

SECTION A

POWERS AND DUTIES OF THE CABINET

1. INTRODUCTION

The Cabinet will make final decisions on all matters which are not the responsibility of any other part of the Council in accordance with the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 as amended or under this Constitution (subject to the ‘call-in’ procedure).

For description purposes, the powers and duties of the Cabinet are divided into five sections or ‘portfolios’:-

- Customer Experience and Improvement
- Corporate and Democratic Services
- Planning and Economy
- Operational Services
- Major Projects and Property

A summary of the portfolio responsibilities and delegation arrangements is set out in the following paragraphs.

Schedule 1, at the end of this section, sets out specific delegations to Cabinet Members.

The Cabinet may also appoint up to three Cabinet Champions each year to lead on specific projects, which would not normally fall within one of the portfolios.

2. GENERAL POWERS

The Cabinet is empowered to deal with a range of matters which affect the Council and Borough as a whole and, as such, are shared across all Cabinet Portfolios. These are as follows:

- (1) To provide political direction in the development of the Council’s strategic objectives and corporate planning processes;
- (2) To prepare and monitor the Council’s revenue and capital budgets;
- (3) To consider and recommend to the Council the budget and amount of Council tax to be levied;
- (4) To consider and decide upon any request for a supplementary estimate in accordance with the Council’s Financial Procedure Rules;
- (5) To lead the development and implementation of the Council’s Corporate Plans and strategies, and to monitor progress on their targets;

- (6) To provide political direction in the development of the Council's community strategies and to promote and enhance the economic, environmental and social well-being of the area;
- (7) To consider and respond to expressions of interest to provide services under the community right to challenge provisions, and to make decisions on any subsequent contract award;
- (8) To appoint up to three Cabinet Champions to lead on projects which would not normally fall within a Cabinet portfolio;
- (9) To put forward proposals for issues to be examined by other committees and panels as part of a planned programme of work;
- (10) To keep under review and make recommendations to the Council as necessary on, the structure, constitution, membership and functions of all committees of the Council;
- (11) To pass resolutions seeking planning permission in relation to Council land and premises in accordance with Regulations 3 or 4 of the Town and Country Planning General Regulations 1992;
- (12) To approve the acquisition, lease or disposal of interests in land in the exercise of its powers or duties, subject to any transaction which has significant policy implications for the Council being submitted to the full Council for approval; and
- (13) To undertake the annual performance appraisal of the Chief Executive and to grant the appropriate performance related increment(s) in accordance with the terms of employment.

3. LEADER AND DEPUTY LEADER'S GENERAL RESPONSIBILITIES

In addition to the roles set out in Article 2 in Part 2 of the Constitution, the Leader, supported by the Deputy Leader, shall assume responsibilities for the following functions:

(1) Political Direction and Strategic Objectives

To provide overall political direction in the development of the Council's strategic objectives and corporate planning processes and to ensure their effectiveness and relevance to the Borough.

(2) Revenue and Capital Budgets

To lead, monitor and oversee the development of the Council's budget and financial strategy in liaison with the Executive Leadership Team.

(3) Corporate Performance Plan

To lead the development and implementation of the Council's strategy in meeting provisions relating to the Council's performance and, in particular, to monitor the Council's progress against Performance Indicators set by central government and against Local Performance Indicators (LPI).

(4) Community Strategy

To provide overall political direction in the development of the Council's sustainable community strategies and to promote and enhance the economic, environmental and social well-being of the area.

(5) Economic Development and Regeneration

To monitor and promote economic development and regeneration, and employment initiatives in the Borough; in particular to:

- promote the regeneration of the Borough through the development of policies and initiatives to promote the long-term success of the local economy and through the development of partnerships with local and regional organisations, including Enterprise M3, in relation to town centres and local centres.
- liaise with the European Union, and other appropriate bodies and to, where possible, seek financial assistance for initiatives to assist regeneration and the local economy.

(6) Other Matters

- (i) To keep under review and to make recommendations to the Council as necessary on matters relating to the modernisation of local government and the Council's decision making structure.
- (ii) To liaise with the Chief Executive on civic ceremonial issues and insignia.
- (iii) To work with the Chief Executive on major events in the Borough where the Council has a significant involvement.

4. CABINET RESPONSIBILITIES BY PORTFOLIO

A summary of the current portfolio structure is attached separately.

4.1 Customer Experience and Improvement Portfolio

1. Matters related to the arrangements for and delivery of projects within the Rushmoor 2020 Modernisation and Improvement Programme, including the development and delivery of the Customer Experience and Improvement Project.

2. Matters related to IT Services and the Council's Digital Strategy including issues related to the Council's Website (infrastructure and strategy).
3. Issues related to the collection and use of customer intelligence and insight.
4. Matters related to the Customer Services Unit.
5. Functions and activities related to Council Communications, including Arena magazine and social media, media relations and branding.
6. Matters related to Improvement Projects and Teams
7. Issues related to Council Facilities, including the provision, maintenance and control of office accommodation and equipment, co-location projects, management of meeting rooms, the civic suite and catering.

4.2 Corporate and Democratic Services Portfolio

Financial Administration

1. Financial policy and financial administration including:-
 - matters relating to the Financial Standing Orders and Regulations of the Council;
 - the raising of capital and the management of borrowing and investments;
 - rating, benefits and Council Tax administration and outstanding matters relating to the Community Charge;
 - treasury management policy;
 - insurance matters; and
 - applications for rate relief, including those made under Section 47 of the Local Government Finance Act, 1988.
2. Budget Strategy

Revenues and Benefits

3. Policy matters relating to revenues and benefits

Human Resources and Payroll

4. Human resources issues including:-
 - Human resources strategies and policies;
 - policy on internal staffing structures and manpower budgets;

- policy issues relating to the appointment, terms and conditions and welfare of staff, and labour relations matters;
 - job evaluation matters;
 - staff learning and development
 - workplace issues, including health and safety;
 - payroll administration; and
 - performance
5. Monitoring the performance of Heads of Services and Executive Directors.

Legal and Land Charges

6. Legal Services matters including:-
- local land charges
 - GDPR, data protection and freedom of information
7. Procurement

Council Administration

8. Matters related to the administration of the Council, the Constitution, Members' Support and learning and development.
9. Matters related to corporate performance monitoring.

Partnerships

10. Matters in relation to the Council's Strategic Partnerships and the form of the Rushmoor Strategic Partnership.
11. Partnership for Town Twinning.

Community Development and Neighbourhood Renewal

12. Initiatives and activities in support of community cohesion
13. Activities to tackle deprivation within the Borough

Community and Voluntary Groups & Grants

14. Matters in relation to grants and support to organisations, community and voluntary groups including:
 - Applications for rate and rent relief from charities, registered clubs, cultural and voluntary organisations, including applications under Section 47 of the Local Government Finance Act, 1988.
 - Powers in relation to the consideration and determination of applications for financial assistance from national and local organisations, including the major voluntary organisations operating in the Borough. This includes co-ordinating funding for the Citizens Advice Bureaux, Rushmoor Voluntary Services and the Farnborough and Cove War Memorial Hospital Trust.
 - Matters related to the Rushmoor Good Causes lottery, community and ward grants and uniting communities grant fund.

Democratic Engagement

15. Functions in relation to maintaining effective democratic processes, and in promoting democratic involvement, subject to the Licensing, Audit and General Purposes Committee undertaking certain duties set out in this Scheme of Delegation in relation to elections and electoral registration.
16. Issues relating to community involvement with the Council, including:
 - liaison with community groups
 - community forums i.e. senior citizens forums
 - civic events
 - developing working arrangements at a local or ward level

Other Matters

17. Policies of the Council relating to:-
 - Risk Management; and
 - Equality and Diversity
18. Civil Emergency plans and procedures.

4.3 Planning and Economy Portfolio

Strategic Housing Matters

1. Functions related to the Council's strategic housing and enabling role including identifying housing need and considering and developing initiatives to meet that need through work with the statutory, voluntary and private sectors.

2. Matters related to the Housing Strategy, Homelessness Strategy and Private Sector Housing Renewal Strategy.
3. Matters relating to registered social landlords operating in the Borough and the Housing Corporation, including capital grants and capital expenditure to develop new and improved affordable housing in the Borough.

Planning Policy and Conservation

4. Functions falling to be determined by the Council in relation to planning policy matters including regional plans, the Rushmoor Local Plan, neighbourhood plans and non-statutory development plans and policies.
5. Planning and transportation policy aspects of major development and re-development proposals.
6. Planning matters related to town centre management
7. Planning and transportation proposals outside the Borough, which may affect the Borough, and representations thereon as appropriate.
8. Functions in respect of the definition and re-definition of conservation area boundaries and policy issues relating to trees and nature conservation.
9. Functions in the preparation, approval and management of schemes for environmental improvements in the Borough.
10. Planning policy aspects of economic development proposals in the Borough.
11. Matters related to SANGS

Building Control and Development Management

12. Functions in respect of the necessary statutory provisions in relation to all matters related to applications for and enforcement action under the building regulations and issues relating to the building acts and any other associated legislation, regulations and provisions, including provisions on dangerous buildings and structures and means of escape in case of fire.
13. Matters relating to service administration and working arrangements in relation to the Development Control Service.
14. Schemes for historic buildings and access grants.

Town Centres and Local Economy

15. Matters related to the management of town centres, including public realm, street scene, entertainment venues & events

16. Matters related to development and delivery of Town Centre Strategies
17. Activities related to the promotion of the Borough for economic and social benefit e.g. centre of excellence for aerospace, new conference centre.

Museums, Arts and Culture

18. Matters in relation to Museums, arts and cultural events within the Borough.
19. Special events and competitions in the Borough

Skills and Employment

20. Matters related to supporting skills and employment opportunities within the Borough.
21. Functions related to education and life-long learning

Health and Wellbeing

22. Supporting the work of local health organisations to improve health facilities in the Borough.
23. Functions in relation to health education and to participate in local and national initiatives and campaigns as appropriate.

4.4 Operational Services Portfolio

Community Safety

1. Matters that are the responsibility of the Council relating to anti-social behaviour, crime reduction, community safety and CCTV.
2. Activities in relation to the deterrence and prevention of rough sleeping and street drinking in town centres, and supporting people..

Statutory Housing and Private Sector Housing Services

3. Statutory duties under the homelessness legislation including the provision of a comprehensive free housing advice service.
4. Matters relating to the portfolio of temporary accommodation for the homeless that is provided by registered social landlords.
5. Matters relating to the housing register, allocations scheme and choice in lettings policies and the nominations policies and agreements with registered social landlords.
6. Matters relating to the condition, repair, improvement, adaptation and energy efficiency of private sector dwellings, including houses in multiple occupation, pursuant to the Housing Act 2004.

7. Statutory duties in relation to the licensing of houses in multiple occupation, pursuant to the Housing Act 2004.
8. Matters related to Private Sector Renewal Grants for the repair and adaptation of dwellings, in accordance with legislation and the Private Sector Housing Renewal Strategy.
9. Responsibilities under the home energy legislation, particularly in relation to energy efficiency and fuel poverty.

Contracts for Operational Services

10. Matters in relation to the procurement and monitoring of contracts for operational services managed by the Council including:
 - Waste and Recycling
 - Street cleansing
 - Grounds maintenance
 - Public conveniences
 - Leisure services

Environmental Health and Licensing

11. Matters related to Fixed Penalty Notices for environmental offences.
12. The policy framework in relation to the environmental health functions to be discharged by the Council (including those issues identified under the Licensing, Audit and General Purposes Committee) and recommendations to the Council where such policies affect the overall policy framework of the Council.
13. Issues relating to the following matters (except regulatory functions which are dealt with by the Licensing, Audit and General Purposes Committee):-
 - Licensing;
 - Hackney carriage fares
 - caravans and caravan sites;
 - food safety and hygiene matters;
 - health and safety matters;
 - infectious diseases;
 - pest control;
 - control of dogs; and
 - pollution and environmental control.

14. Matters relating to land drainage in the borough that falls outside the responsibility of the Environment Agency or Hampshire County Council in their role as a Lead Local Flood Risk Authority.
15. Statutory and discretionary functions relating to sewers and drains.
16. Environmental powers (other than those licensing powers dealt with by the Licensing and General Purposes Committee) exercised by the Council in relation to the following issues:-
 - public conveniences;
 - refuse, waste collection/disposal, recycling and waste minimisation;
 - cemeteries, burial ground and crematoria; and
 - travellers
17. Matters related to Rushmoor markets and car boot sales

Grounds and Streets

18. Matters relating to street cleaning (including cleaning of highways, parks, car parks, the provision of litter bins, removal of fly tips and litter education) including powers pursuant to the Clean Neighbourhoods and Environment Act 2005.
19. Matters concerning the control, naming and lighting of streets (including the numbering of houses, siting of litter bins and other street furniture).
20. Functions relating to grounds maintenance.
21. Matters relating to the identification, removal, storage and disposal of abandoned vehicles under the Refuse Disposal (Amenity) Act 1978.

Enforcement and Operational Parking

22. Parking matters either under statute for action by the Council or by agreement with Hampshire County Council including:-
 - Provision and management of the Council's car parks (including parking charges and the provision of parking bays for people with disabilities).
 - On-street parking controls
 - Residents' parking schemes
 - Closure of off-street and on-street parking places for special events and circumstances
23. The regulation of traffic, restrictions on the use of highways (including traffic regulations orders).

Leisure and Recreation

24. Matters related to the provision, operation and development of leisure facilities owned or operated by the Council, including:
 - Parks and Open Spaces
 - Leisure Centres
 - Playgrounds
 - Community Halls
25. Supporting partners in the provision and development of leisure services.
26. Development of management plans for open park land at Southwood
27. Arrangements for public open space within the Wellesley Development
28. Marketing of Leisure Services.

4.5 Major Projects and Property Portfolio

Regeneration Programme

1. All matters related to the arrangements for and delivery of projects within the Regenerating Rushmoor Programme including the setting up and managing of new partnership and company arrangements.

Property and Estates

2. Functions related to the Council's property investments including their use, maintenance, lettings and the exercise of landlord's responsibilities (such as the appointment/dismissal of managing agents and taking proceedings for breach of tenants' covenants, recovery of possession or otherwise for the protection of the property). Such investments include:-
 - town centre interests and other shop and commercial premises let by the Council;
 - industrial estates; and
 - Council owned development sites.
3. Matters related to the Council's overall corporate property portfolio, especially in relation to:-
 - Acquisition of new property assets
 - the maintenance of assets
 - new arrangements for the leasing or licensing of premises, including rent reviews

- changes of use
 - estate management policies
4. Delivery and monitoring of an Asset Management Plan for the Council's asset and property holdings

Capital Projects

5. Functions related to the delivery of Capital projects within the Borough, e.g. the completion and delivery of a new Depot, sports pavilion at Ivy Road and partnership support for a new Health Centre in west Farnborough.

Highways and Infrastructure

6. Transport policy and highways capital schemes, including those in association with the County Council.
7. Matters relating to strategic road safety matters, in conjunction with the County Council, as appropriate.

SCHEDULE 1**RESPONSIBILITY FOR CABINET FUNCTIONS EXERCISED BY THE LEADER AND INDIVIDUAL CABINET MEMBERS**

Any powers and duties conferred on a Cabinet Member shall, in his or her absence, be exercisable by the Leader of the Council and in his/her absence by the Deputy Leader.

	Function	Delegation	In Consultation with
1.	To appoint a Cabinet which contains no fewer than three and not more than ten councillors (including the Leader).	Leader	
2.	To appoint a Deputy Leader from amongst the Cabinet.	Leader	
3.	To determine the number of Cabinet portfolios, the responsibilities of each portfolio, the appointment of Members to the portfolios and arrangements for the delegation of executive powers.	Leader	
4.	Financial contributions towards properly constituted appeal funds established to alleviate the results of disasters in this country if considered appropriate.	Leader	<i>Chief Executive, Head of Finance and the Mayor</i>
5	Approval of grants (including rent relief) to voluntary organisations and arts groups for sums totalling £1000 or less.	Corporate and Democratic Services Portfolio Holder	<i>Head of Community and Environmental Services.</i>
6.	Granting of discretionary rate relief to voluntary organisations for sums totalling £500 or less.	Corporate and Democratic Services Portfolio Holder	<i>Head of Finance.</i>
7.	Approval of payments to employees of up to £1000 for pain and suffering in cases of assault.	Corporate and Democratic Services Portfolio Holder	<i>HR and Corporate Manager for Legal Services</i>
8.	Applications for floral displays on Council land.	Cabinet Member for Operational Services	<i>Head of Community and Rushmoor in Bloom Form</i>

9.	Powers to approve the scale of hackney carriage fares (see report to Cabinet 3/9/13)	Cabinet Member for Operational Services	<i>Chairman of the Licensing, Audit and General Purposes Committee and Head of Environmental Health and Housing</i>
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