



## SHEFFIELD CITY COUNCIL Report to Council

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**Report of:** Deputy Chief Executive

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**Date:** 16<sup>th</sup> May 2012

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**Subject:** Notification of Cabinet, Shadow Cabinet and Cabinet Adviser Appointments, and the Leader's Scheme of Delegations for the Discharge of Executive Functions

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**Author of Report:** Paul Robinson – Head of Democratic Services (Council and Members)

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**Summary:**

This report outlines the constitutional requirements for the appointment of a Leader of the Council and notification of arrangements for the discharge of Executive functions.

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**Recommendations:**

That the Council:-

- (1) Receives and notes the Leader's notification of:-
  - (i) appointment of a Deputy Leader and Cabinet Members including their portfolio areas of responsibility;
  - (ii) appointment of advisors to the Cabinet;
  - (iii) appointment of Cabinet Members to serve on the Cabinet Highways Committee including substitutes;
  - (iv) the scheme of delegation for the discharge of Executive functions(all to be circulated in a schedule presented at the meeting).
- (2) Notes the main opposition group's notification of the Leader of the Opposition and approves the appointment of Shadow Cabinet Members and Assistants (to be circulated in a schedule presented at the meeting).

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**Background Papers:** Constitution of Sheffield City Council

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**Category of Report:** OPEN

## Statutory and Council Policy Checklist

<b>Financial implications</b>
YES – Cleared by Trish Phillipson
<b>Legal implications</b>
YES – Cleared by Lynne Bird
<b>Equality of Opportunity implications</b>
NO
<b>Tackling Health Inequalities implications</b>
NO
<b>Human Rights implications</b>
NO
<b>Environmental and Sustainability implications</b>
NO
<b>Economic impact</b>
NO
<b>Community Safety implications</b>
NO
<b>Human Resources implications</b>
NO
<b>Property implications</b>
NO
<b>Area(s) affected</b>
None
<b>Relevant Scrutiny Committee if decision called in</b>
N/A
<b>Is the item a matter which is reserved for approval by the City Council?</b>
Yes
<b>Press release</b>
NO

# **Notification of Cabinet, Shadow Cabinet and Cabinet Advisor Appointments, and the Leader's Scheme of Delegations for the Discharge of Executive Functions**

## **1. INTRODUCTION**

- 1.1 This report outlines the constitutional requirements for the appointment of a Leader of the Council and notification of arrangements for the discharge of Executive functions.

## **2. THE ESTABLISHMENT OF THE EXECUTIVE**

- 2.1 Under the Constitution the Council is required to appoint a Leader to hold office until the first annual meeting after the Leader's normal day of retirement as a Councillor. The Executive (Cabinet) shall consist of up to 10 members, including the Leader. The Constitution provides for the Leader to present to the Council annual meeting the names of Members he or she has appointed to be members of the Executive, including the Deputy Leader, and in addition a scheme of delegation for the discharge of Executive functions. The functions of the Executive, including portfolio holder areas of responsibility, are set out in the current Leader's Scheme of Delegation, but are subject to change at the discretion of the Leader.

- 2.2 The Leader may also establish sub-groups consisting of Executive members which can also take decisions. There is currently one established sub-group, the Cabinet Highways Committee comprising 4 of the Cabinet members, with the remaining Cabinet Members acting as substitutes and having the following terms of reference:

“The exercise of executive functions in relation to the application of the Highways Act 1980 and the Road Traffic Regulation Act 1984, including in particular the approval of Traffic Regulation Orders, designated traffic management matters, controlled parking zones and other orders in respect of parking and major transport scheme designs.”

The Leader may establish further sub-groups and delegate functions to them, reporting this to Council at the earliest opportunity.

- 2.3 The Leader has previously agreed to delegate some Executive functions to Area Committees (Community Assemblies) to be exercised within their Ward areas. These functions are described in Schedule 5 of the Leader's Scheme of Delegation.
- 2.4 The Council does not propose to amend the current and published arrangements in respect of Executive functions adopted by the Council on 7<sup>th</sup> April 2010, with regard to the Strong Leader and Cabinet governance arrangements. Furthermore, the mayoral Referendum held on 3<sup>rd</sup> May,

2012, resulted in a majority of voters choosing to retain the current arrangements in preference to moving to an Elected Mayor and Cabinet form of governance arrangements.

- 2.5 Details of the Leader's notification of appointments of a Deputy Leader; the Cabinet Members (including their portfolio areas of responsibility); advisors to the Cabinet; Cabinet Members to serve on the Cabinet Highways Committee (including substitutes); and the scheme of delegation for the discharge of Executive functions, will be circulated in a schedule presented at the meeting.
- 2.6 Details of the main opposition group's notification of the Leader of the Opposition and the appointment of Shadow Cabinet Members and Assistants, will also be circulated in a schedule presented at the meeting.

### **3. FINANCIAL IMPLICATIONS**

- 3.1 There are no direct financial implications arising from this report. However, the posts of Cabinet Member, Cabinet Advisor, Shadow Cabinet Member and Shadow Cabinet Assistant attract Special Responsibility Allowances (SRAs) under the Council's Members' Allowances Scheme. Therefore, there may be financial savings associated with the appointments made by the Leader of the Council and the Leader of the main opposition group, should they choose to make fewer appointments to those posts in 2012/13 than in 2011/12. An undertaking has been given at the meeting of the Corporate Members' Governance Group on 20<sup>th</sup> January, 2012, which was reported to the Budget Council meeting on 9<sup>th</sup> March, 2012, that SRA appointments in 2012/13 should cost no more than those made in 2011/12.

### **4. LEGAL IMPLICATIONS**

- 4.1 The legal implications are set out in the body of this report.

### **5. RECOMMENDATIONS**

- 5.1 That the Council receives and notes the Leader's notification of:-
  - 5.1.1 appointment of a Deputy Leader and Cabinet Members including their portfolio areas of responsibility;
  - 5.1.2 appointment of advisors to the Cabinet;
  - 5.1.3 appointment of Cabinet Members to serve on the Cabinet Highways Committee including substitutes;
  - 5.1.4 the scheme of delegation for the discharge of Executive functions (all the above to be circulated in a schedule presented at the meeting).

- 5.2 That the Council notes the main opposition group's notification of the Leader of the Opposition and approves the appointment of Shadow Cabinet Members and Assistants (to be circulated in a schedule presented at the meeting).

Lee Adams  
Deputy Chief Executive

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