

## Appendix 1(b)

### Responsibilities for Executive Functions

The following arrangements will apply in respect of the exercise of Executive Functions. Unless the context indicates otherwise, it is intended that the Cabinet, or the particular individual member of it identified below, will have decision making powers in respect of the matters set out under “Functions”. In exercising any such powers, regard must be had to the provisions of the Scheme of Delegation to Officers. The Cabinet, or individual members of the Cabinet will not normally seek to exercise those of their powers set out below which are delegated to an Officer of the Council. Nothing in this Constitution shall operate so as to authorise the exercise by the Cabinet, or any member(s) of it, of any power which is precluded statutorily from being exercised in such manner. Consequently, for example, executive decisions under these arrangements may not be made where they are contrary to, or not wholly in accordance with, the Council’s budget, the Council’s plan or strategy in relation to borrowing or capital expenditure, or a Council approved strategy, plan or policy.

<b>Decision Making Body</b>	<b>Cabinet</b>
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<b>Membership:</b>	<u>Currently 6 Members of the Authority – statutory minimum of 2 plus the Leader and statutory maximum of 9 plus the Leader</u>
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<b>Delegation of Functions:</b>	See Scheme of Delegation (Part 7)
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<b>Functions:</b>	<p>To consider any matter of importance affecting more than one of the Cabinet portfolios.</p> <p>To consider matters of importance which involve the Council’s external relations.</p> <p>To ensure the delivery of corporate performance targets</p> <p>In accordance with the provisions of the Constitution to transact any business which, in the opinion of the Cabinet, is urgent and requires immediate action.</p> <p>To submit any evidence or to report on behalf of the Council to any Commission, Committee or similar body where it is not expedient for the matter to be referred to the Council.</p> <p>To consider matters relating to national or regional planning policy guidance including urban capacity and similar studies.</p> <p>To have oversight on all matters relating to financial borrowing, lending or leasing by the Council, the management of internal funds and the supervision of the investment of monies, including consideration of the Treasury Management Strategy (for the coming year) and the Treasury Management Annual Report (for the previous year).</p>
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To consider reports and recommendations from the Council's Overview and Scrutiny Committee.

### Matters where the Cabinet is required to make recommendations to the Council

The formulation of the Council's overall policy objectives.

The allocation and use of resources within the overall budget to achieve the Council's policies and priorities.

The Council's delegation scheme.

The Council's management and departmental structure, including arrangements for the appointment of the Chief Executive and Directors.

Matters relating to Development Planning Documents or the Local Development Scheme.

Capital and revenue estimates, the expenditure level to be used in the calculation of the Council Tax.

The levy of the Council Tax.

Expenditure on capital items where there is no provision in approved budgets or where the quotation cost exceeds provision in approved budgets by more than 10 per cent.

Expenditure on capital items where final expenditure exceeds the approved contract sum by either 10 per cent or £20,000 whichever is the lesser.

Increased expenditure for which no provision has been made in approved estimates and which cannot be covered by virement between budgets in accordance with the Council's Financial Regulations and Financial Procedure Rules.

Matters arising from the Council's duty to consult with business ratepayers.

### Terms of Reference and Delegated Powers of the Leader

To act as the focus for the strategic leadership of the Council.

### To appoint Cabinet members and allocate their executive functions

To act as the Council's representative and spokesperson on strategic partnerships at a regional, county and local level.

To consider all aspects of matters relating to public relations and the Council's reputation.

### Terms of Reference and Delegated Powers of the Resources Cabinet Member

To consider arrangements for a strategic approach for the Council's procurement of goods and services.

To consider departures from Rules relating to financial and contractual matters if appropriate.

To consider the Council's strategic direction in relation to asset management including

- (a) any matters relating to the sale, lease or tenancy of land or buildings, or the grant of any other right over land, beyond the powers delegated to the Head of the Built Environment.
- (b) To consider the management, repair, maintenance and use of the Council's land and buildings.
- (c) To consider the assembly and purchase of land for development, redevelopment and in advance of requirements.
- (d) To consider the reclamation of derelict land.

To approve the transfer of funds (in accordance with Financial Procedure Rules) within the approved estimates insofar as they are within the Council's budget and policy framework and subject to any limitations set by the Council within the budget framework.

To deal with the collection and enforcement of debts due except where specific responsibility has been allocated elsewhere.

To determine requests relating to the release or modification of covenants affecting land of which the Council has the benefit where the Head of Built Environment does not have delegated power to deal with such requests.

To prepare and review as necessary a standing list of approved tenderers for use where selected tenderers are to be invited to submit tenders to the Council.

To consider progress reports on the implementation of the Council's Human Resources Strategy.

To consider the Council's strategic policy in relation to Value for Money.

To consider progress on the implementation of the Council's ICT digital strategy.

To consider proposals relating to the Council's strategic approach to delivering excellent customer services.

To consider civic and ceremonial issues.

To consider any equality and diversity issues relevant to the Council which relate to executive functions (ie. excluding issues relating to the terms and conditions appointment or dismissal of employees which are not executive functions).

To consider emergency planning and business continuity issues.

To determine payment of grants to outside bodies within ~~any scheme approved by Council and the allocated~~ any budgets.

To consider National Non-domestic Rating and Council Tax matters.

To consider applications for hardship and discretionary rate relief under the Council's schemes.

To consider proposals for the exercise of powers under Section 137 of the Local Government Act 1972 (ie. the power of local authorities to incur expenditure for certain purposes not otherwise authorised).

To determine charges or fees for any relevant services operated within the Portfolio.

Terms of Reference and Delegated Powers of the Street Scene, Parks and Open Spaces Cabinet Member

To consider issues relating to the development and co-ordination of the Council's approach to "street scene".

To consider matters relating to the provision and management of public conveniences.

To consider arrangements for the design and provision of services for refuse collection, street cleansing, and litter control (including beach and foreshore cleaning).

To monitor the delivery of Street Scene Services

To consider any matters relating to the monitoring and enforcement of street scene related issues including litter, graffiti, fly tipping, fly posting dog fouling, and abandoned vehicles.

To consider any matters relating to dog control.

To evaluate and prioritise proposed environmental improvement and enhancement schemes and to devise an agreed programme for such schemes within the financial provision allocated.

To consider matters relating to parks, gardens, open spaces, playing fields, playgrounds and allotments.

To determine charges or fees for any relevant services operated within the Portfolio.

Terms of Reference and Delegated Powers of the Neighbourhood Services and Community Safety Cabinet Member

To consider options and proposals to improve, preserve and maintain those neighbourhoods and places which local people consider valuable for conservation, commerce and daily living.

To consider any matter relating to the Council's responsibilities for land drainage, water courses or the prevention of flooding.

To consider any matter relating to the Council's responsibilities for coast protection or the provision and maintenance of sea defences.

To exercise all powers in relation to the provision and operation of off-street car parks which are not ancillary to another Council building the management of which is undertaken by another portfolio holder.

To consider the housing needs of the Borough in respect of the supply of housing accommodation and advice services including arrangements for the inspection of the condition of all dwellings within the Borough, to secure satisfactory standards and improvement of housing.

To consider issues relating to actions necessary to secure the improvement or demolition of unsatisfactory dwellings or dwellings with an unsatisfactory environment.

To consider arrangements for enabling the provision of housing accommodation through the erection of houses or through the conversion, alteration, improvement or use of properties acquired by the Council, or by any other agency.

To consider and make recommendations on the Council's policy on housing advances, including the provision of grants.

To consider matters relating to homeless people and vulnerable people in the Borough.

To consider arrangements for the provision of the Care and Repair Service and the Handy Person Service.

To consider the duties relating to the Home Energy Conservation Act, 1995.

To consider the duties relating to the Housing Act, 1996 and the Housing Grants and Construction Regeneration Act, 1996 and other relevant housing legislation.

To consider arrangements for the delivery of Benefits services.

To exercise powers contained in legislation for improving landlord and tenant relations in private dwellings.

To consider issues relating to the provision of a housing advisory service.

To consider issues relating to the provision or management, either directly or otherwise of temporary accommodation in accordance with the provisions of Part III of the Housing Act, 1985, as amended.

To consider ways of working with others to make Wyre a safer place to live, work and visit by helping to reduce crime and the fear of crime in the local community.

To consider matters relating to the Council's Crime and Disorder Strategy.

To drive initiatives which affect the Council in relation to the enhancement of community safety throughout Wyre and to seek to create a safe and secure environment for the whole community through the reduction of crime and fear of crime.

To determine charges or fees for any relevant services operated within the Portfolio.

~~Terms of Reference and Delegated Powers of the Leisure and Culture Cabinet Member~~

~~To consider options and proposals to improve, preserve and maintain those neighbourhoods and places which local people consider valuable for recreation and daily living.~~

~~To consider the management, conservation, protection and provision of access to Wyre's countryside through the implementation of a Countryside Management Programme.~~

~~To consider matters relating to sport and recreation, including sports facilities (apart from playing fields), swimming centres, riverside and marine facilities for leisure pursuits and other leisure and cultural services.~~

~~To formulate and make recommendations on strategies and programmes to encourage the development of sport, leisure and cultural pursuits, including arts development and promotion.~~

~~To consider arrangements for the provision and management of cemeteries and burial grounds.~~

~~To consider arrangements for the promotion of the Borough for tourism purposes and to liaise with all other bodies with a similar purpose either in relation to the Borough, part of the Borough or a wider area.~~

~~To develop and sustain the Council's strategy for encouraging the growth and diversity of tourism within the Borough.~~

~~To monitor and encourage the development of Tourism through market research and advice and to assist the Wyre Tourism Association.~~

~~To deal with the promotion of the Borough or any part of it for countryside, leisure and cultural services purposes and to encourage private sector initiatives and joint funded activities.~~

~~To consider arrangements for the provision and development of Tourist Information Centres, promotions and other visitor services.~~

~~To consider any matters relating to the arrangements for the Council's community centres.~~

~~To consider matters relating to theatres and their associated events programmes.~~

~~To determine charges or fees for any relevant services operated within the portfolio.~~

#### Terms of Reference and Delegated Powers of the Planning and Economic Development Cabinet Member

To consider options and proposals to improve, preserve and maintain those neighbourhoods and places which local people consider valuable for conservation, commerce and daily living.

To consider matters relating to the Local Development Scheme, Supplementary Planning Documents and other planning guidance.

To consider proposals for the conservation or enhancement of the physical environment of the Borough.

To consider arrangements for the provision of housing.

To consider and make recommendations on the Council's policy on regeneration and improvement.

To facilitate the provision of social housing by external organisations.

To consider issues and exercise powers and duties relating to the Council's Building Control functions.



To make decisions on behalf of the Council, in regard to its role and responsibilities in the establishment, operation, monitoring and review of partnership development, so far as economic development, regeneration, social enterprise and community development are concerned.

To deal with issues related to the function of the Council as the Accountable Body or leading agency, for the management, administration or reporting arrangements of organisations promoting or delivering economic development or regeneration projects.

To consider and keep under review, the state of employment and unemployment, social and economic indices and industrial, commercial and service industry development, in the Borough, including matters relating to the assessment of future requirements for industrial, commercial and development land and property, and advising on the allocation, assembly, transferability and disposal of land for those purposes.

To consider arrangements for the promotion of the Borough for all purposes associated with inward investment, retention of the economic base of the district, the expansion of all commercial enterprise and the development of opportunity for new ventures, and to liaise with all other bodies with similar or supportive purposes, in relation to the Borough or part of the Borough or a wider area, e.g. the Blackpool, Fylde and Wyre Economic Development Committee.

To act as co-ordinator in any measures designed to increase the prosperity of the Borough by developing and maintaining relationships with public and private bodies concerned with any activities which seek to create or maintain employment.

To encourage both public and private investment within the Borough which may lead to increased employment opportunities.

To consider arrangements for direct Council investment in the provision of facilities which will protect or promote employment opportunities.

To consider arrangements for the formulation of any scheme for direct financial assistance to industry or commerce and to consider any requests for assistance.

To consider arrangements for and participate in any special initiatives with the purpose of job creation, work experience or training with a view to enhancing employment opportunities.

To consider arrangements for the formulation of any existing scheme for any direct financial assistance to commerce, industry or enterprise, including the establishment, development and review of the Local Authority Business Growth Incentive Scheme, its criteria, guidance and application, within the Borough.

To seek recognition by government, the EU or any other relevant agency or body of the special needs of any part of the Borough or the local economy.

To consider arrangements for the operation of an advisory service to business and commerce either through agencies or directly to those who might benefit.

To consider arrangements for the promotion of the Borough for rural development, agricultural and farming diversity, development opportunities and the retention of employment capacity, commensurate with the sustainability of a rural economy.

To consider matters relating to the operation of public markets.

To exercise any powers in relation to the operation of the Fleetwood/Knott End Ferry Service.

To make representations to public transport operators, the County Council and other bodies on any matters relating to the provision of public transport services.

To consider any operational matters relating to the provision of bus stations.

To consider any matters relating to the Council's responsibilities for highways and highway-related infrastructure including bus shelters.

To determine charges or fees for any relevant services operated within the portfolio.

To consider matters relating to member development and support.

Terms of Reference and Delegated Powers of the [Leisure, Health and Community Engagement Cabinet Member](#)

[To consider options and proposals to improve, preserve and maintain those neighbourhoods and places which local people consider valuable for recreation and daily living.](#)

[To consider the management, conservation, protection and provision of access to Wyre's countryside through the implementation of a Countryside Management Programme.](#)

To consider matters relating to sport and recreation, including sports facilities (apart from playing fields), swimming centres, riverside and marine facilities for leisure pursuits and other leisure and cultural services.

To formulate and make recommendations on strategies and programmes to encourage the development of sport, leisure and cultural pursuits, including arts development and promotion.

To consider arrangements for the provision and management of cemeteries and burial grounds.

To consider arrangements for the promotion of the Borough for tourism purposes and to liaise with all other bodies with a similar purpose either in relation to the Borough, part of the Borough or a wider area.

To develop and sustain the Council's strategy for encouraging the growth and diversity of tourism within the Borough.

To monitor and encourage the development of Tourism through market research and advice and to assist the Wyre Tourism Association.

To deal with the promotion of the Borough or any part of it for countryside, leisure and cultural services purposes and to encourage private sector initiatives and joint funded activities.

To consider arrangements for the provision and development of Tourist Information Centres, promotions and other visitor services.

~~To consider any matters relating to the arrangements for the Council's community centres.~~

To consider matters relating to theatres and their associated events programmes.

To determine charges or fees for any relevant services operated within the portfolio.

To oversee the delivery of customer-focussed services in an efficient and effective manner through continual improvement, regular challenge and by listening to local people.

~~To consider proposals relating to the Council's strategic approach to delivering excellent customer services.~~

To consider issues relating to environmental health functions in accordance with the Council's policy in relation to the Council's powers and duties under the provisions of the Public Health Acts and other statutory provisions as relate to public health and hygiene, food, animal welfare, public safety, home safety and

shops except functions listed in Schedule 1 of the Local Authorities (Functions and Responsibilities) England Regulations 2000.

To consider matters relating to private sewers, drains and cesspools.

To secure arrangements for proper standards of food hygiene.

To exercise the powers and duties of the Council in respect of the welfare and working conditions of workpeople, except those under Part 1 of the Health and Safety at Work, etc. Act 1974.

To exercise the powers and duties of the Council as Port Health Authority.

To exercise powers and duties in relation to safety at fairgrounds and circuses.

To exercise the powers and duties for the Council with respect to the control of pollution and noise.

To exercise the Council's powers and duties under the Public Health (Control of Disease) Act 1984 in relation to environmental services.

To determine charges or fees for any relevant services operated within the Portfolio.

## Functions of Lead Members (Supporting the Cabinet)

### **Functions:**

In relation to a Portfolio of functions and/or matters assigned to them by the Executive Leader, Lead Members where they are appointed, are assigned special responsibilities as set out below. In exercising these responsibilities, they do not have executive decision-making powers.

1. maintaining knowledge and awareness of those functions or matters and of current activities and developments in relation to them;
2. liaising with the corresponding Executive members and the responsible Officer;
3. communicating and representing to the Executive the views of non-Executive Councillors on all matters relating to their role;
4. assisting the Executive **M**member in promoting the efficient and effective delivery of the relevant services and the achievement of all relevant Council policy objectives in compliance with the approved budgets and providing all such other assistance, advice and support as the Executive Member may from time to time require;
5. responding to and assisting the Overview and Scrutiny Committee or an overview and scrutiny task group as required;
6. If requested by the Executive **M**member, leading for the Council politically and publicly in external dealings and relationships, including with the media.

Lead Members are currently appointed for the following functions:

Older People's Issues  
Young People's Issues