

Leicester
City Council

WARDS AFFECTED
All

CABINET
COUNCIL

4th August 2003
23rd September 2003

**REVIEW OF ARRANGEMENTS FOR THE DISCHARGE OF
EXECUTIVE FUNCTIONS**

REPORT OF THE TOWN CLERK

1. PURPOSE OF REPORT

For the Cabinet to review its Scheme of Delegation to ensure it suits executive requirements.

2. RECOMMENDATIONS

Cabinet is asked to determine:

- i. Whether or not to retain its current delegation to individual Cabinet Members.
- ii. Whether or not to change its current Cabinet portfolio structure to reflect the relationship between Cabinet Link Members and Departments. If so, to delegate to the Town Clerk the making of necessary technical changes.
- iii. Whether or not to change or add to the current Scheme of Delegation to Officers.
- iv. Whether or not to establish Cabinet Committees.

3. HEADLINE FINANCIAL AND LEGAL IMPLICATIONS

There are no financial implications. (Chief Finance Officer)

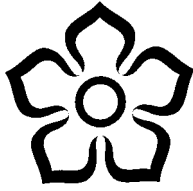
Legal implications are covered in the report. (Head of Legal Services)

4. REPORT AUTHOR

Peter Nicholls, Head of Legal Services, x6311

DECISION STATUS

Key Decision	No
Reason	N/A
Appeared in Forward Plan	No
Executive or Council Decision	Council



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**REVIEW OF ARRANGEMENTS FOR THE DISCHARGE OF
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SUPPORTING INFORMATION

1. REPORT

Legal position

The Cabinet can decide on its own Scheme of Delegation, and the law now enables Cabinet to perform its executive functions as a collective body, to establish committees, delegate to officers or even individual Cabinet Members.

Note that only Cabinet Members can vote on Cabinet Committees.

What the Constitution says

Cabinet Procedure Rule 1 states that the Cabinet can decide how its functions are to be exercised and may provide for their discharge by:

- i. The Cabinet as a whole.
- ii. A Committee of the Cabinet.
- iii. An individual Member of the Cabinet.
- iv. An officer.
- v. An Area Committee.
- vi. Joint arrangements.
- vii. Another Authority.

Where a Cabinet function has been delegated, that does not prevent the Cabinet from performing the function itself, and the Cabinet may amend the Scheme of Delegation any time of the year. However, following a change the Town Clerk is required to present a report to the next ordinary meeting of the Council setting out any such changes.

Cabinet Procedure Rule 2 states that the Leader is responsible for maintaining a written record of any delegations made from time to time by the Cabinet, although in practice this task is performed by the Town Clerk.

Current Scheme of Delegation

This is shown attached as **Appendix A**. Cabinet has decided to dispense with Cabinet Lead Members, but the current text of the Constitution is still set out in portfolio format. The Cabinet may wish instead to reflect the relationship between the Cabinet Link Members and Departments. Such technical changes could be delegated to the Town Clerk.

Decisions by individual Cabinet Members

In May 2003 Cabinet decided to exercise its right under the Constitution to arrange for delegation of functions to individual Cabinet Members. Each Cabinet Lead was delegated authority to make decisions within their portfolio which would otherwise have been made by the Cabinet, subject to conditions, for example, each decision would have to be subject to the Leader indicating written support for the decision. This delegation was subsequently reviewed and given support by Full Council, although to date this delegation has not been exercised and no decisions have been made by individual Cabinet Members.

Options

Within the above constraints Cabinet has wide discretion to determine whether or not to:

- i. Retain the current delegations to individual Cabinet Members.
- ii. Vary its current portfolio arrangements.
- iii. Change its Scheme of Delegation to Officers.
- iv. Establish committees, or rely on less formal arrangements such as task and finish groups.

2. FINANCIAL, LEGAL AND OTHER IMPLICATIONS

i. Financial Implications

There are no financial implications. (Chief Finance Officer)

ii. Legal Implications

Covered in the report. (Head of Legal Services)

iii. Other Implications

OTHER IMPLICATIONS	YES/NO	Paragraph references within supporting information
Equal Opportunities	No	
Policy	No	
Sustainable and Environmental	No	

Crime and Disorder	No	
Human Rights Act	No	
Elderly/People on Low Income	No	

3. BACKGROUND PAPERS – LOCAL GOVERNMENT ACT 1972

Relevant legislation and the Council's current Constitution.

4. CONSULTATIONS

Chief Finance Officer
All Corporate Directors

5. REPORT AUTHOR

Peter Nicholls, Head of Legal Services, x6311

CABINET FUNCTIONS

INTRODUCTION

Functions and responsibilities allocated to the Cabinet are detailed below for each of its current nine portfolios:

- Arts, Leisure and Environment Portfolio
- Best Value
- Education and Lifelong Learning Portfolio
- Finance and Resources Portfolio
- Highways and Transportation Portfolio
- Housing and Neighbourhood Renewal Portfolio
- Human Resources and Equal Opportunities Portfolio
- Social Services and Personal Health Portfolio
- Strategic Planning and Regeneration Portfolio.

The Cabinet may exercise these functions itself collectively, or arrange for delegation to Committee(s) or Officers. The Cabinet may also decide, in accordance with this Constitution, to arrange for the exercise of any of its functions by an individual Cabinet Member.

For each of the Cabinet's portfolios, certain matters within the scope of the portfolio's terms of reference are reserved for consideration and decision by the Cabinet itself, whereas all other matters are delegated to the Chief Executive or a relevant Corporate Director as indicated. Any Committees established by the Cabinet will have clear Terms of Reference and be incorporated into this Scheme, as will delegations to individual Cabinet Members. Subject to legal constraints, the Cabinet may review and vary its Scheme of Delegation from time to time.

Even if the Chief Executive or Corporate Directors have delegated authority, they should consider if it is appropriate to consult the relevant Cabinet Lead; that is where the circumstances are particularly sensitive or if the decision in question involves significant changes to policy or strategy. Following consultation it may be considered appropriate to report to Cabinet.

GENERAL RESPONSIBILITIES

1. To recommend to the Council, its Policy Framework and Budget and any amendments thereto.
2. To make all executive decisions within and in furtherance of the Policy Framework and Budget and variations authorised by the Council.

3. To contribute to the development of and subsequent implementation and monitoring of the Community Plan.
4. To recommend to Council the making of bye laws
5. The granting of any approval under Section 85 of the Local Government Act 1972 which enables the authority to approve a member's absence from a meeting of the Authority for a period in excess of 6 consecutive months for some appropriate reasons. This responsibility is delegated to the Town Clerk to perform in consultation with the Council.

CABINET PORTFOLIO: ARTS, LEISURE AND THE ENVIRONMENT

Terms of Reference

1. To promote participation and equality of access to arts and leisure opportunities for all ages and cultures with particular regard to groups and individuals experiencing social and/or economic exclusion.
2. To provide arts and leisure input to the regeneration of the City through initiatives in relation to health, community involvement and community information.
3. To promote health and well being through the provision, management and development of facilities for physical recreation, training and play including leisure centres, sports halls, swimming pools, parks and playing fields, and cultural and community facilities.
4. To attract visitors and inward investment to the City through events and activities of local, regional and national significance.
5. To promote of artistic and cultural activities through the management operation and development of Museums, archives, arts, entertainment and cultural and heritage services.
6. To promote the development of local communities through the provision of community facilities, activities and opportunities.
7. To encourage and support the development of community groups and organisations through the provision of advice, encouragement and resources and to establish criteria for the allocation of grants to voluntary organisation providing arts and leisure activities.
8. To develop and strengthen partnerships with the voluntary and commercial sectors and with other Agencies to maximise the range of arts and leisure opportunities and activities provided to vulnerable groups in the community and more generally to residents and visitors to the City.
9. To promote and enhance environmental quality, physical regeneration and quality of life by contributing to initiatives arising from Environmental policies, Local Agenda 21, City Centre Action Plan and EMAS (Eco Management and Audit Scheme).
10. To protect the heritage of the natural environment for future generations by the conservation of open spaces, sustaining wildlife and natural habitats.
11. To promote and value cultural diversity and raise the profile of communities and the City through a year round programme of events, activities and festivals.

12. To allocate grants recommended by Grants Panel towards voluntary organisations dealing with arts and leisure activities.
13. To be responsible for the registration of commons and village greens and rights over them.
14. To manage cemeteries and crematoria and the maintenance of disused burial grounds.
15. To publish works of scholarship and works about the development and history of the City.
16. To encourage a greater understanding and awareness of arts, public art, heritage, culture and sciences through the promotion of events, exhibitions, activities and concerts.
17. To oversee the acquisition, management and maintenance of ancient monuments, public monuments and statutory and the placing of commemorative plaques on buildings.
18. To determine matters relating to allotments, allotment gardens and cottage holdings.
19. To promote policies and take action which will promote public health and maximise quality of life for all.
20. To secure the health and comfort of the persons living or working in or visiting the City by requiring the observance of proper standards by persons owning or occupying property in or using the streets or other public places in the City.
21. To develop and monitor policies relating to environmental and "green" issues affecting the City.
22. To encourage the formation of partnership with environmental groups and agencies including Environ.
23. To supervise and co-ordinate the promotion of environmental issues including networking at national and international level.
24. To provide a service for the removal of refuse and waste and for street cleaning.
25. To secure the optimum levels of waste recycling within the city and further develop policies to maximize the levels of recycling.

26. To develop and monitor policies to ensure that energy consumption is both minimised and accords to environmental best practice.
27. To develop and implement policies to tackle problems of Air and Pollution of Air Quality within the city, including the declaration of Air Quality Management Areas.
28. To develop, implement and monitor policies to address the issues related to unauthorised Gypsy and Traveller encampments.
29. To oversee the provision of suitable and adequate sites for travellers and gypsies.
30. To require that work to be carried out for ensuring that sanitary accommodation, water supply and cleanliness of existing buildings is satisfactory.
31. To ensure the availability of facilities for the convenience of persons using the roads of the City such as public conveniences, clocks, seats and litter bins.
32. To undertake the disinfestation of persons and property and to keep the City free from rats and mice.
33. To provide a Health Promotion Service including Home Safety.
34. To provide a consumer advice service.
35. To provide a building control service.
36. To review and monitor the opportunities in promoting health gain to the citizens of Leicester.
37. To oversee the investigation and remediation of contaminated land.
38. To supervise all actions relating to promoting responsible dog ownership and to oversee the provision of a dog warden service.
39. To provide a Consumer Protection Service.
40. To monitor the safety of the public water supply and bathing water.
41. To enforce all legislation, relevant to the portfolio's terms of reference.
42. To exercise the Council's power to take legal proceedings in the public interest in relation to matters within the portfolio, including
Health and Safety at Work.
Movable dwellings (including tents, vans and sheds).

Canal boats.
Notifiable and other infectious diseases.
Public water supply and bathing water (except in Council premises).
Food hygiene and safety.
Slaughterhouses and knackers' yards.
Animal feeding stuffs.
Statutory nuisances.
Prevention of danger from the condition of land, buildings and trees.
Compliance with Building Regulations.
Noise and vibration.
Purity of water supply.
House numbering.
Exposure of goods for sale in streets.
Weights and Measures
Consumer Protection
Fair Trading
Animal Welfare
Petroleum Licensing
Safety of Sports Grounds

43. To designate noise abatement zones.
44. To determine policy for the licensing of entertainment, hackney carriages and private hire vehicles, and other matters where significant issues are raised relating to strategies or initiatives within the administration of the service.
45. To secure optimum enhancement of the City's environment by means of services delivered directly by the City Council and liaison/joint working with outside agencies to protect the good features of the environment as it exists and to foster its improvement.
46. To exercise any function to secure an environmental improvement, notwithstanding that the function is specifically allocated to another portfolio, subject in such a case to the other portfolio Member being consulted and having no objection.
47. To make loans and grants for improving the environment and/or amenities.
48. To organise and provide festive decorations.
49. To undertake all functions to improve and protect the land drainage systems of the City.
50. To implement measures to conserve and improve water courses and take measures to control flooding from them.
51. To require that work to be carried out for ensuring that the drainage of existing buildings is satisfactory.

52. To keep under review and be responsible for the implementation of all new legislation relating to the discharge of its functions.
53. To approve all key implementation and bidding documents relating to the portfolio's functions.
54. To enforce all legislation relevant to the portfolio's terms of reference which the Council is required or empowered to enforce.
55. To make, vary or revoke any order, regulation, plan or scheme relating to the portfolio's functions.

MATTERS RESERVED WITHIN THIS PORTFOLIO TO THE CABINET:-

1. All relevant matters reserved for Member level decision as detailed in Rules of Procedure.
2. Policy developments of strategic significance relating to the portfolio's Terms of Reference.
3. Allocating grants.
4. Such other matters as the Cabinet may from time to time reserve to itself for decision.

All matters within the Terms of Reference of the Arts , Leisure and Environment portfolio which are not reserved to the Cabinet as stated above are delegated, in accordance with responsibilities allocated to their respective departments, to the Corporate Director of Cultural Services and Neighbourhood Renewal or the Corporate Director of Environment, Regeneration and Development .

CABINET PORTFOLIO: BEST VALUE

Terms of Reference

1. To formulate and monitor policies to ensure the development and implementation of Best Value in the Council in accordance with statutory and associated requirements.
2. To oversee the development and implementation of the Council's performance management framework.
3. To co-ordinate the production and implementation of the Council's performance plan.
4. To oversee the production and implementation of the five year Best Value programme.
5. To be responsible for the Council's Best Value Review process.
6. To secure the implementation of the Best Value Improvement Plans.
7. To oversee preparations for and responses to the Audit and inspection processes.
8. To develop and implement the Council's challenge, consultation, comparator and procurement strategies.
9. To ensure and monitor the incorporation within the Best Value process of the Council's key corporate policies, in particular equalities and environment sustainability.

MATTERS WITHIN THE PORTFOLIO RESERVED TO THE CABINET:-

1. All relevant matters reserved for Member level decision as detailed in Rules of Procedure.
2. Policy developments of strategic significance relating to the portfolio's Terms of Reference.
3. Such other matters as the Cabinet may from time to time reserve to itself for decision.

All matters within the Terms of Reference of this Portfolio which are not reserved to the Cabinet, are delegated to the Chief Executive.

CABINET PORTFOLIO: EDUCATION AND LIFELONG LEARNING

Terms of Reference

1. To be responsible for the discharge of all the executive Education functions for which the Council is responsible under the Education Acts 1994 to 1998 and other associated and ancillary legislation.
2. To be responsible for the discharge of all executive functions under legislation relating to libraries.
3. To determine matters of Education and Libraries and Information Strategy and to develop major initiatives within education and library services.
4. To develop and promote services and facilities to ensure the opportunity for Lifelong Learning for all citizens of the city.
5. To promote lifelong learning, community development and social inclusion by way of capacity building and other appropriate means.
6. To review and be responsible for the implementation of all new legislation relating to the discharge of this portfolio.
7. To make appointments to school and college governing bodies.
8. The promotion of libraries and associated information services, through their management, operation and development.

MATTERS WITHIN THE PORTFOLIO RESERVED TO THE CABINET:-

1. All relevant matters reserved for Member level decision as detailed in Rules of Procedure.
2. Policy developments of strategic significance relating to the portfolio's Terms of Reference.
3. Determining the policy and financial framework for delegated management by schools.
4. To consider proposals for establishing, enlarging, closing or changing the character of schools and libraries and information services.
5. Such other matters as the Cabinet may from time to time reserve to itself for decision.

All matters within the Terms of Reference of the Education and Life Long Learning portfolio which are not reserved to the Cabinet as stated above are delegated to the Director of Education or the Director of Arts and Leisure, within their allocated responsibilities.

CABINET PORTFOLIO: FINANCE AND RESOURCES

Terms of Reference

1. To keep under review and be responsible for the implementation of all new legislation, circulars and directives relating to the discharge of the portfolio's functions.
2. Oversight of Corporate Governance arrangements.
3. To be responsible for any matter requiring consideration in the interests of the citizens of Leicester which is not the responsibility of any other portfolio.
4. By drawing up regulations and securing their observance to ensure that resources are maintained and safeguarded.
5. To co-ordinate the consideration of large schemes of development including those which concern more than one portfolio and to advise Cabinet about the way in which they should exercise their responsibilities for such schemes.
6. To provide premises and major equipment for the transaction of Council business (not including operational premises and equipment).
7. To make Orders temporarily prohibiting the holding of processions when requested by the Police.
8. To make grants and contributions to other bodies (except where one portfolio area only is affected and the matter falls to be dealt with within that portfolio).
- 9 To determine the City Council's marketing policy.
- 10 To co-ordinate research commissioned by the Council.
- 11 To make, vary or revoke any order, regulation, plan or scheme not otherwise allocated to a Cabinet portfolio.
- 12 To co-ordinate and determine issues with regard to the development of information and communications technologies across the Council.
- 13 To provide information and communications technologies services.
- 14 To ensure that the Council has effective arrangements for the management of its financial affairs.
- 15 To manage the Council's corporate finances, and hold to account those responsible for the use of resources allocated to them.

16. To collect, recover and monitor the recovery of Local Tax.
17. To oversee the collection of all other income.
18. To determine applications for relief from Local Tax.
19. To make any determinations required by legislation relating to the Council's capital expenditure and financing.
20. To keep under review, consider and recommend to full Council Finance Procedure Rules.
21. To make representations to central government about matters affecting the Council's corporate finances.
22. To approve the Annual Statement of Accounts and to oversee any amendments required by Audit.
23. To oversee the Council's treasury, banking and risk management policies.
24. To consider and discuss with the District Audit Service the annual audit letter.
25. To examine and review the Council's performance as disclosed by the Audit Commission's Performance Indicators.
26. To provide central support and legal services.
27. To discharge all functions relating to a Births, Marriages and Death registration service.
28. To determine all matters relating to central purchasing arrangements.
29. To make nominations to any organisations on which the Cabinet has a right to make appointments (except the appointment of governors of schools and colleges).
30. To determine all matters relating to the official duties of the Lord Mayor, the Lord Mayor's Appeal, civic hospitality and the use of the Council Chamber and Town Hall parking facilities.
31. To provide accommodation and services for members of the Council.
32. To oversee all electoral matters in the City and the compilation of the register of electors.
33. To oversee the Council's press and public relations function, and to formulate policies for external and internal communication.

34. To consider all matters relating to the Council's corporate identity.
35. To co-ordinate the publication of information about the discharge of the Council's functions and other matters as required by legislation or other provision.
36. To oversee the Council's emergency planning function.
37. To ensure effective business continuity plans for the Council.
38. To consider the admission of honorary freemen and aldermen.
39. To monitor all matters relating to Leicester Promotions Ltd.
40. To oversee the Council's customer service and complaint function and to formulate policies for customer care.
41. To undertake the responsibilities of the Council and all related issues in respect of the Leicestershire Constabulary, the Leicester, Leicestershire and Rutland Combined Fire Authority, the Leicestershire Probation Service, the Leicestershire Magistrates Courts Committee, the Rent Office Service, and the Coroners' Service.
42. To safeguard and promote the corporate and financial interests of the City of Leicester in relation to the management of and transactions affecting land in public ownership.
43. To oversee the acquisitions, disposals and appropriations of property.
44. To monitor the Council's land transactions with particular regard to market trends and their financial and other effects upon the City Council.
45. To oversee the management, staffing and control of any buildings used for the business of the Council.
46. To oversee the acquisition and disposal of land by Compulsory Purchase Order or designated for that purpose.
47. To manage, improve and develop the non-operational estate of the City as an investment, including the acquisition and disposal of properties and the carrying out of works.
48. To oversee the acquisition, development and disposal of land for the purpose of securing planning objectives (except where this is being done as part of the Housing portfolio's responsibilities).
49. To make loans to developers of land.

50. To oversee the acquisition, conversion, development and disposal of sites and buildings for occupation for industrial and commercial purposes, including the management of buildings so occupied by small firms.
51. To agree terms for and authorise the acquisition and disposal of interests in land and property.
52. To determine all policy matters concerning the services which are operating within the remit of this portfolio.
53. To maximise income and returns from investment in all of the Authority's commercial activities.
54. To control and manage the operation of the trading units and other services, including City Markets, within the remit of this portfolio.
 - (i) to define the operational objectives for those trading units and other services.
 - (ii) to monitor their objectives and their implementation by means of pre-determined measures and targets of performance;
 - (iii) to define and subsequently review policy aims and objectives and business plans for those trading units and services;
 - (iv) to determine broad operational practices;
 - (v) to monitor financial performance and trading accounts to ensure effective financial control, competitiveness and value for money;
 - (vi) to accept tenders/quotations from contractors/sub-contractors providing goods and/or services to the Department's trading units; and
 - (vii) to submit tenders/quotations for work both inside and outside the Council for work by those trading units.

MATTERS WITHIN THE PORTFOLIO RESERVED TO THE CABINET:-

1. All relevant matters reserved for Member level decision as detailed in Rules of Procedure.
2. Policy developments of strategic significance relating to the portfolio's Terms of Reference.
3. Recommending the promotion or opposition of a personal or local Bill in Parliament.
4. Review, consideration and recommendation to full Council relating to Finance Procedure Rules.

5. Declaration of any Compulsory Purchase Order.
6. Freehold acquisitions, disposals and appropriations of property (excluding Right to Buy and Leasehold Reform Act sales) but, in all cases, only where the market value exceeds £500,000. If the property in question is to be disposed or acquired by the means of an auction, then the market value should be estimated in advance by the responsible Corporate Director for the purpose of this reservation. * **see note below**
7. Entering into or granting of leases for any term where the annual rent exceeds £100,000 and the premium exceeds £500,000. * **see note below**
8. Disposals of land and property at less than best consideration.
9. Such other matters as the Cabinet may from time to time reserve to itself for decision.

All matters within the Terms of Reference of the portfolio which are not reserved to the Cabinet as stated above are delegated to the Corporate Director of Resources, Access and Diversity, except for:

- (a) powers which are the responsibility of another statutory officer, including the Chief Finance Officer;
- (b) matters relating to the allocated functions of the Chief Executive's Office which are delegated to the Chief Executive.

*** the Head of Property will ensure that the relevant Cabinet lead, Scrutiny Chair and spokespersons and Ward Members are informed in advance of all freehold and long lease property disposals**

CABINET PORTFOLIO: HIGHWAYS AND TRANSPORTATION

Terms of Reference

1. To develop approve and monitor all key policy documents relating to this portfolio, such as the Leicester and Central Leicestershire Transport Policy and the Local Transport Plan.
2. To approve all key implementation and bidding documents relating to the portfolio's functions.
3. To enforce all legislation relevant to the portfolio's terms of reference which the Council is required or empowered to enforce.
4. To exercise the Council's power to take legal proceedings in the public interest in respect of matters within the portfolio's terms of reference.
5. To provide and maintain trees, grass verges and other ornamental areas in streets.
6. To undertake all functions to improve and protect the roads, street lighting, and bridges of the City.
7. To maintain footpaths, bridle ways and urban roads within the meaning of the Local Government Act 1972.
8. To provide and maintain footway, footpath and cycleway lighting and floodlighting within the City.
9. To name streets.
10. To control the provision of new streets by developers and the advance payments code and to recommend adoption under Section 38 of the Highways Act 1980 and section 104 of the Water Resources Act 1990.
11. To be responsible for the private street works code.
12. To enforce legislation intended to protect the physical fabric of the street.
13. To co-ordinate the Cabinet's activities in relation to traffic, reconciling at local level so far as lies in the power of the City Council the potentially conflicting requirements of the public for reliable public transport, for vehicular traffic circulation, for parking facilities, for high environmental visual standards and for provision for cyclists and pedestrians.
14. To regulate the relationship between road space and road users and between the various kinds of road users.

15. To advise passenger transport operators on the public passenger transport facilities needed to enable persons who live work in or visit the City at reasonable cost and convenience.
16. To make provisions for and regulate public on and off street parking places including bus stations.
17. To provide and maintain shopmobility in Leicester.
18. To approve the grant of travel concessions to persons using public transport.
19. To determine grants for transport facilities and services.
20. To provide and maintain bus shelters and hard standings for the use of public service vehicles.
21. To provide information on traffic and transport service facilities.
22. To consider and make representations on proposals for traffic and transport facilities including observations on planning applications as highway authority and securing appropriate investment in transport facilities and infrastructure by developers in relation to development proposals.
23. To deal with all matters under the Transport Act 2000, other than reserved to full Council.
24. To be responsible for the construction of new roads and modifications of transport infrastructure e.g. roads, footways, cycleways and railways.
25. To make and rescind regulations for the use of roads by traffic and pedestrians and to issue licenses for the use of the highway.
26. To promote and implement road safety and road safety education measures.

MATTERS RESERVED WITHIN THIS PORTFOLIO TO THE CABINET:-

1. All relevant matters reserved for Member level decision as detailed in Rules of Procedure.
2. Policy developments of strategic significance relating to the portfolio's Terms of Reference.
3. Approving key policy and bidding documents within the portfolio's terms of reference.
4. Such other matters as the Cabinet may from time to time reserved to itself for decision.

All matters within the Terms of Reference of the portfolio which are not reserved the Cabinet as stated above are delegated to the Corporate Director of Environment, Regeneration and Development.

CABINET PORTFOLIO: HOUSING AND NEIGHBOURHOOD RENEWAL

Terms of Reference

1. To secure the availability for all persons, living or wishing to live in the City, within their means, of living accommodation of an adequate standard.
2. To oversee the management of all houses controlled by the Council which are not in use for a statutory purpose.
3. To oversee tenant participation and consultation with tenants and residents within the landlord function of the authority.
4. To monitor the condition of existing housing accommodation in the City and determine appropriate action to be taken.
5. To order the demolition or closing up of individual houses unfit for human habitation.
6. To issue licenses etc., maintain registers and enforcement legislation regarding:-
 - (a) overcrowded houses and houses in multiple occupation;
 - (b) hostels;
 - (c) the control of rents and the eviction of tenants from housing accommodation.
7. To undertake the Council's responsibilities in respect of the improvement of houses and the repair of houses.
8. To exercise the Council's duty to consider the needs of the district for the provision of further housing accommodation.
9. To oversee the provision of housing accommodation for which the Council is required to keep a Housing Revenue Account, and in connection therewith, to make arrangements for the construction of roads, sewers, grass verges and open spaces, the lighting of such roads and the provision of shops and garages.
10. To oversee the control, management and letting of such housing accommodation, shops and garages.
11. To provide financial assistance to voluntary organisations and the public for the purpose of facilitating the construction, conversion, improvement and acquisition of housing accommodation within the limits of policies approved by and resources made available by the Council.

12. To administer Housing and Council Tax benefit.
13. To undertake the declaration of renewal areas and the carrying out of work in those areas.
14. To fulfil the obligations of the Council towards homeless persons.
15. To oversee and arrange for the sale and acquisition of residential property within the limits of policies approved by the Council.
16. To undertake joint assessment with the Social Services Department and other agencies, of housing need in relation to social and care needs in line with legislation, for example, Community Care Act and Children Act.
17. To assess and work to improve the energy efficiency of all housing stock.
18. To oversee the provision of Leicestercare Emergency Alarm Service.
19. To work in partnership with housing associations, the Housing Corporation and the private sector to achieve the Council's aims and objectives.
20. To recommend the annual rent rise for Council tenants.
21. To monitor and make recommendations on the annual Housing Investment Programme and Housing Capital Programme.
22. To control and manage the operation of the Council's Trading Organisations and other services within the portfolio, particularly:-
 - (i) to define the operational objectives for those Trading Organisations and other services;
 - (ii) to monitor their objectives and their implementation by means of pre-determined measures and targets of performance;
 - (iii) to define and subsequently review policy aims and objectives and business plans for those Trading Organisations and services;
 - (iv) to determine broad operational practices;
 - (v) to monitor financial performance and trading accounts to ensure effective financial control, competitiveness and value for money;
 - (vi) to accept tenders/quotations from contractors/sub-contractors providing goods and/or services to those Trading Organisations; and
 - (vii) to submit tenders/quotations for work both inside and outside the Council for which the Department is responsible.

23. To manage and oversee the implementation of the Council's Crime and Disorder Strategy and the Council's response to issues of domestic violence.
24. To manage and oversee implementation of policy relating to neighbourhood renewal.
25. To be responsible for all aspects of the City Council's input into New Deal for Communities and associated community developments.
26. To oversee the monitor the implementation of the Council's Fair Debt Policy.
27. To make, vary or revoke any Order, regulation, plan or scheme relating to the portfolio's functions.

MATTERS WITHIN THE PORTFOLIO RESERVED TO THE CABINET:-

1. All relevant matters reserved for Member level decision as detailed in Rules of Procedure.
2. Policy developments of strategic significance relating to the portfolio's Terms of Reference.
3. Approving key schemes, programmes, strategies and bidding documents.
4. To recommend to Council in respect of establishing renewal areas.
5. Recommending rent levels to Council.
6. Recommending to Council the making of bye-laws.
7. Such other matters as the Cabinet may from time to time reserve to itself for decision.

All matters within the Terms of Reference of the Housing portfolio which are not reserved to the Cabinet as stated above are delegated to the Corporate Director of Housing.

CABINET PORTFOLIO: HUMAN RESOURCES AND EQUAL OPPORTUNITIES

Terms of Reference

1. To formulate and monitor the implementation of a strategic corporate and co-ordinated strategy for the development and management of Human Resources, including employment equalities.
2. To establish, review and monitor corporate policies and arrangements for securing the promotion of equality of opportunity for all disadvantaged groups in the provision of service delivery.
3. To develop and monitor corporate policies and arrangements for securing equality of opportunity in relation to employment and for tackling issues of racial and sexual discrimination, disabilities and harassment.
4. To ensure the effectiveness and efficient provision of corporately resourced human resource and employment equalities provision, including the Management Development, Occupational Health and Health and Safety functions.
5. To establish and maintain local consultation arrangements between the City Council and employees' representative bodies.
6. The establishment and review of the Council's overall officer structure.

MATTERS WITHIN THE PORTFOLIO RESERVED TO THE CABINET:-

1. To establish policies for the remuneration and other conditions of employment of the employees of the Council.
2. All relevant matters reserved for Member level decision as detailed in Rules of Procedure.
3. Amendments and additions to equal opportunities policies.
4. Policy developments of strategic significance relating to the portfolio's Terms of Reference.
5. Such other matters as the Cabinet may from time to time reserve to itself for decision.

All matters within the Terms of Reference of the portfolio which are not reserved to the Cabinet as stated above, are delegated to the Corporate Director of Resources, Access and Diversity.

CABINET PORTFOLIO: SOCIAL SERVICES AND PERSONAL HEALTH

Terms of Reference

1. To oversee the social services function of the Council, including all matters specifically referred to in the Local Authorities (Social Services) Act 1970, personal social services and community care, together with responsibilities under associated and ancillary legislation.
2. To have responsibility for all the services and functions delegated to statutory Panels within the remit of this portfolio.
3. To determine matters of strategy and operational procedures and practices and to major initiatives and reviews within social services.
4. To exercise an overview and co-ordinate the work of social services, to establish general service guidelines and relevant eligibility criteria.
5. To keep under review and be responsible for the implementation of all new legislation relating to the discharge of its functions.
6. To be responsible for the discharge, at operational level, of all Social Services functions for which the Council is responsible under statute and associated ancillary legislation.
7. To approve appointments of Lay Persons, independent investigators and other statutory appointees of the Director.
8. To make and review loans and grants to voluntary and other organisations in pursuit of the body's service objectives.
9. To have responsibility for arrangements, including joint arrangements, with health authorities entered into under health legislation.
10. To consider and, if appropriate, approve adaptations to housing.
11. To be responsible for exercising discretion to waive charges and disregard debts under relevant legislation.

MATTERS WITHIN THE PORTFOLIO RESERVED TO THE CABINET:-

1. All relevant matters reserved for Member level decision as detailed in Rules of Procedure.
2. Policy developments of strategic significance relating to the portfolio's Terms of Reference.

3. Approving key schemes and programmes and the rationalisation or closure of residential and day care facilities.
4. Matters reserved to Members under statutory provisions.
5. Such other matters as the Cabinet may from time to time reserve to itself for decision.

All matters within the Terms of Reference of the Social Services portfolio which are not reserved to full Council, or to the Cabinet as stated above are delegated to the Corporate Director of Social Care and Health.

CABINET PORTFOLIO: STRATEGIC PLANNING AND REGENERATION

Terms of Reference

1. To develop and review policies for strategic planning and regeneration within the City.
2. To provide information and commentary on emerging legislation and guidance at the national and international level on planning and planning related matters.
3. To approve all key policy documents relating to the work of this portfolio such as Regional Planning Guidance and Structure Plan / Local Plan, except for those reserved to Council. .
4. To carry out the function of the Council as local and strategic planning authority, including the preparation of Development plans.
5. To promote and secure a pattern of development within the city, county and region which is sustainable in terms of use of local and global resources.
6. To oversee the production of land use data to meet the requirements of Government.
7. To take the lead in the development and formulation of Supplementary Planning Guidance, eg Development Briefs and Design Guides the City Centre Action Programme and review subsequent progress.
8. To consider major development proposals in and around the city in terms of the city's wider objectives and the impact they may have on the city.
9. To take the lead on all matters concerning conservation areas and buildings of archeological and historic interest or buildings of local significance and sites of archeological interest other than development control issues.
10. To co-ordinate and supervise the submission of bids for funds from Government, National Lottery and other sources for regeneration purposes.
11. To secure the strategic planning and regeneration of the City by direct action on behalf of the Council and by liaison/partnership working with outside agencies, including Leicestershire Regeneration Agency, East Midlands Development Agency and other Regeneration companies and also including central government.
12. To prepare short/long term strategies for developing the economy of Leicester and relieving unemployment through support for training and other initiatives.

13. To formulate policies to strengthen local industry and commerce.
14. To make grants for altering existing commercial and industrial buildings and for converting other buildings for use as such.
15. To formulate policies to ensure the strategic management and programming for the regeneration and redevelopment of the Leicester riverside, including the Leicester Riverside Park policy area.
16. To oversee research on the local economy and review the impact of the Council's policies and initiatives on the local economy, employment and income generation, and ensuring their consistency.
17. To develop and implement the City Council's policy on European issues, including issues with regard to the Committee of the Regions, European assistance, projects and initiatives.
18. To develop and implement policies relating to European networks.
19. To monitor issues emerging from the European Community and supervise responses and related action by the City Council.
20. To determine all matters relating to overseas links and twinning arrangements, including European East/West links, except the establishment of formal twinning links referred to Council.
21. To provide an anti-poverty service and to implement anti-poverty measures in accordance with approved policies and strategies.
22. To develop and implement policies for and monitoring of inward investment/urban regeneration.
23. To be responsible for the authority's youth training and training for work programmes.
24. To approve and monitor the City Council's partnership working in relation to the National Space Centre, with particular reference to:-
 - (i) approving and overseeing the implementation of the City Council's NSC Project Plan;
 - (ii) considering and implementing action necessary on behalf of the Council to support the NSC Project companies;
 - (iii) considering and implementing action necessary to protect the Council's interest as a partnership member of the NSC companies.

- (iv) ensuring that the benefits of the NSC and its links to the surrounding areas in Leicester are maximised.
- 25. To develop and prepare Challenge Fund Bids and other similar regeneration schemes, and to ensure that approved schemes are implemented, outputs are achieved to the required standards, and liaison takes place with the Partnership bodies to achieve the programme and the project is co-ordinated with other City Council responsibilities, having particular regard, as appropriate to the City Council's role as the Accountable Body.
- 26. To provide advice services (related to this portfolio), either directly or in partnership with other organisations.
- 27. To oversee the Council's activities as 'Accountable Body' when acting on behalf of partnership organisations.
- 28. To establish mechanisms for the development of community capacity.

MATTERS RESERVED WITHIN THIS PORTFOLIO TO THE CABINET:-

- 1. All relevant matters reserved for Member level decision as detailed in Rules of Procedure.
- 2. Approving development briefs.
- 3. Policy developments of strategic significance relating to the portfolio's Terms of Reference.
- 4. Such other matters as the Cabinet may from time to time reserve to itself for decision.

All matters within the Terms of Reference of the portfolio which are not reserved to the Cabinet as stated above are delegated to the Corporate Director of Environment, Regeneration and Development.