

APPENDIX 1

THE EXECUTIVE

The Executive's Terms of Reference

CABINET

| MEMBERSHIP | |
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| DARLINGTON BOROUGH COUNCIL 8 Conservative Group Members | |
| OTHER MEMBERS | 0 |
| TOTAL MEMBERSHIP – | 8 |
| QUORUM – | 3 |

ROLE –

Cabinet will carry out all of the Local Authority’s functions which are not the responsibility of any other part of the Local Authority, whether by law or under this Constitution.

Form and Composition -

Cabinet consists of the Leader and Deputy Leader and a number of other Members appointed by the Leader.

The Leader will decide the size of the Cabinet and allocate the Portfolios below to each Cabinet Member :-

- Adults
- Children and Young People;
- Stronger Communities;
- Economy;
- Health and Housing;
- Resources; and
- Local Services.

Membership Protocols -

Cabinet Members cannot serve on Scrutiny Committees.

Cabinet Members cannot be the Mayor or Deputy Mayor.

Cabinet Members cannot be appointed as Chairs or Vice-Chairs on the Planning Applications or the Licensing Committees.

Roles and Responsibilities –

The Cabinet is made up of the Leader, Deputy Leader and six other Members. It has seven functional portfolios and has the following responsibilities:-

| PORTFOLIO | RESPONSIBILITY |
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| <p>Collective Responsibilities</p> | <p>1. All Cabinet Members will have the general responsibility to ensure the effective management and delivery of services within their areas of responsibility, and within the following framework :-</p> <ul style="list-style-type: none"> • the Council’s overall strategic, corporate and policy objectives; • the budgets set for the services and this Council’s Financial Procedure Rules; and • the Law and this Constitution. <p>2. Collective responsibilities are :-</p> <p>(a) developing, co-ordinating, promoting and submitting proposals on this Council’s corporate strategies, policies, objectives and initiatives;</p> <p>(b) overseeing, developing, promoting and monitoring the performance of services provided directly by this Council within this Council’s approved budget and policy framework;</p> <p>(c) overseeing services provided by joint arrangements with other Councils and agencies;</p> |

| PORTFOLIO | RESPONSIBILITY |
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| | <ul style="list-style-type: none"> <li data-bbox="587 271 1428 566">(d) promoting the interests of the Borough, its residents, businesses and other organisations and taking a community leadership role across the public, voluntary and business sectors, to develop working links with and to monitor the work of, bodies providing public services in the Borough; <li data-bbox="587 613 1428 954">(e) the formulation of the revenue and capital budgets for consideration by Council; and, in doing so consulting with Members and stakeholders in the community as necessary on the budget; and taking in-year decisions on resources and priorities to deliver strategies and the budget (within the discretions agreed for the time being by Council); <li data-bbox="587 1001 1428 1252">(f) the maintenance and development of processes for effective communication and consultation with the community, consultation Forums and other agencies especially in relation to the Council's policies and strategies; <li data-bbox="587 1299 1428 1550">(g) promoting the mainstreaming of equal opportunities, sustainability, social inclusion and health and community safety in relation to the provision of this Council's services, and the delivery of services in the Borough by other agencies; <li data-bbox="587 1597 1428 1760">(h) dealing with all matters which are within the duties of this Council which are not specifically delegated to any other body within the democratic structure <li data-bbox="587 1807 1428 1971">(i) maintaining and developing frequent and effective dialogue with all Members especially in relation to the work of the Scrutiny Committees; <li data-bbox="587 2018 1428 2060">(j) seeking the advice of Scrutiny Committees |

| PORTFOLIO | RESPONSIBILITY |
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| | <p>before taking significant decisions and being responsive to any recommendations those Committees may make and, where they differ from its own policy agenda, justifying its own policies to Council;</p> <p>(k) leading the community planning process in partnership with other agencies;</p> <p>(l) overseeing the development of the Council's Corporate Strategies and Policies;</p> <p>(m) ensuring that all relevant services represent value for money;</p> <p>(n) maintaining positive relationships with relevant external agencies such as the Council's Auditors;</p> <p>(o) being the focus for forming partnerships with other agencies, businesses and voluntary sector bodies;</p> <p>(p) recognising the possible impact of policies on implementing sustainable development;</p> <p>(q) having responsibility for contracts that are subject to Procurement;</p> <p>(r) considering and making recommendations on the Council's Capital and Revenue Medium-Term Financial Plans;</p> <p>(s) that, in relation to responsibility for land :-</p> <ul style="list-style-type: none"> (i) the Cabinet is the holding body for all Council-owned land; (ii) the power to lodge planning applications to develop council land on behalf of the Council, be delegated to Chief Officers, subject to consultation with the relevant Cabinet Member; and |

| PORTFOLIO | RESPONSIBILITY |
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| | <p>(iii) the Cabinet is responsible for all disposals of land whether by sale, lease or licence and all acquisitions, taking into account any delegations and the Contract and Property Procedure Rules.</p> <p>(t) Corporate Risk Management;</p> <p>(u) Transformation projects, as required;</p> <p>(v) ensuring efficiency is fully taken into account when taking any decisions; and</p> <p>(w) ensuring resources within the portfolios are utilised in an efficient manner.</p> |
| <p>Leader</p> | <ol style="list-style-type: none"> 1. To appoint a Deputy Leader for a four-year term of office. 2. To appoint the number of Cabinet Members, a minimum of three and a maximum of nine, and allocate the Portfolio's to each Cabinet Member. 3. To make decisions, draw up the budget and make new policies alone or with Cabinet (a simple majority of Councillors can reject a proposal from the Leader/Cabinet). 4. To make arrangements for the discharge of the functions which under Regulations are the responding of Cabinet. 5. In addition to leadership of corporate strategy for the Council, including reputation, legislation, partnerships and policy, the Leader will :- <ul style="list-style-type: none"> • represent the Council as required at national and regional level and on Regional and Tees Valley bodies, including the Tees Valley Combined Authority; • lead on Transformation and the Business |

| PORTFOLIO | RESPONSIBILITY |
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| | <p>Model; and</p> <ul style="list-style-type: none"> • lead on international partnerships and Town Twinning; • lead on Darlington Partnership |
| Deputy Leader | <ol style="list-style-type: none"> 1. To assist the Leader with their responsibilities. 2. To deputise for the Leader in their absence. |
| Economy | <ul style="list-style-type: none"> • ‘Place’ Strategy, Policy and Performance • Planning and Related Policy • Economy and Housing Policy • Environment, Urban Design, Heritage and Sustainability • Climate Change • Development Management (Local Planning Authority matters – except where delegated to Planning Applications Committee) <p>Economic Development and Regeneration:</p> <ul style="list-style-type: none"> • Employability • Business Support • Business Engagement • Inward Investment • Regeneration and Development • Town Centre • Environmental Health • Building Control |
| Stronger Communities | <ul style="list-style-type: none"> • Policing • Community safety. • Council’s responsibilities for Fire and Rescue Services • Street Scene Enforcement • Illegal Encampments • Private Sector Housing • Licensing of premises (except where delegated to Licensing Committee) • Hackney carriage and private hire vehicles (except where delegated to the Licensing Committee) • Trading Standards and Animal Welfare • Co-ordination of the Council's responsibilities under the Floods and Water Act |

| PORTFOLIO | RESPONSIBILITY |
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| | <ul style="list-style-type: none"> • Civil Contingencies and Emergency Planning • Parking Enforcement • CCTV • Voluntary sector • Community Development • Decision making on applications for community grants, subject to existing criteria • Equalities • Cabinet Champion for equalities |
| Children and Young People | <ul style="list-style-type: none"> • Education • Adult and Community Learning • Children’s safeguarding and assessment • Looked after children (including fostering and adoption) • Care Leavers • Life Stages (0 – 25 years) |
| Resources | <ul style="list-style-type: none"> • Financial Management within the Council including Medium Term Financial (MTFP), Treasury management, local taxation and Risk management and Insurance • Oversight of Transformation and Business Model implementation • Oversight of the Council’s Corporate Planning process including the Organisational Development Strategy (ODS), Performance management and the efficiency programme • Corporate Landlord, • Land and Property Asset Management • Corporate Procurement • Information Communication Technology (ICT) • Human Resources • Health and Safety • Communications and One Darlington magazine • Oversight of the Building Services division • Housing Benefits • The Council’s Customer Strategy and oversight of the Council’s Customer Services and insight functions • Legal/Democratic/Registrars • Oversight of the Councils Shared Services Partnership Xentrall |

| PORTFOLIO | RESPONSIBILITY |
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| | <ul style="list-style-type: none"> • Oversight of the capital projects and design services management |
| Adults | <ul style="list-style-type: none"> • Adult Mental Health • Mental Health Services for Older People, Mental Capacity Act/Deprivation of Liberty Safeguards, and Approved Mental Health Practitioners • Assessment and Reviews, Physical and Sensory Impairment, First Point of Contact, Safeguarding Adults, On-going and Complex Care and Occupational Therapy • Life Stages Services (26 years plus) • Day Services • Supported Living • Reablement • Learning Disability Services |
| Health and Housing | <ul style="list-style-type: none"> • Public Health functions • Integrated health commissioning • NHS • Sports and physical activity programme • Dolphin Centre • Eastbourne Sports Complex • Council Housing Services including Lifeline and Homelessness |
| Local Services | <ul style="list-style-type: none"> • Street Scene Policy (refuse/recycling/street cleaning/grounds maintenance) • Crematorium and Cemeteries • Arboriculture • Countryside and Allotments • Parks, Open Spaces and Play Areas • Waste Management • Fleet Management and Maintenance • Head of Steam • Hippodrome • Events and Programming • Library Service • Strategic Arts • 2025 |

| PORTFOLIO | RESPONSIBILITY |
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| | <p data-bbox="523 226 826 264">Transport Policy</p> <ul data-bbox="523 315 1412 779" style="list-style-type: none"><li data-bbox="523 315 1326 353">• Highway Authority responsibilities, including :-<ul data-bbox="571 360 1412 779" style="list-style-type: none"><li data-bbox="571 360 1412 488">• Transport and Highways Asset Management (roads, paths, rights of way, street lighting, traffic signals, signage);<li data-bbox="571 488 1412 566">• Transport and Highways Network Management and Improvement Schemes<li data-bbox="571 566 831 604">• Road Safety<li data-bbox="571 604 863 642">• Parking Policy<li data-bbox="571 642 1358 721">• Supported Bus Services and Concessionary Fares<li data-bbox="571 721 991 779">• Sustainable Transport |