

PART 3A - EXECUTIVE FUNCTIONS

1. The arrangements for the discharge of Executive functions are set out in the Executive arrangements as determined by the Leader and reported to the Council, and contained in the tables at 2 and 3 below.
2. **Functions of the Executive and Committees of the Executive**

Responsibility	Membership	Functions
The Executive	The Leader, Deputy Leader and Executive Members	1. To exercise all the functions of the Council except in so far as reserved to the Council by legislation or the Constitution (including functions defined as Council Functions as set out in B1 and E2 or Local Choice functions which are not allocated to the Executive as set out in B6).
		2. To formulate plans or strategies for the approval of the Council which are part of the budget and policy framework.
		3. To consider matters referred by the overview and scrutiny committees.
Committees of the Executive		To be determined by the Leader.

3. **Functions delegated to all Executive Members and individual Executive Members**

Responsibility	Functions	Qualifications (if any)
All Executive Members	To be determined by the Leader	
Leader	To authorise settlement of litigation or claims against the Council above £500,000	In consultation with the Executive Member for Corporate Resources, the relevant Executive Member and the Monitoring Officer.

		Decision to be taken in accordance with the provisions of paragraph 19 of the Access to Information Procedure Rules.
The relevant Executive Member	To authorise savings or expenditure between £200,001 and £500,000 inclusive (revenue per annum, capital gross expenditure or total contract value)	In consultation with the relevant Director, the Executive Member for Corporate Resources and the Chief Finance Officer and subject to compliance with Paragraph 19 of the Access to Information Procedure Rules.
The Executive Member for Corporate Resources	To authorise savings or expenditure between £200,001 and £500,000 inclusive (revenue per annum or capital gross expenditure or total contract value)	In consultation with the relevant Executive Member and the Monitoring Officer.
The Executive Member – Community Services	To carry out the functions of the Council as Traffic Authority under the Road Traffic Regulation Acts, traffic management under the Traffic Management Act 2004 and also its functions relating to road safety and on-street and off-street parking, including implementation of arrangements for civil parking enforcement, where significant objections to the application, proposal or matter concerned arise. ¹	(a) In reaching decisions, the Executive Member shall have regard to the views of ward members who will be invited to attend any meeting at which a decision is to be made. (b) Decisions to be taken in accordance with the provisions of paragraph 19 of the Access to Information Procedure Rules.

¹ A significant objection is defined as an objection from a parish council, ward member or local landowner.

		<p>(c) The public participation provisions in Appendix A to Part A4 of the Constitution shall apply to meetings at which a decision is to be made.</p> <p>(d) In the event of the Executive Member having a conflict of interest, this shall be dealt with as set out in paragraph 4.3 of the Executive Procedure Rules.</p>
The Executive Member for Health in consultation with the Executive Member for Corporate Resources, the Director of Social Care, Health and Housing and the Chief Finance Officer	To approve individual projects, without financial limitation, under the NHS Campus Closure Capital Grant Programme, in accordance with the criteria set out in paragraph 4 of the report to Executive on 15 September 2009 (i.e. projects signed off by the Learning Disabilities Leadership Group).	<p>Subject to:-</p> <p>(a) consideration of the detailed business cases for each project; and</p> <p>(b) compliance with Paragraph 19 of the Access to Information Procedure Rules in respect of any key decision.</p>
The Executive Member for Regeneration	<p>(i) To agree updates to existing conservation area reviews</p> <p>(ii) To consider representations received during public consultation in respect of conservation area reviews and to determine the Council's response thereto</p>	<p>The following qualifications shall apply to the exercise of the functions at (i) to (iii) in the opposite column:-</p> <p>(a) In reaching decisions, the Executive Member shall have regard to the views of the ward Member(s) who will be invited to attend any meeting at which a decision is to be made.</p>

	<p>(iii) To adopt conservation area reviews as Technical Guidance for the purposes of informing development management decisions</p>	<p>(b) In the event of any objection being received from a ward Member, which the Executive Member is unable to resolve, the matter shall be referred to the Executive for determination.</p> <p>(c) Decisions to be taken in accordance with the provisions of paragraph 19 of the Access to Information Procedure Rules.</p> <p>(d) The public participation provisions in Appendix A to Part A4 of the Constitution shall apply to meetings at which a decision is to be made.</p> <p>(e) In the event of the Executive Member having a conflict of interest, this shall be dealt with as set out in paragraph 4.3 of the Executive Procedure Rules.</p>
<p>The Executive Member for Education and Skills</p>	<p>To exercise the Council's duty to determine proposals to alter the upper and lower age range of pupils in schools as prescribed by School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013.</p>	<p>(a) to take particular account of:</p> <ul style="list-style-type: none"> • Statutory and non-statutory guidance and the key factors for decision makers • The Admissions Code • Full consideration of the budget implications

		<p>(b) In reaching decisions, the Executive Member shall have regard to the views of the ward Member(s) who will be invited to attend any meeting at which a decision is to be made.</p> <p>(c) Decisions should be taken in accordance with the provisions of paragraph 19 of the Access to Information Procedure Rules.</p>
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4 Delegation and exercise of shareholder rights in LGSS Law Ltd

4.1 LGSS Law Ltd is a company jointly owned by the Council, Northamptonshire County Council (NCC) and Cambridgeshire County Council (CCC) which was established by NCC and CCC to provide legal services to the owner councils and to other organisations within the public and not for profit sectors. The Council, NCC and CCC each owns one third of the shares in LGSS Law Ltd.

4.2 This Council nominates as its shareholder representative the Executive Member for Corporate Resources. The Council delegates to the Executive Member all and any rights associated with the ownership of the shares and authorises the Executive Member to exercise those rights subject to the following conditions and reservations:

1. The Executive Member shall at all times exercise the delegated rights in accordance with the ten Solicitors Regulation Authority (SRA) Principles and Code of Conduct. If in doubt as to the requirements of the SRA Principles and Code of Conduct, the Executive Member shall take appropriate independent legal advice before exercising the delegated authority.
2. The Executive Member shall exercise the delegated authority under this provision in accordance with the Code of Conduct for Officers and Elected Members of the owner Councils and with all other relevant policies to the extent that those do not conflict with the SRA Code of Conduct and in circumstances where a conflict between the SRA Code of Conduct and any other Code shall arise, the SRA Code of Conduct shall take precedence.

5. **Functions delegated to Officers**

- 5.1 Executive functions delegated to officers of the Council are set out in **Part H3** of the Constitution.