

PART 2 E ALLOCATION OF RESPONSIBILITY FOR FUNCTIONS: CABINET

NAME	ROLE	WARD
Cllr Bella Sankey	Leader	Wish
Cllr Jacob Taylor	Cabinet Member – Finance and City Regeneration Deputy Leader (job share)	Moulsecomb and Bevendean
Cllr Gill Williams	Cabinet Member – Housing and New Homes Deputy Leader (job share)	Whitehawk and Marina
Cllr Emma Daniel	Cabinet Member – Children, Families, Youth Services and for Ending Violent against Women and Girls	Central Hove
Cllr Tristram Burden	Cabinet Member – Adult Social Care, Public Health and Service Transformation	Queens Park
Cllr Tim Rowkins	Cabinet Lead – Net Zero & Environmental Services	Hanover and Elm Grove
Cllr Trevor Muten	Cabinet Member – Transport, Parking and Public Realm	Goldsmid
Cllr Birgit Miller	Cabinet Member – Culture, Heritage and Tourism	Goldsmid
Cllr Leslie Pumm	Cabinet Member – Communities, Equalities and Human Rights	Westbourne and Poets' Corner
Cllr Alan Robins	Cabinet Member – Sports & Recreation	South Portslade

Cabinet Advisors appointed for 2024 - 2025

- Cllr Ty Goddard – Regional Partnerships and Economic Growth
- Cllr Mitchie Alexander – Community Engagement, Food Insecurity and Allotments
- Cllr Paul Nann – Homeless Hub
- Cllr Joy Robinson – Contract Management and Procurement

PART 2 E ALLOCATION OF RESPONSIBILITY FOR FUNCTIONS

A. LEADER OF THE COUNCIL

General Functions

To exercise any function which is designated as an executive function under the law or under the Council's Constitution.

[N.B. Section 9E of the Local Government Act 2000 (as amended) vests all executive functions in the Leader, who may delegate them to the Cabinet, a committee of the Cabinet, individual Cabinet Members, an area committee or officers. Any such delegation is without prejudice to the Leader's ability to exercise these powers].

Specific Functions

- (a) To determine the appointment and dismissal of Cabinet Members, their portfolios and the scheme of delegations for executive functions.
- (b) The formulation, co-ordination and implementation of corporate policies and strategies and making decisions relating to such matters to the extent that they are not reserved to Full Council.
- (c) To chair Cabinet meetings and major partnerships as necessary and ensure the efficient dispatch of business consistent with the Council's policies and strategies.
- (d) To be the lead spokesperson for the Council and deal with external relations with partners and other stakeholders.
- (e) To represent the Council in national and regional negotiations and consultations.
- (f) To lead on consultation and other liaison with local communities.
- (g) To lead on HR & organisational development.
- (h) To lead and co-ordinate the Council's work on key cross-cutting policy areas such as equalities, sustainability and communications.
- (i) To deal with any executive function not specifically delegated to another member of the Cabinet.

B. DEPUTY LEADER

- 1.1 The Deputy Leader of the Council shall have the responsibilities and term of office set out in the Local Government Act 2000 Section 9GB and Schedule A1 and shall have overall responsibility for:
- Undertaking the responsibilities and delegated powers of the Leader of the Council, to the extent permitted by the Constitution, in the absence of the Leader.
 - The chairing of meetings of the Executive in the absence of the Leader of the Council.
- 1.2 The role may be undertaken on a job share basis by two members of the Cabinet.

C: THE CABINET

- 1.1 The Cabinet will take Key Decisions collectively.
- 1.2 Key Decisions are defined as:
- (a) an executive decision which is likely to result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the budget for the service or function to which the decision relates; or
 - (b) an executive decision which is likely to be significant in terms of its effects on communities living or working in an area of two or more wards;
- 1.3 A decision is significant for the purposes of para 1.2(a) above if it involves expenditure or the making of savings of an amount in excess of £1m.
- 1.4 Guidance in relation to para 1.2(b) is included as an Appendix to this Allocation of Responsibilities document.
- 1.5 The following functions shall be discharged by the Cabinet:
- (a) the formulation of the Council's overall policy objectives and priorities, recommending them to the Council for approval where appropriate and their coordination and implementation with particular reference to the functions of the relevant directorates and departments.
 - (b) the development, formulation and submission to Full Council of the Council's revenue and capital budgets, including the Housing Revenue Account, ensuring effective financial control and the achievement of value for money, within the provisions

of Financial Standing Orders and recommending the budget to Council where appropriate.

- (c) the determination of the authority's strategies and programmes in relation to the policy and budget framework set by the Council.
- (d) Any matter which the Cabinet, having regard to the forward plan, decides should be dealt with by the Cabinet.
- (e) Any matter which the Leader decides should be dealt with by the Cabinet.
- (f) Any matter which is delegated to a Cabinet Member, and that Councillor decides to refer to the Cabinet.
- (g) Any matter which straddles the portfolios of 2 or more Councillors and, in the opinion of the Leader or the Monitoring Officer, is more appropriately dealt with by the Cabinet.
- (h) Any executive function which is not specifically delegated to a Cabinet Member under this scheme of delegations.
- (i) Approval of the Council's Risk Management Strategy.
- (j) Any matter which, under the Council's Financial Standing Orders, Contract Standing Orders or other Council rules, requires the approval of the Cabinet.
- (k) To affiliate to and appoint representatives to outside bodies and to make the Authority's appointments to school and college governing bodies and other bodies.
- (l) To receive reports from the Corporate Parenting Board in relation to the Council's looked after children.

1.2 When referring or reserving a matter to the Cabinet under sub-paragraphs (d) (e) (f) or (g) of paragraph 1.1 above, the Leader or, as the case may be, the Cabinet Member may do so on a one off basis or as part of a general/ standing arrangement.

D: CABINET MEMBER - FINANCE, & CITY REGENERATION

Delegated Functions

To exercise the functions of the Council as follows:

1. Finance

- (a) Advising the Leader and Cabinet on budget strategy and the medium term financial plan;
- (b) Reviewing financial management arrangements and performance;
- (c) Reviewing arrangements for securing value for money and efficiency in the use of the Council's resources;
- (d) Reviewing treasury management arrangements and performance;
- (e) Considering reports on financial matters as may be agreed between the Cabinet Member and the Chief Finance Officer and advising the Leader or the Cabinet as appropriate;
- (f) Making decisions or granting authorisations on expenditure in accordance with the requirement of Financial Standing Orders;
- (g) Making decisions on matters which, in the opinion of the Cabinet Member, on the advice of the Chief Finance Officer, are not significant enough to be referred to the Cabinet;
- (h) To provide Member leadership to the finance function, including Housing Benefit and Council Tax Reduction, the administration, collection and enforcement of Council Tax and Non-Domestic Rates.
- (i) To exercise the Council's functions in relation to school finance and sufficiency in provision of early years and school places.

2. Economic Development & City Regeneration

- (a) The planning functions of the Council to the extent that they are executive functions, including the formulation and development of the Local Area Framework prior to its adoption by Full Council;
- (b) The Council's functions and partnerships regarding the promotion of economic growth and the establishment and development of business;
- (c) Leading on the Council's promotion of economic regeneration, community wealth building, an inclusive economy, and poverty reduction.
- (d) Leading on procurement and the promotion of social value through procurement and the council's supply chain including working with all Cabinet Members to drive value for Council priorities;

- (e) To oversee the progress of major projects (including major building, infrastructure or other projects involving the erection or significant alteration of major permanent structures or landmarks) undertaken by the Council, and advise the Leader or the Cabinet as appropriate;
- (f) To review major projects, having regard to capacity to deliver, corporate priorities and resources, and advise the Leader or the Cabinet as appropriate;
- (g) Ensuring the effective management of the Council's property and community assets (including assets of community value);

3. Property Management

- (a) To manage land held for the purposes of the functions of Cabinet, corporately held property and land declared surplus to requirements by Cabinet or the relevant Director.
- (b) To authorise the acquisition or disposal of any land held by the Council providing that any proposal for the transfer of housing land which requires the consent of the Secretary of State shall be referred to Full Council with recommendations.

4. Neighbourhood Renewal

To discharge the Council's functions in respect of neighbourhood renewal, which include:

- (a) developing and implementing the neighbourhood renewal strategy for Brighton & Hove in order to narrow the gap between the most deprived neighbourhoods and the rest of Brighton & Hove, under the themes set by national Government of housing, health, liveability, crime, education and employment; and
- (b) acting as the accountable body for the Neighbourhood Renewal Fund on behalf of the Local Strategic Partnership.

E. CABINET MEMBER – TRANSPORT, PARKING AND PUBLIC REALM

Delegated Functions

To exercise the functions of the Council as follows:

1. Highways Management

To exercise the Council's executive functions in relation to all highways matters and as highway authority, street authority, bridge authority, including but not limited to highways, bridges and private streets.

2. Traffic Management and Transport

- (a) To exercise the Council's functions in relation to the provision of traffic management and transport services and as traffic authority, including but not limited to public passenger transport and the co-ordination of transport for service users;
- (b) To manage the provision of transport services for service departments including home-school transport and transport for social services;
- (c) To consider and make decisions on proposed traffic orders where objections have been received and not withdrawn or otherwise resolved;
- (d) To exercise the Council's powers regarding travel concessions
- (e) To be responsible for the development and strategic direction of integrated active travel.

3. Parking

To exercise the Council's functions in relation to parking, including on and off street parking and decriminalised parking.

4. Public Realm

To exercise the council's functions regarding spaces to which the public have rights of access and consisting of the highway, street furniture on the highway and open spaces or part of open spaces immediately adjacent to the highway to which the public have access.

5. Water Environment and Coast Protection

To exercise the Council's functions as a coast protection authority and to tackle water pollution.

F: CABINET MEMBER – NET ZERO AND ENVIRONMENTAL SERVICES

Delegated Functions

To exercise the functions of the Council as follows:

1. Net Zero

To lead on the Council's ambition to be a carbon Net Zero Council, including working with all Cabinet Members to deliver this

2. Sustainability

To co-ordinate the Council's role and response to cross-cutting sustainability issues such as reducing carbon emissions, , increasing biodiversity, and the conservation and management of habitats and spaces where plants and animals can thrive through the implementation of the City Downland Estate Plan.

3. Waste Management, Refuse and Recycling

To exercise the Council's functions in relation to waste and as waste collection authority, waste disposal authority and litter authority, including dealing with litter, street cleansing, abandoned vehicles and dog fouling.

4. Environmental Health and Trading Standards

- (a) To exercise the Council's functions in relation to environmental health, air pollution control, public conveniences, food safety, control of nuisances, including noise control and control of dogs;
- (b) To exercise the Council's functions regarding trading standards, including but not limited to consumer protection, product safety, fair trading, metrology, food standards and animal health.

5. Seafont

To exercise the Council's functions regarding the esplanade, beach and foreshore.

G: CABINET MEMBER – COMMUNITIES, EQUALITIES AND HUMAN RIGHTS

Delegated Functions

To exercise the functions of the Council as follows:

1. Equalities

To discharge the Council's functions regarding equalities, inclusion and Human Rights.

2. Community safety

To discharge the Council's functions regarding community safety, crime and disorder and associated matters in particular where these require member-level engagement and consultation with the community.

3. Community and voluntary sector

To develop, oversee and make decisions regarding the implementation of the Council's Communities and Third Sector policies, investment in and support to the community and voluntary sector.

4. Prevent duty

- a) Carrying out its functions with due regard to the statutory Prevent duty imposed by the Counter-Terrorism and Security Act 2015, which requires the Council to have due regard to the need to prevent people being drawn into terrorism.
- b) Monitoring risk and otherwise co-ordinating Prevent activity across the Council's functions through the Prevent Board.

5. Active Citizenship and Community Resilience

- a) To develop, oversee and make decisions regarding proposals to increase active citizenship.
- b) To develop, oversee and make decisions regarding proposals to improve community resilience.

6. Refugee and Migrant Integration

To oversee plans and programmes of support for resettling refugees and asylum seekers, bringing communities together and ensuring people are welcome, including City of Sanctuary commitments.

7. Modern Slavery

To approve the Council's Modern Slavery Statement

8. Libraries Service

To oversee the Council's Libraries and information service and recommending the Libraries Plan to full Council for approval.

9. Community Engagement

- (a) To co-ordinate and lead on the Council's functions in connection with community engagement and voluntary organisations;
- (b) To ensure an effective working relationship with voluntary, community, and faith sector organisations;
- (c) To work with community groups, and statutory agencies to both maintain and improve community resilience.
- (d) Ensuring residents and stakeholders are being appropriately involved and consulted on the Council's decisions, plans and activities.

10. Community-led events

To oversee plans and programmes for community led events, such as Pride.

11. Night Time Economy

To lead on matters relating to the support of the City's night time economy

12. Communications and Consultation

To oversee the delivery of effective communications and consultation arrangements.

H: CABINET MEMBER - HOUSING AND NEW HOMES

Delegated Functions

To discharge the Council's functions as a local housing authority and to discharge the specific functions set out in the following paragraphs.

1. Strategic and Private Sector Housing

To discharge the Council's functions in relation to:

- (a) The Council's housing strategy;
- (b) Homelessness and the allocation of housing;
- (c) Private sector housing, including taking action to remedy overcrowding, disrepair, unfitness and statutory nuisances; to promote fire safety in private sector housing and the Council's functions in relation to houses in multiple occupation;
- (d) Tenancy relations and the provision of housing advice;
- (e) Housing loans and grants.

2. Street homelessness

To coordinate the Council's policies and actions with a view to reducing and eliminating street homelessness and to ensure that appropriate action is taken.

3. Housing Related Support Services

To exercise the Council's functions for the commissioning of housing related support services.

4. Housing Landlord Functions

To discharge the Council's functions as a housing landlord including the management of property within the Housing Revenue Account and associated properties.

5. Authorised and unauthorised sites and encampments

To exercise the Council's functions in relation to the management of authorised and unauthorised sites and encampments, including all activities necessary or incidental to the Council's performance of its responsibilities in relation to the following:

- (a) Gypsies, Roma and Travellers;
- (b) Van dwellers.

6. Building Control

To exercise the Council's functions regarding building control.

I: CABINET MEMBER – CHILDREN, FAMILIES & YOUTH SERVICES AND FOR ENDING VIOLENCE AGAINST WOMEN AND GIRLS

Delegated Functions

To be the Lead Member for Children's Services in accordance with Section 19(2) of the Children Act 2004.

1. To exercise the functions of the Council:
 - (a) as a Local Education Authority under any enactment relating to education, youth services and the employment of children;
 - (b) in relation to educational charities;
 - (c) in partnership arrangements with other bodies connected with the delivery of education;
 - (d) in relation to social services for children and young people;
 - (e) in partnership arrangements with other bodies connected with the delivery of services for children, young people and families;
 - (f) regarding families in connection with the functions set out above or where there are no other arrangements made under this scheme of delegation;
 - (g) under or in connection with the children and young people's partnership arrangements made with health bodies pursuant to section 75 of the National Health Service Act 2006 and section 10 of the Children Act 2004 ("the section 75 Agreements");
 - (h) in relation to children's public health;
 - (i) in relation to oversight and strategic direction on the work to end Violence Against Women and Girls (VAWG), Domestic Abuse and supporting survivors;
 - (j) in relation to Home to School transport.

2. Corporate Parenting

- (a) To discharge the Council's functions as Corporate Parent for its children in care and those who are care experienced, in conjunction with relevant Council Partnership Boards and other agencies.

3. Learning Disabilities

- (a) To discharge the Council's functions regarding children's learning disabilities.

**J: CABINET MEMBER - ADULT SOCIAL CARE, PUBLIC HEALTH
AND SERVICE TRANSFORMATION**

Delegated Functions

To be the Lead Member for Adult Services as set out in the Best Practice Guidance.

1. Adult Social Services

- (a) To exercise the social services functions of the Council in respect of adults;
- (b) To exercise all of the powers of the Council in relation to the issue of certificates to blind people; the issue of badges for motor vehicles for disabled people and the grant of assistance to voluntary organisations exercising functions within its area of delegation;
- (c) To exercise the functions of the Council in relation to the removal to suitable premises of persons in need of care and attention.

2. Partnership with the Health Service

- (a) To exercise the Council's functions under or in connection with the adult services partnership arrangements made with health bodies pursuant to Section 75 of the National Health Service Act 2006.
- (b) To support partnership development in relation to social care and integrated care and joint commissioning of services.

3. Adult Learning and Employment

- (a) To discharge the Council's functions for the provision of adult education; and
- (b) To discharge the Council's functions regarding the employment of physically disabled persons.

4. Adult Learning Disabilities

To discharge the Council's functions regarding Adult Learning Disability.

5. Public Health

To coordinate and make arrangements for the exercise of the Council's functions in relation to public health, including:

- (a) Supporting the development of policies to tackle health inequalities;
- (b) Leading on the Council's response to major public health incidents;
- (c) Leading on the promotion of good mental health and wellbeing across the City.

6. Bereavement and Coroner's Services

To exercise the Council's functions in relation to bereavement services and the Coroner's service.

7. Corporate Services

To support the delivery of the following Corporate Services with a focus on service transformation:-

- Customer Services
- Corporate Performance
- IT & Digital
- Legal & Democratic Services
- Electoral and ceremonial matters where these are executive functions
- Local Land Charges
- City Records & Archives

K: CABINET MEMBER – CULTURE, HERITAGE & TOURISM

Delegated Functions

To discharge the Council's functions in relation to the following:

1. Culture, Arts and Heritage

- (a) Culture, including arts and heritage and, without prejudice to the generality of the foregoing, the exercise the Council's functions in respect of arts, entertainment and cultural activities.
- (b) The provision of leisure activities undertaken on the seafront including the esplanade, beach and foreshore

2. Tourism & Marketing

Tourism, marketing and conferences.

3. Museums

Museums, art galleries, historic buildings and their gardens and the functions of the Council regarding public records.

4. Events

Commercial events, including the annual programme of entertainment events.

5. Conservation & Design

To exercise the Council's functions in relation to Conservation and Design including the Hove Borough Council Act 1976;

6. Licensing

To exercise the licensing functions of the Council to the extent that they are executive functions, including the formulation and development of the Statement of Licensing Policy and Statement of Gambling Policy prior to their adoption by Full Council.

L: CABINET MEMBER – SPORTS & RECREATION

1. Leisure, Sports and Recreation

The provision and management of leisure, sports and recreation facilities.

2. Parks and Green Spaces

To exercise the Council's functions in relation to Parks and Open Spaces to the following extent:-

- (a) provision, management and control of parks and open spaces (except those held for housing purposes);
- (b) making countryside management arrangements;
- (c) provision, management and control of allotments and smallholdings.

M: CABINET ADVISORS

The Leader may appoint up to four Cabinet Advisors each municipal year for a term of 12 months and will decide, following consultation with Cabinet, the policy area in which the Cabinet Advisor will focus their recommendation-making. Cabinet Advisors will not sit as part of the Executive. The Leader has the right to remove any Cabinet Advisor from this position at any time.

PART 2 E

APPENDIX TO ALLOCATION OF RESPONSIBILITIES: CABINET

GUIDANCE ON KEY DECISIONS

- **Definitions of key decisions**

There are two types of key decision:

- 1. Those which are above a general financial threshold**

Key decisions are those which result in the authority incurring expenditure or savings of £1,000,000 or more.

Examples include:

- disposal of any council property with a value of £1,000,000 or more
- taking by the council of any interest in land with a value of £1,000,000 or more
- the granting of any interest in land worth £1,000,000 or more
- applications for funding from any external body which if successful would require match funding of £1,000,000 or more, or require revenue commitment of £1,000,000 or more
- the award of a contract worth £1,000,000 or more.

- 2. Those which have a significant impact on communities living or working in an area comprising two or more wards in the City**

Key decisions are those which are likely to be significant in terms of their impact on communities in two or more wards.

In considering whether a decision is likely to be significant, a decision maker will need to consider the strategic nature of the decision and whether the outcome will have an impact, for better or worse, on the amenity of the community or quality of service provided by the authority to a significant number of people living or working in the locality affected.

To assist in this judgment, the following factors should be taken into account:

- the extent of the impact (i.e. how many people and wards will be affected)
- the likely views of those affected (i.e. is the decision likely to result in substantial public interest)
- whether the decision is likely to be a matter of political sensitivity
- where the decision may incur a significant social, economic or environmental risk
- where there is evidence of significant local opposition to any proposals

Examples include:

- closure or significant changes to the provision of any council service, school or education facility

