



SHEFFIELD CITY COUNCIL Report to Council

Report of: Chief Executive

Date: 4th June 2014

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

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

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.

Recommendations:

That the Council:-

- (1) Receives, notes and approves where relevant, 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; and
 - (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 (to be circulated in a schedule presented at the meeting).
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Background Papers: Constitution of Sheffield City Council

Category of Report: OPEN

Statutory and Council Policy Checklist

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

Notification of Cabinet, Shadow Cabinet and Cabinet Adviser Appointments, and the Leader's Scheme of Delegation 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 at its Annual Meeting is required to appoint a Leader to hold office until the next Annual Meeting (and it will do this under a separate item of business on the agenda for the Annual Meeting). The Executive (Cabinet) shall consist of up to 10 members, including the Leader. The Constitution provides for the Leader to present to the Council's Annual Meeting the names and Wards of the 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. The functions delegated to the Committee are described in Schedule 4 of the Leader's Scheme of Delegation and are to:-

"Exercise all the Council's executive functions arising from the Council's roles as the Highways Authority and Road Traffic Authority, including transport and parking matters, where these relate to:-

1. the Capital Programme;
2. policy statements;
3. matters that have drawn objections from members of the public; and
4. schemes with a value in excess of £250,000."

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

- 2.3 The Council does not propose to amend the current and published arrangements in respect of Executive functions adopted by the Council on 7th April 2010, with regard to the Strong Leader and Cabinet governance arrangements.

- 2.4 Details of the Leader's notification of appointments of a Deputy Leader; the Cabinet Members (including their portfolio areas of responsibility); advisers 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 Council's Annual Meeting.
- 2.5 Details of the main opposition group's notification of the Leader of the Opposition and the appointment of Shadow Cabinet Members, 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, all the posts of Cabinet Member and Cabinet Adviser attract Special Responsibility Allowances (SRAs) under the Council's Members' Allowances Scheme, as do some of the posts of Shadow Cabinet Member (the number of posts attracting an allowance depends on the size of the main opposition group). Therefore, the appointments to be made by the Leader of the Council and the Leader of the main opposition group at the Council's annual meeting will have financial implications.
- 3.2 In the Municipal Year 2013/14, in addition to the Deputy Leader, there were a further 7 Cabinet Members, plus 10 Cabinet Advisers, in receipt of an SRA. The Leader also receives an SRA, as does the Leader of the main opposition group (while ever the Group has more than 20% membership of the Council). One post of Opposition Group Office Holder (a Shadow Cabinet Member) also received an SRA.
- 3.3 The Members' Allowances Scheme for 2014/15 approved by the Council at its special meeting on 7th March 2014, made no changes to the Special Responsibility Allowances, so the amounts paid in 2013/14 for the various roles for which special responsibility allowances are paid will be the same in 2014/15. However, any changes to the numbers of appointments made to the various roles will have financial implications. The number of Opposition Group Office Holders attracting an allowance depends on the size of the opposition group(s), and following the Municipal Elections held on 22nd May 2014, the number of posts that will attract an allowance in 2014/15 remains at one, on the basis that the main opposition group now has 21.43% (i.e. more than 20% but less than 30%) of the membership of the Council. This membership size also entitles the Leader of the main opposition group to retain his/her SRA.
- 3.4 The financial implications of the appointments of Members to positions of Special Responsibility in the Municipal Year 2014/15, will be outlined at the Council's annual meeting.

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, notes and approves where relevant, 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 advisers to the Cabinet;

5.1.3 appointment of Cabinet Members to serve on the Cabinet Highways Committee, including substitutes; and

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 (to be circulated in a schedule presented at the meeting).

John Mothersole
Chief Executive

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