

## LEADER'S EXECUTIVE SCHEME OF DELEGATION

### Responsibility for Leader and Cabinet Functions

#### Remit

1. The Leader has established a Cabinet to include eight other councillors, 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 Part 2 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 2 of the Council's Constitution.
6. In discharging responsibility for the executive functions of the Council, 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);
  - Cabinet Procedure Rules;
  - Budget and Policy Framework;
- (d) an expectation that the Authority's
  - Financial Regulations;
  - Contract Procedure Rules; and
  - Requirements / Procedure Rules 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 in Part 2 of the Council's Constitution) may be taken by the Cabinet, a relevant Cabinet Committee, Cabinet Sub-Committee by the Cabinet member under whose portfolio the function falls or by the Chief Executive, Deputy Chief Executive, Director, or Head of Service under whose managerial responsibility the executive function falls.
9. Where a Cabinet Committee or a Cabinet Sub-Committee has been established, its terms and functions will be set in this Scheme of Delegation.
10. Certain procurement and financial decisions will, according to the value of the transaction concerned, be reserved to the Cabinet, Cabinet member 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, Cabinet Committee or Cabinet Sub-Committee.
13. Under each portfolio, certain decisions that would otherwise fall within the scope of the managerial responsibility of the Director, or Head of Service concerned may be reserved for consideration and decision by the Cabinet, a relevant Cabinet Committee, Cabinet Sub-Committee or by the Cabinet member under whose portfolio the function falls.
14. Regardless of any other delegation or rule within these arrangements, the Chief Executive / Deputy 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, / Deputy Chief Executive, Director, or Head of Service under whose managerial responsibility the executive function falls.
16. Even where the Chief Executive, / Deputy Chief Executive, Director, or Head of Service 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, / Deputy Chief Executive, Director, or Head of Service 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.

**LEADER - COUNCILLOR PETER MARLAND**

**Portfolio Terms of Reference**

1. Council Plan
2. Communications
3. Policy
4. Oxford-Milton Keynes-Cambridge Arc
5. Central Area Growth Board
6. Fast Growth Cities
7. Local Government Association
8. Strategic Partnerships
9. South East Midlands Local Enterprise Partnership (SEMLEP)
10. External Relations
11. Smart Cities
12. Planning Policy / Development Control Services
13. All other executive functions not otherwise listed within Cabinet portfolio terms of reference listed below
14. 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 councillor 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 - COUNCILLOR ROBIN BRADBURN**

**CABINET PORTFOLIO: ECONOMY AND CULTURE**

**Portfolio Terms of Reference**

1. COVID 19 Recovery
2. Economic Development
3. Business Support
4. Inward Investment
5. VCSE Sector
6. Central Milton Keynes Business Improvement District
7. Events
8. Culture

**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.

**COUNCILLOR EMILY DARLINGTON**

**CABINET PORTFOLIO: ADULTS, HOUSING AND HEALTHY COMMUNITIES**

**Portfolio Terms of Reference**

1. Adult Social Care
2. Preventative Services
3. Safeguarding Adults
4. Housing Services
5. Repairs and Maintenance
6. Mental Health
7. Rough Sleeping and Homelessness
8. Regeneration and Estate Renewal
9. Deputies for the Leader at the:
  - (a) Oxford-Milton Keynes-Cambridge Arc;
  - (b) Central Area Growth Board; and
  - (c) South East Midlands Local Enterprise Partnership (SEMLEP).

**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

**COUNCILLOR ROBERT MIDDLETON**

**CABINET PORTFOLIO: RESOURCES**

**Portfolio Terms of Reference**

1. Finance and Budget
2. Council Tax and Benefits
3. Performance
4. Capital and Infrastructure
5. Procurement
6. Property and Facilities
7. Human Resources
8. Milton Keynes Development Partnership
9. Local Housing Company
10. Shared Services

**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.

**COUNCILLOR LAUREN TOWNSEND**

**CABINET PORTFOLIO: PUBLIC REALM**

**Portfolio Terms of Reference**

1. Waste and Recycling
2. Highway Maintenance
3. Fly-Tipping and Litter
4. Landscaping
5. Community Safety
6. Flooding
7. Reducing Knife Crime
8. Tackling Exploitation and Gangs
9. Youth Services
10. Parish Partnerships

**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.



**COUNCILLOR JANE CARR**

**CABINET PORTFOLIO: TACKLING SOCIAL INEQUALITIES**

**Portfolio Terms of Reference**

1. Reducing Child Poverty
2. Equalities
3. Reducing Inequalities
4. Public Health
5. Skills
6. Higher Education
7. Youth Offending
8. Criminal Justice
9. Leisure and Community Assets
10. Sport

**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.

**COUNCILLOR ZOE NOLAN**

**CABINET PORTFOLIO: CHILDREN AND FAMILIES**

**Portfolio Terms of Reference**

1. Safeguarding Children
2. Children's Social Care
3. Corporate Parenting
4. Fostering and Adoption
5. Schools and Partnerships
6. Children's Centres
7. Libraries

**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.
- (iv) Power to close and open schools.

**COUNCILLOR JENNY WILSON-MARKLEW**

**CABINET PORTFOLIO: CLIMATE AND SUSTAINABILITY**

**Portfolio Terms of Reference**

1. Sustainability
2. Climate Change
3. Biodiversity
4. Energy Policy
5. Citizen Panel on Climate Change
6. Air Quality
7. Transport Policy
8. Public Transport
9. Low Traffic Schemes
10. Road Safety
11. Strategic Water Management

**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.

**COUNCILLOR PAUL TRENDALL**

**CABINET PORTFOLIO: CUSTOMER SERVICES**

**Portfolio Terms of Reference**

1. Licensing and Regulatory Services
2. Environmental Health
3. Bereavement Services
4. Customer Services
5. Website

**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.

### Procurement and Financial Scheme of Delegation

These delegations should be read in conjunction with Council's Contract Procedure Rules and the Council's procurement guidance as appropriate, along with the linked Financial Procedure Rule (FPR).

The Section 151 Officers delegation may also be exercised by either of the Deputy s151 Officers where this is expedient, or the Chief Financial Officer is absent.

Where a decision is to be taken by Cabinet or a Cabinet Member (via a Delegated Decision) the Director should consult with the Director of Law and Governance to confirm the most appropriate method.

	Function	FPR	Cabinet/ Cabinet member	Chief Executive	Deputy Chief Executive	Director	Head of Service	Budget Manager
1.	Virements	5	All non- technical virements	N/A	Technical virements – Chief Financial Officer	None	None	None
2.	Approval of credit notes.	10	N/A	Unlimited (Deputy Chief Executive to deputise)	Unlimited ( Section 151 Officer to deputise)	Up to £100,000	Up to £50,000	Up to £25,000
3.	Recommend write-off of debts to Section 151 Officer	11	N/A	Unlimited	Up to £500,000	Up to £100,000	Up to £50,000	Up to £25,000

	<b>Function</b>	<b>FPR</b>	<b>Cabinet/ Cabinet member</b>	<b>Chief Executive</b>	<b>Deputy Chief Executive</b>	<b>Director</b>	<b>Head of Service</b>	<b>Budget Manager</b>
4.	Write-off authority (all items to be reported to Cabinet)	11	Any amount over £50,000	N/A	Any individual debt up to £50,000 approved by Section 151 Officer. Group Head of Revenues and Benefits and Heads of Finance (Deputy s151 Officers) up to £5,000.			
5	To approve grants and benefits to external bodies and other non-procurement commitments	14	If proposed expenditure will cause pressure in future years.	Up to £500,000	Up to £100,000	Up to £100,000	Up to £50,000	Up to £25,000
6.	Signing grant agreements for grants and benefits paid by the Council to external bodies	14	N/A	N/A	Above £25,000 (Section 151 Officer to deputise) Must be recorded in the grants payable register	Up to £25,000	None	None
7.	Sign off of grant claims (Government Departments, EU)	15	N/A	N/A	Section 151 Officer or Deputy s151 Officers			
8.	Assets and stocks – maintain register of assets over £10,000	16-20	N/A	N/A	N/A	Yes	Yes	N/A

	<b>Function</b>	<b>FPR</b>	<b>Cabinet/ Cabinet member</b>	<b>Chief Executive</b>	<b>Deputy Chief Executive</b>	<b>Director</b>	<b>Head of Service</b>	<b>Budget Manager</b>
9.	To agree specification, invite tenders and approve delegated authority to award contract for supplies and services	21	Over £500k	Up to £500k	Up to £500k	Up to £500k	Up to £50,000	Up to £25,000
10.	Award of contract	21	Over £500k	As above, 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.				
11.	Termination of contract (total contract value)	21	Over £500k	Up to £500k	Up to £500k	Up to £500k	None	None
12.	Authorisation of official orders for procurement (This follows formal approval through appropriate decision making as above)	21	N/A	Unlimited (Deputy Chief Executive to deputise)	Up to £1m (Section 151 Officer to deputise)	Up to £500,000	Up to £50,000	Up to £25,000
13.	Petty cash limit for a single item	22	N/A	Unlimited	Up to £250	Up to £100	Up to £50	Up to £25

	<b>Function</b>	<b>FPR</b>	<b>Cabinet/ Cabinet member</b>	<b>Chief Executive</b>	<b>Deputy Chief Executive</b>	<b>Director</b>	<b>Head of Service</b>	<b>Budget Manager</b>
14.	To agree any other form of financial commitment not covered above (required to consult with Legal and Finance in all cases)		If proposed expenditure will cause pressure of over £500k in future years.	Up to £500k	Up to £500k (Section 151 Officer to deputise)	Up to £100k	Up to £50,000	Up to £25,000
15.	To approve applications for discretionary reductions to non-domestic rates where this is in line with the Councils Discretionary Rate Relief Policies.		N/A	N/A	Section 151 Officer or Deputy s151 Officers			