

Allerdale Borough Council

Council – 19 May 2021

Leaders Report

Portfolio holder	Councillor M Johnson Leader of the Council
Report from	Sharon Sewell, Chief Officer Place & Governance
Wards affected	All wards
Is this a key decision	No

1.0 The reason for the decision

- 1.1 To note details of the Leader's chosen Executive with responsibilities and to agree the Scheme of Delegation

2.0 Recommendations

- 2.1 That the Executive membership and responsibilities be noted
- 2.2 That the Scheme of Delegation as set out in Appendix A be agreed

3.0 Background and Introduction

- 3.1 In accordance with the Council's Constitution, the Leader of the Council must submit details of his chosen Executive to the Council's annual meeting.
- 3.2 Councillors are requested to note the details below.

4.0 Content and Delivery Arrangements

- 4.1 Details of Members appointed to the Executive and their specific portfolio responsibilities:

Portfolio	Portfolio Holder	Service Areas
Environmental Services	<p>Cllr Jim Lister</p> <p>Aspatria Ward</p> <p>Moorgill Farm, West Moor End, Aspatria, CA7 2NG</p>	<p>Leisure Management</p> <p>Sports Development</p> <p>Parking</p> <p>Bereavement Services</p> <p>Parks and Open Spaces</p> <p>Refuse Collection</p> <p>Trade Waste</p> <p>Clean Streets</p> <p>Grounds Maintenance</p> <p>Recycling</p> <p>Pest Control</p>
Leisure and Tourism	<p>Cllr Tony Markley</p> <p>Silloth & Solway Ward</p> <p>Verona, Blitterlees, Silloth, CA7 4JJ</p>	<p>Destination and Tourism</p> <p>Arts and Culture</p> <p>Museums</p> <p>National Park</p> <p>National Park Partnership</p> <p>AONB</p>
Policy, Governance and People Resources	<p>Cllr Marion Fitzgerald</p> <p>Dalton Ward</p> <p>Lane Head, Bolton Low Houses, Wigton, CA7 8PA</p>	<p>Nuclear</p> <p>Climate Change</p> <p>Corporate Policy</p> <p>Planning Policy</p> <p>Housing Strategy</p> <p>People Resources</p> <p>Strategic Comms</p> <p>Governance</p> <p>Democratic Services</p> <p>Electoral Services</p> <p>Risk Management</p> <p>Housing Options</p>
Economic Growth, Community Development and Placemaking	<p>Cllr Mike Johnson</p> <p>Allhallows & Waverton Ward</p> <p>Ironmonger House, New Street, Bolton Low Houses, Wigton, CA7 8PB</p>	<p>Economic Development</p> <p>Town Centre Regeneration</p> <p>Events and Markets</p> <p>Land Asset Management and Public Buildings</p> <p>Development Management</p> <p>Housing Enforcement and Grants</p> <p>Housing Development – inc Housing Company</p> <p>Procurement</p> <p>Shareholder Committee (AWS and Housing Company)</p>
Finance and Legal	<p>Cllr Colin Sharpe</p> <p>Seaton & Northside Ward</p> <p>12 Queens Avenue, Seaton, CA14 1DL</p>	<p>Financial Services</p> <p>Legal Services</p> <p>Licensing</p> <p>Assurance, Risk and Audit</p> <p>Food and Occupational Health</p> <p>Environmental Protection</p> <p>Corporate Health and Safety</p>

Customer Experience and Innovation	Cllr Alan Pitcher Wigton & Woodside Ward Ellerburn, Cuddy Lonning, Wigton, CA7 0AA	Customer Operations ICT Emergency Planning Service Innovation Programme Office Commissioning/Alternative service delivery Community Safety and Antisocial behaviour Health Improvement
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4.2 Responsibility for Executive Functions

4.2.1 The Executive will exercise the following functions:

1. to determine how expenditure on services should be undertaken;
2. approving the commencement of procurements of services, supplies and works not already identified in the capital programme, which come within the scope and definition of a key decision;
3. to agree annual reports;
4. to monitor the budget for particular services;
5. to make recommendations on the Policy Framework and annual revenue budget and capital programme to the Council;
6. to agree strategies and plans at a level below the Policy Framework;
7. to take decisions to implement the Council's policies;
8. to agree responses to consultation papers when appropriate;
9. to make appointments to and the payment of grants to outside bodies within its remit;
10. to receive and consider referrals from the Overview and Scrutiny Committee;
11. to publish a Forward Plan of expected Key Decisions.

4.2.2 The table in 4.1 of the report indicates how the Leader has allocated portfolios (lead responsibilities) for particular Executive Functions among individual members of the Executive. Normally, decisions will be taken collectively by the Executive but individual Executive members can make decisions within their portfolios which they consider to be urgent to protect the interest of the Council, subject to prior

consultation with the appropriate Chief Officer(s) and, where necessary, other Executive members. If there is uncertainty as to where a matter falls within a particular portfolio, the Leader will make a determination as to which is the relevant Executive member.

- 4.3 Under the Executive Procedural Rules the Leader will also present to the annual meeting of the Council information relating to the terms of reference and constitution of such committees as the Leader appoints.

The following is in reference to the Shareholder Committee;

4.3.1 The key roles of Shareholder Committee are to:

1. Provide a public forum in which the performance of the Company can be highlighted and monitored;
2. Scrutinise the affairs and performance of the company against any Services Agreement, business plan and budget;
3. Influence the appointment of directors including pay packages;
4. Ensure that the business plan of the Company is aligned to the strategic objectives of the Council and communicate to the Board the practical ways in which the Company can contribute to them being attained;
5. Where appropriate, seek to optimise returns on investment from trading activities whilst ensuring that trading activities are conducted in accordance with the values of the Council;
6. Report to Executive on strategic matters;
7. Where appropriate, monitor Teckal compliance at least annually.

4.3.2 Objectives and Terms of Reference

The Shareholder Committee will:

1. Safeguard the Council's investment in any Company and ensure the Company contributes to achieving the Council's strategic objectives and maximise outcomes in line with Council policy;
2. Receive, review, approve and monitor the Company's Business Plans and all financial and service performance reports;
3. Endorse any amendments to a Company's Business Plans
4. Appoint and remove Company directors and ensure directors operate in accordance with the Company's objectives;

5. Agree the employment of any non-executive or external directors and the basis on which these directors will be remunerated.
6. Appoint the Company auditors.
7. Determine the distribution of any surplus or the issue of any dividends from the Company, in accordance with the Shareholder's Agreement, and exercise any other strategic functions flowing from the Council's ownership of shares.
8. Approve the allotment of further shares in a Company (whether to third party shareholders or the Council)
9. Exercise any reserved powers set out in the Company's Shareholder Agreement and/or Articles of Association.
10. Consider any recommendation from Company Directors to cease trading

4.3.3 The membership of the Shareholder Committee

The membership of the Shareholder Committee is as follows –
 Councillor Mike Johnson, Chair of Committee
 Councillor Marion Fitzgerald, and
 Councillor Jim Lister

5.0 Scheme of Delegation

- 5.1 Members are also asked to consider and agree the Scheme of Delegation as set out in the Council's Constitution and detailed in Appendix A of this report.

6.0 Implications and Impact

6.1 Contribution to Council Strategy Priorities, Outputs and Outcomes

High performing services that meet community needs and deliver value for money

6.2 Finance/Resource implications

None directly from this report

6.3 Legal and governance implications

In accordance with the Council's Constitution the Leader is required to present details of his chosen Executive to the annual meeting of the Council

6.4 Risk analysis

A scored and mitigated risk log

Risk	Consequence	Controls required	Mitigated score
No clear leadership structure and accountability for Council services	Lack of transparency. Breach of Constitutional procedures	Regular reporting to Council	1

6.5 Increasing satisfaction and service

High performing services that meet community needs and deliver value for money

6.6 Equality impacts

The Equality duty has been considered

6.7 Health and Safety impacts

None directly from this report

6.8 Health, wellbeing and community safety impacts

None directly from this report

6.9 Environmental/sustainability impacts

None directly from this report

6.10 Other significant implications

None

Appendices attached to this report

Appendix number	Title of appendix
A	Scheme of Delegation

Background documents available

Name of background document	Where it is available
N/A	

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