



**Leaders
13 June 2016**

**Decision to be taken on or after
21 June 2016**

Ward: N/A

Key Decision: Yes/ No

Executive Member Portfolios - confirmation

Report by the Director for Communities and the Solicitor to the Council

1.0 Summary

- 1.1 To confirm the service areas within each of the Executive Portfolios.
- 1.2 To receive an informative A to Z of service areas within the individual Council Executive Portfolios.

2.0 Background

- 2.1 The Local Government and Public Involvement in Health Act 2007 introduced the 'Strong Leader' model of the Cabinet and Leader option of Local Authority Governance. Effectively this means that the Council appoints a Leader who is delegated all executive powers by the Act and has the power to further delegate those powers to 'the Executive'. The size of the Executive can be from 2 to 9 elected councillors of the Authority. This was a departure from the Local Government Act 2000 in which the Council appointed the Leader and the Cabinet.
- 2.2 Each Executive Member brings different personality, skills, knowledge and background to the Portfolio they hold and it is the role of the Leader to assess this and apportion responsibilities accordingly.
- 2.3 It can be useful for Leaders to know and review the full range of service areas within a Portfolio.
- 2.3 Officers are presenting the current service areas within each of the Portfolios in a summary form and also an informative A-Z format to enable the Leaders to review and adjust the Portfolios as part of the Governance arrangements of the Councils and as part of the continuous review of the Constitutions undertaken by the Monitoring Officer.
- 2.4 The Leaders of each Council were consulted during the preparation stage of this report. Proposals in 3.5 reflect these consultations.

3.0 Proposals

- 3.1 It is proposed that the Leaders should consider and confirm the summary portfolios, with officers ensuring that any changes are reflected in the supporting A-Z of the service areas within the attached table.
- 3.2 Any changes will be advised to the Council's Leadership Team, through the Director for Communities and Monitoring Officer, in their respective roles.
- 3.3 Any changes will be reflected in the consequential changes to Part 3 of the Constitution and updated to the website.
- 3.4 Following consultation with both Leaders these following changes have been made to the portfolio areas:

3.5 Leader portfolios

Both: Delete - West Sussex Co-operative

Both: Add Devolution; City Deal - strategic matters

Environment

Adur - delete 'culture' in the bullet point dealing with Leisure facilities etc

Worthing - Add 'Client for South Downs Leisure Trust and management of Worthing Leisure facilities and sites'.

Customer Services

Adur only - Adur Homes Board

Worthing only - delete 'public consultation, including community engagement and citizens panels' as this is a duplication with the Leader portfolio.

Health and Wellbeing

No changes

Resources

Both portfolios - change 'Efficiency agenda and business transformation' to 'Digital transformation programme'

Worthing only - remove 'Asset management etc' to clarify and remove duplication with the (Worthing) Leader's portfolio.

Regeneration

Adur only:

Delete 'Shoreham Harbour Project' and 'Shoreham Renaissance'

Add 'Adur Local Plan'

Worthing only:

Add 'Coastal West Sussex'

Change 'Worthing Master Plan' to 'Local Growth Plan'

- 3.6 The A-Z of service areas document is supportive to the portfolio summaries to give more detail to all users as to the function, responsible Head of Service, portfolio or committee responsibility. The document was amended following the structure chart issued in May 2016.

4.0 Legal

- 4.1 Sections 101 and 102 of the Local Government Act 1972 and Sections 14, 20 and 21 of the Local Government Act 2000 provide for the discharge of functions by the Councils, including by Executive, individual Executive Members and Committees.
- 4.2 Section 111 of the Local Government Act 1972 provides that the Council shall have the power to do anything (whether or not involving the expenditure, borrowing or lending of money or the acquisition or disposal of any property or right) which is calculated to facilitate, or is conducive or incidental to, the discharge of any of their functions.
- 4.3 Part 3 Executive Arrangements for England of the Local Government and Public Involvement in Health Act 2007 provide for the Strong leader and cabinet form of executive arrangements and discharge of functions.

5.0 Financial implications

- 5.1 There are no financial implications of the clarification of the Portfolios for Executive Members.

6.0 Recommendation

- 6.1 That the Leader of Adur District Council confirms the areas within each Portfolio of their Executive.
- 6.2 That the Leader of Worthing Borough Council confirms the areas within each Portfolio of their Executive.
- 6.3 The Leaders note the supporting A-Z document which is for information; it expands and details the areas of the Executive Portfolios and service areas.

Local Government Act 1972

Background Papers:

JAW/003/13-14 Cabinet Portfolios - clarification of individual portfolios
Adur District Council Constitution
Worthing Borough Council Constitution

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Schedule of Other Matters

1.0 Council Priority

1.1 This will enable each Council to ensure that its Members are properly equipped to delivery its priorities.

2.0 Specific Action Plans

2.1 Governance Action Plan

3.0 Sustainability Issues

3.1 Matter considered and no issues identified.

4.0 Equality Issues

4.1 Matter considered and no issues identified.

5.0 Community Safety Issues (Section 17)

5.1 Matter considered and no issues identified.

6.0 Human Rights Issues

6.1 Matter considered and no issues identified.

7.0 Reputation

7.1 The Councils are required to publish its discharge of functions under the Executive Arrangements of the Local Government Act 2000.

8.0 Consultations

8.1 The Leaders were consulted prior to the issue of the report, the Monitoring Officer consulted with senior officers of the councils.

9.0 Risk Assessment

9.1 Linking to 7.1 above, the decision making areas of the Executive members must be open and transparent to the public

10.0 Health & Safety Issues

10.1 Matter considered and no issues identified.

11.0 Procurement Strategy

11.1 Matter considered and no issues identified.

12. Partnership Working

12.1 The Councils work under Joint arrangements however it is not necessary for each of the Councils to have identical Executive Member Portfolios.