

APPENDIX L

Cabinet

- 1 To take all executive decisions as defined in the Local Government Act 2000 and statutory instruments made thereunder, except items referred to full Council under Article 4 of the Constitution, and those which are required to be submitted there under the Budget and Policy Framework Rules, or are otherwise delegated to Committees under this part of the Constitution.
- 2 To advise Council on the following matters:-
 - (a) The making of Council Procedure Rules in accordance with Section 106 and para 42 Schedule 12 of the Local Government Act 1972.
 - (b) The making of Contract Procedure Rules in accordance with Section 135 of the Local Government Act 1972.
 - (c) The preparation and adoption of local development documents which are development plan documents, and matters concerning the establishment, functions and dissolution of a joint committee under Sections 29, 30 and 31 of the Planning Compulsory Purchase Act 2004.
- 3 Cabinet may also establish Cabinet committees
- 4 In accordance with paragraph 7.06 of Article 7 of Part 2 of the Constitution, committees of Cabinet can only include members of Cabinet.

2.1 Cabinet Committees

Cabinet has currently established the following Committees, with terms of reference as set out below.

2.1.1 Cabinet (Traffic and Parking) Committee

- (a) to exercise the functions contained in any agency agreement with the County Council with regard to traffic management, park and ride or on-street parking;
- (b) to exercise any District Council functions with regard to temporary road closures, park and ride or off-street parking.
- (c) to approve the list of local transport schemes to improve local transport infrastructure for which it would be reasonable to seek contributions from development proposals.

2.1.2 Cabinet (Local Plan) Committee

- (a) To determine all matters in the following stages of the production of the Local Plan:
- (i) Preparation Stage – the evidence base and arrangements for community involvement; publication of preparatory draft documents and associated public consultation
- (b) To advise and make recommendations to Cabinet and Council upon the following stages of production of the Local Plan:
- (i) approval of any full Local Plan document for initial consultation;
- (ii) approval of any Proposed Submission Local Plan Document prior to submission to the Secretary of State.
- (iii) Adoption of Local Plan Documents following the Inspector’s report and recommended modifications after the Examination.
- (c) Insofar as Neighbourhood Planning documents and the CIL charging schedule:
- (i) To determine all matters as relevant in the preparation, production, publication of Neighbourhood Planning documents and to advise Council as to the subsequent adoption of:-
- Neighbourhood Planning documents as covered by the Neighbourhood Planning Regulations 2012 (Neighbourhood Areas;
 - Neighbourhood Forums;
 - Community Right to Build Organisations;
 - Neighbourhood Development Plans;
 - Neighbourhood development orders; and
 - Community right to build orders;
- (ii) to advise and make recommendations to Cabinet in respect of the preparation, consultation and production of the CIL charging schedule (or any modification thereof) including submission for examination and subsequent adoption.
- (d) To consider and agree the adoption of Supplementary Planning Documents.
- (e) To determine matters upon related projects and studies to the Local Plan or to make recommendations to Cabinet.
- (f) To consider and comment on behalf of the Council in respect of the Regional Strategy, Local Development Frameworks, Neighbourhood Planning documents and other relevant plans or consultation exercises by Government, local authorities or other relevant bodies.

2.1.3 Cabinet (Housing) Committee

1. To exercise the executive functions set out below in relation to the Housing Revenue Account and Strategic Housing Services.
2. To oversee the Council's affordable housing development programme and to ensure the programme achieves appropriate levels of quality and quantity of housing within the policy and budget framework approved by Council.
3. To monitor and oversee the Council's Housing and Homelessness strategies and the delivery of associated action plans.

Referred Matters

To advise Cabinet and Council on:

1. Approving or adopting the policy and budget framework contained in the Sustainable Community Strategy, the Housing Investment Programme, Housing Strategy and Annual Housing Revenue Account budget.
2. Any application to the Secretary of State in respect of any Housing Stock Transfer.
3. To advise on any changes required to the policy and budget framework to take account of new legislation.
4. Whether to approve or modify the policy and budget framework for the 3 year Housing Development Programme for both the Council and Registered Providers and the associated funding requirements from both the Housing Revenue Account and General Fund, which will be kept under regular review.
5. Whether to make changes to the Housing Development policy and budget framework to take account of new legislation or changes to the Housing Revenue Account Business Plan.

To advise Cabinet on:

1. The detailed list of individual schemes within the 3 year Housing Development Programme for both the Council and Registered Providers, and to keep the Programme under regular review recommending the addition or deletion of schemes.
2. Whether to approve or modify the Council's New Homes Development Strategy and Council House design requirements.
3. The rental policy for properties provided under the Housing Development Programme.
4. Any proposals in which the limitations set out below in the Delegated Matters would be exceeded.

Delegated Matters

1. The implementation of approved policies and programmes in accordance with policy and budget framework approved by Cabinet and/or Council, subject to such budgetary and other constraints that Cabinet and/or Council may impose.
2. Housing Acts including the provision, allocation, improvement, repair, maintenance and management of dwellings and land.
3. To agree and authorise any matters in relation to schemes within the 3 year Housing Development Programme which are in accordance with the policy and budget framework approved by Cabinet and/or Council, subject to such budgetary and other constraints set out below or that Cabinet and/or Council may impose.
4. To agree changes to the timetable or scheduling of works within the approved 3 year Housing Development Programme or in cases of urgency substituting new schemes in place of schemes that will no longer come forward providing such schemes comply with the agreed Value for Money criteria for appraisals and the capital and revenue costs can be met within approved HRA or GF budgets, and within the Council's approved Prudential Indicators.
5. Exercising the powers of Cabinet under the Financial Procedure Rules to approve a capital or revenue virement or supplementary capital or revenue estimates up to £250,000 subject to the requirement to give The Overview and Scrutiny Committee the opportunity to call in any such approvals in excess of £100,000 (Note – virement is not appropriate where there will be savings in one Fund and additional costs incurred in another Fund e.g. between the General Fund and the Housing Revenue Account. Also, any requests for a supplementary estimate on the HRA will have implications for the HRA Business Plan and these matters will therefore need to be referred to Cabinet or Council as appropriate).
6. Exercising the powers of Cabinet under the Contract Procedure Rules in relation to procurement contracts for works, goods, software or services up to a value of £2,000,000 or £200,000 per annum, whichever is the greater:
Approval of price/quality evaluation criteria;
 - (i) Approval of short-listing procedures, short-list selection and approved lists of contractors, including the authorisation of any departures from Contract Procedure Rules;
 - (ii) Award of Contract;
 - (iii) (Approval of schemes under Financial Procedure Rule 6.4 – authority to release expenditure for capital schemes;
 - (iv) Approval of final cost for capital schemes under Financial Procedure Rule 7.12.

7. To agree any land disposals at best consideration or where the undervalue does not exceed £100,000. To agree any disposals at less than best consideration where the undervalue does not exceed £250,000 provided the matter is not called-in for review by The Overview and Scrutiny Committee.
8. To review and monitor the Council's performance and use of resources in the above areas, including but not restricted to the implementation of change plans, performance against national and local performance indicators, and identification of risks and action taken to mitigate those risks.