

Leader's general scheme of delegation of executive functions 2020/21

I. Cabinet Members and Portfolios

Cabinet Portfolios 2020/21

Cabinet Member	Portfolio
Danny Thorpe	Leader – Communications and Corporate Services
Councillor Denise Scott-McDonald	Deputy Leader (Interim) - Economy and Skills
Councillor Sizwe James	Environment, Sustainability and Transport
Councillor Adel Khaireh	Culture and Communities
Councillor Chris Kirby	Finance and Resources
Councillor Sarah Merrill	Regeneration and Growth
Councillor Matthew Morrow	Children and Young People
Councillor Anthony Okereke	Housing
Councillor Jackie Smith	Community Safety and Enforcement
Councillor Miranda Williams	Health and Adult's Social Care

2. Leader's general scheme of delegation of executive functions 2020/21

Functions	Leader (also as lead member)	Lead member	Cabinet	Joint Cttee	Chief Officer
Policies					
Recommend to Council plans and strategies which make up the policy framework ¹ (Council approves drafts and adopts final plans and strategies)			x		
Agree in year changes to the policy framework to the extent permitted by Council or by the constitution			x		
Initiate consultation on new draft corporate policies and strategies and amendments to existing ones	x				
Agree new corporate policies and strategies which would not result in a key decision being taken following consultation	x				
Agree new corporate policies and strategies which would result in a key decision being taken following consultation			x		
Initiate consultation on draft new service policies and strategies and amendments to existing ones	x	x			

¹ Community Strategy, Community Safety Strategy, Development Plan, Licensing and Gambling Policy, Local Transport Plan, Youth Justice Plan

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Functions	Leader (also as lead member)	Lead member	Cabinet	Joint Cttee	Chief Officer
Agree new service policies and amendments to existing ones, post consultation, which would <u>not</u> result in a key decision being taken.	x	x			
Agree new service policies and amendments to existing ones, post consultation, which would result in a key decision being taken.			x		
Agree submissions of evidence to royal commissions, parliamentary committees and similar bodies	x	x			
Agree responses to consultation					X
Finance					
Prepare and submit estimates and amounts to Council to calculate the budget requirement and the Council Tax, and connected matters			x		
Recommend treasury management strategy to Council			x		
Consider reports from external auditors (including the management letter) and agree appropriate action			x		
Make bid for funding with resource implications of more than £500k					x

APPENDIX 2

Functions	Leader (also as lead member)	Lead member	Cabinet	Joint Cttee	Chief Officer
Make bid for funding with resource implications of £500k or less					x
Approve budget transfers between services up to £500k					x
Approve budget transfers between services heads £500k and over	x				
Write off debts up to £100k					x
Write off debts £100k and over	x				
Resources					
Dispose of non-land assets up to £100k					x
Dispose of non-land assets £100k and over			x		
Agree use of trading and charging powers					x
Approve scheme and estimate report up to £20m	x	x			
Approve scheme and estimate report £20m and over			x		
Implementation of the Community Right to Challenge provisions of the Localism Act 2011			x		
Accept tenders within budget and below £500k					x
Accept tenders within budget and £500k and over, provided they are the lowest price, or within 10% of the lowest if it the most economically advantageous					x

APPENDIX 2

Functions	Leader (also as lead member)	Lead member	Cabinet	Joint Cttee	Chief Officer
Accept all other tenders	x ²				
Agree any restructuring proposal which would involve the redundancy or early retirement of highly paid employees, ³ or where the capital cost to the pension fund relating to an employee or group of employees is greater than £50,000 or where the proposal affects more than one department					x
Agree any restructuring proposal which would involve the redundancy or early retirement of any employee, where this is required to implement a decision by the Executive in relation to the Medium Term Financial Strategy and associated measures					x
Second staff to other local authorities					x
Agree increase in fees and charges in line with or below inflation or where an increase provides for recovery of the Council's costs ⁴					x
Agree increase in fees and charges by more than inflation ⁵			x		

² In consultation with the Lead member

³ Officers receiving in excess of £50,000 p.a. inclusive of all allowances

⁴ For executive functions only. Fees for e.g. planning and licensing matters are set by the committee or chief officer

⁵ For executive functions only. Fees for e.g. planning and licensing matters are set by the committee or chief officer

Functions	Leader (also as lead member)	Lead member	Cabinet	Joint Cttee	Chief Officer
Agree eligibility criteria for access to Council services where there is a statutory responsibility to provide a service			x		
Consider reports from Overview and Scrutiny Committee	x	x			
Consider inspection and corporate reports of statutory agencies			x		
Constitution					
Respond to petitions to full Council	x	x			x
Respond to call in of decision ⁶	x	x	x	x	x
Appoint and remove Cabinet members and decide their portfolios	x				
Appoint members to joint committees which carry out executive functions, and decide the number of members to be appointed and their term of office	x				
Agree appointments of members to joint committees which carry out at least one Council function, and agree the number of members to be appointed and their term of office	x				
Nominate representatives to school governing bodies		x			
Appoint representatives to all other outside bodies	x				

⁶ Whoever took the decision will respond. If it was Cabinet, an urgency Cabinet will respond

APPENDIX 2

Functions	Leader (also as lead member)	Lead member	Cabinet	Joint Cttee	Chief Officer
Appoint advisory bodies, working groups, etc. to advise the Leader, Cabinet Members, or Cabinet as a whole on executive functions	x				
Functions delegated to Cabinet which, in the opinion of the Chief Executive, require a decision before the next meeting of the Cabinet	x				
Children					
Agree schools admission policies			x		
Agree schools budget strategy		x			
Agree schools capital allocation strategy			x		
Agree proposal to permanently increase or decrease a school's roll up to two forms of entry		x			
Make arrangements to hear appeals against exclusion of pupils, admission appeals and appeals by governing bodies					x
Land					
Make compulsory purchase order			x		
Acquire land or property following CPO					x
Acquire other land or property			x		
Agree programme of property disposals			x		

APPENDIX 2

Functions	Leader (also as lead member)	Lead member	Cabinet	Joint Cttee	Chief Officer
Dispose of land or property, with a notional value exceeding £100,000, not in the disposals programme or at an undervalue			x		
Dispose of land or property, with a notional value of £100,000 or less, not in the disposals programme or at an undervalue					x
Dispose of land or property at less than the market rate.	x				
Dispose of land or property where there is a statutory right to acquire					x
Dispose of land or property in the disposals programme and at market value					x
Agree to the appropriation of land	x				
Agree leases of land or property					x
Agree leases of land or property at below market rates	x				
Agree asset management plan			x		
Agree rents and terms of tenancies for residential housing			x		
Designate conservation areas			x		

APPENDIX 2

Functions	Leader (also as lead member)	Lead member	Cabinet	Joint Cttee	Chief Officer
Agree, following consultation with the relevant Area Planning Committee, the Adoption of Conservation Area Appraisal and Management Strategies and related matters, e.g Conservation Area boundaries, buildings for local listing and recommendations to English Heritage regarding statutory listing of buildings.		x			
Grants					
Make one off grants and loans up to £10k					x
Make one off grants and loans between £10k and £20k		x			
Make one off grants and loans above £20k	x				
Agree SLAs and SLA funding to voluntary organisations including commissioning			x		
Festivals					
Agreement to the funding, including awarding grants, for the Greenwich Festivals.		x			

APPENDIX 2

Functions	Leader (also as lead member)	Lead member	Cabinet	Joint Cttee	Chief Officer
Planning, development and highways					
Prepare, alter or replace a development plan - submit draft proposals to Council/ Planning Board for approval for public consultation			x		
Supplementary planning documents – agree proposals for consultation		x			
Agree supplementary planning documents following consultation			x		
Approval of implementation of Strategic* Traffic or Parking Management Schemes		x			
Approval of implementation of non-strategic Traffic Management Schemes					x
Publication of and consultation on traffic regulation orders					x
Determination of traffic regulation orders, following publication and consultation, and for which no significant and substantial or material objections have been received					x

APPENDIX 2

Functions	Leader (also as lead member)	Lead member	Cabinet	Joint Cttee	Chief Officer
Determination of traffic regulation orders, following publication and consultation, and for which significant and substantial or material objections have been received		x			
Responding to consultation on transport issues of regional or national significance		x			
Responding to consultation on transport issues from service providers, TfL, Government or London Councils on highway and traffic operational matters					x
Joint arrangements					
National and provincial agreements regulating staff employment				x	
Appoint parking adjudicators				x	
Fix parking penalty charges				x	
Fix clamping penalty charges				x	
Administer and enforce traffic orders controlling heavy lorries				x	
Arrange concessionary fares				x	
Agree levels of fixed penalties				x	
Determination of parking appeals relating to private land				x	
Waste disposal				x	

Functions	Leader (also as lead member)	Lead member	Cabinet	Joint Cttee	Chief Officer
Administer grants to London wide voluntary organisations				×	
Provide crematoria services				×	
Issues relating to the London Local Joint Committee as applicable				×	

3 Additional delegations to Chief Officers

All executive functions, other than those allocated under section I, are delegated to the Chief Officers listed in this section.

In addition, Chief Officers will exercise powers or duties specifically delegated to them by the Leader, Cabinet member or Cabinet.

Chief Officers may authorise officers under their control to exercise functions delegated to Chief Officers.

A. All Chief Officers

A.1 All Chief Officers are responsible for the general management of their Department and the services it provides. This includes: -

- the planning and discharge of departmental functions in accordance with Council policies and legislative requirements;
- the management of staff resources and professional leadership;
- the control and management of departmental budgets in accordance with Financial Regulations;
- the maintenance of appropriate monitoring arrangements to ensure the effectiveness and efficiency of service delivery;
- the provision of effective arrangements for consulting and involving the public
- ensuring that the Council fulfils its statutory obligations;
- compliance with Contracts Procedures in respect of the letting of contracts;

- the determination of all general staffing issues within his/her department, including changes, within budget provision, to staffing structures and departmental establishments;
- recording key decisions made by officers.

These general management responsibilities are always subject to any policies agreed by the Leader, Cabinet Member or Cabinet and guidelines and procedures established by the Chief Executive. In cases where it is not clear or there is disagreement as to the appropriate level at which a decision should be taken, the Chief Executive has authority to make a ruling in accordance with the general principles set out in this Section.

Chief Officers are responsible for ensuring that their staff are aware of and comply with Council policies and procedures.

A.2 All Chief Officers have authority to incur expenditure to implement executive decisions and to meet statutory obligations within the levels set for the budgets for which they are responsible, subject to compliance with Financial and Contracts Procedures. This includes: -

- authority to incur revenue expenditure on activities and matters already agreed by the Leader, Cabinet member or Cabinet and contained within the revenue budget for that year, and where otherwise authorised by Financial Regulations;
- authority to commence capital schemes under £100,000 which are included in approved capital and planned maintenance programmes;
- authority to invite and accept tenders, subject to compliance with Contracts Procedures.

A.3 The following paragraphs set out the general delegations to Chief Officers. Specific delegations are set out in the scheme of delegation to officers

B. Chief Executive

B.1 To act on behalf of the Leader, Cabinet Member, Cabinet or Chief Officer in respect of any of their functions on a matter which in his/her opinion is urgent.

B.2 To have responsibility for all executive functions concerning Digital Greenwich and Smart Cities with the exception of those functions reserved for decision by the Leader or delegated to a Cabinet Member, Cabinet or a Joint Committee.

- B.3 To make grants up to £5,000 to voluntary organisations where the activities concerned do not fall within the responsibility of any other Department.
- C. Director of Finance
- C.1 To undertake the responsibilities in respect of contracts and the Approved List of Contractors as set out in Contracts Procedures.
- C.2 To exercise delegated powers and undertake the detailed responsibilities in respect of the financial management of the Council (as set out in Financial Regulations). In particular, to maintain (including authority to amend) procedures, produced in accordance with Financial Regulations.
- C.3 To undertake the detailed responsibilities in respect of Risk Management and ensuring Value for Money.
- C.4 To have responsibility for all executive functions concerning Corporate Finance, Internal Audit, Anti-Fraud, Financial Operations and Payroll, Revenue Service, and Benefits Service, with the exception of those functions reserved for decision by the Leader or delegated to a Cabinet Member, Cabinet or a Joint Committee.
- C.5 To delegate responsibility to the Assistant Director Financial Processing and Systems to act as “The Greenwich Director” on the Board of GS Plus as defined in the Articles of Association of the Company and exercise all relevant powers pursuant to the position. In the absence of the Assistant Director the role to be undertaken by the Chief Executive.
- D. Director of Legal Services
- D.1 To exercise the functions of the Council’s Solicitor and Chief Legal Officer, including the approval of contract terms, the conveyancing of land and property and the signature of documents on behalf of the Council.
- D.2 To be responsible for the authentication of documents and contracts as prescribed by Financial and Contracts Procedures.
- D.3 To institute, defend or settle legal proceedings as directed by the Chief Executive or another Chief Officer; and to be responsible for the authorisation of certain Officers of the Council to prosecute, defend or appear in any legal proceedings on the Council’s behalf.

D.4 To have responsibility for all executive functions concerning legal services with the exception of those functions reserved for decision by the Leader or delegated to a Cabinet Member, Cabinet or a Joint Committee.

E. Director of Children's Services

E.1 To have responsibility for all executive functions concerning Children's Social Care, Safeguarding, Looked After Children, Care leavers, Disabled Children, Special Education Needs, Education Attainment, School Admission and Place Planning, Youth Services, Children's Centres, Early Help, Youth Offending Services, Troubled Families / Families First with the exception of those functions reserved for decision by the Leader or delegated to a Cabinet Member, Cabinet or a Joint Committee.

F. Director of Regeneration, Enterprise and Skills

F.1 To have responsibility for all executive functions concerning:

- Regeneration including delivery of the priority investment programme
- Planning, enforcement and building control,
- Employment and Skills, including GLLAB, special employment initiatives, support to business
- Transportation and Parking including road safety, active travel
- Corporate and HRA Property (including acquisitions, disposals, licences or leases for land or property)
- Capital projects and property maintenance
- Sustainability
- Housing strategy, development (including relationship with RPs), HRA capital commissioning

with the exception of those functions reserved for decision by the Leader or delegated to a Cabinet Member, Cabinet or a Joint Committee.

G. Director of Health and Adult Services

G.1 To have responsibility for all executive functions concerning Adult Social Care, Older People Day Care Nursing, Residential Care, Healthier Communities, Supported Housing, Adult Safeguarding, Public Health and Community Wellbeing, Care Commissioning, Occupational Therapy and Enablement with the exception of those functions reserved for decision by the Leader or delegated to a Cabinet Member, Cabinet or a Joint Committee.

H. Director of Public Health

H.1 To have responsibility for all executive functions concerning all of the Council's duties in relation to public health, including

- all of the Council's duties to take steps to improve public health
- preparing an Annual Report on the health of the local population
- any of the Secretary of State's public health protection or health improvement functions that s/he delegates to local authorities, either by arrangement or under regulations
- exercising the Council's functions in planning for, and responding to, emergencies that present a risk to public health
- the Council's role in co-operating with the police, the probation service and the prison service to assess the risks posed by violent or sexual offenders
- the Council's public health response as a responsible authority under the Licensing Act 2003,
- such other public health functions as the Secretary of State may specify in regulations

J. Director of Housing and Safer Communities

J.1 To have responsibility for all executive functions concerning:

- Environmental Health,
- Trading Standards,
- Safer Communities,
- Licensing,
- Asset Management,
- Tenancy Services,
- Home Ownership,
- Housing Needs and Options,

with the exception of those functions reserved for decision by the Leader or delegated to a Cabinet Member, Cabinet or a Joint Committee

K. Director of Communities and Environment

K.1 To have responsibility for all executive functions of the Council concerning Corporate Communications, Community Engagement, Parks and Open Spaces, Sport and Leisure (GLL Client), Waste Management, Street Sweeping, Mortuary, Cemeteries & Crematoria, Emergency Planning, Anti-Poverty, Policy and Performance, Third Sector Commissioning, Film Unit, Arts and Culture, Tourism, Electoral

Registration, Digital and Web Management, ICT strategy and governance, HR Professional Services, Customer Services, Registrars, Corporate Governance and Mayor's Office with the exception of those functions reserved for decision by the Leader or delegated to a Cabinet Member, Cabinet or a Joint Committee.

K.2 To deputise for the Chief Executive in her / his absence.

4 Delegations to joint committees

The following executive functions are exercised through joint arrangements with other local authorities under section 101(5) Local Government Act 1972.

The Leader may appoint non-Cabinet Members to Joint Committees where those Committees cover 5 or more local authorities).

- I. the following employment and general functions are delegated to the London Councils' Leaders Committee:
 - (a) national and provincial agreements regulating the employment of staff;
 - (b) the training of staff;
 - (c) information generally affecting human resources issues;
 - (d) health, safety and welfare matters;
 - (e) representation on national negotiating bodies dealing with pay and conditions of employment of staff;
 - (f) providing a conciliation and arbitration service in the resolution of staffing disputes;
 - (g) liaising with relevant employers' associations in relation to staffing matters;
 - (h) providing services to and representing and consulting on the common interests of London local authorities;
 - (i) providing forums for the discussion of matters of common concern;
 - (j) formulating policies for the development of democratic and effectively managed local government; and
 - (k) providing information on local government issues relevant to London.

- 2 The following transport and environment functions are delegated to the London Councils' Transport and Environment Committee:

- (a) The appointment of parking adjudicators for the purposes of the Road Traffic Act 1991; fixing penalty charge levels for infraction of parking orders; agreeing arrangements in connection with the clamping and recovery of vehicles including charges and penalties; formulation of common practices throughout greater London in respect of vehicle parking penalties; any ancillary matters associated with these functions.
- (b) The administration, modification and enforcement of traffic orders controlling the use of heavy lorries in greater London at night and during week-ends.
- (c) The arrangements, including those with transport operators under section 50 London Regional Transport Act 1984, for concessionary fares for the elderly and disabled entitling them to use public transport in greater London free of charge during prescribed hours and the use of taxis at reduced rates of charge and all ancillary matters associated with these functions.
- (d) Agreement to the levels of fixed penalties for any fixed penalty offence under the London Local Authorities and Transport for London Act 2003 and the London Local Authorities Act 2004, and any other functions required or permitted to be carried out by the joint committee under those Acts.
- (e) Functions delegated to TEC to enter into the arrangement with the British Parking Association were and continue to be delivered pursuant to section 1 of the Localism Act 2011;
- (f) Provision of an appeals service for parking on private land for the British Parking Association under contract; and
- (g) making and enforcing pan-London Traffic Orders to facilitate the introduction of a pan-London Safer Lorries Scheme and make traffic orders covering the whole of London.
- (h) The provision and operation of charging apparatus for electrically powered motor vehicles and/or the grant of permission to provide and operate charging apparatus for electrically powered motor vehicles
- (i) the making of byelaws for the purpose of regulating dockless vehicles on the highway and/or public places

3. The following grants functions are delegated to the London Councils Grants Committee:

Administering grants to voluntary organisations under a scheme established under Section 48 Local Government Act 1985 on behalf of participating boroughs and in accordance with the constitutional and procedural arrangements set out in the scheme.

4. Crematoria functions are delegated to the Eltham Crematorium Joint Committee

5. Waste disposal functions are delegated to the South East London Waste Disposal Group

6. The following functions in relation to Joint Committee of Local London:

The discharge executive functions that relate to joint activities in areas of growth and opportunities for devolution to the sub-region as follows:

1. Strategic management and expenditure of the Annual Budget as defined by the Inter Authority Agreement made between Local London Members.
2. Strategic management and expenditure of external funding and all other financial resources allocated to the joint committee, including any funding allocated to the joint committee by any or all of the Local London Members in addition to the annual budget.
3. Approval of an annual business plan.
4. To collaborate on and coordinate a range of activities and opportunities that arise through greater devolution of powers from central government.
5. Securing local benefits and sustainable growth for the geographical areas of Local London Members.
6. Securing the long-term benefits for the functions carried out and services provided by Local London Members collectively, individually or in partnership with others.
7. Strategic and operational coherence to the collaborative work of Local London Members in relation to securing local benefits.

8. Joint bidding for funding, training and employment programmes, e.g. funding from the European Union and Regional Growth Fund (RGF) where bids from one Borough will not be entertained.
9. Establishing and facilitating the implementation of a programme for Local London Members which ensures local benefit and sustainable long term growth.

Any other executive functions relating to joint activities or areas of common concern in relation to growth and opportunities for devolution to the sub-region in relation to which funding is allocated through the annual budget or in respect of which external funding or any other financial resources as allocated to the joint committee.