100,000 to £20m	As above, unless otherwise authorised by Procurement Committee, subject to - the award being made to the tenderer who has submitted the most economically advantageous bid (the highest score against the valuation criteria) and the resulting contract being within budget				
3	Termination of Contract	Over £20m	£100,000 to £20m	Up to £1m		None		
Purchase Orders								
4	Authorisation of Purchase Orders		N/A	Unlimited (S151 to deputise)	Up to £500,000	Up to £156,000	Up to £50,000	Up to £10,000

No.	Function	Cabinet or Cabinet Member	Chief Executive	Corporate Director	Assistant Director	Head of Service	Budget Manager
	Creditors						
1	Commitments to in year expenditure	If proposed expenditure will cause growth in future years	Up to £1m	Up to £500,000 within contract limits	Up to £156,000 Within contract limits	Up to £50,000	Up to £5,000
	Debtors						
3	Raising Invoices (External and Internal) – within 14 days. Raising credit notes.	Over £1m	Up to £1m (Corporate Director Resources to deputise)	Up to £500,000	Up to £156,000	Up to £50,000	Up to £5,000
4	Recommend Write off Debts to CD Resources.		No limit	Up to £500,000	Up to £156,000	Up to £50,000	Up to £5,000
5	Write off Authority	All amounts over £20,000 reported		All amounts up to £20,000 approved by CD Resources			
6	Write off due to insolvency/court order			All – CD Resources			
	Assets						
7	Assets and Stocks Maintain register of assets over £10,000.	N/A	N/A	N/A	Yes	Yes	N/A

No.	Function	Cabinet or Cabinet Member	Chief Executive	Corporate Director	Assistant Director	Head of Service	Budget Manager
8	Grant Claims Applying for new external funding (including European bids). (All are subject to CD Resources certification)	N/A	N/A	Above £100k	Up to £100k	None	None
9	Sign off of grant claims (Government Departments, EU)	N/A	N/A	CD Resources via Finance Control Team	N/A	N/A	N/A
10	Award of grants Signing grant agreements for grants paid by the council including Voluntary Organisations	N/A	N/A	Above £20k but must be recorded in the grants payable register.	Up to £20k but must be recorded in the grants payable register.	None	None
11	Petty Cash Petty Cash Limit for a single item	N/A	Over £250	£250	£100	£50	£25
12	Budgets Virements	All Non Technical Virements	None	Technical - CD Resources approval via Finance Control Team	None	None	None